

Hotel Use Approval Clarification – LDR Text Amendment
(Amended for Second Reading)

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 II, ENTITLED “DISTRICT REGULATIONS,” BY AMENDING SECTION 7.2.4, ENTITLED “RM-1 RESIDENTIAL MULTIFAMILY LOW INTENSITY,” AT SUBSECTION 7.2.4.2, ENTITLED “USES (RM-1),” AND BY AMENDING SECTION 7.2.5, ENTITLED “RM-2 RESIDENTIAL MULTIFAMILY, MEDIUM INTENSITY,” AT SUBSECTION 7.2.5.2, ENTITLED “USES (RM-2),” AND BY AMENDING SECTION 7.2.6, ENTITLED “RM-3 RESIDENTIAL MULTIFAMILY, HIGH INTENSITY,” AT SUBSECTION 7.2.6.2, ENTITLED “USES (RM-3),” AND BY AMENDING SECTION 7.2.10, ENTITLED “CD-1 COMMERCIAL, LOW INTENSITY DISTRICT,” AT SUBSECTION 7.2.10.2, ENTITLED “USES (CD-1),” AND BY AMENDING SECTION 7.2.11, ENTITLED “CD-2 COMMERCIAL, MEDIUM INTENSITY DISTRICT,” AT SUBSECTION 7.2.11.2, ENTITLED “USES (CD-2),” AND BY AMENDING SECTION 7.2.12, ENTITLED “CD-3 COMMERCIAL, HIGH INTENSITY DISTRICT,” AT SUBSECTION 7.2.12.2, ENTITLED “USES (CD-3),” AND BY AMENDING SECTION 7.2.13, ENTITLED “MIXED USE ENTERTAINMENT DISTRICT,” AT SUBSECTION 7.2.13.2, ENTITLED “USES (MXE),” AND BY AMENDING SECTION 7.2.14, ENTITLED “NORTH BEACH TOWN CENTER-CORE DISTRICT (TC),” AT SUBSECTION 7.2.14.2, ENTITLED “USES (TC-1, TC-2),” AND BY AMENDING SUBSECTION 7.2.14.3, ENTITLED “USES (TC-3),” AND BY AMENDING SUBSECTION 7.2.14.6, ENTITLED “TOWN CENTER-CENTRAL CORE (TC-C) DISTRICT,” AND BY AMENDING SECTION 7.2.15, ENTITLED “PERFORMANCE STANDARD DISTRICT (PS),” AT SUBSECTION 7.2.15.2, ENTITLED “RESIDENTIAL PERFORMANCE STANDARDS DISTRICTS (R-PS),” AND BY AMENDING SUBSECTION 7.2.15.3, ENTITLED “COMMERCIAL PERFORMANCE STANDARDS DISTRICTS (C-PS),” BY REFERENCING THE HOTEL APPROVAL PROCESS ESTABLISHED UNDER SECTION 2.7.2, AND CONFORMING THE REGULATIONS FOR EACH RESPECTIVE ZONING DISTRICT TO REFLECT THAT THE APPROVAL OF A WARRANT BY THE CITY COMMISSION SHALL BE REQUIRED PRIOR TO THE REVIEW OF A LAND USE BOARD APPLICATION OR BUILDING PERMIT FOR A HOTEL, SUITE HOTEL, APARTMENT HOTEL, OR HOSTEL, SUBJECT TO EXCEPTIONS, AND SUBJECT TO THE PROCEDURAL REQUIREMENTS AND REVIEW CRITERIA IN SECTION 2.7.2; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, APPLICABILITY; AND AN EFFECTIVE DATE.

WHEREAS, on February 3, 2025, the City Commission adopted an Ordinance creating a warrant process for the review of all future apartment hotels, hotels, suite hotels, and hostels in districts where such uses are permitted, as provided in section 2.7.2 of the Resiliency Code; and

WHEREAS, this Ordinance is a companion amendment to the Ordinance creating the warrant process; and

WHEREAS, this Ordinance amends each zoning district where apartment hotels, hotels, suite hotels, and hostels may be permitted, by referencing the approval process established under section 2.7.2; 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**

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ARTICLE II: DISTRICT REGULATIONS

* * *

7.2.4 RM-1 RESIDENTIAL MULTIFAMILY LOW INTENSITY

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7.2.4.2 USES (RM-1)

* * *

a. **Supplemental Main Permitted Uses Regulations (RM-1)**

The supplemental main permitted uses are as follows:

1. 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 (MAP EXHIBIT-1) (pursuant to sections 2.7.2, which requires a Commission warrant, and 7.5.4.5)

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7.2.5 RM-2 RESIDENTIAL MULTIFAMILY, MEDIUM INTENSITY

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7.2.5.2 Uses (RM-2)

* * *

a. **Supplemental Main Permitted Uses Regulations (RM-2)**

The supplemental main permitted uses are as follows:

1. Apartment hotels, hotels, hostels, and suite hotels (pursuant to sections 2.7.2, which requires a Commission warrant, and 7.5.4.5).

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7.2.6 RM-3 RESIDENTIAL MULTIFAMILY, HIGH INTENSITY

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7.2.6.2 Uses (RM-3)

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a. Supplemental Main Permitted Uses Regulations (RM-3)

The supplemental main permitted uses are as follows:

1. hotels, hostels, and suite hotels (pursuant to sections 2.7.2, which requires a Commission warrant, and 7.5.4.5).

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7.2.11 CD-2 COMMERCIAL, MEDIUM INTENSITY DISTRICT

* * *

7.2.11.2 Uses (CD-2)

* * *

a. Supplemental Main Permitted Uses Regulations (CD-2)

The supplemental main permitted uses are as follows:

1. Apartment hotels, hotels, hostels, and suite hotels (pursuant to sections 2.7.2, which requires a Commission warrant, and 7.5.4.5).

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7.2.12 CD-3 COMMERCIAL, HIGH INTENSITY DISTRICT

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7.2.12.2 Uses (CD-3)

* * *

a. Supplemental Main Permitted Uses Regulations (CD-3)

The supplemental main permitted uses are as follows:

1. Apartment hotels, hotels, hostels, and suite hotels (pursuant to sections 2.7.2, which requires a Commission warrant, and 7.5.4.5).

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7.2.13 MXE MIXED USE ENTERTAINMENT DISTRICT

* * *

7.2.13.2 Uses (MXE)

* * *

a. Supplemental main permitted uses Regulations (MXE)

The supplemental main permitted uses are as follows:

1. Apartments; apartment hotels, hotels, hostels, and suite hotels (pursuant to sections 2.7.2, which requires a Commission warrant, and 7.5.4.5).

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7.2.14 NORTH BEACH TOWN CENTER-CORE DISTRICT (TC)

* * *

7.2.14.2 Uses (TC-1, TC-2)

USES TABLE (TC-1, TC-2)

RESIDENTIAL

Apartment

P* P

* * *

a. **Supplemental Main Permitted Uses Regulations (TC-1, TC-2)**

The supplemental main permitted uses are as follows:

1. Alcoholic beverage establishments pursuant to the regulations set forth in chapter 6;
2. The ground story frontage along 71st Street and Collins Avenue shall be governed by section 7.2.14.4. The provisions of chapter 6 concerning distance separation for consumption of alcoholic beverages on premises in restaurants shall not apply to this district.
3. Kennels are only allowed in the TC-1 District.
4. Apartment hotels and hotels (pursuant to sections 2.7.2, which requires a Commission warrant, and 7.5.4.5).

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7.2.14.3 Uses (TC-3)

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b. **Supplemental Conditional Uses Regulations (TC-3)**

The supplemental main permitted uses are as follows:

1. Apartment hotels, hotel, and suite hotel (pursuant to sections 2.7.2, which requires a Commission warrant, and 7.5.4.5).

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7.2.14.6 TOWN CENTER-CENTRAL CORE (TC-C) DISTRICT

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b. **Uses (TC-C)**

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2. **Supplemental Use Regulations (TC-C)**

A. The following supplemental regulations shall apply to specific uses in the TC-C district:

- i. There shall be no variances regarding the regulations for permitted, prohibited, accessory, exception, special exception, and conditional uses in section 7.2.14.6.b.1; and the supplemental regulations of such uses in section 7.2.14.6.b.2.
- ii. Apartment hotels, and hotels (pursuant to sections 2.7.2, which requires a Commission warrant, and 7.5.4.5).

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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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b. **Uses**

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USES TABLE (R-PS)		
	R-PS 1, 2	R-PS 3, 4

USES TABLE (R-PS)		
RESIDENTIAL		
Single-family	P	P
Townhome	P	P
Apartment	P	P
LODGING		
Apartment hotel pursuant to sections <u>2.7.2</u> , which requires a Commission warrant, and <u>7.5.4.5</u>	Pro	P
Hotel pursuant to sections <u>2.7.2</u> , which requires a Commission warrant, and <u>7.5.4.5</u>	Pro	P
Suite hotels pursuant to sections <u>2.7.2</u> , which requires a Commission warrant, and <u>7.5.4.5</u>	Pro	P
Hostel pursuant to sections <u>2.7.2</u> , which requires a Commission warrant, and <u>7.5.4.5</u>	Pro	Pro

* * *

7.2.15.3 Commercial Performance Standards Districts (C-PS)

* * *

b. **Uses**

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USES TABLE (C-PS)	
	C-PS 1, 2, 3, 4
RESIDENTIAL	
Single-family	P
Townhome	P
Apartment	P
LODGING	
Apartment hotel pursuant to sections <u>2.7.2</u> , which requires a Commission warrant, and <u>7.5.4.5</u>	P
Hotel pursuant to sections <u>2.7.2</u> , which requires a Commission warrant, and <u>7.5.4.5</u>	P

USES TABLE (C-PS)	
Suite hotels pursuant to sections <u>2.7.2, which requires a Commission warrant, and 7.5.4.5</u>	P
Hostel pursuant to sections <u>2.7.2, which requires a Commission warrant, and 7.5.4.5</u>	Pro in C-PS1 and C-PS2 P in C-PS3 and C-PS4

* * *

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.

This Ordinance shall not apply to the following properties:

- a. 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 prior to July 1, 2024.
- b. Properties fronting the west side of Collins Avenue between 77 Street and 79 Street for which a property owner applied for a joint pre-application meeting with Transportation Staff and Planning Department Staff before November 26, 2024.
- c. Properties fronting the west side of Collins Avenue between 13th Street and 14th Street, with a contributing building with less than 50 residential units, if the contributing structure was originally constructed as a hotel and then later converted to residential apartments.

SECTION 6. EFFECTIVE DATE.

This Ordinance shall take effect ten days following adoption.

PASSED and **ADOPTED** this _____ day of _____, 2025.

ATTEST:

Rafael E. Granado, City Clerk

Steven Meiner, Mayor

First Reading: February 26, 2025
Second Reading: April 23, 2025

APPROVED AS TO
FORM AND LANGUAGE
& FOR EXECUTION

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

City Attorney NK
Date 4/15/2025