

# MIAMI BEACH

## PLANNING DEPARTMENT

### Staff Report & Recommendation

### PLANNING BOARD

TO: Chairperson and Members  
Planning Board

DATE: June 23, 2020

FROM: Thomas R. Mooney, AICP  
Planning Director



SUBJECT: **PB20-0356. Development regulations for hotels in the RM-1 District on properties abutting Lincoln Lane south - LDR amendments.**

**PB20-0356. Development regulations for hotels in the RM-1 District on properties abutting Lincoln Lane south - LDR amendments.** AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, BY AMENDING CHAPTER 142, ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, ENTITLED "DISTRICT REGULATIONS," DIVISION 3, ENTITLED "RESIDENTIAL MULTIFAMILY DISTRICTS," SUBDIVISION II, ENTITLED "RM-1 RESIDENTIAL MULTIFAMILY LOW INTENSITY," SECTION 142-152, ENTITLED "MAIN PERMITTED AND PROHIBITED USES," TO AMEND THE PERMITTED USES FOR PROPERTIES ABUTTING LINCOLN LANE SOUTH, BETWEEN DREXEL AVENUE AND LENOX AVENUE; AND AMENDING CHAPTER 130, ENTITLED "OFF-STREET PARKING," ARTICLE II, "DISTRICTS; REQUIREMENTS," SECTION 130-32, "OFF-STREET PARKING REQUIREMENTS FOR PARKING DISTRICT NO. 1," TO AMEND THE OFF-STREET PARKING REQUIREMENTS FOR HOTEL UNITS ABUTTING LINCOLN LANE SOUTH BETWEEN DREXEL AVENUE AND LENOX AVENUE; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

#### **RECOMMENDATION**

Transmit the proposed ordinance amendment to the City Commission with a favorable recommendation.

#### **BACKGROUND**

On January 15, 2020, at the request of Commissioner Ricky Arriola, the City Commission referred the item to the Land Use and Sustainability Committee. On February 18, 2020 the Land Use and Sustainability Committee discussed the item and recommended that the City Commission refer the Comprehensive Plan and Land Development Regulations (LDR) amendments to the Planning Board. On March 18, 2020 the City Commission referred the ordinances to the Planning Board (Item C4 T).

#### **REVIEW CRITERIA**

Pursuant to Section 118-163 of the City Code, in reviewing a request for an amendment to these land development regulations, the board shall consider the following when applicable:

1. **Whether the proposed change is consistent and compatible with the**

**comprehensive plan and any applicable neighborhood or redevelopment plans.**

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

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

**Not applicable** – The proposed amendment does not modify district boundaries.

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

**Consistent** - The proposed ordinance amendment is not out of scale with the surrounding neighborhood.

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

**Consistent** – The proposed ordinance should not affect the load on public facilities and infrastructure.

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

**Not applicable.** – The proposed amendment does not modify district boundaries.

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

**Consistent** – The need to improve the conditions of Lincoln Lane South 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 will not adversely affect living conditions in the neighborhood, as it does not result in an increase in the number of nonconforming uses.

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.**

**Consistent** – The proposed change should not excessively increase traffic congestion from what is currently permitted, as hotels generate fewer peak hour trips than apartments.

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

**Consistent** – The proposed change will not seriously reduce light and air to adjacent areas.

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

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

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 should not be a deterrent to the improvement or development of properties in the City.

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

**Not applicable.**

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 133-50(b) of the Land Development Regulations establishes the following review criteria when considering ordinances, adopting resolutions, or making recommendations:

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

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

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

**Consistent** – The proposal will not affect the resiliency of the City with respect to sea level rise.

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

**Consistent** – The proposal does not diminish and is compatible with the City's sea level rise mitigation and resiliency efforts.

#### **ANALYSIS**

Attached is a draft LDR amendment, prepared by representatives of the Lincoln Center building at Euclid Avenue and Lincoln Road, which would allow for hotel uses in the RM-1 district, under limited circumstances and limited locations. It is a companion to the Comprehensive Plan amendment which must be approved prior to the adoption of the proposed LDR amendment. The owner of the Lincoln Center is seeking to redevelop a parcel of land to the immediate south of Lincoln Lane South, as hotel units. All operational aspects of the hotel, including accessory uses and check in, would occur within the Lincoln Center site fronting Lincoln Road.

The amendments do not propose to increase any usable area or to vary any setback or height regulations. Instead, the proposed regulations require compliance with the development

regulations, but permit hotel uses for properties which are operationally connected the Lincoln Road property directly across Lincoln Lane South from the RM-1 property.

Apartment hotels, hotels, and suite hotels may be permitted for RM-1 properties abutting Lincoln Lane South, from Drexel Avenue to Lennox Avenue, in accordance with the following:

- The RM-1 property shall not exceed 100 feet in width;
- Lobby access to the property is located within a property fronting on Lincoln Road and directly across Lincoln Lane South from the RM-1 property;
- The hotel shall be operated by a single operator; and
- No accessory uses shall be located within the RM-1 district.

The parking requirements in Chapter 130 are proposed to be modified by removing the minimum off-street parking requirement for the subject hotels.

Lincoln Lane South currently operates as an alley for those properties located along the south side of Lincoln Road. Minimal improvements exist along Lincoln Lane South and over the last few years the City has sought to improve the conditions along Lincoln Lane South. In part, the City has required property owners on the south side of Lincoln Road provide improvements to activate Lincoln Lane South. These improvements have included, but have not been limited to, the creation of sidewalks and access points to ground level businesses.

Staff is supportive of the proposed text amendments as they are not expected to have any negative visual impacts on the character of this portion of the Flamingo Park Local Historic District, nor Lincoln Road. The proposed amendments allow for improvements in the area without allowing an increased footprint for the proposed use. Due to the limited area and strict requirements, it is not expected that the proposed amendments will create negative impacts to the surrounding community, and the proposed limitations provide safeguards against any potential negative impacts that may come about as a result of the use. Also, the allowance of hotel uses in the RM-1 district would be limited to locations abutting Lincoln Lane South, and no accessory uses would be permitted in the RM-1 property. Additionally, the same entity must own both the Lincoln Road and RM-1 properties, which provides a higher level of control.

Finally, given the limited size of the properties, as well as the availability of parking with existing garages just to the north of Lincoln Road, the staff is supportive of the proposed amendment to the off-street parking requirements. In this regard, the typical hotel guest is more likely to take advantage of ride share services in lieu of valet parking. Also, this area of the City is within walking distance of the recently renovated convention center, shops, restaurants, and the beach.

### **RECOMMENDATION**

In view of the foregoing analysis, staff recommends that the Planning Board transmit the proposed ordinance amendment to the City Commission with a favorable recommendation.

**DEVELOPMENT REGULATIONS FOR HOTELS IN THE RM-1  
DISTRICT ON PROPERTIES ABUTTING LINCOLN LANE SOUTH  
LDR AMENDMENTS**

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

**AN ORDINANCE OF THE MAYOR AND CITY  
COMMISSION OF THE CITY OF MIAMI BEACH,  
FLORIDA, AMENDING THE CODE OF THE CITY OF  
MIAMI BEACH, FLORIDA, BY AMENDING CHAPTER 142,  
ENTITLED "ZONING DISTRICTS AND REGULATIONS,"  
ARTICLE II, ENTITLED "DISTRICT REGULATIONS,"  
DIVISION 3, ENTITLED "RESIDENTIAL MULTIFAMILY  
DISTRICTS," SUBDIVISION II, ENTITLED "RM-1  
RESIDENTIAL MULTIFAMILY LOW INTENSITY,"  
SECTION 142-152, ENTITLED "MAIN PERMITTED AND  
PROHIBITED USES," TO AMEND THE PERMITTED  
USES FOR PROPERTIES ABUTTING LINCOLN LANE  
SOUTH, BETWEEN DREXEL AVENUE AND LENOX  
AVENUE; AND AMENDING CHAPTER 130, ENTITLED  
"OFF-STREET PARKING," ARTICLE II, "DISTRICTS;  
REQUIREMENTS," SECTION 130-32, "OFF-STREET  
PARKING REQUIREMENTS FOR PARKING DISTRICT  
NO. 1," TO AMEND THE OFF-STREET PARKING  
REQUIREMENTS FOR HOTEL UNITS ABUTTING  
LINCOLN LANE SOUTH BETWEEN DREXEL AVENUE  
AND LENOX AVENUE; AND PROVIDING FOR  
REPEALER, SEVERABILITY, CODIFICATION AND AN  
EFFECTIVE DATE.**

**WHEREAS**, the City of Miami Beach desires to amend its Comprehensive Plan and land development regulations to incentivize the development of properties abutting Lincoln Lane South; and

**WHEREAS**, the pedestrian-friendly and vibrant character of Lincoln Road promotes a guest experience that would be complemented by new hotels, to encourage activation of Lincoln Lane South; and

**WHEREAS**, changes in patterns and norms regarding the use of automobiles in urban areas, such as Miami Beach, have reduced the need for off-street parking associated with hotels, particularly in the Lincoln Road neighborhood; and

**WHEREAS**, the amendments set forth herein would promote responsible hotel development on Lincoln Lane South, while preserving the character of the neighborhood.

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

**SECTION 1.** Chapter 142 of the City Code, entitled "Zoning Districts and Regulations," Article II, "District Regulations," Division 3, "Residential Multifamily Districts," Subdivision II, "RM-1 Residential Multifamily Low Intensity," Section 142-152, "Main Permitted and Prohibited Uses," is hereby amended as follows:

**CHAPTER 142**  
**ZONING DISTRICTS AND REGULATIONS**

\* \* \*

**ARTICLE II. – DISTRICT REGULATIONS**

\* \* \*

**DIVISION 3. –RESIDENTIAL MULTIFAMILY DISTRICTS**

\* \* \*

**SUBDIVISION II. – RM-1 RESIDENTIAL MULTIFAMILY LOW INTENSITY**

\* \* \*

**Sec. 142-152. - Main permitted and prohibited uses.**

(a) The main permitted uses in the RM-1 residential multifamily, low density district are

(1) single-family detached dwelling;

(2) townhomes;

(3) apartments;

(4) apartment hotels, hotels, and suite hotels for properties fronting Harding Avenue or Collins Avenue, from the city line on the north, to 73rd Street on the south (pursuant to section 142-1105 of this chapter);

(5) bed and breakfast inn (pursuant to article V, division 7 of this chapter); and

(6) apartment hotels, hotels, and suite hotels for properties abutting Lincoln Lane South, between Drexel Avenue and Lennox Avenue, subject to the following regulations:

(i) The lot width of the property shall not exceed 100 feet;

(ii) The lobby from which the property is accessed shall be located within a building fronting Lincoln Road, which is located directly across Lincoln Lane South from the RM-1 property;

(iii) The hotel shall be operated by a single operator; and

(iv) No accessory uses associated with a hotel shall be located or permitted within the RM-1 district.

**SECTION 2.** Chapter 130 of the City Code, entitled "Off-street parking," Article II, "Districts; requirements," Section 130-32, "Off Street parking requirements for parking district no. 1," is hereby amended as follows:

**CHAPTER 130**  
**OFF-STREET PARKING**

\* \* \*

**ARTICLE II. – DISTRICTS; REQUIREMENTS**

\* \* \*

**Sec. 130-32. - Off-street parking requirements for parking district no. 1.**

Except as otherwise provided in these land development regulations, when any building or structure is erected or altered in parking district no. 1, accessory off-street parking spaces shall be provided for the building, structure or additional floor area as follows:

\* \* \*

(26) *Hotel, suites hotel, motel, or motor lodge*: One space per unit, except as follows:

Properties located within a local historic district or National Register Historic District		
	New floor area for hotel rooms, associated with retaining, preserving and restoring a building or structure that is classified as "contributing" as of March 13, 2013, as defined below	.5 spaces per unit, up to a maximum of 100 units and 1 space per unit for all units in excess of 100 units
	Other (e.g., new construction or substantial demolition of contributing building)	1 space per unit
<u>Properties abutting Lincoln Lane South, between Drexel Avenue and Lenox Avenue</u>		<u>No off-street parking requirement</u>
Properties bounded by 62nd Street on the south, 73rd Street on the north, Indian Creek on the west and the Atlantic Ocean on the east		.5 spaces per unit, up to a maximum of 100 units and 1 space per unit for all units in excess of 100 units
Properties located south of Fifth Street and properties zoned residential and located south of 17th Street, west of Alton Court, east of Biscayne Bay and north of 6th Street		1 space per unit
Properties not listed above:		

	Hotels, limited by covenant to no restaurants or pools open to the public, no outdoor bar counters, entertainment or special events, and located in a commercial zoning district within 1,000 feet of the boundary of an area that is (1) zoned CD-3 and (2) part of an historic district	.5 spaces per unit, up to a maximum of 100 units and 1 space per unit for all units in excess of 100 units, up to a maximum cap of 150 rooms total
	Within 150 feet of a single-family district or RM-1 district, notwithstanding the above	1 space per unit
	Other	1 space per unit

**SECTION 3. Repealer.**

All ordinances or parts of ordinances and all sections and parts of sections in conflict herewith are hereby repealed.

**SECTION 4. Codification.**

It is the intention of the Mayor and City Commission of the City of Miami Beach, 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, Florida, as amended. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section" or other appropriate word.

**SECTION 5. Severability.**

If any section, sentence, clause or phrase of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this ordinance.

**SECTION 6. Effective Date.**

This Ordinance shall take effect ten days following adoption.

**PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Dan Gelber, 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