

Temp. Ord. No. 1817  
8/28/23  
9/27/23

**CITY OF MIRAMAR  
MIRAMAR, FLORIDA**

**ORDINANCE NO. 24-01**

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF MIRAMAR, FLORIDA, AMENDING PORTIONS OF THE LAND DEVELOPMENT CODE; MAKING FINDINGS; AMENDING SECTION 402, TABLE 402-2 AND TABLE 402-3, RELATING TO THE DEVELOPMENT BULK STANDARDS FOR SINGLE-FAMILY AND MULTI-FAMILY RESIDENTIAL DISTRICTS; AMENDING SECTION 403, TABLE 403-1, RELATING TO PRINCIPAL USES WITHIN NON-RESIDENTIAL AND MIXED-USE ZONING DISTRICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONSISTENCY WITH THE COMPREHENSIVE PLAN; PROVIDING THAT OFFICIALS ARE AUTHORIZED TO TAKE ACTION; PROVIDING FOR CORRECTION OF SCRIVENER'S ERRORS; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of Miramar, the "City," is a municipal corporation of the State of Florida; and,

**WHEREAS**, the Land Development Code ("LDC") amendments contained herein are in compliance with Florida State Statutes 163.3202; and,

**WHEREAS**, the LDC amendments contained herein are in compliance with the City Comprehensive Plan; and,

**WHEREAS**, the LDC amendments contained herein modifies the corner lots setback and water frontage setbacks under Chapter 3, Section 402, Table 402-2, Single-family Residential Districts Bulk Regulations; and

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**WHEREAS**, the LDC amendments contained herein modifies Chapter 3, Section 402, Table 402-3, Multi-family Residential Districts Bulk Regulations; and

**WHEREAS**, the subject LDC amendments contained herein modifies Chapter 3, Section 403, Table 403-1, Non-residential and Mixed-use Zoning Districts Principal Uses Table; and

**WHEREAS**, the subject LDC amendments contained herein are intended to provide for clarity and flexibility of development standards; and,

**WHEREAS**, the subject LDC amendments contained herein are intended to better reflect market conditions and trends; and,

**WHEREAS**, the subject LDC amendments contained herein are intended to eliminate and limit inconsistency with building permits, and minimize the need for variances; and,

**WHEREAS**, the subject LDC amendments contained herein are intended to incorporate user-friendly language, graphics and tables to enhance readability and usability; and,

**WHEREAS**, the City Manager recommends amending Section 402, Table 402-2, regulating the development bulk standards for single-family residential districts (attached hereto as Exhibit "A"); amending Section 402, Table 402-3, regulating the development bulk standards for multi-family residential districts (attached hereto as Exhibit "B");

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amending Section 403, Table 403-1, regulating permitted, conditional, and prohibited principal uses within non-residential and mixed-use zoning districts (attached hereto as Exhibit "C"); as shown herein, to update and clarify certain regulatory requirements of the LDC; and

**WHEREAS**, the Planning & Zoning Board, sitting as the Local Planning Agency, has found this Ordinance to be consistent with the Comprehensive Plan; and

**WHEREAS**, the City Commission has reviewed the subject LDC amendments contained herein, considered the general purpose and standards set forth in Chapter 3 of the LDC, including a finding of consistency with the standards of review of Section 302.7 of the existing LDC, and considered the recommendation of the Planning and Zoning Board; and

**WHEREAS**, the City Commission has found the subject LDC amendments contained herein to be consistent with the Comprehensive Plan; and,

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF MIRAMAR, FLORIDA AS FOLLOWS:**

**Section 1: Recitals.** The foregoing "**WHEREAS**" clauses are ratified and confirmed as being true and correct and are made a specific part of this Ordinance.

**Section 2: Exhibits.** That Sections 402 and 403 of the Land Development Code of the City of Miramar, Florida, are hereby amended to read as follows:

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- (1) See Exhibit "A" attached hereto is hereby incorporated herein by this reference.
- (2) See Exhibit "B" attached hereto is hereby incorporated herein by this reference.
- (3) See Exhibit "C" attached hereto is hereby incorporated herein by this reference.

**Section 3: Existing Land Development Regulations.** Each and every section and subsection of the City of Miramar Land Development Code not revised herein shall remain in full force and effect as previously adopted.

**Section 4: Severability.** The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, Section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby. In the event of a subsequent change in applicable law, so the provision which had been held invalid is no longer invalid, the provision shall thereupon return to full force and effect without further action by the City and shall thereafter be binding under this Ordinance.

**Section 5: Interpretation.** It is the intention of the City Commission, and it is hereby ordained, that the provisions and revisions of this Ordinance shall become and be made a part of the Code of the City of Miramar; that the sections of this Ordinance may be renumbered or re-lettered to accomplish such intentions; and that the word "Ordinance" shall be changed to "Section" or other appropriate word. That in interpreting this Ordinance, underlined words indicate additions to existing text, and ~~stricken through~~ words include deletions from existing text. Asterisks (\* \* \*) indicate a deletion from the

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Ordinance of text, which exists in the Code of Ordinances. It is intended that the text in the Code of Ordinances denoted by the asterisks and do not set forth in this Ordinance shall remain unchanged from the language existing prior to adoption of this Ordinance. Amendments made to the Ordinance on second reading are highlighted.

**Section 6: Administrative Correction of Scrivener’s Error.** The City Attorney is hereby authorized to correct scrivener’s errors found in this Resolution by filing a corrected copy with the City Clerk.

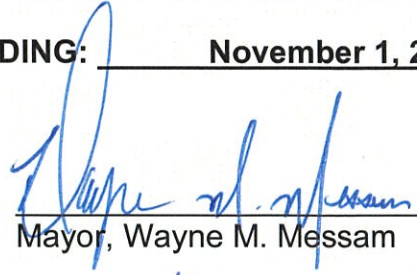
**Section 7: Officials Authorized to Take Action.** The appropriate City officials are authorized to do all things necessary and expedient to carry out the intent and purpose of this Ordinance.

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**Section 8: Effective Date.** This Ordinance shall become effective immediately upon adoption.

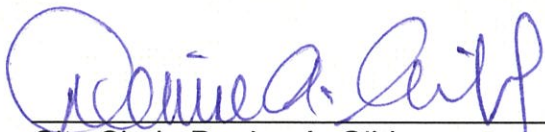
**PASSED FIRST READING:** October 4, 2023

**PASSED AND ADOPTED ON SECOND READING:** November 1, 2023

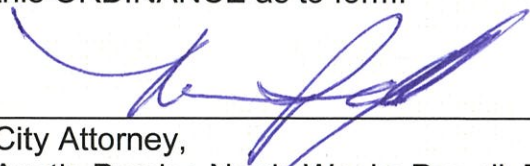
  
\_\_\_\_\_  
Mayor, Wayne M. Messam

  
\_\_\_\_\_  
Vice Mayor, Alexandra P. Davis

ATTEST:

  
\_\_\_\_\_  
City Clerk, Denise A. Gibbs

I HEREBY CERTIFY that I have approved this ORDINANCE as to form:

  
\_\_\_\_\_  
City Attorney,  
Austin Pamies Norris Weeks Powell, PLLC

<u>Requested by Administration</u>	<u>Voted</u>
Commissioner Winston F. Barnes	Yes
Commissioner Maxwell B. Chambers	Yes
Commissioner Yvette Colbourne	Yes
Vice Mayor Alexandra P. Davis	Yes
Mayor Wayne M. Messam	Yes

TABLE 402-2  
SINGLE-FAMILY RESIDENTIAL DISTRICTS BULK REGULATIONS

STANDARDS	RL	E	RS1	RS2	RS3	RS4	RS5	RS6	RS7	RS8	T
<b>Lot Dimensions</b>											
Minimum Lot Size	2.5 acres	2 acres	1 acre	7,500 s.f.	7,000 s.f.	6,500 s.f.	6,000 s.f.	5,000 s.f.	4,000 s.f.	4,000 s.f.	4,000 s.f.
Minimum Floor Area <sup>1</sup> (s.f.)	2,500	2,500	2,000	1,500	1,800	1,500	1,500	1,400	1,400	1,300	500
Minimum Lot Width (ft.)	200 ft.	200	150	N/A	N/A	N/A	N/A	50	50	50	50
Maximum Building Lot Coverage <sup>2</sup>	40%	40%	40%	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
<b>Height</b>											
Maximum Height (ft.)	40	40	40	35	35	35	35	35	35	35	25
Number of Stories	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
<b>Minimum Structural Setbacks—FRONT &amp; SIDE</b>											
Front Setback (ft.)	50	50	50	25	25	25	25	20	20	20 <sup>3</sup>	10
Side Setback (ft.)	25	25	25	5	7.5	7.5	7.5	7.5 <sup>4</sup>	7.5 <sup>5</sup> 5 <sup>5</sup>	5	5
Corner Side Setback (ft.)	25	25	25	15	15	15	15	15	15	15	10
<b>Minimum Structural Setbacks—REAR</b>											
Rear Setback (ft.)	25	25	25	25	20	20 <sup>6</sup>	20 <sup>6</sup>	15	15	15	10
Rear Setback—Corner Lot (ft.)	25	25	25	15	15	15	15	15	15	15	10
Rear Setback - Water Frontage Lot (ft.)	25	25	25	30 20	30 20	30 20	30 20	30 20	30 20	30 20	20
<b>N/A = Not Applicable</b>											
<b>Footnotes:</b>											
1. Measured by excluding garage or unairconditioned areas											
2. Measured by including the combined plot area covered by all principal and accessory buildings, and covered structures											
3. 20 feet minimum to the garage; 15 feet minimum to the principal structure; 10 feet minimum to a front porch											
4. 7.5 feet for two stories and 6' for one-story unit											
5. Zero lot line dwelling in only the RS7 district: side setback for zero lot of 15 10 feet											
6. 20 feet for two stories and 15 feet for a one-story unit											
<b>Additional Standard:</b>											
A. All legal, non-conforming structures may maintain existing setbacks, including proposed additions to the residence											

# EXHIBIT B

**TABLE 402-3 MULTI-FAMILY DISTRICTS BULK REGULATIONS**

ZONING	USE	MINIMUM LOT SIZE	MINIMUM LOT WIDTH	MAXIMUM STORIES	MAXIMUM HEIGHT	PLOT COVERAGE <sup>1</sup>	STRUCTURAL SETBACKS					Water Frontage
							Front	Side	Rear	Corner		
RM1	Single family	3,600	45	2	35	50%	15	5	15	15	30 20	
	Duplex/Triplex	4,000	35	3	35	40%	20	10	15	15	30 20	
	Townhouses	16,000	160	3	35	40%	20	10	15	15	30	
	Apartments	N/A	N/A	3	45	40%	20	15	15	15	30	
	Non-residential	N/A	N/A	3	35	40%	30	25	30	15	30	
RM2	Single family	3,600	45	2	35	50%	15	5	15	15	30 20	
	Duplex/Triplex	4,000	35	3	35	40%	20	10	15	15	30 20	
	Townhouses	16,000	160	3	35	40%	20	10	15	15	30	
	Apartments	N/A	N/A	4	60	40%	20	15	15	15	30	
	Non-residential	N/A	N/A	3	35	40%	30	25	30	15	30	
RM3	Single family	3,600	45	2	35	50%	15	5	15	15	30 20	
	Duplex/Triplex	4,000	35	3	35	40%	20	10	15	15	30 20	
	Townhouses	16,000	160	3	35	40%	20	10	15	15	30	
	Apartments	N/A	N/A	5	75	40%	20	15	15	15	30	
	Non-residential	N/A	N/A	3	35	40%	30	25	30	15	30	
RM4	Single family	3,600	50	2	N/A 35	50%	20 <sup>2</sup>	5	10	10	30 20	
	Duplex/Triplex	4,000	50	3	N/A 35	50%	10	5	10	10	30 20	
	Townhouses	16,000	160	3	N/A 45	80%	10	5	10	10	30 20	
	Apartments	N/A	N/A	4	N/A 60	80%	10	5	10	10	30 20	
	Non-residential	N/A	N/A	3	N/A 35	40%	10	5	10	10	30 20	

**Footnotes:**

1. Measured by including the combined plot area covered by all principal and accessory buildings, and covered structures.
2. 20 feet minimum to the garage; 15 feet minimum to the principal structure; 10 feet minimum to a front porch.







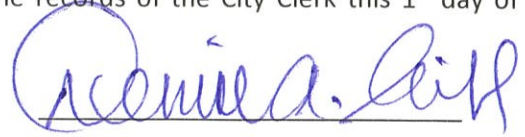




**Certificate of Filing for an Ordinance**

CERTIFICATE OF FILING

I, Denise A. Gibbs, as City Clerk of the City of Miramar, a Florida Municipal Corporation, hereby certify that this fully executed Ordinance No. 24-01 was filed in the records of the City Clerk this 1<sup>st</sup> day of November, 2023.

A handwritten signature in blue ink, appearing to read "Denise A. Gibbs", is written over a horizontal line. The signature is cursive and includes a large initial "D".

Print Name: Denise A. Gibbs

Print Title: City Clerk