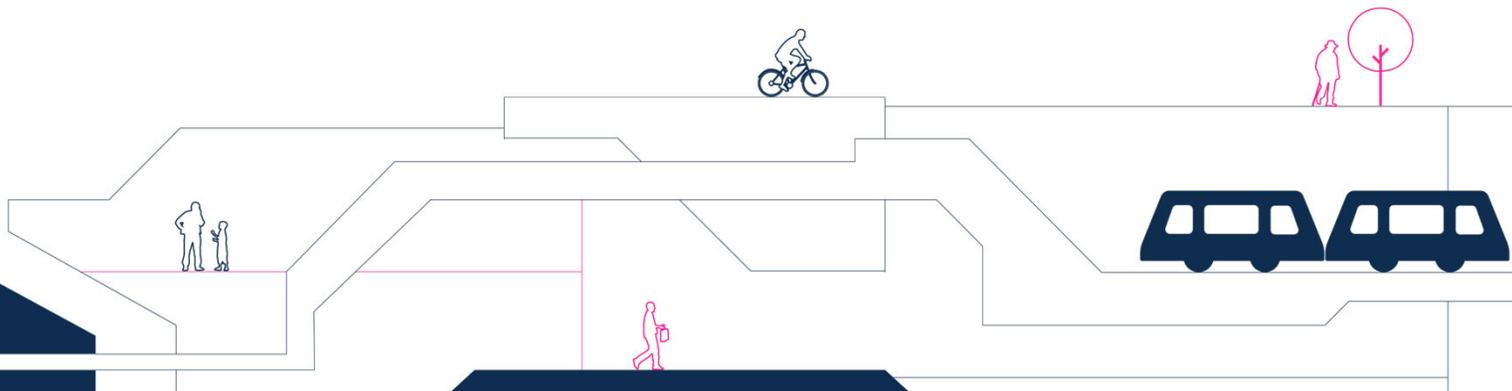


# ENTITLEMENT REFORM

## OUTDOOR DINING REFORM

PLANNING DEPARTMENT

11.17.2025



# PROGRAM UPDATE

12.16.2025



# PROGRESS UPDATE - PZAB SCHEDULE

- ✓ 1. Personal Service Wireless Facilities: Approved Oct. 8<sup>th</sup>
  - ✓ 2. Micro Dwelling Units: Approved Oct. 8<sup>th</sup>
  - ✓ 3. Education Reform: Approved Oct. 8<sup>th</sup>
  - ✓ 4. YIGBY: Approved Oct. 8<sup>th</sup>
  - ✓ 5. Auto Related Commercial: Approved Oct. 15<sup>th</sup>
  - ✓ 6. Adult Daycare: Nov. 5<sup>th</sup>
  - ✓ 7. Docks, Piers and Boat Storage: Nov. 19<sup>th</sup>
- 
- 8. Use Table Mapping with FBC & prior 11000 Code: Jan 21<sup>st</sup>
  - 9. Outdoor Dining: Jan 21<sup>st</sup>
- 
- 10. Midtown Class II: Feb 18<sup>th</sup>
  - 11. Overarching Entitlement Review Criteria: Feb 4<sup>th</sup>
  - 12. Auxiliary Uses / Secondary Uses (TBD): March 4<sup>th</sup>
  - 13. Other amendments being identified: TBD



# OUTDOOR DINING



# WHY ARE WE HERE?

- ✓ We are here to improve clarity, consistency, and fairness in how Outdoor Dining is regulated in Miami 21.
- ✓ We are here to modernize Miami's Outdoor Dining standards, so they support vibrant streets, thriving small businesses, and predictable outcomes—while protecting neighborhoods and public space.
- ✓ We are here because the current Outdoor Dining regulations are outdated, inconsistently applied, and often misunderstood.



# CURRENT LEGISLATION

## 6.3.2.2 Outdoor Dining

Outdoor Dining may be allowed on private property within open space, or partially open space including Plazas, Courtyards, Pedestrian Passages, and Roof Terraces only when associated with a Food Service or Alcohol Service Establishment, as provided for in this Section. All tables, seating, furnishings, and other such associated material must be completely removable within twenty-four (24) hours. Outdoor Dining areas that contain up to fifty percent (50%) of the overall establishment's seating capacity, may not count towards Floor Area and Floor Lot Ratio calculations.

Outdoor Dining areas containing seating in an amount greater than fifty percent (50%) of the overall establishment's seating capacity shall be counted toward Floor Area and Floor Lot Ratios and require parking per this Code, except within established Parking Trust Fund areas. Parking shall be calculated based on the total area occupied by the Outdoor Dining and according to the Miami 21 Code or applicable section of the City Code.

Outdoor Dining is subject to all other provisions of City ordinances including but not limited to noise regulations per Chapter 36, alcohol regulations per Chapter 4, and Certificate of Use regulations per Chapter 2 of the City Code, as amended. A Certificate of Use reflecting the Outdoor Dining use must be obtained.

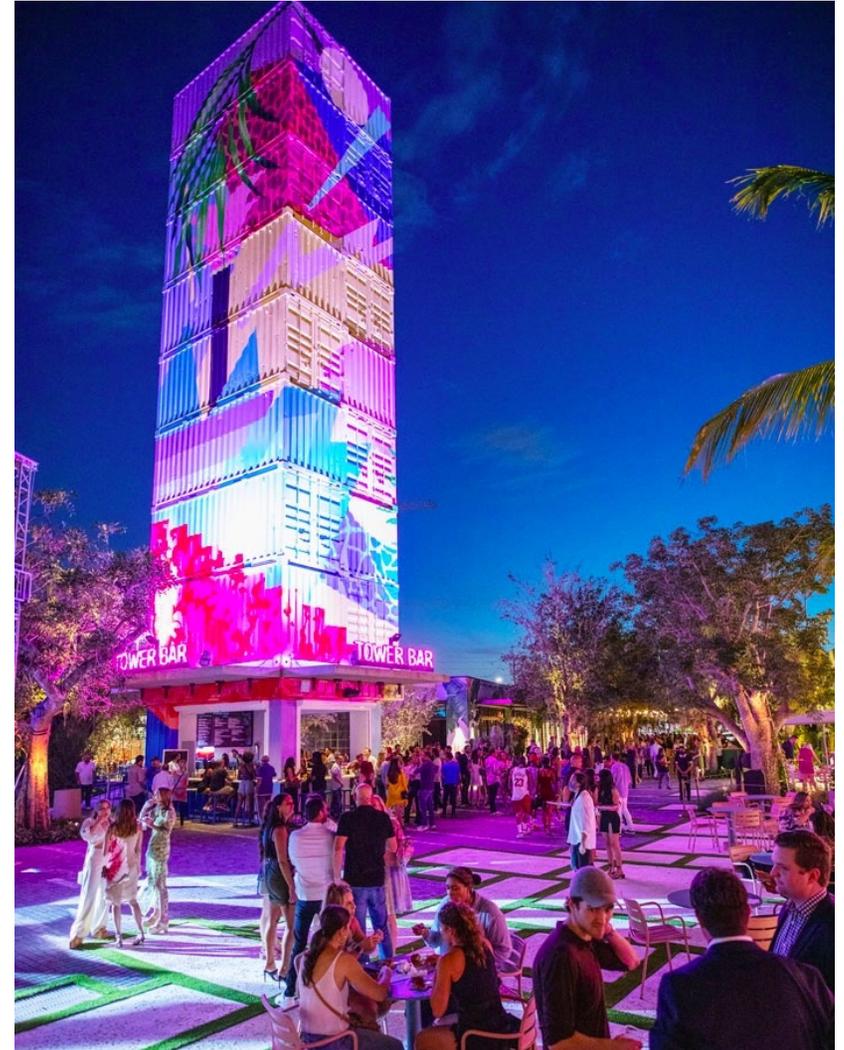
- a. Outdoor Dining is permitted, By Right, subject to meeting all the following conditions:
  1. The property requesting the Outdoor Dining is located within the Downtown Development Authority ("DDA") boundaries, as defined in Section 14-27 of the City Code.
  2. The property requesting the Outdoor Dining does not abut T3-R, T3-L, T3-O, T4-R, T5-R, or T6-R parcels pursuant to the Miami 21 Zoning Atlas;
  3. The Outdoor Dining is located on a property of no less than five thousand (5,000) square feet of lot area;
  4. The Outdoor Dining is located wholly within the private property;
  5. If the Outdoor Dining area is located between the Building and Frontage Line, a minimum five-foot wide clear pedestrian path must be maintained at all times.
  6. The Outdoor Dining does not contain seating in an amount greater than 50% of the overall establishment's seating capacity.
  7. The Outdoor Dining is not located on a Roof Terrace or above the first retail floor level.
- b. Outdoor Dining may be permitted by process of Warrant in the event that one (1) or more of the By Right conditions above are not met.



# PROPOSED CHANGES....

## General Standards

1. All Outdoor Dining shall conform to the following general standards:
  - a. Outdoor Dining may be allowed on private property within open space, or partially open space, including Plazas, Courtyards, Pedestrian Passages, and Roof Terraces, only when associated with a Food Service or Alcohol Service Establishment, as provided for in this Section.
  - b. All non-fixed tables, seating, furnishings, and other such associated material shall be completely removed within twenty-four (24) hours when applicable official public safety notice has been issued to do so.
  - c. Outdoor Dining areas containing seating in an amount greater than fifty percent (50%) of the overall establishment's seating capacity shall:
    - i. Be counted toward Floor Area; and
    - ii. Require parking per this Code, except within established Parking Trust Fund areas where the parking may be provided by payment per Chapter 35 of the City Code. Parking shall be calculated based on the total area occupied by the Outdoor Dining and according to the Miami 21 Code or applicable section of the City Code.
  - d. Outdoor Dining is subject to all other provisions of City ordinances, including but not limited to noise regulations per Chapter 36, alcohol regulations per Chapter 4, and Certificate of Use regulations per Chapter 2 of the City Code, as amended.



Class II Permits (Midtown)

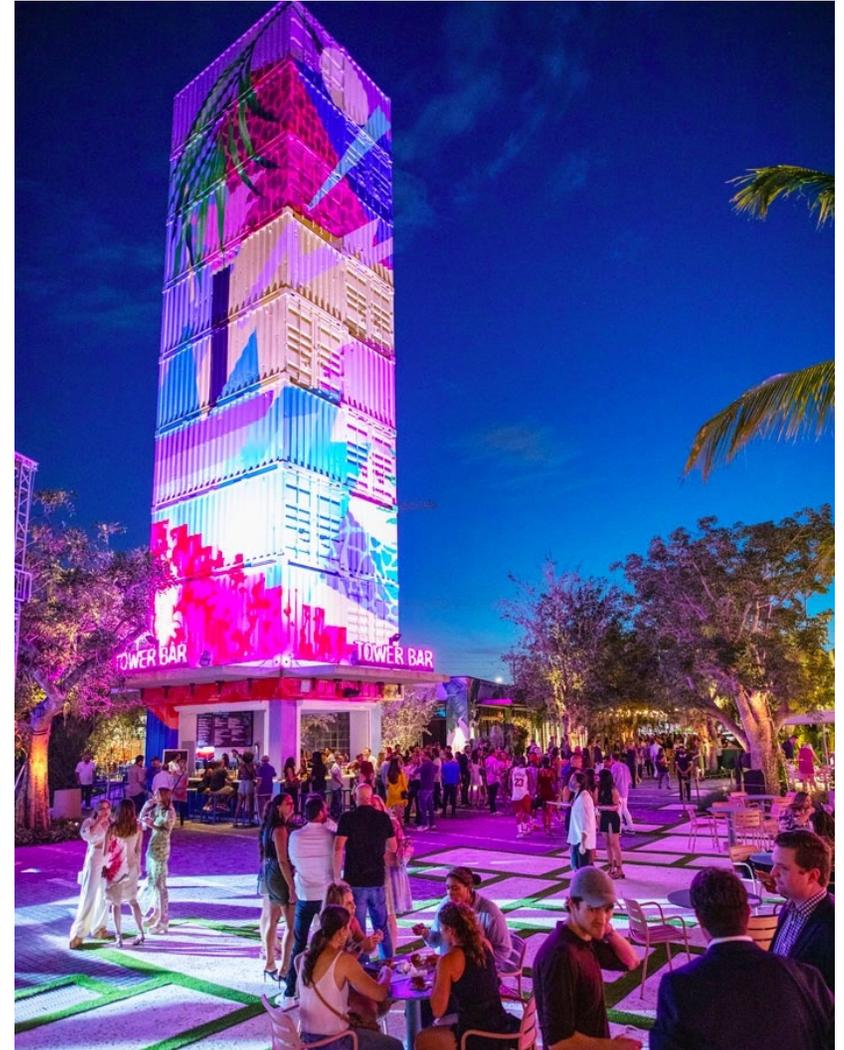


# PROPOSED CHANGES....

- e. Outdoor Dining that is located between the Building and Frontage Line, shall maintain a minimum six-foot wide clear pedestrian path at all times measured from the back of curb.
- f. All Outdoor Dining in the Miami Modern / Biscayne Boulevard Historic District requires a Warrant.
- g. Not have perimeter structures (fences, railings, planters, etc) that restrict pedestrian circulation or discourage the public use of the arcade.
- h. Locate all kitchen equipment within the primary restaurant.

## Additional regulations:

1. Prior to operating Outdoor Dining the following additional regulations shall be adhered to:
  - a. Obtain a Building permit, a Certificate of Occupancy, and a Certificate of Use reflecting the Outdoor Dining Use.
  - b. Approval of Outdoor Dining is subject to accessibility and life safety standards reviewed at time of Building permit.
  - c. Any Outdoor Dining located in the Public Right-of-Way shall require a Sidewalk Café permit per Chapter 54 of the City Code.



Class II Permits (Midtown)



# PROPOSED CHANGES FOR BY RIGHT APPROVAL....

Process:

1. Outdoor Dining shall be by Right when the following criteria are met:

Scale of Outdoor Dining	By Right Criteria
<p>a. <u>Small (20 or fewer seats):</u></p>	<ol style="list-style-type: none"> <li>1. <u>Greater than 150 feet from the T3, T4-R, T5-R, and T6-R parcels, except when located within the Downtown Development Authority ("DDA") boundary, Special Districts and/or Entertainment Districts (as described in Chapter 4, Sections 4-5 and 4-6 of the City Code of Ordinances).</u></li> <li>2. <u>Located on the Ground Level.</u></li> <li>3. <u>Wholly contained within the first and/or second layer.</u></li> </ol>

<p>b. <u>Large (Greater than 20 seats)</u></p>	<ol style="list-style-type: none"> <li>1. <u>Located within a TOD, Transit Corridor, the Downtown Development Authority ("DDA") boundary, and/or Special Districts and Entertainment Districts (as described in Chapter 4, Sections 4-5 and 4-6 of the City Code of Ordinances).</u></li> <li>2. <u>Greater than 250 feet from the T3, T4-R, T5-R, and T6-R parcels, except when located within Special Districts and Entertainment Districts.</u></li> <li>3. <u>Located on the Ground Floor</u></li> <li>4. <u>Wholly contained within the first and/or second layer.</u></li> </ol>
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# WRAPPING UP & REFLECTION— KEY TAKEAWAYS

## 💡 Reflection Questions

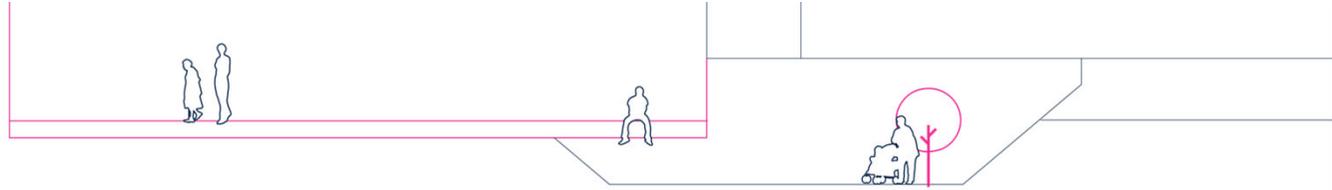
1. Which amendment idea do you think would have the most significant positive impact on clarity or efficiency?
2. What part of the current process seems most outdated or unnecessary after our review?
3. Did today's conversation change how you interpret when an Outdoor Dining Warrant review should apply?
4. Who should be involved in the next step (e.g., legal, stakeholder meetings, zoning)?



## NEXT STEPS

- Document today's top recommendations.
- Continue to Finalize Draft Amendment.
- PZAB January 21, 2026.





# THANK YOU

/ PLANNING DEPARTMENT

