

## Shrubbery and Fencing Heights

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

**AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING SUBPART A OF THE CODE OF THE CITY OF MIAMI BEACH ENTITLED "GENERAL ORDINANCE," CHAPTER 14, ENTITLED "BUILDING REGULATIONS," ARTICLE I, ENTITLED "IN GENERAL," BY CREATING SECTION 14-1, ENTITLED "BEACHWALK ACCESS AND VISIBILITY," TO ESTABLISH MINIMUM REQUIREMENTS FOR PEDESTRIAN VISIBILITY TO AND FROM THE BEACHWALK; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.**

**WHEREAS**, the City of Miami Beach ("City") has established standards for Buildings and Structures in Chapter 14 of the City Code, entitled "Building Regulations"; and

**WHEREAS**, the Mayor and City Commission have determined that it is in the best interest of the City, and it serves the health, safety, and welfare of the City's residents and visitors, to create requirements for pedestrian visibility for individuals entering and exiting the beach walk from public street-ends and private property; and

**WHEREAS**, this Ordinance establishes a balance between (i) the public safety concerns associated with pedestrian visibility along the beach walk; (ii) the need for upland private properties to have adequate security and privacy; and

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

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

**SECTION 1.** That Chapter 14, entitled "Building Regulations," Article I, entitled "In General," of the City Code of the City of Miami Beach is hereby amended as follows:

### **CHAPTER 14. BUILDING REGULATIONS**

#### **ARTICLE I. IN GENERAL**

\* \* \*

**Secs. 14-12—14-30. Reserved.**

#### **Section 14-1 Beachwalk access and visibility.**

On all oceanfront properties, there shall be no structure or planting that obstructs pedestrian visibility between a height of 2 feet and 10 feet above the adjacent grade within the following minimum visibility triangles from a street-end or upland property access point to the beach walk:

- A. For properties with more than 100 feet of frontage on the beach walk, a 10-foot visibility triangle shall be required.

- B. For properties with less than 100 feet of frontage on the beach walk, a 6-foot visibility triangle shall be required.

The above noted visibility triangle requirements shall be measured diagonally from both sides of the intersection of the public access point on private property or on one side of a public street-end, as applicable, along the westernmost line of the beach walk. Notwithstanding the foregoing, trees and palms with a minimum clear trunk height of ten (10') feet, as well as aluminum picket fences with gaps of at least four (4") inches, may be permitted at a height exceeding 2 feet, subject to all applicable regulations set forth in the Land Development Regulations.

## **SECTION 2. 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. The sections of this Ordinance may be renumbered or re-lettered to accomplish such intention, and, 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 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. 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 NK Date

First Reading: December 11, 2024  
Second Reading: February 3, 2025