

MIAMIBEACH

PLANNING DEPARTMENT


Staff Report & Recommendation

PLANNING BOARD

TO: Chairperson and Members
Planning Board

DATE: February 4, 2025

FROM: Thomas R. Mooney, AICP
Planning Director

^{DS}
 for TRM

SUBJECT: **PB24-0730. Increase of Minimum Hotel Unit Size Citywide**

RECOMMENDATION

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

HISTORY

On June 26, 2024, at the request of Commissioner Kristen Rosen Gonzalez, the Mayor and City Commission (City Commission) referred a proposal pertaining to minimum hotel unit size (C4 O) to the Land Use and Sustainability Committee (LUSC) and the Planning Board. On October 14, 2024, the LUSC recommended that the Planning Board transmit an amendment to the Land Development Regulations of the City Code (LDR's) to the City Commission in accordance with the following:

1. Remove the 85% and 15% thresholds and have a uniform minimum hotel unit size of 335 square feet in all applicable zoning districts, as noted in the LUSC Memorandum.
2. Remove the current allowance of micro-hotel units, with a minimum unit size of 175 square feet, in the TC-C district.

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 amendment is consistent with the goals, objectives, and policies of the Comprehensive Plan.

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.

Not applicable – The proposed Ordinance does not affect the overall scale of development.

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

Consistent – The proposed amendment does not increase loads on public facilities or infrastructures.

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

Not applicable – The proposed change does not modify existing district boundaries.

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

Consistent – The proposed change is necessary in order to ensure that potential negative impacts from hotel uses are sufficiently reviewed and mitigated.

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.

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 will not increase traffic congestion.

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

Consistent – The proposed change will 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 will 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.**

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 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 does not affect the resiliency of the City.

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

Citywide, the following are the current regulations applicable to the minimum unit size for hotel units, as set forth in the LDRs:

- 85% of hotel units within a site have a minimum unit size of 335 square feet. 15% of hotel units within a site have a minimum unit size of 300 square feet.
- 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 these 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.

- Hotel units within rooftop additions to contributing structures in a historic district and individually designated historic buildings: 200 square feet.

The following are the exceptions to the above noted minimum hotel unit size requirements:

RM-2 District:

- For hotel structures located within the Collins Park District generally bounded by the erosion control line on the east, the east side of Washington Avenue on the west, 23rd Street on the north, and 17th Street on the south: 200 square feet.

CD-2 District:

- For hotel structures located within the Collins Park District generally bounded by the erosion control line on the east, the east side of Washington Avenue on the west, 23rd Street on the north, and 17th Street on the south: 200 square feet.
- For a property formerly zoned HD the minimum hotel unit size for is 250 square feet, provided that the property does not exceed 25,000 square feet as of March 23, 2019.
- For properties on Washington Avenue from 5th Street to 16th Street For new hotel construction or conversion to hotel use, the minimum hotel room unit size may be 175 square feet, provided that:
 1. 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.
 2. 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.

CD-3 District:

- For hotel structures located within the Collins Park District generally bounded by the erosion control line on the east, the east side of Washington Avenue on the west, 23rd Street on the north, and 17th Street on the south: 200 square feet.
- For new hotel units within attached or detached additions to contributing buildings on the north side of Lincoln Road, between Pennsylvania Avenue and Lenox Avenue, with at least 5 percent (5%) of the total floor area dedicated to amenity space: 200 square feet.

TC-C District:

- Hotel units: 300 square feet.
- Micro-hotel units: 175 square feet, provided that a minimum of 20% of the gross floor area of the building consists of amenity space that is physically connected to and directly

accessed from the micro-hotel units without the need to exit the parcel.

Currently, most new hotel rooms in the city are required to have a minimum unit size of 335 square feet. As recommended by the LUSC, the proposed ordinance removes the current allowance for up to 15% of hotel units within a project to have a minimum unit size of 300 square feet. This would ensure that all new hotel rooms, other than those within the exception areas noted above, would be at least 335 square feet. Additionally, as further recommended by the LUSC, the provision for micro-hotel units (minimum unit size of 175 square feet) has been removed from the TC-C district.

Lastly, as a clean-up to the CD-1 regulations, where hotel use is not permitted, references to hotel units and minimum hotel unit sizes has been eliminated.

RECOMMENDATION

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

Increasing Minimum Hotel Unit Sizes citywide – 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 7, ENTITLED “ZONING DISTRICTS AND REGULATIONS,” ARTICLE I, ENTITLED “GENERAL TO ALL ZONING DISTRICTS,” BY AMENDING SECTION 7.1.5, ENTITLED “UNIT SIZES,” AT SUBSECTION 7.1.5.2, ENTITLED “UNIT SIZE STANDARDS,” BY MODIFYING THE MINIMUM LODGING AND HOTEL UNIT SIZES CITY-WIDE; BY AMENDING CHAPTER 7, ENTITLED “ZONING DISTRICTS AND REGULATIONS,” ARTICLE II, ENTITLED “DISTRICT REGULATIONS,” BY AMENDING SECTION 7.2.4, ENTITLED “RM-1 RESIDENTIAL MULTIFAMILY LOW INTENSITY,” AT SUBSECTION 7.2.4.3, ENTITLED “DEVELOPMENT REGULATIONS (RM-1),” BY MODIFYING THE MINIMUM LODGING AND HOTEL UNIT SIZE; BY AMENDING SECTION 7.2.5, ENTITLED “RM-2 RESIDENTIAL MULTIFAMILY, MEDIUM INTENSITY,” AT SUBSECTION 7.2.5.3, ENTITLED “DEVELOPMENT REGULATIONS (RM-2),” BY MODIFYING THE MINIMUM LODGING AND HOTEL UNIT SIZE; BY AMENDING SECTION 7.2.6, ENTITLED “RM-3 RESIDENTIAL MULTIFAMILY, HIGH INTENSITY,” AT SUBSECTION 7.2.6.3, ENTITLED “DEVELOPMENT REGULATIONS (RM-3),” BY MODIFYING THE MINIMUM LODGING AND HOTEL UNIT SIZE; BY AMENDING SECTION 7.2.10, ENTITLED “CD-1 COMMERCIAL, LOW INTENSITY DISTRICT,” AT SUBSECTION 7.2.10.3, ENTITLED “DEVELOPMENT REGULATIONS (CD-1),” BY MODIFYING THE MINIMUM LODGING AND HOTEL UNIT SIZE; BY AMENDING SECTION 7.2.11, ENTITLED “CD-2 COMMERCIAL, MEDIUM INTENSITY DISTRICT,” AT SUBSECTION 7.2.11.3, ENTITLED “DEVELOPMENT REGULATIONS (CD-2),” BY MODIFYING THE MINIMUM LODGING AND HOTEL UNIT SIZE; BY AMENDING SECTION 7.2.12, ENTITLED “CD-3 COMMERCIAL, HIGH INTENSITY DISTRICT,” AT SUBSECTION 7.2.12.3, ENTITLED “DEVELOPMENT REGULATIONS (CD-3),” BY MODIFYING THE MINIMUM LODGING AND HOTEL UNIT SIZE; BY AMENDING SECTION 7.2.13, ENTITLED “MIXED USE ENTERTAINMENT DISTRICT,” AT SUBSECTION 7.2.13.3, ENTITLED “DEVELOPMENT REGULATIONS (MXE),” BY MODIFYING THE MINIMUM LODGING AND HOTEL UNIT SIZE; BY AMENDING SECTION 7.2.14, ENTITLED “NORTH BEACH TOWN CENTER-CORE DISTRICT (TC),” BY MODIFYING SUBSECTION 7.2.14.4, ENTITLED “DEVELOPMENT REGULATIONS (TC),” BY MODIFYING THE MINIMUM LODGING AND HOTEL UNIT SIZE AND BY MODIFYING SUBSECTION 7.2.14.6, ENTITLED “TOWN CENTER-CENTRAL CORE (TC-C) DISTRICT,” BY REMOVING ‘MICRO-HOTEL’ AS A PERMITTED USE, ALONG WITH ASSOCIATED REFERENCES; BY AMENDING SECTION 7.2.15, ENTITLED “PERFORMANCE STANDARD DISTRICT (PS),” AT SUBSECTION 7.2.15.2, ENTITLED “RESIDENTIAL PERFORMANCE STANDARDS DISTRICTS (R-PS),” BY MODIFYING THE MINIMUM LODGING AND HOTEL UNIT SIZE; AND BY AMENDING SUBSECTION 7.2.15.3, ENTITLED “COMMERCIAL PERFORMANCE STANDARDS DISTRICTS (C-PS),” BY MODIFYING THE MINIMUM LODGING AND HOTEL UNIT SIZE; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, APPLICABILITY; AND AN EFFECTIVE DATE.

WHEREAS, the health, safety, and well-being of hotel guests are priorities for the city, and adequate space in hotel rooms is critical to ensuring comfort, functionality, and accessibility; and

WHEREAS, overcrowded or undersized hotel units can negatively impact a guest’s experience, leading to reduced satisfaction and potentially harming the city’s reputation as a premier travel destination; and

WHEREAS, increasing minimum hotel unit sizes can enhance the quality of lodging

options, making them more competitive and attractive in both domestic and international markets; and

WHEREAS, larger hotel units contribute to a more inclusive lodging environment by accommodating individuals and families with diverse needs, including those with disabilities; 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 of the Resiliency Code, entitled “Zoning Districts and Regulations,” is hereby amended as follows:

**CHAPTER 7
ZONING DISTRICTS AND REGULATIONS
ARTICLE I: GENERAL TO ALL ZONING DISTRICTS**

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7.1.5 UNIT SIZES

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7.1.5.2 Unit Size Standards

The following unit sizes shall apply. Where these units sizes are in conflict with those associated with a specific zoning district or overlay district, then those associated with the zoning district or overlay district shall prevail.

| UNIT SIZE TABLE | | |
|---|---|--|
| UNIT TYPE | MINIMUM UNIT SIZE (Square Feet) | MINIMUM AVERAGE UNIT SIZE (Square Feet) |
| Single Family Detached House | 1,800 SF (1) | N/A |
| Apartments/Multi-family Units | | |
| New Construction | 550 SF | 800 SF (3) (4) |
| Non-elderly and elderly low and moderate income housing | 400 SF | 400 SF (3) (4) |
| Workforce Housing | 400 SF | 400 SF (3) (4) |
| Rehabilitated Buildings | 400 SF | 550 SF (3) (4) |
| Lodging and Hotel Units | 15%: 300 SF — 335 SF (2) 85%: 335 SF + (2) | N/A |

UNIT SIZE TABLE

1. Excluding Accessory Building.
2. 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. Hotel units within rooftop additions to contributing structures in a historic district and individually designated historic buildings—200 square feet.
3. The number of units may not exceed the maximum density set forth in the [comprehensive plan](#).
4. Developments located in zoning districts that do not prohibit the short-term rental of residential apartment units shall be eligible for an exemption from the average unit size requirements established above, subject to the following conditions:
 - **Density.** The development shall not be permitted to exceed the maximum residential density established in the [Comprehensive Plan](#) or Land Development Regulations.
 - **Minimum Unit Size.** This incentive shall not be construed to permit any unit that is smaller than the minimum allowable unit size for the type of unit being proposed.
 - **Covenant.** In order to be eligible for this voluntary average unit size incentive, the property owner, at the owner's sole discretion, shall voluntarily execute a restrictive covenant running with the land, in a form approved by the City Attorney, affirming that in perpetuity no residential units on the property shall be leased or rented for a period of less than six months and one day.

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ARTICLE II: DISTRICT REGULATIONS

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7.2.4 RM-1 RESIDENTIAL MULTIFAMILY LOW INTENSITY

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7.2.4.3 DEVELOPMENT REGULATIONS (RM-1)

a. The development regulations in the RM-1 residential multifamily, low density district are as follows:

| DEVELOPMENT REGULATIONS TABLE (RM-1) | |
|--------------------------------------|------|
| Maximum FAR | 1.25 |

| DEVELOPMENT REGULATIONS TABLE (RM-1) | |
|---|--|
| west side of Collins Avenue between 76th and 79th Streets (MAP EXHIBIT-5) | 1.4 |
| Public and private institutions: Lot area equal to or less than 15,000 square feet | 1.25 |
| Public and private institutions: lot area greater than 15,000 square feet | 1.4 |
| Maximum Density (Dwelling Units per Acre) | 60 DUA (80% bonus for workforce or affordable units) |
| MINIMUM UNIT SIZE (SQUARE FEET) | |
| Single Family Detached House | 1,800 SF (4) |
| Apartments/Multi-family Units | |
| 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 | 15%: 300 SF — 335 SF (5) 85%: 335 SF + (5) |
| Hotel units within rooftop additions to contributing structures in a historic district and individually designated historic buildings | 200 SF |

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(5) 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.

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7.2.5 RM-2 RESIDENTIAL MULTIFAMILY, MEDIUM INTENSITY

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7.2.5.3 DEVELOPMENT REGULATIONS (RM-2)

- a. The development regulations in the RM-2 residential multifamily, medium intensity district are as follows:

| DEVELOPMENT REGULATIONS TABLE (RM-2) | |
|--|---|
| Maximum FAR | 2.0 |
| Maximum Density (Dwelling Units Per Acre) | 100 DUA (80% bonus for workforce or affordable units) |
| MINIMUM UNIT SIZE (SQUARE FEET) | |
| Single Family Detached House | 1,800 SF (2) |
| Apartments/Multi-family Units | |
| 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 | 15%: 300 SF — 335 SF (3) 85%: 335 SF + (3) |
| For hotel structures located within the Collins Park District generally bounded by the erosion control line on the east, the east side of Washington Avenue on the west, 23rd Street on the north, and 17th Street on the south (MAP EXHIBIT-11) | 200 SF |
| Hotel units within rooftop additions to contributing structures in a historic district and individually designated historic buildings | 200 SF |

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(3) 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.

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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, medium 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) |
| Maximum Density (Dwelling Units per acre) | 150 DUA (80% bonus for workforce or affordable units) |
| MINIMUM UNIT SIZE (SQUARE FEET) | |
| Single Family Detached House | 1,800 SF (7) |
| Apartments/Multi-family Units | |
| 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 | 15%: 300 SF — 335 SF (8) 85%: 335 SF + (8) |
| Hotel units within rooftop additions to contributing structures in a historic district and individually designated historic buildings | 200 SF |

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(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.

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7.2.10 CD-1 Commercial, Low Intensity District

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7.2.10.3 DEVELOPMENT REGULATIONS (CD-1)

- a. The development regulations in the CD-1 Commercial, Low Intensity District are as follows:

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| DEVELOPMENT REGULATIONS TABLE (CD-1) | |
|--|--|
| Maximum FAR | 1.0 |
| Mixed Use Buildings (When more than 25 percent (25%) of the total area of a building is used for residential or hotel units) | 1.25 |
| Maximum Density (Dwelling Units per Acre) | 60 DUA (80% bonus for workforce or affordable units) |
| MINIMUM UNIT SIZE (SQUARE FEET) | |
| Apartments/Multi-family Units | |
| 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 | 15%: 300 SF — 335 SF 85%: 335 SF + |
| Hotel units within rooftop additions to contributing structures in a historic district and individually designated historic buildings | 200 SF |

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7.2.11 CD-2 Commercial, Medium Intensity District

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7.2.11.3 DEVELOPMENT REGULATIONS (CD-2)

- a. The development regulations in the CD-2 Commercial, Medium Intensity District are as follows:

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| DEVELOPMENT REGULATIONS TABLE (CD-2) | |
|--|---|
| Maximum FAR | 1.5 (5) |
| 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 (5) |
| Maximum Density (Dwelling Units Per Acre) | 100 DUA (80% bonus for workforce or affordable units) |
| MINIMUM UNIT SIZE (SQUARE FEET) | |
| Apartments/Multi-family Units | |

| DEVELOPMENT REGULATIONS TABLE (CD-2) | |
|---|---|
| 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 | 15%: 300 SF — 335 SF (6) 85%: 335 SF + (6) |
| For contributing hotel structures located within the Collins Park District, generally bounded by the erosion control line on the east, the east side of Washington Avenue on the west, 23rd Street on the north, and 17th Street on the south (MAP EXHIBIT-7) | 200 SF |
| Hotel units within rooftop additions to contributing structures in a historic district and individually designated historic buildings | 200 SF |

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- (6) For contributing hotel structures, located within an individual historic site, a local historic district or a national register district, which are being 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 shall be permitted, provided all rooms are a minimum of 200 square feet. Additionally, 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. In addition, the minimum hotel unit size for a property formerly zoned HD is 250 square feet, provided that the property does not exceed 25,000 square feet as of March 23, 2019.

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7.2.12 CD-3 Commercial, High Intensity District

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7.2.12.3 DEVELOPMENT REGULATIONS (CD-3)

- a. The development regulations in the CD-2 Commercial, Medium Intensity District are as follows:

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| DEVELOPMENT REGULATIONS TABLE (CD-3) | |
|--|------|
| Maximum FAR | |
| Lot area equal to or less than 45,000 SF | 2.25 |

| DEVELOPMENT REGULATIONS TABLE (CD-3) | |
|---|---|
| Lot area greater than 45,000 SF | 2.75 |
| Lots located between Drexel Avenue and Collins Avenue and between 16th Street and 17th Street (MAP EXHIBIT-5) | 2.75 |
| Residential and hotel development within the architectural district | 2.5 |
| Maximum Density (Dwelling Units per Acre) | 150 DUA (80% bonus for workforce or affordable units) |
| MINIMUM UNIT SIZE (SQUARE FEET) | |
| Apartments/Multi-family Units | |
| 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 | 15%: 300 SF — 335 SF (4) 85%: 335 SF + (4) |
| For hotel structures located within the Collins Park District, generally bounded by the erosion control line on the east, the east side of Washington Avenue on the west, 23rd Street on the north, and 17th Street on the south (MAP EXHIBIT-12) | 200 SF |
| For new hotel units within attached or detached additions to contributing buildings on the north side of Lincoln Road, between Pennsylvania Avenue and Lenox Avenue (MAP EXHIBIT-13), with at least 5 percent (5%) of the total floor area dedicated to amenity space | 200 SF |
| Hotel units within rooftop additions to contributing structures in a historic district and individually designated historic buildings | 200 SF |

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- (4) 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.

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7.2.13 MXE Mixed Use Entertainment District

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7.2.13.3 DEVELOPMENT REGULATIONS (MXE)

a. The development regulations in the MXE Mixed Use Entertainment District are as follows:

| DEVELOPMENT REGULATIONS TABLE (MXE) | |
|--|---|
| Maximum FAR | 2.0 |
| Convention hotel development | 3.5 |
| Maximum Density (Dwelling Units per Acre) | 100 DUA (80% bonus for workforce or affordable units) |
| MINIMUM UNIT SIZE (SQUARE FEET) | |
| Apartments/Multi-family Units | |
| New Construction | 500 SF |
| Non-elderly and elderly low and moderate income housing | 400 SF |
| Workforce Housing | 400 SF |
| Rehabilitated Buildings | 400 SF |
| Lodging and Hotel Units | 15%: 300 SF — 335 SF 85%: 335 SF + |
| Hotel Units (in a local historic district/site) | 200 SF |
| Hotel Units within rooftop additions or within ground level additions to contributing structures in a historic district and individually designated historic buildings | 200 SF |

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7.2.14 North Beach Town Center-Core District (TC)

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7.2.14.4 DEVELOPMENT REGULATIONS (TC)

a. The development regulations in the TC-1, TC-2 and TC-3 town center districts are as follows:

| DEVELOPMENT REGULATIONS TABLE (TC-1 TOWN CENTER CORE) | |
|---|--|
| Maximum FAR | 2.25 - For lots equal to or less than 45,000 square feet |

| DEVELOPMENT REGULATIONS TABLE (TC-1 TOWN CENTER CORE) | |
|---|---|
| | 2.75 - For lots greater than 45,000 square feet. |
| Maximum Density (Dwelling Units per Acre) | 150 DUA (80% bonus for workforce or affordable units) |
| MINIMUM UNIT SIZE (SQUARE FEET) | |
| Apartments/Multi-family Units | |
| New Construction | 550 SF |
| Non-elderly and elderly low and moderate income housing | 400 SF |
| Workforce Housing | 400 SF |
| Rehabilitated Buildings | 550 SF |
| Lodging and Hotel Units | 15%: 300 SF — 335 SF 85%: 335 SF + |

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| DEVELOPMENT REGULATIONS TABLE (TC-2 TOWN CENTER MIXED-USE) | |
|---|---|
| Maximum FAR | 1.5 |
| Mixed-Use Buildings (where more than 25 percent (25%) of the total area of a building is used for residential or hotel units) | 2.0 |
| Maximum Density (Dwelling Units per Acre) | 100 DUA (80% bonus for workforce or affordable units) |
| MINIMUM UNIT SIZE (SQUARE FEET) | |
| Apartments/Multi-family Units | |
| New Construction | 550 SF |
| Non-elderly and elderly low and moderate income housing | 400 SF |
| Workforce Housing | 400 SF |
| Rehabilitated Buildings | 550 SF |
| Lodging and Hotel Units | 15%: 300 SF — 335 SF 85%: 335 SF + |

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| DEVELOPMENT REGULATIONS TABLE (TC-3 TOWN CENTER RESIDENTIAL OFFICE) | |
|---|--|
| Maximum FAR | 1.25 |
| Maximum Density (Dwelling Units per Acre) | 60 DUA (80% bonus for workforce or affordable units) |
| MINIMUM UNIT SIZE (SQUARE FEET) | |
| Apartments/Multi-family Units | |

| DEVELOPMENT REGULATIONS TABLE (TC-3 TOWN CENTER RESIDENTIAL OFFICE) | |
|--|--|
| 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 | 15%: 300 SF — 335 SF 85%: 335 SF + |

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7.2.14.6 Town Center-Central Core (TC-C) District

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b. Uses (TC-C)

1. The main permitted, accessory, conditional and prohibited uses are as follows:

| USES TABLE (TC-C) | |
|---------------------------------|---------------|
| RESIDENTIAL | |
| Single family detached dwelling | P |
| Apartments | P* |
| Townhomes | P* |
| Co-living | P* |
| Live-work | P* |
| LODGING | |
| Hotels | P* |
| Micro-hotel | P* <u>Pro</u> |

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*See Supplemental Use Regulations below

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c. Development Regulations (TC-C)

The development regulations for the Town Center Central Core District are as follows:

| DEVELOPMENT REGULATIONS TABLE (TC-C (TOWN CENTER CENTRAL CORE)) | |
|--|---|
| Maximum FAR | 3.5 |
| Maximum Density (Dwelling Units per Acre) | 150 DUA (80% bonus for workforce or affordable units) (4) (5) |
| MINIMUM UNIT SIZE (SQUARE FEET) | |
| Apartments/Multi-family Units | |
| New Construction | 550 SF |

DEVELOPMENT REGULATIONS TABLE (TC-C (TOWN CENTER CENTRAL CORE))

| | |
|---|--|
| Non-elderly and elderly low and moderate income housing | 400 SF |
| Workforce Housing | 400 SF |
| Rehabilitated Buildings | 400 SF |
| Co-living Units | 375 SF with a minimum of 20% of the gross floor area of the building consisting of amenity space on the same site. (6) |
| Lodging and Hotel Units | |
| Hotel Units | 300 SF |
| Micro-Hotel Units | 175 SF provided that a minimum of 20% of the gross floor area of the building consists of amenity space that is physically connected to and directly accessed from the micro-hotel units without the need to exit the parcel. (7) |

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- (6) Amenity space includes the following types of uses, whether indoor or outdoor, including roof decks: restaurants; bars; cafes; kitchens; club rooms; business center; retail; screening rooms; fitness center; spas; gyms; pools; pool decks; and other similar uses whether operated by the condo or another operator. Bars and restaurants shall count no more than 50 percent (50%) of the total co-living amenity space requirements. ~~These amenities may be combined with the amenities for micro-hotels, provided residents and hotel guests have access.~~ No variances are permitted from these provisions.
- (7) 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 uses whether operated by the hotel or another operator. Bars and restaurants shall count no more than 50 percent (50%) of the total amenity space requirements. These amenities may be combined with the amenities for co-living units, provided residents and hotel guests have access. No variances are permitted from these provisions.

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7.2.15 PERFORMANCE STANDARD DISTRICT (PS)

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7.2.15.2 RESIDENTIAL PERFORMANCE STANDARDS DISTRICTS (R-PS)

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F. Residential Performance Standard Area Requirements (R-PS)

The development standards for residential performance standard districts are as follows:

| DEVELOPMENT REGULATIONS TABLE (R-PS) | | | | |
|---|-------|-------|-------|-------|
| | R-PS1 | R-PS2 | R-PS3 | R-PS4 |
| Maximum FAR | 1.25 | 1.50 | 1.75 | 2.0 |

| DEVELOPMENT REGULATIONS TABLE (R-PS) | | | | |
|---|--|--|--|---|
| Maximum Density (Dwelling Units per Acre) | 57 DUA (80% bonus for workforce or affordable units) | 70 DUA (80% bonus for workforce or affordable units) | 85 DUA (80% bonus for workforce or affordable units) | 102 DUA (80% bonus for workforce or affordable units) |
| MINIMUM UNIT SIZES (SQUARE FEET) | R-PS1 | R-PS2 | R-PS3 | R-PS4 |
| Apartments/Multi-family Units | | | | |
| New Construction | 700 SF | 650 SF | 600 SF | 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 | N/A | N/A | 15%: 300 SF — 335 SF 85%: 335 SF + | 15%: 300 SF — 335 SF 85%: 335 SF + |

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7.2.15.3 COMMERCIAL PERFORMANCE STANDARDS DISTRICTS (C-PS)

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F. Commercial Performance Standard Area Requirements (C-PS)

The development standards for residential performance standard districts are as follows:

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| DEVELOPMENT REGULATIONS TABLE (C-PS) | | | | |
|---|--|-------|-------|-------|
| | C-PS1 | C-PS2 | C-PS3 | C-PS4 |
| Maximum FAR | 1.0 1.5 for the Block 51 Properties (MAP EXHIBIT-3) and Block 52 Properties (MAP EXHIBIT-5) 2.0 for the Block 1 Properties (MAP EXHIBIT-6) | 2.0 | 2.5 | 2.5 |

| DEVELOPMENT REGULATIONS TABLE (C-PS) | | | | |
|---|--|---|---|---|
| FAR Residential and/or hotel development | 1.5 (4) | 1.75 (5) | 2.5 (6) (except on the Goodman Terrace and Hinson Parcels (MAP EXHIBIT-7), the FAR shall be that necessary to achieve 305,500 square feet (estimated at 3.2 FAR), and 300 feet height maximum for the Goodman Terrace and Hinson Parcels, and open space ratio 0.60 measured at or above grade) | 2.5 (6) (open space ratio shall be 0.60 measured at or above grade) |
| Maximum Density (Dwelling Units per Acre) | 80 DUA (80% bonus for workforce or affordable units) | 106 DUA (80% bonus for workforce or affordable units) | 125 DUA (80% bonus for workforce or affordable units) | 125 DUA (80% bonus for workforce or affordable units) |
| MINIMUM UNIT SIZES (SQUARE FEET) | C-PS1 | C-PS2 | C-PS3 | C-PS4 |
| Apartments/Multifamily Units | | | | |
| New Construction | 650 SF | 600 SF | 550 SF | 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 | 15%: 300 SF — 335 SF 85%: 335 SF + | | | |

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. 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 6. EFFECTIVE DATE,

This Ordinance shall take effect ten days following adoption.

PASSED AND ADOPTED this _____ day of _____, 2025

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

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