

## CITY COMMISSION FACT SHEET

**File ID:** 19229

**Title:** AN ORDINANCE OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AMENDING ORDINANCE NO. 13114, THE ZONING CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED (“MIAMI 21 CODE”), BY AMENDING ARTICLE 3, TITLED “GENERAL TO ZONES,” SECTION 3.3.1, TO CLARIFY WHEN LOTS MAY MEET AN EXEMPTION FROM LOT SIZE RESTRICTIONS; MAKING FINDINGS; CONTAINING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

**APPLICANT(S):** James Reyes, City Manager, on behalf of the City of Miami

**PURPOSE:** The request seeks approval to amend the Zoning Ordinance of the City of Miami to clarify when City approved unity of title and entitlements for lots may exceed maximum lots size.

**FINDING(S):**

PLANNING DEPARTMENT: Recommended approval.

PLANNING, ZONING AND APPEALS BOARD: On April 15, 2026, recommended approval with modifications, by a vote of 11-0.



**City of Miami  
Legislation  
Ordinance  
Enactment Number**

City Hall  
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Miami, FL 33133  
www.miamigov.com

**File Number: 19229**

**Final Action Date:**

AN ORDINANCE OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AMENDING ORDINANCE NO. 13114, THE ZONING CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED (“MIAMI 21 CODE”), BY AMENDING ARTICLE 3, TITLED “GENERAL TO ZONES,” SECTION 3.3.1, TO CLARIFY WHEN LOTS MAY MEET AN EXEMPTION FROM LOT SIZE RESTRICTIONS; MAKING FINDINGS; CONTAINING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on October 22, 2009, Ordinance No. 13114 was adopted by the Miami City Commission as the City of Miami’s (“City”) Zoning Ordinance, which has been amended from time to time (“Miami 21 Code”); and

WHEREAS, the City finds that, over time, properties within the City have been developed and conveyed based on a variety of historic platting and assemblage patterns, including platted Lots, multi-Lot assemblages, and development sites comprised of multiple Lots held together for development purposes; and

WHEREAS, the Miami 21 Code contains minimum and maximum Lot size requirements and related development site standards intended to promote orderly development patterns consistent with the City’s Comprehensive Neighborhood Plan; and

WHEREAS, it is further found that certain property owners may possess vested rights associated with historic Lot assemblages, platted Lots, and/or reliance on City actions recognizing lawful development sites and/or unified development parcels; and

WHEREAS, it is further found that the City has, in certain instances, recognized Lots as having been assembled for development purposes through recorded instruments including Unities of Title and/or Covenants in Lieu of Unity of Title, and that such recognition has been relied upon for development planning; and

WHEREAS, the City desires to clarify the circumstances under which Lots may meet an exemption from the lot size restrictions in the Miami 21 Code in order to improve predictability in administration, ensure consistent treatment of similarly situated properties, and reduce unnecessary procedural disputes; and

WHEREAS, the Planning, Zoning and Appeals Board (“PZAB”), at its meeting on April 15, 2026, following an advertised public hearing, adopted Resolution No. PZAB-R-26-021 by a vote of eleven to zero (11-0), Item No. PZAB. 12, recommending approval with modifications of the Zoning Change; and

WHEREAS, consideration has been given to the relationship of this proposed amendment to the goals, objectives, and policies of the Miami Comprehensive Neighborhood Plan, with appropriate consideration as to whether the proposed change will further the goals,

objectives, and policies of the Miami Comprehensive Neighborhood Plan, the Miami 21 Code, and other City regulations; and

WHEREAS, consideration has been given to the need and justification for the proposed change, including changed or changing conditions that make the passage of the proposed change necessary; and

WHEREAS, after careful consideration of this matter, it is deemed advisable and in the best interest of the general welfare of the City and its inhabitants to amend the Miami 21 Code as hereinafter set forth;

NOW, THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE CITY OF MIAMI, FLORIDA:

Section 1. The recitals and findings contained in the Preamble to this Ordinance are adopted and incorporated as if fully set forth in this Section.

Section 2. Article 3 of the Miami 21 Code is hereby further amended in the following particulars:<sup>1</sup>

### “ARTICLE 3. GENERAL TO ZONES

\* \* \*

#### 3.3 LOTS AND FRONTAGES

##### 3.3.1

Lots assembled into one (1) ownership within one (1) Transect Zone may be developed as a single Lot. Lots assembled into one (1) ownership that encompass more than one (1) Transect Zone shall be developed according to the corresponding Transect regulation for each Lot, except as described in Section 3.6.1(e). In such cases, there shall be no transfer of Density or Intensity of Development Capacity between Transect Zones, except if the Lots are assigned equal Densities, Density may be transferred across the Transect boundary. Lots under the same or different ownership that are participating in the Historic Preservation Transfer of Development Density program established in Chapter 23 of the City Code may transfer Density from historically designated properties or certain non-contributing resources to TOD areas, subject to compliance with all applicable regulations. Where Lots are assembled into one (1) ownership, the side or rear Setbacks sharing the Property Line may be eliminated. Lot assembly shall require a Unity-of-Title or Covenant in Lieu of Unity of Title, acceptable to the City Attorney, in accordance with Section 7.1.7. Contiguous Lots in one (1) ownership as of the effective date of this Code, properties platted as a single Lot, properties subject to a City approved Entitlement, or properties subject to a City approved Unity of Title or City approved Covenant in Lieu of Unity of Title in accordance with Section 7.1.7, may be developed as one (1) Lot in excess of the maximum Lot size.

In addition, for development within the Southeast Overtown Park West Community Redevelopment Agency (SEOPW CRA) area, contiguous Lots under common ownership or assembled via a covenant in lieu of Unity of Title for one (1) or more Buildings may exceed maximum Lot Area (Lot Size) for Uses that serve the neighborhood and upon determination of compliance with neighborhood compatibility performance criteria set forth below:

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<sup>1</sup> Words and/or figures stricken through shall be deleted. Underscored words and/or figures shall be added. The remaining provisions are now in effect and remain unchanged. Asterisks indicate omitted and unchanged material.

- a. The development is located within the SEOPW CRA area of a) the Overtown Cultural and Entertainment District or b) the Overtown Culmer Community identified within the SEOPW CRA Redevelopment Plan;
- b. The development project accomplishes a minimum of one (1) Goal from each of the fourteen (14) Guiding Principles within the SEOPW CRA Redevelopment Plan;
- c. Building Facades on Primary and Secondary Frontages shall emphasize activated ground floor Habitable Space and incorporate façade treatments that are compatible with the neighborhood character and implement variations in façades through art, glass, or architectural treatments and materials of a design approved by the Planning Director with the recommendation of the UDRB;
- d. Provides for native species street trees within the verge with a DBH of 25% above the typical standards required by a Street Tree Master Plan and Chapter 17 of the City Code;
- e. When required, the Cross-Block Pedestrian Passage, shall be at least fifty percent (50%) open to the sky, which connects at least two (2) Thoroughfares, or which is aligned so as to connect with another Cross-Block Pedestrian Passage across a Thoroughfare to the subject property, and is publicly accessible 24-hours a day or reduced hours by process of Waiver; and
- f. Public benefit contribution provided pursuant to Section 3.14 of this Code within the SEOPW CRA shall be allocated to the Parks and Open Spaces Trust Fund for the I-395 Underdeck Open Space development.”

\* \* \*

Section 3. If any section, part of a section, paragraph, clause, phrase, or word of this Ordinance is declared invalid, the remaining provisions of this Ordinance shall not be affected.

Section 4. It is intended that the provisions of this Ordinance shall become and be made a part of the Miami 21 Code, which provisions may be renumbered or relettered and that the word “Ordinance” may be changed to “Section,” “Article,” or other appropriate word to accomplish such intention.

Section 5. This Ordinance shall become effective ten (10) days from the date it was passed and adopted.<sup>2</sup>

APPROVED AS TO FORM AND CORRECTNESS:

  
 George K. Wysocki III, City Attorney 5/18/2026

<sup>2</sup> This Ordinance shall become effective as specified herein unless vetoed by the Mayor within ten (10) days from the date it was passed and adopted. If the Mayor vetoes this Ordinance, it shall become effective immediately upon override of the veto by the City Commission or upon the effective date stated herein, whichever is later.