July 2009

Modifications, Revisions, and Clarifications

Modifications, revisions, and clarifications will be presented for discussion during the meeting of August 6, 2009. The majority of the items are nonsubstantive, technical and clerical in nature. Additional items are the result of Commissioners' directives from additional community input since the Planning Advisory; the balance reflect recommendations by the Planning Advisory Board

Below is a list of changes that will be presented:

Technical changes

1. Modified definition of General Commercial to clarify intent (i.e. storage facilities and pawn shops). Article 1.
2. Expanded definition of "Marine Related Industrial Establishment" as recommended by the Miami River Commission. Article 1
3. Revision of technical aviation language in Article 3 as required by Miami-Dade Aviation Department. Article 3, Section 3.5.4
4. Successional zoning for D1 to be able to move from light industrial to heavy industrial, D2. Article 7.
5. Include language in CI for parking requirements for sports facilities (recent amendment approved by the City Commission under Zoning Ordinance 11000). Article 6, Table 13
6. Setback designation diagram in Article 4, Table 8 to correct a typo which clarifies that a corner lot has two sides and two fronts.
7. Update of Neighborhood Conservation Districts (NCD) to maintain consistency with existing language previously approved by the City Commission
8. Revision of language in CI-HD to address accessory uses related to the university, hospital, research facility or governmentally owned facilities. Article 5, Section 5.8.3.b
9. Clarification of the intent of language that establishes liner requirements. Article 5, Section 5.6.4
10. Addition of text in public benefits section to reflect bonus as per Illustration 5.9. Article 3, Section 3.14
11. Clarification of T5-L and T6-L Supplemental Regulations to specify intent of commercial and office uses in the Limited category. Article 6, Table 13
12. Reduced parking requirements for Office category in T6-24 and above to reflect current conditions in the Urban Core categories. Article 4, Table 4 (T6)
13. Inclusion of "de novo" language in Exception regulations for consistency in process. Article 7

July 2009

Commissioners' directives arising from additional community input after PAB meeting of January 7, 2009

1. Proposed new regulation to protect viewshed of national historic places. Article 3, Section 3.5.5
2. Mapping changes to the following areas:
    a. NE 79th Street between Biscayne Boulevard and Biscayne Bay from T6-8-O to T5-O
    b. Area east of the Omni, Miami Woman's Club from T6-80 to T6-36
    c. Area North of I-395, South of 16th Street, and East of Miami Avenue from T6-8-O to T6-24-O
    d. North side of SW 26th Road and Brickell Avenue from T6-8-O to T5-L
    e. Virginia Key at North Point from T6-8 to CS (also a PAB recommendation)
    f. Area across from the Frankie Rolle Center on 37th Avenue and Day Avenue from T3-O to T4-O
    g. NW 37th Avenue & NW 36th Court at Flagler Street. T6-8 O designation to the rear of the properties facing NW 37th Avenue and modifying designation along NW 36th Court from T3-O to T4-L

Legal

1. Revision of uses in the Civic category to conform to legal standards as per the Federal Religious Land Use and Institutionalized Persons Act of 2000 (RLUIPA). Article 4, Table 3
2. Removal of "Failure to give notice" language for waivers, warrants, exceptions, variances, and code amendments (this is an existing Zoning Ordinance 11000 requirement). Article 7
3. Wireless regulations revisions to meet Florida State Statutes. Article 6

Planning Advisory Board

1. Per Resolution 08-044 of the PAB, an increase of residential development to nine dwelling units per acre in D1.
2. Request to refine language addressing nonconformities. Article 7, Section 7.2

MIAMI 21 CODE

2009

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PREAMBLE

HOW TO USE THE MIAMI 21 CODE

The following information explains how the Miami 21 Code ("Miami 21 Code" or "the Code") is organized and may best be used. This "how to" information is advisory only, and is not part of the Code adopted by the City Commission.

Organization

The Miami 21 Code establishes standards and procedures for new development or redevelopment in the City. It also adopts the Miami 21 Atlas, which acts as the official Zoning Atlas of the City and is filed in the City Clerk's office. The Miami 21 Atlas designates a Transect Zone for all lands within the City.

The Code is organized such that the parts interrelate and often must be reviewed together. The list of Articles and sections in the Table of Contents shows the main topics and overall organization of the Code.

Article 1. Definitions of Terms and Uses defines key terms in the Code in three sections: definitions of building function uses, definitions of terms and definitions of signs.

Article 2. General Provisions contains information on the legal framework of the Code, including its intent and purpose and the Miami 21 Transect principles for settlement patterns that guide the Code. It also contains information on the applicability of the Code which specifies rules of construction, calculations, and Transect Zone boundaries.

Article 3. General to Zones introduces the Transect Zones as the structure for requirements related to Density and Intensity, provides guidance for phasing, Lots and Frontages, Density Calculations, Height, off-street Parking and Loading, Sustainability, public Thoroughfares and Frontages, Special Area Plans, Historic Preservation, Waterfront Standards and the Public Benefits Program.

Article 4. Standards & Tables illustrates the components of the Code such as Intensity and parking requirements per Transect Zone. *Article 4* Table 3 sets out the Uses allowed in the various Transect Zones, and the type of permit required for the Use, whether administrative (Warrant) or by public hearing (Exception). It also includes corresponding definitions, as well as descriptions of different Frontage types and Civic Space types by Transect Zone.

Article 5. Specific to Zones establishes the Transect Zones and the regulations that apply within each Transect Zone. Uses and development standards for each Transect are specified including Building Disposition, Building Configuration, Building Function and Density, parking and architectural, landscape and ambient standards. Diagrams and tables accompany the text in this Article.

Article 6. Supplemental Regulations sets forth regulations that apply to specific Uses in addition to the general regulations and Transect regulations set forth in other Articles. These uses include, for example, Piers, docks, and boats; Home Office; Ancillary Units, Community

Residences; Adult Daycare; Child Daycare; Auto-Related Uses; helicopter landing sites; Open Air Retail; and Adult Entertainment . Sign standards are also included here.

Article 7. Procedures and Nonconformities sets out the rules for applying the Code and addressing conflicts. This Article contains the regulations for the further development of Nonconforming Uses and structures – those existing Uses and structures that upon passage of the Code will not conform to the new regulations. It details the zoning processes by which Development and redevelopment will be permitted by the City, including administrative permits and permits requiring public hearings. It also establishes general criteria by which administrative permits and public hearing permits will be reviewed.

Article 8. Thoroughfares sets forth guidelines and definitions for public Thoroughfares, as well as a catalogue of Thoroughfares appropriate to various Transect Zones.

Instructions for Navigating the Articles

To determine the regulations of the Code applicable to a site, one must consult both the Miami 21 Code and the Miami 21 Atlas. The Miami 21 Atlas designates the Transect Zones for all properties in the City. The Miami 21 Code sets forth the standards for each Transect Zone.

The first step is to refer to the Miami 21 Atlas to find the location of the site. The Atlas will show the Transect Zone that is applied to the site. The Atlas can be found in the office of the City Clerk and the Planning Department.

The second step is to refer to the Miami 21 Code for the relevant regulations associated with the Transect Zone for the site. Begin by referring to the general Transect Zone regulations set forth in Article 3. Next, use Article 4 to determine the building function uses and other requirements allowed by each Transect and determine whether the application is allowed By Right, by administrative review or by public hearing process. Article 5 will then determine the Building Disposition and Configuration of Structures on the property in each particular Transect Zone, as well as other standards such as architectural and environmental standards. Finally, consult the Supplemental Regulations in Article 6 for additional requirements which may be applicable to certain Uses.

Determining which Procedures Apply

In order to build or redevelop property, a City zoning approval is required. Article 7, Section 7.1, describes the various types of permits that may apply to the application and the process that will be required in order to obtain the particular permit. Consult the subsections in this Article that describe how an application is initiated, how an application is processed, the criteria for review, and what other parts of the Code apply.

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1.1 Definitions of Building Function: Uses

1.2 Definitions of Terms

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1.1 DEFINITIONS OF BUILDING FUNCTION: USES (Article 4, Table 3)

a. RESIDENTIAL

This category is intended to encompass land use functions predominantly of permanent housing.

Single-Family Residence: Detached Building used as permanent residence by a single housekeeping unit. The term is general, applying to all detached house types. Also known as Principal Dwelling Unit.

Community Residence: A "resident", for the purpose of a Community Residence, may include any persons as defined in the following statutes**:**

- A disabled adult or frail elder as defined in section 429.65 (8) and (9), Florida Statutes
- A physically disabled or handicapped person as defined in section 760.22(7), Florida Statutes
- A developmentally disabled person as defined in section 393.063(9), Florida Statutes
- A non-dangerous mentally ill person as defined in section 394.455(18), Florida Statutes; or
- A child as defined in section 39.01(12), Florida Statutes

(a) A Dwelling Unit of six or fewer residents that meet the definition in section 419.001, Florida Statutes for a "community residential home" of such size; or
(b) A Dwelling Unit licensed to serve clients of the State Department of Children and Families, which provides a living environment for seven to fourteen unrelated residents who operate as the functional equivalent of family, including such supervision and care by supportive staff as may be necessary to meet the physical, emotional and social needs of the residents, as defined in section 419.001, Florida Statutes; or
(c) An adult family-care home as defined in section 429.65, Florida Statutes, which provides a full-time, family-type living arrangement, in a private home, under which a person who owns or rents the home provides room, board, and personal care on a 24-hour basis, for no more than five disabled adults or frail elders who are not relatives.

See Article 6.

Ancillary Unit: A Dwelling Unit sharing ownership and utility connections with a Principal Building and contained on the same Lot. An Ancillary Unit may be attached by a Backbuilding or detached from the Principal Building, and unit shall not count towards maximum Density calculations. Also known as an Accessory Unit or Ancillary Dwelling Unit.

Two Family-Housing: Two (2) Dwelling Units sharing a detached Building, each Dwelling Unit of which provides a residence for a single housekeeping unit. Also known as a duplex.

Multi-Family Housing: A Building or portion thereof, containing three or more Dwelling Units where each unit has direct access to the outside or to a common hall. A multifamily Structure where Dwelling Units are available for lease or rent for less than one month shall be considered Lodging.

Dormitory: A Building used principally for sleeping accommodations for students or staff related to an educational institution or place of employment.

Home Office: A space within a Dwelling Unit devoted to a non-retail business activity belonging to the resident thereof that is clearly secondary in Use to the residence, that does not alter the exterior of the property or affect the residential character of the Neighborhood, and that meets all legal requirements of the business. See Article 6.

Live-Work: A Dwelling Unit that contains a commercial or office component which is limited to a maximum fifty percent (50%) of the Dwelling Unit area. See Article 6.

Work-Live: A mixed-Use unit that contains a commercial, office or light industrial component and one Dwelling Unit per Lot of record. The work component exceeds fifty percent (50%) of the Dwelling Unit area. See Article 6.

b. LODGING

This category is intended to encompass land Use functions predominantly of sleeping accommodations occupied on a rental basis for limited periods of time. These are measured in terms of lodging units**:** a lodging unit is a furnished room of a minimum two hundred (200) square feet that includes sanitary facilities, and that may include limited kitchen facilities.

Bed & Breakfast: A group of lodging units not to exceed ten (10) units that may provide services for dining, meeting and recreation.

Inn: A group of lodging units not to exceed twenty-five (25) units that may provide services for dining, meeting and recreation.

Hotel: A group of lodging units exceeding twenty-five (25) units that may provide services for dining, meeting and recreation.

c. OFFICE

This category is intended to encompass land Use functions predominantly related to business, professions, service or government.

Office: A Building or portion thereof used for conducting a business, profession, service, or government. Such facilities may include, but are not limited to, offices of attorneys, engineers, architects, physicians, dentists, accountants, financial institutions, real estate companies, insurance companies, financial planners, or corporate offices, and exclude manufacturing activities.

d. COMMERCIAL

This category is intended to encompass land Use functions of retail, service, entertainment or recreational establishments and supporting office.

Auto-Related Commercial Establishment: A place of business serving auto-related needs including, but not limited to**:** car rental, car wash, gas station, mechanic offering minor repairs, retail sales such as auto parts, tire store, indoor car sales. Uses not included**:** major mechanical work; body work; painting; steam cleaning; welding; outdoor car sales; storage of automobiles not in operating condition; commercial parking Lot or commercial garage; or any work involving undue noise, glare, fumes or smoke, all of which are considered auto-related industrial activities. See Article 6.

Entertainment Establishment: A place of business serving the amusement and recreational needs of the community. Such facilities may include, but not limited to**:** cinemas, billiard parlors, teen clubs, dance halls, or video arcades. Uses not included: Entertainment Establishment, adult.

Entertainment Establishment, Adult: A place of business that sells, rents, leases, trades, barters, operates on commission or fee, purveys, displays, or offers only to or for adults products, goods of any nature, images, reproductions, activities, opportunities for experiences or encounters, moving or still pictures, entertainment, or amusement distinguished by purpose and emphasis on matters depicting, describing, or relating by any means of communication from one (1) person to another to "specified sexual activities" or "specified anatomical areas" as herein defined. An adult entertainment or adult service establishment is not open to the public generally but only to one (1) or more classes of the public, excluding any person under eighteen (18) years of age. It is the intent of this definition that determination as to whether or not a specific establishment or activity falls within the context of regulation in this Code shall be based upon the activity therein conducted or proposed to be conducted as set out above and in these regulations shall not depend upon the name or title of the establishment used or proposed. Thus, the terms "adult bookstore," "adult massage parlor," "adult motion picture theater," "adult private dancing," and "adult escort service" are encompassed within this definition of "adult entertainment or services," but the term "adult entertainment or adult services" is not to be deemed limited by the enunciation of specific activities listed before. See Article 6.

Food Service Establishment: A place of business dedicated to the preparation and sale of food and beverage for immediate consumption on or off site.

Alcohol Service Establishment: A place of business selling alcoholic beverages for consumption on the premises, and where the sale of food may be incidental to the sale of such beverages. This includes any establishment in receipt of a valid alcoholic beverage license from the state which permits the sale for consumption on the premises of alcoholic beverages as a Use. Alcohol beverage service establishments may include, but are not limited to**:** bars, taverns, cocktail lounges, nightclubs or supper clubs.

General Commercial: A place of business providing the sale and display of goods or sale of services directly to the consumer, with goods available for immediate purchase and removal from the premises by the purchaser. General commercial services include, but are not limited to, barber shops; beauty salons; travel agencies; fortune tellers; retail dry cleaning; express

delivery service; health spas and fitness studios; photo studios; Funeral Homes; Animal Clinics; repair service establishments, excluding Auto-Related or Marine-Related establishments; Commercial Storage ~~Facilt~~Facilities~~y~~, Employment Office; and the like. Commercial services exclude: Auto-R~~r~~elated or M~~m~~arine-R~~r~~elated E~~e~~stablishments; Commercial Storage Facilities, Pawn Shops, and the like. ~~General commercial goods include, but are not limited to, clothing, food, furniture, pharmaceuticals, books, art objects and the like.~~

Marine-Related Commercial Establishment: A place of business serving marine-related needs including but not limited to**:** boat repairs, boat storage, boat servicing, boat rentals; or a place of business provides marine-related retail including but not limited to**:** bait and tackle stores, boat sales, and marine supplies stores. Uses not included are all work on vessels which exceed eight (8) feet in width; all vessel paint and body work; and major engine work or overhaul, all of which are considered marine-related industrial activities.

Open Air Retail: A retail sales establishment operated substantially in the open air including, but not limited to**:** farmers market, Flea Markets, and the like. Uses not included are**:** car sales, equipment sales, boats sales, and home and garden supplies and equipment. See Article 6.

Place of Assembly: A commercial facility for public assembly including, but not limited to**:** arenas, auditoriums, conference facilities, convention centers, exhibition halls, major sports facilities, theaters and performing arts centers, and the like.

Recreational Establishment: A place of business providing group leisure activities, often requiring equipment and open to the public with or without entry or activity fees. This may include, but is not limited to**:** game courts, skating rinks, bowling alleys, commercial golf facility, gyms or sports rooms.

e. CIVIC

This category is intended to encompass land Use functions predominantly of community-oriented purposes or objectives including those of not-for-profit organizations dedicated to arts and culture, education, recreation, religion, government, and the like.

Community Facility: A non-commercial facility established primarily for the benefit and service of the general public of the community in which it is located. Such facilities include, but are not limited to**:** community centers; City of Miami NET offices; and cultural facilities, such as libraries and museums.

Recreational Facility: A non-commercial facility, primarily an open space, serving the recreation needs of the general public. This may include but is not limited to**:** golf courses, parks, camping facilities, playfields and playgrounds.

Religious Facility: A facility used for regular organized religious worship and related activities.

f. CIVIL SUPPORT

This category is intended to encompass land uses predominantly supportive of other urban Uses and functions.

Community Support Facility: A facility providing basic services, for the benefit and service of the population of the community in which it is located. Such facilities may include but are not limited to**:** police and Fire Stations, Extended Care Facilities, Nursing Homes, convalescent homes, Continuing Care Facility, and Assisted Living Facility or Adult Daycare Center as defined by Chapter 429, Florida Statutes. See Article 6.

Infrastructure and Utilities: A facility or Structure related to the provision of roads, water and sewer lines, electrical, telephone and cable transmission, and all other utilities and communication systems necessary to the functioning of a community. See Article 6.

Major Facility: A large facility of an institutional nature including but not limited to Hospitals, public health and social service facilities, ~~non-educational~~ research facilities, shelters, judicial Buildings, Jails, Detention Facilities, work camps, cemeteries, mausoleums, Ambulance Services, Pharmaceutical Laboratories, or the like.

Marina: A facility for storage, servicing, fueling, berthing, or securing of boats. The Use does not include marine-related industrial activities.

Public Parking: A parking facility available to the general public for parking motor vehicles, including parking lots or garages.

Rescue Mission: A facility providing personal assistance to individuals in need; such assistance to individuals may include temporary shelter, food services provisions, counseling, instruction, medical services, and other incidental services.

Transit Facility: A facility providing accommodations by public, private, or nonprofit entities for the conveyance of persons from one place to another by means of a transportation system, including but not limited to**:** bus terminal, railroad station, freight terminal, airport, helistop or seaport.

g. EDUCATIONAL

This category is intended to encompass land Use functions connected with providing education, training, or care of children and students of all ages.

Childcare: A facility where six (6) or more children are cared for on a part-time basis by day or by night including after-school care. The term does not include community based residential facilities, Family Care Homes, foster homes, group homes, rehabilitation or detention centers, orphanages, or other places operating primarily for remedial care. See Article 6.

College / University: A facility for post-secondary education that grants associate, bachelor, master or doctoral degrees, and may include research functions or professional schools.

Elementary School: A facility offering instruction at the elementary school level.

Learning Center: A facility offering to students training, tutoring or instruction in subjects such as languages, music, fine arts or dance. This may include provision of electronic testing and distance learning.

Middle / High School: A facility offering instruction at the middle or high school level.

Pre-School: A facility offering care and instruction of children who are pre-elementary school age.

Research Facility: A facility for research and development that does not involve the use of human testing, animal husbandry, incinerators, heavy equipment, mass manufacturing, fabrication, processing, or sale of products. Any facility involving human testing, animal husbandry, and the use of incinerators shall be considered a Major Facility.

Special Training / Vocational: A facility offering instruction or training in trades or occupations such as secretarial, paralegal, business, beauty, barber, bartender, acupuncture, massage, design, fine arts, music and dance or other similar vocations. This classification excludes training and education in any activity that is not otherwise permitted in the zone.

h. INDUSTRIAL

This category is intended to encompass land Use functions connected with a business or activity involving manufacturing, fabrication, assembly, distribution, disposal, warehousing or bulk storage, trucking and equipment facilities, and other business serving primarily industrial needs. Residential Uses are not permitted except for live-aboard in commercial marinas, and limited work-live Uses.

Auto-Related Industrial Establishment: A facility conducting activities associated with the repair or maintenance of motor vehicles, trailers, and similar large mechanical equipment; paint and body work; major overhaul of engine or engine parts; vehicle impound or wrecking yard; outdoor vehicle sales, storage or repair; and government vehicle maintenance facilities. This includes auto related Uses not otherwise allowed within the commercial auto related establishment category.

Manufacturing and Processing: A facility primarily engaged in the manufacturing, processing, repair or assembly of goods. Premises may include retail or wholesale sales.

Marine-Related Industrial Establishment: A facility conducting activities associated with the construction, repair, and operation, storage, loading and unloading of boats, and other activities the primary purpose of which is to facilitate the maritime industry. All work on vessels which exceed eight (8) feet in width; all vessel paint and body work; and major engine work or overhaul, shall all be considered marine-related industrial activity including but not limited to shipping, boatyards, marinas commercial fishing, container yards and tug boat basins.

Products and Services: A public or private facility providing industrial and other services to individuals or businesses. This includes but is not limited to Laundry / Dry Cleaning Plants;

metal, machine or welding shops. This also includes special services such as Pawn Shops, Pharmaceutical Laboratories, Animal Kennels, Government Maintenance Facilities, Hiring Halls / Labor Pools, and Solid Waste Facilities. See Article 6.

Storage and Distribution: A facility providing long-term or short-term storage, selling or distribution of merchandise. This includes but is not limited to**:** container yards; crating, packing and shipping service; heavy equipment sales, service and storage; storage, warehousing or distribution establishments; Public Storage Facilities or Commercial Storage Facilities; or outdoor storage of building materials. See Article 6.

1.2 DEFINITIONS OF TERMS

This section provides definitions for terms in this Code that are technical in nature or that might not be otherwise reflect a common usage of the word. If a term is not defined in this Article, then the Zoning Administrator shall determine the correct definition of the term.

Abutting: To reach or touch; to touch at the end or be contiguous with; join at a border or boundary; terminate on. Abutting properties include properties across a street or alley.

Accessory Unit: See Ancillary Unit, in Section 1.1, Residential Use

Accessory Structure: An Accessory Structure is a Structure customarily incidental and subordinate to the Principal Structure and, unless otherwise specifically provided, located on the same premises. "On the same premises" shall be construed as meaning on the same Lot or on a contiguous Lot in the same ownership. Where a Building is attached to the Principal Building, it shall be considered part thereof, and not an Accessory Structure.

Adaptive Use: Rehabilitation or renovation of existing Building(s) for any Use(s) other than the present Use.

Adult: An adult is a person eighteen (18) years of age or older.

Adult Daycare: A facility which provides limited supervision and basic services on a part-time basis by day or evening, but not overnight, to three (3) or more adults other than the family/employee occupying the premises. The term does not include community residential homes, nursing home facilities or institutions for the aged. See Section 1.1 (Civil Support, Community Support Facility) and Article 6.

Affordable / Workforce Housing: As established by the City's Community Development Department. See Article 3, Section 3.14

Albedo: The ratio of light reflected by a surface.

Alcohol Service Establishment: See Section 1.1, Commercial Use.

Allée: A regularly spaced and aligned row of trees usually planted along a Thoroughfare or Pedestrian Passage.

Alley: A Thoroughfare (not officially designated as a street) designated by a recorded plat, deed, or legal instrument, to be a secondary means of vehicular access to the rear or side of properties otherwise Abutting a street; an Alley may connect to a vehicular driveway located to the rear of Lots providing access to outbuildings, service areas and parking, and containing utility Easements.

Alterations, Structural: Structural alterations are any change, removal, replacement, reinforcement or addition of beams, ceiling and floor joists, reinforced concrete floor slabs (except those on fill), load bearing partitions, columns, exterior walls, stairways, roofs, corridors or other structural materials used in a Building that support the said beams, ceiling and floor joists, load bearing partitions, columns, exterior walls, stairways, roofs, or structural materials

used in the Building or Structure. The term is applicable to any Building or Structure or any part thereof, whether or not permanent or temporary shoring is used during construction and whether or not additions to or rebuilding of the major portion of an existing building are being accomplished.

Ambulance Service: A facility which provides emergency medical transportation or paramedical emergency or trauma care en route to an extended care or medical facility. See Section 1.1 (Civil Support, Major Facility).

Animal Clinic: A facility which provides medical and surgical care for animals and does not include boarding facilities for healthy animals, but may allow overnight boarding for sick animals, in a completely enclosed building. See Section 1.1 (Commercial, General Commercial).

Animal Kennel: A facility which provides boarding services for eight (8) or more animals. See Section 1.1 (Industrial, Products and Services).

Antennas, miscellaneous: Any roof-mounted Structure intended for the transmission or reception of radar, radio, television, or telephone communications, excluding traditional single-family residential television antennas, amateur radio antennas, satellite earth stations and microwave antennas.

Arcade: A covered pedestrian way within a building or along the side of a Building at the first floor, which may provide access to shops along one (1) or more sides. See Article 4, Table 6.

Architectural Features: Prominent or significant parts or elements of a Building or Structure.

Architectural Style: The characteristic form and detail of Buildings from a particular historical period or school of architecture.

Atlas, Miami 21: The atlas adopted under the Miami 21 Code.

Atrium: An indoor, roofed space whose height exceeds one Story and which does not contain a Function or Use and is utilized primarily as a circulation or informal gathering space serving all occupants of the Building.

Auto-Related Commercial Establishment: See Section 1.1. Commercial Use

Auto-Related Industrial Establishment: See Section 1.1, Industrial Use

Average Sidewalk Elevation: The average of the record profile grade elevation of each of the streets Abutting a development, as determined and on file with the City of Miami Public Works Department.

Awning: A movable roof-like Structure, cantilevered or otherwise entirely supported from a Building, used to shade or screen windows or doors.

Backbuilding: A single-story Structure with a maximum width of twelve (12) feet connecting a Principal Building to an Outbuilding. See Article 4, Table 8, Diagram C.

Balcony: An unenclosed habitable Structure cantilevered from a Facade or Building Elevation.

Base Building Line: The officially mapped street lines. Lines so established may fall within the boundaries of Lots and shall be used instead of the Lot lines adjacent to the streets in determining the Layers and Setbacks.

Bed and Breakfast: See Section 1.1, Lodging Use

Bicycle Lane: A lane dedicated for bicycle use demarcated by striping or otherwise separated from vehicle lanes.

Bicycle Rack Space: Parking space for any two wheel alternative mode of transportation including: bicycle, scooter, motorcycle, Segway®, etc.

Bicycle Route: A Thoroughfare designated for shared use of bicycles and automobiles.

Block: The aggregate of private Lots, passages, rear lanes and Alleys, the perimeter of which abuts Thoroughfares.

Block Face: The aggregate of all the Building Facades on one side of a block. The Block Face provides the context for establishing architectural harmony.

Botanical Garden: A garden of collected growing plants established for the benefit of the Public to serve as an educational, recreational or scientific center.

Bonus Capacity: The additional Building Capacity awarded for participation in the Public Benefits Program, as defined in Article 3. Section 3.14

Brownfield: An area having been used primarily as an industrial or commercial site with perceived or actual presence of environmentally hazardous substance.

Buffer: An area of land, including landscaping, berms, walls, Fences, and Building Setbacks, which is located between land Uses of different characters and is intended to mitigate negative impacts of the one intense Use on a residential or vacant parcel.

Buildable Area: The portion of a Lot remaining after required Setbacks have been provided. Buildings may be placed in any part of the Buildable area, but limitations on percent of the Lot which may be covered by Buildings may require Open Space within the buildable area.

Building: Any Structure having a solid roof intended for shelter or enclosing of persons, animals, chattels, property, equipment or a process of any kind or nature, excluding freestanding tents, freestanding awnings, and cabanas and screened enclosures.

Building Capacity: See Floor Area.

Building Code: The State of Florida Building Code.

Building Configuration: The form of a Building, based on its massing, Private Frontage, and Height.

Building Disposition: The placement of a Building on its Lot.

Building Function: The Uses accommodated by a Building and its Lot. Functions are categorized as Restricted, Limited, or Open, according to the Intensity of the Use.

Building Height: The vertical extent of a Building measured in Stories.

Building Permit: The permit required for new construction and additions pursuant to the City Code.

Build-to line: A line established within a given Lot indicating where the outer edge of a Structure must be located.

By Right: A use allowed pursuant to zoning review and approval of a Building Permit or issuance of a Certificate of Use under Article 7, Section 7.1.2.1. Permitted Uses.

Canopy: A fixed-roofed Structure which provides shade or protection and is in whole or in part self-supporting with open sides.

Capacity: See Floor Area.

Car Shelter: A Structure made of canvas, aluminum, or similar materials, or any combination thereof, on movable framing for the shade and shelter of one (1) or two (2) private passenger vehicles.

Carport: A portion of a Principal residential Building or a Building accessory to a residential Use designed to be used for shelter of motor vehicles, unenclosed at the vehicular entry side and for an area at least equal to twenty percent (20%) of the area of the outer surface of walls, which might otherwise be constructed along its entire remaining perimeter. Where enclosure exceeds this amount, the shelter shall be construed to be a garage.

Certificate of Occupancy: As defined by the Florida Building Code.

Certificate of Use: An official City document verifying that a particular Use is in compliance with applicable sections of this Miami 21 Code pursuant to the requirements of Article IV, Section 2-207 of the City Code and Section 7.1.2.1 of this Code.

City: The City of Miami, Florida.

City Code: The Code of Ordinances of the City of Miami.

City Commission: The City Commission of the City of Miami.

Civic: Uses held in private or public ownership but functioning for community purposes such as religious, cultural, environmental, or educational uses. See Section 1.1.

Civic Building: A Building designed specifically for a Civic Function.

Civic Institution (CI): A zone with uses primarily dedicated to Functioning for community purposes such as, cultural, educational, environmental, governmental, public transit, public parking and religious facilities. See Section 1.1.

Civic Space (CS): A zone with mainly outdoor area dedicated for functioning for community purposes.

Civic Space Types: Open Space defined by the combination of certain physical constants including the relationship between their intended Use, their size, their landscaping and their enfronting Buildings. See Article 4, Table 7.

Civic Zone: See Article 4, Table 1

Civil Support Uses: See Section 1.1

Code: The Miami 21 Code. May also be referred to herein as this Code.

College / University: See Section 1.1, Education Use

Commercial Storage Facility: A facility providing for the storage of office furnishings, archive records and general personal property of businesses, agencies and professionals. Such personal property is limited to furniture and other household goods and retail merchandise to be sold at nearby establishments. Storage of heavy equipment or any property that may be deemed hazardous, such as property which is inflammable, combustible, explosive or dangerous is prohibited. See Section 1.1 (Commercial, Storage and Distribution).

Commercial Vehicle: A Commercial Vehicle is any vehicle designed, intended or used for transportation of people, goods, or things, not including private passenger vehicles and trailers for private nonprofit transport of goods or boats.

Common Lawn: See Article 4, Table 7.

Community Facility: See Section 1.1, Civic Use.

Community Garden: A grouping of garden plots available for small-scale cultivation, generally to residents of apartments and other dwelling types without private gardens. Community gardens should accommodate individual storage sheds.

Community Residence: See Section 1.1, Residential Use.

Community Support Facility: See Section 1.1, Civil Support Use.

Comprehensive Plan: The Miami Comprehensive Neighborhood Plan.

Configuration: The form of a building based on its massing, Private Frontage and Height.

Construction, Actual: The placing of construction materials in a permanent position and fastened in a permanent manner; except that, where demolition, excavation, or removal of an existing Structure has been substantially begun preparatory to new construction, such

excavation, demolition, or removal shall be deemed to be actual construction, provided that work shall be Continuously carried on without interruption, except for just cause, until the completion of the new construction involved.

Context: Surroundings made up of the particular combination of elements that create specific character in the area.

Continuously: As defined with reference to Actual Construction defined herein, continuously shall mean that work is underway for at least fifty percent (50%) of the working days (Monday through Friday, national holidays excluded) since construction began. See also Construction, Actual.

Corridor: A lineal geographic system incorporating transportation or Greenways.

Courtyard: Open Space, partially defined by walls or Buildings as regulated by this Code. See Article 4, Table 7.

CPTED: Crime Prevention through Environmental Design.

Curb: The edge of the vehicular pavement detailed as a raised concrete or stone element, or flush with a swale.

Density: The number of Dwelling Units within a standard measure of land area, usually given as units per acre.

Design Speed: The velocity at which a Thoroughfare is designed for vehicular use.

Development: Development shall have the meaning given it in section 380.04, Florida Statutes.

Development Capacity: see Floor Area.

Director: Unless otherwise specified, the term "Director" shall mean the Director of the Department of Planning for the City.

Disposition: The placement of a Building on its Lot. See Article 4, Table 8.

District (D): A zone intended to accommodate Uses which because of their specialized performance, Scale or impact should not be incorporated into the Neighborhood structure.

Dock: See Pier

Dormitory: See Section 1.1, Residential Use.

Drive-through / Drive-in Facility: A place of business including drive-through banks or teller windows, drive-through eating and drinking establishments, drive-through windows at liquor or other stores, or at laundry and dry cleaning agencies, car washes, and similar facilities, but excludes automotive service stations. See Article 6.

Driveway: A vehicular lane within a Lot, usually leading to a garage or carport. A Driveway in the First Layer may be used for parking if it is less than the width allowed in the applicable transect, , above which dimension it becomes subject to the constraints of a parking lot.

Dwelling Unit: Residence of a single housekeeping unit**.** See Article 6.

Easement: A legal instrument, in a form approved by the City Attorney and recorded in the county records, that allows access through real property of the conveyor.

Educational Use: See Section 1.1.

Elementary School: See Section 1.1, Educational Use.

Elevation, Building: An exterior wall of a Building not along a Frontage Line (See Facade).

Elevation, Floor: Height of floor level.

Eligible Historic Resource: Archeological sites, individual historic resources, contributing Buildings within a historic district, as qualified under Chapter 23 of the City Code.

Employment Office: A place of business, other than a hiring hall or labor pool, offering individual job recruitment by specification of job qualifications and conduct of individual interviews by placement specialists onsite to meet those job specifications. See Section 1.1 (Commercial, General Commercial).

Encroachment: Building element permissible within required Setback.

Enfront: To place an element along a Frontage Line, as in “Porches enfront the street.”

Entertainment Establishment: See Section 1.1, Commercial Use.

Entertainment Establishment, Adult: See Section 1.1, Commercial Use.

Entrance, Principal: The main point of access of pedestrians into a Building.

Established Setback Area: A defined area wherein the Setbacks provided by the Transect designation are superseded by those originally adopted for a special district under Ordinance 11000, and which continue and are listed in Article 3, Section 3.3.6 of this Miami 21 Code. The boundaries of Established Setback Areas are illustrated on Article 4, Diagram 10.

Extended Care Facility or Nursing Home: An institution which is licensed by the State of Florida to provide health care or medical supervision for twenty-four (24) or more consecutive hours for three (3) or more persons not related to the governing authority by blood, marriage or adoption. See Section 1.1 (Civil Support, Community Support Facility) and Article 6.

Exception: Permit approved pursuant to the requirements of Article 7.

Facade: The exterior wall of a Building that is set along a Frontage Line. (See Elevation, Building).

Family Care Home: A family care home is an occupied residence, registered and licensed by the State of Florida, where five (5) or fewer preschool children from more than one (1) unrelated family receive care on a regular part-time basis by day or by night and which receives a payment, fee, or grant for any of the children receiving care, whether or not operated for profit. See Section 1.1 (Residential, Community Residence) and Article 6.

Fence: A permeable metal or wooden wall, independent of a Building, located along a Frontage line. See Article 4, Table 6.

FEMA: Federal Emergency Management Agency.

Fire Station: A Building housing fire equipment and firefighters. See Section 1.1 (Civil Support, Community Support Facility).

Flea Market: An Open Area or Building used for occasional or periodic sale of goods by individual sellers for limited periods of time. See Section 1.1 (Commercial, Open Air Retail).

Floating Structure: A floating barge-like entity, with or without accommodations built thereon, which is not primarily used as a means of transportation on water, but serves purposes or provides services typically associated with a Structure or other improvement to real property. The term "Floating Structure" includes, but is not limited to, each entity used as a residence, place of business, office, hotel or motel, restaurant or lounge, clubhouse, meeting facility, storage or parking facility, mining platform, dredge, dragline, or similar facility or entity represented as such. Floating Structures, as defined herein, are expressly excluded from the definition of the term "vessel" provided in section 327.02(27), Florida Statutes (1989), and is also excluded from the definition of "private pleasure craft." Incidental movement upon water shall not, in and of itself, preclude an entity from classification as a Floating Structure. A Floating Structure is expressly included as a type of tangible personal property (from section 192.001 (17), Florida Statutes (1989)). See illustration included with Ordinance No. 10932, adopted October 24, 1991.

Floorplate: The total indoor and outdoor Floor Area of any given Story of a Building, measured to the exterior of the wall or balcony.

Floor Area: The floor area within the inside perimeter of the outside walls of the Building including hallways, stairs, closets, thickness of walls, columns and other features, and parking and loading areas, and excluding only interior Atria and open air spaces such as exterior corridors, Porches, balconies and roof areas. Also means Building or Development Capacity.

Floor Lot Ratio (FLR): The multiplier applied to the Lot Area that determines the maximum Floor Area allowed above grade in a given Transect Zone.

Food Service Establishment: See Section 1.1, Commercial Use.

Forecourt: See Article 4, Table 6.

Frontage: The area between a Building Facade and the vehicular lanes of a Thoroughfare or the pavement of a Pedestrian Passage.

Frontage, Principal: That Frontage facing the public space such as a Thoroughfare of higher pedestrian importance (i.e., traffic volume, number of lanes, etc.).

Frontage, Private: The Layer between the Frontage Line and the Principal Building Facade. The Structures and landscaping within the Private Frontage may be held to specific standards regarding the depth of the setback and the combination of architectural elements such as Fences, Stoops, Porches and Galleries.

Frontage, Public: The area between the curb of the vehicular lanes and the Frontage Line. Elements of the Public Frontage include the curb, Sidewalk, planter, street tree, streetlight, street furniture, etc.

Frontage, Secondary: That Frontage facing the public space such as a Thoroughfare that is of lesser pedestrian importance (i.e., traffic volume, number of lanes, etc.).

Frontage Line: Property Line or Base Building Line Abutting a public space, such as a Plaza or Thoroughfare, whether at the front, rear, or side of a Lot. Facades parallel to Frontage Lines define the public realm and are therefore more regulated than the Elevations that coincide with other Lot Lines.

Function: The land Use allowed on property according to this Code.

Funeral Home: A facility licensed by the state and containing suitable storage room for the dead including embalming facilities, and may also provide rooms for the display of the dead or ceremonies connected with burial or cremation. See Section 1.1 (General Commercial).

Gallery: A covered pedestrian area adjoining the side of a Building on any floor, which may provide access along one or more sides. See Article 4, Table 7.

Garden: See Article 4, Table 7.

General Commercial: See Section 1.1, Commercial Use.

General Urban Zone: See Article 4, Table 1.

Government Maintenance Facilities: Building, land, or Structure designed and intended to be used in the routine upkeep and repair of government owned or leased equipment. See Section 1.1 (Civil Support, Products and Services).

Green: See Article 4, Table 7.

Green Corridor: See Greenway.

Green Space: An Open Space outdoors, at grade, unroofed, landscaped and free of impervious surfaces. See Article 4, Table 7.

Greenway: An Open Space Corridor in largely natural condition which may include paths for bicycles and pedestrians.

Habitable Rooms: Rooms designed and used for living, sleeping, eating, cooking, or working or combinations thereof. Bathrooms, toilet compartments, closets, halls, storage rooms, laundry and utility spaces, basement recreation rooms, and similar areas are not considered Habitable Rooms.

Habitable Space: Building space which Use involves human presence with direct view of the enfronting streets or public or private Open Space, excluding Parking Garages, self-service storage facilities, warehouses, and display windows separated from retail activity.

Height: See Building Height.

Hiring Hall / Labor Pool: A place of business providing employment services for laborers. Such services generally involve short term hiring of unskilled manual help, with little or no qualifications required, or the need of individual interviews by placement specialists. See Section 1.1 (Industrial, Products and Services).

Historic Preservation Ordinance: An Ordinance codified in Chapter 23 of the City Code dedicated to the preservation of the City of Miami's Historic Property and historic resources as a significant goal in the City's overall vision for its future.

Historic Property: See Eligible Historic Resource.

Home Occupation: See Home Office.

Home Office: See Section 1.1, Residential Use.

Hospital: An institution having an appropriate license or certificate of need issued by the State of Florida and providing primary health, medical, or surgical care to persons suffering from illness, disease, injury, deformity or abnormal mental conditions; and may include related accessory facilities such as laboratories, outpatient or training facilities. See Section 1.1 (Civil Support, Major Facilities).

Hotel: See Section 1.1, Lodging Use.

House Barge / Houseboat: A Floating Structure used as a residence. A vessel, a private pleasure craft, consisting of a hull and superstructure supported in the water by integral flotation devices, not suitable for rough water, and designed and manufactured to be self-propelled. See Article 6.

Housing for the Elderly: Housing development for residents aged fifty five (55) and over.

Industrial Use: See Section 1.1.

Infill: A development project within existing urban fabric, on a vacant site within a built-up area.

Infrastructure and Utilities: See Section 1.1, Civil Support.

Inn: See Section 1.1, Lodging Use.

Inside Turning Radius: The curved edge of a Thoroughfare at an intersection, measured at the inside edge of the vehicular tracking. The smaller the Turning Radius, the smaller the pedestrian crossing distance and the more slowly the vehicle is forced to make the turn.

Intensity: The magnitude of development measured by Floor Lot Ratio permitted in the Restricted, Limited and Open categories of a Transect Zone.

Jail / Detention Facilities: A Building designated by law or regularly used for the confinement of persons held in lawful custody. See Section 1.1 (Civil Support, Major Facility).

Large Scale Retail: A retail or wholesale business occupying more than 55,000 square feet of Floor Area with a regional market area, including but not limited to retail or wholesale sales, membership warehouse clubs, discount stores and department stores. See Article 6.

Laundry / Dry Cleaning Plant: An establishment providing washing, dry cleaning, dyeing, pressing, or special similar services, not open to or for the direct use of the general public. See Section 1.1 (Industrial, Products and Services).

Layer: A range of depth of a Lot within which certain elements are permitted as regulated in this Code. See Article 4, Table 8, Diagram D.

Layer, First: The area of a Lot comprised of the distance between the Base Building Line and the required Setback including the Private Frontage.

Layer, Second: That portion of the Lot behind the First Layer which includes that portion of the Building which Enfronts the Thoroughfare.

Layer, Third: That portion of the Lot that is not within the First and Second Layer and is least visible from the Thoroughfare.

Learning Center: See Section 1.1, Educational Use.

LEED: Leadership in Energy and Environmental Design.

Light Court: See Article 4, Table 6.

Liner: A Building or part of a Building with Habitable Space specifically designed to enfront a public space, masking a function without capacity to monitor public space, such as a parking lot, Parking Garage or storage facility.

Live-Work: See Section 1.1, Residential Uses

Loading Space: An area in which goods and products are moved on and off a vehicle, including the stall or berth and the apron or maneuvering room incidental thereto.

Lodging Use: See Section 1.1

Lodging Unit: Attached or semidetached living quarters comprised of furnished room(s) of approximately two hundred (200) gross square feet or more in area, including sanitary facilities but with only limited kitchen facilities, if any; not qualifying as a Dwelling Unit or efficiency apartment; occupied by transients on a rental or lease basis for limited periods of time.

Lot: A Lot is any individual Lot, tract or parcel of land, intended as a single Building site or unit, having an assigned number or numbers, letter or letters, or other name through which it may be identified for development purposes. A Lot may also be any combination of Lots, tracts, parcels or other areas of land established by acceptable legal joinder, delineated by a closed boundary and assigned a number, letter or other name through which it may be identified, intended as a single unit for development purposes.

Lot Area: Lot area shall be the area within the Lot Property Lines, excluding any portions of street rights-of-way or other required dedications.

Lot, Conforming: A parcel of land meeting the requirements of this Code as to dimensions (width, depth, or area) and access.

Lot, Corner: A Lot or parcel of land Abutting two (2) or more Thoroughfares at their intersection, or two (2) parts of the same Thoroughfare forming an interior angle of less than one hundred thirty-five (135) degrees.

Lot Coverage: The area of the Lot occupied by all Buildings, excluding Structures such as decks, pools, and trellises.

Lot, Interior: A Lot Abutting only one (1) Thoroughfare.

Lot, Nonconforming: A parcel of land with dimensions or access not meeting minimum requirements of this Code. See Article 7, Section 7.2.1.

Lot, Through: A Lot other than a Corner Lot, and with Frontage on more than one (1) Thoroughfare; Alleys shall not be considered for purposes of this definition.

Lot Line: The boundary that legally and geometrically demarcates a Lot.

Lot Width: The length of the narrowest dimension Frontage Line of a Lot.

Low Income Housing: As established by the City's Community Development Department.

Major Facility: See Section 1.1, Civil Support Use.

Major Recreational Equipment: Vehicles including travel trailers, pickup campers, converted trucks or buses, motorized homes, tent campers, tents, or other short-term housing or shelter arrangements and devices, boats and boat trailers, combinations thereof, and other similar equipment, and trailers, cases, and boxes for transporting recreational equipment, whether occupied by such equipment or not.

Manufacturing and Processing: See Section 1.1, Industrial Use.

Marina: See Section 1.1, Civil Support Use.

Marine-related Industrial Facility: See Section 1.1, Industrial Use.

Marine-related Commercial Establishment: See Section 1.1, Commercial Use.

Market Rate Housing: As established by the City's Community Development Department.

Middle / High-School: See Section 1.1, Educational Use.

Mitigation: Measures taken to eliminate, minimize, or compensate for damages from development activity.

Multi-Family Housing: See Section 1.1, Residential Use.

Natural Features: Physical characteristics of a property that are not man made.

Natural Zone or T1 Zone: See Article 4, Table 1.

Navigable Waterway: The navigable part of a waterway, centrally located with respect to the theoretical axis of the waterway (or the axis of the improved channel of the Miami River) which provides a throughway or access aisle for manned vessels.

Neighborhood: An urbanized area that is primarily Residential. A Neighborhood shall be based upon a partial or entire Standard Pedestrian Shed. The physical center of the Neighborhood should be located at an important traffic intersection associated with a Civic or Commercial use.

Neighborhood Conservation District (NCD): A zoning overlay district. See Section 3.12.

NET: City of Miami's Neighborhood Enhancement Team.

Nonconforming Lot: See Article 7, Section 7.2.1.

Nonconforming Site Improvements: See Article 7, Section 7.2.1.

Nonconforming Structure: See Article 7, Section 7.2.1.

Nonconforming Use: See Article 7, Section 7.2.1.

Nursing Home or Extended Care Facility: An institution which is licensed by the State of Florida to provide health care or medical supervision for twenty-four (24) or more consecutive hours for three (3) or more persons not related to the governing authority by blood, marriage or adoption. See Section 1.1 (Civil Support, Community Support Facility) and Article 6.

Office: See Section 1.1, Office Use.

Office Use: See Section 1.1.

Open Air Retail: See Section 1.1, Commercial Use.

Open Space: Any parcel or area of land or water essentially unimproved by permanent Buildings and open to the sky; such space shall be reserved for public or private Use. Open Spaces may include Parks, Greens, Squares, Courtyards, Gardens, Playgrounds, paseos (when designed predominantly for pedestrians), and pedestrian paths or associated landscaped areas.

Outbuilding: A Building, usually located towards the rear of the same Lot as a Principal Building. It is sometimes connected to the Principal Building by a Backbuilding.

Park: A tract of land designated and used by the public for active and passive recreation. See Article 4, Table 7. Also known as Public Park.

Parking Area: Any area designed and used for parking motor vehicles including parking lots and garages, driveways, garages serving residential Uses, and Thoroughfares.

Parking Garage or Parking Structure: A Structure containing vehicular parking, including mechanical parking systems.

Parking, Off-site: Spaces provided for vehicles and located outside of the boundaries of the Lots to be served.

Parking, Off-street: Any land area designed and used for parking motor vehicles including parking lots and garages, driveways and garages serving residential uses, but excluding areas of Thoroughfares. See Articles 3 and 4.

Parking, Tandem: The placement of vehicles one behind the other as opposed to side by side.

Parking, Underground: Parking in which the ceiling or roof of the top level does not rise above any adjoining public Sidewalk.

Pawnshop: Establishments which provide loans upon delivery of personal goods or other chattel as security and sell those same items as a secondhand retail service. See Section 1.1 (Industrial, Products and Services).

Pedestal: In T6 Zones, that portion of a Building up to the eighth Story. Also known as podium.

Pedestrian Orientation: The characteristics of an area where the location and access to Buildings, types of Uses permitted on the street level, and storefront design relate to the needs of persons traveling on foot.

Pedestrian Passage: A public Open Space restricted to pedestrian Use and limited vehicular access that connects Thoroughfares, Plazas, Alleys, garages and other public Use spaces. See Article 4, Table 7.

Pedestrian Shed: An area, approximately circular, that is centered on a common destination. A Pedestrian Shed is applied to determine the approximate size of a Neighborhood. A Standard Pedestrian Shed is one-quarter (1/4) mile radius, about the distance of a five-minute walk at a leisurely pace. A Linear Pedestrian Shed is elongated to follow a commercial corridor,

measuring one-quarter (¼) mile out from the center line of the corridor. It has been shown that provided with a pedestrian environment, most people will walk this distance rather than drive. The outline of the shed must be refined according to actual site conditions, particularly along Thoroughfares. The common destination should have the present or future capacity to accommodate Transect Zones successional in Density to its surroundings. A Long Pedestrian Shed is one-half (1/2) mile radius, and may be used for mapping a Transit Oriented Development (TOD) when transit is present or proposed. (Sometimes called a “walkshed” or “walkable catchment”).

Personal Wireless Service Facility (PWSF): A facility for the provision of personal wireless services, as defined by the federal Telecommunications Act of 1996. A PWSF is any facility for the transmission or reception of personal wireless services, which may consist of an antenna array, transmission cables, equipment shelter or Building, access road, mount, and a guy system. Such facilities may include "monopole" or "lattice tower (tower)" Structures. See Section 1.1, (Civil Support, Infrastructure and Utilities), and Article 6.

Pharmaceutical Laboratories: Pharmaceutical laboratories are facilities equipped and intended for the testing of pharmaceutical products, particularly their effects on the human body. Such research primarily entails the evaluation of the absorption, elimination, bioavailability and pharmacodynamics of medications administered to research participants. Due to the standard protocols associated with such research, test subjects must remain on-site for prolonged periods including overnight stays. See Section 1.1 (Industrial, Products and Services).

Pier: A platform extending from shore over water used to secure and protect vessels or allow pedestrian access to extend over water. See Article 6.

Place of Assembly: See Section 1.1, Commercial Use.

Planter: The element of the public streetscape which accommodates street trees. Planters may be continuous or individual and separated.

Playground: See Article 4, Table 7.

Plaza: See Article 4, Table 7.

Porch: An open air room appended to a Building, with floor and roof but no walls on the sides facing Frontages.

Porte-cochére: See Carport.

Pre-School: See Section 1.1, Educational Use.

Primary-Secondary Grid: Thoroughfare designations appearing on a plan adopted under this Code or a Special Area Plan. See Article 3, Section 3.9.

Principal Building: A Structure used to enclose or house the primary Use(s) located on a Lot; or the main Building on a Lot, usually located toward the front.

Principal Dwelling Unit: See Single-Family Residence.

Product and Services: See Section 1.1, Industrial Uses.

Property Line: Demarcation of private property ownership.

Public: Facilities or land owned or operated by a governmental organization.

Public Benefits Program: See Article 3, Section 3.14.

Public Parking: See Section 1.1, Civil Support Use.

Public Storage Facilities: An establishment containing separate, secured self-storage areas or lockers used for the temporary storage of household items and seasonal or recreational vehicles, small boats, trailers etc. These facilities cater primarily to the needs of nearby residents. See Section 1.1 (Industrial, Storage and Distribution) and Article 6.

Recreational Establishment: See Section 1.1, Commercial Use.

Recreational Facility: See Section 1.1, Civic Use.

Religious Facility: See Section 1.1, Civic Use.

Research Facility: See Section 1.1, Educational Use.

Rescue Mission: See Section 1.1, Civil Support Use.

Residential Use: See Section 1.1.

Retail Frontage Line: Frontage Lines designated on a Special Area Plan that require the ground level to be available for retail Use.

Right-of-Way, Public : That land held in trust by the City between the base building lines, including the sidewalk, swale and parkway area, and the roadway, street and highway.

Rowhouse: A Dwelling Unit that shares a party wall with another Dwelling Unit of the same type.

Rural Zone or T2 Zone: See Article 4, Table 1.

Scale: The spatial relationship among Structures along a street or block front, including height, bulk and yard relationships. Scale also refers to the proportional relationship of the size of parts to one another and to the human figure.

Screening: Visually shielding or obscuring one Structure or Use from another by a Liner Building, fencing, wall, or densely planted vegetation.

Secondary Grid: See Primary-Secondary Grid.

Setback: The distance from the Base Building Line to the point where a Building may be constructed. This area must be maintained clear of permanent Structures with the exception of encroachments described in each Transect Zone.

Shared Parking Standards: An accounting for parking spaces that are available to more than one function.

Shopfront: See Article 4, Table 6.

Sidewalk: The paved layer of the Public Frontage dedicated exclusively to pedestrian activity.

Single-Family Residence: See Section 1.1, Residential Use.

Solid Waste Facility: Facility for the disposition of unwanted or discarded material including garbage with insufficient liquid content to be free flowing. See Section 1.1 (Industrial, Products and Services).

Special Area Plan: See Article 3, Section 3.9.

Special Training Facility / Vocational: See Section 1.1, Educational Use.

Specified Anatomical Areas: Those areas of the human body, less than completely and opaquely covered, which consist of**:** (a) female genitals or pubic region; (b) male or female buttocks, anus, anal cleft, or cleavage; (c) female breast below a point immediately above the top of the areola; or (d) human male genitals in a discernibly turgid state. See Section 1.1 (Commercial, Entertainment Establishment, Adult).

Specified Sexual Activities: Those activities which, when described, displayed, exhibited, simulated, or depicted by whatsoever medium in an adult entertainment service establishment**:** (a) show the human genitals in a state of sexual stimulation, or being aroused to a state of sexual stimulation, (b) show acts of human masturbation, human sexual intercourse, or sodomy; or sexual acts between humans and animals; (c) show one (d) human being fondling or touching erotically the genitals, pubic area, buttock, anus, or female breast of another human being. See Section 1.1 (Commercial Entertainment Establishment, Adult).

Square: See Article 4, Table 7.

Stall / Berth: The space where vehicles are placed for parking or loading or unloading operations.

Stoop: A small stair, landing or ramp connecting a Building entrance to the Sidewalk. Also See Article 4, Table 6.

Storage and Distribution: See Section 1.1, Industrial Use.

Story: A level within a Building by which Height is measured.

Streetscape: The urban element that establishes the major part of the public realm. The streetscape is composed of Thoroughfares (travel lanes for vehicles and bicycles, parking lanes for cars, and Sidewalks or paths for pedestrians) as well as the amenities of the Public Frontages (street trees and plantings, benches, streetlights, paving, street furniture, etc.), and the visible Private Frontages (Building Facades and Building Elevations, Porches, yards, Fences, etc.).

Streetscreen: A freestanding wall required in certain Transect Zones built along the Frontage Line, or coplanar with the Facade, often for the purpose of masking a parking lot from the Thoroughfare. See Article 4, Table 8.

Structure: A Structure is anything constructed or erected, the use of which requires fixed location on the ground or attachment to something having fixed location on the ground or on or below the surface of the ground or water.

Sub-Urban Zone or T3 Zone: See Article 4, Table 1.

Terminated Vista: A location at the axial conclusion of a Thoroughfare. A Building located at a Terminated Vista designated on a Special Area Plan is required to be designed in response to the axis.

Terrace: See Article 4, Table 6.

Thoroughfare: A vehicular way incorporating moving lanes and parking lanes within a right-of-way as part of an interconnected network for vehicular, pedestrian, and bicycle mobility.

Tower: In T6 Zones that portion of a Building that extends above the Pedestal.

Towing Service: Establishment which provides for the removal and temporary storage of vehicles but does not include disposal, permanent disassembly, salvage or accessory storage of inoperable vehicles.

Townhouse: See Rowhouse.

Transect: A system of ordering human habitats in a range from the most natural to the most urban. Transect Zones describe the physical character of place at any Scale, according to the Density and Intensity of land use and urbanism.

Transect Zone (T-Zone): The identification of areas of varying Density whose character is determined by the requirements for Use, Height, Setback and the form of Building and the form of the enfronting public streetscape. The elements are determined by their location on the Transect scale. The T-Zones are**:** T1 Natural, T2 Rural, T3 Sub-Urban, T4 Urban General, T5 Urban Center, and T6 Urban Core, CS Civic Space, CI Civic Institutional, CI-HD Civic Institution – Health District, D1 Work Place, D2 Industrial and D3 Waterfront Industrial. Within T3 through T6 Zones are additional categories, Restricted (R), Limited (L) and Open (O), and each category shall also be considered a T-Zone.

Transit Corridor: A mass transit route with designated transit vehicle(s) operating at an average 10 minute or less headway Monday thru Friday between the hours of 7am thru 7pm

and includes designated transit stop locations. Multiple transit routes or types of transit vehicles may not be added cumulatively under this definition for the purpose of parking reductions.

Transit Facility: See Section 1.1, Civil Support Use.

Transit Oriented Development (TOD): A designation established by the City in order to support and promote the use of public transit, involving an area of approximately one-half (1/2) mile radius, with a convergence of modes of transit, or a train station.

Transition Line: A horizontal line spanning the full width of a Facade, expressed by a material change or by a continuous horizontal articulation such as a cornice or a balcony.

Transmission Towers: Freestanding Structures intended for the support of antennas used in the reception and relay of radar, radio, cellular, television or telephone communications.

Travel Trailer / Recreational Vehicle: A vehicular, portable Structure built on a chassis, designed to be used as a temporary dwelling for travel, recreational, or vacation purposes. This includes pickup campers, converted trucks, converted buses, converted automobiles, tent or pop-out campers, tents, or other short-term housing or shelter arrangements.

Two-Family Residence: See Section 1.1, Residential Use.

Type: A category determined by Function, disposition, and configuration, including size or extent, such as Thoroughfare types, Civic Space Types, etc.

Unity of Title: A written agreement executed by and between a property owner and the City whereby the property owner for a specified consideration by the City agrees that the Lots and or parcels of land constituting the Building site shall not be conveyed, mortgaged and or leased separate and apart from each other and that they shall be held together as one (1) tract. Such Unity of Title shall be recorded in the Public Records of Dade County, Florida and shall run with the land and shall be binding upon the property owner(s), their successors and assigns.

Urban Center Zone or T5 Zone: See Article 4, Table 1.

Urban Core Zone or T6 Zone: See Article 4, Table 1.

Urban Design: Form, in terms of both beauty and function, of urban areas. Urban design is concerned with the location, mass, and design of various urban components and combines elements of urban planning, architecture, landscape architecture, and traffic engineering.

Urban Form: The spatial arrangement of a particular environment, as defined by the connectivity of built mass and form, the natural environment, and the movement of persons, goods and information within.

Use: The purpose or activity for which land, water or Buildings are designed, arranged, or intended, or for which land or Buildings are occupied or maintained.

USGBC: United States Green Building Council.

Variance: Permit approved pursuant to the requirements of Article 7.

Vehicle Rental Facility: An establishment where motor vehicles are kept and maintained for lease, where such vehicles are dropped off or picked up and where customers complete all transactions necessary for the short term lease of such vehicles. See Article 6.

Verge: The space between the Sidewalk and the Curb.

Vessel: Any watercraft, power-driven or not, mobile or stationary, surface, subsurface or hydrofoil, including but not limited to ships, boats, houseboats, air boats, and sea planes, but excluding Floating Structures.

Vessel, Commercial: A vessel built, altered, or used for the principal purpose of engaging in water-related commercial activity, including but not limited to charter boats, fishing boats, cruise ships, and freighters.

Vessel, Private Pleasure Craft: A vessel which is privately owned or leased primarily for recreational purposes. Private pleasure craft do not include commercial, official, or scientific vessels. For regulatory purposes, private pleasure craft are divided into two (2) classes**:** Minor**:** Under sixteen (16) feet in length; Major**:** Sixteen (16) feet and over in length. Private pleasure craft may or may not contain facilities qualifying them Residential Use. Where they do contain such facilities, Use within the City limits shall be governed as provided in this Code and other applicable regulations.

View Corridor: An axial view terminating on a natural or historical feature.

Visibility, Material impediment to: Any material obstruction to visibility that would result in concealment of a child more than two and one-half (2 1/2) feet in height approaching an intersection, or would conceal an approaching automotive vehicle or cyclist from such a child. In determining whether a material Impediment exists to visibility, the speed, direction, and duration of movement to point of potential collision or contact shall be considered.

Visibility Triangle: See Article 4, Table 8.

Waiver: Permit approved pursuant to the requirements of Article 7.

Warrant: Permit approved pursuant to the requirements of Article 7.

Workforce Housing: See Article 3, Section 3.14.

Work-Live: See Section 1.1, Residential Use.

1.3 DEFINITIONS OF SIGNS

Notwithstanding definitions in this Code referring to Lot Frontage, for the purpose of regulating the number of Signs, the term "fronting on a street," "street frontage," or "frontage" shall be construed as adjacent to a street, whether at the front, rear, or side of a Lot.

Except as otherwise provided, any Sign bearing advertising matter shall be considered an Advertising Sign for the purposes of this Code.

For purposes of this Code, and notwithstanding the definition of Structure generally applicable in this Code, any trailer or other vehicle, and any other device which is readily movable and designed or used primarily for the display of Signs shall be construed to be a Sign Structure, and any Signs thereon shall be limited in area, number, location, and other characteristics in accordance with general regulations and regulations applying in the Transect in which displayed.

Blank Masking: A plain strip, bearing no advertising matter around the edge of a sign.

Changeable Copy Sign: Sign on which copy can be changed either in the field or by remote means.

Marquee: A permanent, roofed Structure that is attached to and supported by a Building and that projects over a public right-of-way.

Media Tower: A Structure that may serve as a viewing tower and a kinetic illuminated media display system, utilizing signage, video and all other forms of animated illuminated visual message media within the Southeast/Overtown Park West Redevelopment Area.

Outdoor Advertising Business: The business Use of providing outdoor displays or display space on a lease or rental basis for general advertising and not primarily or necessarily for advertising related to the premises on which erected. Such use shall be considered a separate business use of a site subject to licensing, and conformance of the permitted use of the Outdoor Advertising Sign shall be considered independently.

Outdoor Advertising Sign: Sign where the sign copy does not pertain to the use of the property, a product sold, or the sale or lease of the property on which Sign is displayed and which does not identify the place of business as purveyor of the merchandise or services advertised on the Sign. Any Outdoor Advertising Sign located on a site is considered a separate business use of that site and conformance of the permitted use of the Outdoor Advertising Sign shall be considered independently.

Sign: Any identification, description, illustration, or device, illuminated or non-illuminated, that is visible from a public right-of-way or is located on private property and visible to the public and which directs attention to a product, place, activity, person, institution, business, message or solicitation, including any permanently installed or situated merchandise, with the exception of window displays, and any letter, numeral, character, figure, emblem, painting, banner, pennant, placard, or temporary Sign designed to advertise, identify or convey information.

The following are specifically excluded from this definition of "Sign:"

- Governmental Signs and legal notices.
- Signs not visible beyond the boundaries of the Lot or parcel upon which they are located, or from any public right-of-way.
- Signs displayed within the interior of a Building which are not visible from the exterior of the Building.
- National flags and flags of political subdivisions.
- Weather flags.
- Address numbers, provided they do not exceed two square feet in area.
- Signs located in the public right-of-way which shall be governed by Chapter 54 of the City Code.

Sign, Address: Signs limited in subject matter to the street number or postal address of the property, the names of occupants, the name of the property, and, as appropriate to the circumstances, any matter permissible in the form of notice, directional, or warning Signs, as defined below. Names of occupants may include indications as to their professions, but any Sign bearing advertising matter shall be construed to be an Advertising Sign, as defined below.

Sign, Advertising: Signs intended to promote the sale of goods or services, or to promote attendance at events or attractions.

Sign, Animated: Any Sign or part of a Sign which changes physical position by any movement, or rotation, or which gives the visual impression of such movement or rotation.

Sign, Revolving or Whirling: A revolving or whirling Sign is an Animated Sign, which revolves or turns, or has external Sign elements that revolve or turn, at a speed greater than six (6) revolutions per minute. Such Signs may be power-driven or propelled by the force of wind or air.

Sign, Banner: A Sign made from flexible material suspended from a pole or poles, or with one (1) or both ends attached to a Structure or Structures. Where Signs are composed of strings of banners, they shall be construed to be pennant or streamer Signs.

Sign, Canopy, or Awning*:* A sign painted, stamped, perforated, stitched or otherwise applied on the valance of an awning, eyelid or other protrusion above or around a window, door or other opening on a Facade.

Sign, Construction: A temporary Sign erected on the premises on which construction is taking place, during the period of such construction, indicating the names of individuals or entities associated with, participating in or having a role or interest with respect to the project. Notable features of the project under construction may be included in construction signs by way of text or images.

Sign, Development: Onsite Signs announcing features of proposed developments, or developments either completed or in process of completion.

Sign, Flashing: A Sign which gives the effect of intermittent movement, or which changes to give more than one (1) visual effect.

Sign, Ground or Freestanding: Any non-movable Sign not affixed to a Building, a self supporting Sign. Ground Signs shall be construed as including Signs mounted on poles or posts in the ground, signs on fences, Signs on walls other than the walls of Buildings, Signs on Sign vehicles, portable Signs for placement on the ground (A-frame, inverted T-frame and the like), Signs on or suspended from tethered balloons or other tethered airborne devices, and Signs created by landscaping.

Sign, Hanging: A projecting Sign suspended vertically from and supported by the underside of a canopy, marquee, awning or from a bracket or other device extending from a Structure.

Sign, Historic: See Chapter 23 of City Code.

Sign, Home Office: A Sign containing only the name and occupation of a permitted home office.

Sign, Identification: A Sign limited to the name, address and number of a Building, institution or person and to the activity carried on in the Building or institution or the occupation of the person.

Sign, Illuminated: A Sign illuminated in any manner by an artificial light source. Where artificial lighting making the Sign visible is incidental to general illumination of the premises, the Sign shall not be construed to be an Illuminated Sign.

Sign, Indirectly Illuminated: A Sign illuminated primarily by light directed toward or across it or by backlighting from a source not within it. Sources of illumination for such Signs may be in the form of gooseneck lamps, spotlights, or luminous tubing. Reflectorized Signs depending on automobile headlights for an image in periods of darkness shall be construed to be Indirectly Illuminated Signs.

Sign, Internally (or directly) Illuminated: A Sign containing its own source of artificial light internally, and dependent primarily upon such source for visibility during periods of darkness.

Sign, Notice, Directional, and Warning: For the special purposes of this Code, and in the interest of protecting life and property, notice, directional, and warning Signs are defined as Signs limited to providing notice concerning posting of property against trespass, directing deliveries or indicating location of entrances, exits and parking on private property, indicating location of buried utilities, warning against hazardous conditions, prohibiting salesmen, peddlers, or agents, and the like.

Sign, Offsite: A Sign depicting or conveying either commercial or noncommercial messages, or combinations thereof, and not related to the uses or premises on which erected.

Sign, Onsite: A Sign depicting or conveying either commercial or non-commercial messages, or combinations thereof, which are directly related to the uses or premises on which erected.

Sign, Pennant or Streamer: Pennant or Streamer Signs, or Signs made up of strings of pennants, or composed of ribbons or streamers, and suspended over open premises or attached to Buildings.

Sign, Portable: A Sign, not permanently affixed to a Building, Structure or the ground.

Sign, Projecting: A Sign wholly or partially attached to a Building or other Structure and which projects more than twelve (12) inches from its surface.

Sign, Real Estate: Signs used solely for the purpose of offering the property on which they are displayed for sale, rent, lease, or inspection or indicating that the property has been sold, rented, or leased. Such Signs shall be non-illuminated and limited in content to the name of the owner or agent, an address or telephone number for contact, and an indication of the area and general classification of the property. Real Estate Signs are distinguished in these regulations from other forms of Advertising Signs and are permitted in certain districts and locations from which other forms of Advertising Signs are excluded.

Sign, Roof: A Sign affixed in any manner to the roof of a Building, or a Sign mounted in whole or in part on the wall of the Building and extending above the eave line of a pitched roof or the roof line (or parapet line, if a parapet exists) of a flat roof.

Sign, Temporary: A Sign or advertising display intended to be displayed for a limited and brief period of time as regulated by the City Code and this Code.

Sign, vehicle: A trailer, automobile, truck, or other vehicle used primarily for the display of Signs (rather than with Sign display incidental to use of the vehicle for transportation).

Sign, Wall or Flat: A Sign painted on the outside of a Building, or attached to, and erected parallel to the face of a Building, and supported throughout its length by such Building.

Sign, Window: A Sign painted, attached or affixed in any manner to the interior or exterior of a window which is visible, wholly or in part from the public right-of-way.

Sign Structure: A Structure for the display or support of Signs.

Signs, Area Of: The surface area of a Sign shall be computed as including the entire area within a parallelogram, triangle, circle, semicircle or other regular geometric figure, including all of the elements of the matter displayed, but not including blank masking (a plain strip, bearing no advertising matter around the edge of a sign), frames, display of identification or licensing officially required by any governmental body, or structural elements outside the Sign surface and bearing no advertising matter. In the case of Signs mounted back-to-back or angled away from each other, the surface area of each Sign shall be computed. In the case of cylindrical Signs, Signs in the shape of cubes, or other Signs, which are substantially three-dimensional with respect to their display surfaces, the entire display surface or surfaces shall be included in computations of area. In the case of embellishments (display portions of Signs extending outside the general display area), surface area extending outside the general display area and bearing advertising material shall be computed separately as part of the total surface area of the Sign.

Signs, Number Of: For the purpose of determining the number of Signs, a Sign shall be considered to be a single display surface or display device containing elements organized, related, and composed to form a unit. Where matter is displayed in a random manner without organized relationship of units or where there is a reasonable doubt about relationship of

elements, each element shall be considered to be a single Sign. Where Sign surfaces are intended to be read from different directions (as in the case of Signs back-to-back or angled from each other), each surface shall be considered to be a single Sign.

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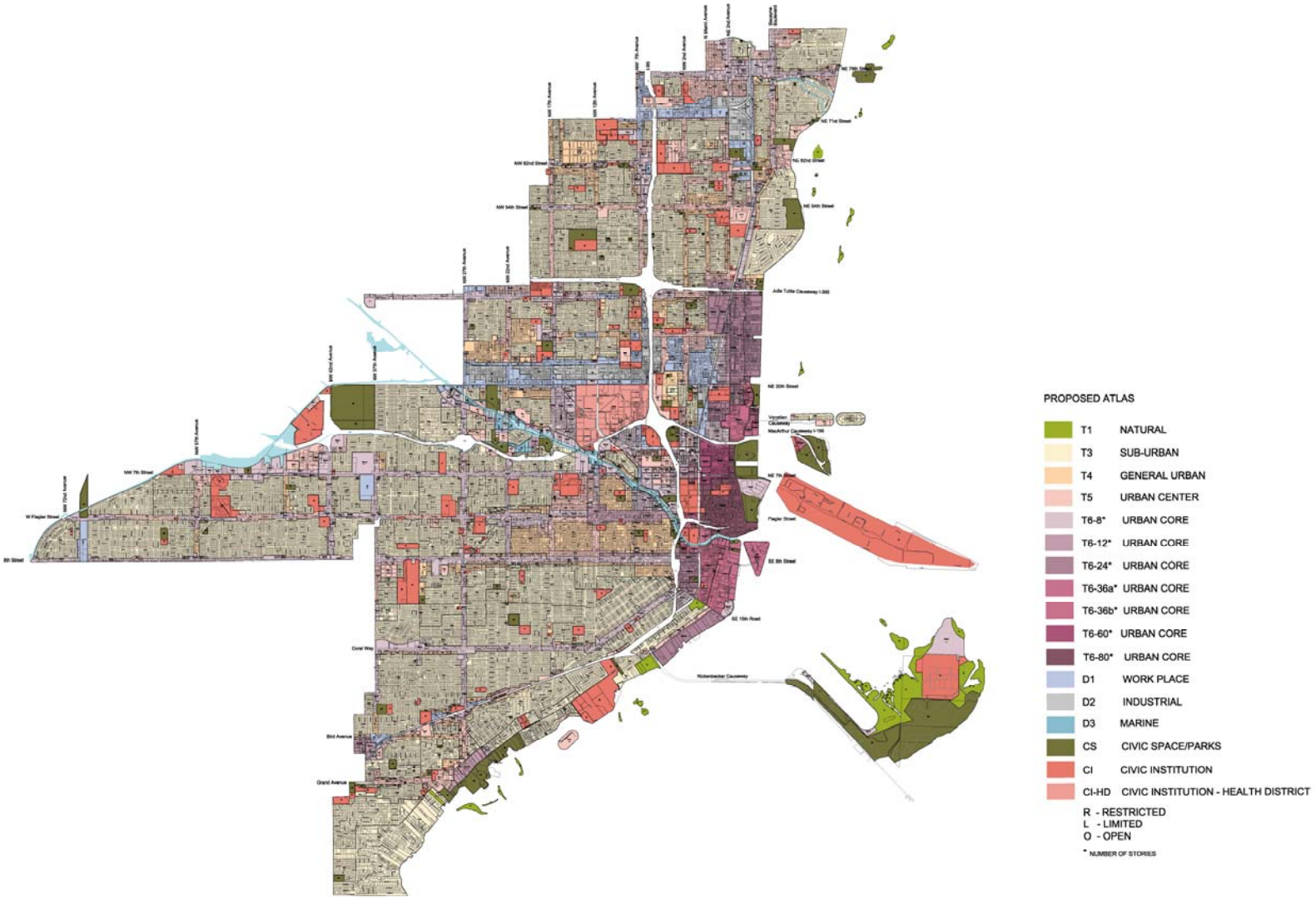
2.A MIAMI 21 ATLAS

The Official Miami 21 Atlas is maintained in the Office of the City Clerk.



2.1 PURPOSE AND INTENT

2.1.1 Title and Purpose

a. This Code shall be known as the Miami 21 Code of the City of Miami, Florida. This Code is declared to be in accord with the Miami Comprehensive Neighborhood Plan, as required by the Local Government Comprehensive Planning and Land Development Regulation Act, Section 163.3161 et seq., Florida Statutes (the "Comprehensive Plan"). A primary purpose of this Code is to implement the Comprehensive Plan.

b. It is further the purpose of the Miami 21 Code to promote the public health, safety, morals, convenience, comfort, amenities, prosperity, and general welfare of the City and to provide a wholesome, serviceable, and attractive community, including without limitation protection of the environment; conservation of land, energy and natural resources; improved mobility; more efficient use of public funds; greater health benefits of a pedestrian environment; historic preservation; provision of recreational and open spaces; reduction of sprawl; and improvement of the built environment and human habitat.

c. To further the goals and objectives of the Comprehensive Plan and the purpose of this Code, the City is divided into Transect Zones (“T-Zones”) of such number, characteristics, area, common unity of purpose, adaptability, or use as will accomplish the goals and objectives of the Comprehensive Plan and this Code.

2.1.2 Intent

The Miami 21 Code is intended to advance the interests of both conservation and development while responding to the existing conditions of the City, its regional context, and its natural features, infrastructure and Buildings.

a. The conservation goals include:

1. Preserving Neighborhoods, Historical Resources and the natural environment
2. Improving the relationship between low Density Residential neighborhoods and adjacent Commercial Corridors with appropriate transitions of Density and Height following the theory of the Transect
3. Increasing access to the natural environment through the Baywalk, the Riverwalk, the north-south Greenway, and new Parks
4. Conserving energy and reducing carbon dioxide emissions through improved Thoroughfare connectedness to encourage walkability, bicycling and transit use
5. Increasing tree canopy
6. Encouraging green Buildings

b. The development goals include:

1. Maintaining the future growth capacity of the City core to ensure its preeminence as the transit-oriented, pedestrian-friendly focus for the region's economic, civic and cultural activities
2. Rebuilding the City's commercial Corridors to function as Mixed-Use, transit-oriented, walkable centers for adjacent Residential Neighborhoods
3. Ensuring that private Development contributes to increased infrastructure capacity, and through building embellishes a pedestrian-friendly public realm of highest ambient quality
4. Establishing a rational process for successional growth in areas identified for density and growth

2.1.3 Transect Principles

The Miami 21 Code is intended to encourage the evolution of a settlement pattern based on the organizational principles of the Transect. The Transect is defined as a geographical cross-section that reveals a sequence of environments. Applied to the human or the built environment, the Transect is used to identify and organize a continuum of the physical environment ranging from the least to the most urban.

Transect planning creates coordinated, integrated and harmonious environments, based on the arrangement of all the components to support locational character. Within the range of urban contexts, each different type of location, called a Transect Zone, has development Function, Intensity and Disposition appropriate to the location, and integrates the details of the corresponding public realm. To ensure this integration, the Miami 21 Code controls development on Lots as well as establishes guidelines for the detailing of public right-of-way. For example, narrow streets with open swales find their place in neighborhoods of suburban character, while wide streets with tree lined sidewalks accompany Commercial Development in more intense urban areas.

The Transect encourages the making of places that build on historic character and that evolve over time. This evolution, with the principles enumerated below guiding growth or reduction in Density and Intensity, is called succession. Successional change emerges from a vision of the larger urban context and appropriate transitions across Transect Zones.

The City of Miami's urban context is comprised of a series of Neighborhoods, Corridors, urban centers, and Districts, each with its own arrangement of Transect Zones. In all cases the goal of transit-oriented, pedestrian-friendly, Mixed-Use urbanism shall guide the arrangement of Transect Zones, Thoroughfares, Buildings and landscape. The specific design of each component should be appropriate to its Transect Zone, as provided in this Code.

Transect Zones are sequential in Intensity: successional zoning changes shall only be permitted sequentially and respecting transitions across Abutting Transect Zones as provided in Article 7.

Transect Zones manifest a range of responses to natural and urban conditions. As described in Article 5, Transect Zones T1, T2 and T3, the least urban, emphasize the presence of the natural environments. Transect Zones T4, T5 and T6, D1, D2 and D3 prioritize the built environment.

Specific to Natural (T1), Rural (T2) and Sub-Urban (T3) Zones, impermeable surface shall be minimized and confined to the ratio of Lot Coverage by Building specified in Article 5. To the extent not inconsistent with applicable state or federal law, storm water management on Thoroughfares may be accomplished through retention and percolation, channeled by curbside swales, or through underground storm drainage channeled by raised curbs.

Specific to General Urban (T4), Urban Center (T5) and Urban Core (T6) Zones, to the extent not inconsistent with applicable state or federal law, the continuity of the urbanized areas should transition to take precedence over the natural environment, except Parks, recreation and natural features. Storm water management on Thoroughfares and Lots shall be implemented primarily through underground storm drainage channeled by raised curbs, and there shall be no retention or detention required on the individual Lots. Impermeable surface shall be confined to the ratio of Lot Coverage by Building specified in Article 5 and Article 8.

2.1.3.1 The City - Guiding Principles

a. The City should retain its natural infrastructure and visual character derived from its location and climate, including topography, landscape and coastline.

b. Growth strategies should encourage Infill and redevelopment.

c. New Development should be structured to reinforce a pattern of Neighborhoods and urban centers, focusing growth at transit nodes rather than along Corridors.

d. Transportation Corridors should be planned and reserved in coordination with land Use.

e. Green Corridors should be encouraged and developed to enhance and connect the urbanized areas.

f. The City should include a framework of transit, pedestrian, and bicycle systems that provide alternatives to automobile use.

g. A diversity of land use should be distributed throughout the City to enable a variety of economic activity, workplace, residence, recreation and civic activity.

h. Affordable and Workforce Housing should be distributed throughout the City to match job opportunities and to avoid concentrations of poverty.

i. The City should expand and enhance transit opportunities and connections throughout the City.

2.1.3.2 The Community - Guiding Principles

a. Neighborhoods and urban centers should be the preferred pattern of Development and Transect Zones emphasizing single use should be the exception.

b. Neighborhoods and Urban centers should be compact, pedestrian-oriented and Mixed-Use. Density and Intensity of Use should relate to degree of transit service.

c. The ordinary activities of daily living should occur within walking distance of most dwellings, allowing independence to those who do not drive.

d. Interconnected networks of Thoroughfares should be designed to disperse and reduce the length of automobile trips and to encourage walking and bicycling.

e. A range of Open Space, including Parks, Squares and Playgrounds, should be distributed within Neighborhoods and urban centers.

f. Appropriate building Densities and land uses should occur within walking distance of transit stops.

f. Civic, Institutional and Commercial activity should be embedded in Mixed-Use urban centers, not isolated in remote single-use complexes.

g. Schools should be located to enable children to walk or bicycle safely to school. New schools should not be located on primary Thoroughfares.

h. Within Neighborhoods, a range of housing types and price levels should accommodate diverse ages and incomes.

2.1.3.3 The Block and the Building - Guiding Principles

a. Buildings and landscaping should contribute to the physical definition of Thoroughfares as civic places.

b. Development should adequately accommodate vehicles while respecting the pedestrian and the spatial form of public space.

c. The design of Thoroughfares and Buildings should reinforce safe environments, but not at the expense of accessibility. Designs should incorporate principles of Crime Prevention Through Environmental Design (CPTED).

d. Architecture and landscape design should grow from local climate, topography, history, and building practice.

e. Buildings should allow their inhabitants to experience the geography and climate through energy efficient design.

f. Civic Buildings and public gathering places should be located to reinforce community identity and support self-government.

g. Civic Buildings should be distinctive and appropriate to a role more important than the other Buildings that constitute the fabric of the City.

h. Preservation and renewal of historic resources should be facilitated to affirm the continuity of the community.

i. Harmonious and orderly change and Development of urban areas should be enabled through a form-based zoning code that guides and regulates change.

2.2 APPLICABILITY

2.2.1 Generally

2.2.1.1 This Code replaces the Zoning Ordinance for the City of Miami, also known as Ordinance 11000 except that Section 627, "SD-27 Midtown Special District" is hereby retained and incorporated as Appendix C hereto and all provisions of Ordinance 11000 referred to in Section 627 shall be applied to Midtown Special District, providing however that within the SD-27 Special District the Planning, Zoning and Appeals Board and procedures related to appeals thereto set out by this Miami 21 Code shall replace the Zoning Board and procedures related to appeals thereto in Ordinance 11000.

Furthermore, Section 616.3, "Miami WorldCenter" is hereby retained and incorporated as Appendix D hereto and all provisions of Ordinance 11000 referred to in Section 616.3 shall be applied to Miami WorldCenter, providing however that within the Miami WorldCenter the Planning, Zoning and Appeals Board and procedures related to appeals thereto set out by this Miami 21 Code shall replace the Zoning Board and procedures related to appeals thereto in Ordinance 11000.

2.2.1.2 Miami 21 Atlas

a. The Miami 21 Atlas is the official Zoning Atlas for the City of Miami. The boundaries of all Transect Zones and the Transect designation are shown on the series of map sheets that compose the Miami 21 Atlas. The Miami 21 Atlas may be supplemented by additional layers or separate maps to the Atlas sheets, where the scale generally applicable to the Atlas sheets does not adequately show the details of boundaries or designations necessary to the particular area.

b. The Miami 21 Atlas, together with all adopted explanatory and supplemental material shown therein, is hereby adopted by reference and shall be part of this Code. The Official Zoning Atlas as adopted by Ordinance 11000 for the same area is hereby repealed.

c. The Miami 21 Atlas, and any amendments thereto, shall be maintained in the office of the City Clerk, and a certified copy of the Miami 21 Atlas shall be maintained at the Planning Department. Each Atlas sheet or supplemental element thereto shall be authenticated by the signature of the Mayor of the City, attested by the signature of the City Clerk of the City, and shall bear the seal of the City.

d. Any proposed amendment to the Miami 21 Atlas shall be identified by reference to the Atlas sheet or supplement involved, in addition to a legal description of the property or such other information as is required to make specific the application of the amendment. Any unauthorized changes to the Miami 21 Atlas shall be considered a violation of this Code and punishable as provided by law.

2.2.1.3 This Code affects all lands, water, Structures, Uses, and occupancies within the area of the City of Miami shown on the Miami 21 Atlas. No Building, Structure, land or water shall be used or occupied, no land shall be subdivided and no Building, Structure, land or part thereof shall be developed except in conformity with the Transect regulations in which it is located and with all applicable regulations in this Miami 21 Code.

2.2.2 Conflicts

Where the requirements of this Miami 21 Code vary with the applicable requirements of any law, statute, rule, regulation, ordinance, or code, the most restrictive or that imposing the higher standard shall govern.

This Code does not abrogate or affect any Easements, covenants, deed restrictions, property owner association rules, or agreements between private parties. Where the regulations set out in this Code are more restrictive than such Easements, covenants, deed restrictions, homeowner association rules, or agreements between private parties, the restrictions of this Code shall govern.

2.2.3 Pending Actions and Development Approvals

The adoption of this Miami 21 Code shall not affect nor prevent the prosecution of any action pending at the time of the adoption of this Code, which action is to enforce Ordinance 11000, or the conditions of any development order adopted under Ordinance 11000. The conditions of a development approval under Ordinance 11000 shall continue in full force and effect unless a new approval is obtained, at which time the development shall come into conformance with these regulations if required under Article 7, Section 7.2 “Nonconformities” of this Code.

2.2.4 Rules of Construction

2.2.4.1 In their interpretation and application, the provisions of this Miami 21 Code shall be the minimum requirements or maximum limitations, as the case may be, adopted for the promotion of the public health, safety, morals or general welfare.

2.2.4.2 The following general rules of construction shall apply to the text of this Code:

a. Headings. Section and subsection headings shall not be deemed to govern, limit, modify, or in any manner affect the scope, meaning, or intent of any provision of the Miami 21 Code.

b. Illustrations. In case of any difference of meaning or implication between the text of any provision and any illustration, the text shall control, unless the intent of the Code is clearly otherwise.

c. Terminology: Shall, may and should. "Shall" is always mandatory and not permissive. "May" is permissive. "Should" is advisory and identifies guidance provided by the City Commission in the implementation of these regulations.

d. Tenses and numbers. Words used in the present tense include the future, words used in the singular include the plural, and the plural includes the singular, unless the context clearly indicates the contrary.

e. Conjunctions. Unless the context clearly indicates otherwise, the following conjunctions shall be interpreted as follows:

1. "And" indicates that all connected items or provisions shall apply.
2. "Or" indicates that the connected items or provisions may apply singly or in any combination.
3. "Either/or" indicates that the connected items or provisions shall apply singly but not in combination.

f. Gender. Use of the masculine gender includes the feminine gender and use of the feminine gender includes the masculine.

g. Any act authorized by this Code to be carried out by a specific official or agency of the City is impliedly authorized to be carried out by a designee of that official or agency.

h. Any reference to federal laws, Florida Statutes, Florida Administrative Code, Miami-Dade County Code, or any other official code shall be construed to be a reference to the most recent enactment of the particular law, and shall include any amendments to it as may be adopted from time to time.

i. Capitalized terms in Articles 2 - 8 refer to Article 1 Definitions.

2.2.4.3 Calculations

a. Rounding. Where cumulative requirements or limitations are to be computed for purposes of this Code, fractions shall be carried forward in the summation, and the total rounded to the nearest whole number, subject to existing minimum Lot sizes and maximum Densities or Intensities of development required by the regulations of this Miami 21 Code.

b. Time. The time within which an act is to be done shall be computed by excluding the first and including the last day, except that if the last day is a Saturday, Sunday or legal holiday, that day shall be excluded.

2.2.5 Transect Zone Boundaries

2.2.5.1 Except as otherwise specifically provided, a Transect symbol or name shown within Transect boundaries in the Miami 21 Atlas indicates that regulations pertaining to the Transect Zone extend throughout the whole area surrounded by the boundary line.

2.2.5.2 Except as provided in Section 2.2.5.3, where a Transect Zone designation is not indicated for an area in the Miami 21 Atlas, the area shall be construed to be zoned as for the most restrictive Abutting Zone, until corrective action shall be taken by the City Commission.

2.2.5.3 Where uncertainty exists as to the location of the boundary of a Transect Zone, or other areas delineated for regulatory purposes in the Miami 21 Atlas, the following rules shall apply:

a. Boundaries indicated as approximately following the centerlines of streets, alleys, rights-of-way, or Easements shall be construed as following such centerlines as they exist on the ground.

b. Boundaries indicated as approximately following boundaries of Thoroughfares, public or private Property Lines, Rights-Of-Way, or Easements shall be construed as following such boundaries. Provided, however, that where such boundaries are so located with relation to other opposing boundaries as to leave such areas without apparent zoning designation, such boundaries shall be construed as running to the centerlines of the areas remaining.

c. Boundaries indicated as approximately following mean high water lines or centerlines of streams, canals, lakes, bays, or other bodies of water shall be construed as following such mean high water lines or centerlines. In the case of a change in mean high water line, the boundary shall be construed as moving with the change.

d. Where variation of the actual location from the mapped location would change the zoning status of a Lot or parcel, the boundary shall be interpreted so as to avoid the change.

e. In the event of vacation, the boundary shall be construed as remaining in its location, except where ownership of the vacated property is divided other than at the center, in which case the boundary shall be construed as moving with the ownership.

2.2.5.4 Boundaries indicated as approximately following City limits shall be construed as following such City limits. Where property previously within the City is removed from its limits, the zoning boundaries involved shall be construed as moving to conform to the change in City limits. Where property previously located outside the City is annexed, zoning boundaries shall not be construed as moving with City limits. In such cases, the City may receive and process permit applications for the property, but no permit shall be issued until the City Commission shall have rezoned the property to establish its zoning status and the permit is found to be in accord with the zoning.

2.2.5.5 Boundaries indicated as entering any body of water, but not continuing to intersection with other Transect boundaries or with the City limits, shall be construed as extending in the direction in which they enter the body of water to intersection with other zoning boundaries or with the City limits.

2.2.5.6 Boundaries indicated as approximately parallel to or extensions of mean high water lines or centerlines of bodies of water shall be construed as being parallel to or extensions of such features.

2.2.5.7 Where distances are not specifically indicated on any map in the Miami 21 Atlas, they shall be determined by reference to the scale of the map.

2.2.5.8 Where boundaries occur within a parcel of land comprising more than one Lot, the Lots shall be developed separately according to the assigned Transect Zone.

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ARTICLE 3. GENERAL TO ZONES

3.1 TRANSECT ZONES

3.1.1 The Miami 21 Code Transect Zones are described in Article 4, Table 1 and include the standards summarized in Article 4, Table 2 and further described in Article 5. They range in Function and Density from low-Density, primarily residential areas to high Density Mixed-Use areas, across the Transect, with zones identified as T1, T2, T3, T4, T5, T6, CS, CI, CI-HD, D1, D2 and D3 and all R, L, O and T6 subcategories.

3.2 PHASING

All development shall conform to this Code regardless of phasing. Each phase of a development project shall conform to this Code in its entirety.

3.3 LOTS AND FRONTAGES

3.3.1 Lots assembled into one ownership within one Transect Zone may be developed as a single Lot. Lots assembled into one ownership that encompass more than one Transect Zone shall be developed according to the corresponding Transect regulation for each Lot. In such cases, there shall be no transfer of Density or Intensity of Development Capacity between Transect Zones. Except for T3, where Lots are assembled into one ownership, the side or rear Setbacks sharing the property may be eliminated by Waiver. Lot assembly shall require a Unity-of-Title acceptable to the City Attorney.

3.3.2 In Transect Zones T5, T6, CI, CS, D1, D2, and D3, buildable sites shall Enfront a vehicular Thoroughfare or a Pedestrian Passage, with at least one Principal Frontage.

3.3.3 Lots facing Thoroughfares on more than one (1) side shall have designated Principal Frontage(s) and may have Secondary Frontage(s). Unless otherwise designated by a Special Area Plan, a Principal Frontage shall be that facing the Thoroughfare of higher pedestrian importance or intensity (i.e., traffic volume, number of lanes, etc.), as determined by the Planning Department upon request by the Zoning Administrator.

a. If two Thoroughfares are of equal importance each Frontage shall be considered a Principal Frontage. Lots with two or more Frontages may consider other non-fronting Property Lines as sides.

b. Lots shall have at least one (1) Principal Frontage, except waterfront Lots shall have at least two (2) Principal Frontages, one of which shall be the waterfront and shall conform to Waterfront Setback Standards. For Waterfront Setbacks, see Section 3.11.

c. Where an existing lot of record is located adjacent to a Thoroughfare in a manner that creates an irregular Frontage such that the side or rear yards cannot be determined as with a regular lot, the Zoning Administrator shall determine, by Waiver, the yard and setbacks for the lot as fits the circumstances of the case. In addition to general Waiver requirements, the Zoning Administrator shall consider the minimum dimensions and methods of measurement as generally required for either a side or rear yard in the transect, determining which shall apply by the relation of the portion of the lot on which the yard is to be located to the adjoining lot, with due regard to the orientation of structures and buildable areas on each lot.

3.3.4 For the purposes of this Code, Lots are divided into Layers which control Development on the Lot.

3.3.5 Where the property to be developed abuts an existing Building, a Waiver may be granted so that the proposed Building matches the dominant Setback of the block and its Context

3.3.6 For new Buildings in Established Setbacks Areas, the Established Setback shall be maintained. (See also Article 4, Diagram 10) Galleries and Arcades may be permitted within the First Layer in Established Setback Areas and shall not encroach the Public Right-of-Way except by Special Area Plan.

Established Setback Areas include:

a. Brickell Financial

1. Boundary: All properties on Brickell Avenue between SE 15th Road and the Miami River.

   Brickell Avenue Setback: Thirty (30') feet; Side and Rear: Fifteen (15') feet;

2. Boundary: All properties bounded by SE 1st Avenue to the west, SE 8th Street to the north, Biscayne Bay to the east and SE 15th Road to the south.

   Interior Side and Rear Setback: fifteen (15') feet

b. Biscayne Boulevard

1. Boundary: All properties along the west side of Biscayne from NE 7th Street to NE 12th Street and both sides of Biscayne Boulevard from NE 12th Street to NE 17th Street.

   Setback Adjacent to Biscayne Boulevard: Fifteen (15') feet

2. Boundary: Biscayne Boulevard from NE 17th Street to Interstate 195.

   Setback Adjacent to Biscayne Boulevard: Zero (0') feet with Gallery

c. Design District

1. Boundary: All properties bounded on the east by Biscayne Boulevard; on the south by NE 36th Street; on the west by North Miami Avenue; and on the north by NE 41st Street.

   Frontage Setback: Zero (0') feet

d. SW 27th Avenue Coconut Grove

1. Boundary: The west side of 27th Avenue from SW 28th Terrace to South Dixie Highway.

   27th Avenue Frontage Setback: Twenty-five (25') feet

2. Boundary: The north side of SW 28th Terrace between South Dixie Highway and SW 27th Avenue.

   SW 28th Terrace Frontage Setback: Fifteen (15') feet

3. Boundary: Bird Avenue between Mary Street and Aviation Avenue; Lincoln Avenue between SW 27th Avenue and Darwin Street; the north Side of Abaco Avenue from SW 27th Avenue to Washington Street; the south Side of Aviation Avenue from SW 27th Avenue to Swanson Avenue.

   Frontage Setback on all streets except SW 27th Avenue: Fifteen (15') feet

e. 9th Street Promenade

1. Boundary: All properties Adjacent to NW 9th Street between NW 2nd Avenue and North Miami Avenue.

   NW 9th Street Frontage Setback: Twenty-five (25') feet

f. Tigertail Avenue

1. Boundary: All properties along the southeast side of Tigertail Avenue between Mary Street and Aviation Avenue.

   Tigertail Avenue Setback: One hundred feet (100') except, residential uses (as ancillary use), may be developed in accordance with Setback provisions of the underlying Transect Zone. Parking structures lined by residential uses must be setback a minimum of fifty (50') feet from Tigertail Avenue.

g. South Bayshore Drive

1. Boundary: All properties on the northern side of South Bayshore Drive from McFarlane Road to Aviation Avenue.

   South Bayshore Drive Setback: Thirty (30') feet

2. Boundary: All properties on the northern side of South Bayshore Drive from Aviation Avenue to SW 17th Avenue.

   South Bayshore Drive Setback: Eighty (80') feet

h. Coral Way

1. Boundary: Coral Way from the western City limits (SW 37th Avenue) to SW 1st Court.

   Coral Way Setback: Zero (0') feet with Gallery

i. 8th Street

1. Boundary: All properties Adjacent to SW 8th Street between SW 27th Avenue and SW 1st Court.

SW 8th Street Setback: Zero (0') feet with Gallery

j. 22nd Avenue

1. Boundary: 22nd Avenue from NW 1st Street to SW 8th Street.

22nd Ave Setback: Zero (0') feet with Arcade

k. Central Coconut Grove

1. Boundary:

- All properties Adjacent to Grand Avenue between Margaret Street and Mary Street.
- All properties Adjacent to Commodore Plaza between Grand Avenue and Main Highway
- All properties Adjacent to Fuller Street between Grand Avenue and Main Highway.
- All properties Adjacent to Main Highway between Charles Avenue to Grand Avenue.
- All properties Adjacent to McFarlane Road between Grand Avenue and South Bayshore Drive.
- All properties Adjacent to Virginia Street between Oak Avenue and Grand Avenue.
- All properties Adjacent to Florida Avenue between Virginia Street and Mary Street.
- All properties Adjacent to Rice Street between Oak Avenue and Florida Avenue.
- All properties on the west side of Mary Street between Oak Avenue and Grand Avenue.
- All properties on the south side of Oak Avenue between Matilda Street and Tigertail Avenue.

Central Coconut Grove Setback (on the streets listed above): Five (5) feet.

3.4 DENSITY AND INTENSITY CALCULATIONS

3.4.1 Lot Area is used for purposes of Density and Intensity calculation.

3.4.2 Density shall be calculated in terms of units as specified by Article 4, Tables 3 and 4. The referenced tables provide the maximum allowable Densities. Intensity shall be calculated in terms of Floor Lot Ratio. The buildable Density or Intensity on any particular site will be affected by other regulations in this Code and thus the stated maximums of this Miami 21 Code may exceed the actual Capacity that a site can sustain when other regulations of this Code are applied to the site. The inability to reach the maximum Density or Intensity because of the necessity to conform to the other regulations of this Code shall not constitute hardship for purposes of a Variance.

3.4.3 Lodging Units shall be considered as equivalent to one-half (0.50) of a Dwelling Unit.

3.4.4 The allowable Transect Zone Density may be increased as provided by the Future Land Use Element of the Miami Comprehensive Plan (Residential Density Increase Areas), as illustrated in Article 4, Diagram 9.

3.5. MEASUREMENT OF HEIGHT

3.5.1 Unless otherwise specified herein, the Height of Buildings shall be measured in Stories. The height of Fences and walls shall be measured in feet. The Height of Buildings, Fences and walls shall be measured from the Average Sidewalk Elevation or, where no sidewalk exists, the average of the record profile grade elevation of the street Abutting the Principal Frontage of the Building, as determined by the Public Works Department. In the event that the base flood elevation, as established by FEMA, is higher than the sidewalk or grade elevations, the Height of the first Story but not the height of Fences and walls shall be measured from the base flood elevation.

3.5.2 A Story is a Habitable level within a Building of a maximum fourteen (14) feet in Height from finished floor to finished floor. Basements are not considered Stories for the purposes of determining Building Height. A ground level retail Story may exceed this limit up to a total height of twenty-five (25) feet. A single floor level exceeding fourteen (14) feet, or twenty-five (25) feet at ground level retail, shall be counted as two (2) Stories. Where the first two stories are retail, their total combined Height shall not exceed thirty-nine (39) feet and the first floor shall be a minimum of fourteen (14) feet in Height. Mezzanines may not exceed thirty-three percent (33%) of the Habitable Space Floor Area. Mezzanines extending beyond thirty-three percent (33%) of the Floor Area shall be counted as an additional floor. The Height of a Parking Structure concealed by a Liner may be equal to the Height of the Liner; this may result in a Liner Story concealing more than one level of Parking.

3.5.3 Except as specifically provided herein, the Height limitations of this Code shall not apply to any roof Structures for housing elevators, stairways, tanks, ventilating fans, solar energy collectors, or similar equipment required to operate and maintain the Building (provided that such Structures shall not cover more than twenty percent (20%) of roof area for T4 and T5); nor to church spires, steeples, belfries, monuments, water towers, flagpoles, vents, or similar Structures, which may be allowed to exceed the maximum Height by Waiver; nor to fire or parapet walls, which shall not extend more than five (5) feet above the maximum Height in T4 and T5 and ten (10) feet in T6 and Districts.

3.5.4 No Building or other Structure shall be located in a manner or built to a Height which constitutes a hazard to aviation or creates hazards to persons or property by reason of unusual exposure to aviation hazards. In addition to Height limitations established by this Code, limitations established by the Miami-Dade County Height Zoning Ordinance as stated in Article 37 of the Code of Miami-Dade County (Miami International Airport) shall apply to Heights of Buildings and Structures.

A letter authorizing clearance from the Miami-Dade Aviation Department or the Federal Aviation Administration (FAA) may be required by the Zoning Administrator prior to the issuance of any Building permit.

Construction of an Educational facility within the delineated Miami International Airport Critical Approach Area as defined by the Miami-Dade County Code ~~clear area~~ shall only be granted by Exception. Construction of such facility is subject to the approval by the Miami-Dade County Aviation Department or any other agencies authorized by law to approve the construction.

3.5.5 Height limitations for Properties Abutting and in Proximity to National Historic Landmarks

a. All properties designated a National Historic Landmark (NHL) which include a Designed Landscape that is an integral part of the documented significance supporting the NHL designation shall be protected by height limitations throughout the entire Civic Institution zoned property of which the NHL is a part, so as to protect the Designed Landscape from the potentially adverse effects of an undertaking that may diminish the integrity of the NHL property's location, design, setting, materials, workmanship, association or qualities that qualified it for NHL designation. Examples of adverse effects which diminish the integrity of the NHL property include those which: cause physical destruction of or damage to all or part of the NHL property; or change the character of the NHL property's use or physical features within the NHL property's setting that contribute to its historic significance; or introduce visual, atmospheric or audible elements that diminish the integrity of the NHL property's significant historic features; or alter the NHL property in a way that is not consistent with the federal standards for the treatment of historic properties and applicable guidelines, as published by the United States Department of the Interior.

b. The height of structures throughout the entire Civic Institution zoned property of which the NHL is a part shall not exceed that established by a six (6) degree vertical plane which is measured beginning from the ground floor elevation of the principal historic building at the façade that overlooks the Designed Landscape, which plane shall extend in a one hundred eighty (180) degree arc facing the Designed Landscape and measured at grade from the midpoint of the building façade. The ground floor elevation shall be measured according to the 1929 N.G.V.D. of Mean Sea Level supplied by the City of Miami. Structures existing on affected properties at the time of the adoption of this Miami 21 Code shall not be considered nonconforming structures.

c. Should the height limitations for structures located in such Civic Institution zoned property as of the adoption of this Miami 21 Code be more restrictive than that created by this section, the most restrictive height shall apply. In the event of a rezoning of all or part of the Civic Institution property, either by successional zoning or by Special Area Plan, the height limitations specified in this Section 3.5.5 shall be incorporated in all subsequent rezonings.

d. For purposes of this Section 3.5.5., the following definitions shall apply:
   1. Designed Landscape is one or more of the following:

- a landscape that has significance as a design or work of art;
- a landscape consciously designed and laid out by a master gardener, landscape architect, architect, or horticulturalist to a design principle, or an owner or other amateur using a recognized style or tradition in response or reaction to a recognized style or tradition;
- a landscape having a historical association with a significant person, trend, event, etc. in landscape gardening or landscape architecture; or
- a landscape having a significant relationship to the theory or practice of landscape architecture.

2. National Historic Landmark is a nationally significant historic place designated by the Secretary of the Interior because it possesses exceptional value or quality in illustrating or interpreting the heritage of the United States, and defined in Title 36, Section 65.3 of the Code of Federal Regulations.

3.6 OFF-STREET PARKING AND LOADING STANDARDS

3.6.1 Off-street Parking Standards

a. Off-street Parking requirements for the individual Transect Zones shall be as set forth in Article 4, Table 4.

b. Off-street Parking dimensions and Shared Parking (mixed-use) reduction table shall be as set forth in Article 4, Table 5.

c. Required Parking for Adaptive Reuses may be reduced or exempted by Waiver for properties located in a Community Redevelopment Area, or in areas where a Parking Trust Fund has been established, or for historic sites and contributing Structures within designated historic districts.

d. Parking reductions shall not be cumulative except in T6-36, T6-60 and T6-80. Parking reductions shall not exceed fifty percent (50%) of the total Off-street Parking required, except for Residential components of projects within one thousand (1,000) feet of Metrorail or Metromover.

3.6.2 Off-street Parking Driveway Standards [RESERVED]

3.6.3 Additional Off-street Parking Regulations

General performance standards for Off-street Parking facilities:

a. Parking shall be implemented so as to provide safe and convenient access to and from public Thoroughfares which include movement lanes and Public Frontages.

b. Vehicular access through Residential properties for nonresidential Uses shall be prohibited.

c. Off-street Parking spaces shall be located with sufficient room for safe and convenient parking without infringing on any public Thoroughfare or sidewalk.

d. Off-street Parking spaces whose locations require that cars back into movement lanes shall only be permissible in T3 and T4 zones. Backing into Alleys shall be permissible in all Transect Zones.

e. Off-street Parking or loading area shall not be used for the sale, repair, or dismantling of any vehicle or equipment, or for storage of materials or supplies.

f. Parking or storage of commercial trucks, buses, vans, sign trailers; trailers or semi-trailers for freight, cargo; or the like shall not be permitted in any T3, T4. T5-R or T6-R Zone.

g. Inoperable vehicles shall be stored only in storage facilities or other approved places where they are completely concealed from public view.

h. Except in connection with permitted active continuing construction on the premises, construction equipment such as earth moving machines, excavators, cranes, and the like shall only be allowed in D1, D2 and D3, as allowed by this Code.

i. All Off-street Parking shall comply with applicable regulations related to lighting, paving, and drainage including the Miami-Dade County Code and the Florida Building Code.

j. Specific areas may be set aside for Tandem Parking. Tandem Parking in all Transect Zones, except T3 and T4, shall be used only by a valet parking operator.

k. Parking facilities on adjoining Lots may share access points, driveways and parking subject to a recorded covenant running with the property on which the facilities are located, by process of Waiver.

3.6.4 Calculation of Off-street Parking requirements related to number of seats.

Where parking requirements relate to number of seats and seating is in the form of undivided pews, benches, or the like, twenty (20) lineal inches shall be construed to be equal to one (1) seat. Where Parking requirements relate to movable seating in auditoriums and other assembly rooms, ten (10) square feet of Floor Area shall be construed to be equal to one (1) seat except where otherwise specified. Net floor area shall be the actual area occupied by seating and related aisles, and shall not include accessory unoccupied areas or the thickness of walls.

3.6.5 Valet Parking

Off-street Parking facilities maintained with valet parking shall be allowed generally, provided that the minimum Off-street Parking requirements of this Code are satisfied and that an attendant shall remain on duty during business hours or as long as the Principal Building is occupied.

3.6.6 Parking Management Plan

Parking allowed off-site through a parking management plan agreement with the City of Miami Parking Authority shall be as set forth in Chapter 35 of the City Code.

Within areas under a parking management plan, outdoor areas, including the public right-of-way, which are regularly used for display and sales, or as dining areas, shall be calculated as part of the establishment's total floor area and shall comply with Off-Street parking requirements.

3.6.7 Off-street Parking Reductions by Use

a. Parking reductions for Elderly Housing.

1. Housing for the Elderly, in relation to this regulation, is not to be construed as homes or institutions for the aged which are primarily convalescent or Nursing Homes.

2. Off-street Parking space requirements in connection with Housing for the Elderly conforming to the requirements of state or federal programs may be reduced by Waiver to a maximum of one (1) parking space per every two (2) dwelling units.

3. The applicant shall submit plans which demonstrate how the remaining parking may be accommodated in the event that the housing becomes market rate housing at some time in the future.

   The following criteria shall apply:

   (a) Applicant shall submit written certification from the applicable state or federal agency in charge of the program.

   (b) Off-street Parking reduction shall be permitted upon a finding by the Planning Director that, in view of location of such housing, the economic status of anticipated occupants, and other pertinent considerations as specified in the permit, there will be adequate Off-street Parking for occupants, visitors, and staff.

   (c) The premises shall be used as Housing for the Elderly, subject to the exceptions and limitations set forth in (a) above, until the parking requirements for a different Use have been met.

b. Parking Reduction for Low-Income Housing

1. Off-street Parking requirements in connection with housing for low income families and individuals may be reduced by process of Exception only up to fifty percent (50%) of the spaces generally required. Housing for low-income families and individuals shall be qualified by the City of Miami Department of Community Development.

2. The applicant shall submit plans which demonstrate how the remaining parking may be accommodated in the event that the housing becomes market rate housing at some time in the future.

3. The following criteria shall apply:

   (a) The project shall otherwise conform to the requirements of state or federal programs for this purpose.

   (b) The Board, in its consideration of the application for Exception, shall determine and make a finding that the reduction in Off-street Parking requirements is justified in view of the nature and type of prospective occupancy and the economic circumstances involved, and that traffic and parking problems resulting from such reduction will not unduly burden traffic facilities in the Neighborhood.

   (c) The Board shall, as part of its grant of Exception, specify that the City, upon notice and review for Waiver, may later require that the applicant implement its plan to provide the full amount of required parking if it is demonstrated that traffic and parking conditions together with impact on the Neighborhood require such provision.

   (d) After such permit has been issued, the premises shall not be used other than as Low Income Housing, subject to the Exception and limitations set forth in (a) above, unless and until any parking requirements and all other requirements or limitations of this Code have been met.

3.6.8 Deferral of Off-street Parking Standards

a. Deferral of portions of total required parking improvements in phased projects

Parking requirements shall be met as set forth by this Code and built concurrently with approved improvements generating said requirement. Provision of parking should not in part or in whole be deferred for future implementation. Further, phased projects shall be approved subject to provision of required parking for each component phase to be provided concurrently with the phase generating said requirement; however deferrals may be granted by Waiver as specified below.

b. Deferral period, revocation of permit; notice of revocation.

A deferral may be allowed for up to five (5) years without provision for renewal except upon application for a new Waiver. All applications for deferral shall be reviewed and approved by the Planning Director before issuance by the Zoning Administrator.

The Waiver shall be revocable, in whole or in part, and the conditions and safeguards attached thereto may be changed by the Planning Director, upon findings based upon evidence that continued deferral of required improvements for

all or part of the spaces involved is no longer justified, or that changes in conditions and safeguards are required. The Waiver shall contain notice of these provisions.

Prior to any consideration of revocation, the Planning Director shall give notice to the permit holder, but in the event of his failure to appear in person or by agent at the meeting at which the matter is acted upon, the Director may proceed in the matter.

Revocation of any such permit in whole or in part, or changes in conditions and safeguards, shall be made effective within less than thirty (30) days after the determination of the Planning Director, but a longer period may be established by the Planning Director where there is adequate justification.

3.6.9. Off-street Loading Requirements

a. Off-street vehicular loading shall be required for all T5, T6, CS, CI, CI-HD and D zones, as shown in Article 4, Table 5 and shall require no more than three (3) turning movements.

3.7. FENCES AND WALLS

3.7.1 General

For all Commercial and Industrial Uses, a six-foot (6) solid masonry wall shall be provided along all property lines which adjoin T3, T4-R, T5-R and T6-R.

3.7.2 Prohibited on Fences and walls

a. The use of broken glass, projecting nails, coiled razor wire, spikes or similar materials on walls and Fences is prohibited in all Transect Zones.

b. Barbed wire Fences, or use of barbed wire along the top of a fence or wall, shall be permissible only in D1, D2 and D3, subject to approval by Waiver upon making a written finding that its use and placement are reasonably necessary to the safety, welfare and security of the property.

3.8 THOROUGHFARES

3.8.1 General Principles

a. Thoroughfares are intended for use by vehicular, transit, bicycle, and pedestrian traffic and to provide access to Lots and Open Spaces.

b. Thoroughfares consist of lanes for vehicles, transit, bicycles and Public Frontages. The lanes may have a variety of widths for movement and parking. The Public Frontages contribute to the character of Transect Zones. They may include swales, Sidewalks, curbing, Planters, bicycle paths and street trees. See Article 4, Tables 6 and 8.

c. Thoroughfares should be designed in context with the urban form and desired design speed of the Transect Zones through which they pass. The Public Frontages that pass from one Transect Zone to another should be adjusted accordingly.

d. Bicycles are a sustainable and viable mode of transportation and recreation in the City of Miami. Bicycle use of Thoroughfares should be as follows: Bicycles and vehicles may share use of lanes on all Thoroughfares. Thoroughfares that have sufficient paving width to accommodate bicyclists' safety should include dedicated Bicycle Lanes. Greenways, waterfront walks and other Civic Spaces should include Bicycle usage .

e. A City-wide bicycle plan may designate an interconnected network serving bicyclists with a series of marked routes that include Bicycle Lanes as well as Bicycle Routes that give bicycles priority, such as those Thoroughfares which parallel major corridors or include major corridors which can be reconfigured to limit conflicts between vehicles and bicycles.

f. Pedestrian comfort should be a primary consideration of Thoroughfare design and dimensions. Design conflict between vehicular, bicycle and pedestrian movement should be decided in favor of the pedestrian.

3.8.2 Thoroughfares

a. The guidelines for thoroughfares are as described in Article 8.

b. The Thoroughfare network should be designed to prioritize connectivity, defining Blocks not exceeding an average perimeter length of 1,320 feet. The length shall be measured as the sum of Lot Frontage Lines. Thoroughfare closings should not be allowed; instead, traffic calming designs should be deployed to control traffic volume and speed.

c. All Thoroughfares should terminate at other Thoroughfares, to form a network. Cul-de-sacs should be permitted only when supported by natural site conditions. Thoroughfares that provide View Corridors shall not be vacated.

d. In T5 and T6 Zones, Public and Private Frontages should be coordinated with a single paving and landscape design as provided in Article 4, Table 6 and Article 8.

3.8.3 Public Frontages

a. Public Frontages should be designed as shown in Article 4, Table 6 and allocated within Transect Zones as specified in Article 4, Table 2.

b. Within the Public Frontages, the arrangement of street trees and street lights should be as provided in Article 8.

c. The Public Frontage in Transect Zones T1, T2 and T3 should include trees of various species, and may include low maintenance understory landscape. The introduced landscape should consist primarily of native species requiring minimal irrigation, fertilization and maintenance.

d. The Public Frontage in Transect Zones T4, T5, T6 and D1 should include trees planted in a regularly-spaced Allée of single or alternated species with shade canopies of a height that, at maturity, clears the first Story. The introduced landscape should consist primarily of durable species tolerant of soil compaction.

3.8.4 Vision Clearance

3.8.4.1 Intent; "Material Impediment to Visibility" construed.

It is the intent of these regulations to provide protection from traffic hazards at intersections for automotive vehicles and their passengers, and for cyclists and pedestrians, including small children. Given this intent, the phrase "Material Impediment to Visibility," as used here, is to be construed as any material obstruction to Visibility which would result in concealment of a child over two and one-half (2 1/2) feet in height approaching an intersection, or would conceal an approaching automotive vehicle or cyclist from such a child. In determinations as to whether or not there is Material Impediment to Visibility, the speed, direction, and duration of movement to point of potential collision or contact shall be considered.

Adjacent to Thoroughfares, nothing shall be erected, placed, planted, or allowed to grow in such a manner as to form a Material Impediment to Visibility between the heights of two and one-half (2 1/2) feet and ten (10) feet above the street grade level within Visibility Triangles described below:

a. At Thoroughfare intersections with Building Setbacks:
Visibility Triangles shall be maintained to include an area bounded by the first twenty-five (25) feet along the intersecting edges of the right-of-way (or Base Building Line) projected where rounded, and a line running across the Lot and connecting the ends of such twenty-five-foot lines. See Article 4, Table 8.

b. At intersections of driveways with Thoroughfares with Building Setbacks:
Visibility Triangles shall be maintained to include an area bounded by the first ten (10) feet along the intersecting edges of the Base Building Line and the driveway, projected where rounded, and a line running across any intervening right-of-way and the Lot and connecting the ends of such ten-foot lines. See Article 4, Table 8.

c. At Thoroughfare intersections with Buildings with no Setbacks:
Visibility Triangles shall be maintained to include an area bounded by the first ten (10) feet along the intersecting edges of the Base Building Line, projected where

rounded, and a line running across the Lot and connecting the ends of such ten-foot lines. See Article 4, Table 8.

d. At intersections of driveways with Thoroughfares with no Building Setbacks:
Visibility triangles shall be maintained to include an area bounded by the first five (5) feet along the intersecting edges of the Base Building Line and driveway, projected where rounded, and a line running across any intervening right-of-way and the Lot and connecting the ends of such five-foot lines. See Article 4, Table 8.

e. At all Thoroughfare intersections:
Visibility Triangles shall be maintained to include an area bounded by the first ten (10) feet along the intersecting edges of the Base Building Line, projected where rounded, and a line running across the Lot and connecting the ends of such ten-foot lines. See Article 4, Table 8.

3.8.4.2. Variances prohibited.

No Variances from the provisions of Section 3.8.4 are permitted.

3.9 SPECIAL AREA PLANS

The purpose of a Special Area Plan is to allow parcels greater than nine (9) Abutting acres in size to be master planned so as to allow greater integration of public improvements and Infrastructure, and greater flexibility so as to result in higher or specialized quality building and Streetscape design within the Special Area Plan.

The purpose of a Special Area Plan further is to encourage the assembly and master planning of parcels greater than nine (9) Abutting acres in size, in order to provide greater integration of public and private improvements and Infrastructure; to enable Thoroughfare connectivity; to encourage a variety of Building Heights, massing and Streetscape design, and to provide high quality design elements, all in order to further the intent of this Code expressed in Article 2.

3.9.1 General

a. The single or multiple owner(s) of Abutting properties in excess of nine (9) acres may apply for a rezoning to a Special Area Plan.

b. A Special Area Plan shall be approved by the process of rezoning with or without Transect changes.

c. A Special Area Plan shall assign Thoroughfares, Transect Zones and Civic Space Types, with appropriate transitions to Abutting areas. Guidelines for Thoroughfares and Public Frontages may be adjusted to the particular circumstances of the Special Area Plan.

d. A Special Area Plan shall include a map of the Thoroughfares and Transect Zones, and the standards that deviate from the requirements of Article 5.

e. A Special Area Plan shall assign at least five percent (5%) of its aggregated Lot Area to a Civic Space Type. Civic Building sites are to be located within or adjacent to Civic Space Types or at the axial termination of significant Thoroughfares. The developer shall be responsible for constructing the public improvements within the Special Area Plan, including but not limited to the Civic Space Types and Thoroughfares.

f. Development within the Special Area Plan shall be pursuant to a recorded development agreement that will establish the allocation of Thoroughfares and Civic Space Types and Building Area among the Building sites, and the creation and retention of the public benefits.

g. Unless a Building is specifically approved as part of the Special Area Plan, any Building shall be reviewed by the Planning Director, after referral to and recommendation from the CRC for conformance to the Plan, prior to issuance of the Building Permit.

h. A Special Area Plan may include:

1. A differentiation of the Thoroughfares as a Primary-Grid (A-Grid) and a Secondary-Grid (B-Grid). Buildings along the A-Grid shall be held to the highest standard of this Code in support of pedestrian activity. Buildings along the B-Grid may be more readily considered for automobile-oriented standards allowing surface parking lots, unlined parking decks, and drive-throughs. The Frontages assigned to the B-Grid shall not exceed thirty percent (30%) of the total length within a Special Area Plan. For Frontages on the B-Grid, parking areas may be allowed in the ~~First and~~ Second Layer~~s~~.

2. Retail Frontage requiring that a Building provide a Commercial Use at sidewalk level along the entire length of the Frontage. The Commercial Use Building shall be no less than seventy percent (70%) glazed in clear glass and provided with an Awning overlapping the sidewalk as generally illustrated in Article 4, Table 6. The first floor should be confined to Retail Use through the depth of the Second Layer.

3. Gallery or Arcade Frontage, requiring that a Building provide a permanent cover over the sidewalk, either cantilevered or supported by columns. The Gallery or Arcade Frontage may be combined with a Retail Frontage as shown in Article 4, Table 6. Gallery or Arcade Frontage within the First Layer may apply towards Open Space requirements.

4. Build-to-lines that differ from Transect Zone Setback requirement.

5. A Terminated Vista location, requiring that the Building be provided with architectural articulation of a Type and character that responds to the location.

6. A Pedestrian Passage, requiring a minimum ten (10) foot wide pedestrian access be reserved between Buildings.

7. A preservation plan acceptable to the Historic and Environmental Preservation Board for any historic resources in the area of the Special Area Plan.

8. Area Design Guidelines.

9. A parking management program that enables shared parking among public and private Uses.

10. Flexible allocation of development capacity and Height, excluding Density on individual sites within the Special Area Plan shall be allowed so long as the capacity or Height distribution does not result in development that is out of Scale or character with the surrounding area, and provides for appropriate transitions.

3.10 HISTORIC PRESERVATION STANDARDS

See Chapter 23 of the City Code.

3.11 WATERFRONT STANDARDS

In addition to the Miami City Charter requirements, the following Setback, walkways and waterfront standards shall apply to all waterfront properties within the City of Miami, except as modifications to these standards may be approved by the City Commission pursuant to the City Charter.

All Miami riverfront properties shall include water-related uses across all Transect Zones except T3.

a. Waterfront Setbacks

1. Waterfront Setbacks shall be a minimum of fifty (50) feet measured from the mean high water line provided along any waterfront, except where the depth of the Lot is less than two-hundred (200) feet the Setback shall be a minimum of twenty-five percent (25%) of the Lot depth; and except for T3, T4-R, D1, D2 and D3 Transect Zones where a minimum Setback of twenty (20) feet shall be provided, except where the depth of the Lot is less than eighty (80) feet the Setback shall be a minimum of twenty-five percent (25%) of the Lot depth. These requirements shall not apply to Marine Related Industrial Establishments along the Miami River. Within D1, D2 and D3 Transect Zones facilities may span across man-made slips with a Structure to conduct marine-related commercial and industrial activities.

2. Side Setbacks shall be equal in aggregate to at least twenty-five percent (25%) of the water frontage of each Lot based on average Lot Width, to allow View

Corridors open from ground to sky and to allow public access to the waterfront; except for T3, T4-R, D1, D2 and D3 Transect Zones.

b. Waterfront Walkways Design Standards:

1. Waterfront walkways shall be designed and constructed within the waterfront Setbacks in accordance with these Waterfront Walkway Design Standards and should remain open to public access during all times, but at a minimum, shall remain open to the public between 6am through 10pm. Waterfront walkways are not required within Transect Zones T3, T4-R, D1, D2 and D3 unless the site is a new Commercial retail, Office or restaurant Use.

2. Waterfront walkways shall feel public, meet all Americans with Disabilities Act (A.D.A.) requirements throughout the entire length of the waterfront walkway and provide unobstructed visual access to the water.

3. Waterfront walkways shall connect to abutting public walkways, neighboring walkways, and Open Space at a consistent A.D.A. compliant width and grade to allow clear pedestrian circulation along the water's edge.

4. The waterfront walkway surface shall remain at a constant elevation and be accessible to handicapped persons throughout the entire length of the waterfront walkway. Walkways should have a slight grade away from the bulkhead edge for stormwater retention within the transition zone.

5. The total width of a waterfront walkway shall be a minimum of twenty-five (25) feet and built to the standards and guidelines outlined in Waterfront Design Guidelines, on Appendix B.

3.12 DESIGN GUIDELINES AND NEIGHBORHOOD CONSERVATION DISTRICTS

3.12.1 Design Guidelines

This section lists additional guidelines defining elements to protect and promote Neighborhood or area character, which may be obtained through the Planning Department. In the areas for which guidelines have been adopted, any proposed building shall be reviewed by the Planning Director prior to the issuance of a building permit.

a. MLK Boulevard Streetscape Beautification Master Plan and Façade Standards
b. Southeast/Overtown Park West Community Redevelopment Plan
c. Miami River Greenway Regulatory Design Standards
d. Grand Avenue Vision Plan
e. Coral Way Beautification Master Plan
f. Little Haiti - French Creole Design Standards
g. Offstreet Parking Design Standards and Guidelines
h. Overtown Folklife Village

i. OMNI CRA Streetscapes: Performing Arts & Media Entertainment District

3.12.2 Neighborhood Conservation Districts (NCD)

a. Intent

A Neighborhood Conservation District (NCD) is an overlay zoning district that is intended to preserve unique and distinctive neighborhoods that exhibit a certain defined character worthy of protection, such as physical features, design characteristics, and recognized cultural or historical identity. The Neighborhood Conservation District provides additional regulations or design guidelines for new construction, major alterations and additions to existing Buildings, in order to protect, enhance and perpetuate the value of the neighborhood conservation area. It is further intended that such districts and the regulations adopted for them shall be in accord with, and promote the Miami Comprehensive Neighborhood Plan.

b. Purposes

The purposes of creating a Neighborhood Conservation District, singularly or in combination, are to:

1. Protect neighborhoods that have distinguishable architectural character but that do not qualify for historic district status because of the loss of the original fabric through attrition and new development, although the neighborhood still maintains a considerable number of non-contiguous traditional structures that retain some characteristics that reflect their historical origins.

2. Identify structures within the district that, while not historically designated, possess significant character reflecting a Type, period or method of construction important to Miami's past. Demolition of such structures will be subject to review prior to receiving a demolition permit.

3. Protect areas that have a distinctive landscape, geologic, or environmental character. Protect and promote the lush sub-tropical vegetation and tree canopy that defines the South Florida landscape and gives particular identity to the neighborhood. Protect remaining unique environmental features such as exposed bluffs, natural rock outcroppings, caves, natural sinkholes, and springs.

4. Identify and celebrate those neighborhoods whose immigrant or émigré citizens have brought a unique cultural perspective to a neighborhood and which deserve recognition and protection.

5. Protect and promote specialized commercial areas with distinct character, such as antique, arts, outdoor markets, or design districts, and assist in their economic revitalization and enhancement.

c. Designation Process

The NCD shall be designated by process of rezoning, and shall be initiated by an applicant who submits the following to the Planning Department:

1. A description of the proposed boundaries of the NCD;

2. A description of the distinctive features of the district which are sought to be protected and preserved;

3. A list of all property owners within the boundaries of the proposed district;

4. Evidence that demonstrates that at least fifty-one (51) percent of the owners within the proposed boundary support the initiation of the NCD rezoning.

The Planning Director shall prepare a recommended conservation plan and any proposed regulations and/or design guidelines as provided in paragraph d. below. The PZAB shall consider the recommendations and provide its recommendations to the City Commission. In addition, the City shall conduct at least one workshop regarding the proposed NCD during the consideration of the rezoning, and notification of the workshop shall be sent by first class mail to all property owners located within the proposed boundaries of the district, as shown on the tax roll, at least thirty days prior to the workshop. The City Commission upon designation of the NCD shall adopt the conservation plan and any requisite regulations for the NCD, and the Zoning Atlas shall be amended to show the district boundaries of the NCD. Amendments to any NCD adopted under this Code shall be adopted pursuant to this Code.

d. Recommendation for Neighborhood Conservation District designation

The Planning Department shall prepare a recommendation for the designation of each NCD. Each recommendation shall identify the proposed rezoning by the specific name created for the NCD and shall contain the following information:

1. A statement of the purposes of the NCD, specifying the substantial public interest involved and the objectives to be promoted by the conservation plan and any special regulations for the district as a whole, or within any subareas of the district which may be recommended.

2. The boundaries of the NCD district and any sub-areas, if any, including a map and a general land description of the boundaries.

3. An explanation of the boundaries selected that meet the intent and requirements for the NCD.

4. A conservation plan identifying and describing the distinctive neighborhood characteristics of the proposed district, with appropriate maps and graphics, and any design guidelines or regulations recommended to promote the purposes of the district. Regulations may require rezoning to different Transect zones than those existing at the time of designation, additional overlay zoning standards, additional overlay zoning processes, or the like, as tailored to the purposes of the specific NCD.

e. NCD Land Development Regulations

The requirements of this Code shall be effective in the NCD except as modified by the regulations of the conservation plan adopted by the City Commission upon designation of the NCD. AExcept in T3 and T4, or as modified by the adopted conservation plan, all new construction, major alterations and additions shall be required to be reviewed by the process of Waiver; and in addition, all demolition shall be required to be reviewed by the process of Waiver. The ordinance designating the NCD shall be referenced in this Code, with any specific regulations and design guidelines of the NCD adopted by reference to this Code and maintained in the Planning Department.

The Planning, Zoning and Appeals Board and procedures related to appeals thereto set out by this Miami 21 Code shall replace the Zoning Board and procedures related to appeals thereto in Ordinance 11000.

f. NCD-1 Coral Gate Neighborhood Conservation District

The Coral Gate NCD-1, originally adopted by Ord. No. 12413, on September 25, 2003, is hereby amended and codified in Appendix A.1 to this Code.

g. NCD-2 Village West Island and Charles Avenue Neighborhood Conservation District

The Village West Island and Charles Avenue NCD-2 incorporates and amends:

1. The Charles Avenue NCD-2, originally adopted by Ord. No. 12417, September 25, 2003, and repealed and reenacted by Ord. No. 12651, adopted January 27, 2005;
2. SD-28, the Village West Ordinance, adopted by Ord. No. 12651, January 27, 2005;
3. Portions of SD-2 adopted by Ord. No. 12651, adopted January 27, 2005;
4. Portions of the Coconut Grove NCD-3, originally adopted by Ord. No. 12672, September 24, 2005.

The Village West Island and Charles Avenue NCD is hereby adopted and codified in Appendix A.2 to this Code.

h. NCD-3 Coconut Grove Neighborhood Conservation District

The Coconut Grove NCD-3 incorporates and amends:

1. The Coconut Grove NCD-3, originally adopted by Ord. No. 12672, September 24, 2005;
2. Portions of SD-2, originally adopted by Ord. No. 12651, January 27, 2005; and
3. SD 18, originally adopted by Ord. No. 10863, March 28, 1991; and
4. SD 18.1, originally adopted by Ord. No. 11240, March 27, 1995.

The Coconut Grove NCD is hereby adopted and codified in Appendix A.3 to this Code.

3.13 SUSTAINABILITY

3.13.1 General

a. Landscape requirements are as required in the Miami-Dade County Landscape Ordinance and the City of Miami Tree Protection regulations of Chapter 17 of the City Code, except that where this Code is more restrictive than the Tree Protection regulations or the Landscape Ordinance, this Code shall apply.

b. All new Buildings of more than 50,000 square feet in the T5, T6, CI and CS zones shall be at a minimum certified as Silver by the United States Green Building Council (USGBC) Leadership in Energy and Environmental Design (LEED) standards or equivalent standards adopted or approved by the City. At the time of permit application, the owner shall post a performance bond in a form acceptable to the City of Miami.

   The amount of the required performance bond shall be calculated as follows:

   1. Two percent (2%) of the total cost of construction for a 50,000 – 100,000 square foot Building.
   2. Three percent (3%) of the total cost of construction for a 100,001 – 200,000 square foot Building.
   3. Four percent (4%) of the total cost of construction for any Building greater than 200,000 square feet.

   The performance bond shall be forfeited to the City in the event that the Building does not meet the verification requirements for LEED Silver certification. The City will draw down on the bond funds if LEED Silver certification has not been achieved and accepted by the City within one year of the City issuance of the Certificate of Occupancy for the Building. Funds that become available to the City from the forfeiture of the performance bond shall be placed in the Miami 21 Public Benefits Trust Fund established by this Code.

c. The preservation of Natural Features of land such as trees, vegetation, geological, and other characteristics and the preservation of features of archaeological significance are declared to be in the public interest. Said preservation may justify the relaxation of Setbacks or required Off-street Parking by Waiver. The Zoning Administrator shall determine that the trees, vegetation, geological and other natural characteristic, or archaeological features are in the Buildable Area of the Site and not in Setback areas required for the development of the site.

3.14 PUBLIC BENEFITS PROGRAM

The intent of the Public Benefits Program established in this section is to allow bonus Building Height and FLR in T6 Zones and bonus Building Height in D1 Zones in exchange for the developer's contribution to specified programs that provide benefits to the public.

~~The intent of the Public Benefits Program established in this section is to allow bonus Building Height and FLR in T6 Zones in exchange for the developer's contribution to specified programs that provide benefits to the public.~~

3.14.1 The bonus Height and FLR shall be permitted if the proposed Development contributes toward the specified public benefits, above that which is otherwise required by this Code, in the amount and in the manner as set forth herein.

The bonus shall not be available to properties in a T6 Zone if the property abuts a T3 Zone.

1. T6-8: eight Story maximum, bonus to twelve (12) Stories, FLR 5; bonus of twenty-five percent (25%)
2. T6-12: twelve (12) Story maximum, bonus to twenty (20) Stories, FLR 8, bonus of thirty percent (30%)
3. T6-24: twenty-four (24) Story maximum, bonus to forty-eight (48) Stories, FLR 7, bonus of thirty percent (30%)
4. T6-36a: thirty-six (36) Story maximum, bonus to sixty (60) Stories, FLR 12, bonus of forty percent (40%)
5. T6-36b: thirty-six (36) Story maximum, bonus up to sixty (60) Stories, FLR 22, bonus of forty percent (40%)
6. T6-60a: sixty (60) Story maximum, bonus up to unlimited Stories, FLR 11, bonus of fifty percent (50%)
7. T6-60b: sixty (60) Story maximum, bonus up to unlimited Stories, FLR 18, bonus of fifty percent (50%)
8. T6-80: eighty (80) Story maximum, bonus to unlimited Stories, FLR 24; bonus of fifty percent (50%).

Transect Zone Heights are fully described in Article 5.

In addition, certain other bonuses may be provided as follows:

10. An additional Story in a T5 zone that Abuts a D1 zone, for an equivalent square footage of Affordable/ Workforce Housing as described in Section 3.14.4. This shall not be applicable to properties Abutting T3 zones.
11. In T6 zones, additional Height and FLR for LEED certified Silver, Gold or Platinum Buildings as described in Section 3.14.4.
12. An additional Story in any zone for development of a Brownfield as described in Section 3.14.4.
13. In T6 zones additional Height and FLR for development that donates a Civic Space Type or Civil Support Use area to the City of Miami as described in Section 3.14.4.

3.14.2 Upon providing a binding commitment for the specified public benefits as provided in Section 3.14.3 below, the proposed development project shall be allowed to build within the restrictions of the specific Transect Zone, up to the bonus Height and FLR as established in this Section. The only square footage allowed above the maximum Height is that achieved through the bonus program.

3.14.3 The proposed bonus Height and FLR shall be permitted in exchange for contribution to the City for the following public benefits: affordable/workforce housing, Public Parks and Open Space, Green Buildings, Brownfields, and Civic Space or Civil Support space. The

City shall establish a Miami 21 Public Benefits Trust Fund for the cash contributions for Affordable/ Workforce Housing, Public Parks and Open Space, and Green Building certification shortfall penalty made under this section. The City Commission, upon the manager's recommendation, shall annually decide the allocation of funds from the Trust Fund collected under this section. All cash contributions thus allocated by the Commission to support affordable/ workforce housing shall be deposited in the Affordable Housing Trust Fund for expenditures pursuant to the guidelines adopted by the City Commission. All cash contributions thus allocated by the Commission to support Parks and Open Space shall be deposited in the Parks and Open Space Trust Fund, set forth in Chapter 62 of the City Code, to be expended in accordance with the guidelines outlined therein.

a. Definitions

1. Affordable/ Workforce Housing shall mean: housing available to families which meet the qualifications as established by the City Community Development Department.
2. Public Parks and Open Space shall mean: Open Space meeting the standards of Article 4, Table 7 of this Code.
3. Green Building shall mean a Building certified by the United States Green Building Council (USGBC) as Silver, Gold or Platinum rated.
4. Brownfield shall mean: a site within the City that is subject to a Brownfield Site Rehabilitation Agreement (BSRA) executed between the property owner and the City Department of Economic Development.

3.14.4 For the purposes of the public benefits program, the following criteria shall apply:

a. Affordable/ Workforce Housing. The development project in a T6 zone may provide any of the following or combination thereof:

1. Affordable/workforce housing on site of the development. For each square foot of affordable/workforce housing (including pertaining shared space such as parking and circulation) provided on site, the development shall be allowed two square feet of additional area up to the bonus Height and FLR as described in Section 3.14.1.

2. Affordable/Workforce housing off-site. For each square foot of affordable /workforce housing (including pertaining shared space such as parking and circulation) provided off site, in a location within the City approved by the City Manager, the development shall be allowed an equivalent square footage of additional area up to the bonus Height and FLR as described in Section 3.14.1. No additional allowance is given for the purchase of the site.

3. Trust Fund contributions. For a cash contribution to the Miami 21 Public Benefit Trust Fund, the development shall be allowed additional Floor Area up to the bonus Height and FLR described in Section 3.14.1. The cash contribution shall be determined based on the value of land per square foot of Building in the area of the City in which the proposed project is located, which may be adjusted from time to time based on market conditions. The methodology for determining the

value of land per square foot of Building shall be maintained in the Planning Department.

b. Public Parks and Open Space. The development project in a T6 zone may provide any of the following or combination thereof:

1. Public Park or Open Space provided through purchase and in an area of need identified by the City Parks and Open Space Master Plan and the City's Parks Department. For each square foot of dedicated public Park or Open Space provided, the development shall be allowed two times the development Floor Area of provided land up to the bonus Height and FLR as described in Section 3.14.1. The Open Space may be a Park, Green or Square, as more fully described in Article 4, Table 7 of this Code.

2. Public Open Space provided on-site in a location and of a design to be approved by the Planning Director. For each square foot of dedicated public Park or Open Space provided, the development shall be allowed an equivalent amount of development Floor Area up to the bonus Height and FLR as described in Section 3.14.1. The project shall maintain the Frontage requirements of the Transect Zone. The Open Space may be a Courtyard, Plaza, or Thoroughfare or Pedestrian Passage through the site connecting two (2) Thoroughfares, such as a segment of the Baywalk or FEC Greenway. See Article 4, Table 7.

3. Trust Fund contribution. For a cash contribution to the Miami 21 Public Benefits Trust Fund, the development project shall be allowed additional square footage up to the bonus Height and FLR as described in Section 3.14.1. The cash contribution shall be determined based on the value of land per square foot of Building in the area of the City in which the proposed project is located, which may be adjusted from time to time based on market conditions. The methodology for calculating the value shall be maintained in the Planning Department.

c. Historic Preservation. Bonus Floor Area to the maximum bonus Height and FLR as described in Section 3.14.1 shall be allowed for additional square footage qualified under the city Transfer of Development Rights program established in Chapter 23, City Code.

d. Green Building. In a T6 zone, additional Height and FLR shall be allowed for Buildings certified by the U.S. Green Building Council as follows:

1. Silver: For Buildings under 50,000 sf, 2.0% of the floor lot ratio (FLR)
2. Gold: 4.0% of the Floor Lot Ratio (FLR)
3. Platinum: 13.0% of the Floor Lot Ratio (FLR)

Note: Standards equivalent to the USGBC, as adopted by the City, may alternatively apply.

If at the time the first Certificate of Occupancy is issued for the Building that received a public benefits bonus for a Green Building, the anticipated LEED certification has not been achieved, then the owner shall post a performance bond in a form

acceptable to the City of Miami. The performance bond shall be determined based on the value of land per square foot of Building in the area of the City in which the proposed project is located, which may be adjusted from time to time based on market conditions. The methodology for determining the value of land per square foot of Building shall be maintained in the Planning Department. The City will draw down on the bond funds if LEED certification has not been achieved and accepted by the City within one year of the City issuance of the Certificate of Occupancy for the Building. Funds that become available to the City from the forfeiture of the performance bond shall be placed in the Miami 21 Public Benefits Trust Fund established by this Code.

e. Brownfields. One additional Story of Height shall be permitted for redevelopment on a Brownfield Site as defined herein.

f. Civic s~~S~~pace and Civil Support space. For a development project in a T6 zone that donates a Civic s~~S~~pace or Civil Support space on site to the City of Miami, an additional two square feet of area for each square foot of donated space, up to the bonus Height and FLR, shall be allowed.

3.14.5 No Building permit shall be issued for bonus Height and FLR until the Zoning Administrator has certified compliance with the provisions of this section, upon referral and assurance of compliance from applicable departments. Certification shall be made only after a certified check has been deposited and cleared to the Miami 21 Public Benefits Trust Fund or, for non cash contributions, a binding commitment has been approved by the City Manager. The cash contribution shall be nonrefundable.

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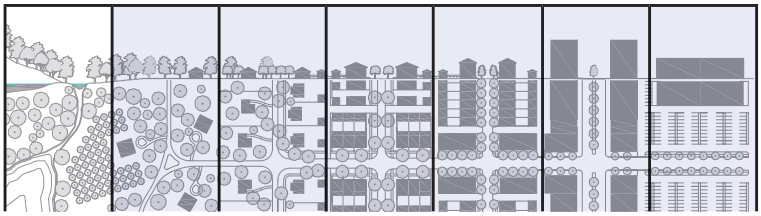
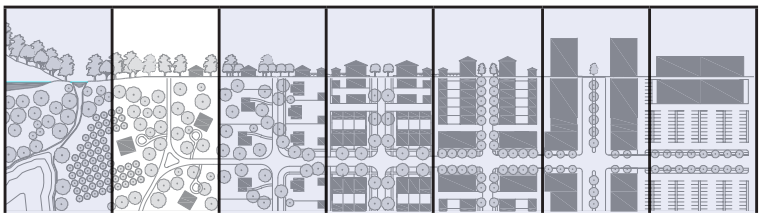
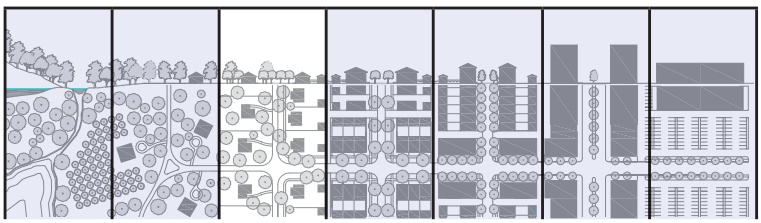
T1 **THE NATURAL ZONE** consists of lands approximating a wilderness condition, permanently set aside for conservation in an essentially natural state.



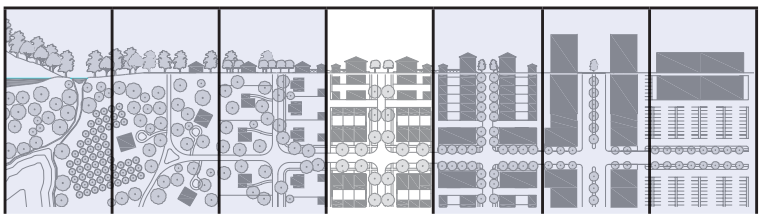
T2 **THE RURAL ZONE** consists of lands in open or cultivated state or sparsely settled. These include woodland, grassland and agricultural land.



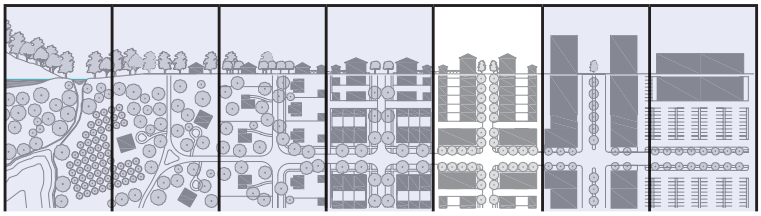
T3 **THE SUB-URBAN ZONE** consists of low-Density areas, primarily comprised of Single-Family and Two Family residential units with relatively deep Setbacks, Streetscapes with swales, and with or without Sidewalks. Blocks may be large and the roads may be of irregular geometry to accommodate natural and historic conditions.



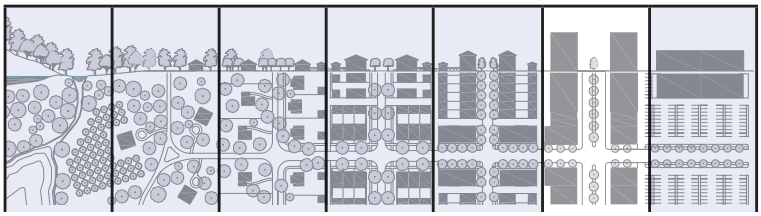
T4 **THE GENERAL URBAN ZONE** consists of a Mixed-Use but primarily residential urban fabric with a range of Building types including rowhouses, small apartment Buildings, and bungalow courts. Setbacks are short with an urban Streetscape of wide Sidewalks and trees in planters. Thoroughfares typically define medium-sized blocks.



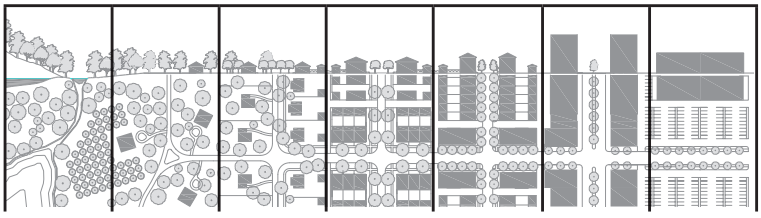
T5 **THE URBAN CENTER ZONE** consists of higher Density Mixed-Use Building types that accommodate retail and office Uses, rowhouses and apartments. A network of small blocks has Thoroughfares with wide Sidewalks, steady street tree planting and Buildings set close to the Frontages with frequent doors and windows.



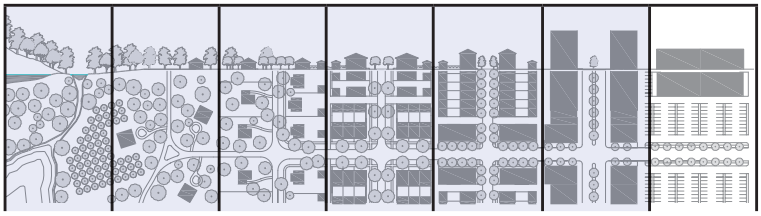
T6 **THE URBAN CORE ZONE** consists of the highest Density and greatest variety of Uses, including Civic Buildings of regional importance. A network of small blocks has Thoroughfares with wide Sidewalks, with steady tree planting and Buildings set close to the Frontage with frequent doors and windows.



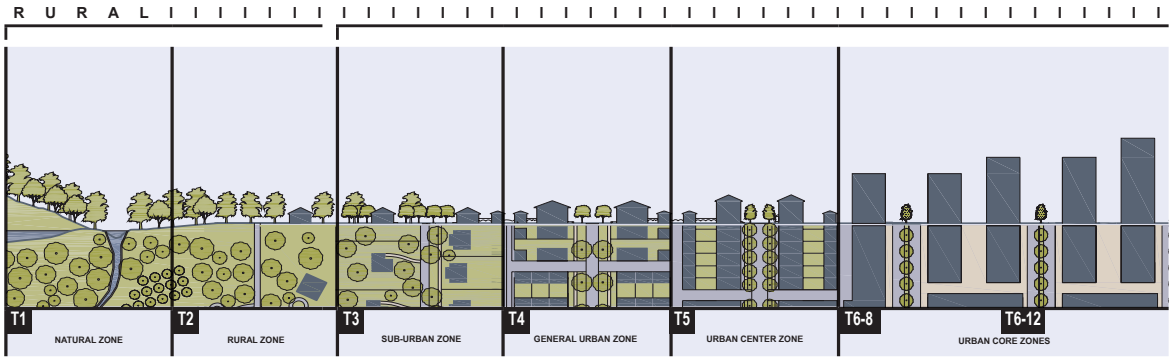
C **THE CIVIC ZONE** consists of public use space and facilities that may contrast in use to their surroundings while reflecting adjacent Setbacks and landscape.



D **THE DISTRICT ZONE** consists of the least regulated Building and accommodates commercial and industrial Uses of a scale and with a Streetscape that facilitate vehicular access.



PUBLIC HEARING-FIRST READING 2009



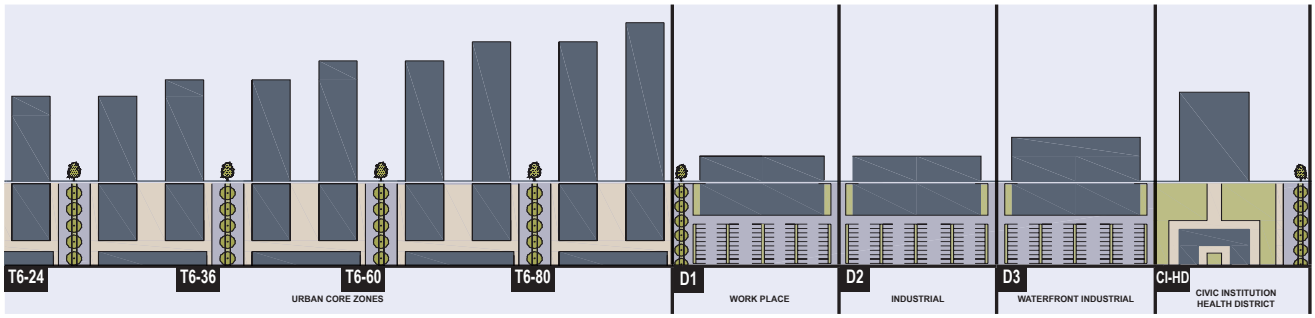
LOT OCCUPATION							
a. Lot Area			5,000 s.f. min.	1,400 s.f. - 20,000 s.f. **	1,200 s.f. - 40,000 s.f.**	5,000 sf. min 40,000 s.f. max.**	5,000 sf. min. 70,000 s.f. max.**
b. Lot Width			50 ft. min.	16 ft. min / 50 ft. min.**	16 ft. min / 50 ft. min.**	50 ft. min.	50 ft. min.
c. Lot Coverage			50% max.1st Floor 30% max. 2nd Floor for T3 R & T3L only	60% max.	80% max.	80% max.**	80% max.**
d. Floor Lot Ratio (FLR)						5	8
e. Frontage at front Setback				50% min.	60% min.	70% min.	70% min.
f. Green / Open Space Requirements			25% Lot Area min.	15% Lot Area min.	10% Lot Area min.	10% Lot Area min.	10% Lot Area min.
g. Density			9-18 du/acre max.**	36 du/acre max.	65 du/acre max.	150 du /acre *	150 du /acre *
BUILDING SETBACK							
a. Principal Front			20 ft. min.	10 ft.min.	10 ft. min.	10 ft. min.	10 ft. min.
b. Secondary Front			10 ft. min.	10 ft. min.	10 ft. min.	10 ft. min.	10 ft. min.
c. Side			5 ft. min.**	0 ft. min. / 5 ft. min.**	0 ft. min.**	0 ft. min.**	0 ft. min.**
d. Rear			20 ft. min.	20 ft. min.	0 ft. min.**	0 ft. min.**	0 ft. min.**
OUTBUILDING SETBACK							
a. Principal Front			20 ft. min. (T3 L only)	30 ft. min.			
b. Secondary Front			10 ft. min. (T3 L only)	10 ft. min.			
c. Side			5 ft. min. (T3 L only)	0 ft. min. / 5 ft. min.			
d. Rear			5 ft. min. (T3 L only)	5 ft. min.			
PRIVATE FRONTAGES							
a. Common Lawn			permitted	permitted	prohibited	prohibited	prohibited
b. Porch & Fence			permitted	permitted	prohibited	prohibited	prohibited
c. Terrace or L.C.			prohibited	permitted	prohibited	prohibited	prohibited
d. Forecourt			prohibited	permitted	permitted	permitted	permitted
e. Stoop			prohibited	permitted	permitted	permitted	permitted
f. Shopfront			prohibited	permitted (T4 L, T4 O)	permitted (T5 L, T5 O)	permitted (T6-8 L, T6-8 O)	permitted (T6-12 L, T6-12 O)
g. Gallery			prohibited	prohibited	permitted **	permitted **	permitted **
h. Arcade			prohibited	prohibited	permitted **	permitted **	permitted **
BUILDING HEIGHT (Stories)							
a. Principal Building			2 max.	3 max.	2 min. 5 max.	2 min. 8 max.	2 min. 12 max.
b. Outbuilding			2 max.	2 max.			
c. Benefit Height Abutting T6, T5 & T4 only						4 max.**	8 max.**

PUBLIC FRONTAGES (deleted)

* Or as modified in Diagram 9

** Note: Refer to Article 5 for Specific Transect Zone Regulations

PUBLIC HEARING-FIRST READING 2009



LOT OCCUPATION								
a. Lot Area	5,000 sf. min. 100,000 s.f.max. **	5,000 sf. min.	5,000 sf. min.	5,000 sf. min.	5,000 s.f. min.	5,000 s.f. min.	10,000 s.f. min.	10,000 s.f. min.
b. Lot Width	50 ft. min.	100 ft. min.	100 ft. min.	100 ft. min.	50 ft. min.	50 ft. min.	100 ft. min.	50 ft. min.
c. Lot Coverage	80% max.**	80% max.**	80% max.**	80% max.**	80% max	90% max	90% max	80% max
d. Floor Lot Ratio (FLR)	7	a.12 or b.22	a.11 or b.18	24				8
e. Frontage at front Setback	70% min.	70% min.	70% min.	70% min.	None	None	None	None
f. Open Space Requirements	10% Lot Area min.	10% Lot Area min.	10% Lot Area min.	10% Lot Area min.	5% Lot Area min.	5% Lot Area min.	5% Lot Area min.	10% Lot Area min.
g. Density	150 du /acre *	150 du /acre *	150 du /acre *	150 du /acre *	9 du/acre max.			150 du /acre *
BUILDING SETBACK								
a. Principal Front	10 ft. min.	10 ft. min.	10 ft. min.	10 ft. min.	10 ft. min.	10 ft. min.	5 ft. min.	10 ft. min.
b. Secondary Front	10 ft. min.	10 ft. min.	10 ft. min.	10 ft. min.	10 ft. min.	5 ft. min.	5 ft. min.	10 ft. min.
c. Side	0 ft. min.**	0 ft. min.**	0 ft. min.**	0 ft. min.**	0 ft. min.**	0 ft. min.**	0 ft. min.**	0 ft. min.**
d. Rear	0 ft. min.**	0 ft. min.**	0 ft. min.**	0 ft. min.**	0 ft. min.**	0 ft. min.**	0 ft. min.**	0 ft. min.**
OUTBUILDING SETBACK								
a. Principal Front								
b. Secondary Front								
c. Side								
d. Rear								
PRIVATE FRONTAGES								
a. Common Lawn	prohibited	prohibited	prohibited	prohibited	prohibited	prohibited	prohibited	permitted
b. Porch & Fence	prohibited	prohibited	prohibited	prohibited	prohibited	prohibited	prohibited	prohibited
c. Terrace or L.C.	prohibited	prohibited	prohibited	prohibited	permitted	permitted	permitted	permitted
d. Forecourt	permitted	permitted	permitted	permitted	permitted	permitted	permitted	permitted
e. Stoop	permitted	permitted	permitted	permitted	permitted	permitted	permitted	permitted
f. Shopfront	permitted (T6-24 L, T6-24 O)	permitted (T6-36 L, T6-36 O)	permitted (T6-60 L, T6-60 O)	permitted (T6-80 L, T6-80 O)	permitted	permitted	permitted	permitted
g. Gallery	permitted **	permitted **	permitted **	permitted **	permitted **	permitted **	permitted **	permitted **
h. Arcade	permitted **	permitted **	permitted **	permitted **	permitted **	permitted **	permitted **	permitted **
BUILDING HEIGHT (Stories)								
a. Principal Building	2 min. 24 max.	2 min. 36 max.	2 min. 60 max.	2 min. 80 max.	none 8 max.	none 8 max.	none 8 max.	1 min. As regulated by F.A.A.
b. Outbuilding								
c. Benefit Height Abutting T6, T5 & T4 only	24 max.**	24 max.**	unlimited **	unlimited **	2 max.**			

* Or as modified in Diagram 9

** Note: Refer to Article 5 for Specific Transect Zone Regulations

PUBLIC HEARING-FIRST READING 2009

	T3 SUB-URBAN			T4 URBAN GENERAL			T5 URBAN CENTER			T6 URBAN CORE			C CIVIC			D DISTRICTS		
	R	L	O	R	L	O	R	L	O	R	L	O	CS	CI	CI-HD	D1	D2	D3
DENSITY (UNITS PER ACRE)	9	9	18	36	36	36	65	65	65	150*	150*	150*	N/A	AZ**	150*	9	N/A	N/A
RESIDENTIAL																		
SINGLE FAMILY RESIDENCE	R	R	R	R	R	R	R	R	R	R	R	R						
COMMUNITY RESIDENCE	R	R	R	R	R	R	R	R	R	R	R	R			R			
ANCILLARY UNIT		R		R	R	R												
TWO FAMILY RESIDENCE			R	R	R	R	R	R	R	R	R	R						
MULTI FAMILY HOUSING				R	R	R	R	R	R	R	R	R			R			
DORMITORY					E	E		R	R		R	R		E	R			
HOME OFFICE	R	R	R	R	R	R	R	R	R	R	R	R			R			
LIVE - WORK					R	R		R	R		R	R			R			
WORK - LIVE															R	R		
LODGING																		
BED & BREAKFAST				W	R	R	E	R	R	E	R	R			R	R		
INN						R		R	R	E	R	R			R	R		
HOTEL								R	R		R	R			R			
OFFICE																		
OFFICE					R	R		R	R		R	R		E	R	R	R	W
COMMERCIAL																		
AUTO-RELATED COMMERCIAL ESTAB.									W		W	W				R	R	
ENTERTAINMENT ESTABLISHMENT						R		W	R		R	R				R	R	
ENTERTAINMENT ESTAB. - ADULT																	R	
FOOD SERVICE ESTABLISHMENT					R	R		R	R	W	R	R	W	E	R	R	R	W
ALCOHOL BEVERAGE SERVICE ESTAB.					R	R		R	R		R	R			R	R	R	W
GENERAL COMMERCIAL					R	R		R	R	W	R	R	E	E	R	R	R	W
MARINE RELATED COMMERCIAL ESTAB.								W	W		W	W				R	R	R
OPEN AIR RETAIL								W	W		W	W	W	E		R	R	W
PLACE OF ASSEMBLY								R	R	E	R	R		E	E	R	R	W
RECREATIONAL ESTABLISHMENT								R	R		R	R		E	R	R	R	W
CIVIC																		
COMMUNITY FACILITY					W	W		W	W		W	W	W	E	W	R	R	
RECREATIONAL FACILITY	E	E	E	E	R	R	E	R	R	E	R	R	W	E	W	R	R	
RELIGIOUS FACILITY	E	E	E	E	R	R	E	R	R	E	R	R	W	E	R	R	R	W
CIVIL SUPPORT																		
COMMUNITY SUPPORT FACILITY					W	W		W	W		W	W		E	E	R	R	W
INFRASTRUCTURE AND UTILITIES	W	W	W	W	W	W	W	W	W	W	W	W	W	E	W	W	R	W
MAJOR FACILITY														E	R	E	E	E
MARINA				E	W	W	E	W	W	E	W	W	R	E		R	R	R
PUBLIC PARKING					W	W	E	W	W	E	W	W		E	R	R	R	W
RESCUE MISSION														E	R	E	W	W
TRANSIT FACILITIES					W	W	E	W	W	E	W	W		E	R	R	R	W
EDUCATIONAL																		
CHILDCARE				E	W	W	E	W	W	W	W	W		E	R	E		
COLLEGE / UNIVERSITY								W	W		W	W		E	R	E		
ELEMENTARY SCHOOL	E	E	E	E	E	E	E	W	W	E	W	W		E	R	E		
LEARNING CENTER					E	E		R	R		R	R	E	E	R	E		
MIDDLE / HIGH SCHOOL	E	E	E	E	E	E	E	W	W	E	W	W		E	R	E		
PRE-SCHOOL	E	E	E	E	E	E	E	R	R	E	R	R		E	R	E		
RESEARCH FACILITY					R	R		R	R		R	R		E	R	R	R	W
SPECIAL TRAINING / VOCATIONAL						E		W	W		W	W		E	R	R	R	W
INDUSTRIAL																		
AUTO-RELATED INDUSTRIAL ESTBL.																R	R	W
MANUFACTURING AND PROCESSING																W	R	W
MARINE RELATED INDUSTRIAL ESTBL.																R	R	R
PRODUCTS AND SERVICES																R	R	W
STORAGE/ DISTRIBUTION FACILITY																R	R	W

R Allowed By Right

W Allowed By Warrant: Administrative Process - CRC (Coordinated Review Committee)

E Allowed By Exception: Public Hearing - granted by PZAB (Planning, Zoning & Appeals Board)

Boxes with no designation signify Use prohibited.

Uses may be further modified by Supplemental Regulations, State Regulations, or other provisions of this Code.

* Additional densities in some T6 zones are illustrated in Diagram 9.

** AZ: Density of lowest Abutting Zone

	RESTRICTED	LIMITED	OPEN
DENSITY (UPA)	**9 UNITS PER ACRE**	**9 UNITS PER ACRE**	**18 UNITS PER ACRE**
RESIDENTIAL	Residential Uses are permissible as listed in Table 3, limited by compliance with: • Minimum of 2 parking spaces per principal Dwelling Unit. • Adult Family-Care Homes - Minimum of 1 parking space per staff member and 1 space per 4 residents. • Community Residence - Minimum of 1 parking space per staff member in addition to the parking required for the principal Dwelling Unit.	Residential Uses are permissible as listed in Table 3, limited by compliance with: • All Dwelling Units shall be under single ownership • Minimum of 2 parking spaces per principal Dwelling Unit. • Minimum of 1 parking space per Ancillary Dwelling Unit. • Adult Family-Care Homes - Minimum of 1 parking space per staff member and 1 space per 4 residents. • Community Residence - Minimum of 1 parking space per staff member in addition to the parking required for the Dwelling Units.	Residential Uses are permissible as listed in Table 3, limited by compliance with: • Minimum of 2 parking spaces per principal Dwelling Unit. • Adult Family-Care Homes - Minimum of 1 parking space per staff member and 1 space per 4 residents. • Community Residence - Minimum of 1 parking space per staff member in addition to the parking required for the Dwelling Units.
CIVIC	Civic Uses are permissible as listed in Table 3. • Minimum of 1 parking space for every 5 seats of assembly use. • Minimum of 1 parking space for every 1,000 square feet of exhibition or recreation area, and parking spaces for other Uses as required.	Civic Uses are permissible as listed in Table 3. • Minimum of 1 parking space for every 5 seats of assembly use. • Minimum of 1 parking space for every 1,000 square feet of exhibition or recreation area, and parking spaces for other Uses as required.	Civic Uses are permissible as listed in Table 3. • Minimum of 1 parking space for every 5 seats of assembly use. • Minimum of 1 parking space for every 1,000 square feet of exhibition or recreation area, and parking spaces for other Uses as required.
CIVIL SUPPORT	Civil Support Uses are permissible as listed in Table 3. • Minimum of 1 parking space for every 800 square feet of Civil Support Use. • Minimum of 1 parking space for every 5 seats of assembly uses.	Civil Support Uses are permissible as listed in Table 3. • Minimum of 1 parking space for every 800 square feet of Civil Support Use. • Minimum of 1 parking space for every 5 seats of assembly uses.	Civil Support Uses are permissible as listed in Table 3. • Minimum of 1 parking space for every 800 square feet of Civil Support Use. • Minimum of 1 parking space for every 5 seats of assembly uses.
EDUCATIONAL	Educational Uses are permissible as listed in Table 3. • Minimum of 3 parking spaces for every 1,000 square feet of Educational Use.	Educational Uses are permissible as listed in Table 3. • Minimum of 3 parking spaces for every 1,000 square feet of Educational Use.	Educational Uses are permissible as listed in Table 3. • Minimum of 3 parking spaces for every 1,000 square feet of Educational Use.

	RESTRICTED	LIMITED	OPEN
DENSITY (UPA)	**36 UNITS PER ACRE**	**36 UNITS PER ACRE**	**36 UNITS PER ACRE**
RESIDENTIAL	Residential Uses are permissible as listed in Table 3, limited by compliance with: • Minimum of 1.5 parking spaces per principal Dwelling Unit. • Ancillary Dwelling - Minimum of 1 parking space per ancillary dwelling unit. • Adult Family-Care Homes - Minimum of 1 parking space per staff member and 1 space per 4 residents. • Community Residence - Minimum of 1 parking space per staff member in addition to the parking required for the Dwelling Units.	Residential Uses are permissible as listed in Table 3, limited by compliance with: • Minimum of 1.5 parking spaces per principal Dwelling Unit. • Ancillary Dwelling - Minimum of 1 parking space per ancillary dwelling unit. • Live-work - Work component shall provide parking as required by non-residential use in addition to parking required for the Dwelling Units. • Adult Family-Care Homes - Minimum of 1 parking space per staff member and 1 space per 4 residents. • Community Residence- Minimum of 1 parking space per staff member in addition to the parking required for the Dwelling Units. • Parking requirement may be reduced according to the Shared parking standard, Article 4, Table 5. • Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required.	Residential Uses are permissible as listed in Table 3, limited by compliance with: • Minimum of 1.5 parking spaces per principal Dwelling Unit. • Ancillary Dwelling - Minimum of 1 parking space per ancillary dwelling unit. • Live-work - Work component shall provide parking as required by non-residential use in addition to parking required for the Dwelling Unit. • Adult Family-Care Homes - Minimum of 1 parking space per staff member and 1 space per 4 residents. • Community Residence- Minimum of 1 parking space per staff member in addition to the parking required for the Dwelling Units. • Parking requirement may be reduced according to the Shared parking standard, Article 4, Table 5. • Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required.
LODGING	• See City Code, Chapter 23.	Lodging Uses are permissible as listed in Table 3, limited by compliance with: • Minimum of 1 parking space for every 2 lodging units. • Minimum of 1 additional visitor parking space for every 5 lodging units. • Parking requirement may be reduced according to the Shared parking standard, Article 4, Table 5. • Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required.	Lodging Uses are permissible as listed in Table 3, limited by compliance with: • Minimum of 1 parking space for every 2 lodging units. • Minimum of 1 additional visitor parking space for every 5 lodging units. • Parking requirement may be reduced according to the Shared parking standard, Article 4, Table 5. • Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required.
OFFICE		Office Uses are permissible as listed in Table 3, limited by compliance with: • The first Story of the Principal Building and ancillary Building and Office and Commercial Uses shall be less than 50% Building floor area total. • Minimum of 3 parking spaces for every 1,000 square feet of office use. • Parking requirement may be reduced according to the Shared parking standard, Article 4, Table 5. • Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required.	Office Uses are permissible as listed in Table 3, limited by compliance with: • Minimum of 3 parking spaces for every 1,000 square feet of office use. • Parking requirement may be reduced according to the Shared parking standard, Article 4, Table 5. • Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required.
COMMERCIAL		Commercial Uses are permissible as listed in Table 3, limited by compliance with: • The first Story of the Principal Building and ancillary Building and Office and Commercial Uses shall be less than 50% Building floor area total. • A maximum area of 4,000 square feet per establishment. • Food establishments of a maximum seating capacity of 40 patrons. • Minimum of 3 parking spaces for every 1,000 square feet of commercial use. • Parking requirement may be reduced according to the Shared parking standard, Article 4, Table 5. • Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required.	Commercial Uses are permissible as listed in Table 3, limited by compliance with: • A maximum area of 4,000 square feet per establishment. • Food establishments of a maximum seating capacity of 40 patrons. • Minimum of 3 parking spaces for every 1,000 square feet of commercial use. • Minimum of one Bike space for every 20 vehicular spaces required (before any reductions). • Parking requirement may be reduced according to the Shared parking standard, Article 4, Table 5. • Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required.

	RESTRICTED	LIMITED	OPEN
DENSITY (UPA)	**36 UNITS PER ACRE**	**36 UNITS PER ACRE**	**36 UNITS PER ACRE**
CIVIC	Civic Uses are permissible as listed in Table 3. • Minimum of 1 parking space for every 5 seats of assembly use. • Minimum of 1 parking space for every 1,000 square feet of exhibition or recreation area, and parking spaces for other Uses as required. • Parking requirement may be reduced according to the Shared parking standard, Article 4, Table 5. • Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required.	Civic Uses are permissible as listed in Table 3. • Minimum of 1 parking space for every 5 seats of assembly use. • Minimum of 1 parking space for every 1,000 square feet of exhibition or recreation area, and parking spaces for other Uses as required. • Parking requirement may be reduced according to the Shared parking standard, Article 4, Table 5. • Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required. • Parking for civic uses may be provided off-site within a distance of 1,000 feet.	Civic Uses are permissible as listed in Table 3. • Minimum of 1 parking space for every 5 seats of assembly use. • Minimum of 1 parking space for every 1,000 square feet of exhibition or recreation area, and parking spaces for other Uses as required. • Parking requirement may be reduced according to the Shared parking standard, Article 4, Table 5. • Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required. • Parking for civic uses may be provided off-site within a distance of 1,000 feet.
CIVIL SUPPORT	Civil Support Uses are permissible as listed inTable 3. • Minimum of 1 parking space for every 800 square feet of Civil Support Use. • Minimum of 1 parking space for every 5 seats of assembly use.	Civil Support Uses are permissible as listed in Table 3. • Minimum of 1 parking space for every 800 square feet of Civil Support Use. • Adult Daycare- Minimum of 1 space per staff member. • Minimum of 1 parking space for every 5 seats of assembly use. • Parking requirement may be reduced according to the Shared parking standard, Article 4, Table 5. • Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required.	Civil Support Uses are permissible as listed in Table 3. • Minimum of 1 parking space for every 800 square feet of Civil Support Use. • Minimum of one Bike space for every 20 vehicular spaces required (before any reductions). • Adult Daycare- Minimum of 1 space per staff member. • Minimum of 1 parking space for every 5 seats of assembly use. • Parking requirement may be reduced according to the Shared parking standard, Article 4, Table 5. • Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required.
EDUCATIONAL	Educational Uses are permissible as listed in Table 3. • Minimum of 3 parking spaces for every 1,000 square feet of Educational Use. • Childcare Facilities- Minimum of 1 space per staff member.	Educational Uses are permissible as listed in Table 3. • Minimum of 3 parking spaces for every 1,000 square feet of Educational Use. • Childcare Facilities- Minimum of 1 space per staff member. • Parking requirement may be reduced according to the Shared parking standard, Article 4, Table 5. • Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required.	Educational Uses are permissible as listed in Table 3. • Minimum of 3 parking spaces for every 1,000 square feet of Educational Use. • Childcare Facilities- Minimum of 1 space per staff member. • Parking requirement may be reduced according to the Shared parking standard, Article 4, Table 5. • Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required.

	RESTRICTED	LIMITED	OPEN
DENSITY (UPA)	**65 UNITS PER ACRE**	**65 UNITS PER ACRE**	**65 UNITS PER ACRE**
RESIDENTIAL	Residential Uses are permissible as listed in Table 3, limited by compliance with: • Minimum of 1.5 parking spaces per Dwelling Unit. • Minimum of 1 additional visitor parking space for every 10 Dwelling Units. • Ancillary Dwelling - Minimum of 1 parking space per ancillary unit in addition to the parking required for the principal dwelling unit. • Adult Family-Care Homes - Minimum 1 space per staff member and 1 space per 4 residents. • Community Residence - Minimum of 1 parking space per staff member in addition to the parking required for the principal Dwelling Unit(s). • Parking requirement may be reduced according to the Shared parking standard, Article 4, Table 5. • Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required. • Parking ratio may be reduced within ½ mile radius of TOD and within ¼ mile radius of a Transit Corridor by thirty percent (30%) by process of Waiver, except when site is within 500 feet of T3. • Loading - See Article 4, Table 5	Residential Uses are permissible as listed in Table 3, limited by compliance with: • Minimum of 1.5 parking spaces per Dwelling Unit. • Minimum of 1 additional visitor parking space for every 10 Dwelling Units. • Ancillary Dwelling - Minimum of 1 parking space per ancillary unit in addition to the parking required for the principal dwelling unit. • Live-work - Work component shall provide parking as required by the non-residential use in addition to parking required for the Dwelling Unit. • Adult Family-Care Homes - Minimum 1 space per staff member and 1 space per 4 residents. • Community Residence - Minimum of 1 parking space per staff member in addition to the parking required for the principal Dwelling Unit(s). • Parking requirement may be reduced according to the Shared parking standard, Article 4, Table 5. • Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required. • Parking ratio may be reduced within ½ mile radius of TOD and within ¼ mile radius of a Transit Corridor by thirty percent (30%) by process of Waiver, except when site is within 500 feet of T3. • Parking may be provided by ownership or lease offsite within 1000 feet by process of Waiver, except when site is within 500 feet of T3. • Loading - See Article 4, Table 5	Residential Uses are permissible as listed in Table 3, limited by compliance with: • Minimum of 1.5 parking spaces per Dwelling Unit. • Minimum of 1 additional visitor parking space for every 10 Dwelling Units. • Ancillary Dwelling - Minimum of 1 parking space per ancillary unit in addition to the parking required for the principal dwelling unit. • Live-work - Work component shall provide parking as required by the non-residential use in addition to parking required for the Dwelling Unit. • Adult Family-Care Homes - Minimum 1 space per staff member and 1 space per 4 residents. • Community Residence - Minimum of 1 parking space per staff member in addition to the parking required for the principal Dwelling Unit(s). • Parking requirement may be reduced according to the Shared parking standard, Article 4, Table 5. • Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required. • Parking ratio may be reduced within ½ mile radius of TOD and within ¼ mile radius of a Transit Corridor by thirty percent (30%) by process of Waiver, except when site is within 500 feet of T3. • Parking may be provided by ownership or lease offsite within 1000 feet by process of Waiver, except when site is within 500 feet of T3. • Loading - See Article 4, Table 5
LODGING	Lodging Uses are permissible as listed in Table 3. • Minimum of 1 parking space for every 2 lodging units. • Minimum of 1 additional visitor parking space for every 10 lodging units. • Parking requirement may be reduced according to the Shared parking standard, Article 4, Table 5. • Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required. • Parking ratio may be reduced within ½ mile radius of TOD and within ¼ mile radius of a Transit Corridor by thirty percent (30%) by process of Waiver, except when site is within 500 feet of T3. • Parking may be provided by ownership or lease offsite within 1000 feet by process of Waiver, except when site is within 500 feet of T3. • Loading - See Article 4, Table 5	Lodging Uses are permissible as listed in Table 3. • Minimum of 1 parking space for every 2 lodging units. • Minimum of 1 additional visitor parking space for every 10 lodging units. • Parking requirement may be reduced according to the Shared parking standard, Article 4, Table 5. • Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required. • Parking ratio may be reduced within ½ mile radius of TOD and within ¼ mile radius of a Transit Corridor by thirty percent (30%) by process of Waiver, except when site is within 500 feet of T3. • Parking may be provided by ownership or lease offsite within 1000 feet by process of Waiver, except when site is within 500 feet of T3. • Loading - See Article 4, Table 5	Lodging Uses are permissible as listed in Table 3. • Minimum of 1 parking space for every 2 lodging units. • Minimum of 1 additional visitor parking space for every 10 lodging units. • Parking requirement may be reduced according to the Shared parking standard, Article 4, Table 5. • Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required. • Parking ratio may be reduced within ½ mile radius of TOD and within ¼ mile radius of a Transit Corridor by thirty percent (30%) by process of Waiver, except when site is within 500 feet of T3. • Parking may be provided by ownership or lease offsite within 1000 feet by process of Waiver, except when site is within 500 feet of T3. • Loading - See Article 4, Table 5
OFFICE		Office Uses are permissible as listed in Table 3, limited by compliance with: • The first and second Story of the Principal Building and Office and Commercial Uses shall be less than 25% Building floor area total. • Minimum of 3 parking spaces for every 1,000 square feet of office use. • Parking requirement may be reduced according to the Shared parking standard, Article 4, Table 5. • Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required. • Parking ratio may be reduced within ½ mile radius of TOD and within ¼ mile radius of a Transit Corridor by thirty percent (30%) by process of Waiver, except when site is within 500 feet of T3. • Parking may be provided by ownership or lease offsite within 1000 feet by process of Waiver, except when site is within 500 feet of T3. • Loading - See Article 4, Table 5	Office Uses are permissible as listed in Table 3, limited by compliance with: • Minimum of 3 parking spaces for every 1,000 square feet of office use. • Parking requirement may be reduced according to the Shared parking standard, Article 4, Table 5. • Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required. • Parking ratio may be reduced within ½ mile radius of TOD and within ¼ mile radius of a Transit Corridor by thirty percent (30%) by process of Waiver, except when site is within 500 feet of T3. • Parking may be provided by ownership or lease offsite within 1000 feet by process of Waiver, except when site is within 500 feet of T3. • Loading - See Article 4, Table 5

	RESTRICTED	LIMITED	OPEN
DENSITY (UPA)	**65 UNITS PER ACRE**	**65 UNITS PER ACRE**	**65 UNITS PER ACRE**
COMMERCIAL		Commercial Uses are permissible as listed in Table 3, limited by compliance with: • The first and second Story of the Principal Building and Office and Commercial Uses shall be less than 25% Building floor area total. • A maximum area of 55,000 square feet per establishment. • Minimum of 3 parking spaces for every 1,000 square feet of commercial use. • Parking requirement may be reduced according to the Shared parking standard, Article 4, Table 5. • Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required. • Parking ratio may be reduced within ½ mile radius of TOD and within ¼ mile radius of a Transit Corridor by thirty percent (30%) by process of Waiver, except when site is within 500 feet of T3. • Parking may be provided by ownership or lease offsite within 1,000 feet by process of Waiver, except when site is within 500 feet of T3. • Loading - See Article 4, Table 5	Commercial Uses are permissible as listed in Table 3, limited by compliance with: • A maximum area of 55,000 square feet per establishment. • Minimum of 3 parking spaces for every 1,000 square feet of commercial use, except for Public Storage Facilities, minimum 1 parking space for every 2,000 square feet. • Parking requirement may be reduced according to the Shared parking standard, Article 4, Table 5. • Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required. • Parking ratio may be reduced within ½ mile radius of TOD and within ¼ mile radius of a Transit Corridor by thirty percent (30%) by process of Waiver, except when site is within 500 feet of T3. • Parking may be provided by ownership or lease offsite within 1000 feet by process of Waiver, except when site is within 500 feet of T3. • Loading - See Article 4, Table 5 • Commercial Auto-related, Drive-Thru or Drive-In Facilities - See Article 6.
CIVIC	Civic Uses are permissible as listed in Table 3, limited by compliance with: • Minimum of 1 parking space for every 5 seats of assembly uses. • Minimum of 1 parking space for every 1,000 square feet of exhibition or recreation area, and parking spaces for other Uses as required. • Parking requirement may be reduced according to the Shared parking standard, Article 4, Table 5. • Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required. • Parking ratio may be reduced within ½ mile radius of TOD and within ¼ mile radius of a Transit Corridor by thirty percent (30%) by process of Waiver, except when site is within 500 feet of T3. • Parking may be provided by ownership or lease offsite within 1000 feet by process of Waiver, except when site is within 500 feet of T3. • Loading - See Article 4, Table 5	Civic Uses are permissible as listed in Table 3, limited by compliance with: • Minimum of 1 parking space for every 5 seats of assembly uses. • Minimum of 1 parking space for every 1,000 square feet of exhibition or recreation area, and parking spaces for other Uses as required. • Parking requirement may be reduced according to the Shared parking standard, Article 4, Table 5. • Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required. • Parking ratio may be reduced within ½ mile radius of TOD and within ¼ mile radius of a Transit Corridor by thirty percent (30%) by process of Waiver, except when site is within 500 feet of T3. • Parking may be provided by ownership or lease offsite within 1000 feet by process of Waiver, except when site is within 500 feet of T3. • Loading - See Article 4, Table 5	Civic Uses are permissible as listed in Table 3, limited by compliance with: • Minimum of 1 parking space for every 5 seats of assembly uses. • Minimum of 1 parking space for every 1,000 square feet of exhibition or recreation area, and parking spaces for other Uses as required. • Parking requirement may be reduced according to the Shared parking standard, Article 4, Table 5. • Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required. • Parking ratio may be reduced within ½ mile radius of TOD and within ¼ mile radius of a Transit Corridor by thirty percent (30%) by process of Waiver, except when site is within 500 feet of T3. • Parking may be provided by ownership or lease offsite within 1000 feet by process of Waiver, except when site is within 500 feet of T3. • Loading - See Article 4, Table 5
CIVIL SUPPORT	Civil Support Uses are permissible as listed in Table 3, limited by compliance with: • Minimum of 1 parking space for every 800 square feet of Civil Support Use. • Minimum of 1 parking space for every 5 seats of assembly use. • Minimum of 1 parking space for every 5 slips of marine use. • Parking requirement may be reduced according to the Shared parking standard, Article 4, Table 5. • Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required. • Parking ratio may be reduced within ½ mile radius of TOD and within ¼ mile radius of a Transit Corridor by thirty percent (30%) by process of Waiver, except when site is within 500 feet of T3. • Loading - See Article 4, Table 5	Civil Support Uses are permissible as listed in Table 3, limited by compliance with: • Minimum of 1 parking space for every 1000 square feet of Civil Support Use. • Minimum of 1 parking space for every 5 seats of assembly use. • Minimum of 1 parking space for every 5 slips of marine use. • Adult Daycare- Minimum of 1 space per staff member. • Parking requirement may be reduced according to the Shared parking standard, Article 4, Table 5. • Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required. • Parking ratio may be reduced within ½ mile radius of TOD and within ¼ mile radius of a Transit Corridor by thirty percent (30%) by process of Waiver, except when site is within 500 feet of T3. • Parking may be provided by ownership or lease offsite within 1000 feet by process of Waiver, except when site is within 500 feet of T3. • Loading - See Article 4, Table 5	Civil Support Uses are permissible as listed in Table 3, limited by compliance with: • Minimum of 1 parking space for every 1000 square feet of Civil Support Use. • Minimum of 1 parking space for every 5 seats of assembly use. • Minimum of 1 parking space for every 5 slips of marine use. • Adult Daycare- Minimum of 1 space per staff member. • Parking requirement may be reduced according to the Shared parking standard, Article 4, Table 5. • Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required. • Parking ratio may be reduced within ½ mile radius of TOD and within ¼ mile radius of a Transit Corridor by thirty percent (30%) by process of Waiver, except when site is within 500 feet of T3. • Parking may be provided by ownership or lease offsite within 1000 feet by process of Waiver, except when site is within 500 feet of T3. • Loading - See Article 4, Table 5

	RESTRICTED	LIMITED	OPEN
DENSITY (UPA)	**65 UNITS PER ACRE**	**65 UNITS PER ACRE**	**65 UNITS PER ACRE**
EDUCATIONAL	Educational Uses are permissible as listed in Table 3, limited by compliance with: • Minimum of 2 parking spaces for every 1,000 square feet of Educational Use. • Childcare Facilities- Minimum of 1 space per staff member. • Parking requirement may be reduced according to the shared parking standard, Article 4, Table 5. • Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required. • Parking ratio may be reduced within ½ mile radius of TOD and within ¼ mile radius of a Transit Corridor by thirty percent (30%) by process of Waiver, except when site is within 500 feet of T3. • Loading - See Article 4, Table 5	Educational Uses are permissible as listed in Table 3, limited by compliance with: • Minimum of 2 parking spaces for every 1,000 square feet of Educational Use. • Childcare Facilities - Minimum of 1 space per staff member. • Parking requirement may be reduced according to the shared parking standard, Article 4, Table 5. • Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required. • Parking ratio may be reduced within ½ mile radius of TOD and within ¼ mile radius of a Transit Corridor by thirty percent (30%) by process of Waiver, except when site is within 500 feet of T3. • Parking may be provided by ownership or lease offsite within 1000 feet by process of Waiver, except when site is within 500 feet of T3. • Loading - See Article 4, Table 5	Educational Uses are permissible as listed in Table 3, limited by compliance with: • Minimum of 2 parking spaces for every 1,000 square feet of Educational Use. • Childcare Facilities - Minimum of 1 space per staff member. • Parking requirement may be reduced according to the shared parking standard, Article 4, Table 5. • Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required. • Parking ratio may be reduced within ½ mile radius of TOD and within ¼ mile radius of a Transit Corridor by thirty percent (30%) by process of Waiver, except when site is within 500 feet of T3. • Parking may be provided by ownership or lease offsite within 1000 feet by process of Waiver, except when site is within 500 feet of T3. • Loading- Refer to Article 4, Table 5

	RESTRICTED	LIMITED	OPEN
DENSITY (UPA)	**150 UNITS PER ACRE ***	**150 UNITS PER ACRE ***	**150 – 1,000 UNITS PER ACRE ***
RESIDENTIAL	Residential Uses are permissible as listed in Table 3, limited by compliance with: • Minimum of 1.5 parking spaces per Dwelling Unit. • Minimum of 1 additional visitor parking space for every 10 Dwelling Units. • Adult Family-Care Homes - Minimum 1 space per staff member and 1 space per 4 residents. • Community Residence - Minimum of 1 parking space per staff member in addition to the parking required for the principal Dwelling Unit(s). • Parking requirement may be reduced according to the shared parking standard, Article 4, Table 5. • Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required. • Parking ratio may be reduced within ½ mile radius of TOD and within ¼ mile radius of a Transit Corridor by thirty percent (30%) by process of Waiver, except when T6 is within 500 feet of T3. • In T6-60 & T6-80, parking for residential Uses located within 1,000 feet of a Metrorail or Metromover station shall not be required. • Parking may be provided by ownership or lease offsite within 1,000 feet by process of Waiver, except when site is within 500 feet of T3. • Loading - See Article 4, Table 5	Residential Uses are permissible as listed in Table 3, limited by compliance with: • Minimum of 1.5 parking spaces per Dwelling Unit. • Minimum of 1 additional visitor parking space for every 10 Dwelling Units. • Live-work - Work component shall provide parking as required by the non-residential use in addition to parking required for the Dwelling Unit. • Adult Family-Care Homes- Minimum 1 space per staff member and 1 space per 4 residents. • Community Residence- Minimum of 1 parking space per staff member in addition to the parking required for the principal Dwelling Unit(s). • Parking requirement may be reduced according to the shared parking standard, Article 4, Table 5. • Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required. • Parking ratio may be reduced within ½ mile radius of TOD and within ¼ mile radius of a Transit Corridor by thirty percent (30%) by process of Waiver, except when T6 is within 500 feet of T3. • In T6-60 & T6-80, parking for residential Uses located within 1,000 feet of a Metrorail or Metromover station shall not be required. • Parking may be provided by ownership or lease offsite within 1000 feet by process of Waiver, except when site is within 500 feet of T3. • Loading - See Article 4, Table 5	Residential Uses are permissible as listed in Table 3, limited by compliance with: • Minimum of 1.5 parking spaces per Dwelling Unit. • Minimum of 1 additional visitor parking space for every 10 Dwelling Units. • Live-work - Work component shall provide parking as required by the non-residential use in addition to parking required for the Dwelling Unit. • Adult Family-Care Homes- Minimum 1 space per staff member and 1 space per 4 residents. • Community Residence- Minimum of 1 parking space per staff member in addition to the parking required for the principal Dwelling Unit(s). • Parking requirement may be reduced according to the shared parking standard, Article 4, Table 5. • Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required. • Parking ratio may be reduced within ½ mile radius of TOD and within ¼ mile radius of a Transit Corridor by thirty percent (30%) by process of Waiver, except when T6 is within 500 feet of T3. • In T6-60 & T6-80, parking for residential Uses located within 1,000 feet of a Metrorail or Metromover station shall not be required. • Parking may be provided by ownership or lease offsite within 1000 feet by process of Waiver, except when site is within 500 feet of T3. • Loading - See Article 4, Table 5
LODGING	Lodging Uses are permissible as listed in Table 3. • Minimum of 1 parking space for every 2 lodging units. • Minimum of 1 additional visitor parking space for every 10 lodging units. • Parking requirement may be reduced according to the shared parking standard, Article 4, Table 5. • Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required. • Parking ratio may be reduced within ½ mile radius of TOD and within ¼ mile radius of a Transit Corridor by thirty percent (30%) by process of Waiver, except when site is within 500 feet of T3. • Parking may be provided by ownership or lease offsite within 1,000 feet by process of Waiver, except when site is within 500 feet of T3. • Loading - See Article 4, Table 5	Lodging Uses are permissible as listed in Table 3. • Minimum of 1 parking space for every 2 lodging units. • Minimum of 1 additional visitor parking space for every 10 lodging units. • Parking requirement may be reduced according to the shared parking standard, Article 4, Table 5. • Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required. • Parking ratio may be reduced within ½ mile radius of TOD and within ¼ mile radius of a Transit Corridor by thirty percent (30%) by process of Waiver, except when site is within 500 feet of T3. • Parking may be provided by ownership or lease offsite within 1,000 feet by process of Waiver, except when site is within 500 feet of T3. • Loading - See Article 4, Table 5	Lodging Uses are permissible as listed in Table 3. • Minimum of 1 parking space for every 2 lodging units. • Minimum of 1 additional visitor parking space for every 15 lodging units. • Parking requirement may be reduced according to the shared parking standard, Article 4, Table 5. • Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required. • Parking ratio may be reduced within ½ mile radius of TOD and within ¼ mile radius of a Transit Corridor by thirty percent (30%) by process of Waiver, except when site is within 500 feet of T3. • Parking may be provided by ownership or lease offsite within 1,000 feet by process of Waiver, except when site is within 500 feet of T3. • Loading - See Article 4, Table 5
OFFICE		Office Uses are permissible as listed in Table 3, limited by compliance with: • The Building area allowed for office use on each lot is limited to four Stories of the Principal Building and Office and Commercial Uses shall be less than 25% of Building floor area total. • Minimum of 3 parking spaces for every 1,000 square feet of office use. • In T6-24 and T6-36, a minimum of 1 parking space for every 800 square feet of office use shall be provided • In T6-60 and T6-80, a minimum of 1 parking space for every 1,000 square feet of office use shall be provided • Parking requirement may be reduced according to the Shared Parking Standard, Article 4, Table 5. • Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required. • Parking ratio may be reduced within ½ mile radius of TOD and within ¼ mile radius of a Transit Corridor by thirty percent (30%) by process of Waiver, except when site is within 500 feet of T3. • Parking may be provided by ownership or lease offsite within 1,000 feet by process of Waiver, except when site is within 500 feet of T3. • Loading - See Article 4, Table 5	Office Uses are permissible as listed in Table 3. • Minimum of 3 parking spaces for every 1,000 square feet of office use. • In T6-24 and T6-36, a minimum of 1 parking space for every 800 square feet of office use shall be provided • In T6-60 and T6-80, a minimum of 1 parking space for every 1,000 square feet of office use shall be provided • Parking requirement may be reduced according to the shared parking standard, Article 4, Table 5. • Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required. • Parking ratio may be reduced within ½ mile radius of TOD and within ¼ mile radius of a Transit Corridor by thirty percent (30%) by process of Waiver, except when site is within 500 feet of T3. • Parking may be provided by ownership or lease offsite within 1,000 feet by process of Waiver, except when site is within 500 feet of T3. • Loading - See Article 4, Table 5

* Or as modified in Diagram 9

	RESTRICTED	LIMITED	OPEN
DENSITY (UPA)	**150 UNITS PER ACRE ***	**150 UNITS PER ACRE ***	**150 UNITS PER ACRE ***
COMMERCIAL	Commercial Uses are permissible as listed in Table 3, limited by compliance with: • Commercial establishments limited to a maximum area of 4,000 square feet each and shall be less than 25% building floor area total. • The Building area allowed for commercial use on each lot is limited to the first two Stories of the Principal Building. • Minimum of 3 parking spaces for every 1,000 square feet of commercial use. • Parking requirement may be reduced according to the shared parking standard, Article 4, Table 5. • Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required. • Loading - See Article 4, Table 5	Commercial Uses are permissible as listed in Table 3, limited by compliance with: • The Building area allowed for ocommercial use on each lot is limited to two Stories of the Principal Building and Office and Commercial Uses shall be less than 25% of Building floor area total. • A maximum area of 55,000 square feet per establishment. • Minimum of 3 parking spaces for every 1,000 square feet of commercial use. • Parking requirement may be reduced according to the shared parking standard, Article 4, Table 5. • Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required. • Parking ratio may be reduced within ½ mile radius of TOD and within ¼ mile radius of a Transit Corridor by thirty percent (30%) by process of Waiver, except when site is within 500 feet of T3. • Parking may be provided by ownership or lease offsite within 1,000 feet by process of Waiver, except when site is within 500 feet of T3. • Loading - See Article 4, Table 5	Commercial Uses are permissible as listed in Table 3, limited by compliance with: • A maximum area of 55,000 square feet per establishment. • Minimum of 3 parking spaces for every 1,000 square feet of commercial use, except for Public Storage Facilities, minimum 1 parking space for every 2,000 square feet. • Parking requirement may be reduced according to the shared parking standard, Article 4, Table 5. • Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required. • Auto-related - Drive-Thru or Drive-In Facilities - See Article 6. • Parking ratio may be reduced within ½ mile radius of TOD and within ¼ mile radius of a Transit Corridor by thirty percent (30%) by process of Waiver, except when site is within 500 feet of T3. • Parking may be provided by ownership or lease offsite within 1,000 feet by process of Waiver, except when site is within 500 feet of T3. • Loading - See Article 4, Table 5
CIVIC	Civic Uses are permissible as listed in Table 3, limited by compliance with: • Minimum of 1 parking space for every 5 seats of assembly uses. • Minimum of 1 parking space for every 1,000 square feet of exhibition or recreation area, and parking spaces for other Uses as required. • Parking requirement may be reduced according to the shared parking standard, Article 4, Table 5. • Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required. • Loading - See Article 4, Table 5	Civic Uses are permissible as listed in Table 3, limited by compliance with: • Minimum of 1 parking space for every 5 seats of assembly uses. • Minimum of 1 parking space for every 1,000 square feet of exhibition or recreation area, and parking spaces for other Uses as required. • Parking requirement may be reduced according to the shared parking standard, Article 4, Table 5. • Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required. • Parking ratio may be reduced within ½ mile radius of TOD and within ¼ mile radius of a Transit Corridor by thirty percent (30%) by process of Waiver, except when site is within 500 feet of T3. • Parking may be provided by ownership or lease offsite within 1,000 feet by process of Waiver, except when site is within 500 feet of T3. • Loading - See Article 4, Table 5	Civic Uses are permissible as listed in Table 3, limited by compliance with: • Minimum of 1 parking space for every 5 seats of assembly uses. • Minimum of 1 parking space for every 1,000 square feet of exhibition or recreation area, and parking spaces for other Uses as required. • Parking requirement may be reduced according to the shared parking standard, Article 4, Table 5. • Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required. • Parking ratio may be reduced within ½ mile radius of TOD and within ¼ mile radius of a Transit Corridor by thirty percent (30%) by process of Waiver, except when site is within 500 feet of T3. • Parking may be provided by ownership or lease offsite within 1,000 feet by process of Waiver, except when site is within 500 feet of T3. • Loading - See Article 4, Table 5
CIVIL SUPPORT	Civil Support Uses are permissible as listed in Table 3, limited by compliance with: • Minimum of 1 parking space for every 800 square feet of Civil Support Use; or • Minimum of 1 parking space for every 5 seats of assembly use; or • Minimum of 1 parking space for every 5 slips of marine use; or • Parking requirement may be reduced according to the shared parking standard, Article 4, Table 5. • Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required. • Parking ratio may be reduced within ½ mile radius of TOD and within ¼ mile radius of a Transit Corridor by thirty percent (30%) by process of Waiver, except when site is within 500 feet of T3. • Loading - See Article 4, Table 5	Civil Support Uses are permissible as listed in Table 3, limited by compliance with:. • Minimum of 1 parking space for every 1000 square feet of Civil Support Use. • Minimum of 1 parking space for every 5 seats of assembly use. • Minimum of 1 parking space for every 5 slips of marine use. • Adult Daycare - Minimum of 1 space per staff member. • Parking requirement may be reduced according to the shared parking standard, Article 4, Table 5. • Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required. • Parking ratio may be reduced within ½ mile radius of TOD and within ¼ mile radius of a Transit Corridor by thirty percent (30%) by process of Waiver, except when site is within 500 feet of T3. • Parking may be provided by ownership or lease offsite within 1,000 feet by process of Waiver, except when site is within 500 feet of T3. • Loading - See Article 4, Table 5	Civil Support Uses are permissible as listed in Table 3, limited by compliance with:. • Minimum of 1 parking space for every 1000 square feet of Civil Support Use. • Minimum of 1 parking space for every 5 seats of assembly use. • Minimum of 1 parking space for every 5 slips of marine use. • Adult Daycare - Minimum of 1 space per staff member. • Parking requirement may be reduced according to the shared parking standard, Article 4, Table 5. • Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required. • Parking ratio may be reduced within ½ mile radius of TOD and within ¼ mile radius of a Transit Corridor by thirty percent (30%) by process of Waiver, except when site is within 500 feet of T3. • Parking may be provided by ownership or lease offsite within 1,000 feet by process of Waiver, except when site is within 500 feet of T3. • Loading - See Article 4, Table 5

*** Please refer to Diagram 9**

	RESTRICTED	LIMITED	OPEN
DENSITY (UPA)	**150 UNITS PER ACRE ***	**150 UNITS PER ACRE ***	**150 UNITS PER ACRE ***
EDUCATIONAL	Educational Uses are permissible as listed in Table 3, limited by compliance with: • Minimum of 2 parking spaces for every 1,000 square feet of Educational Use. • Childcare Facilities - Minimum of 1 space per staff member. • Parking requirement may be reduced according to the Shared Parking Standard, Article 4, Table 5. • Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required. • Parking ratio may be reduced within ½ mile radius of TOD and within ¼ mile radius of a Transit Corridor by thirty percent (30%) by process of Waiver, except when site is within 500 feet of T3. • Loading - See Article 4, Table 5	Educational Uses are permissible as listed in Table 3, limited by compliance with:. • Minimum of 2 parking spaces for every 1,000 square feet of Educational Use. • Childcare Facilities - Minimum of 1 space per staff member. • Parking requirement may be reduced according to the Shared Parking Standard, Article 4, Table 5. • Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required. • Parking ratio may be reduced within ½ mile radius of TOD and within ¼ mile radius of a Transit Corridor by thirty percent (30%) by process of Waiver, except when site is within 500 feet of T3. • Parking may be provided by ownership or lease offsite within 1,000 feet by process of Waiver, except when site is within 500 feet of T3. • Loading - See Article 4, Table 5	Educational Uses are permissible as listed in Table 3, limited by compliance with: • Minimum of 2 parking spaces for every 1,000 square feet of Educational Use. • Childcare Facilities - Minimum of 1 space per staff member. • Parking requirement may be reduced according to the Shared Parking Standard, Article 4, Table 5. • Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required. • Parking ratio may be reduced within ½ mile radius of TOD and within ¼ mile radius of a Transit Corridor by thirty percent (30%) by process of Waiver, except when site is within 500 feet of T3. • Parking may be provided by ownership or lease offsite within 1,000 feet by process of Waiver, except when site is within 500 feet of T3. • Loading - See Article 4, Table 5

	CS – CIVIC SPACE	CI – CIVIC INSTITUTION	CI-HD – CIVIC INSTITUTION HEALTH DISTRICT
DENSITY (UPA)	**N/A**	**DENSITY OF ABUTTING ZONE**	**150 UNITS PER ACRE**
RESIDENTIAL	All intensity, parking and loading regulations to match that of the most restrictive Abutting zone. • Parking requirement may be reduced according to the Shared Parking Standard, Article 4, Table 5. • Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required.	Uses are permissible as listed in Table 3, limited by compliance with: • Density and all intensity, parking and loading regulations to match that of the most restrictive Abutting zone.	• Minimum of 1 parking space for every 800 square feet of Residential Use. • Loading - See Article 4, Table 5
LODGING			• Minimum of 1 parking space for every 800 square feet of Residential Use. • Loading - See Article 4, Table 5
OFFICE		Office Uses are permissible as listed in Table 3. • Minimum of 3 parking spaces for every 1,000 square feet of Office Use. • Minimum of one Bike space for every 20 vehicular spaces required (before any reductions). • Parking ratio may be reduced according to the shared parking standard. • Parking may be provided offsite in CI, D, T5 or T6 within 500 feet through a parking management plan/zone.	• Minimum of 1 parking space for every 800 square feet of Office Use. • Loading - See Article 4, Table 5
COMMERCIAL	Commercial Uses are permissible as listed in Table 3. • Minimum of 3 parking spaces for every 1,000 sf of commercial space. • Minimum of one Bike space for every 20 vehicular spaces required (before any reductions). • Parking ratio may be reduced according to the shared parking standard. • Loading - See Article 4, Table 5. • Loading needs, including maneuvering, shall be accommodated on site.	Commercial Uses are permissible as listed in Table 3, limited by compliance with: • Building area allowed for Commercial Use on each lot shall be less than 25% Building floor area total. • Minimum of 3 parking spaces for every 1,000 sf of commercial space • Minimum of 1 parking space for every 7 seats in a Major Sports Facility • Minimum of one Bike space for every 20 vehicular spaces required (before any reductions). • Parking ratio may be reduced according to the shared parking standard. • Parking ratio may be reduced for Major Sports Facility within 1 mile of a Metrorail, Metromover Station, or mass transit facility by up to 10% by process of Waiver. • Loading - See Article 4, Table 5 • Loading needs, including maneuvering, shall be accommodated on site.	• Minimum of 1 parking space for every 800 square feet of Commercial Use. • Loading - See Article 4, Table 5
CIVIC	Civic Uses are permissible as listed in Table 3. • Minimum of 1 parking space for every 5 seats of assembly uses. • Minimum of 1 parking space for every 1,000 sf of exhibition or recreation space, and parking spaces for other Uses as required. • Minimum of 1 parking space for every staff member for recreational uses. • Minimum of 1 parking space for every 500 sf of Building area for recreational uses. • Minimum of one Bike space for every 20 vehicular spaces required (before any reductions). • Parking may be provided offsite in CI, D, T5 or T6 within 500 feet through a parking management plan/zone.	Civic Uses are permissible as listed in Table 3. • Minimum of 1 parking space for every 5 seats of assembly uses. • Minimum of 1 parking space for every 1,000 sf of exhibition or recreation space, and parking spaces for other Uses as required. • Minimum of 1 parking space for every staff member for recreational uses. • Minimum of 1 parking space for every 500 sf of Building area for recreational uses. • Minimum of one Bike space for every 20 vehicular spaces required (before any reductions). • Parking may be provided offsite in CI, D, T5 or T6 within 500 feet through a parking management plan/zone.	• Minimum of 1 parking space for every 800 square feet of Civic Use. • Loading - See Article 4, Table 5
CIVIL SUPPORT	Civil Support Uses are permissible as listed in Table 3, limited by compliance with: • For Civil Support, a minimum of 1 parking space for every 1,000 sf. • For Marine Uses, a minimum of 1 parking space for every 5 slips.	Civil Support Uses are permissible as listed in Table 3, limited by compliance with: • For Civil Support, a minimum of 1 parking space for every 1,000 sf. • For Assembly uses, a minimum of 1 parking space for every 5 seats. • For Marine Uses, a minimum of 1 parking space for every 5 slips. • Adult Daycare - Minimum of 1 space per staff member and 1 space for owner.	• Minimum of 1 parking space for every 800 square feet of Civil Support Use. • Loading - See Article 4, Table 5
EDUCATIONAL	Educational Uses are permissible as listed in Table 3, limited by compliance with: • Minimum of 2 parking spaces for every 1,000 sf of educational space • Minimum of one Bike space for every 20 vehicular spaces required (before any reductions).	Educational Uses are permissible as listed in Table 3, limited by compliance with: • Minimum of 2 parking spaces for every 1,000 sf of educational space • Childcare Facilities - Minimum of 1 space per staff member and 1 space for owner. • Minimum of one Bike space for every 20 vehicular spaces required (before any reductions).	• Minimum of 1 parking space for every 800 square feet of Educational Use. • Loading - See Article 4, Table 5

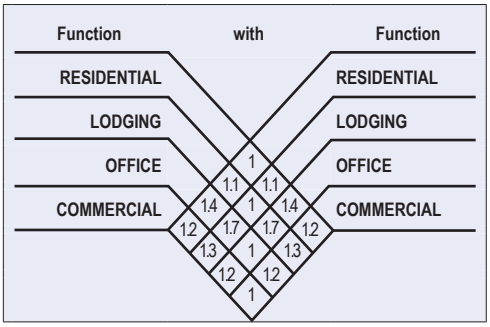
	D1 - WORK PLACE	D2 - INDUSTRIAL	D3 - WATERFRONT INDUSTRIAL
DENSITY (UPA)	1 UNIT PER LOT OF RECORD	N/A	N/A
RESIDENTIAL	Residential Uses are permissible as listed in Table 3, limited by compliance with: • Minimum of 1 parking space per Dwelling Unit. • Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required. • Parking ratio may be reduced within ½ mile radius of TOD and within ¼ mile radius of a Transit Corridor by thirty percent (30%) by process of Waiver, except when site is within 500 feet of T3. • Loading - See Article 4, Table 5		
LODGING	Lodging Uses are permissible as listed in Table 3, limited by compliance with: • Minimum of 1 parking space for every 2 lodging units. • Minimum of 1 additional parking space for every 10 lodging units for visitors. • Parking requirement may be reduced according to the Shared Parking Standard, Article 4, Table 5. • Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required. • Parking ratio may be reduced within ½ mile radius of TOD and within ¼ mile radius of a Transit Corridor by thirty percent (30%) by process of Waiver, except when site is within 500 feet of T3. • Parking may be provided by ownership or lease offsite within 1,000 feet by process of Waiver, except when site is within 500 feet of T3. • Loading - See Article 4, Table 5		
OFFICE	Office Uses are permissible as listed in Table 3, limited by compliance with: • Minimum of 3 parking spaces for every 1,000 sf of office space. • Parking requirement may be reduced according to the Shared Parking Standard, Article 4, Table 5. • Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required. • Parking ratio may be reduced within ½ mile radius of TOD and within ¼ mile radius of a Transit Corridor by thirty percent (30%) by process of Waiver, except when site is within 500 feet of T3. • Parking may be provided by ownership or lease offsite within 1000 feet and in Transect Zone D by process of Waiver. • Loading - See Article 4, Table 5	Office Uses are permissible as listed in Table 3, limited by compliance with: • Minimum of 3 parking spaces for every 1,000 sf of office space. • Parking requirement may be reduced according to the Shared Parking Standard, Article 4, Table 5. • Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required. • Parking ratio may be reduced within ½ mile radius of TOD and within ¼ mile radius of a Transit Corridor by thirty percent (30%) by process of Waiver, except when site is within 500 feet of T3. • Parking may be provided by ownership or lease offsite within 1000 feet and in Transect Zone D by process of Waiver. • Loading - See Article 4, Table 5	Office Uses are permissible as listed in Table 3, limited by compliance with: • Minimum of 3 parking spaces for every 1,000 sf of office space. • Parking requirement may be reduced according to the Shared Parking Standard, Article 4, Table 5. • Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required. • Parking ratio may be reduced within ½ mile radius of TOD and within ¼ mile radius of a Transit Corridor by thirty percent (30%) by process of Waiver, except when site is within 500 feet of T3. • Parking may be provided by ownership or lease offsite within 1000 feet and in Transect Zone D by process of Waiver. • Loading - See Article 4, Table 5
COMMERCIAL	Commercial Uses are permissible as listed in Table 3, limited by compliance with: • Minimum of 3 parking spaces for every 1,000 sf of commercial space. • Parking requirement may be reduced according to the Shared Parking Standard, Article 4, Table 5. • Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required. • Parking ratio may be reduced within ½ mile radius of TOD and within ¼ mile radius of a Transit Corridor by thirty percent (30%) by process of Waiver, except when site is within 500 feet of T3. • Drive-Thru or Drive-In Facilities - Refer to Article 6. • Parking may be provided by ownership or lease offsite within 1000 feet and in Transect Zone D by process of Waiver. • Loading - See Article 4, Table 5	Commercial Uses are permissible as listed in Table 3, limited by compliance with: • Minimum of 3 parking spaces for every 1,000 sf of commercial space. • Parking requirement may be reduced according to the Shared Parking Standard, Article 4, Table 5. • Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required. • Parking ratio may be reduced within ½ mile radius of TOD and within ¼ mile radius of a Transit Corridor by thirty percent (30%) by process of Waiver, except when site is within 500 feet of T3. • Drive-Thru or Drive-In Facilities - Refer to Article 6. • Parking may be provided by ownership or lease offsite within 1000 feet and in Transect Zone D by process of Waiver. • Loading - See Article 4, Table 5	Commercial Uses are permissible as listed in Table 3, limited by compliance with: • Minimum of 3 parking spaces for every 1,000 sf of commercial space. • Parking requirement may be reduced according to the Shared Parking Standard, Article 4, Table 5. • Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required. • Parking ratio may be reduced within ½ mile radius of TOD and within ¼ mile radius of a Transit Corridor by thirty percent (30%) by process of Waiver, except when site is within 500 feet of T3. • Drive-Thru or Drive-In Facilities - Refer to Article 6. • Parking may be provided by ownership or lease offsite within 1000 feet and in Transect Zone D by process of Waiver. • Loading - See Article 4, Table 5

	D1 - WORK PLACE	D2 - INDUSTRIAL	D3 - WATERFRONT INDUSTRIAL
DENSITY (UPA)	1 UNIT PER LOT OF RECORD	N/A	N/A
CIVIC	Civic Uses are permissible as listed in Table 3, limited by compliance with: • Minimum of 1 parking space for every 5 seats of assembly uses. • Minimum of 1 parking space for every 1,000 sf of exhibition or recreation space, and parking spaces for other Uses as required. • Parking requirement may be reduced according to the Shared Parking Standard, Article 4, Table 5. • Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required. • Parking ratio may be reduced within ½ mile radius of TOD and within ¼ mile radius of a Transit Corridor by thirty percent (30%) by process of Waiver, except when site is within 500 feet of T3. • Parking may be provided by ownership or lease offsite within 1000 feet and in Transect Zone D by process of Waiver. • Loading - See Article 4, Table 5	Civic Uses are permissible as listed in Table 3, limited by compliance with: • Minimum of 1 parking space for every 5 seats of assembly uses. • Minimum of 1 parking space for every 1,000 sf of exhibition or recreation space, and parking spaces for other Uses as required. • Parking requirement may be reduced according to the Shared Parking Standard, Article 4, Table 5. • Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required. • Parking ratio may be reduced within ½ mile radius of TOD and within ¼ mile radius of a Transit Corridor by thirty percent (30%) by process of Waiver, except when site is within 500 feet of T3. • Parking may be provided by ownership or lease offsite within 1000 feet and in Transect Zone D by process of Waiver. • Loading - See Article 4, Table 5	Civic Uses are permissible as listed in Table 3, limited by compliance with: • Minimum of 1 parking space for every 5 seats of assembly uses. • Minimum of 1 parking space for every 1,000 sf of exhibition or recreation space, and parking spaces for other Uses as required. • Parking requirement may be reduced according to the Shared Parking Standard, Article 4, Table 5. • Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required. • Parking ratio may be reduced within ½ mile radius of TOD and within ¼ mile radius of a Transit Corridor by thirty percent (30%) by process of Waiver, except when site is within 500 feet of T3. • Parking may be provided by ownership or lease offsite within 1000 feet and in Transect Zone D by process of Waiver. • Loading - See Article 4, Table 5
CIVIL SUPPORT	Civil Support Uses are permissible as listed in Table 3, limited by compliance with: • Minimum of 1 parking space for every 1,000 sf. of Civil Support Use. • Parking requirement may be reduced according to the Shared Parking Standard, Article 4, Table 5. • Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required. • Minimum of 1 parking space for every 5 seats for assembly uses. • Minimum of 1 parking space for every 5 slips for marine Uses. • Adult Daycare - Minimum of 1 space per staff member. • Parking ratio may be reduced within ½ mile radius of TOD and within ¼ mile radius of a Transit Corridor by thirty percent (30%) by process of Waiver, except when site is within 500 feet of T3. • Parking may be provided by ownership or lease offsite within 1000 feet and in Transect Zone D by process of Waiver. • Loading - See Article 4, Table 5	Civil Support Uses are permissible as listed in Table 3, limited by compliance with: • Minimum of 1 parking space for every 1,000 sf. of Civil Support Use. • Parking requirement may be reduced according to the Shared Parking Standard, Article 4, Table 5. • Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required. • Minimum of 1 parking space for every 5 seats for assembly uses. • Minimum of 1 parking space for every 5 slips for marine Uses. • Adult Daycare - Minimum of 1 space per staff member. • Parking ratio may be reduced within ½ mile radius of TOD and within ¼ mile radius of a Transit Corridor by thirty percent (30%) by process of Waiver, except when site is within 500 feet of T3. • Parking may be provided by ownership or lease offsite within 1000 feet and in Transect Zone D by process of Waiver. • Loading - See Article 4, Table 5	Civil Support Uses are permissible as listed in Table 3, limited by compliance with: • Minimum of 1 parking space for every 1,000 sf. of Civil Support Use. • Parking requirement may be reduced according to the Shared Parking Standard, Article 4, Table 5. • Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required. • Minimum of 1 parking space for every 5 seats for assembly uses. • Minimum of 1 parking space for every 5 slips for marine Uses. • Adult Daycare - Minimum of 1 space per staff member. • Parking ratio may be reduced within ½ mile radius of TOD and within ¼ mile radius of a Transit Corridor by thirty percent (30%) by process of Waiver, except when site is within 500 feet of T3. • Parking may be provided by ownership or lease offsite within 1000 feet and in Transect Zone D by process of Waiver. • Loading - See Article 4, Table 5
EDUCATIONAL	Educational Uses are permissible as listed in Table 3, limited by compliance with: • Minimum of 2 parking spaces for every 1,000 sf of educational Use. • Parking requirement may be reduced according to the Shared Parking Standard, Article 4, Table 5. • Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required. • Childcare Facilities- Minimum of 1 space per staff member. • Parking ratio may be reduced within ½ mile radius of TOD and within ¼ mile radius of a Transit Corridor by thirty percent (30%) by process of Waiver, except when site is within 500 feet of T3. • Parking may be provided by ownership or lease offsite within 1000 feet and in Transect Zone D by process of Waiver. • Loading - See Article 4, Table 5	Educational Uses are permissible as listed in Table 3, limited by compliance with: • Minimum of 2 parking spaces for every 1,000 sf of educational Use. • Parking requirement may be reduced according to the Shared Parking Standard, Article 4, Table 5. • Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required. • Parking ratio may be reduced within ½ mile radius of TOD and within ¼ mile radius of a Transit Corridor by thirty percent (30%) by process of Waiver, except when site is within 500 feet of T3. • Parking may be provided by ownership or lease offsite within 1000 feet and in Transect Zone D by process of Waiver. • Loading - See Article 4, Table 5	Educational Uses are permissible as listed in Table 3, limited by compliance with: • Minimum of 2 parking spaces for every 1,000 sf of educational Use. • Parking requirement may be reduced according to the Shared Parking Standard, Article 4, Table 5. • Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required. • Parking ratio may be reduced within ½ mile radius of TOD and within ¼ mile radius of a Transit Corridor by thirty percent (30%) by process of Waiver, except when site is within 500 feet of T3. • Parking may be provided by ownership or lease offsite within 1000 feet and in Transect Zone D by process of Waiver. • Loading - See Article 4, Table 5

	D1 - WORK PLACE	D2 - INDUSTRIAL	D3 - WATERFRONT INDUSTRIAL
DENSITY (UPA)	1 UNIT PER LOT OF RECORD	N/A	N/A
INDUSTRIAL	Industrial Uses are permissible as listed in Table 3, limited by compliance with: • Please refer to Article 6 for additional specific requirements. • Minimum of 1 parking space for every 1,000 sf of Industrial Use. • Parking requirement may be reduced according to the Shared Parking Standard, Article 4, Table 5. • Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required. • Parking ratio may be reduced within ½ mile radius of TOD and within ¼ mile radius of a Transit Corridor by thirty percent (30%) by process of Waiver, except when site is within 500 feet of T3. • Parking may be provided by ownership or lease offsite within 1000 feet and in Transect Zone D by process of Waiver. • Loading - See Article 4, Table 5	Industrial Uses are permissible as listed in Table 3, limited by compliance with: • Please refer to Article 6 for additional specific requirements. • Minimum of 1 parking space for every 1,000 sf of Industrial Use. • Parking requirement may be reduced according to the Shared Parking Standard, Article 4, Table 5. • Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required. • Parking ratio may be reduced within ½ mile radius of TOD and within ¼ mile radius of a Transit Corridor by thirty percent (30%) by process of Waiver, except when site is within 500 feet of T3. • Parking may be provided by ownership or lease offsite within 1000 feet and in Transect Zone D by process of Waiver. • Loading - See Article 4, Table 5	Industrial Uses are permissible as listed in Table 3, limited by compliance with: • Please refer to Article 6 for additional specific requirements. • Minimum of 1 parking space for every 1,000 sf of Industrial Use. • Parking requirement may be reduced according to the Shared Parking Standard, Article 4, Table 5. • Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required. • Parking ratio may be reduced within ½ mile radius of TOD and within ¼ mile radius of a Transit Corridor by thirty percent (30%) by process of Waiver, except when site is within 500 feet of T3. • Parking may be provided by ownership or lease offsite within 1000 feet and in Transect Zone D by process of Waiver. • Loading - See Article 4, Table 5

SHARED PARKING STANDARDS

SHARING FACTOR



The shared Parking Standards Table provides the method for calculating shared parking for buildings with more than one Use type. It refers to the parking requirements that appear in Table 4.

The parking required for any two Functions on a Lot is calculated by dividing the number of spaces required by the lesser of the two uses by the appropriate factor from this Table and adding the result to the greater use parking requirement.

For instance: for a building with a Residential Use requiring 100 spaces and a Commercial Use requiring 20 spaces, the 20 spaces divided by the sharing factor of 1.2 would reduce the total requirement to 100 plus 16 spaces. For uses not indicated in this chart on a mixed use lot a sharing factor of 1.1 shall be allowed. Additional sharing is allowed by Warrant.

OFF-STREET PARKING STANDARDS

ANGLE OF PARKING	ACCESS AISLE WIDTH		
	ONE WAY TRAFFIC SINGLE LOADED	ONE WAY TRAFFIC DOUBLE LOADED	TWO WAY TRAFFIC DOUBLE LOADED
90	23 ft	23 ft	23 ft
60	12.8 ft	11.8 ft	19.3 ft
45	10.8 ft	9.5 ft	18.5 ft
Parallel	10 ft	10 ft	20 ft
Standard stall: 9 ft x 18 ft minimum			

- Driveways shall have a minimum of 10 feet of paved width of a one-way drive and 20 feet for a two-way drive for parking area providing 10 or more stalls.
- Pedestrian entrances shall be at least 3 feet from stall, driveway or access aisle.
- Allowable slopes, paving, and drainage as per Florida Building Code.
- Off-street Parking facilities shall have a minimum vertical clearance of 7 feet. Where such a facility is to be used by trucks or loading Uses, the minimum clearance shall be 12 feet Residential and 15 feet Commercial and Industrial.
- Ingress vehicular control devices shall be located so as to provide a minimum driveway of 20 feet in length between the Base Building Line and dispenser.
- For landscaping requirements of parking lots, refer to Miami-Dade County Landscape Ordinance and the City of Miami Off-street Parking Guides and Standards.

LOADING BERTH STANDARDS	T5, T6, CS, CI-HD & CI	DISTRICT
RESIDENTIAL*	**From 25,000 sf to 500,000 sf** **Berth Size** / **Loading Berths** 420 sf / 1 per first 100 units 240 sf / 1 per each additional 100 units or fraction of 100. **Greater than 500,000 sf** **Berth Size** / **Loading Berths** 660 sf / 1 per first 100 units 240 sf / 1 per each additional 100 units or fraction of 100.	
LODGING	**From 25,000 sf to 500,000 sf** **Berth Size** / **Loading Berths** 420 sf / 1 per 300 rooms 240 sf / 1 per 100 rooms **Greater than 500,000 sf** **Berth Size** / **Loading Berths** 660 sf / 1 per 300 rooms 240 sf / 1 per 100 rooms	**From 25,000 sf to 500,000 sf** **Berth Size** / **Loading Berths** 420 sf / 1 per 300 rooms 240 sf / 1 per 100 rooms **Greater than 500,000 sf** **Berth Size** / **Loading Berths** 660 sf / 1 per 300 rooms 240 sf / 1 per 100 rooms
OFFICE COMMERCIAL** INDUSTRIAL***	**From 25,000 sf to 500,000 sf** **Berth Size** / **Loading Berths** / **Area** 420 sf / 1st / 25K sf - 50K sf 420 sf / 2nd / 50K sf - 100K sf 420 sf / 3rd / 100K sf - 250K sf 420 sf / 4th / 250K sf - 500K sf **Greater than 500,000 sf** **Berth Size** / **Loading Berths** / **Area** 660 sf / 1 / 500K sf	**From 25,000 sf to 500,000 sf** **Berth Size** / **Loading Berths** / **Area** 420 sf / 1st / 25K sf - 50K sf 420 sf / 2nd / 50K sf - 100K sf 420 sf / 3rd / 100K sf - 250K sf 420 sf / 4th / 250K sf - 500K sf **Greater than 500,000 sf** **Berth Size** / Loading Berths / **Area** 660 sf / 1 / 500K sf

NOTES

Berth Types

Residential*: 240 sf = 10 ft x 20 ft x 12 ft

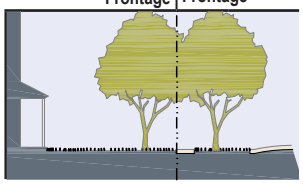
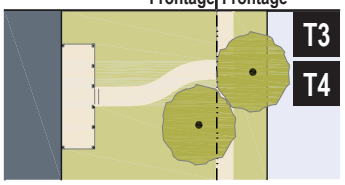
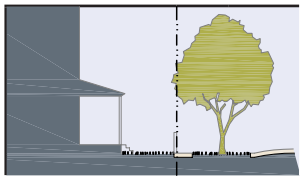
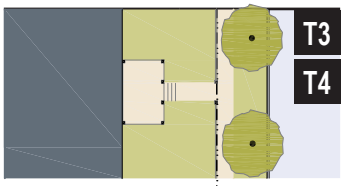
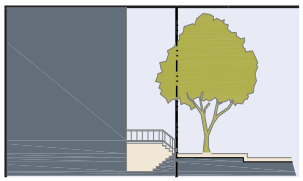
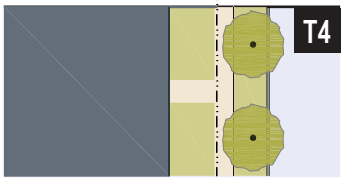
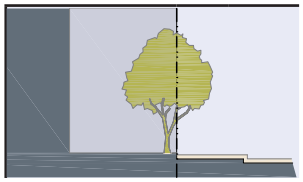
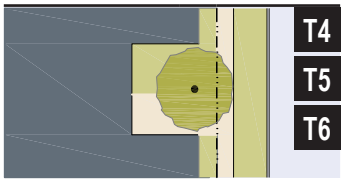
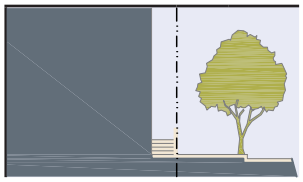
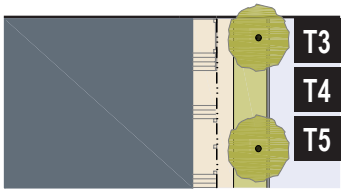
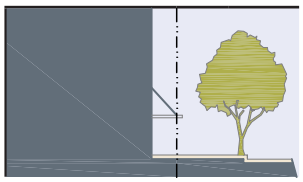
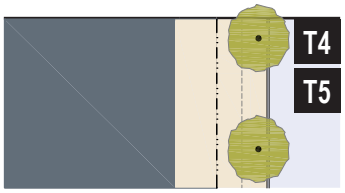
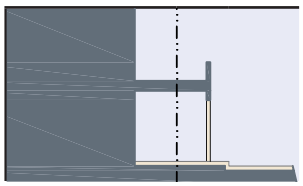
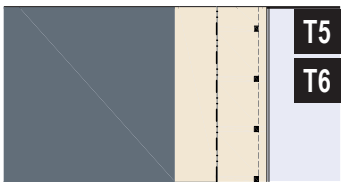
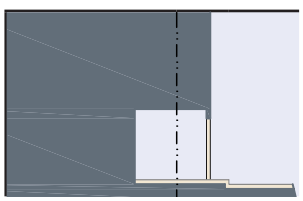
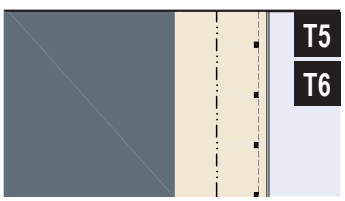
Commercial**: 420 sf = 12 ft x 35 ft x 15 ft

Industrial***: 660 sf= 12 ft x 55 ft x 15 ft

* Residential loading berths shall be set back a distance equal to their length.

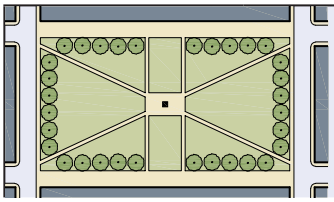
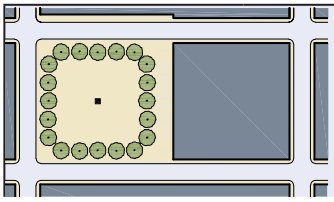
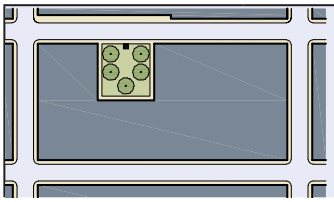
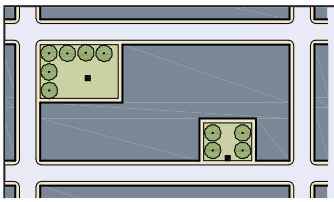
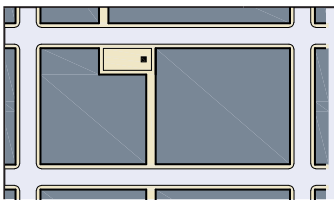
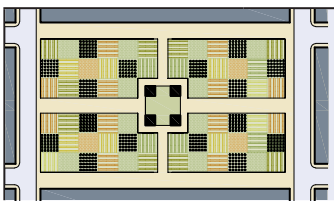
** 1 Commercial berth may be substituted by 2 Residential berths

*** 1 Industrial berth may be substituted by 2 Commercial berths.

	SECTION	PLAN
	LOT PRIVATE ► Frontage | R.O.W. ◄ PUBLIC Frontage	LOT PRIVATE ► Frontage | R.O.W. ◄ PUBLIC Frontage
a. Common Lawn: a Frontage wherein the Façade is set back substantially from the Frontage Line. The front yard created remains unfenced and is visually continuous with adjacent yards, supporting a common landscape. The Setback can be densely landscaped to buffer from higher speed Thoroughfares.		 T3 T4
b. Porch & Fence: a Frontage wherein the Façade is set back from the Frontage Line with an attached Porch permitted to encroach. A fence at the Frontage Line maintains the demarcation of the yard while not blocking view into the front yard.		 T3 T4
c. Terrace or Light Court: a Frontage wherein the Façade is set back from the Frontage Line by an elevated terrace or a sunken light court. This type buffers residential use from urban sidewalks and removes the private yard from public encroachment. The raised terrace is suitable for outdoor cafes.		 T4
d. Forecourt: a Frontage wherein a portion of the Façade is close to the Frontage Line with a portion set back. The forecourt with a large tree offers visual and environmental variety to the urban Streetscape. The Forecourt may accommodate a vehicular drop off.		 T4 T5 T6
e. Stoop: a Frontage wherein the Façade is aligned close to the Frontage Line with the first Story elevated from the sidewalk sufficiently to secure privacy for the windows. The entrance is usually an exterior stair and landing. This type is recommended for ground-floor Residential Use.		 T3 T4 T5
f. Shopfront: a Frontage wherein the Façade is aligned close to the Frontage Line with the Building entrance at sidewalk grade. This type is conventional for retail Use. It has substantial glazing at the sidewalk level and an Awning that may overhang the sidewalk.		 T4 T5
g. Gallery: a Frontage wherein the Façade is aligned close to the Frontage Line with an attached cantilevered or a lightweight colonnade overlapping the sidewalk. This type is conventional for retail Use. The Gallery shall be no less than 15' feet wide and may overlap the whole width of the sidewalk to within 2 feet of the curb. Permitted by Special Area Plan.		 T5 T6
h. Arcade: a Frontage wherein the Façade includes a colonnade that overlaps the sidewalk, while the Façade at sidewalk level remains at the Frontage Line. This type is conventional for retail Use. The arcade shall be no less than 15' feet wide and may overlap the whole width of the sidewalk to within 2 feet of the curb. Permitted by Special Area Plan.		 T5 T6

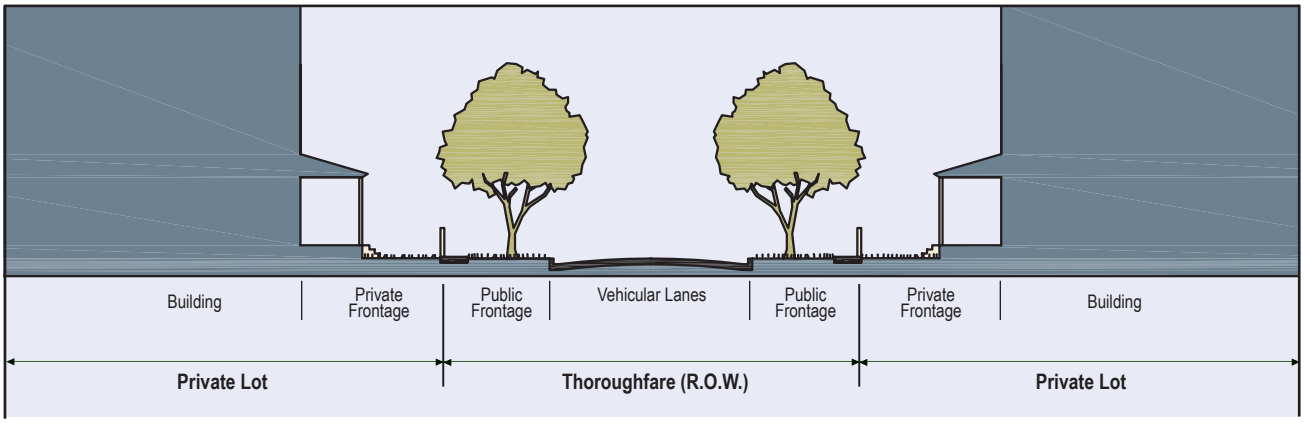
PUBLIC HEARING-FIRST READING 2009

This table describes the standards for areas zoned as Civic Space (CS) and for Public Parks and Open Space provided by the Public Benefits Program. Civic Space Types should be at the ground level, landscaped and/or paved, open to the sky and shall be open to the public. Civic Space Types may be publicly or privately owned. Open Space requirements for each zone are described in Article 5.

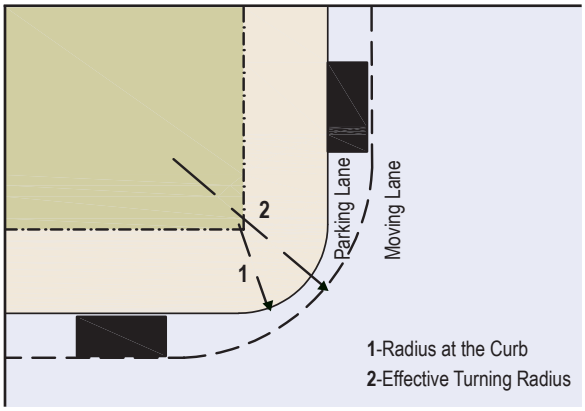
a. Park: A natural preserve available for unstructured and structured recreation programs. A Park may be independent of surrounding Building Frontages. Its landscape may be naturalistic and consist of paths and trails, meadows, woodland, sports fields and open shelters. Parks may be Conservation Areas, preserving natural conditions and their size may vary.		T1 T3
b. Green: An Open Space, available for unstructured recreation programs. A Green may be spatially defined by landscaping rather than Building Frontages. Its landscape shall consist of lawn and trees, naturalistically disposed. The minimum size shall be one acre and the maximum shall be 4 acres.		T3 T4 T5
c. Square: An Open Space available for unstructured recreation programs and civic purposes. A square is spatially defined by Building Frontages with streets on at least one Frontage. Its landscape shall consist of pavement, lawns and trees, formally disposed. Squares shall be located at the intersection of important Thoroughfares. The minimum size shall be 1/3 acre and the maximum shall be 2 acres.		T4 T5 T6
d. Plaza: An Open Space available for civic purposes and programmed activities. A Plaza shall be spatially defined by Building Frontages and may include street Frontages. Its landscape shall consist primarily of pavement and trees. Plazas shall be located at the intersection of important Thoroughfares. The minimum size shall be 1/8 acre and the maximum shall be 2 acres.		T5 T6
e. Courtyard / Garden: An Open Space spatially defined by Buildings and street walls, and visually accessible on one side to the street.		T5 T6
f. Playground: An Open Space designed and equipped for the recreation of children. A Playground shall be fenced and may include an open shelter. Playgrounds shall be interspersed within residential areas and may be placed within a Block. Playgrounds may be included within Parks and Greens. There shall be no minimum or maximum size.		T1 T4 T3 T5 T6
g. Pedestrian Passage: An Open Space connecting other public spaces, that is restricted to pedestrian use and limited vehicular access, of a minimum width of 20 feet. Building walls enfronting a Pedestrian Passage shall have frequent doors and windows. In T6-36, T6-60 and T6-80, a Pedestrian Passage may be roofed.		T3 T4 T5 T6
h. Community Garden: A grouping of garden plots available for small-scale cultivation, generally to residents of apartments and other dwelling types without private gardens. Community gardens should accommodate individual storage sheds.		T3 T4 T5 T6

PUBLIC HEARING-FIRST READING 2009

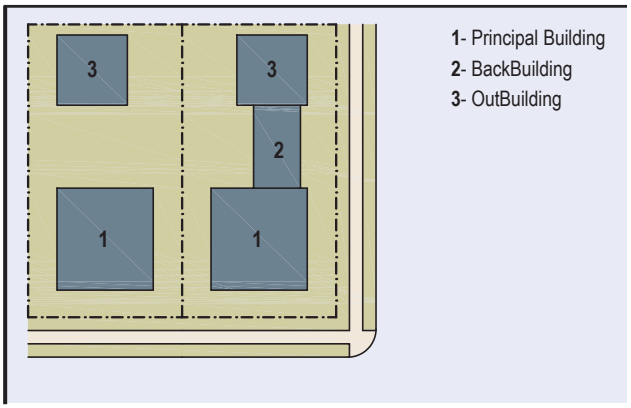
a. THOROUGHFARE & FRONTAGES



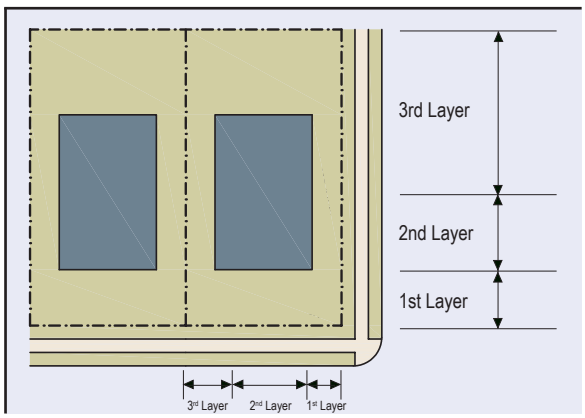
b. TURNING RADIUS



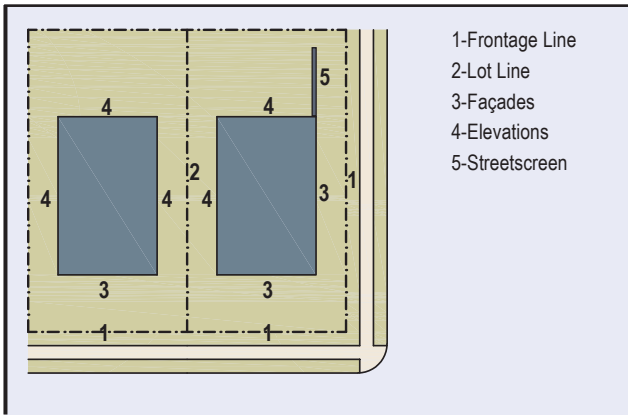
c. BUILDING DISPOSITION



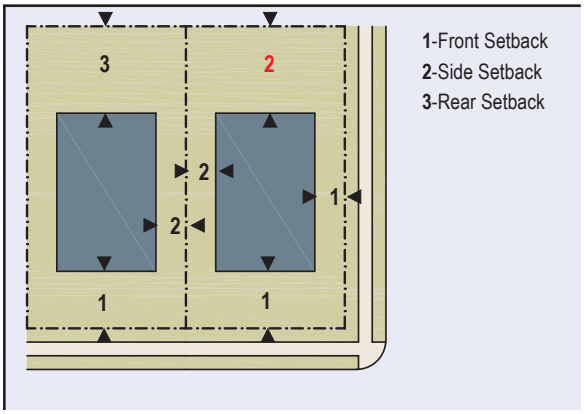
d. LOT LAYERS



e. FRONTAGE & LOT LINES



f. SETBACK DESIGNATIONS



g. VISIBILITY TRIANGLE

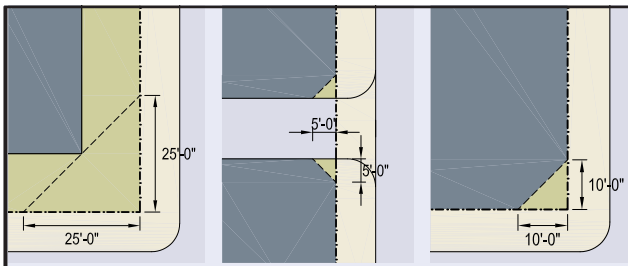


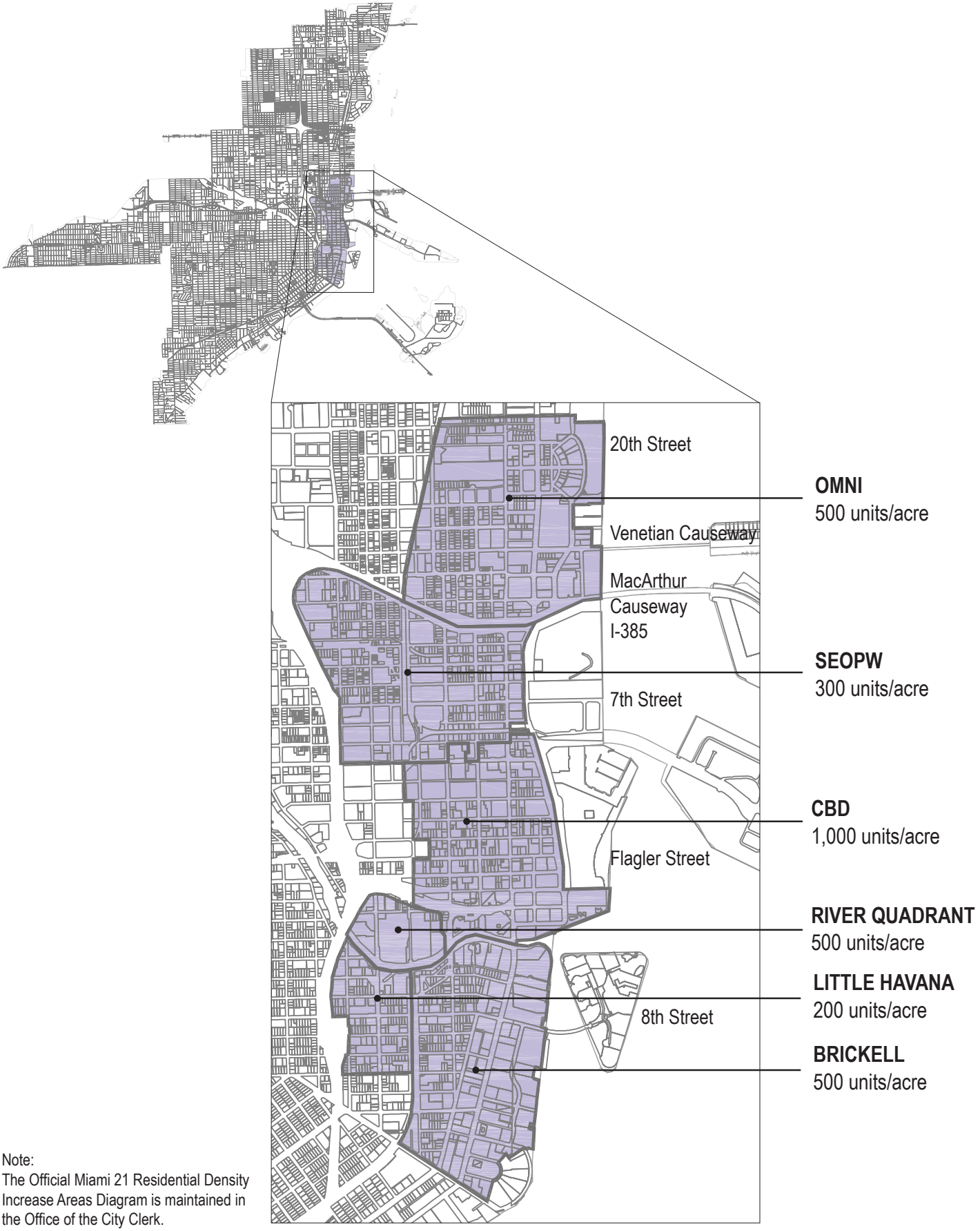
Fig 1.
At Thoroughfare intersections with Building Setbacks

Fig 2.
At intersections of driveways with Thoroughfare with no Building Setbacks

Fig 3.
At Thoroughfare intersections with no Building Setbacks

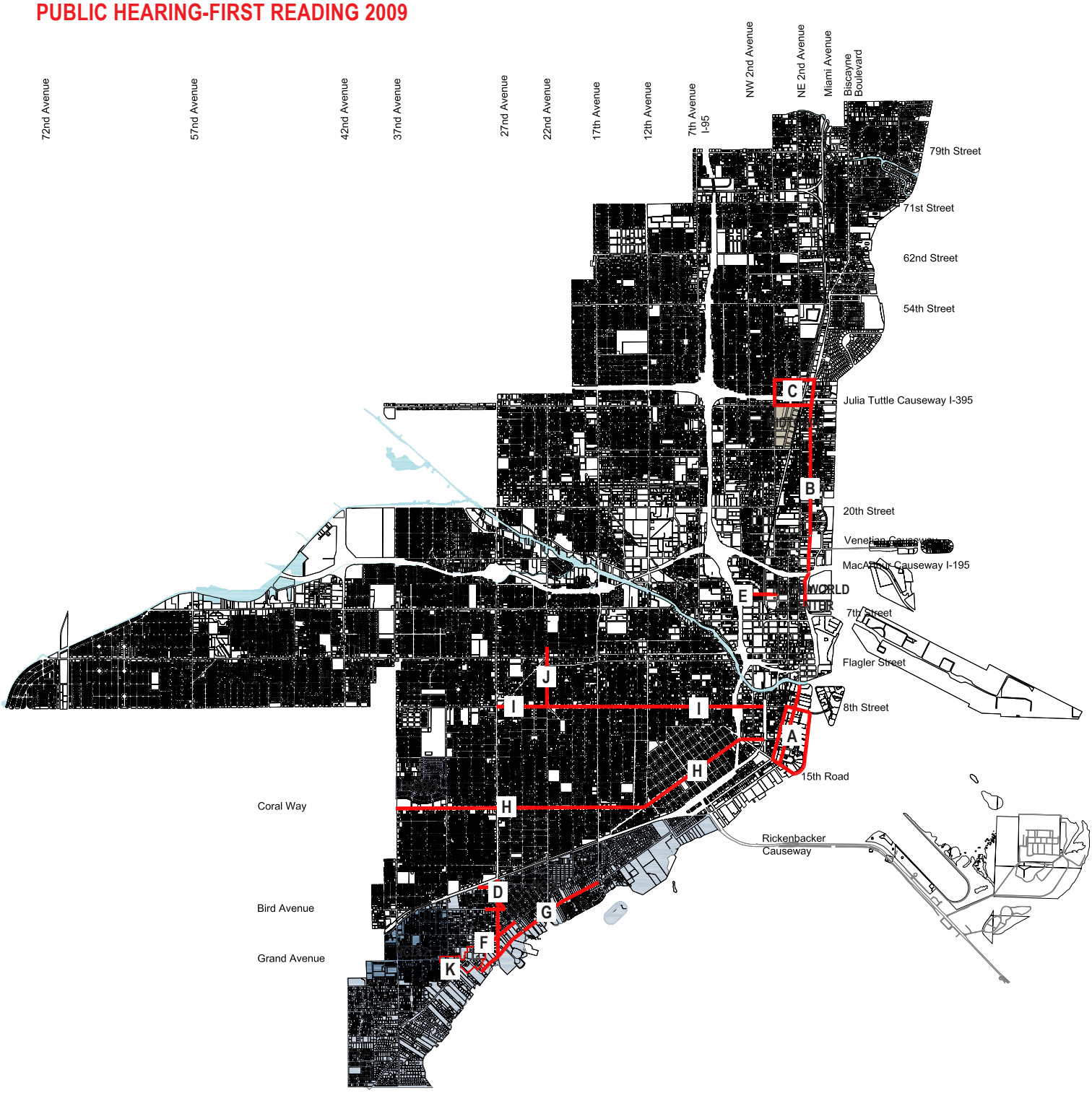
ARTICLE 4. DIAGRAM 9 RESIDENTIAL DENSITY INCREASE AREAS

REFER TO MIAMI COMPREHENSIVE NEIGHBORHOOD PLAN



Note:
The Official Miami 21 Residential Density Increase Areas Diagram is maintained in the Office of the City Clerk.

PUBLIC HEARING-FIRST READING 2009



NEIGHBORHOOD CONSERVATION DISTRICT 1
NCD 1 CORAL GATE

NEIGHBORHOOD CONSERVATION DISTRICT 2
NCD 2 VILLAGE WEST ISLAND AND CHARLES AVENUE

NEIGHBORHOOD CONSERVATION DISTRICT 3
NCD 3 COCONUT GROVE

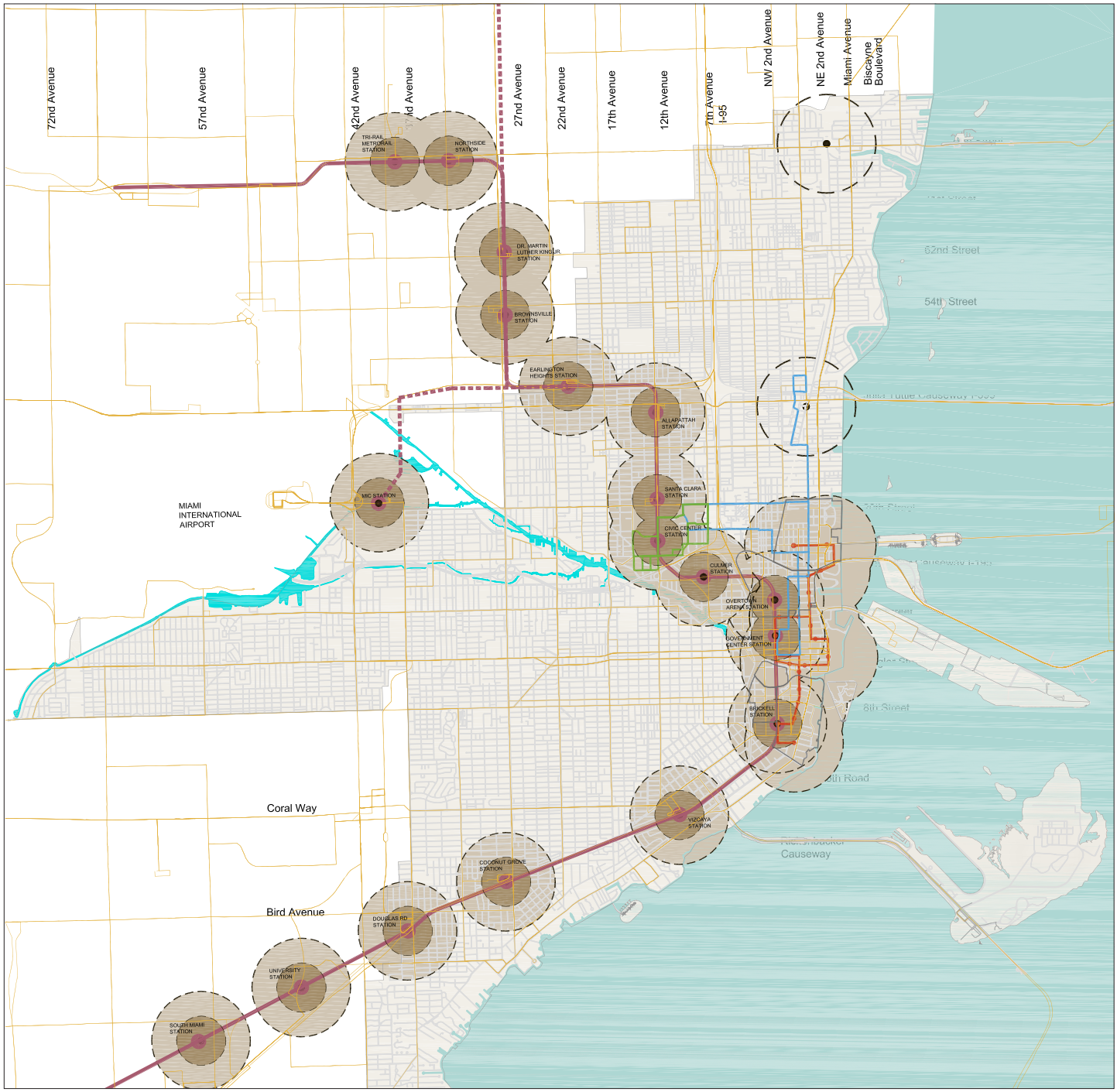
MIDTOWN

MIAMI WORLD CENTER

ESTABLISHED SETBACK AREAS
See Article 3, Section 3.3.6

a. Brickell Financial
b. Biscayne Boulevard
c. Design District
d. SW 27th Avenue Coconut Grove
e. 9th Street Promenade
f. Tigertail Avenue
g. South Bayshore Drive
h. Coral Way
i. 8th Street
j. 22nd Avenue
k. Coconut Grove

Note: The Official Miami 21 Area Specific Illustrations Diagram is maintained in the Office of the City Clerk.



Note: The Official Miami 21 TOD Diagram is maintained in the Office of the City Clerk.

- METRORAIL
- FUTURE METRORAIL
- METROMOVER
- BUS ROUTES
- STREETCAR
- HEALTH DISTRICT CIRCULATOR
- HEALTH DISTRICT STOPS
- FUTURE TRANSIT SHEDS
- 1/2 MILE TRANSIT SHED
- 1/4 MILE PEDESTRIAN SHED

DESIGN REVIEW CRITERIA
BUILDING DISPOSITION
• Respond to the physical context taking into consideration natural features, existing urban form and Transect Zone intentions.
• For Buildings on Corner Lots, design Façades to acknowledge all Frontages.
• For modifications of nonconforming Structures, there shall be no increase in the degree of nonconformity.
• For nonconformities, modifications shall comply with current regulations, but should be designed to the scale and context of the existing Structure.
• Create transitions in Height and mass with Abutting properties and Transect Zones.
BUILDING CONFIGURATION
• Articulate the Building Façade vertically and horizontally in intervals appropriate to the existing Neighborhood and Transect Zone.
• Articulate the Building Façade at street level to recognize pedestrian continuity and interest, and at upper levels to recognize long views of Buildings.
• Use architectural styles and details (such as roof lines and fenestration), colors and materials derivative from surrounding area.
• Design Façades that respond primarily to human scale.
• Promote pedestrian interaction.
• Design all walls as active Façades, with doors and windows; when not possible, embellish walls with architectural design treatment.
• Provide usable Open Space that allows for visible and convenient pedestrian access from the public sidewalk.
BUILDING FUNCTION & DENSITY
• Respond to the Neighborhood context and Transect Zone.
PARKING STANDARDS
• Minimize the impact of automobile parking and driveways on the pedestrian environment and adjacent properties, especially T3 areas.
• For pedestrian and vehicular safety minimize conflict points such as the number and width of driveways and curb cuts.
• Minimize off-street parking adjacent to a thoroughfare front and where possible locate parking behind the Building.
• Design landscaping and surface parking areas to buffer D1, D2 and D3 from other Transect Zones.
LANDSCAPE STANDARDS
• Preserve existing vegetation and/or geological features whenever possible.
• Reinforce Transect Zone intention by integrating landscape and hardscape elements.
• Use landscaping to enhance Building design and continuity of Streetscape.
SIGN STANDARDS
• Provide signage appropriate for the scale and character of the project and immediate Neighborhood.
• Provide signage identifying Building addresses at the entrance(s).
AMBIENT STANDARDS
• Provide lighting appropriate to the Building design and in a manner that coordinates with street lighting.
• Orient outdoor lighting to minimize glare to the public realm and adjacent properties.
• Protect residential areas from excessive noise, fumes, odors, commercial vehicle intrusion, traffic conflicts and the spillover effect of light.

Each criterion of Table 12 shall be applied as appropriate and relevant to the permit application, and the applicable criteria shall be construed as a whole in evaluating the permit application.

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5.2 Natural Transect Zones (T1) and Rural Transect Zones (T2)
5.3 Sub-Urban Transect Zones (T3)
5.4 General Urban Transect Zones (T4)
5.5 Urban Center Transect Zones (T5)
5.6 Urban Core Transect Zones (T6)
5.7 Civic Space Zones (CS) and Civic Institution Zones (CI)
5.8 Civic Institution Zones- Health District (CI-HD)
5.9 District Zones (D1 and D2)
5.10 Waterfront Industrial District Zones (D3)

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ARTICLE 5. SPECIFIC TO ZONES

5.1 GENERALLY

5.1.1 This Article sets forth the standards applicable to development within each Transect Zone that are specific to:

- Building Disposition
- Building Configuration
- Building Function and Density
- Parking Standards
- Architectural Standards
- Landscape Standards
- Ambient Standards

5.2 NATURAL TRANSECT ZONES (T1) AND RURAL TRANSECT ZONES (T2)

5.2.1. Natural Transect Zones (T1)

A Natural Transect (T1) Zone is a zone for environmental conservation.

a. A T1 Zone is to be left in an essentially natural state. Modification of the natural conditions shall be according to Local, State and Federal guidelines. Public access to T1 areas may be limited if it presents a threat to wildlife and plant life within the areas.

b. In a T1 Zone, improvements shall serve solely to protect natural elements. Any paved, graveled, mulched, boardwalk or otherwise improved surface or any habitable, enclosed or air conditioned space shall be kept to the minimum scale necessary to fulfill its purpose. Such improvements including but not limited to: screened or glassed enclosures, pathways, fencing, gatehouses, lighting, toilet facilities, parking areas, etc. may be allowed by process of Exception. Only activities and improvements which reinforce the natural character shall be allowed and upon a finding that there is no negative effect to the environment based on a study of potential environmental impacts to be provided by the applicant.

c. One Dwelling Unit per five (5) acres allowed.

5.2.2. Rural Transect Zones (T2) – (RESERVED)

5.3 SUB-URBAN TRANSECT ZONES (T3)

5.3.1 Building Disposition (T3)

a. Newly platted Lots shall be dimensioned according to Illustration 5.3

b. Lot Coverage by Building shall not exceed that shown in Illustration 5.3.

c. A Building shall be disposed in relation to the boundaries of its Lot according to Illustration 5.3.

d. In Zone T3-R, one Principal Building consisting of one Dwelling Unit at the Frontage may be built on each Lot as shown in Article 4, Table 8. In Zone T3-L one Principal Building consisting of one Dwelling Unit at the Frontage and one Outbuilding may be built on each Lot. The Outbuilding shall be separated from the Principal Building by a minimum of ten (10) feet. A Backbuilding may connect the Principal Building and the Outbuilding. In Zone T3-O, one Principal Building consisting of two Dwelling Units at the Frontage may be built on each Lot as shown in Illustration 5.3.

e. Setbacks for Principal Buildings shall be as shown in Illustration 5.3. Setbacks may otherwise be adjusted by Waiver by no more than ten percent (10%).

f. Facades shall be built parallel to a rectilinear Principal Frontage Line or parallel to the tangent of a curved Principal Frontage Line.

g. Setbacks for Outbuildings shall be as shown in Illustration 5.3.

5.3.2 Building Configuration (T3)

a. Development within Private Frontages shall comply with Article 4, Tables 2 and 6 and Illustration 5.3. For T3-R and T3-L, second story lot coverage shall not exceed thirty percent (30%).

b. Encroachments shall be allowed as follows**:** At the First Layer, stairs may encroach up to eight (8) feet of the depth of the Setback. Open Porches shall be at a minimum seven (7) feet deep and may encroach up to eight (8) feet of the depth of the Setback. At the First Layer, cantilevered portions of Awnings, balconies, bay windows and roofs shall be a maximum three (3) feet deep and may encroach up to three (3) feet of the depth of the Setback. Other cantilevered portions of the Building shall maintain the required Setback. At the Second and Third Layers, Awnings, balconies, bay windows, chimneys, roofs and stairs may encroach up to fifty percent (50%) of the depth of the Side Setback or three (3) feet, whichever is less. At the Third Layer, Awnings and canopies may encroach up to fifty percent (50%) of the depth of the Rear Setback.

c. Unroofed screen enclosures shall be located within the Second or Third Layer only and shall have a five (5) foot minimum side and rear Setback.

d. All outdoor storage, electrical, plumbing, mechanical, and communications equipment and appurtenant enclosures, shall be located within the Second or Third Layer and concealed from view from any Frontage. These shall not be allowed as Encroachments.

e. Building Heights shall be measured in Stories and shall conform to Article 4, Table 2 and be as shown in Illustration 5.3. The first-floor elevation of a Principal Building shall be a maximum of two and a half (2.5) feet above grade. A flat roof shall be a maximum of two Stories and twenty-five (25) feet. A pitched roof shall be a maximum of twenty-five (25) feet to the eave and shall not exceed ten (10) feet overall Height above the second Story.

f. Mechanical equipment on a roof shall be enclosed by parapets of the minimum Height necessary to conceal it, and a maximum Height of three and a half (3.5) feet. At the roof, other ornamental Building features may extend up to three and a half (3.5) feet above the maximum Building Height. Roof decks shall be permitted at the maximum Height. Trellises may extend above the maximum Height up to eight (8) feet. Extensions above the maximum Height up to four hundred (400) square feet for either a stair enclosure or ornamental purpose shall be permitted by process of Waiver. All extensions including attics shall not exceed ten (10) feet above the second Story.

g. Fences and, ~~,~~ walls ~~and hedges~~ may be located up to and including the Frontage Line to the following maximum Height. Height of fences and walls shall not exceed three and a half (3.5) feet within the First Layer, except aluminum or iron picket and post fences with or without masonry posts shall not exceed five (5) feet. Within the Second and Third Layers, fences and walls shall not exceed eight (8) feet

5.3.3 Building Function & Density (T3)

a. Buildings in T3 shall conform to the Functions, Densities, and Intensities described in Article 4, Tables 3 and 4 and Illustration 5.3. Certain Functions as shown in Article 4, Table 3 shall require approval by Warrant or Exception. Consult Article 6 for any supplemental use regulations.

b. Religious Facilities requiring additional Height or relief from parking requirements and frontage requirements may be permitted by process of Exception.

5.3.4 Parking Standards (T3)

a. Vehicular parking shall be required as shown in Article 4, Tables 4 and 5.

b. Parking may be accessed by an Alley when such is available.

c. Covered parking and garages and at least fifty percent (50%) of required parking shall be located within the Second and Third Layers as shown in Article 4, Table 8; in T3-R and T3-L a maximum thirty percent (30%) of the width of the Facade may be covered parking or garage. In T3-O covered parking and garages shall be a maximum sixty percent (60%) of the width of the façade. Covered parking and garages shall align with or be set back from the Facade. Driveways and drop-offs including parking may be located within the First Layer.

d. The maximum width at the Property Line of a driveway on a Frontage shall be twelve (12) feet for T3-R and T3-L and twenty (20) feet for T3-O.Two separate driveways on one Lot shall have a minimum separation of twenty (20) feet in T3-R and T3-L only.

e. Tandem Parking on site is encouraged.

5.3.5 Architectural Standards (T3)

a. Only permanent Structures shall be allowed. Temporary Structures such as mobile homes, construction trailers, travel trailers, recreational vehicles, and other temporary Structures shall not be allowed except as per City Code.

b. Roof materials should be light-colored, high Albedo or a planted surface.

5.3.6 Landscape Standards (T3)

a. A minimum of one shade tree shall be planted within the First Layer for each fifty (50) feet of Frontage Line.

b. At the First Layer, pavement shall be limited as follows**:** Impervious pavement shall be limited to thirty percent (30%) of the area and pervious pavement shall be limited to sixty percent (60%) of the area; a combination of pervious and impervious pavement shall be limited to sixty percent (60%) of the Lot area in the First Layer.

c. Green Space shall be a minimum twenty-five (25%) of the Lot area.

5.3.7 Ambient Standards (T3)

a. Noise regulations shall be as established in the City Code.

b. Average lighting levels measured at the Building Frontage shall not exceed one (1.0) foot-candle.

c. Lighting of Building and Open Space of First and Second Layers shall be compatible with street lighting of Abutting public spaces.

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BUILDING DISPOSITION

LOT OCCUPATION

a. Lot Area	5,000 s.f. min.
b. Lot Width	50 ft. min.
c. Lot Coverage	50% max. first floor 30% max. second floor (T3 R & T3 L only)
d. Floor Lot Ratio (FLR)	N/A
e. Frontage at front Setback	N/A
f. Green Space Requirements	25% Lot Area min.
g. Density	T3 R=9 du/acre max.; T3 L=9 du/acre max.; T3 O=18 du/acre max.

BUILDING SETBACK

a. Principal Front	20 ft. min.
b. Secondary Front	10 ft. min.
c. Side	5 ft. min., 20% Lot Width total min.
d. Rear	20 ft. min.

OUTBUILDING SETBACK (T3 L ONLY)

a. Principal Front	20 ft. min.
b. Secondary Front	10 ft. min.
c. Side	5 ft. min.
d. Rear	5 ft. min.

BUILDING CONFIGURATION

FRONTAGE

a. Common Lawn	permitted
b. Porch & Fence	permitted
c. Terrace or L.C.	prohibited
d. Forecourt	prohibited
e. Stoop	prohibited
f. Shopfront	prohibited
g. Gallery	prohibited
h. Arcade	prohibited

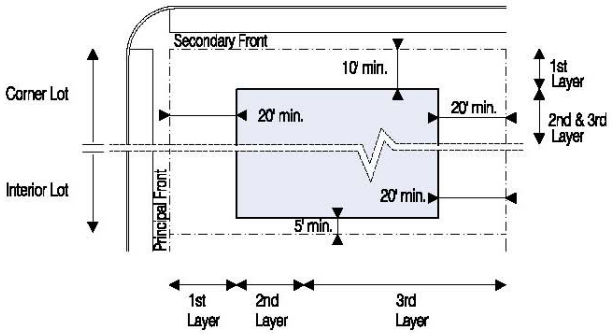
BUILDING HEIGHT

a. Principal Building	2 Stories and 25 ft. to eave max.
b. Outbuilding	2 Stories and 25 ft. to eave max.

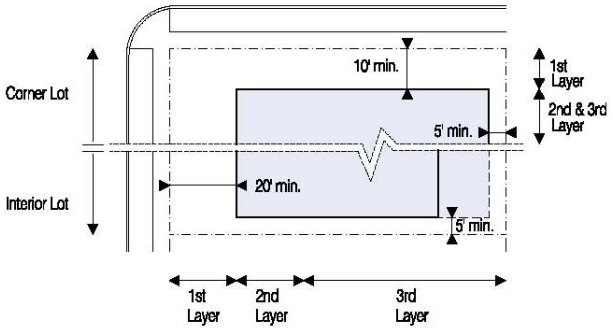
PARKING

Facade Width	T3 R & T3 L 30% max. T3 O 60% max.

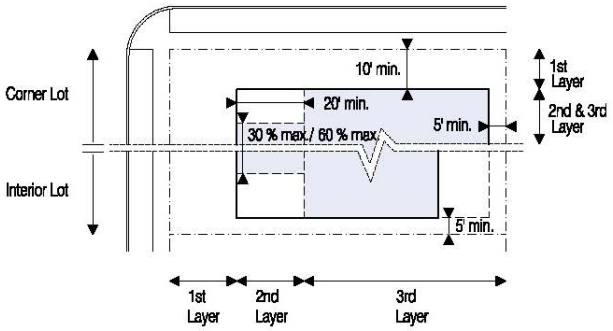
BUILDING PLACEMENT



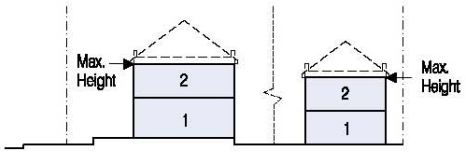
OUTBUILDING PLACEMENT



PARKING PLACEMENT (COVERED AND STRUCTURED PARKING)



BUILDING HEIGHT



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5.4 GENERAL URBAN TRANSECT ZONES (T4)

5.4.1 Building Disposition (T4)

a. Newly platted Lots shall be dimensioned according to Illustration 5.4.

b. Lot Coverage by any Building shall not exceed that shown in Illustration 5.4.

c. A Building shall be disposed in relation to the boundaries of its Lot according to Illustration 5.4.

d. One Principal Building at the Frontage, and one Outbuilding to the rear of the Principal Building, may be built on each Lot as shown in Article 4, Table 8. The Outbuilding shall be separated from the Principal Building by a minimum of ten (10) feet.

e. Setbacks for Principal Buildings shall be as shown in Illustration 5.4. Setbacks may otherwise be adjusted by Waiver by no more ten percent (10%).

f. Facades shall be built parallel to a rectilinear Principal Frontage Line or parallel to the tangent of a curved Principal Frontage Line, for a minimum fifty percent (50%) of its length.

g. The Setbacks for Outbuildings shall be as shown in Illustration 5.4.

5.4.2 Building Configuration (T4)

a. Development within Private Frontages shall comply with Article 4, Tables 2 and 6 and Illustration 5.4.

b. Encroachments shall be allowed as follows**:** At the First Layer, stairs may encroach up to fifty percent (50%) of the depth of the Setback. Open Porches shall be at a minimum seven (7) feet deep and may encroach up to fifty percent (50%) of the depth of the Setback. At the First Layer, Cantilevered portions of Awnings, balconies, bay windows and roofs shall be at a maximum three (3) feet deep and may encroach up to thirty percent (30%) of the depth of the Setback. Other cantilevered portions of the Building shall maintain the required Setbacks. At the Second and Third Layers, Awnings, balconies, bay windows, chimneys, roofs, and stairs may encroach up to fifty percent (50%) of the depth of the Setback or three (3) feet, whichever is less. At the Third Layer, Awnings and canopies may encroach up to fifty percent (50%) of the depth of the Setback.

c. Unroofed screen enclosures shall be located within the Second or Third Layer only and shall have a five (5) feet minimum side and rear Setback.

d. All outdoor storage, electrical, plumbing, mechanical, and communications equipment and appurtenant enclosures, shall be within the Second or Third Layer and concealed from view from any Frontage or sidewalk by liner buildings, walls, Streetscreens, or opaque gates. These shall not be allowed as Encroachments.

e. Loading and service entries shall be at the Third Layer and shall be accessed from Alleys when available. When a Lot has only Principal Frontages, vehicular entries, Loading Docks and service areas shall be at the Third Layer and shall be permitted on Principal Frontages only by process of Waiver.

f. Building Heights shall be measured in Stories and shall conform to Article 4, Table 2 and be as shown in Illustration 5.4. The first-floor Elevation of a Principal Building shall be at average Sidewalk grade; a first-floor Residential or Lodging Function should be at a minimum Height of two (2) feet and a maximum Height of three and a half (3.5) feet for privacy reasons or as regulated by FEMA, whichever is higher.

g. Mechanical equipment on a roof shall be enclosed by parapets of the minimum Height necessary to conceal it, and a maximum Height of five (5) feet. Other ornamental Building features may extend up to five (5) feet above the maximum Building Height. Roof decks shall be permitted up to the maximum Height. Trellises may extend above the maximum Height up to eight (8) feet. Extensions above the maximum Height for a stair enclosure or ornamental purpose of up to four hundred (400) square feet shall be permitted by process of Waiver.

h. Fences, walls and hedges may be located at the Frontage Line as shown in Article 4, Table 6. Fences and walls shall be a maximum Height of three and a half (3.5) feet at the First Layer, except aluminum or iron picket and post fences with or without masonry posts shall not exceed five (5) feet. Within the Second and Third Layers, fences and walls shall be a maximum Height of eight (8) feet.

i. All ground floor and roof top utility infrastructure and mechanical equipment shall be concealed from public view. At the Building Frontage, all equipment such as backflow preventers, siamese connections, and the like shall be placed within the line of the Facade or behind the Streetscreen. On the roof, a screen wall shall conceal all equipment except antennas from lateral view. Exhaust air fans and louvers may be allowed on the Façade only on Secondary Frontages above the first Floor.

5.4.3 Building Function & Density (T4)

a. Buildings in T4 shall conform to the Functions, Densities, and Intensities described in Article 4, Tables 3 and 4 and Illustration 5.4. Certain functions as shown in Article 4, Table 3 shall require approval by Warrant or Exception. Consult Article 6 for any supplemental use regulations.

5.4.4 Parking Standards (T4)

a. Vehicular parking shall be required as shown in Article 4, Tables 4 and 5.

b. Parking may be accessed by an Alley when available.

c. Surface parking lots, covered parking and garages shall be located within the Second and Third Layers as illustrated in Article 4, Table 8. A maximum thirty percent (30%) of the width of the Facade may be surface parking, covered parking or garage. Covered parking and garages shall align with or be set back from the Facade. Driveways and drop-offs including parking may be located within the First Layer. Surface parking lots, garages, Loading space and service areas shall be masked from the Frontage by a Liner Building or Streetscreen as specified in Illustration 5.4.

d. Underground parking may extend into the Second and First Layers only if it is fully underground and does not require raising the first-floor elevation of the First and Second Layers above that of the Sidewalk. Ramps to underground parking shall be within the Second and Third Layers.

e. The maximum width at the Property Line of a driveway on a Frontage shall be twelve (12) feet. Shared driveway width combining ingress and egress shall be a maximum width of twenty (20) feet at the Property Line and may encroach into Setbacks. Two separate driveways on one Lot shall have a minimum separation of twenty (20) feet.

f. Tandem Parking on site should be encouraged.

g. Shared Parking shall be calculated according to Article 4, Table 5.

h. In T4-L and T4-O a minimum of one (1) bicycle rack space shall be provided for every twenty (20) vehicular parking spaces and may be in the Private Frontage.

5.4.5 Architectural Standards (T4)

a. Only permanent structures shall be allowed. Temporary Structures such as mobile homes, construction trailers, travel trailers, recreational vehicles and other temporary structures shall not be allowed except as per City Code.

b. The Facades on Retail Frontages shall be detailed as storefronts and glazed with clear glass no less than seventy percent (70%) of the Sidewalk level Story. Security screens shall be seventy percent (70%) open.

c. Roof materials should be light-colored, high-Albedo or a planted surface.

5.4.6 Landscape Standards (T4)

a. A minimum of ten percent (10%) of the Lot Area in the First Layer shall be Green Space.

b. In the First Layer, pavement shall be limited as follows: impervious pavement shall be limited to forty percent (40%) of the area and pervious pavement shall be limited to fifty percent (50%) of the area; a combination of pervious and impervious pavement shall be limited to fifty percent (50%) of the lot area in the First Layer.

c. Open Space shall be a minimum fifteen percent (15%) of the Lot Area.

5.4.7 Ambient Standards (T4)

a. Noise regulation shall be as established by the City Code.

b. Average lighting levels measured at the Building Frontage shall not exceed 2.0 fc (foot-candles).

c. Lighting of Building and Open Space of First and Second Layers shall be compatible with street lighting of Abutting public spaces.

d. The lighting fixtures of exposed rooftop parking shall be concealed by a parapet wall and shall not be seen from surrounding streets.

BUILDING DISPOSITION

LOT OCCUPATION

a. Lot Area - With rear vehicular access	5,000 s.f. min.; 20,000 s.f. max. 1,400 s.f. min.; 20,000 s.f. max.
b. Lot Width - With rear vehicular access	50 ft. min. 16 ft. min.
c. Lot Coverage	60% max.
d. Floor Lot Ratio (FLR)	N/A
e. Frontage at front Setback	50% min.
f. Open Space Requirements	15% Lot Area min.
g. Density	36 du/acre max.

BUILDING SETBACK

a. Principal Front	10 ft. min.
b. Secondary Front	10 ft. min.
c. Side	0 ft. or 5 ft. min. Abutting a Setback
d. Rear	20 ft. min.

OUTBUILDING SETBACK

a. Principal Front	30 ft. min.
b. Secondary Front	10 ft. min.
c. Side	0 ft. or 5 ft. min. Abutting a Setback
d. Rear	5 ft. min.

BUILDING CONFIGURATION

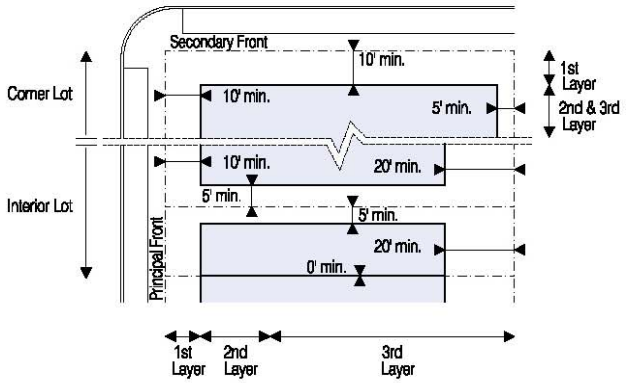
FRONTAGE

a. Common Lawn	permitted
b. Porch & Fence	permitted
c. Terrace or L.C.	permitted
d. Forecourt	permitted
e. Stoop	permitted
f. Shopfront	permitted (T4 L & T4 O only)
g. Gallery	prohibited
h. Arcade	prohibited

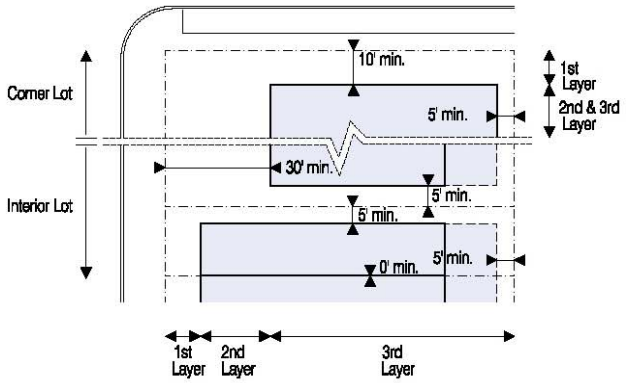
BUILDING HEIGHT

a. Principal Building	3 Stories max.
b. Outbuilding	2 Stories max.

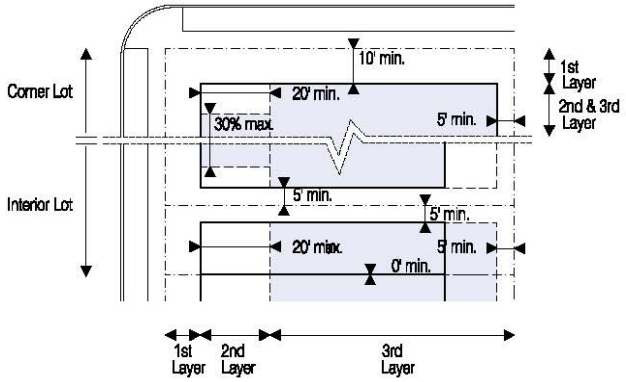
BUILDING PLACEMENT



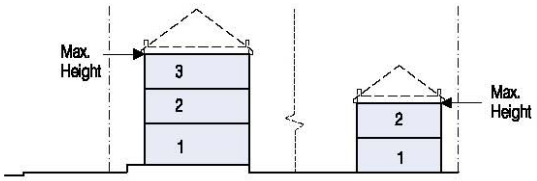
OUTBUILDING PLACEMENT



PARKING PLACEMENT



BUILDING HEIGHT



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5.5 URBAN CENTER TRANSECT ZONES (T5)

5.5.1 Building Disposition (T5)

a. Newly platted Lots shall be dimensioned according to Illustration 5.5.

b. Lot coverage by any Building shall not exceed that shown in Illustration 5.5.

b. Buildings shall be disposed in relation to the boundaries of their Lots according to Illustration 5.5.

c. Buildings shall have their principal pedestrian entrances on a Frontage Line or from a Courtyard at the Second Layer.

d. For the minimum Height, facades shall be built parallel to the Principal Frontage Line along a minimum of seventy percent (70%) of its length on the Setback Line as shown in Illustration 5.5. In the absence of a Building along the remainder of the Frontage Line, a Streetscreen shall be built co-planar with the Façade to conceal parking and service areas.

e. At the first Story, Facades along a Frontage Line shall have frequent doors and windows; pedestrian entrances shall occur at a maximum spacing of seventy-five (75) feet. Vehicular entries shall occur at a minimum spacing of sixty (60) feet.

f. Setbacks for Buildings shall be as shown in Illustration 5.5. Where the property to be developed abuts an existing Building, a Waiver may be granted so as to match the dominant setback of the block and its context.

g. For sites with three hundred and forty (340) feet Frontage length or more, a cross-block passage shall be provided as follows: If the Frontage Line of a site is at any point more than three hundred and forty (340) feet from a Thoroughfare intersection, the Building shall provide a cross Block Pedestrian Passage as a public easement. If the Frontage Line of a site is at any point six hundred and fifty (650) feet from a Thoroughfare intersection, a vehicular cross Block passage shall be provided as a public easement.

h. Maximum Lot size as shown in Illustration 5.5 may be increased by Exception for Uses that serve the Neighborhood.

5.5.2 Building Configuration (T5)

a. Development within Private Frontages shall comply with Article 4, Tables 2 and 6 and Illustration 5.5.

b. Encroachments shall be as follows**:** At the First Layer, cantilevered Awnings and entry canopies may encroach up to one hundred percent (100%) of the depth of the Setback; except as may be further allowed by Chapter 54 of the City Code; above the first Story, cantilevered balconies, bay windows, roofs and Facade components promoting energy efficiency such as shading and Screening devices that are non-accessible, may encroach a maximum of three (3) feet into the Setback. Other cantilevered portions of the Building shall maintain the required Setback. At the Second and Third Layers, no encroachments are permitted.

c. Galleries and Arcades shall be a minimum fifteen (15) feet deep and may encroach up to one hundred percent (100%) of the depth of the Setback by process of a Special Area Plan.

d. Screen enclosures shall be located within the Second or Third Layer only and shall have a five (5) feet minimum side and rear Setback when Abutting T3 or T4.

e. Loading and service entries shall be within the Third Layer and shall be accessed from Alleys when available and otherwise from the Secondary Frontage. When Lots have only Principal Frontages, vehicular entries, Loading spaces and service areas shall be permitted on Principal Frontages only by process of Waiver.

f. All outdoor storage, electrical, plumbing, mechanical, and communications equipment and appurtenant enclosures shall be located within the Second or Third Layer and concealed from view from any Frontage or sidewalk by Liner Buildings, walls, Streetscreens, or opaque gates. These shall not be allowed as Encroachments.

g. Building Heights shall be measured in Stories and shall conform to Article 4, Table 2 and be as shown in Illustration 5.5. The first floor elevation shall be at average Sidewalk grade. A first floor Residential or Lodging Function should be raised a minimum of two (2) feet and a maximum of three and a half (3.5) feet above average Sidewalk grade. Existing one Story Structures shall be considered conforming and may be enlarged.

h. Mechanical equipment on a roof shall be enclosed by parapets of the minimum Height necessary to conceal it, and a maximum Height of five (5) feet. Other ornamental Building features may extend up to ten (10) feet above the maximum Building Height. Roof decks shall be permitted up to the maximum Height. Trellises may extend above the maximum Height up to eight (8) feet. Extensions above the maximum Height for stair, elevator and mechanical enclosures or ornamental purposes only shall be permitted by process of Waiver.

i. All ground floor and roof top utility infrastructure and mechanical equipment shall be concealed from public view. At the Building Frontage, all equipment such as backflow preventers, siamese connections, and the like shall be placed within the line of the Facade or behind the Streetscreen. On the roof, a screen wall shall conceal all equipment except antennas from lateral view. Exhaust air fans and louvers may be allowed on the Façade only on Secondary Frontages above the first floor.

j. Streetscreens shall be between three and a half (3.5) and eight (8) feet in Height and constructed of a material matching the adjacent building Façade or of masonry, wrought iron or aluminum. The Streetscreen may be replaced by a hedge or fence. Streetscreens shall have openings no larger than necessary to allow automobile and pedestrian access. Streetscreens shall be located co-planar with the Building Facade Line. Streetscreens more than three (3) feet high shall be fifty percent (50%) permeable or articulated to avoid blank walls.

k. Within the Second and Third Layers, fences and walls shall not exceed a Height of eight (8) feet.

5.5.3 Building Function & Density (T5)

a. Buildings in T5 shall conform to the Functions, Densities, and Intensities described in Article 4, Tables 3 and 4 and Illustration 5.5. Certain Functions as shown in Article 4, Table 3 shall require approval by Warrant or Exception. Consult Article 6 for any supplemental use regulations.

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5.5.4 Parking Standards (T5)

a. Vehicular parking and loading shall be required as shown in Article 4, Tables 4 and 5.

b. On-street parking available along the Frontage Lines that correspond to each Lot shall be counted toward the parking requirement of the Building on the Lot.

c. Parking should be accessed by an Alley. Parking shall be accessed from the Secondary Frontage when available. Where Lots have only Principal Frontages, parking may be accessed from the Principal Frontages.

d. All parking including drop-off drives and porte-cocheres, open parking areas, covered parking, garages, Loading space and service areas shall be located within the Third Layer and shall be masked from the Frontage by a Liner Building or Streetscreen as illustrated in Article 4, Table 8. Underground parking may extend into the Second and First Layers only if it is fully underground and does not require raising first-floor elevation of the First and Second Layers above that of the Sidewalk. Ramps to underground parking shall be only within the Second and Third Layers. Above ground parking may extend into the Second Layer a maximum of fifty percent (50%) of the length or Height of the Secondary Frontage. Surface parking may extend into the Second Layer a maximum of twenty five percent (25%) of the length of the Primary Frontage up to a maximum of fifty (50) feet.

e. The vehicular entrance of a parking lot or garage on a Frontage shall be no wider than twenty-five (25) feet and the minimum distance between vehicular entrances shall be sixty (60) feet. A ten percent (10%) deviation may be approved by Waiver.

f. Pedestrian entrances to all parking lots and parking structures shall be directly from a Frontage Line. Underground parking structures should be entered by pedestrians directly from a Principal Building.

g. Buildings mixing Uses shall provide parking for each Use. Shared Parking shall be calculated according to Article 4, Table 5.

5.5.5 Architectural Standards (T5)

a. Only permanent Structures shall be allowed. Temporary Structures such as mobile homes, construction trailers, travel trailers, recreational vehicles and other temporary Structures shall not be allowed except as per City Code and this Code.

b. The Facades on Retail Frontages shall be detailed as storefronts and glazed with clear glass no less than seventy percent (70%) of the sidewalk-level Story. Security screens shall be seventy percent (70%) open.

c. Roof materials should be light-colored, high Albedo or a planted surface.

d. The Facade of a parking garage that is not concealed behind a Habitable Liner shall be screened to conceal all internal elements such as plumbing pipes, fans, ducts and lighting. Ramping should be internalized wherever possible. Exposed spandrels shall be prohibited. The exposed top level of parking Structures shall be covered a maximum of sixty percent (60%) with a shade producing Structure such as, but not limited to, a vined pergola or retractable canvas shade Structure.

5.5.6 Landscape Standards (T5)

a. The First Layer as shown in Article 4, Table 8 shall be paved and landscaped to match and extend the enfronting Public Frontage as shown in Article 8, Table C.

b. Open Space shall be a minimum of ten percent (10%) of the Lot Area. Unpaved Green Space shall be a minimum five percent (5%) of the Lot Area.

5.5.7 Ambient Standards (T5)

a. Noise regulations shall be as established in the City Code.

b. Average lighting levels measured at the Building Frontage shall not exceed 5.0 fc (foot-candles).

c. Lighting of Building and contingent Open Spaces shall be compatible with street lighting of Abutting public spaces as illustrated in Article 8. Interior garage lighting fixtures shall not be visible from streets.

d. The lighting fixtures of exposed rooftop parking shall be concealed by a parapet wall and shall not be seen from surrounding streets.

BUILDING DISPOSITION

LOT OCCUPATION

a. Lot Area - With rear vehicular access	5,000 s.f. min.; 40,000 s.f. max. 1,200 s.f. min.; 40,000 s.f. max.
b. Lot Width - With rear vehicular access	50 ft. min. 16 ft. min.
c. Lot Coverage	80% max.
d. Floor Lot Ratio (FLR)	N/A
e. Frontage at front Setback	70% min.
f. Open Space Requirements	10% Lot Area min.
g. Density	65 du/acre max.

BUILDING SETBACK

a. Principal Front	10 ft. min.
b. Secondary Front	10 ft. min.
c. Side	0 ft. min.
d. Rear	0 ft. min.
e. Abutting Side & Rear T4	6 ft. min.
Abutting Side & Rear T3	10% of Lot depth** min. 1st through 2nd Story 26 ft. min. above 2nd Story

BUILDING CONFIGURATION

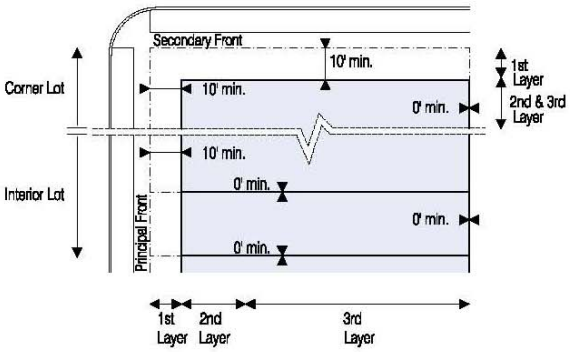
FRONTAGE

a. Common Lawn	prohibited
b. Porch & Fence	prohibited
c. Terrace or L.C.	prohibited
d. Forecourt	permitted
e. Stoop	permitted
f. Shopfront	permitted (T5 L & T5 O only)
g. Gallery	permitted by Special Area Plan
h. Arcade	permitted by Special Area Plan

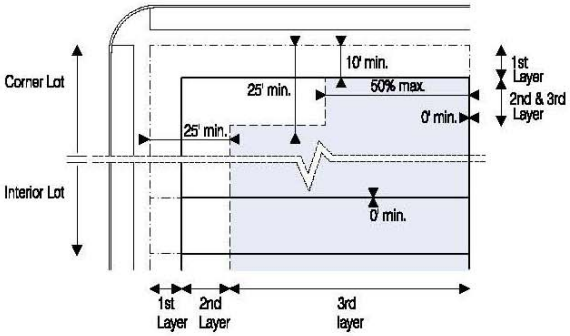
BUILDING HEIGHT

a. Min. Height	2 Stories
b. Max. Height	5 Stories
c. Max. Benefit Height	1 Story Abutting D1

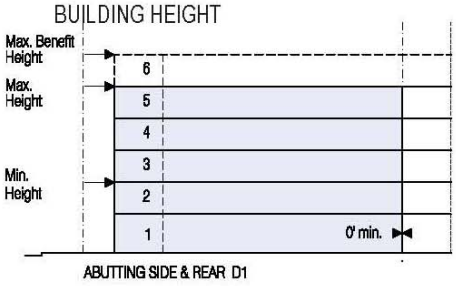
BUILDING PLACEMENT



PARKING PLACEMENT

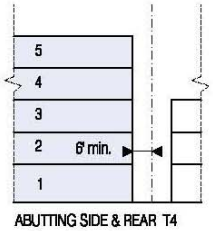


BUILDING HEIGHT

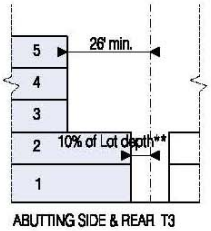


ABUTTING SIDE & REAR D1

ABUTTING SIDE & REAR ALL ZONES EXCEPT T4 & T3



ABUTTING SIDE & REAR T4



ABUTTING SIDE & REAR T3

**10% of Lot depth for Lots more than 120' deep
6' min for Lots less than 120' deep

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5.6 URBAN CORE TRANSECT ZONES (T6)

5.6.1 Building Disposition (T6)

a. Newly platted Lots shall be dimensioned according to Illustration 5.6.

b. Lot coverage by any Building shall not exceed that shown in Illustration 5.6.

c. Buildings shall be disposed in relation to the boundaries of their Lots according to Illustration 5.6.

d. Buildings shall have their principal pedestrian entrances on a Frontage Line or from a courtyard at the Second Layer.

e. For the minimum Height, Facades shall be built parallel to the Principal Frontage Line along a minimum of seventy percent (70%) of its length on the Setback Line as shown in Illustration 5.6. In the absence of Building along the remainder of the Frontage Line, a Streetscreen shall be built co-planar with the Façade to shield parking and service areas. In the case of two (2) or three (3) Principal Frontages meeting at Thoroughfare intersections, the Building corner may recede from the designated Setback up to twenty percent (20%) of the Lot length.

f. At the first Story, Facades along a Frontage Line shall have frequent doors and windows; pedestrian entrances shall occur at a maximum spacing of seventy five (75) feet. Vehicular entries shall occur at a minimum spacing of sixty (60) feet unless approved by Waiver.

g. Setbacks for Buildings shall be as shown in Illustration 5.6. Where the property to be developed abuts an existing Building, a Waiver may be granted so as to match the dominant setback of the block and its context. Frontage Setbacks above the eighth floor for Lots having one (1) dimension measuring one hundred (100) feet or less may be a minimum of zero (0) feet by Waiver. For T6-36, T6-60 and T6-80, the Frontage Setbacks above the eighth floor shall not be required for a Frontage facing a Civic Space or a Right-of-Way seventy (70) feet or greater in width. At property lines Abutting a lower Transect Zone the Setbacks shall reflect the transition as shown in Illustration 5.6.

h. Above the eighth floor, minimum building spacing is sixty (60) feet, except that where the Building abuts T5, the sixty (60) feet required spacing shall be above the fifth floor. For T6-24, T6-36, T6-60 and T6-80 Lots having one dimension one hundred (100) feet or less, side and rear Setbacks above the eighth floor may be reduced to a minimum of twenty (20) feet by Waiver. For T6-36, T6-60 and T6-80 above the eighth floor in the Second Layer, at a setback of ten (10) feet, an additional two stories of habitable space may extend a maximum sixty percent (60%) of the length of the street Frontages. For T6-24, T6-36, T6-60 and T6-80 above the eighth floor an additional six feet of non-habitable space may be allowed without additional setback to accommodate depth of swimming pools, landscaping, transfer beams, and other structural and mechanical systems.

i. For sites with three hundred and forty (340) feet Frontage length or more, a cross-Block passage shall be provided as follows**:** If the Frontage Line of a site is at any point more than three hundred and forty (340) feet from a Thoroughfare intersection, the Building shall provide a cross-Block Pedestrian Passage as a recorded public Easement. If the Frontage Line of a site is at any point six hundred and fifty (650) feet from a Thoroughfare intersection, a vehicular cross-Block passage shall be provided as a recorded public Easement. Such a cross-Block Pedestrian Passage may be covered above the first floor by a maximum of twenty-five percent (25%) of its length with Structures connecting Buildings, such as a terrace, pedestrian bridge or vehicular bridge. In T6-36, T6-60 and T6-80 a Pedestrian Passage may be roofed and shall be lined with frequent doors and windows.

j. Maximum Lot size as shown in Illustration 5.6 may be increased by Exception for Uses that serve the Neighborhood.

5.6.2 Building Configuration (T6)

a. Development within Private Frontages shall comply with Article 4, Tables 2 and 6 and Illustration 5.6.

b. Above the eighth floor, the Building Floorplate dimensions shall be limited as follows**:**

1. 15,000 square feet maximum for Residential Uses in T6-8, T6-12 and T6-24
2. 18,000 square feet maximum for Residential Uses in T6-36, T6-60 and T6-80
3. 30,000 square feet maximum for Commercial Uses and for parking
4. 180 feet maximum length for Residential Uses
5. 215 feet maximum length for Commercial Uses

c. Encroachments shall be as follows**:** At the First Layer, cantilevered Awnings and entry canopies may encroach up to one hundred percent (100%) of the depth of the Setback, except as may be further allowed by Chapter 54 of the City Code. Above the first Story, cantilevered balconies, bay windows, and roofs may encroach up to three (3) feet of the depth of the Setback. Other cantilevered portions of the Building shall maintain the required Setback. At the Second Layer no Encroachments are permitted, except that Facade components promoting energy efficiency such as shading and Screening devices that are non-accessible may encroach a maximum of three (3) feet.

d. Galleries and Arcades shall be minimum fifteen (15) feet deep, shall encroach one hundred percent (100%) of the depth of the Setback and shall overlap the whole width of the Sidewalk to within two (2) feet of the curb. Permitted by process of a Special Area Plan.

e. All outdoor storage, electrical, plumbing, mechanical, and communications equipment and appurtenant enclosures shall be located within the Second or Third Layer and concealed from view from any Frontage or Sidewalk by Liner Buildings, walls, Streetscreens, or opaque gates. These shall not be allowed as Encroachments.

f. Loading and service entries shall be within the Third Layer and shall be accessed from Alleys when available, and otherwise from the Secondary Frontage. Loading spaces and service areas shall be internal to the building. Where Lots have only Principal Frontages, vehicular entries, Loading Docks and service areas shall be permitted on Principal Frontages by Waiver

g. Building Heights shall be measured in Stories and shall conform to Article 4, Table 2 and be allocated as required in Illustration 5.6. First-floor elevation shall be at average Sidewalk grade. A first level Residential Function or Lodging Function should be raised a minimum of two (2) feet and a maximum of three and a half (3.5) feet above average Sidewalk grade.

h. Mechanical equipment on a roof shall be enclosed by parapets of the minimum Height necessary to conceal it, and a maximum Height of ten (10) feet. Other ornamental Building features may extend up to ten (10) feet above maximum height for T6-8 and T6-12 There shall be no limitation for ornamental element and mechanical equipment extensions above maximum Height for T6-24, T6-36, T6-60 and T6-80. Roof decks shall be permitted up to the maximum Height. Trellises may extend above the maximum Height up to fourteen (14) feet. Extensions above the maximum Height for stair, elevator and mechanical enclosures or ornamental purposes only, shall be permitted by process of Waiver.

i. All ground floor and roof top utility infrastructure and mechanical equipment shall be concealed from public view. At the building Frontage, all equipment such as backflow preventers, siamese connections, and the like shall be placed within the line of the Facade or behind the Streetscreen. On the roof a screen wall shall conceal all equipment except antennas from lateral view. Exhaust air fans and louvers may be allowed on the Façade only on the Secondary Frontages above the first floor.

j. Streetscreens or fences shall be between three and a half (3.5) and eight (8) feet in Height and constructed of a material matching the adjacent building Façade or of masonry, wrought iron or aluminum. The Streetscreen may be replaced by a hedge. Streetscreens shall have openings no larger than necessary to allow automobile and pedestrian access. Streetscreens shall be located coplanar with the Building Facade Line. Streetscreens over three (3) feet high shall be fifty percent (50%) permeable or articulated to avoid blank walls.

k. Within the Second and Third Layers, fences and walls shall not exceed a Height of eight (8) feet.

l. The ground floor along all Frontages shall contain Habitable Uses.

5.6.3 Building Function & Density (T6)

a. Buildings in T6 shall conform to the Functions, Densities, and Intensities described in Article 4, Tables 3 and 4 and Illustration 5.6. Certain Functions as shown in Article 4, Table 3 shall require approval by Warrant or Exception. Consult Article 6 for any supplemental regulations.

b. The calculation of the FLR shall not apply to that portion of the building that is entirely below base flood elevation.

5.6.4 Parking Standards (T6)

a. Vehicular parking and loading shall be required as shown in Article 4, Tables 4 and 5.

b. On-street parking available along the Frontage Lines that correspond to each Lot shall be counted toward the parking requirement of the Building on the Lot.

c. Parking should be accessed by an Alley. Parking shall be accessed from the Secondary Frontage when available. Where Lots have only Principal Frontages, parking may be accessed from the Principal Frontages.

d. Primary Frontage. All parking, including drop-off drives and porte-cocheres, open parking areas, covered parking, garages, Loading Docks and service areas shall be located within the Third Layer and shall be masked from the Frontage by a Liner Building or Streetscreen as illustrated in Article 4, Table 8. ~~Underground parking may extend into the Second and First Layers only if it is fully underground and does not require raising the first-floor elevation of the First and Second Layers above that of the sidewalk. Ramps to underground parking shall be within the Second or Third Layers.~~ Parking may extend into the Second Layer above the Second (2) story, by Waiver, if an art or glass treatment, of a design to be approved by the Planning Director, is provided for one hundred (100%) percent of that portion of the Pedestal Façade. Surface parking may extend into the Second Layer a maximum of twenty five percent (25%) of the length of the Primary Frontage up to a maximum of fifty (50) feet. ~~Above ground parking may extend into the Second Layer a maximum of fifty percent (50%) of the length or Height of the Secondary Frontage. Surface parking may extend into the Second Layer a maximum of twenty five percent (25%) of the length of the Primary Frontage up to a maximum of fifty (50) feet.~~

e. Secondary Frontage. All Parking, open parking areas, covered parking, garages, Loading Docks and service areas shall be located in the Third Layer and shall be masked from the Frontage by a Liner Building or Streetscreen for a minimum of fifty percent (50%) of the length of the frontage or height of the pedestal. Above ground Parking may extend into the Second Layer beyond fifty percent (50%) of the length of the frontage or height of the Pedestal, by Waiver, if an art or glass treatment of a design to be approved by the Planning Director is provided for that portion of the pedestal facade.

f. Underground parking may extend into the Second and First Layers only if it is fully underground and does not require raising the first-floor elevation of the First and Second Layers above that of the sidewalk. Ramps to underground parking shall be within the Second or Third Layers.

g~~e~~. The vehicular entrance of a parking Lot or garage on a Frontage shall be no wider than thirty (30) feet and the minimum distance between vehicular entrances shall be sixty (60) feet. A ten percent (10%) deviation may be approved by Waiver.

hf. Pedestrian entrances to all parking Lots and parking structures shall be directly from a Frontage Line. Underground parking structures should be entered by pedestrians directly from a Principal Building.

ig. Buildings mixing uses shall provide parking for each Use. Shared Parking shall be calculated according to Article 4, Table 5.

5.6.5 Architectural Standards (T6)

a. Only permanent structures shall be allowed. Temporary structures such as mobile homes, construction trailers, travel trailers, recreational vehicles and other temporary structures shall not be allowed except as per City Code and this code.

b. The Facades on Retail Frontages shall be detailed as storefronts and glazed with clear glass no less than seventy percent (70%) of the sidewalk-level Story. Security screens shall be seventy percent (70%) open.

c. Roof materials should be light-colored, high Albedo or a planted surface.

d. The Façade of a parking garage that is not concealed behind a Habitable Liner and all Elevations shall be screened to conceal all internal elements such as plumbing pipes, fans, ducts and lighting.
~~The Façade of a parking garage that is not concealed behind a Habitable Liner shall be screened to conceal all internal elements such as plumbing pipes, fans, ducts and lighting.~~ Ramping should be internalized wherever possible. Exposed spandrels shall be prohibited. The exposed top level of parking structures shall be covered a minimum of sixty percent (60%) with a shade producing structure such as, but not limited to, a vined pergola or retractable canvas shade structure.

5.6.6 Landscape Standards (T6)

a. The First Layer as shown in Article 4, Table 8 shall be paved and landscaped to match the Public Frontage as shown in Article 8.

b. Open Space shall be a minimum ten percent (10%) of the total Lot area. Ten percent (10%) of the Open Space provided in Second or Third Layer shall be landscaped.

5.6.7 Ambient Standards (T6)

a. Noise regulations shall be as established in the City Code.

b. Average lighting levels measured at the Building Frontage shall not exceed 20 fc (foot-candles).

c. Lighting of building and contingent Open Spaces shall be compatible with street lighting of Abutting public spaces as illustrated in Article 8. Interior garage lighting fixtures shall not be visible from streets.

d. The lighting fixtures of exposed rooftop parking shall be concealed by a parapet wall and shall not be seen from surrounding streets.

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BUILDING DISPOSITION

LOT OCCUPATION

a. Lot Area	5,000 s.f. min.; 40,000 s.f. max.
b. Lot Width	50 ft. min.
c. Lot Coverage	
-1-8 Stories	80% max.
- Above 8th Story	15,000 sq. ft. max. Floorplate for Residential & Lodging 30,000 sq. ft. max. Floorplate for Office & Commercial
d. Floor Lot Ratio (FLR)	5 / 25% additional Public Benefit
e. Frontage at front Setback	70% min.
f. Open Space Requirements	10% Lot Area min.
g. Density	150 du/acre max. *

BUILDING SETBACK

a. Principal Front	10 ft. min.; 20 ft. min. above 8th Story
b. Secondary Front	10 ft. min.; 20 ft. min. above 8th Story
c. Side	0 ft. min.; 30 ft. min. above 8th Story
d. Rear	0 ft. min.; 30 ft. min. above 8th Story
e. Abutting Side & Rear T5	0 ft. min. 1st through 5th Story 10 ft. min. 6th through 8th Story 30 ft. min. above 8th Story
Abutting Side & Rear T4	6 ft. min. 1st through 5th Story 26 ft. min. above 5th Story
Abutting Side & Rear T3	10% of Lot depth** min. 1st through 2nd Story 26 ft. min. 3rd through 5th Story 46 ft. min. above 5th Story

BUILDING CONFIGURATION

FRONTAGE

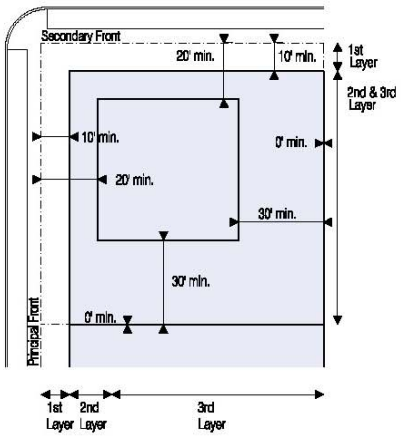
a. Common Lawn	prohibited
b. Porch & Fence	prohibited
c. Terrace or L.C.	prohibited
d. Forecourt	permitted
e. Stoop	permitted
f. Shopfront	permitted (T6-8 L & T6-8 O only)
g. Gallery	permitted by Special Area Plan
h. Arcade	permitted by Special Area Plan

BUILDING HEIGHT

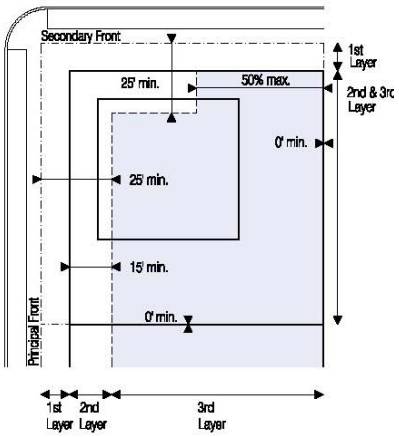
a. Min. Height	2 Stories
b. Max. Height	8 Stories
c. Max. Benefit Height	4 Stories Abutting all Transect Zones except T3

* Or as modified in Diagram 9

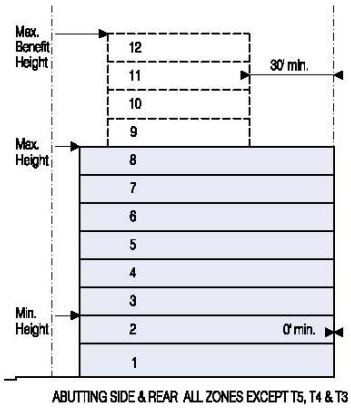
BUILDING PLACEMENT



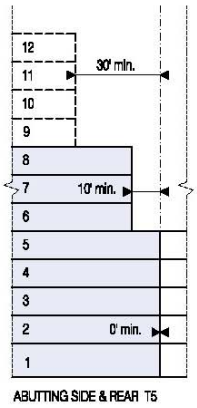
PARKING PLACEMENT



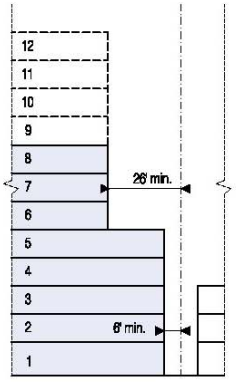
BUILDING HEIGHT



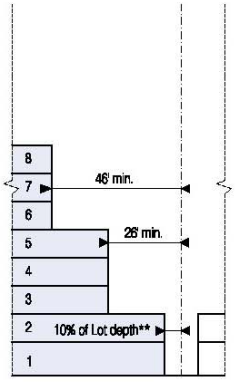
ABUTTING SIDE & REAR ALL ZONES EXCEPT T5, T4 & T3



ABUTTING SIDE & REAR T5



ABUTTING SIDE & REAR T4



ABUTTING SIDE & REAR T3

**10% of Lot depth for Lots more than 120' deep
6' min for Lots less than 120' deep

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BUILDING DISPOSITION

LOT OCCUPATION

a. Lot Area	5,000 s.f. min.; 70,000 s.f. max.
b. Lot Width	50 ft. min.
c. Lot Coverage	
-1-8 Stories	80% max.
- Above 8th Story	15,000 sq. ft. max. Floorplate for Residential & Lodging 30,000 sq. ft. max. Floorplate for Office & Commercial
d. Floor Lot Ratio (FLR)	8 / 30% additional Public Benefit
e. Frontage at front Setback	70% min.
f. Open Space Requirements	10% Lot Area min.
g. Density	150 du/acre max. *

BUILDING SETBACK

a. Principal Front	10 ft. min.; 20 ft. min. above 8th Story
b. Secondary Front	10 ft. min.; 20 ft. min. above 8th Story
c. Side	0 ft. min.; 30 ft. min. above 8th Story
d. Rear	0 ft. min.; 30 ft. min. above 8th Story
e. Abutting Side & Rear T5	0 ft. min.; 10 ft. min. 6th through 8th Story 30 ft. min. above 8th Story
Abutting Side & Rear T4	6 ft. min. 1st through 5th Story 26 ft. min. 6th through 8th Story 30 ft. min. above 8th Story
Abutting Side & Rear T3	10% of Lot depth** min. 1st through 2nd Story 26 ft. min. 3rd through 5th Story 46 ft. min. above 5th Story

BUILDING CONFIGURATION

FRONTAGE

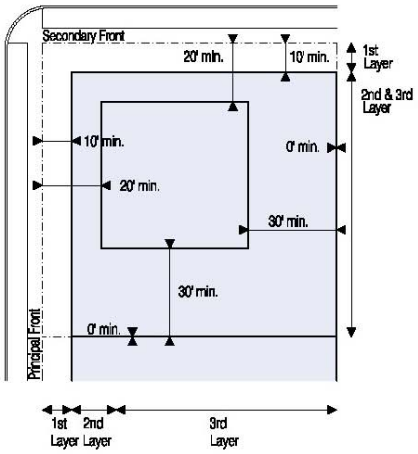
a. Common Lawn	prohibited
b. Porch & Fence	prohibited
c. Terrace or L.C.	prohibited
d. Forecourt	permitted
e. Stoop	permitted
f. Shopfront	permitted (T6-12 L & T6-12 O only)
g. Gallery	permitted by Special Area Plan
h. Arcade	permitted by Special Area Plan

BUILDING HEIGHT

a. Min. Height	2 Stories
b. Max. Height	12 Stories
c. Max. Benefit Height	8 Stories Abutting all Transect Zones except T3

* Or as modified in Diagram 9

BUILDING PLACEMENT



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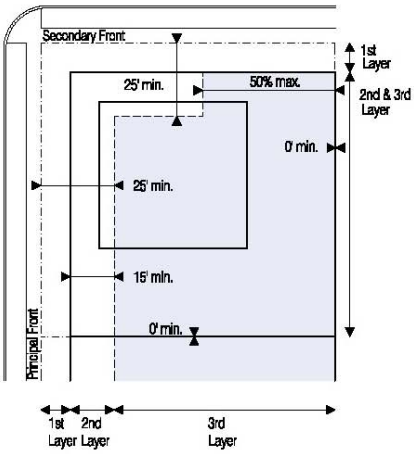
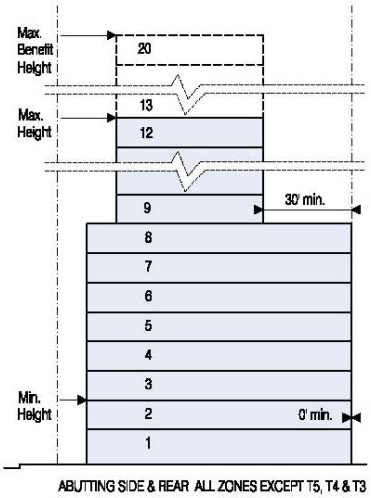
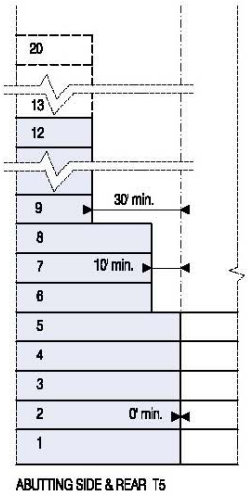


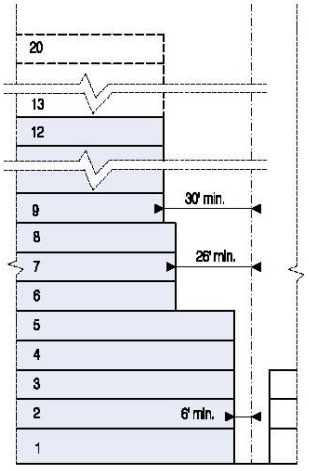
BUILDING HEIGHT



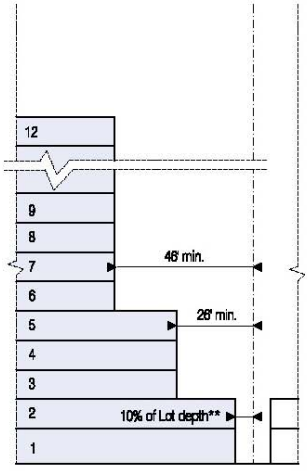
ABUTTING SIDE & REAR ALL ZONES EXCEPT T5, T4 & T3



ABUTTING SIDE & REAR T5



ABUTTING SIDE & REAR T4



ABUTTING SIDE & REAR T3

**10% of Lot depth for Lots more than 120' deep
6' min for Lots less than 120' deep

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BUILDING DISPOSITION

LOT OCCUPATION

a. Lot Area	5,000 s.f. min.; 100,000 s.f. max.
b. Lot Width	50 ft. min.
c. Lot Coverage	
-1-8 Stories	80% max.
- Above 8th Story	15,000 sq. ft. max. Floorplate for Residential & Lodging 30,000 sq. ft. max. Floorplate for Office & Commercial
d. Floor Lot Ratio (FLR)	7/ 30% additional Public Benefit
e. Frontage at front Setback	70% min.
f. Open Space Requirements	10% Lot Area min.
g. Density	150 du/acre max. *

BUILDING SETBACK

a. Principal Front	10 ft. min.; 20 ft. min. above 8th Story
b. Secondary Front	10 ft. min.; 20 ft. min. above 8th Story
c. Side	0 ft. min.; 30 ft. min. above 8th Story
d. Rear	0 ft. min.; 30 ft. min. above 8th Story
e. Abutting Side & Rear T5	0 ft. min. 1st through 5th Story 10 ft. min. 6th through 8th Story 30 ft. min. above 8th Story

BUILDING CONFIGURATION

FRONTAGE

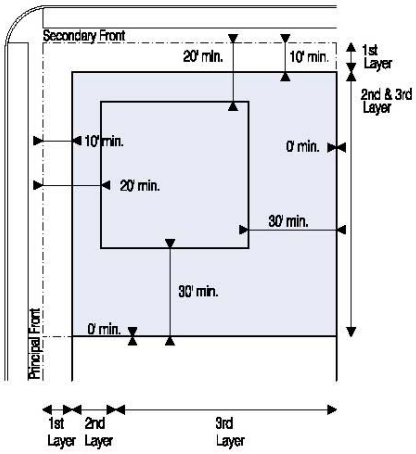
a. Common Lawn	prohibited
b. Porch & Fence	prohibited
c. Terrace or L.C.	prohibited
d. Forecourt	permitted
e. Stoop	permitted
f. Shopfront	permitted (T6-24 L & T6-24 O only)
g. Gallery	permitted by Special Area Plan
h. Arcade	permitted by Special Area Plan

BUILDING HEIGHT

a. Min. Height	2 Stories
b. Max. Height	24 Stories
c. Max. Benefit Height	24 Stories Abutting all Transect Zones except T3

* Or as modified in Diagram 9

BUILDING PLACEMENT



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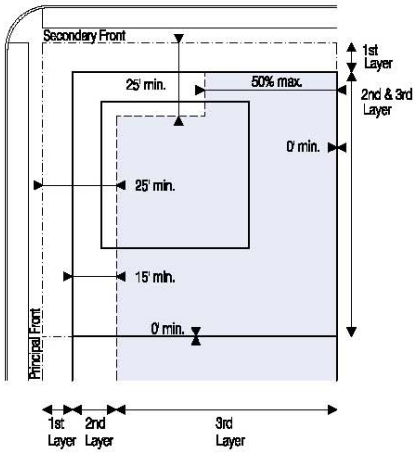
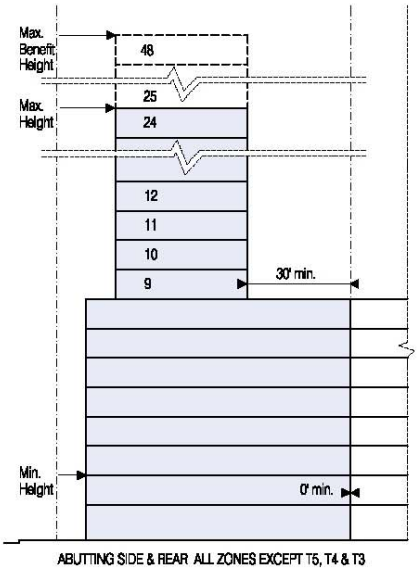
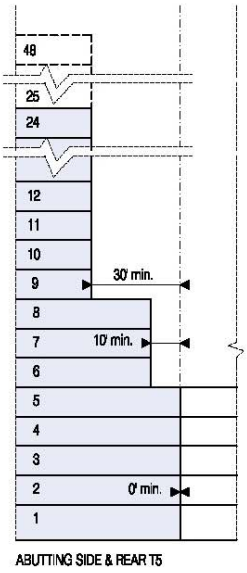


BUILDING HEIGHT



ABUTTING SIDE & REAR ALL ZONES EXCEPT T5, T4 & T3



ABUTTING SIDE & REAR T5

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BUILDING DISPOSITION

LOT OCCUPATION

a. Lot Area	5,000 s.f. min.
b. Lot Width	100 ft. min.
c. Lot Coverage	
-1-8 Stories	80% max.
- Above 8th Story	18,000 sq. ft. max. Floorplate for Residential & Lodging 30,000 sq. ft. max. Floorplate for Office & Commercial
d. Floor Lot Ratio (FLR)	T6-36a: 12 / 40% additional Public Benefit T6-36b: 22 / 40% additional Public Benefit
e. Frontage at front Setback	70% min.
f. Open Space Requirements	10% Lot Area min.
g. Density	150 du/acre max. *

BUILDING SETBACK

a. Principal Front	10 ft. min.; 20 ft. min. above 8th Story
b. Secondary Front	10 ft. min.; 20 ft. min. above 8th Story
c. Side	0 ft. min.; 30 ft. min. above 8th Story
d. Rear	0 ft. min.; 30 ft. min. above 8th Story
e. Abutting Side & Rear T5	0 ft. min. 1st through 5th Story 10 ft. min. 6th through 8th Story 30 ft. min. above 8th Story

BUILDING CONFIGURATION

FRONTAGE

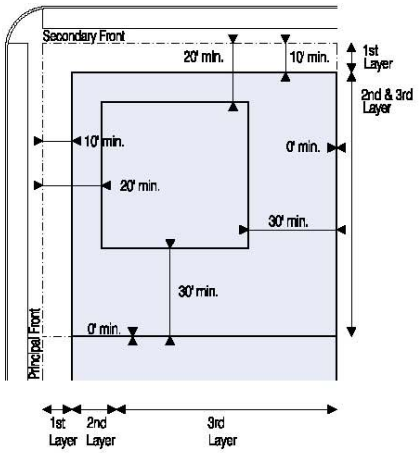
a. Common Lawn	prohibited
b. Porch & Fence	prohibited
c. Terrace or L.C.	prohibited
d. Forecourt	permitted
e. Stoop	permitted
f. Shopfront	permitted (T6-36 L & T6-36 O only)
g. Gallery	permitted by Special Area Plan
h. Arcade	permitted by Special Area Plan

BUILDING HEIGHT

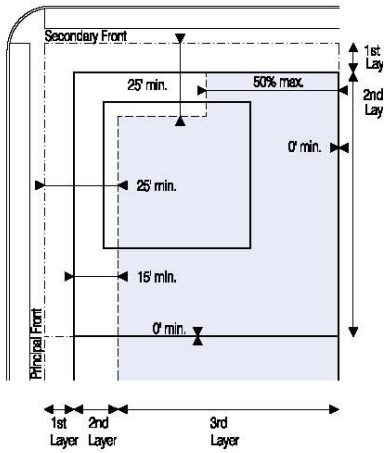
a. Min. Height	2 Stories
b. Max. Height	36 Stories
c. Max. Benefit Height	24 Stories Abutting all Transect Zones except T3

* Or as modified in Diagram 9

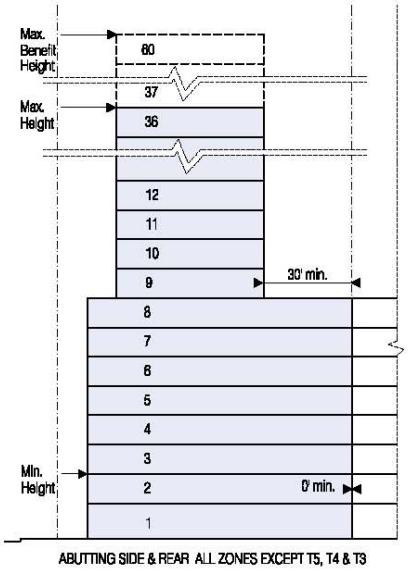
BUILDING PLACEMENT



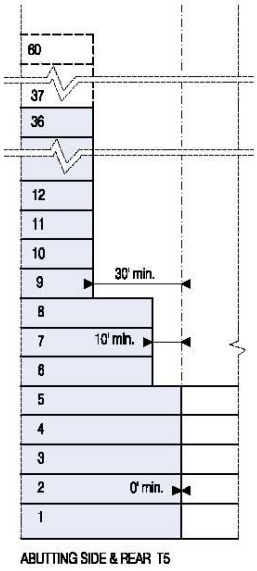
PARKING PLACEMENT



BUILDING HEIGHT



ABUTTING SIDE & REAR ALL ZONES EXCEPT T5, T4 & T3



ABUTTING SIDE & REAR T5

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BUILDING DISPOSITION

LOT OCCUPATION

a. Lot Area	5,000 s.f. min.
b. Lot Width	100 ft. min.
c. Lot Coverage	
-1-8 Stories	80% max.
- Above 8th Story	18,000 sq. ft. max. floorplate for Residential & Lodging 30,000 sq. ft. max. floorplate for Office & Commercial
d. Floor Lot Ratio (FLR)	T6-60a: 11/ 50% additional Public Benefit T6-60b: 18/ 50% additional Public Benefit
e. Frontage at front Setback	70% min.
f. Open Space Requirements	10% Lot Area min.
g. Density	150 du/acre max. *

BUILDING SETBACK

a. Principal Front	10 ft. min.; 20 ft. min. above 8th Story
b. Secondary Front	10 ft. min.; 20 ft. min. above 8th Story
c. Side	0 ft. min.; 30 ft. min. above 8th Story
d. Rear	0 ft. min.; 30 ft. min. above 8th Story
e. Abutting Side & Rear T5	0 ft. min. 1st through 5th Story 10 ft. min. 6th through 8th Story 30 ft. min. above 8th Story

BUILDING CONFIGURATION

FRONTAGE

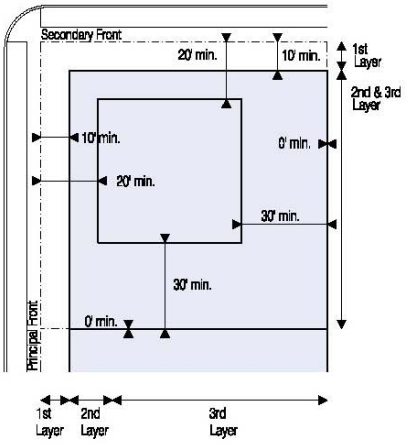
a. Common Lawn	prohibited
b. Porch & Fence	prohibited
c. Terrace or L.C.	prohibited
d. Forecourt	permitted
e. Stoop	permitted
f. Shopfront	permitted (T6-60 L & T6-60 O only)
g. Gallery	permitted by Special Area Plan
h. Arcade	permitted by Special Area Plan

BUILDING HEIGHT

a. Min. Height	2 Stories
b. Max. Height	60 Stories
c. Max. Benefit Height	unlimited Stories Abutting all Transect Zones except T3

* Or as modified in Diagram 9

BUILDING PLACEMENT



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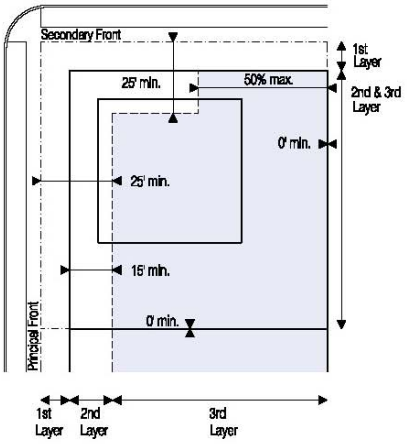
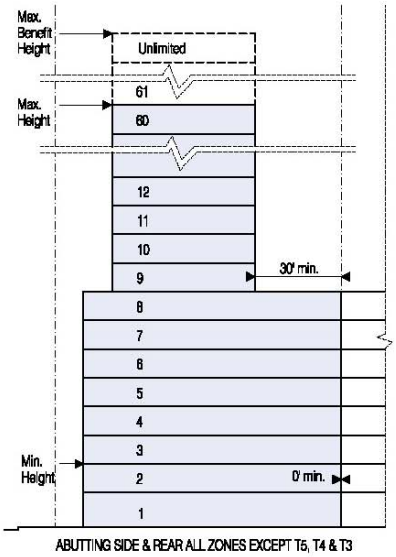
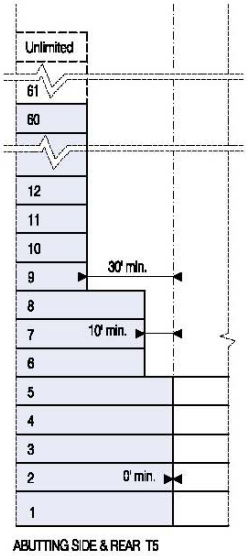


BUILDING HEIGHT



ABUTTING SIDE & REAR ALL ZONES EXCEPT T5, T4 & T3



ABUTTING SIDE & REAR T5

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BUILDING DISPOSITION

LOT OCCUPATION

a. Lot Area	5,000 s.f. min.
b. Lot Width	100 ft. min.
c. Lot Coverage	
-1-8 Stories	80% max.
- Above 8th Story	18,000 sq. ft. max. floorplate for Residential & Lodging 30,000 sq. ft. max. floorplate for Office & Commercial
d. Floor Lot Ratio (FLR)	24/ 50% additional Public Benefit
e. Frontage at front Setback	70% min.
f. Open Space Requirements	10% Lot Area min.
g. Density	150 du/acre max. *

BUILDING SETBACK

a. Principal Front	10 ft. min.; 20 ft. min. above 8th Story
b. Secondary Front	10 ft. min.; 20 ft. min. above 8th Story
c. Side	0 ft. min.; 30 ft. min. above 8th Story
d. Rear	0 ft. min.; 30 ft. min. above 8th Story

BUILDING CONFIGURATION

FRONTAGE

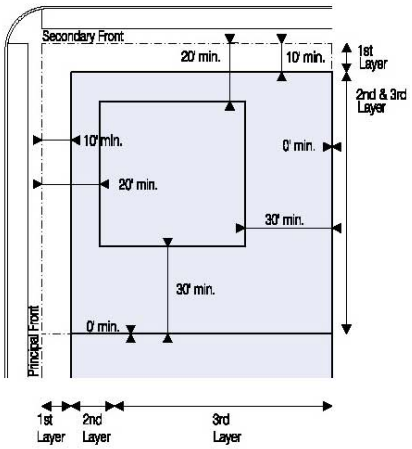
a. Common Lawn	prohibited
b. Porch & Fence	prohibited
c. Terrace or L.C.	prohibited
d. Forecourt	permitted
e. Stoop	permitted
f. Shopfront	permitted (T6-80 L & T6-80 O only)
g. Gallery	permitted by Special Area Plan
h. Arcade	permitted by Special Area Plan

BUILDING HEIGHT

a. Min. Height	2 Stories
b. Max. Height	80 Stories
c. Max. Benefit Height	unlimited Stories Abutting all Transect Zones except T3

* Or as modified in Diagram 9

BUILDING PLACEMENT



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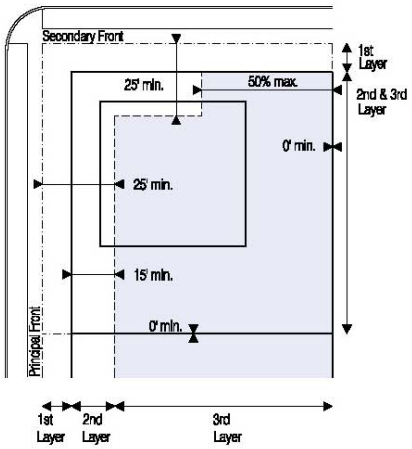
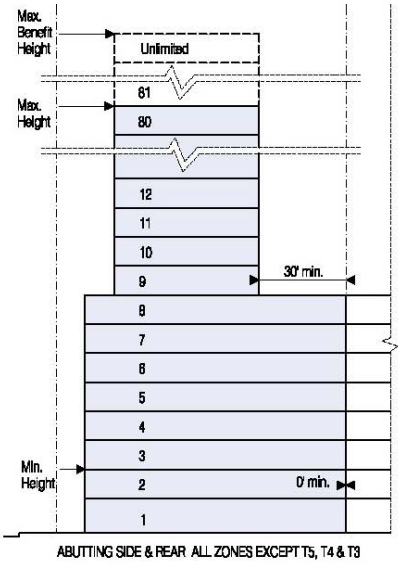


BUILDING HEIGHT



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5.7 CIVIC SPACE ZONES (CS) AND CIVIC INSTITUTION ZONES (CI)

5.7.1 Civic Space Zones (CS)

5.7.1.1 Development in a Civic Space Zone should have a minimum of fifty percent (50%) of its perimeter enfronting a Thoroughfare. Civic Space sites shall be entered directly from a Thoroughfare.

5.7.1.2 Development in Civic Space Zones shall be consistent with the standards in Article 4, Tables 3, 4, and 7.

5.7.1.3 One or more Buildings may be built in each Civic Space. Building floor area shall not exceed twenty-five percent (25%) of the lot area of the Civic Space, and shall support the principal use of the Civic Space.

5.7.1.4 In Civic Spaces, Buildings shall conform to regulations of the most restrictive Abutting Transect Zone, except as shown by City of Miami's Parks and Public Spaces Master Plan. Other adjustments to the regulations shall be approved by process of Exception.

5.7.1.5 All Community facility and Recreational Facility Uses shall be government owned or operated only.

5.7.2 Civic Institution Zones (CI)

5.7.2.1 Development in a Civic Institution Zone shall have a minimum of one (1) Frontage enfronting a Thoroughfare and should have its primary entrance from a Thoroughfare.

5.7.2.2 Development in Civic Institution Zones shall be consistent with the standards in Article 4, Tables 3 and 4.

5.7.2.3 A Civic Institution Lot may have one (1) or more Buildings.

5.7.2.4 Civic Institution Development shall be permitted by process of Exception and shall conform to the following regulations:

a. Any property located within a CI Zone may be developed according to the regulations of the most restrictive Abutting Transect Zone with all Frontage Setbacks considered a minimum.

b. Development in a CI Zone shall follow the regulations of the Abutting Transect Zone, except that Height restrictions shall be as follows:

   1. A CI Zone entirely Abutting T3 shall be developed to no more than the maximum Height allowed by T4.
   2. A CI Zone predominantly Abutting T3 or T4, shall be developed to no more than the maximum Height allowed by T5.

3. A CI Zone predominantly Abutting T5, T6-8, D1, D2 or D3, shall be developed to no more than the maximum Height of T6-8.
4. A CI Zone entirely Abutting T6-8 or higher, may conform to the maximum Height of any higher Abutting Transect Zone.

c. A CI Zone may seek higher than Abutting successional Transect Zoning through the process of Special Area Plan.

d. Adjustments to Building Disposition Requirements, with the exception of Setbacks, shall be allowed by process of Waiver.

5.7.2.5 The expansion of any existing Civic Institution Use by less than twenty percent (20%) may be permitted By Right.

5.7.2.6 In the event that a Civic Institution Zone ceases to be used for Civic Institution Uses, it shall be developed either in accordance with the regulations of the most restrictive Abutting Transect Zone or by process of rezoning, subject to the limitations of the Comprehensive Plan.

5.8 CIVIC INSTITUTION ZONES – HEALTH DISTRICT (CI-HD)

a. All Development in the CI-HD zone for a structure that exceeds ten thousand dollars ($10,000.00) in cost and affects the Scale of the street or block front, or that affects the location, relocation or enlargement of vehicular ways or parking areas outside public Rights-of-Way shall be approved by Warrant except that any Development exceeding the following thresholds shall be approved by Exception.

1. Development involving in excess of five hundred thousand (500,000) square feet of Floor Area excluding parking and loading.

2. For hospital buildings, any development in excess of eight hundred thousand (800,000) square feet of Floor Area excluding parking and loading.

3. Any single use or combination of uses requiring or proposing to provide in excess of a net increase of one thousand (1,000) off-street parking spaces.

5.8.1 Building Disposition (CI-HD)

a. Newly platted Lots shall be dimensioned according to Illustration 5.8.

b. Lot coverage by any Building shall not exceed that shown in Illustration 5.8.

c. Buildings shall be disposed in relation to the boundaries of their Lots according to Illustration 5.8. A CI-HD lot may have more than one building.

d. Principal pedestrian entrances shall generally be along Principal Frontages and vehicular entrances on streets of less intensity.

e. It is recommended that Facades be built parallel to the Principal Frontage Line.

f. It is recommended at the first Story, Facades along a Frontage Line have frequent doors and windows.

g. Setbacks for Buildings shall be as shown in Illustration 5.8. Frontage Setbacks may be adjusted to conform to the existing neighborhood or thoroughfare Frontage Setbacks by Waiver.

h. It is recommended that above the eighth floor, minimum Building spacing be sixty (60) feet.

i. Public access to public plazas and walkways shall be provided and pedestrian walkway connections shall be provided between parallel public streets.

5.8.2 **Building Configuration** (CI-HD)

a. Development within Private Frontages shall comply with Article 4, Tables 2 and 6 and Illustration 5.8.

b. It is recommended that above the eighth floor, the Building Floorplate dimensions be limited as follows**:**
   1. 15,000 square feet maximum for Residential Uses
   2. 30,000 square feet maximum for Commercial Uses and for parking
   3. 180 feet maximum length for Residential Uses
   4. 215 feet maximum length for Commercial Uses

   Civil Support and Educational Uses within the CI-HD Transect Zone shall have no maximum Floorplate dimensions.

c. Encroachments may be as follows**:** At the First Layer, cantilevered Awnings and entry canopies may encroach up to one hundred percent (100%) of the depth of the Setback, except as may be further allowed by Chapter 54 of the City Code. Above the first Story, cantilevered portions of balconies, bay windows, and roofs may encroach up to three (3) feet of the depth of the Setback. Other cantilevered portions of the Building shall maintain the required Setback. At the Second Layer no encroachments are permitted, except that façade components promoting energy efficiency such as shading and Screening devices that are non-accessible may encroach a maximum of three (3) feet.

d. It is recommended that Galleries and Arcades be a minimum of fifteen (15) feet deep.

e. It is recommended that all ground floor and rooftop utility infrastructure, outdoor storage, electrical, plumbing, mechanical, and communications equipment and appurtenant enclosures be concealed from view from any Frontage or Sidewalk.

f. It is recommended that Loading space and service areas be internal to the building or situated and screened from view to the street and adjacent properties.

g. Building Heights shall be measured in Stories and shall conform to Article 4, Table 2 and be allocated as required in Illustration 5.8. First-Floor Elevation should be at average Sidewalk grade.

5.8.3 Building Function & Density (CI-HD)

a. Buildings in CI-HD shall conform to the Functions, Densities, and Intensities described in Article 4, Tables 3 and 4 and Illustration 5.8. Consult Article 6 for any supplemental regulations.

b. Uses additional to those listed in Article IV, Table 3 are allowed only if they are customarily accessory and clearly incidental to the university, hospital, research facility or governmentally owned facilities~~Governmental or Institutional uses~~ within the CI-HD Transect Zone. These accessory uses need not occur in Ancillary structures but can occur throughout the zone. These accessory uses

include, but are not limited to, storage facilities ~~for government or institutional records and other storage needs~~; laundry or cleaning ~~plants for government or institutional~~ facilities; incinerator facilities; and other uses related to the operation of the ~~principal~~ university, hospital, research facility or governmentally owned facilities ~~Government or Institutional uses~~ of the zone.

c. The calculation of the FLR shall not apply to that portion of the Building that is entirely below base flood elevation.

5.8.4 Parking Standards (CI-HD)

a. Vehicular parking and loading shall be required as shown in Article 4, Table 4 and loading shall be required as shown in Article 4, Table 5. All parking spaces available throughout the district under a single ownership or as a shared component between more than one owner shall be applicable towards satisfaction of the parking requirements.

The computation of parking requirements for new permits shall be calculated as follows:

1. The Floor Area of all Buildings, excluding parking, within the Zone shall be added to that of the proposed structure.

2. The ratio shown in Article 4, Table 4 shall be applied to the resulting figure to obtain the total number of parking spaces required within the Zone.

3. The total number of parking spaces within the Zone shall be deducted from the total number of required parking spaces. The result shall be the number of parking spaces that must be provided in connection with the new structure.

4. All handicapped parking spaces available throughout the Zone shall be counted in satisfaction of the handicapped requirements for all Buildings.

b. Warrants for buildings that share parking shall be approved only if the owner or owners continuously maintain, on file with the Planning Department, a master plan designating: the location and number of all present and future parking spaces, together with the location and floor area of all present and proposed Buildings; the location and number of access drives to public streets; internal and merging traffic and circulation; the painted or curbed separation of vehicular and pedestrian traffic; and the arrangement and circulation of parking areas. Materials to be submitted with applications for Warrants shall include such site plans, landscaping plans, Building elevations, surveys, and such reports and surveys detailing:

1. Hourly/Daily parking utilization throughout the district;

2. Direction of approach;

3. Vehicle Occupancy;

4. Ridership surveys;

5. Shuttle bus/taxi utilization; and

6. Metrorail/Metrobus utilization.

c. On-street parking available throughout the District shall not be counted toward the parking requirement of the Building on the Lot.

d. Parking should be accessed from the Secondary Frontage when available. Where Lots have only Principal Frontages, parking may be accessed from the Principal Frontages.

e. It is recommended that Offstreet parking and loading be within enclosed structures which shall either be underground or, if aboveground, shall be designed to provide a minimal visual impact, well integrated with the principal structures. Unenclosed vehicular parking and loading in any location visible from a public street shall be appropriately screened from surrounding rights-of-way.

f. It is recommended that the vehicular entrance of a parking Lot or garage on a Frontage be no wider than thirty (30) feet and the minimum distance between vehicular entrances should be sixty (60) feet.

5.8.5 Architectural Standards (CI-HD)

a. Temporary structures shall be allowed as per City Code.

b. It is recommended that the Facades on Retail Frontages be detailed as storefronts and glazed with clear glass no less than seventy percent (70%) of the Sidewalk-level Story.

c. It is recommended that Roof materials be light-colored, high Albedo or a planted surface.

d. It is recommended that the Façade of a parking garage that is not concealed behind a Habitable Liner be screened to conceal all internal elements such as plumbing pipes, fans, ducts and lighting. It is recommended that Ramping be internalized wherever possible.

e. Rooftop parking or mechanical equipment and utility service areas visible from nearby Buildings shall be screened with landscape or architectural materials.

5.8.6 Landscape Standards (CI-HD)

a. The First Layer as shown in Article 4, Table 8 shall be paved and landscaped to match the Public Frontage as shown in Article 8.

b. Open Space shall be a minimum ten percent (10%) of the total Lot area.

5.8.7 Ambient Standards (CI-HD)

a. Noise regulations shall be as established in the City Code.

b. It is recommended that lighting of building and contingent Open Spaces be compatible with street lighting of Abutting public spaces as illustrated in Article 8. Interior garage lighting fixtures should not be visible from streets.

c. It is recommended that the lighting fixtures of exposed rooftop parking be concealed by a parapet wall and should not be seen from surrounding streets.

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BUILDING DISPOSITION

LOT OCCUPATION

a. Lot Area	10,000 s.f. min.
b. Lot Width	50 ft. min.
c. Lot Coverage	80% max.
d. Floor Lot Ratio (FLR)	8
e. Frontage at front Setback	N/A
f. Open Space Requirements	10% Lot Area min.
g. Density	150 du/acre max. *

BUILDING SETBACK

a. Principal Front	10 ft. min.; 20 ft. min. above 8th Story *
b. Secondary Front	10 ft. min.; 20 ft. min. above 8th Story *
c. Side	0 ft. min.; 30 ft. min. above 8th Story *
d. Rear	0 ft. min.; 30 ft. min. above 8th Story *

* Setbacks above the eighth (8th) Story are encouraged, not required.

BUILDING CONFIGURATION

FRONTAGE

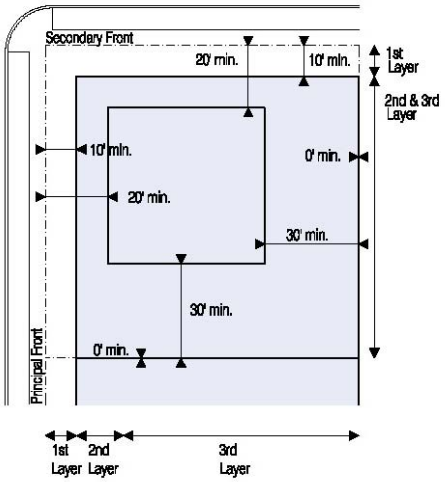
a. Common Lawn	permitted
b. Porch & Fence	prohibited
c. Terrace or L.C.	permitted
d. Forecourt	permitted
e. Stoop	permitted
f. Shopfront	permitted
g. Gallery	permitted
h. Arcade	permitted

BUILDING HEIGHT

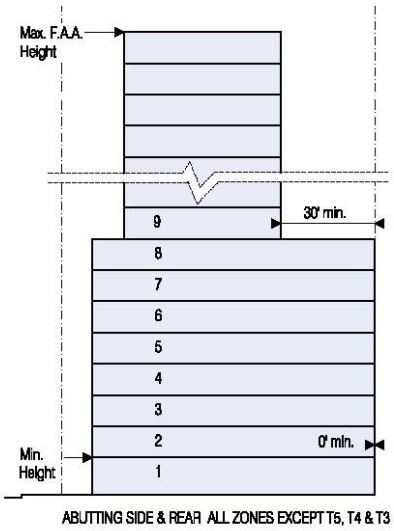
a. Min. Height	1 Story
b. Max. Height	As regulated by the F.A.A.

* Or as modified in Diagram 9

BUILDING PLACEMENT



BUILDING HEIGHT



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5.9 DISTRICT ZONES (D1 and D2)

5.9.1 Building Disposition (D)

a. Newly platted Lots shall be dimensioned according to Illustration 5.9.

b. Lot coverage by Buildings shall not exceed that shown in Illustration 5.9.

c. A Building shall be disposed in relation to the boundaries of its Lot according to Illustration 5.9.

d. One or more Buildings may be built on each Lot as shown in Illustration 5.9.

e. Setbacks for Buildings shall be as shown in Article 4, Table 2 and Illustration 5.9.

5.9.2 Building Configuration (D)

a. Development within Private Frontages shall comply with Tables 2 and 6 and Illustration 5.9.

b. Encroachments shall be as follows**:** At the First Layer, cantilevered Awnings and entry canopies may encroach up to one hundred percent (100%) of the depth of the Setback, except as may be further allowed by Chapter 54 of the City Code; cantilevered portions of balconies, bay windows, and roofs shall be a maximum three (3) feet deep and may encroach up to a three (3) feet depth of the Setback. Other cantilevered portions of the Building shall maintain the required Setback. At the Second Layer no Encroachments are permitted except that Façade components promoting energy efficiency such as shading and screening devices that are non-accessible may encroach a maximum of three (3) feet.

c. Galleries and Arcades shall be a minimum fifteen (15) feet deep and may encroach up to one hundred percent (100%) of the depth of the Setback and may be required as a part of a Special Area Plan.

d. All storage, utility and infrastructure elements including service areas, Loading space, transformers, telephone boxes, garbage cans, dumpsters, condensers, meters, backflow preventers, siamese connections and the like shall be located within the Second or Third Layer and concealed from view from any Frontage or sidewalk by Streetscreens, and opaque gates. Loading and service entries shall be accessed from Alleys when available.

e. Vehicular entries, Loading space and service areas shall be permitted on Principal Frontages.

f. Building Heights shall be measured in Stories and shall conform to Article 4, Table 2 and be allocated as required in Illustration 5.9. Industrial uses requiring additional Height in D2 may be permitted by Waiver, subject to the Planning Director's agreement that the applicant has demonstrated that the use specifically requires the proposed Height.

g. Flat roofs shall be enclosed by parapets of a minimum Height required to conceal mechanical equipment. Other ornamental Building features may extend up to three and a half (3.5) feet above the maximum Building Height. Roof decks shall be permitted up to the maximum Height. Trellises may extend above the maximum Height up to eight (8) feet. Extensions above the maximum Height for stair, elevator and mechanical enclosures or ornamental purposes only shall be permitted by process of Waiver.

h. Streetscreens shall be between three and a half (3.5) and eight (8) feet in Height. The Streetscreen may be replaced by a hedge or fence. Streetscreens shall have openings no larger than necessary to allow automobile and pedestrian access.

5.9.3 Building Function & Density (D)

a. Buildings in Districts shall conform to the Functions, Densities, and Intensities described in Article 4, Tables 3 and 4 and Illustration 5.9 and Article 6.

5.9.4 Parking Standards (D)

a. Vehicular parking shall be required as shown in Article 4, Tables 4 and 5.

b. On-street parking available along the Frontage Lines that correspond to each Lot shall be counted toward the parking requirement of the Building on the Lot.

c. All parking, including open parking areas, covered parking, garages, loading docks and service areas shall be masked from the Frontage by a Streetscreen as illustrated in Article 4, Table 8. Underground parking may extend into the Second and First Layers only if it is fully underground and does not require raising the first-floor elevation of the First and Second Layers above that of the Sidewalk.

d. Buildings mixing uses shall provide parking required for each use. Shared Parking shall be calculated according to Article 4, Table 5.

5.9.5 Architectural Standards (D)

a. Temporary structures shall be permitted only as per City Code.

b. Roof materials should be light-colored, high Albedo or a planted surface.

5.9.6 Landscape Standards (D)

a. The First Layer as shown in Article 4, Table 6 shall be paved and landscaped to match the Public Frontage as shown in Article 8, Table C.

b. Unpaved Open Space shall be a minimum five percent (5%) of the Lot Area.

5.9.7 Ambient Standards (D)

a. Noise regulations shall be as established in the City Code.

b. Average lighting levels measured at the Building Frontage shall not exceed 1.0 fc (foot-candles).

c. Lighting of Building and Abutting Open Spaces shall be compatible with street lighting of Abutting public spaces as illustrated in Article 8. Interior garage lighting fixtures shall not be visible from streets.

d. The lighting fixtures of exposed rooftop parking shall be concealed by a parapet wall and shall not be seen from surrounding streets.

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BUILDING DISPOSITION

LOT OCCUPATION

a. Lot Area	5,000 s.f. min.
b. Lot Width	50 ft. min.
c. Lot Coverage	80% max
d. Floor Lot Ratio (FLR)	N/A
e. Frontage at front Setback	None
f. Open Space Requirements	5% Lot Area min.
g. Density	1 du/ Lot of record

BUILDING SETBACK

a. Principal Front	10 ft. min.
b. Secondary Front	10 ft. min.
c. Side	0 ft. min.
d. Rear	0 ft. min.
e. Abutting Side & Rear T5	0 ft. min. 1st through 5th Story 10 ft. min. above 5th Story 30 ft. min. above 6th Story
Abutting Side & Rear T4	6 ft. min. 1st through 3rd Story 26 ft. min. above 3rd Story
Abutting Side & Rear T3	10% of Lot depth** min.1st through 2nd Story 26 ft. min. above 3rd Story

BUILDING CONFIGURATION

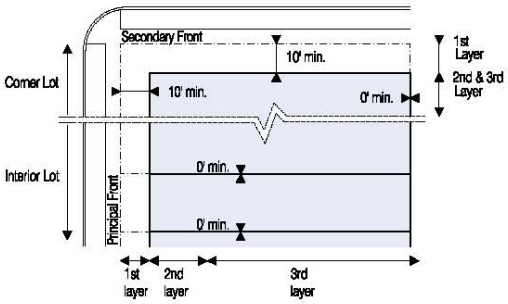
FRONTAGE

a. Common Lawn	prohibited
b. Porch & Fence	prohibited
c. Terrace or L.C.	permitted
d. Forecourt	permitted
e. Stoop	permitted
f. Shopfront	permitted
g. Gallery	permitted by Special Area Plan
h. Arcade	permitted by Special Area Plan

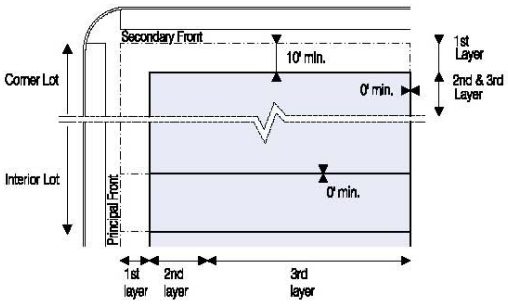
BUILDING HEIGHT

a. Min. Height	None
b. Max. Height	8 Stories
c. Max. Benefit Height	2 Stories Abutting all Transect Zones except T3

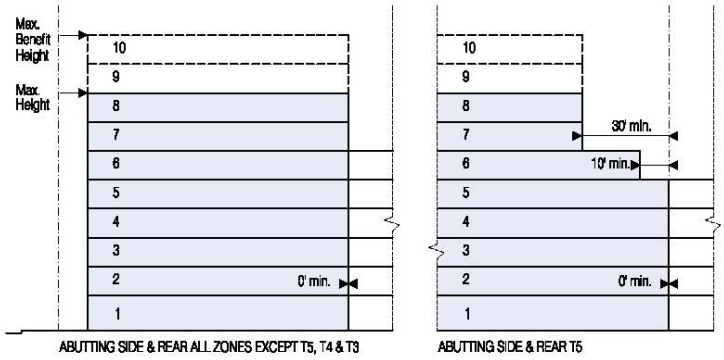
BUILDING PLACEMENT

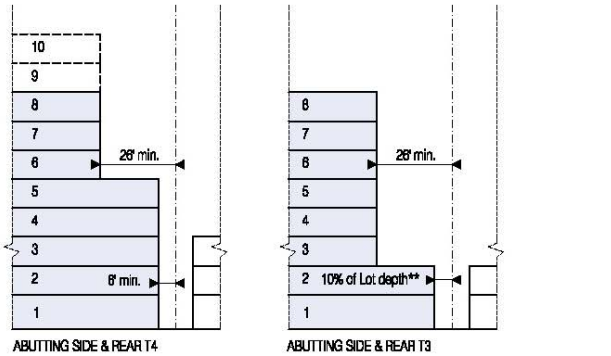


PARKING PLACEMENT



BUILDING HEIGHT





**10% of Lot depth for Lots more than 120' deep
6' min for Lots less than 120' deep

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BUILDING DISPOSITION

LOT OCCUPATION

a. Lot Area	5,000 s.f. min.
b. Lot Width	50 ft. min.
c. Lot Coverage	90% max.
d. Floor Lot Ratio (FLR)	N/A
e. Frontage at front Setback	None
f. Open Space Requirements	5% Lot Area min.
g. Density	N/A

BUILDING SETBACK

a. Principal Front	10 ft. min.
b. Secondary Front	5 ft. min.
c. Side	0 ft. min.
d. Rear	0 ft. min.
e. Abutting Side & Rear T5	0 ft. min. 1st through 5th Story 10 ft. min. above 5th Story 30 ft. min. above 6th Story
Abutting Side & Rear T4	6 ft. min. 1st through 3rd Story 26 ft. min. above 3rd Story
Abutting Side & Rear T3	10% of Lot depth** min. 1st through 2nd Story 26 ft. min. above 3rd Story

BUILDING CONFIGURATION

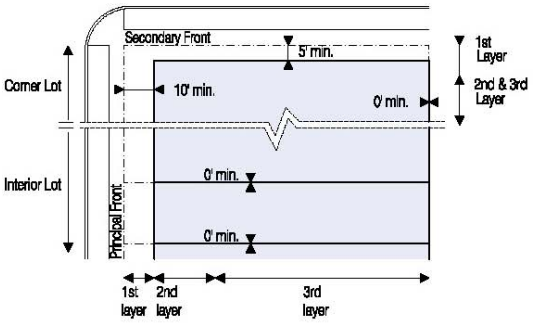
FRONTAGE

a. Common Lawn	prohibited
b. Porch & Fence	prohibited
c. Terrace or L.C.	permitted
d. Forecourt	permitted
e. Stoop	permitted
f. Shopfront	permitted
g. Gallery	permitted by Special Area Plan
h. Arcade	permitted by Special Area Plan

BUILDING HEIGHT

a. Min. Height	None
b. Max. Height	8 Stories max.
c. Max. Benefit Height	N/A

BUILDING PLACEMENT



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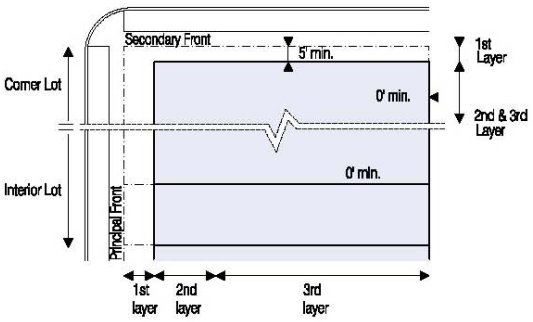

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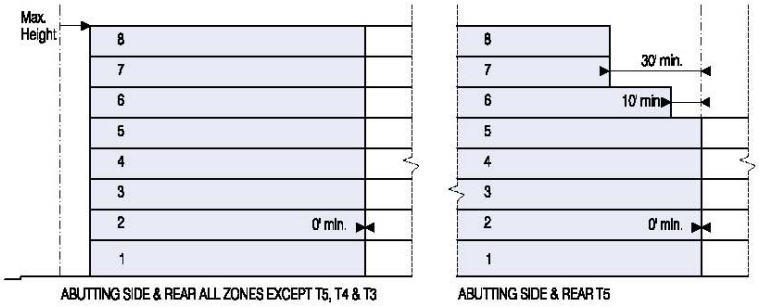

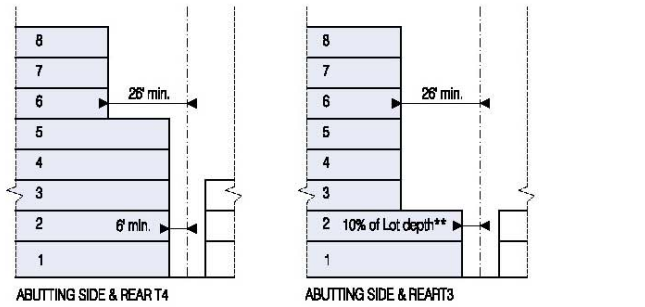

**10% of Lot depth for Lots more than 120' deep
6' min for Lots less than 120' deep

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5.10 WATERFRONT INDUSTRIAL DISTRICT ZONES (D3)

5.10.1 Building Disposition (D3)

a. Newly platted Lots shall be dimensioned according to Illustration 5.10.

b. Lot coverage by Building shall not exceed that shown in Illustration 5.10.

c. A Building shall be disposed in relation to the boundaries of its Lot according to Illustration 5.10.

d. One or more Buildings may be built on each Lot as shown in Illustration 5.10.

e. Setbacks for Buildings shall be as shown in Article 4, Table 2 and Illustration 5.10.

5.10.2 Building Configuration (D3)

a. Development within Private Frontages shall comply with Tables 2 and 6 and Illustration 5.10.

b. Encroachments shall be as follows**:** At the First Layer, cantilevered Awnings and entry canopies may encroach up to one hundred percent (100%) of the depth of the Setback, except as may be further allowed by Chapter 54 of the City Code; cantilevered balconies, bay windows, and roofs may encroach up to a three (3) feet depth of the Setback. Other cantilevered portions of the Building shall maintain the required Setback. At the Second Layer no encroachments are permitted except that Facade components promoting energy efficiency such as shading and screening devices that are non-accessible may Encroach a maximum of three (3) feet.

c. Galleries and Arcades shall be a minimum fifteen (15) feet deep and may encroach up to one hundred percent (100%) of the depth of the Setback and may be required as a part of a Special Area Plan.

d. Except for the Waterfront Frontage, all storage, utility and infrastructure elements including service areas, Loading space, transformers, telephone boxes, garbage cans, dumpsters, condensers, meters, backflow preventers, siamese connections and the like shall be located within the Second or Third Layer and concealed from view from any Frontage or Sidewalk by Streetscreens, and opaque gates. Loading and service entries shall be accessed from Alleys when available.

e. Vehicular entries, Loading space and service areas shall be permitted on Principal Frontages.

f. Building Heights shall be measured in Stories and shall conform to Article 4, Table 2 and be allocated as required in Illustration 5.10. Industrial uses requiring additional Height in D3 may be permitted by Waiver, subject to the Planning Director's agreement that the applicant has demonstrated that the use specifically requires the proposed Height.

g. Mechanical equipment on a roof shall be enclosed by parapets of a minimum Height required to conceal mechanical equipment. Other ornamental Building features may extend above the maximum Building Height. Roof decks shall be permitted up to the maximum Height. Trellises may extend above the maximum Height up to eight (8) feet. Extensions above the maximum Height for stair, elevator and mechanical enclosures or ornamental purposes only shall be permitted by process of Waiver.

h. Streetscreens shall be between three and a half (3.5) and eight (8) feet in Height. The Streetscreen may be replaced by a hedge or fence. Streetscreens shall have openings no larger than necessary to allow automobile and pedestrian access.

i. Parking, loading, service, utility, and storage areas and uses shall be screened from view of abutting zoning districts (other than D1 and D2 Zones), including shade trees spaced a minimum of thirty (30) feet on center. Screening shall not be required along the waterfront.

5.10.3 Building Function & Density (D3)

a. Buildings in Districts shall conform to the Functions, Densities, and Intensities described in Article 4, Tables 3 and 4 and Illustration 5.10 and Article 6.

5.10.4 Parking Standards (D3)

a. Vehicular parking shall be required as shown in Article 4, Tables 4 and 5.

b. On-street parking available along the Frontage Lines that correspond to each Lot shall be counted toward the parking requirement of the Building on the Lot.

c. All parking, including open parking areas, covered parking, garages, Loading spaces and service areas shall be masked from the Frontage by a Streetscreen as illustrated in Article 4, Table 8. Underground parking may extend into the Second and First Layers only if it is fully underground and does not require raising the first-floor elevation of the First and Second Layers above that of the Sidewalk.

d. Buildings mixing uses shall provide parking required for each Use. Shared Parking shall be calculated according to Article 4, Table 5.

5.10.5 Architectural Standards (D3)

a. Temporary structures shall be permitted only as per City Code.

b. Roof materials should be light-colored, high Albedo or a planted surface.

5.10.6 Landscape Standards (D3)

a. The First Layer as shown in Article 4, Table 6 shall be paved and landscaped to match the Public Frontage as shown in Article 8, Table C.

b. Unpaved green space shall be a minimum five percent (5%) of the total Lot Area.

5.10.7 Ambient Standards (D3)

a. Noise regulations shall be as established in the City Code.

b. Average lighting levels measured at the Building Frontage shall not exceed 1.0 fc (foot-candles).

c. Lighting of Building and Abutting Open Spaces shall be compatible with street lighting of Abutting public spaces as illustrated in Article 8. Interior garage lighting fixtures shall not be visible from streets.

d. The lighting fixtures of exposed rooftop parking shall be concealed by a parapet wall and shall not be seen from surrounding streets.

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BUILDING DISPOSITION

LOT OCCUPATION

a. Lot Area	10,000 s.f. min.
b. Lot Width	100 ft. min.
c. Lot Coverage	90% max.
d. Floor Lot Ratio (FLR)	N/A
e. Frontage at front Setback	None
f. Open Space Requirements	5% Lot Area min.
g. Density	N/A

BUILDING SETBACK *

a. Principal Front	5 ft. min.
b. Secondary Front	5 ft. min.
c. Side	0 ft. min. or abutting zone
d. Rear	0 ft. min. or abutting zone
e. Abutting Side & Rear T5 & T6	10 ft. min. 1st through 6th Story 30 ft. min. above 6th Story
Abutting Side & Rear T4	6 ft. min. 1st through 3rd Story 26 ft. min. above 3rd Story
Abutting Side & Rear T3	6 ft. min. 1st through 3rd Story 26 ft. min. above 3rd Story

BUILDING CONFIGURATION

FRONTAGE

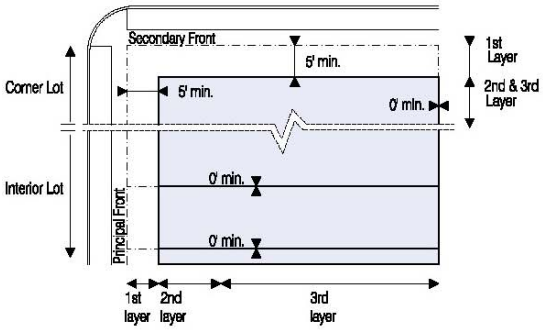
a. Common Lawn	prohibited
b. Porch & Fence	prohibited
c. Terrace or L.C.	permitted
d. Forecourt	permitted
e. Stoop	permitted
f. Shopfront	permitted
g. Gallery	permitted by Special Area Plan
h. Arcade	permitted by Special Area Plan

BUILDING HEIGHT

a. Min. Height	None
b. Max. Height	8 Stories max.
c. Max. Benefit Height	N/A

* Please see Article 3, Section 3.11 for additional Waterfront Setbacks regulations.

BUILDING PLACEMENT



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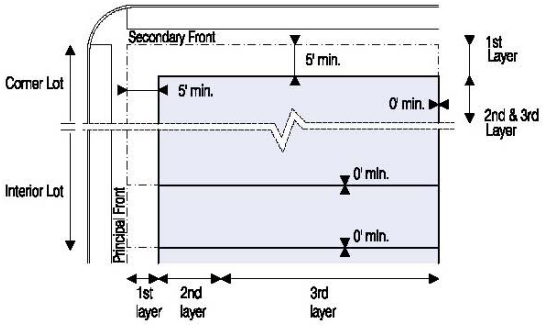

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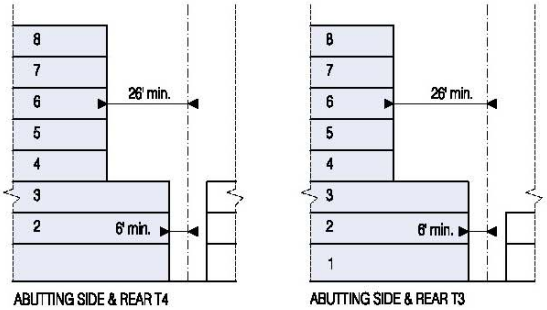

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TABLE 13 Supplemental Regulations
6.2 Community Residences and Similar Homes/Facilities
6.3 Commercial Uses
6.4 Infrastructure and Utilities
6.5 Sign Standards

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6.1 INTENT AND EXCLUSIONS

The supplemental regulations of this article apply to the specific uses listed below within the broader Use categories identified in Article 4, Table 3 and Article 5. These regulations supplement other standards listed elsewhere in this code. No permit or Certificate of Use may be granted for any Use, unless the Use complies with the requirements of these supplemental regulations and any other applicable standards of the Miami 21 Code.

Specifically excluded from all Transect Zones in the City are stockyards, slaughterhouses, wrecking yards, rag shops, cement plants, paper factories, ammunition plants, fireworks manufacturing, house barges, refining, smelting, forging, and unattended donation collection bins.

The regulations of Article 6, Table 13 are arranged by Transect Zone and in the same order in which they appear in Article 4, Table 3. These regulations may be further supplemented by Article 6, Sections 6.2 to 6.5.

	RESTRICTED	LIMITED	OPEN
DENSITY (UPA)	**9 UNITS PER ACRE**	**9 UNITS PER ACRE**	**18 UNITS PER ACRE**
DWELLING UNIT	Efficiency Dwelling Unit: 400 square feet min. One bedroom Dwelling Unit: 550 square feet min. Two bedroom Dwelling Unit: 650 square feet min.	Efficiency Dwelling Unit: 400 square feet min. One bedroom Dwelling Unit: 550 square feet min. Two bedroom Dwelling Unit: 650 square feet min.	Efficiency Dwelling Unit: 400 square feet min. One bedroom Dwelling Unit: 550 square feet min. Two bedroom Dwelling Unit: 650 square feet min.
ANCILLARY UNIT		Maximum size of unit 450 square feet excluding garage. Shall only be used as Single-Family Residence dwelling. May only be rented if the principal dwelling owner is in residence on site. Unit Structure shall be architecturally harmonious with the Principal Building. Any Facade abutting another property shall provide only clerestory windows along that corresponding Facade.	Prohibited as a third unit.
BOATS **HOUSEBOAT** **HOUSE BARGE**	Occupancy of private pleasure crafts and houseboats or house barges shall not be allowed except for those specifically grandfathered and regulated by Ordinance #10932, adopted October 24, 1991.	Occupancy of private pleasure crafts and houseboats or house barges shall not be allowed except for those specifically grandfathered and regulated by Ordinance #10932, adopted October 24, 1991.	Occupancy of private pleasure crafts and houseboats or house barges shall not be allowed except for those specifically grandfathered and regulated by Ordinance #10932, adopted October 24, 1991.
BOAT HOUSE	Maximum size: 20 feet wide, 40 feet long, 15 feet high.	Maximum size: 20 feet wide, 40 feet long, 15 feet high.	Maximum size: 20 feet wide, 40 feet long, 15 feet high.
BOAT SLIP	Maximum coverage of waterfront setback: 35%	Maximum coverage of waterfront setback: 35%	Maximum coverage of waterfront setback: 35%
DOCKS **PIERS**	Extension of docks or Piers into Biscayne Bay are limited to 35 feet . Further extension of docks or Piers into Biscayne Bay not allowed. Extension of docks or Piers into other waterways limited to 10 feet or 10% of waterway width, whichever is less. No further extensions alllowed. Only private pleasure craft may be docked or moored. Dock/ Pier Setbacks: 10 feet from any Abutting property Vessel setback: 5 feet from any Abutting property. Prohibited uses or appurtenances: davits in excess of 3 ton capacity, commercial vessels, commercial boat ramps, and commercial hauling and fueling.	Extension of docks or Piers into Biscayne Bay are limited to 35 feet. Further extension of docks or Piers into Biscayne Bay not allowed. Extension of docks or Piers into other waterways limited to 10 feet or 10% of waterway width, whichever is less. No further extensions alllowed. Only private pleasure craft may be docked or moored. Dock/ Pier Setbacks: 10 feet from any Abutting property Vessel setback: 5 feet from any Abutting property. Prohibited uses or appurtenances: davits in excess of 3 ton capacity, commercial vessels, commercial boat ramps, and commercial hauling and fueling.	Extension of docks or Piers into Biscayne Bay are limited to 35 feet. Further extension of docks or Piers into Biscayne Bay not allowed. Extension of docks or Piers into other waterways limited to 10 feet or 10% of waterway width, whichever is less. No further extensions alllowed. Only private pleasure craft may be docked or moored. Dock/ Pier Setbacks: 10 feet from any Abutting property Vessel setback: 5 feet from any Abutting property. Prohibited uses or appurtenances: davits in excess of 3 ton capacity, commercial vessels, commercial boat ramps, and commercial hauling and fueling.
COMMUNITY **RESIDENCES** **1-6 RESIDENTS**	Subject to the requirements of Section 6.2.	Subject to the requirements of Section 6.2.	Subject to the requirements of Section 6.2.
COMMUNITY **RESIDENCES** **7-14 RESIDENTS**			Prohibited within 500 feet of any T3-R or T3-L. Subject to the requirements of Section 6.2.
ADULT FAMILY **CARE HOME** **1-5-RESIDENTS**	Prohibited within 1000 feet of another such residence. Subject to the requirements of Section 6.2.	Prohibited within 1000 feet of another such residence. Subject to the requirements of Section 6.2.	Prohibited within 1000 feet of another such residence. Subject to the requirements of Section 6.2.

	RESTRICTED	LIMITED	OPEN
DENSITY (UPA)	**9 UNITS PER ACRE**	**9 UNITS PER ACRE**	**18 UNITS PER ACRE**
HOME OFFICE	Shall be located wholly within Dwelling Unit. Maximum size of Home Office shall be 25% of the size of the Dwelling Unit based on county property records. Home Occupations limited to individual tutoring; non-amplified individual instrument instruction; authors and composers; artists; designers; seamstresses; tailors; and uses similar in impact. Office uses, excluding medical and dental offices. Maximum of one client at a time. Maximum of two staff members, one of which must reside on premises. Hours of operation limited to Monday through Saturday 8:00 AM to 6 PM. No equipment or process shall be used which creates undue noise, vibration, glare, fumes, or odors detectable to normal senses off the property. Certificate of Use required.	Shall be located wholly within Dwelling Unit. Maximum size of Home Office shall be 25% of the size of the Dwelling Unit based on county property records. Home Occupations limited to individual tutoring; non-amplified individual instrument instruction; authors and composers; artists; designers; seamstresses; tailors; and uses similar in impact. Office uses, excluding medical and dental offices. Maximum of one client at a time. Maximum of two staff members, one of which must reside on premises. Hours of operation limited to Monday through Saturday 8:00 AM to 6 PM. No equipment or process shall be used which creates undue noise, vibration, glare, fumes, or odors detectable to normal senses off the property. Certificate of Use required.	Shall be located wholly within Dwelling Unit. Maximum size of Home Office shall be 25% of the size of the Dwelling Unit based on county property records. Home Occupations limited to individual tutoring; non-amplified individual instrument instruction; authors and composers; artists; designers; seamstresses; tailors; and uses similar in impact. Office uses, excluding medical and dental offices. Maximum of one client at a time. Maximum of two staff members, one of which must reside on premises. Hours of operation limited to Monday through Saturday 8:00 AM to 6 PM. No equipment or process shall be used which creates undue noise, vibration, glare, fumes, or odors detectable to normal senses off the property. Certificate of Use required.
PERSONAL WIRELESS FACILITY	Subject to the requirements of Section 6.4.	Subject to the requirements of Section 6.4.	Subject to the requirements of Section 6.4.

	RESTRICTED	LIMITED	OPEN
DENSITY (UPA)	36 UNITS PER ACRE	36 UNITS PER ACRE	36 UNITS PER ACRE
DWELLING UNIT	Efficiency Dwelling Unit: 400 square feet min. One bedroom Dwelling Unit: 550 square feet min. Two bedroom Dwelling Unit: 650 square feet min.	Efficiency Dwelling Unit: 400 square feet min. One bedroom Dwelling Unit: 550 square feet min. Two bedroom Dwelling Unit: 650 square feet min.	Efficiency Dwelling Unit: 400 square feet min. One bedroom Dwelling Unit: 550 square feet min. Two bedroom Dwelling Unit: 650 square feet min.
BOATS HOUSEBOAT HOUSE BARGE	Occupancy of private pleasure crafts and houseboats or house barges shall not be allowed except for those specifically grandfathered and regulated by Ordinance #10932, adopted October 24, 1991.	Occupancy of private pleasure crafts and houseboats or house barges shall not be allowed except for those specifically grandfathered and regulated by Ordinance #10932, adopted October 24, 1991.	Occupancy of private pleasure crafts and houseboats or house barges shall not be allowed except for those specifically grandfathered and regulated by Ordinance #10932, adopted October 24, 1991.
BOAT HOUSE	Maximum size: 20 feet wide, 40 feet long, 15 feet high.	Maximum size: 20 feet wide, 40 feet long, 15 feet high.	Maximum size: 20 feet wide, 40 feet long, 15 feet high.
BOAT SLIP	Maximum coverage of waterfront setback: 35%	Maximum coverage of waterfront setback: 35%	Maximum coverage of waterfront setback: 35%
DOCKS PIERS	Extension of docks or Piers into Biscayne Bay are limited to 35 feet. Further extension of docks or Piers into Biscayne Bay not allowed. Extension of docks or Piers into other waterways limited to 10 feet or 10% of waterway width, whichever is less. No further extensions alllowed. Only private pleasure craft may be docked or moored on property adjacent to T3-R, T4-R, T5-R, T6-R. Dock/ Pier Setbacks: 10 feet from any Abutting property Vessel setback: 5 feet from any Abutting property. Prohibited uses or appurtenances: davits in excess of 3 ton capacity, commercial vessels, commercial boat ramps, and commercial hauling and fueling.	Extension of docks or Piers into Biscayne Bay are limited to 35 feet. Further extension of docks or Piers into Biscayne Bay not allowed. Extension of docks or Piers into other waterways limited to 10 feet or 10% of waterway width, whichever is less. No further extensions alllowed. Only private pleasure craft may be docked or moored on property adjacent to T3-R, T4-R, T5-R, T6-R. Dock/ Pier Setbacks: 10 feet from any Abutting property Vessel setback: 5 feet from any Abutting property. Prohibited uses or appurtenances: davits in excess of 3 ton capacity, commercial vessels, commercial boat ramps, and commercial hauling and fueling.	Extension of docks or Piers into Biscayne Bay are limited to 35 feet. Further extension of docks or Piers into Biscayne Bay not allowed. Extension of docks or Piers into other waterways limited to 10 feet or 10% of waterway width, whichever is less. No further extensions alllowed. Only private pleasure craft may be docked or moored on property adjacent to T3-R, T4-R, T5-R, T6-R. Dock/ Pier Setbacks: 10 feet from any Abutting property Vessel setback: 5 feet from any Abutting property. Prohibited uses or appurtenances: davits in excess of 3 ton capacity, commercial vessels, commercial boat ramps, and commercial hauling and fueling.
COMMUNITY RESIDENCES 1-6 RESIDENTS	Subject to the requirements of Section 6.2.	Subject to the requirements of Section 6.2.	Subject to the requirements of Section 6.2.
COMMUNITY RESIDENCES 7-14 RESIDENTS	Subject to the requirements of Section 6.2.	Subject to the requirements of Section 6.2.	Subject to the requirements of Section 6.2.
ADULT FAMILY CARE HOME 1-5 RESIDENTS	Subject to the requirements of Section 6.2.	Subject to the requirements of Section 6.2.	Subject to the requirements of Section 6.2.

	RESTRICTED	LIMITED	OPEN
DENSITY (UPA)	**36 UNITS PER ACRE**	**36 UNITS PER ACRE**	**36 UNITS PER ACRE**
HOME OFFICE	Shall be located wholly within Dwelling Unit. Maximum size of Home Office shall be 25% of the size of the Dwelling Unit based on county property records. Home Occupations limited to individual tutoring; non-amplified individual instrument instruction; authors and composers; artists; designers; seamstresses; tailors; and uses similar in impact. Office uses, excluding medical and dental offices. Maximum of one client at a time. Maximum of two staff members, one of which must reside on premises. Hours of operation limited to Monday through Saturday 8:00 AM to 6 PM. No equipment or process shall be used which creates undue noise, vibration, glare, fumes, or odors detectable to normal senses off the property. Certificate of Use required.	Shall be located wholly within Dwelling Unit. Maximum size of Home Office shall be 25% of the size of the Dwelling Unit based on county property records. Home Occupations limited to individual tutoring; non-amplified individual instrument instruction; authors and composers; artists; designers; seamstresses; tailors; and uses similar in impact. Office uses, excluding medical and dental offices. Maximum of one client at a time. Maximum of two staff members, one of which must reside on premises. Hours of operation limited to Monday through Saturday 8:00 AM to 6 PM. No equipment or process shall be used which creates undue noise, vibration, glare, fumes, or odors detectable to normal senses off the property. Certificate of Use required.	Shall be located wholly within Dwelling Unit. Maximum size of Home Office shall be 25% of the size of the Dwelling Unit based on county property records. Home Occupations limited to individual tutoring; non-amplified individual instrument instruction; authors and composers; artists; designers; seamstresses; tailors; and uses similar in impact. Office uses, excluding medical and dental offices. Maximum of one client at a time. Maximum of two staff members, one of which must reside on premises. Hours of operation limited to Monday through Saturday 8:00 AM to 6 PM. No equipment or process shall be used which creates undue noise, vibration, glare, fumes, or odors detectable to normal senses off the property. Certificate of Use required.
LIVE WORK		Shall be located within ground floor and Liner units. Maximum size of work occupation shall not exceed 50% of the size of the Dwelling Unit based on county property records. Live Work occupations limited to those allowed in Transect Zone. No equipment or process shall be used which creates undue noise, vibration, glare, fumes, or odors detectable to normal senses off the property. Certificate of Use required.	Shall be located within ground floor and Liner units. Maximum size of work occupation shall not exceed 50% of the size of the Dwelling Unit based on county property records. Live Work occupations limited to those allowed in Transect Zone. No equipment or process shall be used which creates undue noise, vibration, glare, fumes, or odors detectable to normal senses off the property. Certificate of Use required.
BED AND BREAKFAST	Subject to City Code Chapter 23.		
ADULT DAYCARE		For 6 to 9 adults: Minimum of 350 sq feet of indoor activity area.	For 6 to 9 adults: Minimum of 350 sq feet of indoor activity area.
PERSONAL WIRELESS SERVICE FACILITY	Subject to the requirements of Section 6.4.	Subject to the requirements of Section 6.4.	Subject to the requirements of Section 6.4.
CHILDCARE	For 6 to 10 children maximum: Minimum of 200 sq feet of indoor activity area. Minimum of 450 sq feet of outdoor play area.	For 6 to 10 children maximum. Minimum of 200 sq feet of indoor activity area. Minimum of 450 sq feet of outdoor play area.	For 6 to 10 children maximum. Minimum of 200 sq feet of indoor activity area. Minimum of 450 sq feet of outdoor play area.

	RESTRICTED	LIMITED	OPEN
DENSITY (UPA)	65 UNITS PER ACRE	65 UNITS PER ACRE	65 UNITS PER ACRE
DWELLING UNIT	Efficiency Dwelling Unit: 400 square feet min. One bedroom Dwelling Unit: 550 square feet min. Two bedroom Dwelling Unit: 650 square feet min.	Efficiency Dwelling Unit: 400 square feet min. One bedroom Dwelling Unit: 550 square feet min. Two bedroom Dwelling Unit: 650 square feet min.	Efficiency Dwelling Unit: 400 square feet min. One bedroom Dwelling Unit: 550 square feet min. Two bedroom Dwelling Unit: 650 square feet min.
BOATS HOUSEBOAT HOUSE BARGE	Occupancy of private pleasure crafts and houseboats or house barges shall not be allowed except for those specifically grandfathered and regulated by Ordinance #10932, adopted 10-24-1991.	Occupancy of private pleasure crafts and houseboats or house barges shall not be allowed except for those specifically grandfathered and regulated by Ordinance #10932, adopted 10-24-1991.	Occupancy of private pleasure crafts and houseboats or house barges shall not be allowed except for those specifically grandfathered and regulated by Ordinance #10932, adopted 10-24-1991.
BOAT HOUSE	Maximum size: 20 feet wide, 40 feet long, 15 feet high.	Maximum size: 20 feet wide, 40 feet long, 15 feet high.	Maximum size: 20 feet wide, 40 feet long, 15 feet high.
BOAT SLIP	Maximum coverage of waterfront setback: 35%	Maximum coverage of waterfront setback: 35%	Maximum coverage of waterfront setback: 35%
DOCKS PIERS	Extension docks and Piers into Biscayne Bay are limited to 35 feet However, by Exception a 600 feet maximum extension of docks and Piers into Biscayne Bay may be allowed. Extension of docks and Piers into other waterways is limited to 10 feet or 10% of the width of the waterway, whichever is less. However, by Exception up to 10% of waterfront width may be approved, subject to approval from all applicable agencies. Only private pleasure crafts may be docked or moored on property adjacent to T3-R, T4-R, T5-R, T6-R. Dock / Pier Setbacks: 10 feet from any Abutting property Vessel setback: 5 feet from any Abutting property. Prohibited uses or appurtenances: davits in excess of 3 ton capacity, commercial vessels, commercial boat ramps, and commercial hauling and fueling.	Extension docks and Piers into Biscayne Bay are limited to 35 feet However, by Exception a 600 feet maximum extension of docks and Piers into Biscayne Bay may be allowed. Extension of docks and Piers into other waterways is limited to 10 feet or 10% of the width of the waterway, whichever is less. However, by Exception up to 10% of waterfront width may be approved, subject to approval from all applicable agencies. Only private pleasure craft may be docked or moored on property adjacent to T3-R, T4-R, T5-R, T6-R. Dock / Pier Setbacks: 10 feet from any Abutting property Vessel setback: 5 feet from any Abutting property. Prohibited uses or appurtenances: davits in excess of 3 ton capacity, commercial vessels, commercial boat ramps, and commercial hauling and fueling.	Extension docks and Piers into Biscayne Bay are limited to 35 feet However, by Exception a 600 feet maximum extension of docks and Piers into Biscayne Bay may be allowed. Extension of docks and Piers into other waterways is limited to 10 feet or 10% of the width of the waterway, whichever is less. However, by Exception up to 10% of waterfront width may be approved, subject to approval from all applicable agencies. Only private pleasure craft may be docked or moored on property adjacent to T3-R, T4-R, T5-R, T6-R. Dock / Pier Setbacks: 10 feet from any Abutting property Vessel setback: 5 feet from any Abutting property. Prohibited uses or appurtenances: davits in excess of 3 ton capacity, commercial vessels, commercial boat ramps, and commercial hauling and fueling.
COMMUNITY RESIDENCES 1-6 RESIDENTS	Subject to the requirements of Section 6.2.	Subject to the requirements of Section 6.2.	Subject to the requirements of Section 6.2.
COMMUNITY RESIDENCES 7-14 RESIDENTS	Subject to the requirements of Section 6.2.	Subject to the requirements of Section 6.2.	Subject to the requirements of Section 6.2.
ADULT FAMILY CARE HOME 1-5 RESIDENTS	Subject to the requirements of Section 6.2.	Subject to the requirements of Section 6.2.	Subject to the requirements of Section 6.2.
HOME OFFICE	Shall be located wholly within Dwelling Unit. Maximum size of Home Office shall be 25% of the size of the Dwelling Unit based on county property records. Home Office occupations limited to individual tutoring; non-amplified individual instrument instruction; authors and composers; artists; designers; seamstresses; tailors; Office uses, excluding medical and dental offices. Maximum of one client at a time. Maximum of two staff members, one of which must reside on premises. Hours of operation limited to Monday through Saturday 8:00 AM to 6 PM. No equipment or process shall be used which creates undue noise, vibration, glare, fumes, or odors detectable to normal senses off the property. Certificate of Use required.	Shall be located wholly within Dwelling Unit. Maximum size of Home Office shall be 25% of the size of the Dwelling Unit based on county property records. Home Office occupations limited to individual tutoring; non-amplified individual instrument instruction; authors and composers; artists; designers; seamstresses; tailors; Office uses, excluding medical and dental offices. Maximum of one client at a time. Maximum of two staff members, one of which must reside on premises. Hours of operation limited to Monday through Saturday 8:00 AM to 6 PM. No equipment or process shall be used which creates undue noise, vibration, glare, fumes, or odors detectable to normal senses off the property. Certificate of Use required.	Shall be located wholly within Dwelling Unit. Maximum size of Home Office shall be 25% of the size of the Dwelling Unit based on county property records. Home Office occupations limited to individual tutoring; non-amplified individual instrument instruction; authors and composers; artists; designers; seamstresses; tailors; Office uses, excluding medical and dental offices. Maximum of one client at a time. Maximum of two staff members, one of which must reside on premises. Hours of operation limited to Monday through Saturday 8:00 AM to 6 PM. No equipment or process shall be used which creates undue noise, vibration, glare, fumes, or odors detectable to normal senses off the property. Certificate of Use required.

	RESTRICTED	LIMITED	OPEN
DENSITY (UPA)	65 UNITS PER ACRE	65 UNITS PER ACRE	65 UNITS PER ACRE
LIVE WORK		Shall be located within ground floor and Liner units. Maximum size of work occupation shall not exceed 50% of the size of the Dwelling Unit based on county property records. Live Work occupations limited to those allowed in Transect Zone. No equipment or process shall be used which creates undue noise, vibration, glare, fumes, or odors detectable to normal senses off the property. Certificate of Use required.	Shall be located within ground floor and Liner units. Maximum size of work occupation shall not exceed 50% of the size of the Dwelling Unit based on county property records. Live Work occupations limited to those allowed in Transect Zone. No equipment or process shall be used which creates undue noise, vibration, glare, fumes, or odors detectable to normal senses off the property. Certificate of Use required.
AUTO RELATED COMMERCIAL			Car Wash: Subject to City Code Chapter 23 Self-service, semiautomatic, and automatic dragline shall provide for each of the first 3 wash stalls, 3 parking reservoir spaces before and 3 after. Beyond 3 stalls, 1 parking reservoir spaces before and 2 after each stall. Custom hand car wash shall provide for each wash stall, 1 parking reservoir space before each stall and 1 after, and 5 additional parking spaces. One (1) reservoir parking space may be reduced by Waiver. Gas Stations: Subject to City Code Chapter 23 Principal Frontage access may be allowed. Frontage requirement may be reduced maximum 30% by Waiver. Building Facade may be a colonnade. All vending machines shall be located indoors. Only vehicles awaiting service, permitted rental vehicles and staff vehicles parked while working shall be allowed. All repairs, change of tires, greasing/lubricating shall be conducted within building. Outdoor display of products incidental to normal refueling is prohibited closer to the street than pump islands. Outdoor display or storage of tires is prohibited. Vehicle Rental Facilities: In addition to the parking requirements in Article 4 Table 4 for lease or rental passenger vehicle facilities there shall be 10 parking spaces provided for first 10,000 square feet of Floor Area and 1 space for each additional 500 square feet . In addition to the parking requirements in Article 4 Table 4 for lease or rental cargo vehicle facilities 1 parking space per staff member and 1 space for each 8 vehicles stored on the premises. All access to site shall be from a County designated primary arterial road. Building designated for customer service must be located where it is easily accessible from site access point. All transactions must be conducted indoors. All vehicle storage areas must be lighted without causing spillover onto Abutting properties. On-site vehicle service must be conducted indoors and is limited to minor repairs and maintenance.
DRIVE-THROUGH AND DRIVE-IN			Reservoir parking spaces shall be required as follows: One (1) at window, three (3) before service window, one (1) after service window. One (1) reservoir parking space may be reduced by Waiver.

	RESTRICTED	LIMITED	OPEN
DENSITY (UPA)	65 UNITS PER ACRE	65 UNITS PER ACRE	65 UNITS PER ACRE
PUBLIC STORAGE FACILITY			The maximum size of any individual storage rental space shall be 400 square feet Controlled access and adequate security surveillance shall be provided throughout facility. Any boat or vehicle stored in these facilities shall not exceed an overall length of 25 feet and shall be stored within a completely enclosed and ventilated Structure. Hours of operation shall be limited to 6:00 am to 10:00 pm and shall be reviewed as part of Warrant process.
OPEN AIR RETAIL		Access to site must be from a major Thoroughfare. Distance separation of any Open Air Retail shall be a minimum of 75 feet measured from any property within T3, T4-R, T5-R, or T6-R Zone. Operation limited to weekends and legal holidays for a maximum of 3 consecutive days between the hours of 7:00 AM and 7:00 PM. Provision of paving striping for stalls and parking spaces. Provision of onsite restroom facilities.	Access to site must be from a major Thoroughfare. Distance separation of any Open Air Retail shall be a minimum of 75 feet measured from any property within T3, T4-R, T5-R, or T6-R Zone. Operation limited to weekends and legal holidays for a maximum of 3 consecutive days between the hours of 7:00 AM and 7:00 PM. Provision of paving striping for stalls and parking spaces. Provision of onsite restroom facilities.
ADULT DAYCARE		For 6 to 9 adults: Minimum of 350 square feet of indoor activity area.	For 6 to 9 adults: Minimum of 350 square feet of indoor activity area. For 10 or more adults: Minimum of 35 square feet of indoor activity area per adult.
COMMUNITY SUPPORT FACILITY	Assisted Living Facilities: Allowed by Exception and are subject to the following additional requirements: Maximum number of residents 50. Minimum distance requirement of 2,500 feet between proposed facility and another existing facility. Minimum distance requirement of 1,000 feet between proposed Facility or Assisted Living Facility and any T3 or T4-R Zone.	Assisted Living Facilities: Allowed by Exception and are subject to the following additional requirements: Maximum number of residents 50. Minimum distance requirement of 2,500 feet between proposed facility and another existing facility. Minimum distance requirement of 1,000 feet between proposed facility and any T3 or T4-R Zone.	Assisted Living Facilities: Allowed by Exception and are subject to the following additional requirements: Maximum number of residents 50. Minimum distance requirement of 2,500 feet between proposed facility and another existing facility. Minimum distance requirement of 1,000 feet between proposed facility and any T3 or T4-R Zone.
PERSONAL WIRELESS SERVICE FACILITY	Subject to the requirements of Section 6.4.	Subject to the requirements of Section 6.4.	Subject to the requirements of Section 6.4.
CHILDCARE	For 6 to 10 children: Minimum of 200 square feet of indoor activity area. Minimum of 450 square feet of outdoor play area. For 11 or more children: Minimum of 20 square feet of indoor activity area per child, Minimum of 45 square feet of outdoor play area per child. Minimum of 1 drop off parking space for every 10 children. Vehicular entrance must be within 300 feet of arterial road.	For 6 to 10 children: Minimum of 200 square feet of indoor activity area. Minimum of 450 square feet of outdoor play area. For 11 or more children: Minimum of 20 square feet of indoor activity area per child, Minimum of 45 square feet of outdoor play area per child. Minimum of 1 drop off parking space for every 10 children. Vehicular entrance must be within 300 feet of arterial road.	For 6 to 10 children: Minimum of 200 square feet of indoor activity area. Minimum of 450 square feet of outdoor play area. For 11 or more children: Minimum of 20 square feet of indoor activity area per child, Minimum of 45 square feet of outdoor play area per child. Minimum of 1 drop off parking space for every 10 children. Vehicular entrance must be within 300 feet of arterial road.

	RESTRICTED	LIMITED	OPEN
DENSITY (UPA)	**150 UNITS PER ACRE ***	**150 UNITS PER ACRE ***	**150 – 1,000 UNITS PER ACRE ***
DWELLING UNIT	Efficiency Dwelling Unit: 400 square feet min. One bedroom Dwelling Unit: 550 square feet min. Two bedroom Dwelling Unit: 650 square feet min.	Efficiency Dwelling Unit: 400 square feet min. One bedroom Dwelling Unit: 550 square feet min. Two bedroom Dwelling Unit: 650 square feet min.	Efficiency Dwelling Unit: 400 square feet min. One bedroom Dwelling Unit: 550 square feet min. Two bedroom Dwelling Unit: 650 square feet min.
BOATS **HOUSEBOAT** **HOUSE BARGE**	Occupancy of private pleasure crafts and houseboats or house barges shall not be allowed except for those specifically grandfathered and regulated by Ordinance #10932, adopted 10-24-1991.	Occupancy of private pleasure crafts and houseboats or house barges shall not be allowed except for those specifically grandfathered and regulated by Ordinance #10932, adopted 10-24-1991.	Occupancy of private pleasure crafts and houseboats or house barges shall not be allowed except for those specifically grandfathered and regulated by Ordinance #10932, adopted 10-24-1991.
BOAT HOUSE	Maximum size: 20 feet wide, 40 feet long, 15 feet high.	Maximum size: 20 feet wide, 40 feet long, 15 feet high.	Maximum size: 20 feet wide, 40 feet long, 15 feet high.
BOAT SLIP	Maximum coverage of waterfront setback: 35%	Maximum coverage of waterfront setback: 35%	Maximum coverage of waterfront setback: 35%
DOCKS **PIERS**	Extension docks and Piers into Biscayne Bay are limited to 35 feet However, by Waiver a 600 feet maximum extension of docks and Piers into Biscayne Bay may be allowed. Extension of docks and Piers into other waterways is limited to 10 feet or 10% of the width of the waterway, whichever is less. However, by Waiver up to 10% of waterfront width may be approved, subject to approval from all applicable agencies. Only private pleasure craft may be docked or moored on property Adjacent to T3-R, T4-R, T5-R, T6-R. Dock/ Pier setbacks: 10 feet from any Abutting property Vessel setback: 5 feet from any Abutting property. Prohibited uses or appurtenances: davits in excess of 3 ton capacity, commercial vessels, commercial boat ramps, and commercial hauling and fueling.	Extension docks and Piers into Biscayne Bay are limited to 35 feet However, by Exception a 600 feet maximum extension of docks and Piers into Biscayne Bay may be allowed. Extension of docks and Piers into other waterways is limited to 10 feet or 10% of the width of the waterway, whichever is less. However, by Waiver up to 10% of waterfront width may be approved, subject to approval from all applicable agencies. Only private pleasure craft may be docked or moored on property Adjacent to T3-R, T4-R, T5-R, T6-R. Dock/ Pier setbacks: 10 feet from any Abutting property Vessel setback: 5 feet from any Abutting property. Prohibited uses or appurtenances: davits in excess of 3 ton capacity, commercial vessels, commercial boat ramps, and commercial hauling and fueling.	Extension docks and Piers into Biscayne Bay are limited to 35 feet However, by Waiver a 600 feet maximum extension of docks and Piers into Biscayne Bay may be allowed. Extension of docks and Piers into other waterways is limited to 10 feet or 10% of the width of the waterway, whichever is less. However, by Waiver up to 10% of waterfront width may be approved, subject to approval from all applicable agencies. Only private pleasure craft may be docked or moored on property Adjacent to T3-R, T4-R, T5-R, T6-R. Dock/ Pier setbacks: 10 feet from any Abutting property Vessel setback: 5 feet from any Abutting property. Prohibited uses or appurtenances: davits in excess of 3 ton capacity, commercial vessels, commercial boat ramps, and commercial hauling and fueling.
COMMUNITY RESIDENCES 1-6-RESIDENTS	Subject to the requirements of Section 6.2.	Subject to the requirements of Section 6.2.	Subject to the requirements of Section 6.2.
COMMUNITY RESIDENCES 7-14-RESIDENTS	Subject to the requirements of Section 6.2.	Subject to the requirements of Section 6.2.	Subject to the requirements of Section 6.2.
ADULT FAMILY CARE HOME 1-5-RESIDENTS	Subject to the requirements of Section 6.2.	Subject to the requirements of Section 6.2.	Subject to the requirements of Section 6.2.
HOME OFFICE	Shall be located wholly within Dwelling Unit. Maximum size of home office shall not exceed 25% of the size of the Dwelling Unit based on county property records. Home Office occupations limited to individual tutoring; non-amplified individual instrument instruction; authors and composers; artists; designers; seamstresses; tailors; and uses similar in impact. Office uses, excluding medical and dental offices. Maximum of one client at a time. Maximum of two staff members, one of which must reside on premises. Hours of operation limited to Monday through Saturday 8:00 AM to 6 PM. No equipment or process shall be used which creates undue noise, vibration, glare, fumes, or odors detectable to normal senses off the property. Certificate of Use required.	Shall be located wholly within Dwelling Unit. Maximum size of home office shall not exceed 25% of the size of the Dwelling Unit based on county property records. Home Office occupations limited to individual tutoring; non-amplified individual instrument instruction; authors and composers; artists; designers; seamstresses; tailors; and uses similar in impact. Office uses, excluding medical and dental offices. Maximum of one client at a time. Maximum of two staff members, one of which must reside on premises. Hours of operation limited to Monday through Saturday 8:00 AM to 6 PM. No equipment or process shall be used which creates undue noise, vibration, glare, fumes, or odors detectable to normal senses off the property. Certificate of Use required.	Shall be located wholly within Dwelling Unit. Maximum size of home office shall not exceed 25% of the size of the Dwelling Unit based on county property records. Home Office occupations limited to individual tutoring; non-amplified individual instrument instruction; authors and composers; artists; designers; seamstresses; tailors; and uses similar in impact. Office uses, excluding medical and dental offices. Maximum of one client at a time. Maximum of two staff members, one of which must reside on premises. Hours of operation limited to Monday through Saturday 8:00 AM to 6 PM. No equipment or process shall be used which creates undue noise, vibration, glare, fumes, or odors detectable to normal senses off the property. Certificate of Use required.

* Or as modified in Article 4, Diagram 9

	RESTRICTED	LIMITED	OPEN
DENSITY (UPA)	**150 UNITS PER ACRE ***	**150 UNITS PER ACRE ***	**150 – 1,000 UNITS PER ACRE ***
LIVE WORK		Shall be located within ground floor and Liner Units. Maximum size of work occupation shall not exceed 50% of the size of the Dwelling Unit based on county property records. Live Work occupations limited to those allowed in Transect Zone. No equipment or process shall be used which creates undue noise, vibration, glare, fumes, or odors detectable to normal senses off the property. Certificate of Use required.	Shall be located within ground floor and Liner Units. Maximum size of work occupation shall not exceed 50% of the size of the Dwelling Unit based on county property records. Live Work occupations limited to those allowed in Transect Zone. No equipment or process shall be used which creates undue noise, vibration, glare, fumes, or odors detectable to normal senses off the property. Certificate of Use required.
AUTO RELATED COMMERCIAL		Car Wash: Self-service, semiautomatic, and automatic dragline shall provide for each of the first 3 wash stalls, 3 parking reservoir spaces before and 3 after. Beyond 3 stalls, 1 parking reservoir spaces before and 2 after each stall. Custom hand car wash shall provide for each wash stall, 1 parking reservoir space before each stall and 1 after, and 5 additional parking spaces. One (1) reservoir parking space may be reduced by Waiver. Gas Stations: Principal Frontage access may be allowed. Frontage requirement may be reduced maximum 30% by Waiver. Building Facade may be a colonnade. All vending machines shall be located indoors. Trash facilities shall be completely enclosed and shielded from Primary Frontages. Only vehicles awaiting service, permitted rental vehicles and staff vehicles parked while working shall be allowed. All repairs, change of tires, greasing/lubricating shall be conducted within building. Outdoor display of products incidental to normal refueling is prohibited closer to the street than pump islands. Outdoor display or storage of tires is prohibited. Vehicle Rental Facilities: In addition to the parking requirements in Article 4 Table 4 for lease or rental passenger vehicle facilities there shall be 10 parking spaces provided for first 10,000 square feet of Floor Area and 1 space for each additional 500 square feet. In addition to the parking requirements in Article 4 Table 4 for lease or rental cargo vehicle facilities 1 parking space per staff and 1 space for each 8 vehicles stored on the premises. All access to site shall be from a County designated primary arterial road. Building designated for customer service must be located where it is easily accessible from site access point. All transactions must be conducted indoors. All vehicle storage areas must be lighted without causing spillover onto Abutting properties. On-site vehicle service must be conducted indoors and is limited to minor repairs and maintenance.	Car Wash: Subject to City Code Chapter 23 Self-service, semiautomatic, and automatic dragline shall provide for each of the first 3 wash stalls, 3 parking reservoir spaces before and 3 after. Beyond 3 stalls, 1 parking reservoir spaces before and 2 after each stall. Custom hand car wash shall provide for each wash stall, 1 parking reservoir space before each stall and 1 after, and 5 additional parking spaces. One (1) reservoir parking space may be reduced by Waiver. Gas Stations: Subject to City Code Chapter 23 Principal Frontage access may be allowed. Frontage requirement may be reduced maximum 30% by Waiver. Building Facade may be a colonnade. All vending machines shall be located indoors. Trash facilities shall be completely enclosed and shielded from Primary Frontages. Only vehicles awaiting service, permitted rental vehicles and staff vehicles parked while working shall be allowed. All repairs, change of tires, greasing/lubricating shall be conducted within building. Outdoor display of products incidental to normal refueling is prohibited closer to the street than pump islands. Outdoor display or storage of tires is prohibited. Vehicle Rental Facilities: In addition to the parking requirements in Article 4 Table 4 for lease or rental passenger vehicle facilities there shall be 10 parking spaces provided for first 10,000 square feet of Floor Area and 1 space for each additional 500 square feet. In addition to the parking requirements in Article 4 Table 4 for lease or rental cargo vehicle facilities 1 parking space per staff and 1 space for each 8 vehicles stored on the premises. All access to site shall be from a County designated primary arterial road. Building designated for customer service must be located where it is easily accessible from site access point. All transactions must be conducted indoors. All vehicle storage areas must be lighted without causing spillover onto Abutting properties. On-site vehicle service must be conducted indoors and is limited to minor repairs and maintenance.
DRIVE-THROUGH AND DRIVE-IN			Reservoir parking spaces shall be required as follows: One (1) at window, three (3) before service window, one (1) after service window. One (1) reservoir parking space may be reduced by Waiver.
LARGE SCALE RETAIL			Subject to the requirements of Section 6.3.

* Or as modified in Article 4, Diagram 9

	RESTRICTED	LIMITED	OPEN
DENSITY (UPA)	**150 UNITS PER ACRE ***	**150 UNITS PER ACRE ***	**150 – 1,000 UNITS PER ACRE ***
PUBLIC STORAGE FACILITY			Subject to the following additional requirements: The maximum size of any individual storage rental space shall be 400 square feet Controlled access and adequate security surveillance shall be provided throughout facility. Any boat or vehicle stored in these facilities shall not exceed an overall length of 25 feet and shall be stored within an enclosed and ventilated Structure. Hours of operation shall be limited to 6:00 am to 10:00 pm and shall be reviewed as part of Warrant process.
OPEN AIR RETAIL		Subject to the following additional requirements: Access to site must be from a major Thoroughfare. Distance separation of any Open Air Retail shall be a minimum of 75 feet measured from any property within T3, T4-R, T5-R, or T6-R Zone. Operation limited to weekends and legal holidays for a maximum of 3 consecutive days between the hours of 7:00 AM and 7:00 PM. Provision of paving striping for stalls and parking spaces. Provision of onsite restroom facilities.	Subject to the following additional requirements: Access to site must be from a major Thoroughfare. Distance separation of any Open Air Retail shall be a minimum of 75 feet measured from any property within T3, T4-R, T5-R, or T6-R Zone. Operation limited to weekends and legal holidays for a maximum of 3 consecutive days between the hours of 7:00 AM and 7:00 PM. Provision of paving striping for stalls and parking spaces. Provision of onsite restroom facilities.
ADULT DAYCARE		Allowed by Warrant per Article 4 Table 3. For 6 to 9 adults: Minimum of 350 square feet of indoor activity area.	Allowed by Warrant per Article 4 Table 3. For 6 to 9 adults: Minimum of 350 square feet of indoor activity area. For 10 or more adults: Minimum of 35 square feet of indoor activity area per adult.
COMMUNITY SUPPORT FACILITY	Assisted Living Facilities: Allowed by Exception -and are subject to the following additional requirements: Minimum distance requirement of 2,500 feet between proposed facility and another existing facility. Minimum distance requirement of 1,000 feet between proposed Facility and any T3 or T4 R Zone.	Assisted Living Facilities: Allowed by Exception and are subject to the following additional requirements: Minimum distance requirement of 2,500 feet between proposed facility and another existing facility. Minimum distance requirement of 1,000 feet between proposed facility and any T3 or T4-R Zone.	Assisted Living Facilities: Allowed by Exception -and are subject to the following additional requirements: Minimum distance requirement of 2,500 feet between proposed facility and another existing facility. Minimum distance requirement of 1,000 feet between proposed facility and any T3 or T4-R Zone.
PERSONAL WIRELESS SERVICE FACILITY	Subject to the requirements of Section 6.4.	Subject to the requirements of Section 6.4.	Subject to the requirements of Section 6.4.
HELICOPTER LANDING SITE	Helicopter landing sites as regulated by federal and state law may be permitted by Warrant subject to the following additional requirements: May only be used for the landing and takeoff of helicopters dropping off and picking up passengers and cargo, and may not include fueling, repair, or long term parking or storage of helicopters. Unless used for emergency operations (police, fire, and hospital) landings and takeoffs shall be restricted to Monday through Friday from 9:00 AM to 5 PM on parcels Abutting T3, T4, T5-R, and T6-R. Ground level sites shall be located away from Buildings, trees, or significant terrain features to avoid possible air turbulence. Rooftop sites shall be given priority over ground level sites in congested areas.	Helicopter landing sites as regulated by federal and state law may be permitted by Warrant subject to the following additional requirements: May only be used for the landing and takeoff of helicopters dropping off and picking up passengers and cargo, and may not include fueling, repair, or long term parking or storage of helicopters. Unless used for emergency operations (police, fire, and hospital) landings and takeoffs shall be restricted to Monday through Friday from 9:00 AM to 5 PM on parcels Abutting T3, T4, T5-R, and T6-R. Ground level sites shall be located away from Buildings, trees, or significant terrain features to avoid possible air turbulence. Rooftop sites shall be given priority over ground level sites in congested areas.	Helicopter landing sites as regulated by federal and state law may be permitted by Warrant subject to the following additional requirements: May only be used for the landing and takeoff of helicopters dropping off and picking up passengers and cargo, and may not include fueling, repair, or long term parking or storage of helicopters. Unless used for emergency operations (police, fire, and hospital) landings and takeoffs shall be restricted to Monday through Friday from 9:00 AM to 5 PM on parcels Abutting T3, T4, T5-R, and T6-R. Ground level sites shall be located away from Buildings, trees, or significant terrain features to avoid possible air turbulence. Rooftop sites shall be given priority over ground level sites in congested areas.

* Or as modified in Article 4, Diagram 9

	RESTRICTED	LIMITED	OPEN
DENSITY (UPA)	**150 UNITS PER ACRE ***	**150 UNITS PER ACRE ***	**150 – 1,000 UNITS PER ACRE ***
CHILDCARE	For 6 to 10 children: Minimum of 200 square feet of indoor activity area. Minimum of 450 square feet of outdoor play area. For 11 or more children: Minimum of 20 square feet of indoor activity area per child, Minimum of 45 square feet of outdoor play area per child. Minimum of 1 drop off parking space for every 10 children. Vehicular entrance must be within 300 feet of arterial road.	For 6 to 10 children: Minimum of 200 square feet of indoor activity area. Minimum of 450 square feet of outdoor play area. For 11 or more children: Minimum of 20 square feet of indoor activity area per child, Minimum of 45 square feet of outdoor play area per child. Minimum of 1 drop off parking space for every 10 children. Vehicular entrance must be within 300 feet of arterial road.	For 6 to 10 children: Minimum of 200 square feet of indoor activity area. Minimum of 450 square feet of outdoor play area. For 11 or more children: Minimum of 20 square feet of indoor activity area per child, Minimum of 45 square feet of outdoor play area per child. Minimum of 1 drop off parking space for every 10 children. Vehicular entrance must be within 300 feet of arterial road.

	CS – CIVIC SPACE	CI – CIVIC INSTITUTION	CI-HD – CIVIC INSTITUTION HEALTH DISTRICT
DENSITY (UPA)	N/A	DENSITY OF ABUTTING ZONE	150 UNITS PER ACRE
BOATS HOUSEBOAT HOUSE BARGE	Occupancy of private pleasure crafts and houseboats or house barges shall not be allowed except for those specifically grandfathered and regulated by Ordinance #10932, adopted October 24, 1991.	Occupancy of private pleasure crafts and houseboats or house barges shall not be allowed except for those specifically grandfathered and regulated by Ordinance #10932, adopted October 24, 1991.	Occupancy of private pleasure crafts and houseboats or house barges shall not be allowed except for those specifically grandfathered and regulated by Ordinance #10932, adopted October 24, 1991.
DOCKS PIERS	Extension docks and Piers into Biscayne Bay are limited to 35 feet. However, by Exception a 600 feet maximum extension of docks and Piers into Biscayne Bay may be allowed. Extension of docks and Piers into other waterways is limited to 10 feet or 10% of the width of the waterway, whichever is less. However, by Exception up to 10% of waterfront width may be approved, subject to approval from all applicable agencies.	Extension docks and Piers into Biscayne Bay are limited to 35 feet. However, by Exception a 600 feet maximum extension of docks and piers into Biscayne Bay may be allowed. Extension of docks and Piers into other waterways is limited to 10 feet or 10% of the width of the waterway, whichever is less. However, by Exception up to 10% of waterfront width may be approved, subject to approval from all applicable agencies.	Extension docks and Piers into Biscayne Bay are limited to 35 feet. However, by Exception a 600 feet maximum extension of docks and piers into Biscayne Bay may be allowed. Extension of docks and Piers into other waterways is limited to 10 feet or 10% of the width of the waterway, whichever is less. However, by Exception up to 10% of waterfront width may be approved, subject to approval from all applicable agencies.
OPEN AIR RETAIL	Subject to the following additional requirements: Access to site must be from a major Thoroughfare. Distance separation of any open air retail shall be a minimum of 75 feet measured from any property within T3, T4-R, T5-R, or T6-R Zone. Operation limited to weekends and legal holidays for a maximum of 3 consecutive days between the hours of 7:00 AM and 7:00 PM. Provision of paving striping for stalls and parking spaces. Provision of on-site restroom facilities.	Subject to the following additional requirements: Access to site must be from a major Thoroughfare. Distance separation of any Open Air Retail shall be a minimum of 75 feet measured from any property within T3, T4-R, T5-R, or T6-R Zone. Operation limited to weekends and legal holidays for a maximum of 3 consecutive days between the hours of 7:00 AM and 7:00 PM. Provision of paving striping for stalls and parking spaces. Provision of on-site restroom facilities.	Subject to the following additional requirements: Access to site must be from a major Thoroughfare. Distance separation of any Open Air Retail shall be a minimum of 75 feet measured from any property within T3, T4-R, T5-R, or T6-R Zone. Operation limited to weekends and legal holidays for a maximum of 3 consecutive days between the hours of 7:00 AM and 7:00 PM. Provision of paving striping for stalls and parking spaces. Provision of on-site restroom facilities.
ADULT DAYCARE		For 6 to 9 adults: Minimum of 350 square feet of indoor activity area. For 10 or more adults: Minimum of 35 square feet of indoor activity area per adult.	For 6 to 9 adults: Minimum of 350 square feet of indoor activity area. For 10 or more adults: Minimum of 35 square feet of indoor activity area per adult.
COMMUNITY SUPPORT FACILITY		Assisted Living Facilities: Allowed by Exception and are subject to the following additional requirements: Minimum distance requirement of 1000 feet between proposed facility and any T3 or T4-R Zone.	
PERSONAL WIRELESS SERVICE FACILITY	Subject to the requirements of Section 6.4.	Subject to the requirements of Section 6.4.	Subject to the requirements of Section 6.4.
HELICOPTER LANDING SITE	Helicopter landing sites as regulated by federal and state law may be permitted by Warrant subject to the following additional requirements: May only be used for the landing and takeoff of helicopters dropping off and picking up passengers and cargo, and may not include fueling, repair, or long term parking or storage of helicopters. Unless used for emergency operations (police, fire, and hospital) landings and takeoffs shall be restricted to Monday through Friday from 9:00 AM to 5 PM on parcels Abutting T3, T4, T5-R, and T6-R Zones. Ground level sites shall be located away from Buildings, trees, or significant terrain features to avoid possible air turbulence. Rooftop sites shall be given priority over ground level sites in congested areas.	Helicopter landing sites as regulated by federal and state law may be permitted by Warrant subject to the following additional requirements: May only be used for the landing and takeoff of helicopters dropping off and picking up passengers and cargo, and may not include fueling, repair, or long term parking or storage of helicopters. Unless used for emergency operations (police, fire, and hospital) landings and takeoffs shall be restricted to Monday through Friday from 9:00 AM to 5 PM on parcels Abutting T3, T4, T5-R, and T6-R Zones. Ground level sites shall be located away from Buildings, trees, or significant terrain features to avoid possible air turbulence. Rooftop sites shall be given priority over ground level sites in congested areas.	Helicopter landing sites as regulated by federal and state law may be permitted by Warrant subject to the following additional requirements: May only be used for the landing and takeoff of helicopters dropping off and picking up passengers and cargo, and may not include fueling, repair, or long term parking or storage of helicopters. Unless used for emergency operations (police, fire, and hospital) landings and takeoffs shall be restricted to Monday through Friday from 9:00 AM to 5 PM on parcels Abutting T3, T4, T5-R, and T6-R Zones. Ground level sites shall be located away from Buildings, trees, or significant terrain features to avoid possible air turbulence. Rooftop sites shall be given priority over ground level sites in congested areas.
CHILDCARE		For 6 to 10 children: Minimum of 200 square feet of indoor activity area. Minimum of 450 square feet of outdoor play area. For 11 or more children: Minimum of 20 square feet of indoor activity area per child. Minimum of 45 square feet of outdoor play area per child. Vehicular entrance must be within 300 feet of arterial road.	For 6 to 10 children: Minimum of 200 square feet of indoor activity area. Minimum of 450 square feet of outdoor play area. For 11 or more children: Minimum of 20 square feet of indoor activity area per child. Minimum of 45 square feet of outdoor play area per child. Vehicular entrance must be within 300 feet of arterial road.
MAJOR SPORTS FACILITY		Modifications in Setbacks up to a maximum of fifty percent (50%) of the required Setbacks may be approved by Waiver when Liner Uses are provided along parking Structures. Commercial Uses may exceed twenty-five percent (25%) of the Building area by Warrant.	

	D1 - WORK PLACE	D2 - INDUSTRIAL	D3 - WATERFRONT INDUSTRIAL
DENSITY (UPA)	9 UNITS PER ACRE	N/A	N/A
BOATS HOUSEBOAT HOUSE BARGE	Occupancy of private pleasure crafts and houseboats or house barges shall not be allowed except for those specifically grandfathered and regulated by Ordinance #10932, adopted October 24, 1991.	Occupancy of private pleasure crafts and houseboats or house barges shall not be allowed except for those specifically grandfathered and regulated by Ordinance #10932, adopted October 24, 1991.	Occupancy of private pleasure crafts and houseboats or house barges shall not be allowed except for those specifically grandfathered and regulated by Ordinance #10932, adopted October 24, 1991.
DOCKS PIERS	Extension docks and Piers into Biscayne Bay are limited to 35 feet. However, by Exception a 600 feet maximum extension of docks and Piers into Biscayne Bay may be allowed. Extension of docks and Piers into other waterways is limited to 10 feet or 10% of the width of the waterway, whichever is less. However, by Waiver up to 10% of waterfront width may be approved, subject to approval from all applicable agencies.	Extension docks and Piers into Biscayne Bay are limited to 35 feet. However, by Exception a 600 feet maximum extension of docks and Piers into Biscayne Bay may be allowed. Extension of docks and Piers into other waterways is limited to 10 feet or 10% of the width of the waterway, whichever is less. However, by Waiver up to 10% of waterfront width may be approved, subject to approval from all applicable agencies.	Extension docks and Piers into Biscayne Bay are limited to 35 feet. However, by Exception a 600 feet maximum extension of docks and Piers into Biscayne Bay may be allowed. Extension of docks and Piers into other waterways is limited to 10 feet or 10% of the width of the waterway, whichever is less. However, by Waiver up to 10% of waterfront width may be approved, subject to approval from all applicable agencies.
WORK LIVE	Maximum size of Dwelling shall not exceed 50% of the size of the Structure based on the total size of the Structure. Certificate of Use required.		
AUTO RELATED INDUSTRIAL	Car Wash: Self-service, semiautomatic, and automatic dragline shall provide for each of the first 3 wash stalls, 3 parking reservoir spaces before and 3 after. Beyond 3 stalls, 1 parking reservoir spaces before and 2 after each stall. Custom hand car wash shall provide for each wash stall, 1 parking reservoir space before each stall and 1 after, and 5 additional parking spaces. One (1) reservoir parking space may be reduced by Waiver. Gas Stations: Principal Frontage Access may be allowed. Frontage requirement may be reduced maximum 30% by Waiver. Building Facade may be a colonnade. All vending machines shall be located indoors. Trash facilities shall be completely enclosed and shielded from Primary Frontages. Only vehicles awaiting service, permitted rental vehicles and staff vehicles parked while working shall be allowed. All repairs, change of tires, greasing/lubricating shall be conducted within building. Outdoor display of products incidental to normal refueling is prohibited closer to the street than pump islands. Outdoor display or storage of tires is prohibited. Vehicle Rental Facilities: In addition to the parking requirements in Article 4 Table 4 for lease or rental passenger vehicle facilities there shall be 10 parking spaces provided for first 10,000 square feet of Floor Area and 1 space for each additional 500 square feet. In addition to the parking requirements in Article 4 Table 4 for lease or rental cargo vehicle facilities 1 parking space per staff and 1 space for each 8 vehicles stored on the premises. All access to site must be from a County designated primary arterial road. Building designated for customer service must be located where it is easily accessible from site access point. All transactions must be conducted indoors. All vehicle storage areas must be lighted without causing spillover onto Abutting properties. On-site vehicle service must be conducted indoors and is limited to minor repairs and maintenance.	Car Wash: Self-service, semiautomatic, and automatic dragline shall provide for each of the first 3 wash stalls, 3 parking reservoir spaces before and 3 after. Beyond 3 stalls, 1 parking reservoir space before and 2 after each stall. Custom hand car wash shall provide for each wash stall, 1 parking reservoir space before each stall and 1 after, and 5 additional parking spaces. One (1) reservoir parking space may be reduced by Waiver. Gas Stations: Principal Frontage Access may be allowed. Frontage requirement may be reduced maximum 30% by Waiver. Building Facade may be a colonnade. All vending machines shall be located indoors. Trash facilities shall be completely enclosed and shielded from Primary Frontages. Only vehicles awaiting service, permitted rental vehicles and staff vehicles parked while working shall be allowed. All repairs, change of tires, greasing/lubricating shall be conducted within building. Outdoor display of products incidental to normal refueling is prohibited closer to the street than pump islands. Outdoor display or storage of tires is prohibited. Vehicle Rental Facilities: In addition to the parking requirements in Article 4 Table 4 for lease or rental passenger vehicle facilities there shall be 10 parking spaces provided for first 10,000 square feet of Floor Area and 1 space for each additional 500 square feet. In addition to the parking requirements in Article 4 Table 4 for lease or rental cargo vehicle facilities 1 parking space per staff and 1 space for each 8 vehicles stored on the premises. All access to site must be from a County designated primary arterial road. Building designated for customer service must be located where it is easily accessible from site access point. All transactions must be conducted indoors. All vehicle storage areas must be lighted without causing spillover onto Abutting properties. On-site vehicle service must be conducted indoors and is limited to minor repairs and maintenance.	Car Wash: Self-service, semiautomatic, and automatic dragline shall provide for each of the first 3 wash stalls, 3 parking reservoir spaces before and 3 after. Beyond 3 stalls, 1 parking reservoir space before and 2 after each stall. Custom hand car wash shall provide for each wash stall, 1 parking reservoir space before each stall and 1 after, and 5 additional parking spaces. One (1) reservoir parking space may be reduced by Waiver.

	D1 - WORK PLACE	D2 - INDUSTRIAL	D3 - WATERFRONT INDUSTRIAL
DENSITY (UPA)	9 UNITS PER ACRE	N/A	N/A
ADULT ENTERTAINMENT ESTABLISHMENT		Adult Entertainment Establishments are regulated with the intent to minimize deleterious secondary effects on the Neighborhood. Such deleterious effects may include, but are not limited to, depreciation of values of nearby and adjacent properties, deterioration in appearance of the areas in which they are located, production of a skid row type of atmosphere, increased crime and health safety concerns, discouragement of Residential Uses in the area, and creation of an erotically suggestive atmosphere on public ways used by minors. Additional Regulations: A minimum distance of 1,000 feet shall be required from any public park, school, or property zoned for Residential Use; including such public park or school properties outside City limits or properties zoned residential by the external jurisdiction. The distance shall be measured from the front door of the proposed Adult Entertainment Establishment to the closest property line of the protected Use. Any application shall be accompanied by a survey certified by a land surveyor registered in the State of Florida showing compliance with all minimum distance requirements. Discontinued or abandoned Adult Entertainment Establishments may not resume the use until all requirements of this Code and the City Code are met. No Variances shall be permitted.	Adult Entertainment Establishments are regulated with the intent to minimize deleterious secondary effects on the Neighborhood. Such deleterious effects may include, but are not limited to, depreciation of values of nearby and adjacent properties, deterioration in appearance of the areas in which they are located, production of a skid row type of atmosphere, increased crime and health safety concerns, discouragement of Residential Uses in the area, and creation of an erotically suggestive atmosphere on public ways used by minors. Additional Regulations: A minimum distance of 1,000 feet shall be required from any public park, school, or property zoned for Residential Use; including such public park or school properties outside City limits or properties zoned residential by the external jurisdiction. The distance shall be measured from the front door of the proposed Adult Entertainment Establishment to the closest property line of the protected use. Any application shall be accompanied by a survey certified by a land surveyor registered in the State of Florida showing compliance with all minimum distance requirements. Discontinued or abandoned Adult Entertainment Establishments may not resume the use until all requirements of this Code and the City Code are met. No Variances shall be permitted.
DRIVE-THROUGH AND DRIVE-IN	Reservoir parking spaces shall be required as follows: Minimum reservoir parking spaces required shall be 1 space at window, 3 spaces before service window, and 1 space after service window. One (1) reservoir parking space may be reduced by **Waiver**.	Reservoir parking spaces shall be required as follows: Minimum reservoir parking spaces required shall be 1 space at window, 3 spaces before service window, and 1 space after service window. One (1) reservoir parking space may be reduced by **Waiver**. May be allowed by **Warrant** subject to the requirements of Article 6, Section 6.3.	Reservoir parking spaces shall be required as follows: Minimum reservoir parking spaces required shall be 1 space at window, 3 spaces before service window, and 1 space after service window. One (1) reservoir parking space may be reduced by **Waiver**. May be allowed by **Warrant** subject to the requirements of Article 6, Section 6.3.
LARGE SCALE RETAIL	Subject to the requirements of Section 6.3.	Subject to the requirements of Section 6.3.	Subject to the requirements of Section 6.3.
OPEN AIR RETAIL	Access to site must be from a major Thoroughfare. Distance separation of any Open Air Retail shall be a minimum of 75 feet measured from any property within T3, T4-R, T5-R, or T6-R Zones. Provision of paving striping for stalls and parking spaces. Provision of on-site restroom facilities.	Access to site must be from a major Thoroughfare. Distance separation of any Open Air Retail shall be a minimum of 75 feet measured from any property within T3, T4-R, T5-R, or T6-R Zones. Provision of paving striping for stalls and parking spaces. Provision of on-site restroom facilities.	Access to site must be from a major Thoroughfare. Distance separation of any Open Air Retail shall be a minimum of 75 feet measured from any property within T3, T4-R, T5-R, or T6-R Zones. Provision of paving striping for stalls and parking spaces. Provision of on-site restroom facilities.
ADULT DAYCARE	For 6 to 9 adults: Minimum of 350 square feet of indoor activity area. For 10 or more adults: Minimum of 35 square feet of indoor activity area per adult.	For 6 to 9 adults: Minimum of 350 square feet of indoor activity area. For 10 or more adults: Minimum of 35 square feet of indoor activity area per adult.	For 6 to 9 adults: Minimum of 350 square feet of indoor activity area. For 10 or more adults: Minimum of 35 square feet of indoor activity area per adult.
COMMUNITY SUPPORT FACILITY	Residential Facilities not allowed.	Residential Facilities not allowed.	Residential Facilities not allowed.
PERSONAL WIRELESS SERVICE FACILITY	Subject to the requirements of Section 6.4.	Subject to the requirements of Section 6.4.	Subject to the requirements of Section 6.4.
HELICOPTER LANDING SITE	Helicopter landing sites as regulated by federal and state law may be permitted by Warrant subject to the following additional requirements: May only be used for the landing and takeoff of helicopters dropping off and picking up passengers and cargo, and may not include fueling, repair, or long term parking or storage of helicopters. Unless used for emergency operations (police, fire, and hospital) landings and takeoffs shall be restricted to Monday through Friday from 9:00 AM to 5 PM on parcels Abutting T3, T4, T5-R, and T6-R Zones. Ground level sites shall be located away from Buildings, trees, or significant terrain features to avoid possible air turbulence. Rooftop sites shall be given priority over ground level sites in congested areas.	Helicopter landing sites as regulated by federal and state law may be permitted by Warrant subject to the following additional requirements: May only be used for the landing and takeoff of helicopters dropping off and picking up passengers and cargo, and may not include fueling, repair, or long term parking or storage of helicopters. Unless used for emergency operations (police, fire, and hospital) landings and takeoffs shall be restricted to Monday through Friday from 9:00 AM to 5 PM on parcels Abutting T3, T4, T5-R, and T6-R. Ground level sites shall be located away from Buildings, trees, or significant terrain features to avoid possible air turbulence. Rooftop sites shall be given priority over ground level sites in congested areas.	Helicopter landing sites as regulated by federal and state law may be permitted by Warrant subject to the following additional requirements: May only be used for the landing and takeoff of helicopters dropping off and picking up passengers and cargo, and may not include fueling, repair, or long term parking or storage of helicopters. Unless used for emergency operations (police, fire, and hospital) landings and takeoffs shall be restricted to Monday through Friday from 9:00 AM to 5 PM on parcels Abutting T3, T4, T5-R, and T6-R. Ground level sites shall be located away from Buildings, trees, or significant terrain features to avoid possible air turbulence. Rooftop sites shall be given priority over ground level sites in congested areas.

	D1 - WORK PLACE	D2 - INDUSTRIAL	D3 - WATERFRONT INDUSTRIAL
DENSITY (UPA)	9 UNITS PER ACRE	N/A	N/A
CHILDCARE	For 6 to 10 children: Minimum of 200 square feet of indoor activity area. Minimum of 450 square feet of outdoor play area. For 11 or more children: Minimum of 20 square feet of indoor activity area per child, Minimum of 45 square feet of outdoor play area per child. Vehicular entrance must be within 300 feet of arterial road.		
INDUSTRIAL USES	It is intended that the provision of Industrial Products and Services be permissible, as appropriate, within the D1 Zone. The D1 Zone allows limited Residential Uses and is generally intended to contain light industrial Uses. The D1 Zone generally allows Industrial, Commercial and Office activities which serve the needs of other businesses, may require extensive loading facilities and often benefit from proximity to Industrial areas. This Zone also includes the following Uses: wholesaling, warehousing, light assemblage and distribution and minor repairs and fabrication of materials and equipment. Residential Use is limited. Manufacturing and Processing Uses are allowed by process of Warrant only. This type of Zone specifically excludes the following activities: • Activities generating adverse impacts such as excessive amounts of noise, fumes, illumination and hazardous wastes; • Storage of flammable liquids or hazardous materials beyond that normally associated with a Residential Use; • Welding, machining, or any open flame work; • Any other activity or use, as determined by process of Warrant to not be compatible with residential activities or to possibly affect the health or safety of residents because of the use's potential to create dust, glare, heat, noise, noxious gasses, odor, smoke, traffic, vibration or other impacts, or would be hazardous due to materials, processes, products, or wastes. • Any uses that involve the manufacturing processing generation or storage of materials that constitute a physical or health hazard in quantities in excess of those found in the Florida Building Code, Section 307 – High-Hazard Group H.	It is intended that the provision of Industrial Products and Services be permissible within the D2 Zone. The heavier Industrial Uses are limited to the D2 Zone. The D2 Zone allows all Industrial activities such as manufacturing, processing, assembly, auto-related and storage activities and restricts activities generating adverse impacts such as such as excessive amounts of noise, fumes, illumination and hazardous wastes. This Zone shall generally be located where directly served by major transportation facilities and shall be buffered from Residential areas.	It is intended that the provision of Industrial Products and Services be permissible within the D3 Zone. The heavier Industrial Uses are limited to the D2 Zone. The D3 Zone allows all Industrial activities such as manufacturing, processing, assembly, auto-related and storage activities and restricts activities generating adverse impacts such as such as excessive amounts of noise, fumes, illumination and hazardous wastes. This Zone shall generally be located where directly served by major transportation facilities and shall be buffered from Residential areas.
CONTAINER YARDS	Container yards and any facilities for the outdoor storage, stacking and processing of containers intended for shipment. Permissible only by Exception. • No more than 3 containers shall be stacked vertically • A 10 to 15 foot high wall Setback a minimum of 10 feet from the Property Line must surround the property. • All Setback yards must be appropriately landscaped. • Security floodlights must be shielded or deflected from surrounding Residential neighborhoods so as to prevent light spillover. • All crane operations are limited to daylight hours between 8:00 am and 6:00 pm. • Appropriate measures are required to minimize any adverse effect of use including noise generation; dust; vibrations; street capacity and maneuverability; traffic and negative visual impact.	Container yards and any facilities for the outdoor storage, stacking and processing of containers intended for shipment. Permissible only by Exception. • No more than 3 containers shall be stacked vertically • A 10 to 15 foot high wall Setback a minimum of 10 feet from the Property Line must surround the property. • All Setback yards must be appropriately landscaped. • Security floodlights must be shielded or deflected from surrounding Residential neighborhoods so as to prevent light spillover. • All crane operations are limited to daylight hours between 8:00 am and 6:00 pm. • Appropriate measures are required to minimize any adverse effect of use including noise generation; dust; vibrations; street capacity and maneuverability; traffic and negative visual impact.	Container yards and any facilities for the outdoor storage, stacking and processing of containers intended for shipment. Permissible only by Exception. • No more than 3 containers shall be stacked vertically • A 10 to 15 foot high wall Setback a minimum of 10 feet from the Property Line must surround the property. • All Setback yards must be appropriately landscaped. • Security floodlights must be shielded or deflected from surrounding Residential neighborhoods so as to prevent light spillover. • All crane operations are limited to daylight hours between 8:00 am and 6:00 pm. • Appropriate measures are required to minimize any adverse effect of use including noise generation; dust; vibrations; street capacity and maneuverability; traffic and negative visual impact.

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6.2 COMMUNITY RESIDENCES AND SIMILAR HOMES/FACILITIES

The purpose of a Community Residence is to integrate its residents into the community; over concentration of such facilities within a Neighborhood causes the area to lose its character, thereby defeating the purpose of locating Community Residences in the Neighborhood. A Zoning verification shall be required in order to confirm State established distance requirements outlined in this section. All such facilities shall be required to provide a signed and sealed survey to the Office of Zoning which demonstrates that the distance limitations required below pursuant to state statutes are met. Failure to comply with this requirement will deem the facility in non-compliance with state and City regulations.

To the extent applicable by state law, location of a facility may be denied if it results in an over concentration of Community Residences in proximity to the site selected such that the nature and character of the Neighborhood would be substantially altered. Any facility exceeding the thresholds outlined in this section shall refer to the requirements of Community Support Facility.

6.2.1 Community Residence Standards

	1 to 6 Residents
LOCATION	**T3 - R, L & O | T4 - R, L & O | T5 - R, L & O | T6 - R, L & O**
LOCATION STANDARDS	Community Residences of six (6) or fewer residents shall not be located within a radius of one-thousand (1,000) feet of another. Distance shall be measured from nearest point of property linProperty Line of proposed Community Residence to nearest point of property linProperty Line of existing Community Residence within a T3-R or T3-L property. Homes of six (6) or fewer residents which otherwise meet the definition of a community residential home shall be deemed a single-family residence dwelling and a non-Commercial useUse, for the purpose of this Codecode. Homes of six (6) or fewer residents that otherwise meet the definition of a community residential home shall be allowed in T3, T4, T5 or T6, , provided that such homes shall not be located within a radius of one-thousand (1,000) feet of another existing such home with six or fewer residents. Such homes with six (6) or fewer residents shall not be required to comply with the notification provisions of this section; provided that, prior to licensure, the sponsoring agency provides the Office of Zoning with the most recently published data compiled from the licensing entities that identifies all community residential homes within the jurisdictional limits of the City in order to show that no other community residential home is within a radius of one-thousand (1,000) feet of the proposed home with six (6) or fewer residents. At the time of home occupancy, the sponsoring agency must notify the City of Miami Office of Zoning that the home is licensed by the licensing entity.
PARKING	See Article 3 and Article 4, Table 4 and Table 5.

	7 to 14 Residents
LOCATION	**T3 - R, L & O | T4 - R, L & O | T5 - R, L & O | T6 - R, L & O**
LOCATION STANDARDS	Prohibited in all T3 - R and L and within five-hundred (500) feet thereof. Community Residences servicing seven (7) to fourteen (14) residents shall not be located within a radius of twelve-hundred (1,200) feet of another. Distance shall be measured from nearest point of Property Line of proposed Community Residence to nearest point of Property Line of existing Community Residence or T3-R or T3-L. When a site for a community residential home servicing seven (7) to fourteen (14) residents or similar assisted living facility has been selected by a sponsoring agency in an area that allows multifamily, the agency shall notify the Planning Director in writing and include in such notice the specific address of the site, the residential licensing category, the number of residents, and the community support requirements of the program. Such notice shall also contain a statement from the licensing entity indicating the licensing status of the proposed assisted living facility or community residential home and specifying how the home meets applicable licensing criteria for the safe care and supervision of the clients in the home. The sponsoring agency shall also provide to the City the most recently published data compiled from the licensing entities that identifies all assisted living facilities, adult family-care homes, or community residential homes within the jurisdictional limits of the City. The Office of Zoning shall review the notification of the sponsoring agency in accordance with Transect regulations. • Pursuant to such review by the Planning Department, the City may: 1.Determine that the siting of the assisted living facility or community residential home is in accordance with this code and approve the siting. If the siting is approved, the sponsoring agency may establish the home at the site selected. 2. Fail to respond within sixty (60) days. If the City fails to respond within such time, the sponsoring agency may establish the home at the site selected. 3. Deny the siting of the home. • The City shall not deny the siting of an assisted living facility or community residential home unless the City establishes that the siting of the home at the site selected: 1. Does not otherwise conform to regulations of this code applicable to other multifamily uses in the area. 2. Does not meet applicable licensing criteria established and determined by the licensing entity, including requirements that the home be located to assure the safe care and supervision of all clients in the home. 3. Would result in such a concentration of community residential homes, assisted living facilities, and adult family-care in the area in proximity to the site selected, or would result in a combination of such homes with other residences in the community, such that the nature and character of the area would be substantially altered. A home that is located within a radius of twelve-hundred (1,200) feet of another existing community residential home in a multifamily zone shall be an over concentration of such homes that substantially alters the nature and character of the area. A home that is located within a radius of five-hundred (500) feet of a property designated T3R or T3L substantially alters the nature and character of the area. 4. All distance requirements in this section shall be measured from the nearest point of the existing home or property designated T3-R or T3-L to the nearest point of the proposed home. If agreed to by both the City and the sponsoring agency, a conflict may be resolved through informal mediation. The City shall arrange for the services of an independent mediator or may utilize the dispute resolution process established by a regional planning council pursuant to Fla. Stat. s. 186.509. Mediation shall be concluded within forty-five (45) days of a request therefore. The resolution of any issue through the mediation process shall not alter any person's right to a judicial determination of any issue if that person is entitled to such a determination under statutory or common law.
PARKING	See Article 3 and Article 4, Table 4 and Table 5.

6.2.2 Adult Family-Care Homes Standards

	1 to 6 Residents
LOCATION	T3 - R, L & O | T4 - R, L & O | T5 - R, L & O | T6 - R, L & O
LOCATION STANDARDS	Adult Family-Care Homes of five (5) or fewer residents shall not be located within a radius of one-thousand (1,000) feet of another. Distance shall be measured from nearest point of Property Line of proposed Community Residence to nearest point of Property Line of existing Community Residence.
PARKING	See Article 3 and Article 4, Table 4 and Table 5.

6.3 COMMERCIAL USES

6.3.1 Large Scale Retail

Any single retail establishment exceeding the sizes and conditions of the Transect in which it is located shall be subject to the requirements of a Special Area Plan.

	Large Scale Retail
LOCATION	By Exception in T6-O and shall be located only on Lots having Frontage on one (1) or more arterial roads. Ingress and egress to the Lot must be provided from these arterials and not from secondary roads or collectors. The Lots shall also be served and be readily accessible by collective transportation systems. By Warrant in D1 By Right in D2. Section 6.3.1 "Additional Requirements" shall not apply.
LOT SIZE	As required by Transect Zone
RENTAL AREA LIMITATIONS	Minimum: 55,000 square feet Maximum: 100,000 square feet
REQUIREMENTS WHEN ABUTTING A MORE RESTRICTIVE TRANSECT	• A minimum of one (1) shade tree with a minimum Height of twelve (12) feet shall be planted at twenty-five (25) feet on center along the perimeter of the wall • Additional landscaping in the form of shrubs and Buffer plant material shall also be required.
PARKING	• All required Parking shall conform to Transect Zone and in addition it shall be provided onsite within an enclosed Structure • Parking Structures and parked vehicles shall be concealed from exterior street view and may only be located within the Third Layer
ADDITIONAL REQUIREMENTS	• At ground level: Habitable Space such as Liners to conceal Parking Structures or Parking Areas, must be provided for at least sixty-five (65%) percent of linear street Frontages. • Second floor level: Habitable Space such as Liners to conceal Parking Structure, with a combination of architectural articulation for all linear street Frontages shall be required; however, in no case shall the Habitable Space Liners be less than forty percent (40%) of all linear street Frontages. • Third floor level and above: Habitable Space such as Liners to conceal Parking Structure, with a combination of architectural articulation for all linear street Frontages shall be permitted; however, in no case will the Habitable Space Liners be less than twenty-five percent (25%) of all linear street Frontages.

6.3.2 Vending Carts in Open Air Retail

Within open space, or partially open space, the following uses may be permitted pursuant to the Warrant process:

1. Outdoor dining areas;

2. Display and sale of the following items from vending carts:

   (a) Flowers, plants and shrubs; vegetables, produce, citrus or other unpackaged foods, not requiring refrigeration or further preparation, subject to applicable state health regulations; and

   (b) Arts and Crafts.

Within open space, or partially open space, display and sale of other merchandise or food products allowed to be sold generally within the district, and subject to the restrictions set forth herein, may be permitted by Exception.

However, no Warrant or Exception shall be granted allowing existing uses to expand their retail activity or to display their merchandise into existing open or partially open space.

All exhibits, displays and sales of items from vending carts shall be subject to the following limitations:

1. All such carts shall be located completely within private property, or, on undedicated right-of-way with an approved agreement specifying terms of removal upon required dedication;

2. Prior to the approval of any vending cart, a master site plan shall be submitted for review and approval; said master plan shall specify the locations and approximate footprints of all future carts;

3. The merchandise and method of display shall reflect and complement the existing mix of uses within the district and shall be consistent with the unique physical layout, cultural traditions and historic character of the neighborhood.

4. There shall be no more than 1 (one) cart per each thirty-five (35) linear feet of street frontage except that, within courtyards, there may be more upon compliance with the distance separation requirements specified below;

5. All such carts shall conform with the following distance limitations unless an alternate proposal is justified due to existing established pedestrian patterns or other special site conditions:

   (a) All carts, whether located within completely enclosed plazas or courtyards, or within linear building frontage setbacks, shall be separated from each other by a minimum of ten (10) feet and from any adjacent permanent structures by a minimum of five (5) feet; (i.e. there shall be a minimum five (5) foot clear radius surrounding all such carts);

   (b) All carts located within linear building frontage setbacks shall be setback from any adjacent public right-of-way by a minimum of fifteen (15) feet.

6. Total signage shall be limited to eight (8) square feet in area, however no individual sign may exceed four (4) square feet in area and there shall be no more than 2 signs per cart;

7. Lighting shall be limited to task lighting as necessary for the conduct of business;

8. All vending carts shall be limited to a maximum size of forty (40) square feet in area and shall not exceed a maximum height of ten (10) feet;

9. All vending carts shall be securely anchored during business hours, however, they must have wheels in order to enable them to be removed within 24 hours in case of an emergency.

Deviations from these standards may be approved by the Planning, Zoning, and Appeals Board pursuant to an Exception Permit upon finding that the requested modifications are justified due to one or more of the following special conditions:

1. Established pedestrian flow patterns,
2. Existing landscape features
3. Governmental action which creates a peculiar configuration on the subject property.

6.3.3 Biscayne Boulevard Open Air Markets

Properties with frontage along Biscayne Boulevard between NE 51st Street and NE 77th Street within the Biscayne Boulevard MiMo Historic District, by process of Warrant may conduct open air markets subject to the following:

1. Open air markets shall be defined as outdoor farmer's markets or craft markets, where only hand-made crafts, fresh fruits and vegetables, prepared raw foods and drinks derived from fresh fruits and vegetables are sold.

2. The outdoor market must be located on a parcel of no less than fifteen thousand (15,000) square feet of lot area.

3. The display area of the outdoor market shall be limited to no more than sixty-five percent (65%) of the parcel area.

4. All display tables and other such materials must be removed at the end of the permitted time of operation.

5. The outdoor market display area shall be set back no less than twenty-five (25) feet from any abutting T-3 transect.

6. Outdoor markets may operate only between the hours of 8:00 a. m. and 8:00 p.m. on Saturdays or Sundays only.

7. No outdoor market may be located closer than one thousand five hundred (1,500) feet from another outdoor market.

6.4 INFRASTRUCTURE AND UTILITIES

6.4.1 Personal Wireless Service Facilities (PWSF)

The purpose and intent of these performance standards for the location, siting and design of PWSF are to:

- Allow for alternative types of PWSF in locations pursuant to these standards.
- Encourage the use of existing structures not originally built as antenna mounts such as rooftops, utility poles, and church steeples for deploying PWSF. Discourage new PWSF mounts where co-location and mounts on existing structures are possible;
- Expedite the review process for applications choosing the least intrusive alternative of deploying PWSF as permitted by these standards;
- Encourage users of mounts to locate, site and design them in a way that minimizes the adverse visual impact of the mounts and associated equipment;
- To promote compatibility of PWSF with surrounding land uses, and protect the attractiveness, health, safety, general welfare, and property values of the community.

1. Collocation

a. Collocation of antennae, equipment enclosures, and ancillary facilities ("facilities") on existing towers as specified on FS 365.172 (12)(a)1.a., or on other structures as specified in FS 365.172(12)(a)1.b, shall be allowed by right, subject to the land development regulations in effect at the time of the initial PWSF placement approval, when the collocation:

- Does not increase the height of the tower or other structure, as applicable, to which the facilities are to be attached; and
- Does not increase the ground space area approved in the site plan; and
- Consists of antennae, equipment enclosures, and ancillary facilities that conform to the land development regulations applied to the initial facilities placed on tower, and the tower supporting the facilities. However, the land development regulations at the time of the collocation application (other than regulation of the number of collocations) may be applied to the facilities if they do not conflict with land development regulations applied to the initial PWSF; and
- Is not located within a historic building, structure, site, object, or district, except for the collocation on existing towers.

b. If only a portion of the collocation does not meet the requirements specified above, where all other portions of the collocation meet the requirements, that portion of the collocation may be allowed subject to a Warrant or Exception, as applicable. Further, HEP approval shall be required if applicable, except for collocation on existing towers.

c. By right and to allow collocation, an existing tower may be structurally modified, or may be replaced with a monopole tower, or an existing camouflaged tower may be replaced with a like-

camouflaged tower, if the overall height of the modified or replaced tower is not increased.

2. Replacement or Modification

Replacement of or modification to PWSF, except for a tower, shall be as of right when, as reasonably determined by the City:

- The resulting PWSF is not readily discernibly different in size, type and appearance when viewed from ground level from surrounding properties, or
- The replacement or modification of equipment is not visible from surrounding properties.

3. New Placement and Substantial Modifications

	MONOPOLE OR TOWER DEVICES	ROOFTOP OR ANCHORED DEVICES
T3	By Exception subject to conditions and limitations.	By Exception subject to conditions and limitations.
T4	By Exception subject to conditions and limitations.	By Warrant subject to conditions and limitations.
ALL OTHER	By Exception subject to conditions and limitations; including min. 500 feet distance requirement from any T3 or T4 designated Zone measured from nearest property line of PWSF site to the property line of the nearest parcel zoned as T3 or T4.	By Warrant subject to conditions and limitations.

	MAXIMUM DEVICE HEIGHT	MINIMUM SETBACK	REQUIRED STRUCTURAL HEIGHT	MAXIMUM DEVICE HEIGHT ABOVE ROOF
T3	35 feet	20 feet	35 feet	13 feet
T4	60 feet	20 feet	35 feet	13 feet
ALL OTHER	100 feet single carrier 125 feet multiple	20 feet	35 feet	13 feet
ADDITIONAL REQUIREMENTS	• All freestanding monopole or tower facilities shall be designed to include sufficient landscape as to screen the proposed facility from any adjacent right-of-ways. Sufficient landscape shall include trees, shrubs and ground cover in a tiered configuration. • All freestanding monopole or tower facilities shall be designed to accommodate up to three co-locations of other antennas by future carriers. Any applicant of new device shall show proof that co-location to existing devices serving the area is not available.		• The mount shall not be visible from the ground from a distance of 600 feet; Screening from ground view may be provided by a parapet or some other type wall or Screening. • No part of the mount shall be located closer than eight (8) feet to any power line. • Mounts may not exceed three (3) separate areas per rooftop	
STANDARDS	In the event that a specific facility cannot comply with the standards set forth above, an application for modifications as to such standards shall only be permissible by Exception. Such applications shall be accepted upon compliance with the following: • The applicant for each such facility shall submit a justification report prepared by an engineer qualified in the technological aspects (such as a "radio frequency [RF] engineer") as to why the facility must be modified in terms of height or location; such report shall be accompanied with a review fee as set forth in Chapter 62 of the City Code. • The applicant for each such facility shall include, as part of the application, line of sight studies that depict the three dimensional view of such facility from all adjacent right-of-ways; photo montages shall be considered an acceptable form of line of sight studies. • The applicant for each such facility shall include, as part of the application, a mitigation plan that depicts proposed Buffering and Screening of such facility from all adjacent right-of-ways; such mitigation plan shall be in compliance with the criteria and standards set forth for PWSF applications unless the relief being sought is from one or more of such standards. • For any such facility that is proposed to be located within a property zoned T3, T4-R, T5-R or T6-R, the mitigation plan shall be required to either conceal, camouflage or disguise the proposed facility, or if possible, replace a monopole or tower structure with a series of short mounts that are camouflaged within the area so as to reduce the negative visual impact of a possible larger structure.			

6.4.1.1 Personal Wireless Service Facilities (PWSF) Procedures

PROCEDURES	An application is deemed submitted or re-submitted on the date it is received by the City. • The City shall notify the applicant in writing that the application is not complete and in compliance with regulations for administrative purposes within 20 days after the application is submitted, or after additional information resubmitted. Collocation Applications: • A building permit shall be granted or denied no later than 45 business days after the date the application is determined to be properly completed. Other wireless facility applications: • Other applications shall be granted or denied no later than 90 business days after the date the application is determined to be properly completed. If a properly completed application is not granted or denied within the timeframe set forth above, the application shall be deemed automatically approved and the applicant may proceed with the placement of the facility, as set forth in FS 365.172(12) (d), unless: • the timeframe is voluntarily extended by the applicant; or • the City's procedures generally applicable to all other similar types of applications require City Commission action, in which case the City Commission must act on the application at its next regularly scheduled meeting; or • an extension is required because of a declared local, state of federal emergency that directly affects administration of all permitting activities

6.4.1.2 Personal Wireless Service Facilities (PWSF) Definitions

DEFINITIONS	**Camouflage** shall mean a way of designing or installing and mounting a PWSF that creates the effect that the PWSF is part of its surroundings. **Carrier** shall mean a company licensed by the Federal Communications Commission (FCC) that provides wireless services. A tower builder or owner is not a carrier unless licensed to provide personal wireless services. **Co-location** shall mean the use of a common mount by two (2) or more wireless carriers. **Conceal** shall mean to enclose a PWSF within a natural or man-made feature resulting in the facility being either invisible or made part of the feature enclosing it. **Design** shall mean the appearance of PWSF such as their materials, color and shape. **Disguise** shall mean to design a PWSF to appear to be something other than a PWSF. **Landscape Buffer** shall mean an area of landscaping separating two (2) distinct land uses or a land use and a public right-of-way, which acts to soften or mitigate the effects of one use on another. It can be considered a form of camouflage. **Lattice Tower** shall mean a type of mount that consists of multiple legs and cross-bracing of structural steel. **Mitigation** shall mean the reduction or elimination of visual impacts by the use of one or more methods, including concealment, camouflage and disguise. **Monopole** shall mean one type of self-supporting mount consisting of a single shaft of wood, steel or concrete and antennas at the top or along the shaft. **Mount** shall mean the Structure or surface to which antennas are attached. **Personal Wireless Service Facility (PWSF)** shall mean any a facility for the provision of personal wireless services, as defined by Section 704 of the Telecommunications Act of 1996. A PWSF is any facility for the transmission or reception of personal wireless services, which may consist of an antenna array, transmission cables, equipment shelter or Building, access road, mount, and a guy system. Such facilities may include "monopole" or "lattice tower (tower)" structures. **Radio Frequency (RF)** engineer shall mean someone with a background in electrical engineering or microwave engineering who specializes in the study of radio frequencies. **Screening** shall mean visually shielding or obscuring one Abutting nearby Structure or use from another by fencing, walls, berms, or densely planted vegetation. Screening can be considered a form of camouflage. **Short Mounts** shall mean alternatives to monopoles or lattice towers, such as masts or poles. For example, two (2) poles or three (3) masts might be an alternative to one lattice tower. **Standards** shall mean guidelines or measures provided in this section by which acceptability is determined. PWSF shall be measured by standards for visibility and safety. This code generally regulates these facilities on three levels: location (where the facility can go), siting (how the facility is placed within its setting) and design (what the facility looks like). **Tower** shall mean a mount constructed for the primary purpose of supporting antennas and other PWSF components. **Visual impact** shall mean a modification or change that could be incompatible with Scale, form, texture, or color of the existing natural or man-made landscape.

6.5 . SIGN STANDARDS

6.5.1 GENERALLY

6.5.1.1 The purpose of the Sign regulations in this section is to provide a comprehensive system of regulations for Signs visible from the public right-of-way and to provide a set of standards that is designed to optimize communication and quality of Signs while protecting the public and the aesthetic character of the City.

6.5.1.2 It is further intended that these regulations:

a. Promote the effectiveness of Signs by preventing their over-concentration, improper placement, deterioration and excessive size and number.

b. Regulate and control Sign structures in order to preserve, protect and promote the public, health, safety and general welfare of the residents of the City of Miami and prevent property damage and personal injury from Signs that are improperly constructed or poorly maintained.

c. Promote the free flow of traffic and protect pedestrians and motorists from injury and property damage caused by, or which may be fully or partially attributable to, cluttered, distracting, or illegal signage.

d. Control and reduce visual clutter and blight.

e. Prevent an adverse community appearance from the unrestricted use of Signs by providing a reasonable, flexible, fair, comprehensive and enforceable set of regulations that will foster a high quality, aesthetic, visual environment for the City of Miami, enhancing it as a place to live, visit and do business.

f. Assure that public benefits derived from expenditures of public funds for the improvement and beautification of streets and other public Structures and spaces shall be protected by exercising reasonable control over the character and design of Sign structures.

g. Address the business community's need for adequate business identification and advertising communication by improving the readability, and therefore, the effectiveness of Signs by preventing their improper placement, over-concentration, excessive Height, area and bulk.

h. Coordinate the placement and physical dimensions of Signs within the different Transects.

i. Protect property values, the local economy, and the quality of life by preserving and enhancing the appearance of the Streetscapes that affects the image of the City of Miami.

j. Acknowledge the differing design concerns and needs for Signs in certain specialized areas such as tourist areas.

k. Require that Signs are properly maintained for safety and visual appearance.

l. Provide cost recovery measures supporting the administration and enforcement of these regulations.

m. Protect non-Commercial speech such that any Sign allowed herein may contain, in lieu of any other message or copy, any lawful non-Commercial message, so long as said Sign complies with the size, Height, Area and other requirements of these regulations.

n. Provide no more restrictions on speech than necessary to implement the purpose and intent of this section.

o. These regulations are specifically intended to be severable, such that if any section, subsection, sentence, clause or phrase of these regulations is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, the decision shall not affect the validity of the remaining provisions of these regulations.

6.5.1.3 Applicability

These regulations apply to all Signs, except those Signs located in the public right-of-way, within the City whether or not a permit or other approval is required, unless otherwise specifically regulated. In addition, special permits which may have been approved under Ordinance 11000 may also contain conditions that regulate Signs on certain properties. No Signs or advertising devices of any kind or nature shall be erected or maintained on any premises or affixed to the inside or outside of any Structure to be visible from the public right-of-way except as specifically permitted in or excepted by these regulations.

6.5.1.4 Permit Required; Signs Exempted from Permit Requirements

Except for classes of Signs exempted from permit requirements as specified below, all Signs shall require permits.

The following types of Signs, and change of copy of Signs, are exempted from permit requirements because such Signs are needed in order to convey messages to protect lives, give direction, identify public access ways, and protect civil rights.

Such Signs shall comply with size and location requirements as set forth in these regulations for the specific Transect in which they are to be located.

a. Address, notice, and directional Signs, warning Signs. No Sign permit shall be required for address, notice, and directional Signs or warning Signs except as otherwise required in this section.

b. Cornerstones, memorials, or tablets. Due to their historic or civic significance to the community, no Sign permit is required for cornerstones, memorials, or tablets when part of any masonry

surface or constructed of bronze or other incombustible and durable material; such Signs shall be limited to identification and date of construction of Buildings, persons present at dedication or involved in Development or construction, or significant historical events relating to the premises or development.

c. U. S. Mail delivery receptacles. No Sign permit shall be required for delivery receptacles for U.S. mail which have been approved for use by postal authorities.

d. Symbolic flags, award flags, house flags. No Sign permit shall be required for display of symbolic, award, or house flags, limited in number to one (1) for each institution or establishment for the first fifty (50) feet or less of street Frontage and one (1) for each fifty-foot increment of Lot Line adjacent to a street.

e. Window Signs. In Residential Zones, Signs placed in the window area that do not exceed one (1) square foot in Area, limited to one such Sign per Residential Unit, shall not require a permit.

f. Change of copy. No Sign permit shall be required for routine change of copy on a Sign, the customary use of which involves frequent and periodic changes, or for the relocation of Sign embellishments, providing such relocation does not result in increase of total Area of the Sign beyond permissible limits. Any Sign allowed herein may contain, in lieu of any other message or copy, any lawful non-Commercial message, so long as said Sign complies with the size, Height, Area and other requirements of the City. Where change in copy changes the type of Sign to a non-exempt category, however, a Sign permit shall be required.

g. No Sign permit shall be required for display of Signs on automobiles, trucks, buses, trailers, or other vehicles when used for normal purposes of transportation.

h. No Sign permit shall be required for display of decorative flags, bunting, and other decorations related to holidays, or for community-wide celebrations, conventions, or commemorations in non-Residential Zones when authorized by the City commission. Such Signs shall be removed within thirty (30) days of such events.

i. Real Estate Signs. No Sign permit shall be required for Real Estate Signs displayed on private property:

1. In non-Residential Zones, not exceeding fifteen (15) square feet in Sign surface Area; or
2. In Residential Zones, not exceeding one (1) square foot in Sign surface Area.

Such Real Estate Signs shall be removed within thirty (30) days of the sale or rental of the property.

j. Political election Signs. No Sign permit shall be required for political election Signs displayed on private property:

1. In non-Residential Zones, not exceeding fifteen (15) square feet in aggregate of Sign surface Area; or
2. In Residential Zones, not exceeding four (4) square feet in aggregate of Sign surface Area.

Such political election Signs shall be removed within thirty (30) days of the election period.

6.5.1.5 General Requirements

The following general requirements and limitations shall apply with regard to Signs, in addition to provisions appearing elsewhere in this code. No Variance from these provisions is permitted unless otherwise provided herein.

a. Any Sign allowed herein may contain, in lieu of any other message or copy, any lawful non-Commercial message, so long as said Sign complies with the size, Height, Area and other requirements of this code and the City Code.

b. Limitations on false and misleading Signs. It shall be unlawful to post any Sign that is false or misleading.

c. No Sign adjacent to a T3, T4-R, T5-R or T6-R zone shall be illuminated or Flashing unless such Signs are specifically authorized by the regulations for the Transect in which erected. Whether or not Flashing Signs are authorized generally within a zone, no Sign shall be permitted within one hundred (100) feet of any portion of property in a Residential district, as measured along the street Frontage on the same side of the street, or as measured in a straight line to property across the street, if the flashing element of such Sign is directly visible from the Residential property involved.

d. Revolving or Whirling Signs and pennant or streamer Signs are hereby prohibited unless such Signs are specifically authorized by the regulations for the Zone in which erected.

e. Signs of historic significance. Any Sign determined to be of historic significance by the Historic and Environmental Preservation Board, through resolution that makes findings according to the Chapter 23 of the City Code, may be exempted by Warrant from any Sign limitation imposed by this code. The placement of said Sign may be as approved according to the considerations and standards of Warrant approval, as the criteria in Chapter 23.

f. Variances for Height on freestanding outdoor Advertising Signs may be granted by the Planning, Zoning and Appeals Board, pursuant to the limitations set forth in this code and upon compliance with the following:

1. An application for a Height Variance for a freestanding outdoor Advertising Sign may only be submitted, and accepted by the City, if the Height Variance is necessary due to a government action which renders the Sign not visible from the roadway(s) which it was intended to be viewed from; said government action will only be considered a justification for the requested Variance if the action occurs after the Sign has been legally erected under the provisions of the zoning ordinance in effect at the time the Sign was built. A legally erected Sign that was legally constructed and not in compliance with the Height provisions of the Zoning Ordinance may not justify the noncompliant Height as hardship for a Variance request; only a subsequent government action, which physically impedes the visibility of a Sign, will be considered a valid justification;

2. Any application for a Height Variance for a freestanding outdoor Advertising Sign must be accompanied by line of sight studies from the roadway(s) which such Sign is intended to be viewed from; and
3. A finding must be made that the Variance be requested is the minimum Variance necessary to make such Sign visible from the roadway(s) which such Sign is intended to be viewed from.
4. In addition, this section shall not apply to any Sign with nonconforming status.

g. All Temporary Signs shall comply with the requirements of Chapter 62 of the City Code.

h. All Signs shall comply with the vision clearance standards of this code.

i. A Warrant shall be required for establishment of community or Neighborhood bulletin boards, including kiosks in districts where permissible, but no Sign permits shall be required for posting of notices thereon. Size and location standards shall be as set forth in the districts where permissible. Subject to approval by the officer or agent designated by the City Manager, such bulletin boards or kiosks may be erected on public property. Conditions of the Warrant shall include assignment of responsibility for erection or maintenance, and provision for removal if not properly maintained.

6.5.1.6 Fees

The fees prescribed in the City Code must be paid to the City of Miami for each Sign installation for which a permit is required by this code and must be paid before any such permit is issued, as provided for herein. Fees for Sign permits for each Sign erected, installed, affixed, structurally or electrically altered or relocated shall be determined in accordance with the fee schedule established by resolution of the City Commission or set forth in the City Code.

6.5.1.7 Removal of Signs

a. In addition to removal required for nonconforming Signs in this code, the following rules, requirements, and limitations shall apply with regard to any order for removal, repair, or replacement of certain Signs, as indicated below.

1. If such Signs are otherwise lawfully permitted, except for the condition or circumstance leading to an order issued by any official City or County Board with applicable jurisdiction in accordance with the applicable provisions of the City Code, the Florida Building Code or this code, the order shall require repair or replacement within a stated time, not to exceed ninety (60) days from the date of the order, or removal prior to the expiration of such period.

2. If such Signs are nonconforming under the terms of this code by reason of character or location or the Use with which associated, or exceed, in combination with other Signs on the premises, limitations on number or Area of Signs, the order shall require any nonconforming Signs to be removed or made to conform within a stated time, not to exceed ninety (60) days from the date of the order.

3. Any order issued by an official City or County Board with jurisdiction may be appealed in accordance with the review procedures set forth in the applicable sections of the City Code, Florida Building Code or this code, as applicable.

b. Decrepit or dilapidated Signs; treatment of supports.

1. Signs found to be decrepit or dilapidated (whether or not determined to be unsafe as provided in the Florida Building Code) shall be removed, repaired, or replaced if otherwise lawful.

2. Structural members of all Signs, including supports, shall be covered, painted, or designed in such a manner as to be visually unobtrusive.

3. The building official may issue a written notice to the responsible party in charge of any Sign found to be unsafe. The written notice shall specify the dangerous conditions of the Sign, list any Sign violation, order the immediate abatement of the unsafe conditions, and require either the repair or removal of the Sign within the time specified in the notice by the responsible party. The building official shall serve this notice on the responsible party in accordance with the Florida Building Code and the responsible party may seek review of such decisions in accordance with such section.

4. Signs advertising establishments, commodities, or services previously associated with the premises on which erected, but no longer there or otherwise bearing other obsolete matter, shall be removed within thirty (30) days from the time such activity ceases.

5. The City may issue a written notice to the responsible party in charge of any Sign found to be advertising establishments, commodities, or services no longer on premises or are otherwise obsolete. The written notice shall specify the obsolete conditions of the Sign, list any Sign violation, order the immediate abatement of the obsolete condition, and require the removal of the Sign within the time specified in the notice by the responsible party. The City shall serve this notice on the responsible party in accordance with Chapter 2, Article X of the City Code and the responsible party may seek review of such decision in accordance with the provisions contained therein.

6.5.1.8 Outdoor Advertising Signs

a. All new freestanding outdoor Advertising Signs are prohibited. Signs used in the conduct of the outdoor advertising business shall be regulated pursuant to the restrictions set forth in this code and restricted as follows in T Zones in which they are permitted.

b. The Area of an outdoor Advertising Sign shall not exceed seven hundred fifty (750) square feet, for each surface, including embellishments, if any. Embellishments include the display portions of the Sign extending outside the general display area. Total area of embellishments, including portions falling within or superimposed on the general display area, shall not exceed one hundred (100) square feet. No embellishment shall extend more than five (5) feet above the top of the Sign structure, or two (2) feet beyond the sides or below the bottom of the Sign structure. Embellishments shall be included in any limitations affecting minimum clearance or maximum

Height of Signs, permitted projections, or distance from any Structure or Lot or street line.

c. Except as otherwise provided in paragraph (b) above, outdoor Advertising Signs may be erected, constructed, altered, maintained or relocated within six hundred sixty (660) feet but no nearer than two hundred (200) feet of any limited access highway including expressways as established by the State of Florida or any of its political subdivisions, provided that such Sign faces are parallel to or at an angle of not greater than thirty (30) degrees with the centerline of any such limited access highway and face away from such highway.

1. No outdoor Advertising Sign which faces a limited access highway including expressways as established by the State of Florida to a greater degree than permitted in herein shall be erected, constructed, altered, maintained, replaced or relocated within six hundred sixty (660) feet of any such highways, including expressways, easterly of I-95 and southerly of 36th Street.

2. Outdoor Advertising Signs, a maximum of ten (10) in number, including those presently in place, which face such limited access highways may be erected, constructed, altered, maintained, replaced or relocated within two hundred (200) feet of the westerly side of I-95 right-of-way lines, or that portion of the easterly side of I-95 which lies north of 36th Street, or of any limited access highway, including expressways as established by the State of Florida or any of its political subdivisions, westerly of I-95; or which lie easterly of I-95 and north of 36th Street, after City commission approval, and subject to the following conditions:

(a) An outdoor Advertising Sign structure approved pursuant to this section shall be spaced a minimum of one thousand five hundred (1500) feet from another such Advertising structure on the same side of a limited access highway including expressways facing in the same direction.

(b) The Height of the structure shall not exceed a Height of fifty (50) feet measured from the crown of the main traveled road, and in no instance shall exceed a maximum Height of sixty-five (65) feet measured from the crown of the nearest adjacent or arterial street.

(c) The Sign structure shall be of unipod construction with pantone matching color system PMS180U reddish brown or PMS463U dark brown or similar color, and with only two (2) Sign faces back to back at a maximum horizontal angle of thirty (30) degrees from each other.

(d) No flashing, blinking or mechanical devices shall be utilized as a part of the outdoor Advertising Sign.

(e) Sign Area, embellishments and projections shall be as set forth in paragraph 6.8.1.8. b. above.

d. Outdoor Advertising Signs shall be spaced a minimum of one thousand (1,000) feet from another Sign, or an approved location, on the same side of a federal-aid primary highway.

e. All outdoor advertising sites shall be appropriately landscaped as follows: One (1) shade tree for the first five hundred (500) square feet of site area and one (1) side shade tree for each additional one thousand (1,000) square feet or portion thereof of site area; the remainder of the site area shall be landscaped with equal portions of hedges and/or shrubs and living ground cover. Said landscaping shall be provided with irrigation and be maintained in perpetuity. Any Sign permit issued pursuant to the code shall be subject to revocation, subsequent to a public hearing by the City commission, should City inspectors find that the subject site is not being maintained according to approved landscaping plans or is being kept in an unclean or unsightly manner.

f. Notwithstanding any provision of this Code to the contrary, permits for outdoor advertising signs may be issued pursuant to a Settlement Agreement authorized by Resolution passed by the City Commission, in conjunction with the settlement of related litigation, which expressly authorizes issuance of such permits for said outdoor advertising signs, and then only under the terms and conditions of settlement agreements that result in a net reduction in the party to the settlement's number of outdoor advertising signs located in the City of Miami.

6.5.2 TRANSECT SPECIFIC STANDARDS

6.5.2.1 Generally

a. Criteria. In the review and approval of Signs, the City shall ensure compliance with all applicable sections of the Florida Building Code and ensure that the Signs comply with the zoning regulations of this code including:

1. The size and Area of the Signs comply with the specifications set forth for the type of Sign and the Zone in which the Sign is to be located; and,

2. The Signs comply with location standards on the subject property or Structure as specified herein.

6.5.2.2 T3 and T4-R

a. For each Dwelling Unit the following is permitted:

1. Address Signs, not to exceed one (1) for each Dwelling Unit or other Use for each Lot Line adjacent to a street, or two (2) square feet in Area, except as provided below.

2. Window Signs which do not exceed one (1) square foot in Area limited to one such Sign per Residential Unit.

3. Notice, directional and warning Signs, not to exceed one (1) for each Dwelling Unit or other Use for each Lot Line adjacent to a street, or two (2) square feet in Area, provided that, where such Signs are combined with address Signs, maximum total Area shall not exceed three (3)

square feet. Such Signs, if freestanding, shall not exceed three (3) feet in Height, be closer than ten (10) feet to any adjacent Lot, or be closer than two (2) feet to any street line. Such Signs shall not be illuminated.

4. For Home Office, one Sign not to exceed one (1) square foot in Area.

b. For other uses:

1. In connection with subdivisions, Developments, Neighborhoods or similar areas. Not to exceed one (1) permanent identification Sign, or ten (10) square feet in Area, per principal entrance. Such Signs shall not be illuminated or internally illuminated. Such Signs may be located on a perimeter wall or Building wall. Signs should respect the architecture of the Building and be placed subordinately and harmoniously to the Structure.

2. In connection with religious facilities. A wall Sign for the name of the religious facility, not exceeding twenty (20) square feet in Area shall be permitted. In addition, a freestanding Sign for name of religious facility and schedule of services shall be allowed provided that the maximum size of such Sign shall be fifteen (15) square feet in Area; an increase up to forty (40) square feet for such a Sign shall be permissible if the Sign is located on a street with a right-of-way greater than fifty (50) feet and the facility has a Setback in excess of thirty (30) feet.

3. In connection with elementary, middle or high school. A wall Sign for the name of the school, not exceeding twenty (20) square feet in Area shall be permitted. In addition, a freestanding Sign for name of the school and schedule of school events shall be allowed provided that the maximum size of such Sign shall be fifteen (15) square feet in Area. An increase up to forty (40) square feet for such a Sign shall be permissible if the Sign is located on a street with a right-of-way greater than fifty (50) feet and the facility has a Setback in excess of thirty (30) feet.

6.5.2.3 T4-L and T4-O

a. For each Dwelling Unit, the following is permitted:

1. Address Signs, not to exceed one (1) for each Dwelling Unit or other Use for each Lot Line adjacent to a street, or two (2) square feet in Area, except as provided below.

2. Window Signs which do not exceed one (1) square foot in Area limited to one such Sign per Dwelling Unit.

3. Notice, directional and warning Signs, not to exceed one (1) for each Dwelling Unit or other Use for each Lot Line adjacent to a street, or two (2) square feet in Area, provided that, where such Signs are combined with address Signs, maximum total Area shall not exceed three (3) square feet. Such Signs, if freestanding, shall not exceed three (3) feet in Height, be closer than ten (10) feet to any adjacent Lot, or be closer than two (2) feet to any street line. Such Signs shall not be illuminated.

4. For Home Office, one Sign not to exceed one (1) square foot in Area.

b. For other uses:

1. In connection with subdivisions, Developments, Neighborhoods or similar areas. Not to exceed one (1) permanent identification Sign, or ten (10) square feet in Area, per principal entrance. Such Signs shall not be illuminated or internally illuminated. Such Signs may be located on a perimeter wall or Building wall. Signs should respect the architecture of the Building and be placed subordinately and harmoniously to the Structure.

2. In connection with religious facilities. A wall Sign for the name of the religious facility, not exceeding twenty (20) square feet in Area shall be permitted. In addition a freestanding Sign for name of religious facility and schedule of services shall be allowed provided that the maximum size of such Sign shall be fifteen (15) square feet in Area. An increase up to forty (40) square feet for such a Sign shall be permissible if the Sign is located on a street with a right-of-way greater than fifty (50) feet and the facility has a Setback in excess of thirty (30) feet.

3. In connection with elementary, middle or high school. A wall Sign for the name of the school, not exceeding twenty (20) square feet in Area shall be permitted. In addition, a freestanding Sign for name of the school and schedule of school events shall be allowed provided that the maximum size of such Sign shall be fifteen (15) square feet in Area. An increase up to forty (40) square feet for such a Sign shall be permissible if the Sign is located on a street with a right-of-way greater than fifty (50) feet and the facility has a Setback in excess of thirty (30) feet.

4. In connection with other uses allowed within the Transect and not listed, no more than one (1) square foot per linear foot of Frontage of the establishment.

6.5.2.4 T5-R and T6-R

a. For Residential Uses, the following are permitted:

1. Address Signs, not to exceed one (1) for each Dwelling Unit or other Use for each Lot Line adjacent to a street, or two (2) square feet in Area, except as provided below.

2. Window Signs which do not exceed one (1) square foot in Area limited to one such Sign per Residential Unit.

3. Building address, notice, directional or warning Signs for each Lot Line adjacent to a street, one (1) wall Sign not exceeding an Area of one-half square foot for each linear foot of street Frontage, up to a maximum of forty (40) square feet in Area, or one (1) Projecting Sign with combined surface Area not exceeding one-half square foot for each linear foot of street Frontage, up to a maximum of forty (40) square feet in Area: and one (1) address or directional

Sign, not exceeding an Area of ten (10) square feet. Such address or directional, notice or warning Sign, if freestanding, shall not be closer than six (6) feet to any adjacent Lot Line or be closer than two (2) feet to any street line.

4. For Home Office, one Sign not to exceed one square foot in Area.

b. For other Uses:

1. In connection with subdivisions, Developments, Neighborhoods or similar areas. Not to exceed one (1) permanent identification Sign, or ten (10) square feet in Area, per principal entrance. Such Signs shall not be illuminated or internally illuminated. Such Signs may be located on a perimeter wall or Building wall. Signs should respect the architecture of the Building and be placed subordinately and harmoniously to the Structure.

2. In connection with religious facilities. A wall Sign for the name of the religious facility, not exceeding twenty (20) square feet in Area shall be permitted. In addition, a freestanding Sign for name of religious facility and schedule of services shall be allowed provided that the maximum size of such Sign shall be fifteen (15) square feet in Area. An increase up to forty (40) square feet for such a Sign shall be permissible if the Sign is located on a street with a right-of-way greater than fifty (50) feet and the facility has a Setback in excess of thirty (30) feet.

3 In connection with elementary, middle or high school. A wall Sign for the name of the school, not exceeding twenty (20) square feet in Area shall be permitted. In addition, a freestanding Sign for name of the school and schedule of school events shall be allowed provided that the maximum size of such Sign shall be fifteen (15) square feet in Area. An increase up to forty (40) square feet for such a Sign shall be permissible if the Sign is located on a street with a right-of-way greater than fifty (50) feet and the facility has a Setback in excess of thirty (30) feet.

6.5.2.5 T5-L, T5-O, T6-L, T6-O, D1 and D2

Except as otherwise provided, the following Signs are permitted and may be illuminated but shall not be Animated or flashing.

a. For a single establishment within a Building:

1. Wall Signs. When a single establishment takes up an entire Building, wall Signs shall be limited to one and one half (1 1/2) square feet of Sign Area for each lineal foot of wall fronting on a street; there shall be no more than one wall Sign for each one hundred fifty (150) linear feet along a street Frontage, with no more than three (3) total on any wall. Walls that do not have street Frontage may contain no more than one wall Sign each, not to exceed fifty (50) square feet in Area, but aggregate Area shall be included as part of aggregate wall Sign Area as limited herein.

2. Window Signs. Painted or attached, which shall not exceed twenty percent (20%) of the glassed area of the window in which placed. Number of such Signs is not limited by these regulations,

but aggregate area shall be included as part of aggregate wall Sign Area, as limited above.

3. Projecting Signs. Shall be limited to one (1) Sign structure with no more than two (2) Sign surfaces, neither of which shall exceed forty (40) square feet in Sign Area; however, such permissible Sign Area may be increased to eighty (80) square feet where maximum projection from the face of the Building is two (2) feet or less; sixty (60) square feet where projection is more than two (2) and less than three (3) feet; and forty (40) square feet where projection is at least three (3), but not more than four (4) feet. The aggregate Area of such Signs shall be included as part of aggregate wall Sign Area, as limited above.

4. Ground/Freestanding Signs. Shall be limited to one (1) Sign structure with no more than two (2) Sign surfaces, neither of which shall exceed forty (40) square feet in Sign Area, for each establishment or for each one hundred (100) feet of street Frontage. Permitted Sign Area may be cumulative, but no Sign surface shall exceed one hundred (100) square feet. Maximum Height limitation shall be twenty (20) feet including embellishments, measured from the crown of the nearest adjacent local or arterial street, and not including limited access highways or expressways, provided, however, that the Zoning Administrator may increase the measurement of the crown by up to five (5) feet to accommodate unusual or undulating site conditions.

5. Directional Signs. May be combined with address Signs but shall bear no advertising matter, and may be erected to guide to entrances, exits, or Parking Areas. Not more than one (1) such Sign, not exceeding five (5) square feet in Area, shall be erected per entrance, exit, or Parking Area.

b. For a single Building with more than one establishment opening up to the outdoors:

1. Wall Signs. The Building in which the establishments are located shall be allowed one (1) wall Sign, limited to a Building Identification Sign, not exceeding fifty (50) square feet in Area, for each face of the Building oriented toward the street, In addition, each individual establishment within a Building that has a separate entrance to the outdoors (available to the general public, whether on the ground floor or on an upper level), and a minimum Frontage of twenty (20) linear feet to the outdoors, shall be allowed the following Signs:

- A wall Sign not to exceed one (1) square foot in Area for each linear foot of Frontage of the establishment.

- Window Signs not to exceed twenty percent (20%) of the glass area of the window or glass door in which placed; such Window Signs may be painted or attached. The number of such Signs is not limited by these regulations, but aggregate Area shall be included as part of aggregate wall Sign Area, as limited above.

- An Awning Sign, limited to the skirt or bottom edge of the Awning; letters, emblems, logos or symbols not to exceed six (6) inches in Height.

- A hanging (as in under an Awning or similar Structure) Sign not to exceed three (3) square feet in Area.

2. Window Signs. Painted or attached, which shall not exceed twenty percent (20%) of the glassed area of the window in which placed. Number of such Signs is not limited by these regulations, but aggregate Area shall be included as part of aggregate wall Sign Area, as limited above.

3. Projecting Signs. Shall be limited to one (1) Sign structure with no more than two (2) Sign surfaces, neither of which shall exceed forty (40) square feet in Sign Area; however, such permissible Sign Area may be increased to eighty (80) square feet where maximum projection from the face of the Building is two (2) feet or less; sixty (60) square feet where projection is more than two (2) and less than three (3) feet; and forty (40) square feet where projection is at least three (3), but not more than four (4) feet. The aggregate Area of such Signs shall be included as part of aggregate wall Sign Area, as limited above.

4. Ground or freestanding Signs. Shall be limited to one (1) Sign structure with no more than two (2) Sign surfaces, neither of which shall exceed forty (40) square feet in Sign Area for each establishment or for each one hundred (100) feet of street Frontage. Permitted Sign Area may be cumulative, but no Sign surface shall exceed one hundred (100) square feet. Maximum Height limitation shall be twenty (20) feet including embellishments, measured from the crown of the nearest adjacent local or arterial street, not including limited access highways or expressways, provided, however, that the Zoning Administrator may increase the measurement of the crown by up to five (5) feet to accommodate unusual or undulating site conditions.

5. Directional Signs. May be combined with address Signs but shall bear no advertising matter, and may be erected to guide to entrances, exits, or Parking Areas. Not more than one (1) such Sign, not exceeding five (5) square feet in Area, shall be erected per entrance, exit, or Parking Area.

c. For outdoor advertising business Signs.

Outdoor advertising business Signs shall be permitted as accessory Uses to principal Commercial Uses, and such Signs shall further be limited as follows:

1. Signs shall be wall mounted only on side walls of the existing principal Commercial Structure and shall not be freestanding;

2. Signs shall be limited to one Sign per Structure only;

3. Sign Area shall be limited to no greater than thirty-two (32) square feet;

4. Permissible Sign Area may only be utilized on a Commercial Structure which has the allowable thirty-two (32) square feet of Sign Area unused from the total permissible wall Sign Area for the Structure in question (not counting the twenty (20) square feet of wall Signs allowable per establishment); and

5. Such Signs may either be painted or mounted onto the subject wall.

6.5.2.6 CI

Except as otherwise provided, the following Signs are permitted and may be illuminated but shall not be Animated or flashing.

a. Directional Signs, which may be combined with address Signs but shall bear no advertising matter, and may be erected to guide to entrances, exits, or Parking Areas, but shall not exceed five (5) square feet in surface Area.

b. Ground or freestanding Signs, to the extent allowed, shall be limited to one (1) Sign structure with no more than two (2) Sign surfaces, neither of which shall exceed forty (40) square feet in Sign Area, for each street Frontage of each establishment or for each fifty (50) feet of street Frontage. Permitted Sign Area may be cumulative for establishments with more than one hundred and fifty (150) feet of street Frontage, but in such cases, no Sign surface shall exceed one hundred (100) square feet in Area. Maximum Height limitation shall be twenty (20) feet including embellishments, measured from the crown of the nearest adjacent local or arterial street, not including limited access highways or expressways, provided.

c. For a single establishment within a Building:

When a single establishment takes up an entire Building, wall Signs shall be limited to one and one half (1 1/2) square feet of Sign Area for each lineal foot of wall fronting on a street. There shall be no more than one wall Sign for each one hundred and fifty (150) linear feet along a street Frontage, with no more than three (3) total on any wall. Walls that do not have street Frontage may contain no more than one wall Sign each, not to exceed fifty (50) square feet in Area for each Sign, but aggregate area shall be included as part of aggregate wall Sign Area as limited herein.

d. For a single Building with more than one establishment opening up to the outdoors:

1. Wall Signs for a single Building with more than one ground floor establishment: each individual establishment on the ground floor, with ground floor street Frontage and separate entrances on the ground floor that open toward such street Frontages, shall be allowed the following Signs:

- A wall Sign not to exceed one (1) square foot in Area for each linear foot of Frontage of the establishment;

- Window Signs not to exceed twenty percent (20%) percent of the glass Area of the window or glass door in which placed; such Window Signs may be painted or attached. The number of such Signs is not limited by these regulations, but aggregate Area shall be included as part of aggregate wall Sign Area, as limited above.

- An Awning Sign, limited to the skirt or bottom edge of the Awning; letters, emblems, logos

or symbols not to exceed six (6) inches in Height.

- A hanging (as in under an Awning or similar Structure) Sign not to exceed three (3) square feet in Area.

2. Window Signs, painted or attached, shall not exceed twenty percent (20%) of the glassed Area of the window in which placed. Number of such Signs is not limited by these regulations, but aggregate Area shall be included as part of aggregate wall Sign Area, as limited above.

3. Projecting Signs (other than under Awning Signs) shall be limited to one (1) Sign structure with no more than two (2) Sign surfaces, neither of which shall exceed forty (40) square feet in Sign Area. The aggregate Area shall be included as part of aggregate wall Sign Area, as limited above.

6.5.2.7 CS

Permanent Signs shall be permissible subject to the limitations below:

a. Except as provided below for regional parks, all park signs shall be limited to only the name of the facility, identification of other Uses within the facility and directional Signs; and all such park Signs shall be allowed subject to obtaining a Warrant.

b. Criteria:

- Location of Signs: Location of Park Identification Signs shall comply with the visibility clearance standards as set forth in Article 3. Signs for identification of other Uses within the Park shall be located directly on, or adjacent to, where such Uses are located.

- Size: There shall be no limitation as to the size of Park Identification Signs, however, such Signs shall not exceed a reasonable size to identify the Park to the population it is intended to serve. Neighborhood Parks Signs shall be unobtrusive and non-illuminated, while regional Park Signs may be larger and contain sufficient illumination to read the Park Sign from adjacent rights-of-way. In addition, regional parks shall also be allowed commercial sponsorship messages not to exceed twenty-five percent (25%) of the total sign area of he principal park identifications sign; and such commercial messages must be incorporated in the park sign and may not be displayed on their own.

- For other Uses within a Park, Identification Signs may be allowed subject to obtaining a Warrant in order to determine whether the location, size and design of the Sign structure(s) is compatible with the character of the Park in which located.

6.5.3 Limitations on Signs Above a Height of Fifty (50) Feet Above Grade

Except as otherwise provided in a specific Transect Zone, the following regulations shall apply to all

Signs above a Height of fifty (50) feet above grade:

a. Signs shall be limited to the identification of the Building or the name of one (1) major tenant of the Building occupying more than five percent (5%) of the gross leasable Building Floor Area. Not more than two (2) Signs per Building on two (2) separate Building Facades shall be permitted.

b. Signs shall consist only of individual letters or a graphic logotype. No graphic embellishments such as borders or backgrounds shall be permitted.

c. The maximum height of a letter shall be as indicated in the table below.

any portion of a Sign over fifty (50) feet but less than two hundred (200) feet above grade	4 FEET
any portion of a Sign over two hundred (200) feet but less than three hundred (300) feet above grade	6 FEET
any portion of a Sign over three hundred (300) feet but less than four hundred (400) feet above grade	8 FEET
any portion of a Sign over four hundred (400) feet above grade	6 FEET

d. The maximum height of a logo may exceed the maximum letter height by up to fifty percent (50%) if its width does not exceed its height. When text and a graphic logotype are combined in an integrated fashion to form a seal or emblem representative of an institution or corporation, and when this emblem is to serve as the principal means of Building identification, the following regulations shall apply.

any portion of a Sign over fifty (50) feet but less than two hundred (200) feet above grade	200 SQ. FT
any portion of a Sign over two hundred (200) feet but less than three hundred (300) feet above grade.	300 SQ. FT
any portion of a Sign over three hundred (300) feet but less than four hundred (400) feet above grade	400 SQ. FT
any portion of a Sign over four hundred (400) feet above grade	500 SQ. FT

e. The maximum length of the Sign shall not exceed eighty percent (80%) of the width of the Building wall upon which it is placed, as measured at the height of the Sign. The Sign shall consist of not more than one (1) horizontal line of letters or symbols, unless it is determined that two (2) lines of lettering would be more compatible with the Building design. The total length of the two (2) lines of lettering, end-to-end, if permitted, shall not exceed eighty percent (80%) of the width of the Building wall.

f. No Variance from maximum size of letter, logotype, length of Sign or number of Signs shall be granted.

g. All Sign permits shall be reviewed based on the following guidelines:

1. Signs should respect the Architectural Features of the Facade and be sized and placed subordinate to those features. Overlapping of functional windows, extensions beyond parapet edges obscuring architectural ornamentation or disruption of dominant Facade lines are examples of Sign design problems considered unacceptable.

2. The Sign's color and value (shades of light and dark) should be harmonious with Building materials. Strong contrasts in color or value between the Sign and Building that draw undue visual attention to the Sign at the expense of the overall architectural composition shall be avoided.
3. In the case of a lighted Sign, a reverse channel letter that silhouettes the Sign against a lighted Building face is desirable. Lighting of a Sign should be accompanied by accent lighting of the Building's distinctive Architectural Features and especially the Facade area surrounding the Sign. Lighted Signs on unlit Buildings are unacceptable. The objective is a visual lighting emphasis on the Building with the lighted Sign as subordinate.

4. Feature lighting of the Building, including exposed light elements that enhance Building lines, light sculpture or kinetic displays that meet the criteria of the Miami Dade County art-in-public places ordinance, shall not be construed as Signage subject to these regulations.

6.5.4 Media Tower Within the Southeast Overtown / Park West Redevelopment Area

Media Tower is a structure that may serve as a viewing tower and a kinetic illuminated media display system, utilizing Signage, video and all other forms of Animated illuminated visual message media within the Southeast / Overtown Park West Redevelopment Area Plan.

It is intended that such a structure shall be used to achieve an overall effect and aesthetic consistency within the private-owned properties within the area based upon criteria provided for and set forth in the Southeast / Overtown Park West Redevelopment Area Plan and applicable provisions of Chapter 163, Part III, Florida Statutes.

Notwithstanding other Sign provisions of this code, Animated and Flashing Signs and Banners shall be permitted for ground level non-Residential Uses fronting on N.E. and N.W. 6th Street within the Southeast / Overtown Park West Redevelopment Area.

Outdoor advertising business Signs shall be permitted only in conjunction with a "Media Tower" as defined in this code.

Implementation. The Miami Media Tower shall exist solely in the Southeast Overtown / Park West Redevelopment Area.

Criteria. It is the purpose of the Miami Media Tower to (a) define an area in the City where signage of this type can be placed on a tower(s) that, together with architectural design standards for Buildings within the area as well as Urban Design standards based on new urbanist principles in the area of the City, will establish a unique local, regional and national identity within the area; (b) strengthen the economy of the City by encouraging the development and redevelopment of a depressed, blighted and slum area within a major redevelopment area within the downtown core of the City; and (c) provide a source of funds to be used exclusively within said redevelopment area for redevelopment related activities, and nothing else.

Permitting. A Sign permit shall be required for all such Signs specified herein. All applications shall require a mandatory review and approval by the Executive Director of the CRA.

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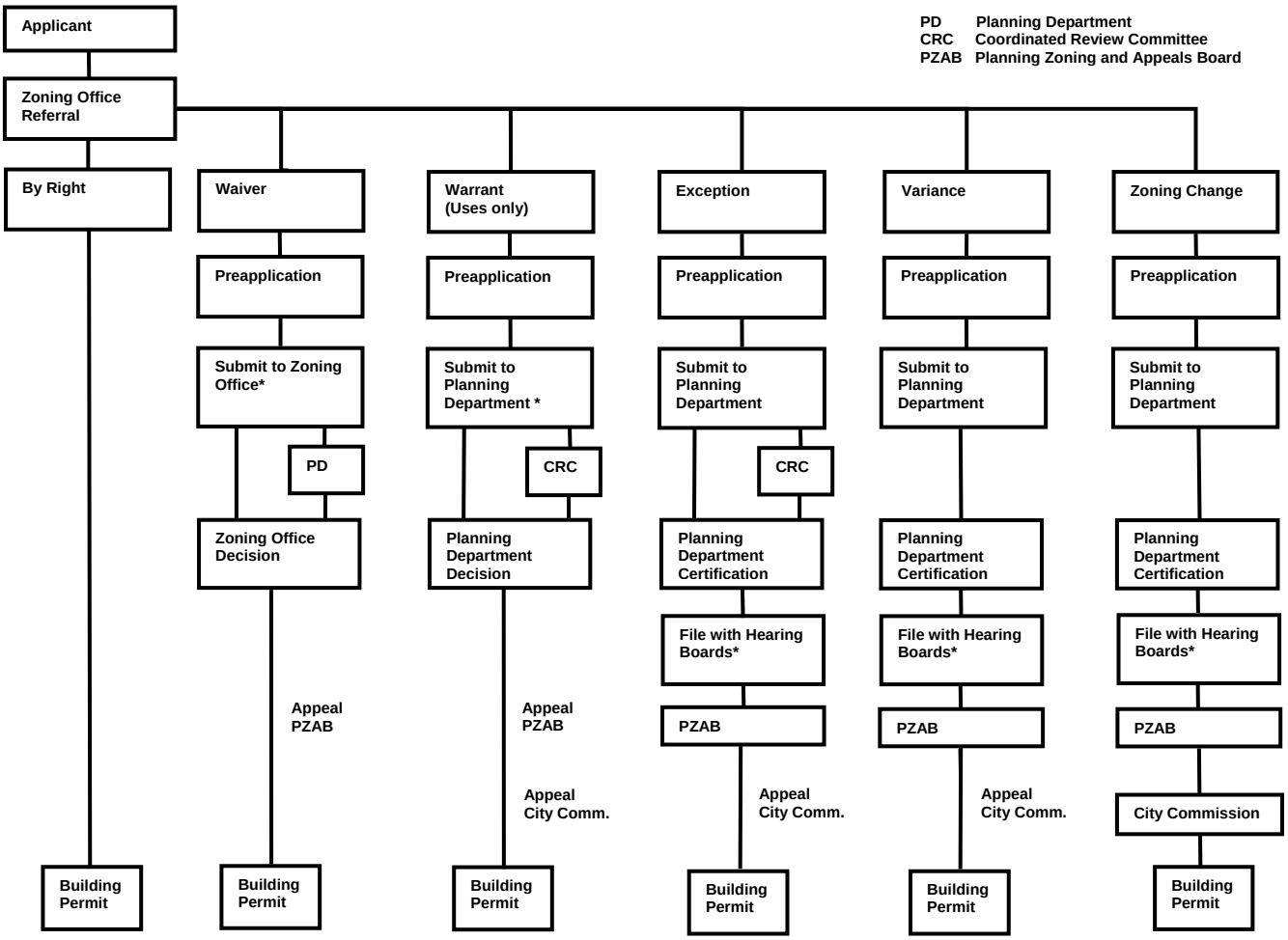
PERMITTING PROCESS DIAGRAM



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ARTICLE 7. PROCEDURES AND NONCONFORMITIES

7.1 PROCEDURES

7.1.1 Authorities

The administration of the Miami 21 Code shall include the following authorities: Zoning Administrator; Planning Director; Coordinated Review Committee; Planning, Zoning and Appeals Board; and City Commission.

7.1.1.1 Zoning Administrator

a. Functions, powers and duties. A Zoning Administrator, appointed by and responsible to the City Manager, shall be responsible for administration and enforcement of the Miami 21 Code as provided herein, with such assistance as the City Manager may direct. For purposes of this Code, the functions, powers and duties of the Zoning Administrator more specifically include:

1. To determine whether applications for building permits as required by the Building Code are in accord with the requirements of this zoning ordinance. No building permit shall be issued without approval of zoning compliance by the Zoning Administrator that plans and applications conform to applicable zoning regulations.

2. To determine whether the Use of any Structure or premises hereafter created, erected, changed, converted, enlarged or moved, wholly or partly, in Use or in Structure, is in accordance with this Miami 21 Code and to issue a Certificate of Use if the plans and applications conform to applicable zoning regulations. Certificates of Use for home occupations in residential districts shall be issued annually to cover the period from January 1 through December 31 of each year.

3. To approve, deny or approve with conditions applications for administrative Waiver, with the recommendation as may be required of the Planning Director and pursuant to the standards of the Miami 21 Code.

4. To assist the Code Enforcement Department to enforce vigorously the provisions of the Miami 21 Code.

5. To maintain records of all official administrative actions.

6. To decide questions of zoning interpretation pursuant to Section 7.1.2.3 of this Code.

7. To participate in the review of Warrants and Exceptions.

8. To serve in an advisory capacity on zoning matters to the Planning, Zoning and Appeals Board, the City Commission, and other officers or agencies of the City, and to prepare such reports as may be appropriate in that capacity.

9. To review and issue sign permits.

10. To determine whether changes made to applications are substantial modifications pursuant to Section 7.1.3 that require additional review and evaluation by city staff or a new notice prior to a hearing.

b. It shall be the duty of all employees of the city, and especially of all officers and inspectors of the Department of Planning, Department of Building, Office of Zoning, the Fire Rescue Department, and the Police Department, to report to the Code Enforcement Department any suspected violations of the Miami 21 Code.

7.1.1.2 Planning Director

a. Functions, powers and duties. A Planning Director, appointed by and responsible to the City Manager, shall be responsible for administration of the Miami 21 Code, as provided herein, with such assistance as the City Manager may direct. For purposes of this Code, the functions, powers and duties of the Planning Director more specifically include:

1. To make determinations concerning Uses where there is substantial doubt as to whether a particular Use or Uses, or classes of Uses, or characteristics of Use not specifically identified in the Miami 21 Code are of the same general character as those listed as permitted, Warranted or Exception Uses, either upon request from any administrative agency or officer of the city or upon his own initiative.

2. To approve, deny or approve with conditions any applications for Warrant, upon review by members of the Coordinated Review Committee as the Director may request, and pursuant to the standards of the Miami 21 Code.

3. To review and provide findings and recommendations to the Zoning Administrator regarding certain applications for administrative Waiver pursuant to the standards of the Miami 21 Code.

4. To prepare recommendations regarding an application for Exception, upon review by members of the Coordinated Review Committee as the Director may request, and to certify the application and accompanying recommendations to be filed with the Office of Hearing Boards for consideration by the Planning, Zoning and Appeals Board .

5. To prepare recommendations regarding an application for Variance and to certify the application and accompanying recommendations to be filed with the Office of Hearing Boards for consideration by the Planning, Zoning and Appeals Board.

6. To prepare recommendations regarding an application for amendment to the Miami 21 Code, including rezoning, and to certify the application and accompanying recommendations to be filed with the Office of Hearing Boards for consideration by the Planning, Zoning and Appeals Board and the City Commission.

7. To prepare recommendations regarding an application for a Special Area Plan, and to certify the application and accompanying recommendations to be filed with the Office of Hearing Boards for consideration by the Planning, Zoning and Appeals Board and the City Commission.

8. To coordinate and chair the work of the Coordinated Review Committee.

9. To serve in an advisory capacity on Miami 21 Code matters to the Planning, Zoning and Appeals Board, the City Commission, and other officers or agencies of the city, and to prepare such reports as may be appropriate in that capacity.

10. To make referrals to the Urban Development Review Board (UDRB) as defined in Chapter 62 of the City Code for projects that exceed 200,000 square feet or as the Director may deem necessary.

7.1.1.3 Coordinated Review Committee

a. Establishment

There is hereby established a committee to be known as the Coordinated Review Committee. The Coordinated Review Committee shall consist of the following members: the Planning Director who shall serve as the chair of the committee, the Zoning Administrator, the City Attorney, the NET Director, and the Public Works Director, and other city, county, school board and governmental and utility officials with the necessary expertise that the Planning Director may require for any particular application review.

b. Functions, powers and duties

The Coordinated Review Committee shall provide review of applications for Warrants and for Exceptions, and for Special Area Plans, pursuant to the review criteria of Section 7.1.2 and Article 3, Section 3.9, as the case may be. The Planning Director shall determine to which members of the committee any particular application shall be referred for review and advice. The committee shall meet together only as requested by the Planning Director. Upon the Planning Director's request, the review reports of each member shall be provided to the Planning Director, who shall consider them in making a decision regarding an application for an Warrant and in making a recommendation to the Planning, Zoning and Appeals Board regarding an application for an Exception or for a Special Area Plan.

c. Notice

The applicant shall be given an opportunity, upon a minimum of seven days' notice, to attend any meeting, if any, of the Coordinated Review Committee that may be held to review and evaluate its application. Failure of the applicant to appear shall result in the withdrawal of the item from the committee meeting agenda. The applicant shall receive notice of the Planning Director's preliminary decision or recommendation on its application, as applicable, at least twenty-one (21) calendar days prior to the Director's final decision or recommendation. Within fourteen (14) calendar days of receipt of notice, the applicant may request an opportunity to revise its application or provide additional information to address any comments or concerns raised by the Coordinated Review Committee. If such a request is made, the Director's final decision or recommendation shall not be issued until the applicant has had a reasonable opportunity, as determined by the Planning Director, to make its revisions or to provide additional information.

7.1.1.4 Planning, Zoning and Appeals Board

a. Establishment

There is hereby established a board to be known as the city Planning, Zoning and Appeals Board. The Planning, Zoning and Appeals Board shall consist of eleven voting members, one alternate member to be appointed in the manner hereinafter set out in this section, and one ex-officio, non-voting member appointed by the school board. The school board appointee shall be invited to attend such meetings at which comprehensive plan amendments, re-zonings and Special Area Plans are considered which, if granted, increase residential Density. The school board appointee shall not be counted in determining whether a quorum is present at any meeting.

b. Functions, Powers and Duties

The Planning, Zoning and Appeals Board with the assistance of the planning department and all other city departments as necessary, shall have the functions, duties and powers as follows:

1. To act as the local planning agency pursuant to section 163.3174, Florida Statutes.

2. To serve as the local land development regulation commission pursuant to section 163.3194(2), Florida Statutes.

3. To prepare and recommend to the City Commission ordinances, regulations and other proposals promoting orderly development of the city.

4. To make or cause to be made any necessary special studies on the location, adequacy and conditions of specific facilities of the city. These may include,

but are not limited to, studies on housing, commercial and industrial conditions and public facilities, recreation, public and private utilities, conservation of natural resources, roads and traffic, transportation, parking and the like.

5. To determine whether proposed developments of regional impact conform to the requirements of the Miami 21 Code, and with section 380.06, Florida Statutes, and to make recommendations to the City Commission in that regard. When acting in this capacity, its work shall be deemed advisory and recommendatory, and only advisory and recommendatory, to the City Commission.

6. To determine whether Special Area Plans and rezonings that are regulated by the Miami 21 Code conform to the requirements of the Miami 21 Code, and to make recommendations to the City Commission in that regard. When acting in this capacity, its work shall be deemed advisory and recommendatory, and only advisory and recommendatory, to the City Commission.

7. To determine whether specific proposed developments that are regulated by the Miami 21 Code and that require an approval of an Exception conform to the requirements of the Miami 21 Code. In performing its authority to grant, deny or grant with conditions an Exception, the board shall serve as a quasi-judicial body and observe the requirements of quasi-judicial procedures as set out in the Miami 21 Code and under applicable state law.

8. Rescission: The board, after a quasi-judicial hearing, may rescind, modify or change any resolution granting an Exception if, upon application filed by the Director at any time after the grant of an Exception, the board finds that there has been a violation of any conditions, restrictions or limitations in the subject resolution. Such a hearing shall not be held until published notice (per section 62-129 of the City Code) has first been given. If the Director, upon written request of any aggrieved party, refuses or fails to make an application for such rescission, modification or change, the aggrieved party may request the City Commission, through the City Manager, to instruct the Director to do so. The decision of the board shall be appealable to the City Commission in the same manner as an appeal of a board decision regarding an Exception.

9. To determine whether an application for a Variance conforms to the requirements of the Miami 21 Code. In performing its authority to grant, deny or grant with conditions a Variance, the board shall serve as a quasi-judicial body and observe the requirements of quasi-judicial procedures as set out in the Miami 21 Code and under applicable state law.

10. To hear, *de novo*, and make a ruling on an appeal of the following administrative decisions:

    (a) An administrative determination by the Planning Director;
    (b) The decision of the Zoning Administrator regarding a Waiver;

(c) The decision of the Planning Director regarding an Warrant;
(d) A zoning interpretation by the Zoning Administrator;
(e) The decision of the Zoning Administrator regarding zoning approval, or a Certificate of Use.

In performing its appeal authority, the board shall serve as a quasi-judicial body and observe the requirements of quasi-judicial procedures as set out in this Code and under applicable state law.

11. The Planning, Zoning and Appeals Board shall perform such other functions as may be given it by the City Commission.

c. Appointments; qualifications

1. No appointment shall be made by the City Commission to membership or alternate membership on the Planning, Zoning and Appeals Board until the City Clerk has given at least thirty (30) days notice of the vacancies in a newspaper of general circulation in the city of the vacancies. The City Commission shall solicit and encourage the public, professional and citizen organizations within the area having interest in and knowledge of the purpose and functions of the board to submit names of persons and their qualifications for consideration as prospective appointees to the board. At least five (5) days prior to the making of any appointment, the City Clerk shall publicly notice that the list of names thus submitted and the names of candidates submitted by the City Commission, together with a short statement of the qualifications of each person, is prepared and available for public inspection and consideration. No person shall be appointed to the board whose name and qualifications have not been made publicly available in the manner set out herein. In reaching a decision on an appointment, the City Commission shall give due consideration to the qualifications thus submitted.

2. Nomination. Each City Commissioner shall nominate candidates to serve the terms of two members of the board, taking into consideration the required qualifications for membership as provided herein.

3. Terms of office. The terms of office shall be the later of those terms provided under section 2-885 of the City Code.

4. Qualifications. It is intended that members and alternate members of the board be persons of knowledge, experience, mature judgment, and background; having ability and desire to act in the public interest; and representing, insofar as may be possible, the various special professional training, experience, and interests required to make informed and equitable decisions concerning preservation and appropriate development of the physical environment. To that end, qualifications of members and the alternate member shall be as follows:

(a) One (1) member shall be an architect registered in the state.
(b) One (1) member shall be a landscape architect registered in the state.

(c) One (1) member shall be a historian or architectural historian qualified by means of education or experience and having demonstrated knowledge and interest in county history or architectural history.
(d) One (1) member shall be an experienced real estate broker licensed by the state.
(e) One (1) member shall be experienced in urban planning.
(f) Six (6) members shall be citizens with demonstrated knowledge and interest in the appropriate growth and development of the city, and may also qualify under any of the above categories.
(g) One (1) alternate member shall qualify under one of the above categories.

5. The City Commission shall appoint the board members from the nominations made by each City Commissioner, for ten members of the board. The mayor shall appoint one member and the alternate member. Appointees shall be persons in a position to represent the public interest, and no person shall be appointed having personal or private interests likely to conflict with the public interest. No person shall be appointed who has any interest in the profits or emoluments of any contract, job, work, or service for the City. No person shall be appointed who holds any elective office or is employed in a full-time capacity by any governmental authority in the county or the City. Before making any appointment, the City Commission shall determine that the person so appointed satisfies the requirements of sections 2-611 et seq. of the City Code, and no person shall be confirmed in appointment who has not filed the statement required by section 2-615 of the City Code. In addition, the code of ethics of Miami-Dade County shall apply to members and the alternate member of the Planning, Zoning and Appeals Board.

6. Persons appointed shall be electors of the City and otherwise meet the requirements of Chapter 2, Article XI of the City Code.

7. No member or alternate member of the Planning, Zoning and Appeals Board shall be confirmed in his appointment until he signs a statement agreeing to participate in at least one seminar on planning or zoning to be held in Florida or elsewhere, and approved by the City, during the course of each calendar year he shall remain a member or alternate member of the board. Failure to meet this requirement each and every year after assuming board membership or alternate membership may be grounds for removal.

8. Vacancies

(a) Vacancies in the membership or alternate membership of the Planning, Zoning and Appeals Board shall be filled by the City Commission and mayor by appointment in the manner herein set out and for the unexpired term of the member or alternate member affected, provided the City Commission may appoint an alternate member of the board to a vacancy as a full member of the board without resort to the procedural requirements of paragraph (1) above.

(b) The executive secretary of the Planning, Zoning and Appeals Board shall notify the City Clerk within ten days after a vacancy occurs, and the City Clerk shall promptly transmit such information to the City Commission for appropriate commission action as set out herein.

9. Removal

(a) Members and alternate members of the board may be removed for cause by the City Commission upon the votes of not less than three members of the commission, upon written charges and public hearing, if the member and the alternate member affected requests such public hearing.
(b) There is hereby established a point system. Each member and the alternate member of the Planning, Zoning and Appeals Board who arrives after the beginning of the first agenda item or leaves before the termination of the last agenda item, at a regularly scheduled meeting of the board, shall receive two points. Any member and the alternate member of the board who accumulates more than fifteen (15) points in one calendar year shall be brought to the attention of the City Commission for its consideration of removal of the member.
(c) Notwithstanding paragraph (b) above, any member or alternate member of the Board who is absent, for whatever reason, from more than five meetings in one calendar year shall be brought to the attention of the City Commission for its consideration of removal of the member.

10. Compensation. Members and alternate members of the Planning, Zoning and Appeals Board shall receive a remuneration of $1.00 per year. The City Commission shall make provision for the payment of actual and necessary expenses, in accordance with City policy, for the attendance of each member and alternate member of the board at one City-authorized planning or zoning seminar or conference each calendar year to be held in Florida.

d. Proceedings of the Board

1. Officers and voting. The Planning, Zoning and Appeals Board shall select a chairman and vice-chairman from among its members and may create and fill such other offices as it may determine. All members, or the alternate member sitting in the place of a member, shall be required to vote on matters before the Planning, Zoning and Appeals Board, subject to the provisions of subsections (e) and (f) of this section and applicable Florida Statutes. The Planning Director shall attend all meetings of the board. The Office of Hearing Boards, or its successor, shall be the executive secretary of the Planning, Zoning and Appeals Board.

2. Rules of procedure. The Planning, Zoning and Appeals Board shall establish rules of procedure necessary to its governing and the conduct of its affairs, in keeping with the applicable provisions of Florida law, and the City charter, ordinances and resolutions. Such rules of procedure shall be available in written form to persons appearing before the board and to the public upon request. Quasi-judicial procedures as provided in this Miami 21 Code and as

required by state law shall apply to its decisions and recommendations, including rezoning; Special Area Plans; Exceptions; Variances; and appeal decisions by the board.

3. Meetings. The Planning, Zoning and Appeals Board shall hold at least two regularly scheduled meetings each month, except the month of August, on days to be determined by the board. Other regularly scheduled meetings may be set by the board, and additional meetings may be held at the call of the chairman and at such other times as the board may determine. Meetings that are not regularly scheduled shall not be held without at least ten (10) days written notice to each member and the alternate member, provided that upon concurrence of the chairman of the Planning, Zoning and Appeals Board and the city manager, an emergency meeting may be called at any time and with appropriate notice.

4. Quorum; public records. Quorum requirements are governed by the provisions of section 2-887 of the City Code. However, no action to recommend adoption of amendments to the city Comprehensive Plan, or to recommend the amendment of the text of the Miami 21 Code, rezoning, or Special Area Plan, or to approve an Exception shall be taken without the concurring votes of at least seven members of the Board. The Executive Secretary of the Planning, Zoning and Appeals Board shall keep minutes of board proceedings, showing the vote of each member or alternate member, if sitting for a member, or if absent or failing to vote under paragraphs five (5) and six (6) below, indicating such fact. It shall be the responsibility of the executive secretary of the Planning, Zoning and Appeals Board to handle all procedural activities for all public hearings held by the board, including the preparation of detailed minutes and official records of such hearings. The official records of such public hearings shall be filed with the City Clerk.

5. Status of alternate member. In the temporary absence or disability of a member, or in an instance where a member is otherwise disqualified to sit on a particular matter, the chairman of the Planning, Zoning and Appeals Board, or the vice-chairman in his absence, shall designate the alternate member to sit as a board member to obtain a full membership of eleven or, as nearly as possible, a full membership. When so acting, the alternate member shall have full rights of participation and voting as members; his vote shall be deemed that of a member in reaching a decision on a matter. In instances where the alternate member is not sitting as a member, he shall have the right to participate in board discussions and to ask questions, but he shall have no right to vote or make motions. Where the alternate member has been duly designated to sit as a member on a particular matter and consideration of that matter has begun, the alternate shall continue to sit as a board member through disposition of the matter; and he shall not be replaced, should the member in whose stead he is sitting later be present.

6. Disqualification of members or alternate. If any member of the Planning, Zoning and Appeals Board or the alternate member called on to sit in a particular matter shall find that his private or personal interests are involved in

the matter coming before the board, he shall, prior to the opening of the hearing on the matter, disqualify himself from all participation of whatsoever nature in the cause. Alternatively, he may be disqualified by the votes of not less than six (6) members of the board, not including the member or alternate member about whom the question of disqualification has been raised. No member or alternate member of the Board may appear before the City Commission, Planning Advisory Board, Zoning Board or Planning, Zoning and Appeals Board as agent or attorney for any other person.

e. All city departments and employees shall, under the direction of city manager and upon request and within a reasonable time, furnish to the Planning Department such available records or information as may be required in the work of the Planning, Zoning and Appeals Board. The city manager shall assign a member of the Public Works Department, Planning Department, Zoning Office, Neighborhood Enhancement Team, the Code Enforcement Department and Fire-Rescue Department, or their successors, to attend public hearings of the Board and to advise the board when necessary, and to furnish information, reports and recommendations upon request of the board. The city attorney shall attend public hearings of the board to advise the board when necessary and to furnish information, reports and recommendations upon request of the board.

f. The Planning, Zoning and Appeals Board or representatives of the Planning Department may, in the performance of official duties, enter upon lands and make examinations or surveys in the same manner as other authorized city agents or employees and shall have other powers as are required for the performance of official functions in carrying out the purposes and responsibilities of the board.

7.1.1.5 City Commission

The City Commission, in addition to its duties and obligations under the City Charter, the City Code, and other applicable law, shall have the following duties specifically in regard to the Miami 21 Code:

a. To approve, deny or approve with conditions applications for developments of regional impact pursuant to Chapter 380, Florida Statutes.

b. To consider and act upon proposed amendments, including rezoning, to the Miami 21 Code, after consideration of the recommendation by the Planning, Zoning and Appeals Board.

c. To consider and act upon proposed Special Area Plans, after consideration of the recommendation by the Planning, Zoning and Appeals Board.

d. To consider and act upon proposed amendments to the Comprehensive Plan which relate to the Miami 21 Code, after consideration of the recommendation by the Planning, Zoning and Appeals Board.

e. To hear appeals of the ruling of the Planning, Zoning and Appeals Board on the appeal of a zoning interpretation, planning determination, Warrant, Variance or Exception.

f. To consider and adopt ordinances, regulations and other proposals as it deems appropriate for promoting orderly development within the areas of the city that are regulated by the Miami 21 Code.

g. To establish a schedule of fees and charges for the applications made pursuant to the Miami 21 Code.

h. To appoint members to the Planning, Zoning and Appeals Board, as set forward in this Miami 21 Code.

7.1.2 Permits

The permits that may be necessary to develop property under the Miami 21 Code include the following: Warrant; Waiver; Exception; Variance; and amendment to the Code (including text amendments, rezoning and Special Area Plans). The permits are illustrated in Article 7, Diagram 14. In addition, certain approvals may be necessary to confirm that uses are permitted uses under the Code, which are zoning approval (by right), certificate of use, planning determination, or zoning interpretation. Permits issued in error shall convey no rights to any party. The Zoning Administrator shall require corrections to be made unless construction has commenced on that portion of the construction that was permitted in error.

7.1.2.1 Permitted Uses

A building permit for those permitted Uses as set forth in Article 4, Table 3 of this Code shall be approved By Right when the Use meets all of the applicable standards of the Miami 21 Code, and the other specific requirements that may be enumerated elsewhere in the City Code.

a. Zoning approval

A building permit shall be issued only after a zoning approval from the Zoning Administrator has been obtained indicating that the application meets the applicable provisions of the Miami 21 Code. Upon an affirmative finding by the Zoning Administrator that plans and application submitted are complete and in compliance with the applicable requirements of the Miami 21 Code, an approval shall be entered on the application and on the applicable building permit and, if otherwise lawful, the permit shall be issued to the applicant, together with one copy of the approved plan. If the application and plan are not in full in compliance with the requirements of the Miami 21 Code, the application shall not be approved and the applicant notified in writing of the reasons for such decision, with citation to the legal authority for any denial of a permit.

b. Certificate of Use

1. For new or altered Structures and Uses.

No person shall Use or permit the Use of any Structure or premises hereafter created, erected, changed, converted, enlarged or moved, wholly or partly, in Use or in Structure, until a Certificate of Use reflecting Use, extent, location, and other matters related to Miami 21 Code shall have been issued to the owner or tenant. Application shall be made to the Zoning Administrator on forms provided therefore. The Zoning Administrator shall issue the Certificate of Use (or to approve its issuance where final responsibility for issuance lies with other officers or agencies) if he finds that all the requirements of this Miami 21 Code have been met, and to withhold such certificate (or to prohibit its issuance) unless he finds that all of the requirements of this Miami 21 Code have been met. If the Certificate of Use is denied, the denial shall provide a citation to the legal authority for any denial. No Certificate of Use is necessary for fewer than three (3) Single-Family Structures, attached or detached, on a Lot or for fewer than two (2) duplex Structures on a Lot.

2. Certificates of Use for other existing Uses.

Any owner or tenant engaged in existing Use of Structures or premises, other than a nonconforming Use at the time of the adoption of this Miami 21 Code, may apply for a Certificate of Use certifying that such Use is lawful under this Code. The Zoning Administrator if necessary shall inspect to determine the facts in the case and to either issue the certificate if the administrator finds the Use lawful, or to withhold the certificate and take such remedial action as is appropriate if the administrator finds otherwise. A denial shall include a citation to the legal authority for the denial.

3. No Certificate of Use shall be issued for Buildings for which code compliance proceedings are pending.

c. Zoning Approval or Certificates of Use issued by the Zoning Administrator on the basis of plans and applications authorize only the Use, arrangement, and construction set forth in the approved plans and applications, subject to any conditions or safeguards attached thereto, and no other. Use, arrangement, or construction at variance with that authorized, or failure to observe conditions and safeguards, shall be deemed a violation of this Miami 21 Code.

7.1.2.2 City Request for Planning Determination of Use

Where there is substantial doubt as to whether a particular Use, or classes of Uses not specifically identified in the Miami 21 Code are of the same general character as those listed as permitted, by Warrant or by Exception, the Planning Director shall make a written determination in the matter. The Planning Director shall give due consideration to the intent of this Miami 21 Code concerning the Transect Zone involved and the character of the Use in question.

Requests for such determinations shall be made only by officers or agencies of the City and may originate during the permit process. However, such requests shall not involve those circumstances where the Zoning Administrator has made a negative finding on a zoning interpretation, in which case appeal may be taken to the Planning, Zoning and Appeals Board and then to the City Commission, as set forth in section 7.1.2.3.

a. Notifications concerning determinations.

Upon making the determination, the Planning Director shall notify any other officer or agency of the city likely to be affected by such ruling and all NET offices. Additionally, notice of the determination shall be published to the public on the official city website.

b. Effect of findings.

If, in making the determination, the Planning Director finds that the particular Use or class of Use or characteristics of Use are of unusual or transitory nature, or are unlikely to recur frequently, and unless his determination is reversed on grounds of error on appeal to the Planning, Zoning and Appeals Board or the City Commission, the determination shall thereafter be binding on all officers and agencies of the city as an administrative ruling, and without further action on or amendment to the Miami 21 Code.

Where the Planning Director finds, in making the determination, that the particular Use or class of Use or characteristics of Use are likely to be common or recurrent, and that omission of specific reference in the Miami 21 Code is likely to lead to public uncertainty and confusion, the Director shall initiate a proposed amendment to the Miami 21 Code to rectify the omission. Until final action has been taken on such proposed amendment, the determination of the Director shall be binding on all officers and agencies of the city as an interim administrative ruling.

c. Appeal to Planning, Zoning and Appeals Board

An appeal of a planning determination, if sought, shall be *de novo* and taken to the Planning, Zoning and Appeals Board, and must be initiated within fifteen (15) calendar days of the publication of the determination on the City's official website. The appeal shall be filed with the Hearing Boards Office.

The Board shall determine whether the administrative determination is upheld or rescinded. The ruling of the Planning, Zoning and Appeals Board may be further appealed to the City Commission, and must be filed with the Office of Hearing Boards within fifteen (15) calendar days of the Board's issuance of its ruling.

Before appeal of any action to the City Commission, the appellant is required to have exhausted administrative remedies by appearing on the record at the hearing before the Planning, Zoning and Appeals Board. In addition to requirements of the Hearing Boards Office, the filing of the appeal shall state the

specific reasons for such appeal, together with payment of any required fee. The appeal may be filed only by the applicant or any person who appeared of record at the Planning, Zoning and Appeals Board hearing on the decision being appealed and who is aggrieved by the action of the Planning, Zoning and Appeals Board.

7.1.2.3 Zoning Interpretation

Except where the Miami 21 Code specifically places responsibility in other officers or agencies, questions of interpretation of this Code shall first be presented to the Zoning Administrator.

a. Notifications concerning interpretations.

Upon making his interpretation, the Zoning Administrator shall notify the party requesting the interpretation, as well as any other officer or agency of the City likely to be affected by such ruling and all NET offices, and shall post the interpretation on the City's official website.

b. Appeal to Planning, Zoning and Appeals Board.

An appeal of a zoning interpretation, if sought, shall be *de novo* and presented to the Planning, Zoning and Appeals Board within fifteen (15) calendar days of the publication of the interpretation on the City's official website. The appeal shall be filed with the Hearing Boards Office.

The Planning, Zoning and Appeals Board shall determine whether the administrative interpretation is upheld or rescinded. The ruling of the Planning, Zoning and Appeals Board may be further appealed to the City Commission, and must be filed with the Office of Hearing Boards within fifteen (15) calendar days of the Board's issuance of its ruling.

Before appeal of any action to the City Commission, the appellant is required to have exhausted administrative remedies by appearing on the record at the hearing before the Planning, Zoning and Appeals Board. In addition to requirements of the Hearing Boards Office, the filing of the appeal shall state the specific reasons for such appeal, together with payment of any required fee. The appeal may be filed only by the applicant or any person who appeared of record at the Planning, Zoning and Appeals Board hearing on the decision being appealed and who is aggrieved by the action of the Planning, Zoning and Appeals Board.

7.1.2.4 Warrant

The Warrant permits those Uses listed in Article 4, Table 3 of this Code as requiring a Warrant, upon review by the Planning Director or with the additional review of the Coordinated Review Committee.

a. Prior to submitting an application for an Warrant, the prospective applicant shall meet in a preapplication meeting with the Zoning Administrator and the Planning Director to obtain information and guidance as to matters related to the proposed application.

b. Required notice and hearing.

At the time of submitting the application to the Department of Planning, the applicant shall notify all Abutting property owners, including those across a street or alley, by certified mail. In the case of Abutting condominiums, only one notice to the condominium association need be sent.

Additionally, at the time of submitting the application, the applicant shall obtain from the Department of Planning the list of all registered Neighborhood and homeowner associations within the NET office that is applicable to applicant property and shall notify the NET office, and official representatives of all such registered associations, by certified mail, of the application. Neighborhood and homeowner associations who wish to receive such notice must register on an annual basis at their local NET offices.

The applicant shall submit the certified receipts from all notices to the Department of Planning at the time of application. The decision on a Warrant shall be posted on the City website within five (5) days of the written decision. ~~Failure to give notice under this section shall not invalidate a decision on a Warrant.~~

c. Review and approval process.

1. The Planning Director shall review each submitted application for a Warrant for completeness. If the Warrant application involves a project in excess of two hundred thousand (200,000) square feet of floor area, it shall be referred to the Coordinated Review Committee, which shall review the application and provide its comments and recommendations to the Planning Director.

2. Applications for projects equal to or less than two hundred thousand (200,000) square feet of floor area shall be reviewed by the Planning Director and the Zoning Administrator without need for review by the Coordinated Review Committee, unless the Planning Director determines that review by the Coordinated Review Committee is necessary. Where there is no referral to the Coordinated Review Committee, the Planning Director shall issue an intended decision within twenty-one (21) calendar days of a determination that the application is complete. The applicant shall have seven (7) calendar days from receipt of the notice of the intended decision to request a conference with the Planning Director to discuss revisions or additional information regarding the application. Within ten (10) calendar days of the conference, or if no conference is requested, the Planning Director shall issue written findings and determinations regarding the applicable criteria set forth in this section and any other applicable regulations. The applicant and the Planning Director may mutually consent to an extension of the time for

issuance of the final decision. The findings and determinations shall be used to approve, approve with conditions or deny the Warrant application.

3. The Planning Director shall approve, approve with conditions or deny the Warrant application, but in no event shall a Warrant be issued prior to thirty (30) days from the time the notice of the application is provided to the NET office. Approvals shall be granted when the application complies with all applicable regulations; conditional approvals shall be issued when the applications require conditions in order to be found in compliance with all applicable regulations; denials of applications shall be issued if after conditions and safeguards have been considered, the application still fails to comply with all applicable regulations. The decision of the Director shall include an explanation of the code requirements for an appeal of the decision and shall be provided to the NET office and posted on the City's website. The Director shall include a citation to the legal authority for any denial of a Warrant.

4. A Warrant shall be valid for a period of two (2) years during which a building permit or Certificate of Use must be obtained. This excludes a demolition or landscape permit. A one time extension, for a period not to exceed an additional year, may be obtained if approved by the Planning Director.

d. Review criteria.

As appropriate to the nature of the Warrant involved and the particular circumstances of the case, the following criteria shall apply to a Warrant application. The application shall be reviewed for compliance with this Code. The review shall consider the intent of the Transect, the guiding principles of the Miami 21 Code, and the manner in which the proposed Use will operate given its specific location and proximity to less intense Uses. The review shall also consider Article 4, Table 12, Design Review Criteria.

e. Appeal to the Planning, Zoning and Appeals Board.

Appeal of the determination of the Planning Director shall be *de novo* and taken to the Planning, Zoning and Appeals Board, within fifteen (15) calendar days of the posting of decision by the Planning Director on the City's website. The appeal shall be filed with the Hearing Boards Office. The Board shall determine whether the Warrant is upheld or rescinded.

The ruling of the Planning, Zoning and Appeals Board may be further appealed to the City Commission, and must be filed with the Office of Hearing Boards within fifteen (15) calendar days of the Board's issuance of its ruling.

Before appeal of any action to the City Commission, the appellant is required to have exhausted administrative remedies by appearing on the record at the hearing before the Planning, Zoning and Appeals Board. In addition to requirements of the Hearing Boards Office, the filing of the appeal shall state the specific reasons for such appeal, together with payment of any required fee. The

appeal may be filed only by the applicant or any person who appeared of record at the Planning, Zoning and Appeals Board hearing on the decision being appealed and who is aggrieved by the action of the Planning, Zoning and Appeals Board.

7.1.2.5 Waiver

The Waiver permits specified minor deviations from the Miami 21 Code, as provided in the various articles of this Code and as consistent with the guiding principles of this Code. An administrative Waiver may not be granted if it conflicts with the City Code or the Florida Building Code.

a. Specific Waivers are described in the various articles of this Code, and are referenced here only for convenience. The specific parameters of each Waiver are further described in the articles in which each Waiver appears in this Code.

1. Setbacks internal to assembled Lots (Article 3, Section 3.3.1)

2. Parking reductions for Elderly Housing or for Adaptive Reuses in Community Redevelopment Areas (Article 3, Section 3.6.1. and 3.6.7).

3. Setbacks for the property to be developed to match the dominant Setback in the Block and its Context. (Article 3, Section 3.3.5; Article 5, Sections 5.5.1.f and 5.6.1.g)

4. Shared Access for adjoining Lots (Article 3, Section 3.6.3.k).

5. Deferral of parking (Article 3, Section 3.6.8).

6. Barbed wire fences in D1, D2 and D3 (Article 3, Section 3.7.2).

7. Review of Development within Neighborhood Conservation Districts for compliance with NCD regulations (Article 3, Section 3.12.2).

8. The relaxation of Setbacks or required Off-street Parking for preservation of natural features of land (Article 3, Section 3.13.1.c).

9. Decrease of required parking by thirty percent (30%) within the half-mile radius of a TOD (Article 4, Table 4).

10. Required parking within one thousand (1,000) feet of the site that it serves (Article 4, Table 4)

11. Adjustments to Setbacks for Principal Buildings (Article 5, Section 5.3.1.e; 5.4.1.e).

12. Extensions above maximum Heights for church spires, steeples, belfries, monuments, water towers, flagpoles, vents, ornamental Building features,

decorative elements, or similar Structures. (Article 5, Sections 5.3.2.f; 5.4.2.g; 5.5.2.h; 5.6.2.h ~~and~~ , 5.8.2.g and 5.9.2.g).

13. Service and Parking access from Principal Frontage (Article 5, Sections 5.5.4.c; 5.5.4.d; 5.6.2.f and 5.6.4.c.).

14. Vehicular entries spacing less than sixty (60) feet. (Article 5, Section 5.5.4.e and 5.6.4.g~~e~~).

15. Adjustments to Building spacing and to Setbacks above the eighth floor for Lots having one dimension one hundred (100) feet or less (Article 5, Section 5.6).

16. Industrial Uses requiring additional Height in D2 (Article 5, Section 5.9.2.f).

17. Reduction of reservoir parking space (Article 6).

18. Gas Station Building Frontage requirement (Article 6).

19. Replacement or reconstruction of a nonconforming Structure ~~Restoration of Structures~~ (other than Single-Family or duplex) ~~that are nonconforming in the event of destruction of less than fifty percent (50%) of assessed valuation~~destroyed by natural disaster, explosion, fire, act of God, or the public enemy.~~.~~ (Article 7, Section 7.2.2.b).

20. Alterations to nonconforming Single Family or duplex Structures to enlarge a nonconformity affecting the exterior of the Building or premises. (Article 7, Section 7.2.3).

21. Moving of a nonconforming Structure on its own Lot. (Article 7, Section 7.2.4).

22. Development of Single Family or duplex Structures on certain nonconforming Lots in T-3 zones. (Article 7, Section 7.2.7).

23. Modification to nonconforming Off-street Parking facilities involving restoration or rehabilitation of an existing Building or an adaptive Use. (Article 7, Section 7.2.8).

24. Modification of the landscaping of nonconforming signs. (Article 7, Section 7.2.9.5).

25. As appropriate to the nature of the Waiver involved and the particular circumstances of the case, Waivers up to ten percent (10%) of any particular standard of this Code except Density, Intensity and Height, may be granted when doing so promotes the intent of the particular Transect Zone where the proposal is located; is consistent with the guiding principles of this Code; and there is practical difficulty in otherwise meeting the standards of the Transect Zone, or when doing so promotes energy conservation and Building sustainability. The inability to achieve maximum Density, Height, or floor plate for the Transect shall not be considered grounds for the granting of a Waiver. This Waiver cannot be combined with any other specified Waiver of the same standard.

b. Prior to submitting an application for an administrative Waiver, the prospective applicant shall meet in a preapplication meeting with the Zoning Administrator to obtain information and guidance as to matters related to the proposed application.

c. Required notice and hearing.

At the time of submitting the application to the Office of Zoning, the applicant shall notify all Abutting property owners, including those across a street or alley, by certified mail. In the case of Abutting condominiums, only one notice, by certified mail, to the condominium association shall be sent.

Additionally, at the time of initial application, the applicant shall obtain from the Department of Planning the list of all registered Neighborhood and homeowner associations within the NET office that is applicable to applicant property and shall notify the NET office and official representatives of such registered associations, by certified mail, of the application. Neighborhood and homeowner associations who wish to receive such notice must register on an annual basis at their local NET offices.

The applicant shall submit the certified receipt(s) from all notices to the Office of Zoning at the time of submitting the application. The decision on a Waiver shall be posted on the City website within five (5) days of the written decision. ~~Failure to give notice under this section shall not invalidate a decision on a Waiver.~~

d. Review and approval process.

The Zoning Administrator shall review the Waiver application, as required under this Code, in regard to compliance with the applicable Waiver standards and guiding principles of the Miami 21 Code. Recommendations and findings from the Planning Director shall be forwarded to the Zoning Administrator when applicable or when requested by the Zoning Administrator. The review by the Planning Director shall consider Article 4, Table 12 Design Review Criteria. Based on these findings, and the applicable findings and determinations of the Zoning Administrator, the Zoning Administrator will issue a final decision on the Waiver request within ten (10) calendar days of receiving the Planning Director's recommendation and findings. The application shall be approved, approved with

conditions or denied. A citation to the legal authority shall be included for any denial of a Waiver. In no event shall a Waiver be issued prior to thirty (30) days from the time the notice of the application is provided to the NET office. The decision of the Zoning Administrator shall include an explanation of the code requirements for an appeal of the decision and shall be provided to the NET office and posted on the City's website.

Approvals shall be granted when the application complies with all applicable regulations; conditional approvals shall be issued when such applications require conditions in order to be found in compliance with all applicable regulations; denials of applications shall be issued if, after conditions and safeguards have been considered, the application still fails to comply with all applicable regulations.

e. Appeal to the Planning, Zoning and Appeals Board.

Appeal of the determination of the Zoning Administrator shall be *de novo* and taken to the Planning, Zoning and Appeals Board, within fifteen (15) calendar days of the posting of decision on the City's website. The appeal shall be filed with the Hearing Boards Office.

f. A Waiver shall be valid for a period of two (2) years during which a building permit or Certificate of Use must be obtained. This excludes a demolition or landscape permit. A one time extension, for a period not to exceed an additional year, may be obtained upon approval by the Zoning Administrator.

7.1.2.6 Exception

As identified in Article 4, Table 3 of this Code, a Use may be permitted by Exception in specific Transect Zones if it conforms to criteria of this Miami 21 Code. Exceptions may also be permitted as provided in this Code, such as for adjustments to nonconformities as provided in section 7.2. Except as otherwise provided in this Code, the Planning, Zoning and Appeals Board shall determine whether an Exception may be granted.

a. Prior to submitting an application for an Exception under this Code, the prospective applicant shall meet in a preapplication meeting with the Zoning Administrator and the Planning Director to obtain information and guidance as to matters related to the proposed application. The Planning Director may request the attendance of other city departments to assist the applicant in submitting a complete preliminary application.

b. Review by Planning Director and Coordinated Review Committee.

1. The Planning Director shall determine if a submitted preliminary application is complete for purposes of further review.

2. If the Exception preliminary application meets or exceeds two hundred thousand (200,000) square feet of floor area it shall be referred to the Coordinated Review Committee, which shall review the preliminary application and provide its comments and recommendations to the Planning Director.

3. Projects equal to or less than two hundred thousand (200,000) square feet of floor area shall be reviewed by the Planning Director and the Zoning Administrator without need for review by the Coordinated Review Committee, unless the Planning Director and Zoning Administrator determine that review by the Coordinated Review Committee is necessary.

4. As appropriate to the nature of the Exception involved and the particular circumstances of the case, the following criteria shall apply to an application for an Exception. In addition, the application shall be reviewed for compliance with the regulations of this Code and a traffic study shall be provided as required by the Planning Director. The review shall consider the manner in which the proposed Use will operate given its specific location and proximity to less intense Uses. The review shall also consider Article 4, Table 12 Design Review Criteria.

5. The Director shall prepare recommendations and certify the preliminary application and accompanying recommendations to be filed with the Office of Hearing Boards for consideration by the Planning, Zoning and Appeals Board. Upon filing with the Office of Hearing Boards the application shall be placed on the agenda of the Planning, Zoning and Appeals Board. .

c. Decision by the Planning, Zoning and Appeals Board.

1. Notice and hearing.

A quasi-judicial hearing shall be held on the application for Exception.

The City shall notify all owners of property within five hundred (500) feet of the Property Line of the land for which the hearing is required, by certified mail, of the time and place of the hearing by the Planning, Zoning and Appeals Board at least ten days in advance of the hearing. In the case of condominiums within the notification area, only one notice, by certified mail, to the condominium association shall be sent. For the purpose of this requirement, the names and addresses of property owners shall be deemed those appearing on the latest tax rolls of the City. The applicant shall provide the list of owners to the City at the time of the initial application.

Additionally, the City shall notify all registered neighborhood and homeowner associations within the NET office that is applicable to applicant property and shall notify the NET office and official representatives of such registered associations, by certified mail, of the application. Neighborhood and homeowner associations who wish to receive such notice must register on an annual basis at their local NET offices.

The City shall certify at the time of the hearing that notice as herein required was given to the persons as named and with the addresses shown on the certification. The applicant shall pay for the costs of the mailings. ~~Failure to give notice under this section shall not invalidate a decision on an Exception.~~

Posting of the property which is the subject of the hearing and newspaper notice shall be required as provided in Chapter 62 of the City Code.

2. Review and findings.

The Planning, Zoning and Appeals Board shall give full consideration to the Planning Director's recommendations, and shall determine whether to grant an application for Exception, to grant with conditions and safeguards or to deny the application. The Planning, Zoning and Appeals Board shall issue written findings that the applicable requirements of the Miami 21 Code have or have not been met. In no event shall an Exception be issued prior to thirty (30) days from the time the notice of the application is provided to the NET office. The decision of the Planning, Zoning and Appeals Board shall include an explanation of the code requirements for an appeal of the decision and shall be provided to the NET office and posted on the City's website. The Planning, Zoning and Appeals Board shall include a citation to the legal authority for any denial of an Exception.

Approvals shall be granted when the application complies with all applicable regulations; conditional approvals shall be issued when such applications require conditions in order to be found in compliance with all applicable regulations; denials of applications shall be issued if, after conditions and safeguards have been considered, the application still fails to comply with all applicable regulations.

d. Appeal to the City Commission.

Appeal of the decision of the Planning, Zoning and Appeals Board shall be *de novo* applying the Exception criteria in this Code and taken to the City Commission, pursuant to section 7.1.5 of this Miami 21 Code. The appeal shall be filed with the Hearing Boards Office. Notification of the appeal shall be provided by the City in the same manner as provided for the original application in section 7.1.2.6.c. of this Code.

Before appeal of any action to the City Commission, the appellant is required to have exhausted administrative remedies by appearing on the record at the hearing before the Planning, Zoning and Appeals Board. In addition to requirements of the Hearing Boards Office, the filing of the appeal shall state the specific reasons for such appeal, together with payment of any required fee. The appeal may be filed only by the applicant or any person who appeared of record at the Planning, Zoning and Appeals Board hearing on the decision being appealed and who is aggrieved by the action of the Planning, Zoning and Appeals Board.

e. An Exception shall be valid for a period of two (2) years during which a building permit or Certificate of Use must be obtained. This excludes a demolition or landscape permit. A one (1) time extension, for a period not to exceed an additional year, may be obtained upon approval by the Planning Director.

7.1.2.7 Variance

a. Variance defined; limitations.

A Variance is a relaxation of the terms of the Miami 21 Code, and is permitted only in those exceptional circumstances when such action will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of actions of the applicant, a literal enforcement of the Miami 21 Code would result in unnecessary and undue hardship on the property. A Variance shall be authorized only for Lot size, Lot Coverage, dimensions of side or rear Setbacks, parking and loading requirements, and Open Space requirements. Variances shall be prohibited for anything not included in the listing above, except as specifically provided by this Code. A Variance from the terms of the Miami 21 Code shall not be granted unless and until every mitigating measure to offset the impact of the relaxed requirement can be shown to have been taken.

Regulations of this Miami 21 Code that are not eligible for adjustment by Variance may be eligible for administrative Waiver. See section 7.1.2.5.

Unachievable maximum Density, Height, or floor-plate, nonconforming Use of neighboring lands, Structures or Buildings in the same Transect, and permitted Use of lands, Structures or Buildings in any other Transect, shall not be considered grounds for the granting of a Variance.

b. Criteria for approval.

An application for a Variance shall be approved only if it demonstrates all of the following:

1. Special conditions and circumstances exist that are peculiar to the land, Structure or Building involved and that are not applicable to other lands, Structures, or Buildings in the same Transect;
2. The special conditions and circumstances do not result from the actions of the applicant;
3. Literal interpretation of the provisions of the Miami 21 Code deprives the applicant of rights commonly enjoyed by other properties in the same Transect Zone and results in unnecessary and undue hardship on the applicant;
4. Granting the Variance requested conveys the same treatment to the individual owner as to the owner of other lands, Buildings or Structures in the same Transect Zone;

5. The Variance, if granted, is the minimum Variance that makes possible the reasonable Use of the land, Building, or Structure; and
6. The grant of the Variance is in harmony with the general intent and purpose of the Miami 21 Code, and is not injurious to the Neighborhood, or otherwise detrimental to the public.

c. Prior to submitting an application for a Variance under this Code, the prospective applicant shall meet with the Zoning Administrator and the Planning Director in a preapplication meeting to obtain information and guidance as to matters related to the proposed application.

d. Review by Planning Director.

The Planning Director shall determine if a submitted preliminary application for a Variance is complete. Upon making a completeness determination, the Planning Director shall prepare recommendations, and shall certify the preliminary application and accompanying recommendations to be filed with the Hearing Boards Office for consideration by the Planning, Zoning and Appeals Board.

e. Review by the Planning, Zoning and Appeals Board.

1. Notice.
A quasi-judicial hearing shall be conducted by the Planning, Zoning and Appeals Board on the Variance application. Formal public notice of hearing by the Planning, Zoning and Appeals Board of the application shall be issued.

The City shall notify all owners of property within 500 feet of the Property Line of the land for which the hearing is required, by certified mail, of the time and place of the hearing by the Planning, Zoning and Appeals Board at least ten days in advance of the hearing. In the case of condominiums within the notification area, only one notice, by certified mail, to the condominium association shall be sent. For the purpose of this requirement, the names and addresses of property owners shall be deemed those appearing on the latest tax rolls of the City. The applicant shall provide the list of owners to the City at the time of the initial application.

Additionally, the City shall notify all registered neighborhood and homeowner associations within the NET office that is applicable to applicant property and shall notify the NET office and official representatives of such registered associations, by certified mail, of the application. Neighborhood and homeowner associations who wish to receive such notice must register on an annual basis at their local NET offices.

The City shall certify at the time of the hearing that notice as herein required was given to the persons as named and with the addresses shown on the certification. The applicant shall pay for the costs of the mailings. ~~Failure to give notice under this section shall not invalidate a decision on a Variance.~~

Posting of the property which is the subject of the hearing and newspaper notice shall be required as provided in Chapter 62 of the City Code.

2. Decision by the Planning, Zoning and Appeals Board.

   The Planning, Zoning and Appeals Board shall consider the recommendations of the Planning Director, conduct a quasi-judicial hearing, and shall issue written findings that the application meets or does not meet the applicable criteria allowing for a Variance from the regulations of the Miami 21 Code. In no event shall a Variance be issued prior to thirty (30) days from the time the notice of the application is provided to the NET office. The decision of the Planning, Zoning and Appeals Board shall include an explanation of the code requirements for an appeal of the decision and shall be provided to the NET office and posted on the City's website. The Planning, Zoning and Appeals Board shall include a citation to the legal authority for any denial of a Variance.

3. Conditions and safeguards.

   In any Variance, the Planning, Zoning and Appeals Board may prescribe appropriate mitigating conditions and safeguards in conformity with the Miami 21 Code. Violation of such conditions and safeguards, when made a part of the terms under which the Variance is granted, shall be deemed a violation of the Miami 21 Code and grounds for revocation of the Variance.

f. Appeal to the City Commission.

   Appeal of the decision of the Planning, Zoning and Appeals Board shall be made to the City Commission, as a *de novo* hearing, and as set forth in section 7.1.5 of this Miami 21 Code. The appeal shall be filed with the Hearing Boards Office. Notification of the appeal shall be provided by the City in the same manner as provided for the original application in section 7.1.2.7.e. of this Code.

   Before appeal of any action to the City Commission, the appellant is required to have exhausted administrative remedies by appearing on the record at the hearing before the Planning, Zoning and Appeals Board. In addition to requirements of the Hearing Boards Office, the filing of the appeal shall state the specific reasons for such appeal, together with payment of any required fee. The appeal may be filed only by the applicant or any person who appeared of record at the Planning, Zoning and Appeals Board hearing on the decision being appealed and who is aggrieved by the action of the Planning, Zoning and Appeals Board.

g. A project for which the Variance has been obtained shall be valid for a period of two (2) years during which a Building Permit or Certificate of Use must be obtained. This excludes a demolition or landscape permit. A one time extension, for a period not to exceed an additional year, may be obtained upon approval by the Planning Director.

7.1.2.8 Amendment to Miami 21 Code

a. Successional Zoning. The City's growth and evolution over time will inevitably require changes to the boundaries of certain Transect Zones. These changes shall occur successionally, in which the zoning change may be made only to a lesser Transect Zone; within the same Transect Zone to a greater or lesser intensity; or to the next higher Transect Zone, or through a Special Area Plan. All changes shall maintain the goals of this Code to preserve Neighborhoods and to provide transitions in Intensity, Density, Building Height and Scale.

1. When a CI zoned property ceases to be used for Civic functions, the successional rezoning is determined by identifying the lowest Intensity Abutting Transect Zone, and rezoning to that Zone's next higher Intensity Zone.

2. For a property of nine (9) acres or more, a successional change shall require a Special Area Plan as described in Article 3.

3. For all successional zoning changes of less than nine (9) acres, refer to the table below.

TRANSECT ZONE	FLR	SUCCESSIONAL ZONE	FLR
T1	--	T1	--
T2	--	N/A	--
T3	--	T4, CI	--
T4	--	T5, CI	--
T5	--	T6-8, CI	6
T6-8	5	T6-12, CI	8
T6-12	8	T6-24, CI	7
T6-24	7	T6-36a, CI	12
T6-36a	12	T6-60a, CI	11
T6-60a	11	T6-60b, CI	18
T6-36b	22	T6-60b, CI	18
T6-60b	18	N/A, CI	--
T6-80	24	N/A, CI	--
CI	--	Abutting Zones	
CI-HD	8	T6-24	7
D1	--	T5, CI, D2	--
D2	--	D1, CI	--
D3	--	T6-8L, T6-8 O, CI	--

b. The Miami 21 Code may be amended by amending the Miami 21 Atlas or by amending the text of this Code.

1. Miami 21 Atlas amendments (also referred to as a "rezoning", including Special Area Plans) may only be applied for at two times of the year, which times shall be set yearly by the City Commission. A rezoning to a CS Transect Zone, and any rezoning initiated by the City shall be exempt from the twice yearly schedule. The Planning, Zoning and Appeals Board shall make recommendations to the City Commission for such amendments to the Miami 21 Code.

2. Every two years, the City may conduct a comprehensive review of the Miami 21 Atlas to evaluate the development direction of the City's neighborhoods and determine if additional amendments are appropriate.

3. Amendments to the text of the Miami 21 Code (including tables and diagrams) may be made only upon application of a city official and may be considered at any time during the year.

c. Applications for rezoning (Miami 21 Atlas amendment).

1. Except where the proposal for the rezoning of property involves an extension of an existing Transect boundary, no rezoning of land shall be considered which involves less than forty thousand (40,000) square feet of land area or two hundred (200) feet of street Frontage on one (1) street. Applications for rezoning may be made by:

(a) The City Commission;
(b) The Planning, Zoning and Appeals Board;
(c) Any other department, board or agency of the City;
(d) Any person or entity other than those listed in (a) through (c), above, provided that only the owner(s) or their agent(s) may apply for the rezoning of property.

2. Applications for rezoning made pursuant to (d) above shall be made on an application form as provided by the City which shall require, at a minimum, the following information:

(a) Location of the property, including address and legal description
(b) Survey of the property prepared by a State of Florida registered land surveyor within six (6) months from the date of the application, including acreage.
(c) Affidavit and disclosure of ownership of all owners and contract purchasers of the property, including recorded warranty deed and tax forms of the most current year. For corporations and partnerships, include articles of incorporation, certificate of good standing, and authority of the person signing the application. Non-profit organizations shall list members of the Board of Directors for the past year.
(d) Certified list of owners of real estate within five hundred (500) feet of the subject property.
(e) Present zoning of the property and Future Land Use designation of the property.

(f) At least two photographs that show the entire property.
(g) An analysis of the properties within a one-half mile radius of the subject property regarding the existing condition of the radius properties and the current zoning and Future Land Use designations of the radius properties. The analysis shall include photos of Building elevations of both sides of the street extending three hundred (300) feet beyond all boundaries of the site. An aerial photo of the site and the radius properties shall be included. The analysis shall explain why the zoning change is appropriate and why the existing zoning is inappropriate, in light of the intent of the Miami 21 Code and particularly in relation to effects on adjoining properties.

d. Review of application for code amendments by Planning Director.

1. The Planning Director shall review each application for a code amendment and provide a recommendation and a statement in regard to how each of the criteria of this Code is met or not met. In the case of rezonings, the Director shall additionally review the application in regard to whether the land Use densities and intensities are compatible with and further the objectives, policies and land Uses in the Comprehensive Plan, and whether the criteria in 7.1.2.8.f are met.

2. A non-City applicant for rezoning shall obtain a Zoning Referral by the Zoning Administrator, and meet with the Planning Director and Zoning Administrator in a preapplication meeting prior to the applicant's submission of a preliminary application for rezoning. The Director shall review each preliminary application for rezoning for completeness. The Planning Director shall certify the preliminary application and his accompanying recommendations to be filed with the Office of Hearing Boards for consideration by the Planning, Zoning and Appeals Board. The applicant shall be responsible for filing the application with the Office of Hearing Boards. Upon filing with the Office of Hearing Boards, the application shall be placed on the agenda of the Planning, Zoning and Appeals Board.

e. Review by the Planning, Zoning and Appeals Board.

1. Notice

Formal public notice of hearing by the Planning, Zoning and Appeals Board of an application for a code amendment shall be issued in the following manner:

The City shall notify all owners of property within 500 feet of the Property Line of the land for which the hearing is required, by certified mail, of the time and place of the rezoning hearing by the Planning, Zoning and Appeals Board at least ten days in advance of the hearing. In the case of condominiums within the notification area, only one notice, by certified mail, to the condominium association shall be sent. For the purpose of this requirement, the names and addresses of property owners shall be deemed those appearing on the

latest tax rolls of the City. The applicant shall provide the list of owners to the City at the time of the initial application.

Additionally, the City shall notify all registered neighborhood and homeowner associations within the NET office that is applicable to applicant property and shall notify the NET office and the official representatives of such registered associations, by certified mail, of the rezoning application. Neighborhood and homeowner associations who wish to receive such notice must register on an annual basis at their local NET offices.

Notice of text amendments shall be as provided by Chapter 62 of the City Code and state law.

The City shall certify at the time of the hearing that notice as herein required was given to the persons as named and with the addresses shown on the certification. The applicant shall pay for the costs of the mailings. ~~Failure to give notice under this section shall not invalidate a decision on a code amendment.~~

Posting of the property which is the subject of the hearing and newspaper notice shall be required as provided in Chapter 62 of the City Code.

2. Review, findings and recommendation.

(a) The Planning, Zoning and Appeals Board shall give full consideration to the Director's recommendations, and shall evaluate whether an application for a code amendment should be granted, granted with modifications or denied.

(b) The Board shall conduct a hearing on text amendments and make its recommendations based on whether the criteria in this section are met.

(c) The Planning, Zoning and Appeals Board shall conduct a quasi-judicial public hearing on rezoning applications, and make its recommendations based on whether the criteria in this section are met.

f. Criteria.

The recommendations of the Planning, Zoning and Appeals Board shall show that the board has considered and studied the application in regard to the following criteria:

1. For all amendments:

(a) The relationship of the proposed amendment to the goals, objectives and policies of the Comprehensive Plan, with appropriate consideration as to whether the proposed change will further the goals, objectives and

policies of the Comprehensive Plan; the Miami 21 Code; and other city regulations.

(b) The need and justification for the proposed change, including changed or changing conditions that make the passage of the proposed change necessary.

2. For rezonings:

A change may be made only to the next intensity Transect Zone or by a Special Area Plan, and in a manner which maintains the goals of this Miami 21 Code to preserve Neighborhoods and to provide transitions in intensity and Building Height.

3. For Special Area Plan rezonings:

Special Area Plans shall be adopted by rezoning pursuant to the provisions of Section 3.9.

g. City Commission action on Planning, Zoning and Appeals Board recommendations.

1. Notice and hearings.

Upon receipt of the findings and recommendations regarding code amendments by the Planning, Zoning and Appeals Board, the City Commission shall hold at least two advertised public hearings on the proposed code amendments. Notice shall be given as follows:

The City shall notify all owners of property within five hundred (500) feet of the Property Line of the land for which the hearing is required, by certified mail, of the time and place of the rezoning hearing by the City Commission at least ten days in advance of the hearing. In the case of condominiums within the notification area, only one notice, by certified mail, to the condominium association shall be sent. For the purpose of this requirement, the names and addresses of property owners shall be deemed those appearing on the latest tax rolls of the City. The applicant shall provide the list of owners to the City at the time of the initial application.

Additionally, the City shall notify all registered neighborhood and homeowner associations within the NET office that is applicable to applicant property and shall notify the NET office and the official representatives of such registered associations, by certified mail, of the rezoning application. Neighborhood and homeowner associations who wish to receive such notice must register on an annual basis at their local NET offices.

Notice of text amendments shall be as provided by Chapter 62 of the City Code and state law.

The City shall certify at the time of the hearing that notice as herein required was given to the persons as named and with the addresses shown on the certification. The applicant shall pay for the costs of the mailings. ~~Failure to give notice under this section shall not invalidate a decision on a code amendment.~~

Posting of the property which is the subject of the hearing and newspaper notice shall be required as provided in Chapter 62 of the City Code and by state statute.

2. Adoption.

In the case of all proposed Miami 21 text or Miami 21 Atlas amendments, if the recommendation of the Planning, Zoning and Appeals Board is adverse to the proposal, such rezoning shall not be adopted except by the vote of at least three members of the City Commission.

The City Commission may, by a vote of not less than three (3) members, approve the rezoning of property to a Transect Zone of less Intensity than that applied for in situations where, in the opinion of the commission and upon the recommendation of the Planning Director, the specific rezoning applied for would work to the detriment of the health, safety or welfare of the surrounding Neighborhood, whereas a rezoning to a Transect Zone of less Intensity would not.

In no event shall a rezoning be issued prior to thirty (30) days from the time the notice of the application is provided to the NET office. The decision of the City Commission shall include an explanation of the code requirements for an appeal of the decision and shall be provided to the NET office and posted on the City's website. The City Commission shall include a citation to the legal authority for any denial of a rezoning.

3. Failure of City Commission to act.

If a recommendation of the Planning, Zoning and Appeals Board is not legislatively decided within twelve (12) months from first reading by the City Commission, the application upon which the report and recommendation are based shall be deemed to have been denied. However, for amendment to the Comprehensive Plan and its corresponding Miami 21 Atlas amendment, the time period will be extended an additional twelve (12) months. In both instances, the provisions of sections 62-54 and 62-55 of the City Code will not apply unless otherwise required by the City Commission. No day of the month of August shall be counted in the administration of this section.

4. Limitation on further consideration after denial.

Whenever the City Commission has denied an application for the rezoning of property, the Planning, Zoning and Appeals Board shall not thereafter:

(a) Consider any further application for the same rezoning of any part or all of the same property for a period of eighteen months from the date of such action;
(b) Consider an application for any other kind of rezoning on any part or all of the same property for a period of twelve months from the date of such action; or
(c) Consider an application for rezoning that involves the same owner's property within two hundred (200) feet of property granted a change within a period of twelve (12) months.

5. Limitation on further consideration after rezoning.

Whenever the City Commission has rezoned property, the Planning, Zoning and Appeals Board shall not thereafter consider any petition for rezoning of all or any part of the same property for a period of eighteen (18) months from the date of such action.

6. Limitation on further consideration after voluntary withdrawal of application.

Whenever an applicant has voluntarily withdrawn an application for rezoning of property during either first or second reading before the City Commission, the Planning, Zoning and Appeals Board shall not thereafter consider an application for the same property for eighteen (18) months from the date of such action, nor consider an application for any kind of rezoning of any part or all of the same property for twelve (12) months from the date of such action.

7. Waiver of time limits.

The time limits set forth in this subsection g. may be waived by a vote of at least three (3) members of the City Commission when such action is deemed necessary to prevent injustice or to facilitate development of the city in the context of the adopted Comprehensive Plan, or any portion thereof.

7.1.2.9 Sign Permits

a. Application. Except for classes of signs exempted from permit requirements as specified in Article 6, Section 6.5, all signs shall require permits. Applications for such permits shall be made, on forms provided by the city, and in addition shall provide at a minimum the following information:

1. A drawing to scale showing the design of the Sign, including the dimensions, Sign size, method of attachment, source of illumination, and showing the relationship to any Building or Structure to which it is, or is proposed to be, installed or placed, or to which it relates;
2. A fully dimensional Lot plan, drawn to scale, indicating the location of the Sign relative to Property Line, right-of-way, streets, sidewalks, and other Buildings or Structures on the premises;

3. Number, size and location of all existing signs upon the same Building, Lot or premises, if applicable; and
4. Any other information required, if any, by the Florida Building Code.

b. Permit identification required to be on Sign. Any Sign requiring a permit or permits shall be clearly marked with the permit number or numbers and the name of the person or firm responsible for placement of the Sign on the premises.

c. Approval of sign permit. A sign permit may be approved by the Zoning Administrator if the requirements and criteria set forth in this Code have been met; all other necessary approvals, if any, have been obtained; and all required fees have been paid.

d. Transferability of sign permit. Permits, permit numbers or permit applications and attachments shall not be transferable to other sites. They are valid only for a specific Sign Structure at the specifically designated location subject to change of copy limitations in Article 6, Section 6.5. If at any time a Sign Structure is altered, removed or relocated in a manner different from the terms of the sign permit, the sign permit will become void, unless otherwise provided in this code.

7.1.3 Application and Review Process

Generally, the application and review process for By Right permits, Warrants and Waivers, Exceptions, Variances and rezonings are as illustrated in Article 7, Diagram 14.

7.1.3.1 Informal Consultation

Prior to submitting any application for a permit under this Code, the prospective applicant may informally consult with the Zoning Administrator and the Planning Director to obtain information and guidance concerning the proposed application, the general application requirements and the plan review process. The prospective applicant for plan review under section 7.1.3.2 may request informal consultation regarding the proposed plan prior to the required pre-application process. No statement made or information exchanged during the informal consultation shall be binding on the city or the applicant.

7.1.3.2 Generally

a. The Zoning Office shall direct an applicant for a permit under this Code to the appropriate office for the review of the permit application by issuing a Zoning Referral. Preapplication package forms for specific permits shall be provided by the city administration to assist the applicant in the review and approval process. For all applications, the following information shall be required

1. Names and addresses of the record owners, the applicant, and the person preparing the application, and the signatures of each. Statement of ownership or control of the property, executed and sworn to by the owner or owners of one hundred percent (100%) of the property described in the application, or by tenant or tenants, with owner's written sworn-to-consent, or by duly authorized agents, evidenced by a written power of attorney if the agent is not a member of the Florida Bar.

2. Evidence of authority by the record owners for submission of the application, and identification of the applicant's relationship to the owner if the applicant is not the record owner.

3. Legal description and a certified land survey of the proposed site boundaries. The survey shall be performed in accordance with Florida Administrative Code, and dated within one year proceeding the filing date of the application, providing such survey reflects all current conditions of the subject property. The land survey shall be reviewed by the Department of Public Works and baseline information shall be provided by the Department to the applicant prior to review of the preapplication package at the preapplication meeting.

4. Any information required for notice of a hearing or administrative decision pursuant to this Miami 21 Code.

5. Proof of any pending code enforcement action or municipal liens on the property.

6. Payment of required fees and charges.

b. The Zoning Administrator, or the Planning Director, as appropriate, shall make a determination as to the completeness of the preapplication package prior to its further review.

c. When any combination of a Warrant, Waiver or Exception is requested for a particular project, one application for the highest ranking permit shall be sufficient for review, and lower ranking approvals need not be applied for separately. Although only one application is required to be filed, the project must meet the criteria for all the approvals requested. Applications shall be ranked as follows: Waivers, Warrants, and Exceptions. Special Area Plans, Variances, and amendments to the Miami 21 Code shall always require separate applications and approvals. The approval of any administrative permit shall be contingent on the approval of all permits requiring public hearing, and the appeal period for any required administrative approval shall be stayed pending the approval of the last permit requiring public hearing.

7.1.3.3 For By Right permits, the applicant shall also provide a complete set of plans, signed and sealed as required by the Florida Building Code, which should include:

a. Location plan at minimum scale of 1:200, of project within Neighborhood structure as shown in Zoning Atlas, including plat plan of Neighborhood and

Building footprints of Neighborhood or superimposition of project on aerial photograph.

b. Dimensioned site plan(s) including:

1. Lot Lines and Setbacks.

2. Location, shape, size and Height of existing and proposed Building construction and landscaping.

3. Location of Off-street Parking, loading facilities, waste collection areas, and all above ground utilities.

4. Location and design of any signage.

5. Indication of any site or Building design methods used to conserve energy.

6. Abutting area extending three hundred (300) feet beyond Property Lines including street design from project Building Façade to Building Façade across the street, including sidewalk, swale if any, street trees, and on-street parking pavement.

c. Landscape plans including specification of plant material, location and size.

d. Floor plans and elevations of all Structures, including total gross square foot area of each floor and all dimensions relating to the requirements of this Code.

e. Figures indicating the following:

1. Lot area.

2. Amount of green space or Open Space, trees, and pervious and impervious pavement in square feet and percentage required and provided.

3. Amount of building coverage at ground level in square feet and percentage required and provided.

4. Total square footage of all built areas, categorized by Use.

5. Parking required and provided.

6. Total number of dwelling units.

7. Other design data as may be needed to evaluate the project.

7.1.3.4 Plan Approval Required for Warrants, Waivers, Exceptions and Variances

a. Requirements.

Plan approval is required for any Structure or premises to be constructed, changed, converted, enlarged or moved, wholly or partly, by Warrant, Waiver, Exception or Variance. The plan shall be reviewed as part of the preapplication package for the Warrant, Waiver, Exception, or Variance. If plan approval is required, the plan shall show that the Structure or Use, or both, or the affected part thereof, are in conformity with the provisions of this Miami 21 Code.

b. Preapplication Meeting.

After receiving a Zoning Referral and a preapplication package from the Zoning Office for a Warrant, Waiver, Exception, or Variance under this Code, the prospective applicant shall meet in a preapplication meeting to obtain information and guidance as to matters related to the proposed application. No statement made or information exchanged during the pre-application meeting shall be binding on the City or the applicant. The Planning Director (or the Zoning Administrator in the case of a Waiver) shall ensure that representatives of potentially affected City departments or agencies are present at the meeting and shall, if deemed necessary, extend invitations to attend and participate in the meeting to potentially affected agencies or officers of Miami-Dade County, the state or the federal government. The Zoning Administrator shall be responsible for the preapplication meeting in the case of a Waiver. The preapplication meeting may be continued for the review of further information that may be necessary to enable the applicant to submit a complete preliminary application.

Insofar as possible, the applicant shall be given guidelines at the pre-application meeting in regard to:

1. Any referral to other governmental officers or agencies that may be necessary either before or after filing application for permit requested.

2. Any required Comprehensive Plan amendments or zoning changes.

3. Any Waivers which may be required for the proposed project.

4. Information regarding the plan process and information that the Zoning Administrator or Director deem pertinent to the application.

5. Any other matters that are deemed pertinent to the application.

6. Estimate of fees.

c. Upon completion of the pre-application meeting, the applicant if required shall submit an application for preliminary plan approval with the Planning Department or Zoning Office, as applicable, on forms provided by the City. The Planning

Department or Zoning Office as applicable shall initiate review of the preliminary plan application and determine that the preliminary plan application is complete.

d. Materials to be submitted with the application shall include maps, plans, surveys, studies and reports that may reasonably be required to make the necessary determinations called for in the particular case, in sufficient copies for referrals and records, including those materials listed in section 7.1.3.3, and may include other materials as deemed necessary by the Planning Director or Zoning Administrator, as applicable.

e. A preliminary plan application shall be deemed complete at the time:

1. It is on a form approved by the city, and all applicable information is provided by the applicant on the form, or attachment(s), as necessary, at the time of its filing and;

2. It has been reviewed and signed by the appropriate official and;

3. All required fees are paid.

f. The Planning Department or Zoning Office shall review the submitted application pursuant to the standards of this Code. If further review is necessary by the Planning, Zoning and Appeals Board or the City Commission, the Planning Director shall prepare recommendations and certify the application and recommendations to be filed with the Office of Hearing Boards. The applicant is responsible for filing the application for a hearing, along with the Planning Director's certification, with the Office of Hearing Boards.

7.1.3.5 Modifications to Applications Requiring Public Hearing

a. Modifications to applications after processing begins.

An applicant may modify an application filed with the Office of Hearing Boards after processing begins and prior to the public hearing if the modifications are not substantial. Otherwise, a new application must be made and fee paid. Whether a proposed modification is substantial shall be determined by the Zoning Administrator, according to whether the requested modification requires a Variance or Exception.

b. Modifications subsequent to notice of hearing.

1. After notice has been given of a public hearing before the Planning, Zoning and Appeals Board, or City Commission, as the case may be, no change shall be made in the original application which would have the effect of creating substantial differences between the matter advertised and the matter upon which the hearing is actually held.

2. Upon completion of the public hearing by the Planning, Zoning and Appeals Board, or City Commission, as the case may be, no proposed amendment shall be recommended or adopted which is substantially different from the proposal for which the public hearing was held.

c. Modifications to a plan approved under this Miami 21 Code.

Minor modifications may be made to a plan approved under the Miami 21 Code upon the applicant's submission of a letter explaining the need for corrections, payment of the fee established by the adopted fee schedule, and written approval of the Planning Director. Minor modifications include those changes that meet Transect regulations and do not change the manner of operation of the approved site, or can be approved by Waiver. Minor modifications may include, but are not limited to, changes in the project phasing pursuant to Section 7.1.3.5.e. All applications for minor modifications to an approved plan shall be reviewed in light of their cumulative effect on the original approved plan, taking into account building disposition, configuration, function, and other Code standards. Except for minor modifications, the plan may be amended only pursuant to the procedures and standards established for its original approval.

d. Modifications to special permits and Variances approved under a previous code.

1. An applicant may modify a special permit approved under a previous zoning code, as a minor modification through the Warrant process, if the components being modified will after modification be in compliance with this Code, even though the remainder of the approved development plan is not in full compliance with this Code. The special permit may be amended with modifications that the Planning Director determines not to be minor, and variances may be modified according to the following procedures:

   a. Class I Special Permits shall be amended pursuant to Chapter 62 of the City Code.
   b. Class II Special Permits shall be amended as a Warrant.
   c. Special Exceptions and Major Use Special Permits shall be amended as an Exception
   d. Variances may be modified as a Variance.

2. In all Special Permit cases, the City shall recognize any rights to develop that may be vested under legal principles of equitable estoppel, and may allow changes to a previously approved phased Special Permit that has begun construction (other than under a demolition or landscape permit), applying the standards of the previous code for all phases. Where those changes to the greatest extent possible conform to the standards of this Code, the review shall be conducted by Warrant; otherwise the changes shall be considered not minor and the review shall be conducted as an Exception.

3. The expiration date for any Class II Special Permit, Major Use Special Permit or Variance approved under the Zoning Ordinance 11000 in effect immediately prior to the date of adoption of this Miami 21 Code may, upon

application to the Director by the owner, be extended from its original expiration date as follows:

a. Class II Special Permits, Special Exceptions and Variances shall be permitted no more than one (1) time extension for a period not to exceed twelve (12) months.

b. Major Use Special Permits shall be permitted no more than two (2) time extensions for each time extension period not to exceed twenty-four (24) months.

4. Nothing in this Code shall divest a previously approved Development of Regional Impact from any development rights obtained as a result of its approval under a Chapter 380, Florida Statutes.

e. Phased project: A phased project is one which, due to its magnitude, must be developed in stages. At the time of its approval, the entire project shall be owned by a single entity or its subsidiaries, and shall occupy contiguous lands, separated only by streets or alleys. Changes in the phasing of such a project may be approved as a minor modification if approved by the Zoning Administrator, building official and Planning Director.

f. Complete applications pending at the date of the adoption of this Code shall be reviewed under the provisions of Ordinance 11000 as existing at the date of adoption of this Code. Applications approved under this paragraph must obtain a building permit as required by Section 2105.4 of Ordinance 11000.

7.1.3.6 Approvals granted in error do not authorize violation of this Code; corrections required.

a. An approval issued in error shall not confer any rights to construction or occupancy, and upon a finding that a permit has been so issued, it shall be revoked unless construction has commenced on that portion of the construction that was permitted in error.

b. No approval shall be construed to authorize violation of any provisions of this Code, and such approval shall be valid only to the extent that the work authorized is lawful.

c. Issuance of a building permit based upon a site plan shall not prevent the Zoning Administrator from thereafter requiring correction of errors in the plan.

7.1.3.7 No Approval Available if Code Enforcement Violations.

No approval may be issued if the business, enterprise, occupation, trade, profession, property or activity is the subject of an ongoing city enforcement procedure, or is the subject of a notice of violation of a state law or county ordinance where the business

enterprise is located or is to be located, unless the subject of the application would cure the outstanding violation.

7.1.3.8 Resubmission and Withdrawal of Applications Requiring Public Hearing.

a. Whenever an application has been denied, the city shall not thereafter consider the same application for any part or all of the same property for a period of eighteen (18) months from the date of the denial.

b. Whenever an applicant has voluntarily withdrawn an application after the application has been scheduled for a public hearing, the city shall not thereafter consider the same application for the same property for eighteen (18) months from the date of the withdrawal.

c. The time limits set by paragraphs a. and b. above may be waived by a vote of not less than three (3) members of the decision making body when such action is deemed necessary to prevent injustice or to facilitate development of the city in the context of the adopted Comprehensive Plan, or portion thereof.

d. If an application is on file for more than six (6) months without activity by the applicant, it shall be deemed withdrawn.

7.1.4 Quasi-Judicial Procedures

7.1.4.1 Intent

The intent of this section is to establish procedures to ensure procedural due process and maintain citizen access to the local government decision-making process for the review of certain applications that require quasi-judicial hearings. These procedures shall be applied and interpreted in a manner recognizing both the legislative and judicial aspects of the local government decision-making process in quasi-judicial hearings. Failure to observe the procedures set out herein shall not provide a separate cause of action to challenge the decision of the decision-making board.

7.1.4.2 Applicability

These procedures shall apply to all applications in which the City Commission or Planning, Zoning and Appeals Board acts in a quasi-judicial capacity for recommendations or final decisions as to Exceptions, Variances, Special Area Plans and rezoning; and to appeals to the City Commission or Planning, Zoning and Appeals Board on Warrants, Waivers, zoning approvals and Certificates of Use.

These procedures do not apply to administrative decisions made by City staff on Warrants or Waivers, zoning approvals, sign permits or Certificates of Use, except

upon the appeal of the administrative decision to the Planning, Zoning and Appeals Board.

7.1.4.3 Definitions

The following words, terms and phrases, when used in this section, shall have the following meanings ascribed to them, except where the context clearly indicates a different meaning:

a. **Applicant** shall mean the owner of record, the owner's agent, or any person with a legal or equitable interest in the property for which an application or appeal thereof has been made and which is subject to quasi-judicial proceedings, and shall mean the staff when the application is initiated by the city.

b. **Competent substantial evidence** shall mean testimony or other evidence based on personal observation, or fact or opinion evidence offered by an expert on a matter that requires specialized knowledge and that is relevant to the issue to be decided. Competent substantial evidence is evidence a reasonable mind could accept as adequate to support a conclusion.

c. **Decision-making body** shall mean the City Commission or the Planning, Zoning and Appeals Board, as the case may be, that makes a recommendation or decision on an application or decides the appeal.

d. **Intervenor** shall mean a person whose interests in the proceeding are adversely affected in a manner greater than those of the general public.

e. **Material** evidence shall mean evidence that bears a logical relationship to one or more issues raised by the application or the laws and regulations pertaining to the matter requested by the application.

f. **Participants** shall mean members of the general public, other than the Applicant, including experts and representatives of local governments and governmental agencies, who offer testimony at a quasi-judicial hearing for the purpose of being heard on an application.

g. **Party** shall mean the Applicant, the city staff, and any person recognized by the Decision-making body as a qualified Intervenor.

h. **Relevant** evidence shall mean evidence which tends to prove or disprove a fact that is material to the determination of the application.

7.1.4.4 General procedures

a. Each Party shall have the right to call and examine witnesses, to introduce exhibits, to cross-examine opposing witnesses on any relevant matter (subject to the rules contained herein), and to rebut evidence.

b. Staff shall have the responsibility of presenting the case on behalf of the City. The staff report on the application shall be made available to the Applicant and the Decision-making body no later than five (5) days prior to the quasi-judicial hearing on the application.

c. Official file. All written communication received by Decision-making body or staff concerning an application, the staff report on the application, any petitions or other submissions from the public, and all other documents pertaining to the application upon receipt shall be filed in the official file for the application, which shall be maintained by staff. The Comprehensive Plan, this Code and the City Code shall be deemed to be part of the official file. The official file shall be available for inspection during normal business hours.

d. The printed agenda for the meeting at which the quasi-judicial hearing is scheduled to take place shall identify the hearing as quasi-judicial and indicate where copies of the procedures that apply may be obtained.

7.1.4.5 Hearing procedures

a. The hearing shall, to the extent possible, be conducted as follows:

1. The Chair or City Attorney shall read a statement at the beginning of the quasi-judicial hearing portion of the agenda, which shall outline the procedure to be followed. A copy of the procedures shall be made available at the hearing.

2. The members of the Decision-making body shall disclose any *ex parte* communications regarding the application.

3. The Applicant, staff, and all Participants requesting to speak shall be collectively sworn by oath or affirmation.

4. The Applicant may waive its right to an evidentiary hearing if it agrees with the staff recommendation and no one from the audience wishes to speak for or against the application. The Decision-making body may then vote on the item, based upon the staff report and any other materials entered by staff from the official file into the record of the hearing.

5. If there is an evidentiary hearing, the order of the presentation shall be as follows, unless the chair agrees to a different order, taking proper consideration of fairness and due process:

(a) Staff shall present a brief synopsis of the application; introduce any appropriate additional exhibits from the official file that have not already been transmitted to the decision-making body with the agenda materials, as staff desires; summarize issues; and make a recommendation on the application. Staff shall also introduce any witnesses that it wishes to provide testimony at the hearing.

(b) The Applicant shall make its presentation, including offering any documentary evidence, and introduce any witnesses as it desires.

(c) Participants shall make their presentations in any order as determined by the chair.

(d) Staff may cross-examine any witnesses and respond to any testimony presented.

(e) The Applicant may cross-examine any witnesses and respond to any testimony presented.

(f) The chair may choose to allow Participants to respond to any testimony if the chair deems the response to be necessary to ensure fairness and due process.

(g) Members of the Decision-making body, through the Chair, may ask any questions of the staff, Applicant and Participants.

(h) Final argument may be made by the staff, related solely to the evidence in the record.

(i) Final argument may be made by the applicant, related solely to evidence in the record.

b. A qualified Intervenor may make a presentation, conduct cross-examination and make final arguments in the order as decided by the chair.

c. The chair shall keep order, and without requiring an objection, may direct a Party conducting the cross-examination to stop a particular line of questioning that merely harasses, intimidates or embarrasses the individual being cross-examined; is unduly repetitious or is not relevant; or is beyond the scope of the testimony by the individual being cross-examined. If the Party conducting the cross-examination continuously violates directions from the chair to end a line of questioning deemed irrelevant and merely designed to harass, intimidate or embarrass the individual, the chair may terminate the cross-examination.

d. After the presentations, and at the conclusion of any continuances, the Decision-making body shall deliberate on the application or appeal, as the case may be. Once the Decision-making body begins its deliberations, no further presentations or testimony shall be permitted except in the sole discretion of the Decision-making body. The Decision-making body's decisions must be based upon Competent substantial evidence in the record.

e. The Decision-making body may, on its own motion or at the request of any person, continue the hearing to a fixed date, time, and place. The Applicant shall have the right to one continuance; however, all subsequent continuances shall be granted at the sole discretion of the decision-making body.

7.1.4.6 Rules of evidence

a. The Decision-making body shall not be bound by the strict rules of evidence, or limited only to consideration of evidence which would be admissible in a court of law.

b. The chair may exclude evidence or testimony which is not Relevant, Material, or competent, or testimony which is unduly repetitious or defamatory.

c. The chair, with the advice of the City Attorney, will determine the relevancy of evidence.

d. Matters relating to an application's consistency with the Comprehensive Plan or Miami 21 Code will be presumed to be Relevant and Material.

e. Hearsay evidence may be used for the purpose of supplementing or explaining other evidence, but it shall not be sufficient by itself to support a finding unless it would be admissible over objection in a court.

f. Documentary evidence may be presented in the form of a copy of the original, if available. A copy shall be made available to the Decision-making body and to the staff no later than two business days prior to the hearing on the application. Upon request, the Applicant and staff shall be given an opportunity to compare the copy with the original. Oversized exhibits shall be copied and reduced for convenient record storage.

g. Only the Applicant, qualified Intervenor, staff and the Decision-making body shall be entitled to conduct cross-examination when testimony is given or documents are made a part of the record.

h. The City Attorney shall represent the Decision-making body and advise it as to the procedures to be followed and the propriety, relevancy and admissibility of evidence presented at the hearing.

i. The Decision-making body shall take judicial notice of all state and local laws, ordinances and regulations and may take judicial notice of such other matters as are generally recognized by the courts of the State of Florida.

j. Supplementing the record after the quasi-judicial hearing is prohibited, unless specifically authorized by an affirmative vote of the Decision-making body under the following conditions:

    1. The supplementation occurs after a quasi-judicial hearing is continued but prior to final action being taken on the application or the appeal.

    2. If a question is raised by the Decision-making body at the hearing which cannot be answered at the hearing, the Party to whom the question is directed may submit the requested information in writing to the Decision-making body after the quasi-judicial hearing, with copies to the other Parties,

provided the hearing has been continued or another hearing has been scheduled for a future date and no final action has been taken by the Decision-making body. The information requested will be presented to the Decision-making body at the time of the continued hearing.

3. All Parties and Participants shall have the same right with respect to the additional information as they had for evidence presented at the hearing.

7.1.4.7 Final decision by the Decision-making body

The Decision-making body shall reach a decision without unreasonable or unnecessary delay, which it shall adopt in writing. The written decision shall note the date issued and shall indicate the date filed in the City Clerk's office. The Office of Hearing Boards shall provide the Applicant notification of the decision by certified mail.

7.1.4.8 The record

All evidence admitted into the record at the hearing, and the adopted development order of the Decision-making body shall be maintained by the City Clerk in a hearing file for a period of at least forty-five days (45) from issuance of the decision.

7.1.5 Appeals

Appeals to the appropriate appellate body from the following decisions shall be made as follows:

a. Fifteen (15) days from the posting on the city website of the decision of the Zoning Administrator on an application for zoning approval, Certificate of Use, zoning interpretation or Waiver: to the Planning, Zoning and Appeals Board.

b. Fifteen (15) days from the posting on the city website of the decision of the Planning Director on a Warrant or planning determination: to the Planning, Zoning and Appeals Board.

c. Fifteen (15) days from the decision of the Planning, Zoning, and Appeals Board on an Exception or a Variance: to the City Commission.

d. Thirty (30) days from the appellate decision of the Planning, Zoning and Appeals Board on a zoning approval, Certificate of Use, or Waiver: to the circuit court of the eleventh judicial circuit in the manner set forth in the rules of the court.

e. Fifteen (15) days from the decision of the Planning, Zoning and Appeals Board on a zoning interpretation appeal, planning determination appeal or Warrant appeal: to the City Commission.

f. Thirty (30) days from the appellate decision of the City Commission on a zoning interpretation appeal, planning determination appeal, Warrant appeal, Variance appeal or Exception appeal: to the circuit court of the eleventh judicial circuit in the manner set forth in the rules of the court.

g. Thirty (30) days from the decision of the City Commission on a code amendment: to the circuit court of the eleventh judicial circuit in the manner set forth in the rules of the court.

7.1.6 Notice of Hearings

Notice of hearings shall be as set forth in Chapter 62 of the City Code or as set forth in the Miami 21 Code.

7.2 NONCONFORMITIES: STRUCTURES; USES; LOTS; AND SITE IMPROVEMENTS

7.2.1 Generally

a. Definition

A nonconformity as used in this Code is an existing Use, Structure, Lot or site improvement that is in compliance with the zoning regulations that were applicable to it when it was established, and for which all required permits were issued, but which does not conform in whole or in part to the regulations of this Code. Such nonconformity is legal and may continue except as regulated by this section.

1. A nonconformity may also be created where the lawful use of eminent domain or an order of a court of competent jurisdiction has affected the lawfully existing Use, Structure, Lot or site improvement in a way so that the property does not comply with this Code. In this instance, the nonconformity is legal and may continue except as regulated by this section.

2. A change in tenancy, ownership, or management of a nonconforming Use, Structure, Lot or site improvement shall not be construed to create a nonconformity, provided the change is otherwise lawful and in compliance with this Code.

b. Intent concerning nonconformities generally.

It is the intent of this Code that nonconformities may continue but are not encouraged to expand or enlarge, and once they cease they may not be re-established, except under the terms of Section 7.2.

c. The existence of nonconformity shall not be used as a reason to add new Uses, Structures, or site improvements that are not allowed by the regulations of the Transect Zone in which it is located.

d. The temporary or illegal Use of property shall not be sufficient to establish the existence of a nonconformity or to create rights in the continuation of a nonconformity until it shall come into compliance with the regulations of this Code.

e. If at any time a nonconforming Structure, or any Structure containing a nonconforming Use, becomes unsafe or unlawful by declaration of the City of Miami, Miami-Dade County Unsafe Structures Board, or other government agency having jurisdiction, the Structure shall not thereafter be restored or repaired and the Use shall not be reestablished except in conformity with the regulations of the Transect Zone in which it is located.

7.2.2 Structures and Uses in the Event of Disaster

a. Single-Family Residences and Duplex Structures

In the event of a natural disaster, explosion, fire, act of God, or the public enemy, the Zoning Administrator may permit the reconstruction of any nonconforming Single-Family Residence or duplex to the same or decreased nonconformity as existed immediately prior to the disaster, upon proof satisfactory to the Zoning Administrator of the configuration of the prior Single-Family Residence or duplex, and only in compliance with the Florida Building Code. An application for reconstruction of the Single-Family Residence or duplex shall be filed within twelve (12) months of the event of its destruction, unless the City Commission authorizes the Zoning Administrator to extend the twelve (12) month time period city-wide.

b. All Other Structures

1. Where a nonconforming Structure is destroyed by natural disaster, explosion, fire, act of God, or the public enemy, the Zoning Administrator may, by Waiver, allow the replacement or reconstruction of the nonconforming Structure in whole or in part upon finding that the Waiver criteria of this Code and the criteria of paragraph 2 below are met.

2. Criteria for approval. Replacement or reconstruction may be permitted if the following findings are made.

(a) The cause of destruction was not the deliberate action of the owner or occupant of the Structure or his agents.

(b) The replacement or reconstruction is reasonably necessary to allow the reasonable conforming Use of the Structure.

(c) The replacement or reconstruction meets the Florida Building Code.

3. An Application for the reconstruction or repair shall be filed within a period of twelve (12) months from the date of the destruction unless the City Commission authorizes the Zoning Administrator to extend the twelve (12) month time period city-wide.

c. Nonconforming Uses

1. The restoration of a nonconforming Use within a Structure that is destroyed by natural disaster, explosion, fire, act of God, or the public enemy, may be approved by Warrant. The Use must be restored in a conforming Structure or Structure approved by Waiver, and of equal or lesser size and on the same Lot. The approval shall further find that the criteria of paragraph 2 below are met.

2. Criteria for approval. The restoration of the nonconforming Use may be permitted if all of the following are found to be met:

(a) The cause of destruction was not the deliberate action of the owner or occupant of the Structure or his agents; and

(b) Nothing contained in the provisions of this Code or the City Code requires termination of such nonconforming Use; and

(c) There is substantial public advantage in continuance of the nonconforming Use; and

(d) Replacement or reconstruction in the manner proposed, with related actions imposed in conditions and safeguards, will reduce any previous adverse effects of the Use on neighboring properties; and

(e) The Use will not be enlarged or intensified.

3. The application for restoration shall be filed within twelve (12) months of destruction and be diligently carried to completion. Unless restoration is so initiated and completed, the nonconforming Use shall terminate and not be resumed.

~~1. Less than fifty percent (50%) of assessed valuation.~~
~~Where a nonconforming Structure is destroyed by natural disaster, explosion, fire, act of God, or the public enemy to an extent of less than fifty percent (50%) of the assessed valuation of the nonconforming Structure, the Zoning Administrator may, by Waiver, allow the replacement or reconstruction of the nonconforming Structure in whole or in part upon finding that the Waiver criteria of this Code and the criteria of paragraph 3 below are met.~~

~~2. Fifty percent (50%) or more of assessed valuation.~~
~~Where a nonconforming Structure is destroyed by natural disaster, explosion, fire, act of God, or the public enemy to an extent of fifty percent (50%) or more of the assessed valuation of the nonconforming Structure, the Planning, Zoning and Appeals Board may, by Exception, allow the replacement or reconstruction of the nonconforming Structure in whole or in part upon finding that the Exception criteria of this Code and the criteria of paragraph 3 below are met.~~

~~3. Criteria for approval. Replacement or reconstruction may be permitted if the following findings are made.~~

~~(a) The cause of destruction was not the deliberate action of the owner or occupant of the Structure or his agents.~~

~~(b) The replacement or reconstruction is reasonably necessary to allow the reasonable conforming Use of the Structure.~~

~~(c) The replacement or reconstruction meets the Florida Building Code.~~

4. An Application for the reconstruction or repair shall be filed within a period of twelve (12) months from the date of the destruction unless the City Commission authorizes the Zoning Administrator to extend the twelve (12) month time period city-wide.

c. Nonconforming Uses

1. Less than fifty percent (50%) of assessed valuation.

The restoration of a nonconforming Use within a Structure that is destroyed to an extent of less than fifty percent (50%) of the Structure's assessed valuation at time of destruction by natural disaster, explosion, fire, act of God, or the public enemy, may be approved by Warrant. The Use must be restored in a conforming Structure or Structure approved by Waiver, and of equal or lesser size and on the same Lot. The approval shall further find that the criteria of paragraph 3 below are met.

2. Fifty percent (50%) or more of assessed valuation.

The continuance of a nonconforming Use within a Structure that is destroyed to an extent of fifty percent (50%) or more of the assessed valuation at time of destruction by natural disaster, explosion, fire, act of God, or the public enemy, may be approved by the Planning, Zoning and Appeals Board, by Exception. The Use must be restored in a conforming Structure or a Structure approved by Exception, and of equal or lesser size and on the same Lot. The approval shall further find that the criteria of paragraph 3 below are met.

3. Criteria for approval. The restoration of the nonconforming Use may be permitted if all of the following are found to be met:

(a) The cause of destruction was not the deliberate action of the owner or occupant of the Structure or his agents; and

(b) Nothing contained in the provisions of this Code or the City Code requires termination of such nonconforming Use; and

(c) There is substantial public advantage in continuance of the nonconforming Use; and

(d) Replacement or reconstruction in the manner proposed, with related actions imposed in conditions and safeguards, will reduce any previous adverse effects of the Use on neighboring properties; and

(e) The Use will not be enlarged or intensified.

4. The application for restoration shall be filed within twelve (12) months of destruction and be diligently carried to completion. Unless restoration is so initiated and completed, the nonconforming Use shall terminate and not be resumed.

7.2.3 Alterations and Expansion of Nonconforming Structures

a. Single-Family Residences and Duplexes

1. Interior alterations to a nonconforming Single-Family Residence or duplex for interior work such as repairs or interior remodeling shall be allowed.

2. Alterations, additions, repairs and maintenance to a nonconforming Single-Family Residence or duplex shall be permitted as long as there is no enlargement of any nonconformity that affects the exterior of the Building or premises.

3. Where alteration, addition, repair or maintenance enlarges a nonconformity affecting the exterior of the Building or premises, the enlargement may be permitted by Waiver from the Zoning Administrator.

b. All other Structures

1. Less than fifty percent (50%) of square footage of Structure.
Alterations which enlarge the nonconformity of a nonconforming Structure to an extent of less than fifty percent (50%) of the total square footage of the nonconforming Structure may be permitted by Exception from the Planning, Zoning and Appeals Board. In addition to satisfying the Exception criteria, the proposed enlargement shall not exceed a Height or length of fifty percent (50%) of the horizontal or vertical linear footage of the exterior wall(s) of the remaining nonconforming portion of the Structure.

2. Fifty percent (50%) or more of square footage of the Structure.
A nonconforming Structure may be altered to enlarge the nonconformity of the Structure by fifty percent (50%) or more of the total square footage of the nonconforming Structure only if the Structure thereafter conforms to the Transect Zone in which it is located.

c. Computation of alterations

The extent of alteration will be calculated to include the sum of all alterations over a period of three consecutive years.

d. Expansion, repairs, remodeling and maintenance that do not enlarge the nonconformity of a nonconforming Structure

All expansions, repairs, remodeling and maintenance that do not enlarge the nonconformity of the Structure are permitted consistent with the Florida Building Code.

~~1. Less than fifty percent (50%) of assessed valuation.~~
~~Alterations which enlarge a nonconforming Structure to an extent of less than fifty percent (50%) of the assessed valuation may be permitted by Exception from the Planning, Zoning and Appeals Board. In addition to satisfying the Exception criteria, the proposed enlargement shall not exceed a Height or length of fifty percent (50%) of the horizontal or vertical linear footage of the exterior wall(s) of the remaining nonconforming portion of the Structure.~~

~~2. Fifty percent (50%) or more of assessed valuation.~~
~~A nonconforming Structure may be altered, enlarged or expanded by more than fifty percent (50%) of the assessed value of the nonconforming Structure only if the Structure thereafter conforms to the Transect Zone in which it is located.~~

~~c.Computation of alterations~~

~~The extent of alteration will be calculated to include the sum of all alterations over a period of three consecutive years.~~

~~d.Routine repairs, remodeling and maintenance~~

~~All routine repairs, remodeling and maintenance that do not enlarge a nonconformity of the Structure are permitted consistent with the Florida Building Code.~~

7.2.4 Moving a Nonconforming Structure on the Same Lot

A nonconforming Structure may be moved on the same Lot only pursuant to a Waiver approved by the Zoning Administrator, after review by the Planning Director. In addition to satisfying the Waiver criteria, the following criteria apply:

a. The proposed movement must reduce the degree of nonconformity to the maximum extent reasonably feasible, or eliminate the nonconformity;

b. The Structure shall in no case be moved in such a manner as to increase the degree of nonconformity; and

c. Where a nonconforming Structure is moved to a location not on the same Lot, the Structure and all new construction shall thereafter conform to the regulations for the Transect Zone to which it is moved.

7.2.5 Locally Designated Historic Resources—Nonconformities

a. Definition

A locally designated historic resource is a Building or Structure listed in the Miami Register of Historic Places that has been deemed individually significant for its contribution to Miami's history and sense of place; or is a part of a locally designated

historic district where the individual Building or Structure is deemed to add to the historic architectural qualities or historical associations, and the Building or Structure has been so designated through the formal public process provided in Chapter 23 of the City Code.

b. Generally

Nonconforming locally designated historic resources shall be subject to the regulations of this section, except as they may be granted certain waivers or an exception for preservation purposes by the Historic and Environmental Preservation Board pursuant to Chapter 23 of the City Code.

7.2.6 Nonconforming Uses

a. Time Limitation

Where, at the effective date of adoption or amendment of this Code, a lawful Use exists which would not be permitted under this Code, the Use may be continued for twenty (20) years consistent with this section. Upon application, the City Commission may grant by Exception an extension for continuance of the Use for an additional term of up to twenty (20) years. However, legal nonconforming parking uses abutting T3-R areas will not have a continued automatic twenty-year (20) extension as provided in this section, but shall instead seek an Exception before the City Commission within ninety (90) days of adoption of this code.

b. Legally established alcoholic beverage establishments, having a valid Certificate of Use or certificate of occupancy and all other required permits, may continue in existence despite subsequent establishment of a church or school within the distance limitations of Chapter 4 entitled “Alcoholic Beverages” of the City Code.

c. Replacement and Expansion of Structures that Contain Nonconforming Use

1. No enlargement, extension, replacement, or reconstruction of an existing Structure which contains a nonconforming Use shall be permitted except to change the Use to a conforming Use, except as provided below:

(a) Interior Arrangement

A nonconforming Use may be extended throughout any parts of a Structure which was clearly designed or arranged for the nonconforming Use at the time that the Use became nonconforming. If a portion of a Structure was unoccupied or not manifestly designed for the nonconforming Use, the Use may not be expanded within the Structure.

(b) Alterations to the extent of less than fifty percent (50%) of the ~~assessed valuation~~ square footage of a Structure containing a nonconforming Use

Where an alteration of a Structure containing a nonconforming Use is less than fifty percent (50%) of the ~~assessed valuation~~ square footage of the Structure at the time of alteration, the nonconforming Use may be permitted to continue pursuant to an Exception.

(c) Exterior

No nonconforming Use which exists outside a Structure shall be extended to occupy more area than was occupied at the time the Use became nonconforming, except as approved by Exception and to comply with the non Use regulations of the Transect in which it is located. In this case, the occupancy of the new location shall be construed as remaining a nonconforming Use.

2. Extending / Transferring the Nonconforming Use

No nonconforming Use shall be extended to occupy any other Structure on the same Lot or parcel if the other Structure was not used for the nonconforming Use at the time the Use became nonconforming.

3. Subdivision or structural additions

Structures used for nonconforming Uses shall not be subdivided, nor shall any Structures be added on the premises, except for conforming Uses and Structures.

d. Discontinuance or Abandonment of a nonconforming Use

If, for a period of more than six (6) months, a nonconforming Use is documented as being discontinued or a Certificate of Use for a nonconforming Use lapses, any subsequent Use shall conform to the regulations of this Code. Provided, however, the time period shall not include any time during which the discontinuance is caused by governmental action which impedes access to the premises.

7.2.7 Nonconforming Lots

a. Nonconforming Lot

A nonconforming Lot may continue and may be used as provided by this section. A nonconforming Lot is one shown on the latest recorded plat or described by deed, both as recorded in the public records of Miami-Dade County, which met the width, length and area requirements in effect when the Lot became of record, and which Lot would not conform to the requirements of this Code.

b. Street or alley closure

When a Lot has become nonconforming due to a street or alley vacation or closure, the Lot may be modified pursuant to an approval by the Director of the Public Works Department as long as the degree of nonconformity created by the vacation or closure is not increased.

c. Rules concerning combinations of contiguous nonconforming Lots in the same ownership and with common Frontage for T3 Transects only.

1. Combinations required

(a) If two or more Lots, or combinations of Lots and portions of Lots, with continuous Frontage in the same ownership exist at the time of passage or amendment of this Code, and if all or part of the Lots do not meet the requirements for Lot width and area, the lands involved shall be considered an “undivided parcel” for the purposes of this Code. Except as provided below in paragraph c.2., no portion of an undivided parcel shall be used or sold in a manner diminishing compliance with general Transect requirements for Lot width and area.

(b) The undivided parcel shall be considered one Lot for which only one Single-Family Residence or duplex may be constructed, regardless of how many nonconforming Lots make up the parcel.

(c) A unity of title, or covenant in lieu of unity of title, which complies with all applicable requirements of the City Code shall be required on all undivided parcels prior to the issuance of any building permits, including demolition permits.

2. Exceptions to the combination requirement

Notwithstanding paragraph c.1, where nonconforming Lots with continuous Frontage in the same ownership exist at the time of passage or amendment of this Code, such Lots may be developed individually, in accordance with the applicable code requirements and pursuant to a Waiver, if such Lots individually comply with any of the following exceptions.

(a) Duplex Lots restricted to Single-Family Residences

The owner of two or more adjoining nonconforming duplex Lots must by covenant (in a form acceptable to the City Attorney) restrict the Use of the Lots to the development of no more than one Single-Family Residence per Lot and must comply with all Miami 21 Code requirements except for minimum Lot width.

(b) The ninety percent (90%) rule

The Lots must individually comply with ninety percent (90%) of the requirements for Lot width, area, and Principal Front Setback under the Miami 21 Code regulations.

(c) The one thousand (1,000) feet radius rule

The width or size of such nonconforming Lots must be equal to or larger than the majority of the existing Building sites within the same Transect Zones and either within a minimum one thousand (1,000) foot radius of the nonconforming Lot perimeter, or extending no further than the immediate vicinity, whichever is less. "Building site" shall mean a Lot, group of Lots or parcel upon which a Single-Family Residence or duplex is located. "Immediate vicinity" shall mean either an area in which a parcel of land is located that is physically, functionally or geographically identifiable as a distinct realm, place or neighborhood, or an area within a radius of one-half mile from the nonconforming Lot, whichever is smaller.

7.2.8 Nonconforming Site Improvements

Where nonconforming site improvements exist, such as Off-street Parking and loading, access, fences, walls, lighting, landscaping, or similar site improvements, such nonconformities may continue and the site may be altered only as provided below.

a. No change shall be made in any nonconforming site improvement which increases the nonconformity. Changes may be approved by Waiver, if the changes result in the same or a reduced degree of nonconformity

b. Where existing Off-street Parking facilities are nonconforming to the requirements of this Code or any other city standards, the restoration or rehabilitation of an existing Building or adaptive Use to any permitted Use in the Transect Zone shall not require the provision of additional parking or on-site storm water retention or detention except to the extent required by applicable state or federal law. No modifications may be permitted which increase the degree of the existing nonconformity. Modifications to the facilities may be approved by Waiver, and the Waiver may be conditioned on safeguards that reduce the degree of nonconformity to the extent reasonably feasible in the circumstances of the case.

7.2.9 Nonconforming signs

The following provisions shall apply to nonconforming signs:

7.2.9.1. Removal in residential districts

In all residential districts, legal, nonconforming signs shall be removed by May 11, 2003, or shall be made to conform; provided, however, that nonconforming nonresidential Uses in T3, T4-R, T5-R and T6-R shall be permitted to maintain nonconforming signs existing as of May 11, 2002 as provided in regulations for the first district in which such Uses would be conforming as of May 11, 2002.

7.2.9.2. Removal in other districts

In any district other than residential, any Sign or outdoor advertising signs which became nonconforming as a result of the adoption of Ordinance No. 12213 shall be removed by May 11, 2007.

7.2.9.3. Outdoor advertising signs which are freestanding; Continuance of non-conformity

a. All outdoor advertising signs which are freestanding and that became nonconforming as a result of the adoption of Ordinance 11000 in 1990, such that the five (5) year amortization period allowed therein has expired, shall not be considered eligible for a Warrant as set forth below.

b. All outdoor advertising signs which are freestanding, were lawfully erected and have become a nonconforming Sign as a result of the adoption of Ordinance No. 12213, shall be removed by May 11, 2007, provided however that such signs may be eligible to remain standing following the expiration of the amortization period specified herein subject to the issuance of a Warrant as set forth herein.

    1. The expressed intent of such Warrant is to improve the visual aesthetics of such signs as a condition for remaining. No such signs shall be permitted to remain if they were not legally constructed when such signs were permissible within the specified zoning district or Transect.

    2. Any nonconforming outdoor advertising Sign which is freestanding and is eligible for a Warrant to remain standing, must file for such permit no later than one hundred twenty (120) days from the May 11, 2007, the five (5) year amortization period for nonconforming status.

c. Criteria. Any outdoor advertising Sign which is freestanding and eligible for a Warrant to remain must comply with the criteria of this Code and additionally, with the following limitations and restrictions:

    1. Sign Structures supported by multiple I-beams shall be replaced with monopole structures.

2. All Sign Structures shall be limited to an overall Height of thirty (30) feet as measured to the top of the Sign Structure from the crown of the nearest adjacent roadway, except when located within six hundred and sixty (660) feet from an elevated limited access highway in which case the overall Height shall be forty (40) feet; only embellishments may be taller, but in no case shall embellishments exceed an additional five (5) feet in Height.

3. Sign area shall not exceed six hundred and seventy-two (672) square feet, with embellishments not to exceed an additional ten percent (10%) of the Sign area.

4. Monopole Sign Structures shall be painted, and maintained, to a uniform color (to be selected by the Planning Department).

5. Sign lighting shall be enhanced, when applicable or deemed appropriate pursuant to the Warrant review process, to consist of decorative lighting fixtures, in an effort to enhance the appearance of such signs along corridors which abut residential areas.

6. Any such signs eligible to remain, pursuant to this subsection, shall comply with the following landscape requirements for screening the monopole structures to the extent possible: One (1) shade tree for the first five hundred (500) square feet of site area and one (1) side shade tree for each additional one thousand (1,000) square feet or portion thereof of site area; the remainder of the site area shall be landscaped with equal portions of hedges and/or shrubs and living ground cover. If the remainder of the subject site is already landscaped to a level which complies with the City's landscape guides and standards, then no additional landscaping, other than that required for screening the monopole structure, will be required; such landscaping requirements will be determined through the Warrant process. The City encourages xeriscaping of sites with native plants which do not require irrigation; unless sites are landscaped with native xeriscape plants, site landscaping shall be provided with irrigation and shall be continuously maintained; such landscape requirements may be modified by the Planning Director upon a finding that there is insufficient room for a reasonable provision of landscaping on the specific site in question; such modification requests shall be accompanied by a landscape mitigation plan which enhances landscaping in the nearby area.

7. Any such signs eligible to remain shall be maintained in accordance with the requirements of this subsection and the City's appearance code (as specified in Chapter 10 of the City Code).

8. Any such Signs eligible to remain shall pay mitigation fees as specified in Chapter 62, Article X of the City Code, as an additional condition of the Warrant.

7.2.9.4 Interstate or federal-aid primary highway system

Any lawfully erected outdoor advertising Sign which is located along any portion of the interstate or federal-aid primary highway system and which becomes a nonconforming Sign as a result of the adoption of Ordinance No. 12213, is not subject to removal after the expiration of the five (5) year amortization period set forth herein.

All outdoor advertising signs which are freestanding, were lawfully erected and have become a nonconforming Sign as a result of the adoption of Ordinance No. 12213, may obtain a modification of the landscaping requirements for such sites as may be required in this Code subject to the issuance of a Waiver as set forth herein. The expressed intent of such Waiver is to improve the visual aesthetics of such signs while allowing flexibility with respects to landscaping requirements. Such Waivers may allow landscaping the entire site if the remainder of the subject site is already landscaped to a level which complies with the city's landscape guides and standards, other than that required for screening the monopole structure, which will be required; such modified landscaping requirements will be determined through the Waiver process. The City encourages xeriscaping of sites with native plants which do not require irrigation. Unless sites are landscaped with native xeriscape plants, site landscaping shall be provided with irrigation and shall be continuously maintained; such landscape requirements may be modified by the Planning Director upon a finding that there is insufficient room for a reasonable provision of landscaping on the specific site in question. Such modification request shall be accompanied by a landscape mitigation plan which enhances landscaping in the nearby area.

7.2.9.6 Rescission

The Zoning Administrator may rescind any permit granted under this section for failure to maintain such Sign in appropriate condition and repair. A rescission by the Zoning Administrator may be rendered after a sixty (60) day written notice from the City and a finding that no corrections to the violations have been made, and the decision by the Zoning Administrator may be appealed in accordance with the procedures for appealing a Waiver.

7.2.9.7 Historic Signs

Historic Signs as designated by the Historic Preservation Board pursuant to Chapter 23 of the City Code shall be permitted to remain and to be repaired, restored, structurally altered, or reconstructed as provided in Chapter 23.

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8.1 GENERAL DESCRIPTION

This article describes the guidelines for development of Thoroughfares throughout the City. It supplements the design standards adopted in the City of Miami Manual of Engineering Standards for Design and Construction, maintained in its most current form at the City of Miami Department of Public Works. Where these guidelines conflict with the Manual, the standards of the Manual shall apply.

The urban landscape is characterized by a set of interdependent elements that create a sense of place. These include Thoroughfare type, Building type, Frontage type, and the form and disposition of landscape and lighting. Thoroughfares provide the City with both the major part of public Open Space as well as moving lanes for vehicles, bicycles and transit. A Thoroughfare is associated with a particular type of movement, and is endowed with two attributes: movement type and character. The movement type of the Thoroughfare refers to the number of vehicles that can move safely through a segment within a given time period; it is physically manifested by the number of lanes and their width, by the centerline radius, the curb radius, and the super-elevation of the pavement. The character of the Thoroughfare refers to its suitability as a setting for pedestrian activities and is physically manifested by the associated Frontage types as determined by location within the Transect.

Thoroughfares can be assigned appropriately to Transect Zones, with calibrated Right-of-Way widths, movement types, design speed, number of travel lanes, pavement width, curb radius and Verge type.

In Zones T3 and T4, D1, D2 and D3, generally sidewalks occur at the edge of the Right-of-Way. In Zones T5 and T6, sidewalks occur at the edge of the Right-of-Way and are given the additional dimensions of the 10 foot setback in the First Layer as an easement.

The following additional assumptions govern the Thoroughfares shown here:

- To clear sight lines for drivers, Visibility Triangles shall be required as described in Article 3, Section 3.8.4.1
- Pavement widths are measured inside of curb to inside of curb.
- Curb and gutter may range from 1’-6” for City Thoroughfares to 2’-0” for some County Thoroughfares.
- Parking spaces range from 7’-0” to 9’-0” including pan; they should be wider on higher speed Thoroughfares but may be restricted by existing Right-of-Way dimensions.
- Right turns may be taken from the parking lane.
- Tree spacing are 22’ on center to match parallel parking or 25’ on center to match Lot Line spacing.
- Tree planters have a minimum dimension of 4’ x 4’, increased where possible to a 4’ x 8’ dimension.
- Bulb-outs may be added where Thoroughfare widths are wide and design speed high, or where sidewalks are narrow, in order to facilitate pedestrian safety.

Thoroughfares must evolve with the needs of the City. As Miami continues to grow, a Thoroughfare may change in character reflecting new density, or conversely, a return to an historic dimension. For instance, a continuous lawn planter may be replaced with individual tree wells for additional sidewalk space, or a wide neighborhood street may be narrowed to control traffic intrusion.

The accommodation of bicycles and transit requires detailed response to the existing Thoroughfare condition and thus is not illustrated specifically here.

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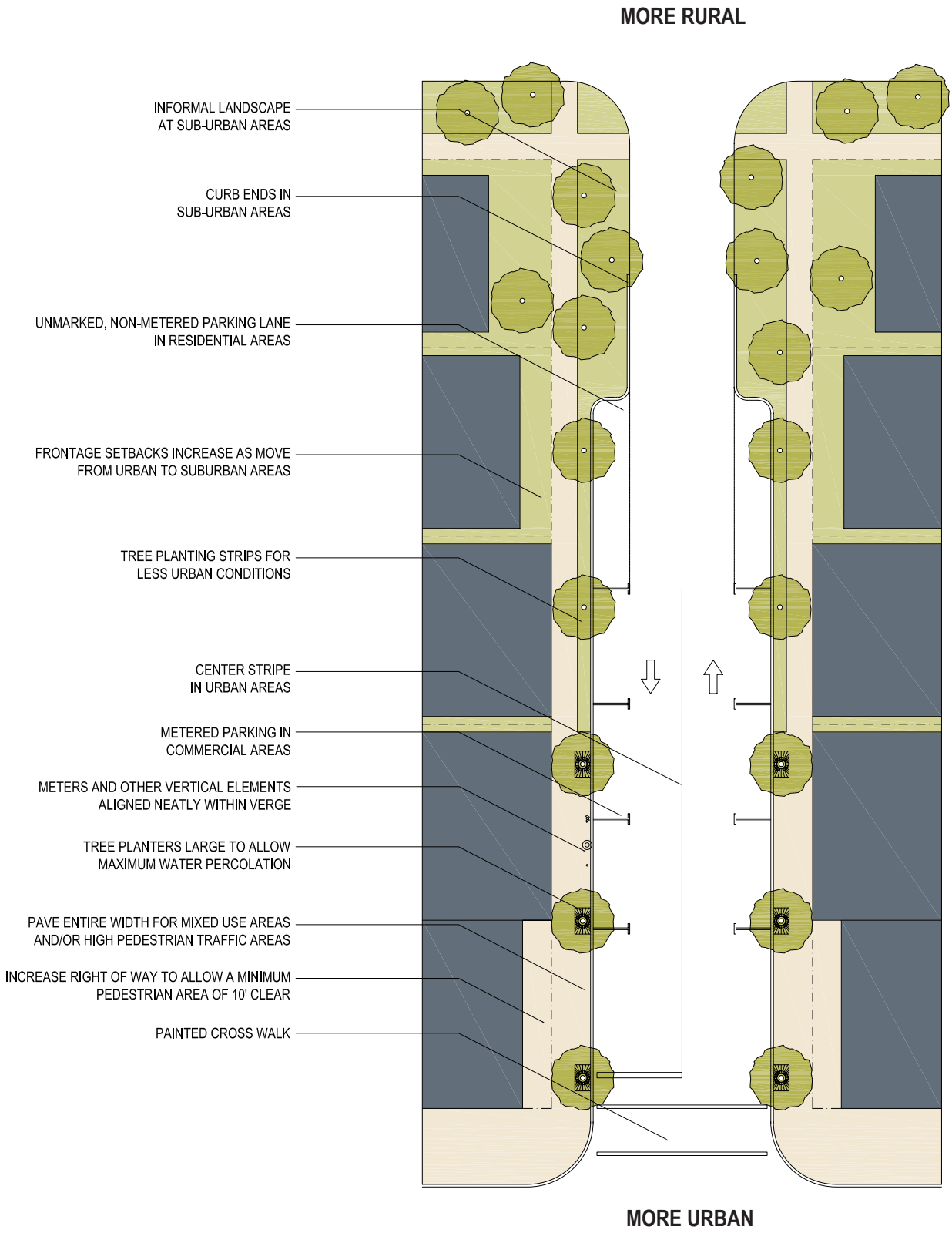
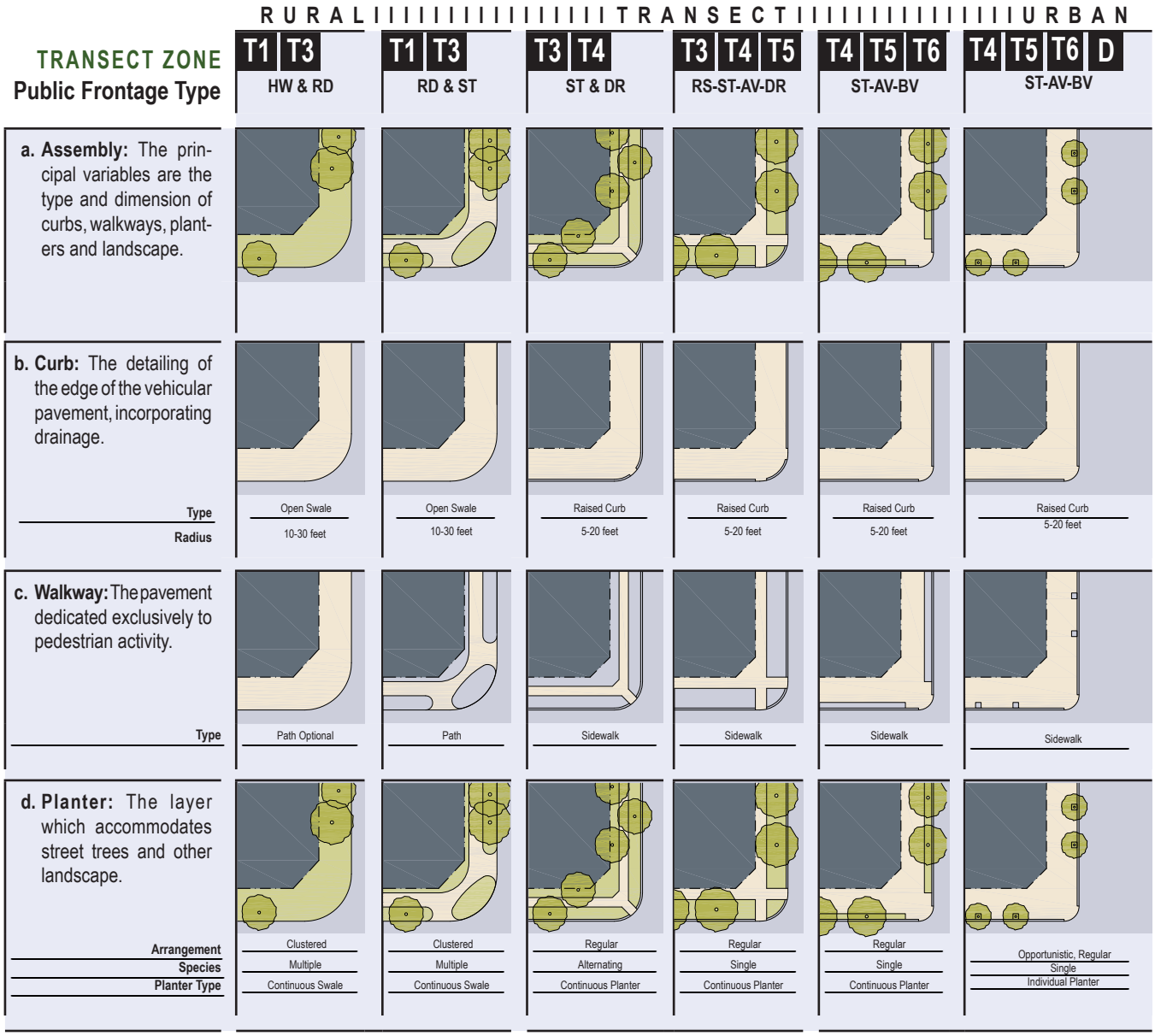
8.2 Illustration: The Thoroughfare across the Transect



8.3 Public Frontages



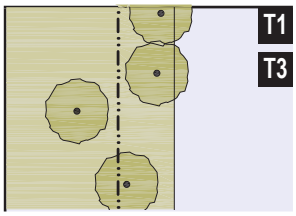
Note: Appropriate types for Civic Zones shall be determined based on context and abutting Transect Zones.

8.3 Public Frontages (continued)

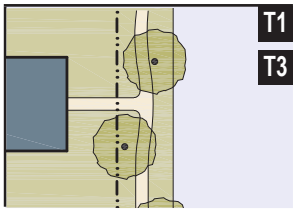
PLAN

LOT PRIVATE FRONTAGE ► ◄ R.O.W. PUBLIC FRONTAGE

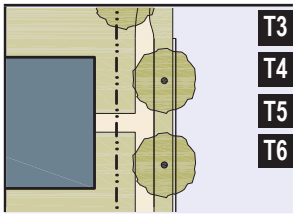
a. (HW) For Highways: This Frontage has open swales drained by percolation, bicycle trails and no parking. The landscaping consists of the natural condition or multiple species arrayed in naturalistic clusters. Buildings are buffered by distance or berms.



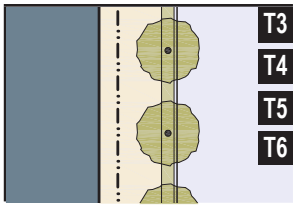
b. (RD) For Roads: This Frontage has open swales drained by percolation and a walking path or bicycle trail along one or both sides and yield parking. The landscaping consists of multiple species arrayed in naturalistic clusters.



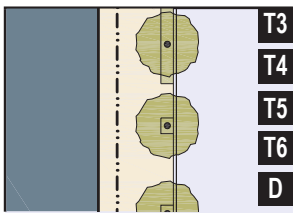
c. (ST) For Street: This Frontage has raised curbs drained by inlets and sidewalks separated from the vehicular lanes by individual or continuous planters, with parking on one or both sides. The landscaping consists of street trees of a single or alternating species aligned in a regularly spaced allee.



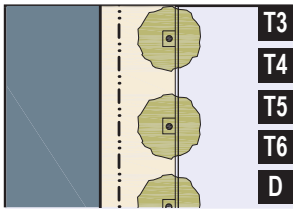
d. (DR) For Drive: This Frontage has raised curbs drained by inlets and a wide sidewalk or paved path along one side, related to a greenway or waterfront. It is separated from the vehicular lanes by individual or continuous planters. The landscaping consists of street trees of a single or alternating species aligned in a regularly spaced allee.



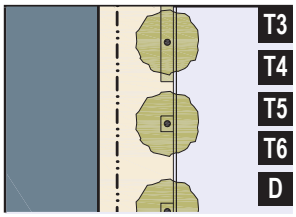
e. (AV) For Avenues: This Frontage has raised curbs drained by inlets and wide sidewalks separated from the vehicular lanes by a narrow continuous planter with parking on both sides. The landscaping consists of a single tree species aligned in a regularly spaced allee.



f. (ST) (AV) For Mixed Use Streets or Avenues: This Frontage has raised curbs drained by inlets and very wide sidewalks along both sides separated from the vehicular lanes by separate tree wells with grates and parking on both sides. The landscaping consists of a single tree species aligned with regular spacing where possible.

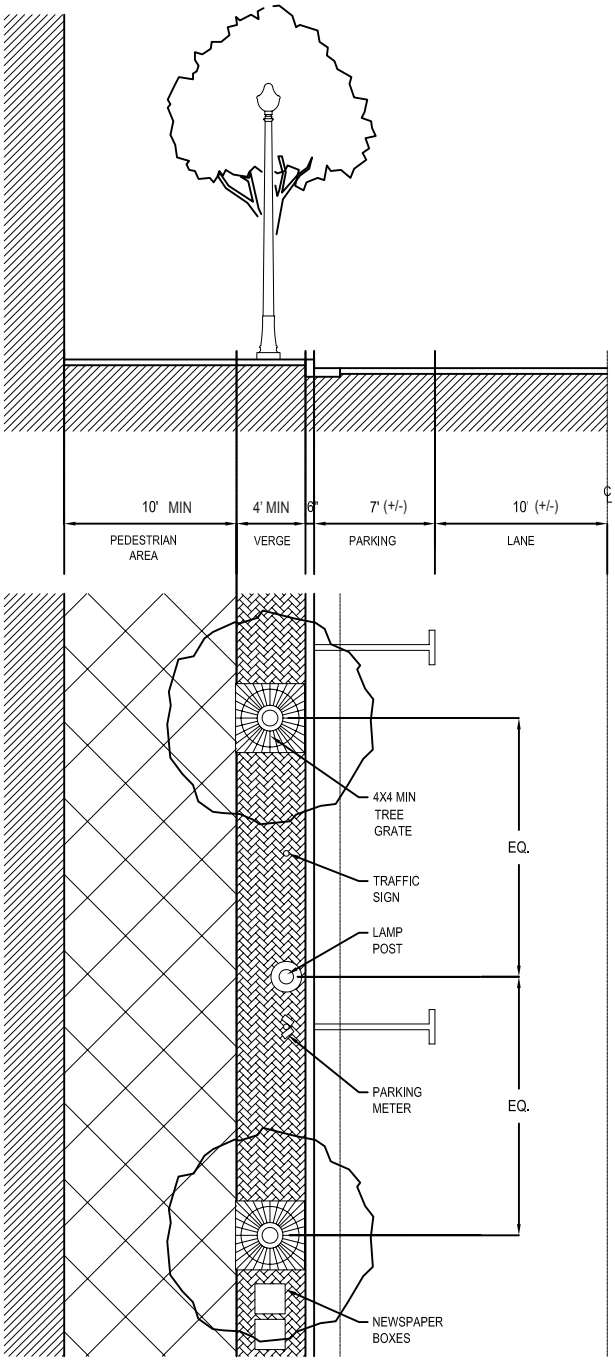


g. (BV) For Boulevards: This Frontage has slip roads on both sides. It consists of raised curbs drained by inlets and sidewalks along both sides, separated from the vehicular lanes by planters. The landscaping consists of rows of a single tree species aligned in a regularly spaced allee.

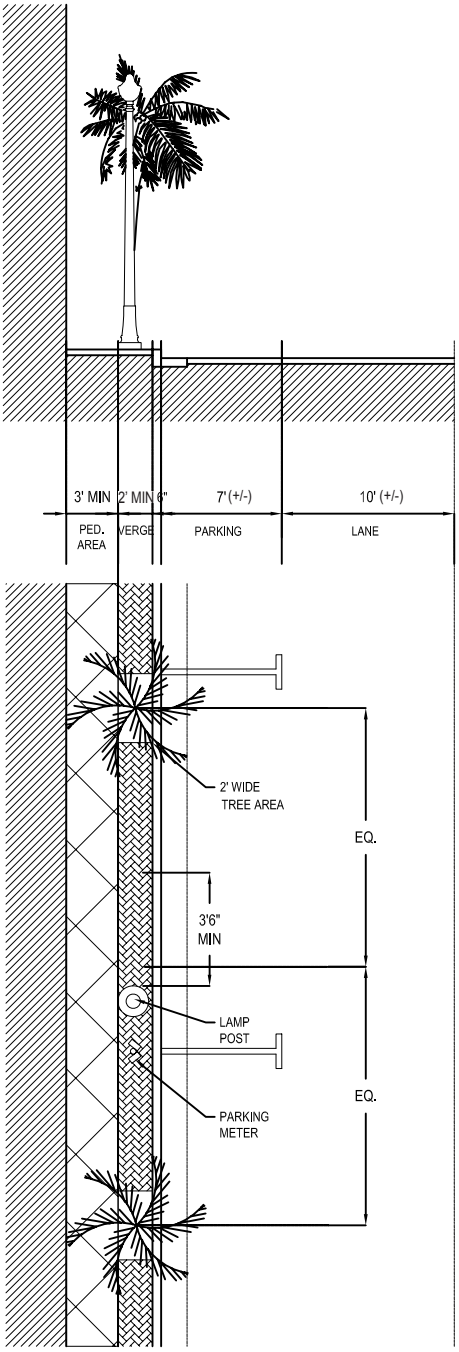


Note: Appropriate types for Civic Zones shall be determined based on context and abutting Transect Zones.

8.4 Illustration: Sidewalks

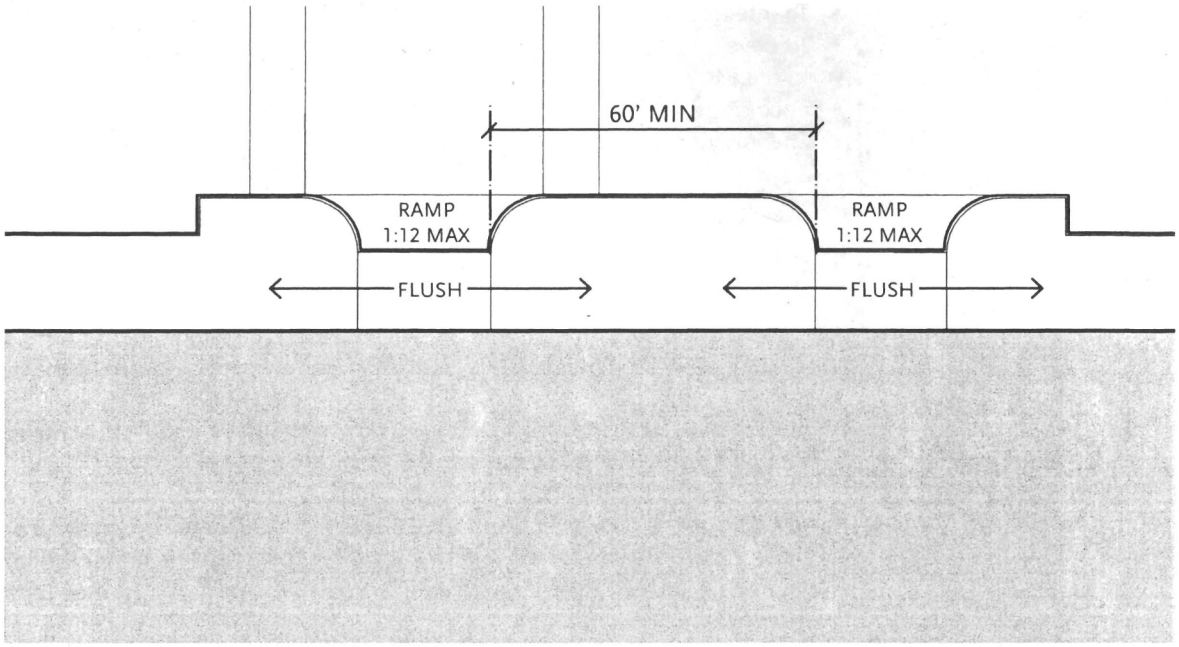


IDEAL CONDITION
Sidewalk may be scored concrete. Verge may be permeable pavement. All vertical elements shall be located within verge and neatly aligned.

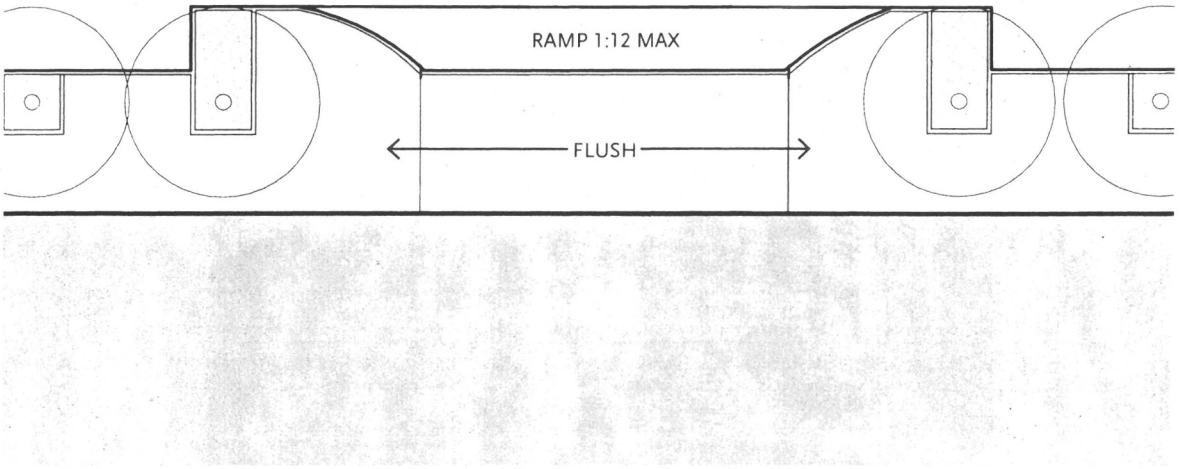


LESS THAN IDEAL EXISTING CONDITION
Sidewalk dimensions shall comply with A.D.A. standards. Narrow sidewalks should provide a 5'-0" X 5'-0" minimum passing space at reasonable intervals not to exceed 200 feet. See Chapter 11- 4.3 Florida Building Code. All vertical elements to be located within verge and neatly aligned.

8.4 Illustration: Sidewalks (continued)



Garage Entrance Spacing



Service Entrance Drive

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A.1. CORAL GATE (NCD-1)

1.1 Boundaries

Generally described as bounded by Douglas Road to the west, along the rear of properties on the north side of SW 18th Terrace, along the rear of properties on the west side of Coral Gate Drive, SW 16th Street on the north, SW 32nd Avenue on the east, and along the rear of properties on the south side of SW 21st Street. More specifically depicted on the Miami 21 Atlas.

1.2 Intent

The Coral Gate neighborhood is a stable single-family neighborhood located within the Coral Way Area. Its proximity to the Coral Way commercial corridor has left the neighborhood with the threat of inappropriate commercial intrusion that may disrupt the quality of this well-maintained and stable single-family neighborhood. The purpose of this Neighborhood Conservation District is to eliminate uses that have the potential of bringing commercial intrusion into the neighborhood and also to eliminate the possibility of incompatible infill structures that are too tall and could deteriorate the historic quality of this low-density neighborhood. The intent is that this neighborhood be a pure single-family neighborhood.

1.3 Effect of NCD-1 district designation

The effect of these NCD-1 regulations shall be to modify transect regulations included within the NCD boundaries to the extent indicated herein.

1.4 Principal uses and structures; prohibitions

Principal uses and structures are as permitted generally or conditionally in the underlying transect, except the following uses shall not be permitted:
a. Adult daycare centers
b. Child daycare centers
c. Primary and secondary schools

1.5 Permitted accessory uses and structures

Only the following accessory uses and structures are permitted in conjunction with a single family residence:
a. Detached garages and car shelters.
b. Garden sheds.

1.6 Prohibitions

Home occupations shall not be permitted.

1.7 Height

Height is limited to a maximum of twenty-five (25) feet from flood level or average sidewalk elevation, whichever is higher. No variances for height shall be allowed.

1.8 Off-street Parking Requirements

Dwellings: Dwellings, minimum two (2) spaces per unit; such spaces may be permitted in a tandem fashion.

Places of worship: For places of worship, a reduction of up to twenty-five (25) percent in required off-street parking shall be permissible by Exception, provided findings are made that clearly show such reduction is reasonable based on such factors as facility proximity to mass transit, facility visitation policy, possible negative impact on the neighborhood, and the like.

A.2. VILLAGE WEST ISLAND DISTRICT AND CHARLES AVENUE (NCD-2)

2.1 Boundaries

Generally described as bounded by Douglas Road on the west, US 1 and Bird Road on the North, McDonald Street and Abitare Way on the east, and Franklin Avenue and a portion of Marler Avenue along the south. More specifically depicted on the Miami 21 Atlas.

2.2 Intent

Village West Island District is of special and substantial public interest due to the unique role of Grand Avenue and Douglas Road as the "Main Streets" for the surrounding Village West Island District Community and the unique Caribbean and Bahamian character and heritage of the Village West Island District in general. On Charles Avenue this NCD-2 will help define the uses and designs of buildings and help maintain the scale and character of the existing neighborhood. Both Village Island West and Charles Avenue illustrate the incomparable legacy of the African-American community to the City of Miami. The intent of NCD-2 is to identify and recognize this historical significance; to promote gateways, gathering places and activities corresponding to its culture and heritage; to compliment the character of the entire community and promote the history of the Island District; and to promote its successful revitalization and restoration.

Charles Avenue (originally Evangelist Street) has historically housed some of the original Bahamian settlements within the Village West Island District that occupies the neighborhoods around the intersection of Douglas Road and Grand Avenue. This street has been degraded through demolition, abandonment and redevelopment and thereby diminishing the historic integrity to become a historic district; however, it is of special and substantial public interest due to its historic identity and remaining historic structures. This designation will encourage appropriate infill to preserve the context of historic sites on Charles Avenue, including: the Mariah Brown House, home of the first Bahamian settler; the Historic Black Cemetery; the E.F. Stirrup House, home of the first black doctor; historical churches, and several other historic homes.

2.3 Effect of NCD-2 district designation.

The effect of these NCD-2 regulations shall be to modify transect regulations included within the NCD boundaries to the extent indicated herein.

Nothing in these regulations shall be construed as to prohibit additional structures or neighborhoods to become Historic Preservation Overlays.

All demolition permits shall require a Waiver and be referred to the Planning Department for review under the Tree Preservation Ordinance. All submittals shall contain a tree survey by a certified arborist.

2.4 Residential

All T3, Single-Family Residential zoning regulations shall apply within the Village West Island District and Charles Avenue, hereafter referred to as NCD-2, except as modified below. If any such requirements conflict, the more restrictive requirements shall apply.

2.4.1 Charles Avenue

a. All new construction, major alterations, and additions on Charles Avenue shall be required to be reviewed by the process of Waiver. To ensure the compatibility of new construction on Charles Avenue, the design for any new construction shall also be reviewed by the Urban Development Review Board for its compatibility of scale, materials, roof slope, general form, massing and ornamental details.
b. Any requests for the demolition of structures that are over fifty (50) years in age along Charles Avenue shall be referred to the Historic Preservation Officer for review of historical significance.
c. The architectural guidelines contained in the Village West Island District are intended to produce visual compatibility among the buildings on Charles Avenue and throughout the District representing building traditions of early South Florida, the Caribbean, and the early African-American settlers.

2.4.2 Single Family Residential District

a. Adjacent lots or lots in the same subdivision under single ownership, or developed by a single builder or developer shall not employ the same, similar or duplicate architectural plans. Adjacent buildings under such conditions shall be substantially differentiated in massing, footprint, and exterior detailing.

b. Front yards
All front yards in the NCD-2 shall be designed in a way that minimizes the impact of garage fronts and off-street parking. Front yards shall provide a more permeable surface and use abundant landscaping and tree canopy throughout.

c. Building Envelope
For the purpose of this section, a building site shall be defined as one or more lots or portions of lots that are aggregated to form a single family residential site including vacant lots and all permissible accessory uses and structures. Building sites shall not include any portions of land under a different zoning transect.

d. Height
Height is limited to a maximum of twenty-five (25) feet measured to the midpoint between the eave and roof top and is measured from flood level or average sidewalk elevation, whichever is higher. In addition to the maximum height of twenty-five (25) feet measured to the mid-point of the roof top and eave, chimneys, cupolas or other non-habitable architectural features of twenty-five (25) square feet in area or less may reach a maximum height of thirty (30) feet or as required by the fire code. For Lots with less than ten thousand (10,000) square feet in area, the height limitation for accessory structures shall be thirteen (13) feet.

e. Green Space

The minimum green space requirement shall be three-tenths (0.3) times the Lot area. The use of permeable material for surfaces in the required yard may allow a 25% reduction in the required green space.

f. Permitted Accessory Uses and Structures
Accessory uses and structures are as permitted in the underlying transect zone, except that detached garages or car shelters on lots ten thousand (10,000) square feet or larger may include a second story as long as the allowable floor lot ratio and building footprint are not exceeded. Said second story may only be used as an owner occupied accessory structure. Two-story accessory structures shall have the same setback requirements as specified for two-story principal buildings.

g. Additional Limitations and requirements

1. *Lots and building sites:*
Wherever an existing single-family residence or lawful accessory building(s) or structure(s) is located on one or more platted lots or portions thereof, such lots shall thereafter constitute only one building site and no permit shall be issued for the construction of more than one single-family residence except by Warrant. Such structures shall include but not be limited to swimming pools, tennis courts, walls, and fences or other at grade or above ground improvements. No building sites in existence prior to September 24, 2005 shall be diminished in size except by Warrant, subject to the criteria specified in Article 4, Table 12 Design Review Criteria.

2. *Garages and Driveways:*
(a) On new construction or garage additions, no garage shall be located along the same front setback line as the front wall of a residential structure unless the garage door(s) does not face the street. Garage structures with access openings that face the street shall be set back a minimum of twenty (20) feet from the front wall of the principal residential structure.
(b) Garage structures with access openings that face the street on corner lots which have a maximum depth of less than sixty (60) feet, may be set back a minimum of fifteen (15) feet from the front wall of the principal residential structure.
(c) Notwithstanding the requirements of the Public Works Department, driveways shall have a maximum width of ten (10) feet within the first five (5) feet of all street-front required setbacks.
(d) Driveways within a single building site shall not be located closer than twenty-five (25) feet to each other.
(e) Except as required for the driveway approach, no portion of any driveway in a required yard adjacent to a street shall be within five (5) feet of any property line other than as may be required to allow for turnaround maneuver, in which case said driveway shall be constructed of permeable material in its entirety.
(f) Tandem parking shall be allowed.
(g) Garage doors which are more than nine (9) feet wide shall not be allowed.

3. *Fences:*

All fences located within any street-front setback area shall be covered from the public right-of-way view by plant material except when said fence is faced or constructed with oolitic limestone.

4. *Landscaping:*
All landscape shall comply with the City's landscape and tree protection ordinances.

h. Setbacks

1. *Principal Building:*
Setbacks are variable to allow for a variety in architecture and placement of the building footprint. Projections of buildings into required setbacks shall be permitted subject to the criteria and requirements specified herein.

(a) Minimum Front Setbacks:
The minimum front setback shall be thirty (30) feet. The structure may project a maximum of ten (10) feet into the minimum required setback of thirty (30) feet provided said projection does not exceed thirty (30) feet in width along the front of the building. Unenclosed porches, entries, or loggias may project a maximum of fifteen (15) feet into the minimum required setback of thirty (30) feet. On corner lots the structure may project a maximum of fifteen (15) feet into the minimum required setback of thirty (30) feet.

(b) Minimum Side Setbacks:
The minimum side setback shall be five (5) feet, except for corner lots where the minimum side setback adjacent to the street shall be ten (10) feet. The minimum total side setbacks to be distributed shall be as established in the following table:

TABLE INSET:

Building Site Size in Square Feet	Interior Lots First Story of Structure	Interior Lots Second Story of Structure	Corner Lots First Story of Structure	Corner Lots Second Story of Structure
Less than 7,500	10 feet	15 feet	15 feet	20 feet
7,500--10,000	15 feet	25 feet	15 feet	25 feet
More than 10,000	25 feet	35 feet	25 feet	35 feet

(c) Minimum Rear Setbacks:
The minimum rear setback shall be twenty (20) feet.

(d) Accessory Buildings:
The minimum side setbacks shall be ten (10) feet.
The minimum rear setback shall be ten (10) feet.
The maximum width of said connection shall be ten (10) feet.

2.5 Village West Island Commercial Districts

a. Limitation.
The square footage of individual retail establishments within Coconut Grove Corridors defined in Appendix A, section 3.5 shall be limited to a maximum size of twenty thousand (20,000) square feet in total floor area used for retail and related services, except as may be modified below for "~~L~~large-~~S~~scale ~~R~~retail establishments." Retail specialty centers as defined in City Code Sec. 4-2 located adjacent to Coconut Grove Corridors listed in Appendix A, section 3.5, may be approved by a Warrant. Special event Class I permits are exempted from the limitations of this section.

b. "Large-~~S~~scale ~~R~~retail establishment" defined.
A "large-~~S~~scale ~~R~~retail establishment" for the purposes of NCD-2 is defined as a retail establishment or combination of commercial retail establishment(s), including membership establishments with any commercial retail use, of over twenty thousand (20,000) square feet in gross floor area. The gross floor area includes building gross floor area and ancillary outdoor storage or merchandise display areas. For the purposes of this definition, the floor area does not include motor vehicle parking or loading areas. For the purpose of determining the applicability of the twenty thousand (20,000) square feet of floor area, the aggregate square footage of all adjacent stores or retail tenants that share common checkout stands or a controlling interest, or storage areas, shall be considered one establishment.

c. Exception required for Large Scale Retail establishments.
A "~~L~~large-~~S~~scale ~~R~~retail establishment" within the Coconut Grove Corridors listed in Appendix A, section 3.5 shall be permitted only by Exception.

d. Site requirements.
In addition to all requirements in the applicable zoning district,~~L~~"large-~~S~~scale ~~R~~retail establishments" must meet the following site criteria and limitations:

1. *Maximum size of retail establishment*.
The maximum size of any individual retail establishment within any Coconut Grove Corridor shall be seventy thousand (70,000) square feet. No individual retail establishment within a Large Scale Retail establishment shall be permitted which exceeds seventy thousand (70,000) square feet.

2. *Minimum lot dimensions*.
"Large-~~s~~Scale ~~R~~retail establishments" may be permitted exclusively in lots having a minimum net area of two (2) acres. Properties which do not meet the two-acre size limitation shall be limited to individual establishments of twenty thousand (20,000) square feet or less.

3. *Minimum setbacks and build-to lines*
Large Scale Retail establishments shall have the following minimum setbacks:
(a) Any front or side setback abutting a public right-of-way or non-residentially zoned property build-to line is twenty (20) feet. The area from the build-to line to the right-of-way line shall be used for permanent sidewalks with illumination, pedestrian amenities, or landscaping, except in areas as

required for emergency access, or where driveway entrances are located. Landscaping in this setback area shall count toward the green space requirements. This area may not be used for parking or loading at any time.

(b) Side or rear lot line abutting a residentially zoned property: setback is fifty (50) feet. The setback shall include a 20-foot heavily landscaped buffer area. If an access alley, parking, loading door, delivery area, or inventory storage area is present along this side of the property, then the setback area shall also include an eight-foot-high masonry wall inside of the 20-foot landscape buffer.

4. *Building orientation and facades*.

(a) Building facades and elevations shall be designed to minimize the visual impacts of the scale of the building.

(b) Large-~~S~~scale ~~R~~retail structures may be oriented with their entrances toward arterial or collector roadways as defined in the City Comprehensive Plan.

(c) Any side with regular public ingress/egress point(s) is to be considered a front. Regular public ingress/egress to the building shall not be located facing residential uses. There may be more than one (1) front. Front and side facade design shall include the following design features to minimize scale impacts and promote activated street frontages:

(1) Building design variations at intervals no greater than fifty (50) feet.

(2) Storefront windows, with interior spaces visible and lit from within at night, equal to at least fifty (50) percent of the linear length of ground-floor wall on building front elevations as defined herein. Window spacing should be such that no more than twenty (20) percent of the length of the wall may have an uninterrupted length without storefront windows.

5. *Vehicular access*.

Primary ingress and egress to the site must be provided from the arterial(s) and not from secondary roads or collectors and subject to the following:

(a) Except as required for emergency access, vehicular driveways shall not be along local roadways as defined in the City Comprehensive Plan.

(b) Except where required for emergency access or other compelling public safety reasons, vehicular driveways shall not be located within one hundred (100) feet of residentially-zoned land along the same side of the street, as measured from the nearest point of the driveway.

(c) Delivery vehicle access/egress shall be clearly defined in the site plan, and shall only be from arterial roadways, and located no less than one hundred (100) feet from residentially-zoned land along the same side of the street, as measured from the nearest point of the driveway.

(d) Where large and bulk merchandise sales are expected, customer pick-up access/egress shall be clearly defined in the site plan, and shall only be from arterial roadways, and located no less than one hundred (100) feet from residentially-zoned land along the same side of the street, as measured from the nearest point of the driveway.

6. *Parking and loading requirements*.

(a) One (1) space per every two hundred (250) square feet of gross floor area shall be required for a "~~L~~large-~~S~~scale ~~R~~retail establishment." All required parking must be provided onsite.

(b) Along collector roads as defined by the City Comprehensive Plan, setback buffers, building design or other features shall screen parking such that no more than thirty (30) percent of the parking lot or facilities are visible from the roadway.
(c) Along local roads as defined by the City Comprehensive Plan, setback buffers, building design or other features shall completely screen parking such that the parking lot or facilities are not visible from the roadway, except for distances as required by driveways or emergency access.
(d) All loading and deliveries shall be adjacent to an arterial roadway. Said loading and delivery areas shall be screened from public view by an eight-foot wall.

7. *Green space*.
A "~~l~~Large-~~S~~scale ~~R~~retail establishment" shall implement landscaping in an area equal in size to, or greater than, fifteen (15) percent of the gross lot area. Landscaping shall be implemented generally so as to provide ample shade areas in the parking lot and abutting sidewalks and to minimize the visual impact of the structure and parking space on the streetscape. To this end, a landscape plan for the site shall be submitted to the Planning Department for review and approval by the Planning and Zoning Advisory Board as part of the required Exception.

8. *Buffer.*
Wherever the property abuts another property with a more restrictive zoning designation, a "large-scale retail establishment" shall provide a twenty-foot wide heavily landscaped buffer. This buffer shall include Florida native trees at no less than fifteen (15) to twenty (20) feet in height, with a diameter at breast height of no less than four (4) to five (5) inches spaced on 15-foot centers. Also included in this buffer shall be hedging and ground cover. This buffer shall be included in the required landscape plan.

9. *Fences and walls*.
Fences and walls shall be erected to a minimum height of eight (8) feet wherever the property abuts another property with a more restrictive zoning designation.

e. Location of "~~l~~Large-~~S~~scale ~~R~~retail establishment."
A "~~l~~Large-~~S~~scale ~~R~~retail establishment" shall be located exclusively on a lot having frontage on one (1) or more arterial roads.

f. Hours of operation.
Except for special events requiring Class I permits, a "~~l~~Large-~~S~~scale ~~R~~retail establishment" shall open no earlier than 7:00 a.m. on weekends and 8:00 a.m. on weekdays and shall close no later than 11:00 p.m. on weekends and 10:00 p.m. on weekdays. Deliveries to or from any "~~l~~Large-~~S~~scale ~~R~~retail establishment" shall be limited to the hours of 10:00 a.m. through 3:00 p.m. Monday through Saturday.

g. Variances prohibited.
No variances from the provisions set forth in the site requirements or hours of operation are permitted.

2.5.1 Mixed Use Cultural District

Boundaries: all properties located on Grand Avenue between Margaret Street on the east and the City limits on the west, and Douglas Road between Grand Avenue on the south and Day Avenue on the north.

The Mixed Use Cultural District is intended to give a distinctive cultural character to retail and commercial uses on Grand Avenue and Douglas Road. The intent is to enhance these corridors as a tourist destination, encourage heritage retail and cultural/historic businesses, support current resident-owned businesses, promote a cultural facade, provide more culturally themed businesses, establish a critical mass of retail and provide a culturally themed bridge to all other parts of the District by promoting the culture of the community in this short corridor and entranceway to the commercial main street. To this end, the district is dedicated primarily to culturally themed boutiques, gift shops and book stores, hair salons, apparel, restaurants and cafes, music shops and outdoor plazas, straw markets, cultural facilities, art and upscale cultural entertainment that reflect a Caribbean culture.

a. Use Regulations
The Mixed Use Cultural District shall permit the following Uses in addition to those which are permitted in the underlying transect zones:
1. Permanent structures providing for a Straw Market with Caribbean crafts, foods, apparel, souvenirs, and other goods attractive to tourists, subject to a Waiver with a mandatory referral to the district NET Administrator, and limited to the following items for sale: Heritage retail foods, apparel, souvenirs; bookstores and gift shops with cultural themes; hair salons, including outdoor hair braiding; and music and entertainment reflective of that found in the Caribbean.
2. ~~Notwithstanding any provision of this Code to the contrary, ~~"Large-scale retail establishments" exclusively for the sale of groceries and not exceeding forty thousand (40,000) square feet shall be permitted within the Mixed Use Cultural District only for properties with an underlying T5 Transect Zone by process of Warrant. "Groceries" are defined as food products, dry groceries (such as meats, poultry, seafood, sushi, dairy products, frozen foods, fruits, vegetables, deli items, prepared foods, baked goods, health and beauty products, pharmaceuticals, and alcoholic beverages) or services commonly provided in a grocery store in Miami-Dade County.
3. Other permissible uses along ground floor locations include:
Bars, saloons, taverns, private clubs, supper clubs, including those with dancing and live entertainment are permitted in such ground floor locations along primary streets or elsewhere within the district only by Warrant, and only subject to limitations on buffer overlay districts.
4. Sales display and outdoor dining within open or partially open space.
5. Vending in open space as per the *City of Miami's Vending in Open Space Regulations*.

b. Height
In order to ensure appropriate scale of infill development along Grand Avenue and Douglas Road, irrespective of the underlying zoning limitations, new single-Use structures shall be limited to a maximum of fifty (50) feet and mixed-use structures

shall be limited to sixty-two (62) feet to be accommodated in no more than five (5) stories.

c. Architectural Guidelines
All establishments and businesses in the Mixed Use Cultural District shall conform to the Village Island West and Grand Avenue Architectural and Urban Design Guidelines and shall maintain a facade that is consistent with Caribbean architectural facades as described and as examples are shown within the guidelines.

d. Additional Regulations

1. Existing businesses established prior to the adoption of this code shall be allowed to remain in the Mixed Use Cultural District regardless of their cultural theme without being considered nonconformities.

2. ~~Notwithstanding any provision of this Code, u~~Underground parking shall be permitted in T3 Transect Zones by Warrant for those properties which abut T5 Transect Zones along Grand Avenue between SW 37th Avenue and SW 32nd Avenue. Any T3 designated properties which have underground parking shall be required to be developed with Residential Structures for Residential Use on the surface of the underground parking structure. No replat is required if the ~~residentially~~ T3 Transect Zone~~d~~ properties are tied to the property abutting Grand Avenue by a covenant-in-lieu of Unity of Title. Density limitations shall apply as per the underlying Transect Zone without the limitation of one (1) unit per lot of record for T3-R and two (2) units per lot of record for T3-O and the following minimum setbacks shall apply:
(a) T3-R Properties
(1) Front: twenty (20) feet
(2) Side: five (5) feet
(3) Rear: zero (0) feet
(b) T3-O Properties
(1) Front: ten (10) feet
(2) Side: Zero (0) feet
(3) Rear: Zero (0) feet
(c) Minimum required setbacks may be reduced through the Warrant process.

2.5.2 Market District

Boundaries: all properties fronting on Grand Avenue between Commodore Plaza Street to the east and Elizabeth Street to the west.

The Market District is intended to foster community markets along a portion of Grand Avenue relating to the sale of fruits, vegetables and other crafts indigenous of the Caribbean Islands. The Caribbean Market allows for a tourism destination similar to those found throughout Caribbean nations and heritage of the surrounding community.

a. Use Regulations.

The Market District area shall permit the following uses, in addition to those which are permitted in the underlying transect zone:

1. Farmer's markets and Caribbean crafts and food markets that specialize in the sale of crafts and fresh fruits and vegetables are permitted within this district, subject to a Warrant with a mandatory referral to the district NET Administrator. All regulations contained in this code are applicable, and further subject to the following limitations:
   (a) Any outdoor market must be located on a parcel of no less than fifteen thousand (15,000) square feet of lot area.
   (b) An outdoor market shall be limited to no more than sixty-five (65) percent of the area of the subject parcel in display area.
   (c) An outdoor market may not include any permanent structures. All display tables and other such material must be removed at the end of the permitted time of operation.
   (d) The outdoor market display area shall be located along the Grand Avenue frontage and be set back no less than twenty-five (25) feet from any abutting residentially zoned property.
   (e) No outdoor market may be located closer than one thousand five hundred (1,500) feet from another outdoor market.
   (g) Only handmade crafts, fresh fruits and vegetables, prepared raw foods and drinks derived from fresh fruits and vegetables may be sold in an outdoor market within this district.

b. Additional Regulations

1. All establishments and businesses in the Market District shall conform to the Village Island West and Grand Avenue Architectural and Urban Design Guidelines and shall maintain a facade that is consistent with Caribbean architectural facades as described and as examples are shown within the guidelines.

2. Existing businesses established prior to the adoption of this code shall be allowed to remain in the Market District regardless of their cultural theme without being considered nonconformities.

A.3. COCONUT GROVE NEIGHBORHOOD CONSERVATION DISTRICT NCD-3

3.1 Boundaries

Generally described as bounded by Douglas Avenue on the west, Franklin Avenue and a portion of Marler Avenue along the north (Douglas Road – Arbitare Way), Arbitare Way and McDonald Avenue along the west (Main Hwy – Bird Road), Bird Road on the south (McDonald Ave – US 1), US 1 on the north, Rickenbacker Causeway on the east, Biscayne Bay along the east and south, Prospect Drive and along the rear of properties on the south side of Battersea Road to Douglas Road. More specifically depicted on the Miami 21 Atlas.

a. Coconut Grove Sub-Districts:
   1. North Grove- bounded by U.S. 1 on the north, Rickenbacker Causeway on the east, Biscayne Bay on the south and S.W. 27th Avenue on the west.
   2. Center Grove- bounded by U.S. 1 on the north, S.W. 27th Avenue on the east, Oak Street on the south, and S.W. 32nd Avenue on the west.
   3. South Grove- bounded by Loquat Avenue, Kumquat Avenue, Franklin Avenue, and Main Highway on the north, along the eastern edge of properties located east of Munroe Drive on the east, Biscayne Bay, and Prospect Drive, Battersea Road, and Le Jeune Road on the south, and Le June Road on the west.
   4. Village Center- bounded by Oak Street and Tigertail Avenue on the north, S.W. 27th Avenue on the east, Biscayne Bay, along the western edge of the Barnacle State Park, Main Highway, Via Abitare Way and SW 32nd Avenue on the west.

3.2 Intent

The intent of the Coconut Grove Neighborhood Conservation District NCD-3 is to establish a protective series of legislative elements to preserve the historic, heavily landscaped character of Coconut Grove's residential areas; enhance and protect Coconut Grove's natural features such as the tree canopy and green space; and protect the architectural variety within the unique single family neighborhood that comprises Coconut Grove. The community of Coconut Grove predates the City of Miami, and is known for its character, derived from lush landscaping, and naturally occurring vegetation and trees, and its unique property sizes and shapes; bay views; geologic features; proximity to Biscayne Bay; public open space; recreational opportunities; commercial services; and a special character imparted by its tropical vegetation and historic structures.

Properties shall not be platted, re-platted or configured in any way that destroys a median, green space, landscape easement or road configuration that contributes to the character of the subdivision within the NCD-3 area.

3.3 Effect of district designation

The effect of these NCD-3 regulations shall be to modify transect regulations included within the NCD boundaries to the extent indicated herein.

Nothing in these regulations shall be construed as to prohibit additional structures or neighborhoods to become Historic Preservation Overlays.

All demolition permits shall require a Waiver and be referred to the Planning Department for review under the Tree Preservation Ordinance. All submittals shall contain a tree survey by a certified arborist.

3.4 Additional notice and review

a. Additional notice required for Exception and Variance applications.
All Coconut Grove neighborhood or homeowner associations that wish to receive a courtesy notice of Exception or Variance applications in their areas shall register with their Neighborhood Enhancement Team (NET) Office on a yearly basis. Such registration shall consist of a letter to the Director of the Planning Department or to the Zoning Administrator, in which the association shall request such notification and shall specify the name, address and telephone number of the official representative of the association designated to receive said notice and a list of all the officers of said association. At the time of initial application for an Exception or Variance, the applicant shall obtain the list of all registered neighborhood and homeowner associations pertaining to the application in question from the Planning Director or the Zoning Administrator and shall notify in writing the official representative of all such registered associations in writing, by certified mail, of the application. The applicant shall submit with the application these certified receipts. If any such association have any comments or recommendations, such comments and recommendations shall be submitted in writing to the Planning Director or Zoning Administrator no later than fifteen (15) days from receipt of such notification. Late or misdelivered comments shall not be considered.

b. All properties located within the Village Center shall be reviewed by the Coordinated Review Committee.

3.5 Coconut Grove Corridors

The sub-districts are demarcated, traversed or connected by important corridors subject to their own unique characteristics and considerations. The Coconut Grove corridors are as follows and include the rights of way and the Lots immediately adjacent to the right of way:

- South Bayshore Drive
- Tigertail Drive
- S.W. 27th Avenue
- Bird Avenue
- MacDonald Street
- Main Highway
- Douglas Road
- Grand Avenue
- Le Jeune Road

a. Improvements and new development on these corridors shall conform to the following pedestrian safety and comfort standards:
1. Where sidewalks exist, the pedestrian shall be buffered from vehicular traffic with streetscape elements and landscaping.

2. Uses to be developed on these corridors shall promote pedestrian activity, such as porches, loggias, windows, entries, plazas, and ground floor retail uses where permissible.
3. The number and dimensions of curb cuts and driveways shall be minimized to reduce the pedestrian/vehicular conflicts up to the minimum permissible by the controlling jurisdiction.

3.6 Single-Family Residential District

The single family residential district is intended to protect the low density residential and dominant tree canopy characteristics of Coconut Grove and prevent the intrusion of additional density, uses, and height.

All T3, Single-Family Residential zoning regulations shall apply within the Coconut Grove NCD-3 Single-Family Residential District, hereafter referred to as NCD-3, except as modified below. If any such requirements conflict, the more restrictive requirements shall apply.

a. Adjacent lots or lots in the same subdivision under single ownership, or developed by a single builder or developer shall not employ the same, similar or duplicate architectural plans. Adjacent buildings under such conditions shall be substantially differentiated in massing, footprint, and exterior detailing.

b. Front yards
All front yards in the NCD-3 shall be designed in a way that minimizes the impact of garage fronts and off-street parking. Front yards shall provide a more permeable surface and use abundant landscaping and tree canopy throughout.

c. Building Envelope
For the purpose of this section, a building site shall be defined as one or more lots or portions of lots that are aggregated to form a single family residential site including vacant lots and all permissible accessory uses and structures. Building sites shall not include any portions of land under a different zoning transect.

d. Height
Height is limited to a maximum of twenty-five (25) feet measured to the midpoint between the eave and roof top and is measured from flood level or average sidewalk elevation, whichever is higher. In addition to the maximum height of twenty-five (25) feet measured to the mid-point of the roof top and eave, chimneys, cupolas or other non-habitable architectural features of twenty-five (25) square feet in area or less may reach a maximum height of thirty (30) feet or as required by the fire code. For Lots with less than ten thousand (10,000) square feet in area, the height limitation for accessory structures shall be thirteen (13) feet.

e. Green Space
The minimum green space requirement shall be three-tenths (0.3) times the Lot area. The use of permeable material for surfaces in the required yard may allow a 25% reduction in the required green space.

f. Permitted Accessory Uses and Structures

Accessory uses and structures are as permitted in the underlying transect zone, except that detached garages or car shelters on lots ten thousand (10,000) square feet or larger may include a second story as long as the allowable floor lot ratio and building footprint are not exceeded. Said second story may only be used as an owner occupied accessory structure. Two-story accessory structures shall have the same setback requirements as specified for two-story principal buildings.

g. Additional Limitations and requirements.

1. *Lots and building sites:*
Wherever an existing single-family residence or lawful accessory building(s) or structure(s) is located on one or more platted lots or portions thereof, such lots shall thereafter constitute only one building site and no permit shall be issued for the construction of more than one single-family residence except by Warrant. Such structures shall include but not be limited to swimming pools, tennis courts, walls, and fences or other at grade or above ground improvements. No building sites in existence prior to September 24, 2005 shall be diminished in size except by Warrant, subject to the criteria specified in Article 4, Table 12 Design Review Criteria.

2. *Garages and Driveways:*
(a) On new construction or garage additions, no garage shall be located along the same front setback line as the front wall of a residential structure unless the garage door(s) does not face the street. Garage structures with access openings that face the street shall be set back a minimum of twenty (20) feet from the front wall of the principal residential structure.
(b) Garage structures with access openings that face the street on corner lots which have a maximum depth of less than sixty (60) feet, may be set back a minimum of fifteen (15) feet from the front wall of the principal residential structure.
(c) Notwithstanding the requirements of the Public Works Department, driveways shall have a maximum width of ten (10) feet within the first five (5) feet of all street-front required setbacks.
(d) Driveways within a single building site shall not be located closer than twenty-five (25) feet to each other.
(e) Except as required for the driveway approach, no portion of any driveway in a required yard adjacent to a street shall be within five (5) feet of any property line other than as may be required to allow for turnaround maneuver, in which case said driveway shall be constructed of permeable material in its entirety.
(f) Tandem parking shall be allowed.
(g) Garage doors which are more than nine (9) feet wide shall not be allowed.

3. *Fences:*
All fences located within any street-front setback area shall be covered from the public right-of-way view by plant material except when said fence is faced or constructed with oolitic limestone.

4. *Landscaping:*
All landscape shall comply with the City's landscape and tree protection ordinances.

h. Single Family lots less than 10,000 square feet

1. Setbacks:

(a) Principal Building:
Setbacks are variable to allow for a variety in architecture and placement of the building footprint. Projections of buildings into required setbacks shall be permitted subject to the criteria and requirements specified herein.

(1) Minimum Front Setbacks:
The minimum front setback shall be thirty (30) feet. The structure may project a maximum of ten (10) feet into the minimum required setback of thirty (30) feet provided said projection does not exceed thirty (30) feet in width along the front of the building. Unenclosed porches, entries, or loggias may project a maximum of fifteen (15) feet into the minimum required setback of thirty (30) feet. On corner lots the structure may project a maximum of fifteen (15) feet into the minimum required setback of thirty (30) feet.

(2) Minimum Side Setbacks:
The minimum side setback shall be five (5) feet, except for corner lots where the minimum side setback adjacent to the street shall be ten (10) feet. The minimum total side setbacks to be distributed shall be as established in the following table.

TABLE INSET:

Building Site Size in Square Feet	Interior Lots First Story of Structure	Interior Lots Second Story of Structure	Corner Lots First Story of Structure	Corner Lots Second Story of Structure
Less than 7,500	10 feet	15 feet	15 feet	20 feet
7,500--10,000	15 feet	25 feet	15 feet	25 feet
More than 10,000	25 feet	35 feet	25 feet	35 feet

(3) Minimum Rear Setbacks:
The minimum rear setback shall be twenty (20) feet.

(4) Accessory Buildings:
The minimum side setbacks shall be ten (10) feet.
The minimum rear setback shall be ten (10) feet.
The maximum width of said connection shall be ten (10) feet.

i. Single Family Large Lot Residential designation

1. *Lot size*

Minimum lot size is limited to ten thousand (10,000) square feet and the minimum lot width is limited to one hundred (100) feet in order to preserve the large lot suburban character of certain neighborhoods within Coconut Grove.

2. *Limitations on yards*
All yards adjacent to South Bayshore Drive shall be a minimum of seventy (70) feet.

j. Single Family Oversized Lot Residential designation.

1. *Lot Size*
Minimum lot size shall be twenty thousand (20,000) square feet and minimum lot width shall be one hundred (100) feet.

2. *Limitations on yards*
All yards adjacent to South Bayshore Drive shall be a minimum of seventy (70) feet.

k. Single Family Estate Lot Residential designation.

The intent of these regulations is to allow existing Estate Lots to be developed as single-family estates of a spacious character together with Botanical Gardens, private non-commercial recreational facilities and accompanying structures compatible with residential surroundings. This district is designed to protect and preserve the existing character of estates and allow the building of vacant land considered appropriate for such development in the future.

1. Lot Size
Minimum lot size shall be one (1) acre (43,560 square feet) and a minimum lot width of one hundred (100) feet.

2. Limitations on yards
All yards adjacent to South Bayshore Drive shall be a minimum of seventy (70) feet. Bay windows and balconies may project a maximum of three (3) feet into a yard setback.

3. Accessory Uses and Structures
(a) Accessory structures shall comply in all other aspects of the underlying single family residential (T3) district unless stated otherwise. Enclosed accessory buildings shall be used only for occupancy of nonpaying guests of the owners of the primary residence or bona fide members of the family or household staff, and no kitchen or cooking facilities shall be constructed or used therein except by approval by the Planning Director of a written agreement with the City stating that such accessory structure will be used only by family members or household staff. The property owner must execute and record in the public records a Declaration of Restriction stating that the use of the site will be reserved for a single family residence. No accessory structure shall be used as or converted to a dwelling unit without the recorded Declaration of Restriction. Further, if any accessory structure and use is subdivided from the principal structure and use to which it is accessory or, alternately, if the principal structure is demolished or removed, the use of such accessory structure shall be terminated until a new principal

structure and use is established on the lot on which the accessory structure and use is located.

(b) Attached or unattached accessory structures include: private garages, swimming pools, cabanas, bedrooms, household staff cottage. Nothing contained in this section shall prohibit the construction of an enclosed accessory building containing bedrooms with bath facilities to be used in connection with and as a part of the primary residence within the building lines as provided in this section.

(c) Open awnings or trellises must meet the setback requirements and applicable open space and lot coverage requirements. These structures may not be converted to permanent additions if such conversion would increase the lot coverage of the principal structure above the allowed percentage.

4. *Height*
Height is limited to two full stories from grade or minimum FEMA elevation as defined within this code. Height is measured to the bottom of the eave. Variations to the Height requirement may be allowed for skylights or solar panels not exceeding three (3) feet above the roof. Such structures shall not cover more than ten (10) percent of the roof structure.

5. *Botanical Gardens*
A Botanical Garden is allowed by Exception. A Botanical Garden shall require a minimum of 5 acres and may also include the following:

(a) Educational facilities including building for meeting and classrooms
(b) Scientific research laboratory
(c) Offices to serve the Botanical Garden
(d) Residential living units for visiting scholars
(e) Garden maintenance area
(f) Gift shop or bookstore area. Outdoor display of merchandise shall be limited to areas not visible from public streets

3.6 Reserved for Coconut Grove NCD-3 (R-2) Two-Family Residential District

3.7 Reserved for Coconut Grove NCD-3 (R-3) Multifamily Medium-Density Residential District

3.8 Coconut Grove NCD-3 Commercial Districts

a. Limitation
The square footage of individual retail establishments within Coconut Grove Corridors defined in 3.5, and in the Village Center sub-district as defined in 3.1, shall be limited to a maximum size of twenty thousand (20,000) square feet in total floor area used for retail and related services, except as may be modified below for "lLarge-Sscale Rretail establishments." Retail specialty centers as defined in City Code Sec. 4-2 located adjacent to Coconut Grove Corridors listed in 3.5, may be approved by a Warrant. Special event Class I permits are exempted from the limitations of this section.

b. "Large-~~S~~scale ~~R~~retail establishment" defined
A "~~L~~large-~~S~~scale ~~R~~retail establishment" is defined for the purposes of NCD-3 as a retail establishment or combination of commercial retail establishment(s), including membership establishments with any commercial retail use, of over twenty thousand (20,000) square feet in gross floor area. The gross floor area includes building gross floor area and ancillary outdoor storage or merchandise display areas. For the purposes of this definition, the floor area does not include motor vehicle parking or loading areas. For the purpose of determining the applicability of the twenty thousand (20,000) square feet of floor area, the aggregate square footage of all adjacent stores or retail tenants that share common check out stands or a controlling interest, or storage areas, shall be considered one establishment.

~~c. Exceptions to limitations herein~~
~~Retail establishments exclusively for the sale of groceries abutting US-1 (Federal Hwy.) and not exceeding forty thousand (40,000) square feet within the underlying T5 or T6 Transect Zones are exempted from the size and aggregation limits set forth above in section 3.8.b. "Groceries" is defined as food products, dry groceries (such as household products and paper goods), and other items typically sold (such as meats, poultry, seafood, sushi, dairy products, frozen foods, fruits, vegetables, deli items, prepared foods, baked goods, health and beauty products, pharmaceuticals, and alcoholic beverages) or services commonly provided in a grocery store in Miami-Dade County.~~

c. Exception required for "~~L~~large ~~S~~scale ~~R~~retail establishments."
~~Except as provided herein, a~~A "~~L~~large-~~S~~scale ~~R~~retail establishment" within the Coconut Grove Corridors listed in 3.5 shall be permitted only by Exception. ~~Retail establishments exclusively for the sale of groceries in T5 or T6 Transect Zones abutting US-1 (Federal hwy.) as described in 3.8.c are exempted from the Exception requirement and shall be permissible by Warrant.~~

d. "Large scale grocery stores."
Retail establishments exclusively for the sale of groceries and not exceeding forty thousand (40,000) square feet located within the underlying T5 or T6 Transect Zones abutting US-1 (Federal Hwy.) may be permitted by Warrant. "Groceries" is defined as food products, dry groceries (such as household products and paper goods), and other items typically sold (such as meats, poultry, seafood, sushi, dairy products, frozen foods, fruits, vegetables, deli items, prepared foods, baked goods, health and beauty products, pharmaceuticals, and alcoholic beverages) or services commonly provided in a grocery store in Miami-Dade County.

e. Site requirements
In addition to all requirements in the applicable zoning district, "~~L~~large-~~S~~scale ~~R~~retail establishments" must meet the following site criteria and limitations:

1. *Maximum size of retail establishment*
The maximum size of any individual retail establishment within any Coconut Grove Corridor shall be seventy thousand (70,000) square feet. No individual retail establishment within a Large Scale Retail establishment shall be permitted which exceeds seventy thousand (70,000) square feet.

2. *Minimum lot dimensions*
"~~L~~large-~~S~~scale ~~R~~retail establishments" may be permitted exclusively in lots having a minimum net area of two (2) acres. Properties which do not meet the two-acre size limitation shall be limited to individual establishments of twenty thousand (20,000) square feet or less.

3. *Minimum setbacks and build-to lines*
Large Scale Retail establishments shall have the following minimum setbacks:

(a) Any front or side setback abutting a public right-of-way or non-residentially zoned property build-to line is twenty (20) feet. The area from the build-to line to the right-of-way line shall be used for permanent sidewalks with illumination, pedestrian amenities, or landscaping, except in areas as required for emergency access, or where driveway entrances are located. Landscaping in this setback area shall count toward the green space requirements. This area may not be used for parking or loading at any time.

(b) Side or rear lot line abutting a residentially zoned property: setback is fifty (50) feet. The setback shall include a 20-foot heavily landscaped buffer area. If an access alley, parking, loading door, delivery area, or inventory storage area is present along this side of the property, then the setback area shall also include an eight-foot-high masonry wall inside of the 20-foot landscape buffer.

4. *Building orientation and facades*

(a) Building facades and elevations shall be designed to minimize the visual impacts of the scale of the building.
(b) Large-~~S~~scale ~~R~~retail structures may be oriented with their entrances toward arterial or collector roadways as defined in the City Comprehensive Plan.
(c) Any side with regular public ingress/egress point(s) is to be considered a front. Regular public ingress/egress to the building shall not be located facing residential uses. There may be more than one (1) front. Front and side facade design shall include the following design features to minimize scale impacts and promote activated street frontages.
(d) Building design variations at intervals no greater than fifty (50) feet.
(e) Storefront windows, with interior spaces visible and lit from within at night, equal to at least fifty (50) percent of the linear length of ground-floor wall on building front elevations as defined herein. Window spacing should be such that no more than twenty (20) percent of the length of the wall may have an uninterrupted length without storefront windows.

5. *Vehicular access*
Primary ingress and egress to the site must be provided from the arterial(s) and not from secondary roads or collectors and subject to the following:
(a) Except as required for emergency access, vehicular driveways shall not be along local roadways as defined in the City Comprehensive Plan.
(b) Except where required for emergency access or other compelling public safety reasons, vehicular driveways shall not be located within one hundred

(100) feet of residentially-zoned land along the same side of the street, as measured from the nearest point of the driveway.

(c) Delivery vehicle access/egress shall be clearly defined in the site plan, and shall only be from arterial roadways, and located no less than one hundred (100) feet from residentially-zoned land along the same side of the street, as measured from the nearest point of the driveway.

(d) Where large and bulk merchandise sales are expected, customer pick-up access/egress shall be clearly defined in the site plan, and shall only be from arterial roadways, and located no less than one hundred (100) feet from residentially-zoned land along the same side of the street, as measured from the nearest point of the driveway.

6. *Parking and loading requirements*

(a) One (1) space per every two hundred (250) square feet of gross floor area shall be required for a "~~L~~large-~~S~~scale ~~R~~retail establishment." All required parking must be provided onsite.

(b) Along collector roads as defined by the City Comprehensive Plan, setback buffers, building design or other features shall screen parking such that no more than thirty (30) percent of the parking lot or facilities are visible from the roadway.

(c) Along local roads as defined by the City Comprehensive Plan, setback buffers, building design or other features shall completely screen parking such that the parking lot or facilities are not visible from the roadway, except for distances as required by driveways or emergency access.

(d) All loading and deliveries shall be adjacent to an arterial roadway. Said loading and delivery areas shall be screened from public view by an eight-foot wall.

7. *Green space*

A "~~L~~large-~~S~~scale ~~R~~retail establishment" shall implement landscaping in an area equal in size to, or greater than, fifteen (15) percent of the gross lot area. Landscaping shall be implemented generally so as to provide ample shade areas in the parking lot and abutting sidewalks and to minimize the visual impact of the structure and parking space on the streetscape. To this end, a landscape plan for the site shall be submitted to the Planning Department for review and approval by the Planning and Zoning Advisory Board as part of the required Exception.

8. *Buffer*

Wherever the property abuts another property with a more restrictive zoning designation, a "large-scale retail establishment" shall provide a twenty-foot wide heavily landscaped buffer. This buffer shall include Florida native trees at no less than fifteen (15) to twenty (20) feet in height, with a diameter at breast height of no less than four (4) to five (5) inches spaced on 15-foot centers. Also included in this buffer shall be hedging and ground cover. This buffer shall be included in the required landscape plan.

9. *Fences and walls*

Fences and walls shall be erected to a minimum height of eight (8) feet wherever the property abuts another property with a more restrictive zoning designation.

f. Location of "~~L~~large-Scale Retail establishment"
A "~~L~~large-~~S~~scale ~~R~~retail establishment" shall be located exclusively on a lot having frontage on one (1) or more arterial roads.

g. Hours of operation
Except for special events requiring Class I permits, a "~~L~~large-~~S~~scale ~~R~~retail establishment" shall open no earlier than 7:00 a.m. on weekends and 8:00 a.m. on weekdays and shall close no later than 11:00 p.m. on weekends and 10:00 p.m. on weekdays. Deliveries to or from any "~~L~~large-~~S~~scale ~~R~~retail establishment" shall be limited to the hours of 10:00 a.m. through 3:00 p.m. Monday through Saturday.

h. Variances prohibited
No variances from the provisions set forth in the site requirements or hours of operation are permitted.

A.3.8 Reserved. Coconut Grove NCD-3 Sub-District Architectural Guidelines.

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General Principles

Public access waterfront walkways shall:

1. Feel public. No one should feel as if he or she is intruding on private property. The public should feel welcome and at ease to move along the entire length of the waterfront. Signage should clearly establish the public's right to use the walkway.

2. Be usable. Young and old, handicapped and joggers, lovers, fishermen, business and men and women, everyone should find the waterfront usable. Potential conflicts between active and passive users should be prevented through segregation of waterfront walk use zones. (See Design Standards below).

3. Provide visual access. The attraction is the water. All landscaping, furniture, lighting, guard rails and planters should be subordinated to enhance maximum visibility to the water. Simplicity of design is preferred. The views of adjacent private development should not be obstructed.

4. Enhance visual quality. Parking and service areas must be completely screened from the walkway. Materials, color and forms should complement the natural shoreline environment.

5. Connect to other public areas. Public parks, transit stops, thoroughfares, midblock walkways, shopping areas, and publicly accessible plazas should connect to the waterfront.

6. Take advantage of waterfront setting. Where practical, boating and fishing activities should be incorporated into waterfront designs. Elevated viewing areas, historically interpretive markers and signs are desirable. Boat access from the water to the land is encouraged.

Bulkheads or Seawalls

1. Bulkheads and Seawalls constructed on properties north of the Rickenbacker Causeway and along the Miami River or Biscayne Bay shall be constructed six (6) feet above National Geodetic Vertical Datum (NGVD). Bulkheads constructed on properties south of the Rickenbacker Causeway and on Biscayne Bay shall be constructed seven (7) feet above National Geodetic Vertical Datum (NGVD). All other bulkheads located in the City of Miami shall meet the minimum Miami-Dade County Standards.

2. Bulkheads or Seawalls shall be constructed eighteen (18) to twenty-four (24) inches in width at the top and meet all City of Miami departments' requirements. The top of the bulkhead or seawall shall be at a constant elevation for the length of the bay / river walk.

3. Deviations to the bulkhead requirements may be granted by the Director of Public Works to construct bulkheads at a height above the standard NGVD set by the City due to a justifiable request. Any deviations from the City standard bulkhead elevation where a waterfront walkway is being proposed would require the property owner to construct, on the applicant's property, a connecting transition at a consistent A.D.A. compliant width and grade to the waterfront walkway on adjacent properties. All requests for a deviation to the mandated bulkhead elevation shall be made in writing to the Director of Public Works and shall include all appropriate architectural and engineering or other documentation needed to make a determination.

Natural Shorelines

1. Walkways along a natural shoreline or rip rap shoreline may be set back from the edge of the shoreline and meander within the waterfront setback area.

2. Areas with natural shorelines must transition to adjacent properties in elevation and alignment to create a cohesive baywalk or riverwalk circulation.

Design Standards for Bulkheads or Seawalls

1. The top of the bulkhead or seawall shall be at a constant elevation for the length of the waterfront. It shall be eighteen (18) to twenty-four (24) inches wide at the top.

2. Safety ladders of stainless steel or galvanized steel shall be placed a maximum of 100 feet apart along the face of the seawall or bulkhead, to allow for climbing out of the water at low tide.

3. The top of the seawall/bulkhead shall be six (6) to eight (8) inches higher than the surface of the adjacent baywalk or riverwalk safety zone.

4. The inside edge of the seawall/bulkhead shall be beveled.

Design Standards for Waterfront Walkways

Waterfront walkway landscaped areas should be landscaped with native plant materials. Shade trees are required within the Passive/Transition Zones and may also be planted along the Safety Buffer Zone, in lieu of palms, to create an allee of trees. Shrubs, low shrubs, and groundcovers (low level plantings) should be planted at the base of trees and palms to enhance waterfront walkway aesthetics and to help buffer the walkway perimeters.

The following walkway zones are listed in order from the landward edge of the bulkhead cap and progressing landward towards the private property. NOTE: the top of the bulkhead cap shall be six (6”) to eight (8”) inches above the waterfront walkway elevation.

Safety Buffer Zone

Safety Buffer Zone - A minimum three (3) to four (4) foot wide area adjacent to the bulkhead. (See Plan Detail- 3’ minimum where there is no planting, 4’ minimum where planting beds are provided.)

1. Since railings, walls and/or other barriers are not desirable along the water’s edge, waterfront users need to be warned when coming close to the water with a minimum three (3) foot wide safety buffer zone consisting of a rough textured surface that discourages walking.

2. Paving within the safety buffer zone shall be a type of cobble stone with “river rock,” approximately ¾ to 1 ½ inches in diameter, set in concrete leaving a relief of ¼ to ½ inches or similar aggregate pavers with ADA domes.

3. Planting beds shall be a minimum four (4) feet wide with trees or palms planted at grade providing shade to pedestrians and low level plantings provided at the base of the trees or palms. Landscape lighting may be provided to accentuate trees or palms in this area.

4. In areas between the planting beds, a minimum three (3) foot wide uniform exposed aggregate finish such as a river rock textured surface shall be provided to warn pedestrians of the water's edge meeting Americans with Disabilities Standards.

5. Bollard lighting within the textured surface adjacent to the Circulation Zone shall be installed to provide pedestrian / pathway lighting.

Circulation Zone

Circulation Zone – A minimum fifteen (15) to sixteen (16) foot wide unobstructed linear pedestrian walkway. (See Plan Detail- 15' minimum where adjacent plantings are provided in the Safety Zone, 16' minimum where there are no plantings in the Safety Zone.)

1. The waterfront circulation zone shall consist of a linear pedestrian walkway or promenade and shall be a minimum fifteen (15) feet wide.

2. The walkway may meander along the shoreline; however all offsets in the alignment of the walkway shall not exceed six (6) feet and be spaced not less than fifty (50) feet apart.

3. Obstructions to movement (trees, bollards, lighting, etc.) within the circulation zone shall not reduce the clear width of the walkway to less than fifteen (15) feet at any point.

4. The Circulation Zone shall be constructed of non-slip paving materials with high aesthetic appearance and structural qualities to support emergency vehicle access.

5. Variable textures and materials may be used to surface the promenade.

6. The promenade surface shall be at a constant elevation, and shall be accessible to handicapped persons throughout the entire length of the waterfront.

Passive Zone

Passive Zone – A minimum three (3) foot wide area interspersed with shade trees, low level plantings, site furniture, lighting and accessories.

1. The area for sitting, accent landscaping and concessions shall be located along the inland side of the waterfront, and shall be not less than three (3) feet wide.

2. Short lengths of the passive zone may be elevated eighteen (18) to twenty-four (24) inches above the level of the promenade for enhanced bay and river views.

3. All benches shall have back rests, and their placement shall emphasize direct views of the water.

4. Site furniture may include overhead canopies, concessions, etc. and shall be confined to this zone. All furniture shall be permanently installed preferably by direct burial in concrete.

6. Accessories include benches, trash receptacles, drinking fountains, pedestrian scale light poles and landscape lighting. Appropriate additional furniture including overhead canopies or shelters, drinking fountains, etc., shall be confined to the passive zone.

7. The passive zone may be paved in plain concrete or the paver on the main circulation zone.

Transition and Security Zone

Transition Zone – A minimum three (3) foot wide area, immediately adjacent to the Passive Zone to buffer private development from the waterfront walkway and collect stormwater.

1. To buffer private development from the adjacent waterfront a minimum three (3) foot wide transition zone shall border the waterfront facility.

2. This visual and functional transition from public to private space shall generally be marked by low level shrubbery and overhead shade or ornamental trees.

3. Security to limit public access to private property may be provided by fences, grade changes or retaining walls. All screens and walls shall be landscaped to reduce their visual impact on the walkway.

4. For adjacent developments that serve the public (i.e., restaurants, shops, hotels, entertainment, etc.) provision of wide, visible and easy pedestrian access to the waterfront shall be assured.

5. In general, landscaping and security barriers shall not visually screen the waterfront from adjacent active uses, such as retail restaurants, or entertainment.

Standards and Guidelines for Design Elements

Landscaping

1. Palms may be used along either edge of the waterfront, but Coconut Palms or Sabal Palms are particularly appropriate for the water's edge.

2. Raised planters, if used, shall be confined to the passive zone, and all planter walls shall double as sitting walls, fifteen (15) to thirty (30) inches in height.

3. Plant material shall be primarily native salt-tolerant species.

Lighting

1. Lighting at the water's edge shall be confined to eight (8) inch diameter bollards, which shall be twenty-four (24) to thirty (30) inches high and spaced approximately twenty (20) feet on center.

2. Bollards shall be one hundred (100) watt MV with down illumination not extending beyond the bulkhead line.

3. Overhead lighting shall be confined to the passive zone and consists of down lighting with lamps not over fourteen (14) feet high, 175 watt MV, and spaced approximately fifty (50) feet on center.

4. Up lighting of landscaping is encouraged.

5. Mercury vapor, metal halide lamps or similar “white” light luminaires shall be used.

6. Colored lighting, except for private signs, shall not be used.

7. Simple contemporary fixture design shall be used as opposed to highly stylized, vintage or period designs.

Signage

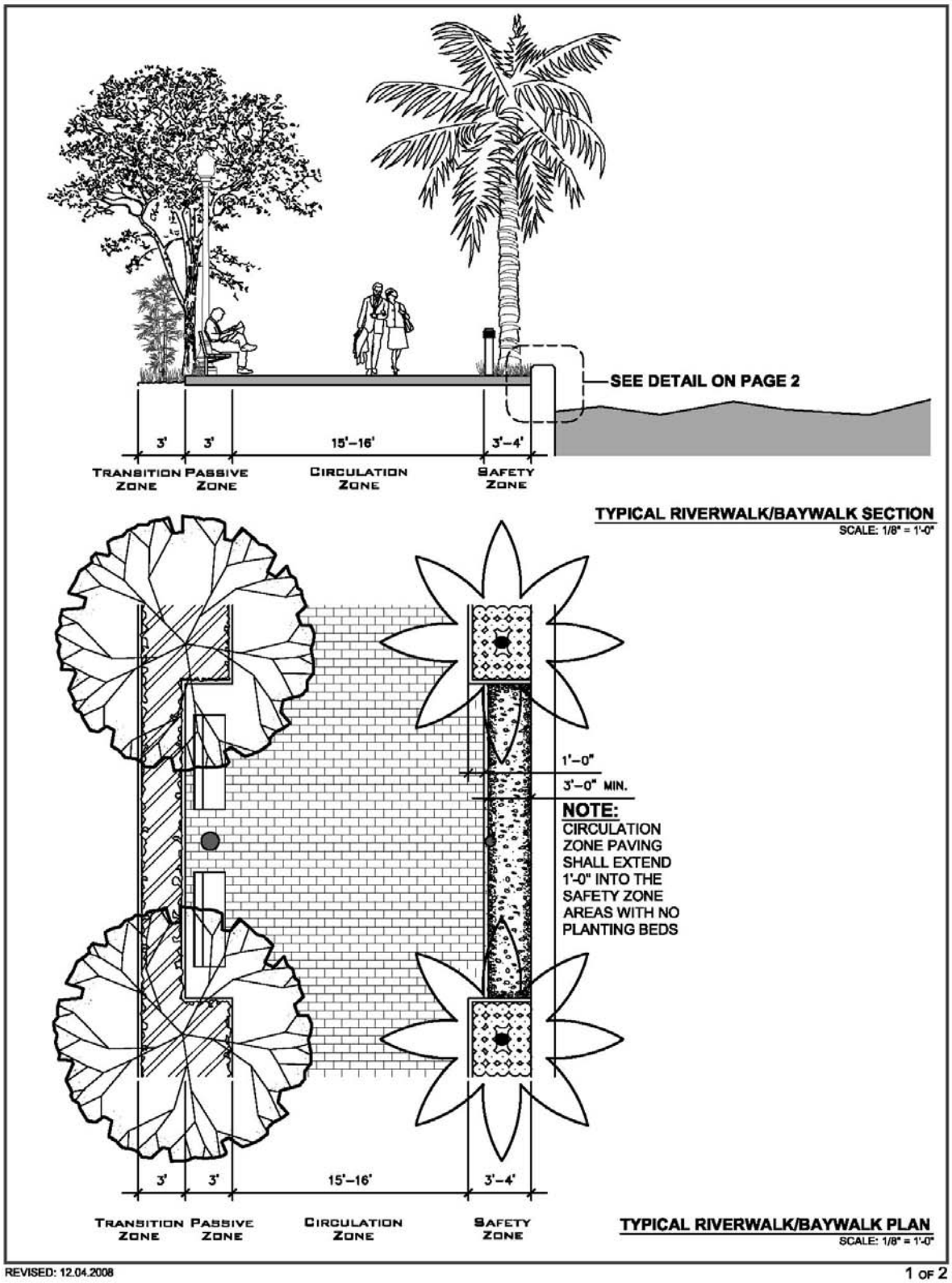
1. All public access waterfront walks shall be marked with the standard “Public Shore” sign.

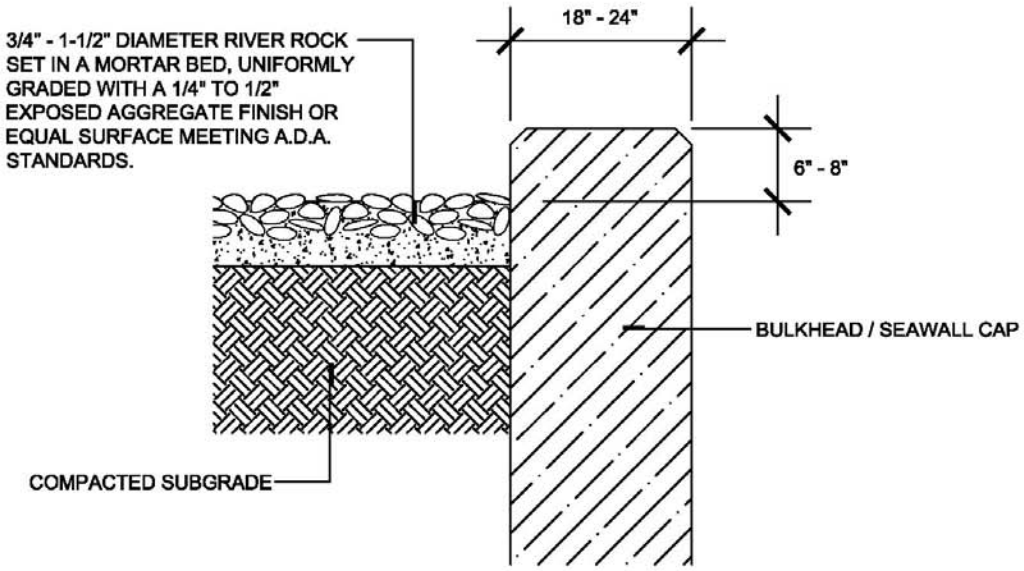
2. All major public access points, including park walkways, roadways, dedicated midblock walks and public plazas, shall be marked with “Public Shore” signs.

3. Adjacent accessible publicly oriented private development, such as cafes or shops, shall identify the use with signage in the transition zone.

4. Uniformly designed historic or environmental markers and descriptive plaques shall be placed in the passive zone.

5. Signage shall identify access points and adjacent activities (cafes, shops, etc.) for boaters.


SEE DETAIL ON PAGE 2
3'
3'
15'–16'
3'–4'
TRANSITION ZONE
PASSIVE ZONE
CIRCULATION ZONE
SAFETY ZONE
TYPICAL RIVERWALK/BAYWALK SECTION
SCALE: 1/8" = 1'-0"
1'–0"
3'–0" MIN.
NOTE:
CIRCULATION ZONE PAVING SHALL EXTEND 1'-0" INTO THE SAFETY ZONE AREAS WITH NO PLANTING BEDS
3'
3'
15'–16'
3'–4'
TRANSITION ZONE
PASSIVE ZONE
CIRCULATION ZONE
SAFETY ZONE
TYPICAL RIVERWALK/BAYWALK PLAN
SCALE: 1/8" = 1'-0"
REVISED: 12.04.2008
1 OF 2



DETAIL - SAFETY BUFFER ZONE
NOT TO SCALE

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SD-27 MIDTOWN MIAMI SPECIAL DISTRICT

The objective of this District is to promote neighborhood redevelopment through medium to high density mixed use development. Due to intensity of infill development and redevelopment in the SD-27 Districts, population and the overall level of commercial and retail activity will greatly increase.

Combined with the proximity of the SD-27 Districts to downtown and other revitalizing neighborhoods, convenient and reliable transportation along the Midtown Miami Special District can connect the neighborhoods, jobs, residences and activity centers and expand greater revitalization.

The character of the district is to include a wide range of pedestrian oriented activities that would facilitate a vibrant mixed-use community setting, permitting the development of flexible live-work spaces as determined by market forces, including mixed-use loft development. Ground level activities and uses with strong pedestrian orientation are mandated to front streets to generate a lively pedestrian street life.

The District is intended for medium scale projects of diverse architectural design. Buildings will be restricted as to height, setbacks, and will require habitable uses for portions of the building closest to the street. Unified landscaping, paving, street furniture, storefront design, signage and building facade guidelines, as well as incentives that would allow for the rehabilitation of significant historic resources.
For the purpose of the SD 27, the following definitions shall apply:

Active Uses: The principle component of the SD-27 district is ground floor active uses which promote pedestrian activity. An active use is any use that provides a public entrance from the street with an interior use that serves the general public. This may include retail, office, educational facilities, entertainment, and live-work.

Big-Box retail is defined as a single retail store comprised of at least twenty thousand (20,000) square feet.

Build-To Line: An alignment established a certain distance from the base building line to a line along which a building shall be constructed. Build-to dimensions are established in Sections 627.1.7 and 627.1.8 for each street frontage and require that primary building frontages (excluding colonnades, arcades and awnings) be constructed at the dimension provided for a minimum of x (x) percent of the lineal building frontage. Pursuant to Sections 627.1.7 and 627.1.8, colonnades and arcades may encroach the specified build-to line provided a minimum unobstructed pedestrian space of five (5) feet is provided. Colonnades and arcades shall not encroach upon the base building line. Furthermore, Build-To lines are subject to compliance with the City of Miami Vision Clearance requirements of Article 908.

Gateway: The SD-27 District promotes the design of buildings as gateway structures by providing greater allowable height at strategic street intersections within the district. The gateway sites shall be as follows:
(1) The Southeast corner of the intersection of North Miami Avenue and Northeast 36th Street;
(2) The Southwest corner of the intersection of Northeast 36th Street and Northeast 2nd Avenue: and
(3) The Southeast corner of the intersection of Northeast 34th Street and Northeast 1st Place.

Liner Uses: Building uses that serve to conceal uses such as parking garages and service areas. When liner uses contain ground floor space, such space shall be designed to accommodate retail and/or other uses that promote pedestrian traffic and shall have entrances directly accessible from a public sidewalk or open space.

Live-work: Live-work describes residential units that have a commercial and/or office component accessed through an external street entrance. The intent of this use is to provide efficient housing with the opportunity for workspace that can contribute active uses at the ground floor. Home occupations pursuant to the provisions of 906.5.2 shall also qualify as live-work, except that additional parking, defined in 906.5.2.f. shall not be required.

Mixed Use: The SD-27 District promotes multiple uses within the same lot and on adjoining lots by permitting multiple principal uses within the underlying district. A mixed use building or parcel exists when there is more than one use and must include residential and/or live-work use. When the majority of building area is dedicated to uses other than residential and/or live-work uses, at least ten (10) percent of the total FAR of the building shall be dedicated to residential and/or live-work uses in order to be classified as a mixed-use building. For the purposes of calculating mixed uses, live-work uses shall be allowed to count towards residential or commercial uses, but shall not be allowed to count towards more than one use.

Open Space: Any parcel of land or water, excluding public right of way, that is at ground level or open to the sky and designed and intended for the common use of the residents, tenant and the general public and may include parks, linear parks, plazas, and landscape areas. Additionally, canopy trees and large palms planted within pedestrian zones of the public right-of-way in accordance with the design standards shall respectively each count as four hundred (400) square feet and one hundred seventy-five (175) square feet of open space. Open Space is substantially free of structures other than structures that contribute to the common use of the space.

Smart Growth: Planning techniques founded upon and promoting any or all of the following principles:

(1) Using land resources more efficiently through compact building forms, infill development, and moderation in street and parking standards in order to lessen land consumption and preserve natural resources and promote multi-modal transportation;
(2) Supporting the location of stores, offices, residences, school, recreation spaces, and other public facilities within walking distance of each other in compact neighborhoods that are designed to provide alternate opportunities for easier movement and interaction;
(3) Providing a variety of housing choices to create a diverse community;
(4) Supporting walking, cycling, and transit as attractive alternatives to driving; providing alternative routes that disperse rather than concentrate traffic congestion; lowering traffic speeds in neighborhoods;
(5) Connecting infrastructure and development decisions to minimize future costs by creating neighborhoods where more people use existing services and facilities; by integrating development and land use with transit routes and stations; and
(6) Improving the development standards review process and development standards so that developers are encouraged to apply the principles stated above.

Story: A space in a building between the surface of any floor and the surface of the next floor above, or if there is no floor above, then the space between such floor and the ceiling or roof

above. Portions of buildings constructed below grade shall not count toward an allowable number of stories, provided that at least fifty (50) percent of the total floor perimeter is at least five (5) feet below grade.

(Ord. No. 12447, § 2, 11-25-03; Ord. No. 12688, § 2, 5-26-05)

Editor's note: Ord. No. 12688, § 2, adopted May 26, 2005, changed the title of § 627 from "SD-27 FEC Corridor" to "SD-27 Midtown Miami Special District." The historical notation has been preserved for reference purposes.

Sec. 627.1 SD-27.1 Midtown Miami East Special District.

The Midtown Miami East Special District area is bounded by Northeast 36th Street on the north and FEC greenway on the east. On the south, the area is bounded by the centerline of Northeast 29th Street between the FEC Greenway and Midtown Boulevard and by the centerline of Northeast 34th Street between Midtown Boulevard and Buena Vista Avenue. On the west, the area is bounded by the centerline of Buena Vista Avenue between Northeast 36th Street and Northeast 34th Street and by the centerline of Midtown Boulevard between Northeast 34th Street and Northeast 29th Street.

627.1.1 Intent.
The Midtown Miami East District regulations are intended to provide for a method to allow for planning initiatives that achieve unique or innovative development not otherwise provided for in the zoning ordinance. These planning initiatives may include, but are not limited to, Smart Growth as defined in Section 627. The standards and procedures of this district are intended to promote flexibility and diversity in design and permit planned diversification and integration of uses and structures, with limitations and regulations as deemed necessary to be consistent with the City's Comprehensive Plan and to protect the public health, safety, and general welfare. The SD 27 Design Standards provide more detailed clarification to this ordinance and are incorporated by reference.

This district is of special and substantial public interest given its proximity to Downtown Miami and the Omni Area, the Design District, Miami Beach, the Wynwood Neighborhood and to future proposed commuter transit facilities within the Florida East Coast Railway (FEC) Corridor. The intent of the district is to: (1) promote the efficient use of land resources through compact building forms, infill development, and moderation in street and parking standards in order to reduce automobile traffic and promote multi-modal transportation; (2) promote the creation of a Miami midtown environment through intensive urban mixed-use development with a twenty-four hour activity pattern; (3) Enhance the pedestrian environment and connectivity of the existing surrounding areas by extending the city street grid through the district; and (4) Provide intensive new housing opportunities needed to sustain future commercial growth and commuter transit facilities. To this end, the district promotes streetscapes and mixed-use buildings designed to provide pedestrians with lively, interesting, well-landscaped and highly usable public spaces with a maximum interrelationship with ground floor building uses.

Concerning building uses and overall buildable area, mixed-use development is encouraged by providing greater floor area ratios and overall building height than that of single use buildings. Furthermore, additional height is provided for on sites that abut significant open space and/or are designated as strategically located visual gateways as defined in Section 627. Yard and setback areas are minimal and are required to be developed as an integral part of the overall

pedestrian streetscape. Ground floor build-to lines are provided in order to establish a continuous building frontage that enhances and provides spatial definition for the urban streetscapes.

Although no specific requirements are contained, it is further intended that buildings be designed utilizing environmentally sensitive methods, including, but not limited to, passive and active solar techniques, green-roofs, the utilization of environmentally sustainable materials and efficient mechanical systems.

627.1.2 Effect of SD-27.1 district designation.
The SD-27.1 Midtown Miami East Special district shall supplant districts or portions of districts included within the SD boundaries to the extent indicated herein in the official zoning atlas.

627.1.3 Class II Special Permit.

627.1.3.1. When required.
A Class II Special Permit shall be required prior to approval of any permit (except special permits pursuant to Article 13) affecting the height, bulk, location or exterior configuration of any existing building or the construction of a new building; or for the implementation of signage, awnings, fences or any other improvement visible from a public right-of-way.

627.1.3.2. Considerations in making Class II Special Permit determinations.
The purpose of the Class II Special Permit shall be to ensure conformity of the application with the expressed intent of this district, with the general considerations listed in section 1305, and with the special considerations contained in the SD-27 Design Standards incorporated herein by reference.
Notwithstanding any other provisions of this zoning ordinance, a Major Use Special Permit is required for non-residential uses in a single building that exceed four hundred thousand (400,000) square feet and residential units in a single building that exceed four hundred (400) dwelling units, or any combined use which exceeds two thousand five hundred (2,500) parking spaces.
Any variances (as defined in Article 19) sought from the provisions of the SD 27.1 regulations shall require such deviation to be considered within the process for a Major Use Special Permit as defined in Article 17; i.e. increased development thresholds as set forth above shall not apply.

627.1.4 Principal uses and structures.

The following uses shall be permitted within the district, subject to the provisions of Section 627.1.7:

1. Neighborhood convenience goods and services, including food stores (grocery, meat, seafood, produce, delicatessen, bakery, confectioneries, ice cream), drugstores, newsstands, dry cleaners, barber and beauty shops, and shoe repair stores.

2. Retail establishments open to the general public as follows: Antique stores, art stores and commercial art galleries; bicycle sales; book and stationery stores; china and crockery stores; drugstores; floor covering; florist, including plant and shrub sales; food carts and vendors; gift shops; hardware stores; hobby shops; home appliance stores; home furnishing stores; interior decoration supply stores; establishments for the sales of boating and fishing supplies (excluding

outdoor sales of boats); jewelry stores; leather goods; luggage stores; music stores; newsstands; office supply stores; optical goods stores; package liquor stores (without drive-through facilities); paint and wallpaper; pet shops; photographic supply stores; restaurant supply stores; tobacco shops; toy stores; television, radio, and other electronics stores; videotape sales and rentals; variety and sundry stores; establishments for sale of wearing apparel; Such establishments may provide incidental repair, maintenance, adjustment or alteration services as appropriate, but facilities, operation and storage in relation to such services shall not be visible from any street or street related pedestrian open space. Aside from antique stores, art galleries, jewelry, bookstores and wearing apparel establishments, no such retail establishments shall deal in secondhand merchandise.

3. Service establishments as follows: Interior decorator, Banks, savings and loan and financial institutions; duplicating centers including letter and photostating services; driving school agencies; locksmiths; medical or dental offices less than five thousand (5,000) square feet; opticians; photographic service; business and professional offices; tailoring; dressmaking; millinery or drapery fabrication, except where products are for office premises sale; rental of recreation and sporting equipment.

4. All Residential uses as per the R-4 High Density Residential Zoning District.

5. Hotels.

6. Shops for the sale, assembly, customization or repair open to the general public as follows: Awnings and Canvas; Carpentry; Construction of models for design purposes; Custom woodworking and furniture; Glass; Signs; and Upholstery.

7. Public and private recreational facilities and community service facilities.

8. Production of art and handicrafts (but not mass-produced items) incidental to sale at retail on the premises.

9. Restaurants, brewery restaurants, tearooms and cafes (without drive-through facilities), including those with dancing and live entertainment.

10. Bars, cocktail lounges, saloons and taverns, supper clubs and nightclubs, including those with live entertainment open to the general public.

11. Art galleries, auditoriums; theaters (including open air theaters) and cinemas, museums, libraries and similar cultural uses.

12. Structures for operating public transportation.

13. Parking lots and garages subject to Sections 627.1.5, 627.1.7 and 627.1.12.

14. Public or private educational facilities.

15. Cellular communications in accordance with the provisions of the C-1 Restricted Commercial Zoning district.

The following uses shall be permitted by Class I Special Permit:

1. Outdoor photographic stage sets.

2. Notwithstanding the provisions of 906.9, up to ten (10) street and open space special events per calendar year within the district.

627.1.5. Accessory Uses.
Uses and structures which are customarily accessory and clearly incidental to permitted principal uses and structures, approved in the same permit proceedings, and initiated or completed within any time limits established generally or in relation to the special permit, shall be permitted subject to limitations by these or generally applicable regulations. Other accessory uses and structures shall require a Class II Special Permit.
No aboveground off-street parking or loading area shall be permitted between any front portion of a building and the front line of a lot adjoining any street; provided, however that off-street parking for bicycles may be permitted in such areas, subject to limitations and requirements as to location, design and number established in connection with special permits.

627.1.6. Building Placement and buildable area.

1. Minimum lot requirements. No specific dimensional requirements are established in this district, but lots shall be of sufficient width and area to conform with other requirements and limitations of these and other lawful regulations.

2. Floor Area Limitations. Floor area limitations of the SD 27.1 district shall be as follows:
   a. The floor area ratio shall not exceed one and seventy-two hundredths (1.72) times the gross lot area for single use buildings.
   b. The floor area for all mixed-use buildings shall not exceed three (3.0) times the gross lot area. Ground floor retail in mixed-use buildings shall not be included in floor area calculations.
   c. Allowable increase in floor area up to five tenths (0.5) will be provided for payment into the FEC Corridor Neighborhood Improvement Trust Fund, as set forth in Chapter 62 of the City of Miami Code.

3. Density. Density shall not exceed one hundred fifty (150) residential units/net acre.

4. Height Limitations.
   a. Height limitations shall be as provided in Section 627.1.7. It is the intent of the District to provide for design variation, therefore height is regulated by an allowable number of stories and an allowable height threshold, whichever is less. Notwithstanding any provisions of Section 627.1.7, a height increase of ten (10) percent shall be allowed as a non-substantial amendment, subject to the approval of the Director of Planning.
   b. Parking structures shall not exceed seventy-five (75) feet in height. Notwithstanding any provisions of this Section, a height increase of up to ten (10) percent shall be allowed as a non-substantial amendment, subject to the approval of the Director of Planning.

5. Maximum and Minimum Setback Requirements and Build-To Lines.
Setback requirements for the SD 27.1 district are measured perpendicular to and from the base building line. Platted public right of way lines shall be defined as the base building line. When

platted right of way lines at street intersections are rounded, setbacks shall be measured from projected right of way lines and not from the rounded portions of such lines. The SD-27 Design Standards provide further clarification of the requirements provide herein. The maximum and minimum setbacks and build-to requirements shall be as provided in Section 627.1.7 and below as follows:

a. Maximum Ground Floor Setback for all Streets. For the first twenty-five (25) feet in elevation above the public right-of-way, no building facade shall be set back more than a depth of ten (10) feet, except as otherwise provided in Section 627.1.7. Off-street parking shall not be allowed within the maximum setback. Building frontage may exceed the maximum setback requirement, provided that the resultant setback is designed and improved as public open space.
b. Minimum Setbacks and Build-To Lines.

1. Minimum setbacks and build-to requirements shall be as provided in Section 627.1.7. In order to allow for building and streetscape design variation, an accumulative maximum of forty (40) percent of any street or side setback frontage may have no podium and tower setback requirements as defined in Section 627.1.7.

2. Colonnades may encroach the setback and build-to requirements provided that a minimum of five (5) feet of sidewalk must remain clear of all obstructions. In addition, awnings and upper story balconies may encroach the setback and build-to requirements by a distance of seven (7) feet. In no case shall colonnades and upper story balcony encroachments be allowed beyond the base building/property line. Awnings may encroach base building property line by a distance of seven (7) feet into the right-of-way.

3. Building frontages along East Coast Avenue and above sixteen (16) stories or one hundred seventy-five (175) feet in height (above the public sidewalk), whichever is less, shall not exceed sixty (60) percent of the East Coast Avenue net property frontage. This requirement is applicable for all building frontages within fifty (50) feet of the base building line.

6. Gateway Designations.
As provided in Section 627, gateway sites shall be as follows:
(1) The SW corner of the intersection of NE 36th Street and NE 2nd Avenue; and
(2) The SE corner of the intersection of NE 34th Street and NE 1st Place.

627.1.7 Maximum height, Build-to, Minimum Setback and Use Requirements.

TABLE INSET:

SD 27.1 Maximum height, Build-to, Minimum Setback and Use Requirements					
Street/Classification	Height/Number of Stories	Ground Floor Build-To/Setback	Podium Setback**	Tower Setback**	Uses
Midtown Boulevard	300' and 28 stories "200' for mixed-use on the western side of the street"	0' setback on the eastern side	15' setback above 75' for buildings designated as a gateway	70' setback above 120' elevation	65% active ground floor uses required

Primary	350' and 33 stories if designated as a gateway 1	20' Build-To on the western side (maximum allowable encroachment for 80' of linear frontage)		No setback requirements for gateway 1 buildings	Liner uses on all parking structures
		35' setback above 30' elevation on the western side			All SD27.1 uses permitted
Buena Vista Avenue	60' for commercial single-use	0' Build-To	N/A		All SD27.1 uses permitted
Primary	200' for mixed-use on the eastern side of street	15' setback above 30' elevation on the east side			Liner uses on all parking structures
East Coast Avenue	300' and 28 stories adjacent to the FEC corridor	5' setback	15' setback above 75' elevation	N/A	Liner uses on parking structures
Tertiary	350' and 33 stories if designated as a gateway 1				All SD27.1 uses permitted
NE 36th Street Primary	350' and 33 Stories	9' Build-To with colonnade or awning	15' setback above 75' elevation east of Midtown Boulevard	N/A	65% active ground floor uses required
			15' setback above 60' elevation west of Midtown Boulevard		Liner uses on all parking structures
					All SD27.1 uses permitted
NE 29th Street	300' and 28 stories	9' Build-To with colonnade or awning	30' setback above 75' elevation	N/A	65% active ground floor uses required
Primary					Liner uses on all parking

					structures
					All SD27.1 uses permitted
NE 30th, NE 32nd, NE 35th Street	300' and 28 Stories	5' setback	15' setback above 75' elevation	N/A	All SD27.1 uses permitted
Secondary	350' and 33 stories if designated as a gateway 1				Restaurant or Retail Uses are required along 70' at intersection with Midtown Boulevard
NE 34th Street (East of Midtown Boulevard)	300' and 28 stories	0' setback	15' setback above 75' elevation	N/A	65% active ground floor uses required
Primary	350' if designated as a gateway 1				Liner uses on all parking structures
					All SD27.1 uses permitted
NE 34th Street (West of Midtown Boulevard)	60' for commercial single-use	0' Build-To	15 feet above 40' elevation	N/A	All SD27.1 uses permitted
Primary	120' for mixed-use or theater/entertainment/civic use 200' for mixed-use				Liner uses on all parking structures
NE 31st NE 33rd Street and NE 34th Terrace (side setbacks)	300' and 28 stories	20' Building-To	55' above 75' elevation	N/A	Liner uses on all parking structures and ground floor
Tertiary	350' and 33 stories if designated as a gateway 1	35' setback above 25' elevation			All SD27.1 uses permitted
FEC Corridor (No Street frontage)	300' and 28 stories	40' Build-To	55' setback above 75' elevation	N/A	Liner uses on all parking structures
	350' and 33 stories if designated as a gateway 1				All SD27.1 uses permitted

Dedicated Open Space greater than 4,000 square feet	300' and 28 stories	0' Build-To	N/A	N/A	Liner uses on all parking structures
	350' and 33 stories if designated as gateway 1				All SD27.1 uses permitted

* Podium setbacks are for elevations between seventy-five (75) feet and one hundred twenty (120) feet.
** Tower setbacks are for elevations greater than one hundred twenty (120) feet.

1. Gateway designations shall be as defined in Section 627.1.6.
2. Height limitations as described herein shall not prohibit additional height allowances as described in section 627.1.6.

627.1.9 Upper Level Floorplates.
All building footprints above one hundred twenty (120) feet in elevation shall not exceed forty (40) percent of the net lot area.

627.1.10 Street Grid.
New streets and avenues in the SD27.1 District shall align with the existing city street grid. The north/south spacing between new streets shall not exceed six hundred twenty (620) feet from centerline of street to centerline of street. The east/west spacing between new avenues shall not exceed four hundred (400) feet from centerline of avenue to centerline of avenue.
For the purpose of this ordinance streets shall be categorized as "primary", "secondary" and "tertiary" as follows:

1. Primary Streets: Northeast 34th Street, Northeast 36th Street, Midtown Boulevard and Northeast 29th Street.
2. Secondary Streets: Northeast 30th Street, Northeast 32nd Street and Northeast 35th Street.
3. Tertiary Streets: Northeast 31st Street, Northeast 33rd Street, Northeast 34th Terrace and East Coast Avenue.

For further clarification, refer to the SD 27 Design Standards.

627.1.11 Streetscape.
All exterior space as defined in the SD 27.1 Zoning Ordinance shall conform to the following standards and are subject to approval by the Director of the City of Miami Public Works Department and other authorities having jurisdiction. Denial of these requirements by such authorities for reasons of public health, safety and welfare shall not constitute a variance from this Ordinance. Recommendations beyond the requirements provided herein are provided in the supplemental SD 27 Design Standards.
1. All required yards, setbacks, and sidewalk area within the public right-of-way adjacent to streets shall be a continuous pedestrian space. For all sidewalks, an area a minimum of 5' wide must remain clear of all obstructions to ensure adequate pedestrian circulation.
2. Street furniture shall be as defined in the SD 27 Design Standards. Street furniture shall be part of the urban streetscape to encourage pedestrian activity and provide such amenities as: trash receptacles, benches, bollards, pedestrian lighting, bicycle racks, parking meters, street signs, transit shelters, tables, chairs, and water fountains. Trash receptacles and benches shall be provided at a minimum of two hundred (200) foot intervals on both sides of Northeast 34th Street and Midtown Boulevard. Bicycle racks shall be provided at six hundred (600) foot

intervals on both sides of Northeast 34th Street and Midtown Boulevard. These may be located in the pedestrian areas as long as pedestrian flow patterns are continuous.
3. All specified plant material shall be Florida #1 or better. Refer to the Florida Grades and Standards Manual. All shade trees shall have high wind resistance. Additionally, all trees and shrubs shall be native to Florida or have sub-tropic, drought tolerant characteristics.
4. Palm trees shall be provided in the sidewalk area at a minimum spacing of twenty-five (25) feet. Large palms shall have a minimum height of sixteen (16) feet and small palms shall have a minimum height of eight (8) feet.
5. Shade trees shall be provided in the sidewalk area at a minimum spacing of forty (40) feet on center with an eight (8) foot continuous canopy spread at planting and a twenty-five (25) foot spread at maturity with a 3" caliper at planting. Such trees shall have a minimum height of fourteen (14) feet at planting and twenty-five (25) feet at maturity.
6. Only one shade tree species may be used for each individual street. Such species shall be determined by the City of Miami Planning and Zoning Department through the Class II Permit process.
7. All requirements for street medians shall adhere to the recommendations provided in the supplemental SD 27 Design Standards.

627.1.12. Buildings.

All buildings abutting "primary streets" as defined in the SD 27.1 Zoning Ordinance shall conform with the following standards:
1. A minimum of sixty-five percent (65%) of the linear frontage of any lot abutting a "primary street" shall contain ground floor space designed to accommodate retail and other uses that promote pedestrian traffic. The design of such space shall meet the standards listed below, except for buildings that are intended primarily for residential use, where ground floor pedestrian oriented uses would be inappropriate or disruptive to the residential use.
a. All ground level space designed for pedestrian oriented uses shall have external entrances directly accessible from public sidewalk space. At least one (1) external entrance shall be located along the frontage of the primary street or on the corner intersection of the primary street and any other street. Additionally, each building use, such as a retail store with a cafe or restaurant, shall have separate entrances. All such entrances shall be transparent.
b. For the first ten (10) feet of height above the public sidewalk elevation, the exterior building wall shall contain windows and/or doorways of transparent glass covering at least fifty (50) percent of the wall area. Additionally, the base of all transparent openings shall be no more than thirty (30) inches above the sidewalk.
c. Arcades and colonnades shall be at least seven (7) feet wide and twelve (12) feet high. A minimum of five (5) feet of the sidewalk must remain clear of all obstructions to ensure adequate pedestrian circulation.
2. The remaining frontage of thirty-five percent (35%) may be dedicated to entrances, lobbies, customer driveways, architectural treatment, or non-pedestrian oriented uses. No portion of a building wall that does not contain transparent glass shall be constructed with a flat, unarticulated surface for a distance of greater than twelve (12) feet.

627.1.13. Building Functionality.

All exterior space as defined in the SD 27.2 Zoning Ordinance shall conform to the following standards, except as provided:
1. Service access and loading areas shall not be permitted to front the following streets or portions thereof; Northeast 36th Street; Midtown Boulevard; Northeast 29th Street; and within side setbacks (mews) as required in Section 627.1.7.
2. Service access and loading areas shall be enclosed within buildings or screened from public view with architectural walls and/or landscaping.

3. All dumpsters shall be concealed on three sides by a solid structure, and on the fourth side by an opaque gate.
4. Utility boxes, meters, and HVAC equipment shall be concealed within buildings or screened from public view.

627.1.14. Surface Parking and Parking Garages.
Surface parking and parking structures shall conform with the following standards:
1. Off-street parking is not permitted along frontages of primary streets.
2. Vehicular access to parking structures shall not be permitted on the following streets: NE 36th Street; NE 29th Street; and Midtown Boulevard. Access shall be allowed along the western edge of Midtown Boulevard north of NE 34th Street.
3. Blank, unarticulated walls will not be permitted for parking podium facades that are not lined with uses. Such facades shall have architectural treatments designed to be compatible with neighboring buildings. Ramps, stairwells and any other portion of a garage should be buffered with the use of decorative grilles and screens, landscaping, and other varied materials.
4. As required in Section 627.1.7, liner uses are required on all levels of parking garages except when such construction of uses would interfere with the ventilation requirements of applicable building codes. Such ventilation requirements shall be met with the least possible disruption to a continuous liner use program as required in Section 627.1.7 and shall be accommodated on secondary and tertiary street frontages.

627.1.15. Open Space.
A minimum of ten (10) percent of the gross lot area shall be provided as open space as defined in Section 627, except as follows:
1. Since the intent of the district is to provide significant common public open space, the minimum open space requirement may be aggregated among parcels or lots under common ownership and located in a common location within the district. Such aggregation of open space shall be improved as provided in Section 627.
2. Pursuant to the District plat, open space platted by easement within the District shall be allowed to be substituted for the requirements provided herein. Such platted open space shall be improved as provided in Section 627.
3. Within the block bounded by Northeast 36th Street, Midtown Boulevard, Northeast 34th Street and Buena Vista Avenue, one (1) acre of open space shall be provided and may be used for open space aggregation provided in 627.1.15.1. Such open space shall be contiguous and centrally located within the block and shall be in addition to required Streetscape improvements provided in Section 627.1.10.

627.1.16. Off-Street Parking.
A. Requirements.
Since it is intended to promote the use of multi-modal transportation and that automobile traffic be minimized, the off-street parking requirements shall be as follows:
1. For residential uses, one (1) space per dwelling unit
2. For Live/Work uses, one (1) space per one thousand (1,000) square feet of net floor area.
3. For hotel or motel uses, one (1) space per three (3) lodging units.
4. For theaters, one (1) space per each eight (8) fixed seats.
5. For all other uses, one (1) space per five hundred (500) square feet of net floor area.
Valet parking shall be allowed to satisfy off-street parking requirements.
B. Off site parking permitted.
Notwithstanding the limitations of section 918, offsite parking shall be permitted by Class II Special Permit without limitation on percentage of the required number of spaces or maximum

distance from the principal use when located within the SD-27.1 zoning district. Furthermore, there shall be no required demonstration or findings of practical difficulty or unnecessary hardship in providing required parking on the site, provided that the location of the offsite parking is within one thousand (1,000) feet radius of the principal use, or there are permanent provisions made to transport the offsite parking patrons to and from the principal site at the property owner's expense.

627.1.17. Off-Street Loading.

The off-street loading requirements shall be as follows:

1. For residential uses:
a. Berth minimum to be twelve (12) by thirty-five (35) feet by fifteen (15) feet in height;
b. One (1) berth for every one hundred (100) residential units or fraction thereof.
2. For non-residential uses:
a. Berth minimum to be twelve (12) by fifty-five (55) feet by fifteen (15) feet in height;
b. For non-residential floor area of twenty-five thousand (25,000) up to fifty thousand (50,000) square feet, one (1) berth total. No berths are required for floor area less than twenty-five thousand (25,000) square feet;
c. For non-residential floor area up to one hundred thousand (100,000) square feet, two (2) berths total;
d. For non-residential floor area up to two hundred fifty thousand (250,000) square feet, three (3) berths total;
e. For non-residential floor area up to five hundred thousand (500,000) square feet, four (4) berths total.
3. Mixed use projects shall comply with loading requirements per use as specified above.

Since it is intended to promote the most efficient use of land, notwithstanding the provisions of Section 922.1 and 922.4, the maneuvering of trucks within the public right of way for the purposes of off-street loading shall be allowed by a Class II Special Permit. Additionally, tandem loading berths shall be allowed by a Class II Special Permit.

627.1.18. Sign Regulations.

See Article 10 sign regulations as for SD-8, and in addition, the SD-27 Design Standards for sign regulations and limitations.

(Ord. No. 12448, § 2, 11-25-03; Ord. No. 12689, § 2, 5-26-05; Ord. No. 12724, § 2, 7-28-05; Ord. No. 12757, § 2, 1-26-06)

Editor's note: Ord. No. 12689, § 2, adopted May 26, 2005, changed the title of § 627.1 from "SD-27.1 Buena Vista Yard" to "SD-27.1 Midtown Miami East Special District." The historical notation has been preserved for reference purposes.

Sec. 627.2. Midtown Miami West.

The Area is bounded by Northeast 36th Street on the north and North Miami Avenue on the west. On the south, the area is bounded by the centerline of Northeast 34th Street between Buena Vista Avenue and Midtown Boulevard and by Northeast 29th Street between North Miami Avenue and Midtown Boulevard. On the east, the area is bounded by the centerline of Buena Vista Avenue between Northeast 36th Street and Northeast 34th Street and by the centerline of Midtown Boulevard between Northeast 34th Street and Northeast 29th Street.

627.2.1. Intent.

The Midtown Miami West district regulations are intended to provide a method to allow for planning initiatives that achieve a unique or innovative development that is not otherwise provided for in the zoning ordinance. These planning initiatives may include, but are not limited to, Smart Growth as defined in Section 627. The standards and procedures of this district are

intended to promote flexible design and permit planned diversification and integration of uses and structures, with limitations and regulations as deemed necessary to be consistent with the City's Comprehensive Plan and to protect the public health, safety, and general welfare. Design standards supplement this ordinance and provide more detailed clarification.
This district is of special and substantial public interest given its proximity to Downtown Miami and the Omni Area, the Design District, Miami Beach, the Wynwood Neighborhood and to future proposed commuter transit facilities within the Florida East Coast Railway (FEC) Corridor. The intent of the district is to: (1) Promote the creation of a Miami midtown environment through intensive urban retail mixed-use development with a twenty-four hour activity pattern; and (2) Enhance the pedestrian environment and connectivity of the existing surrounding areas by extending the city street grid through the district. To this end, the district promotes streetscapes and mixed-use buildings designed to provide pedestrians with lively, interesting, well-landscaped and highly usable public spaces with a maximum interrelationship with ground floor building uses.
Concerning building uses and overall buildable area, mixed-use development is encouraged by providing greater floor area ratios and overall building height than that of single use buildings. Furthermore, additional height is provided for sites that abut significant open space and/or are designated as strategically located visual gateways as defined in Section 627. Yard and setback areas are minimal and are required to be developed as an integral part of the overall pedestrian streetscape. Ground floor build-to lines are provided in order to establish a continuous building frontage that enhances and provides spatial definition for the urban streetscape.
Although no specific requirements are contained herein, it is further intended that buildings be designed utilizing environmentally sensitive methods, including, but not limited to, passive and active solar techniques, green-roofs, the utilization of environmentally sustainable materials and efficient mechanical systems.

627.2.2. Effect of SD-27.2 district designation.
The SD-27.2 Midtown Miami West district shall supplant districts or portions of districts included within the SD boundaries to the extent indicated in the official zoning atlas.

627.2.3. Class II Special Permit.
Section 627.2.3.1. When required.
A Class II Special Permit shall be required prior to approval of any permit (except special permits pursuant to Article 13) affecting the height, bulk, location or exterior configuration of any existing building or the construction of a new building.

Section 627.2.3.2. Considerations in making Class II Special Permit determinations.
The purpose of the Class II Special Permit shall be to ensure conformity of the application with the expressed intent of this district, with the general considerations listed in section 1305, and with the special considerations contained in the Design Standards.
Notwithstanding any other provision of the zoning code, a Major Use Special Permit is required for non-residential uses in a single building that exceed 400,000 square feet of floor area and residential units in a single building that exceed 400 dwelling units, or any combined use which exceeds 2,500 parking spaces in a single building.
Any variances (as defined in Article 19) sought from the provisions of the SD 27 regulations shall require such deviation to be considered within the process for a Major Use Special Permit as defined in Article 17 and the increased development thresholds as set forth above shall not apply.

627.2.4. Principal Uses and Structures.

The following uses shall be permitted within the district, subject to the provisions of Section 627.2.7:

1. Neighborhood convenience goods and services, including food stores (grocery, meat, seafood, produce, delicatessen, bakery, confectioneries, ice cream), drugstores, newsstands, dry cleaners, barber and beauty shops, and shoe repair stores.
2. Retail establishments open to the general public as follows: big box retail (retail establishments greater than 20,000 square feet of floor area), antique stores, art stores and commercial art galleries; bicycle sales; book and stationery stores; china and crockery stores; drugstores; floor covering; florist, including plant and shrub sales; food carts and vendors; gift shops; hardware stores; hobby shops; home appliance stores; home furnishing stores; interior decoration supply stores; establishments for the sales of boating and fishing supplies (excluding outdoor sales of boats); jewelry stores; leather goods; luggage stores; music stores; newsstands; office supply stores; optical goods stores; package liquor stores (without drive-through facilities); paint and wallpaper; pet shops; photographic supply stores; restaurant supply stores; tobacco shops; toy stores; television, radio, and other electronics stores; videotape sales and rentals; variety and sundry stores; establishments for sale of wearing apparel; wholesale establishments open to the general public; or any other similar use customarily found in a major retail shopping center. Such establishments may provide incidental repair, maintenance, adjustment or alteration services as appropriate, but facilities, operation and storage in relation to such services shall not be visible from any street or street related pedestrian open space. Aside from antique stores, art galleries, jewelry, bookstores and wearing apparel establishments, no such retail establishments shall deal in secondhand merchandise.
3. Service establishments as follows: Interior decorator, banks, savings and loan and financial institutions; duplicating centers including letter and photostating services; driving school agencies; locksmiths; medical or dental offices less than five thousand (5,000) square feet; opticians; photographic service; business and professional offices; tailoring; dressmaking; millinery or drapery fabrication, except where products are for office premises sale; rental of recreation and sporting equipment.
4. All Residential as per the R-4 Zoning District.
5. Hotels.
6. Production Studios.
7. Shops for the sale, assembly, customization or repair open to the general public as follows: awnings and canvas; carpentry; construction of models for design purposes; custom woodworking and furniture; glass; signs; and upholstery.
8. Public and private recreational facilities and community service facilities.
9. Production of art and handicrafts (but not mass-produced items) incidental to sale at retail on the premises.
10. Restaurants, brewery restaurants, tearooms and cafes (without drive-through facilities), including those with dancing and live entertainment.
11. Bars, cocktail lounges, saloons and taverns, supper clubs and nightclubs, including those with live entertainment open to the general public.
12. Art galleries, auditoriums; theaters (including open air theatres) and cinemas, museums, libraries and similar cultural uses.
13. Structures for operating public transportation.
14. Parking lots and garages subject to Sections 627.2.5, 627.2.7 and 627.1.12.
15. Public or private educational facilities.
16. Cellular communications in accordance with the provisions of the C-1 Zoning district.
17. Drive-Through facilities on "secondary" and "tertiary" streets.

The following uses shall be permitted by Class I Special Permit:

1. Outdoor photographic stage sets.

2. Notwithstanding the provisions of 906.9, up to ten (10) street and open space special events per calendar year within the district.

627.2.5. Accessory Uses.
Uses and structures which are customarily accessory and clearly incidental to permitted principal uses and structures, approved in the same permit proceedings, and initiated or completed within any time limits established generally or in relation to the special permit, shall be permitted subject to limitations by these or generally applicable regulations. Other accessory uses and structures shall require a Class II Special Permit.
No aboveground off-street parking or loading area shall be permitted between any front portion of a building and the front line of a lot adjoining any street; provided, however that off-street parking for bicycles may be permitted in such areas, subject to limitations and requirements as to location, design and number established in connection with special permits.

627.2.6. Building Placement and Buildable Area.
1. Minimum lot requirements. No specific dimensional requirements are established in this district, but lots shall be of sufficient width and area to conform with other requirements and limitations of these and other lawful regulations.
2. Floor Area Limitations. Floor area limitations of the SD 27.2 district shall be as follows:
a. Except as otherwise provided below, the floor area ratio shall not exceed one and seventy-two hundredths (1.72) times the gross lot area for single use commercial buildings.
b. The floor area for all mixed-use buildings shall not exceed three (3.0) times the gross lot area.
c. Allowable increase in floor area up to five tenths (0.5) will be provided for payment into a Neighborhood Improvement Trust Fund.
3. Density. Density shall not exceed one hundred fifty (150) residential units/net acre and in no case shall exceed a total of one thousand five hundred (1,500) units within the entire district.
4. Maximum Heights.
a. Maximum heights shall be as provided in Section 627.2.7.
b. All parking structures shall not exceed seventy-five (75) feet in height, except as otherwise provided in Section 627.2.12.
5. Maximum and Minimum Setback Requirements and Build-To Lines
a. Setback requirements shall be measured perpendicular to and from the base building line. Platted public right of way lines shall be defined as the Base Building Line. When platted right of way lines at street intersections are rounded, setbacks shall be measured from projected right of way lines and not from the rounded portions of such lines. The Design Standards provide further clarification of the requirements provided herein. The maximum and minimum setbacks and build-to requirements shall be as provided in Section 627.2.7 and below, as follows:
b. For the first twenty-five (25) feet in elevation above the public right-of-way, no building facade shall be set back more than a maximum depth of ten (10) feet, except as otherwise provided in Section 627.2.7. Off-street parking shall not be allowed within the maximum setback. Building frontage may exceed the maximum ground floor setback requirement, provided that the resultant area between the building frontage and the base building line is designed and improved as public open space.
c. Colonnades encroach the setback and build-to requirements provided that a minimum of five (5) feet of sidewalk must remain clear of all obstructions. In addition, awnings and upper story balconies may encroach the setback and build-to requirements by a distance of seven (7) feet. Upper story architectural features may encroach the setback and build-to requirements by a distance of five (5) feet but shall not exceed thirty (30) percent of the building frontage.
d. Build-To Lines shall only be applicable for 60% of the street frontage.

6. Gateway Designations. As provided in Section 627, the gateway site shall be the Southeast corner of the intersection of Northeast 36th Street and North Miami Avenue. Such designation, for the purposes of height limitations, setback and build-to requirements shall apply for a north/south dimension of one hundred fifty (150') feet and an east/west dimension of four hundred (400') feet.

627.2.7. Maximum Height, Build-To, Minimum Setback and Use Requirements.
TABLE INSET:

SD 27.2 Maximum height, Build-To, Minimum Setback and Use Requirements					
Street/Classification	Height	Ground Floor Build-To	Mid-level Setback*	Upper-level Setback**	Uses
Midtown Boulevard Primary	60' for commercial single-use 120' for residential or mixed-use	20' Build-To Area between the building frontage and base building line shall be improved as open space. Maximum Allowable encroachment (0' build-to) for 80' of linear frontage per block	35' setback above 60' elevation	N/A	All SD27.2 uses permitted except that Big Box retail shall not be permitted from 31 st Street to 36 th Street. Liner uses on all parking structures
Buena Vista Avenue (north of 34 th Street) *Primary*	60' for commercial single-use 120' for mixed-use	0' Build-To	N/A	15' setback above 60'	All SD27.2 uses permitted Liner uses on all parking structures except as otherwise provided in Section 627.2.12
Buena Vista Avenue (south of 34 th Street) *Primary*	60' for commercial single-use 120' for mixed-use or theaters	0' Build-To	N/A	15' setback above 60' elevation	All SD27.2 uses permitted
NE 36 th Street *Primary*	60' for commercial single-use 120' for mixed-use 200' for mixed-use and gateway 1 requirement	9' Setback with colonnade or awning Maximum Setback of 20'	N/A	15' setback above 60' elevation	All SD27.2 uses permitted Liner uses on all parking structures except as otherwise provided in Section 627.2.12
NE 29 th Street *Primary*	60' for commercial single-use 120' for mixed-use	N/A	N/A	N/A	All SD27.2 uses permitted Liner uses on all parking structures except as otherwise

					provided in Section 627.2.12
North Miami Avenue Primary	60' for commercial single-use 120' for mixed-use 200' for mixed-use and gateway 1 requirement	9' Build-To with colonnade or awning 5' Build-to from centerline of NE 36 th Street south for a distance of 315'	N/A	15' setback above 60'	All SD27.2 uses permitted Liner uses on all parking structures except as otherwise provided in Section 627.2.12
NE 34 th Street Primary	60' for commercial single-use 120' for mixed-use	0' Build-To	15' setback above 40' elevation	N/A	All SD27.2 uses permitted Liner uses on all parking structures except as otherwise provided in Section 627.2.12
NE 32 nd Street Secondary	60' for commercial single-use 120' for mixed-use	0' Build-To	10' setback above 20' elevation	N/A	30% active ground floor uses All SD27.2 uses permitted
NE 31 st Street Secondary	60' for commercial single-use 120' for mixed-use	0' Build-To	N/A	N/A	30% active ground floor uses All SD27.2 uses permitted
NE 30 th 33 rd , 35 th Street and NE 34 th Terrace Secondary	60' for commercial single-use 120' for mixed-use	0' Build-To	15' setback above 40' elevation	N/A	30% active ground floor uses All SD27.2 uses permitted
Dedicated Open Space greater than 1 acre	60' for commercial single-use 120' for mixed-use	0' Build-To	N/A	N/A	All SD27.2 uses permitted
Interior Side	60' for commercial single-use 120' for mixed-use	0' Setback	N/A	N/A	All SD27.2 uses permitted

* Mid-level setbacks are for elevations between twenty (20) feet and sixty (60) feet.
** Upper-level setbacks are for elevations greater than sixty (60) feet.
1. Gateway designations shall be as defined in Section 627.2.6.

627.2.8. Street Grid/Blocks.

Northeast 34th Street and Northeast 36th Street shall extend through the SD27.2 District and shall align with the existing city street grid west of North Miami Avenue. Northeast 31st Street shall extend through the SD 27.2 District and shall generally align with the existing street grid west of North Miami Avenue North of Northeast 34th Street, the north/south spacing between

new streets shall not exceed eight hundred twenty-five (825) feet from centerline of street to centerline of street. South of Northeast 34th Street, the north/south spacing between new streets shall not exceed seven (700) feet from centerline of street to centerline of street. The east/west spacing between new avenues shall not exceed seven hundred twenty-five (725) feet from centerline of avenue to centerline of avenue. Open Space, with an area of at least one (1) acre, may be substituted in lieu of a new Street or Avenue.
For the purpose of this ordinance, streets shall be categorized as "primary" and "secondary" as follows:
1. Primary Streets: North Miami Avenue, Northeast 34th Street, Northeast 36th Street, Midtown Boulevard, Northeast 29th Street, Buena Vista Avenue.
2. Secondary Streets: Northeast 30th Street, Northeast 31st Street, Northeast 32nd Street; Northeast 33rd Street, Northeast 35th Place and Northeast 35th Street.
Refer to the SD 27.2 Design Standards for additional Design Standards and Guidelines regarding streets.

627.2.9. Streetscape.
All exterior space as defined in the SD 27.2 Zoning Ordinance shall conform to the following standards and are subject to approval by the Director of the City of Miami Department of Public Works and other authorities having jurisdiction. Denial of these requirements by such authorities for reasons of public health, safety and welfare shall not constitute a variance from this Ordinance.
Refer to the SD 27.2 Design Standards for additional Design Standards and Guidelines regarding streetscapes.
1. All required setbacks and sidewalk area within the public right-of-way adjacent to streets shall be a continuous pedestrian space. For all sidewalks, an area a minimum of five (5') feet wide must remain clear of all obstructions to ensure adequate pedestrian circulation.
2. For all streets, the ground floor of buildings shall be set back from the property line, where necessary, to provide a minimum sidewalk width of ten (10) feet from face of building to curb line. Unless otherwise prohibited by setback requirements of the SD 27.2 Zoning District, the upper floors of buildings may overhang this setback. The setback area shall be improved to meet the adopted design standards of the SD 27.2 Zoning District for the adjacent public sidewalk including pavement treatment, landscaping, street lighting and awnings.
3. Street furniture shall be as defined in the SD 27 Design Standards. Street furniture shall be part of the urban streetscape to encourage pedestrian activity and provide such amenities as: trash receptacles, benches, bollards, pedestrian lighting, bicycle racks, parking meters, street signs, transit shelters, tables and chairs. Trash receptacles and benches shall be provided at a minimum of two hundred (200) foot intervals on both sides of Northeast 34th Street and Midtown Boulevard. Bicycle racks shall be provided at six hundred (600) foot intervals on both sides of Northeast 34th Street and Midtown Boulevard. These may be located in the pedestrian areas as long as pedestrian flow patterns are continuous. Greater spacing may be allowed by Class II Special Permit if such spacing is required:
    1) To promote or enhance pedestrian safety, or
    2) To maintain compliance with the SD 27 Design Standards.
4. All specified plant material shall be Florida #1 or better. Refer to the Florida Grades and Standards Manual. All shade trees shall have high wind resistance. Additionally, all trees and shrubs shall be native to Florida or have subtropic, drought tolerant characteristics.
5. Palm trees shall generally be provided in the sidewalk area at a minimum spacing of twenty-five (25) feet, except that greater spacing may be allowed by Class II Special Permit if such spacing is required: 1) to promote or enhance pedestrian safety or 2) to maintain compliance with the SD 27 Design Standards.

6. Large palms shall have a minimum height of sixteen (16) feet and small palms shall have a minimum height of eight (8) feet.
7. Shade trees shall be provided in the sidewalk area at a minimum spacing of forty (40) feet on center with an eight (8) foot continuous canopy spread at planting and a twenty-five (25) foot spread at maturity with a 3" caliper at planting. Such trees shall have a minimum height of fourteen (14) feet at planting and twenty-five (25) feet at maturity.
8. In order to provide for a unified street character, only one shade tree species may be used for each individual street within the entirety of the SD 27 district. Such species selection is subject to approval by Class II Special Permit.

627.2.10. Buildings.
All buildings abutting "primary streets" as provided in Section 627.2.8, shall conform to the following standards:
1. A minimum of sixty-five (65) percent of the linear frontage of any lot abutting a "primary" street, and thirty (30) percent of any lot abutting a "secondary" street, shall contain ground floor space designed to accommodate retail and other uses that promote pedestrian traffic. The design of such space shall meet the standards listed below, except for buildings that are intended primarily for residential use, where ground floor pedestrian oriented uses would be inappropriate or disruptive to the residential use.
a. All ground level space designed for pedestrian oriented uses shall have external entrances directly accessible from public sidewalk space. At least one (1) external entrance shall be located along the frontage of the primary street or on the corner intersection of the primary street and any other street or the frontage of public open space. Additionally, each building use, such as a retail store with a cafe or restaurant, shall have separate entrances. All such entrances shall be transparent.
b. For the first ten (10) feet of height above the public sidewalk elevation, the exterior building wall shall contain windows and/or doorways of transparent glass covering at least fifty (50) percent of linear frontage (to be calculated at a height over 30 inches) of each building; plazas and openings into pedestrian entrances and spaces shall count towards the 50% transparency requirement specified in this section. Additionally, the base of all transparent openings shall be no more than thirty (30) inches above the sidewalk. Display windows may count towards the transparency requirement and may encroach upon specified setback and build-to lines by a distance no greater than thirty (30) inches, provided that a minimum of five (5) feet of sidewalk must remain clear of all obstructions.
c. Arcades and colonnades, where proposed shall be at least nine (9) feet wide and twelve (12) feet high. A minimum of five (5) feet of the sidewalk must remain clear of all obstructions to ensure adequate pedestrian circulation.
d. No portion of a building wall that does not contain transparent glass shall be constructed with a flat, unarticulated surface for a distance of greater than twenty (20) feet. In addition, any building frontage on North Miami Avenue that exceeds three hundred (300) feet shall incorporate a major break of at least thirty (30) feet in width by ten (10) feet in depth at ground level. Such breaks shall be improved as open space and/or provide building access and occur on axis with the existing city street grid.
2. The remaining frontage of thirty-five percent (35%) may be dedicated to entrances, lobbies, customer driveways, architectural treatment, or non-pedestrian oriented uses. No portion of a building wall that does not contain transparent glass shall be constructed with a flat, unarticulated surface for a distance of greater than twenty (20) feet.

627.2.11. Building Functionality.

All exterior space as defined in the SD 27.2 Zoning Ordinance shall conform to the following standards, except as provided:
1. Service access and service loading areas shall not be permitted to front the following streets or portions: North Miami Avenue south of Northeast 34th Street; Midtown Boulevard; Buena Vista Avenue; and Northeast 29th Street.
2. Service loading areas shall be enclosed within buildings or screened from public view with architectural walls and/or landscaping.
3. All dumpsters shall be concealed on three sides by a solid structure, and on the fourth side by an opaque gate.
4. Utility boxes, meters, and HVAC equipment shall be concealed within buildings or screened from public view.

627.2.12. Surface Parking and Parking Garages.
Surface parking and parking structures shall conform to the following standards:
1. Ground level off-street parking is not permitted along frontages of primary streets.
2. Blank, unarticulated walls shall not be permitted for parking garage facades that are not lined with uses. Such facades shall have architectural treatments designed to be compatible with adjacent buildings. Ramps, stairwells and any other portion of a garage should be buffered with the use of decorative grilles and screens, landscaping, and other varied materials.
3. As provided in Section 627.2.7, liner uses are generally required on parking garages that front primary streets. When required, ground level parking facilities must be lined with active uses. Upper level parking facilities that do not incorporate liner uses shall be setback no less than 85' and shall not exceed a height of 50'. All other requirements provided herein shall apply.

627.2.13. Open Space.
A minimum of ten (10) percent of the gross lot area shall be provided as open space as defined in Section 627, except as follows:
1. Since the intent of the district is to provide significant common public open space, the minimum open space requirement may be aggregated among parcels or lots under common ownership and located in a common location within the district. Such aggregation of open space shall be improved as provided in Section 627.
2. Pursuant to the District plat, dedicated open space platted within the District shall be allowed to be substituted for the requirements provided herein. Such platted open space shall be improved as provided in Section 627.

627.2.14. Off-street Parking.
In recognition of the pedestrian oriented, mixed-use nature of the SD 27.2 District, it is anticipated that visitors to the District will park once and visit more than one destination. Therefore the required amount of off-street parking will be lower in the SD 27.2 District than in other Districts of the City.
A. Requirements. The off-street parking requirements shall be as follows:
1. For residential uses, one (1) space per dwelling unit
2. For hotel or motel uses, one (1) space per three (3) lodging units.
3. For theaters, one (1) space per each eight (8) fixed seats.
4. For all other uses, one (1) space per five hundred (500) square feet of gross floor area. There shall be no requirement when uses are within a one thousand (1,000) foot radius of a public parking facility with a capacity equal to or greater than the requirements provided herein.
B. Off site parking permitted. Notwithstanding the limitations of section 918, off-street parking requirements for all uses within the SD 27.2 District can be provided by parking facilities that are owned by a unit of local government, including a community development district, provided that

the parking facilities: a) are located within the SD 27.2 District and b) have a capacity equal to or greater than the requirements provided herein.

627.2.15. Off-street Loading.
The off-street loading requirements shall be as follows:
1. For residential uses:
a. Berth minimum to be twelve (12) by thirty-five (35) feet by fifteen (15) feet in height;
b. One (1) berth for every one hundred twenty (120) residential units or fraction thereof.
2. For non-residential uses:
a. Berth minimum to be twelve (12) by fifty-five (55) feet by fifteen (15) feet in height;
b. For non-residential floor area of twenty-five thousand (25,000) up to fifty thousand (50,000) square feet, one (1) berth total;
c. For non-residential floor area up to one hundred thousand (100,000) square feet, two (2) berths total;
d. For non-residential floor area up to two hundred fifty thousand (250,000) square feet, three (3) berths total;
e. For non-residential floor area up to five hundred thousand (500,000) square feet, four (4) berths total.
Since it is intended to promote the most efficient use of land, notwithstanding the provisions of Section 922.1 and 922.4, the maneuvering of trucks within the public right of way for the purposes of off-street loading shall be allowed by a Class II Special Permit.

627.2.16. Sign Regulations.
Signs within the district shall comply with the regulations of the C-2 Liberal Commercial District as provided in Article 10.
See Article 10 for sign regulations and limitations.

(Ord. No. 12480, § 2, 1-22-04; Ord. No. 12509, § 2, 3-25-04; Ord. No. 12724, § 2, 7-28-05)

Editor's note: Ord. No. 12724, § 2, adopted July 28, 2005, changed the title of § 627.2 from "Buena Vista Yard West" to "Midtown Miami West." The historical notation has been preserved for reference purposes.

Minimum setbacks and build-to requirements shall be as provided in Section 627.1.7 and below as follows:
a. Maximum Ground Floor Setback for all Streets. For the first twenty-five (25) feet in elevation above the public right-of-way, no building facade shall be set back more than a depth of ten (10) feet, except as otherwise provided in Section 627.1.7. Off-street parking shall not be allowed within the maximum setback. Building frontage may exceed the maximum setback requirement, provided that the resultant setback is designed and improved as public open space.
b. Minimum Setbacks and Build-To Lines.
1. Minimum setbacks and build-to requirements shall be as provided in Section 627.1.7. In order to allow for building and streetscape design variation, an accumulative maximum of forty (40) percent of any street or side setback frontage may have no podium and tower setback requirements as defined in Section 627.1.7.
2. Colonnades may encroach the setback and build-to requirements provided that a minimum of five (5) feet of sidewalk must remain clear of all obstructions. In addition, awnings and upper story balconies may encroach the setback and build-to requirements by a distance of seven (7) feet. In no case shall colonnades and upper story balcony encroachments be allowed beyond

the base building/property line. Awnings may encroach base building property line by a distance of seven (7) feet into the right-of-way.
3. Building frontages along East Coast Avenue and above sixteen (16) stories or one hundred seventy-five (175) feet in height (above the public sidewalk), whichever is less, shall not exceed sixty (60) percent of the East Coast Avenue net property frontage. This requirement is applicable for all building frontages within fifty (50) feet of the base building line.
6. Gateway Designations.
As provided in Section 627, gateway sites shall be as follows:
(1) The SW corner of the intersection of NE 36th Street and NE 2nd Avenue; and
(2) The SE corner of the intersection of NE 34th Street and NE 1st Place.

627.1.7 Maximum height, Build-to, Minimum Setback and Use Requirements.
TABLE INSET:

SD 27.1 Maximum height, Build-to, Minimum Setback and Use Requirements					
Street/Classification	Height/Number of Stories	Ground Floor Build-To/Setback	Podium Setback**	Tower Setback**	Uses
Midtown Boulevard	300' and 28 stories "200' for mixed-use on the western side of the street"	0' setback on the eastern side	15' setback above 75' for buildings designated as a gateway	70' setback above 120' elevation	65% active ground floor uses required
Primary	350' and 33 stories if designated as a gateway 1	20' Build-To on the western side (maximum allowable encroachment for 80' of linear frontage)		No setback requirements for gateway 1 buildings	Liner uses on all parking structures
		35' setback above 30' elevation on the western side			All SD27.1 uses permitted
Buena Vista Avenue	60' for commercial single-use	0' Build-To	N/A		All SD27.1 uses permitted
Primary	200' for mixed-use on the eastern side of street	15' setback above 30' elevation on the east side			Liner uses on all parking structures
East Coast Avenue	300' and 28 stories adjacent to the FEC corridor	5' setback	15' setback above 75' elevation	N/A	Liner uses on parking structures
Tertiary	350' and 33 stories if designated as a gateway				All SD27.1 uses

	1				permitted
NE 36th Street Primary	350' and 33 Stories	9' Build-To with colonnade or awning	15' setback above 75' elevation east of Midtown Boulevard	N/A	65% active ground floor uses required
			15' setback above 60' elevation west of Midtown Boulevard		Liner uses on all parking structures
					All SD27.1 uses permitted
NE 29th Street	300' and 28 stories	9' Build-To with colonnade or awning	30' setback above 75' elevation	N/A	65% active ground floor uses required
Primary					Liner uses on all parking structures
					All SD27.1 uses permitted
NE 30th, NE 32nd, NE 35th Street	300' and 28 Stories	5' setback	15' setback above 75' elevation	N/A	All SD27.1 uses permitted
Secondary	350' and 33 stories if designated as a gateway 1				Restaurant or Retail Uses are required along 70' at intersection with Midtown Boulevard
NE 34th Street (East of Midtown Boulevard)	300' and 28 stories	0' setback	15' setback above 75' elevation	N/A	65% active ground floor uses required
Primary	350' if designated as a gateway 1				Liner uses on all parking structures
					All SD27.1

					uses permitted
NE 34th Street (West of Midtown Boulevard)	60' for commercial single-use	0' Build-To	15 feet above 40' elevation	N/A	All SD27.1 uses permitted
Primary	120' for mixed-use or theater/entertainment/civic use 200' for mixed-use				Liner uses on all parking structures
NE 31st NE 33rd Street and NE 34th Terrace (side setbacks)	300' and 28 stories	20' Building-To	55' above 75' elevation	N/A	Liner uses on all parking structures and ground floor
Tertiary	350' and 33 stories if designated as a gateway 1	35' setback above 25' elevation			All SD27.1 uses permitted
FEC Corridor (No Street frontage)	300' and 28 stories	40' Build-To	55' setback above 75' elevation	N/A	Liner uses on all parking structures
	350' and 33 stories if designated as a gateway 1				All SD27.1 uses permitted
Dedicated Open Space greater than 4,000 square feet	300' and 28 stories	0' Build-To	N/A	N/A	Liner uses on all parking structures
	350' and 33 stories if designated as gateway 1				All SD27.1 uses permitted

* Podium setbacks are for elevations between seventy-five (75) feet and one hundred twenty (120) feet.
** Tower setbacks are for elevations greater than one hundred twenty (120) feet.
1. Gateway designations shall be as defined in Section 627.1.6.
2. Height limitations as described herein shall not prohibit additional height allowances as described in section 627.1.6.

627.1.9 Upper Level Floorplates.
All building footprints above one hundred twenty (120) feet in elevation shall not exceed forty (40) percent of the net lot area.

627.1.10 Street Grid.
New streets and avenues in the SD27.1 District shall align with the existing city street grid. The north/south spacing between new streets shall not exceed six hundred twenty (620) feet from centerline of street to centerline of street. The east/west spacing between new avenues shall not exceed four hundred (400) feet from centerline of avenue to centerline of avenue.
For the purpose of this ordinance streets shall be categorized as "primary", "secondary" and "tertiary" as follows:
1. Primary Streets: Northeast 34th Street, Northeast 36th Street, Midtown Boulevard and Northeast 29th Street.

2. Secondary Streets: Northeast 30th Street, Northeast 32nd Street and Northeast 35th Street.
3. Tertiary Streets: Northeast 31st Street, Northeast 33rd Street, Northeast 34th Terrace and East Coast Avenue.
For further clarification, refer to the SD 27 Design Standards.

627.1.11 Streetscape.
All exterior space as defined in the SD 27.1 Zoning Ordinance shall conform to the following standards and are subject to approval by the Director of the City of Miami Public Works Department and other authorities having jurisdiction. Denial of these requirements by such authorities for reasons of public health, safety and welfare shall not constitute a variance from this Ordinance. Recommendations beyond the requirements provided herein are provided in the supplemental SD 27 Design Standards.
1. All required yards, setbacks, and sidewalk area within the public right-of-way adjacent to streets shall be a continuous pedestrian space. For all sidewalks, an area a minimum of 5' wide must remain clear of all obstructions to ensure adequate pedestrian circulation.
2. Street furniture shall be as defined in the SD 27 Design Standards. Street furniture shall be part of the urban streetscape to encourage pedestrian activity and provide such amenities as: trash receptacles, benches, bollards, pedestrian lighting, bicycle racks, parking meters, street signs, transit shelters, tables, chairs, and water fountains. Trash receptacles and benches shall be provided at a minimum of two hundred (200) foot intervals on both sides of Northeast 34th Street and Midtown Boulevard. Bicycle racks shall be provided at six hundred (600) foot intervals on both sides of Northeast 34th Street and Midtown Boulevard. These may be located in the pedestrian areas as long as pedestrian flow patterns are continuous.
3. All specified plant material shall be Florida #1 or better. Refer to the Florida Grades and Standards Manual. All shade trees shall have high wind resistance. Additionally, all trees and shrubs shall be native to Florida or have sub-tropic, drought tolerant characteristics.
4. Palm trees shall be provided in the sidewalk area at a minimum spacing of twenty-five (25) feet. Large palms shall have a minimum height of sixteen (16) feet and small palms shall have a minimum height of eight (8) feet.
5. Shade trees shall be provided in the sidewalk area at a minimum spacing of forty (40) feet on center with an eight (8) foot continuous canopy spread at planting and a twenty-five (25) foot spread at maturity with a 3" caliper at planting. Such trees shall have a minimum height of fourteen (14) feet at planting and twenty-five (25) feet at maturity.
6. Only one shade tree species may be used for each individual street. Such species shall be determined by the City of Miami Planning and Zoning Department through the Class II Permit process.
7. All requirements for street medians shall adhere to the recommendations provided in the supplemental SD 27 Design Standards.

627.1.12. Buildings.
All buildings abutting "primary streets" as defined in the SD 27.1 Zoning Ordinance shall conform with the following standards:
1. A minimum of sixty-five percent (65%) of the linear frontage of any lot abutting a "primary street" shall contain ground floor space designed to accommodate retail and other uses that promote pedestrian traffic. The design of such space shall meet the standards listed below, except for buildings that are intended primarily for residential use, where ground floor pedestrian oriented uses would be inappropriate or disruptive to the residential use.
a. All ground level space designed for pedestrian oriented uses shall have external entrances directly accessible from public sidewalk space. At least one (1) external entrance shall be

located along the frontage of the primary street or on the corner intersection of the primary street and any other street. Additionally, each building use, such as a retail store with a cafe or restaurant, shall have separate entrances. All such entrances shall be transparent.
b. For the first ten (10) feet of height above the public sidewalk elevation, the exterior building wall shall contain windows and/or doorways of transparent glass covering at least fifty (50) percent of the wall area. Additionally, the base of all transparent openings shall be no more than thirty (30) inches above the sidewalk.
c. Arcades and colonnades shall be at least seven (7) feet wide and twelve (12) feet high. A minimum of five (5) feet of the sidewalk must remain clear of all obstructions to ensure adequate pedestrian circulation.
2. The remaining frontage of thirty-five percent (35%) may be dedicated to entrances, lobbies, customer driveways, architectural treatment, or non-pedestrian oriented uses. No portion of a building wall that does not contain transparent glass shall be constructed with a flat, unarticulated surface for a distance of greater than twelve (12) feet.

627.1.13. Building Functionality.
All exterior space as defined in the SD 27.2 Zoning Ordinance shall conform to the following standards, except as provided:
1. Service access and loading areas shall not be permitted to front the following streets or portions thereof; Northeast 36th Street; Midtown Boulevard; Northeast 29th Street; and within side setbacks (mews) as required in Section 627.1.7.
2. Service access and loading areas shall be enclosed within buildings or screened from public view with architectural walls and/or landscaping.
3. All dumpsters shall be concealed on three sides by a solid structure, and on the fourth side by an opaque gate.
4. Utility boxes, meters, and HVAC equipment shall be concealed within buildings or screened from public view.

627.1.14. Surface Parking and Parking Garages.
Surface parking and parking structures shall conform with the following standards:
1. Off-street parking is not permitted along frontages of primary streets.
2. Vehicular access to parking structures shall not be permitted on the following streets: NE 36th Street; NE 29th Street; and Midtown Boulevard. Access shall be allowed along the western edge of Midtown Boulevard north of NE 34th Street.
3. Blank, unarticulated walls will not be permitted for parking podium facades that are not lined with uses. Such facades shall have architectural treatments designed to be compatible with neighboring buildings. Ramps, stairwells and any other portion of a garage should be buffered with the use of decorative grilles and screens, landscaping, and other varied materials.
4. As required in Section 627.1.7, liner uses are required on all levels of parking garages except when such construction of uses would interfere with the ventilation requirements of applicable building codes. Such ventilation requirements shall be met with the least possible disruption to a continuous liner use program as required in Section 627.1.7 and shall be accommodated on secondary and tertiary street frontages.

627.1.15. Open Space.
A minimum of ten (10) percent of the gross lot area shall be provided as open space as defined in Section 627, except as follows:
1. Since the intent of the district is to provide significant common public open space, the minimum open space requirement may be aggregated among parcels or lots under common

ownership and located in a common location within the district. Such aggregation of open space shall be improved as provided in Section 627.
2. Pursuant to the District plat, open space platted by easement within the District shall be allowed to be substituted for the requirements provided herein. Such platted open space shall be improved as provided in Section 627.
3. Within the block bounded by Northeast 36th Street, Midtown Boulevard, Northeast 34th Street and Buena Vista Avenue, one (1) acre of open space shall be provided and may be used for open space aggregation provided in 627.1.15.1. Such open space shall be contiguous and centrally located within the block and shall be in addition to required Streetscape improvements provided in Section 627.1.10.

627.1.16. Off-Street Parking.
A. Requirements.
Since it is intended to promote the use of multi-modal transportation and that automobile traffic be minimized, the off-street parking requirements shall be as follows:
1. For residential uses, one (1) space per dwelling unit
2. For Live/Work uses, one (1) space per one thousand (1,000) square feet of net floor area.
3. For hotel or motel uses, one (1) space per three (3) lodging units.
4. For theaters, one (1) space per each eight (8) fixed seats.
5. For all other uses, one (1) space per five hundred (500) square feet of net floor area.
Valet parking shall be allowed to satisfy off-street parking requirements.
B. Off site parking permitted.
Notwithstanding the limitations of section 918, offsite parking shall be permitted by Class II Special Permit without limitation on percentage of the required number of spaces or maximum distance from the principal use when located within the SD-27.1 zoning district. Furthermore, there shall be no required demonstration or findings of practical difficulty or unnecessary hardship in providing required parking on the site, provided that the location of the offsite parking is within one thousand (1,000) feet radius of the principal use, or there are permanent provisions made to transport the offsite parking patrons to and from the principal site at the property owner's expense.

627.1.17. Off-Street Loading.
The off-street loading requirements shall be as follows:
1. For residential uses:
a. Berth minimum to be twelve (12) by thirty-five (35) feet by fifteen (15) feet in height;
b. One (1) berth for every one hundred (100) residential units or fraction thereof.
2. For non-residential uses:
a. Berth minimum to be twelve (12) by fifty-five (55) feet by fifteen (15) feet in height;
b. For non-residential floor area of twenty-five thousand (25,000) up to fifty thousand (50,000) square feet, one (1) berth total. No berths are required for floor area less than twenty-five thousand (25,000) square feet;
c. For non-residential floor area up to one hundred thousand (100,000) square feet, two (2) berths total;
d. For non-residential floor area up to two hundred fifty thousand (250,000) square feet, three (3) berths total;
e. For non-residential floor area up to five hundred thousand (500,000) square feet, four (4) berths total.
3. Mixed use projects shall comply with loading requirements per use as specified above.
Since it is intended to promote the most efficient use of land, notwithstanding the provisions of Section 922.1 and 922.4, the maneuvering of trucks within the public right of way for the

purposes of off-street loading shall be allowed by a Class II Special Permit. Additionally, tandem loading berths shall be allowed by a Class II Special Permit.

627.1.18. Sign Regulations.

See Article 10 sign regulations as for SD-8, and in addition, the SD 27 Design Standards for sign regulations and limitations.

(Ord. No. 12448, § 2, 11-25-03; Ord. No. 12689, § 2, 5-26-05; Ord. No. 12724, § 2, 7-28-05; Ord. No. 12757, § 2, 1-26-06)

Editor's note: Ord. No. 12689, § 2, adopted May 26, 2005, changed the title of § 627.1 from "SD-27.1 Buena Vista Yard" to "SD-27.1 Midtown Miami East Special District." The historical notation has been preserved for reference purposes.

Sec. 627.2. Midtown Miami West.

The Area is bounded by Northeast 36th Street on the north and North Miami Avenue on the west. On the south, the area is bounded by the centerline of Northeast 34th Street between Buena Vista Avenue and Midtown Boulevard and by Northeast 29th Street between North Miami Avenue and Midtown Boulevard. On the east, the area is bounded by the centerline of Buena Vista Avenue between Northeast 36th Street and Northeast 34th Street and by the centerline of Midtown Boulevard between Northeast 34th Street and Northeast 29th Street.

627.2.1. Intent.

The Midtown Miami West district regulations are intended to provide a method to allow for planning initiatives that achieve a unique or innovative development that is not otherwise provided for in the zoning ordinance. These planning initiatives may include, but are not limited to, Smart Growth as defined in Section 627. The standards and procedures of this district are intended to promote flexible design and permit planned diversification and integration of uses and structures, with limitations and regulations as deemed necessary to be consistent with the City's Comprehensive Plan and to protect the public health, safety, and general welfare. Design standards supplement this ordinance and provide more detailed clarification.

This district is of special and substantial public interest given its proximity to Downtown Miami and the Omni Area, the Design District, Miami Beach, the Wynwood Neighborhood and to future proposed commuter transit facilities within the Florida East Coast Railway (FEC) Corridor. The intent of the district is to: (1) Promote the creation of a Miami midtown environment through intensive urban retail mixed-use development with a twenty-four hour activity pattern; and (2) Enhance the pedestrian environment and connectivity of the existing surrounding areas by extending the city street grid through the district. To this end, the district promotes streetscapes and mixed-use buildings designed to provide pedestrians with lively, interesting, well-landscaped and highly usable public spaces with a maximum interrelationship with ground floor building uses.

Concerning building uses and overall buildable area, mixed-use development is encouraged by providing greater floor area ratios and overall building height than that of single use buildings. Furthermore, additional height is provided for sites that abut significant open space and/or are designated as strategically located visual gateways as defined in Section 627. Yard and setback areas are minimal and are required to be developed as an integral part of the overall pedestrian streetscape. Ground floor build-to lines are provided in order to establish a continuous building frontage that enhances and provides spatial definition for the urban streetscape.

Although no specific requirements are contained herein, it is further intended that buildings be designed utilizing environmentally sensitive methods, including, but not limited to, passive and

active solar techniques, green-roofs, the utilization of environmentally sustainable materials and efficient mechanical systems.

627.2.2. Effect of SD-27.2 district designation.
The SD-27.2 Midtown Miami West district shall supplant districts or portions of districts included within the SD boundaries to the extent indicated in the official zoning atlas.

627.2.3. Class II Special Permit.
Section 627.2.3.1. When required.
A Class II Special Permit shall be required prior to approval of any permit (except special permits pursuant to Article 13) affecting the height, bulk, location or exterior configuration of any existing building or the construction of a new building.

Section 627.2.3.2. Considerations in making Class II Special Permit determinations.
The purpose of the Class II Special Permit shall be to ensure conformity of the application with the expressed intent of this district, with the general considerations listed in section 1305, and with the special considerations contained in the Design Standards.
Notwithstanding any other provision of the zoning code, a Major Use Special Permit is required for non-residential uses in a single building that exceed 400,000 square feet of floor area and residential units in a single building that exceed 400 dwelling units, or any combined use which exceeds 2,500 parking spaces in a single building.
Any variances (as defined in Article 19) sought from the provisions of the SD 27 regulations shall require such deviation to be considered within the process for a Major Use Special Permit as defined in Article 17 and the increased development thresholds as set forth above shall not apply.

627.2.4. Principal Uses and Structures.
The following uses shall be permitted within the district, subject to the provisions of Section 627.2.7:
1. Neighborhood convenience goods and services, including food stores (grocery, meat, seafood, produce, delicatessen, bakery, confectioneries, ice cream), drugstores, newsstands, dry cleaners, barber and beauty shops, and shoe repair stores.
2. Retail establishments open to the general public as follows: big box retail (retail establishments greater than 20,000 square feet of floor area), antique stores, art stores and commercial art galleries; bicycle sales; book and stationery stores; china and crockery stores; drugstores; floor covering; florist, including plant and shrub sales; food carts and vendors; gift shops; hardware stores; hobby shops; home appliance stores; home furnishing stores; interior decoration supply stores; establishments for the sales of boating and fishing supplies (excluding outdoor sales of boats); jewelry stores; leather goods; luggage stores; music stores; newsstands; office supply stores; optical goods stores; package liquor stores (without drive-through facilities); paint and wallpaper; pet shops; photographic supply stores; restaurant supply stores; tobacco shops; toy stores; television, radio, and other electronics stores; videotape sales and rentals; variety and sundry stores; establishments for sale of wearing apparel; wholesale establishments open to the general public; or any other similar use customarily found in a major retail shopping center. Such establishments may provide incidental repair, maintenance, adjustment or alteration services as appropriate, but facilities, operation and storage in relation to such services shall not be visible from any street or street related pedestrian open space. Aside from antique stores, art galleries, jewelry, bookstores and wearing apparel establishments, no such retail establishments shall deal in secondhand merchandise.

3. Service establishments as follows: Interior decorator, banks, savings and loan and financial institutions; duplicating centers including letter and photostating services; driving school agencies; locksmiths; medical or dental offices less than five thousand (5,000) square feet; opticians; photographic service; business and professional offices; tailoring; dressmaking; millinery or drapery fabrication, except where products are for office premises sale; rental of recreation and sporting equipment.
4. All Residential as per the R-4 Zoning District.
5. Hotels.
6. Production Studios.
7. Shops for the sale, assembly, customization or repair open to the general public as follows: awnings and canvas; carpentry; construction of models for design purposes; custom woodworking and furniture; glass; signs; and upholstery.
8. Public and private recreational facilities and community service facilities.
9. Production of art and handicrafts (but not mass-produced items) incidental to sale at retail on the premises.
10. Restaurants, brewery restaurants, tearooms and cafes (without drive-through facilities), including those with dancing and live entertainment.
11. Bars, cocktail lounges, saloons and taverns, supper clubs and nightclubs, including those with live entertainment open to the general public.
12. Art galleries, auditoriums; theaters (including open air theatres) and cinemas, museums, libraries and similar cultural uses.
13. Structures for operating public transportation.
14. Parking lots and garages subject to Sections 627.2.5, 627.2.7 and 627.1.12.
15. Public or private educational facilities.
16. Cellular communications in accordance with the provisions of the C-1 Zoning district.
17. Drive-Through facilities on "secondary" and "tertiary" streets.

The following uses shall be permitted by Class I Special Permit:
1. Outdoor photographic stage sets.
2. Notwithstanding the provisions of 906.9, up to ten (10) street and open space special events per calendar year within the district.

627.2.5. Accessory Uses.

Uses and structures which are customarily accessory and clearly incidental to permitted principal uses and structures, approved in the same permit proceedings, and initiated or completed within any time limits established generally or in relation to the special permit, shall be permitted subject to limitations by these or generally applicable regulations. Other accessory uses and structures shall require a Class II Special Permit.

No aboveground off-street parking or loading area shall be permitted between any front portion of a building and the front line of a lot adjoining any street; provided, however that off-street parking for bicycles may be permitted in such areas, subject to limitations and requirements as to location, design and number established in connection with special permits.

627.2.6. Building Placement and Buildable Area.

1. Minimum lot requirements. No specific dimensional requirements are established in this district, but lots shall be of sufficient width and area to conform with other requirements and limitations of these and other lawful regulations.
2. Floor Area Limitations. Floor area limitations of the SD 27.2 district shall be as follows:

a. Except as otherwise provided below, the floor area ratio shall not exceed one and seventy-two hundredths (1.72) times the gross lot area for single use commercial buildings.

b. The floor area for all mixed-use buildings shall not exceed three (3.0) times the gross lot area.
c. Allowable increase in floor area up to five tenths (0.5) will be provided for payment into a Neighborhood Improvement Trust Fund.
3. Density. Density shall not exceed one hundred fifty (150) residential units/net acre and in no case shall exceed a total of one thousand five hundred (1,500) units within the entire district.
4. Maximum Heights.
a. Maximum heights shall be as provided in Section 627.2.7.
b. All parking structures shall not exceed seventy-five (75) feet in height, except as otherwise provided in Section 627.2.12.
5. Maximum and Minimum Setback Requirements and Build-To Lines
a. Setback requirements shall be measured perpendicular to and from the base building line. Platted public right of way lines shall be defined as the Base Building Line. When platted right of way lines at street intersections are rounded, setbacks shall be measured from projected right of way lines and not from the rounded portions of such lines. The Design Standards provide further clarification of the requirements provided herein. The maximum and minimum setbacks and build-to requirements shall be as provided in Section 627.2.7 and below, as follows:
b. For the first twenty-five (25) feet in elevation above the public right-of-way, no building facade shall be set back more than a maximum depth of ten (10) feet, except as otherwise provided in Section 627.2.7. Off-street parking shall not be allowed within the maximum setback. Building frontage may exceed the maximum ground floor setback requirement, provided that the resultant area between the building frontage and the base building line is designed and improved as public open space.
c. Colonnades encroach the setback and build-to requirements provided that a minimum of five (5) feet of sidewalk must remain clear of all obstructions. In addition, awnings and upper story balconies may encroach the setback and build-to requirements by a distance of seven (7) feet. Upper story architectural features may encroach the setback and build-to requirements by a distance of five (5) feet but shall not exceed thirty (30) percent of the building frontage.
d. Build-To Lines shall only be applicable for 60% of the street frontage.
6. Gateway Designations. As provided in Section 627, the gateway site shall be the Southeast corner of the intersection of Northeast 36th Street and North Miami Avenue. Such designation, for the purposes of height limitations, setback and build-to requirements shall apply for a north/south dimension of one hundred fifty (150') feet and an east/west dimension of four hundred (400') feet.

627.2.7. Maximum Height, Build-To, Minimum Setback and Use Requirements.
TABLE INSET:

SD 27.2 Maximum height, Build-To, Minimum Setback and Use Requirements					
Street/Classification	Height	Ground Floor Build-To	Mid-level Setback*	Upper-level Setback**	Uses
Midtown Boulevard Primary	60' for commercial single-use 120' for residential or mixed-use	20' Build-To Area between the building frontage and base building line shall be improved as open space. Maximum Allowable encroachment (0'	35' setback above 60' elevation	N/A	All SD27.2 uses permitted except that Big Box retail shall not be permitted from 31 st Street to 36 th Street. Liner uses on all parking structures

		build-to) for 80' of linear frontage per block			
Buena Vista Avenue (north of 34 th Street) Primary	60' for commercial single-use 120' for mixed-use	0' Build-To	N/A	15' setback above 60'	All SD27.2 uses permitted Liner uses on all parking structures except as otherwise provided in Section 627.2.12
Buena Vista Avenue (south of 34 th Street) Primary	60' for commercial single-use 120' for mixed-use or theaters	0' Build-To	N/A	15' setback above 60' elevation	All SD27.2 uses permitted
NE 36 th Street Primary	60' for commercial single-use 120' for mixed-use 200' for mixed-use and gateway 1 requirement	9' Setback with colonnade or awning Maximum Setback of 20'	N/A	15' setback above 60' elevation	All SD27.2 uses permitted Liner uses on all parking structures except as otherwise provided in Section 627.2.12
NE 29 th Street Primary	60' for commercial single-use 120' for mixed-use	N/A	N/A	N/A	All SD27.2 uses permitted Liner uses on all parking structures except as otherwise provided in Section 627.2.12
North Miami Avenue Primary	60' for commercial single-use 120' for mixed-use 200' for mixed-use and gateway 1 requirement	9' Build-To with colonnade or awning 5' Build-to from centerline of NE 36 th Street south for a distance of 315'	N/A	15' setback above 60'	All SD27.2 uses permitted Liner uses on all parking structures except as otherwise provided in Section 627.2.12
NE 34 th Street Primary	60' for commercial single-use 120' for mixed-use	0' Build-To	15' setback above 40' elevation	N/A	All SD27.2 uses permitted Liner uses on all parking structures except as otherwise provided in Section 627.2.12
NE 32 nd Street Secondary	60' for commercial	0' Build-To	10' setback above 20'	N/A	30% active ground floor uses

	single-use 120' for mixed-use		elevation		All SD27.2 uses permitted
NE 31 st Street Secondary	60' for commercial single-use 120' for mixed-use	0' Build-To	N/A	N/A	30% active ground floor uses All SD27.2 uses permitted
NE 30 th 33 rd , 35 th Street and NE 34 th Terrace Secondary	60' for commercial single-use 120' for mixed-use	0' Build-To	15' setback above 40' elevation	N/A	30% active ground floor uses All SD27.2 uses permitted
Dedicated Open Space greater than 1 acre	60' for commercial single-use 120' for mixed-use	0' Build-To	N/A	N/A	All SD27.2 uses permitted
Interior Side	60' for commercial single-use 120' for mixed-use	0' Setback	N/A	N/A	All SD27.2 uses permitted

* Mid-level setbacks are for elevations between twenty (20) feet and sixty (60) feet.
** Upper-level setbacks are for elevations greater than sixty (60) feet.
1. Gateway designations shall be as defined in Section 627.2.6.

627.2.8. Street Grid/Blocks.

Northeast 34th Street and Northeast 36th Street shall extend through the SD27.2 District and shall align with the existing city street grid west of North Miami Avenue. Northeast 31st Street shall extend through the SD 27.2 District and shall generally align with the existing street grid west of North Miami Avenue North of Northeast 34th Street, the north/south spacing between new streets shall not exceed eight hundred twenty-five (825) feet from centerline of street to centerline of street. South of Northeast 34th Street, the north/south spacing between new streets shall not exceed seven (700) feet from centerline of street to centerline of street. The east/west spacing between new avenues shall not exceed seven hundred twenty-five (725) feet from centerline of avenue to centerline of avenue. Open Space, with an area of at least one (1) acre, may be substituted in lieu of a new Street or Avenue.

For the purpose of this ordinance, streets shall be categorized as "primary" and "secondary" as follows:

1. Primary Streets: North Miami Avenue, Northeast 34th Street, Northeast 36th Street, Midtown Boulevard, Northeast 29th Street, Buena Vista Avenue.
2. Secondary Streets: Northeast 30th Street, Northeast 31st Street, Northeast 32nd Street; Northeast 33rd Street, Northeast 35th Place and Northeast 35th Street.

Refer to the SD 27.2 Design Standards for additional Design Standards and Guidelines regarding streets.

627.2.9. Streetscape.

All exterior space as defined in the SD 27.2 Zoning Ordinance shall conform to the following standards and are subject to approval by the Director of the City of Miami Department of Public Works and other authorities having jurisdiction. Denial of these requirements by such authorities

for reasons of public health, safety and welfare shall not constitute a variance from this Ordinance.

Refer to the SD 27.2 Design Standards for additional Design Standards and Guidelines regarding streetscapes.

1. All required setbacks and sidewalk area within the public right-of-way adjacent to streets shall be a continuous pedestrian space. For all sidewalks, an area a minimum of five (5') feet wide must remain clear of all obstructions to ensure adequate pedestrian circulation.
2. For all streets, the ground floor of buildings shall be set back from the property line, where necessary, to provide a minimum sidewalk width of ten (10) feet from face of building to curb line. Unless otherwise prohibited by setback requirements of the SD 27.2 Zoning District, the upper floors of buildings may overhang this setback. The setback area shall be improved to meet the adopted design standards of the SD 27.2 Zoning District for the adjacent public sidewalk including pavement treatment, landscaping, street lighting and awnings.
3. Street furniture shall be as defined in the SD 27 Design Standards. Street furniture shall be part of the urban streetscape to encourage pedestrian activity and provide such amenities as: trash receptacles, benches, bollards, pedestrian lighting, bicycle racks, parking meters, street signs, transit shelters, tables and chairs. Trash receptacles and benches shall be provided at a minimum of two hundred (200) foot intervals on both sides of Northeast 34th Street and Midtown Boulevard. Bicycle racks shall be provided at six hundred (600) foot intervals on both sides of Northeast 34th Street and Midtown Boulevard. These may be located in the pedestrian areas as long as pedestrian flow patterns are continuous. Greater spacing may be allowed by Class II Special Permit if such spacing is required:
    1) To promote or enhance pedestrian safety, or
    2) To maintain compliance with the SD 27 Design Standards.
4. All specified plant material shall be Florida #1 or better. Refer to the Florida Grades and Standards Manual. All shade trees shall have high wind resistance. Additionally, all trees and shrubs shall be native to Florida or have subtropic, drought tolerant characteristics.
5. Palm trees shall generally be provided in the sidewalk area at a minimum spacing of twenty-five (25) feet, except that greater spacing may be allowed by Class II Special Permit if such spacing is required: 1) to promote or enhance pedestrian safety or 2) to maintain compliance with the SD 27 Design Standards.
6. Large palms shall have a minimum height of sixteen (16) feet and small palms shall have a minimum height of eight (8) feet.
7. Shade trees shall be provided in the sidewalk area at a minimum spacing of forty (40) feet on center with an eight (8) foot continuous canopy spread at planting and a twenty-five (25) foot spread at maturity with a 3" caliper at planting. Such trees shall have a minimum height of fourteen (14) feet at planting and twenty-five (25) feet at maturity.
8. In order to provide for a unified street character, only one shade tree species may be used for each individual street within the entirety of the SD 27 District. Such species selection is subject to approval by Class II Special Permit.

627.2.10. Buildings.

All buildings abutting "primary streets" as provided in Section 627.2.8, shall conform to the following standards:

1. A minimum of sixty-five (65) percent of the linear frontage of any lot abutting a "primary" street, and thirty (30) percent of any lot abutting a "secondary" street, shall contain ground floor space designed to accommodate retail and other uses that promote pedestrian traffic. The design of such space shall meet the standards listed below, except for buildings that are intended primarily for residential use, where ground floor pedestrian oriented uses would be inappropriate or disruptive to the residential use.

a. All ground level space designed for pedestrian oriented uses shall have external entrances directly accessible from public sidewalk space. At least one (1) external entrance shall be located along the frontage of the primary street or on the corner intersection of the primary street and any other street or the frontage of public open space. Additionally, each building use, such as a retail store with a cafe or restaurant, shall have separate entrances. All such entrances shall be transparent.
b. For the first ten (10) feet of height above the public sidewalk elevation, the exterior building wall shall contain windows and/or doorways of transparent glass covering at least fifty (50) percent of linear frontage (to be calculated at a height over 30 inches) of each building; plazas and openings into pedestrian entrances and spaces shall count towards the 50% transparency requirement specified in this section. Additionally, the base of all transparent openings shall be no more than thirty (30) inches above the sidewalk. Display windows may count towards the transparency requirement and may encroach upon specified setback and build-to lines by a distance no greater than thirty (30) inches, provided that a minimum of five (5) feet of sidewalk must remain clear of all obstructions.
c. Arcades and colonnades, where proposed shall be at least nine (9) feet wide and twelve (12) feet high. A minimum of five (5) feet of the sidewalk must remain clear of all obstructions to ensure adequate pedestrian circulation.
d. No portion of a building wall that does not contain transparent glass shall be constructed with a flat, unarticulated surface for a distance of greater than twenty (20) feet. In addition, any building frontage on North Miami Avenue that exceeds three hundred (300) feet shall incorporate a major break of at least thirty (30) feet in width by ten (10) feet in depth at ground level. Such breaks shall be improved as open space and/or provide building access and occur on axis with the existing city street grid.
2. The remaining frontage of thirty-five percent (35%) may be dedicated to entrances, lobbies, customer driveways, architectural treatment, or non-pedestrian oriented uses. No portion of a building wall that does not contain transparent glass shall be constructed with a flat, unarticulated surface for a distance of greater than twenty (20) feet.

627.2.11. Building Functionality.
All exterior space as defined in the SD 27.2 Zoning Ordinance shall conform to the following standards, except as provided:
1. Service access and service loading areas shall not be permitted to front the following streets or portions: North Miami Avenue south of Northeast 34th Street; Midtown Boulevard; Buena Vista Avenue; and Northeast 29th Street.
2. Service loading areas shall be enclosed within buildings or screened from public view with architectural walls and/or landscaping.
3. All dumpsters shall be concealed on three sides by a solid structure, and on the fourth side by an opaque gate.
4. Utility boxes, meters, and HVAC equipment shall be concealed within buildings or screened from public view.

627.2.12. Surface Parking and Parking Garages.
Surface parking and parking structures shall conform to the following standards:
1. Ground level off-street parking is not permitted along frontages of primary streets.
2. Blank, unarticulated walls shall not be permitted for parking garage facades that are not lined with uses. Such facades shall have architectural treatments designed to be compatible with adjacent buildings. Ramps, stairwells and any other portion of a garage should be buffered with the use of decorative grilles and screens, landscaping, and other varied materials.

3. As provided in Section 627.2.7, liner uses are generally required on parking garages that front primary streets. When required, ground level parking facilities must be lined with active uses. Upper level parking facilities that do not incorporate liner uses shall be setback no less than 85' and shall not exceed a height of 50'. All other requirements provided herein shall apply.

627.2.13. Open Space.
A minimum of ten (10) percent of the gross lot area shall be provided as open space as defined in Section 627, except as follows:
1. Since the intent of the district is to provide significant common public open space, the minimum open space requirement may be aggregated among parcels or lots under common ownership and located in a common location within the district. Such aggregation of open space shall be improved as provided in Section 627.
2. Pursuant to the District plat, dedicated open space platted within the District shall be allowed to be substituted for the requirements provided herein. Such platted open space shall be improved as provided in Section 627.

627.2.14. Off-street Parking.
In recognition of the pedestrian oriented, mixed-use nature of the SD 27.2 District, it is anticipated that visitors to the District will park once and visit more than one destination. Therefore the required amount of off-street parking will be lower in the SD 27.2 District than in other Districts of the City.
A. Requirements. The off-street parking requirements shall be as follows:
   1. For residential uses, one (1) space per dwelling unit
   2. For hotel or motel uses, one (1) space per three (3) lodging units.
   3. For theaters, one (1) space per each eight (8) fixed seats.
   4. For all other uses, one (1) space per five hundred (500) square feet of gross floor area. There shall be no requirement when uses are within a one thousand (1,000) foot radius of a public parking facility with a capacity equal to or greater than the requirements provided herein.
B. Off site parking permitted. Notwithstanding the limitations of section 918, off-street parking requirements for all uses within the SD 27.2 District can be provided by parking facilities that are owned by a unit of local government, including a community development district, provided that the parking facilities: a) are located within the SD 27.2 District and b) have a capacity equal to or greater than the requirements provided herein.

627.2.15. Off-street Loading.
The off-street loading requirements shall be as follows:
1. For residential uses:
   a. Berth minimum to be twelve (12) by thirty-five (35) feet by fifteen (15) feet in height;
   b. One (1) berth for every one hundred twenty (120) residential units or fraction thereof.
2. For non-residential uses:
   a. Berth minimum to be twelve (12) by fifty-five (55) feet by fifteen (15) feet in height;
   b. For non-residential floor area of twenty-five thousand (25,000) up to fifty thousand (50,000) square feet, one (1) berth total;
   c. For non-residential floor area up to one hundred thousand (100,000) square feet, two (2) berths total;
   d. For non-residential floor area up to two hundred fifty thousand (250,000) square feet, three (3) berths total;
   e. For non-residential floor area up to five hundred thousand (500,000) square feet, four (4) berths total.

Since it is intended to promote the most efficient use of land, notwithstanding the provisions of Section 922.1 and 922.4, the maneuvering of trucks within the public right of way for the purposes of off-street loading shall be allowed by a Class II Special Permit.

627.2.16. Sign Regulations.
Signs within the district shall comply with the regulations of the C-2 Liberal Commercial District as provided in Article 10.

See Article 10 for sign regulations and limitations.

(Ord. No. 12480, § 2, 1-22-04; Ord. No. 12509, § 2, 3-25-04; Ord. No. 12724, § 2, 7-28-05)
Editor's note: Ord. No. 12724, § 2, adopted July 28, 2005, changed the title of § 627.2 from "Buena Vista Yard West" to "Midtown Miami West." The historical notation has been preserved for reference purposes.

SD-16.3 MIAMI WORLDCENTER

The Miami Worldcenter (hereinafter also referred to as the "SD-16.3 Miami Worldcenter area") is generally bounded by NE 2nd Avenue on the east, North Miami Avenue on the west, NE 11th Street on the north, and NE 6th Street on the south, excluding the areas generally described as "The Club District" and the "Network Access Point of the Americas (NAP Center)". The boundaries are more specifically identified in Map 1.

16.12.1 MIAMI WORLDCENTER GOALS

The conservation goals include conserving energy and reducing carbon dioxide emissions through improved street connectedness to encourage walkability, and transit use, increasing tree canopy, and encouraging green buildings.

16.12.1.1 The development goals include:

a. Specific areas that are compact, pedestrian-oriented and mixed-use. Increased density and intensity of use is encouraged due to the proximity of current and proposed transit service and appropriate building densities and land uses should occur within walking distance of transit stops.
b. Maintaining the future growth of downtown infill redevelopment ensuring Miami's focus for the region's economic, civic, and cultural activities.
c. A diversity of uses distributed throughout the selected specific area of an existing District that enables a variety of economic activity, workplace, residences and civic space. Civic and commercial activity should be embedded in the mixed-use District as identified in the Intent for SD-16, 16.1, 16.2 Southeast Overtown-Park West Commercial-Residential Districts.
d. Civic and public gathering spaces should be located to reinforce community identity.
e. Buildings and landscaping contribute to the physical definition of Thoroughfares as civic places.
f. A specific area within an existing District that includes a framework of transit and pedestrian systems that accommodates automobiles while respecting the pedestrian and the special form of public spaces.
g. Ensuring that private development contributes to infrastructure and embellishes a pedestrian and transit friendly public and private realm of the highest quality.

16.12.1.2 The Miami Worldcenter Design Standards ("Design Standards") and the Miami Worldcenter Regulating Plan ("Regulating Plan") provide more detailed clarification to the SD 16.3 Worldcenter area and are incorporated herein by reference.

16.12.2 EFFECT OF SD-16.3 MIAMI WORLDCENTER AREA DESIGNATION.

The SD-16.3 Miami Worldcenter Master Plan Design Standards and the regulations herein shall supplant districts or portions of districts included within the SD-16 Special District boundaries to the extent indicated herein.

16.12.3 CLASS II SPECIAL PERMIT

16.12.3.1 When required

A Class II Special Permit shall be required prior to approval of any permit affecting the height, bulk, location or exterior configuration of any existing building or the construction of a new building; or for the implementation of signage, awnings, fences or any other improvement visible from a public right-of-way.

16.12.3.2 Considerations in making Class II Special Permit determinations

The purpose of the Class II Special Permit shall be to ensure conformity of the application with the expressed intent of Sec. 616. SD-16, 16.1, 16.2, Southeast Overtown-Park West Commercial-Residential Districts, with the general considerations listed in Section 1305, and with the special considerations contained in the Miami Worldcenter Master Plan Design Standards and Regulating Plan incorporated herein by reference.

16.12.3.3 Waiver of Design Standards

Pursuant to Sec. 1512, unless otherwise required by the SD-16.3 Miami Worldcenter area, as amended, Ordinance 11000, as amended, the Code of the City of Miami, as amended, or the Florida Building Code, as amended, and Miami Worldcenter Master Plan Design Standards, incorporated by reference (collectively, "Design Guidelines and Standards"), may be waived by the Planning Director pursuant to a Class II Special Permit. Waivers by the Planning Director for numerically measured Design Guidelines and Standards may not vary more than twenty percent (20%) from the numeric standard.

16.12.4 FLEXIBLE ALLOCATION OF DEVELOPMENT CAPACITY

When property within the SD-16.3 Miami Worldcenter area containing nine or more contiguous acres under the ownership or control of a single entity is submitted as a project ("Project"), the allowable floor area within the project may be allocated by the owner to individual building sites unconstrained by the FAR for any individual site so long as the FAR distribution does not result in development that is out of scale or character with development allowed under the land development regulations for the adjacent areas, allocates FAR sufficient to build structures to a minimum of two stories on all parcels within the project except open space and civic space sites, and provides all SD-16.3 Miami Worldcenter area requirements, including open space, civic space, and parking.

16.12.4.1 Major Use Special Permit

Notwithstanding any other provisions of the SD-16.3 Miami Worldcenter area or Ordinance 11000, when property within the SD-16.3 Miami Worldcenter area containing nine or more contiguous acres under the ownership or control of a single entity is submitted as a project, a Major Use Special Permit within the project is required for: (1) non-residential or lodging uses in a single building that exceeds 975,000 square feet; (2) more than 800 residential units in a single building; or (3) any combined use which exceeds 2,800 parking spaces in a single building, except that a MUSP shall be required when a conference center, conference center hotel and related office building with a mix of retail and office uses, exceeds two million square feet.

16.12.5 DEFINITIONS

For the purpose of the SD-16.3 Miami Worldcenter area, the following definitions shall apply: Terms not defined herein shall have the meaning provided in Sec.2502 of the Zoning Ordinance of the City of Miami ("Zoning Ordinance").

Abutting: to reach or touch; to touch at the end or be contiguous with; join at the border or boundary; terminate on. Abutting properties include properties across a street or alley.

Arcade: A covered pedestrian outdoor space along the side of a Building at the ground level that is open on three sides and has a minimum 15 foot depth, which may provide access to shops along one (1) or more sides, per the Design Standards.

Back of Curb Line: A straight building reference line established at the back of the street curb that does not offset for projections into the street such as bulb-outs or tree planting areas, as shown in Table 3 and in the Regulating Plan and Design Standards.

Balcony: An unenclosed habitable structure cantilevered from or inset within a facade or elevation.

Block: The aggregate of private lots, passages, rear lanes and Alleys, the perimeter of which abuts Thoroughfares.

Building Configuration: The form of a Building, based on its massing, relationship to Frontages and lot lines, and height.

Building Disposition: The placement of a Building on its lot.

Building Use: The uses accommodated by a Building and its lot.

Building Height: The vertical extent of a building measured in Stories.

Build-to-line: A line established within a given Lot indicating where the outer edge of a structure must be located.

Civic Space: An outdoor area provided for public use in perpetuity by fee title or easement. Civic Space types are defined by the combination of certain physical constants including the relationship between their intended use, their size, their landscaping and their enfronting buildings. See Table 2 and Design Standards.

Corridor: A lineal geographic system incorporating transportation, walkways, and/or greenways.

Courtyard: Open space, partially defined by walls or buildings as regulated by the SD 16.3 Miami Worldcenter area. See Design Standards.

Design Speed: The speed at which a Thoroughfare is designed to be driven.

Elevation, Floor: Height of floor level.

Enfront: To place an element along a Frontage, as in "porches enfront the street."

Entrance, principal: The main point of access of pedestrians into a Building.

Facade: The exterior wall of a building that is set along a Frontage

Floorplate: The total indoor and outdoor Floor Area of any given Story of a Building, measured to the exterior of the wall or balcony.

Frontage: Lot face abutting a public space, such as a Thoroughfare, whether at the front, rear, or side of a lot.

Gallery: A covered pedestrian area abutting the side of a building on the ground floor which may provide access along one or more sides of a building,

Green Space: an Open Space outdoors, at grade, unroofed, landscaped and free of impervious surfaces.

Habitable Space: Building space which use involves human presence with direct view of the enfronting streets or public or private open space, excluding parking garages, self-service storage facilities, warehouses, and display windows separated from retail activity.

Height: See Building Height.

Infrastructure and Utilities: A facility related to the provision of roads, water and sewer lines, electrical, telephone and cable transmission, and all other utilities and communication systems necessary to the functioning of a community.

Layer, First: The area between the Back of Curb Line and the Build-to Line as shown in the Design Standards.

Layer, Second: Twenty feet (20) siteward from the Build-to Line.

Layer, Third: That portion of the lot that is not within the First and Second Layer.

Layer: A range of depth of a lot within which certain elements are permitted as regulated in the SD 16.3 Miami Worldcenter area, as provided in the Design Standards.

Liner: A building or part of a building with Habitable Space specifically designed to enfront a public space, masking a use that has no capacity to monitor public space, such as a parking lot, parking garage or storage facility.

Open space: Any parcel or area of land or water, located at the ground level floor, essentially unimproved by permanent buildings and set aside, dedicated, designated or reserved for public or private use or enjoyment or for the use and enjoyment of owners and occupants of land adjoining or neighboring such open spaces. Open Space includes the ground floor level of Galleries, Arcades and covered and uncovered paseos.

Parking Garage or Parking Structure: A structure containing vehicular parking,

including mechanical parking systems.

Paseo: A public open space restricted to pedestrian use and limited vehicular access that connects streets, plazas, alleys, garages and other public use spaces. Paseos must have a minimum width of 20'.

Podium: That portion of a building up to the eighth Story.

Porte Cochere: A vehicular entrance/drop-off area that includes a canopy element and a driveway that extends into the First Layer.

Public Benefits Bonus: an advantage that allows a developer to increase FAR by an additional 70% of FAR capacity within the district in exchange for the developer's contribution to specified programs that provide benefit, advantages, and increased use and enjoyment of the district to the public.

Retail Frontage: Lot faces designated where the ground level is available for retail use.

Setback: The distance from a specified reference line to the point where a building may be constructed.

Story: A level within a building by which Height is measured.

Street Corridor: The space defined by the Streetwall (building facades) and the ground plane in between the Streetwalls.

Streetscape: The urban element that establishes the major part of the public realm. The streetscape is composed of Thoroughfares (travel lanes for vehicles, parking lanes for cars, and sidewalks or paths for pedestrians) as well as the amenities of the Frontages (street trees and plantings, benches, streetlights, paving, street furniture, Building Facades and elevations, yards, fences, etc.).

Streetscreen: A freestanding wall no greater than eight feet high built along the Frontage Build-to line, or coplanar with the Facade, often for the purpose of masking a parking lot from the Thoroughfare.

Streetwall: Refers to the facades of buildings up to the first eight stories that face a Thoroughfare, as provided in the Design Standards. Streetwalls shape the level of visual interest on each block and create a sense of enclosure for pedestrians. A streetwall height is measured from the average grade of the sidewalk level to the first building Setback from the Build-to Line, as shown in the Design Standards.

Thoroughfare: A vehicular way incorporating travel lanes for vehicles, parking lanes for cars, and sidewalks or paths for pedestrians as part of an interconnected network for vehicular and pedestrian mobility.

Tower: That portion of a building that extends above the Podium.

Underground Parking: Parking in which the ceiling or roof of the top level does not rise above any adjoining public sidewalk.

View Corridor: An axial view terminating on a natural, historical, or special feature.

16.12.6 LOTS AND FRONTAGES

16.12.6.1 Buildable sites shall Enfront a vehicular Thoroughfare, or Civic Space with at least one Frontage, as depicted in the Design Standards and Regulating Plan.

16.12.6.2 For the purposes of the SD 16.3 Miami Worldcenter area, lots are divided into Layers which control development on the lot.

16.12.6.3 Where the property to be developed abuts an existing building, the Planning Director may approve, pursuant to a Class II Special Permit, a transition so that the proposed building location matches or provides a transition to the adjacent building location.

16.12.7 MEASUREMENT OF HEIGHT

16.12.7.1 Unless otherwise specified herein, the Height of Buildings shall be measured in Stories. The height of fences, walls and hedges shall be measured in feet. The Height of Building facades facing the street, fences, walls and hedges shall be measured from the Average Sidewalk Elevation.

16.12.7.2 A Story is a habitable level within a Building. Except as otherwise provided in this ordinance, the maximum height of a Story from finished floor to finished floor is 14 feet. Below-grade levels are not considered Stories for the purposes of determining Building Height.

16.12.7.2.1 A ground level retail Story may exceed the 14 foot limit up to 25 feet. A retail single floor level exceeding 20 feet, or 25 feet at ground level, shall be counted as 2 Stories. Where the first 2 stories are retail, their total maximum combined height shall be 39 feet and the first floor shall be a minimum of 14 feet. Where the first three stories are retail, their total maximum combined height shall be 59 feet and the ground floor and second floor shall be a maximum of 39 feet in combined floor to floor height. The three retail floors shall be counted as 3 Stories, and the total finished floor to finished floor height of the Podium shall not exceed 129 feet.

16.12.7.2.2 Single floors in a Podium above ground level used for public functions, such as ballrooms, meeting rooms, convention halls, classrooms, lecture rooms, theaters, and sports facilities may have a single Story floor to floor height up to a maximum of 60 feet. The total finished floor to finished floor height of the Podium shall not exceed 129 feet.

16.12.7.2.3 Mezzanines are permitted. Mezzanines extending beyond thirty-three percent (33%) of the floor area of the floor plate below shall be counted as an additional floor.

16.12.7.2.4 A Parking Structure concealed by a Liner or architectural element as provided in the

Design Standards and Regulating Plan may be equal to the Height of the Podium, without regard for the number of Stories in the Parking Structure.

16.12.7.3 Building Heights shall be measured in Stories and shall conform to Table 3 and to the Design Standards. First-floor elevation shall be at average Sidewalk grade. A first level Residential use or Lodging use shall be raised a minimum of two (2) feet and a maximum of three and a half (3.5) feet above average sidewalk grade, except that entrance lobbies and public spaces may be at sidewalk level.

16.12.7.3.1 Except as specifically provided herein, the Height limitations of the SD 16.3 Miami Worldcenter area shall not apply to (1) any roof Structures for housing elevators, stairways, tanks, ventilating fans or similar equipment required to operate and maintain the Building (provided that such Structures shall not cover more than twenty percent of roof area and shall not exceed the maximum Height by 14 feet; (2) water towers, flagpoles, vents, or similar Structures, which may be allowed to exceed the maximum Height by Class II Special Permit; (3) fire or parapet walls. Roof decks shall be permitted up to the maximum Height. Trellises may extend above the maximum Height up to fourteen (14) feet.

16.12.7.3.2 Except as provided in Subsection 16.12.7.4, there shall be no height or coverage limits for (1) non-functional decorative architectural elements, and (2) solar or wind energy collectors.

16.12.7.4 No Building or other Structure shall be located in a manner or built to a Height which constitutes a hazard to aviation or creates hazards to persons or property by reason of unusual exposure to aviation hazards. In addition to Height limitations established by the SD 16.3 Miami Worldcenter area, limitations established by the Miami-Dade County Height Zoning Ordinance as stated in Article 37 of the Code of Miami-Dade County (Miami International Airport) shall apply to Heights of Buildings and Structures.

A letter authorizing clearance from the Miami-Dade Aviation Department or the Federal Aviation Administration (FAA) may be required by the Zoning Administrator prior to the issuance of any Building permit.

16.12.8 BUILDING DISPOSITION

16.12.8.1 Improvements on newly platted lots shall be dimensioned according to Table 3 incorporated herein by reference.

16.12.8.2 Lot coverage by any Building shall not exceed that shown in Table 3 incorporated herein by reference.

16.12.8.3 Buildings shall be disposed in relation to the boundaries of their lots according to Table 3 incorporated herein by reference and the Regulating Plan.

16.12.8.4 Buildings shall have their principal pedestrian entrances on a Frontage Build-to Line or from a courtyard at the Second Layer.

16.12.8.5 For the first two stories, Facades shall be along the Frontage a minimum of seventy percent (70%) of its length on the Build-to Line as shown in Table 3 and in the Design Standards.

16.12.8.6 At the first Story, Facades along a Frontage Build-toLine shall have frequent doors and windows as provided in the Design Standards. Vehicular entries should be minimized to the maximum extent possible consistent with the level of use and shall occur at a minimum spacing of sixty (60) feet unless a shorter daeoved by Class II pecial Permit.

16.12.8.7 Setbacks from the Back of the Curb Line for Buildings shall be as shown in Table 3 incorporated herein by reference and the Regulating Plan. Setbacks from the Back of Curb Line may be adjusted to conform to an existing adjacent building location by Class II Special Permit. Frontage Setbacks from the Build-to Line above the eighth floor for lots having one dimension measuring one hundred (100) feet or less may be a minimum of zero (0) feet by Class II Special permit. The Frontage Setback from the Build-to Line shall not be required for a Frontage facing a Civic Space or a Street Corridor 90 feet or greater in width, as provided in the Regulating Plan and Design Standards.

16.12.8.8 Above the eighth floor, minimum building spacing is sixty (60) feet. For lots having one dimension of one hundred (100) feet or less, side and rear Setbacks from non-Frontage lot lines above the eighth floor may be reduced to a minimum of twenty (20) feet by Class II Special Permit. Above the eighth floor in the Second Layer, at a Setback from the Build-to Line of not less than ten (10) feet, an additional two stories of habitable space may extend a maximum sixty percent (60%) of the non-tower length of the street Frontages. Above the eighth floor an additional six feet of non-habitable space may be allowed without additional Setback from the Build-to Line to accommodate depth of swimming pools, landscaping, transfer beams, and other structural and mechanical systems and will not count as FAR area.

16.12.9 BUILDING CONFIGURATION

16.12.9.1 Above the eighth floor, the maximum Building Floorplate dimensions shall be limited as follows:

a. 18,000 square feet for Residential Uses.
b. 30,000 square feet for Commercial Uses and for parking.
c. Vertical mixed-use buildings with at least 33% of the Tower floors in Commercial Uses may use the 30,000 square foot Floorplate average for the entire Tower.
d. 180 feet maximum length of a side for Residential Uses.
e. 225 feet maximum length of a side for Commercial Uses.

16.12.9.2 Projections into the First Layer shall be as follows: Above the first story, up to ½ of the Streetwall façade may project up to 6 feet into the First layer; Entry canopies may project up to one hundred percent (100%) of the depth of the First Layer, except as may be further allowed by Chapter 54 of the City Code; Canopies and cantilevered awnings may project into the First Layer up to 15 feet; Above the first Story, cantilevered balconies and bay windows may project a maximum 6 feet into

the First Layer; Above the Streetwall, balconies and bay windows may project up to 6 feet into the setback from the Streetwall; Roof cantilevers, trellises and crowns may project up to 15 feet into the First Layer and be elevated one story above the roof terrace; and, Facade components promoting energy efficiency such as shading and Screening devices that are non-accessible may project a maximum of 4 feet into the First Layer.

16.12.9.3 Galleries and Arcades shall be a minimum of 15 feet deep and, notwithstanding any provisions to the contrary in Ordinance 11000, as amended, or the Code of the City of Miami, as amended may overlap the whole width of the Sidewalk to within two (2) feet of the curb. The height of an arcade, measured to its lowest point, shall be no less than its width.

16.12.9.4 All outdoor storage, electrical, plumbing, mechanical, and communications equipment and appurtenant enclosures shall be located within the Second or Third Layer and concealed from view from any Frontage or Sidewalk by Liner Buildings, walls, Streetscreens, or opaque gates.

16.12.9.5 Loading Docks and service areas shall be internal to the building served. Vehicular entries to loading docks and service areas shall be as provided in the Design Standards.

16.12.9.6 All ground floor utility infrastructure and mechanical equipment shall be concealed from public view. At the building Frontage, all equipment such as backflow preventers, Siamese connections, and the like shall be placed within the line of the Facade or behind the Streetscreen. Exhaust air fans and louvers may be allowed on the Facade only above the first floor as shown in the Design Standards. Rooftop equipment, except antennas, shall be screened from lateral view.

16.12.9.7 Within the Second and Third Layers, fences, walls and hedges shall not exceed a height of eight (8) feet.

16.12.10 BUILDING USE & DENSITY

16.12.10.1 Principal and accessory uses of Buildings shall conform to Zoning Ordinance 11000, Sections 616.4 and 616.5, respectively.

16.12.10.2 Densities and Intensities shall conform to Table 3 incorporated herein by reference.

16.12.10.3 The calculation of the FAR shall not apply to on-site parking, to that portion of the building that is entirely below the elevation of the sidewalk, to balconies or terraces, or to same store retail uses that have a ground floor with direct access to the sidewalk and street Frontages.

16.12.11 PARKING STANDARDS

16.12.11.1 The required parking shall be as follows:

USE	MINIMUM	MAXIMUM
Retail and Commercial	1 space / 1000 sf	1 space / 300 sf
Office	1 space / 1000 sf	1 space / 600 sf
Residential	1 space / dwelling unit	2 spaces / dwelling unit
Hotel	1 space / 4 guest rooms	1.5 spaces / guest room
Other	1 space / 1000 sf	1 space / 600 sf
Theater	1 space / 7 seats	1 space / 3 seats

16.12.11.1.1 On-street parking in the SD-16.3 Worldcenter area shall count toward the minimum parking requirements.

16.12.11.1.2 For residential uses located within 1,000 feet of an existing Metromover stop, no off-street parking is required.

16.12.11.2 Vehicular parking design standards and loading shall be required as shown in Table1 incorporated herein by reference.

16.12.11.3 Parking is encouraged to be accessed by an Alley when available and otherwise as provided in the Design Standards.

16.12.11.4 All parking, including open parking areas, covered parking, garages, Loading Docks and service areas shall either be located within the Third Layer or shall be masked from the Frontage by an architectural screening layer per Sec. 16.12.12.4 below, a Liner Building or Streetscreen, as illustrated in the Design Standards. Underground parking may extend into the Second and First Layers only if it is fully underground and does not require raising the first-floor elevation of the First and Second Layers above that of the sidewalk. Ramps to underground parking shall be within the Second or Third Layers.

16.12.11.5 The vehicular entrance of a parking lot or garage on a Frontage shall be no wider than 45 feet and the minimum distance between vehicular entrances shall be sixty (60) feet. A ten percent (10%) deviation may be approved by Class II Special Permit.

16.12.12 ARCHITECTURAL STANDARDS

16.12.12.1 Only permanent structures shall be allowed. Temporary structures such as mobile homes, construction trailers, travel trailers, recreational vehicles and other temporary structures shall not be allowed except as otherwise provided by Article 9.

16.12.12.2 The Facades on Retail Frontages shall be detailed as storefronts and glazed with clear glass beginning no more than 30 " above the sidewalk and extending no less than seventy percent (70%) of the length of the sidewalk-level Story as provided in the Design Standards. Display Windows in Retail Frontages must be a minimum of three (3) feet in depth, must include three-dimensional displays, should include visibility into the retail space and must be accessible from the insides stated herein. Display Windows are areas of storefront glazing that are designed to display items for sale within the retail space behind the display. Security screens shall be seventy

percent (70%) open.

16.12.12.3 Roof materials should be light-colored, high albedo or planted surface.

16.12.12.4 The Façade of a parking garage that is not concealed behind a Habitable Liner shall be screened behind a screening layer recessed at least two (2) feet from the outside face of the Façade to conceal all internal elements such as plumbing pipes, fans, ducts, ceilings, slab beds and lighting, as illustrated in the Design Standards. The architectural expression shall complement and enhance the building. Ramping should be internalized wherever possible. Exposed spandrels shall be prohibited.

16.12.13 LANDSCAPE STANDARDS

16.12.13.1 The First Layer shall be surfaced and landscaped as shown in the Design Standards.

16.12.13.2 Public open space shall be a minimum 10% of the total gross lot area. A minimum of 10% of the public open space shall be landscaped, as provided in the Design Standards and Regulating Plan.

16.12.14 SIGN STANDARDS

Notwithstanding any other provision of the City code and Zoning Ordinance 11000, signs shall be permitted in the SD-16.3, and must be approved by Class II permit, either for an individual sign or a Master Sign Package.

16.12.15 AMBIENT LIGHTING STANDARDS

16.12.15.1 Average lighting levels measured at the Building Frontage shall not exceed two (2) foot-candles except where a greater level is approved by a Class II Special Permit.

16.12.15.2 Streetlights shall be of a type illustrated in The Design Standards. Interior garage lighting fixtures shall not be visible from streets.

16.12.16 CIVIC SPACE

At least twenty percent (20%) of the required public open space in the SD-16.3 Worldcenter area shall be assigned to Civic Space, as described in Table 2 incorporated herein by reference and the Design Standards.

16.12.17 ALLOWABLE INCREASES IN FAR FOR PROVIDING PUBLIC BENEFITS

16.12.17.1 The intent of this section is to provide bonus building capacity in the SD-16.3 Worldcenter area in exchange for the developer's contribution to specified programs that provide benefit and enjoyment to the public. A bonus of an additional seventy percent (70%) of FAR capacity shall be permitted if the proposed development contributes to the specified programs below in the amount and manner set forth herein. The percentage increase shall be based on the

approved square footage for the project, including all bonuses approved pursuant to other provisions of Ordinance 11000, as amended.

16.12.17.2 Affordable/Workforce Housing

A developer may acquire bonus floor area up to a maximum of 25% of the total FAR capacity by contributing to the Affordable Housing Trust Fund, or by providing onsite Affordable/Workforce housing, as that term is defined by the City.

16.12.17.2.1 Trust Fund Contributions

A developer may acquire one additional square foot of buildable space for each nonrefundable contribution of $12.40 (as of the time of approval and subject to applicable price adjustments at the time of building permit application) to the Affordable Housing Trust Fund administered by the City of Miami. Future adjustments to the amount of contribution per square foot of buildable space in the SD-16.3 Worldcenter area shall be consistent with the per square foot contributions for other properties within the Southeast Overtown / Park West CRA boundary.

16.12.17.2.2 Affordable/workforce housing on the site of the development

For each square foot of affordable/workforce housing provided on site, the development shall be allowed two square feet of additional buildable space.

16.12.17.3 Public Open space

For every square foot of public open space that a project provides onsite in excess of the required amount of public open space, the development shall be allowed 3.29 times the development capacity of the land provided. The open space may be a courtyard, plaza, or pedestrian passage through a site connecting two streets, as those spaces are described in Table 2, or part of the Streetscape, per the Design Standards.

16.12.17.4 Sustainability

Fifteen (15) percent additional FAR capacity shall be allowed for buildings certified by the U.S. Green Building Council as LEED certified. If the City adopts a sustainability program, the 15% bonus for the minimum standard for the SD-16.3 Miami Worldcenter area shall match the City's minimum standard for certification. Additional increments of FAR capacity provided under the City program for LEED certifications at higher than the minimum standard shall be added to the base 15% established herein. (For example, if silver certification is adopted by the City as the minimum standard, with a 2% increase in floor area to go from silver to a gold, projects in the SD-16.3 Worldcenter area would receive a 15% increase for meeting the minimum silver standard and a 17% increase for meeting the gold standard). If at the time the first Certificate of Occupancy is issued for the building that received a public benefits bonus for a Green Building, the anticipated LEED certification has not been achieved, then the owner shall post a performance bond in a form acceptable to the City of Miami. The performance bond shall be determined based on the value of land per square foot of building in the area of the City in which the proposed project is located, which may be adjusted from time to time based on market conditions. The methodology for determining the value of land per square foot of building shall be maintained in the Planning Department. The City will draw down on the bond funds if LEED certification has not been achieved and accepted by the City within one year of the City issuance of the

Certificate of Occupancy for the building. Funds that become available to the City from the forfeiture of the performance bond shall be placed in the Affordable Housing Trust Fund.

16.12.17.5 Streetcar Infrastructure
A developer in the SD 16.3 Miami Worldcenter district may select to contribute and build the associated infrastructure for a proposed Miami streetcar system to be placed within the district in exchange for an equivalent bonus into one of the other Public Benefits.

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

TABLE 1
PARKING AND LOADING

This table describes the standards for Parking and Loading. Standards shall include the following:

PARKING STANDARDS

ANGLE OF PARKING	ACCESS AISLE WIDTH		
	ONE WAY TRAFFIC SINGLE LOADED	ONE WAY TRAFFIC DOUBLE LOADED	TWO WAY TRAFFIC DOUBLE LOADED
90	23 ft.	23 ft.	23 ft.
60	12.8 ft.	11.8 ft.	19.3 ft.
45	10.8 ft.	9.5 ft.	18.5 ft.
Parallel	10 ft.	10 ft.	20 ft.
Standard Stall Dimension: 8.5 ft. x 18 ft. minimum			

* Driveways shall have a minimum of 10 feet of paved width for a one-way drive and 20 feet for a two-way drive for parking area providing 10 or more stalls
* Pedestrian entrances shall be at least 3 feet from stall, driveway or access aisle
* Allowable slopes, paving and drainage as per Florida Building Code
* Off-street parking facilities shall have a minimum vertical clearance of 7 feet. Where such a facilitiy is to be used by trucks or loading uses, the minimum clearance shall be 15 feet.
* Ingress vehicular control devices shall be located so as to provide a minimum driveway of 20 feet in length between the build-to line and dispenser.
* For landscaping requirements of parking lots, refer to Miami-Dade County Landscape Ordinance.

LOADING BERTH STANDARDS

RESIDENTIAL*	**From 25,000 sf to 500,000 sf**		
	Berth Size	**Loading Berths**	
	420 sf	1 per first 100 units	
	240 sf	1 per each additional 100 units or fraction of 100	
	Greater than 500,000 sf		
	Berth Size	**Loading Berths**	
	680 sf	1 per first 100 units	
	240 sf	1 per each additional 100 units or fraction of 100	
LODGING	**From 25,000 sf to 500,000 sf**		
	Berth Size	**Loading Berths**	
	420 sf	1 per first 300 Rooms	
	240 sf	1 per 100 Rooms	
	Greater than 500,000 sf		
	Berth Size	**Loading Berths**	
	660 sf	1 per 300 Rooms	
	240 sf	1 per 100 Rooms	
OFFICE COMMERCIAL INDUSTRIAL**	**From 25,000 sf to 500,000 sf**		
	Berth Size	**Loading Berths**	**Area**
	420 sf	1st	25K sf - 50K sf
	420 sf	2nd	50K sf - 100K sf
	420 sf	3rd	100K sf - 250K sf
	420 sf	4th	250K sf - 500K sf
	Greater than 500,000 sf		
	Berth Size	**Loading Berths**	**Area**
	660 sf	1/	500K sf

NOTES

Berth Types

Residential*: 240 sf = 12 ft x 20 ft.
Commercial: 420 sf = 12 ft x 35 ft.
Industrial**: 660 sf = 12 ft x 55 ft.
All Berth Types: 15 ft. height clearance

* Residential Loading berths shall be setback a distance equal to their length.
** 1 Industrial berth may be substituted by 2 Commercial berths.

TABLE 2
CIVIC SPACE

This table describes the standards for Civic Space. Civic Spaces shall be at ground level, landscaped and/or paved. Civic Spaces shall be open to the public. Civic Spaces may be publicly or privately owned.

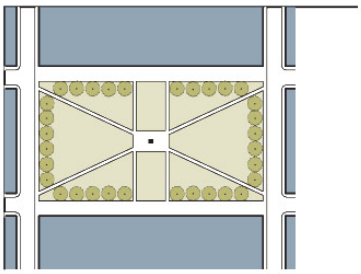
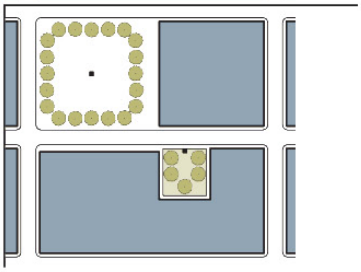
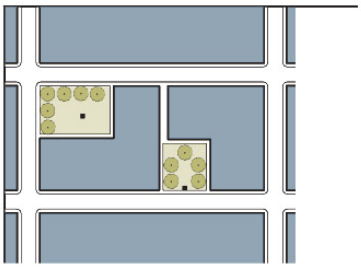
Square: An open space available for unstructured recreation and civic purposes. A square is spatially defined by building frontages with streets on at least one frontage. Its landscape shall consist of pavement, lawns, and trees. Squares shall be located at the intersection of important thoroughfares. The minimum size shall be 1/8 acre.	
Plaza: An open space available for civic purposes and programmed activities. A plaza shall be spatially defined by building frontages and may include street frontages. Its landscape shall consist primarily of pavement and trees. Plazas shall be located at the intersection of important streets. The minimum size shall be 1/8 acre.	
Courtyard / Garden: An open space spatially defined by buildings and street walls, and visually accessible on one side to the street.	
Playground: An open space designed and equipped for the recreation of children. A playground shall be fenced and may include open shelter. Playgrounds shall be interspersed within residential areas and may be placed within a block. Playgrounds may be included within parks and greens. There shall be no minimum or maximum size.	
Pedestrian Passage: An open space connecting other public space, that is restricted to pedestrian use and limited vehicular access, of a minimum width of 20 feet. Building walls enfronting a Pedestrian Passage shall have frequent doors and windows. A Pedestrian Passage may be roofed.	

TABLE 3 - PAGE 1

BUILDING DISPOSITION

This table describes the standards for Building Disposition. Standards shall include the following:

Building Disposition

Lot Occupation	
a. Lot Area	5,000 s.f. min.
b. Lot Width	100 ft. min.
c. Lot Coverage	80% max.
- 1-8 stories	See Regulating Plan
- Above 8th story	18,000 sq. ft. max. floor plate for Residential & Lodging 30,000 sq. ft. max. floor plate for mixed use, Office & Commercial & Residential/Office
d. Floor Area Ratio (FAR)	4.32
e. Frontage along build to line	70% min.
f. Open Space Requirements	10% of gross lot area min.
g. Density	300 du/acre max.

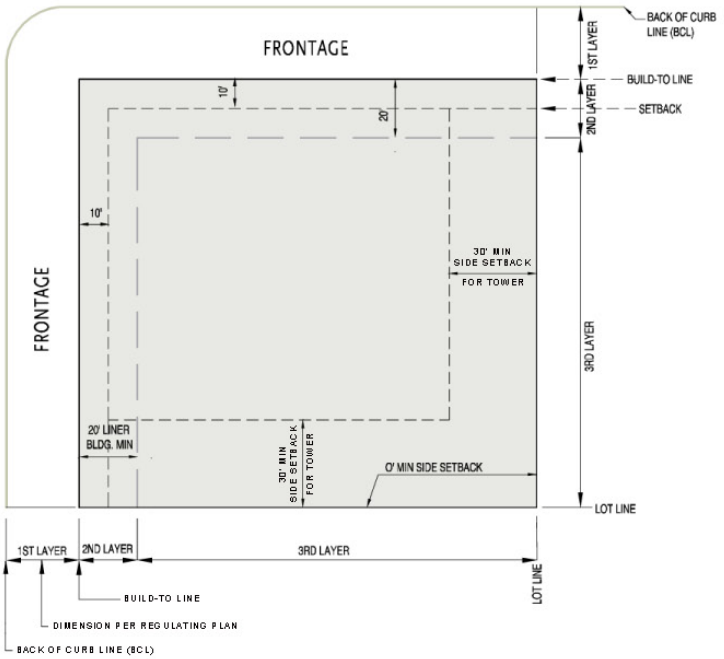
Building Setback	
a. Building Frontage	See Regulating Plan
c. Side	0 ft. min.; 30 ft. min. above 8th story
d. Rear	0 ft. min.

Building Height	
a. Min. Height	2 stories
b. Max. Height	Unlimited

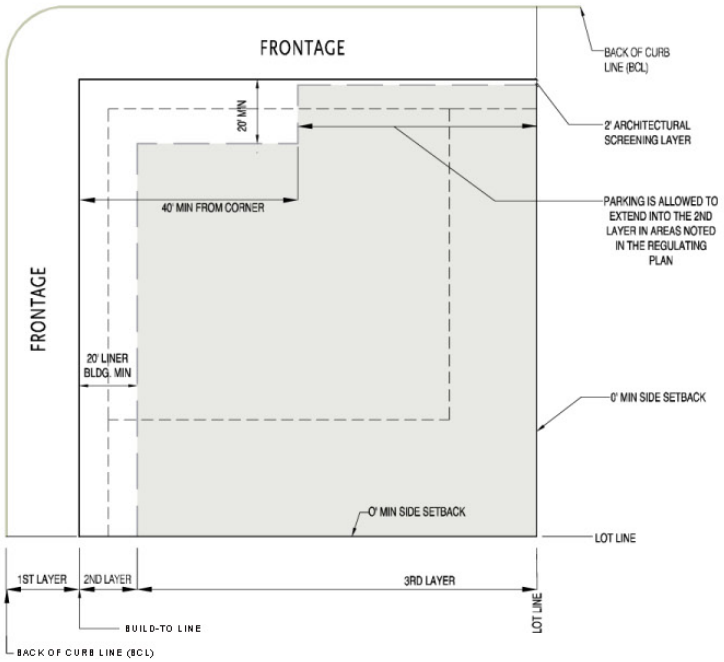
TABLE 3 - PAGE 2
BUILDING DISPOSITION

This table describes the standards for Building Disposition. Standards shall include the following:

BUILDING PLACEMENT
N.T.S.



PARKING PLACEMENT
N.T.S.



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MIAMI WORLDCENTER

DEVELOPMENT STANDARDS

AUGUST 22, 2008

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  - vi. NE 8th Street
  - vii. NE 9th Street
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- l. Balconies and Terraces
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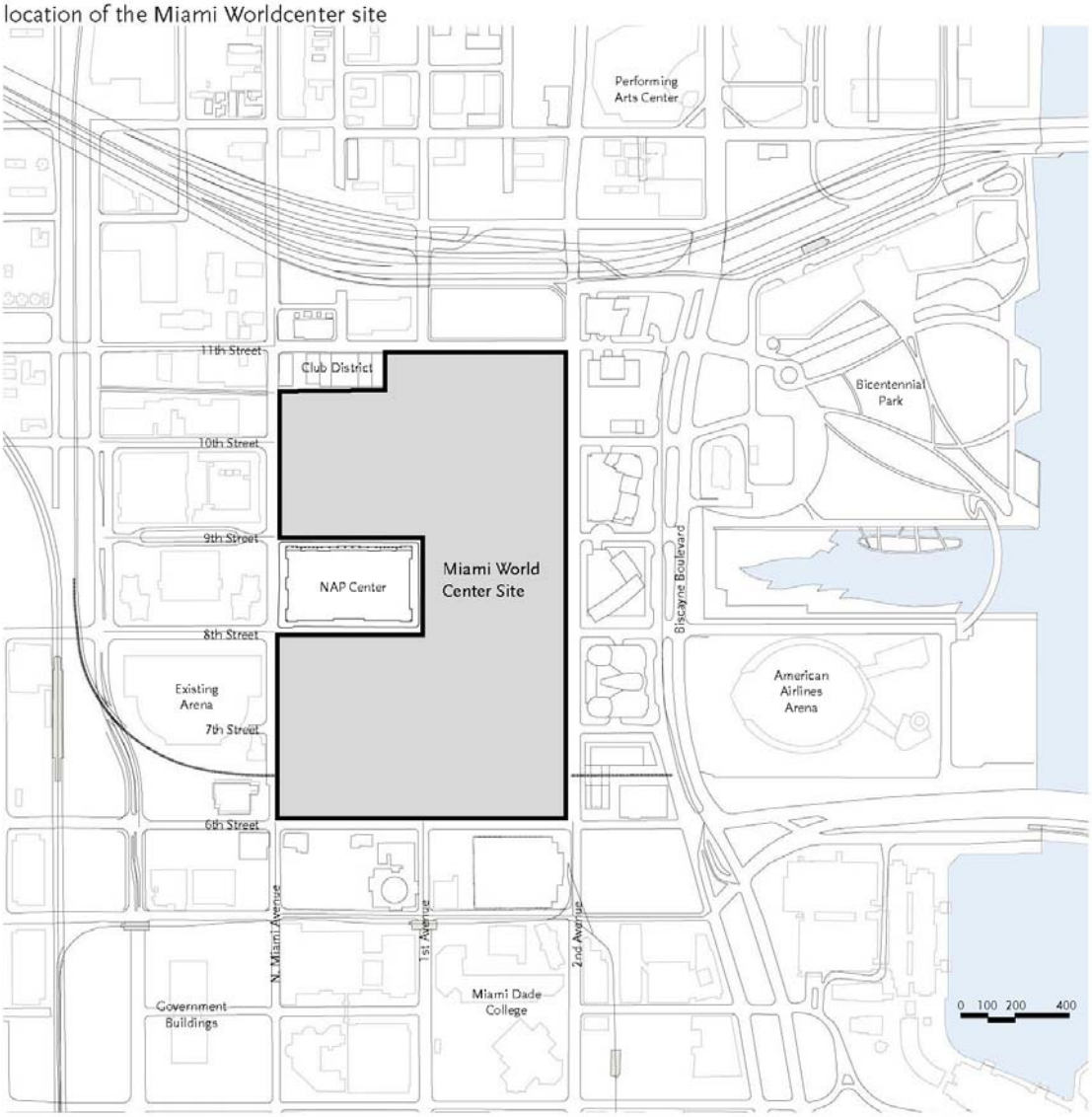
Diagrams and Illustrations

location of the Miami Worldcenter site



INTRODUCTION

OVERVIEW

The Miami Worldcenter is a nine block mixed-use development immediately north of the Central Business District in downtown Miami. It is defined by NE 2nd Avenue to the east, North Miami Avenue to the west, NE 11th Street to the north, and NE 6th Street to the south.

Spanning over twenty five acres, the Miami Worldcenter includes a dynamic mix of retail, residential, office, and institutional uses. It will create a vibrant, walkable pedestrian environment with a unique sense of place: a modern design statement driven by Miami's unique physical context, culture, and architectural heritage.

INTENT

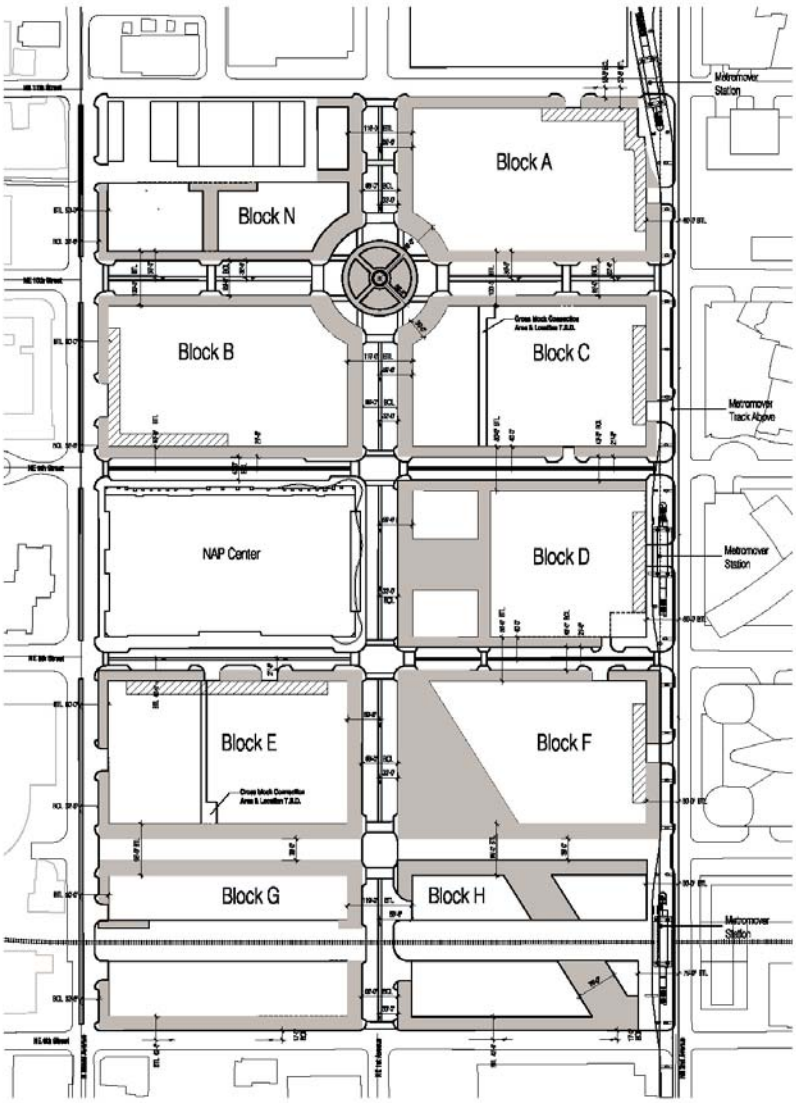
The Miami Worldcenter design standards will establish appropriate standards for the design of streets, public spaces, and buildings within the SD-16.3 Special District area. These design standards expand on the requirements identified in Section 627.1 and shall be considered minimum requirements for all new development.

CONCEPTUAL RENDERING

Artist rendering of project looking north on 1st Avenue

Diagrams and Illustrations

regulating plan



BTL = Build-to Line
BCL = Back of Curb Line

- Open Space

- Exposed Parking Garage Permitted with 2' Architectural Screen

REGULATING PLAN

OVERVIEW

The Miami Worldcenter project was guided by the goal of establishing a memorable, pedestrian district with a strong integrated public realm. This includes an interconnected system of well-defined streets, plazas, and pedestrian spaces tailored to Miami's climate.

INTENT

The regulating plan for Miami Worldcenter defines the size, configuration, and dimension of the public realm within the site area. This includes three major civic spaces, publicly accessible sidewalks, paseos, and a new pedestrian-only street. The regulating plan also defines building setback requirements, locations for exposed parking garages, and the overall street dimensions for the project area.

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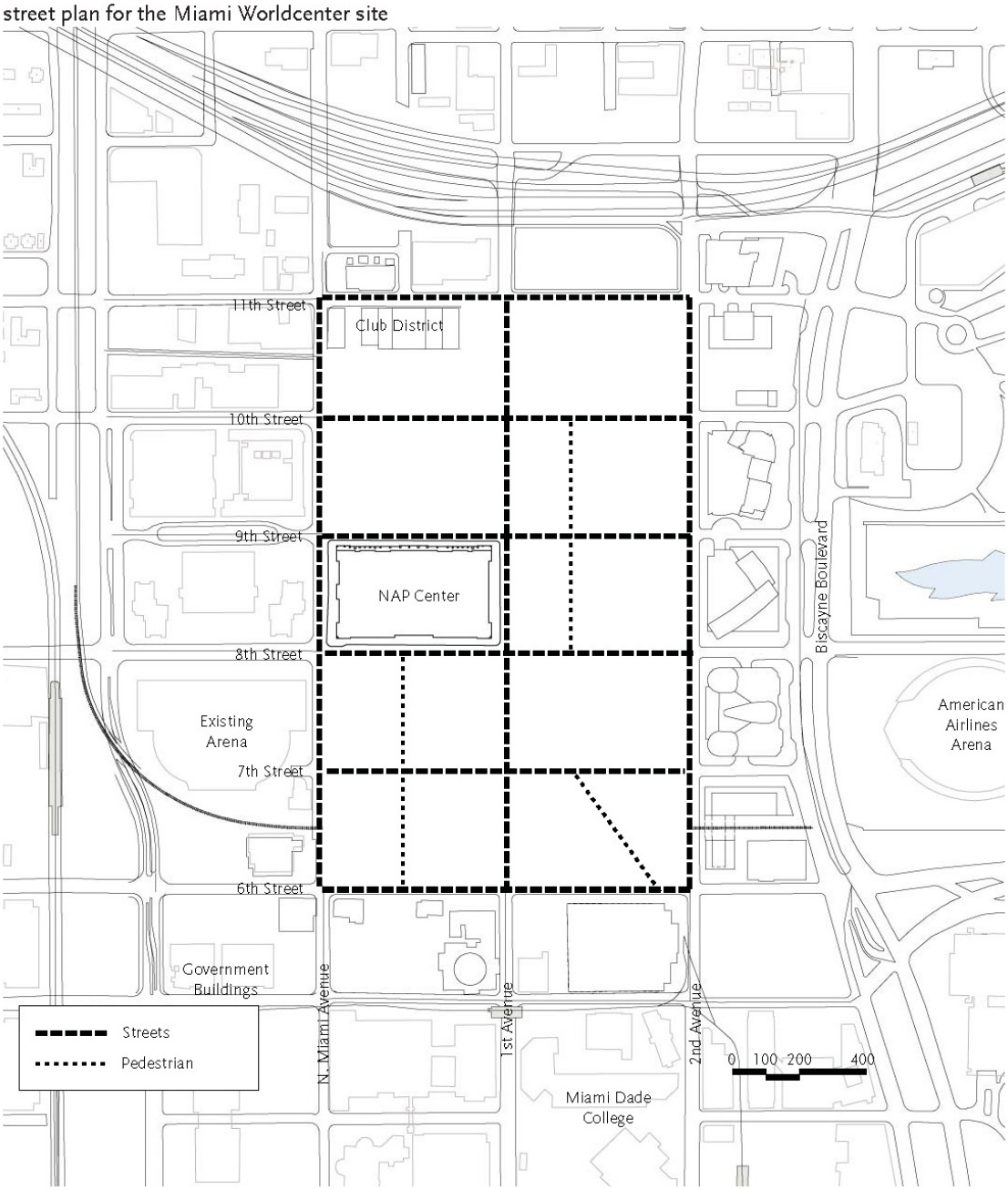
STREET DESIGN

Diagrams and Illustrations

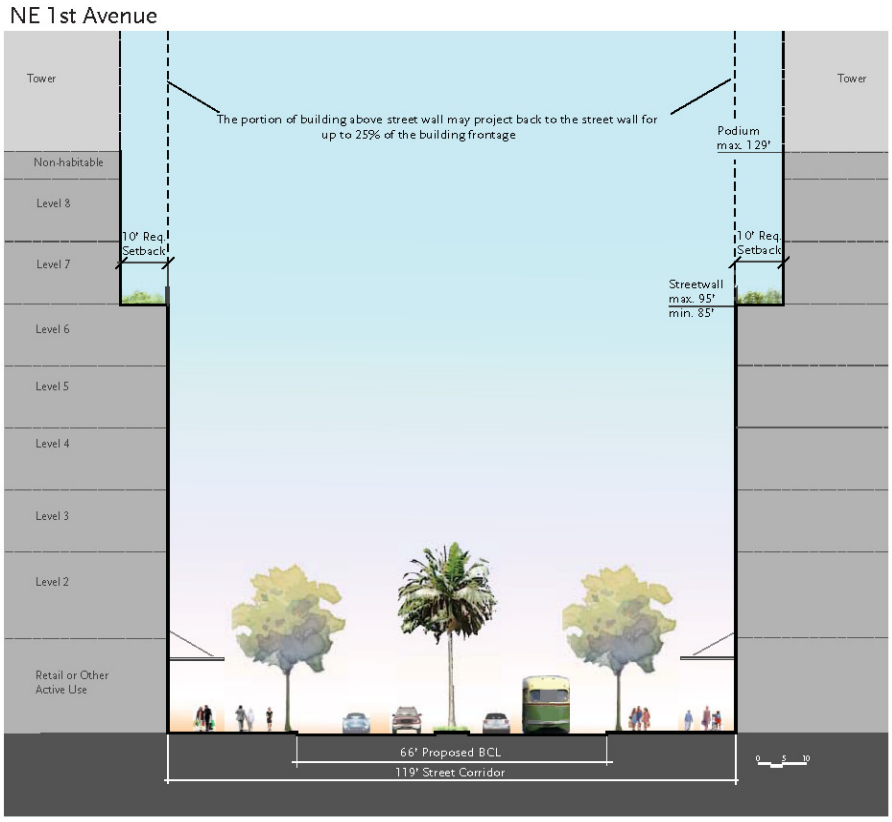
street plan for the Miami Worldcenter site



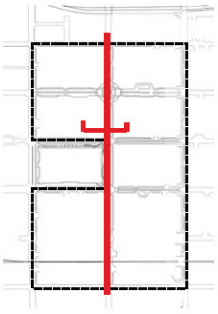
STREET SYSTEM

OVERVIEW	A unified street system with a clear hierarchy has been developed at Miami Worldcenter. Narrow streets (many with arcades) set the stage for larger, more significant streets like 1st Avenue. Each Street will have a distinct personality and function to create a range of experiences. This will include variation in scale, enclosure, materials, sidewalk width, and retail character.
STREETS	
NE 1st Avenue	Designated as the most prominent street at Miami Worldcenter, it will include the greatest streetwall height and street corridor width.
NE 2nd Avenue	A major gateway street defined by the elevated Metromover train and intense residential development along the east side of the street near Biscayne Boulevard. Major improvements have been proposed to the Metromover to improve the pedestrian experience and to encourage transit ridership. An alternative design has also been included for 2nd Avenue.
N. Miami Avenue	A major north-south neighborhood gateway street providing linkages to the Central Business District and the Omni Neighborhood.
NE 6th Street	Arcaded street with major connection to the Miami Dade College and the Central Business District.
NE 6th Street w/ FEC	Optional design for 6th Street that includes a relocated FEC train line. This will include a larger right-of-way to allow for pedestrian, vehicular, and train access.
NE 7th Street	Pedestrian-only street with intense retail and restaurant activity modeled after Lincoln Road in Miami Beach.
NE 8th Street	Arcaded retail street with a strong connection to the American Airlines Arena and the Biscayne waterfront.
NE 9th Street	Arcaded retail street with a strong connection to the Biscayne waterfront.
NE 10th Street	100' wide tree-lined boulevard that provides a major east-west linkage between the Overtown Neighborhood and Bicentennial Park.
NE 11th Street	Mixed-use street with a focus on night club/ entertainment uses.
PEDESTRIAN WALKWAYS	These include a diagonal walkway at the southern portion of the site and a series of pedestrian pathways called paseos. The diagonal walkway has been designed as a major pedestrian corridor between NE 6th Street/ Biscyane Boulevard and the new civic plaza. Paseos will generally run north-south and will provide additional pedestrian access through development blocks.

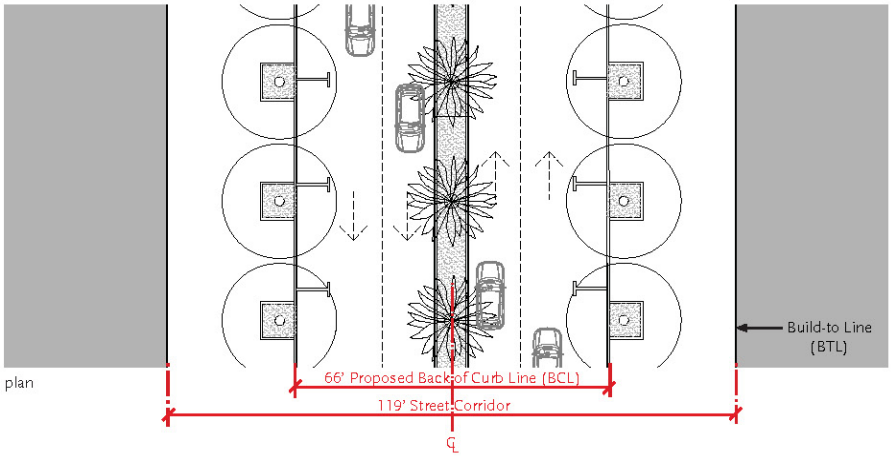
Diagrams and Illustrations



street section (looking north)



key plan



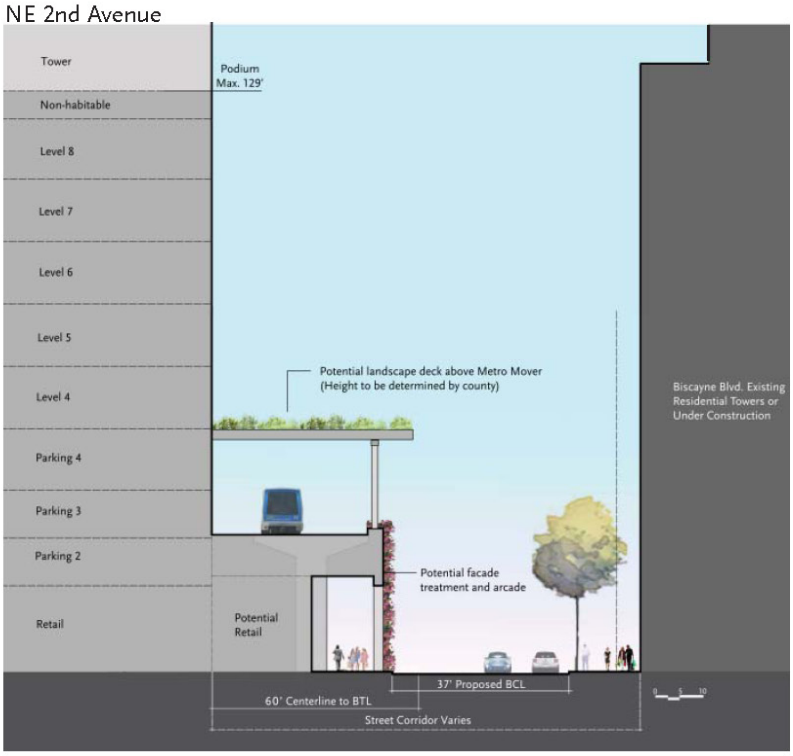
plan

NE 1st Avenue

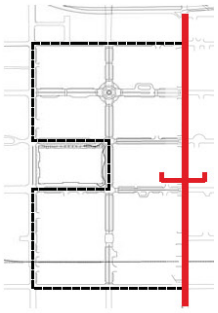
Overview	1st Avenue is considered the most prominent street at Miami Worldcenter. It is the primary retail corridor within the project area with connections to the existing Central Business District and the Omni Neighborhood. This street will be designed to accommodate a variety of transportation modes, including the proposed Miami Streetcar. Precedents for 1st Avenue, with regard to it's urban role, presence, and spirit, include Champs Elysees in Paris, North Michigan Avenue in Chicago, and 5th Avenue in New York City.
Description	
Build-to Line	59'-6" from center line of street
Street Corridor	119' width (see Regulating Plan)
Streetwall	Streetwall height shall be 85' (minimum) to 95' (maximum). A 10' setback shall be required at the top of the streetwall.
Tower Setback	No additional setback required at the podium level. The portion of the building above the street wall may project back to street wall for up to 25% of the overall building frontage.
Podium	129' maximum height (8 liner stories max)
Sidewalk	20' minimum width that includes a 5' minimum clear zone for ADA accessibility. Street trees shall be planted at regular intervals. Street light poles shall be located at regular intervals and shall be coordinated with the placement of street trees. A lighting plan and specification shall be submitted and approved by Class II Special Permit.
Vehicular Lanes	Four vehicular lanes (two in each direction)
Parking	A parking lane shall be included on each side of the street. Curb extensions shall be required at all street intersections.
Median	A planted center median shall be included. The median may include lighting and drought tolerant plant material.
Miami Streetcar	Proposed Miami Streetcar shall be located on one of the northbound traffic lanes. Each transit stop shall be subject to City and State design requirements.
Intersection Design	Raised intersections and/or enhanced paving materials may be utilized for sidewalk and roadway areas to improve the pedestrian experience.
Example Champs Elysees, Paris	

Diagrams and Illustrations

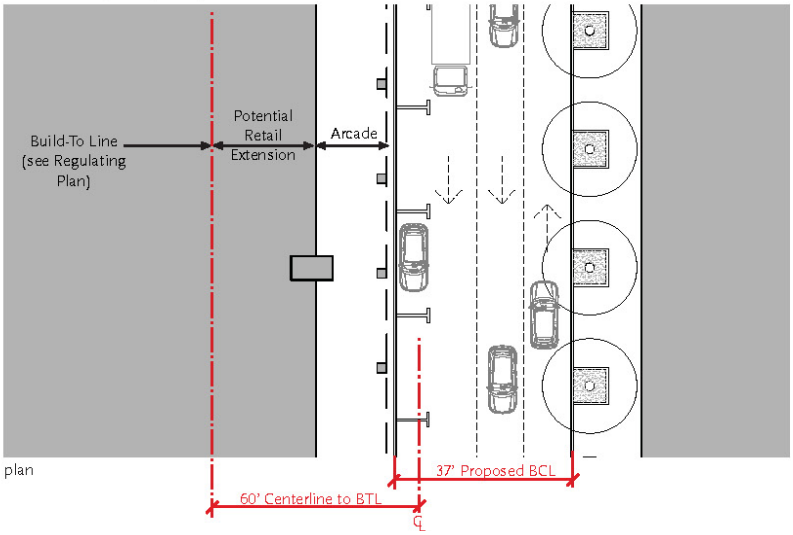
NE 2nd Avenue



street section (looking north)



key plan



plan

NE 2ND AVENUE

OVERVIEW

2nd Avenue is one of the gateway streets at Miami Worldcenter. It is heavily influenced by the presence of the Miami Metromover and a series of existing high rise towers on the east side of the street. Precedents for 2nd Avenue include Viaduc des Arts in Paris and the 59th Street Bridge in New York City

DESCRIPTION

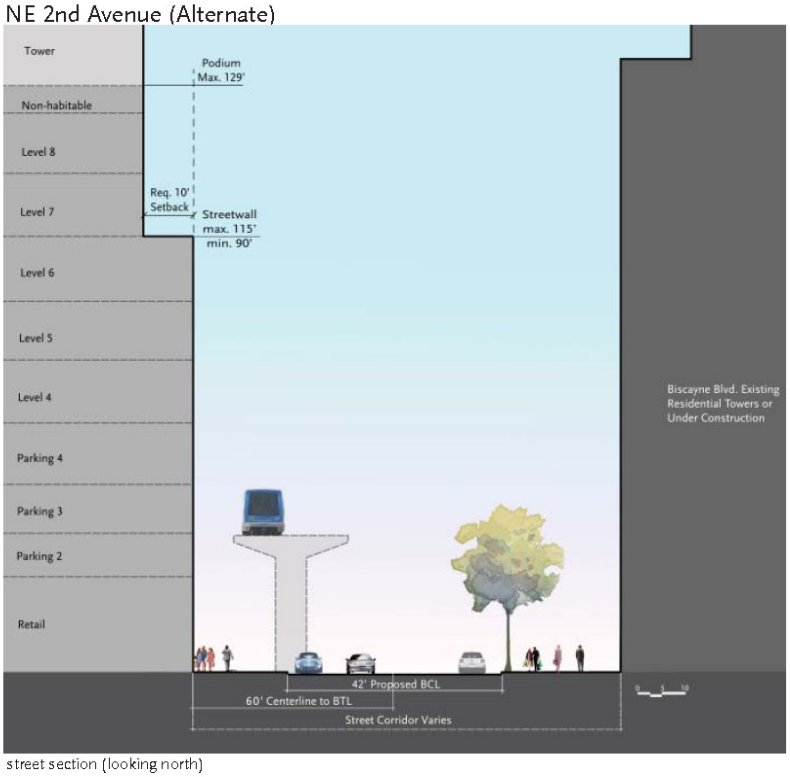
Build-to Line	60' from center line of street (note: build-to line varies on east side of street).
Street Corridor	107' 6" minimum width, excluding Metromover - varies (see Regulating Plan)
Streetwall	Streetwall height shall be 90' (minimum) to 115' (maximum). A 5' projection is allowed on floors above the deck for bay windows and balconies.
Podium	129' maximum height (8 liner stories max)
Sidewalk	12'-0" minimum arcade width including a 5' minimum clear zone for ADA accessibility. Curb extensions shall be located at each driveway or intersection and may include street trees and other planting material. Street light poles on the west side of the street shall be located within curb extensions or attached to the building. A lighting plan and specification shall be submitted and approved by Class II Special Permit.
Vehicular Lanes	Three vehicular lanes shall be included.
Parking	One parking lane shall be included on the west side of the street. Curb extensions shall be required at all driveways and street intersections.
Median	No median shall be included.
Miami Metromover	Possible improvements to Metromover between NE 6th Street and NE 11th Street may include a new arcade, retail space, facade enhancement, and a green roof. Any improvements to the Metromover shall be subject to City, County, and State design requirements.
Intersection Design	Enhanced paving materials may be utilized for sidewalk and roadway areas to improve the pedestrian experience.

EXAMPLE

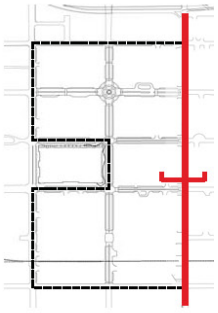
The Viaduc des Arts project in Paris converted an abandoned viaduct into a lively pedestrian space with retail at the ground level and a linear park above.

Diagrams and Illustrations - Optional design for 2nd Avenue

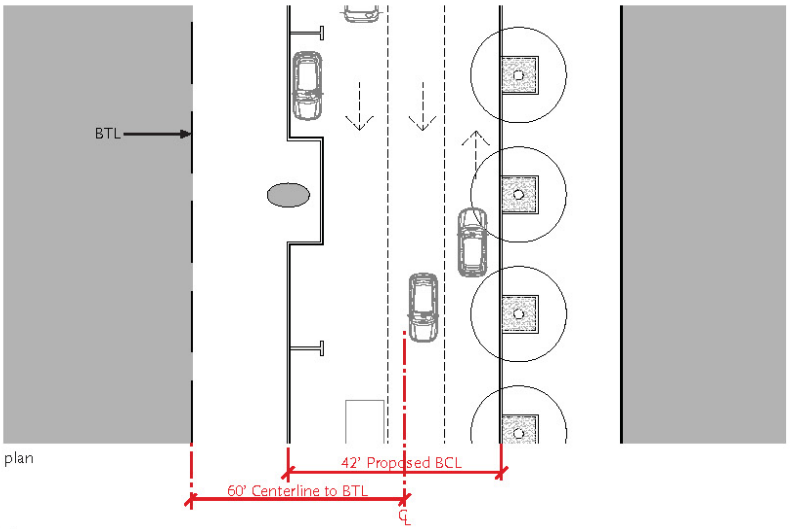
NE 2nd Avenue (Alternate)



street section (looking north)



key plan



plan

NE 2ND AVENUE (ALTERNATE)

OVERVIEW

2nd Avenue is one of the gateway streets at Miami Worldcenter. It is heavily influenced by the presence of the Miami Metromover and a series of existing high rise towers on the east side of the street. This alternate design for 2nd Avenue includes minimal changes the existing Metromover.

DESCRIPTION

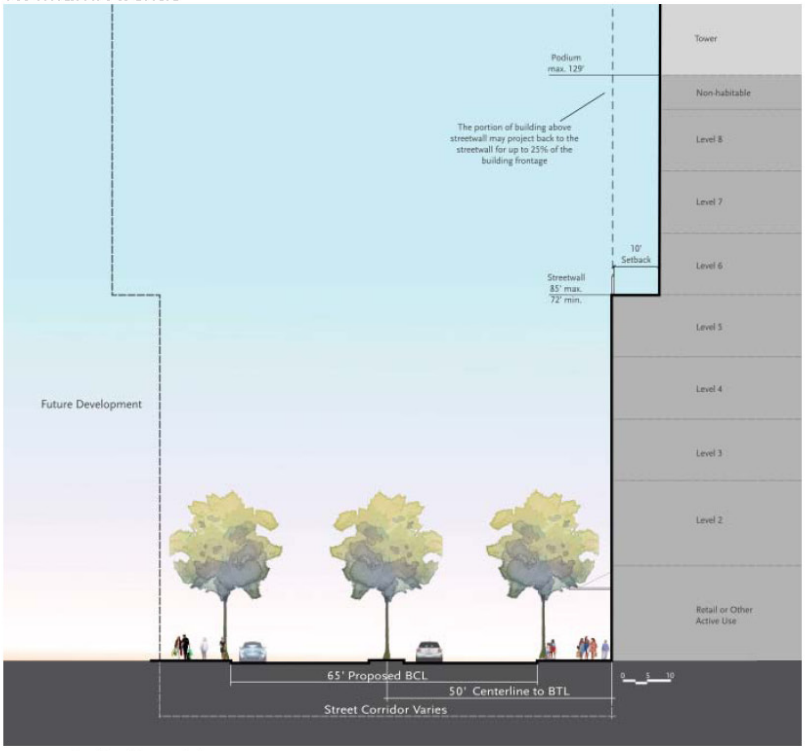
Build-to Line	60' from center line of street (note: build-to line varies on east side of street).
Street Corridor	107' 6" width - varies (see Regulating Plan)
Streetwall	Streetwall height shall be 90' (minimum) to 115' (maximum). A 10' setback is required at the top of the streetwall. A 5' projection is allowed on floors above the streetwall height for bay windows and balconies.
Podium	129' maximum height (8 liner stories max)
Sidewalk	12'-0" minimum arcade width including a 5' minimum clear zone for ADA accessibility. Curb extensions shall be located at each driveway or intersection and may include street trees and other planting material. Street light poles on the west side of the street shall be located within curb extensions or attached to the building. A lighting plan and specification shall be submitted and approved by Class II Special Permit.
Vehicular Lanes	Three vehicular lanes shall be included.
Parking	One parking lane shall be included on the west side of the street. Curb extensions shall be required at all driveways and street intersections.
Median	No median shall be included
Miami Metromover	This alternative for NE 2nd Avenue does not include any major changes to the existing Metromover. Improvements may include landscaping, lighting, and other enhancements. Any improvements to Metromover shall be subject to City, County, and State design requirements.
Intersection Design	Enhanced paving materials may be utilized for sidewalk and roadway areas to improve the pedestrian experience.

EXAMPLE

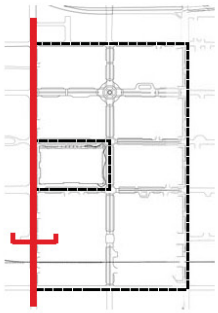
Vines and other landscape material can be used to improve the appearance of the Metromover.

Diagrams and Illustrations

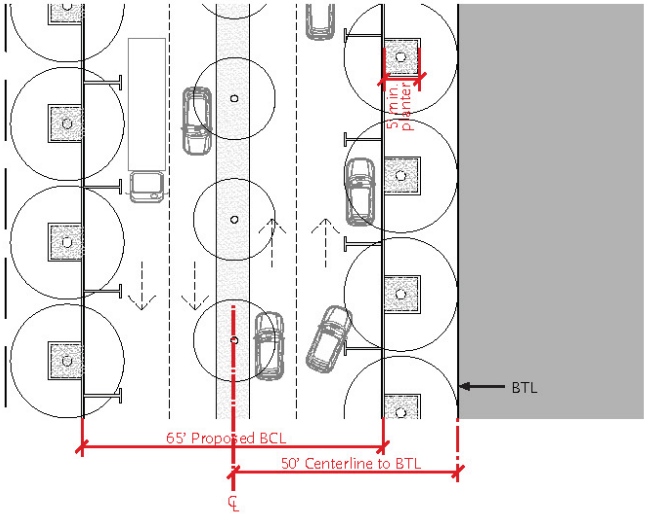
N. Miami Avenue



street section (looking north)



key plan



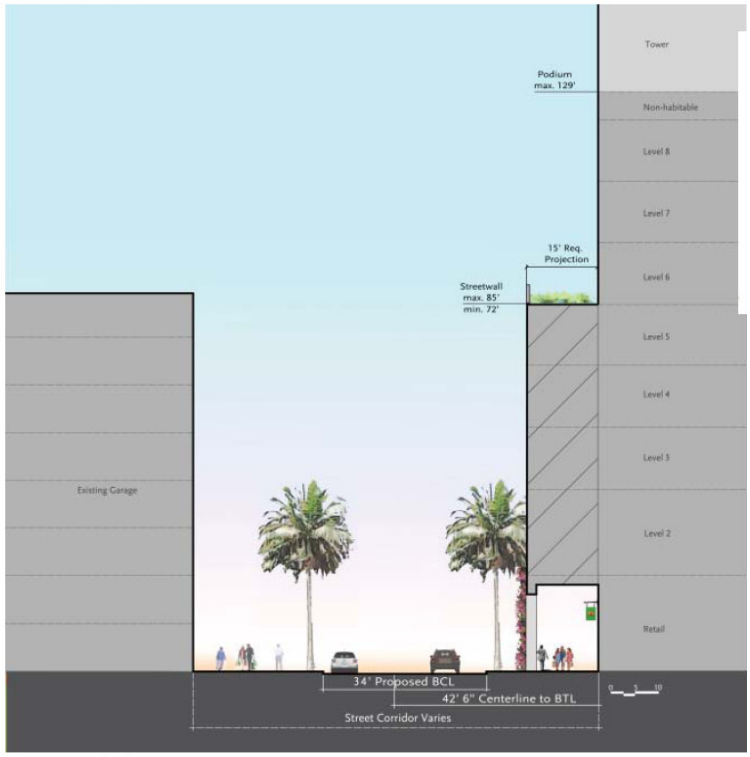
plan

N. Miami Avenue

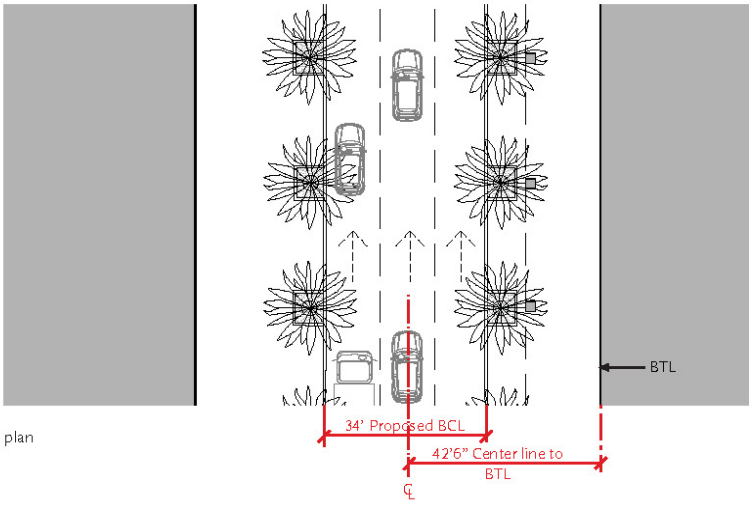
Overview	North Miami Avenue is one of the gateway streets at Miami Worldcenter. It will have a mix of residential, retail and office uses and will include a lower streetwall height that helps transition to the primarily residential neighborhood to the west. Precedents include streets in Barcelona and Madison Avenue in New York City.
Description	
Build-to Line	50' from center line of street (note: build-to line varies on west side of street).
Street Corridor	100' width - varies (see Regulating Plan)
Streetwall	Street wall height shall be 72' (minimum) to 85' (maximum). A 10' setback shall be required at the top of the streetwall. A 5' projection is allowed for balconies above streetwall height.
Tower Setback	No additional setback required at the podium level. The portion of the building above the street wall may project back to street wall for up to 25% of the overall building frontage.
Podium	129' maximum height (8 liner stories max)
Sidewalk	15' minimum width including a 5' minimum clear zone for ADA accessibility. Street trees shall be planted at regular intervals. Street light poles shall be located at regular intervals and shall be coordinated with the placement of street trees. A lighting plan and specification shall be submitted and approved by Class II Special Permit.
Vehicular Lanes	Four vehicular lanes shall be included.
Parking	A parking lane shall be included on each side of the street. Curb extensions shall be required at all driveway and street intersections.
Median	A planted center median shall be included. The median may include lighting and drought tolerant plant material.
Intersection Design	Raised intersections and/or enhanced paving materials may be utilized for sidewalk and roadway areas to improve the pedestrian experience.
Example Barcelona, Spain	

Diagrams and Illustrations

NE 6th Street

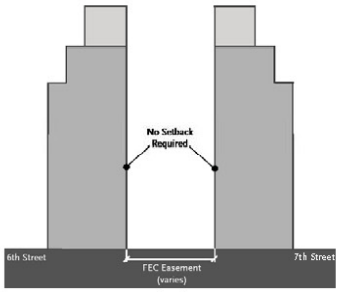


street section (looking west)

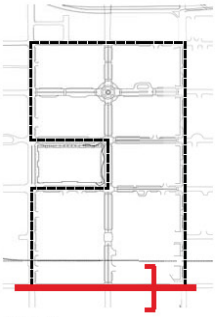


plan

FEC Easement



FEC setback profile (n.t.s.): block section from 6th to 7th



key plan

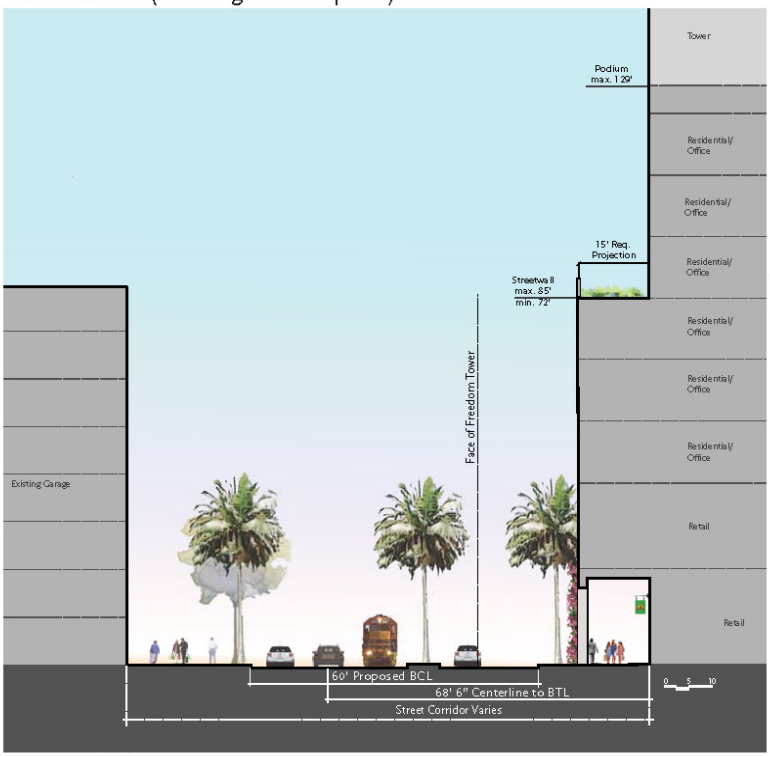
NE 6TH STREET

OVERVIEW	NE 6th Street is one of the arcaded streets at Miami Worldcenter. This street has a strong connection to Miami Dade College and the Central Business District. It will include office, commercial, residential and educational uses. One of the design precedents used is Pacific Place in Seattle.
DESCRIPTION	
Build-to Line	42'-6" from center line of street (note: build-to line varies on south side of street).
Street Corridor	85' width - varies (see Regulating Plan).
Streetwall	Street wall height shall be 72' (minimum) to 85' (maximum). A 15' projection from the build-to line shall be required up to the top of the streetwall. A 5' projection from the build-to line is allowed for balconies above streetwall height.
Podium	129' maximum height (8 liner stories max)
Sidewalk	15' minimum arcade width including a 5' minimum clear zone for ADA accessibility. Street light poles on the north side of the street shall be located within curb extensions or attached to the building. A lighting plan and specification shall be submitted and approved by Class II Special Permit.
Vehicular Lanes	Three vehicular lanes shall be included.
Parking	Parallel parking may be permitted along the north side of the street between trees. Curb extensions shall be required at all driveways, street intersections, and crosswalk areas.
Median	No median shall be included.
Intersection Design	Enhanced paving materials may be utilized for sidewalk and roadway areas to improve the pedestrian experience.

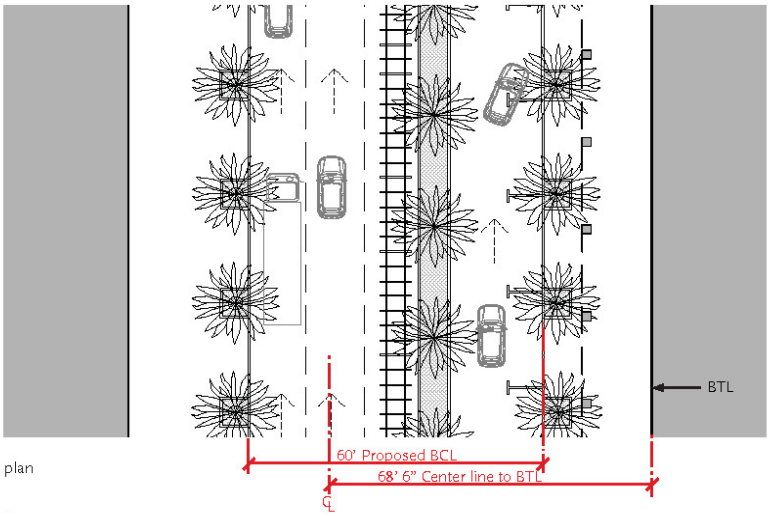
EXAMPLE
Pacific Place, Seattle

Diagrams and Illustrations

NE 6th Street (FEC Alignment Option)

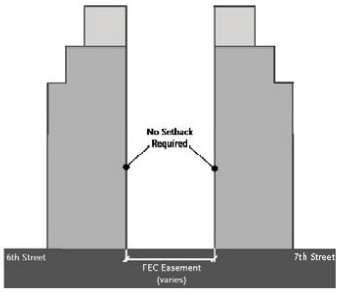


street section (looking west)

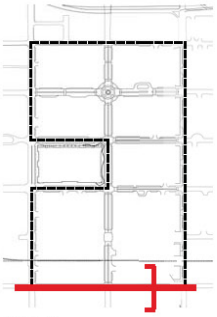


plan

FEC Easement



FEC setback profile (n.t.s.): block section from 6th to 7th



key plan

NE 6TH STREET (FEC ALIGNMENT OPTION)

OVERVIEW

NE 6th Street is one of the arcaded streets at Miami Worldcenter. This optional design includes a relocated FEC train line within the street corridor. It also includes a local road along the north side of the street.

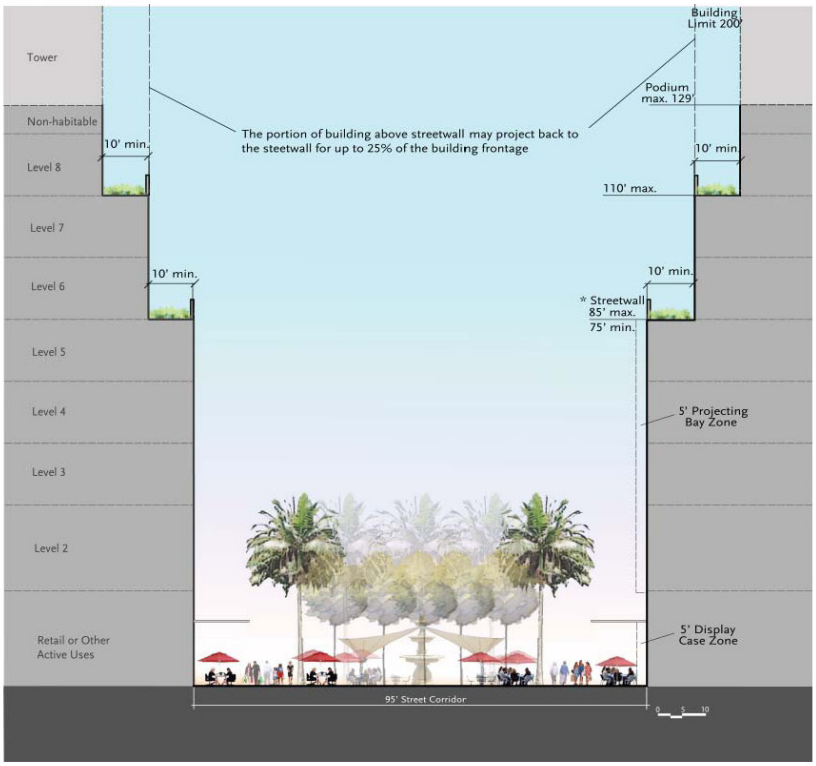
DESCRIPTION

Build-to Line	42'-6" from center line of street (note: build-to line varies on south side of street).
Street Corridor	85' width - varies (see Regulating Plan).
Streetwall	Street wall height shall be 72' (minimum) to 85' (maximum). A 15' projection from the build-to line shall be required up to the top of the streetwall. A 5' projection from the build-to line is allowed for balconies above streetwall height.
Podium	129' maximum height (8 liner stories max)
Sidewalk	15' minimum arcade width including a 5' minimum clear zone for ADA accessibility. Street light poles on the north side of the street shall be located within curb extensions or attached to the building. A lighting plan and specification shall be submitted and approved by Class II Special Permit.
Vehicular Lanes	Two standard vehicular lanes and one local vehicular lane shall be included.
FEC Track	One track zone defined by a raised median on the north side.
Parking	Parallel parking may be permitted along the north side of the street. Curb extensions shall be required at all driveways, street intersections, and crosswalk areas.
Median	A raised median shall be located on the north side of the proposed FEC track.
Intersection Design	Enhanced paving materials may be utilized for sidewalk and roadway areas to improve the pedestrian experience.

EXAMPLE
Avinguda Diagonal, Barcelona

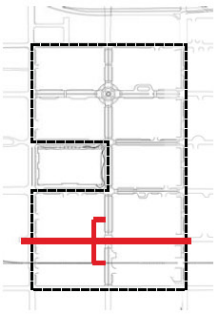
Diagrams and Illustrations

NE 7th Street

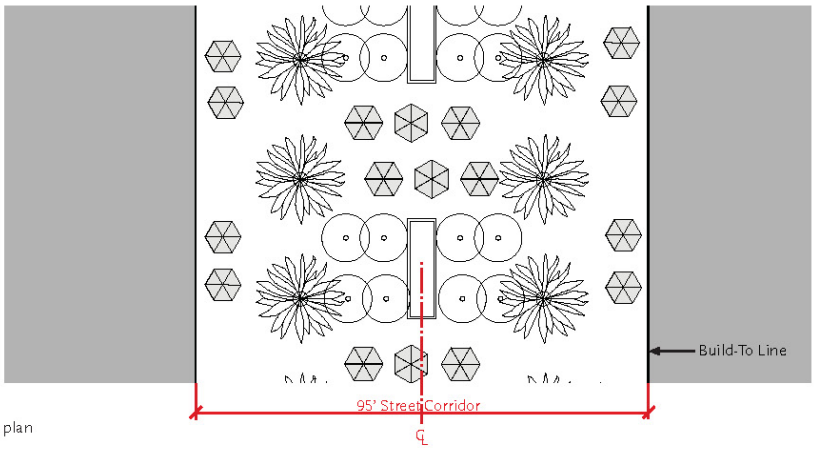


street section (looking east)

* Up to 25% of frontage may be reduced to 50' height



key plan



plan

NE 7TH STREET

OVERVIEW

NE 7th Street has been designated as a pedestrian-only street. It will include pedestrian-oriented activities such as cafe seating. Precedents include Lincoln Road in Miami and Place Horloge in Avignon, France.

DESCRIPTION

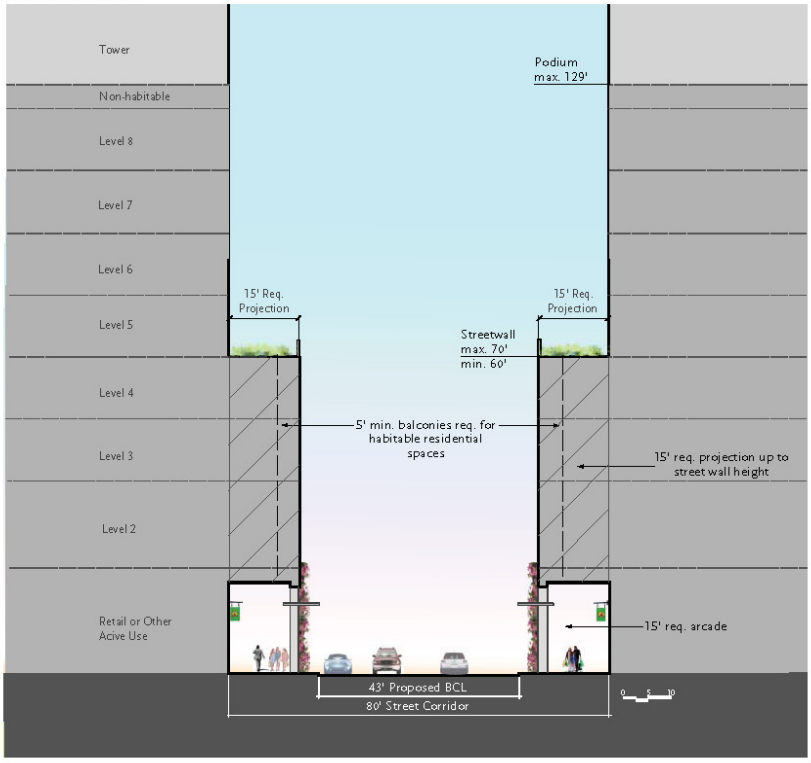
Build-to Line	47'-6" from center line of street
Street Corridor	95' width (see Regulating Plan)
Streetwall	Streetwall height shall be 75' (minimum) to 85' (maximum). However, up to 25% of the streetwall frontage may be reduced to 50' in height. A 5' projection is allowed on upper floors within the streetwall height for bay windows and balconies. A 10' setback shall be required at the top of the streetwall and an additional 10' setback shall be required between the top of the streetwall and the podium level (see section). A 5' display case projection is permitted along the ground level frontage. A 5' projection from the build-to line is allowed for balconies above streetwall height.
Podium	129' maximum height (8 liner stories max)
Sidewalk	The sidewalk zone shall extend the full width of the street corridor and shall include a 5' minimum clear zone for ADA accessibility. Fountains, landscaping, outdoor seating, public art and other pedestrian amenities shall be included within the sidewalk zone to promote an active pedestrian area. A lighting plan and specification shall be submitted and approved by Class II Special Permit.
Vehicular Lanes	Minimum 12' clear lane for fire trucks and time restricted service.
Parking	None
Median	No median shall be included.
Intersection Design	Raised intersections and/or enhanced paving materials may be utilized for sidewalk and roadway areas to improve the pedestrian experience.

EXAMPLE

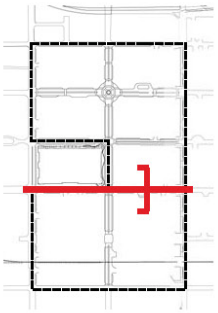
The design of 7th Street was inspired by cafe streets such as Lincoln Road in Miami.

Diagrams and Illustrations

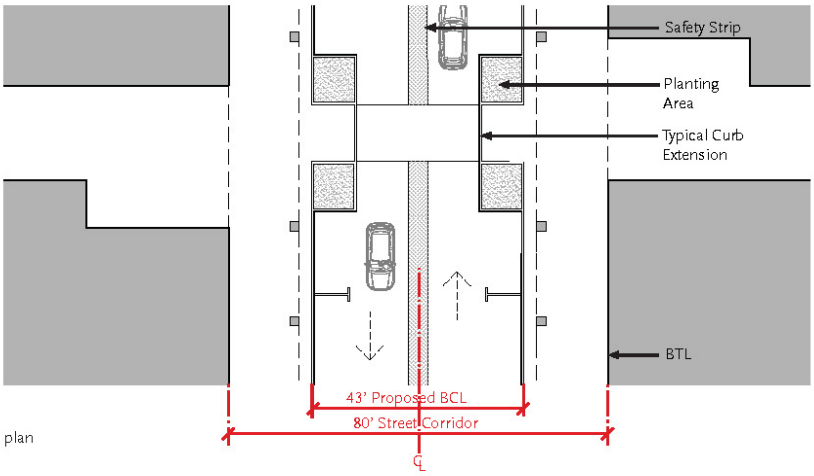
NE 8th Street



street section (looking east)



key plan



plan

NE 8TH STREET

OVERVIEW

NE 8th Street is one of the arcaded streets at Miami Worldcenter. It will include extensive ground level retail uses and a strong sense of enclosure. Precedents include arcaded streets in France, Rome, and Bologna.

DESCRIPTION

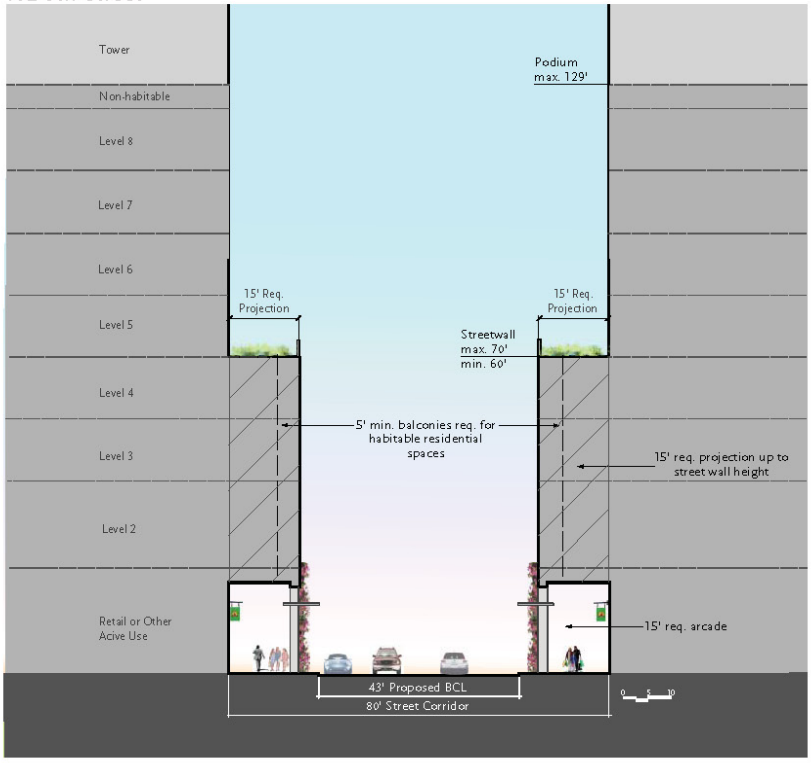
Build-to Line	40' from center line of street
Street Corridor	80' width (see Regulating Plan)
Streetwall	Street wall height shall be 60' (minimum) to 70' (maximum). A 15' projection from the build-to line shall be required up to the top of the streetwall. A 5' projection from the build-to line is allowed for balconies above streetwall height.
Podium	129' maximum height (8 liner stories max)
Sidewalk	15' minimum arcade width including a 5' minimum clear zone for ADA accessibility. A 12" storefront projection may be allowed within the arcade. Street lights shall be attached to the building or located within curb extensions. A lighting plan and specification shall be submitted and approved by Class II Special Permit.
Vehicular Lanes	Two vehicular lanes shall be included.
Parking	A parking lane shall be included on each side of the street. Curb extensions shall be required at all driveway and street intersections.
Median	A safety strip shall be included at the center of street. The safety strip shall include special paving material and shall be flush with the rest of the street.
Intersection Design	Raised intersections and/or enhanced paving materials may be utilized for sidewalk and roadway areas to improve the pedestrian experience.
Balcony	A 5' balcony is required for any habitable residential space located within the streetwall portion of the building.

EXAMPLE

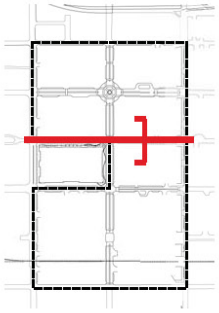
Arcade along rue Rivoli illustrating excellent proportions
Paris, France

Diagrams and Illustrations

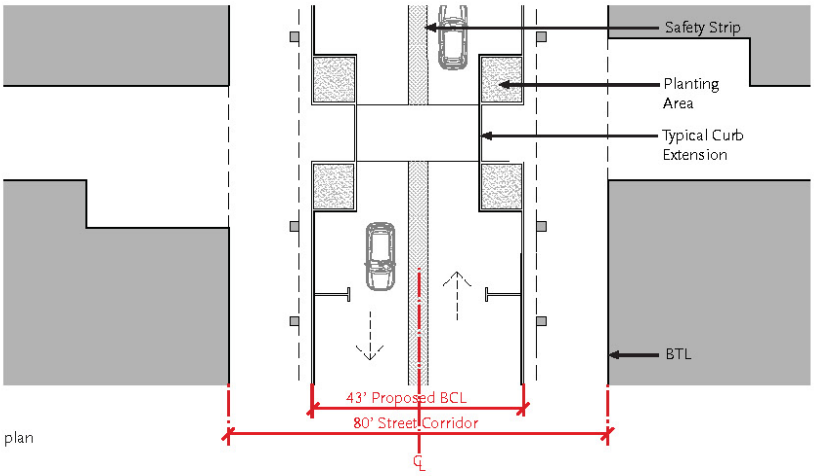
NE 9th Street



street section (looking east)



key plan



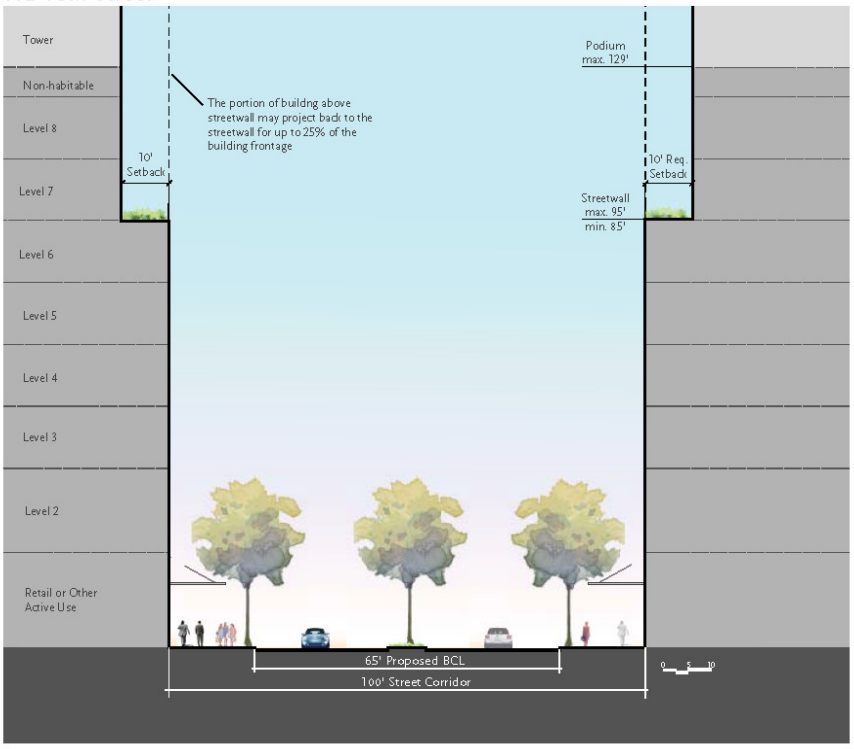
plan

NE 9TH STREET

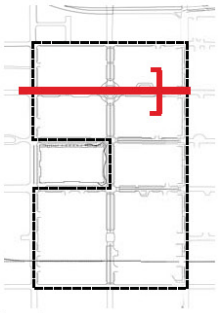
OVERVIEW	NE 9th Street is one of the arcaded streets at Miami Worldcenter. It will include a extensive ground level retail uses and a strong sense of enclosure. Precedents include arcaded streets in France, Rome, and Bologna.
DESCRIPTION	
Build-to Line	40' from center line of street
Street Corridor	80' width (see Regulating Plan)
Streetwall	Street wall height shall be 60' (minimum) to 70' (maximum). A 15' projection from the build-to line shall be required up to the top of the streetwall. A 5' projection from the build-to line is allowed for balconies above streetwall height.
Podium	129' maximum height (8 liner stories max)
Sidewalk	15' minimum arcade width including a 5' minimum clear zone for ADA accessibility. A 12" storefront projection may be allowed within the arcade. Street lights shall be attached to the building or located within curb extensions. A lighting plan and specification shall be submitted and approved by Class II Special Permit.
Vehicular Lanes	Two vehicular lanes shall be included.
Parking	A parking lane shall be included on each side of the street. Curb extensions shall be required at all driveway and street intersections.
Median	A safety strip shall be included at the center of street. The safety strip shall include special paving material and shall be flush with the rest of the street.
Intersection Design	Raised intersections and/or enhanced paving materials may be utilized for sidewalk and roadway areas to improve the pedestrian experience.
Balcony	A 5' balcony is required for any habitable residential space located within the streetwall portion of the building.
EXAMPLE Uffizi in Florence, Italy.	

Diagrams and Illustrations

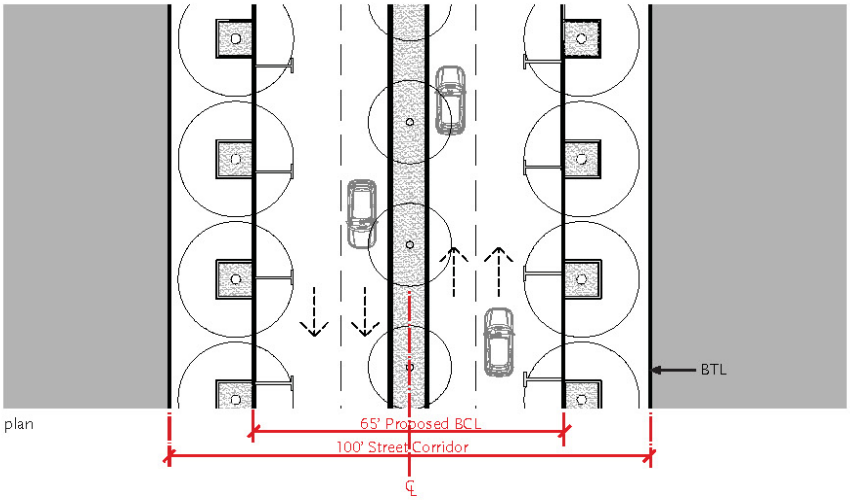
NE 10th Street



street section (looking east)



key plan



plan

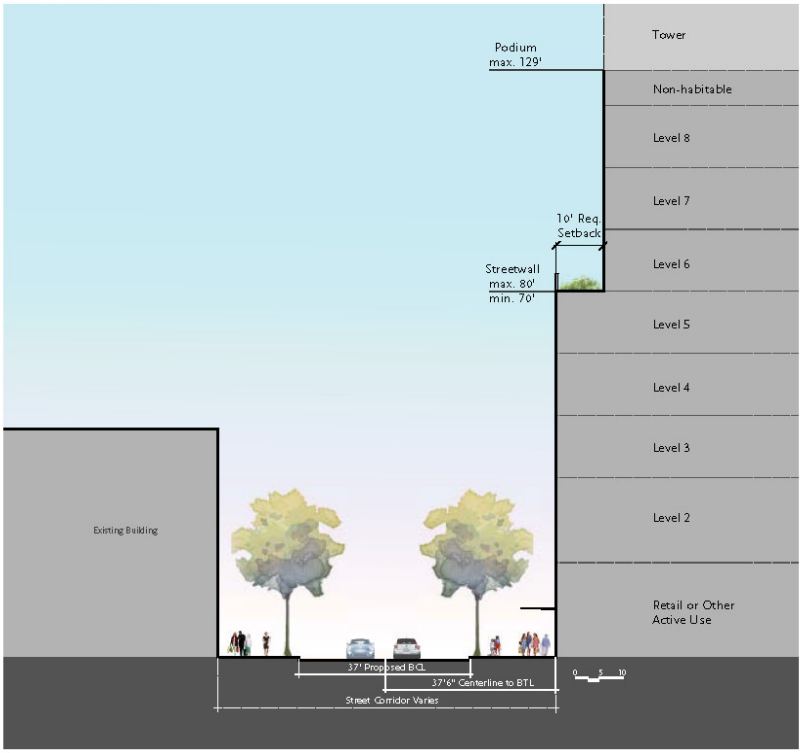
NE 10th Street

Overview	NE 10th Street has been designed as a green boulevard with a strong connection to Bicentennial Park and the Overtown Neighborhood. Precedents for 10th Avenue include Park Avenue in New York City and Santana Row in San Jose, CA.
Description	
Build-to Line	50' from center line of street
Street Corridor	100' width (see Regulating Plan)
Streetwall	Streetwall height shall be 85' (minimum) to 95' (maximum). A 10' setback shall be required at the top of the streetwall. A 5' projection from the build-to line is allowed for balconies above streetwall height.
Tower Setback	No additional setback required at the podium level. The portion of the building above the streetwall may project back to the streetwall for up to 25% of the overall building frontage along N. Miami Avenue.
Podium	129' maximum height (8 liner stories max)
Sidewalk	15' minimum width including a 5' minimum clear zone for ADA accessibility. Street trees shall be planted at regular intervals. Street light poles shall be located at regular intervals and shall be coordinated with the placement of street trees. A lighting plan and specification shall be submitted and approved by Class II Special Permit.
Vehicular Lanes	Four vehicular lanes shall be included.
Parking	A parking lane shall be included on each side of the street. Curb extensions shall be required at all street intersections.
Median	A planted center median shall be included. The median may include lighting, public art, and drought tolerant plant material.
Intersection Design	Raised intersections and/or enhanced paving materials may be utilized for sidewalk and roadway areas to improve the pedestrian experience.

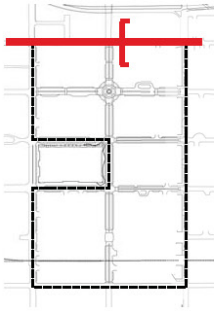
Example
Green Boulevard at Santana Row, San Jose, CA

Diagrams and Illustrations

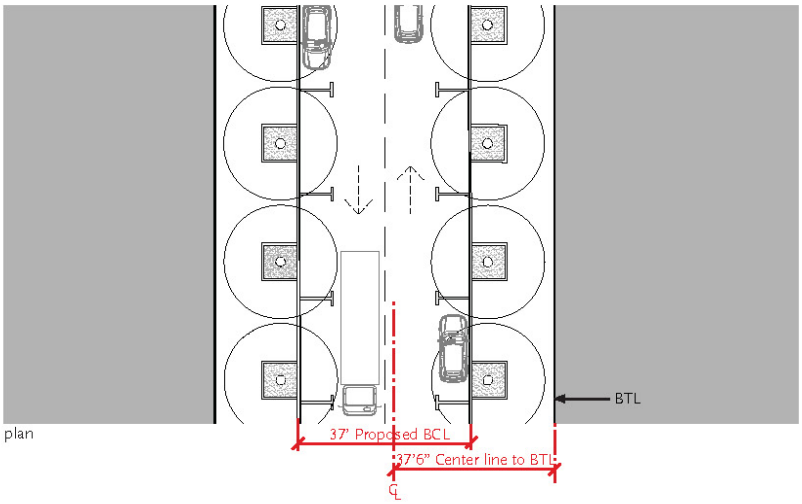
NE 11th Street



street section (looking east)



key plan



plan

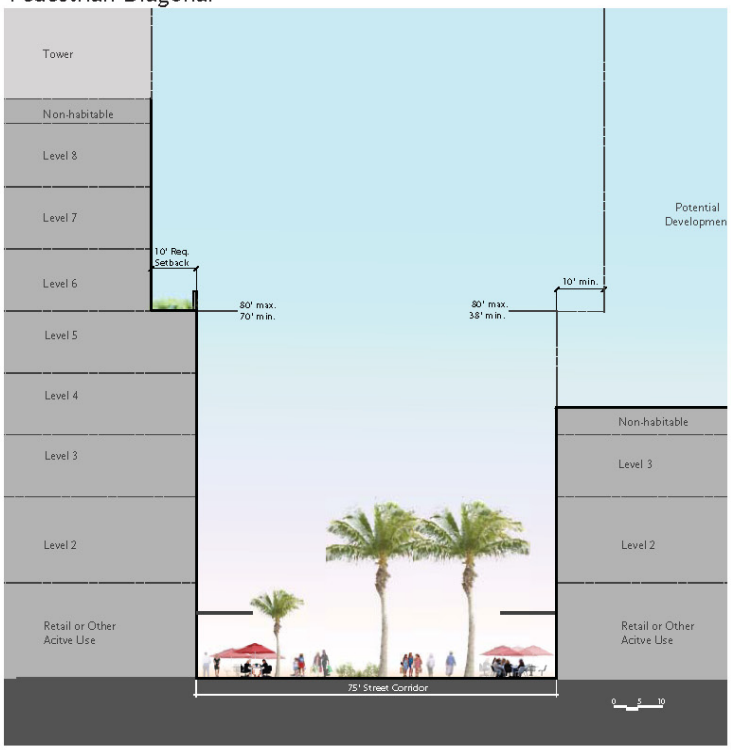
NE 11th Street

Overview	NE 11th Street has been conceived as a lively entertainment street with a mix of residential, office and retail uses. It will include space for outdoor cafes and other street level activities.
Description	
Build-to Line	37'-6" from center line of street (note: build-to line varies on south side of street).
Street Corridor	75' width - varies (see Regulating Plan).
Streetwall	Streetwall height shall be 70' (minimum) to 80' (maximum). A 10' setback shall be required at the top of the streetwall. A 5' projection from the build-to line is allowed for balconies above streetwall height.
Podium	129' maximum height (8 liner stories max)
Sidewalk	15' minimum width including a 5' minimum clear zone for ADA accessibility. Street trees shall be planted at regular intervals. Street light poles shall be located at regular intervals and shall be coordinated with the placement of street trees. A lighting plan and specification shall be submitted and approved by Class II Special Permit.
Vehicular Lanes	Two vehicular lanes shall be included.
Parking	A parking lane shall be included on each side of the street. Curb extensions shall be required at all street intersections.
Median	None
Intersection Design	Raised intersections and/or enhanced paving materials may be utilized for sidewalk and roadway areas to improve the pedestrian experience.

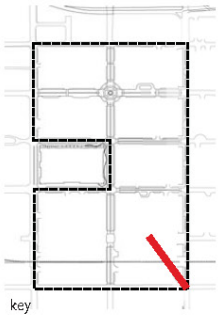
Example
Entertainment Retail Street
Los Angeles, CA

Diagrams and Illustrations

Pedestrian Diagonal



street section (looking northwest)



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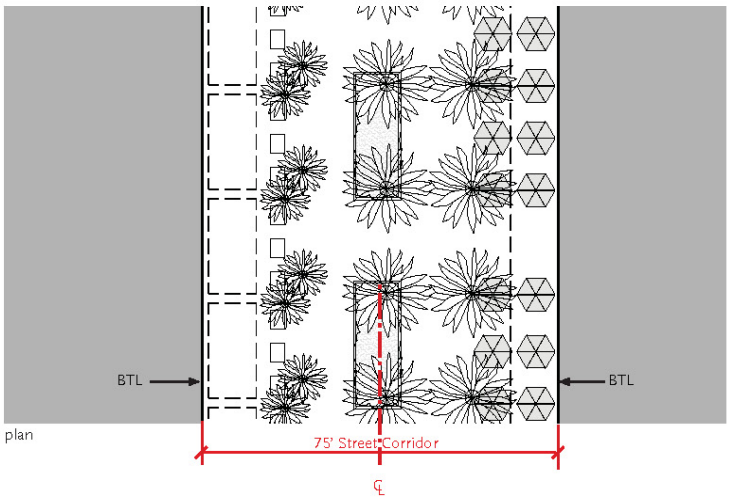
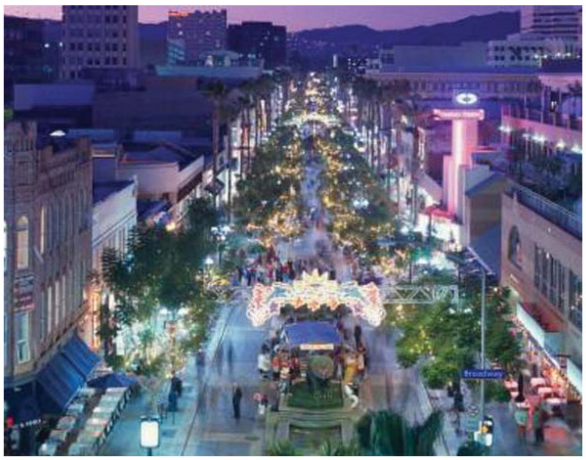


plan

PEDESTRIAN DIAGONAL

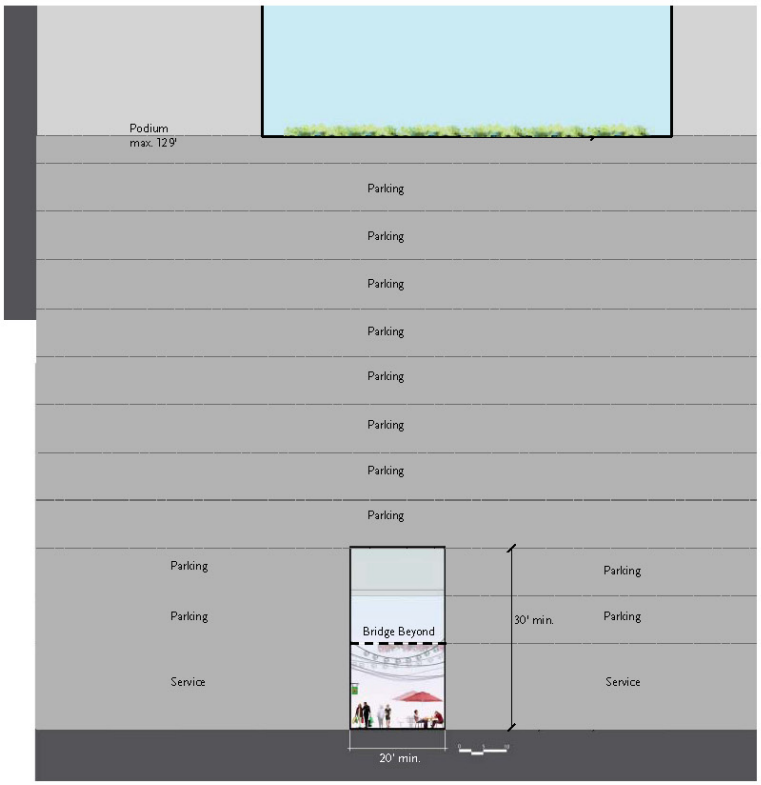
OVERVIEW	The Pedestrian Diagonal is a mid-block pedestrian walkway that provides an important linkage between NE 6th Street and the major civic plaza at Miami Worldcenter. This pedestrian walkway also provides a critical visual linkage and powerful vista to the proposed iconic tower on Block B. Precedents include Lincoln Road in Miami, Xintiandi in Shanghai, and 3rd Street Promenade in Santa Monica, CA.
DESCRIPTION	
Build-to Line	37'-6"' from center line of street
Street Corridor	75 width (see Regulating Plan)
Streetwall	Streetwall height on the west side of the diagonal shall be 70' (minimum) to 80' (maximum) and the streetwall height on the east side shall be 38' (minimum) to 80' (maximum). A 10' setback shall be required at the top of the streetwall on both sides. (see section).
Podium	129' maximum height (8 liner stories max)
Sidewalk	The sidewalk zone shall extend the full width of the street corridor and shall include a 5' minimum clear zone for ADA accessibility. Fountains, landscaping, outdoor seating, public art and other pedestrian amenities shall be included within the sidewalk zone to promote an active pedestrian area. A lighting plan and specification shall be submitted and approved by Class II Special Permit.
Vehicular Lanes	None
Parking	None
Median	No median shall be included.
Intersection Design	Raised intersections and/or enhanced paving materials may be utilized for sidewalk and roadway areas to improve the pedestrian experience.

EXAMPLE
3rd Street Promenade,
Santa Monica, CA

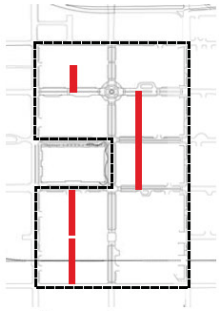


Diagrams and Illustrations

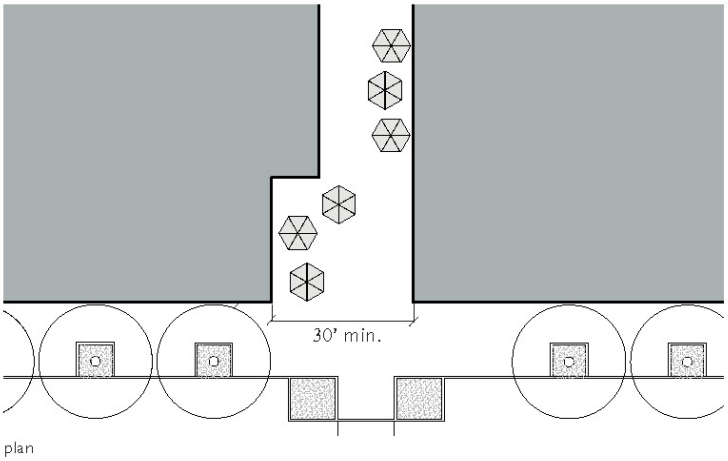
Paseo



street section (looking north)



possible paseo locations



plan

PASEO

OVERVIEW

Paseos are internal passages that provide mid-block connections for pedestrians. Paseos will be included for most blocks and will be designed to accommodate shopping and other pedestrian activities. The width of paseos will increase at the end of each block to create small pocket parks or plazas.

DESCRIPTION

20' minimum width (building to building)

30' minimum height (1-2 stories) except where vehicular bridges span between building levels. A vehicular bridge must have a clearance of 15' measured from the sidewalk level.

The width of each paseo shall be increased along street frontages to create usable plaza areas that can accommodate outdoor seating and other pedestrian activities. The minimum dimensions for each plaza shall be 30' wide by 30' deep.

No vehicular access shall be permitted within paseos, except limited loading approved by Class II Special Permit.

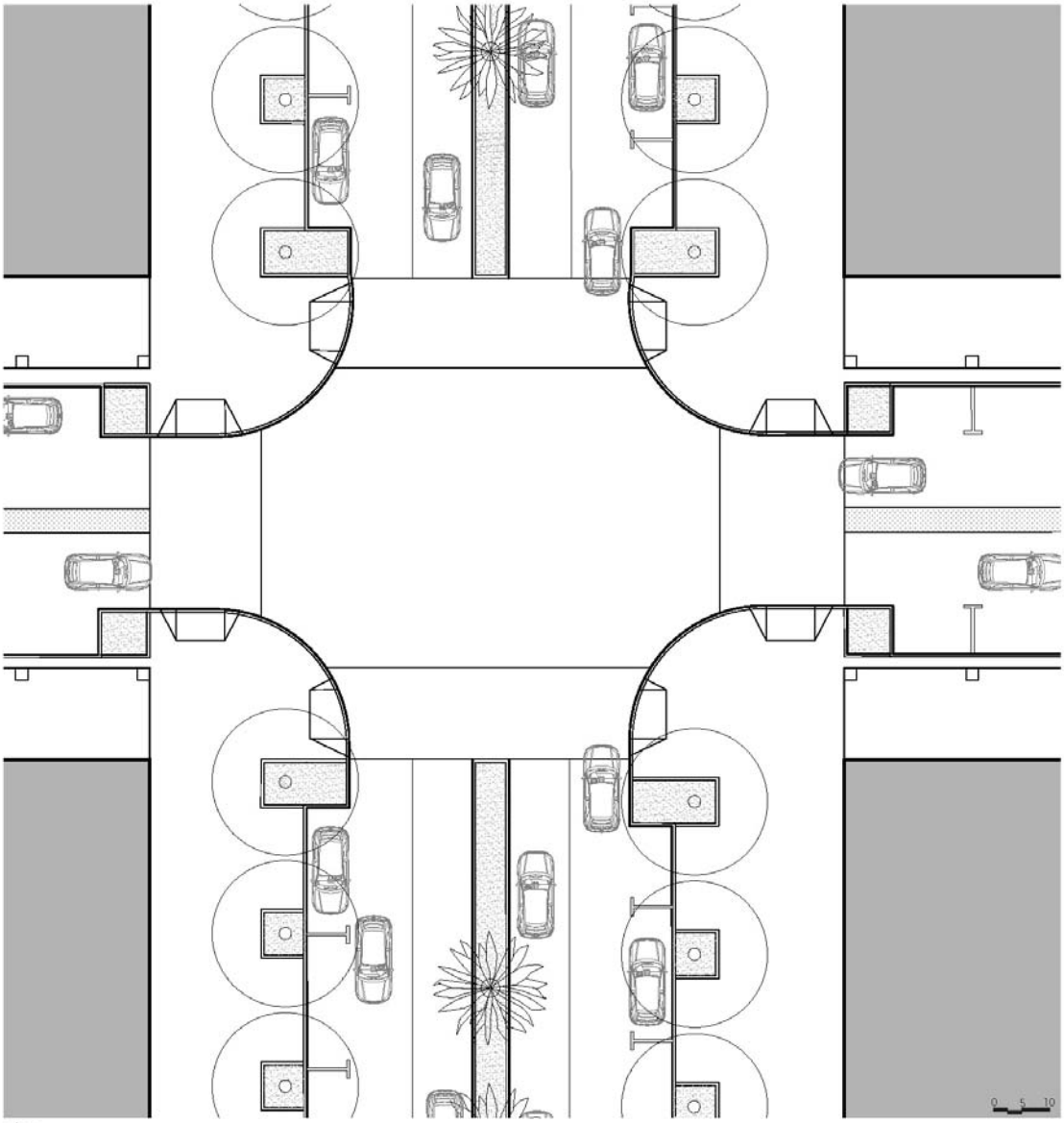
Lighting shall be included within each paseo and shall be designed for an average of 1.0 foot-candle horizontally and vertically, as measured 6'-0" above ground, and shall maintain a uniformity ratio not to exceed 5:1 (note: these numbers are in accordance with the Illumination Engineering Society of North America Handbook, Ninth Edition)

Retail uses shall be encouraged along all paseos.

EXAMPLE

Cafe seating inside double-height paseo, Santana Row

Diagrams and Illustrations



plan

Typical Intersection

Overview

Each street intersection at Miami Worldcenter will be designed to create a pedestrian-friendly environment. Curb extensions will be utilized to protect pedestrians and minimize crossing distances. Enhanced paving materials and raised intersections will be utilized to further improve the pedestrian environment. Quality materials are encouraged.

Description

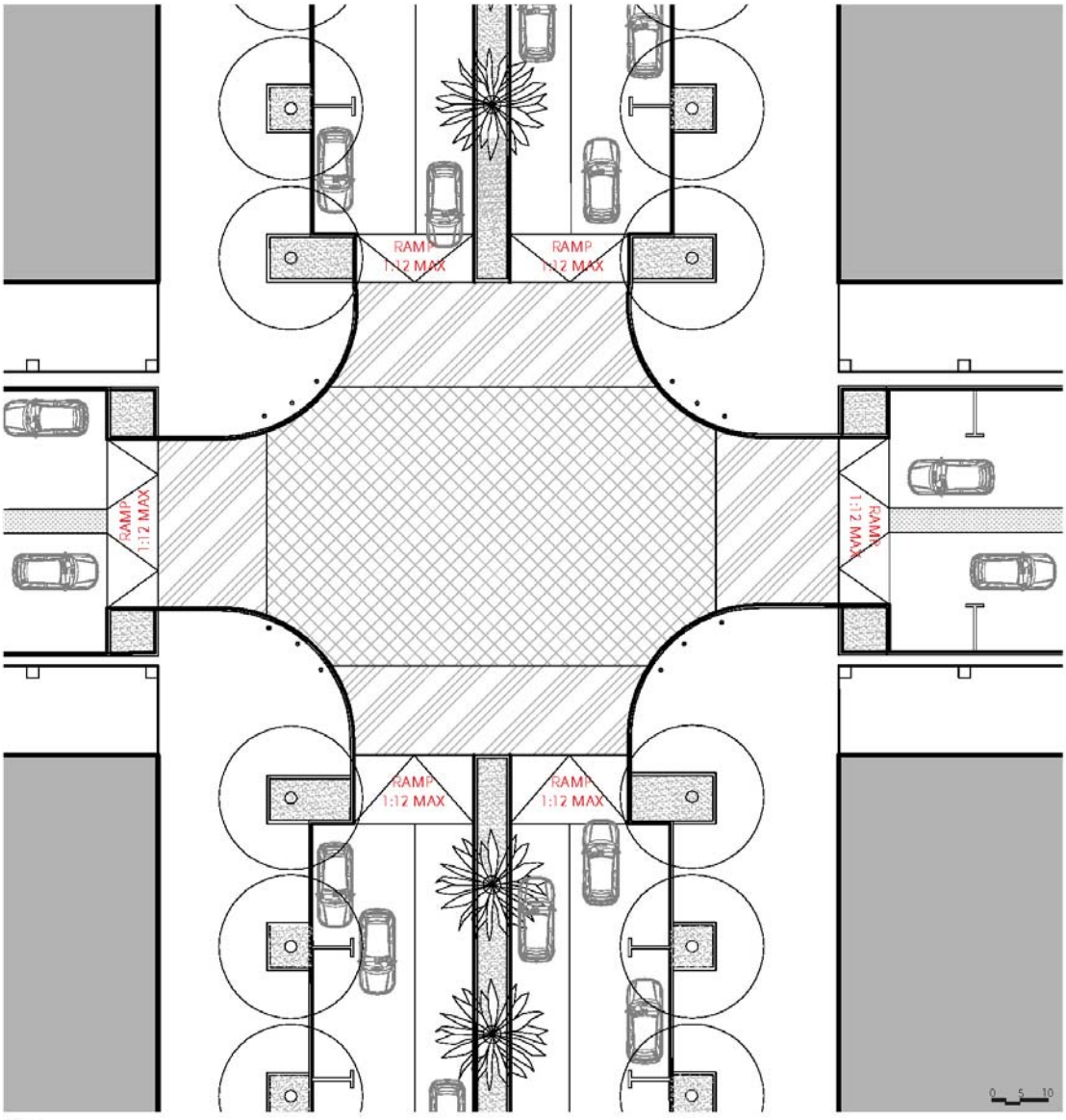
Minimize curb radius to minimize pedestrian crossing distance and reduce automobile speed (approximately 25' radius).

Curb extensions at intersections and selected mid-block crossing zones

Minimum 15' wide sidewalk dimension with 10' clear pedestrian zone (see typical sidewalk detail)

Example
Seattle, WA

Diagrams and Illustrations



Plan

Typical Raised Intersection

Overview

Each street intersection at Miami Worldcenter will be designed to create a pedestrian-friendly environment. Curb extensions will be utilized to protect pedestrians and minimize crossing distances. Enhanced paving materials and raised intersections will be utilized to further improve the pedestrian environment. Quality materials are encouraged.

Description

Minimize curb radius to minimize pedestrian crossing distance and reduce automobile speed (approximately 25' radius).

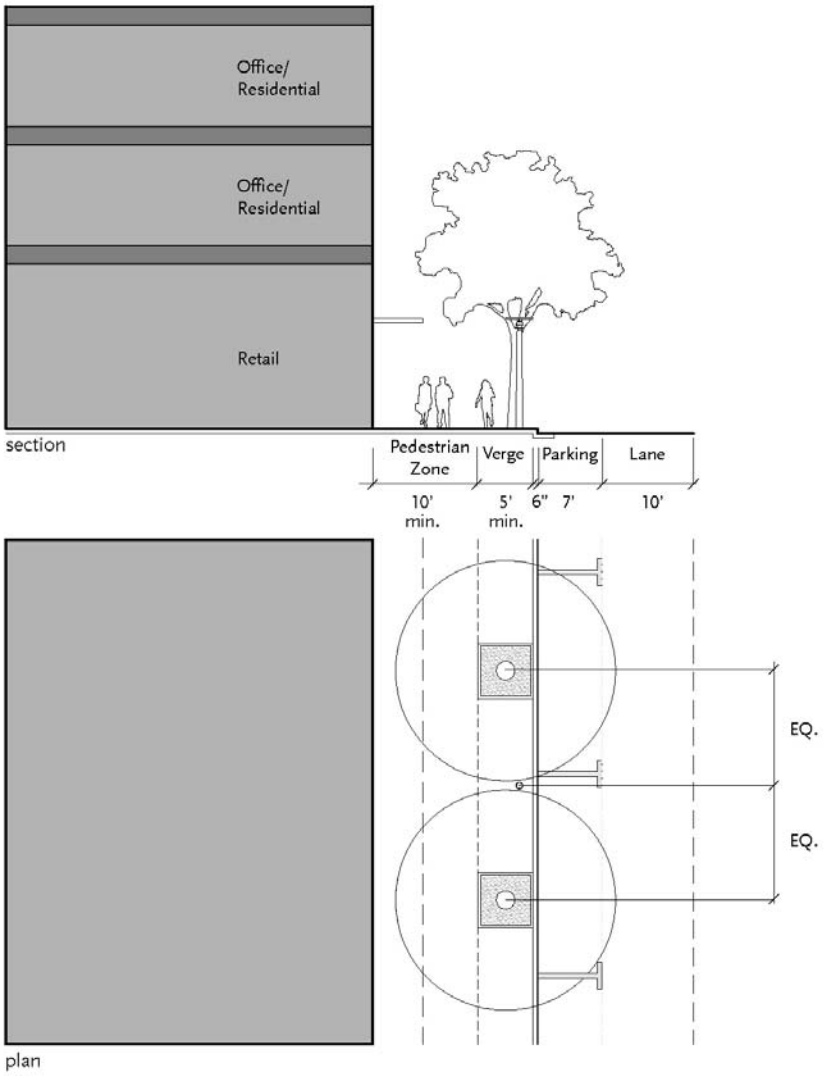
Curb extensions at intersections and selected mid-block crossing zones.

Minimum 15' wide sidewalk dimension with 10' clear pedestrian zone (see typical sidewalk detail)

Minimum 5' x 5' tree pit opening (may include tree grate)

Example

Diagrams and Illustrations - Typical Non-Arcade Sidewalk



TYPICAL SIDEWALK

OVERVIEW

Sidewalks at Miami Worldcenter will be designed to facilitate ground level activities that will include shopping, entertainment, and cafe seating. A unified system of paving materials will be utilized for the sidewalks at Miami Worldcenter.

GUIDELINES

Minimum sidewalk dimension shall be 15' from inside edge of curb to building face.

Minimum 10' wide pedestrian zone shall be located along the building perimeter

Minimum 5' verge shall be located between the pedestrian zone and the inside edge of the curb. This area may include streetscape furniture, newspaper boxes, light fixtures, and other streetscape elements.

Curb material and design shall match or improve City of Miami design standard.

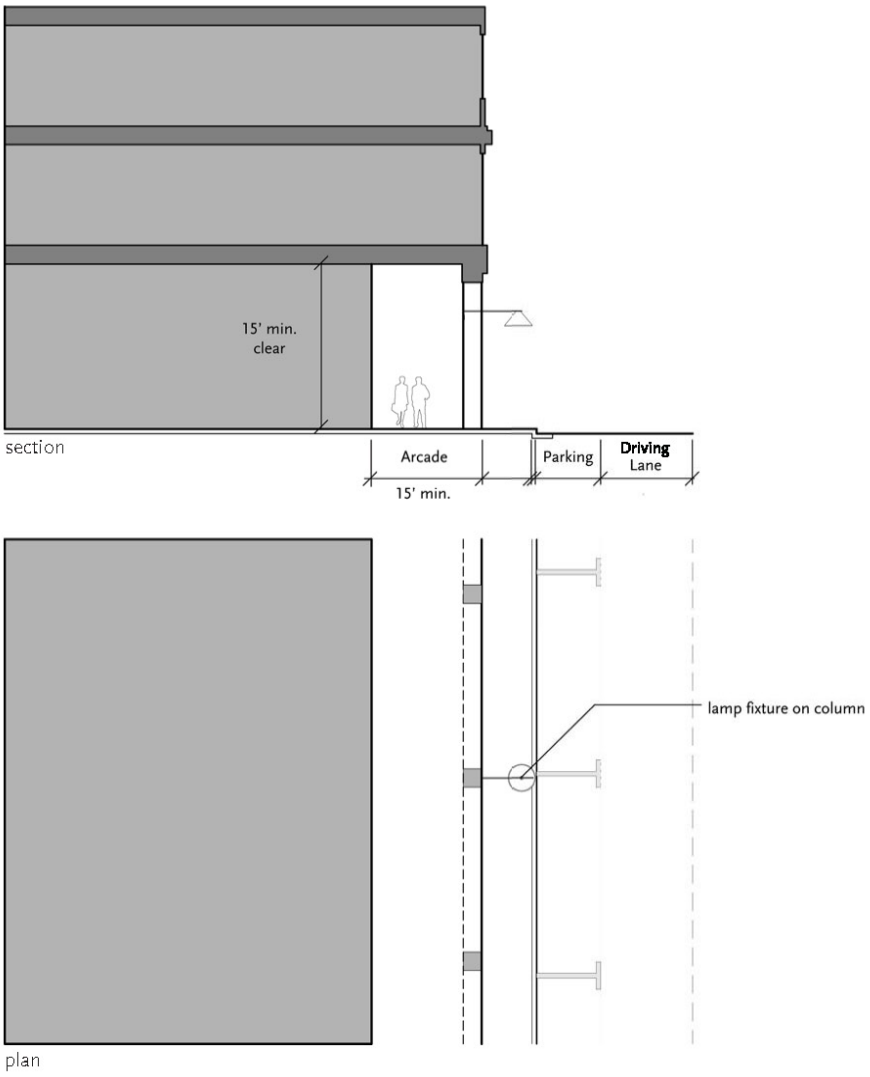
Sidewalk shall provide a minimum 5' clear zone to meet ADA requirements.

Sidewalk handicap ramps shall meet ADA slope requirements.

Outdoor seating is permitted on all sidewalks provided that a minimum 5' clear zone is included.

EXAMPLE

Diagrams and Illustrations - Typical Arcade



TYPICAL ARCADE

OVERVIEW

Arcades are an important part of the integrated public realm plan at Miami Worldcenter. The design of each arcade will include protection from the elements (sun, rain, and wind) with proportions that provide a human scale.

GUIDELINES

Minimum clear height of 15' from sidewalk to ceiling of arcade.

Minimum 15' depth with a minimum clear zone of 12' from inside of column to building face.

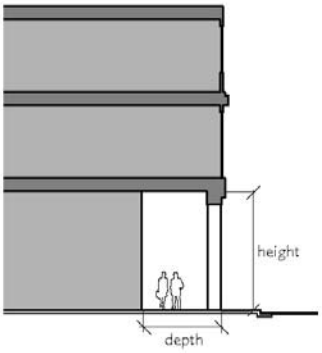
Height to width ratio shall be between 2:1 and 1:1 with a target ratio of 1.5:1 (see diagrams below).

Lighting shall be provided inside each arcade to provide adequate illumination for the ground level area within the arcade. Uplighting is encouraged. Exterior light fixtures shall be attached to the exterior of the arcade (free standing light poles are discouraged along arcaded streets).

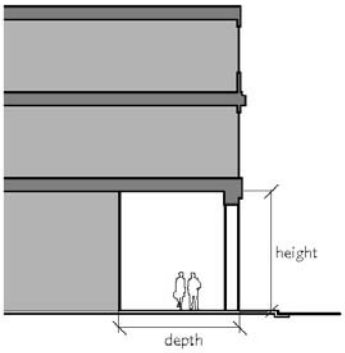
Floor to ceiling glazing is encouraged for retail businesses along arcaded streets.

ARCADE PROPORTIONS

1.5:1 and 1:1



1.5:1 Ratio



1:1 Ratio

Examples

Street Furniture

Overview

Street furniture will be an important design component for the public realm at Miami Worldcenter. Street furniture shall include: benches, bicycle racks, trash receptacles, newspaper boxes, bollards, signage, transit shelters, and kiosks.

Guidelines

Trash receptacles shall be provided at a minimum of 200' intervals.

Benches and tables shall be located in high pedestrian volume areas. Movable tables and chairs shall be preferred over stationary furniture.

Bicycle racks shall be provided at intervals of no more than 600' on both sides of NE 1st Avenue, N. Miami Avenue, NE 10th Street, and NE 11th Street. Additional bicycle racks shall be located near transit stations. Greater spacing shall be allowed by Class II Special Permit.

All newspaper boxes shall be consolidated into a unified newspaper receptacle system.

Example

Movable seating and umbrellas

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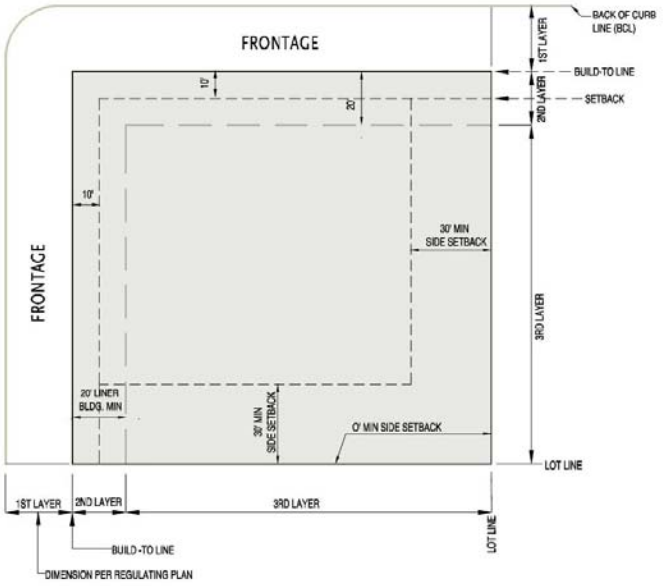
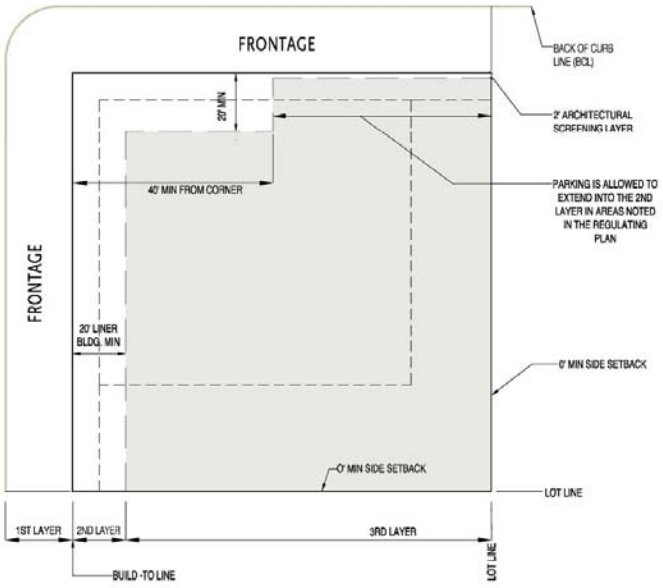
DESIGN STANDARDS

Diagrams and Illustrations

Build-To-Requirements
(not to scale)



Build-To-Requirements for Above Grade Parking
(not to scale)



BUILD-TO REQUIREMENTS

INTENT

- Establish streets with a strong sense of enclosure and spatial definition to create the sense of the street as a "place" or "outdoor room."
- Concentrate and reinforce pedestrian activity.

STANDARDS

At least 70% of building façade should be built along the established build-to line (see Regulating Plan).

Parking structures along NE 1st Avenue, NE 6th Street, NE 7th Street, NE 10th Street shall be located at least 25' from the build-to line (see regulating plan).

Parking structures along N. Miami Avenue, NE 2nd Avenue, NE 8th Street, NE 9th Street, and NE 11th Street may extend to the build-to line for a portion of the street frontage (see Regulating Plan for exact locations) if a 2' architectural screening layer is provided. This layer shall include architectural elements that effectively screen cars, lighting, garage ceilings, and slab edges. The design of the architectural screening layer shall complement the overall building design while creating a sense of occupied space.

Setbacks within commercial and mixed-use areas should be utilized primarily to accommodate active public uses.

EXAMPLE
Lincoln Road, Miami

Examples

1:2 Street Wall Proportion - Cours Mirabeau, Aix en Provence

1.5:1 Street Wall Proportion, Via del Corso, Rome

BUILDING MASS AND FORM

INTENT

- Encourage human-scaled design.
- Mitigate excessive wind.
- Provide adequate light and air.

STANDARDS

The base level building height along street frontages shall be a minimum of two stories.

The average street corridor proportion on a block by block basis shall have a minimum height to width ratio of 1:2 and a maximum height to width ratio of 1.5:1 [note: the streetwall is defined as the total height of the building face up to the first setback]

Buildings should provide a relatively uniform street wall height (not generally varying more than one or two stories) along street frontages in order to provide structure and continuity to the street.

Bay windows and building projections may extend beyond the build-to-line to provide visual interest and human scale to the streetscape.

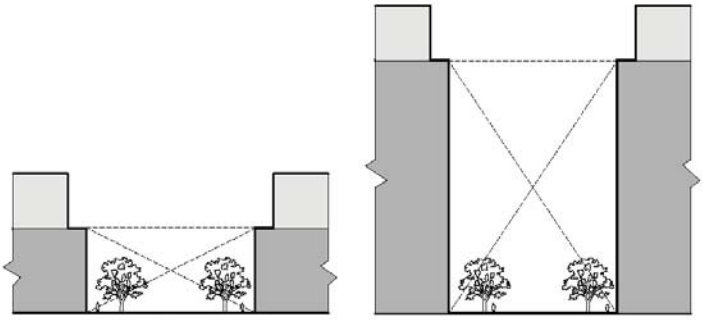
To the greatest extent possible, the height of buildings should be limited on the south side of the street (northern portion of each block). This will maximize the amount of solar exposure for the street and surrounding buildings.

Buildings should mitigate wind by including façade step backs, notches, projections, and other variations in building massing.

There shall be flexibility in the streetwall height and setback at building corners to allow for architectural transitions. For the first 50' of each street frontage, the height and massing requirements for the adjoining street may be used.

STREET CORRIDOR PROPORTIONS

1:2 and 1.5:1



1:2 Ratio
Minimum

1.5:1 Ratio
Maximum

Diagrams and Illustrations

35 Landsdowne Street, Cambridge, MA

Building Continuity

Intent

- To establish a high standard of excellence in building design.
- To develop a district with a distinct sense of place.
- To avoid the development of streets with varying levels of design quality.

Standards

All sides of a structure shall be continuous in design. No side shall be unimproved. All architectural details (including roof lines, cornices, and parapets) shall continue around all sides of a structure.

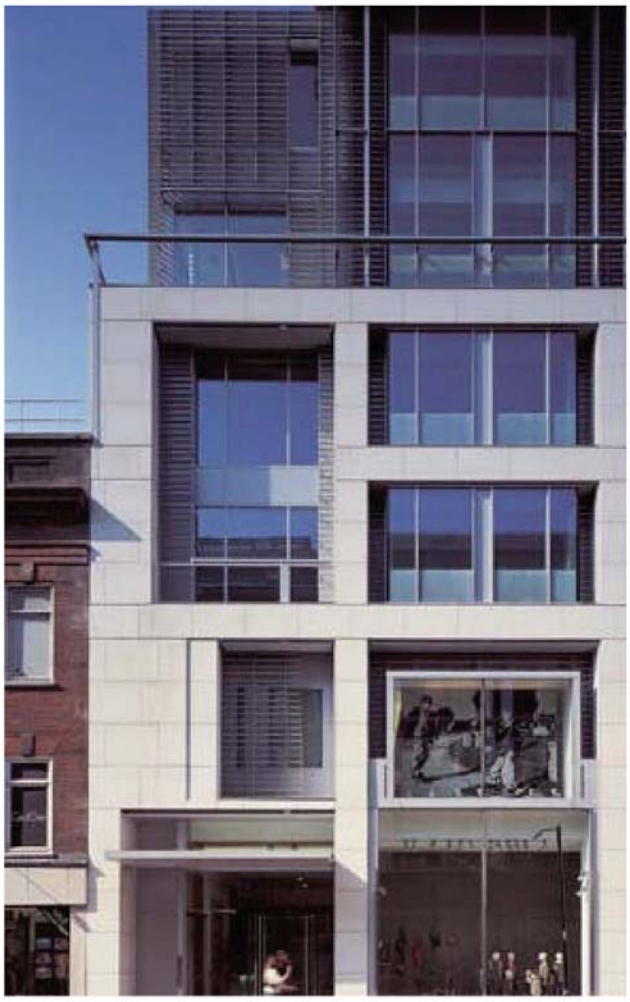
High quality materials shall be used on all sides of a structure.

Example

Peninsula Hotel
N. Michigan Ave, Chicago

Examples

France



Lumina Building, London

Architectural Scaling Elements

Intent

- To avoid large areas of undifferentiated or blank building facades.
- To create a comfortably scaled and thoughtfully detailed pedestrian environment through the use of well-designed architectural forms and details.
- To create building facades that take advantage of Miami's sunny climate to reinforce changes in plane, material texture, and detail through the interplay of light and shadow.

Standards

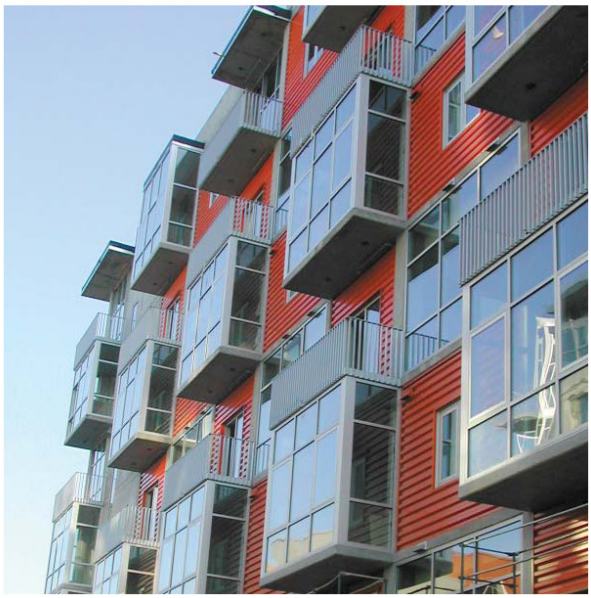
Architectural scaling elements should be used to break down the appearance of large building facades into architectural patterns and component building forms. Variation in building scaling may include changes in wall plane or height and may relate to primary building entries, important corners or other significant architectural features.

Scaling elements should be integral to the building form and construction, not a thinly applied façade.

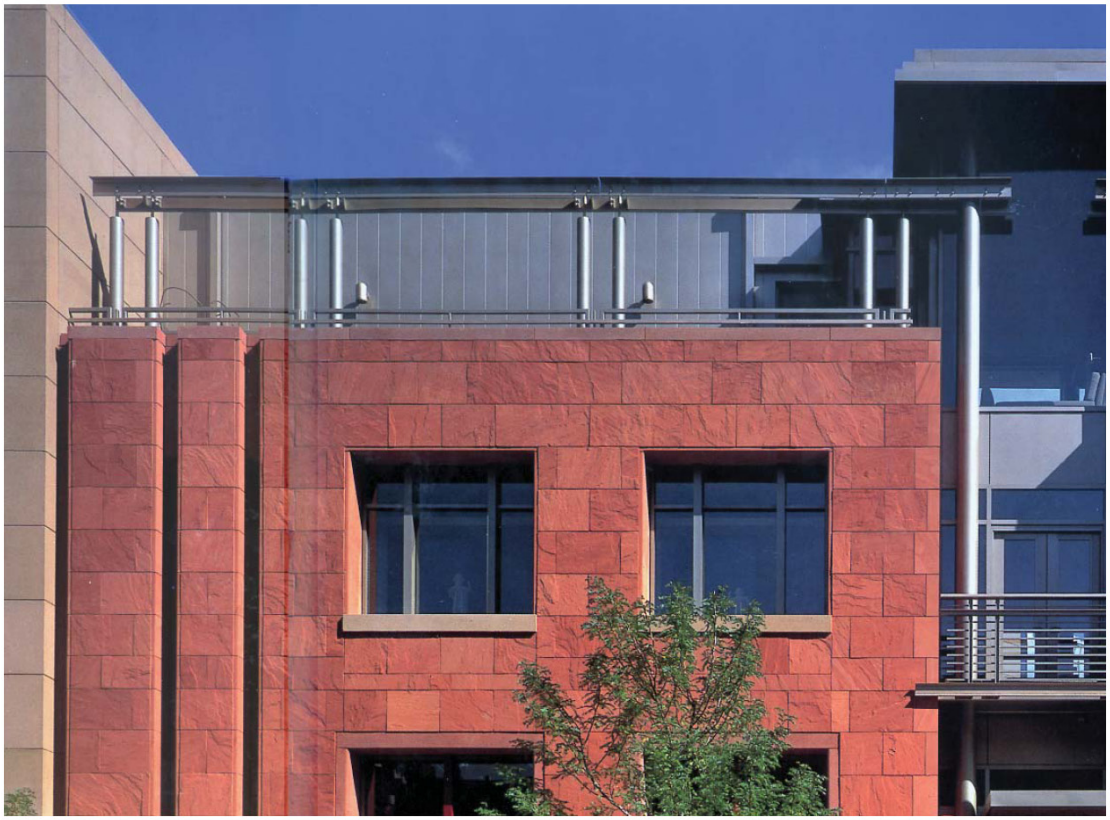
Architectural detail may relate to but not necessarily mimic traditional building details, such as pilasters and belt courses, to establish a human-scale vocabulary.

Balconies and terraces are strongly encouraged for residential uses. These elements shall be incorporated into vertical and horizontal shifts and building massing wherever possible.

Example
San Diego, CA
Balconies incorporated into projecting bay windows



Examples



Building Materials and Finishes

Intent

- To encourage human scaled buildings through the use of smaller material modules.
- To ensure the consistent use of high quality materials appropriate to the urban environment.
- To promote the use of environmentally responsible building materials.

Standards

All building materials to be used should express their specific properties. For example, heavier more permanent materials (masonry) generally support lighter materials (stucco and glass).

Building materials at the lower floors should respond to the character of the pedestrian environment through such qualities as scale, texture, color and detail.

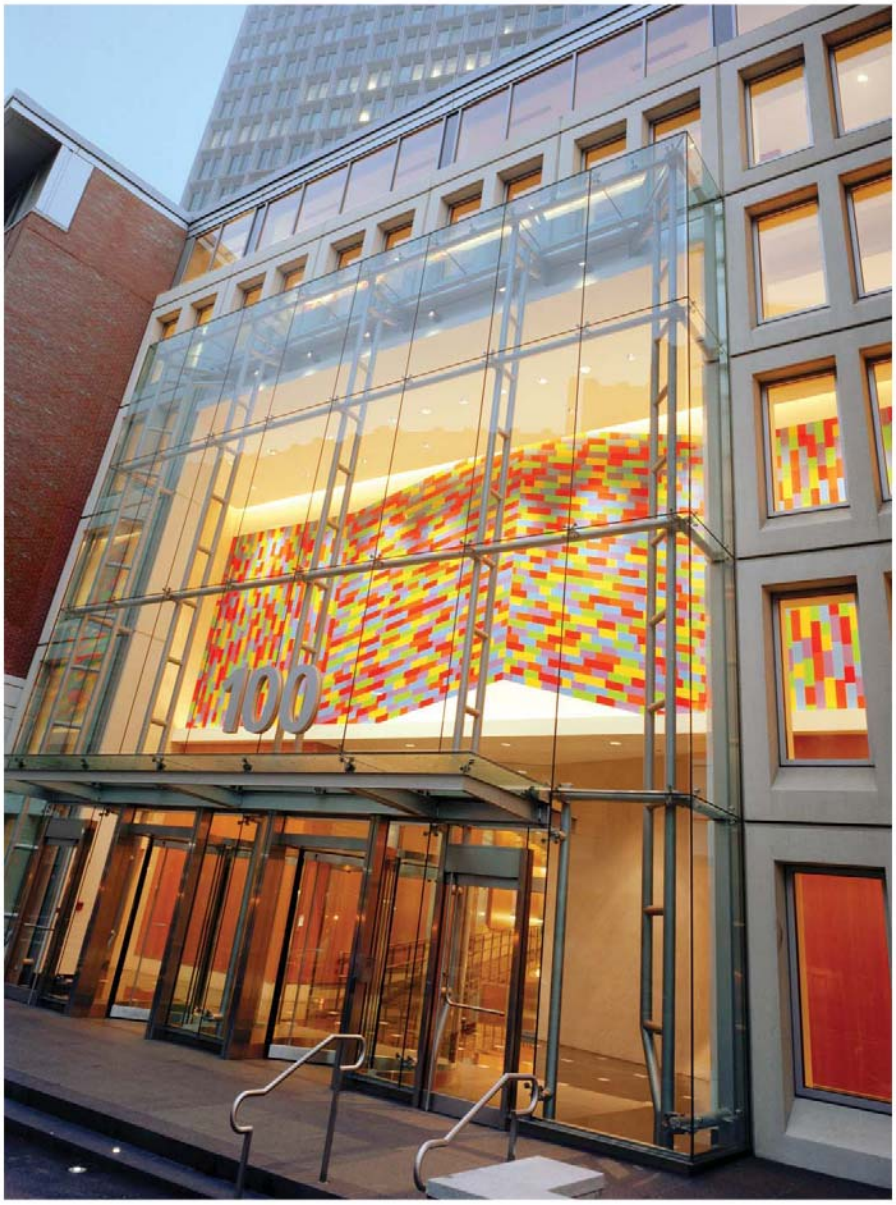
Building materials should be selected with the objectives of quality and durability within an urban context.

The use of synthetic materials that imitate natural materials should be avoided as much as possible. Synthetic materials should be used in ways that reflect their intrinsic characteristics.

The use of recycled, locally produced, and energy resource responsible building materials is encouraged.

Example
Quality building materials used for storefront in Paris, France

Examples



BUILDING ENTRIES

INTENT

- To enhance the scale, activity, and function of building facades by orienting building entries to streets and other public spaces.
- To reinforce the convenience of pedestrian activity and circulation along the street by creating as many external, street oriented entries as possible to ground floor, pedestrian-active uses.

STANDARDS

Entries to ground floor uses should be direct and as numerous as possible to encourage active pedestrian use.

Each commercial use with an exterior, street-oriented exposure shall have an individual public entry from the street.

All street-oriented building entries shall be directly connected to the public sidewalk via paved walk, stair, or ramp.

Primary building entries shall be emphasized by recessing the door a minimum of 3'-0", changes in wall plane or building massing, differentiation in material and/or color and greater level of detail.

Residential port cocheres are allowed along all streets by Class II Special Permit. Hotel port cocheres are allowed on NE 8th Street, NE 9th Street, NE 10th Street, and NE 11th Street. A Class II Special permit is required for hotel port cocheres on NE 1st Avenue, N. Miami Avenue, NE 2nd Avenue, NE 7th Street, and NE 6th Street.

Larger tenants that exceed 25,000 square feet are encouraged to utilize upper level space to limit the amount of ground level frontage devoted to a single tenant. This will encourage more diversity at the street level. Entries shall be well lighted to announce the principle use and to provide for safety and security.

EXAMPLE
Trilogy Building
Boston, MA

Examples

Louis Vuitton, New York City

FENESTRATION

INTENT

- To provide a high degree of transparency at the lower levels of building facades.
- To maximize the visibility of pedestrian active uses.
- To provide an active, human scaled architectural pattern along the street.
- To establish a pattern of individual windows and exterior openings within building facades that provides a greater variety of scale through material variation, detail and surface relief.

STANDARDS

At least 70% of the linear ground floor façade (as measured from floor to floor) and any second floor façade containing pedestrian-active uses, shall be constructed of transparent materials, or otherwise designed to allow pedestrians to view activities inside the building or displays related to those activities. Additionally, the base of all transparent openings shall be no more than thirty (30) inches above the sidewalk. Except limited high security windows at 42" minimum sill height and 2 maximum per leasehold.

Street level retail and restaurant uses are encouraged to use operable windows and doors which can allow them to open out onto sidewalk areas in good weather.

Transparent glass shall possess a minimum 60% light transmittance factor.

No portion of the façade shall be of highly reflective glass (maximum reflectance factor of .25).

No reflective coating shall be on the exterior surface of the glass.

Encourage the inclusion of human scaled proportions and elements in fenestration patterns, architectural detail, surface relief, texture and materials.

All glazing should be recessed and subdivided by systems of framing and mullions to reinforce architectural scaling elements.

Examples

Roof of RCA Building, New York City

Roofs

Intent

- To integrate all building systems within a complete architectural form.
- To develop roofforms that will make a positive contribution to the streetscape and to the Miami skyline.
- Encourage rooftop terraces and open spaces for the enjoyment of residents.
- Encourage green roof design to reduce "heat island" effect.

Standards

All rooftop building systems shall be incorporated into the building form in a manner that is consistent with the architectural character and composition of the building.

All mechanical, electrical and telecommunications systems shall be screened from view of surrounding streets, public open spaces and structures.

At least 25% of all roof areas not utilized for mechanical equipment shall be planted as "green" roof gardens or public terraces (amenity decks). Remaining roof areas shall use light-colored/high-albedo materials with an SRI (solar reflectance index) of 78 for roofs less than 2:12.

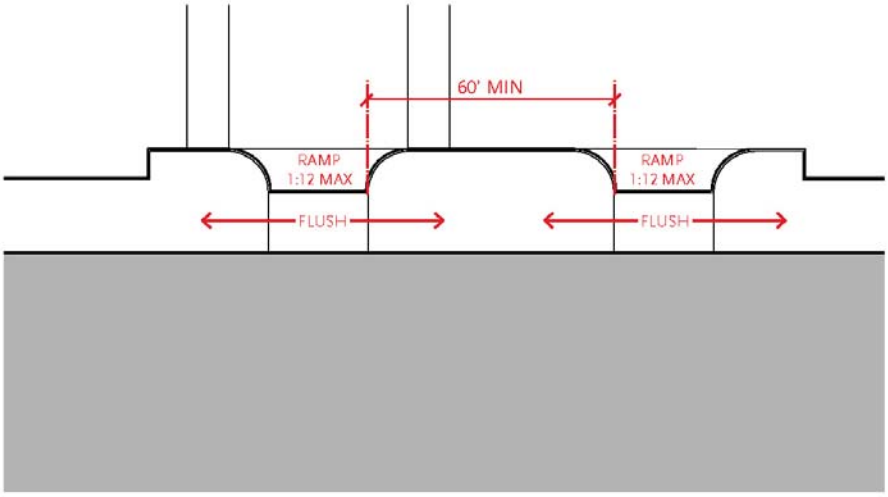
Any screening devices employed should be consistent with the architectural character and composition of the building.

Rooftop terraces and open spaces are encouraged to the maximum extent possible.

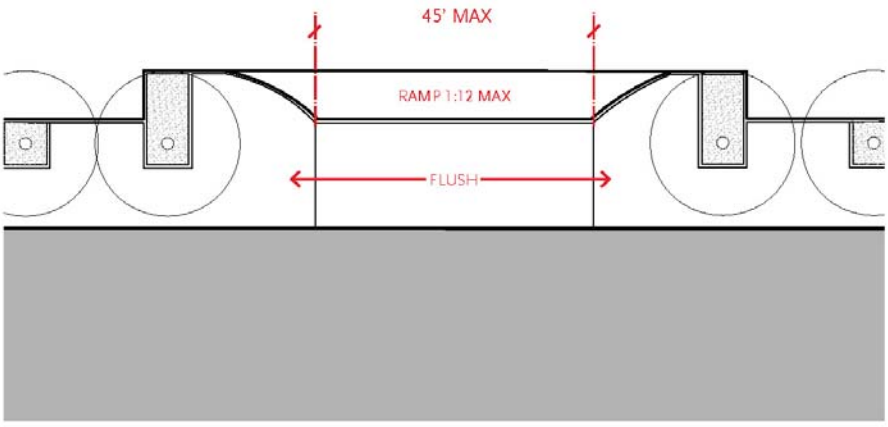
Example

A variety of vegetation can be used to create different roof top spaces.

Diagrams and Illustrations



Garage Entrance Spacing



Service Entrance Drive

SERVICES AND UTILITIES

INTENT

- Minimize the visual impact of building services and utilities on the public realm.
- Provide safe and convenient access for loading, maintenance, and utilities.

STANDARDS

Loading bays and service entrances shall not exceed 45' in width and are only permitted on the following streets:

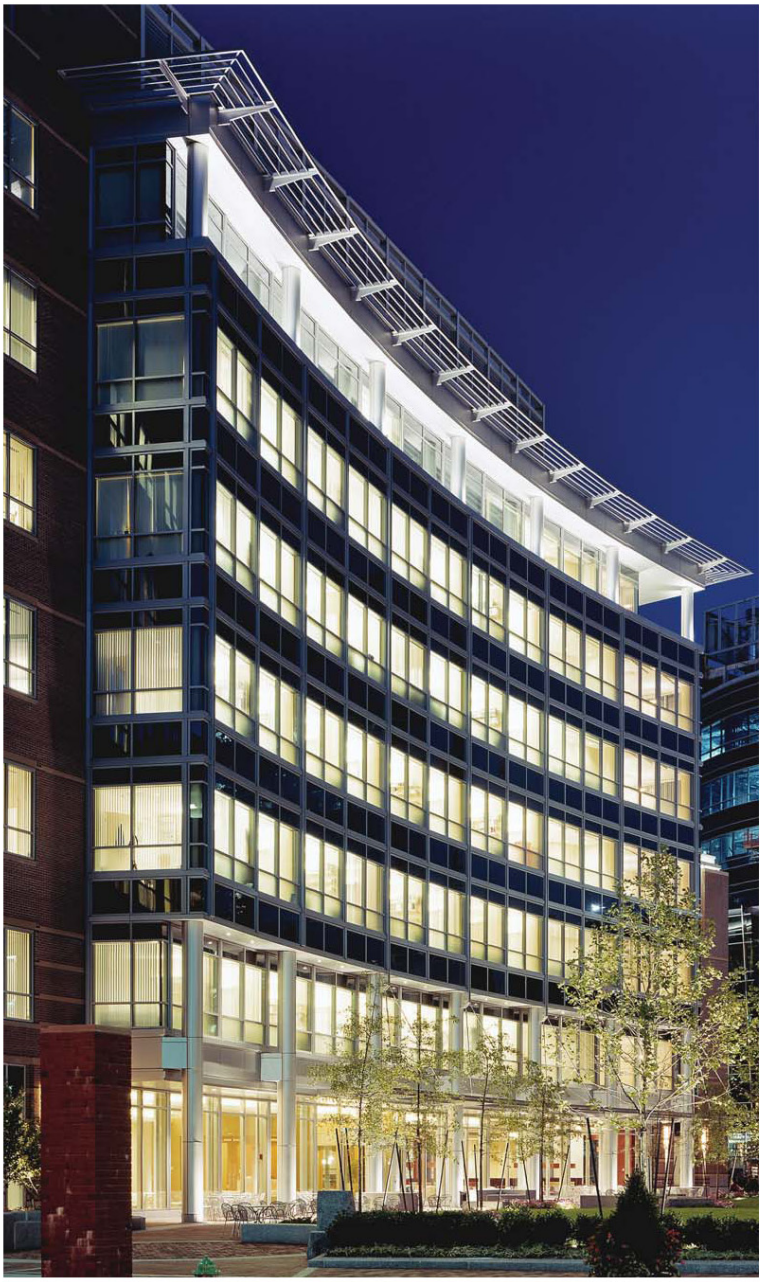
- NE 1st Avenue (only between NE 6th Street and NE 7th Street)
- NE 2nd Avenue
- N. Miami Avenue
- NE 6th Street (by Class II Special Permit)
- NE 11th Street.

Parking garage entrances are prohibited along NE 1st Avenue and NE 7th Street. The spacing of parking garage entrances shall not be less than 60' (except by Class II Special Permit).

Mechanical equipment and exposed utilities should be located on building roofs or within the building envelope whenever possible to preserve the public realm. These elements should be incorporated into the overall building design and should not be visible from the public right-of-way.

Exhaust louvers and air fans must be located above the 2nd Floor and are prohibited along any portion of a building facing NE 1st Avenue, NE 7th Street, and NE 10th Street. This restriction includes any walls that are not parallel to the street or are set back from the build-to line.

Examples



LIGHTING

INTENT

- The use of lighting should be integrally designed as part of the built environment and should reflect a balance for the lighting needs with the contextual ambient light level of the surrounding area.
- Lighting intensities should be controlled to assure that light spillage and glare are not directed at adjacent properties, neighboring areas, motorists, or the sky.

STANDARDS

Building lighting should primarily be utilized to highlight special architectural features, building entries, and to illuminate sidewalk areas. Lighting of expansive wall planes, towers, and roofs or the use of architectural lighting that results in "hot spots" should be avoided.

Sidewalk lighting shall be designed for an average of 1.0 foot-candle horizontally and vertically, as measured 6'-0" above ground, and shall maintain a uniformity ratio not to exceed 5:1 (note: these numbers are in accordance with the Illumination Engineering Society of North America Handbook, Ninth Edition)

Full cut-off fixtures and shielding shall be utilized to effectively control glare and light trespass.

Building lighting shall be carefully located so as not to shine into residential living space (on or off the property) or into public rights-of-way.

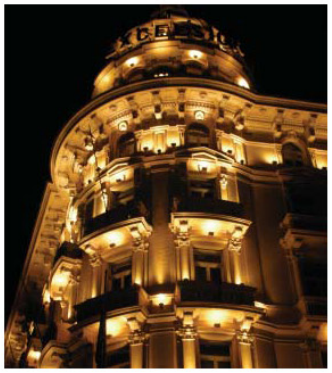
Internally-illuminated awnings are not permitted.

Lighting fixtures should be appropriate to the style of architecture or aesthetically concealed from view.

LED lighting integrated into building glazing will be allowed as part of an overall signage plan approved by Class II Special Permit.

EXAMPLE

Effective lighting strategies from Paris and Miami Beach



Examples

Paris

Meatpacking District, New York City

Venice, Italy

Seville

Arizona Center, Phoenix, AZ

Awnings and Canopies

Intent

- Encourage the use of awnings, canopies, and porte cocheres to provide visual interest, protection from the elements, and a sense of enclosure.
- Encourage awning and canopy designs that complement and enhance the architecture of the building which they serve.
- Encourage sun shading devices for public spaces, balconies, and roof terraces.

Standards

Awnings and canopies should be used primarily for weather protection.

Internally-illuminated awnings are not permitted.

The minimum height of awnings and other ground level canopies shall be 8'-0" from the lowest point to the sidewalk.

Awnings and canopies shall project a minimum of 3'-0" from the face of the building.

The placement of signage or graphics on awnings should be minimized. No more than 25% of any face of the awning should contain signage or graphics.

Awnings should typically be constructed of metal, canvas, or other high quality materials. No plastic or vinyl materials are permitted.

Example

The awnings help to shade this cafe area while creating an atmosphere of an outside room.

Examples

Outdoor terrace, Los Angeles

Pan Peninsula Tower

Balconies and Terraces

Intent

- To maintain open sight lines along the public right-of-way.
- To provide signs of human habitation.

Standards

Balconies shall be encouraged for residential uses to foster an indoor-outdoor connection. Balconies are allowed to project 6' from the build-to line into the street corridor above the streetwall height, except that they may not project beyond the face of an arcade.

Balconies and terraces shall be incorporated into vertical and horizontal shifts in building massing wherever possible to avoid building faces that are dominated by cantilevered balcony projections.

Cantilevered balconies should be designed to appear as unobtrusive and transparent as possible and should complement the overall architectural design of the building.

Example

The cantilevered balconies compliment the overall design of the building and are not visually obtrusive.

Examples

Example

Example

Example

Example

Example

SIGNAGE

INTENT

- To create an organized and integrated system of signs, sign structures, lighting, and graphics that respects and enhances the character of the surrounding district.
- To provide high quality signs with creative graphic design and durable materials appropriate to an urban setting.
- To create signs and graphic elements that respects the architecture of the building which they serve.
- To prevent visual clutter.

STANDARDS

Mixed-use and commercial buildings shall provide locations on the commercial areas of the building façade that are specifically designed to accommodate changeable tenant signage including wall signs, projecting signs, and window signs. Structure, materials, detailing and power sources shall be designed with consideration of signage installation requirements and shall be readily adaptable and reparable as tenant sign needs change.

Sign illumination shall not be of high intensity. Locations for illuminated signage shall be oriented to the public right-of-way and shall avoid facing residential uses.

Orientation of any illuminated sign or light source shall be directed or shielded to reduce light trespass and glare.

Signs should fit within the architectural features of the façade and complement the building's architecture.

Indirect and external light sources shall be the preferred option where lighting is required.

Small-scale signs projecting from the building face, perpendicular to the public right-of-way, are appropriate for all pedestrian-oriented streets.

Graphic design for all signs should reflect consistency, simplicity, neatness, and minimum wording to minimize visual clutter and to maximize legibility.

Sign colors should be limited in number and should be compatible with the façade. In most circumstances, dark backgrounds for signs are preferred over light backgrounds.

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PARKING

INTENT

- Minimize the visual impact of structured and surface parking.
- Locate a majority of parking spaces underground or covered by structured parking to reduce the urban heat island effect and to preserve open space.
- Encourage parking garage design that is compatible with the overall building design and composition.
- Minimize impacts of parking garage entrances on major pedestrian activity zones
- Provide adequate access to parking structures and surface parking lots
- Maintain active public uses along the street level.

STANDARDS

At least 50% of all required parking spaces shall be located in parking structures.

The ground floor of all parking structures should contain active public-oriented uses.

A majority of structured parking spaces should be lined with residential or commercial uses to minimize the visual impact of parking on the public right-of-way.

Parking structures along N. Miami Avenue, NE 2nd Avenue, NE 8th Street, NE 9th Street, and NE 11th Street may extend to the build-to line for a portion of the street frontage (see Regulating Plan for exact locations) if a 3' architectural screening layer is provided. This layer shall include architectural elements that effectively screen cars, lighting, garage ceilings, and slab edges. The design of the architectural screening layer shall complement the overall building design while creating a sense of occupied space.

Off-street surface parking should be located behind buildings or screened from view.

No more than two garage entrances may be located on a single block frontage.

Garage entrances should generally be located on east-west streets.

The number of curb cuts should be limited to reinforce the continuity of the public realm and to maximize the amount of area available for pedestrian activity.

EXAMPLE

Parking garage incorporated into overall building design.

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