



COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission

FROM: Eric Carpenter, City Manager

DATE: February 26, 2025 9:25 a.m. First Reading Public Hearing

TITLE: MINIMUM HOTEL UNIT SIZE REQUIREMENTS
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 AMENDING SECTION 7.2.5, ENTITLED "RM-2 RESIDENTIAL MULTIFAMILY, MEDIUM INTENSITY," AT SUBSECTION 7.2.5.3, ENTITLED "DEVELOPMENT REGULATIONS (RM-2)"; 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 AMENDING SECTION 7.2.10, ENTITLED "CD-1 COMMERCIAL, LOW INTENSITY DISTRICT," AT SUBSECTION 7.2.10.3, ENTITLED "DEVELOPMENT REGULATIONS (CD-1)"; 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 AMENDING SECTION 7.2.12, ENTITLED "CD-3 COMMERCIAL, HIGH INTENSITY DISTRICT," AT SUBSECTION 7.2.12.3, ENTITLED "DEVELOPMENT REGULATIONS (CD-3)"; BY AMENDING SECTION 7.2.13, ENTITLED "MIXED USE ENTERTAINMENT DISTRICT," AT SUBSECTION 7.2.13.3, ENTITLED "DEVELOPMENT REGULATIONS (MXE)"; 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)," TO MODIFY 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)," TO MODIFY THE MINIMUM LODGING AND HOTEL UNIT SIZE; AND BY AMENDING SUBSECTION 7.2.15.3, ENTITLED "COMMERCIAL PERFORMANCE STANDARDS DISTRICTS (C-PS)," TO MODIFY THE MINIMUM LODGING AND HOTEL UNIT SIZE; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, APPLICABILITY; AND AN EFFECTIVE DATE.

RECOMMENDATION

The Administration recommends that the Mayor and City Commission (City Commission) approve the subject ordinance at First Reading and schedule a Second Reading public hearing for April 23, 2025.

BACKGROUND/HISTORY

On June 26, 2024, at the request of Commissioner Kristen Rosen Gonzalez, the City Commission referred a proposal to modify minimum hotel unit size requirements (C4 O) to the Land Use and Sustainability Committee (LUSC) and the Planning Board. On October 14, 2024, the LUSC discussed the item and recommended that the Planning Board transmit an ordinance to the City Commission in accordance with the following:

1. Remove the 85% and 15% thresholds for minimum hotel unit size in all applicable zoning districts and establish a uniform minimum hotel unit size of 335 square feet, exclusive of established exception areas.
2. Remove the current allowance of micro-hotel units, with a minimum unit size of 175 square feet, in the TC-C district.

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 and 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.
- For hotel units within rooftop additions to contributing structures in a historic district and individually designated historic buildings the minimum unit size is 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.

PLANNING BOARD REVIEW

On February 4, 2025, the Planning Board held a public hearing and transmitted the proposed ordinance to the City Commission with a favorable recommendation (6-0).

APPLICATION FEE WAIVER

The subject amendment is proposed on a comprehensive, citywide basis, and not on behalf of a private applicant or third party. Pursuant to section 2.4.1.c of the Land Development Regulations of the City Code, amendments to the City Code require the payment of the applicable fees in section 2.2.3.5, 2.2.3.6, and appendix A to the City Code. These fees may be waived by a five-sevenths (5/7ths) vote of the City Commission, based upon one or more of the following circumstances:

1. The City Commission determines that the proposed amendment is necessary due to a change

in federal or state law, or to implement best practices in urban planning, or based on circumstances unique to the proposed amendment.

2. Upon the written recommendation of the City Manager acknowledging a documented financial hardship of a property owner(s) or developer(s).

3. If requested, in writing, by a non-profit organization, neighborhood association, or homeowner's association for property owned by any such organization or association, so long as the request demonstrates that a public purpose is achieved by enacting the applicable amendment.

The Administration recommends that the City Commission waive the applicable fees based on circumstances unique to the proposed amendment.

FISCAL IMPACT STATEMENT

No Fiscal Impact Expected

Does this Ordinance require a Business Impact Estimate? Yes
(FOR ORDINANCES ONLY)

If applicable, the Business Impact Estimate (BIE) was published on:
See BIE at: <https://www.miamibeachfl.gov/city-hall/city-clerk/meeting-notice/>

FINANCIAL INFORMATION

Not Applicable

CONCLUSION

The Administration recommends the following:

1. The City Commission approve the subject ordinance at First Reading and schedule a Second Reading public hearing for April 23, 2025.
2. In accordance with section 2.4.1.c.1 of the Land Development Regulations of the City Code, the City Commission waive the applicable fees based on circumstances unique to the proposed amendment.

Applicable Area

Citywide

Is this a "Residents Right to Know" item, pursuant to City Code Section 2-17?

Yes

Is this item related to a G.O. Bond Project?

No

Was this Agenda Item initially requested by a lobbyist which, as defined in Code Sec. 2-481, includes a principal engaged in lobbying? No

If so, specify the name of lobbyist(s) and principal(s):

Department

Planning

Sponsor(s)

Commissioner Kristen Rosen Gonzalez

Co-sponsor(s)

Commissioner David Suarez

Condensed Title

9:25 a.m. 1st Rdg PH, Minimum Hotel Unit Size Requirements. (KRG/DS) PL 5/7

Previous Action (For City Clerk Use Only)