

# EXHIBIT A

## Code Amendment to RM-2 Zoning District

4/24/20 Draft

### Sec. 142-217. - Area requirements.

The area requirements in the RM-2 residential multifamily, medium intensity district are as follows:

Minimum Lot Area (Square Feet)	Minimum Lot Width (Feet)	Minimum Unit Size (Square Feet)	Average Unit Size (Square Feet)	Maximum Building Height (Feet)
7,000	50	<p>New construction—550 Non-elderly and elderly low and moderate income housing—400 Workforce housing—400 Rehabilitated buildings—400 Hotel units: 15%: 300—335 85%: 335+ 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, hotel units shall be a minimum of 200 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</p>	<p>New construction—800 Non-elderly and elderly low and moderate income housing—400 Workforce housing—400 Rehabilitated buildings—550 Hotel units—N/A</p>	<p>Historic district—50 (except as provided in <a href="#">section 142-1161</a>) Area bounded by Indian Creek Dr., Collins Ave., 26th St., and 44th St.—75 Area fronting west side of Collins Ave. btwn. 76th St. and 79th St.—75 Area fronting west side of Alton Rd. between Arthur Godfrey Rd. and W. 34th St.—85 Otherwise—60 For properties outside a local historic district with a ground level consisting of non-habitable parking and/or amenity uses—65 Lots fronting Biscayne Bay less than 45,000 sq. ft.—100 Lots fronting</p>

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Minimum Lot Area (Square Feet)	Minimum Lot Width (Feet)	Minimum Unit Size (Square Feet)	Average Unit Size (Square Feet)	Maximum Building Height (Feet)
		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.		<p>Biscayne Bay over 45,000 sq. ft.—140</p> <p><u>Properties fronting Biscayne Bay with split zoning of RM-2 and RM-3 larger than 10 acres in size may increase height up to a maximum building height of 300 ft.</u></p> <p>Lots fronting Atlantic Ocean over 100,000 sq. ft.—140</p> <p>Lots fronting Atlantic Ocean with a property line within 250 feet of North Shore Open Space Park Boundary—200</p>

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### Sec. 142-218. - Setback requirements.

The setback requirements in the RM-2 residential multifamily, medium intensity district are as follows:

	Front	Side, Interior	Side, Facing a Street	Rear
At-grade parking lot on the same lot except where (b) below is applicable	20 feet	Single lots less than 65 feet in width: 5 feet, otherwise 10 feet, or 8% of lot width, whichever is greater	Single lots less than 65 feet in width: 5 feet, otherwise 10 feet, or 8% of lot width, whichever is greater	Abutting an alley—5 feet Oceanfront lots—50 feet from bulkhead line
Subterranean and pedestal	20 feet Except lots A and 1—30 of the Amended Plat Indian Beach Corporation Subdivision and lots 231-237 of the Amended Plat of First Ocean Front Subdivision—50 feet	Single lots less than 65 feet: 7.5 feet Lots equal or greater than 65 feet in width: Minimum 10 feet or 8% of lot width, whichever is greater, and sum of the side yards shall equal 16% of lot width. Notwithstanding the foregoing, rooftop additions to contributing structures in a historic district and individually designated historic buildings may follow existing	Lots equal or greater than 65 feet in width: Minimum 10 feet or 8% of lot width, whichever is greater, and sum of the side yards shall equal 16% of lot width	Non-oceanfront lots—10% of lot depth Oceanfront lots—20% of lot depth, 50 feet from the bulkhead line whichever is greater. Notwithstanding the foregoing, rooftop additions to non-oceanfront contributing structures in a historic district and individually designated historic buildings may follow existing nonconforming rear pedestal setbacks.

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	Front	Side, Interior	Side, Facing a Street	Rear
		nonconforming rear pedestal setbacks.		
Tower	<p>20 feet + 1 foot for every 1 foot increase in height above 50 feet, to a maximum of 50 feet, then shall remain constant. Except lots A and 1—30 of the Amended Plat Indian Beach Corporation Subdivision and lots 231—237 of the Amended Plat of First Ocean Front Subdivision—50 feet.</p> <p>Notwithstanding the foregoing, rooftop additions to contributing structures in a historic district and individually designated historic buildings may follow existing nonconforming rear pedestal setbacks.</p>	<p>Same as pedestal for structures with a total height of 60 feet or less. The required pedestal setback plus 0.10 of the height of the tower portion of the building. The total required setback shall not exceed 50 feet.</p> <p>Notwithstanding the foregoing, rooftop additions to contributing structures in a historic district and individually designated historic district buildings may follow existing nonconforming side, interior pedestal setbacks.</p> <p><u>Notwithstanding the foregoing, properties fronting Biscayne Bay with split zoning of RM-2 and RM-3 larger than 10 acres in size</u></p>	<p>Sum of the side yards shall equal 16% of the lot width Minimum—10 feet or 8% of lot width, whichever is greater</p>	<p>Non-oceanfront lots—15% of lot depth Oceanfront lots—25% of lot depth, 75 feet minimum from the bulkhead line whichever is greater.</p> <p>Notwithstanding the foregoing, rooftop additions to non-oceanfront contributing structures in a historic district and individually designated historic buildings may follow existing nonconforming rear pedestal setbacks.</p>

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	Front	Side, Interior	Side, Facing a Street	Rear
		<u>may follow the pedestal setback for a maximum of 25% of the length of the side property line.</u>		

### Sec. 142-219. - Regulations for new construction.

In the RM-2, residential district, all floors of a building containing parking spaces shall incorporate the following:

- (1) Residential or commercial uses, as applicable, at the first level along every facade facing a street, sidewalk or waterway. For properties not having access to an alley, the required residential space shall accommodate entrance and exit drives.
- (2) Residential uses above the first level along every facade facing a waterway.
- (3) For properties less than 60 feet in width, the total amount of residential space at the first level along a street side shall be determined by the design review or historic preservation board, as applicable. All facades above the first level, facing a street or sidewalk, shall include a substantial portion of residential uses; the total amount of residential space shall be determined by the design review or historic preservation board, as applicable, based upon their respective criteria.
- (4) For properties fronting Biscayne Bay with split zoning of RM-2 and RM-3 larger than 10 acres in size:
  - (a) Residential or commercial uses are not required at the first level along every facade facing a street for the entrance and exit drives to a parking structure, provided the ramps to access the parking structure are setback a minimum of 200 feet from the property line abutting the street, the parking spaces above the ground level are not visible from the street or sidewalk, the open space in front of ramps to access the parking structure is at least 70% pervious through resiliency elements such as but not limited to green space, bioswales, permeable pavement.
  - (b) Residential uses are not required at the second level facing a waterway, provided that: (i) residential or commercial uses are provided below on the ground level and residential uses are provided at all levels above the second level; (ii) the length of the area without a liner does not exceed 70 feet; and (iii) parked vehicles or vehicles using ramps accessing parking areas are screened from view by active walkways with parapet walls and/or planters at a minimum height of 42 inches.