ARCHITECTURAL DISTRICT RM-3 SINGLE STORY ROOFTOP ADDITIONS

ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE RESILIENCY CODE OF THE CITY OF MIAMI BEACH, BY AMENDING SECTION 7.5.2.1 "HEIGHT REGULATION EXCEPTIONS AND ROOFTOP ADDITIONS" TO GOVERN SINGLE STORY ROOFTOP ADDITIONS ON PROPERTIES LARGER THAN 115,000 SQUARE FEET IN THE RM-3 ZONING DISTRICT LOCATED IN THE ARCHITECTURAL DISTRICT; PROVIDING FOR REPEALER; SEVERABILITY; CODIFICATION; AND AN EFFECTIVE DATE.

WHEREAS, the City of Miami Beach's (City) Resiliency Code promotes the protection, enhancement, and retention of the established architectural scale, character, and context of the City's multifamily zoning districts; and

WHEREAS, the City Commission has deemed it in the best interest and welfare of the City to adopt regulations that preserve, enhance and protect the unique architectural character and context of oceanfront lots within the Architectural District in Miami Beach; and

WHEREAS, the Planning Board has reviewed and endorsed the proposed amendment to the Code set forth herein; 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. That Section 7.5.2.1, "Height regulation exceptions and rooftop additions" is hereby amended as follows:

7.5.2.1 Height regulation exceptions and rooftop additions.

* * *

d Rooftop additions.

* * *

(ix) Notwithstanding the foregoing, a (1) one-story rooftop addition, with a maximum floor to ceiling height of 15 feet, may be permitted for properties exceeding a lot size of 115,000 square feet in the RM-3 zoning district, which are located between Lincoln Road and 18th Street, provided that such rooftop addition shall not be visible from Collins Avenue and is set back at least 150 feet from both the rear property line and Lincoln Road. Notwithstanding anything in these regulations to the contrary, an accessible deck may be constructed on top of a mechanical room that is part of a rooftop addition permitted under this subsection.

~~ix.~~x *Design and appropriateness guidelines.* In determining if existing structures are eligible for rooftop additions, the historic preservation board, in addition to any and

all other applicable criteria and guidelines contained in these land development regulations, shall consider whether:

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 be and the same 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 _____, 2023.

_____
Dan Gelber, Mayor

ATTEST:

_____
Rafael E. Granado, City Clerk

APPROVED AS TO FORM
AND LANGUAGE
AND FOR EXECUTION

_____
City Attorney Date

First Reading: May 17, 2023

Second Reading: June 28, 2023

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

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