

# MIAMIBEACH

## PLANNING DEPARTMENT

Staff Report & Recommendation

Planning Board

DATE: April 7, 2026

TO: Chairperson and Members  
Planning Board

FROM: Thomas R. Mooney, AICP  
Planning Director



SUBJECT: PB25-0812, **Alton City Center Residential Use Incentives – Comprehensive Plan Amendment.**

PB26-0813, **Alton City Center Residential Use Incentives – LDR Amendment.**

### **RECOMMENDATION**

Discuss and continue the proposed ordinances amending the Comprehensive Plan and Land Development Regulations of the City Code (LDRs) to the June 2, 2026 Planning Board meeting. Transmittal of the applications to the City Commission may only occur at a duly noticed second public hearing, after the conclusion of a community outreach meeting.

### **PLANNING BOARD AND CITY COMMISSION REVIEW REQUIREMENTS**

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

a. **Step One – Planning Board Preliminary Review.**

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

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

1. Calculation of the actual square footage increase for affected properties such as, for example, the maximum allowable square footage for residential, office, retail, hotel or other uses resulting from the FAR increase.
2. An infrastructure analysis regarding potential impacts on traffic/mobility, parking, water, sewer, resiliency, parks and open space, as well as any other area of concern identified by the City Commission or the Administration.

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

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

b. **Step Two – Community Outreach Meeting:**

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

c. **Step Three – Planning Board Transmittal:**

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

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

a. **Step One – First Reading Public Hearing:**

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

b. **Step Two – Community Workshop:**

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

c. **Step Three – Second Reading / Adoption Public Hearing:**

After the community workshop described above, the City Commission shall hold a second reading public hearing to consider final adoption of the proposed ordinance. Notice of the second reading shall be given in accordance with the applicable provisions in Chapter 2, Article IV of the Land Development Regulations.

## **REVIEW CRITERIA**

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

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

**Consistent**

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

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

**Consistent**

**The proposed amendment does not create an isolated district.**

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

**Partially Consistent**

**The proposed ordinance amendment does allow for an increase in the scale of development for residential uses. The benefits to the neighborhood would outweigh the potential modest impacts of the additional height and intensity if the proposal included a larger residential component to further the City's goal of increasing attainable housing.**

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

**Partially Consistent**

**The proposed amendment could result in development that increases the load on public facilities and infrastructure due to the proposed change in floor area ratio (FAR). The ordinance could result in a reduction in traffic if parking were substantially reduced, as more people would be utilizing micromobility and transit.**

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

**Satisfied**

**The boundaries of the overlay district are not illogically drawn.**

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

**Consistent**

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

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

**Consistent**

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

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

**Partially Consistent**

**The proposed change could allow for development that generates additional traffic from what is currently permitted, as the FAR is being increased. However, given that the City has seen a major increase in traffic due to workers commuting to job centers within the City from**

**suburbs in single occupancy vehicles, the amendment has the potential to reduce traffic by allowing more residents to live in close proximity to their place of employment, as well as utilize alternative modes of transportation.**

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

**Partially Consistent**

**The proposed change should not reduce light and air to adjacent areas.**

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

**Consistent**

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

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

**Consistent**

**The proposed change will not be a deterrent to the improvement or development of adjacent properties.**

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

**Partially Consistent**

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

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

**Not Applicable**

### **COMPLIANCE WITH SEA LEVEL RISE AND RESILIENCY REVIEW CRITERIA**

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

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

**Consistent**

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

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

**Consistent**

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

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

**Consistent**

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

### **ANALYSIS**

The applicant is proposing to create new regulations within the CD-2 zoning district section of the Land Development Regulations of the City Code (LDR's), entitled the Alton City Center Overlay. The

proposed amendments to the LDR's and the Comprehensive Plan create incentives for non-transient residential uses for properties between Lincoln Road and 17<sup>th</sup> Street from West Avenue to Alton Road. The following is a summary of the proposal:

- **FAR:** A floor area bonus of 1.5, for a total maximum FAR of 3.5.
- **Density:** A density bonus of 50 dwelling units per acre, for a total maximum density of 150 units per acre.
- **Height:** An increase in height from 65 feet to 150 feet.
- **Unit Size:** A minimum residential unit size of 500 square feet.
- A voluntary restrictive will be required affirming that all new residential units shall be leased for a minimum of six months and one day, and no new transient uses will be permitted on the site.
- The project is required to utilize a minimum of 50% of new construction gross floor area for non-transient residential uses including but not limited to dwelling units, amenities, residential parking, common areas and micromobility stations.
- A minimum micro-mobility component is required within the interior of the structure, accessible by all residential units.
- A setback of 20 feet from Alton Road above 75 feet in height is required.
- Proposed elimination of parking requirements. However, the project may provide required parking on site as specified in Parking Tier 1.

Last month the Planning Board reviewed City-sponsored applications for amendments to the Comprehensive Plan and the LDRs for properties within the Lincoln Road area with the goal of incentivizing non-transient residential uses along this corridor. The applicant's property, located to the west of Alton Road, is within the boundaries of the Lincoln Road West Incentive Area 1b (currently under consideration by the Planning Board).

Both proposals have the goal of increasing non-transient residential development along this commercial corridor. Within this specific area, both proposals include a maximum FAR of 3.5, a maximum density of 150 units per acre, a maximum height of 150 feet and a minimum unit size of 500 square feet. The applicant's proposal, however, has two significant differences.

First, the Lincoln Road West Residential Incentives permit a project to provide up to 20% of the required parking spaces outlined in Parking Tier 1. The applicant's proposal would allow for a project to provide 100% of the required parking in Parking Tier 1. One of the primary goals of the Lincoln Road Residential West Incentives is to significantly reduce the creation and reliance of off-street parking and to enhance the City's micromobility network. Staff is concerned that providing 100% of the required parking would dissuade potential residents from utilizing micromobility and patronizing establishments along the most pedestrian friendly commercial corridor in the City.

Second, the Lincoln Road West Residential Incentives require that projects consist of non-transient residential uses above the ground level. The applicant's proposal reduces the residential requirement to a minimum of 50% of new construction gross floor area, inclusive of the residential parking area. Staff

would note that calculating the required percentage using gross floor area (which includes non-habitable area) could further reduce the area of actual residential units. Staff believes that this reallocation of floor area to non-residential uses undermines the City’s goal of substantially increasing attainable housing units.

Finally, staff would note that the concept plans provided appear to exceed the maximum permitted FAR for the property owned by the applicant. As such, the massing studies submitted appear to represent a project which can be presumed to be part of a unified development site with adjacent properties.

	<b>Alton City Center Overlay (lots greater than 45,000 sq. ft.)</b>	<b>Lincoln Road Residential Incentives Area 1b (lots greater than 45,000 sq. ft.)</b>
<b>FAR</b>	3.5 (2.0 + 1.5 bonus)	3.5
<b>Density</b>	150 units (100 units + 50 units bonus)	150 units
<b>Height</b>	150 feet	150 feet with conditions
<b>Unit Size</b>	500 sq. ft.	500 sq. ft.
<b>Parking</b>	There shall be no parking requirement; however, a project may provide 100% of the required parking on site as specified in parking tier 1	Residential parking shall not exceed 20% of the number of off-street parking spaces required under parking tier 1
<b>Residential Use</b>	minimum of 50% of new construction gross floor area for non-transient residential uses including but not limited to dwelling units, amenities, residential parking, common areas and micromobility stations	Residential uses required above the ground level

In accordance with the requirements FAR increases, the applicant has included the following with the application submission:

1. **Impact analysis of the proposed FAR increase.** The current permitted square footage of the applicant’s property is 105,000 square feet and would allow for a maximum of 183,750 square feet.
2. **Infrastructure Analysis** regarding potential impacts on traffic/mobility, parking, water, sewer, resiliency, parks and open space.
3. **Massing Studies**, which illustrate the volume and location of the area associated with the proposed FAR increase.

**COMPREHENSIVE PLAN AMENDMENT AND REVIEW PROCESS**

The proposal requires an amendment to the Comprehensive Plan for the proposed increases in intensity and density. Under Section 163.3184(2), Florida Statutes, this amendment shall follow the expedited state review process for adoption of comprehensive plan amendments.

This process requires a public hearing by the local planning agency (Planning Board), a public transmittal hearing before the City Commission, after which the amendment must be transmitted to several state agencies for a 30-day review period, and a final adoption public hearing before the City Commission. The amendment is effective 31 days after it is adopted if there are no appeals.

**SUMMARY**

The City-sponsored Lincoln Road West Residential Incentives provide tangible benefits which serve to encourage the development of non-transient residential housing along Lincoln Road, while reducing the use of single vehicles for transit. Staff recommends the applicant modify this proposal to substantially reduce the amount of off-street parking permitted and significantly increase the amount of floor area for residential uses, in a manner consistent with the City-sponsored legislation.

**STAFF RECOMMENDATION**

Staff recommends that the Planning Board discuss and continue the proposed ordinances amending the Comprehensive Plan and LDRs to the June 2, 2026 Planning Board meeting.

**Alton City Center Overlay – LDR Amendments**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE MIAMI BEACH RESILIENCY CODE, BY AMENDING CHAPTER 7, ENTITLED "ZONING DISTRICT REGULATIONS," ARTICLE II, ENTITLED "DISTRICT REGULATIONS," SECTION 7.2.11. ENTITLED "CD-2 COMMERCIAL, MEDIUM INTENSITY DISTRICT" TO CREATE NEW SECTION 7.2.11.11 ENTITLED "ALTON CITY CENTER OVERLAY (CD-2)" FOR PROPERTIES LOCATED BETWEEN THE WEST SIDE OF ALTON ROAD AND THE EAST SIDE OF WEST AVENUE BETWEEN LINCOLN ROAD AND 17TH STREET AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.**

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

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

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

**WHEREAS**, the loss of residents is partially due a lack of market rate rental housing in close proximity to the City's office and commercial uses; and

**WHEREAS**, the City block located between the west side of Alton Road and east side of West Avenue and Lincoln Road and 17th Street (the "Alton City Center") is an important City block that serves to connect the Venetian Causeway with the City Center area where the most office and commercial uses in the City are concentrated; and

**WHEREAS**, Alton Road is one of most important commercial and transit corridors in the City and City Commission has expressed a desire to activate largely dormant commercial parcels fronting on Alton Road particularly in the Alton City Center area; and

**WHEREAS**, creating incentives for mixed-use developments with a large residential component within the Alton City Center area would enable the implementation of more equitable and comprehensive housing policies that prioritize the well-being and stability of all residents and would enhance the walkability and quality of life within the Alton City Center area and beyond; 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 7, entitled "Zoning District Regulations," Article II, entitled "District Regulations," Section 7.2.11, entitled "CD-2 Commercial, Medium Intensity District," is hereby amended to add Section 7.2.11.11 as follows:

**CHAPTER 7  
ZONING DISTRICTS AND REGULATIONS**

\* \* \*

**ARTICLE II. DISTRICT REGULATIONS**

\* \* \*

**7.2.11 CD-2 COMMERCIAL, MEDIUM INTENSITY DISTRICT**

\* \* \*

**7.2.11.11 Alton City Center Overlay (CD-2)**

**a. Location and Purpose (Alton City Center Overlay CD-2)**

The Alton City Center overlay includes properties located between the west side of Alton Road and the east side of West Avenue between Lincoln Road and 17th Street with a lot area greater than 45,000 square feet in size. The purpose of this overlay is to incentivize the redevelopment of largely dormant commercial parcels into mixed-use projects with substantial residential use to increase housing supply near the City Center which contains the greatest concentration of office and commercial uses in the City.

**b. Development Regulations (Alton City Center Overlay CD-2)**

Notwithstanding the development regulations contained in Section 7.2.11.3, the following regulations shall govern proposed development within the boundaries of this overlay. In the event of any conflict between these regulations and the Resiliency Code, these regulations shall control. Any regulations of the underlying CD-2 zoning district not modified herein continue to govern. As a voluntary incentive program, the property owner(s) shall 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 newly constructed residential units on the property shall be leased or rented for a period of less than six months and one day, and that no new 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. Projects that record the requisite covenant and comply with the below regulations shall receive a density bonus for an additional 50 dwelling units per acre, a floor area bonus of 1.5, and a maximum height of 150 feet subject to the limitations outlined in this section:

1. Minimum lot size. The minimum lot size shall be 45,000 square feet.
2. Minimum residential use requirement and unit size. Projects shall be mixed-use and shall utilize a minimum of 50% of new construction gross floor area for non-transient residential uses including but not limited to dwelling units, amenities, residential parking, common areas and micromobility stations. The minimum residential unit size shall be 500 square feet.

3. Ground level activation. For new construction, the ground level of the building shall consist of active retail, restaurant, personal service or similar uses. Residential and office lobbies may be permitted at the ground level.
4. Micromobility and Parking. Projects shall provide within the structure a micromobility station that is accessible to all residents and equipped with a minimum of 40 or more micromobility units (e.g. bicycles, e-bikes, e-scooters, quads and/or vehicles, etc.). The City shall review and approve a micro-mobility station operations plan. Micromobility units provided shall count towards satisfying the project's long-term bicycle parking requirements. There shall be no parking requirement. However, a project 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.
5. Height. The maximum height shall be 150 feet.
6. Additional Setbacks. Portions of the building above 75 feet in height shall be setback a minimum of 20 feet from Alton Road.
7. Variances. There shall be no variances from the requirements of this section.
8. Sunset provision. The development regulations in this section 7.2.11.11. shall only apply to projects that have obtained a full building permit on or before December 31, 2035.

**SECTION 2. 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 3. 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 4. SEVERABILITY.**

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

**SECTION 5. EFFECTIVE DATE.**

This Ordinance shall take effect ten days following adoption.

**PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2026

\_\_\_\_\_  
Steven Meiner, Mayor

ATTEST:

\_\_\_\_\_

Rafael E. Granado, City Clerk.

APPROVED AS TO FORM AND  
LANGUAGE AND FOR EXECUTION

\_\_\_\_\_  
City Attorney

\_\_\_\_\_  
Date

First Reading:

Second Reading:

Verified by: \_\_\_\_\_

Thomas R. Mooney, AICP  
Planning Director

**Alton City Center Overlay – Comprehensive Plan Amendment**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CITY OF MIAMI BEACH YEAR 2040 COMPREHENSIVE PLAN, PURSUANT TO THE EXPEDITED STATE REVIEW PROCESS OF SECTION 163.3184(3), FLORIDA STATUTES, BY AMENDING THE "RESILIENT LAND USE & DEVELOPMENT ELEMENT," GOAL RLU 1, ENTITLED "LAND USE," OBJECTIVE RLU 1.1, ENTITLED "ESTABLISHMENT OF FUTURE LAND USE CATEGORIES" AT TABLE RLU 1.1 TO PROVIDE CONSISTENCY WITH FLOOR AREA RATIO (F.A.R.) AND DENSITY REGULATIONS; BY AMENDING POLICY RLU 1.1.9, ENTITLED "MEDIUM INTENSITY COMMERCIAL (CD-2)," TO PROVIDE FAR AND DENSITY INCENTIVES TO ENCOURAGE REDEVELOPMENT OF DORMANT COMMERCIAL PARCELS INTO MIXED-USE PROJECTS WITH SUBSTANTIAL NON-TRANSIENT RESIDENTIAL USES FOR ELIGIBLE PROPERTIES LOCATED BETWEEN WEST SIDE OF ALTON ROAD AND THE EAST SIDE OF WEST AVENUE BETWEEN LINCOLN ROAD AND 17TH STREET; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, TRANSMITTAL AND AN EFFECTIVE DATE.**

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

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

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

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

**WHEREAS**, the City block located between the west side of Alton Road and east side of West Avenue and Lincoln Road and 17th Street (the "Alton City Center") is an important City block that serves to connect the Venetian Causeway with the City Center area where the most office and commercial uses in the City are concentrated; and

**WHEREAS**, Alton Road is one of most important commercial and transit corridors in the City and City Commission has expressed a desire to activate largely dormant commercial parcels fronting on Alton Road, particularly in the Alton City Center area; and

**WHEREAS**, creating incentives for mixed-use developments with a large non-transient residential component within the Alton City Center area would enable the implementation of more equitable and comprehensive housing policies that prioritize the well-being and stability of all residents and would enhance the walkability and quality of life within the Alton City Center area and beyond; and

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

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

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

**RESILIENT LAND USE & DEVELOPMENT ELEMENT**

\* \* \*

**GOAL RLU 1: LAND USE**

\* \* \*

**OBJECTIVE RLU 1.1 Establishment of Future Land Use Categories**

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

\* \* \*

**POLICY RLU 1.1.9 MEDIUM INTENSITY COMMERCIAL (CD-2)**

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

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

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

Density Limits: 100 dwelling units per acre. Notwithstanding the foregoing, the City Commission acting in a legislative capacity may adopt land development regulations that provide voluntary density bonuses to achieve up to 150 dwelling units per acre for qualifying developments within the Alton City Center Overlay.

Intensity Limits: a floor area ratio of 1.5 for commercial; 2.0 for residential or mixed use; 3.25 in the Wolfsonian Arts District. Notwithstanding the foregoing, the City Commission acting in a legislative capacity may adopt land development regulations that provide voluntary intensity bonuses to achieve up to a 3.5 FAR for qualifying developments within the Alton City Center Overlay.

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## **OBJECTIVE RLU 1.2: LAND USE REGULATION**

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

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### **POLICY 1.2.8 RESIDENTIAL USE INCENTIVES**

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

1. **Lodging Use Conversion and Prohibition.** *In order to be eligible for the residential use incentives, the property shall be required to fully vacate any and all existing transient uses including, but not limited to, bed & breakfast inn, hostel, hotel, apartment hotel, suite hotel, or rooming house. Such transient uses shall be prohibited throughout the development and at all times, in order to maintain the residential use incentives authorized for the applicable future land use category.*
2. **Short Term Rental Conversion and Prohibition.** *In order to be eligible for the voluntary residential use incentives authorized for the applicable future land use category, the property owner(s) shall first be required to vacate any and all existing approvals for the short-term rental of any apartment units on the property, except as may be provided for in the land development regulations.*
3. **Covenant.** *As a condition of eligibility for the voluntary residential use incentives authorized for the applicable future land use category, the property owner(s) shall first be required to execute a restrictive covenant running with the land, in a form approved by the City Attorney, affirming that throughout the building and at all times, no residential units on the property shall be leased or rented for a period of less than six months and one day, and that no transient uses including, but not limited to, bed & breakfast inn, hostel, hotel, apartment hotel, suite hotel or rooming house, shall be permitted on the property. The covenant shall expressly provide that an affirmative vote of six-sevenths of all members of the city commission shall be required in order to release the covenant or to modify the covenant in such a manner as to impose a less stringent restriction after it is executed.*

### **SECTION 2. CODIFICATION.**

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

### **SECTION 3. REPEALER.**

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

**SECTION 4. SEVERABILITY.**

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

**SECTION 5. TRANSMITTAL.**

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

**SECTION 6. EFFECTIVE DATE.**

This Ordinance shall take effect until 31 days after the state land planning agency notifies the City that the plan amendment package is complete following adoption, pursuant to Section 163.3184(3), Florida Statutes.

**PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2026

\_\_\_\_\_  
Steven Meiner, Mayor

ATTEST:

\_\_\_\_\_  
Rafael E. Granado, City Clerk.

APPROVED AS TO FORM AND  
LANGUAGE AND FOR EXECUTION

\_\_\_\_\_  
City Attorney

\_\_\_\_\_  
Date

First Reading:  
Second Reading:

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