

**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 BETWEEN LINCOLN ROAD AND 18 STREET; 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.**

For all districts, except RS-1, 2, 3 and 4 (single-family residential districts).

\* \* \*

d Rooftop additions.

\* \* \*

ix. Notwithstanding the foregoing, a single-story rooftop addition of no more than 30 feet in height as measured from the existing roof line may be permitted for properties in the RM-3 zoning district, located between Lincoln Road and 18 Street, that are over 115,000 square feet in size, provided that such rooftop addition may not be visible from Collins Avenue and must be set back at least 150 feet from the rear property line.

~~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.

**ATTEST:**

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

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

First Reading: \_\_\_\_\_, 2023

Second Reading: \_\_\_\_\_, 2023

(Sponsor: Commissioner Alex Fernandez)

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

Underscore denotes new language  
~~Strikethrough~~ denotes removed language