

21. DISCUSS AMENDING THE LAND DEVELOPMENT REGULATIONS TO ADDRESS THE ADDITIONAL OPEN SPACE REQUIREMENTS FOR TWO (2) STORY SINGLE FAMILY HOMES THAT EXCEED 60 FEET IN LENGTH.

Applicable Area:

# MIAMI BEACH

## COMMITTEE MEMORANDUM

TO: Land Use and Sustainability Committee Members

FROM: Eric Carpenter, City Manager

DATE: June 10, 2025

TITLE: DISCUSS AMENDING THE LAND DEVELOPMENT REGULATIONS TO ADDRESS THE ADDITIONAL OPEN SPACE REQUIREMENTS FOR TWO (2) STORY SINGLE FAMILY HOMES THAT EXCEED 60 FEET IN LENGTH.

### **RECOMMENDATION**

The Administration recommends that the Land Use and Sustainability Committee (LUSC) endorse the proposed amendments to the Land Development Regulations of the City Code (LDRs) and recommend that the Mayor and City Commission (City Commission) refer an ordinance to the Planning Board.

### **BACKGROUND/HISTORY**

On February 3, 2025, at the request of Commissioner David Suarez, the City Commission referred a discussion item pertaining to the minimum open space requirements for the side elevation of two-story single-family homes (C4 AC) to the LUSC. On May 8, 2025, the LUSC discussed and continued the item to a future meeting for additional discussion.

### **ANALYSIS**

As noted in the attached referral memorandum, the item sponsor has requested that the LUSC discuss and consider whether the LDRs should be amended to simplify the open space regulations for two-story single-family homes exceeding 60 feet in length, including the location, elevation, and dimensions of the space. As part of this discussion, the sponsor has also requested that the Planning Department present recommended modifications to the applicable sections of the LDRs.

Section 7.2.2.3.b.2 of the LDRs currently requires that two (2) story single-family homes exceeding 60 feet in length incorporate additional open space in excess of the minimum required side yard. The purpose of this additional open space is to add movement to long expanses of uninterrupted two-story volumes at or near the required side yard setback line.

The following is a draft amendment to Section 7.2.2.3.b.2, specific to the request of the sponsor:

#### *7.2.2.3 Development Regulations (RS)*

\* \* \*

*b. The development regulations for the RS-1, RS-2, RS-3, RS-4 single-family residential districts are as follows:*

\* \* \*

#### *2. Two Story Houses Standards.*

- A. All portions of two-story side elevations located parallel to facing a side property line shall not exceed 50 percent (50%) of the lot depth, or 60 feet, whichever is less, without incorporating additional open space that exceeds, in excess of the minimum required side yard, directly adjacent to the required side yard. The additional open space shall comply with the following:
- I. The additional open space shall be regular in shape, open to the sky from the underlying yard elevation grade, and shall be at least 8 4 feet in depth, measured perpendicular from the minimum required side setback line. The open space shall also be at least 4 feet in width.
  - II. The additional open space may be provided in multiple locations along the side property line, provided each location meets the minimum width and depth specified herein. The aggregate square footage of the additional open space shall not be less than one percent (1%) of the lot area.
  - III. The elevation (height) of the open space provided shall not exceed the elevation of the first habitable floor, and at.
  - IV. At least 50 percent (50%) of the total required interior open space area shall be sodded or consist of landscaped pervious open space area or an in-ground water feature, such as a pond or decorative pool. The additional open space may also contain mechanical equipment.
  - V. The intent of this regulation shall be to additional open space shall break up long expanses of uninterrupted two-story volume at or near the required side yard setback line. Exceptions and exception from the minimum requirements of this provision may be granted only through historic preservation board, or design review board approval, as may be applicable, in accordance with the applicable design review or appropriateness criteria.

The Administration is supportive of the text amendments noted above, as they will help simplify the single family home regulatory requirements. If there is consensus on the proposed text amendments, a separate referral by the City Commission to the Planning Board would be required.

### **FISCAL IMPACT STATEMENT**

No Fiscal Impact Expected

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

The Business Impact Estimate (BIE) was published on .

See BIE at: <https://www.miamibeachfl.gov/city-hall/city-clerk/meeting-notices/>

### **FINANCIAL INFORMATION**

Not Applicable

### **CONCLUSION**

The Administration recommends that the LUSC endorse the proposed amendments to the LDRs and that the City Commission refer an ordinance to the Planning Board.

### **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 David Suarez

**Co-sponsor(s)**

**Condensed Title**

Discuss Amending The Land Development Regulations To Address The Additional Open Space Requirements For Two (2) Story Single Family Homes That Exceed 60 Feet in Length.



**COMMISSION MEMORANDUM**

TO: Honorable Mayor and Members of the City Commission

FROM: Commissioner David Suarez

DATE: February 3, 2025

TITLE: REFERRAL TO THE LAND USE AND SUSTAINABILITY COMMITTEE – DISCUSS AMENDING THE LAND DEVELOPMENT REGULATIONS TO ADDRESS THE ADDITIONAL OPEN SPACE REQUIREMENTS FOR TWO (2) STORY SINGLE-FAMILY HOMES THAT EXCEED 60 FEET IN LENGTH.

**RECOMMENDATION**

N/A

**BACKGROUND/HISTORY**

N/A

**ANALYSIS**

Please place the above item on the February 3, 2025 City Commission meeting agenda as a referral to the Land Use and Sustainability Committee (“LUSC”).

Currently, two (2) story single-family homes that exceed 60 feet in length have additional open space requirements, in excess of the minimum required side yard. The purpose of this additional open space is to add movement to long expanses of uninterrupted two-story volumes at or near the required side yard setback line.

I would like the LUSC to consider whether the Land Development Regulations of the City Code (LDR’s) should be amended to simplify these open space regulations, including the location, elevation and dimensions of the space. As part of this discussion, I am also requesting that the Planning Department present recommended modifications to the applicable sections of the LDR’s.

**FISCAL IMPACT STATEMENT**

N/A

**Does this Ordinance require a Business Impact Estimate?**

(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-notices/>

**FINANCIAL INFORMATION**

N/A

**CONCLUSION**

N/A

**Applicable Area**

Citywide

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

No

**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): N/A

**Department**

Office of Commissioner David Suarez

**Sponsor(s)**

Commissioner David Suarez

**Co-sponsor(s)**

**Condensed Title**

Ref: LUSC - Requirements for Minimum Open Space in Interior Sides of Single-Family Homes.  
(Suarez)

**Previous Action (For City Clerk Use Only)**