

**LDR Amendment – Square Footage for FAR Increases**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CODE OF THE CITY OF MIAMI BEACH, SUBPART B, ENTITLED "LAND DEVELOPMENT REGULATIONS," BY AMENDING CHAPTER 142 OF THE CITY CODE, ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE I, ENTITLED "GENERAL TO ALL ZONING DISTRICTS," BY CREATING SECTION 142-5, ENTITLED "REQUIREMENTS FOR PROPOSED INCREASES IN ALLOWABLE FLOOR AREA RATIO (FAR)," TO ESTABLISH A REQUIREMENT TO IDENTIFY THE MAXIMUM AMOUNT OF FLOOR AREA THAT COULD BE APPROVED IN CONNECTION WITH A PROPOSED FAR INCREASE; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.**

**WHEREAS**, City Charter Section 1.03(c), requires that any increase in zoned floor area ratio (FAR) for any property in the City must first be approved by a majority vote of the electors of the City of Miami Beach; and

**WHEREAS**, the City of Miami Beach (the "City") seeks to adopt regulations to ensure that the impacts of any future FAR increase (including impacts on the City's urban environment and infrastructure) are well understood prior to consideration of such questions by voters; and

**WHEREAS**, the City has the authority to enact laws which promote the public health, safety, and general welfare of its citizens; and

**WHEREAS**, the amendments set forth below are necessary to accomplish the objectives above.

**NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA:**

**SECTION 1.** Chapter 142, "Zoning Districts and Regulations," Article I, "General to All Zoning Districts," is hereby amended as follows:

**CHAPTER 142  
ZONING DISTRICTS AND REGULATIONS**

**ARTICLE I. – GENERAL TO ALL ZONING DISTRICTS**

\* \* \*

**Sec. 142-5. Requirements for proposed increases in allowable floor area ratio (FAR).**

The following shall apply to any proposal to increase the maximum allowable FAR within any zoning district:

(1) Prior to approval of a ballot question, if required pursuant to the City Charter, or in advance of first reading of the applicable amendment to the Land Development Regulations, whichever

comes first, the maximum square footage associated with the proposed increase in FAR shall be identified, to the greatest extent possible.

(2) The requirements of this section may be waived by the City Commission, at its sole discretion, on a 5/7ths vote.

**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 Miami Beach City Code. The sections of this ordinance may be renumbered or relettered 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 10 days after adoption.

**PASSED and ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2023.


**ATTEST:**

\_\_\_\_\_  
Dan Gelber, Mayor

\_\_\_\_\_  
Rafael E. Granado, City Clerk

APPROVED AS TO  
FORM AND LANGUAGE  
& FOR EXECUTION

First Reading: March 27, 2023  
Second Reading: April 28, 2023

  
\_\_\_\_\_  
City Attorney NK 3-16-23  
Date

Verified by: \_\_\_\_\_  
Thomas R. Mooney, AICP  
Planning Director