

LDR Amendment

ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE RESILIENCY CODE OF THE CITY OF MIAMI BEACH, BY AMENDING CHAPTER 7, ENTITLED “ZONING DISTRICTS AND REGULATIONS”, BY AMENDING ARTICLE II, ENTITLED “DISTRICT REGULATIONS”, BY AMENDING SECTION 7.2.6, ENTITLED “RM-3 RESIDENTIAL MULTIFAMILY, HIGH INTENSITY,” TO ESTABLISH A LIMITED FLOOR AREA RATIO (FAR) PROVISION FOR CERTAIN OCEANFRONT PROPERTIES WITH A LOT AREA GREATER THAN 100,000 SQUARE FEET AND AN EXISTING CONTRIBUTING BUILDING AS OF JANUARY 1, 2026; PROVIDING FOR CODIFICATION; TRANSMITTAL; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.

WHEREAS, Section 7.2.6 of the Resiliency Code governs development within the Residential Multifamily, High Intensity (RM-3) zoning district, including maximum floor area ratio (“FAR”) limitations applicable to oceanfront properties; and

WHEREAS, the RM-3 zoning district is intended to support high-density residential and hotel uses in a manner that enhances the desirability, character, and long-term sustainability of the City’s oceanfront areas; and

WHEREAS, the City recognizes that certain oceanfront properties within the RM-3 zoning district are uniquely characterized by larger lot sizes and the presence of established contributing historic structures, which may warrant tailored regulatory provisions to facilitate reinvestment and redevelopment; and

WHEREAS, the City Commission finds that modest and carefully calibrated increases in FAR for qualifying properties can incentivize the preservation and restoration of existing historic structures, including contributing buildings, while maintaining compatibility with surrounding areas; and

WHEREAS, the City further finds that allowing additional flexibility in FAR for such properties may support economically viable redevelopment, enhance architectural quality, and promote the continued activation of the City’s oceanfront corridors; and

WHEREAS, the City Commission desires to amend Section 7.2.6 of the Resiliency Code to provide a narrowly tailored FAR provision applicable to certain oceanfront RM-3 properties with larger lot areas and that contain existing contributing buildings, in order to implement the foregoing planning objectives; and

WHEREAS, the proposed amendment to the Resiliency Code is intended to ensure that the public health, safety and welfare will be preserved; and

WHEREAS, the amendment set forth below is necessary to accomplish all of these objectives.

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

SECTION 1. Chapter 7, “Zoning Districts and Regulations”, Article II, “District Regulations”, is hereby amended as follows:

**CHAPTER 7
ZONING DISTRICTS AND REGULATIONS**

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ARTICLE II. DISTRICT REGULATIONS

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7.2.6 RM-3 RESIDENTIAL MULTIFAMILY, HIGH INTENSITY

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7.2.6.3 Development Regulations (RM-3)

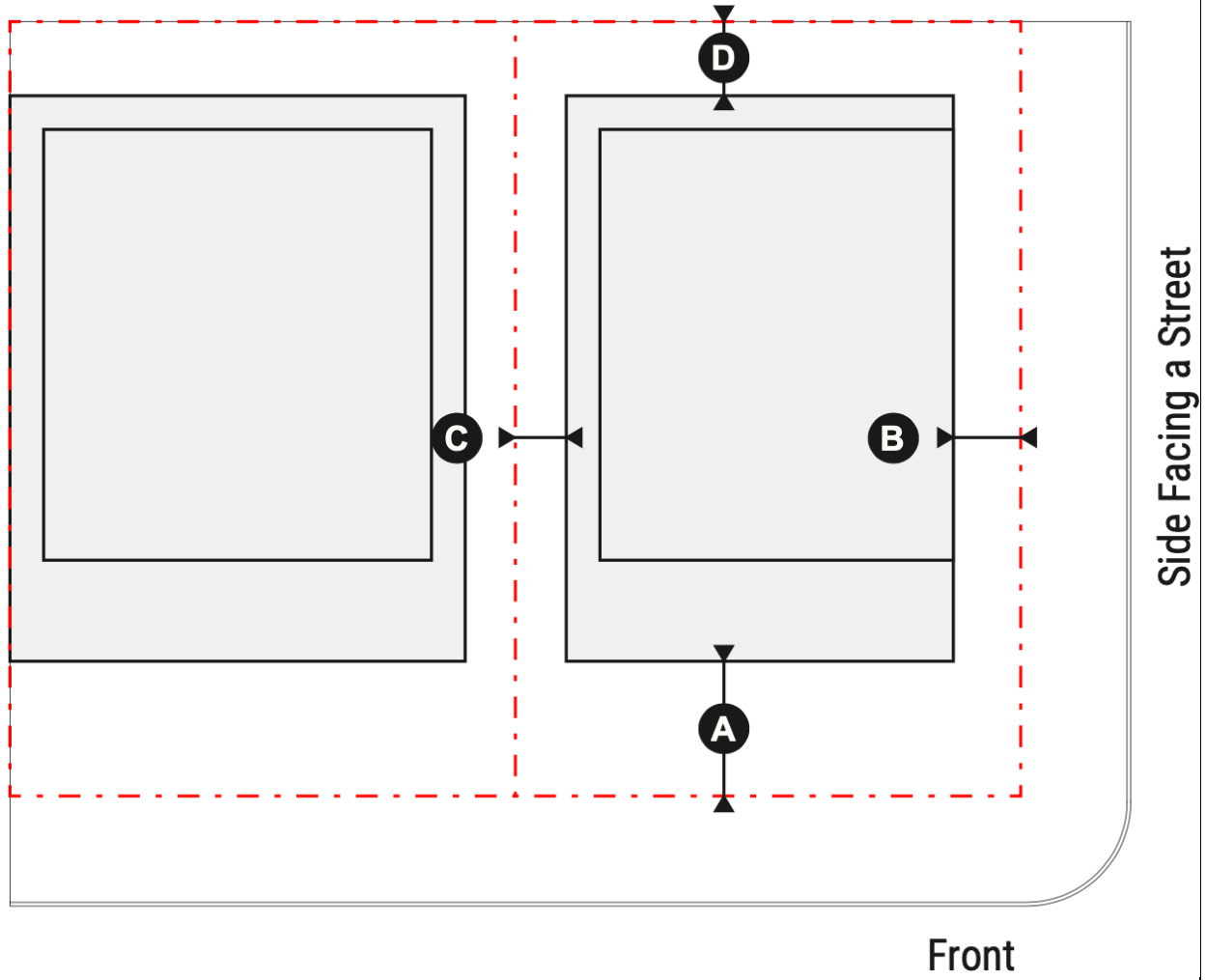
- a. The development regulations in the RM-3 residential multifamily, high intensity district are as follows:

DEVELOPMENT REGULATIONS TABLE (RM-3)	
Maximum FAR	
Lot area equal to or less than 45,000 square feet	2.25 (1) (2)
Lot area greater than 45,000 square feet	2.75 (1) (2)
Oceanfront lots with lot area greater than 45,000 square feet	3.0 (1) (2) (11) (12)
Maximum Density (Dwelling Units per acre)	150 DUA (80% bonus for workforce or affordable units) (11)
MINIMUM UNIT SIZE (SQUARE FEET)	
Single Family Detached House	1,800 SF (7)
Apartments/Multi-family Units	

DEVELOPMENT REGULATIONS TABLE (RM-3)		
New Construction	550 SF	
Non-elderly and elderly low and moderate income housing	400 SF	
Workforce Housing	400 SF	
Rehabilitated Buildings	400 SF	
Lodging and Hotel Units	335 SF + (8)	
Hotel units within rooftop additions to contributing structures in a historic district and individually designated historic buildings	335 SF	
MINIMUM AVERAGE UNIT SIZE (SQUARE FEET)		
Single Family Detached House	N/A	
Apartments/Multi-family Units		
New Construction	800 SF (9)(10)	
Non-elderly and elderly low and moderate income housing	400 SF (9)(10)	
Workforce Housing	400 SF (9)(10)	
Rehabilitated Buildings	550 SF (9)(10)	
Lodging and Hotel Units	N/A	
LOT OCCUPATION		
Minimum Lot Area (square feet)	7,000 SF	
Minimum Lot Width (feet)	50 feet	
Maximum Lot Coverage (%)	N/A	
BUILDING SETBACKS		
Front Setback Ⓢ	OCEANFRONT	NON-OCEANFRONT
Subterranean		

DEVELOPMENT REGULATIONS TABLE (RM-3)		
Pedestal	20 feet 50 feet (For lots A and 1-30 of the Amended Plat Indian Beach Corporation Subdivision and lots 231-237 of the Amended Plat of First Ocean Front Subdivision) (MAP EXHIBIT-4) (11)	
Tower	20 feet + 1 foot for every 1 foot increase in height above 50 feet, to a maximum of 50 feet, then shall remain constant. 50 feet (For lots A and 1-30 of the Amended Plat Indian Beach Corporation Subdivision and lots 231-237 of the Amended Plat of First Ocean Front Subdivision) (MAP EXHIBIT-4) (11)	
Side, Facing a Street Setback ®	OCEANFRONT	NON-OCEANFRONT
Subterranean	7.5 feet or 8% of lot width, whichever is greater	
Pedestal	Sum of the side yards shall equal 16% of lot width	
Tower	Minimum (11)	
Side, Interior Setback ©	OCEANFRONT	NON-OCEANFRONT
Subterranean	7.5 feet or 8% of lot width, whichever is greater	
Pedestal	Sum of the side yards shall equal 16% of lot width	
Tower	Minimum (4)(11)	
Tower	The required pedestal setback plus 10% of the height of the tower portion of the building. The total required setback shall not exceed 50 feet. (4)(11)	
Rear Setback ®	OCEANFRONT	NON-OCEANFRONT
Subterranean	20% of lot depth or 50 feet from the bulkhead line	10% of lot depth (4)
Pedestal	whichever is greater. (4)(11)	
Tower	25% of lot depth or 75 feet minimum from the bulkhead line whichever is greater. (4)(11)	15% of lot depth (4)

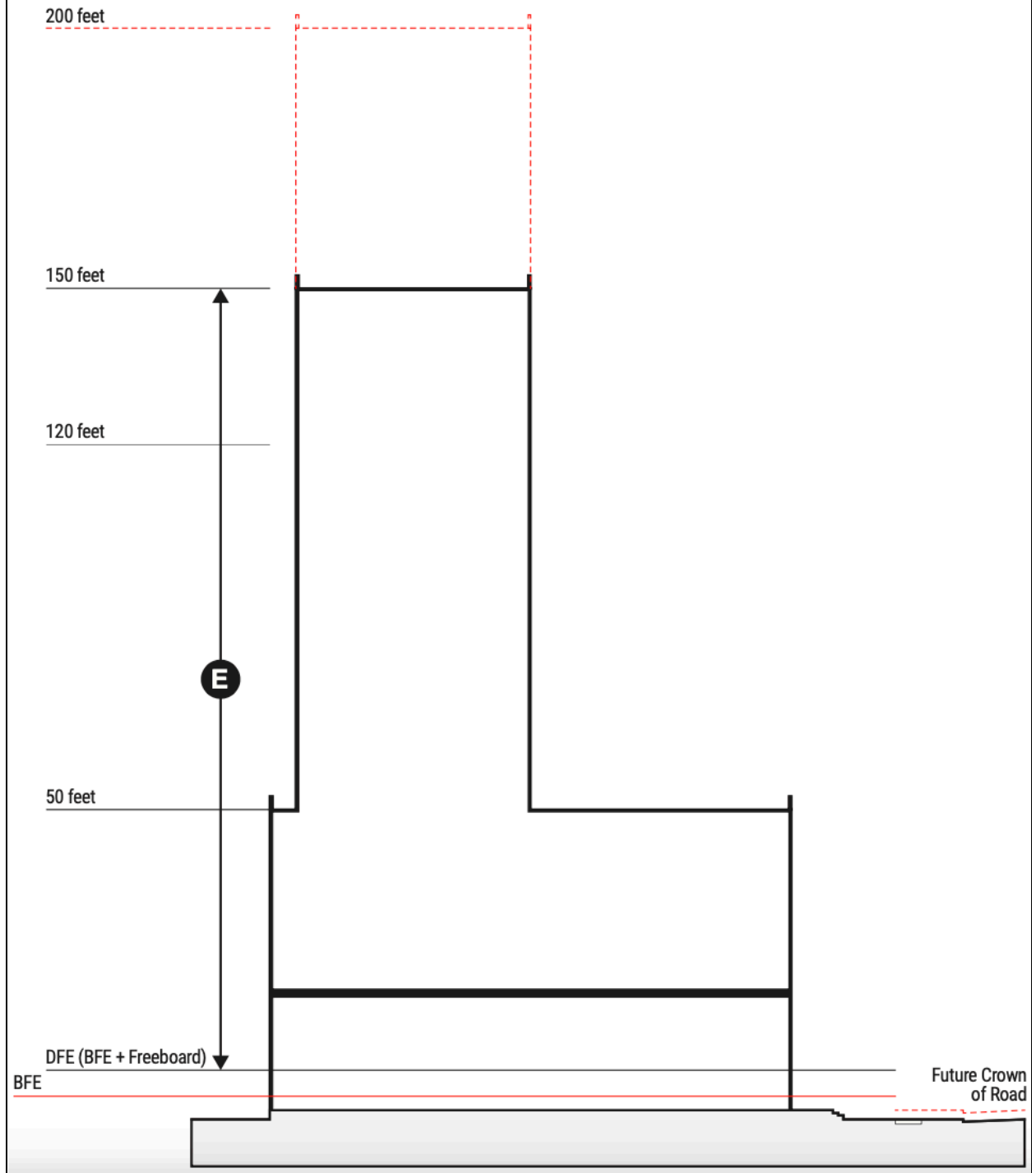
DEVELOPMENT REGULATIONS TABLE (RM-3)



BUILDING HEIGHT

Maximum Height Ⓔ	150 feet (5) (6)
Oceanfront lots	200 feet north of 23rd Street; 150 feet south of 23rd Street
Architectural district, New Construction	120 feet (5)(11)
Ground floor additions (whether attached or detached) to existing structures on oceanfront lots	50 feet (3)(11)

DEVELOPMENT REGULATIONS TABLE (RM-3)



(1) Notwithstanding the above, oceanfront lots in architectural district shall have a maximum FAR of 2.0

(2) Notwithstanding the above, lots which, as of the effective date of this ordinance (November 14, 1998), are oceanfront lots with a lot area greater than 100,000 square feet with an existing

DEVELOPMENT REGULATIONS TABLE (RM-3)

building, shall have a maximum FAR of 3.0; however, additional FAR shall be available for the sole purpose of providing hotel amenities as follows: the lesser of 0.15 FAR or 20,000 square feet.

(3) Except as provided in section 7.5.2.

(4) Notwithstanding the foregoing, rooftop additions to contributing structures in a historic district and individually designated historic district buildings may follow existing nonconforming side, interior pedestal setbacks.

(5) Notwithstanding the above, oceanfront lots located in the Miami Beach Architectural District shall be permitted to construct detached additions at a height not to exceed 25 feet and shall have setback requirements as follows:

1. Side, interior: 5 feet.
2. Side, street: 5 feet.
3. Rear: 10 percent (10%) of lot depth or the western edge of the Oceanfront Overlay, whichever is greater.

(6) In the Morris Lapidus/Mid-20th Century Historic District the following shall apply: Roof-top additions, whether attached or detached, may follow the established lines of the interior side setbacks of the existing structure on the site, subject to the review of the historic preservation board.

(7) Excluding Accessory Building.

(8) For contributing hotel structures, located within an individual historic site, a local historic district or a national register district, which are renovated in accordance with the Secretary of the Interior Standards and Guidelines for the Rehabilitation of Historic Structures as amended, retaining the existing room configuration and sizes of at least 200 square feet shall be permitted. Additionally, the existing room configurations for the above described hotel structures may be modified to address applicable life-safety and accessibility regulations, provided the 200 square feet minimum unit size is maintained, and provided the maximum occupancy per hotel room does not exceed 4 persons.

(9) The number of units may not exceed the maximum density set forth in the comprehensive plan.

(10) See section 7.1.5.2 for eligibility for average unit size exception.

(11) See section 7.3.11 North Beach Oceanfront Overlay regulations.

(12) See section 7.3.12, establishing the Alton Beach Overlay regulations.

1. Notwithstanding the above, for oceanfront lots located within a locally designated historic district or site, but not within the architectural district, with less than 400 feet of lineal frontage along Collins Avenue and containing at least one contributing structure, the maximum building height for ground floor additions to existing structures, whether attached or detached, shall be as follows:
 - A. For existing structures greater than 5 stories in height, the maximum height shall be limited to 10 stories or the height of the roof line of the main structure on site, whichever is less. At the discretion of the historic preservation board, the maximum height of the ground floor addition may exceed 10 stories if the existing and surrounding structures are greater than 5 stories in height, provided the addition is consistent with the scale and massing of the existing structure.
 - B. For existing structures 5 stories or less in height, the maximum height shall be limited to 5 stories.
 - C. Additionally, the proposed addition shall not substantially reduce existing or established view corridors, nor impede the appearance or visibility of architecturally significant portions of an existing structure, as determined by the historic preservation board.
2. Notwithstanding the above, for oceanfront lots with a contributing structure and with no frontage on Collins Avenue that are located in the architectural district, the overall height of ground floor additions may exceed 5 stories and 50 feet, but shall not exceed the height of the existing contributing structure plus the height of any rooftop addition approved by the historic preservation board in accordance with section 7.5.2.1.d.5, up to a maximum of 120 feet, if the following conditions are satisfied:
 - A. The proposed addition shall not be attached to front or street side elevations, nor along any other principal elevations or facades, as determined by the historic preservation board.
 - B. The proposed additions shall not impede the appearance or visibility of architecturally significant portions of an existing structure, as determined by the historic preservation board.
3. Notwithstanding the above, for oceanfront lots located in the architectural district (MAP EXHIBIT-2), with a lot area greater than 115,000 square feet, a ground floor addition, whether attached or detached, may exceed 50 feet in height, but shall not exceed 200 feet in height, in accordance with the following provisions:
 - A. Placement of the structure. The ground floor addition shall be located internal to the site, and shall be set back a minimum of 100 feet from the front property line, 75 feet from the street side property lines, and 100 feet from the rear (oceanfront) property line. Limits on the floorplate of additions exceeding 50 feet in height. The maximum floor plate size for the portion of an addition that exceeds 50 feet in building height is 15,000 square feet per floor, excluding projecting balconies. The historic preservation board may approve an increase in this overall floor plate, up

