

West Collins Park Overlay District – LDR Amendments

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 7.2.5, ENTITLED “RM-2 RESIDENTIAL MULTIFAMILY, MEDIUM INTENSITY,” BY INCORPORATING REFERENCES TO THE WEST COLLINS PARK OVERLAY DISTRICT; BY AMENDING ARTICLE III, ENTITLED “OVERLAY DISTRICTS”, TO CREATE THE WEST COLLINS PARK OVERLAY, INCLUDING REVISED AND EXPANDED DEVELOPMENT REGULATIONS SPECIFIC TO THE OVERLAY TO INCENTIVIZE NON-TRANSIENT RESIDENTIAL HOUSING AND THE PARTIAL RETENTION AND RESTORATION OF CONTRIBUTING BUILDINGS WITHIN THE MUSEUM HISTORIC DISTRICT; PROVIDING FOR INCLUSION IN THE COMPREHENSIVE PLAN; TRANSMITTAL; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.

WHEREAS, the City of Miami Beach (the “City”) has the authority to enact laws which promote the public health, safety, and general welfare of its citizens; and

WHEREAS, the City seeks to create regulations for the development of uses within a specific area of the City that promote the public health, safety, and general welfare of the public; and

WHEREAS, there are several contributing buildings within the Museum Historic District with frontage on Washington Avenue and Park Avenue; and

WHEREAS, the City seeks to encourage the retention and preservation of contributing buildings in the Museum Historic District in accordance with the City’s Certificate of Appropriateness Criteria, while balancing the need for affordable/workforce housing, resilient design and pedestrian friendly streetscapes; and

WHEREAS, the City seeks to encourage development of cohesive residential and mixed-use communities with long-term residential uses at appropriate densities and floor area ratios; and

WHEREAS, the proposed amendments to the City’s land development regulations are intended to ensure that the public health, safety and welfare will be preserved; and

WHEREAS, the amendments set forth below are necessary to accomplish all of the 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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7.2.5 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:

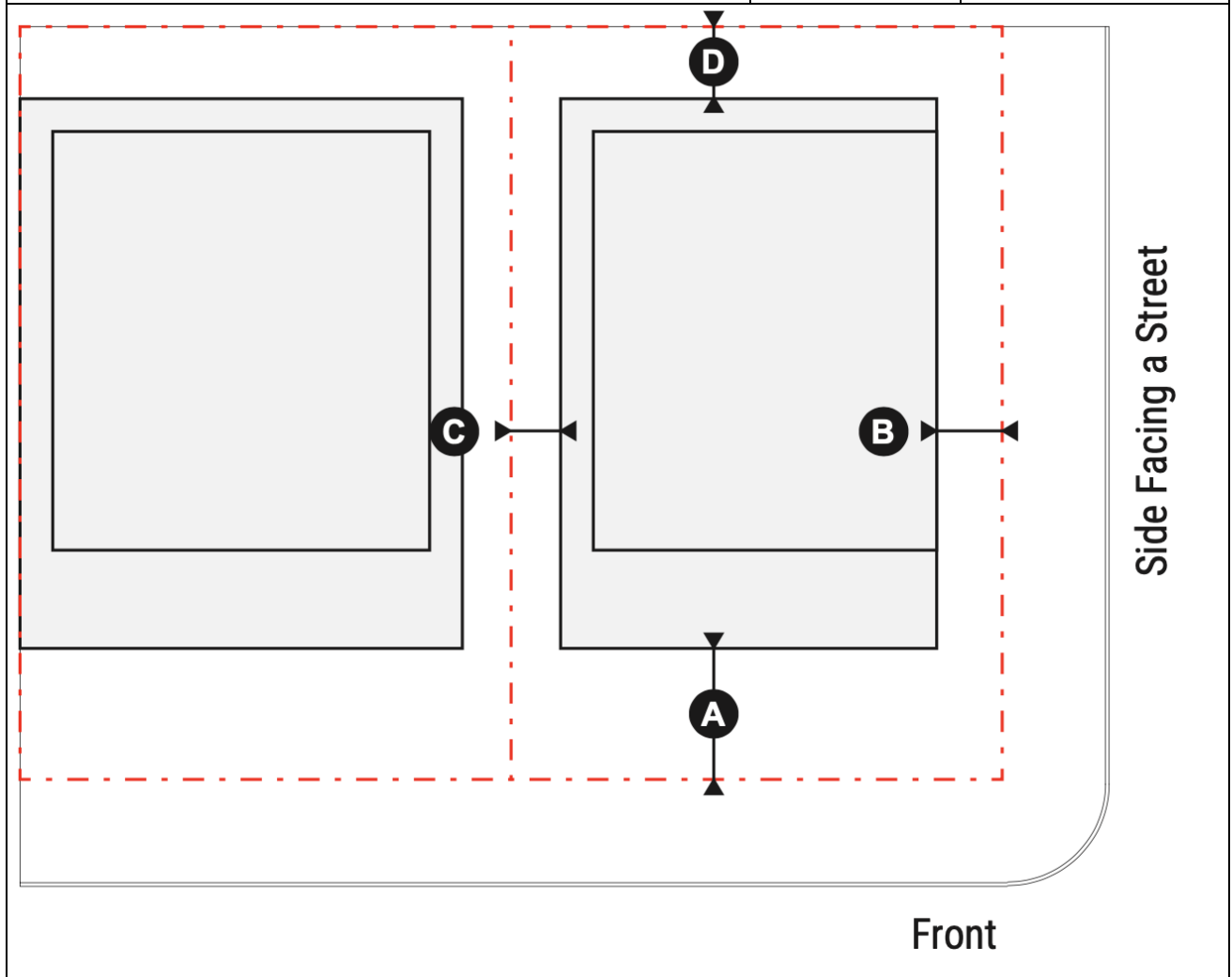
DEVELOPMENT REGULATIONS TABLE (RM-2)	
Maximum FAR	2.0 <u>(6)</u>
Maximum Density (Dwelling Units Per Acre)	100 DUA (80% bonus for workforce or affordable units) <u>(6)</u>
MINIMUM UNIT SIZE (SQUARE FEET)	
Single Family Detached House	1,800 SF (2)
Apartments/Multi-family Units	
New Construction	550 SF <u>(6)</u>
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)

DEVELOPMENT REGULATIONS TABLE (RM-2)		
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	
MINIMUM AVERAGE UNIT SIZE (SQUARE FEET)		
Single Family Detached House	N/A	
Apartments/Multi-family Units		
New Construction	800 SF (4)(5)(6)	
Non-elderly and elderly low and moderate income housing	400 SF (4)(5)	
Workforce Housing	400 SF (4)(5)	
Rehabilitated Buildings	550 SF (4)(5)	
Lodging and Hotel Units	N/A	
BUILDING SETBACKS		
Front Setback (A)	OCEANFRONT	NON-OCEANFRONT
Subterranean	20 feet (6)	
Pedestal		
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. (6)	
Side, Facing a Street Setback (B) Lots less than 65 feet in width	OCEANFRONT	NON-OCEANFRONT
Subterranean	7.5 feet (6)	
Pedestal		
Tower	10 feet or 8% of lot width, whichever is greater, and the minimum sum of the side yards shall equal 16% of lot width. (6)	

DEVELOPMENT REGULATIONS TABLE (RM-2)		
Side, Facing a Street Setback ③ Lots equal or greater than 65 feet in width	OCEANFRONT	NON-OCEANFRONT
Subterranean	10 feet or 8% of lot width, whichever is greater, and the minimum sum of the side yards shall equal 16% of lot width. (6)	
Pedestal		
Tower		
Side, Interior Setback ③ Lots less than 65 feet in width	OCEANFRONT	NON-OCEANFRONT
Subterranean	7.5 feet (1)(6)	
Pedestal		
Up to 60 feet in height		
Tower above 60 feet in height	7.5 feet plus 10% of the height of the tower portion of the building. (1)(6) 50 feet maximum.(6)	
Side, Interior Setback ③ Lots equal or greater than 65 feet in width	OCEANFRONT	NON-OCEANFRONT
Subterranean	10 feet or 8% of lot width, whichever is greater, and the minimum sum of the side yards shall equal 16% of lot width. (1)(6)	
Pedestal		
Up to 60 feet in height		
Tower above 60 feet in height	The required pedestal setback plus 10% of the height of the tower portion of the building. (1)(6) 50 feet maximum.(6)	
Rear Setback ④	OCEANFRONT	NON-OCEANFRONT
Subterranean		10% of lot depth (1)(6)
Pedestal	20 % of lot depth, 50 feet from the <u>bulkhead</u> <u>line</u> whichever is greater (1)	(6)

DEVELOPMENT REGULATIONS TABLE (RM-2)

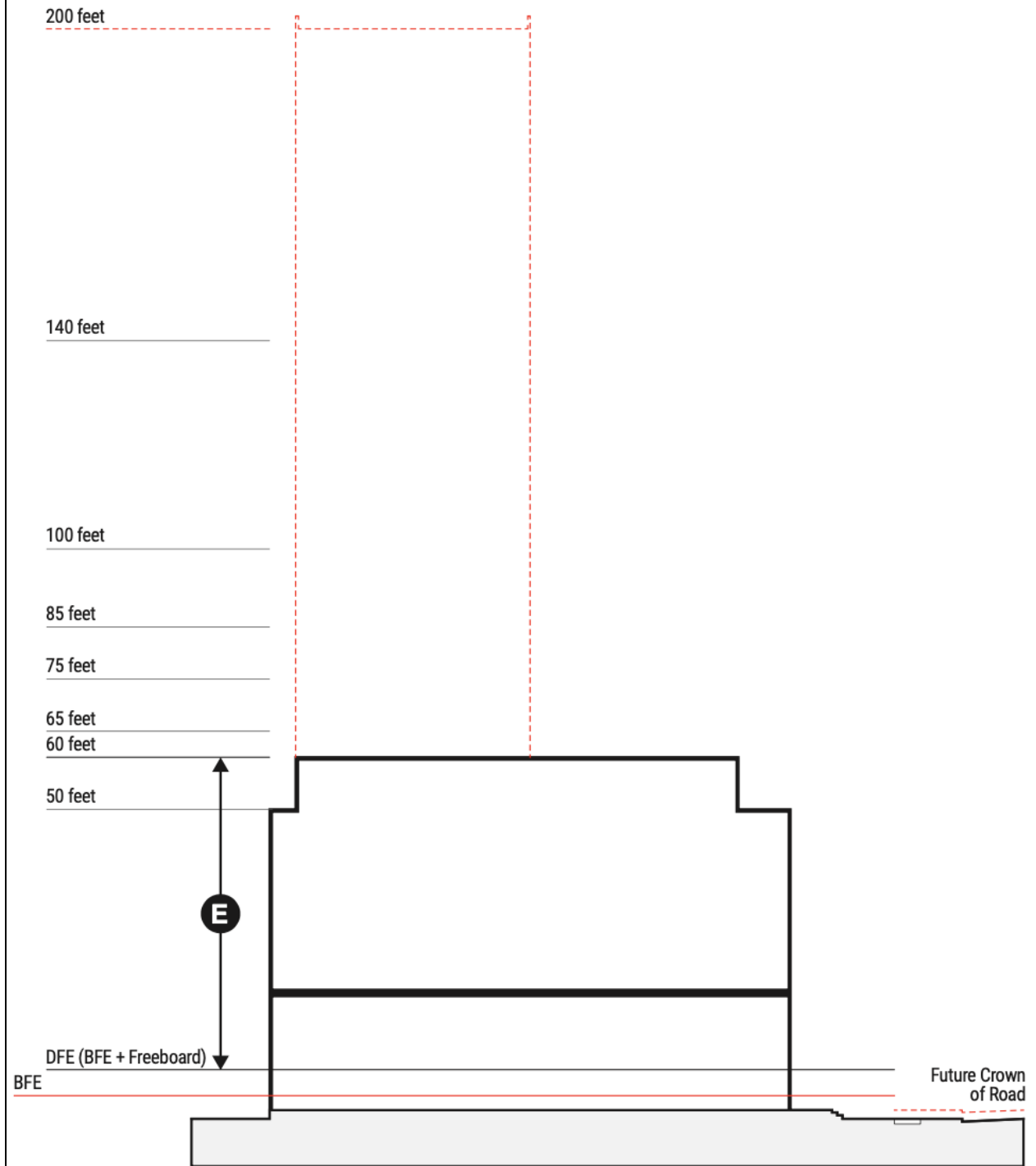
Tower	25% of lot depth, 75 feet minimum from the bulkhead line whichever is greater (1)	15% of lot depth (1)(6)
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BUILDING HEIGHT	
Maximum Height (E)	60 feet (6)
Historic district (except as provided in section 7.5.2) (MAP EXHIBIT-7)	50 feet (6)
Area bounded by Indian Creek Dr., Collins Ave., 26th St., and 44th St. (MAP EXHIBIT-8)	75 feet

DEVELOPMENT REGULATIONS TABLE (RM-2)	
Area fronting west side of Collins Ave. between 76th St. and 79th St.	75 feet
Area fronting west side of Alton Rd. between Arthur Godfrey Rd. and W. 34th St. (MAP EXHIBIT-9)	85 feet
For properties outside a local historic district with a ground level consisting of non-habitable parking and/or amenity uses	65 feet
Lots fronting Biscayne Bay less than 45,000 square feet	100 feet
Lots fronting Biscayne Bay over 45,000 square feet	140 feet
Lots fronting Atlantic Ocean over 100,000 square feet.	140 feet
Lots fronting Atlantic Ocean with a property line within 250 feet of North Shore Open Space Park Boundary (MAP EXHIBIT-10)	200 feet

DEVELOPMENT REGULATIONS TABLE (RM-2)



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

DEVELOPMENT REGULATIONS TABLE (RM-2)

2. Excluding Accessory Building.
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.
4. The number of units may not exceed the maximum density set forth in the [comprehensive plan](#).
5. See section [7.1.5.2](#) for eligibility for average unit size exception.
6. [See Section 7.3.12 West Collins Park Overlay regulations.](#)

SECTION 2. Chapter 7, “Zoning Districts and Regulations”, Article III. “Overlay Districts”, is hereby amended as follows:

CHAPTER 7 ZONING DISTRICTS AND REGULATIONS

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ARTICLE III. OVERLAY DISTRICTS

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Sec. 7.3.12 - West Collins Park Overlay

a. Location and Purpose.

The overlay regulations of this section shall apply to lots located in the Museum Local Historic District, with frontage on both Washington Avenue and Park Avenue, and containing a contributing structure as of January 1, 2025. The purpose of the overlay is to encourage the preservation and partial retention and restoration of contributing structures within the western portion of the Museum Local Historic District.

b. Development Regulations.

Notwithstanding the development regulations contained in Section 7.2.5, the following regulations shall govern proposed new construction, alterations, or the partial retention and restoration of a contributing structure, on lots with frontage on both Washington Avenue and Park Avenue within the boundaries of this overlay district. In the event of a conflict between the overlay regulations and any other applicable the requirements of the Resiliency Code, these regulations shall control:

- I. Lot size and frontage: A minimum lot area of 25,000 square feet and a minimum lot width of 150 feet shall be required.
- II. Floor area ratio (FAR) and Height bonuses: As a voluntary development incentive, subject to the property owner's strict compliance with the conditions of this subsection, projects within the overlay shall be eligible for the following FAR and height bonuses, subject to the approval of the historic preservation board:
 1. FAR Bonuses: The base FAR in the West Collins Park Overlay shall be 3.0. A maximum FAR of 5.0 may be permitted, provided the proposed development complies with all of the following:
 - a. The partial retention and restoration of a contributing historic structure on a site, as approved by the historic preservation board and subject to certificate of appropriateness approval in accordance with chapter 2, article VIII of the land development regulations of the city code, shall receive an FAR bonus of 0.25.
 - b. A multi-family residential development that provides at least twenty percent (20%) of the total units in the project as Workforce Housing Units shall receive an FAR bonus of 0.75.
 - c. A multi-family residential development that provides at least ten percent (10%) of the total units in the project for rent or sale at thirty percent (30%) of the area median income shall receive an FAR bonus of 0.5.
 - d. A property that elects, at the owner's sole discretion, to voluntarily execute a restrictive covenant running with the land, in a form approved by the city attorney, affirming that, in perpetuity, that no residential unit on the property shall be leased or rented for a period of less than six months and one day, shall receive an FAR bonus of 0.5. 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.
 2. Height bonuses:
 - a. A project that meets three (3) of the criteria for additional floor area in accordance with subsection (1)(a)-(d) shall be permitted a height bonus of up to 85 additional feet, but the maximum height for the property shall not exceed 135 feet.

- b. Notwithstanding the requirements set forth in Section 7.5.2.1(d), multi-story rooftop additions may be permitted in connection with height bonuses, subject to the review and approval of the historic preservation board.
- 3. The property owner(s) shall provide a level of service analysis accounting for all floor area, including floor area incorporated into the those portions of the retained and restored contributing building, analyzing the impacts of the proposed development on the City's applicable level of service standards.
- III. Minimum Unit Size: The minimum unit size for new construction within the overlay shall be 400 square feet.
- IV. Setbacks: The minimum required setbacks for new construction and multi-story additions within the overlay shall be determined by the historic preservation board, including but not limited to pedestal and tower setbacks.
- V. Parking: With the exception of required bicycle parking, there shall be no minimum off-street parking requirements within the overlay.
- VI. Resiliency and Adaption Standards: Projects within the overlay shall be exempt from the long and short frontage standards provided in Section 7.1.2.2(f).
- VII. Minimum Landscape Standards: Projects within the overlay that provide affordable and / or workforce housing, as defined in chapter 58 of the City Code, may utilize up to a 25% reduction in the minimum landscape standards provided in Chapter 4 of the Resiliency Code.

SECTION 3. 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 4. 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 5. SEVERABILITY.

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

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: _____, 2025

Second Reading: _____, 2025

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

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