

CD-3 Urban Core 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, 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 BOUNDED BY DREXEL AVENUE AND WASHINGTON AVENUE FROM 16TH STREET TO LINCOLN ROAD; BY AMENDING SECTION 7.2.12, ENTITLED "CD-3 COMMERCIAL, HIGH INTENSITY DISTRICT," BY CREATING SUBSECTION 7.2.12.6, ENTITLED "URBAN CORE RESIDENTIAL INCENTIVE AREA (CD-3)," TO CREATE A RESIDENTIAL INCENTIVE AREA BOUNDED BY DREXEL AVENUE AND WASHINGTON AVENUE FROM 16TH STREET TO LINCOLN ROAD; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, the area from 16th Street to Lincoln Road along Washington Avenue (the "Urban Center") is the center of Miami Beach's commercial, business and tourist district and is a transportation hub;

WHEREAS, the Urban Core contains the largest concentration of employment opportunities in the City for both professional office and service industries jobs; and

WHEREAS, the current lack of housing supply within a walking distance to the employment opportunities in the Urban Core forces a majority of employees to commute, predominantly via automobile, to work which contributes to traffic congestion in the City; and

WHEREAS, creating development incentives for non-transient residential uses in the Urban Core 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 amendments set forth below are necessary to accomplish all of the above objectives.

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

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

**CHAPTER 5
OFF STREET PARKING**

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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.

* * *

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 below¹:

¹ Note, map graphic available on Gridics has a scrivener's error and does not currently include 1600 Washington. Per the above description, the parcel is within Parking Tier 2c. 1601 Drexel Avenue will be in Tier 2c as well once unified with 1600 Washington Avenue for the new development.



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

OFF-STREET PARKING REQUIREMENT		
RESIDENTIAL		
Co-living <u>Non-Transient residential units built in Accordance with Section 7.1.11</u>		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 2. Chapter 7, entitled "Zoning District Regulations," Article I, entitled "General to All Zoning Districts," is hereby amended as follows:

**CHAPTER 7
ZONING DISTRICTS AND REGULATIONS**

ARTICLE I. GENERAL TO ALL ZONING DISTRICTS

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7.1.11 RESIDENTIAL USE INCENTIVES'

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

1. Lodging Use Conversion and Prohibition. In order to be eligible for the residential use incentives, the property shall be required to fully vacate any and all existing transient uses including, but not limited to, bed & breakfast inn, hostel, hotel, apartment hotel, suite hotel or rooming house. Such transient uses shall be prohibited throughout the development and at all times, in order to maintain the residential use incentives authorized for the applicable zoning district or overlay district.
2. Short Term Rental Conversion and Prohibition. In order to be eligible for the voluntary residential use incentives authorized for the applicable zoning district or overlay district, the property owner(s) shall first be required to vacate any and all existing approvals for the short-term rental of any apartment units on the property.
3. Covenant. As a condition of eligibility for the voluntary residential use incentives authorized for the applicable zoning district or overlay district, the property owner(s) shall first be required to execute a restrictive covenant running with the land, in a form approved by the City Attorney, affirming that throughout the building and at all times, no residential units on the property shall be leased or rented for a period of less than six months and one day, and that no transient uses including, but

not limited to, bed & breakfast inn, hostel, hotel, apartment hotel, suite hotel or rooming house, shall be permitted on the property. The covenant shall expressly provide that an affirmative vote of six-sevenths of all members of the city commission shall be required in order to release the covenant or to modify the covenant in such a manner as to impose a less stringent restriction after it is executed.

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

* * *

d. Urban Core. Properties between Drexel Avenue and Washington Avenue, located to the south of Lincoln Road and north of 16th Street zoned CD-3, which comply with the requirements in section 7.1.11.a above, shall be eligible for a floor area ratio of 3.25 total and a maximum height of 150 feet 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 development above the first level shall consist of non-transient residential uses.
3. The mobility fee required pursuant to chapter 3 shall be waived for developments that comply with this section.
4. 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.

SECTION 3. Chapter 7, entitled "Zoning District Regulations," Article II, entitled "District Regulations," is hereby amended as follows:

ARTICLE II. DISTRICT REGULATIONS

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7.2.12 CD-3 COMMERCIAL, HIGH INTENSITY DISTRICT

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7.2.12.6. Urban Core Residential Incentive Area — CD-3

1. Location and Purpose (Urban Core Residential Incentive Area — CD-3) The following regulations shall apply to properties located between Drexel Avenue and Washington Avenue between 16th Street and Lincoln Road. The purpose of the overlay shall be to incentivize the development of non-transient residential uses.
2. Development Regulations (Urban Core 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:

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

SECTION 4. 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 5. 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 6. SEVERABILITY.

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

SECTION 7. 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, 2025.

SECTION 8. EFFECTIVE DATE.

This Ordinance shall take effect ten days following adoption.

PASSED AND ADOPTED this ____ day of _____, 2025.

ATTEST:

Steven Meiner, Mayor

Rafael E. Granado, City Clerk

First Reading:
Second Reading:

APPROVED AS TO
FORM AND LANGUAGE
AND FOR EXECUTION

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

City Attorney _____
Date