

R5 U WASHINGTON AVENUE RESIDENTIAL PLAN - LDR AMENDMENT

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 FOR PARKING TIER 2; BY AMENDING CHAPTER 7, ENTITLED "ZONING DISTRICTS AND 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 FRONTING WASHINGTON AVENUE FROM 5TH STREET TO 17TH STREET; BY AMENDING ARTICLE II, ENTITLED "DISTRICT REGULATIONS," SECTION 7.2.5, ENTITLED "RM-2 RESIDENTIAL MULTIFAMILY, MEDIUM INTENSITY," AT SUBSECTION 7.2.5.5, ENTITLED "MID BEACH RESIDENTIAL USE INCENTIVE AREA (RM-2)," TO ESTABLISH RESIDENTIAL USE INCENTIVES SPECIFIC TO PROPERTIES IN APPLICABLE RM-2 ZONING DISTRICTS FRONTING WASHINGTON AVENUE FROM 6TH STREET TO 7TH 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 SUBSECTION 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 SUBSECTION 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.

Applicable Area:



COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission

FROM: Eric Carpenter, City Manager

DATE: February 3, 2025 11:05 a.m. First Reading Public Hearing*

TITLE: WASHINGTON AVENUE RESIDENTIAL PLAN - LDR AMENDMENT
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 FOR PARKING TIER 2; BY AMENDING CHAPTER 7, ENTITLED "ZONING DISTRICTS AND 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 FRONTING WASHINGTON AVENUE FROM 5TH STREET TO 17TH STREET; BY AMENDING ARTICLE II, ENTITLED "DISTRICT REGULATIONS," SECTION 7.2.5, ENTITLED "RM-2 RESIDENTIAL MULTIFAMILY, MEDIUM INTENSITY," AT SUBSECTION 7.2.5.5, ENTITLED "MID BEACH RESIDENTIAL USE INCENTIVE AREA (RM-2)," TO ESTABLISH RESIDENTIAL USE INCENTIVES SPECIFIC TO PROPERTIES IN APPLICABLE RM-2 ZONING DISTRICTS FRONTING WASHINGTON AVENUE FROM 6TH STREET TO 7TH 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 SUBSECTION 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 SUBSECTION 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.

RECOMMENDATION

The Administration recommends that the Mayor and City Commission (City Commission) approve the subject ordinance at First Reading and schedule a Second Reading public hearing for April 23, 2025.

BACKGROUND/HISTORY

On May 15, 2024, at the request of Commissioner David Suarez, the City Commission referred a proposal for establishing incentives for non-transient residential uses on Washington Avenue (C4 AA) to the Land Use and Sustainability Committee (LUSC) and the Planning Board. On June 10, 2024, the LUSC discussed the item, and recommended that the Planning Board approve the proposed ordinances amending the Land Development Regulations of the City Code (LDRs) and the Comprehensive Plan, inclusive of the following amendments:

1. Incorporate adequate setbacks.
2. Provide minimum parking for service workers and building staff.
3. Limit the total amount of floor area that can be exempt for micro-mobility areas.
4. Limit the sunset provision to no more than 5 years.

Additionally, Commissioner Tanya K. Bhatt and Joseph Magazine were added as co-sponsors of the proposal.

On July 30, 2024, the Planning Board reviewed the proposed ordinances and continued each to the September 24, 2024, Planning Board meeting. On September 10, 2024, a public workshop was held after the first review of the Planning Board and additional input received from the participants.

On September 24, 2024, the ordinances were continued to a date certain of October 29, 2024, at the request of the item sponsor, to consider modifications to the proposed incentives. Since an increase in the maximum floor area ratio (FAR) is being proposed, the process was required to restart at step 1.

On October 29, 2024, the Planning Board reviewed the proposed ordinances and continued each to a date certain of November 26, 2024.

On November 5, 2024, the LUSC discussed the proposed ordinances and recommended the following:

1. Remove the maximum unit size requirement of 1,200 square feet.
2. The Planning Board discuss and provide a recommendation regarding the potential incorporation of a Transfer of Development Rights (TDR) program.
3. The Planning Board 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.

On November 7, 2024, an additional required public workshop after the October 29, 2024, review of the Planning Board was held, and additional input was received. On November 26, 2024, the Planning Board reviewed and transmitted the proposed ordinances to the City Commission.

ANALYSIS

The proposed amendments to the LDRs and the Comprehensive Plan create tangible incentives for non-transient residential uses on Washington Avenue, from 5th to 17th Street. The proposed incentives are predicated on the following:

- Non-transient, residential apartment units only.
- A minimum micro-mobility component within the interior of the structure, accessible by all residential units.
- The minimum lot size for an eligible project shall not be less than 13,000 square feet.

The following is a summary of the key amendments associated with the proposed incentives:

1. Parking Tier 2.c is proposed to be modified 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 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.
2. The maximum FAR shall be increased from 2.0 to 4.0 for C-PS2, RM-2 and CD-2 zoned properties and 3.25 for CD-3 zoned properties. This proposed increase in FAR is only applicable to projects meeting the requirements for non-transient residential projects.
3. The interior portions of a project dedicated to micro-mobility shall be exempt from the definition of floor area.
4. The maximum building height for non-transient residential buildings shall be increased from 50 feet to 75 feet and the current maximum height for hotels and transient residential shall be decreased from 75 feet to 50 feet. 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 project shall exceed minimum micro-mobility requirements, as well as participate in a public micro-mobility network.
 - c. An elimination of the mobility fee, for projects that have obtained a full building permit by September 1, 2032.
 - d. A sunset provision has been included, which requires that any project eligible for these incentives obtain a full building permit by September 1, 2032.
5. Maximum density is increased from 100 -106 units per acre to 175 units per acre.
6. The Historic Preservation Board (HPB) may consider a waiver of the minimum front and street side setback requirements.

Finally, the proposed ordinance includes the following applicability section:

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.

Attached are maps showing the specific areas applicable to the proposed ordinance.

REVIEW REQUIREMENTS

The application submitted herein is in accordance with Section 7.1.10.2(a) of the LDRs, for amendments increasing maximum allowable FAR, and which requires the following review process:

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.

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 by the Planning Board 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.

Additionally, as the proposed ordinance includes an increase in maximum allowable FAR, an affirmative vote of 6/7th of the City Commission is required for approval.

INFRASTRUCTURE IMPACTS

Per section 7.1.10.3 of the LDRs, the Administration is required to perform an impact analysis of the proposed FAR increase. This impact analysis must 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.

Attached is the impact analysis provided to the Planning Board as part of their review. Additionally, a massing study prepared by Arquitectonica is attached. This massing study includes site plans, sections and perspectives, with views along Washington Avenue showing potential development at a maximum height of 75 feet and 100 feet, as well as FAR options up to 4.0. The following properties were used for this massing study:

- 705–739 Washington Avenue
- 1260 Washington Avenue
- 1261 Washington Avenue
- 1359 Washington Avenue
- 930 Washington Avenue

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 ordinance.

PUBLIC OUTREACH SUMMARY

Following the Planning Board's preliminary review meeting on July 30, 2024, a public meeting was held on September 10, 2024, via Zoom, for all affected stakeholders, to solicit additional input and feedback. The following is a link to the meeting: <https://youtu.be/wzk0viU1NUE>.

Following the Planning Board's October 29, 2024 review, another public meeting was held on November 7, 2024, via Zoom, for all affected stakeholders, to solicit additional input and feedback. The following is a link to the meeting: <https://youtu.be/Ja2q14yGik0>.

COMPREHENSIVE PLAN AMENDMENT AND REVIEW PROCESS

The proposal requires an amendment to the Comprehensive Plan for the proposed increases in intensity (FAR) and density (units per acre of land). A companion amendment to the Comprehensive Plan will be considered as a separate ordinance by the City Commission.

PLANNING BOARD REVIEW

On November 26, 2024, the Planning Board held a public hearing and transmitted the proposed ordinance, as well as a separate, companion ordinance amending the Comprehensive Plan, to the City Commission with a favorable recommendation (7-0). The Planning Board also made the following additional recommendations, each by separate vote:

1. Establish a maximum unit size of 1300 square feet (4-3).
2. Reduce the 50% micro-mobility requirement at the first level (7-0).
3. Establish a minimum percentage of housing units that must be below market rates (7-0).
4. The inclusion of a Transfer of Development Rights (TDR) program (7-0).
5. Recommended that the larger Washington Avenue area be reviewed regarding maximum allowable FAR and height (4-3).

PROPOSAL SUMMARY

The Administration is supportive of the proposed amendments to the LDRs and Comprehensive Plan, as they provide tangible incentives for the development of non-transient residential uses on Washington Avenue. It is important to note that the incentives contained herein are not a blanket increase in development rights for any property and any type of use. To the contrary, they are strategic incentives and limited solely to non-transient uses.

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 non-transient residential development along Washington Avenue, and the timeframe to utilize the incentives is limited. Although residential use has been permitted on Washington Avenue for decades, including an existing 0.5 FAR bonus for residential uses, 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 for aggregating enough parcels to make non-transient residential projects feasible.

Attached is a map illustrating existing transit and mobility routes in and around the incentive area. The proposed incentives would take advantage of the established transit network on Washington Avenue and the larger area south of 17th Street, 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 closing, the introduction of non-transient residential uses will go a long way in improving and upgrading the character of Washington Avenue by increasing full time residents. As has been shown in other areas of the city such as Sunset Harbor and South of Fifth, a core residential population will eventually lead to commercial uses that support the residential community, as opposed to uses oriented toward visitors. The proposal herein is a long-term strategy, and establishing the foundation for tangible incentives is the first step. In the coming years if the City Commission concludes that this strategy is not working as intended, there is a built-in safety valve in the form of a sunset provision that will ensure the incentives are limited in duration.

FISCAL IMPACT STATEMENT

No Fiscal Impact Expected

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

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

FINANCIAL INFORMATION

Not Applicable

CONCLUSION

The Administration recommends the following:

1. The City Commission approve the subject ordinance at First Reading and schedule a Second Reading public hearing for April 23, 2025.
2. If the ordinance is approved at First Reading, an additional public outreach meeting, pursuant to Section 7.1.10.2(a) of the LDRs, shall be held prior to Second Reading.

Applicable Area

South Beach

Is this a "Residents Right to Know" item, pursuant to City Code Section 2-17?

Yes

Is this item related to a G.O. Bond Project?

No

Was this Agenda Item initially requested by a lobbyist which, as defined in Code Sec. 2-481, includes a principal engaged in lobbying? No

If so, specify the name of lobbyist(s) and principal(s):

Department

Planning

Sponsor(s)

Commissioner David Suarez

Co-sponsor(s)

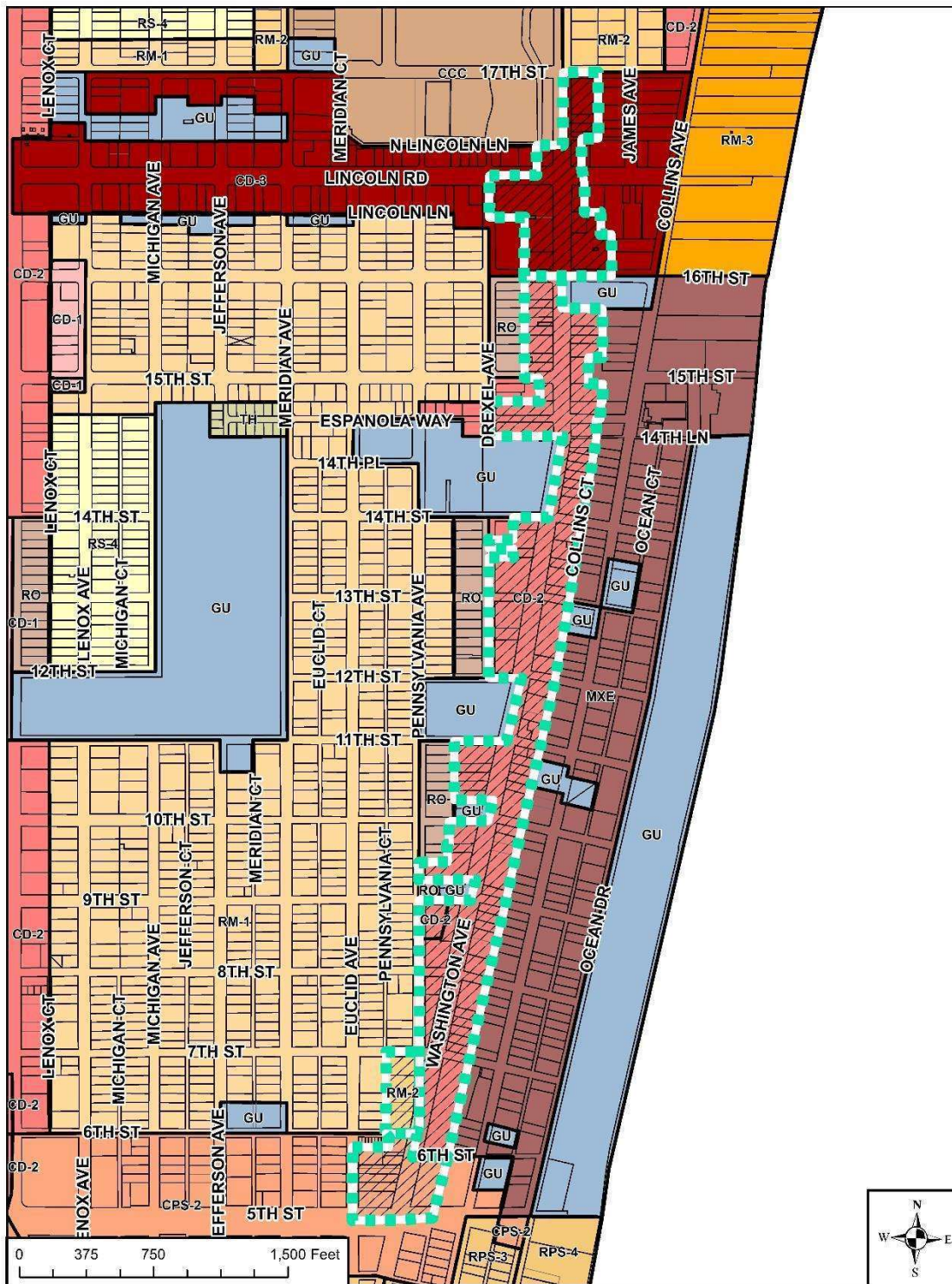
Commissioners Tanya K. Bhatt
Commissioner Alex Fernandez
Commissioner Joseph Magazine

Condensed Title

11:05 a.m. 1st Rdg PH, Washington Ave Residential Plan-LDR Amendments. (DS/TB/AF/JM)
5/7

Previous Action (For City Clerk Use Only)

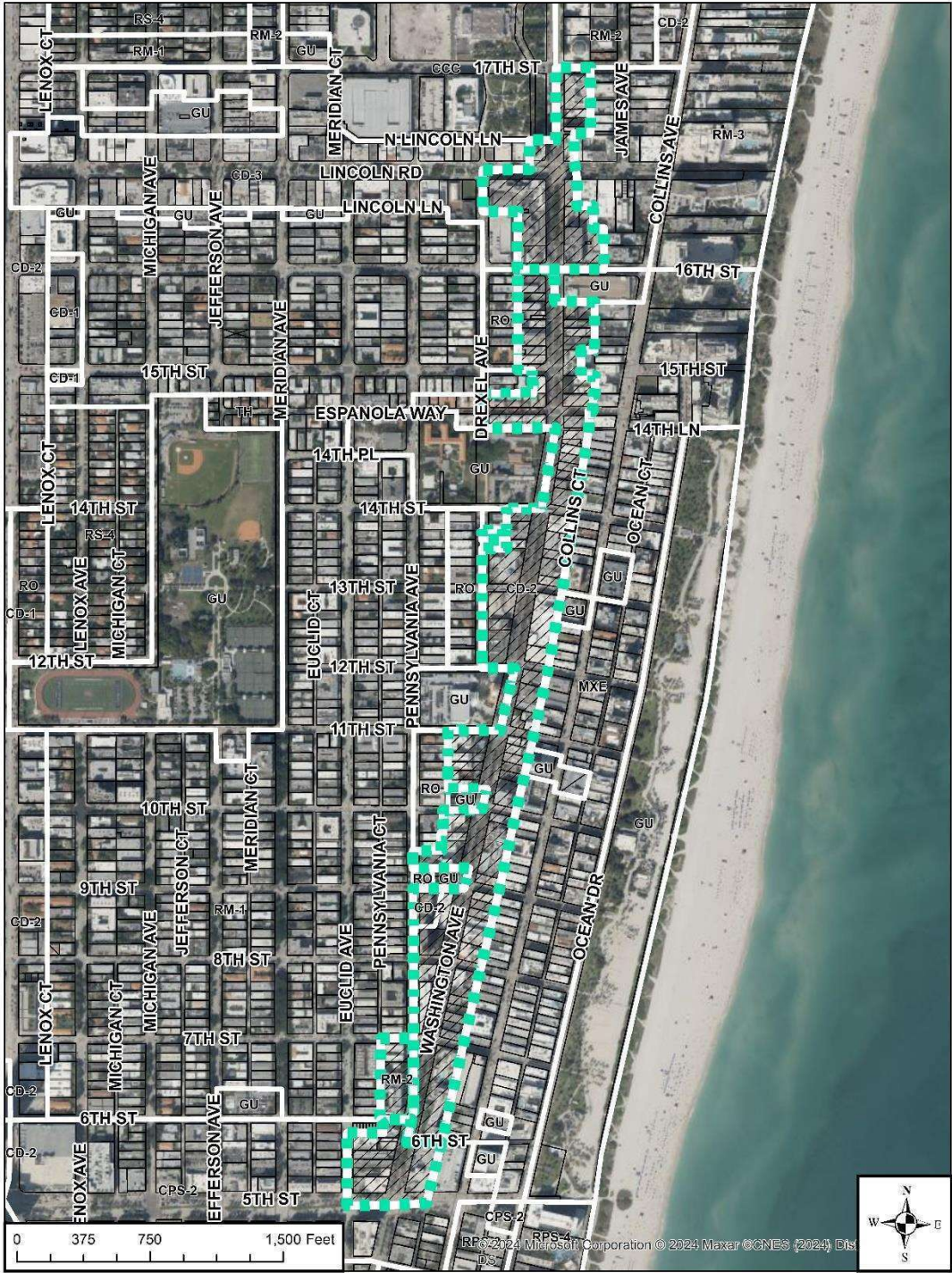
Zoning Map:



Future Land Use Map:



Aerial Map:



Washington Avenue Residential Plan – Impact Analysis

The proposed FAR increases as part of the Washington Avenue Residential Plan are intended to incentivize the replacement of transient uses, as well as incentivize the development of new residential units to serve permanent residents along Washington Avenue. The proposed ordinance contemplates an increase in FAR up to 4.0 and an increase in the residential density up to 175 units per acre; these intensity and density increases are considered in the analysis.

The analysis assumes that a minimum of 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. Any additional floor area that cannot be allocated to residential uses because of the FAR increase was allocated to commercial uses; specifically, 1/3 for retail and 2/3 for office uses.

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 concurrency analysis included herein provides detailed information for each of the affected areas and is summarized hereto:

Summary of Impacts (Note that the strikethrough numbers below indicate the potential increase with the previously proposed FAR increase to 3.0 and the underlined numbers indicate the potential increases with a 4.0 FAR.

- Potential increase of ~~4,604~~ 2,462 residential units;
- Potential population increase of ~~4,040~~ 6,155 people;
- Potential increase of ~~938~~ 1,702 peak hour vehicle trips;
- Potential increase of ~~625,560~~ 987,216 gallons of potable water consumption per day;
- Potential increase of ~~561,400~~ 861,700 gallons of sanitary sewer transmission per day; and
- Potential increase of ~~5,143~~ 7,848 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 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.

[illegible]

MIAMI BEACH

PLANNING DEPARTMENT

Comprehensive Plan and Zoning Amendment Concurrency Analysis

Date Prepared: 10/2/2024

Name of Project: Washington Avenue Residential Use Incentives

Address of Site: Washington Avenue between 5th Street & 17th Street

Concurrency Management Area: South Beach

Square Feet in the Amendment: 1,475,170

Acreage in the Amendment: 33.87

Proposed FLUM Designation

Designation:

CD-2, CD-3, C-PS2, & RM-2

Maximum Density	Maximum FAR
175	4.0

	Residential (Units)	Hotel (Rooms)	Retail (SF)	Office (SF)	Industrial (SF)	Proposed Total
Peak Hour Trips Generated*	4,594	N/A	892	1,764	N/A	7,250
Residential Demand	14,725	0				14,725

*Peak Hour Trips Calculated with ITE 9th Edition Trip Generation Manual Weekday PM Peak Hour Factors

Note: See "Washington Avenue Residential Use Incentive Area Property Calculations" table for assumptions

Existing FLUM Designation

Designation:

CD-2, CD-3, C-PS2, & RM-2

Maximum Density	Maximum FAR
150/106/100	2.0/2.25/2.75

	Residential (Units)	Hotel (Rooms)	Retail (SF)	Office (SF)	Industrial (SF)	Existing Total
Peak Hour Trips Generated*	2,674	N/A	775	1,533	N/A	4,981
Residential Demand	8,570	0				8,570

*Peak Hour Trips Calculated with ITE 9th Edition Trip Generation Manual Weekday PM Peak Hour Factors

Transportation Analysis

New Trips Generated	Trip Allowances	Transit: 15%	Alton Road/Washington Avenue Sub Area Capacity: 6,250 Trips
2,268.88 Trips		Pass-by: 30% applied to retail	Existing Trips: 4,221 Trips
		Mixed-use: 10%	Net New Trips Generated: 1,702 Trips
The City is a Transportation Concurrency Exception Area		Total: 25%	Concurrent: YES

Parks and Recreation Concurrency

Net New Residential Demand: 6,155 People

Parks Facility Type	Concurrent
Recreation and Open Space Acreage	YES
Swimming Pool	YES
Golf Course	YES
Basketball Court	NO
Tennis or Pickleball 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:	2,503,125 Gallons Per Day
Existing Max Demand:	1,515,909 Gallons Per Day
New Max Demand:	987,216 Gallons

Concurrency to be determined at Building Permit Application

Sanitary Sewer Transmission Capacity

Proposed Max Demand:	2,061,500 Gallons Per Day
Existing Max Demand:	1,199,800 Gallons Per Day
New Max Demand:	861,700 Gallons

Concurrency to be determined at Building Permit Application

Solid Waste Collection Capacity

Proposed Max Demand:	18,774 Tons Per Year
Existing Max Demand:	10,927 Tons Per Year
New Max Demand:	7,848 Tons Per Year

Concurrency to be determined at Building Permit Application

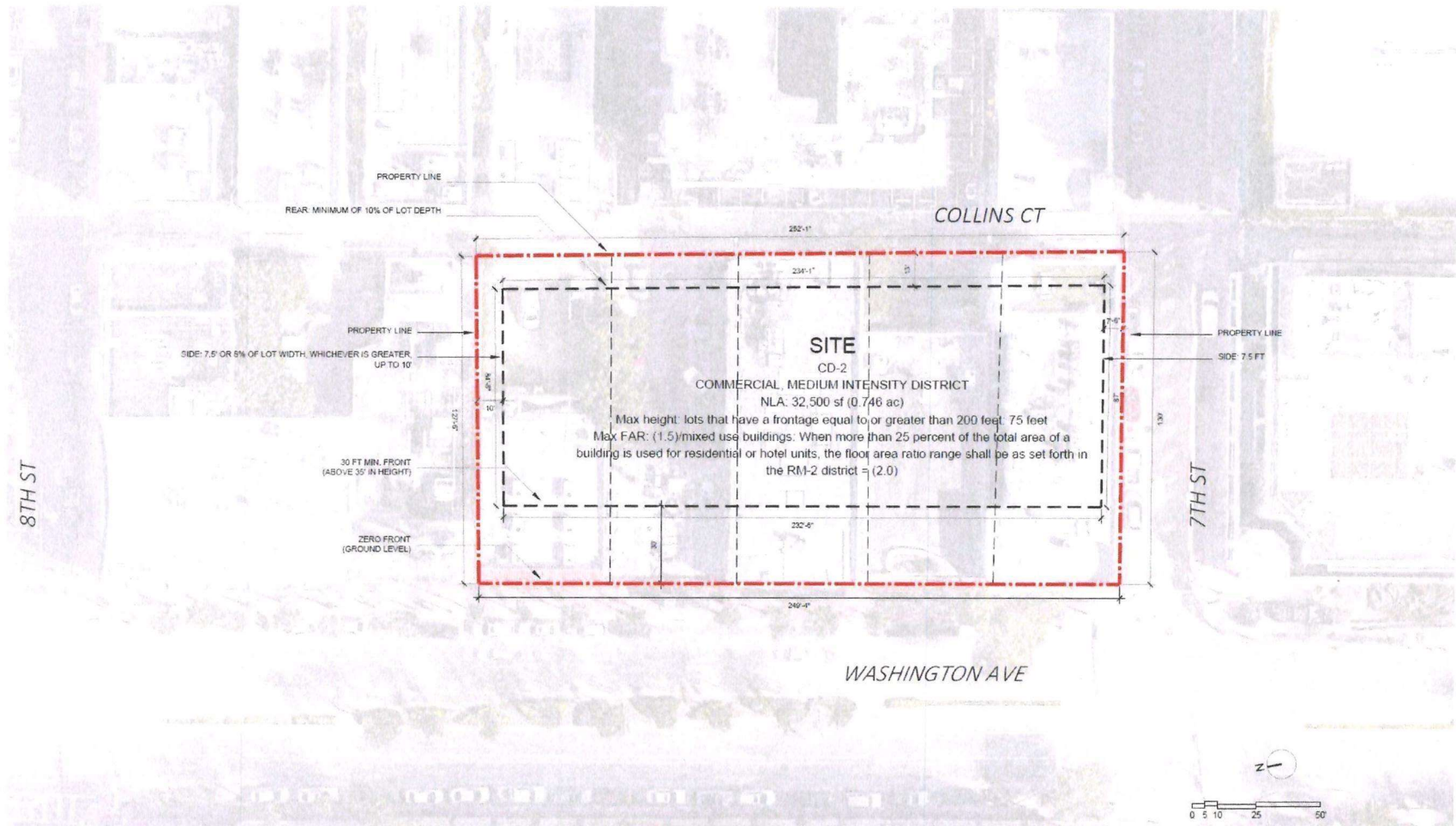
Storm Sewer capacity

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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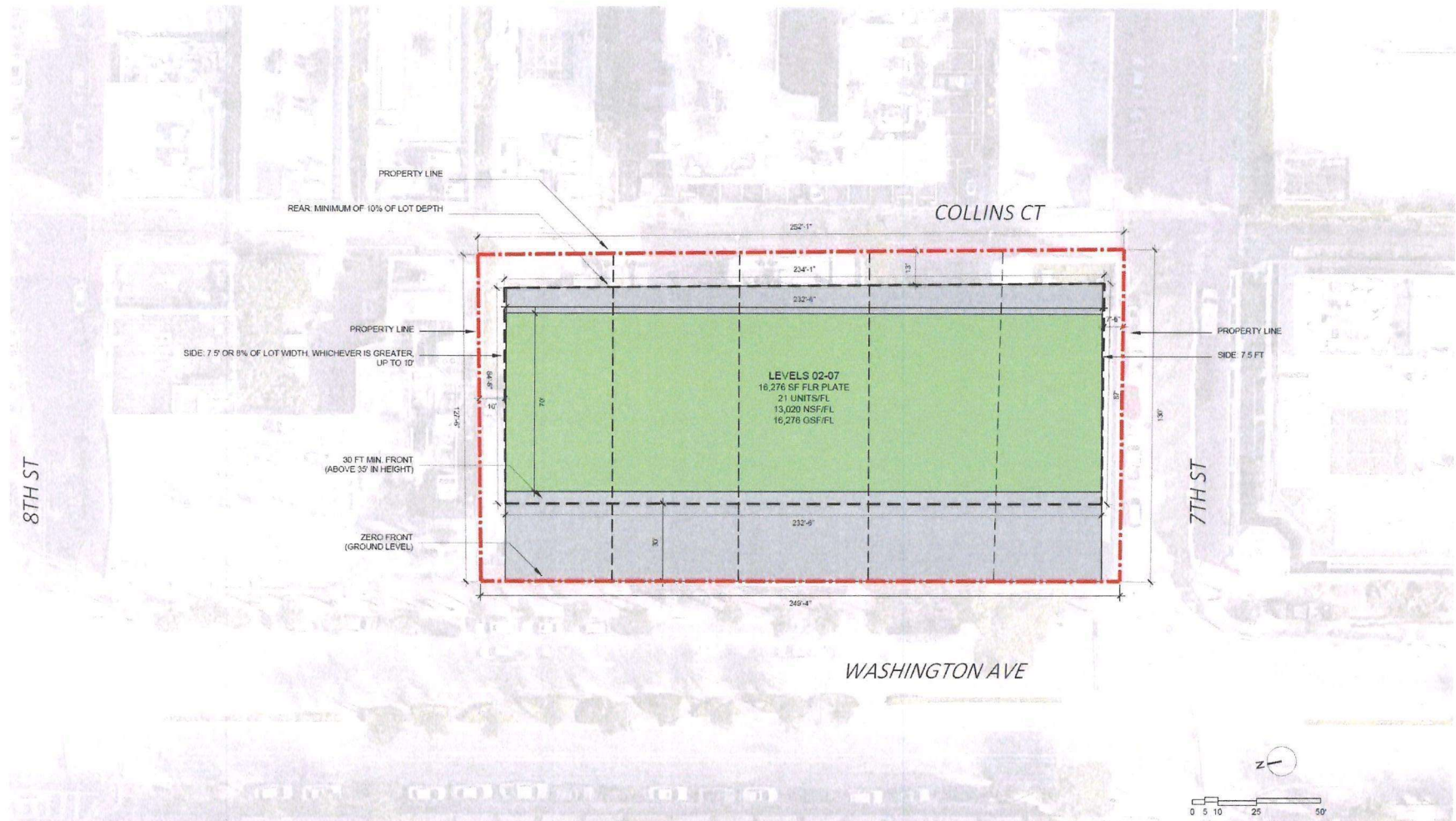
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739 - 705 WASHINGTON AVE
MIAMI BEACH, FL, 33139

PROJECT SITE

DATE:
10/04/2024

A1-02



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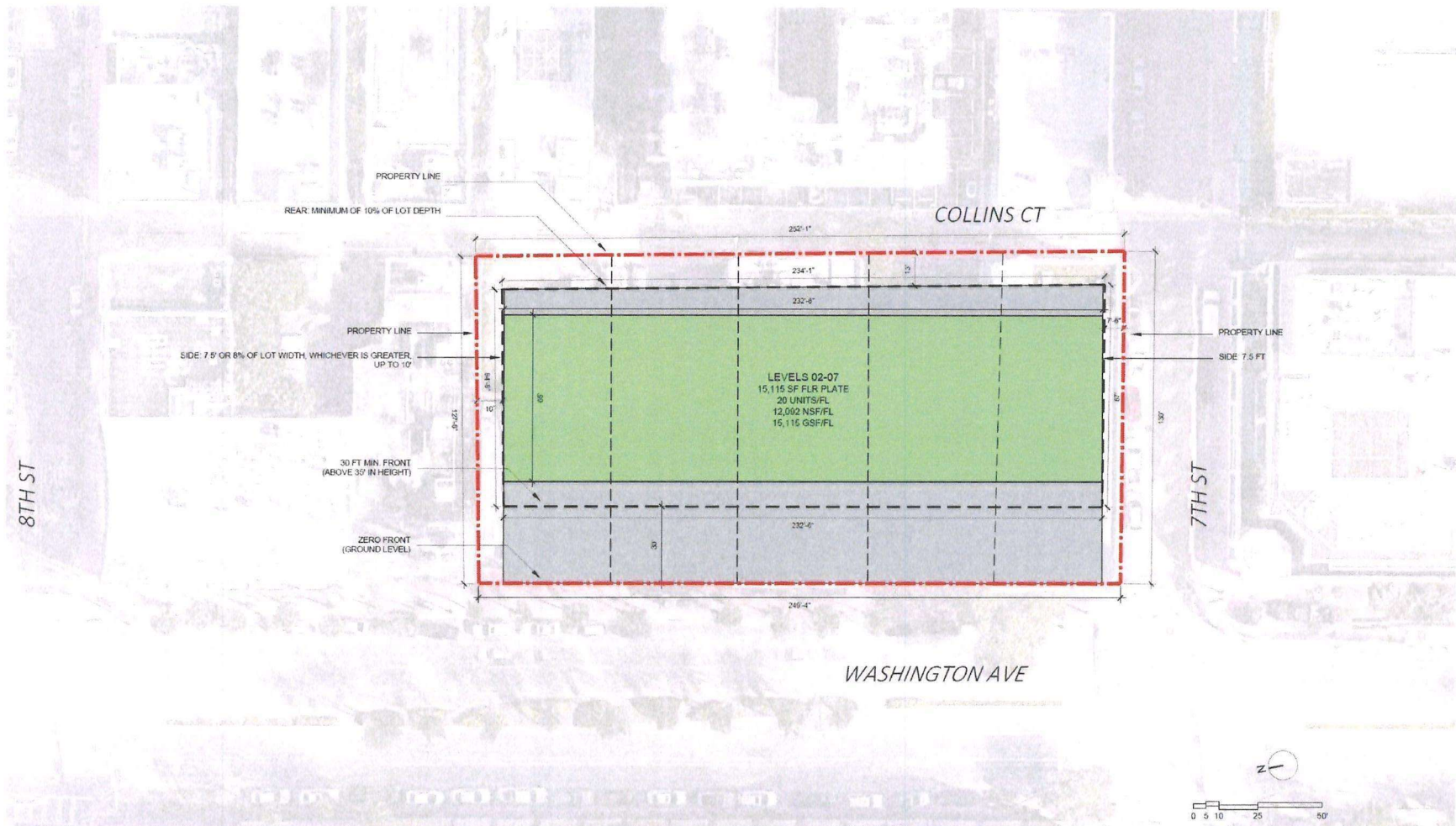
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739 - 705 WASHINGTON AVE
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PROJECT SITE
4.0 FAR / 75 FT

DATE:
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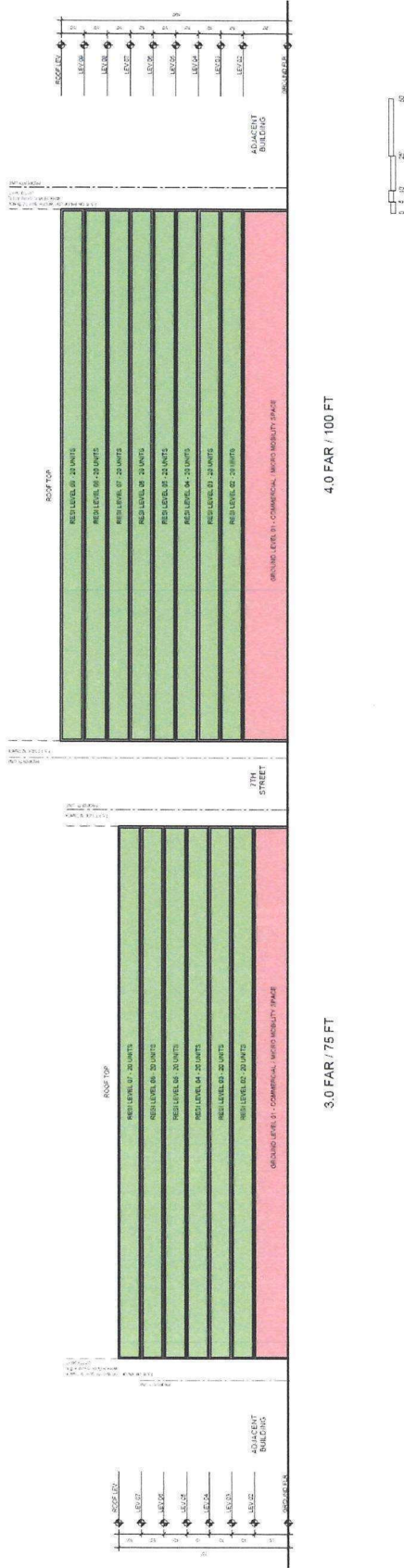
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PROJECT SITE
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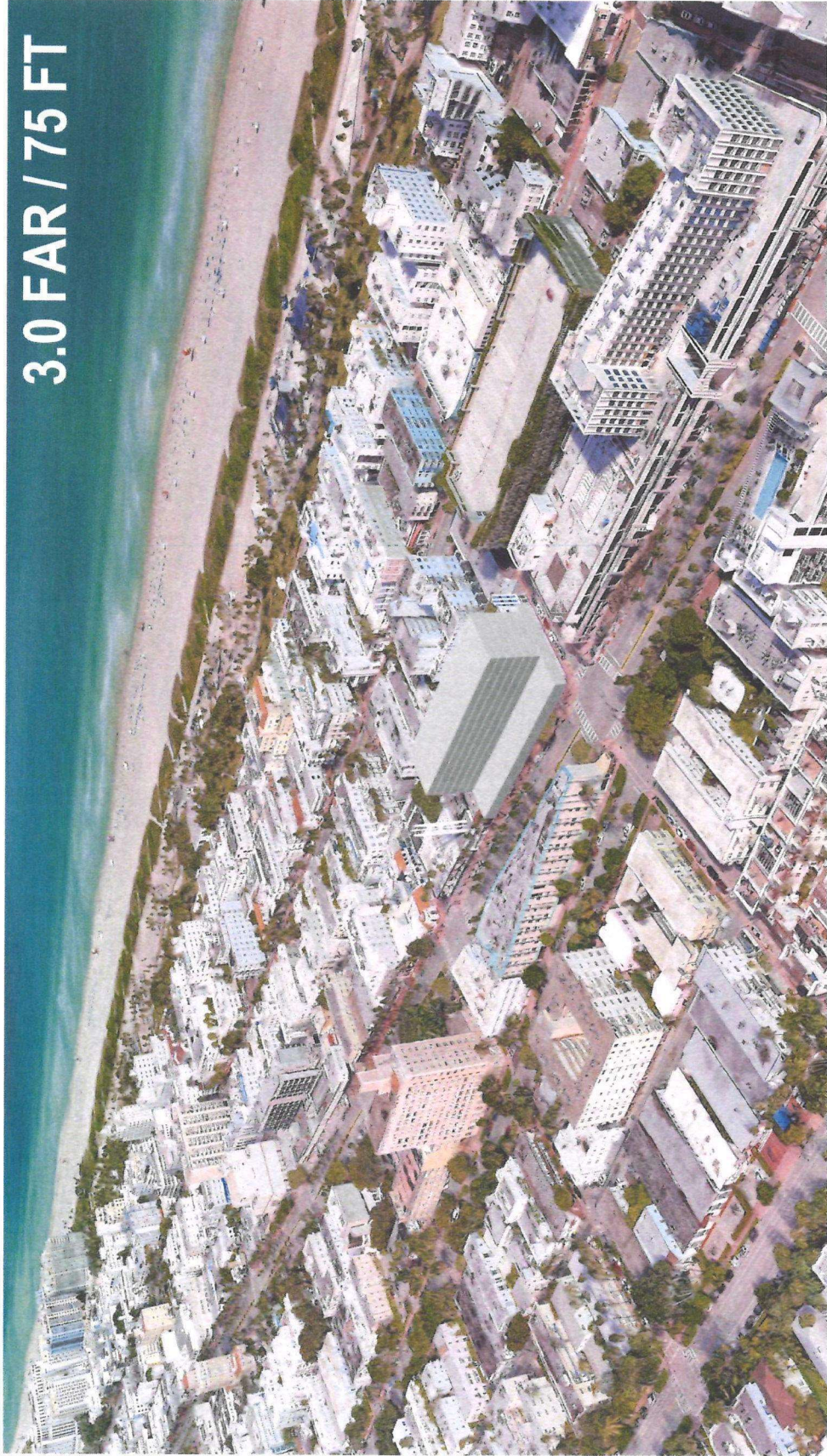
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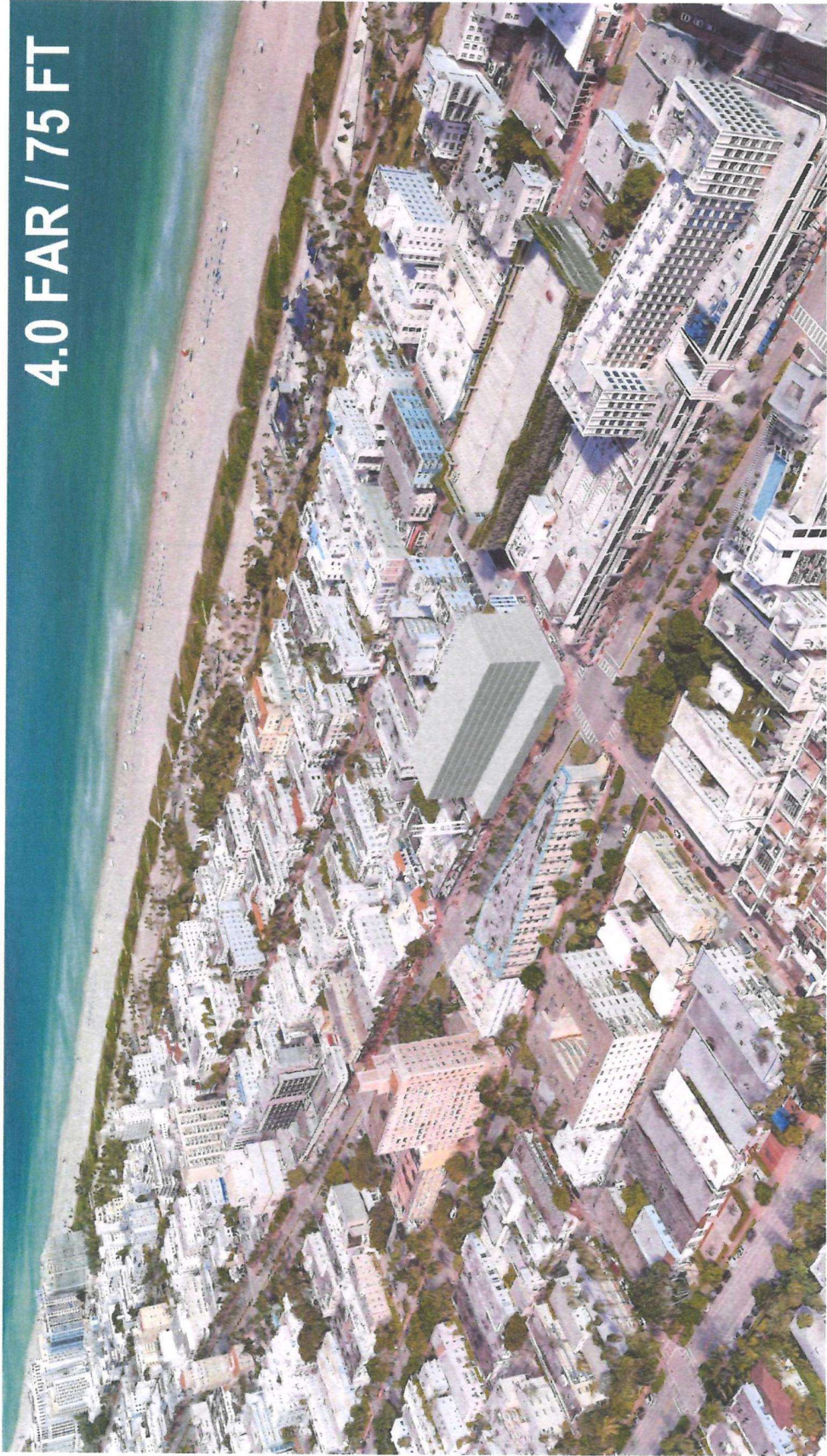
739 - 705 WASHINGTON AVE

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A401



4.0 FAR / 75 FT

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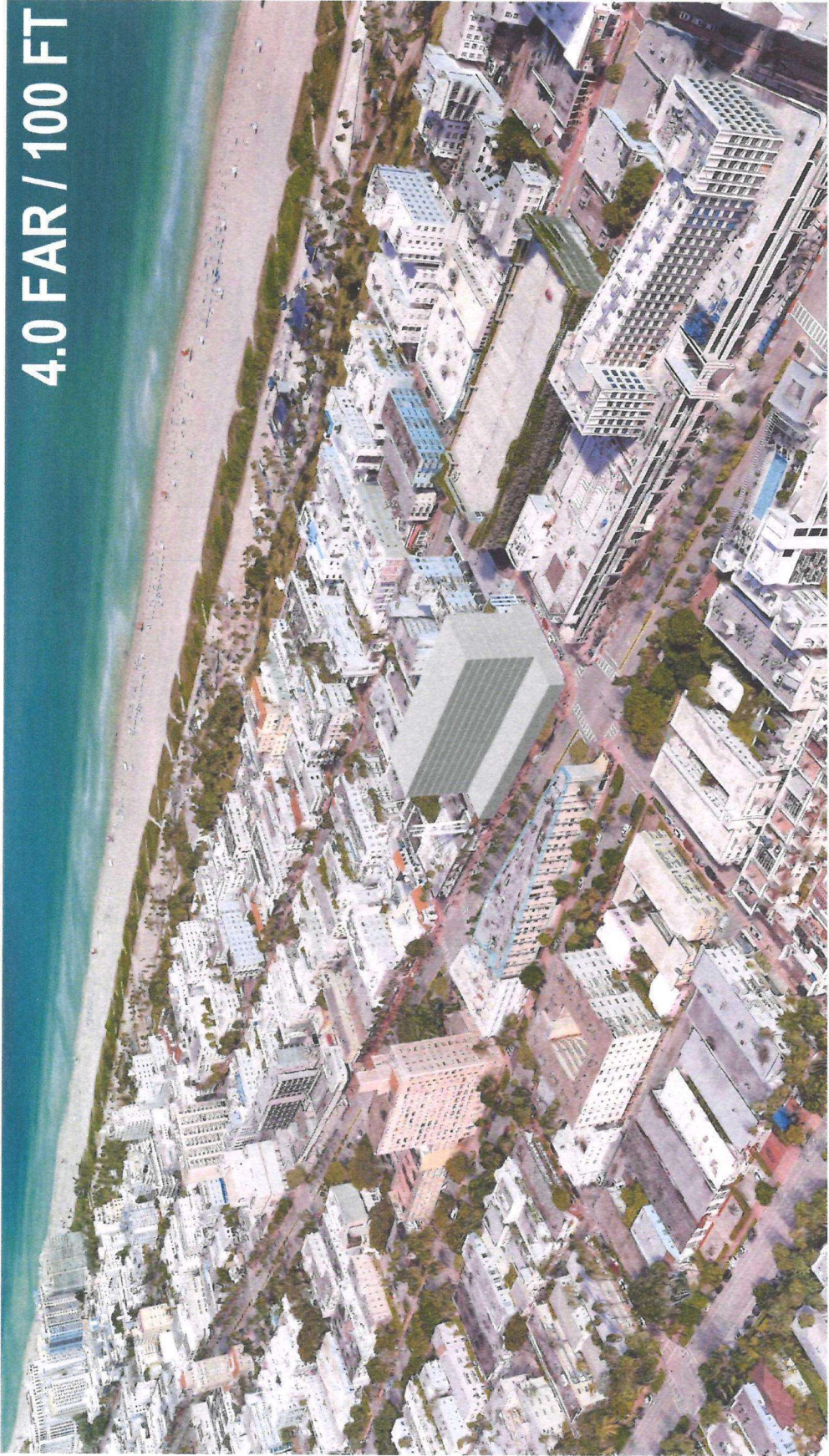
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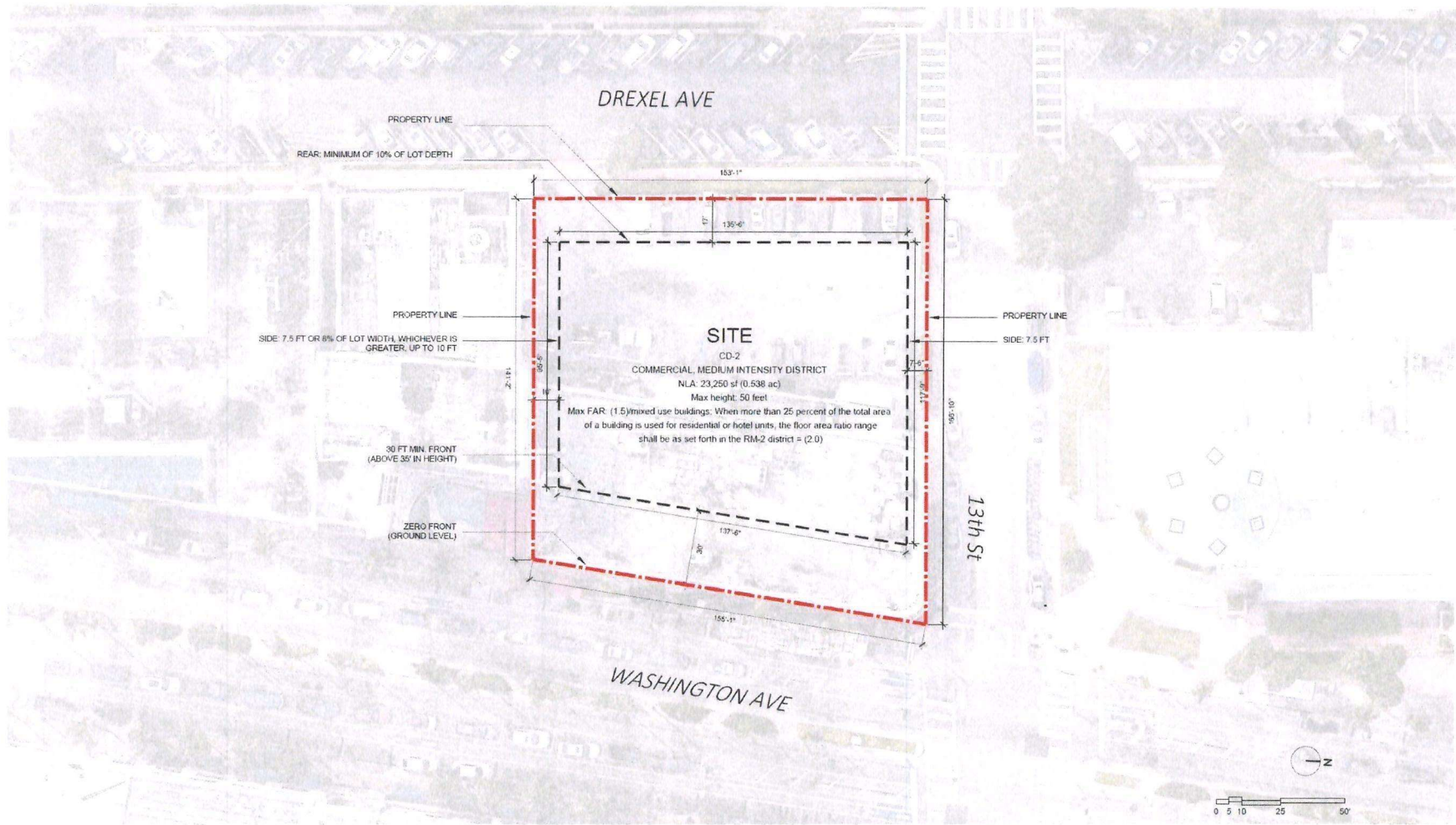
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A403



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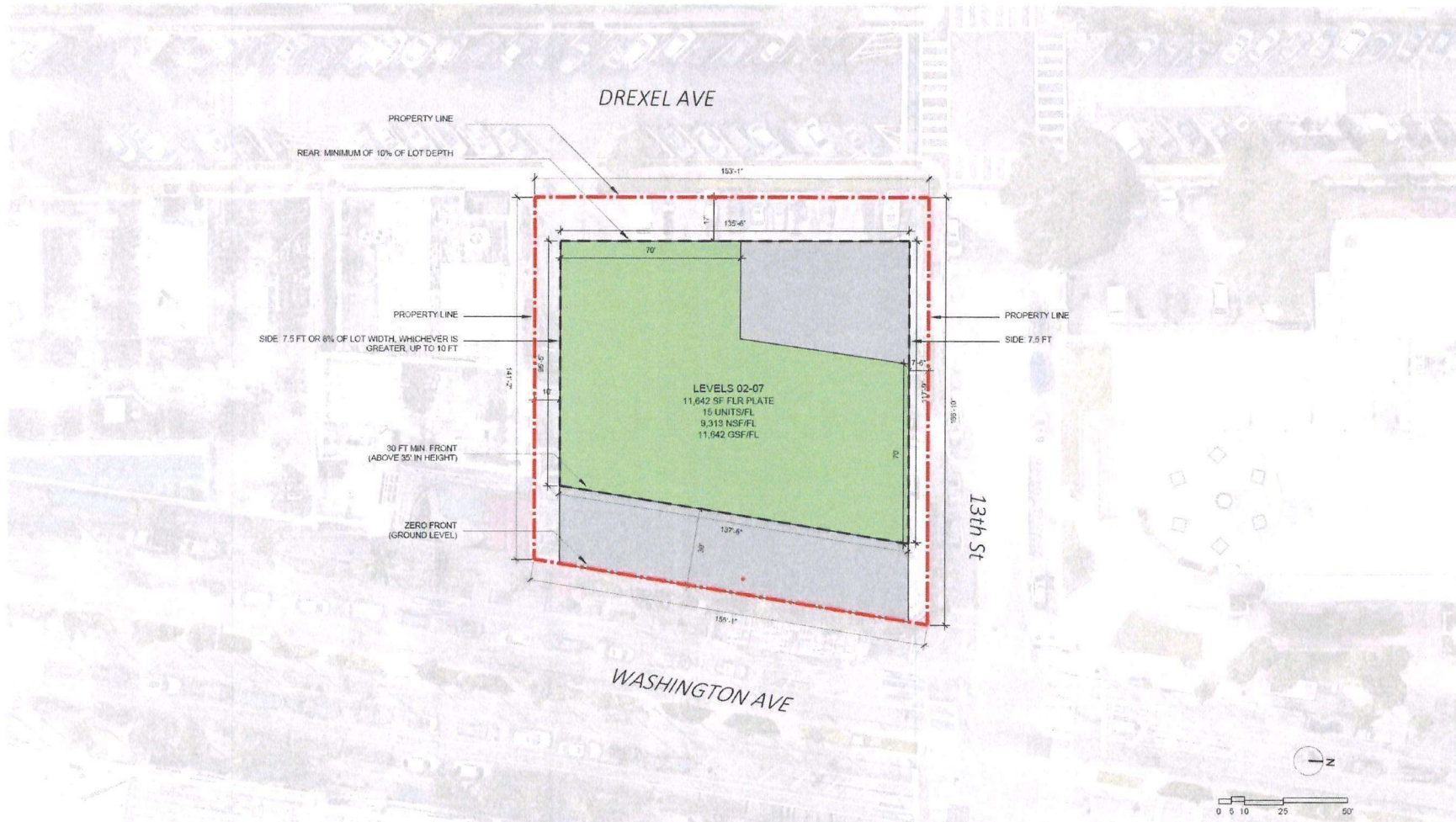
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PROJECT SITE

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A1-02



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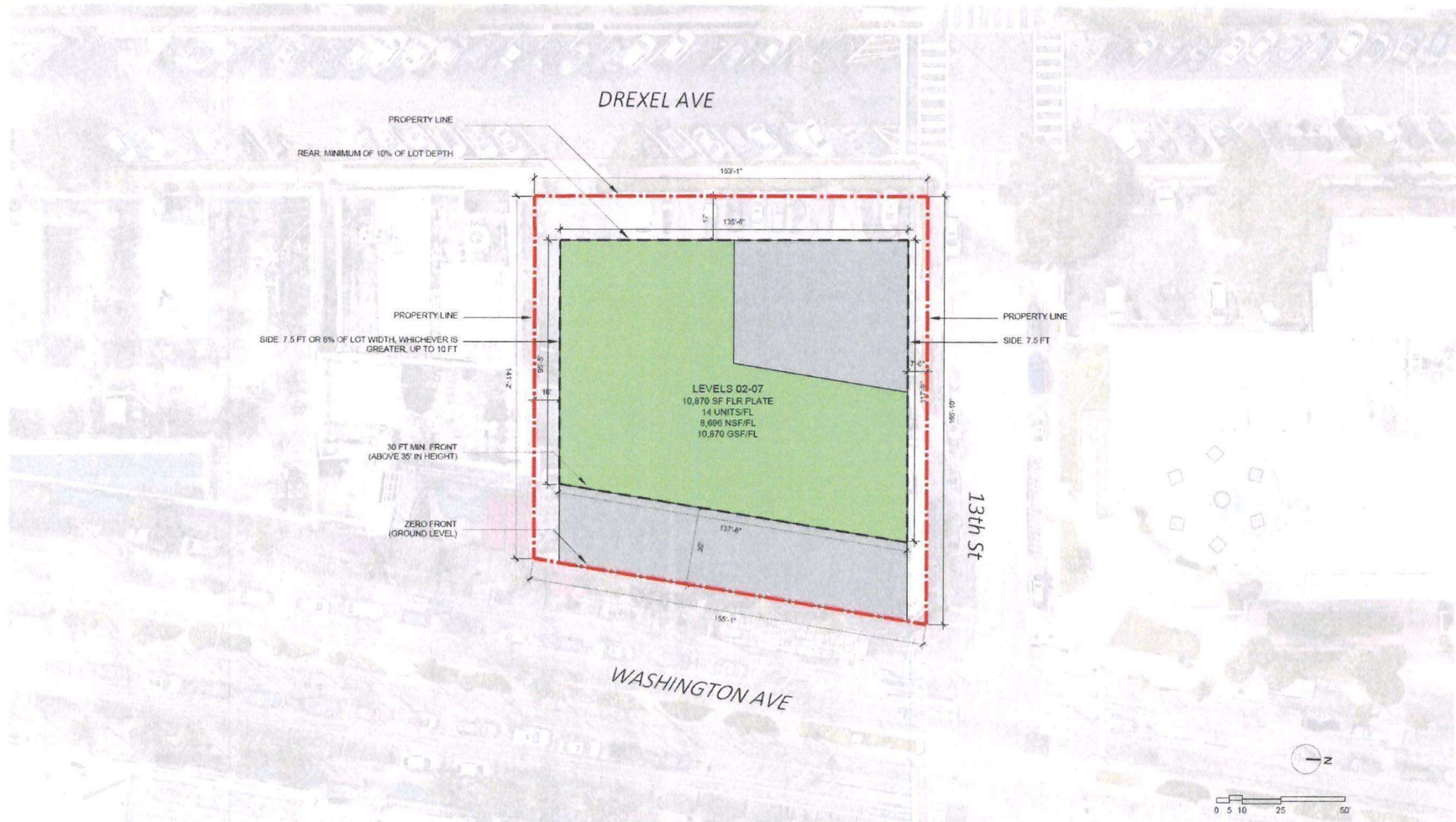
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PROJECT SITE
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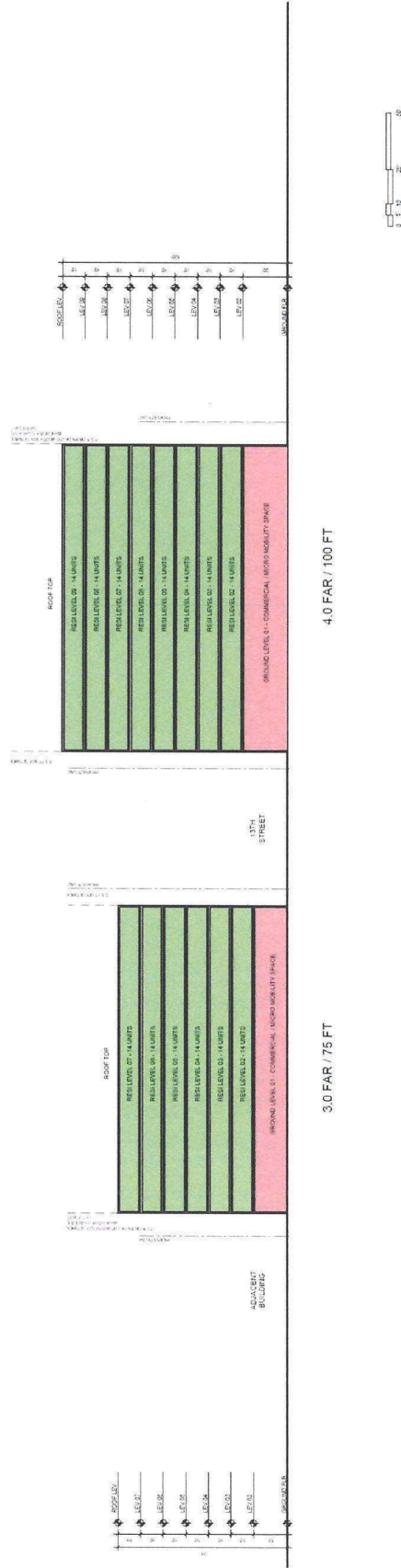
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PROJECT SITE
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DATE:
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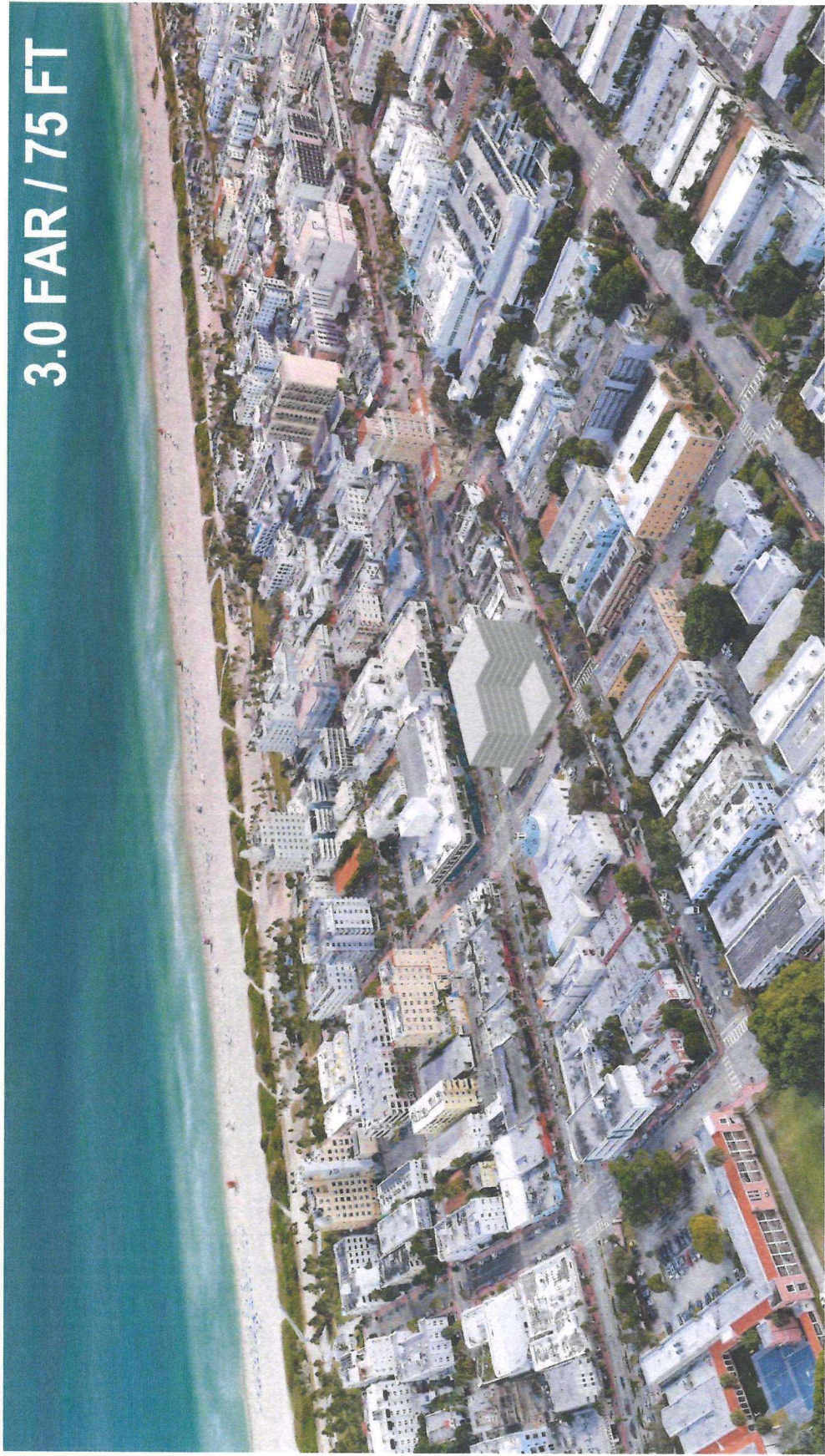
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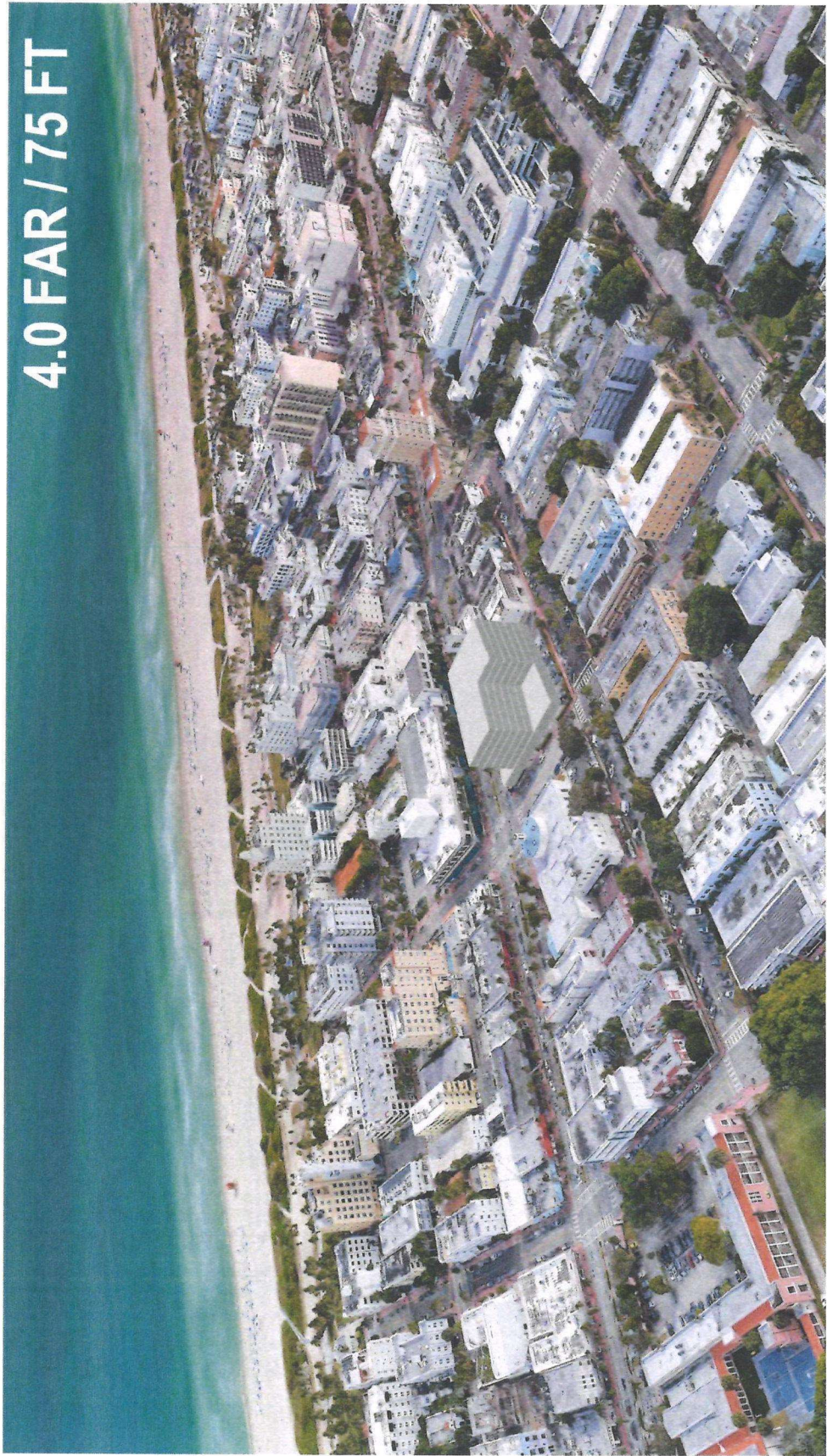
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MASSING

DATE:
10/04/2024

A401

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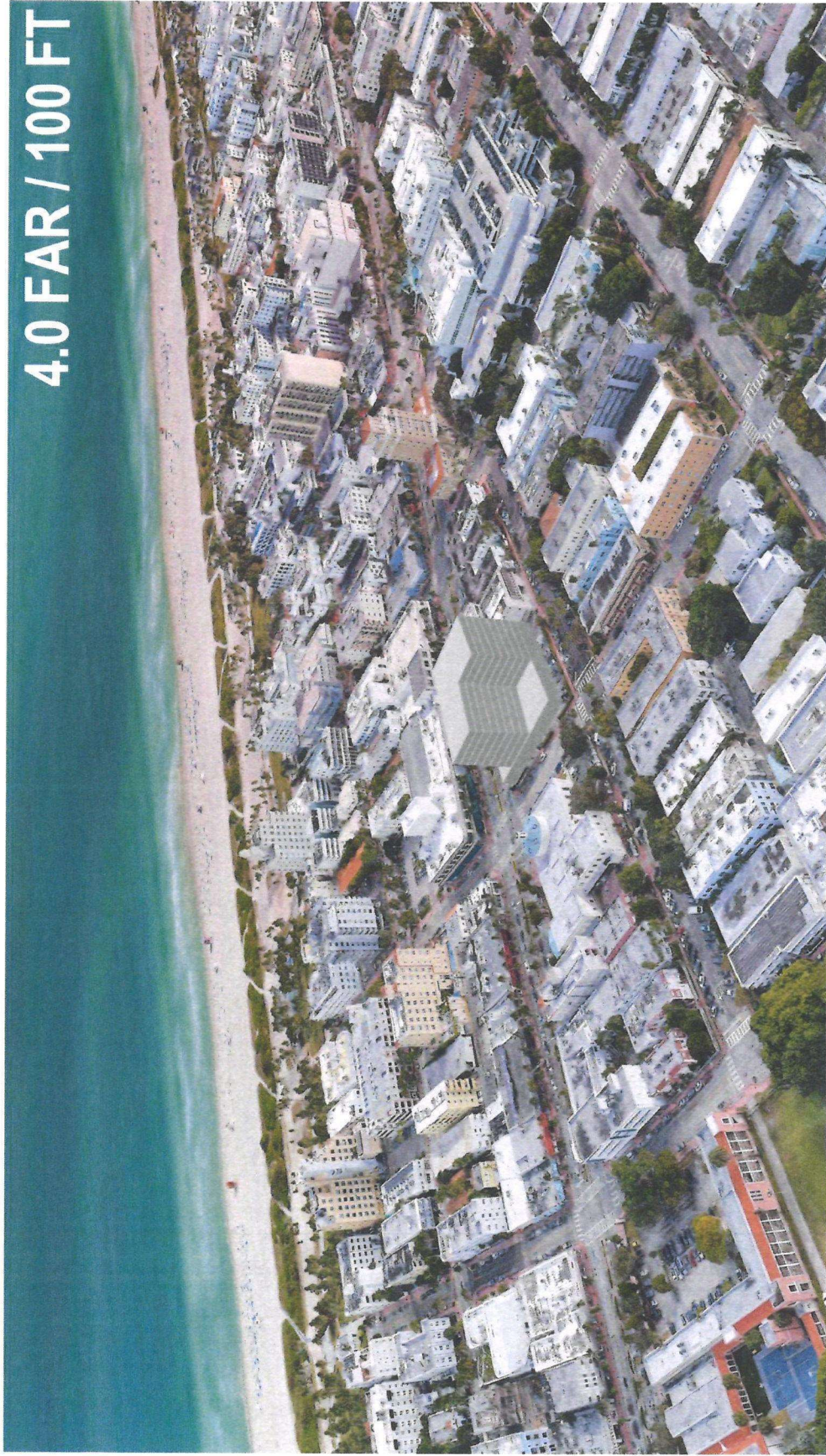
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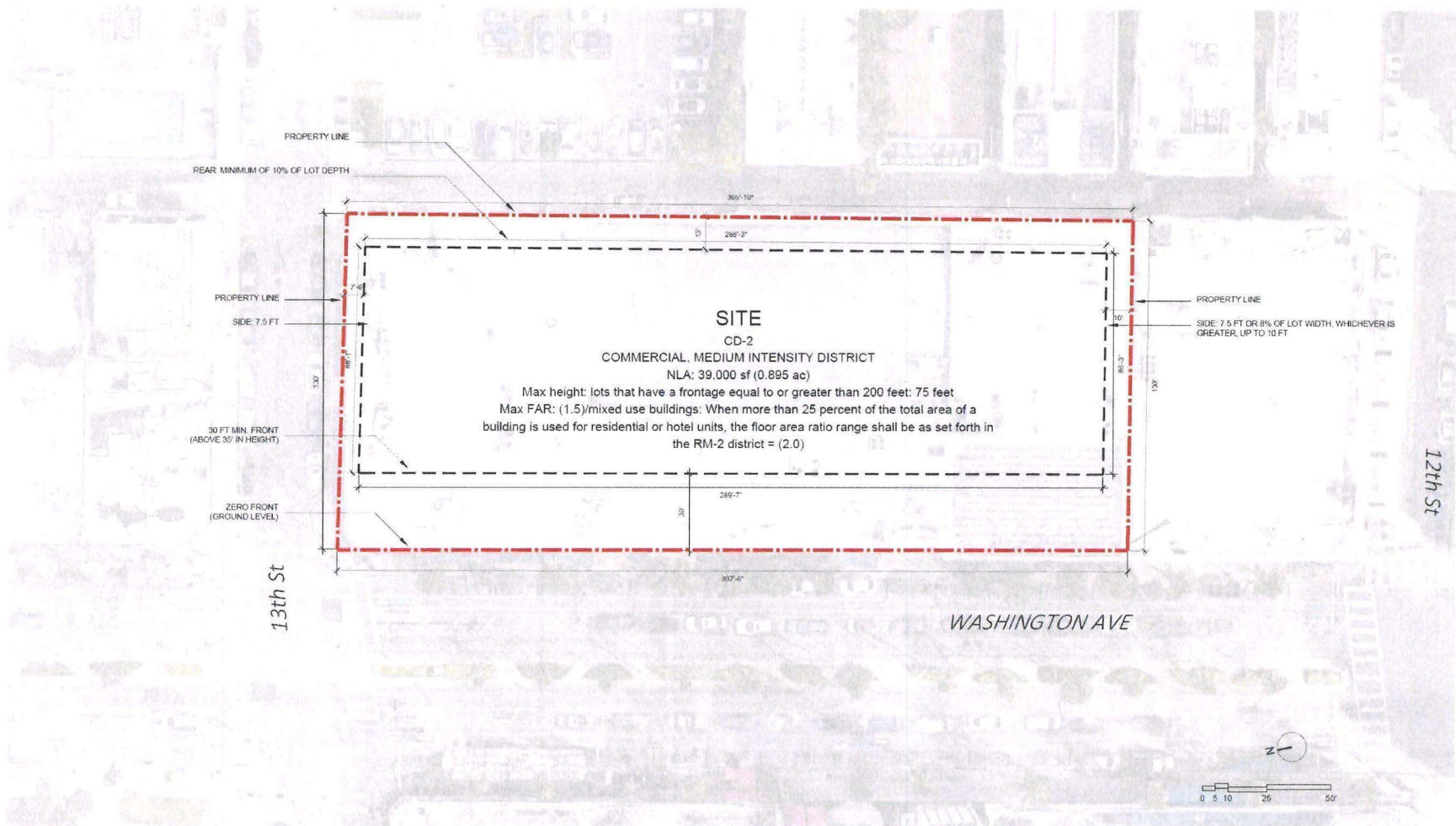
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A403



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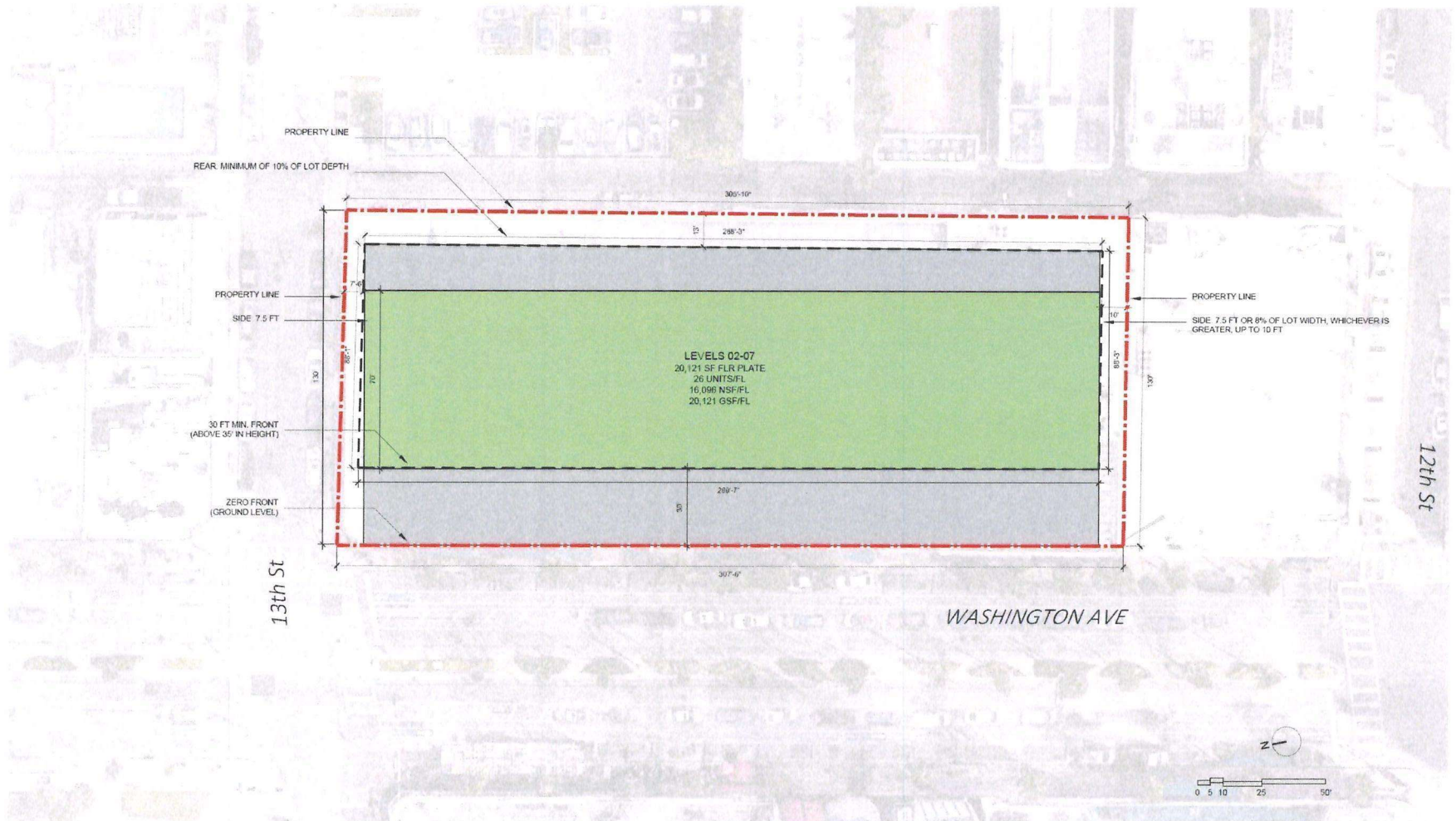
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1261 WASHINGTON AVE
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PROJECT SITE

DATE:
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A1-02



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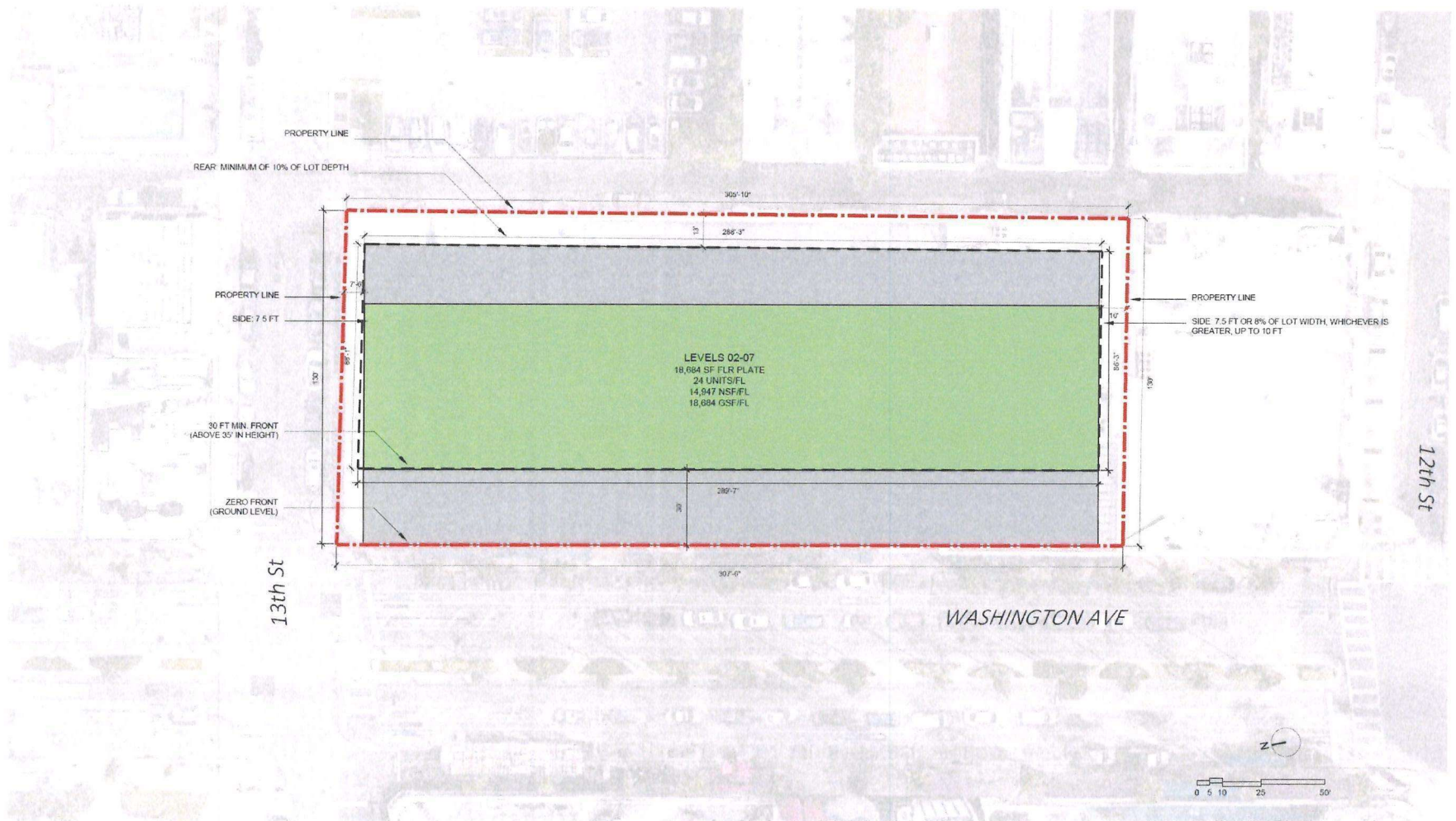
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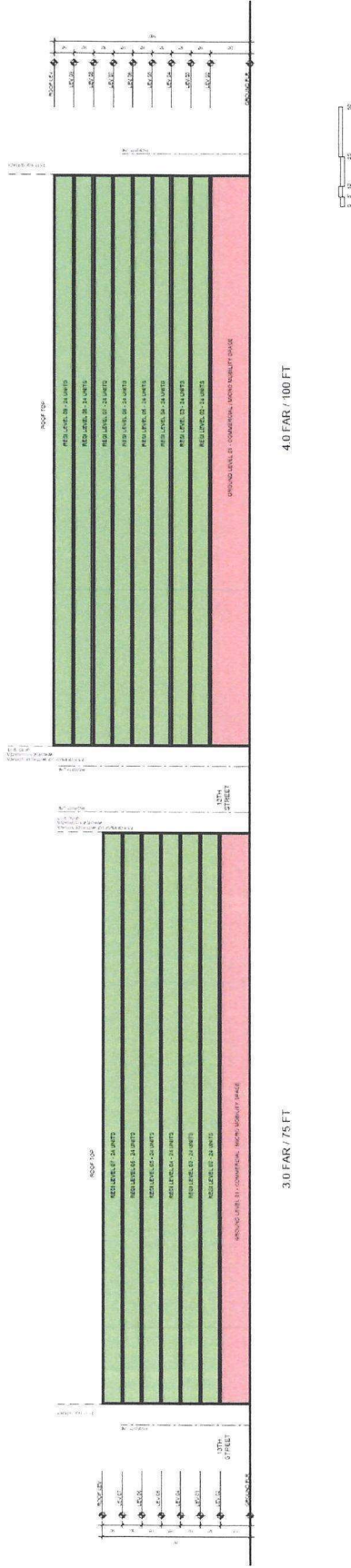
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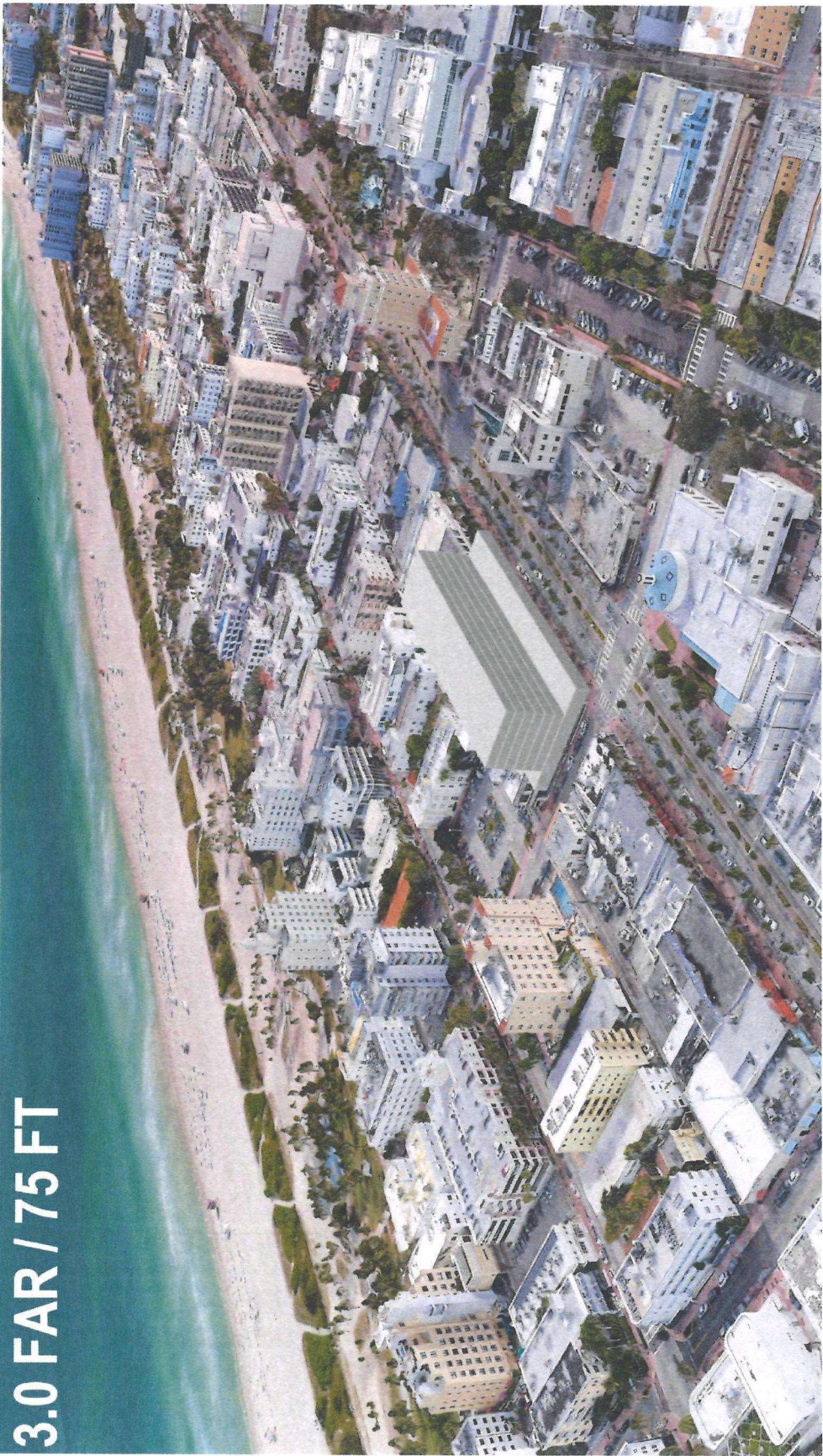
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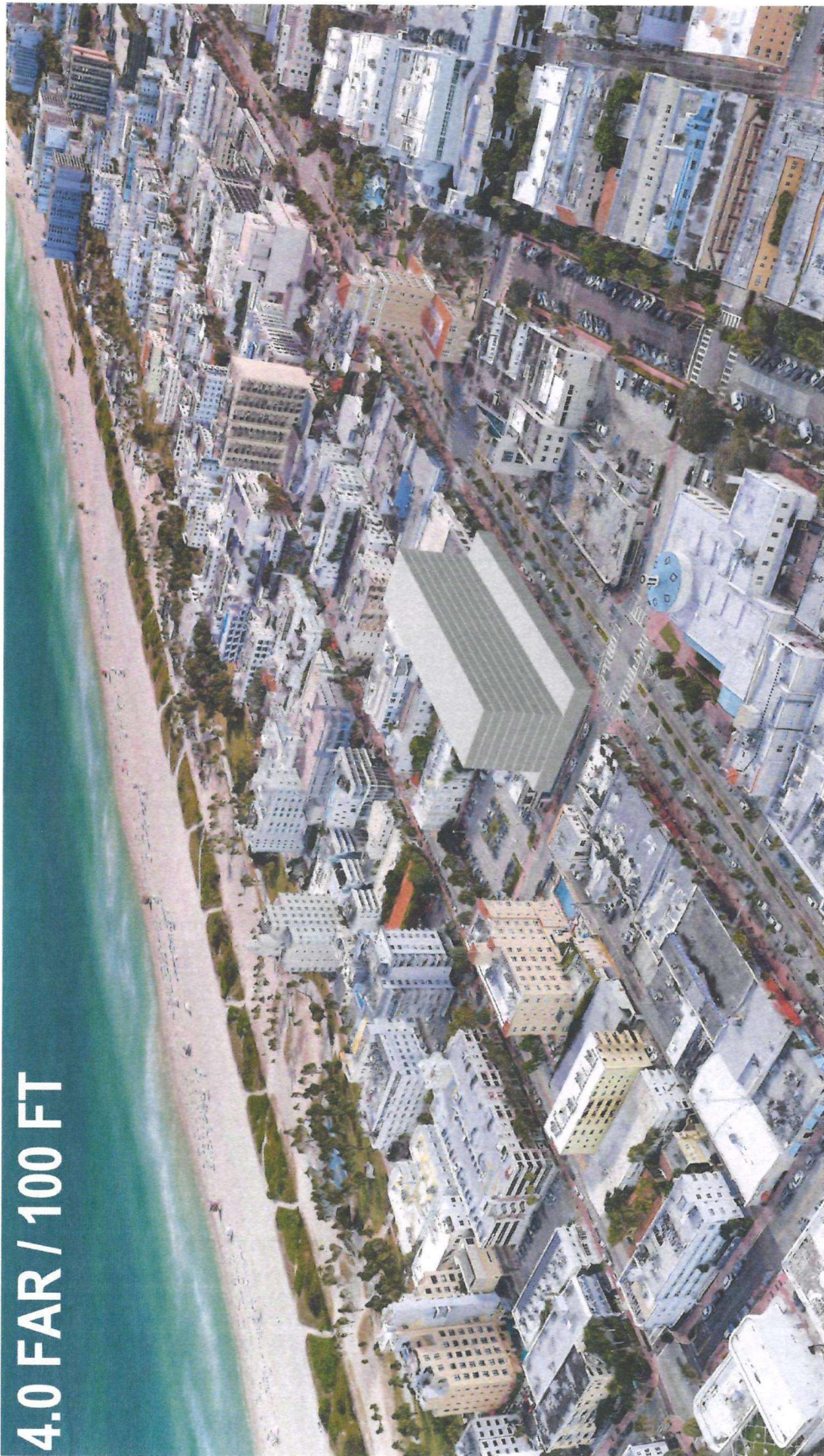
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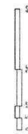
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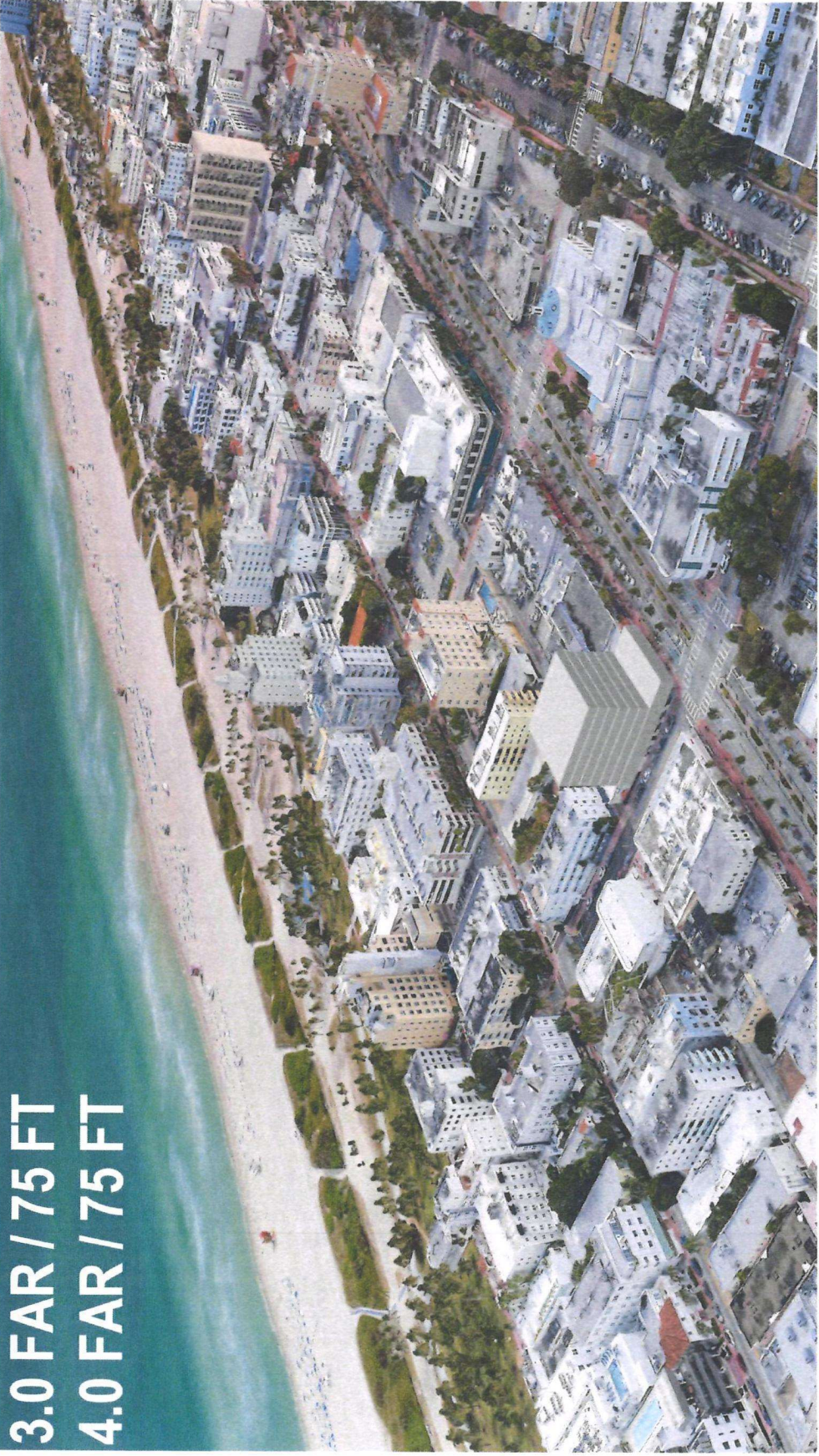
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10/04/2024

A403



3.0 FAR / 75 FT

DATE: 10/04/2024



3.0 FAR / 75 FT
4.0 FAR / 75 FT

ARQUITECTONICA

2900 OMA Avenue Miami, FL 33133

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1359 WASHINGTON AVE
MIAMI BEACH, FL, 33139

MASSING

DATE:
10/04/2024

A401

An aerial photograph of a coastal city, likely Miami Beach. The image shows a wide, sandy beach in the foreground, with the ocean waves breaking onto the shore. A large, prominent white building with a distinctive architectural design is visible in the middle ground. The city is densely packed with various buildings, including hotels and residential structures, extending inland from the beach. The text "4.0 FAR / 100 FT" is overlaid on the left side of the image.

2900 Oak Avenue, Miami, FL 33133
T: 305 372 1812

A402



ARQUITECTONICA

2000 Oak Avenue, Miami, FL 33133
T. 305.372.1812

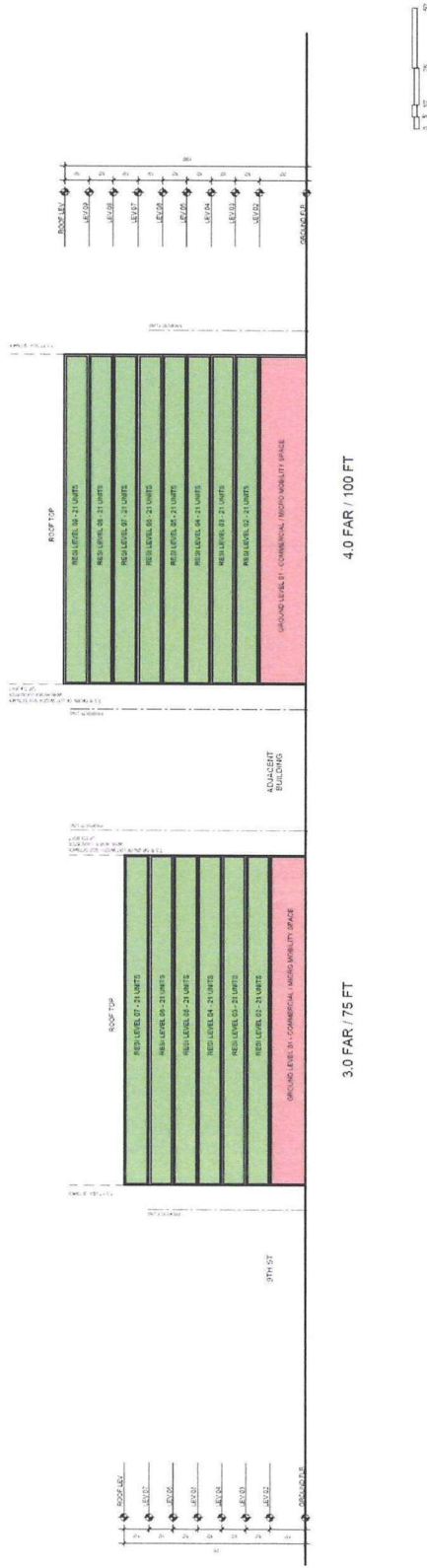
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930 WASHINGTON AVE
MIAMI BEACH, FL, 33139

PROJECT SITE

DATE:
10/04/2024

A1-02



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930 WASHINGTON AVE
MIAMI BEACH, FL, 33139

SECTION

DATE:
10/04/2024

A301

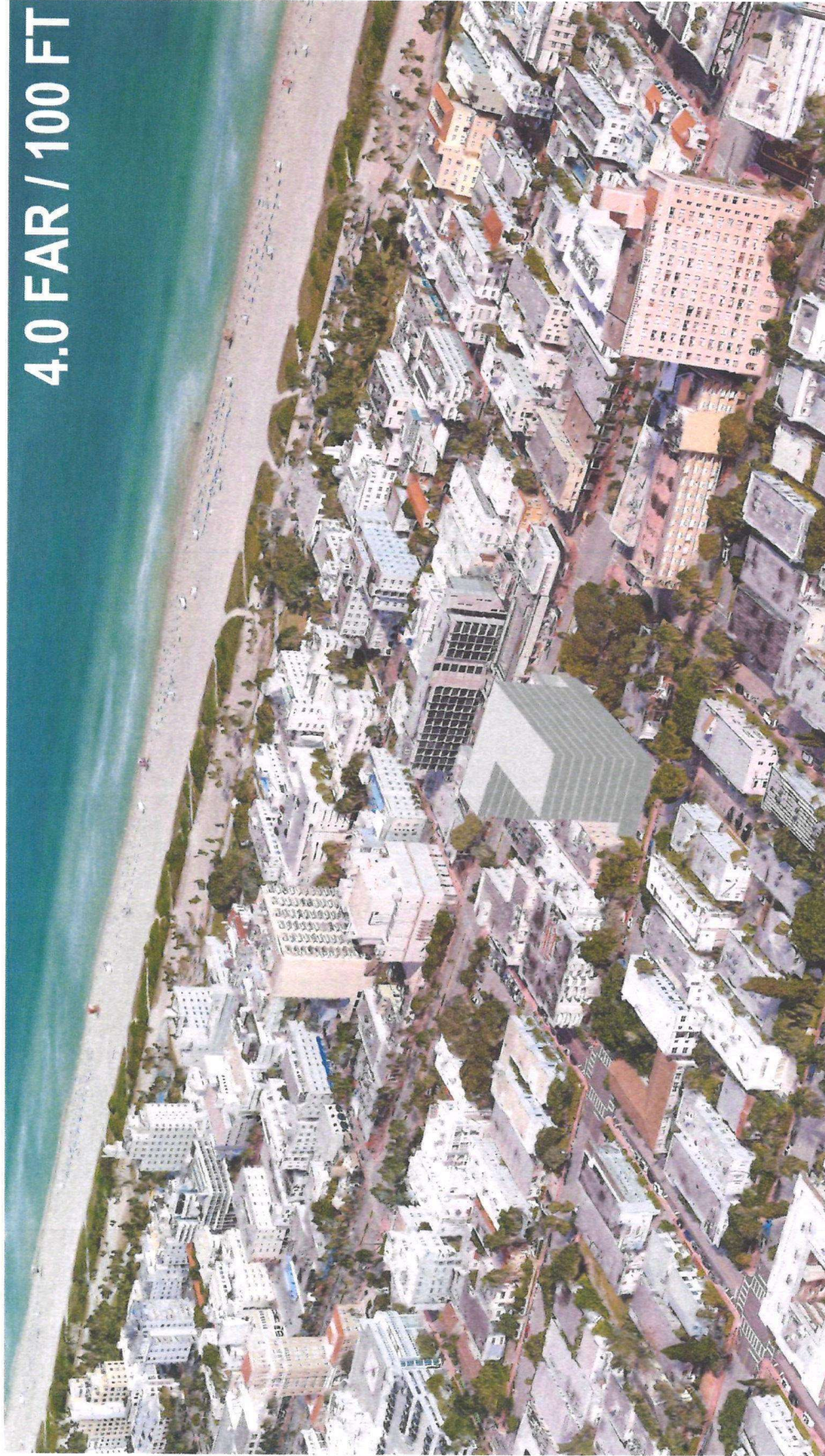
An aerial photograph of a coastal city, likely San Francisco, showing a dense urban landscape with numerous buildings and green spaces. The city is situated along a coastline with a large body of water on the left. The text "3.0 FAR / 75 FT" and "4.0 FAR / 75 FT" is overlaid on the water area, indicating zoning regulations. The image is oriented vertically, with the city at the top and the water at the bottom.

2900 Oak Avenue Miami, FL 33133

930 WASHINGTON AVE
MIAMI BEACH, FL, 33139

DATE: 10/04/2024

A401



ARQUITECTONICA

2900 Oak Avenue Miami, FL 33133
T: 305.372.2182

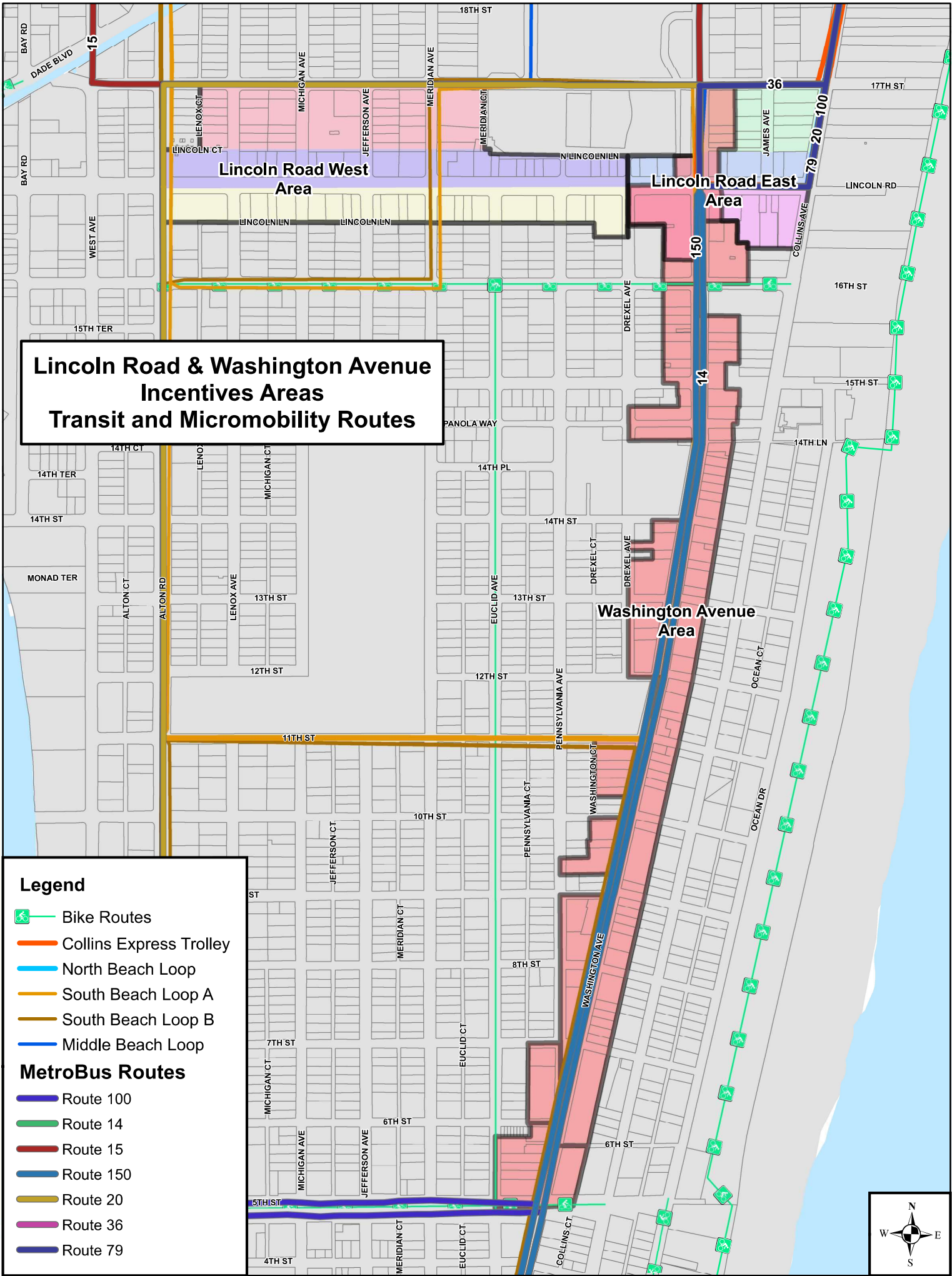
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930 WASHINGTON AVE
MIAMI BEACH, FL, 33139

MASSING

DATE:
10/04/2024

A402



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 FOR PARKING TIER 2; BY AMENDING CHAPTER 7, ENTITLED “ZONING DISTRICTS AND 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 FRONTING WASHINGTON AVENUE FROM 5TH STREET TO 17TH STREET; BY AMENDING ARTICLE II, ENTITLED “DISTRICT REGULATIONS,” SECTION 7.2.5, ENTITLED “RM-2 RESIDENTIAL MULTIFAMILY, MEDIUM INTENSITY,” AT SUBSECTION 7.2.5.5, ENTITLED “MID BEACH RESIDENTIAL USE INCENTIVE AREA (RM-2),” TO ESTABLISH RESIDENTIAL USE INCENTIVES SPECIFIC TO PROPERTIES IN APPLICABLE RM-2 ZONING DISTRICTS FRONTING WASHINGTON AVENUE FROM 6TH STREET TO 7TH 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 SUBSECTION 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 SUBSECTION 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, including the city’s workforce; and

WHEREAS, creating development 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 economic stability of all residents; and

WHEREAS, the current mix of late-night entertainment and transient uses along Washington Avenue undermines 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**

* * *

ARTICLE II: DEFINITIONS

* * *

1.2.1 GENERAL DEFINITIONS

* * *

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.

* * *

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

* * *

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

* * *

5.2.4 VEHICLE OFF-STREET PARKING REQUIREMENTS

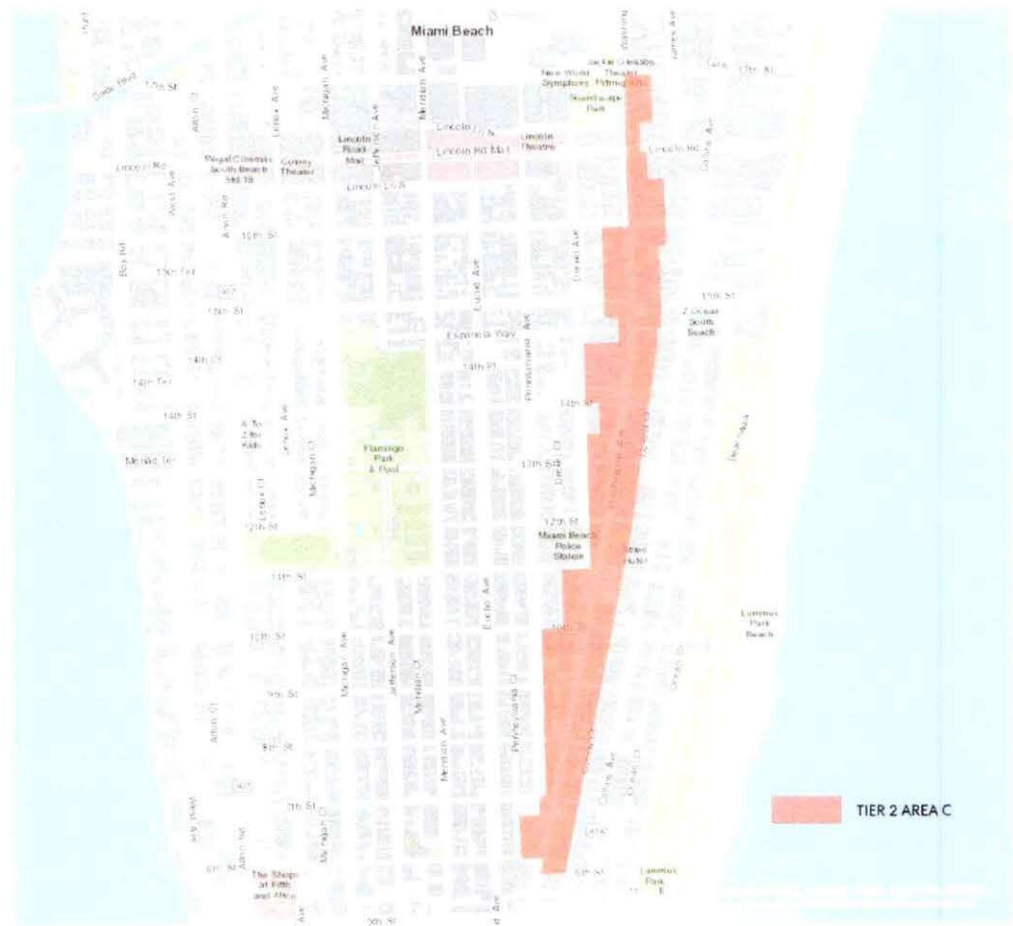
5.2.4.2 Parking Tier 2

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.

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		
<i>Co-living <u>Non-Transient residential units built in accordance with Section 7.1.11</u></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 7.1.11, 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

*

*

*

7.1.11 RESIDENTIAL USE INCENTIVES¹

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. Washington Avenue. For properties with frontage on Washington Avenue, located to the south of 17th Street and north of Fifth Street, which comply with the requirements in section 7.1.11.a above, the development shall be eligible for a floor area ratio bonus ~~maximum FAR shall not exceed~~ up to a total of 4.0 for properties zoned C-PS2, RM-2, or CD-2, and shall ~~not exceed~~ be eligible for a floor area ratio bonus of 3.25 for properties zoned CD-3, subject to the following regulations:

¹ This section, which was originally codified as Section 7.1.10 pursuant to Ordinance No. 2024-4665, adopted by the City Commission on November 20, 2024, has been renumbered as Section 7.1.11.

1. Any and all existing non-conforming uses on the subject property shall be discontinued and abandoned.
2. All portions of the development above the first level shall consist of non-transient residential uses.
3. The minimum lot size for an eligible development shall not be less than 13,000 square feet.
4. The front and streetside setback requirements of the underlying zoning district may be waived by the Historic Preservation Board, in accordance with the Certificate of Appropriateness review criteria.
5. A micro-mobility station shall be required within the interior of the first level of the structure and shall be accessible by all residents of the building. The micro-mobility station shall constitute a minimum of 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 a minimum of 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 the requirements for 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 a minimum of 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 a minimum of 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 micro-mobility station shall be part of a micro-mobility network which is accessible to the general public. At a minimum, the station shall include a public

sharing program with no less than 20 micro-mobility devices for public use 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 mobility fee required pursuant to chapter 3 shall be waived for developments that have obtained a full building permit by September 1, 2032.

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

11. In the event of a conflict between these regulations and the regulations for the underlying zoning district or any other provisions of this Code, the provisions in this Section 7.1.11 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

* * *

7.2.5 RM-2 RESIDENTIAL MULTIFAMILY, MEDIUM INTENSITY

* * *

7.2.5.5 ~~MID-BEACH~~ RESIDENTIAL USE INCENTIVE AREA (RM-2).

a. ~~Location and Purpose (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 47th Street on the south and 63rd Street on the north. The purpose of the overlay shall be to incentivize the development of non-transient residential uses.

2. ~~b. 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~~ 7.1.11 of the Resiliency Code, the following regulations shall apply:

DEVELOPMENT REGULATIONS TABLE:	
Maximum FAR	2.3
BUILDING HEIGHT	
Maximum Height	75
Historic District	65

For properties outside a local historic district with a ground level consisting of non-habitable parking and/or amenity uses
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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 6th Street on the south and 7th 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 7.1.11 of the Resiliency Code, the following regulations shall apply:

DEVELOPMENT REGULATIONS TABLE:	
Maximum FAR (including bonus FAR)	4.0
BUILDING HEIGHT	
Maximum Height	75 and 100
Maximum Density (including bonus density)	175 DUA

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7.2.11 CD-2 COMMERCIAL, MEDIUM INTENSITY DISTRICT

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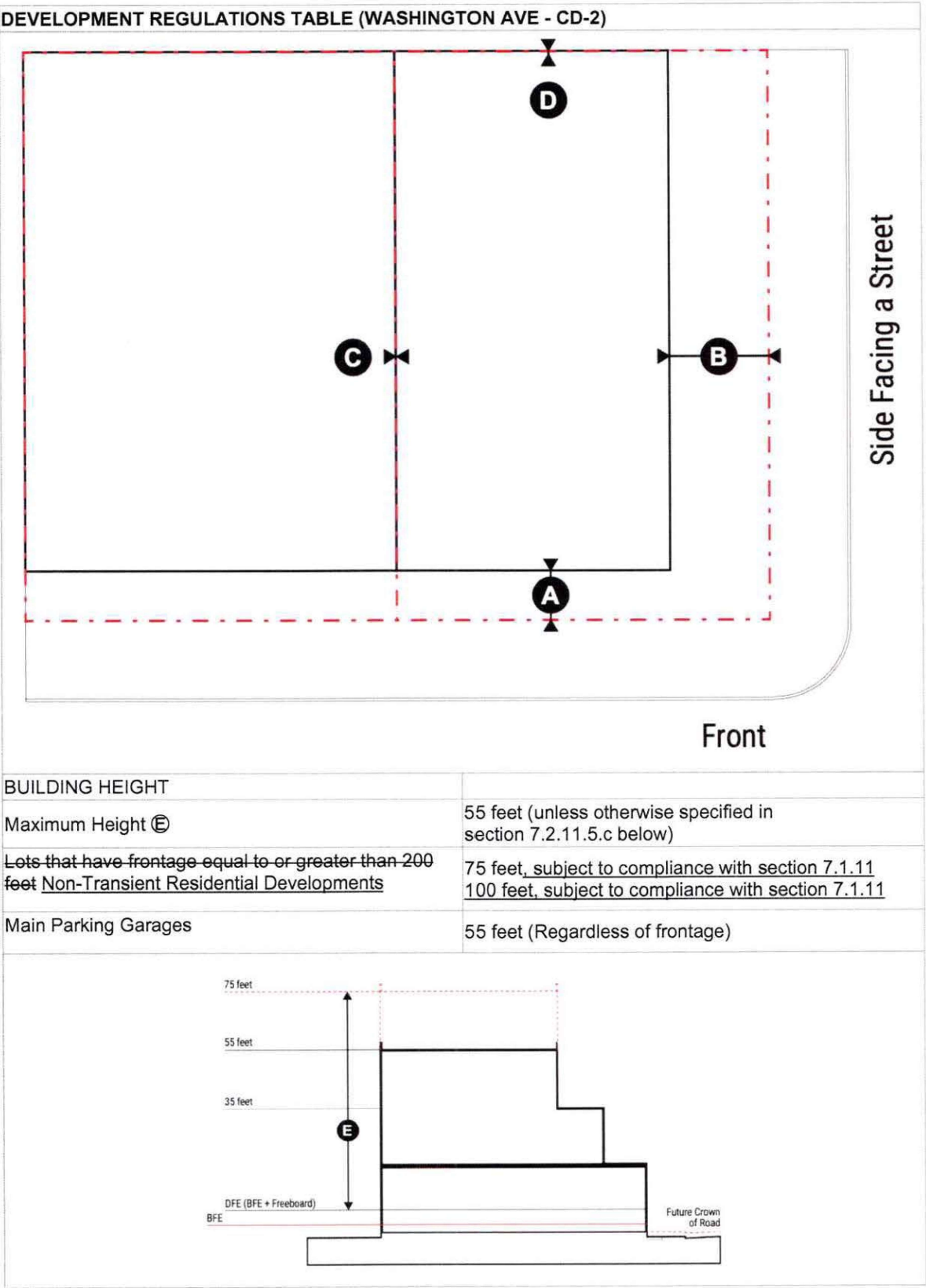
7.2.11.5 WASHINGTON AVENUE (CD-2)

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:

DEVELOPMENT REGULATIONS TABLE (WASHINGTON AVE - CD-2)	
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)	2.0
Maximum FAR for non-transient residential developments (including bonus FAR)	4.0; subject to compliance with section 7.1.11
Maximum Density (Dwelling Units Per Acre) (including bonus density)	400 175 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.
LOT OCCUPATION	

DEVELOPMENT REGULATIONS TABLE (WASHINGTON AVE - CD-2)	
Minimum Lot Area (square feet)	None
Minimum Lot Width (feet)	None
Maximum Lot Coverage (% of lot area)	None
BUILDING SETBACKS	Lots with frontage equal or less than 100 feet (Pursuant to section 7.2.11.3.a)
BUILDING SETBACKS	Lots with frontage greater than 100 feet
Front Setback (A)	
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 75 <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 75 <u>100</u> feet in height	110 feet
Side, Facing a Street Setback (B)	
Subterranean	0 feet
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 (C)	
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 (D)	
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)



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 a legal non-conforming use, such establishment shall be subject to all applicable regulations set forth in chapter 2, article XII 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 6th Street on the south and 16th 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 7.1.11 of the Resiliency Code, the following regulations shall apply:

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

* * *

7.2.12 CD-3 COMMERCIAL, HIGH INTENSITY DISTRICT

* * *

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 16th Street on the south and 17th 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 7.1.11 of the Resiliency Code, the following regulations shall apply:

<u>DEVELOPMENT REGULATIONS TABLE:</u>	
<u>Maximum FAR (including bonus FAR)</u>	<u>3.25</u>
<u>BUILDING HEIGHT</u>	
<u>Maximum Height</u>	<u>150</u>
<u>Maximum Density (including bonus density)</u>	<u>150 DUA</u>

* * *

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 5th Street on the south and 6th 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 7.1.11 of the Resiliency Code, the following regulations shall apply:

<u>DEVELOPMENT REGULATIONS TABLE:</u>	
<u>Maximum FAR (including bonus FAR)</u>	<u>4.0</u>
<u>BUILDING HEIGHT</u>	
<u>Maximum Height</u>	<u>75 and 100</u>
<u>Maximum Density (including bonus 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.

ATTEST:

Rafael E. Granado, City Clerk

Steven Meiner, Mayor

First Reading: February 3, 2025

Second Reading: April 23, 2025

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

APPROVED AS TO
FORM AND LANGUAGE
AND FOR EXECUTION

City Attorney NK
Date 1/23/2025

MIAMI BEACH

OFFICIAL SAMPLE BALLOT

SPECIAL MAIL BALLOT ELECTION
TO CREATE THE SPECIAL ASSESSMENT
DISTRICT KNOWN AS THE SOUTH BEACH
BUSINESS IMPROVEMENT DISTRICT
MARCH 1, 2025 TO APRIL 30, 2025

QUESTION

Shall the South Beach Business Improvement District be created for a 10-year term, with an estimated annual budget of \$2,147,242, to stabilize and improve the Ocean Drive and Collins Avenue retail business district, generally located within a nationally recognized historic district, through promotion, management, marketing, and similar services, which District shall be funded by special assessments against benefited properties, with assessments increasing pursuant to the Consumer Price Index, up to 2% annually?

CIRCLE ONE:

YES [CREATE THE DISTRICT]

NO [DO NOT CREATE THE DISTRICT]

TO BE COUNTED, VOTED OFFICIAL BALLOTS MUST BE RECEIVED BY THE OFFICE OF THE CITY CLERK, MIAMI BEACH CITY HALL, 1700 CONVENTION CENTER DRIVE, FIRST FLOOR, MIAMI BEACH, FLORIDA 33139, **ON OR BEFORE 5:00 P.M. ON APRIL 30, 2025.**

THE OFFICIAL BALLOTS WILL BE OPENED ON **APRIL 30, 2025 AT 6:30 P.M.** IN THE OFFICE OF THE CITY CLERK, 1700 CONVENTION CENTER DRIVE, FIRST FLOOR, MIAMI BEACH, FLORIDA 33139.



CITY OF MIAMI BEACH
NOTICE OF PUBLIC HEARING
WASHINGTON AVENUE RESIDENTIAL
PLAN - LDR AMENDMENT

AN ORDINANCE AMENDING THE MIAMI BEACH RESILIENCY CODE, BY AMENDING THE DEFINITION OF FLOOR AREA AND CREATING A DEFINITION FOR MICRO-MOBILITY STATION; TO ESTABLISH RESIDENTIAL USE INCENTIVES SPECIFIC TO PROPERTIES FRONTING WASHINGTON AVENUE FROM 5TH STREET TO 17TH STREET; TO ESTABLISH RESIDENTIAL USE INCENTIVES SPECIFIC TO PROPERTIES IN APPLICABLE RM-2 ZONING DISTRICTS FRONTING WASHINGTON AVENUE FROM 6TH STREET TO 7TH STREET; TO MODIFY EXISTING DEVELOPMENT REGULATIONS SPECIFIC TO PROPERTIES FRONTING WASHINGTON AVENUE AND TO CREATE A RESIDENTIAL INCENTIVE AREA SPECIFIC TO WASHINGTON AVENUE
FEBRUARY 3, 2025
CITY COMMISSION MEETING

NOTICE IS HEREBY GIVEN that on **February 3, 2025, at 11:05 a.m.**, or as soon thereafter as the matter can be heard, the Mayor and City Commissioners of the City of Miami Beach will hold a **First Reading/Public Hearing** on the following proposed Ordinance:

WASHINGTON AVENUE RESIDENTIAL PLAN - LDR AMENDMENT

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 FOR PARKING TIER 2; BY AMENDING CHAPTER 7, ENTITLED "ZONING DISTRICTS AND 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 FRONTING WASHINGTON AVENUE FROM 5TH STREET TO 17TH STREET; BY AMENDING ARTICLE II, ENTITLED "DISTRICT REGULATIONS," SECTION 7.2.5, ENTITLED "RM-2 RESIDENTIAL MULTIFAMILY, MEDIUM INTENSITY," AT SUBSECTION 7.2.5.5, ENTITLED "MID BEACH RESIDENTIAL USE INCENTIVE AREA (RM-2)," TO ESTABLISH RESIDENTIAL USE INCENTIVES SPECIFIC TO PROPERTIES IN APPLICABLE RM-2 ZONING DISTRICTS FRONTING WASHINGTON AVENUE FROM 6TH STREET TO 7TH 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 SUBSECTION 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 SUBSECTION 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. This Ordinance is being heard pursuant to Chapter 2, Article IV of the Resiliency Code. Inquiries may be directed to the Planning Department at 305.673.7550.

During the **February 3, 2025**, Commission Meeting, the City of Miami Beach will host a Hybrid Commission Meeting. During the Hybrid Commission Meeting, the City Commission will be physically present in the **Commission Chamber, located at 1700 Convention Center Drive, 3rd Floor, Miami Beach, Florida 33139.**

Members of the public who wish to attend this Commission Meeting or provide public comment in person may appear at the Commission Chamber. Applicants and members of the public who wish to participate or provide comment virtually during the Commission Meeting may join the webinar at: <https://miamibeachfl-gov.zoom.us/j/81392857671> or via telephone at: 1.305.224.1968 (U.S.) or 888.475.4499 (Toll-Free). Webinar ID: 81392857671#. Members of the public wanting to speak virtually on an item during the meeting must click the "raise hand" icon if using the Zoom app or press *9 on the telephone to raise their hand.

INTERESTED PARTIES are invited to take part in this meeting or be represented by an agent. The public may submit written comments on Commission Meeting Items by either submitting an eComment through the agenda page at <https://www.miamibeachfl.gov/city-hall/city-clerk/> agenda and clicking the comment bubble icon in the "Current and Upcoming Meetings" section or by emailing CityClerk@miamibeachfl.gov with the Agenda Item Number in the subject line. Comments received, in either format, will be accepted until 5:00 p.m. the day before the meeting. All submissions will be forwarded to the Mayor and Commissioners and included in the meeting record.

Copies of Agenda Items are available for public inspection at: <https://www.miamibeachfl.gov/city-hall/city-clerk/agenda>. This meeting, or any item therein, may be continued, and under such circumstances, additional legal notice need not be provided.

Pursuant to Section 286.0105, Fla. Stat., the City hereby advises the public that if a person decides to appeal any decision made by the City Commission concerning any matter considered at its meeting or its hearing, such person must ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. This notice does not constitute consent by the City for the introduction or admission of otherwise inadmissible or irrelevant evidence, nor does it authorize challenges or appeals not otherwise allowed by law.

To request this material in an alternate format, a sign language interpreter (five-day notice required), information on access for persons with disabilities, and/or any accommodation to review any document or participate in any City-sponsored proceedings, call 305.604.2ADA (2232) and select 1 for English or 2 for Spanish; TTY users may call via 711 (Florida Relay Service).

The City Commission Meeting will be broadcast live on Miami Beach TV (MBTV), viewable on the City's website at <https://www.miamibeachfl.gov/government/mbtv/>, as well as on BreezeLine Cable channel 660 or 2004 (HD), AT&T U-verse channel 99, Hotwire Communications channel 395, and ROKU device on PEG-TV channel, and on social media at <https://www.facebook.com/cityofmiamibeach>.

To review the Business Impact Estimates for the above proposed Ordinance, please visit <https://www.miamibeachfl.gov/city-hall/city-clerk/meeting-notices/>.

To access additional advertisements and notices, visit Miami-Dade County's designated website at <http://legalsdms.miamidade.gov/> and filter by municipality.

Parking

Meeting attendees can park at the City Hall Garage, 1755 Meridian Avenue, Miami Beach, FL 33139.

Rafael E. Granado, City Clerk
 City of Miami Beach
CityClerk@miamibeachfl.gov
 305.673.7411

AD: 02032025-07

MIAMI BEACH