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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.

Article 9. Landscape Requirements establishes minimum landscape standards that enhance, improve and maintain the quality of the City’s landscape.

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 (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. 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; Adult entertainment, in general; adult entertainment services or adult entertainment services establishment (hereinafter referred to throughout the code as “Adult entertainment”): Any establishment which 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, and/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 in Section 1.2 of this Code. Such establishment may or may not be open or available to the public generally, but shall exclude 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 hereunder shall be based upon the activity therein conducted or proposed to be conducted as set out above and in these regulations. Such establishment shall not depend upon the name or title of the establishment used or proposed, and it shall be irrespective of whether or not members of the public are invited to enter such establishment. 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”, but the term “Adult entertainment” is not to be deemed limited by the enunciation of specific activities listed before. Adult entertainment establishments are allowed in D2 industrial, subject to the limitations set forth in Article 6, Table 13.

Adult entertainment- Legislative Intent.

As intended in previous zoning ordinances, most particularly, Zoning ordinances 11000 and 9500, this ordinance intends to regulate Adult entertainment as herein defined, to minimize deleterious effects on the neighborhood. These deleterious effects have been presented as evidence and relied upon for adoption in previous adult entertainment legislation in zoning ordinances 9500 and 11000, and are also relied upon herein. Such deleterious effects may include, but not be 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, discouragement of residential uses in the area, and creation of an erotically suggestive atmosphere on public ways used by minors. Moreover, in the development and enforcement of restrictions on Adult entertainment in this code, this section and in Article 6, it is
acknowledged that adult entertainment have been found to have serious objectionable characteristics, and to have a deleterious effect on adjacent businesses and residential areas. In making this finding, the Commission has reasonably relied upon evidence of conditions within the City itself, evidence gathered by other localities and communities, and evidence described in judicial opinions. For the protection and welfare of the community, it is necessary, to locate Adult entertainment away from residential areas and commercial areas, and particularly away from public facilities that are used frequently by minors, such as schools, churches, parks, libraries, day care centers or nurseries, and to restrict Adult entertainment to industrial areas.

**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 goods include, but are not limited to, clothing, food, furniture, pharmaceuticals, books, art objects and the like. 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, Employment Office; Public Storage Facilities, and the like. General Commercial services exclude: Auto-Related or Marine-Related Establishments; Commercial Storage Facilities, Pawn Shops, 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 industrial vessel paint and body work; and industrial 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.

Regional Activity Complex: A large facility encompassing at least one Principal Building with possible Accessory Structures designed and outfitted as a venue for large assemblies, performance or events intended to serve as a regional destination. Regional Activity Complexes shall be located in parcels larger than (4) acres; shall be equipped to provide permanent seating for more than 4,000 patrons or provide more than 100,000 square feet of exhibition space and shall provide Off-Street Parking for more than 1,000 vehicles.

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, 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:** Housing priced up to 120% of the area median income as certified by the City’s Community Development Department.

**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 sick animals, including overnight boarding, and may include overnight boarding for seven (7) or less healthy animals, all within 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 de-
signed 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 establish-
ments. 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.

**Content, Adult:** see Adult Entertainment; Specified Anatomical Areas; Specified Sexual Activities; see
section 1.1 Commercial Use.

**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.

**Cool Roof:** A roof that reflects the sun’s heat and emits absorbed radiation back into the atmosphere.
**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 conveyance.

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.
**Extensive Green Roof:** An area atop a roof surface of a Building surfaced with soil and Florida Friendly Landscaping that are appropriate for South Florida green roof systems, including ground cover, grasses, herbs, and flowering herbaceous plants, which require little or no maintenance and no permanent irrigation system. This area will serve to retain stormwater runoff and to mitigate the Heat Island Effect. The depth of the growing medium shall be a minimum of two (2) inches and a maximum of six (6) inches.

**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.

**Hardscape**: The nonliving portions of a building’s landscaping, such as roads, sidewalks, courtyards and parking lots.

**Heat Island Effect**: An elevated temperature in an urban area when compared to rural areas, typically caused by the increased presence of dark, heat absorbing materials, such as asphalt and dark roofs, in urban areas.

**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.

**Intensive Green Roof:** An area atop a roof surface of a Building surfaced with soil and a variety of Florida-Friendly plants that are appropriate for South Florida green roof systems, including herbaceous plants and shrubs, and small trees, which require professional maintenance and an advanced green roof irrigation system. This area will serve the purpose of retaining stormwater runoff and mitigating the Heat Island Effect. The depth of the growing medium shall be a minimum of six (6) inches. Rooftop
farms, urban roof farms or vegetable farms on roofs are considered Intensive Green Roofs, requiring higher nutrient applications and focused maintenance. Rooftop farming areas of an Intensive Green Roof must be planted with appropriate plan material during non-farming periods.

**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 Commercial:** A commercial 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.

**Legacy Structure:** An existing Structure within an NRD area which is maintained or re-purposed by the property owner that contributes to the character of the District. The Structure must maintain its physical integrity so that it sufficiently conveys its original character, possess integrity of design, setting, material, workmanship, feeling and association, and meets specific criteria of the District.

**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.
ARTICLE 1. DEFINITIONS

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.

**Minor Accessories:** An optional part fitted to perform an additional function or enhance performance. For Recreational Watercraft these include masts, antennae vent stacks and windshields.

**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 through-way 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.

Neighborhood Revitalization District (NRD): An overlay zoning district. See Article 3, Section 3.12.3.

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, excluding open parking areas; 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.

Paseo: An access way limited to pedestrian use connecting streets, plazas, alleys, garages and other existing and future public spaces abutting a property. A Paseo shall have a clear path of a minimum of ten (10) feet in width that is restricted to pedestrian use and lined with active uses having frequent doors and windows. A Paseo may be roofed above the first floor for (100%) of its length, but any roof portion of Paseo shall not be counted as Open Space.

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: An Open Space connecting other public spaces, that is restricted to pedestrian use and limited vehicular access that connects Thoroughfares, Plazas, Alleys, Garages and other public use spaces, Pedestrian Passage shall have frequent doors and windows.

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 “mono-pole” or “lattice tower (tower)” Structures. See Section 1.1, (Civil Support, Infrastructure and Utilities), and Article 6.

Pervious Pavement System: A porous surface system with a stabilized base that allows water from precipitation and other sources to pass directly through, thereby reducing the runoff from a site, allowing groundwater recharge, and naturally cooling the surface through evaporation of water from pavement voids or from beneath.

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.


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 (Commercial, General Commercial) and Article 6.

**Recreational Establishment:** See Section 1.1, Commercial Use.

**Recreational Facility:** See Section 1.1, Civic Use.

**Recreational Watercraft:** A vessel or craft designed and licensed to move across or through water, designed and outfitted exclusively for recreational 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.
Roof Terrace: An outdoor space accessible to Building occupants that is designed to provide elevated views of the surrounding area. The terrace shall be located beyond the second story of a Building with a minimum size of eight hundred (800) square feet, consisting primarily of Florida Friendly Landscaping and high-albedo pavement, and may include container gardens and rooftop farming. Extensive, Intensive or a combination of Extensive and Intensive Green Roof systems may also be provided as additional landscape.

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.

Schools: Any public, parochial, private, charitable or non-profit school, college or university, other than trade or business schools, which may include instructional and recreational uses, living quarters, dining rooms, restaurants, heating plants and other incidental facilities for students, teachers and employees, including the Educational Uses such as: pre-school, elementary school, middle school, high school, college and university.

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.

Solar Reflectance: The fraction of solar energy reflected by a material.
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) male and 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 (1) 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.

Stationing: The placing or positioning of a given movable item on a given parcel of land for period of time exceeding 12 hours.

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 designation established by the City involving an area not exceeding a one-quarter (1/4) mile radius from a non-limited access thoroughfare that included designated transit stop locations and is served by one or more mass transit route(s) with designated transit vehicle(s) operating at an average of ten (10) minute or less headway Monday thru Friday between the hours of 7am thru 7pm. Multiple transit routes or types of transit vehicles may 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 involving an area not exceeding a one-half (1/2) mile radius from 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. See Article 7, Section 7.1.7. A covenant in lieu of Unity of Title is acceptable in situations where a unified lot is required by this Code, but a Unity of Title is not practical due to different ownership. Such covenant must conform to all of the requirements of Article 7, Section 7.1.7.6 of this Code. The terms Unity of Title and covenant in lieu of Unity of Title shall be interchangeable for purposes of this Code.

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.
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.

Address Sign: Signs limited in subject matter to the street number or postal address of the property, the names of occupants or the name of the property.

Aggregate Area: The total area allowed for all Sign types to be placed along a Building Frontage.

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

Animated Sign: A Sign which has any visible moving parts, flashing or oscillating lights, visible mechanical movement of any description, or other apparent visible movement achieved by any means that moves, changes, flashes, oscillates or visibly alters in appearance.

Banner Sign: 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.

Billboard: See City Code Chapter 62

Building Identification Sign: Any Sign containing the name of the Building, institution, person, or the activity carried on in the Building.

Business Identification Sign: Any Sign used to identify an establishment within a Structure or its premises limited to the name, activity or hours of operation.

Changeable Copy Sign: A Sign or portion thereof on which the copy or symbols change or rearrange, electronically or otherwise, without altering the face or surface of the sign, or manually through placement of letters or symbols on a panel mounted in or on a track system.
Class A (temporary Signs): Any Sign(s) erected on a temporary basis, such as Signs advertising the sale or rental of the premises on which located; Signs advertising a subdivision of property; Signs advertising construction actually being done on the premises on which the Sign is located; Signs advertising future construction to be done on the premises on which located; and Signs advertising special events, such as carnivals, concerts, public meetings, sporting events, political campaigns or events of a similar nature.

Class B (point of sale Signs): Any sign advertising, identifying or designating the use, occupant of the premises, merchandise, or entertainment event and products sold on the premises, shall be deemed to be a point of sale sign (Class B) and shall be located on the same premises whereon such is situated or the products sold.

Class C (commercial advertising Signs): Any Sign which is used for any purpose other than that of advertising to the public the legal or exact firm name of business or other activity carried on at the premises, or for advertising any service or product or products actually and actively being offered for sale on the premises, or which is designed and displayed solely to offer for sale or rent the premises, or to advertise construction being done, or proposed to be done, on the premises, or to advertise special events, shall constitute a class C sign.

Directional, Notice, or Warning Sign: A Sign which guides or directs the public and contains no advertising. Signs limited to providing notice concerning posting of property against trespassing, directing deliveries or indicating location of entrances, exits or parking on public or private property; indicating location of buried utilities, warning against hazardous conditions; prohibiting salesman, peddlers, or agents, and the like.

Display Surface: The surface upon, against or through which a Sign copy is displayed or illustrated, not including structural supports, architectural features of a Building or Sign Structure, nonstructural thematic or decorative trim, or any areas that are separated from the background surface upon which the Sign copy is displayed by a distinct delineation, such as reveal or border.

Freestanding Sign: Any Sign not attached to or painted on a Building, but which is mounted on one (1) or more columns, poles, or braces permanently attached to the ground. Permanently attached as used herein shall mean that the supporting Structure of the Sign is attached to the ground by a concrete foundation.

Hanging Sign: 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.

Historic Sign: See Chapter 23, Section 23.6.4 of City Code.

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

Illuminated Sign: A Sign illuminated in any manner by an artificial light source. Where artificial lighting that makes the Sign visible is incidental to general illumination of the premises, the Sign shall not be construed to be an Illuminated Sign.
Indirectly Illuminated Sign: A Sign illuminated primarily by light directed toward or across it or by back-lighting 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.

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

Kiosk: A small stand-alone structure used to provide information and services.

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 as per Chapter 62 of the City Code.

Menu Board Sign: A Changeable Copy Sign for the purpose of displaying a menu selection or pricing board for food service drive-up windows.

Monument Sign: Any Sign not attached to or painted on a Building, but which is mounted on a wall or Structure and permanently attached to the ground. Permanently attached as used herein shall mean that the supporting Structure of the Sign is attached to the ground by a concrete foundation. Monument Sign Structure shall bear no visible freestanding poles.

Mural: See City Code Chapter 62.

Number Of Signs: Signs shall be comprised of individual letters, figures or elements on a wall or similar surface of the Building or Structure. The area and dimensions of the Sign shall encompass a regular geometric shape, or a combination of regular geometric shapes, which form, or approximate, the perimeter of all elements in the Display Surface, the frame, and any applied background that is not part of the architecture of the building. When separate elements are organized to form a single Sign, and are separated by open space, the Sign Area and dimensions shall be calculated by determining the geometric form, or combination of forms, which comprises all of the Sign Area, including the space between different elements.

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

Portable Sign: Signs not permanently affixed to a Building, Structure or the ground (A-frame, inverted T-frame, wheeled, and the like) and can be removed without tools.

Projecting Sign: Any Sign which has an independent Structure, which is attached to the Building wall, and has a Sign display surface in a plane parallel or perpendicular to or approximately parallel or perpendicular to the Building wall.
Revolving or Rotating Sign: See Animated Sign.

Roof Sign: 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: 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. Signs located within the interior of a Building that are visible from the public right-of-way shall be subject to Sign regulations.

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 Area: Signs shall be comprised of individual letters, figures or elements on a wall or similar surface of the Building or Structure. The area and dimensions of the Sign shall encompass a regular geometric shape, or a combination of regular geometric shapes, which form, or approximate, the perimeter of all elements in the Display Surface, the frame, and any applied background that is not part of the architecture of the building. When separate elements are organized to form a single Sign, and are separated by open space, the Sign Area and dimensions shall be calculated by determining the geometric form, or combination of forms, which comprises all of the Sign Area, including the space between different elements.

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

Special Sign Package: See Article 10, Section 10.3.6

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

Wall Sign: Any Sign attached, painted or projected on the wall of a Building or Structure, and erected parallel to the face of a Building, and supported throughout its length by such Building and which displays
only one (1) advertising surface.

**Window Sign**: 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.
1.4 DEFINITIONS OF LANDSCAPE REQUIREMENTS

The definitions contained in Section 1.2 of this Code shall apply except as otherwise changed herein:

**Automatic Irrigation System:** An irrigation system with programmable controller or timing mechanism.

**Buffer, perimeter landscape:** An area of land which is set aside along the perimeter of a parcel of land in which landscaping is required to provide an aesthetic transition between different land uses and to eliminate or reduce the adverse environmental impact, and incompatible land use impacts.

**Caliper:** For trees under four (4) inches in diameter, the trunk diameter measured at a height of six (6) inches above natural grade. For trees four (4) inches and greater in diameter, the trunk diameter measured at twelve (12) inches above natural grade.

**Clearance pruning:** Pruning required to avoid damage or danger related to structures, power distribution and property, as defined in the current ANSI A300 Standards.

**Controlled plant species:** Those plant species listed in the Landscape Manual which tend to become nuisances because of their ability to invade proximal native plant communities or native habitats, but which, if located and cultivated properly may be useful or functional as elements of landscape design.

**Diameter at breast height (DBH):** Diameter of a tree’s trunk measured at a height four and one-half (4.5) feet above natural grade. In the case of multiple-trunk trees, the DBH shall mean the sum of each trunk’s diameter measured at a height of four and one-half (4.5) feet above natural grade.

**Differential operation schedule:** A method of scheduling an irrigation system to apply different quantities of water, and/or apply water at different frequencies as appropriate, for different hydrozones.

**Dissimilar land uses:** Proximate or directly associated land uses which are contradictory, incongruous, or discordant such as higher intensity residential, commercial or industrial uses located adjacent to lower intensity uses.

**Drip Line:** An imaginary vertical line extending from the outermost horizontal circumference of a tree’s branches to the ground.

**Emitters:** Devices which are used to control the discharge of irrigation water from lateral pipes.

Energy conservation zone: A zone located no more than twenty-two (22) feet from a structure in a one hundred eighty (180) degree band from due east of the northeast point of the structure, to due south, to due west of the northwest point of the structure.

**Environmentally Endangered Lands:** Lands that contain natural forest, wetland or native plant communities, rare and endangered plants and animals, endemic species, outstanding geologic or other natural
features, or land which functions as an integral and sustaining component of an existing ecosystem.

Existing development: Existing development shall mean a site with structures that were legally approved through the issuance of a certificate of use or certificate of occupancy as of the effective date of this chapter.

**Facultative:** Plants with a similar likelihood of occurring in both wetlands and uplands, which are not recognized indicators of either wetland or upland conditions.

**Florida Friendly Landscaping:** Describes best practices, materials or actions developed by the Florida Yards & Neighborhood Program that help to preserve Florida’s natural resources and protect the environment.

Florida Yards & Neighborhood Program: Is a partnership of the University of Florida/Institute of Food and Agricultural Sciences, Florida’s water management districts, the Florida Department of Environmental Protection, the National Estuary Program, the Florida Sea Grant College Program and other agencies, managed locally by the Miami-Dade Cooperative Extension Division of the Consumer Services Department.

**Forbs:** Herbaceous plants other than grasses.

**Geologic feature:** A natural rock or mineral formation.

**Graywater:** That portion of domestic sewage emanating from residential showers, residential bathroom washbasins, or residential clothes washing machines.

**Ground cover:** A dense, extensive growth of low-growing plants, other than turfgrass, normally reaching an average maximum height of not more than twenty-four (24) inches at maturity.

**Hatrack:** The reduction of tree size using inter-nodal cuts without regard to tree health or structural integrity.

**Hazard pruning:** The removal of dead, diseased, decayed, or obviously weak branches two (2) inches in diameter or greater.

**Head:** A sprinkler head that provides above ground or overhead irrigation.

**Heat island:** An unnaturally high temperature microclimate resulting from radiation from unshaded impervious surfaces.

**Hedge:** A landscape barrier consisting of a continuous, dense planting of shrubs, not necessarily of the same species.

**Herbaceous plant:** A plant having little or no woody tissue.
Hydromulch: A sprayed application of seed, mulch and water.

Hydrozone: A zone in which plant material with similar water needs are grouped together.

Included bark: Bark that is pushed inside a developing crotch, causing a weakened structure.

Irrigation detail: A graphic representation depicting the materials to be used and dimensions to be met in the installation of the irrigation system.

Irrigation plan: A plan drawn at the same scale as the landscape plan, indicating location and specification of irrigation system components and other relevant information as required by this chapter.

Irrigation system: A system of pipes or other conduits designed to transport and distribute water to keep plants in a healthy and vigorous condition.

Landscape feature: Trellis, arbor, fountain, pond, garden sculpture, garden lighting, decking, patio, decorative paving, gazebo and other similar elements.

Landscape Manual: An illustrative interpretation of the standards provided in this code and suggested guides for landscaping in accordance with these standards. Includes native and non-native plant lists. The manual is developed by the Miami-Dade County Department of Planning and Zoning and adopted by resolution of the Board of County Commissioners.

Landscape material: Plants such as grass, ground cover, forbs, shrubs, vines, hedges, trees and non-living material such as rocks, pebbles, sand, mulch, or pervious decorative paving materials.

Landscape plan: A plan indicating all landscape areas, stormwater retention/detention areas, areas which qualify to be excluded from maximum permitted lawn area, existing vegetation to be retained, proposed plant material, landscape legend, landscape features, planting specifications, and details, and all other relevant information in compliance with this article.

Lawn area: An area planted with lawn grasses.

Manual irrigation system: An irrigation system in which control valves and switches are manually operated rather than operated by automatic controls.

Moisture and rain sensor switches: Devices which have the ability to switch off an automatic irrigation controller after receiving a predetermined amount of rainfall or moisture content in the soil.

Mulch: Materials customarily used in landscape design to retard erosion, weed infestation, and retain moisture and for use in planting areas.
Native habitat: An area enhanced or landscaped with an appropriate mix of native tree, shrub and groundcover species that resembles a native plant community or Natural Forest Community in structure and composition or is naturally occurring.

Natural Forest Community: All assemblages of vegetation designated as Natural Forest Communities on the Miami-Dade County Natural Forest Community Maps and approved by the Board of County Commissioners, pursuant to Resolution No. R-1764-84 and further defined in Section 24-5 of the Miami-Dade County Code.

Native plant community: A natural association of plants dominated by one (1) or more prominent native plant species, or a characteristic physical attribute.

Native plant species: Plant species with a geographic distribution indigenous to all or part of Miami-Dade County. Plants which are described as being native to Miami-Dade County in botanical manuals such as, but not limited to, “A Flora of Tropical Florida” by Long and Lakela, are native plant species within the meaning of this definition. Plant species which have been introduced into Miami-Dade County by man are not native plant species.

Planting detail: A graphic representation of the plant installation depicting the materials to be used and dimensions to be met in the placement of plants and other landscape materials.

Prohibited plant species: Those plant species listed in the Miami-Dade County Landscape Manual which are demonstrably detrimental to native plants, native wildlife, ecosystems, or human health, safety, and welfare.

Shrub: A self-supporting woody perennial plant normally growing to a height of twenty-four (24) inches or greater, characterized by multiple stems and branches continuous from the base.

Site plan: A comprehensive plan drawn to scale indicating appropriate site elevations, roadways, and location of all relevant site improvements including structures, parking, other paved areas, ingress and egress drives, landscaped open space and signage.

Specimen tree: A tree with any individual trunk or a multiple trunk tree, the sum of the diameter trunks having a diameter at breast height (DBH) of eighteen (18) inches or greater. This excludes the following:

1. Non-native fruit trees that are cultivated or grown for the specific purpose of producing edible fruit, including, but not limited to, mangos, avocados, or species of citrus;
2. Non-native species of the genus Ficus; and
3. All trees in the palm family.

Spray head: An irrigation device which applies water to the soil or plant surface by fixed spray or mist nozzles.
**Sprinkler Head:** A sprinkler head that provides above ground or overhead irrigation.

**Stabilized lawn area:** An area of ground underlain with structural support in the form of grass pavers or stabilized soil prepared to withstand the load of intended vehicular use, such as automobiles, fire trucks and garbage trucks.

**Stormwater retention/detention area:** An area designed, built and used for temporary storage of stormwater. For purposes of this chapter, these areas are intended to be permanently exempt from wetland regulations.

**Street Tree Master Plan:** A greenprint for Miami-Dade County as adopted by the Board of County Commissioners on March 6, 2007 and as revised from time to time and the City of Miami Tree Master Plan, as adopted by the City Commission on February 22, 2007.

**Tree abuse:** Tree abuse shall include: Damage inflicted upon any part of a tree, including the root system, by machinery, construction equipment, cambium layer penetration, storage of materials, soil compaction, excavation, chemical application or spillage, or change to the natural grade; Hatracking; Girdling or bark removal of more than one-third (1/3) of the tree diameter; Tears and splitting of limb ends or peeling and stripping of bark resulting from improper pruning techniques not in accordance with the current ANSI A300 Standards and/or excessive root cutting.

**Tree canopy:** The aerial extent of the branches and foliage of a tree as defined by the drip line.

**Temporary irrigation systems:** A system including surface distribution elements (hose, pipe, etc.) which may be easily removed when landscape is established.

**Understory:** The complex of woody, fibrous, herbaceous, and graminoid plant species that are typically associated with a Natural Forest Community, native plant community, or native habitat.

**Vegetation required to be preserved by law:** Portions of a site, including but not limited to specimen trees, Natural Forest Communities and native vegetation which are clearly delineated on site plans, plats, or recorded restrictions, or in some other legally binding manner that are to be protected from any tree or understory removal or effective destruction and maintained without any development.

**Vegetation survey:** A drawing provided at the same scale as the landscape plan which includes relevant information as required by this chapter.

**Vehicular use area:** A hard surface area designed or used for off-street parking and/or an area used for loading, circulation, access, storage, including fire trucks, garbage trucks, or display of motor vehicles.

**Vine:** A plant with a flexible stem which normally requires support to reach mature form.

**Xeriscape:** A landscaping method that employs drought tolerant plants in an effort to conserve resources, especially water.
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2.A MIAMI 21 ATLAS

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

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.

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

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

i. 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 effective date of this Miami 21 Code shall not affect nor prevent the prosecution of any action pending at the time of the effective date 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 - 9 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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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, except as described in Section 3.6.1(e). In such cases, there shall be no transfer of Density or Intensity of Development Capacity between Transect Zones. Where Lots are assembled into one ownership, the side or rear Setbacks sharing the Property Line may be eliminated. Lot assembly shall require a Unity-of-Title acceptable to the City Attorney. Contiguous Lots in one ownership, as of the effective date of this Code, may be developed as one Lot in excess of the maximum Lot size.

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. Where a Gallery or Arcade is permitted, the Established Setback shall only be maintained if a Gallery or Arcade is provided. Where a Gallery or Arcade is not provided, the setback for the underlying Transect Zone shall be maintained.

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 Boulevard 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

b. **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 40th Street.
      
      _Frontage Setback: Zero (0’) feet

c. **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
ARTICLE 3. GENERAL TO ZONES

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 Darwin 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; Side Setback: fifteen (15") feet minimum for the entire height of the building.**

   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.*

l. **Wynwood**
   1. Boundary: Established Setback Areas have been identified within Wynwood NRD-1 Street Master Plan located within Appendix A of this Code.

3.4 **DENSITY AND INTENSITY CALCULATIONS**

3.4.1 Lot Area, inclusive of any dedications, 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; except for T6-36, T6-48, T6-60, T6-80, and D1, where a single floor level exceeding fourteen (14) feet may count as one (1) story if the building height does not exceed the maximum height, including all applicable bonuses, allowed by the transect at fourteen (14) feet per floor. 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, except for D1, where mezzanines may not exceed fifty percent (50%) of the Habitable Space Floor Area. Mezzanines extending beyond thirty-three percent (33%) of the Floor Area, or fifty percent (50%) of the Floor Area in D1, 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 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 effective date 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 effective date 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 horticulturist 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.

3.5.6 See Chapter 23 of the City Code, titled Historic Preservation, for regulations and additional height requirements.
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. Where required off-street parking is based on square footage of Use, the calculation shall only include Habitable Rooms and Habitable Space occupied by such Use.

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, T6-48, 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 stations.

e. Parking that is otherwise not allowed but that is customarily incidental and subordinate to a principal Use may be provided in any T3 or T4-R Transect Zone by process of Exception and only if there is an existing legally built parking lot. Access for such Lots shall be subject to all other requirements of the Transect Zone including Liner, landscaping, or Streetscreen requirements. Such parking shall not expand or increase the degree of nonconformity. Parking in other Transect Zones shall be approved pursuant to Article 4, Table 3.

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; non-recreational watercraft; or the like shall not be permitted in any T3, T4, T5-R or T6-R Zone.

g. Inoperable vehicles and other inoperable Recreational Watercraft or equipment 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.

l. Stationing of Recreation Watercraft:

1. Transect Zones
   Stationing of Recreational Watercraft may only be permitted in T3, T4-R and T4-L Zones and only where incidental to a Single-Family Residence. This section shall not be construed as preventing the docking of boats along the waterfront.

2. Screening
   Screening arrangements shall be made to buffer view of the Recreational Watercraft from Abutting parcels by means of walls, fences or landscaping of sufficient opaqueness to visually conceal its bulk while in keeping with applicable provisions in Article 3 and 5.

3. Occupancy
   Recreational Watercraft stationed in T3, T4-R and T4-L Zones shall not be used as Residential or other Occupancies.

4. Location
   Stationing of Recreational Watercraft may only be permitted when placed within the Second or Third Layer of the property.

5. Height
   The maximum height of the Recreational Watercraft shall not exceed eight (8) feet, inclusive of trailer and excluding Minor Accessories.

6. State or condition
   Stationing of Recreational Watercraft in T3, T4-R and T4-L Zones may only be permitted as long as the Recreational Watercraft is maintained in an orderly and seemly condition.
ARTICLE 3. GENERAL TO ZONES

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 will 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 Exception 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 Exception.

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.

3.6.10 Off-street Bicycle Parking Requirements

a. Off-street bicycle parking shall be provided for all T4, T5, T6, CS, CI, CI-HD, and D zones, as shown in Article 4, Table 4.

b. After the first fifty (50) required bicycle spaces are provided, additional spaces may be reduced by one-half.

c. Required bicycle parking shall meet the following standards:

1. Required bicycle parking shall be provided in a safe, accessible and convenient location.

2. Bicycle parking facilities shared by more than one use are encouraged.

3. Required bicycle parking facilities may be located within the project site or in a shared bicycle parking facility subject to all the conditions for shared bicycle parking facilities below:

   (a) Required bicycle parking spaces for two (2) or more adjacent sites may be satisfied by the same bicycle parking facility used jointly provided that such right of joint use and maintenance is evidenced by covenant running with the land or equivalent legal document establishing the joint use.

   (b) Required shared bicycle parking facilities are to be located within 300 feet of any building’s main entrance.

   (c) The minimum number of required bicycle parking is satisfied by all sites using the shared facility.

   (d) For the purposes of this section, shared bicycle parking facilities are areas, locations, or structures designed to accommodate, house, store, maintain or hold several bicycle parking spaces.

4. When required off-street vehicular parking is covered, the required bicycle parking shall also be covered.

5. When required bicycle parking is provided in racks, one (1) standard U-rack will accommodate two (2) bikes and each rack must meet the following standards:

   (a) The bicycle frame and one (1) wheel can be locked to the rack with a high security, U-shaped shackle lock if both wheels are left on the bicycle;
(b) A bicycle six feet long can be securely held with its frame supported so that the bicycle cannot be pushed or fall in a manner that will damage the wheels or components; and

(c) The rack must be securely anchored.

6. When required bicycle parking is provided in lockers, the lockers must be securely anchored.

7. Parking and maneuvering areas.

(a) Each required bicycle parking space must be accessible without moving another bicycle;

(b) There must be an aisle of at least five (5) feet wide behind all required bicycle parking to allow room for bicycle maneuvering;

(c) The area devoted to bicycle parking must be hard surfaced.

8. A one (1) square foot directional sign shall be required if the bicycle parking area is not visible from the street or main building entrance. Said sign must be posted at the main building entrance indicating the location of the bicycle parking.

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 Second Layer.

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.


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, titled Historic Preservation, for regulations and additional height requirements.
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 for all waterfront properties may be approved by the City Commission pursuant to the procedures established in 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 waterfrontage 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, NEIGHBORHOOD CONSERVATION DISTRICTS, AND NEIGHBORHOOD REVITALIZATION 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.
tect 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. 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:


2. SD-28, the Village West Ordinance, adopted by Ord. No. 12651, January 27, 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

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

3.12.3 Neighborhood Revitalization Districts (NRD)

a. Intent

A Neighborhood Revitalization District (NRD) is an overlay zoning district that is intended to revitalize unique and distinctive neighborhoods that exhibit a certain defined character worthy of enhancements, such as distinct physical features, unique design characteristics, or recognized cultural identity. A NRD provides additional regulations or design guidelines for new construction or modifications to existing Buildings and Streetscapes, in order to promote, enhance, and perpetuate the value of properties while responding to the existing conditions of the neighborhood. It is further intended that such districts and the regulations adopted for them shall be in accordance with and promote the adopted Zoning Ordinance and Miami Comprehensive Neighborhood Plan.

b. Purposes

The purposes of creating a NRD, singularly or in combination, are to:

1. Revitalize unique and distinctive neighborhoods that have exhibited a certain defined character worthy of enhancements, such as distinct physical features, unique design characteristics, or recognized cultural identity.

2. Identify and preserve structures within the district that, while not historically designated, possess significant character reflecting a Legacy Structure which is a component of the neighborhood and important to Miami’s past.

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

4. Establish commercial Corridors to function as Mixed-Use, transit-oriented, walkable areas for the neighborhood and its surrounding community.

5. Improve off-street parking efficiency through transit incentivized parking reductions and centralized parking programs.

6. Implement a Public Benefits Program calibrated to the neighborhood to address specific needs for Affordable/Workforce Housing, Public Parks and Open Space, or Civic Space or Civic Support Uses.
c. Designation Process

The NRD shall be designated by process of rezoning, and may be initiated by the Planning and Zoning Department or by an applicant. If initiated by an applicant, such application must be submitted to the Planning and Zoning Department and accompanied by the following:

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

2. A description of the distinctive physical features and characteristics of the district which are sought to be enhanced and perpetuated for the future of the neighborhood;

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

4. Written evidence that demonstrates that at least fifty-one percent (51%) of the owners within the proposed boundaries support the initiative of the NRD rezoning.

The Planning Director shall prepare a recommended revitalization plan and any proposed regulations or design guidelines as provided in paragraph d. below. The Planning, Zoning and Appeals Board (“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 NRD 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 ten (10) days prior to the workshop. The City Commission, upon designation of the NRD, shall adopt the revitalization plan and any proposed regulations or design guidelines for the NRD, and the Zoning Atlas shall be amended to show the district boundaries of the NRD. Amendments to any NRD adopted under this Code shall be adopted pursuant to this Code.

d. Recommendation for Neighborhood Revitalization District designation

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

1. A statement of the purposes of the NRD, specifying the substantial public interest involved, the objectives to be promoted by the revitalization plan and any proposed regulations or design guidelines, and any special regulations for the district as a whole, or within any sub-areas of the district which may be recommended.

2. The boundaries of the NRD 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 meets the intent and requirements for the NRD.

4. 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 specifically to the NRD.
e. NRD Land Development Regulations

The requirements of this Code shall be effective in the NRD except as modified by the regulations of the revitalization plan and any proposed regulations or design guidelines adopted by the City Commission upon designation of the NRD. The ordinance designating the NRD shall be referenced in this Code, with any specific regulations and design guidelines of the NRD adopted by reference to this Code and maintained in the Planning and Zoning Department.

f. NRD-1 Wynwood Neighborhood Revitalization District

The Wynwood NRD-1, originally adopted by Ord. No. 13561, on September 24, 2015, is hereby amended and codified in Appendix J to this Code.

3.13 SUSTAINABILITY

3.13.1 General

a. Landscape requirements are as required in Article 9 of this Code 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, this Code shall apply.

b. All new Buildings of more than 50,000 square feet of Habitable Rooms or Habitable Space in the T5, T6, Cl 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.

1. At the time of Building Permit application, the owner shall submit:

   (a) Proof of registration with the Green Building Certification Institute, or equivalent agency;

   (b) A signed and sealed affidavit from a LEED Accredited Professional, or applicable designation, stating that the proposed Building is designed to achieve the required certification; and

   (c) A LEED Scorecard, or equivalent document, identifying anticipated credits to be achieved.

2. At the time of Certificate of Occupancy application, the owner shall submit:

   (a) Proof of certification by the Green Building Certification Institute, or equivalent agency;

   (b) A bond posted in a form acceptable to the City, in the amount indicated below;

      (i) Two percent (2%) of the total cost of construction for a 50,000 - 100,000 square feet Building;
      (ii) Three percent (3%) of the total cost of construction for a 100,001 - 200,000 square feet Building;
      (iii) Four percent (4%) of the total cost of construction for any Building greater than 200,000 square feet; or
c. Proof of partial compliance from the Green Building Certification Institute, or applicable agency, which demonstrates the credits presently achieved. In addition, a prorated portion of the full bond amount, as indicated in subsection 2(b) above, shall be posted based on the number of remaining credits needed to meet minimum certification requirements. The bond amount to be posted shall be calculated as follows:

\[(\text{credits remaining for certification} / \text{credits required for certification}) \times \text{full bond amount} = \text{prorated bond amount}\]

1. Forfeiture of Bond

A bond under this Section 3.13.1 shall be forfeited to the City in the event that the Building does not meet the for LEED Silver certification or applicable certification. The City will draw down on the bond funds upon failure of the owner to submit proof of LEED Silver certification in a form acceptable to the City within one (1) year of the City’s issuance of the Certificate of Occupancy for the Building. If required certification is not achieved but a majority of the credits have been verified, the owner shall forfeit a portion of the bond based on any outstanding credits which shall be calculated as follows:

\[(\text{credits remaining for certification} / \text{credits required for certification}) \times \text{full bond amount} = \text{bond amount forfeited}\]

If the amount to be forfeited is greater than fifty percent (50%) of the full bond amount, the bond shall be forfeited in its entirety. Funds that become available to the City from the forfeiture of the bond shall be placed in the Miami 21 Public Benefits Trust Fund established by this Code.

d. Affordable Housing Developments that qualify under Section 3.15, may elect to comply with the sustainability requirements promulgated by the Florida Housing Finance Corporation, or its successor agency, in lieu of the requirements set forth in Section 3.13.1.b above.

e. 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.

### 3.13.2 Heat Island Effect

The intent of this section is to reduce the heat island effect in the City of Miami and to consequently reduce energy consumption and bills for buildings within the City.

a. Applicability

In all Transect Zones, except T3, the provisions of this section are applicable to all new construction and to repair or replacement greater than fifty percent (50%) by area of existing roofs or site Hardscape. All repairs or replacement of existing roofing or Hardscape shall be reviewed by the Zoning Department for compliance with this section. The following portions of new or existing roofs are exempted from the requirements of section 3.13.2:
1. The portion of the roof acting as a substructure for and covered by a rooftop deck, vegetation associated with an extensive or intensive green roof as defined by the U.S. Environmental Protection Agency, or any area of a roof utilized by photovoltaic and solar equipment.

2. A rooftop deck covering a maximum of 1/3 of the rooftop total gross area.

3. Existing roofs where less than fifty percent (50%) of existing roof area is repaired or replaced are exempt from the requirements of 3.13.2.c.

4. Existing Hardscapes where less than fifty percent (50%) of existing Hardscape area is being repaired or replaced are exempt from the requirements of 3.13.2.d.

b. Solar Reflectance

1. For roofing materials, all roof exterior surfaces and building materials used to comply with this section, shall have a minimum Solar Reflectance as specified in sections 3.13.2.c and 3.13.2.d when (i) tested in accordance with ASTM E903 or ASTM E1918, (ii) tested with a portable reflectometer at near ambient conditions, (iii) labeled by the Cool Roof Rating Council, or (iv) labeled as an Energy Star qualified roof product. Any product that has been rated by the Cool Roof Rating Council or by Energy Star shall display a label verifying the rating of the product.

2. For paving materials, all paving materials used to comply with this section shall have a minimum solar reflectance as specified in sections 3.13.2.d when (i) tested in accordance with ASTM E903 or ASTM E1918, (ii) tested with a portable reflectometer at near ambient conditions, or (iii) default values of Solar Reflectance for listed materials may be used as follows:

<table>
<thead>
<tr>
<th>Material</th>
<th>Solar Reflectance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Typical new gray concrete</td>
<td>0.35</td>
</tr>
<tr>
<td>Typical weathered gray concrete</td>
<td>0.20</td>
</tr>
<tr>
<td>Typical new white concrete</td>
<td>0.40</td>
</tr>
<tr>
<td>Typical weathered white concrete</td>
<td>0.40</td>
</tr>
<tr>
<td>New asphalt</td>
<td>0.05</td>
</tr>
<tr>
<td>Weathered asphalt</td>
<td>0.10</td>
</tr>
</tbody>
</table>

c. Roof

1. Requirements for Low Sloped Roofs

Roofing materials used in roofs with slopes of a rise of zero (0) units in a horizontal length (0:12 pitch) up to and including roofs with slopes of a rise of two (2) units in a horizontal length of 12 units (2:12 units) (“low-sloped”) shall meet the following requirements:

(a) Low-sloped roofs constructed as part of a new building shall utilize roofing products that meet or exceed an initial reflectance value of 0.72 or a three-year installed reflectance value of 0.5 as determined by the Cool Roof Rating Council or by Energy Star.
(b) Exception. Where more than 50% of the total gross area of the low-sloped roof is covered with vegetation associated with an extensive or intensive green roof as defined by the US EPA, the remainder of the roof shall have a reflectance value of a minimum of 0.30 and the rooftop deck exception in section 3.13.2.a.1 applies.

(c) Exception. Ballasted roofs with a minimum of 15 lbs/sq. ft. or ballast over the entire roof surface may have a reflectance value of a minimum of 0.30. For the purposes of this section, “ballast” shall mean river rock aggregate or larger, pavers or other means of weighing down a roofing membrane over a substrate to resist wind uplift.

2. Requirements for Steep Sloped Roofs

Roofing materials used in roofs with slopes of a rise greater than two (2) units in a horizontal length (2:12 pitch) (“steep-sloped”) shall meet the following requirements:

(a) Steep sloped roofs shall have an initial Solar Reflectance of 0.15 or greater.

3. Requirements for Roofs with Multiple Slopes

Roofs with multiple slopes shall be subject to those requirements applicable to the slope which covers the largest area of the building footprint.

g. Non-roof Requirements

1. Provide any combination of the following strategies for fifty percent (50%) of the site Hard- scape:

   (a) Shade from solar panels or roofing materials with a Solar Reflectance of at least 0.30.
   (b) Shade from trees within five (5) years of occupancy.
   (c) Paving materials with a Solar Reflectance of at least 0.30.
   (d) Pervious Pavement System.

   OR

2. Place a minimum of fifty-percent (50%) of parking spaces under cover (defined as underground, under deck, under roof, or under building). Any roof used to shade or cover parking must have a Solar Reflectance of at least 0.30.

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.

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 or in a T6-8 Zone if the property abuts a CS 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. T6-24a: twenty-four (24) Story maximum, bonus to forty-eight (48) Stories, FLR 7, bonus of thirty percent (30%)
4. T6-24b: twenty-four (24) Story maximum, bonus to forty-eight (48) Stories, FLR 16, bonus of forty percent (40%)
5. T6-36a: thirty-six (36) Story maximum, bonus to sixty (60) Stories, FLR 12, bonus of forty percent (40%)
6. T6-36b: thirty-six (36) Story maximum, bonus up to sixty (60) Stories, FLR 22, bonus of forty percent (40%)
7. T6-48a: forty-eight (48) Story maximum, bonus up to eighty (80) Stories, FLR 11, bonus of fifty percent (50%)
8. T6-48b: forty-eight (48) Story maximum, bonus up to eighty (80) Stories, FLR 18, bonus of fifty percent (50%)
9. T6-60a: sixty (60) Story maximum, bonus up to unlimited Stories, FLR 11, bonus of fifty percent (50%)
10. T6-60b: sixty (60) Story maximum, bonus up to unlimited Stories, FLR 18, bonus of fifty percent (50%)
11. 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:

11. 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.

12. In T6 zones, additional Height and FLR for LEED certified Silver, Gold or Platinum Buildings as described in Section 3.14.4.

13. An additional Story in any zone for development of a Brownfield as described in Section 3.14.4.

14. 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 a percentage of the market value of the per square foot price being charged for units at projects within the market area where the proposed project seeking the bonus is located. The calculation
assumes a land value per saleable or rentable square foot within market area to equate to between 10 (ten) to 15 (fifteen) percent of market area’s weighted average sales price per square foot. The cash contributions shall be adjusted on an annual basis to reflect market conditions effective October 1st of every year.

b. Public Parks, Open Space, or Park Improvements. 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. In addition park improvements provided through donation for Public Parks with amenity levels that are Moderate or that Need Improvement as defined by the Parks Department Facilities’ Assessment Report.

   i. 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.

   ii. Park improvements shall be valuated and for said value the development project shall be allowed additional Floor Area up to the bonus Height and FLR described in Section 3.14.1 and shall for all applicable purposes be treated as a Trust Fund contribution pursuant to Section 3.14.4.b.(3).

   iii. Park improvements for Public Parks in areas below 50% median income threshold shall be allowed two times the valuation credit.

   iv. Donations must meet all City requirements for design, equipment specifications, construction, warranties, etc. Park improvements are subject to review and approval by the City Manager or designee in accordance with Miami 21.

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 Floor Area up to the bonus Height and FLR described in Section 3.14.1. The cash contribution shall be determined based on a percentage of the market value of the per square foot price being charged for units at projects within the market area where the proposed project seeking the bonus is located. The calculation assumes a land value per saleable or rentable square foot within market area to equate to between 10 (ten) to 15 (fifteen) percent of market area’s weighted average sales price per square foot. The cash contributions shall be adjusted on an annual basis to reflect market conditions effective October 1st of every year.
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 Space Types and Civil Support Uses. For a development project in a T6 zone that donates a Civic Space Types or Civil Support Uses on site to the City of Miami, an additional two square feet of area for each square foot of donated space or use, 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.

3.15 **AFFORDABLE HOUSING SPECIAL BENEFIT PROGRAM SUPPLEMENTAL REGULATIONS**

The intent of the Affordable Housing special benefit program established in this section is to facilitate the development of high quality Affordable Housing in the City by providing development incentives, including, but not limited to, modifications of architectural/design standards and parking reductions.

3.15.1 As a pre-requisite to qualify as an Affordable Housing Development eligible for any of the special benefits described in Section 3.15, an applicant shall submit to the Office of Zoning:

a. Certification by the City’s Community Development Department that the proposed Development will provide a minimum of eighty percent (80%) of the Dwelling Units (Multi-family or
As Adopted - May 2016

ARTICLE 3. GENERAL TO ZONES

3.15.2 Affordable Housing Developments that abut a T3 Zone are not eligible for the provisions in Section 3.15. Affordable Housing Developments that abut a T4 Zone shall require a Warrant for consideration under Section 3.15.

3.15.3 In place of any conflicting provisions elsewhere in this Code, Affordable Housing Developments may be developed in accordance with the following, subject to a Warrant:

a. Height

1. T5: Maximum building height of 75 feet with no limitation on the number of Stories;

2. T6-8: Maximum building height of 125 feet with no limitation on the number of Stories;

3. T6-12: Maximum building height of 240 feet with no limitation on the number of Stories;

b. Parking may extend into the Second Layer above the first Story along all Frontages. The Façade of a parking garage that is not concealed behind a Habitable Liner shall be screened to conceal from view all internal elements including, but not limited to, vehicles, plumbing pipes, fans, ducts and all lighting. The size, location, and materials for such screening elements shall be reviewed by Waiver with referral to the Planning Department.

c. Pedestrian or Vehicular Cross Block Passages shall not be required.

d. Development Abutting two (2) or more Thoroughfares shall have only one (1) Principal Frontage and shall not be subject to the minimum Principal Frontage Line requirement. Determination of which Frontage is to serve as the Principal Frontage shall be made by the Planning Director upon request by the Zoning Administrator.

e. Development shall not be subject to maximum Lot Area requirements.

f. Development in T6 Zones shall be exempt from complying with the requirements contained in Sections 5.6.1 (h) and 5.6.2 (b).

g. Setback requirements above the eighth floor may be modified by Waiver for Development in T6 Zones.
Parking requirements for those units that qualify as Affordable Housing may be reduced as stated below. The parking reductions below may be cumulative; however in no event shall parking be reduced by more than sixty-five percent (65%) of the spaces required.

a. A thirty-five percent (35%) reduction in required parking is permitted.

b. Within a Transit Oriented Development (TOD), an additional reduction of fifteen percent (15%) of required parking is permitted.

c. An additional reduction of up to fifteen percent (15%) of required parking may be permitted by Warrant, upon a showing that the reduction in off-street parking is justified in view of the nature and type of prospective occupancy and the economic circumstances involved, and that the impacts from such reduction are not likely to unduly burden traffic and parking facilities in the neighborhood.

d. Parking for development proposals providing Housing for the Elderly may be reduced by Warrant to provide a maximum of one (1) parking space per every two (2) Dwelling Units provided as Elderly Housing, upon a showing that the reduction in off-street parking is justified in view of the nature and type of prospective occupancy and the economic circumstances involved, and that the impacts from such reduction are not likely to unduly burden traffic and parking facilities in the neighborhood.

e. Affordable Housing Development whose parking has been reduced under the terms set forth in Section 3.15 will continue to operate under the recorded covenant described in Subsection 3.15.1.b, until parking requirements applicable at the time of release are met.
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THIS PAGE LEFT INTENTIONALLY BLANK.
### Amendments to Article 4

<table>
<thead>
<tr>
<th>ORDINANCE</th>
<th>DATE APPROVED</th>
<th>DESCRIPTION</th>
<th>LEGISLATIVE ID</th>
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<tr>
<td>13165</td>
<td>04-22-2010</td>
<td>Marine Related and Childcare Uses in CS Transect</td>
<td>10-00285zt</td>
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<td>13164</td>
<td>04-22-2010</td>
<td>Alcohol Uses by Exception</td>
<td>10-00287zt</td>
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<td>13176</td>
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<td>D1 Density</td>
<td>10-00361zt</td>
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<tr>
<td>13235</td>
<td>11-18-2010</td>
<td>Minor and non-substantial modifications throughout the Code</td>
<td>10-00956zt</td>
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<tr>
<td>13238</td>
<td>12-16-2010</td>
<td>Requirements for sheds and other structures; loading berth substitutions; requirements for child care facilities; requirements for public and commercial storage facilities; distance separation requirements for ALF’s; distance separation requirements for uses and structures</td>
<td>10-00963zt</td>
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<td>13281</td>
<td>07-28-2011</td>
<td>Regional Activity Complex permissibility and sign regulations for same</td>
<td>11-00588zt</td>
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<td>13290</td>
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<td>Minor modifications to Article 4</td>
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<td>13307</td>
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<td>13406</td>
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<td>Update language in the SEOPW DRI Increment</td>
<td>13-00763zt</td>
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<tr>
<td>13464</td>
<td>05-22-2014</td>
<td>Update Article 4 Table 12; Sign Standards</td>
<td>12-00941zt1</td>
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<tr>
<td>13507</td>
<td>03-12-2015</td>
<td>Modification of Article 4, Table 2 to include T6-24b</td>
<td>14-01198zt</td>
</tr>
<tr>
<td>13565</td>
<td>10-22-2015</td>
<td>Amend Transit Corridor Definition and Standards for Parking Reductions</td>
<td>14-01076zt1</td>
</tr>
</tbody>
</table>
THE NATURAL ZONE consists of lands approximating a wilderness condition, permanently set aside for conservation in an essentially natural state.

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

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.

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.

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.

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.

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

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.
**ARTICLE 4. TABLE 2 MIAMI 21 SUMMARY**

**LOT OCCUPATION**

<table>
<thead>
<tr>
<th>Zone</th>
<th>a. Lot Area</th>
<th>b. Lot Width</th>
<th>c. Lot Coverage</th>
<th>d. Floor Lot Ratio (FLR)</th>
<th>e. Frontage at front Setback</th>
<th>f. Green / Open Space Requirements</th>
<th>g. Density</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rural Zone</td>
<td>5,000 s.f. min.</td>
<td>50 ft. min.</td>
<td>50% max. 1st Floor</td>
<td>5 / 25% additional Public Benefit ***</td>
<td>50% min.</td>
<td>25% Lot Area min.</td>
<td>9-18 du/acre max. **</td>
</tr>
<tr>
<td>Sub-Urban Zone</td>
<td>1,400 s.f. - 20,000 s.f. **</td>
<td>16 ft. min / 50 ft. **</td>
<td>30% max. 2nd Floor for T3 R &amp; T3L only</td>
<td>8 / 30% additional Public Benefit ***</td>
<td>70% min.</td>
<td>15% Lot Area min.</td>
<td>36 du/acre max.</td>
</tr>
<tr>
<td>General Urban Zone</td>
<td>1,200 s.f. - 40,000 s.f. **</td>
<td>16 ft. min / 50 ft. **</td>
<td>60% max.</td>
<td>5 / 25% additional Public Benefit ***</td>
<td>70% min.</td>
<td>10% Lot Area min.</td>
<td>65 du/acre max.</td>
</tr>
<tr>
<td>Urban Center Zone</td>
<td>5,000 sf. min.</td>
<td>50 ft. min.</td>
<td>80% max.</td>
<td>8 / 30% additional Public Benefit ***</td>
<td>70% min.</td>
<td>10% Lot Area min.</td>
<td>150 du /acre *</td>
</tr>
<tr>
<td>Urban Core Zones</td>
<td>40,000 s.f. max. **</td>
<td>50 ft. min.</td>
<td>80% max.</td>
<td>8 / 30% additional Public Benefit ***</td>
<td>70% min.</td>
<td>10% Lot Area min.</td>
<td>150 du /acre *</td>
</tr>
</tbody>
</table>

**BUILDING SETBACK**

<table>
<thead>
<tr>
<th>Zone</th>
<th>a. Principal Front</th>
<th>b. Secondary Front</th>
<th>c. Side</th>
<th>d. Rear</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rural Zone</td>
<td>20 ft. min.</td>
<td>10 ft. min.</td>
<td>5 ft. min. **</td>
<td>20 ft. min.</td>
</tr>
<tr>
<td>Sub-Urban Zone</td>
<td>10 ft. min.</td>
<td>10 ft. min.</td>
<td>0 ft. min. / 5 ft. min.</td>
<td>20 ft. min.</td>
</tr>
<tr>
<td>General Urban Zone</td>
<td>10 ft. min.</td>
<td>10 ft. min.</td>
<td>0 ft. min. / 5 ft. min.</td>
<td>20 ft. min.</td>
</tr>
<tr>
<td>Urban Center Zone</td>
<td>10 ft. min.</td>
<td>10 ft. min.</td>
<td>0 ft. min. / 5 ft. min.</td>
<td>20 ft. min.</td>
</tr>
<tr>
<td>Urban Core Zones</td>
<td>10 ft. min.</td>
<td>10 ft. min.</td>
<td>0 ft. min. / 5 ft. min.</td>
<td>20 ft. min.</td>
</tr>
</tbody>
</table>

**OUTBUILDING SETBACK**

<table>
<thead>
<tr>
<th>Zone</th>
<th>a. Principal Front</th>
<th>b. Secondary Front</th>
<th>c. Side</th>
<th>d. Rear</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rural Zone</td>
<td>20 ft. min. (T3 L only)</td>
<td>30 ft. min.</td>
<td>5 ft. min. (T3 L only)</td>
<td>5 ft. min.</td>
</tr>
<tr>
<td>Sub-Urban Zone</td>
<td>10 ft. min. (T3 L only)</td>
<td>10 ft. min.</td>
<td>0 ft. min. (T3 L only)</td>
<td>5 ft. min.</td>
</tr>
<tr>
<td>General Urban Zone</td>
<td>10 ft. min. (T3 L only)</td>
<td>10 ft. min.</td>
<td>0 ft. min. (T3 L only)</td>
<td>5 ft. min.</td>
</tr>
<tr>
<td>Urban Center Zone</td>
<td>10 ft. min. (T3 L only)</td>
<td>10 ft. min.</td>
<td>0 ft. min. (T3 L only)</td>
<td>5 ft. min.</td>
</tr>
<tr>
<td>Urban Core Zones</td>
<td>10 ft. min. (T3 L only)</td>
<td>10 ft. min.</td>
<td>0 ft. min. (T3 L only)</td>
<td>5 ft. min.</td>
</tr>
</tbody>
</table>

**PRIVATE FRONTAGES**

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Rural Zone</td>
<td>permitted</td>
<td>permitted</td>
<td>prohibited</td>
<td>prohibited</td>
<td>prohibited</td>
<td>prohibited</td>
<td>prohibited</td>
<td>prohibited</td>
</tr>
<tr>
<td>Sub-Urban Zone</td>
<td>permitted</td>
<td>permitted</td>
<td>prohibited</td>
<td>prohibited</td>
<td>prohibited</td>
<td>prohibited</td>
<td>permitted</td>
<td>permitted</td>
</tr>
<tr>
<td>General Urban Zone</td>
<td>permitted</td>
<td>permitted</td>
<td>prohibited</td>
<td>permitted</td>
<td>permitted</td>
<td>permitted</td>
<td>permitted</td>
<td>permitted</td>
</tr>
<tr>
<td>Urban Center Zone</td>
<td>permitted</td>
<td>permitted</td>
<td>prohibited</td>
<td>permitted</td>
<td>permitted</td>
<td>permitted</td>
<td>permitted</td>
<td>permitted</td>
</tr>
<tr>
<td>Urban Core Zones</td>
<td>permitted</td>
<td>permitted</td>
<td>prohibited</td>
<td>permitted</td>
<td>permitted</td>
<td>permitted</td>
<td>permitted</td>
<td>permitted</td>
</tr>
</tbody>
</table>

**BUILDING HEIGHT (Stories)**

<table>
<thead>
<tr>
<th>Zone</th>
<th>a. Principal Building</th>
<th>b. Outbuilding</th>
</tr>
</thead>
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<tr>
<td>Rural Zone</td>
<td>2 max.</td>
<td>2 max.</td>
</tr>
<tr>
<td>Sub-Urban Zone</td>
<td>3 max.</td>
<td>2 max.</td>
</tr>
<tr>
<td>General Urban Zone</td>
<td>2 min.</td>
<td>2 max.</td>
</tr>
<tr>
<td>Urban Center Zone</td>
<td>2 min.</td>
<td>12 max.</td>
</tr>
<tr>
<td>Urban Core Zones</td>
<td>2 min.</td>
<td>24 max.</td>
</tr>
</tbody>
</table>

* Or as modified in Diagram 9
** Note: Refer to Article 5 for Specific Transect Zone Regulations
*** Note: Bonus shall not be available for T6 properties abutting T3 properties (refer to Article 3)
**Table 2: Miami 21 Summary**

### Lot Occupation

<table>
<thead>
<tr>
<th>Area</th>
<th>T4</th>
<th>T5</th>
<th>T6</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot Area</td>
<td>5,000 sf.</td>
<td>5,000 sf.</td>
<td>5,000 sf.</td>
</tr>
<tr>
<td>Lot Width</td>
<td>100 ft.</td>
<td>100 ft.</td>
<td>100 ft.</td>
</tr>
<tr>
<td>Lot Coverage</td>
<td>80% max.</td>
<td>80% max.</td>
<td>80% max.</td>
</tr>
<tr>
<td>Stories</td>
<td>2 min.</td>
<td>2 min.</td>
<td>2 min.</td>
</tr>
<tr>
<td>Benefit Height</td>
<td>additional Public Benefit</td>
<td>additional Public Benefit</td>
<td>additional Public Benefit</td>
</tr>
<tr>
<td>Building Height</td>
<td>10,000 s.f.</td>
<td>10,000 s.f.</td>
<td>10,000 s.f.</td>
</tr>
</tbody>
</table>

### Building Setback

<table>
<thead>
<tr>
<th>Setback</th>
<th>T4</th>
<th>T5</th>
<th>T6</th>
</tr>
</thead>
<tbody>
<tr>
<td>Principal Front</td>
<td>10 ft.</td>
<td>10 ft.</td>
<td>10 ft.</td>
</tr>
<tr>
<td>Secondary Front</td>
<td>10 ft.</td>
<td>10 ft.</td>
<td>10 ft.</td>
</tr>
<tr>
<td>Side</td>
<td>0 ft.</td>
<td>0 ft.</td>
<td>0 ft.</td>
</tr>
<tr>
<td>Rear</td>
<td>0 ft.</td>
<td>0 ft.</td>
<td>0 ft.</td>
</tr>
<tr>
<td>Stories</td>
<td>10 ft.</td>
<td>10 ft.</td>
<td>10 ft.</td>
</tr>
</tbody>
</table>

### Outbuilding Setback

<table>
<thead>
<tr>
<th>Area</th>
<th>T4</th>
<th>T5</th>
<th>T6</th>
</tr>
</thead>
<tbody>
<tr>
<td>Primary Front</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Secondary Front</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Side</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rear</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Private Frontages

<table>
<thead>
<tr>
<th>Area</th>
<th>T4</th>
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<th>T6</th>
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</thead>
<tbody>
<tr>
<td>Lawn</td>
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<td>prohibited</td>
<td>prohibited</td>
</tr>
<tr>
<td>Fence</td>
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<td>prohibited</td>
<td>prohibited</td>
</tr>
<tr>
<td>Terrace or L.C.</td>
<td>prohibited</td>
<td>prohibited</td>
<td>prohibited</td>
</tr>
<tr>
<td>Forecourt</td>
<td>permitted</td>
<td>permitted</td>
<td>permitted</td>
</tr>
<tr>
<td>Stoop</td>
<td>permitted</td>
<td>permitted</td>
<td>permitted</td>
</tr>
<tr>
<td>Shopfront</td>
<td>permitted (T4-36 L, T4-36 O)</td>
<td>permitted (T4-36 L, T4-36 O)</td>
<td>permitted (T4-36 L, T4-36 O)</td>
</tr>
<tr>
<td>Gallery</td>
<td>permitted **</td>
<td>permitted **</td>
<td>permitted **</td>
</tr>
<tr>
<td>Arcade</td>
<td>permitted **</td>
<td>permitted **</td>
<td>permitted **</td>
</tr>
</tbody>
</table>

### Building Height (Stories)

<table>
<thead>
<tr>
<th>Building</th>
<th>T4</th>
<th>T5</th>
<th>T6</th>
</tr>
</thead>
<tbody>
<tr>
<td>Building</td>
<td>2 min. 36 max.</td>
<td>2 min. 48 max.</td>
<td>2 min. 60 max.</td>
</tr>
<tr>
<td>Stories</td>
<td>none</td>
<td>none</td>
<td>none</td>
</tr>
</tbody>
</table>

### Outbuilding

<table>
<thead>
<tr>
<th>Area</th>
<th>T4</th>
<th>T5</th>
<th>T6</th>
</tr>
</thead>
<tbody>
<tr>
<td>Building</td>
<td>24 max.</td>
<td>32 max.</td>
<td>unlimited</td>
</tr>
<tr>
<td>Benefit Height</td>
<td>unlimited</td>
<td>unlimited</td>
<td>2 max.</td>
</tr>
</tbody>
</table>

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* Or as modified in Diagram 9
** Note: Refer to Article 5 for Specific Transect Zone Regulations
*** Note: Bonus shall not be available for T6 properties abutting T3 properties (refer to Article 3)
<table>
<thead>
<tr>
<th>Uses</th>
<th>T3 SUB-URBAN</th>
<th>T4 URBAN GENERAL</th>
<th>T5 URBAN CENTER</th>
<th>T6 URBAN CORE</th>
<th>CS</th>
<th>CI</th>
<th>CI-HD</th>
<th>D1</th>
<th>D2</th>
<th>D3</th>
</tr>
</thead>
<tbody>
<tr>
<td>DENSITY (UNITS PER ACRE)</td>
<td>9</td>
<td>18</td>
<td>36</td>
<td>36</td>
<td>65</td>
<td>65</td>
<td>65</td>
<td>150</td>
<td>150</td>
<td>150</td>
</tr>
<tr>
<td>RESIDENTIAL</td>
<td>R</td>
<td>R</td>
<td>R</td>
<td>R</td>
<td>R</td>
<td>R</td>
<td>R</td>
<td>R</td>
<td>R</td>
<td>R</td>
</tr>
<tr>
<td>COMMERCIAL</td>
<td>W</td>
<td>R</td>
<td>R</td>
<td>W</td>
<td>W</td>
<td>W</td>
<td>W</td>
<td>W</td>
<td>W</td>
<td>W</td>
</tr>
<tr>
<td>OFFICE</td>
<td>R</td>
<td>R</td>
<td>R</td>
<td>R</td>
<td>R</td>
<td>R</td>
<td>R</td>
<td>R</td>
<td>R</td>
<td>R</td>
</tr>
<tr>
<td>CIVIC</td>
<td>E</td>
<td>E</td>
<td>E</td>
<td>E</td>
<td>E</td>
<td>W</td>
<td>E</td>
<td>E</td>
<td>R</td>
<td>R</td>
</tr>
<tr>
<td>CIVIL SUPPORT</td>
<td>W</td>
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<td>W</td>
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<td>E</td>
<td>W</td>
<td>W</td>
<td>W</td>
<td>W</td>
<td>W</td>
<td>W</td>
</tr>
<tr>
<td>INDUSTRIAL</td>
<td>R</td>
<td>R</td>
<td>R</td>
<td>R</td>
<td>R</td>
<td>R</td>
<td>R</td>
<td>R</td>
<td>R</td>
<td>R</td>
</tr>
</tbody>
</table>
| Uses may be further modified by Supplemental Regulations, State Regulations, or other provisions of this Code. See City Code Chapter 4 for regulations related to Alcohol Beverage Service Estab.  
* Additional densities in some T6 zones are illustrated in Diagram 9.  
** AZ: Density of lowest Abutting Zone |
## ARTICLE 4. TABLE 4 DENSITY, INTENSITY AND PARKING

### T3 - SUB-URBAN ZONE

<table>
<thead>
<tr>
<th>DENSITY (UPA)</th>
<th>LIMITED</th>
<th>OPEN</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>RESIDENTIAL</strong></td>
<td>Residential Uses are permissible as listed in Table 3, limited by compliance with:</td>
<td>Residential Uses are permissible as listed in Table 3, limited by compliance with:</td>
</tr>
<tr>
<td></td>
<td>• Minimum of 2 parking spaces per principal Dwelling Unit.</td>
<td>• Minimum of 2 parking spaces per principal Dwelling Unit.</td>
</tr>
<tr>
<td></td>
<td>• Adult Family-Care Homes - Minimum of 1 parking space per staff member and 1 space per 4 residents.</td>
<td>• Adult Family-Care Homes - Minimum of 1 parking space per staff member and 1 space per 4 residents.</td>
</tr>
<tr>
<td></td>
<td>• Community Residence - Minimum of 1 parking space per staff member in addition to the parking required for the principal Dwelling Unit.</td>
<td>• Community Residence - Minimum of 1 parking space per staff member in addition to the parking required for the Dwelling Units.</td>
</tr>
<tr>
<td><strong>CIVIC</strong></td>
<td>Civic Uses are permissible as listed in Table 3.</td>
<td>Civic Uses are permissible as listed in Table 3.</td>
</tr>
<tr>
<td></td>
<td>• Minimum of 1 parking space for every 5 seats of assembly use.</td>
<td>• Minimum of 1 parking space for every 5 seats of assembly use.</td>
</tr>
<tr>
<td></td>
<td>• Minimum of 1 parking space for every 1,000 square feet of exhibition or recreation area, and parking spaces for other Uses as required.</td>
<td>• Minimum of 1 parking space for every 1,000 square feet of exhibition or recreation area, and parking spaces for other Uses as required.</td>
</tr>
<tr>
<td><strong>CIVIL SUPPORT</strong></td>
<td>Civil Support Uses are permissible as listed in Table 3.</td>
<td>Civil Support Uses are permissible as listed in Table 3.</td>
</tr>
<tr>
<td></td>
<td>• Minimum of 1 parking space for every 800 square feet of Civil Support Use.</td>
<td>• Minimum of 1 parking space for every 800 square feet of Civil Support Use.</td>
</tr>
<tr>
<td></td>
<td>• Minimum of 1 parking space for every 5 seats of assembly uses.</td>
<td>• Minimum of 1 parking space for every 5 seats of assembly uses.</td>
</tr>
<tr>
<td><strong>EDUCATIONAL</strong></td>
<td>Educational Uses are permissible as listed in Table 3.</td>
<td>Educational Uses are permissible as listed in Table 3.</td>
</tr>
<tr>
<td></td>
<td>• Minimum of 3 parking spaces for every 1,000 square feet of Educational Use.</td>
<td>• Minimum of 3 parking spaces for every 1,000 square feet of Educational Use.</td>
</tr>
<tr>
<td></td>
<td>• Schools – Minimum of 1 parking space for each faculty or staff member, 1 visitor parking space per 100 students, 1 parking space per 5 students in grades 11 and 12.</td>
<td>• Schools – Minimum of 1 parking space for each faculty or staff member, 1 visitor parking space per 100 students, 1 parking space per 5 students in grades 11 and 12.</td>
</tr>
</tbody>
</table>
### T4 - General Urban Zone

#### Density (UPA)

<table>
<thead>
<tr>
<th>DENSITY (UPA)</th>
<th>LIMITED</th>
<th>OPEN</th>
</tr>
</thead>
<tbody>
<tr>
<td>36 UNITS PER ACRE</td>
<td>36 UNITS PER ACRE</td>
<td>36 UNITS PER ACRE</td>
</tr>
</tbody>
</table>

#### Restricted

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.

#### Limited

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.

#### Open

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

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 Uses are permissible as listed in Table 3, limited by compliance with:
- Limited to the first Story of the Principal Building or Accessory Structure;
- 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

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.
<table>
<thead>
<tr>
<th>DENSITY (UPA)</th>
<th>RESTRICTED</th>
<th>LIMITED</th>
<th>OPEN</th>
</tr>
</thead>
<tbody>
<tr>
<td>COMMERCIAL</td>
<td>36 UNITS PER ACRE</td>
<td>Limited to the first Story of the Principal Building or Accessory Structure; Commercial Uses are permissible as listed in Table 3, limited by compliance with:</td>
<td>Commercial Uses are permissible as listed in Table 3, limited by compliance with:</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Office and Commercial Uses shall be less than 50% Building floor area total.</td>
<td>• A maximum area of 4,000 square feet per establishment,</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• A maximum area of 4,000 square feet per establishment.</td>
<td>• Food establishments of a maximum seating capacity of 40 patrons.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Food establishments of a maximum seating capacity of 40 patrons.</td>
<td>• Minimum of 3 parking spaces for every 1,000 square feet of commercial use.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Minimum of 3 parking spaces for every 1,000 square feet of commercial use.</td>
<td>• Minimum of one Bike space for every 20 vehicular spaces required (before any reductions).</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Parking requirement may be reduced according to the Shared parking standard, Article 4, Table 5.</td>
<td>• Parking requirement may be reduced according to the Shared parking standard, Article 4, Table 5.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required.</td>
<td>• Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required.</td>
</tr>
</tbody>
</table>

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<thead>
<tr>
<th>CIVIC</th>
<th>Civic Uses are permissible as listed in Table 3.</th>
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</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>• Minimum of 1 parking space for every 5 seats of assembly use.</td>
<td>• Minimum of 1 parking space for every 5 seats of assembly use.</td>
<td>• Minimum of 1 parking space for every 5 seats of assembly use.</td>
</tr>
<tr>
<td></td>
<td>Minimum of 1 parking space for every 1,000 square feet of exhibition or recreation area, and parking spaces for other Uses as required.</td>
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<td>Parking requirement may be reduced according to the Shared parking standard, Article 4, Table 5.</td>
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<td></td>
<td>Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required.</td>
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<td>Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required.</td>
</tr>
<tr>
<td></td>
<td>Parking for civic uses may be provided off-site within a distance of 1,000 feet.</td>
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<td>Parking for civic uses may be provided off-site within a distance of 1,000 feet.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>CIVIL SUPPORT</th>
<th>Civil Support Uses are permissible as listed in Table 3.</th>
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<tr>
<td></td>
<td>Minimum of 1 parking space for every 800 square feet of Civil Support Use.</td>
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<td></td>
<td>Minimum of 1 parking space for every 5 seats of assembly use.</td>
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<td>Minimum of 1 parking space for every 5 seats of assembly use.</td>
</tr>
<tr>
<td></td>
<td>Adult Daycare- Minimum of 1 space per staff member.</td>
<td>Adult Daycare- Minimum of 1 space per staff member.</td>
<td>Adult Daycare- Minimum of 1 space per staff member.</td>
</tr>
<tr>
<td></td>
<td>Minimum of 1 parking space for every 5 seats of assembly use.</td>
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<td>Schools – Minimum of 1 parking space for each faculty or staff member, 1 visitor parking space per 100 students, 1 parking space per 5 students in grades 11 and 12.</td>
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</tr>
<tr>
<td></td>
<td>Childcare Facilities- Minimum of 1 space for the owner/operator and 1 space for each employee, and 1 drop-off space for every 10 clients cared for.</td>
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</tr>
<tr>
<td>Density (URP)</td>
<td>Limited</td>
<td>Open</td>
<td></td>
</tr>
<tr>
<td>--------------</td>
<td>---------</td>
<td>------</td>
<td></td>
</tr>
<tr>
<td>Residential</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Residential Uses are permissible as listed in Table 3, limited by compliance with:</strong></td>
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<td></td>
</tr>
<tr>
<td>• Minimum of 1.5 parking spaces per Dwelling Unit.</td>
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<td>• Minimum of 1.5 parking spaces per Dwelling Unit.</td>
<td></td>
</tr>
<tr>
<td>• Minimum of 1 additional visitor parking space for every 10 Dwelling Units.</td>
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<td>• Minimum of 1 additional visitor parking space for every 10 Dwelling Units.</td>
<td></td>
</tr>
<tr>
<td>• Adult Family-Care Homes - Minimum 1 space per staff member and 1 space per 4 residents.</td>
<td>• Live-work - Work component shall provide parking as required by the non-residential use in addition to parking required for the Dwelling Unit.</td>
<td>• Live-work - Work component shall provide parking as required by the non-residential use in addition to parking required for the Dwelling Unit.</td>
<td></td>
</tr>
<tr>
<td>• Community Residence - Minimum of 1 parking space per staff member in addition to the parking required for the principal Dwelling Unit(s).</td>
<td>• Adult Family-Care Homes - Minimum 1 space per staff member and 1 space per 4 residents.</td>
<td>• Community Residence - Minimum of 1 parking space per staff member in addition to the parking required for the principal Dwelling Unit(s).</td>
<td></td>
</tr>
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<td>• Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required.</td>
<td></td>
</tr>
<tr>
<td>• Except for sites within 500 feet of an ungated T3 Transect Zone, the parking ratio may be reduced within a TOD area or within a Transit Corridor area by up to thirty percent (30%) by process of Waiver; by up to fifty percent (50%) by process of Waiver and payment into a transit enhancement Trust Fund, as established by Chapter 35 of the City Code; or by one hundred percent (100%) for any Structure with a Floor Area of ten thousand (10,000) square feet or less.</td>
<td>• Except for sites within 500 feet of an ungated T3 Transect Zone, the parking ratio may be reduced within a TOD area or within a Transit Corridor area by up to thirty percent (30%) by process of Waiver; by up to fifty percent (50%) by process of Waiver and payment into a transit enhancement Trust Fund, as established by Chapter 35 of the City Code; or by one hundred percent (100%) for any Structure with a Floor Area of ten thousand (10,000) square feet or less.</td>
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<td></td>
</tr>
<tr>
<td>• Loading - See Article 4, Table 5</td>
<td>• 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.</td>
<td>• 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.</td>
<td></td>
</tr>
<tr>
<td>•  Minimum of 1 additional visitor parking space for every 40 Dwelling Units.</td>
<td>• Loading - See Article 4, Table 5</td>
<td>• Loading - See Article 4, Table 5</td>
<td></td>
</tr>
<tr>
<td>• Minimum of 1.5 parking spaces per Dwelling Unit.</td>
<td>• Loading - See Article 4, Table 5</td>
<td>• Loading - See Article 4, Table 5</td>
<td></td>
</tr>
<tr>
<td>• Minimum of 1 additional visitor parking space for every 10 Dwelling Units.</td>
<td>• Loading - See Article 4, Table 5</td>
<td>• Loading - See Article 4, Table 5</td>
<td></td>
</tr>
<tr>
<td>• Live-work - Work component shall provide parking as required by the non-residential use in addition to parking required for the Dwelling Unit.</td>
<td>• Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required.</td>
<td>• Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required.</td>
<td></td>
</tr>
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<td>• Adult Family-Care Homes - Minimum 1 space per staff member and 1 space per 4 residents.</td>
<td>• Community Residence - Minimum of 1 parking space per staff member in addition to the parking required for the principal Dwelling Unit(s).</td>
<td>• Parking requirement may be reduced according to the Shared parking standard, Article 4, Table 5.</td>
<td></td>
</tr>
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<td>• Except for sites within 500 feet of an ungated T3 Transect Zone, the parking ratio may be reduced within a TOD area or within a Transit Corridor area by up to thirty percent (30%) by process of Waiver; by up to fifty percent (50%) by process of Waiver and payment into a transit enhancement Trust Fund, as established by Chapter 35 of the City Code; or by one hundred percent (100%) for any Structure with a Floor Area of ten thousand (10,000) square feet or less.</td>
<td>• Except for sites within 500 feet of an ungated T3 Transect Zone, the parking ratio may be reduced within a TOD area or within a Transit Corridor area by up to thirty percent (30%) by process of Waiver; by up to fifty percent (50%) by process of Waiver and payment into a transit enhancement Trust Fund, as established by Chapter 35 of the City Code; or by one hundred percent (100%) for any Structure with a Floor Area of ten thousand (10,000) square feet or less.</td>
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</tr>
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<td>• Except for sites within 500 feet of an ungated T3 Transect Zone, the parking ratio may be reduced within a TOD area or within a Transit Corridor area by up to thirty percent (30%) by process of Waiver; by up to fifty percent (50%) by process of Waiver and payment into a transit enhancement Trust Fund, as established by Chapter 35 of the City Code; or by one hundred percent (100%) for any Structure with a Floor Area of ten thousand (10,000) square feet or less.</td>
<td>• Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required.</td>
<td>• Except for sites within 500 feet of an ungated T3 Transect Zone, the parking ratio may be reduced within a TOD area or within a Transit Corridor area by up to thirty percent (30%) by process of Waiver; by up to fifty percent (50%) by process of Waiver and payment into a transit enhancement Trust Fund, as established by Chapter 35 of the City Code; or by one hundred percent (100%) for any Structure with a Floor Area of ten thousand (10,000) square feet or less.</td>
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</tr>
<tr>
<td>• 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.</td>
<td>• Loading - See Article 4, Table 5</td>
<td>• Loading - See Article 4, Table 5</td>
<td></td>
</tr>
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<td>• Loading - See Article 4, Table 5</td>
<td>• Loading - See Article 4, Table 5</td>
<td>• Loading - See Article 4, Table 5</td>
<td></td>
</tr>
</tbody>
</table>

**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.
• Except for sites within 500 feet of an ungated T3 Transect Zone, the parking ratio may be reduced within a TOD area or within a Transit Corridor area by up to thirty percent (30%) by process of Waiver; by up to fifty percent (50%) by process of Waiver and payment into a transit enhancement Trust Fund, as established by Chapter 35 of the City Code; or by one hundred percent (100%) for any Structure with a Floor Area of ten thousand (10,000) square feet or less.
• 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

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.
- Except for sites within 500 feet of an ungated T3 Transect Zone, the parking ratio may be reduced within a TOD area or within a Transit Corridor area by up to thirty percent (30%) by process of Waiver; by up to fifty percent (50%) by process of Waiver and payment into a transit enhancement Trust Fund, as established by Chapter 35 of the City Code; or by one hundred percent (100%) for any Structure with a Floor Area of ten thousand (10,000) square feet or less.
- 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

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, except for Public Storage Facilities.
- 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 10,000 square feet with a minimum of 8 parking spaces.
- Parking requirement may be reduced according to the Shared parking standard, Article 4, Table 5, except for Public Storage Facilities.
- Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required.
- Except for sites within 500 feet of an ungated T3 Transect Zone, the parking ratio may be reduced within a TOD area or within a Transit Corridor area by up to thirty percent (30%) by process of Waiver; by up to fifty percent (50%) by process of Waiver and payment into a transit enhancement Trust Fund, as established by Chapter 35 of the City Code; or by one hundred percent (100%) for any Structure with a Floor Area of ten thousand (10,000) square feet or less.
- 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 Auto-related, Drive-Thru or Drive-In Facilities - See Article 6.
<table>
<thead>
<tr>
<th>RESTRICTED</th>
<th>LIMITED</th>
<th>OPEN</th>
</tr>
</thead>
<tbody>
<tr>
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<td>Civic Uses are permissible as listed in Table 3, limited by compliance with:</td>
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<td>• Minimum of 1 parking space for every 5 seats of assembly uses.</td>
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<td></td>
<td>• Minimum of 1 parking space for every 1000 square feet of exhibition or recreation area, and parking spaces for other Uses as required.</td>
<td>• Minimum of 1 parking space for every 1000 square feet of exhibition or recreation area, and parking spaces for other Uses as required.</td>
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<td>• Except for sites within 500 feet of an ungated T3 Transect Zone, the parking ratio may be reduced within a TOD area or within a Transit Corridor area by up to thirty percent (30%) by process of Waiver; by up to fifty percent (50%) by process of Waiver and payment into a transit enhancement Trust Fund, as established by Chapter 35 of the City Code; or by one hundred percent (100%) for any Structure with a Floor Area of ten thousand (10,000) square feet or less.</td>
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<td>• Loading - See Article 4, Table 5</td>
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<td><strong>CIVIL SUPPORT</strong></td>
<td>Civil Support Uses are permissible as listed in Table 3, limited by compliance with:</td>
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<td></td>
<td>• Minimum of 1 parking space for every 800 square feet of Civil Support Use.</td>
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<td></td>
<td>• Minimum of 1 parking space for every 5 seats of assembly use.</td>
<td>• Minimum of 1 parking space for every 5 seats of assembly use.</td>
</tr>
<tr>
<td></td>
<td>• Minimum of 1 parking space for every 5 slips of marine use.</td>
<td>• Minimum of 1 parking space for every 5 slips of marine use.</td>
</tr>
<tr>
<td></td>
<td>• Parking requirement may be reduced according to the Shared parking standard, Article 4, Table 5.</td>
<td>• Parking requirement may be reduced according to the Shared parking standard, Article 4, Table 5.</td>
</tr>
<tr>
<td></td>
<td>• Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required.</td>
<td>• Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required.</td>
</tr>
<tr>
<td></td>
<td>• Except for sites within 500 feet of an ungated T3 Transect Zone, the parking ratio may be reduced within a TOD area or within a Transit Corridor area by up to thirty percent (30%) by process of Waiver; by up to fifty percent (50%) by process of Waiver and payment into a transit enhancement Trust Fund, as established by Chapter 35 of the City Code; or by one hundred percent (100%) for any Structure with a Floor Area of ten thousand (10,000) square feet or less.</td>
<td>• Except for sites within 500 feet of an ungated T3 Transect Zone, the parking ratio may be reduced within a TOD area or within a Transit Corridor area by up to thirty percent (30%) by process of Waiver; by up to fifty percent (50%) by process of Waiver and payment into a transit enhancement Trust Fund, as established by Chapter 35 of the City Code; or by one hundred percent (100%) for any Structure with a Floor Area of ten thousand (10,000) square feet or less.</td>
</tr>
<tr>
<td></td>
<td>• 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.</td>
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</tr>
<tr>
<td></td>
<td>• Loading - See Article 4, Table 5</td>
<td>• Loading - See Article 4, Table 5</td>
</tr>
</tbody>
</table>
### ARTICLE 4. TABLE 4 DENSITY, INTENSITY AND PARKING (CONTINUED)

#### AS ADOPTED - MAY 2016

**T6 - URBAN CORE ZONE**

<table>
<thead>
<tr>
<th>DENSITY (UPA)</th>
<th>150 UNITS PER ACRE *</th>
<th>150 UNITS PER ACRE *</th>
<th>150 – 1,000 UNITS PER ACRE *</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>RESIDENTIAL</strong></td>
<td>Residential Uses are permissible as listed in Table 3, limited by compliance with:</td>
<td>Residential Uses are permissible as listed in Table 3, limited by compliance with:</td>
<td>Residential Uses are permissible as listed in Table 3, limited by compliance with:</td>
</tr>
<tr>
<td></td>
<td>• Minimum of 1.5 parking spaces per Dwelling Unit.</td>
<td>• Minimum of 1.5 parking spaces per Dwelling Unit.</td>
<td>• Minimum of 1.5 parking spaces per Dwelling Unit.</td>
</tr>
<tr>
<td></td>
<td>• Minimum of 1 additional visitor parking space for every 10 Dwelling Units.</td>
<td>• Minimum of 1 additional visitor parking space for every 10 Dwelling Units.</td>
<td>• Minimum of 1 additional visitor parking space for every 10 Dwelling Units.</td>
</tr>
<tr>
<td></td>
<td>• Adult Family-Care Homes - Minimum 1 space per staff member and 1 space per 4 residents.</td>
<td>• Live-work - Work component shall provide parking as required by the non-residential use in addition to parking required for the Dwelling Unit.</td>
<td>• Live-work - Work component shall provide parking as required by the non-residential use in addition to parking required for the Dwelling Unit.</td>
</tr>
<tr>
<td></td>
<td>• Community Residence - Minimum of 1 parking space per staff member in addition to the parking required for the principal Dwelling Unit(s).</td>
<td>• Minimum of 1 additional visitor parking space for every 10 Dwelling Units.</td>
<td>• Adult Family-Care Homes - Minimum 1 space per staff member and 1 space per 4 residents.</td>
</tr>
<tr>
<td></td>
<td>• Parking requirement may be reduced according to the shared parking standard, Article 4, Table 5.</td>
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<td>• Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required.</td>
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<td>• Except for sites within 500 feet of an ungated T3 Transect Zone, the parking ratio may be reduced within a TOD area or within a Transit Corridor area by up to thirty percent (30%) by process of Waiver; by up to fifty percent (50%) by process of Waiver and payment into a transit enhancement Trust Fund, as established by Chapter 35 of the City Code; or by one hundred percent (100%) for any Structure with a Floor Area of ten thousand (10,000) square feet or less.</td>
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<tr>
<td></td>
<td>• In T6-60 &amp; T6-80, parking for residential Uses located within 1,000 feet of a Metrorail or Metromover station shall not be required.</td>
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</tbody>
</table>

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<tr>
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<tbody>
<tr>
<td></td>
<td>• Minimum of 1 parking space for every 2 lodging units.</td>
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</tr>
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<td>DENSITY (UPA)</td>
<td>LIMITED</td>
<td>OPEN</td>
<td></td>
</tr>
<tr>
<td>--------------</td>
<td>---------</td>
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<td></td>
</tr>
<tr>
<td><strong>COMMERCIAL</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Commercial Uses are permissible as listed in Table 3, limited by compliance with:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Commercial establishments limited to a maximum area of 4,000 square feet each and shall be less than 25% building floor area total.</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>• The Building area allowed for Commercial Use on each lot is limited to two Stories of the Principal Building.</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>• Minimum of 3 parking spaces for every 1,000 square feet of commercial use.</td>
<td></td>
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<td>• Parking requirement may be reduced according to the shared parking standard, Article 4, Table 5.</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>• The Building area allowed for Commercial 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.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• A maximum area of 55,000 square feet per establishment.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Minimum of 3 parking spaces for every 1,000 square feet of commercial use.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
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<td>• 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.</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>• Loading - See Article 4, Table 5</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

| **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 | | |
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| • 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
### DENSITY (UPA)

<table>
<thead>
<tr>
<th><strong>RESTRICTED</strong></th>
<th><strong>LIMITED</strong></th>
<th><strong>OPEN</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>150 UNITS PER ACRE *</td>
<td>150 UNITS PER ACRE *</td>
<td>150 UNITS PER ACRE *</td>
</tr>
</tbody>
</table>

**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.
- Except for sites within 500 feet of an ungated T3 Transect Zone, the parking ratio may be reduced within a TOD area or within a Transit Corridor area by up to thirty percent (30%) by process of Waiver and payment into a transit enhancement Trust Fund, as established by Chapter 35 of the City Code; or by one hundred percent (100%) for any Structure with a Floor Area of ten thousand (10,000) square feet or less.
- 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 square feet of Educational Use.
- Schools – Minimum of 1 parking space for each faculty or staff member, 1 visitor parking space per 100 students, 1 parking space per 5 students in grades 11 and 12.
- Childcare Facilities- Minimum of 1 space for the owner/operator and 1 space for each employee, and 1 drop-off space for every 10 clients cared for.
- 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.
- Except for sites within 500 feet of an ungated T3 Transect Zone, the parking ratio may be reduced within a TOD area or within a Transit Corridor area by up to thirty percent (30%) by process of Waiver; by up to fifty percent (50%) by process of Waiver and payment into a transit enhancement Trust Fund, as established by Chapter 35 of the City Code; or by one hundred percent (100%) for any Structure with a Floor Area of ten thousand (10,000) square feet or less.
- Loading - See Article 4, Table 5

### RESTRICTED

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.
- 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.
- Except for sites within 500 feet of an ungated T3 Transect Zone, the parking ratio may be reduced within a TOD area or within a Transit Corridor area by up to thirty percent (30%) by process of Waiver; by up to fifty percent (50%) by process of Waiver and payment into a transit enhancement Trust Fund, as established by Chapter 35 of the City Code; or by one hundred percent (100%) for any Structure with a Floor Area of ten thousand (10,000) square feet or less.
- 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 square feet of Educational Use.
- Schools – Minimum of 1 parking space for each faculty or staff member, 1 visitor parking space per 100 students, 1 parking space per 5 students in grades 11 and 12 or College/University.
- Childcare Facilities- Minimum of 1 space for the owner/operator and 1 space for each employee, and 1 drop-off space for every 10 clients cared for.
- 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.
- Except for sites within 500 feet of an ungated T3 Transect Zone, the parking ratio may be reduced within a TOD area or within a Transit Corridor area by up to thirty percent (30%) by process of Waiver; by up to fifty percent (50%) by process of Waiver and payment into a transit enhancement Trust Fund, as established by Chapter 35 of the City Code; or by one hundred percent (100%) for any Structure with a Floor Area of ten thousand (10,000) square feet or less.
- Loading - See Article 4, Table 5
<table>
<thead>
<tr>
<th>CS – CIVIC SPACE</th>
<th>CI – CIVIC INSTITUTION</th>
<th>CI-HD – CIVIC INSTITUTION HEALTH DISTRICT</th>
</tr>
</thead>
<tbody>
<tr>
<td>DENSITY (UPA)</td>
<td>N/A</td>
<td>DENSITY OF ABUTTING ZONE</td>
</tr>
<tr>
<td></td>
<td>150 UNITS PER ACRE</td>
<td></td>
</tr>
<tr>
<td>RESIDENTIAL</td>
<td>All intensity, parking and loading regulations to match that of the most restrictive Abutting zone. 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.</td>
<td>• Minimum of 1 parking space for every 800 square feet of Residential Use. Loading - See Article 4, Table 5</td>
</tr>
<tr>
<td>LODDING</td>
<td>Office Uses are permissible as listed in Table 3.</td>
<td>• Minimum of 1 parking space for every 800 square feet of Residential Use. Loading - See Article 4, Table 5</td>
</tr>
<tr>
<td>OFFICE</td>
<td>Commercial Uses are permissible as listed in Table 3.</td>
<td>• Minimum of 1 parking space for every 800 square feet of Commercial Use. Loading - See Article 4, Table 5</td>
</tr>
<tr>
<td>COMMERCIAL</td>
<td>Civic Uses are permissible as listed in Table 3.</td>
<td>• Minimum of 1 parking space for every 800 square feet of Civic Use. Loading - See Article 4, Table 5</td>
</tr>
<tr>
<td>CIVIC</td>
<td>Civilization and recreation uses. Uses are permissible as listed in Table 3, limited by compliance with: Density and intensity, parking and loading regulations to match that of the most restrictive Abutting zone.</td>
<td>• Minimum of 1 parking space for every 800 square feet of Ethical Use. Loading - See Article 4, Table 5</td>
</tr>
<tr>
<td>CIVIC SUPPORT</td>
<td>Civil Support Uses are permissible as listed in Table 3, limited by compliance with:</td>
<td>• Minimum of 1 parking space for every 800 square feet of Civil Support Use. Loading - See Article 4, Table 5</td>
</tr>
<tr>
<td>EDUCATIONAL</td>
<td>Educational Uses are permissible as listed in Table 3, limited by compliance with:</td>
<td>• Minimum of 1 parking space for every 800 square feet of Educational Use. Loading - See Article 4, Table 5</td>
</tr>
</tbody>
</table>

IV.18
**D - DISTRICT**

<table>
<thead>
<tr>
<th>District</th>
<th>D1 - WORK PLACE</th>
<th>D2 - INDUSTRIAL</th>
<th>D3 - WATERFRONT INDUSTRIAL</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>DENSITY (UPA)</strong></td>
<td>Residential</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>36 UNITS PER ACRE</td>
<td>Residential Uses are permissible as listed in Table 3, limited by compliance with:</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Minimum of 1 parking space per Dwelling Unit.</td>
<td></td>
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<tr>
<td></td>
<td>• Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required.</td>
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<td>• Minimum of 1 additional parking space for every 10 lodging units for visitors.</td>
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<td></td>
</tr>
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<td>Office Uses are permissible as listed in Table 3, limited by compliance with:</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Minimum of 3 parking spaces for every 1,000 sf of office space.</td>
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<td></td>
<td>• Parking requirement may be reduced according to the Shared Parking Standard, Article 4, Table 5.</td>
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<td>• Parking may be provided by ownership or lease offsite within 1000 feet and in Transect Zone D by process of Waiver.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Loading - See Article 4, Table 5</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Office Uses are permissible as listed in Table 3, limited by compliance with:</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Minimum of 3 parking spaces for every 1,000 sf of office space.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Parking requirement may be reduced according to the Shared Parking Standard, Article 4, Table 5.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Except for sites within 500 feet of an ungated T3 Transect Zone, the parking ratio may be reduced within a TOD area or within a Transit Corridor area by up to thirty percent (30%) by process of Waiver; by up to fifty percent (50%) by process of Waiver and payment into a transit enhancement Trust Fund, as established by Chapter 35 of the City Code; or by one hundred percent (100%) for any Structure with a Floor Area of ten thousand (10,000) square feet or less.</td>
<td></td>
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</tr>
<tr>
<td></td>
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<td></td>
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</tr>
<tr>
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<td>• Loading - See Article 4, Table 5</td>
<td></td>
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<td></td>
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<td></td>
</tr>
<tr>
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<td></td>
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</tr>
<tr>
<td></td>
<td>• Loading - See Article 4, Table 5</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Article 4. Table 4 Density, Intensity and Parking (Continued)

<table>
<thead>
<tr>
<th>D1 - WORK PLACE</th>
<th>D2 - INDUSTRIAL</th>
<th>D3 - WATERFRONT INDUSTRIAL</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Density (UPA)</strong></td>
<td>36</td>
<td>N/A</td>
</tr>
</tbody>
</table>

#### 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, except for Public Storage Facilities, minimum 1 parking space for every 10,000 square feet with a minimum of 8 parking spaces.
- Parking requirement may be reduced according to the Shared Parking Standard, Article 4, Table 5, except for Public Storage Facilities.
- Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required.
- Except for sites within 500 feet of an ungated T3 Transect Zone, the parking ratio may be reduced within a TOD area or within a Transit Corridor area by up to thirty percent (30%) by process of Waiver, by up to one hundred percent (100%) by process of Waiver and payment into a transit enhancement Trust Fund, as established by Chapter 35 of the City Code, or by one hundred percent (100%) for any Structure with a Floor Area of ten thousand (10,000) square feet or less.
- 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

#### 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.
- Except for sites within 500 feet of an ungated T3 Transect Zone, the parking ratio may be reduced within a TOD area or within a Transit Corridor area by up to thirty percent (30%) by process of Waiver, by up to fifty percent (50%) by process of Waiver and payment into a transit enhancement Trust Fund, as established by Chapter 35 of the City Code, or by one hundred percent (100%) for any Structure with a Floor Area of ten thousand (10,000) square feet or less.
- 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
<table>
<thead>
<tr>
<th>DENSITY (UPA)</th>
<th>36 UNITS PER ACRE</th>
<th>N/A</th>
<th>N/A</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>CIVIL SUPPORT</strong></td>
<td>Civil Support Uses are permissible as listed in Table 3, limited by compliance with:</td>
<td>Civil Support Uses are permissible as listed in Table 3, limited by compliance with:</td>
<td>Civil Support Uses are permissible as listed in Table 3, limited by compliance with:</td>
</tr>
<tr>
<td></td>
<td>• Minimum of 1 parking space for every 1,000 sf. of Civil Support Use.</td>
<td>• Minimum of 1 parking space for every 1,000 sf. of Civil Support Use.</td>
<td>• Minimum of 1 parking space for every 1,000 sf. of Civil Support Use.</td>
</tr>
<tr>
<td></td>
<td>• Parking requirement may be reduced according to the Shared Parking Standard, Article 4, Table 5.</td>
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<td>• Parking requirement may be reduced according to the Shared Parking Standard, Article 4, Table 5.</td>
</tr>
<tr>
<td></td>
<td>• Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required.</td>
<td>• Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required.</td>
<td>• Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required.</td>
</tr>
<tr>
<td></td>
<td>• Minimum of 1 parking space for every 5 seats for assembly uses.</td>
<td>• Minimum of 1 parking space for every 5 seats for assembly uses.</td>
<td>• Minimum of 1 parking space for every 5 seats for assembly uses.</td>
</tr>
<tr>
<td></td>
<td>• Minimum of 1 parking space for every 5 slips for marine Uses.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Adult Daycare - Minimum of 1 space per staff member.</td>
<td>• Adult Daycare - Minimum of 1 space per staff member.</td>
<td>• Adult Daycare - Minimum of 1 space per staff member.</td>
</tr>
<tr>
<td></td>
<td>• Except for sites within 500 feet of an ungated T3 Transect Zone, the parking ratio may be reduced within a TOD area or within a Transit Corridor area by up to thirty percent (30%) by process of Waiver; by up to fifty percent (50%) by process of Waiver and payment into a transit enhancement Trust Fund, as established by Chapter 35 of the City Code; or by one hundred percent (100%) for any Structure with a Floor Area of ten thousand (10,000) square feet or less.</td>
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</tr>
<tr>
<td></td>
<td>• Loading - See Article 4, Table 5</td>
<td>• Loading - See Article 4, Table 5</td>
<td>• Loading - See Article 4, Table 5</td>
</tr>
<tr>
<td><strong>EDUCATIONAL</strong></td>
<td>Educational Uses are permissible as listed in Table 3, limited by compliance with:</td>
<td>Educational Uses are permissible as listed in Table 3, limited by compliance with:</td>
<td>Educational Uses are permissible as listed in Table 3, limited by compliance with:</td>
</tr>
<tr>
<td></td>
<td>• Minimum of 2 parking spaces for every 1,000 sf of educational Use.</td>
<td>• Minimum of 2 parking spaces for every 1,000 sf of educational Use.</td>
<td>• Minimum of 2 parking spaces for every 1,000 sf of educational Use.</td>
</tr>
<tr>
<td></td>
<td>• Schools – Minimum of 1 parking space for each faculty or staff member, 1 visitor parking space per 100 students, 1 parking space per 5 students in grades 11 and 12 or College/University.</td>
<td>• Parking requirement may be reduced according to the Shared Parking Standard, Article 4, Table 5.</td>
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</tr>
<tr>
<td></td>
<td>• Parking requirement may be reduced according to the Shared Parking Standard, Article 4, Table 5.</td>
<td>• Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required.</td>
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</tr>
<tr>
<td></td>
<td>• Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required.</td>
<td>• Except for sites within 500 feet of an ungated T3 Transect Zone, the parking ratio may be reduced within a TOD area or within a Transit Corridor area by up to thirty percent (30%) by process of Waiver; by up to fifty percent (50%) by process of Waiver and payment into a transit enhancement Trust Fund, as established by Chapter 35 of the City Code; or by one hundred percent (100%) for any Structure with a Floor Area of ten thousand (10,000) square feet or less.</td>
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</tr>
<tr>
<td></td>
<td>• Childcare Facilities- Minimum of 1 space for the owner/operator and 1 space for each employee, and 1 drop-off space for every 10 clients cared for.</td>
<td>• Loading - See Article 4, Table 5</td>
<td>• Loading - See Article 4, Table 5</td>
</tr>
<tr>
<td></td>
<td>• Except for sites within 500 feet of an ungated T3 Transect Zone, the parking ratio may be reduced within a TOD area or within a Transit Corridor area by up to thirty percent (30%) by process of Waiver; by up to fifty percent (50%) by process of Waiver and payment into a transit enhancement Trust Fund, as established by Chapter 35 of the City Code; or by one hundred percent (100%) for any Structure with a Floor Area of ten thousand (10,000) square feet or less.</td>
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</tr>
<tr>
<td></td>
<td>• Loading - See Article 4, Table 5</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
# ARTICLE 4. TABLE 5 BUILDING FUNCTION: PARKING AND LOADING

## SHARED PARKING STANDARDS

<table>
<thead>
<tr>
<th>Function with</th>
<th>RESIDENTIAL</th>
<th>RESIDENTIAL</th>
<th>LODGING</th>
<th>LODGING</th>
<th>OFFICE</th>
<th>OFFICE</th>
<th>COMMERCIAL</th>
<th>COMMERCIAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>RESIDENTIAL</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>LODGING</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>OFFICE</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>COMMERCIAL</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>1</td>
</tr>
</tbody>
</table>

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 17 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

<table>
<thead>
<tr>
<th>ANGLE OF PARKING</th>
<th>ONE WAY TRAFFIC SINGLE LOADED</th>
<th>ONE WAY TRAFFIC DOUBLE LOADED</th>
<th>TWO WAY TRAFFIC DOUBLE LOADED</th>
</tr>
</thead>
<tbody>
<tr>
<td>90</td>
<td>23 ft</td>
<td>23 ft</td>
<td>23 ft</td>
</tr>
<tr>
<td>60</td>
<td>12.8 ft</td>
<td>11.8 ft</td>
<td>19.3 ft</td>
</tr>
<tr>
<td>45</td>
<td>10.8 ft</td>
<td>9.5 ft</td>
<td>18.5 ft</td>
</tr>
<tr>
<td>Parallel</td>
<td>10 ft</td>
<td>10 ft</td>
<td>20 ft</td>
</tr>
</tbody>
</table>

Standard stall: 8.5 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 requirements of parking lots, refer to Article 9 and the City of Miami Off-street Parking Guides and Standards.

## LOADING BERTH STANDARDS

### T5, T6, CS, CHD & CI

<table>
<thead>
<tr>
<th>FUNCTION</th>
<th>AREA</th>
<th>BERTH TYPES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential*</td>
<td>660 sf</td>
<td>1 / 500 sf</td>
</tr>
<tr>
<td>Lodging</td>
<td>420 sf</td>
<td>1st 25K sf - 50K sf</td>
</tr>
<tr>
<td>Commercial**</td>
<td>420 sf</td>
<td>1st 25K sf - 50K sf</td>
</tr>
<tr>
<td>**</td>
<td>2nd 50K sf - 100K sf</td>
<td></td>
</tr>
<tr>
<td>**</td>
<td>3rd 100K sf - 250K sf</td>
<td></td>
</tr>
<tr>
<td>**</td>
<td>4th 250K sf - 500K sf</td>
<td></td>
</tr>
<tr>
<td>Greater than 500,000 sf</td>
<td>Berths</td>
<td></td>
</tr>
<tr>
<td>Residential*</td>
<td>660 sf</td>
<td>1 / 500 sf</td>
</tr>
<tr>
<td>Lodging</td>
<td>420 sf</td>
<td>1st 25K sf - 50K sf</td>
</tr>
<tr>
<td>Commercial**</td>
<td>420 sf</td>
<td>1st 25K sf - 50K sf</td>
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<td>**</td>
<td>2nd 50K sf - 100K sf</td>
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<td></td>
</tr>
<tr>
<td>**</td>
<td>4th 250K sf - 500K sf</td>
<td></td>
</tr>
<tr>
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<td>Berths</td>
<td></td>
</tr>
</tbody>
</table>

### COMMERCIAL**

<table>
<thead>
<tr>
<th>FUNCTION</th>
<th>AREA</th>
<th>BERTH TYPES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Office</td>
<td>420 sf</td>
<td>1st 25K sf - 50K sf</td>
</tr>
<tr>
<td>Commercial</td>
<td>420 sf</td>
<td>1st 25K sf - 50K sf</td>
</tr>
<tr>
<td>**</td>
<td>2nd 50K sf - 100K sf</td>
<td></td>
</tr>
<tr>
<td>**</td>
<td>3rd 100K sf - 250K sf</td>
<td></td>
</tr>
<tr>
<td>**</td>
<td>4th 250K sf - 500K sf</td>
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<tr>
<td>Residential*</td>
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<td>1 / 500 sf</td>
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<td>1st 25K sf - 50K sf</td>
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<td>Commercial**</td>
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<td>1st 25K sf - 50K sf</td>
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<td></td>
</tr>
<tr>
<td>**</td>
<td>4th 250K sf - 500K sf</td>
<td></td>
</tr>
<tr>
<td>Greater than 500,000 sf</td>
<td>Berths</td>
<td></td>
</tr>
</tbody>
</table>

### INDUSTRIAL***

<table>
<thead>
<tr>
<th>FUNCTION</th>
<th>AREA</th>
<th>BERTH TYPES</th>
</tr>
</thead>
<tbody>
<tr>
<td>**</td>
<td>420 sf</td>
<td>1st 25K sf - 50K sf</td>
</tr>
<tr>
<td>**</td>
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</tr>
<tr>
<td>**</td>
<td>4th 250K sf - 500K sf</td>
<td></td>
</tr>
<tr>
<td>Greater than 500,000 sf</td>
<td>Berths</td>
<td></td>
</tr>
</tbody>
</table>

### NOTES

- Berth Types
  - Residential*: 200 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.

A required Industrial or Commercial loading berth may be substituted by a Commercial or Residential loading berth, by Waiver, if the size, character, and operation of the Use is found to not require the dimensions specified and the required loading berth dimension could not otherwise be provided according to the regulations of this Code.
**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.

**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.

**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.

**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.

**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.

**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.

**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.

**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.
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.

<table>
<thead>
<tr>
<th>Type</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Park</td>
<td>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.</td>
</tr>
<tr>
<td>b. Green</td>
<td>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.</td>
</tr>
<tr>
<td>c. Square</td>
<td>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.</td>
</tr>
<tr>
<td>d. Plaza</td>
<td>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.</td>
</tr>
<tr>
<td>e. Courtyard / Garden</td>
<td>An Open Space spatially defined by Buildings and street walls, and visually accessible on one side to the street.</td>
</tr>
<tr>
<td>f. Playground</td>
<td>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.</td>
</tr>
<tr>
<td>g. Pedestrian Passage</td>
<td>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, T6-48, T6-60 and T6-80, a Pedestrian Passage may be roofed.</td>
</tr>
<tr>
<td>h. Community Garden</td>
<td>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.</td>
</tr>
</tbody>
</table>
a. THOROUGHFARE & FRONTAGES

b. TURNING RADIUS

c. BUILDING DISPOSITION

d. LOT LAYERS

e. FRONTAGE & LOT LINES

f. SETBACK DESIGNATIONS

g. VISIBILITY TRIANGLE
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.
ARTICLE 4. DIAGRAM 10 AREA SPECIFIC ILLUSTRATIONS

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

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
ARTICLE 4. DIAGRAM 11 TRANSIT ORIENTED DEVELOPMENT - TOD

Note: The Official Miami 21 TOD Diagram is maintained in the Office of the City Clerk.
**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. See also Article 7, Section 7.2 for specific regulations.
- 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 sites should locate service elements, such as trash dumpsters, utility meters, loading docks, backflow preventers, siamese connections and electrical, plumbing, mechanical and communications equipment away from a street front. All service elements shall be situated and screened from view to the street and adjacent properties.

### 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 or surface parking areas as buffers between dissimilar Uses.
- Screen parking garage structures with Habitable Space. Where Habitable Space is not provided, architectural treatments and landscaping shall screen the garage structure.

### 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.
- Use landscape material, such as plantings, trellises, pavers, screen walls, planters and similar features, to enhance building design and continuity of streetscape.
- Provide landscaping that screens undesirable elements, such as surface parking lots, and that enhances open space and architecture.

### SIGN STANDARDS

- Provide signage appropriate for the scale and character of the establishment and immediate Neighborhood.
- Signage shall be within calculated aggregate area appropriate for Transect Zone.
- Signage shall be located below fifty (50) foot height limit along the Building Primary Frontage.
- Number of Signs for an establishment shall not exceed the allowable amount per linear Frontage.
- Monument Signs shall be located within the appropriate Setback and not to disrupt pedestrian activity.
- Illumination and other lighting effects shall not create a nuisance to adjacent property or create a traffic hazard.

### AMBIENT STANDARDS

- Provide lighting appropriate to the Building and landscape design in a manner that coordinates with signage and 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.
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## AMENDMENTS TO ARTICLE 5

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<td>D1 Density</td>
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<td>11-18-2010</td>
<td>Minor and non-substantial modifications throughout the Code</td>
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<td>13238</td>
<td>12-16-2010</td>
<td>Requirements for sheds and other structures; loading berth substitutions; requirements for public and commercial storage facilities; distance separation requirements for ALF's; distance separation requirements for uses and structures</td>
<td>10-00963zt</td>
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<td>13240</td>
<td>12-16-2010</td>
<td>Modification of door spacing requirements and removal of public easement requirements</td>
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<td>13242</td>
<td>12-16-2010</td>
<td>Establish limits and procedures for extensions above maximum height for stairs, elevators, mechanical equip., etc.</td>
<td>10-00970zt</td>
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<td>13254</td>
<td>02-24-2011</td>
<td>Modify story height for T4 Transect to 40 feet max</td>
<td>10-01454zt</td>
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<td>13259</td>
<td>03-24-2011</td>
<td>Regulations for fences and walls in certain Transects</td>
<td>10-01461zt</td>
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<td>13314</td>
<td>02-26-2012</td>
<td>Added “Structures other than signs” to dominant setback waivers</td>
<td>11-00791zt</td>
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<td>13326</td>
<td>06-28-2012</td>
<td>Additional flexibility for parking garages</td>
<td>12-00563zt</td>
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<td>13425</td>
<td>12-12-2013</td>
<td>Mechanical roof equipment amendment to T6-12</td>
<td>13-01089zt</td>
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<td>13507</td>
<td>03-12-2015</td>
<td>Modification of Illustration 5.6 Urban Core Transect Zone (T6-24) to include T6-24(b)</td>
<td>14-01198zt</td>
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<tr>
<td>13516</td>
<td>03-26-2015</td>
<td>Modification of Balcony and Facade component encroachment allowances.</td>
<td>14-01215zt</td>
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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, pools, tennis courts or other similar recreational facilities shall be as shown for Outbuildings in Illustration 5.3.

h. Accessory Structures shall follow the setbacks for Principal Buildings as shown in Illustration 5.3. One (1) Story, non-habitable Accessory Structures, of a maximum of two hundred (200) square feet or ten (10%) of the Floor Area of the Principal Building, whichever is greater, shall be located in the Second or Third layer of the property and shall be setback a minimum of five (5) feet from any side Property Line and ten (10) feet from any rear Property Line. Setbacks for such structures may be reduced by Waiver.

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, on any required setback, except for buildings existing as of the effective date of this Code, where mechanical equipment, such as air conditioning units, pumps, exhaust fans or other similar noise producing equipment may be allowed as Encroachments by Waiver.

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, or as regulated by FEMA, whichever is higher. 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 may be located up to and including the frontage line to the following maximum height. Height of fences and walls shall not exceed four (4) feet within the first layer, except aluminum or iron picket and post fences with or without masonry posts shall not exceed six (6) 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 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 façade 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 façade. 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 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.
BUILDING DISPOSITION

LOT OCCUPATION

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Lot Area</td>
<td>5,000 s.f. min.</td>
</tr>
<tr>
<td>b. Lot Width</td>
<td>50 ft. min.</td>
</tr>
<tr>
<td>c. Lot Coverage</td>
<td>50% max. first floor 30% max. second floor (T3 R &amp; T3 L only)</td>
</tr>
<tr>
<td>d. Floor Lot Ratio (FLR)</td>
<td>N/A</td>
</tr>
<tr>
<td>e. Frontage at front Setback</td>
<td>N/A</td>
</tr>
<tr>
<td>f. Green Space</td>
<td>25% Lot Area min.</td>
</tr>
</tbody>
</table>

9. Density

T3 R = 9 du/acre max.
T3 L = 9 du/acre max.
T3 O = 18 du/acre max.

BUILDING SETBACK

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
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</tr>
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<tbody>
<tr>
<td>a. Principal Front</td>
<td>20 ft. min.</td>
</tr>
<tr>
<td>b. Secondary Front</td>
<td>10 ft. min.</td>
</tr>
<tr>
<td>c. Side</td>
<td>5 ft. min. 20% Lot Width total min.</td>
</tr>
<tr>
<td>d. Rear</td>
<td>20 ft. min.</td>
</tr>
</tbody>
</table>

OUTBUILDING SETBACK (T3L ONLY)

<p>| | |</p>
<table>
<thead>
<tr>
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</thead>
<tbody>
<tr>
<td>a. Principal Front</td>
<td>20 ft. min.</td>
</tr>
<tr>
<td>b. Secondary Front</td>
<td>10 ft. min.</td>
</tr>
<tr>
<td>c. Side</td>
<td>5 ft. min.</td>
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<tr>
<td>d. Rear</td>
<td>5 ft. min.</td>
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BUILDING CONFIGURATION

FRONTAGE

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<table>
<thead>
<tr>
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<tbody>
<tr>
<td>a. Common Lawn</td>
<td>permitted</td>
</tr>
<tr>
<td>b. Porch &amp; Fence</td>
<td>permitted</td>
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<tr>
<td>c. Terrace or L.C.</td>
<td>permitted</td>
</tr>
<tr>
<td>d. Forecourt</td>
<td>permitted</td>
</tr>
<tr>
<td>e. Stoop</td>
<td>prohibited</td>
</tr>
<tr>
<td>f. Shopfront</td>
<td>prohibited</td>
</tr>
<tr>
<td>g. Gallery</td>
<td>prohibited</td>
</tr>
<tr>
<td>h. Arcade</td>
<td>prohibited</td>
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BUILDING HEIGHT

<p>| | |</p>
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<tbody>
<tr>
<td>a. Principal Building</td>
<td>2 Stories and 25 ft. to eave max.</td>
</tr>
<tr>
<td>b. Outbuilding</td>
<td>2 Stories and 25 ft. to eave max.</td>
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PARKING

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<tr>
<td>Facade Width</td>
<td>T3 R &amp; T3 L 30% max. T3 O 60% max.</td>
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BUILDING PLACEMENT

OUTBUILDING PLACEMENT

PARKING PLACEMENT

BUILDING HEIGHT
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, pools, tennis courts or other similar recreational facilities shall be as shown for Outbuildings in Illustration 5.4.

h. Accessory Structures shall follow the setbacks for Principal Buildings as shown in Illustration 5.4. One (1) Story, non-habitable Accessory Structures, of a maximum of two hundred (200) square feet or ten (10%) of the Floor Area of the Principal Building, whichever is greater, shall be located in the Second or Third layer of the property and shall be setback a minimum of five (5) feet from any side Property Line and ten (10) feet from any rear Property Line.

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 ap-
purtenant 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 on any required setback, except for Buildings existing as of the effective date of this Code, where mechanical equipment, such as air conditioning units, pumps, exhaust fans or other similar noise producing equipment may be allowed as Encroachments in the setback by Waiver.

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. The height of the building shall be up to three (3) Stories, and a maximum of forty (40) feet to the top of the roof slab.

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 up to ten (10) feet above the maximum Height for a stair, elevator or mechanical enclosure shall be limited to twenty (20%) of the roof area.

h. Fences and walls may be located at the Frontage Line as shown in Article 4, Table 6. Fences and walls shall be a maximum Height of four (4) feet at the First Layer, except aluminum or iron picket and post Fences with or without masonry posts shall not exceed six (6) 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. 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. A maximum thirty percent (30%) of the width of the Facade may be surface parking, covered parking or garage, which shall align with or be set back from the Facade. Driveways and drop-offs including parking may be located within the First Layer.

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 and shall comply with Article 3, Section 3.13.2 of this Code.

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 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.
ARTICLE 5. SPECIFIC TO ZONES

LOT OCCUPATION

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

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

BUILDING SETBACK

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

OUTBUILDING SETBACK

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

BUILDING CONFIGURATION

FRONTAGE

- Common Lawn: permitted
- Porch & Fence: permitted
- Terrace or L.C.: permitted
- Forecourt: permitted
- Stoop: permitted
- Shopfront: permitted (T4 L and T4 O only)
- Gallery: prohibited
- Arcade: prohibited

BUILDING HEIGHT

- Principal Building
  a. 3 Stories max. and 40 ft. max.
- Outbuilding
  b. 2 Stories max.
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.

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

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 5.5. 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.

f. At the first Story, Façades along a Frontage Line shall have frequent doors and windows; pedestrian entrances shall occur at a maximum spacing of seventy-five (75) feet and 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 5.5. Where the property to be developed abuts a Structure other than a Sign, a Waiver may be granted so the proposed Structure matches the ground level dominant setback of the block and its context.

h. 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. 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.

i. 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 up to ten (10) feet above the maximum Height for stair, elevator or mechanical enclosures shall be limited to twenty (20%) of the roof area, unless approved by 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
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-cochères, 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, unless 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 and shall comply with Article 3, Section 3.13.2 of this Code.
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.

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.
**ARTICLE 5. SPECIFIC TO ZONES**

**LOT OCCUPATION**

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Minimum</th>
<th>Maximum</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot Area</td>
<td>5,000 s.f.</td>
<td>40,000 s.f.</td>
</tr>
<tr>
<td>- With rear vehicular access</td>
<td>1,200 s.f.</td>
<td>40,000 s.f.</td>
</tr>
<tr>
<td>Lot Width</td>
<td>50 ft. min.</td>
<td>16 ft. min.</td>
</tr>
<tr>
<td>- With rear vehicular access</td>
<td>12 ft. min.</td>
<td>16 ft. min.</td>
</tr>
<tr>
<td>Lot Coverage</td>
<td>80% max.</td>
<td></td>
</tr>
<tr>
<td>Floor Lot Ratio (FLR)</td>
<td>N/A</td>
<td></td>
</tr>
</tbody>
</table>

**Frontage at front Setback**

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Minimum</th>
</tr>
</thead>
<tbody>
<tr>
<td>70% min.</td>
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</table>

**Open Space**

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Minimum</th>
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</thead>
<tbody>
<tr>
<td>10% Lot Area min.</td>
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</tbody>
</table>

**Density**

<table>
<thead>
<tr>
<th>Requirement</th>
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</tr>
</thead>
<tbody>
<tr>
<td>65 du/ac max.</td>
<td></td>
</tr>
</tbody>
</table>

**BUILDING SETBACK**

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Minimum</th>
</tr>
</thead>
<tbody>
<tr>
<td>Principal Front</td>
<td>10 ft. min.</td>
</tr>
<tr>
<td>Secondary Front</td>
<td>10 ft. min.</td>
</tr>
<tr>
<td>Side</td>
<td>0 ft. min.</td>
</tr>
<tr>
<td>Rear</td>
<td>0 ft. min.</td>
</tr>
<tr>
<td>Abutting Side or Rear T4</td>
<td>6 ft. min</td>
</tr>
<tr>
<td>Abutting Side or Rear T3</td>
<td>10% Lot depth**min. 1&quot; through 2nd Story 26 ft. min. above 2nd Story</td>
</tr>
</tbody>
</table>

**BUILDING CONFIGURATION**

### FRONTAGE

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Prohibited</th>
</tr>
</thead>
<tbody>
<tr>
<td>Common Lawn</td>
<td></td>
</tr>
<tr>
<td>Porch &amp; Fence</td>
<td></td>
</tr>
<tr>
<td>Terrace or L.C.</td>
<td></td>
</tr>
<tr>
<td>Forecourt</td>
<td>permitted</td>
</tr>
<tr>
<td>Stoop</td>
<td>permitted</td>
</tr>
<tr>
<td>Shopfront</td>
<td>permitted (T5 L and T5 O only)</td>
</tr>
<tr>
<td>Gallery</td>
<td>permitted by Special Area Plan</td>
</tr>
<tr>
<td>Arcade</td>
<td>permitted by Special Area Plan</td>
</tr>
</tbody>
</table>

**BUILDING HEIGHT**

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Minimum</th>
<th>Maximum</th>
</tr>
</thead>
<tbody>
<tr>
<td>Min. Height</td>
<td>2 Stories</td>
<td></td>
</tr>
<tr>
<td>Max. Height</td>
<td>5 Stories</td>
<td></td>
</tr>
<tr>
<td>Max. Benefit Height</td>
<td>1 Story Abutting D1</td>
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</table>

**BUILDING PLACEMENT**

**PARKING PLACEMENT**

**BUILDING HEIGHT**

**AButting Side & Rear D1**

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Minimum</th>
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</thead>
<tbody>
<tr>
<td>Min. Height</td>
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</tr>
<tr>
<td>Max. Height</td>
<td>5</td>
</tr>
<tr>
<td>Max. Benefit Height</td>
<td>1 Story Abutting D1</td>
</tr>
</tbody>
</table>

**AButting Side & Rear T4**

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Minimum</th>
</tr>
</thead>
<tbody>
<tr>
<td>Min. Height</td>
<td>2</td>
</tr>
<tr>
<td>Max. Height</td>
<td>4</td>
</tr>
<tr>
<td>Max. Benefit Height</td>
<td>1 Story Abutting D1</td>
</tr>
</tbody>
</table>

**AButting Side & Rear T3**

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Minimum</th>
</tr>
</thead>
<tbody>
<tr>
<td>Min. Height</td>
<td>1</td>
</tr>
<tr>
<td>Max. Height</td>
<td>5</td>
</tr>
<tr>
<td>Max. Benefit Height</td>
<td>1 Story Abutting D1</td>
</tr>
</tbody>
</table>

**ILLUSTRATION 5.5 URBAN CENTER TRANSECT ZONES (T5)**

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**Vehicle 23**
ARTICLE 5. SPECIFIC TO ZONES

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 and 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 a Structure other than a Sign, a Waiver may be granted so the proposed Structure matches the ground level 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, T6-48, 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, T6-48, 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, T6-48, 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, T6-48, 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. 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. Such a cross-Block 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, T6-48, 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, T6-48, 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, roofs, or Facade components promoting energy efficiency, such as shading and Screening devices, that are non-accessible may encroach up to three (3) feet of the depth of the Setback. Other cantilevered portions of the Building shall maintain the required Setback. Above the eighth Story when additional setbacks are required as detailed in Illustration 5.6, Facade components promoting energy efficiency such as shading and Screening devices, that are non-accessible or balconies 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. 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 ten (10) feet. Other enclosures for housing stairs, elevators or mechanical equipment or for ornamental Building features may extend up to ten (10) feet above maximum height for T6-8, unless approved by Waiver. There shall be no limitation for ornamental element, stair, elevator or mechanical equipment extensions above maximum Height for T6-12, T6-24, T6-36, T6-48, 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.

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 Space.

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
d. Primary Frontage. All parking, including drop-off drives and porte-cochères, open parking areas, covered parking, garages, Loading Spaces 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. Parking may extend into the Second Layer above the first (1) Story, by Waiver, if an art or glass treatment, of a design to be approved by the Planning Director, with the recommendation of the Urban Development Review Board, 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.

e. Secondary Frontage. All Parking, open parking areas, covered parking, garages, Loading Spaces 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. 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, unless approved by Waiver.

h. 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.

i. 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 and shall comply with Article 3, Section 3.13.2 of this Code.
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. 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.
ARTICLE 5. SPECIFIC TO ZONES

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
   - Above 8th Story 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 10% Lot Area min.

g. Density 150 du/ac 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 or Rear T5 0 ft. min. 1st through 5th Story
   10 ft. min. 6th through 8th Story
   30 ft. min. above 8th Story
Abutting Side or Rear T4 6 ft. min. 1st through 5th Story
   26 ft. min. above 5th Story
Abutting Side or 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 and 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 Transects Zones except T3

* Or as modified in Diagram 9

**10% of Lot depth for Lots more than 120' deep
  6' min for Lots less than 120' deep
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BUILDING OCCUPATION

- Lot Area
  - 5,000 s.f. min.; 70,000 s.f. max.

- Lot Width
  - 50 ft min.

- 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

- Floor Lot Ratio (FLR): 8 / 30% additional Public Benefit

- Frontage at front setback: 70% min.

- Open Space: 10% Lot Area min.

- Density: 150 du/ac max.*

BUILDING SETBACK

- Principal Front: 10 ft. min.; 20 ft. min. above 8th Story
- Secondary Front: 10 ft. min.; 20 ft. min. above 8th Story
- Side: 0 ft. min.; 30 ft. min. above 8th Story
- Rear: 0 ft. min.; 30 ft. min. above 8th Story

- Abutting Side or Rear T5:
  - 0 ft. min. 1st through 5th Story
  - 10 ft. min. 6th through 8th Story
  - 30 ft. min. above 8th Story

- Abutting Side or Rear T4:
  - 6 ft. min. 1st through 5th Story
  - 26 ft. min. 6th through 8th Story
  - 30 ft. min. above 8th Story

- Abutting Side or 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

- Common Lawn: prohibited
- Porch & Fence: prohibited
- Terrace or L.C.: prohibited
- Forecourt: permitted
- Stoop: permitted
- Shopfront: permitted (T6-12 L and T6-12 O only)
- Gallery: permitted by Special Area Plan
- Arcade: permitted by Special Area Plan

BUILDING HEIGHT

- Min. Height: 2 Stories
- Max. Height: 12 Stories
- Max. Benefit Height: 8 Stories Abutting all Transects Zones except T3

* Or as modified in Diagram 9

** Or as modified in Diagram 9

*** Or as modified in Diagram 9

* Or as modified in Diagram 9

** Or as modified in Diagram 9

*** Or as modified in Diagram 9

10 ft. min. for 1st story less than 120' deep
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BUILDING 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)
   T6-24a: 7 / 30% additional Public Benefit
   T6-24b: 16 / 40% additional Public Benefit

e. Frontage at front Setback 70% min.
f. Open Space 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 or Rear T5 0 ft. min. up to 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 and 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 Transects Zones except T3

* Or as modified in Diagram 9
**BUILDING DISPOSITION**

**LOT OCCUPATION**

<table>
<thead>
<tr>
<th>Item</th>
<th>Requirement</th>
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<tbody>
<tr>
<td>a. Lot Area</td>
<td>5,000 s.f. min.</td>
</tr>
<tr>
<td>b. Lot Width</td>
<td>100 ft. min.</td>
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<td>c. Lot Coverage</td>
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<tr>
<td>- 1-8 Stories</td>
<td>80% max.</td>
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<tr>
<td>- Above 8th Story</td>
<td>18,000 sq. ft. max. Floorplate for Residential &amp; Lodging</td>
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<td>30,000 sq. ft. max. Floorplate for Office &amp; Commercial</td>
</tr>
<tr>
<td>d. Floor Lot Ratio (FLR)</td>
<td>T6-36a: 12 / 40% additional Public Benefit</td>
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<tr>
<td></td>
<td>T6-36b: 22 / 40% additional Public Benefit</td>
</tr>
<tr>
<td>e. Frontage at front Setback</td>
<td>70% min.</td>
</tr>
<tr>
<td>f. Open Space</td>
<td>10% Lot Area min.</td>
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<tr>
<td>g. Density</td>
<td>150 du/ac max.*</td>
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**BUILDING SETBACK**

<table>
<thead>
<tr>
<th>Item</th>
<th>Requirement</th>
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<tbody>
<tr>
<td>a. Principal Front</td>
<td>10 ft. min.; 20 ft. min. above 8th Story</td>
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<tr>
<td>b. Secondary Front</td>
<td>10 ft. min.; 20 ft. min. above 8th Story</td>
</tr>
<tr>
<td>c. Side</td>
<td>0 ft. min.; 30 ft. min. above 8th Story</td>
</tr>
<tr>
<td>d. Rear</td>
<td>0 ft. min.; 30 ft. min. above 8th Story</td>
</tr>
<tr>
<td>e. Abutting Side or Rear T5</td>
<td>0 ft. min. 1st through 5th Story</td>
</tr>
<tr>
<td></td>
<td>10 ft. min. 6th through 8th Story</td>
</tr>
<tr>
<td></td>
<td>30 ft. min. above 8th Story</td>
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**BUILDING CONFIGURATION**

**FRONTAGE**

<table>
<thead>
<tr>
<th>Item</th>
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<tbody>
<tr>
<td>a. Common Lawn</td>
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<tr>
<td>b. Porch &amp; Fence</td>
<td>prohibited</td>
</tr>
<tr>
<td>c. Terrace or L.C.</td>
<td>prohibited</td>
</tr>
<tr>
<td>d. Forecourt</td>
<td>permitted</td>
</tr>
<tr>
<td>e. Stoop</td>
<td>permitted</td>
</tr>
<tr>
<td>f. Shopfront</td>
<td>permitted (T6-36 L and T6-36 O only)</td>
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<tr>
<td>g. Gallery</td>
<td>permitted by Special Area Plan</td>
</tr>
<tr>
<td>h. Arcade</td>
<td>permitted by Special Area Plan</td>
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</table>

**BUILDING HEIGHT**

<table>
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<tr>
<th>Item</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Min. Height</td>
<td>2 Stories</td>
</tr>
<tr>
<td>b. Max. Height</td>
<td>36 Stories</td>
</tr>
<tr>
<td>c. Max. Benefit Height</td>
<td>24 Stories Abutting all Transects Zones except T3</td>
</tr>
</tbody>
</table>

* Or as modified in Diagram 9
ARTICLE 5. SPECIFIC TO ZONES

ILLUSTRATION 5.6 URBAN CORE TRANSECT ZONES (T6-48)

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) T6-48a: 11 / 50% additional Public Benefit
   T6-48b: 18 / 50% additional Public Benefit
e. Frontage at front Setback 70% min.
f. Open Space 10% Lot Area min.
g. Density 150 du/ac 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 or 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 (T6-48 L and T6-48 O only)
9. Gallery permitted by Special Area Plan
h. Arcade permitted by Special Area Plan

BUILDING HEIGHT

a. Min. Height 2 Stories
b. Max. Height 48 Stories
c. Max. Benefit Height 32 Stories Abutting all Transects Zones except T3

* Or as modified in Diagram 9
ARTICLE 5. SPECIFIC TO ZONES

LOTT OCCUPATION

- Lot Area: 5,000 s.f. min.
- Lot Width: 100 ft. min.
- 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
- Floor Lot Ratio (FLR): T6-60a: 11 / 50% additional Public Benefit
  T6-60b: 18 / 50% additional Public Benefit
- Frontage at front Setback: 70% min.
- Open Space: 10% Lot Area min.
- Density: 150 du/acre max.*

BUILDING SETBACK

- Principal Front: 10 ft. min.; 20 ft. min. above 8th Story
- Secondary Front: 10 ft. min.; 20 ft. min. above 8th Story
- Side: 0 ft. min.; 30 ft. min. above 8th Story
- Rear: 0 ft. min.; 30 ft. min. above 8th Story
- Abutting Side or Rear: 0 ft. min. 1st through 5th Story
  10 ft. min. 6th through 8th Story
  30 ft. min. above 8th Story

BUILDING DISPOSITION

BUILDING CONFIGURATION

FRONTAGE

- Common Lawn: prohibited
- Porch & Fence: prohibited
- Terrace or L.C.: prohibited
- Forecourt: permitted
- Stoop: permitted
- Shopfront: permitted (T6-60 L and T6-60 O only)
- Gallery: permitted by Special Area Plan
- Arcade: permitted by Special Area Plan

BUILDING HEIGHT

- Min. Height: 2 Stories
- Max. Height: Unlimited Stories Abutting all Transects Zones except T3

* Or as modified in Diagram 9
ARTICLE 5. SPECIFIC TO ZONES

ILLUSTRATION 5.6 URBAN CORE TRANSECT ZONES (T6-80)

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 10% Lot Area min.
g. Density 150 du/ac 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 and 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 Transects Zones except T3

* Or as modified in Diagram 9
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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, Fences and walls 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 ground level dominant Setback of the existing neighborhood or existing 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.

h. Within the Second and Third Layers, Fences and walls shall not exceed a Height of eight (8) feet. Major Facilities requiring additional Fence or wall Height may be permitted by Waiver, subject to the Planning Director’s agreement that the applicant has demonstrated that the Use specifically requires the proposed additional Height.
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 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; laundry or cleaning facilities; incinerator facilities; and other uses related to the operation of the university, hospital, research facility or governmentally owned facilities 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

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 Habit-able 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.
**ARTICLE 5. SPECIFIC TO ZONES**

### LOT OCCUPATION

<table>
<thead>
<tr>
<th></th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>a.</td>
<td>Lot Area</td>
</tr>
<tr>
<td>b.</td>
<td>Lot Width</td>
</tr>
<tr>
<td>c.</td>
<td>Lot Coverage</td>
</tr>
<tr>
<td>d.</td>
<td>Floor Lot Ratio (FLR)</td>
</tr>
<tr>
<td>e.</td>
<td>Frontage at front Setback</td>
</tr>
<tr>
<td>f.</td>
<td>Open Space</td>
</tr>
</tbody>
</table>

### BUILDING SETBACK

<table>
<thead>
<tr>
<th></th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>a.</td>
<td>Principal Front</td>
</tr>
<tr>
<td>b.</td>
<td>Secondary Front</td>
</tr>
<tr>
<td>c.</td>
<td>Side</td>
</tr>
<tr>
<td>d.</td>
<td>Rear</td>
</tr>
</tbody>
</table>

* Setbacks above the eighth (8th) Story are encouraged, not required.

### BUILDING CONFIGURATION

#### FRONTAGE

<table>
<thead>
<tr>
<th></th>
<th>Requirement</th>
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</thead>
<tbody>
<tr>
<td>a.</td>
<td>Common Lawn</td>
</tr>
<tr>
<td>b.</td>
<td>Porch &amp; Fence</td>
</tr>
<tr>
<td>c.</td>
<td>Terrace or L.C.</td>
</tr>
<tr>
<td>d.</td>
<td>Forecourt</td>
</tr>
<tr>
<td>e.</td>
<td>Stoop</td>
</tr>
<tr>
<td>f.</td>
<td>Shopfront</td>
</tr>
<tr>
<td>9.</td>
<td>Gallery</td>
</tr>
<tr>
<td>h.</td>
<td>Arcade</td>
</tr>
</tbody>
</table>

### BUILDING HEIGHT

<table>
<thead>
<tr>
<th></th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>a.</td>
<td>Min. Height</td>
</tr>
<tr>
<td>b.</td>
<td>Max. Height</td>
</tr>
</tbody>
</table>

**ILLUSTRATION 5.8 INSTITUTION ZONE - HEALTH DISTRICT ZONES (CI-HD)**

**BUILDING PLACEMENT**

**BUILDING HEIGHT**

**ABUTTING SIDE & REAR ALL ZONES EXCEPT T0, T4 & T0**
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 Article 4, 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.
ARTICLE 5. SPECIFIC TO ZONES

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 B.

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.; 40,000 s.f. max.
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
5% Lot Area min.

9. Density
36 du/ac 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 or Rear T5
0 ft. min. 1st through 5th Story
10 ft. min. above 5th Story
30 ft. min. above 6th Story
f. Abutting Side or Rear T4
6 ft. min. 1st through 3rd Story
26 ft. min. above 3rd Story

Abutting Side or Rear T3
10% of Lot depth** min. 1st through 2nd Story
26 ft. min. above 3rd Story

ILLUSTRATION 5.9 DISTRICT ZONES - WORK PLACE (D1)

BUILDING PLACEMENT

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
9. 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 Transects Zones except T3
THIS PAGE LEFT INTENTIONALLY BLANK.
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 5% Lot Area min.

9. 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 or Rear T5 0 ft. min. 1st through 5th Story
26 ft. min. above 6th Story
f. Abutting Side or Rear T4 0 ft. min. 1st through 3rd Story
26 ft. min. above 3rd Story
g. Abutting Side or 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

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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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 B.

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.
**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 (F LR): N/A
- e. Frontage at front Setback: None
- f. Open Space: 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 or Rear T5 & T6: 10 ft. min. 1st through 6th Story
  30 ft. min. above 6th Story
- f. Abutting Side or Rear T4: 6 ft. min. 1st through 3rd Story
  26 ft. min. above 3rd Story
- g. Abutting Side or Rear T3: 6 ft. 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

---

*Please see Article 3, Section 3.11 for additional Waterfront Setbacks regulations.*
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TABLE 13 SUPPLEMENTAL REGULATIONS VI.6

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6.3 COMMERCIAL USES VI.23

6.4 INFRASTRUCTURE AND UTILITIES VI.28
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## Amendments to Article 6

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<tr>
<th>ORDINANCE</th>
<th>DATE APPROVED</th>
<th>DESCRIPTION</th>
<th>LEGISLATIVE ID</th>
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<tr>
<td>13176</td>
<td>05-13-2010</td>
<td>D1 Density</td>
<td>10-00361zt</td>
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<td>13177</td>
<td>05-13-2010</td>
<td>“Green” ordinances carried into Miami 21</td>
<td>10-00519zt</td>
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<td>13235</td>
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<td>Minor and non-substantial modifications throughout the Code</td>
<td>10-00956zt</td>
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<td>13238</td>
<td>12-16-2010</td>
<td>Requirements for sheds and other structures; loading berth substitutions; requirements for child care facilities; requirements for public and commercial storage facilities; distance separation requirements for ALF’s; distance separation requirements for uses and structures</td>
<td>10-00963zt</td>
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<tr>
<td>13241</td>
<td>12-16-2010</td>
<td>Required process for large-scale commercial establishments</td>
<td>10-00969zt</td>
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<tr>
<td>13243</td>
<td>12-16-2010</td>
<td>Requirements and limitations for freestanding signs, painted wall signs, establish regulations for CI-HD and D3</td>
<td>10-00971zt</td>
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<td>Adding an exception process for extensions of dock or piers</td>
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<td>07-28-2011</td>
<td>Modifications to drive-in and drive-through regulations in T4</td>
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<td>07-28-2011</td>
<td>Regional Activity Complex permissibility and sign regulations in T4</td>
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<td>13307</td>
<td>01-26-2012</td>
<td>Public Storage Facilities modifications</td>
<td>11-00875zt</td>
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<td>13464</td>
<td>05-22-2014</td>
<td>Sign Regulations Amendment</td>
<td>12-00941zt1</td>
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<td>13485</td>
<td>09-29-2014</td>
<td>Update to Regional Activity Complex language</td>
<td>14-00664zt</td>
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<td>13494</td>
<td>01-22-2015</td>
<td>Update to Live Work language on Table 13</td>
<td>14-01074zt</td>
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<td>13541</td>
<td>07-23-2015</td>
<td>Deleting, Striking and Repealing Media Tower Language</td>
<td>15-00778zt</td>
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</table>
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 6.4.

When calculating distance separation requirements, measurement shall be made from the nearest point of the Lot of the existing facility, Use, or Structure to the nearest point of the Lot of the proposed facility, Use, or Structure.

A blank cell in Table 13 signifies that the Use is prohibited.
### Article 6. Table 13 Supplemental Regulations

<table>
<thead>
<tr>
<th>Density (UPA)</th>
<th>Restricted</th>
<th>Limited</th>
<th>Open</th>
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</thead>
<tbody>
<tr>
<td><em>Dwelling Unit</em></td>
<td>9 units per acre</td>
<td>9 units per acre</td>
<td>18 units per acre</td>
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<tr>
<td>Efficiency Dwelling Unit: 400 square feet min.</td>
<td>Efficiency Dwelling Unit: 400 square feet min.</td>
<td>Efficiency Dwelling Unit: 400 square feet min.</td>
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<tr>
<td>One bedroom Dwelling Unit: 550 square feet min.</td>
<td>One bedroom Dwelling Unit: 550 square feet min.</td>
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<tr>
<td>Two bedroom Dwelling Unit: 650 square feet min.</td>
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<table>
<thead>
<tr>
<th>Ancillary Unit</th>
<th></th>
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</thead>
<tbody>
<tr>
<td>Maximum size of unit: 450 square feet excluding garage.</td>
<td>Shall only be used as Single-Family Residence dwelling.</td>
<td>Prohibited as a third unit.</td>
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<tr>
<td>May only be rented if the principal dwelling owner is in residence on site.</td>
<td>Unit Structure shall be architecturally harmonious with the Principal Building.</td>
<td></td>
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<tr>
<td>Any Facade abutting another property shall provide only clerestory windows along that corresponding Façade.</td>
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<table>
<thead>
<tr>
<th>Boats Houseboat House Barge</th>
<th></th>
<th></th>
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<tr>
<td>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.</td>
<td>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.</td>
<td>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.</td>
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<table>
<thead>
<tr>
<th>Boat House</th>
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<tbody>
<tr>
<td>Maximum size: 20 feet wide, 40 feet long, 15 feet high.</td>
<td>Maximum size: 20 feet wide, 40 feet long, 15 feet high.</td>
<td>Maximum size: 20 feet wide, 40 feet long, 15 feet high.</td>
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<tr>
<th>Boat Slip</th>
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<td>Maximum coverage of waterfront setback: 35%</td>
<td>Maximum coverage of waterfront setback: 35%</td>
<td>Maximum coverage of waterfront setback: 35%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Docks Piers</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Extension of docks or Piers into Biscayne Bay are limited to 35 feet. Further extension of docks or Piers into Biscayne Bay permitted by Exception, when required by applicable agency.</td>
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</tr>
<tr>
<td>Extension of docks or Piers into other waterways limited to 10 feet or 10% of waterway width, whichever is less. Further extensions permitted by Exception, when required by applicable agency.</td>
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</tr>
<tr>
<td>Only private pleasure craft may be docked or moored. Dock/ Pier Setbacks: 10 feet from any Abutting property</td>
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</tr>
<tr>
<td>Vessel setback: 5 feet from any Abutting property.</td>
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<td>Vessel setback: 5 feet from any Abutting property.</td>
</tr>
<tr>
<td>Prohibited uses or appurtenances: davits in excess of 3 ton capacity, commercial vessels, commercial boat ramps, and commercial hauling and fueling.</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Community Residences 1-6 Residents</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Subject to the requirements of Section 6.2.</td>
<td>Subject to the requirements of Section 6.2.</td>
<td>Subject to the requirements of Section 6.2.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Community Residences 7-14 Residents</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Prohibited within 500 feet of any T3-R or T3-L. Subject to the requirements of Section 6.2.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### ARTICLE 6. TABLE 13 SUPPLEMENTAL REGULATIONS (CONTINUED)

**T3 - SUB-URBAN ZONE**

#### RESTRICTED | LIMITED | OPEN
---|---|---
**DENSITY (UPA)** | 9 UNITS PER ACRE | 9 UNITS PER ACRE | 18 UNITS PER ACRE
---|---|---|---
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.
---|---|---|---
**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.
## Article 6. Table 13 Supplemental Regulations (Continued)

### Restricted

<table>
<thead>
<tr>
<th>Density (UPA)</th>
<th>36 Units Per Acre</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dwellings Unit Efficiency Dwelling Unit:</td>
<td>400 square feet min.</td>
</tr>
<tr>
<td>One bedroom Dwelling Unit:</td>
<td>550 square feet min.</td>
</tr>
<tr>
<td>Two bedroom Dwelling Unit:</td>
<td>650 square feet min.</td>
</tr>
<tr>
<td>Boats Houseboat House Barge</td>
<td>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.</td>
</tr>
<tr>
<td>Boat House</td>
<td>Maximum size: 20 feet wide, 40 feet long, 15 feet high.</td>
</tr>
<tr>
<td>Boat Slip</td>
<td>Maximum coverage of waterfront setback: 35%</td>
</tr>
<tr>
<td>Docks Piers</td>
<td>Extension of docks or Piers into Biscayne Bay are limited to 35 feet. Further extension of docks or Piers into Biscayne Bay permitted by Exception, when required by applicable agency.</td>
</tr>
<tr>
<td>Community Residences 1-6 Residents</td>
<td>Subject to the requirements of Section 6.2.</td>
</tr>
<tr>
<td>Community Residences 7-14 Residents</td>
<td>Subject to the requirements of Section 6.2.</td>
</tr>
<tr>
<td>Adult Family Care Home 1-5 Residents</td>
<td>Subject to the requirements of Section 6.2.</td>
</tr>
</tbody>
</table>

### Limited

<table>
<thead>
<tr>
<th>Density (UPA)</th>
<th>36 Units Per Acre</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dwellings Unit Efficiency Dwelling Unit:</td>
<td>400 square feet min.</td>
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<td>Subject to the requirements of Section 6.2.</td>
</tr>
<tr>
<td>Community Residences 7-14 Residents</td>
<td>Subject to the requirements of Section 6.2.</td>
</tr>
<tr>
<td>Adult Family Care Home 1-5 Residents</td>
<td>Subject to the requirements of Section 6.2.</td>
</tr>
</tbody>
</table>

### Open

<table>
<thead>
<tr>
<th>Density (UPA)</th>
<th>36 Units Per Acre</th>
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</thead>
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<tr>
<td>Dwellings Unit Efficiency Dwelling Unit:</td>
<td>400 square feet min.</td>
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<td>Subject to the requirements of Section 6.2.</td>
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<td>Community Residences 7-14 Residents</td>
<td>Subject to the requirements of Section 6.2.</td>
</tr>
<tr>
<td>Adult Family Care Home 1-5 Residents</td>
<td>Subject to the requirements of Section 6.2.</td>
</tr>
</tbody>
</table>
### T4 - General Urban Zone

#### 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.

#### Live Work
- Shall be located within ground floor or 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.

#### Drive-Through and Drive-In
- Principal Frontage access may be allowed.
- Whenever possible, all ingress and egress to and from the site shall be from a County designated primary arterial road.
- Reports: Principal Frontage access may be allowed.
- Reservoir parking spaces shall be required as follows:
  - One (1) at window; three (3) before service window, one (1) after service window.

#### Adult Daycare
- 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.

#### Childcare
- For 6 to 10 children maximum:
  - Minimum of 35 square feet of usable indoor floor space per child on license.
  - Minimum of 45 square feet of usable outdoor play area per child.
  - A minimum outdoor play area shall be provided for one half of license capacity. In no event shall any outdoor play area be less than 450 square feet. The minimum standard of outdoor play area does not apply for children under one year of age.
<table>
<thead>
<tr>
<th>DENSITY (UPA)</th>
<th>65 UNITS PER ACRE *</th>
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</thead>
<tbody>
<tr>
<td>DWELLING UNIT</td>
<td>Efficiency Dwelling Unit: 400 square feet min. One bedroom Dwelling Unit: 550 square feet min. Two bedroom Dwelling Unit: 650 square feet min.</td>
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<td>DOCKS PIERS</td>
<td>Extension of 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 further extension 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.</td>
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<tr>
<td>COMMUNITY RESIDENCES 1-6 RESIDENTS</td>
<td>Subject to the requirements of Section 6.2.</td>
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<td>Subject to the requirements of Section 6.2.</td>
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<tr>
<td>COMMUNITY RESIDENCES 7-14 RESIDENTS</td>
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<td>Subject to the requirements of Section 6.2.</td>
</tr>
<tr>
<td>ADULT FAMILY CARE HOME 1-5 RESIDENTS</td>
<td>Subject to the requirements of Section 6.2.</td>
<td>Subject to the requirements of Section 6.2.</td>
<td>Subject to the requirements of Section 6.2.</td>
</tr>
<tr>
<td>HOME OFFICE</td>
<td>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.</td>
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</tbody>
</table>

* Or as modified in Article 4, Diagram 9

VI.10
### ARTICLE 6. TABLE 13 SUPPLEMENTAL REGULATIONS (CONTINUED)

#### DENSITY (UPA)

<table>
<thead>
<tr>
<th></th>
<th>RESTRICTED</th>
<th>LIMITED</th>
<th>OPEN</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>65 UNITS PER ACRE *</td>
<td>65 UNITS PER ACRE *</td>
<td>65 UNITS PER ACRE *</td>
</tr>
</tbody>
</table>

**LIVE WORK**
- Shall be located within ground floor or 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 3 parking spaces before and 3 after. Beyond 3 stalls, 1 parking space before and 2 after each stall.
  - Custom hand car wash shall provide for each wash stall, 1 parking 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 33% 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.

---
* Or as modified in Article 4, Diagram 9
### Table 13 Supplemental Regulations (Continued)

<table>
<thead>
<tr>
<th>Facility Type</th>
<th>RESTRICTED</th>
<th>LIMITED</th>
<th>OPEN</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Public Storage Facility</strong></td>
<td></td>
<td></td>
<td>Allowed by Warrant and subject to the following additional requirements:</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td><strong>The maximum size of any individual storage rental space shall be 400 square feet</strong></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td><strong>Controlled access and adequate security surveillance shall be provided throughout facility</strong></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td><strong>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</strong></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td><strong>Hours of operation shall be limited to 5:00 am to 11:00 pm</strong></td>
</tr>
<tr>
<td><strong>Open Air Retail</strong></td>
<td>Access to site must be from a major Thoroughfare.</td>
<td>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.</td>
<td>Access to site must be from a major Thoroughfare.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>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.</td>
<td>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.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Provision of paving striping for stalls and parking spaces.</td>
<td>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.</td>
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<td></td>
<td></td>
<td>Provision of onsite restroom facilities.</td>
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</tr>
<tr>
<td><strong>Adult Daycare</strong></td>
<td></td>
<td></td>
<td><strong>Provision of onsite restroom facilities.</strong></td>
</tr>
<tr>
<td><strong>Community Support Facility</strong></td>
<td>Assisted Living Facilities: Allowed by Exception and are subject to the following additional requirements:</td>
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</tr>
<tr>
<td></td>
<td>Maximum number of residents 50.</td>
<td>Maximum distance requirement of 2,500 feet between proposed facility and another existing facility.</td>
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</tr>
<tr>
<td></td>
<td>Minimum distance requirement of 1,000 feet between proposed Facility or Assisted Living Facility and any T3 or T4-R Zone.</td>
<td>Minimum distance requirement of 1,000 feet between proposed facility and another existing facility.</td>
<td>Minimum distance requirement of 2,500 feet between proposed facility and another existing facility.</td>
</tr>
<tr>
<td><strong>Personal Wireless Service Facility</strong></td>
<td>Subject to the requirements of Section 6.4.</td>
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</tr>
<tr>
<td><strong>Childcare</strong></td>
<td>Minimum of 35 square feet of usable indoor floor space per child on license.</td>
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</tr>
<tr>
<td></td>
<td>Minimum of 45 square feet of usable outdoor play area per child.</td>
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</tr>
<tr>
<td></td>
<td>A minimum outdoor play area shall be provided for one half of license capacity. In no event shall any outdoor play area be less than 450 square feet. The minimum standard of outdoor play area does not apply for children under one year of age.</td>
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<td></td>
<td>Minimum of 1 drop off parking space for every 10 children. Vehicular entrance must be within 300 feet of arterial road.</td>
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<td>Minimum of 1 drop off parking space for every 10 children. Vehicular entrance must be within 300 feet of arterial road.</td>
</tr>
</tbody>
</table>

* Or as modified in Article 4, Diagram 9
**DENSITY (UPA)**

<table>
<thead>
<tr>
<th>DENSITY (UPA)</th>
<th>LIMITED</th>
<th>OPEN</th>
</tr>
</thead>
<tbody>
<tr>
<td>150 UNITS PER ACRE</td>
<td>150 UNITS PER ACRE</td>
<td>150 – 1,000 UNITS PER ACRE</td>
</tr>
</tbody>
</table>

**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.

**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.

**BOAT HOUSE**
- Maximum size: 20 feet wide, 40 feet long, 15 feet high.

**BOAT SLIP**
- Maximum coverage of waterfront setback: 35%

**DOCKS PIERS**
- Extension of 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.

**COMMUNITY RESIDENCES 1-6-RESIDENTS**
- Subject to the requirements of Section 6.2.

**COMMUNITY RESIDENCES 7-14-RESIDENTS**
- Subject to the requirements of Section 6.2.

**ADULT FAMILY CARE HOME 1-5-RESIDENTS**
- 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.

**VI.13 AS ADOPTED - MAY 2016**

T6 - URBAN CORE ZONE

* Or as modified in Article 4, Diagram 9
### MIAMI 21

**ARTICLE 6. TABLE 13 SUPPLEMENTAL REGULATIONS (CONTINUED)**

**AS ADOPTED - MAY 2016**

**T6 - URBAN CORE ZONE**

<table>
<thead>
<tr>
<th>DENSITY (UPA)</th>
<th>LIMITED</th>
<th>OPEN</th>
</tr>
</thead>
<tbody>
<tr>
<td>150 UNITS PER ACRE *</td>
<td>150 UNITS PER ACRE *</td>
<td>150 – 1,000 UNITS PER ACRE *</td>
</tr>
</tbody>
</table>

#### LIVE WORK

- **Shall be located within ground floor or 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

<table>
<thead>
<tr>
<th>Activity</th>
<th>Regulation Details</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Car Wash:</strong></td>
<td>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 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.</td>
</tr>
<tr>
<td><strong>Car Wash:</strong></td>
<td>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: 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 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.</td>
</tr>
</tbody>
</table>

#### 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

VI.14
<table>
<thead>
<tr>
<th><strong>DENSITY (UPA)</strong></th>
<th><strong>150 UNITS PER ACRE</strong></th>
<th><strong>LIMITED</strong></th>
<th><strong>150 – 1,000 UNITS PER ACRE</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>PUBLIC STORAGE FACILITY</strong></td>
<td></td>
<td></td>
<td>Allowed by Warrant and subject to the following additional requirements:</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>The maximum size of any individual storage rental space shall be 400 square feet</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Controlled access and adequate security surveillance shall be provided throughout facility.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>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.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Hours of operation shall be limited to 5:00 am to 11:00 pm.</td>
</tr>
<tr>
<td><strong>OPEN AIR RETAIL</strong></td>
<td></td>
<td>Subject to the following additional requirements:</td>
<td>Access to site must be from a major Thoroughfare.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>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.</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>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.</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Provision of paving striping for stalls and parking spaces. Provision of onsite restroom facilities.</td>
<td></td>
</tr>
<tr>
<td><strong>ADULT DAYCARE</strong></td>
<td>Allowed by Warrant per Article 4 Table 3.</td>
<td>Allowed by Warrant per Article 4 Table 3.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>For 6 to 9 adults: Minimum of 350 square feet of indoor activity area.</td>
<td>For 6 to 9 adults: Minimum of 350 square feet of indoor activity area.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Maximum of 350 square feet of indoor activity area.</td>
<td>For 10 or more adults: Minimum of 35 square feet of indoor activity area per adult.</td>
<td></td>
</tr>
<tr>
<td><strong>COMMUNITY SUPPORT FACILITY</strong></td>
<td>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.</td>
<td>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.</td>
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</tr>
<tr>
<td><strong>PERSONAL WIRELESS SERVICE FACILITY</strong></td>
<td>Subject to the requirements of Section 6.4.</td>
<td>Subject to the requirements of Section 6.4.</td>
<td>Subject to the requirements of Section 6.4.</td>
</tr>
<tr>
<td><strong>HELICOPTER LANDING SITE</strong></td>
<td>Helicopter landing sites as regulated by federal law 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 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.</td>
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* Or as modified in Article 4, Diagram 9
## Table 13 Supplemental Regulations (Continued)

<table>
<thead>
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<th>DENSITY (UPA)</th>
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<td>150 UNITS PER ACRE *</td>
<td>150 UNITS PER ACRE *</td>
<td>150 – 1,000 UNITS PER ACRE *</td>
</tr>
<tr>
<td><strong>CHILDCARE</strong></td>
<td>Minimum of 35 square feet of usable indoor floor space per child on license.</td>
<td>Minimum of 45 square feet of usable outdoor play area per child.</td>
<td>Minimum of 35 square feet of usable indoor floor space per child on license.</td>
</tr>
<tr>
<td></td>
<td>Minimum of 45 square feet of usable outdoor play area per child.</td>
<td>A minimum outdoor play area shall be provided for one half of license capacity. In no event shall any outdoor play area be less than 450 square feet. The minimum standard of outdoor play area does not apply for children under one year of age.</td>
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<td>Minimum of 1 drop off parking space for every 10 children. Vehicular entrance must be within 300 feet of arterial road.</td>
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</tr>
<tr>
<td><strong>REGIONAL ACTIVITY COMPLEX</strong></td>
<td>Regional Activity Complex: Allowed by Exception with City Commission approval and are subject to the following additional requirements:</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Regional Activity Complexes are not allowed in Transect Zones T6-8 and T6-12.</td>
<td>Regional Activity Complexes are not allowed in Transect Zones T6-8 and T6-12.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Minimum distance requirement of 1,000 feet between proposed facility and any T3 or T4 Zones.</td>
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</tr>
<tr>
<td></td>
<td>Transect regulations pertaining to Building Disposition, and Building Configuration shall be considered referential guidelines for Regional Activity Complexes.</td>
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<td></td>
</tr>
<tr>
<td></td>
<td>Any exemption from these guidelines must comply with the following criteria:</td>
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<td></td>
</tr>
<tr>
<td></td>
<td>1. exemptions shall be justified by functional requirements connected to the uses proposed; and</td>
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<td></td>
</tr>
<tr>
<td></td>
<td>2. exemptions shall be reduced to the minimum required to achieve the required functionality; and</td>
<td>2. exemptions shall be reduced to the minimum required to achieve the required functionality; and</td>
<td></td>
</tr>
<tr>
<td></td>
<td>3. exemptions in the aggregate shall be evaluated for compliance with the Transect’s intent regarding intensity and scale; and</td>
<td>3. exemptions in the aggregate shall be evaluated for compliance with the Transect’s intent regarding intensity and scale; and</td>
<td></td>
</tr>
<tr>
<td></td>
<td>4. exemptions shall be evaluated for compliance with criteria set forth in Article 4, Table 12, as applicable; and</td>
<td>4. exemptions shall be evaluated for compliance with criteria set forth in Article 4, Table 12, as applicable; and</td>
<td></td>
</tr>
<tr>
<td></td>
<td>5. specific findings shall be made by the Planning Director regarding the nature and extent of each proposed exemption and said findings shall be contained in the recommendation report for the Exception which may be considered as substantial and competent evidence by the PZAB and City Commission respectively.</td>
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<td></td>
</tr>
</tbody>
</table>
### CIVIC INSTITUTION

<table>
<thead>
<tr>
<th>DENSITY (UPA)</th>
<th>DENSITY OF ABUTTING ZONE</th>
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</tr>
</thead>
<tbody>
<tr>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
</tbody>
</table>

### N/A

- **BOATS**: 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 of 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 further extension 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 paver 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 per adult.
- 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 1000 feet between proposed facility and any T3 or T4-R Zone.

### PERSONAL WIRELESS SERVICE FACILITY

- 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.

### CHILDCARE

- Minimum of 35 square feet of usable indoor floor space per child on license.
- Minimum of 45 square feet of usable outdoor play area per child.
  - A minimum outdoor play area shall be provided for one half of license capacity. In no event shall any outdoor play area be less than 450 square feet. The minimum standard of outdoor play area does not apply for children under one year of age.

### 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.
**REGIONAL ACTIVITY COMPLEX**

<table>
<thead>
<tr>
<th>CS – CIVIC SPACE</th>
<th>CI – CIVIC INSTITUTION</th>
<th>CI-HD – CIVIC INSTITUTION HEALTH DISTRICT</th>
</tr>
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<tbody>
<tr>
<td><strong>DENSITY (UPA)</strong></td>
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<td><strong>DENSITY OF ABUTTING ZONE</strong></td>
</tr>
<tr>
<td><strong>150 UNITS PER ACRE</strong></td>
<td></td>
<td><strong>150 UNITS PER ACRE</strong></td>
</tr>
</tbody>
</table>

Regional Activity Complex: Allowed by Exception with City Commission approval and are subject to the following additional requirements:
- Regional Activity Complexes are not allowed in Transect Zones T6-8 and T6-12.
- Minimum distance requirement of 1,000 feet between proposed facility and any T3 or T4 Zones.
- Transect regulations pertaining to Building Disposition, and Building Configuration shall be considered referential guidelines for Regional Activity Complexes. Any exemption from these guidelines must comply with the following criteria:
  1. exemptions shall be justified by functional requirements connected to the uses proposed; and
  2. exemptions shall be reduced to the minimum required to achieve the required functionality; and
  3. exemptions in the aggregate shall be evaluated for compliance with the Transect's intent regarding intensity and scale; and
  4. exemptions shall be evaluated for responsiveness to criteria set forth in Article 4, Table 12, as applicable; and
  5. specific findings shall be made by the Planning Director regarding the nature and extent of each proposed exemption and said findings shall be contained in the recommendation report for the Exception which may be considered as substantial and competent evidence by the PZAB and City Commission respectively.

Regional Activity Complex: Allowed by Exception with City Commission approval and are subject to the following additional requirements:
- Regional Activity Complexes are not allowed in Transect Zones T6-8 and T6-12.
- Minimum distance requirement of 1,000 feet between proposed facility and any T3 or T4 Zones.
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  1. exemptions shall be justified by functional requirements connected to the uses proposed; and
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### D1 - WORK PLACE

<table>
<thead>
<tr>
<th>DENSITY (UPA)</th>
<th>36 UNITS PER ACRE</th>
<th>N/A</th>
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</tr>
</thead>
</table>

**BOATS**

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.

**HOUSEBOAT**

Extension of 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.

**HOUSE BARGE**

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 further extension may be approved, subject to approval from all applicable agencies.

**DOCKS PIERs**

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.

Extension of 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 further extension 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 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 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.

**D3 - WATERFRONT INDUSTRIAL**

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.

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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 further extension may be approved, subject to approval from all applicable agencies.
<table>
<thead>
<tr>
<th>DENSITY (UPA)</th>
<th>D1 - WORK PLACE</th>
<th>D2 - INDUSTRIAL</th>
<th>D3 - WATERFRONT INDUSTRIAL</th>
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</thead>
<tbody>
<tr>
<td>36 UNITS PER ACRE</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
</tbody>
</table>

**ADULT ENTERTAINMENT ESTABLISHMENT**
- 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.

**LARGE SCALE RETAIL**
- 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.

**ADULT DAYCARE**
- Subject to the requirements of Section 6.3.
- 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**
- Residential Facilities not allowed.

**PERSONAL WIRELESS SERVICE FACILITY**
- Subject to the requirements of Section 6.4.

**HELI.CO.PTER 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.
<table>
<thead>
<tr>
<th>D1 - WORK PLACE</th>
<th>D2 - INDUSTRIAL</th>
<th>D3 - WATERFRONT INDUSTRIAL</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>DENSITY (UPA)</strong></td>
<td>36 UNITS PER ACRE</td>
<td>N/A</td>
</tr>
<tr>
<td><strong>CHILDCARE</strong></td>
<td>Minimum of 35 square feet of usable indoor floor space per child on license.</td>
<td></td>
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<tr>
<td></td>
<td>Minimum of 45 square feet of usable outdoor play area per child.</td>
<td></td>
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<tr>
<td></td>
<td>A minimum outdoor play area shall be provided for one half of license capacity. In no event shall any outdoor play area be less than 450 square feet. The minimum standard of outdoor play area does not apply for children under one year of age. Vehicular entrance must be within 300 feet of arterial road.</td>
<td></td>
</tr>
<tr>
<td><strong>INDUSTRIAL USES</strong></td>
<td>It is intended that the provision of Industrial Products and Services be permissible 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 assembly and distribution and minor repairs and fabrication of materials and equipment. Residential Use is limited. This type of Zone specifically excludes the following activities: • 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.</td>
<td>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 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.</td>
</tr>
<tr>
<td><strong>CONTAINER YARDS</strong></td>
<td>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.</td>
<td>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.</td>
</tr>
</tbody>
</table>
### 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

<table>
<thead>
<tr>
<th>LOCATION STANDARDS</th>
<th>1 to 6 Residents</th>
</tr>
</thead>
<tbody>
<tr>
<td>T3 - R, L &amp; O</td>
<td>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 Line of proposed Community Residence to nearest point of Property 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 Use, for the purpose of this code. 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 licensing, 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.</td>
</tr>
<tr>
<td>T4 - R, L &amp; O</td>
<td>T5 - R, L &amp; O</td>
</tr>
<tr>
<td>LOCATION</td>
<td>7 to 14 Residents</td>
</tr>
<tr>
<td>LOCATION STANDARDS</td>
<td>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 T3-R or T3-L 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.</td>
</tr>
<tr>
<td>T3 - R, L &amp; O</td>
<td>T4 - R, L &amp; O</td>
</tr>
</tbody>
</table>

### VI.22

PARKING

See Article 3 and Article 4, Table 4 and Table 5.
### 6.2.2 Adult Family-Care Homes Standards

<table>
<thead>
<tr>
<th>LOCATION</th>
<th>T3 - R, L &amp; O</th>
<th>T4 - R, L &amp; O</th>
<th>T5 - R, L &amp; O</th>
<th>T6 - R, L &amp; O</th>
</tr>
</thead>
<tbody>
<tr>
<td>LOCATION STANDARDS</td>
<td>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.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>PARKING</td>
<td>See Article 3 and Article 4, Table 4 and Table 5.</td>
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<td></td>
<td></td>
</tr>
</tbody>
</table>

### 6.3 COMMERCIALUSES

#### 6.3.1 Large Scale Commercial

Except for Public Storage Facilities which must comply with the criteria set forth under Article 6, Table 13, a single commercial establishment occupying more than 55,000 square feet of Floor Area in any T6-O, D1 or D2 shall be permitted subject to the following requirements:

| 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 |
| COMMERCIAL AREA LIMITATIONS | Minimum: 55,000 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:

a. 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.

b. The outdoor market must be located on a parcel of no less than fifteen thousand (15,000) square feet of lot area.

c. The display area of the outdoor market shall be limited to no more than sixty-five percent (65%) of the parcel area.

d. All display tables and other such materials must be removed at the end of the permitted time of operation.

e. The outdoor market display area shall be set back no less than twenty-five (25) feet from any abutting T-3 Transect.

f. Outdoor markets may operate only between the hours of 8:00 a.m. and 8:00 p.m. on Saturdays or Sundays only.

g. No outdoor market may be located closer than one thousand five hundred (1,500) feet from another outdoor market.

6.3.4 Health District Green Market

Outdoor green markets are permitted within the CI-HD Transect Zone after mandatory referral to the district NET Administrator and subject to all of the following conditions, regulations, and limitations. In addition to these requirements, an operational plan and vendor guidelines shall be required at the time of application:

a. Only handmade crafts, live plants and flowers, fresh fruits and vegetables, honey and pollen products, cheeses, jams and jellies, baked goods, prepared foods and drinks derived from fresh fruits and vegetables, soaps, and candles may be sold on any outdoor green market within this district.

b. Outdoor green markets must be located within an improved site which shall consist of developed open space or plaza of no less than twenty-thousand (20,000) square feet. Outdoor markets may not be located within parking lots or structures.

c. Outdoor green markets may not be located closer than one thousand five hundred (1,500) feet from another outdoor green market.
d. Outdoor green market vending activities must take place on private property; vending within the right-of-way and obstruction of the right of way is not permissible under this section of the zoning code.

e. Outdoor green markets may operate once a week only based on a pre-determined weekday. The green market permit shall include the day of the week and location for said permit.

f. The applicant shall submit, at the time of application, the selected week date and location for the outdoor green market.

g. The hours of operation shall be from 7:00 a.m. to 5:00 p.m.

h. Outdoor green markets shall have a minimum of 12 vendors.

i. Each vendor shall conduct business within a 10’ x 10’ white and/or green movable canopy which shall be removed at the end of each market day. Any table placed within the canopy area shall be covered with a green table skirt.

j. All vending activity must be conducted within a vendor’s canopy area which shall be kept in clean and good condition at all times. Broken, faded or dirty canopies shall not be allowed.

k. All garbage and trash shall be removed from the market site and disposed as required by law at the end of each market day.

l. The market area shall be cleaned and left in a sanitary condition at the end of each market day.

m. All signs shall be submitted for approval as part of the application.

n. Noisemaking or flashing devices shall not be allowed.

6.3.5 Central Coconut Grove Green Market

Outdoor green markets are permitted within the district subject to obtaining a Warrant with mandatory referral to the district NET Administrator only; and subject to all of the following conditions, regulations, and limitations:

The Coconut Grove Central Commercial District consists of three general areas. Area A generally consists of both sides of S.W. 37th Avenue from Oak Avenue to Grand Avenue, and both sides of Grand Avenue from Brooker Street to Hibiscus Street. Area B is generally bound to the North by Oak Avenue from Allamanda Street to Mary Street, Mary Street to the East, includes both sides of Grand Avenue from Margaret Street to Mary Street, both sides of McFarlane Road from Grand Avenue to South Bayshore Drive, both sides of Main Highway from Grand Avenue to Commodore Plaza including both sides of Commodore Plaza and Fuller Street. Area C includes the North Side of Main Highway from Charles Avenue to Franklin Avenue.
a. Only live plants and flowers, fresh fruits and vegetables, honey and pollen products, cheeses, jams and jellies, baked goods, prepared foods and drinks derived from fresh fruits and vegetables, soaps, candles, handmade crafts, antiques, collectibles, paintings, and objects d’art may be sold on any outdoor green market within this district.

b. Outdoor green markets must be located within an improved site which shall consist of ground level developed open space or plaza of no less than nine-thousand (9,000) square feet.

c. Outdoor green markets shall not be located within parking lots or parking structures.

d. Outdoor green markets vending activities must take place on private property; vending within the right-of-way and obstruction of the right-of-way is not permissible under this section of this Code.

e. Outdoor green markets may operate two (2) days a week only based on predetermined day(s) of the week. The outdoor green market permit shall include the specific day(s) of the week and location for said permit.

f. The applicant shall submit at the time of application the selected weekday(s) and location of the outdoor green market.

g. The hours of operation including set-up and take-down shall be from 8:00 a.m. to 8:00 p.m.

h. Outdoor green markets shall have a minimum of six (6) vendors.

i. Each vendor shall conduct business within a 10’ x 10’ white or green movable canopy which shall be removed at the end of each market day. Any table placed within the canopy area shall be covered with a white and/or green fabric table skirt.

j. All vending activity, display, or exhibit must be conducted within a vendor’s canopy area which shall be kept in good condition at all times. Broken, faded and/or dirty canopies shall not be allowed.

k. All garbage and trash shall be removed from the market site and disposed as required by law at the end of each market day.

l. The market area shall be cleaned and left in a sanitary condition at the end of each market day.

m. Outdoor green market signs shall be submitted for approval as part of the Warrant application.

n. Noisemaking or flashing devices shall not be allowed.
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

<table>
<thead>
<tr>
<th>MONOPOLE OR TOWER DEVICES</th>
<th>ROOFTOP OR ANCHORED DEVICES</th>
</tr>
</thead>
<tbody>
<tr>
<td>T3</td>
<td>By Exception subject to conditions and limitations.</td>
</tr>
<tr>
<td>T4</td>
<td>By Exception subject to conditions and limitations.</td>
</tr>
<tr>
<td>ALL OTHER</td>
<td>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.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>MAXIMUM DEVICE HEIGHT</th>
<th>MINIMUM SETBACK</th>
<th>REQUIRED STRUCTURAL HEIGHT</th>
<th>MAXIMUM DEVICE HEIGHT ABOVE ROOF</th>
</tr>
</thead>
<tbody>
<tr>
<td>T3</td>
<td>35 feet</td>
<td>20 feet</td>
<td>35 feet</td>
</tr>
<tr>
<td>T4</td>
<td>60 feet</td>
<td>20 feet</td>
<td>35 feet</td>
</tr>
<tr>
<td>ALL OTHER</td>
<td>100 feet single carrier 125 feet multiple</td>
<td>20 feet</td>
<td>35 feet</td>
</tr>
</tbody>
</table>

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.

1. 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:

1. 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:

1. 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:

1. the timeframe is voluntarily extended by the applicant; or
2. 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
3. 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 use a common mount by two (2) or more wireless carriers.

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 fences, 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.
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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 accord 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, Warrant 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 Commis-
sion.

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 a 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) A Planning Determination of Use by the Planning Director;

   (b) The decision of the Zoning Administrator regarding a Waiver;

   (c) The decision of the Planning Director regarding a Warrant;

   (d) A zoning interpretation by the Zoning Administrator;

   (e) The decision of the Zoning Administrator regarding a denial or revocation of 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 con-
sideration. 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) Eleven (11) members and one alternate shall be from the electorate of the City of Miami
with demonstrated knowledge and interest in the appropriate growth and development
of the city.

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 inter-
est, 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, Zon-
ing 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 a supermajority of board members present. Said supermajority consists of one (1) more member than a simple majority. 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, Certificate of Use denial or revocation, planning determination of Use, 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.

i. To hear appeals from the Planning and Zoning Appeals Board in connection with decisions on a Variance or Exception, or any appeals of any administrative decision on a Waiver or Warrant application, or any other administrative decision or determination made in connection with a proposed Affordable Housing Development qualifying under Section 3.15. Such appeals shall be specially set for the first available City Commission hearing that is at least fifteen (15) days after the Planning, Zoning and Appeals Board hearing.

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 non-conforming 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, de novo and must be filed with the Office of Hearing Boards within fifteen (15) calendar days of the Board’s issuance of its ruling.

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 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 which shall, within five (5) days, distribute the zoning interpretation to the official representatives of all registered neighborhood and homeowner associations within the NET office that is applicable to the applicant property, and the City 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, de novo and must be filed with the Office of Hearing Boards within fifteen (15) calendar days of the Board’s issuance of its ruling.

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 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 a 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.

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 which shall, within five (5) days, distribute the Warrant to the official representatives of all registered neighborhood and homeowner associations within the NET office that is applicable to the applicant property, and the City shall post 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 apply Article 4, Table 12, Design Review Criteria, as applicable.

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. An appeal shall be filed with the Hearing Boards Office within fifteen (15) calendar days of the posting of decision by the Planning Director on the City’s website. 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, de novo and must be filed with the Office of Hearing Boards within fifteen (15) calendar
days of the Board’s issuance of its ruling.

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 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. Waivers are intended to relieve practical difficulties in complying with the strict requirements of this Code. Waivers are not intended to relieve specific cases of financial hardship, nor to allow circumventing of the intent of this Code. A 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. Parking reductions for Elderly Housing or for Adaptive Reuses in Community Redevelopment Areas (Article 3, Section 3.6.1. and 3.6.7).
2. Setbacks for irregular Lots (Article 3, Section 3.3.3.c)
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.g, 5.6.1.g and 5.8.1.g)
4. Shared Access for adjoining Lots (Article 3, Section 3.6.3.k).
5. Barbed wire fences in D1, D2 and D3 (Article 3, Section 3.7.2).
7. The relaxation of Setbacks or required Off-street Parking for preservation of natural features of land (Article 3, Section 3.13.1.e).
8. Decrease of required parking by thirty percent (30%) within the half-mile radius of a TOD (Article 4, Table 4).
9. Reduction of setbacks for one-story, non-habitable accessory structures in T3. (Article 5, Section 5.3.1.h)
10. Substitution of loading berths (Article 4, Table 5).
11. Required parking within one thousand (1,000) feet of the site that it serves (Article 4, Table 4)
12. Extensions above maximum Heights for church spires, steeples, belfries, monuments, water towers, flagpoles, vents, ornamental Building features, decorative elements, or similar Structures. (Article 3, Section 3.5.3, Article 5, Sections 5.3.2.f; 5.4.2.g; 5.5.2.h; 5.6.2.h, 5.9.2.g and 5.10.2.g).

13. Encroachment of mechanical equipment, such as air conditioning units, pumps, exhaust fans or other similar noise producing equipment for existing Buildings (Article 5, Sections 5.3.2.d and 5.4.2.d).

14. Service and Parking access from Principal Frontage (Article 5, Sections 5.4.2.e, 5.5.2.e and 5.6.2.f).

15. Pedestrian and vehicular entry spacing. (Article 5, Section 5.5.1.f, 5.5.4.e, 5.6.1.f and 5.6.4.g).

16. 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 5.6.1.h).

17. Adjustments to Building Disposition in CI. (Article 5, Section 5.7.2.4.d)

18. Industrial Uses requiring additional Height in D2 and D3 (Article 5, Section 5.9.2.f and 5.10.2.f).

19. Primary and Secondary Frontage Parking placement (Article 5, Section 5.6.4.d and 5.6.4.e)

20. Reduction of reservoir parking space (Article 6).

21. Gas Station Building Frontage requirement (Article 6).

22. Modifications in Setbacks up to fifty percent (50%) when Liner Uses are provided along parking Structures in Major Sports Facility. (Article 6, Table 13).

23. Replacement or reconstruction of a nonconforming Structure (other than Single-Family, duplex or multi-family) destroyed by natural disaster, explosion, fire, act of God, or the public enemy. (Article 7, Section 7.2.2.b).

24. 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).

25. Development of Single Family or duplex Structures on certain nonconforming Lots in T-3 zones. (Article 7, Section 7.2.7).

26. 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).

27. Modification of the landscaping of nonconforming signs. (Article 7, Section 7.2.9.5).

28. 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.

d. Review criteria and approval process.

The Zoning Administrator shall review the Waiver application, as required under this Code, in regard to compliance with the standards applicable to the specific Waiver and guiding principles in Article 2 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 apply Article 4, Table 12 Design Review Criteria, as applicable. 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 which shall, within five (5) days, distribute the Waiver to the official representatives of all registered neighborhood and homeowner associations within the NET office that is applicable to the applicant property, and the City shall post 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. An appeal shall be filed with the Hearing Boards Office within fifteen (15) calendar days of the posting of decision on the City’s website.

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. 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 and shall apply Article 4, Table 12 Design Review Criteria, as applicable.

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.

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 which shall, within five (5) days, distribute the Exception to the official representatives of all registered neighborhood and homeowner associations within the NET office that is applicable to the applicant property, and the City shall post 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.

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 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.
7. The Variance if granted, is consistent with the applicable criteria as set forth in Article 4, Table 12 as such relates to the particular location for which the Variance is being sought.

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.

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 Plan-
ning, 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 which shall, within five (5) 
days, distribute the Variance to the official representatives of all registered neighborhood and 
homeowner associations within the NET office that is applicable to the applicant property, 
and the City shall post 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.

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 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 demol-
ition 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 successional, 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.

<table>
<thead>
<tr>
<th>TRANSECT ZONE</th>
<th>FLR</th>
<th>SUCCESIONAL ZONE</th>
<th>FLR</th>
</tr>
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<tbody>
<tr>
<td>T1</td>
<td>--</td>
<td>T1</td>
<td>--</td>
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<tr>
<td>T2</td>
<td>--</td>
<td>N/A</td>
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<tr>
<td>T3</td>
<td>--</td>
<td>T4, CI</td>
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<td>T4</td>
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<td>T5, CI</td>
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<td>T5</td>
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<td>T6-8, CI</td>
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<tr>
<td>T6-8</td>
<td>5</td>
<td>T6-12, CI</td>
<td>8</td>
</tr>
<tr>
<td>T6-12</td>
<td>8</td>
<td>T6-24a, CI</td>
<td>7</td>
</tr>
<tr>
<td>T6-24a</td>
<td>7</td>
<td>T6-24b, CI</td>
<td>16</td>
</tr>
<tr>
<td>T6-24b</td>
<td>16</td>
<td>T6-36a, CI</td>
<td>12</td>
</tr>
<tr>
<td>T6-36a</td>
<td>12</td>
<td>T6-60a, CI</td>
<td>11</td>
</tr>
<tr>
<td>T6-48a</td>
<td>11</td>
<td>T6-60a, CI</td>
<td>11</td>
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<tr>
<td>T6-60a</td>
<td>11</td>
<td>T6-60b, CI</td>
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<td>T6-36b</td>
<td>22</td>
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<td>18</td>
</tr>
<tr>
<td>T6-60b</td>
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<td>--</td>
</tr>
<tr>
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<td>24</td>
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<td>--</td>
</tr>
<tr>
<td>CI</td>
<td>--</td>
<td>Abutting Zones</td>
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</tr>
<tr>
<td>CI-HD</td>
<td>8</td>
<td>T6-24</td>
<td>7</td>
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<td>D1</td>
<td>--</td>
<td>T6-8*, T5, CI, D2</td>
<td>5 (T6-8)* or --</td>
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<td>D3</td>
<td>--</td>
<td>T6-8L, T6-8 O, CI</td>
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</tbody>
</table>

* The Planning Department shall make a recommendation as to which Transect Zone will yield the most coherent pattern given the established zoning pattern and context in the immediate vicinity.
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.

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.

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 10, 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 10. 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.

7. Phased project. A phased project is one which, due to its magnitude, has to be developed in stages. Such project shall contain a minimum of three (3) acres of land. Any such project shall establish the maximum development capacity for the subject property. At the time of qualification by the Planning Director and Zoning Administrator, the project shall be owned by a single entity or subsidiaries of one (1) entity and may occupy contiguous lands, separated only by streets or alleys, and will be considered as one (1) project for the purpose of calculating all zoning requirements. A phased project must be qualified by the Planning Director and Zoning Administrator, at the written request of the property owner.

    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.


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 such as traffic studies and other documents relative to the application, 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 by Warrant, Variance or Exception 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:

1. Those changes that meet Transect regulations and do not change the manner of operation of the approved site; or

2. Those changes that can be approved by Waiver; or
3. Changes in the project phasing. 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; or

4. An increase in height not exceeding five (5) feet or 5% of the approved height; or

5. Movement of the footprint of the building not more than ten (10) feet in any horizontal direction.

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. The minor modification shall meet the criteria of Table 12. 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. The components being modified after modification shall be in compliance with this Code, even though the remainder of the approved development plan is not in full compliance with this Code, and shall not increase previously approved overall Development Capacity.

2. 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.

3. 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 an approved phased Special Permit to the greatest extent possible conform to the standards of this Code, the review shall be conducted by Warrant; otherwise the review of the changes shall be conducted as an Exception. The owner of property which has a previously approved phased Special Permit nonetheless may choose to submit a new application for approval pursuant to the Miami 21 code.

4. 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 existing 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 three (3) time extensions for each time extension period not to exceed twenty-four (24) months.

5. 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: 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 effective date of this Code shall be reviewed under the provisions of Ordinance 11000 as existing at the date of adoption of this Code.

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.

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. Failure to comply with conditions and safeguards, when attached to a grant of a development order or permit, shall be deemed a violation of this Miami 21 Code.

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.

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 de-
cides 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. Such disclosure by the commissioner shall remove the presumption of prejudice from ex parte communications pursuant to Fla. Stat. 286.0115.

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 autho-
rized 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 interpretation or Waiver, and fifteen (15) days from the denial or revocation of a Certificate of Use: 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. Fifteen (15) days from the decision of the Planning, Zoning and Appeals Board on a zoning interpretation appeal, denial or revocation of a Certificate of Use appeal, planning determination appeal or Warrant appeal: to the City Commission.
e. Thirty (30) days from the appellate decision of the City Commission on a zoning interpretation appeal, denial or revocation of a Certificate of Use 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.

f. 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.

7.1.7 Unity of Title

7.1.7.1 When required

The owner of a property shall submit a Unity of Title in recordable form to the Office of Zoning providing that all of the property encompassing the Lot upon which the Building and appurtenances are to be located shall be held together as one (1) tract of land and providing that no part or parcel shall be conveyed or mortgaged separate and apart from the Lot, as set forth under the Building Permit in the following cases:

a. Whenever a Development site consists of more than one (1) Lot, whether the combination of Lots is required to meet minimum zoning requirements or the Development site is not platted as a single Development site.

b. Whenever a Unity of Title is required by an ordinance or resolution adopted by the City Commission.

c. Whenever the City of Miami requires a Unity of Title be executed as a condition to the issuance of any Variance or permit or prior to acceptance of any terms of an agreement.

7.1.7.2 Specific requirements

a. The owner shall provide a certificate of ownership by an opinion of title from an attorney licensed to practice law in the State of Florida. Said opinion of title, which shall be from the point of beginning, shall be based upon an abstract brought up within ten (10) days of the requirement that such Unity of Title be recorded.

b. The opinion of title shall include the names and addresses of all mortgagees and lien holders, the description of the mortgages or liens, if applicable, and the status of all real estate taxes due and payable.

c. The Unity of Title shall be executed with the same formality and manner as a warranty deed under the laws of the State of Florida.
d. Prior to submission of a Unity of Title, the owner shall conduct a lien search with the Office of Hearing Boards and the Department of Finance and comply with any code enforcement violations and satisfy any outstanding liens, if applicable, due to the City.

7.1.7.3 Approval

No Building Permit shall be issued until the required Unity of Title has been approved by the Zoning Administrator, as to Zoning requirements, in a legal form acceptable to the City Attorney and upon proper recording in the Miami-Dade County Public Records at the Owner’s sole expense.

7.1.7.4 Release

Any Unity of Title required by this section shall not be released, except as specified in the legal instrument used to record said Unity of Title. Any Unity of Title agreement which does not contain a release clause or procedures for release, may be released by the Zoning Administrator, in a form acceptable to the City Attorney, upon a determination by the Zoning Administrator that the Unity of Title is no longer necessary (i.e. a release may be proper due to a replat of the properties united or the removal of any encroachments which necessitated the unity). In the absence of such a determination, the Unity of Title shall be released only by resolution of the City Commission. Releases approved pursuant to this section shall be recorded in the public records of Miami-Dade County, Florida, at the property owner’s sole expense.

7.1.7.5 Recording

The owner shall be solely responsible for the costs of recording the Unity of Title in the Public Records of Miami-Dade County. The Owner shall also be responsible for an administrative fee of $3.50 which shall be payable to the City upon submission of the Unity of Title to the Office of Zoning.

7.1.7.6 Covenant in lieu of Unity of Title

Whenever a Unity of Title is required, pursuant to this section, a covenant in lieu thereof shall be acceptable provided that said covenant conforms to all of the following requirements:

a. Where multiple Buildings on a single site exist, or for properties which contain multiple owners on a single site, the City may accept a covenant in lieu of Unity of Title. The acceptance of said covenant shall require the approval of the Zoning Administrator and any other City officials that may be required by the Zoning Administrator. The acceptance of a covenant in lieu of Unity of Title will not constitute a subdivision of land for purposes of this article. The Zoning Administrator shall evaluate the request for submittal of a covenant in lieu of Unity of Title and the information supplied with regard to its impact on the community. In evaluating the request, the Zoning Administrator may confer with representatives of other departments or agencies, as may be necessary.

b. If a negative impact on the community exists, the request for submittal of the covenant in lieu of Unity of Title shall be denied.

c. If no negative impact on the community exists, the Zoning Administrator may approve the covenant in lieu of Unity of Title.
d. In determining whether a negative impact on the community exists, the Zoning Administrator shall review:

1. The off-street parking and loading facilities related to adjacent streets, including ingress and egress to the subject property, with particular importance on pedestrian safety, convenience, internal traffic flow and control, arrangement in relation to access in case of fire or other emergency, and screening and landscaping.
2. The utilities on the subject property.
3. The maintenance of the subject property.

e. A covenant in lieu of Unity of Title shall not be accepted for residential properties in T3 Transects (Single Family and Two-Family Residential).

f. The covenant in lieu of Unity of Title, approved for legal form and sufficiency by the City Attorney, or designee, shall run with the land and be binding upon the heirs, successors, personal representatives and assigns, and upon all mortgagees and lessees and others presently or in the future having any interest in the property. The covenant in lieu of Unity of Title shall contain the following elements:

1. That in the event of multiple ownership subsequent to the approval of the covenant in lieu of Unity of Title, each of the subsequent owners shall be bound by the terms, provisions and conditions of the covenant. The owner shall further agree not to convey portions of the subject property to such other parties unless and until the owners and such parties shall have executed and mutually delivered, in recordable form an instrument to be known as an “easement and operating agreement” which shall include, but is not limited to:

   (a) Easements in the common area of each parcel for ingress to and egress from the other parcels;
   (b) Easements in the common area of each parcel for the passage and parking of vehicles;
   (c) Easements in the common area of each parcel for the passage and accommodation of pedestrians;
   (d) Easements for access roads across the common area of each parcel to public and private roadways;
   (e) Easements for the installation, use, operation, maintenance, repair, replacement, relocation or removal of utility facilities in appropriate areas in each such parcel;
   (f) Easements on each parcel for construction of buildings and improvements in favor of each other parcel;
   (g) Easements upon each parcel in favor of each adjoining parcel for the installation, use, maintenance, repair, replacement and removal of common construction improvements such as footing, supports and foundations;
   (h) Easements on each parcel for attachment of Buildings;
   (i) Easements on each parcel for Building overhangs and other overhangs and projections encroaching upon such parcel from adjoining parcel such as, by way of example, marquees, canopies, lights, lighting devices, awnings, wing walls and the like;
   (j) Appropriate reservation of rights to grant easements to utility companies;
   (k) Appropriate reservation of rights to road rights-of-way and curb cuts;
   (l) Easements in favor of each such parcel for pedestrian and vehicular traffic over dedicated private ring roads and access roads; and
(m) Appropriate agreements between the owners of the several parcels as to the obligation to maintain and repair all private roadways, parking facilities, common areas and common facilities and the like.

These instruments or portions may be waived if approved by each of the directors of the Public Works Department, the Planning Department, the Building Department, and the Office of Zoning, or their designees, if the provisions are inapplicable to the subject property. In addition, the instruments shall contain such other provisions with respect to the operation, maintenance and development of the property as the parties may agree. Such provision may be modified or amended by such parties (or the applicable association governing such parties) without approval or joinder by the directors, or their designees, if it will be constructed, conveyed and operated in accordance with an approved site plan. The multiple owners may, by mutual agreement, allocate among themselves and the parcels owned by them, setbacks, parking, open space, floor area and similar governmental requirements, and these allocations shall be honored in connection with requests for future site plan changes.

2. The covenant in lieu of Unity of Title shall be in effect for a period of thirty (30) years from the date the documents are recorded in the public records of Miami-Dade County, Florida, after which time it shall be extended automatically for successive periods of ten (10) years, unless released in writing by the Owners with approval by the Zoning Administrator. With respect to any portion of the subject property over which a condominium, homeowners or other similar association then exists, the instrument of amendment, modification or release shall be executed by such association (in accordance with its governing documents) in lieu of the fee owners of such portion of the subject property. For modifications, amendments, or releases, joinder is required by each of the directors of the Public Works Department, the Planning Department, the Building Department, and the Office of Zoning, or their designees to execute the instrument of amendment, modification or release upon the demonstration and affirmative finding that the Covenant is no longer necessary to preserve and protect the property for the purposes herein intended.

g. The remaining requirements as discussed in this Article concerning a Unity of Title shall also apply to a covenant in lieu of a Unity of Title.

7.1.7.7 Recorded agreements between parties superseded by covenants in lieu of Unity of Title

Whenever a covenant in lieu of Unity of Title is drafted which makes specific reference to and provides new conditions, requirements and limitations for any characteristic or aspect of use pertaining to the subject property, such new covenant shall supersede any other existing agreements regulating such matters, or shall be accepted as a substitute for any agreements required from the applicant pertaining to joint or shared facilities.
7.2 NONCONFORMITIES: STRUCTURES; USES; LOTS; SITE IMPROVEMENTS; AND SIGNS

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, Duplexes and Multi-Family 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,
duplex or multi-family structures 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, duplex or multi-family structures, and only in compliance with the Florida Building Code. An application for reconstruction of the Single-Family Residence, duplex or multi-family structures 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 of the Structure or his agents.

   (b) The replacement or reconstruction is reasonably necessary to allow the 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 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 noncon-
forming 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.

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.
7.2.4 Moving a Nonconforming Structure on the Same Lot

A nonconforming Structure may be moved on the same Lot only pursuant to an Exception. In addition to satisfying the Exception 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 from the date the Use first became legal nonconforming and consistent with the regulations of this section. The Use shall not be allowed to continue automatically upon expiration of the twenty (20) years. 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, accessory parking abutting T3-R areas that were approved as transitional Uses under prior zoning codes and were legally nonconforming prior to the adoption of this Code 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 sixty (60) days of renewal of a Certificate of Use.

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 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 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 dis-
continued 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. Except in a T3 or T4-R Transect Zone or within an area of the City for which a parking trust fund has been established and is in effect pursuant to Chapter 35 of the City Code, where existing Off-street Parking is nonconforming to the requirements of this Code or any other City standards to any Use permitted in the Transect Zone, Adaptive Use, shall not require the provision of additional parking or on-site storm water retention or detention. If the prior Use of such structure was single-family, duplex, or lodging and the site abuts a T3 Transect Zone, the provision of additional parking shall be required as per the requirement of this Code. No modifications may be permitted which increase the degree of the existing nonconformity. Modifications to Off-street Parking 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, Repair or Replacement

All legally built Monument Signs, Freestanding Signs or Signs above a height of fifty (50) feet that do not meet the provisions of Section 10.2, Table 15 or Section 10.3.6, shall be removed within five (5) years or as applicable. All other legal, nonconforming Signs shall be removed within one (1) year from original adoption of Article 10. Any modifications, repair, replacement, alteration, or Change of Copy that does not increase the Nonconformity is permitted consistent with the Florida Building Code.

7.2.9.3 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.

7.2.9.4 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.
# ARTICLE 8. THOROUGHFARES

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**Amendments to Article 8**

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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.

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 is 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.
8.2 Illustration: The Thoroughfare across the Transect
8.3 Public Frontages

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- **a. Assembly:** The principal variables are the type and dimension of curbs, walkways, planters, and landscape.

- **b. Curb:** The detailing of the edge of the vehicular pavement, incorporating drainage.

- **c. Walkway:** The pavement dedicated exclusively to pedestrian activity.

- **d. Planter:** The layer which accommodates street trees and other landscape.

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<th>Type</th>
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<td>5-20 feet</td>
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Note: Appropriate types for Civic Zones shall be determined based on context and abutting Transect Zones.
8.3 Public Frontages (continued)

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)
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9.1 INTENT AND PURPOSE

It is the intent of this article to establish minimum landscape standards for the City of Miami that enhance, improve and maintain the quality of the landscape, and to:

a. Promote Florida Friendly landscaping principles through the use of drought tolerant plant species, grouping of plant material by water requirements, the use of irrigation systems that conserve the use of potable and non potable water supplies and restrictions on the amount of lawn areas. Florida Friendly landscape principles also promote planting the right plant in the right place and appropriate fertilization and mulching.

b. Use landscape material, specifically street trees, to visually define the hierarchy of roadways, and to provide shade and a visual edge along roadways.

c. Prevent the destruction of the City’s existing tree canopy and promote its expansion.

d. Provide for the preservation of existing Natural Forest Communities and specimen sized trees in conformance with existing City and County codes, as may be amended from time to time; re-establish native habitat where appropriate, and encourage the appropriate use of native plant materials in the landscape.

e. Promote the use of trees and shrubs for energy conservation by encouraging cooling through the provision of shade and the channeling of breezes, thereby helping to offset global warming and local heat island effects through the added absorption of carbon dioxide and reduction of heat islands.

f. Contribute to the processes of air movement, air purification, oxygen regeneration, ground water recharge, and stormwater runoff retention, while aiding in the abatement of noise, glare, heat, air pollution and dust generated by major roadways and intense use areas.

g. Improve the aesthetic appearance of commercial, industrial and residential development through the use of appropriate plant materials, thereby protecting and increasing property values within the City, and protecting designated historic landscapes.

h. Reduce the negative impacts of exotic pest plant species and prohibit the use of noxious exotic plants which invade native plant communities.

i. Promote the use of trees to protect and buffer the effects of high winds on structures.

j. Promote proper landscaping methods and selection of plant materials to avoid problems such as clogged sewers, cracked sidewalks and power services interruptions.
9.2 SHORT TITLE AND APPLICABILITY

9.2.1 Title

   a. This article shall be known and may be cited as the "City of Miami Landscape Ordinance".

9.2.2 Applicability

   a. This article shall be a minimum standard and shall apply to the City of Miami, and shall be enforced by the City.

   b. The provisions of this article shall be considered minimum standards and shall apply to all public and private development when a permit is required, except for existing attached and detached single family and duplex dwellings, including any future additions or expansions shall be exempt from the provisions of this article.

   c. Existing development shall only be required to comply with the street tree requirements and parking lot buffers. Parking lot buffers will not be required if inadequate area exists which will cause the elimination of any required parking pursuant to the City code or Zoning Ordinance. The provisions of this subsection shall only apply where a building permit is required for expansion of parking areas.

9.3 PLANS REQUIRED

9.3.1 General

Landscape plan(s) shall be approved by the Office of Zoning, and where required pursuant to this code, an irrigation plan shall be approved by the Building Department prior to the issuance of any building permit or paving for new parking areas or expansion of existing parking areas.

9.3.2 Landscape plans

   a. Owner - builder single family or duplex dwelling:

      Landscape plan(s) submitted for new one (1) family or duplex dwellings may be in the form of a plot plan or drawing prepared by the owner or the owner's representative, provided however, developments requiring review before the Urban Development Review Board shall provide Landscape Plans prepared by, and that bear the seal of, a landscape architect licensed to practice in the State of Florida, or by persons authorized by Chapter 481, Florida Statutes, to prepare landscape plans or drawings.

   b. All other development:

      The landscape plan for development other than provided for in 9.3.2 (a) above, shall be prepared by, and bear the seal of, a landscape architect licensed to practice in the State of Florida, or by persons authorized by Chapter 481, Florida Statutes, to prepare landscape plans or drawings. Preliminary landscape plans shall be provided as part of the submission for approval and shall:

      1. Be drawn to scale and include property boundaries, north arrow, graphic scale, and date.

      2. Include a vegetation survey, including an aerial photograph which outlines the subject site, provided at the same scale as the landscape plan.
3. Delineate existing and proposed structures, parking spaces, driveways and other vehicular use areas, sidewalks, utilities, easements, height and voltage of power lines on the property or adjacent property.

4. Indicate the common and scientific name and quantity of plants to be installed using the “Landscape Legend" code format as prescribed by the Director of the Planning Department.

5. Identify all landscape features and non-living landscape materials.

6. Show all areas of vegetation required to be preserved by law, including but not limited to trees, specimen trees, native plant species, Natural Forest Communities, native habitats and wetlands.

7. Illustrate geologic, historic and archeological features to be preserved.

8. Depict stormwater retention/detention areas and areas excluded from maximum permitted lawn area.

9. Document Transect Zone, Net Lot area, maximum Lot coverage, required Open Space, and maximum permitted lawn area.

10. Complete Preparer's Statement of Landscape Compliance form.

c. Final landscape plans submitted for permit shall include all of the above, as well as the following:

1. A fully completed, permanently affixed “Landscape Legend" as prescribed by the Director of the Planning Department.

2. Critical layout dimensions for trees, plant beds and landscape features.

3. Method(s) to protect and relocate trees and native plant communities during construction.

4. Planting details and specifications.

5. Irrigation plans, as required by this code.

6. Irrigation details and specifications, as required.


9.3.3 Vegetation Survey

A vegetation survey shall be provided for all sites at the same scale as the landscape plan. The vegetation survey shall be accompanied by an aerial photograph which outlines the subject site without obscuring its features. The vegetation survey shall provide the following information:

a. The accurate location and graphic representation, in relation to existing development, of all existing trees of a minimum two (2) inch DBH or ten (10) foot height or, for native trees, of a minimum one and one-half (1 1/2) inch DBH or eight (8) foot height, including those which are proposed
to be removed, relocated or preserved on site in accordance with the requirements of this Code and Chapter 17 of the City Code.

b. The boundaries of any Scenic Transportation Corridor, Environmental Preservation District, native habitat, native plant community, native plant species, and/or Natural Forest Community and associated understory that exists on site, as determined by the City of Miami Commission or the Miami-Dade County Department of Environmental Resources Management.

c. A table showing the following information:

1. The scientific and common name of each tree, each of which shall be numbered.
2. The diameter at breast height (DBH) of each tree, or if a multiple trunk tree, the sum DBH for all trunks.
3. An estimate of the height, canopy cover, and physical condition of each tree, and whether specimen tree(s) exist on site.

9.3.4 Irrigation Plans

An irrigation plan shall be submitted if an irrigation system is required by this code or where an irrigation system is to be provided regardless of code requirements. Where a landscape plan is required, an irrigation plan shall be submitted concurrently.

a. For a new one-family or duplex dwelling the irrigation plan may be indicated on a plot plan or a separate drawing prepared by the owner or the owner’s agent indicating area(s) to be irrigated, location and specifications of lines and heads and pump specifications.

b. All other development other than those provided in a subsection 9.3.4 (a) above shall:

1. Be drawn on a base plan at the same scale as landscape plan(s).
2. Delineate landscape areas, major landscape features, and hydrozones.
3. Delineate existing and proposed structures, parking areas or other vehicular use areas, access aisles, sidewalks, driveways, the location of utilities and easements, and similar features,
4. Include water source, design operating pressure and flow rate per zone, total volume required for typical depths of application, and application rate.
5. Include locations of pipes, controllers, valves, sprinklers, back flow prevention devices, rain switches or soil moisture sensors, and electrical supply.
6. Include irrigation details.

9.4 TREE REMOVAL AND PRESERVATION

No person and no agent or representative thereof, directly or indirectly, shall cut down, destroy, move or effectively destroy through damaging any tree situated on any real property as described in Chapter
17 of the City Code, without first obtaining approval and a tree removal permit. No permit for development activity shall be issued until it has been determined that no tree removal permit is required or that a valid tree removal permit has been issued in compliance with this article. The City of Miami Code Enforcement Department is responsible for administering and enforcing these provisions in accordance with Chapter 17 of the City Code.

9.5 MINIMUM STANDARDS

The following standards shall be considered minimum requirements unless otherwise indicated:

9.5.1 Lawn Area (turf)

a. Grass areas shall be planted in species well adapted to localized growing conditions in Miami-Dade County. Grass areas may be sodded, plugged, sprigged, hydromulched, or seeded except that solid sod shall be used in swales or other areas subject to erosion. In areas where other than solid sod or grass seed is used, overseeding shall be sown for immediate effect and protection until coverage is otherwise achieved.

b. Exclusions from maximum permitted lawn areas:

1. Stabilized grassed area used for parking;
2. Grassed areas designated on landscape plans and actively used for sports, playgrounds or picnic areas;
3. Grassed areas in the right-of-way;
4. Stormwater retention/detention areas planted in grasses which are very drought tolerant, as referenced in the Landscape Manual, as well as tolerant to wet soils.

c. Maximum permitted lawn area for all zoning districts is referenced in Table A. Very drought tolerant grasses and low growing native plants, including grasses and forbs, as referenced in the Landscape Manual, may be used as groundcover beyond the maximum permitted grass area specified in Table A.

9.5.2 Irrigation

a. All newly-planted and relocated plant material shall be watered by temporary or permanent irrigation systems until such time as they are established and subsequently on an as needed basis to prevent stress and die off in compliance with existing water restrictions.

b. Irrigation shall be prohibited within native plant communities and Natural Forest communities, except for temporary systems needed to establish newly planted material. Temporary irrigation systems shall be disconnected immediately after establishment of plant communities.

c. Irrigation systems shall be designed, operated, and maintained to:

1. Meet the needs of the plants in the landscape
2. Conserve water by allowing differential operation schedules based on hydrozone.

3. Consider soil, slope and other site characteristics in order to minimize water waste, including overspray or overflow on to impervious surfaces and other non-vegetated areas, and off-site runoff.

4. Minimize free flow conditions in case of damage or other mechanical failure

5. Use low trajectory spray heads, and/or low volume water distributing or application devices.

6. Maximize uniformity, considering factors such as:
   i. Emitter types,
   ii. Head spacing,
   iii. Sprinkler pattern, and
   iv. Water pressure at the emitter.

7. Use the lowest quality water feasible (graywater shall be used where approved systems are available.)

8. Rain switches or other devices, such as soil moisture sensors, shall be used with automatic controls.

9. Operate only during hours and on days permitted under South Florida Water Management District rules.

10. Where feasible, drip irrigation or micro-sprinklers shall be used.

11. During dry periods, irrigation application rates of between one (1) and one and one-half (1 ½) inches per week are recommended for turf areas.

12. If an irrigation system is not provided, a hose bib shall be provided within seventy-five (75) feet of any landscape area.

9.5.3 Trees

a. Tree Size
   All trees, except street trees, shall be a minimum of twelve (12) feet high and have a minimum caliper of two (2) inches at time of planting, except that thirty (30) percent of the tree requirement may be met by native species with a minimum height of ten (10) feet and a minimum caliper of one and one-half (1 1/2) inches at time of planting.

b. Street tree size and spacing
   Street trees shall be of a species typically grown in Miami-Dade County which normally mature to a height of at least twenty (20) feet. Street trees shall have a clear trunk of four (4) feet, an overall height of fifteen (15) feet and a minimum caliper of three (3) inches at time of planting, and
shall be provided along all roadways at a maximum average spacing of thirty (30) feet on center, except as otherwise provided in this Article. The thirty (30) foot average spacing requirement for multiple single family units and townhouse shall be based on the total lineal footage of roadway for the entire project and not based on individual Lot widths. Street trees shall be placed within the swale area or shall be placed on private property where demonstrated to be necessary due to right-of-way obstructions as determined by the Public Works Department. Street trees planted along private roadways shall be placed within seven (7) feet of the edge of roadway pavement and/or where present within seven (7) feet of the sidewalk.

c. Power lines
Where the height and location of overhead power-lines requires the planting of low growing trees, street trees shall have a minimum height of eight (8) feet, a minimum caliper of one and one-half (1 1/2) inches at time of planting, and shall meet the following requirements:

1. Single trunk trees clear of lateral branches to four (4) feet and/or multi trunk trees or tree/shrubs, as referenced in the Landscape Manual, cleared of foliage to a height of four (4) feet.

2. A maximum average spacing of twenty-five (25) feet on center.

3. Maturing to a height and spread not encroaching within five (5) feet of overhead power distribution lines.

4. Under high voltage (50kV and above) transmission lines installed independent of underbuilt distribution lines, tree height and spread shall not exceed the minimum approach distances specified in the current ANSI (American National Standards Institute) Z133.1 Standards, as referenced in the Landscape Manual.

9.5.4 Palms

Palms which meet all of the following requirements shall count as a required street tree on the basis of one (1) palm per tree.

a. Minimum canopy of fifteen (15) feet at maturity.

b. Provided at an average maximum spacing of twenty-five (25) feet on center.

c. A single trunk palm species with a minimum ten (10) inches DBH and a minimum of eight (8) feet of clear wood or gray wood.

d. Queen palms (Syagrus romanzoffiana) shall not be allowed as street trees.

9.5.5 Minimum Number of Trees

The minimum number of required trees, in addition to street trees, is referenced in Table A.
### TABLE A

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*Requirements determined by most restrictive abutting Transect Zone*
Where a conflict exists, the requirement imposing the higher standard shall apply.

a. Urban Center and Urban Core Transect Zones. In Urban Center or Urban Core Transect Zones, if the minimum number of trees required cannot be reasonably planted on the ground level of the subject property, the applicant may plant twenty-five percent (25%) of the required trees on upper levels such as open recreation areas or exposed decks.

b. Off-site tree planting. If the minimum number of trees required cannot be reasonably planted on the subject property, the applicant may enter into an agreement with the city, as approved by the department, to plant the excess number of required trees on public property within the City Commission district of the subject property.

c. Tree trust fund. If the minimum number of trees required cannot be reasonably planted on the subject property, but as an alternative to the off-site tree planting option provided in subsection 9.5.5.b, the applicant shall contribute into the city’s tree trust fund the sum of one thousand dollars ($1000.00) for each two (2) inch caliper tree required in accordance with Table A of section 9.5.5. A city resident with current proof of residency and homestead status shall contribute five hundred ($500.00) for each two (2) inch caliper tree required in accordance with Table A of section 9.5.5.

d. Grassed areas that are to be used for organized sports such as football and soccer or other similar sports or playgrounds, that are clearly identified on a landscape plan shall not be counted toward calculating tree and maximum lawn area requirements.

e. Trees shall be planted to provide shade to residential structures of a height of thirty-five (35) feet or less. At least two (2) required lot trees shall be positioned in the energy conservation zone as defined herein. All exterior air conditioning units, except for air conditioning units placed on the roof, shall be shaded by trees and/or shrubs as referenced in the Landscape Manual.

f. Palms of a fourteen (14) foot minimum overall height and minimum caliper of three (3) inches at time of planting shall count as a required tree on the basis of two (2) palms-per tree, except as provided herein for palms used as of street trees. No more than thirty (30) percent of the minimum tree requirements shall be palms.

g. Existing trees required by law to be preserved on site and that meet the requirements of Section 9.5.3, may be counted toward fulfilling the minimum tree requirements.

h. Prohibited and controlled tree species shall not be counted toward fulfilling minimum tree requirements. Prohibited trees shall be removed from the site after obtaining approval of a tree removal permit.

i. No less than thirty (30) percent of the required trees and/or palms shall be native species.

j. No less than fifty (50) percent of the required trees shall be low maintenance and drought tolerant species.

k. Eighty (80) percent of the trees shall be listed in the Miami-Dade Landscape Manual, the Miami-Dade Street Tree Master Plan and/or the University of Florida’s Low-Maintenance Landscape Plants for South Florida list.
ARTICLE 9. LANDSCAPE REQUIREMENTS

I. In order to prevent adverse environmental impacts to existing native plant communities, cabbage palms (Sabal palmetto) that are harvested from the wild shall not be used to satisfy minimum landscaping requirements. Only existing cabbage palms (Sabal palmetto) which are rescued from government approved donor sites, transplanted within the site, or commercially grown from seed shall be counted towards the minimum tree and native plant requirements.

m. When trees are planted within the right-of-way, the owners of land adjacent to the areas where street trees are planted must maintain those areas including the trees, plants and sod, using pruning methods specified in this Code. A covenant executed by those owners is required, or a special taxing district must be created to maintain these areas. Where the State, County or municipality determines that the planting of trees and other landscape material is not appropriate in the public right-of-way, they may require that said trees and landscape material be placed on private property.

n. Consideration shall be given to the selection of trees, plants and planting site to avoid serious problems such as clogged sewers, cracked sidewalks, and power service interruptions.

9.5.6 Shrubs

a. All shrubs shall be a minimum of eighteen (18) inches in height when measured immediately after planting. Shrubs shall be provided at ratio of ten (10) per required tree. No less than Thirty (30) percent of the shrubs shall be native species and no less than fifty (50) percent shall be low maintenance and drought tolerant. Eighty (80) percent of the shrubs shall be listed in the Miami-Dade Landscape Manual, the Miami-Dade Street Tree Master Plan and/or the University of Florida’s Low-Maintenance Landscape Plants for South Florida list.

b. When used as a visual screen, buffer, or hedge, shrubs shall be planted at a maximum average spacing of thirty (30) inches on center or if planted at a minimum height of thirty-six (36) inches, shall have a maximum average spacing of forty-eight (48) inches on center and shall be maintained so as to form a continuous, unbroken and solid visual screen within one (1) year after time of planting. Shrubs used as a buffer, visual screen, or hedge need not be of the same species.

9.5.7 Vines

Vines shall be a minimum of twelve (12) inches in length immediately after planting and may be used in conjunction with fences, screens, or walls to meet physical barrier requirements as specified. Planting of perimeter walls with vines is recommended as a deterrent to painting of graffiti.

9.5.8 Ground Cover

Ground cover plants used in lieu of grass, in whole or in part, shall be planted in such a manner as to present a finished appearance and reasonably complete coverage within one (1) year after planting.

9.5.9 Mulch

a. Mulches shall be applied and maintained in accordance with the most recent edition of the Florida Yards & Neighborhoods Handbook titled “A Guide to Florida Friendly Landscaping” by the University of Florida, Institute of Food and Agricultural Sciences (UF/IFAS) and available online at
9.6 PLANT QUALITY

9.6.1 Plants installed pursuant to this Code shall conform to, or exceed, the minimum standards for “Florida Number One” as provided in the most current edition of “Grades and Standards for Nursery Plants, Part I and II,” prepared by the State of Florida Department of Agriculture and Consumer Services.

9.6.2 Trees installed pursuant to this Code shall have one (1) primary vertical trunk and secondary branches free of included bark up to a height of six (6) feet above natural grade.

9.7 BUFFERS BETWEEN DISSIMILAR LAND USES

Where dissimilar land uses exist on adjacent properties, and where such areas will not be entirely visually screened by an intervening building or structure from abutting property, that portion shall be provided with a buffer consisting of a six (6) foot wall or fence with a life expectancy of at least ten (10) years, or shrubs which normally grow to a minimum height of six (6) feet. Where chain link fencing is used, shrubs shall also be required. Said buffer shall form a continuous screen between the dissimilar land uses within one (1) year after planting. Buffers screening dissimilar uses shall include trees planted at a maximum average spacing of thirty (30) feet on center within a minimum five (5) foot landscaped strip.

9.8 LANDSCAPED AREAS IN PARKING LOTS

All required and/or provided surface off-street parking facilities and parking lots shall be landscaped in accordance with the following standards:

a. The total area of all interior landscaped areas shall not be less than ten (10) square feet for each parking space provided on the site.

b. In order to maximize the distribution of shade, trees shall be planted throughout the interior of the parking lot at a minimum density of one (1) tree per eighty (80) square feet of landscaped area, exclusive of parking lot buffers.

c. A landscaped area with a tree shall be required at the end of all parking rows, particularly when abutting an aisle or building. Planting areas for each tree shall have a minimum area of fifty (50) square feet and a minimum width of five (5) feet, exclusive of the curb dimension, and shall be planted or covered with other landscape materials.

d. For each row of parking there shall be landscaped areas with trees within the first ninety (90) linear feet, and one (1) landscaped area provided with a tree for each additional ninety (90) linear feet. When a minimum six (6) foot clear landscape area is provided between two rows of parking, the landscape areas with trees every ninety (90) linear feet is not required. This six (6) foot wide landscape area shall be planted with trees no greater than thirty (30) feet on-center.

e. For each row of parallel parking there shall be a minimum of two (2) landscape areas with trees


b. Cypress mulch shall not be used because its harvest degrades cypress wetlands.
within the first seventy-five (75) linear feet, and one (1) landscape area with a tree for each additional seventy-five (75) linear feet. The landscape areas shall be equally spaced wherever possible.

f. All required trees shall be of an approved shade tree variety which shall attain a minimum mature crown spread greater than fifteen (15) feet.

g. All parking stalls, access aisles and driveways in a residential area shall be separated from any building by a minimum of thirty (30) inches and landscaped with shrubbery, ground-cover, or other suitable material.

h. All parking lots adjacent to a right-of-way or private street shall be screened by a continuous planting and/or three (3) foot high wall with a seven (7) foot landscaped strip incorporating said planting and/or wall on private property.

i. A landscape area that is a minimum of five (5) feet in width shall be provided when parking stalls, access aisles, or driveways are located along any side or rear lot line. The landscape areas shall be planted with a continuous hedge, and with trees no greater than thirty (30) feet on center, when the landscaped area does not abut a parking row. In certain instances, a solid and continuous masonry wall, a minimum of five (5) feet in height, whose surfaces are stuccoed, painted, tiled, or textured in such a way as to provide a decorative effect if approved, may be used in lieu of the landscape area.

j. These requirements are in addition to any applicable required open space as provided in this Code.

9.9 STORMWATER RETENTION/DETENTION AREAS

a. Stormwater retention/detention areas shall be designed to maximize the perimeter dimension, where feasible.

b. Stormwater retention/detention areas shall be planted throughout with native herbaceous facultative plants, with the following exceptions:

   1. In areas that are designated and actively used for play and/or picnic areas, overflow parking, or sports shall be planted with grasses which are very drought tolerant, as referenced in the Landscape Manual, as well as tolerant to wet soils.

   2. In areas where the minimum required stormwater retention capacity would be adversely affected.

c. The minimum required number of native herbaceous facultative plants shall be one (1) plant per square foot of retention/detention area, including the slope. Minimum required herbaceous plant container size shall be one and one-half (1 1/2) inches, commonly, referred to as a liner. Sprigging, seeding, plugging, hydro-mulching or sodding with native herbaceous facultative plants grown from local seed sources may be used in lieu of liners. Herbaceous plants shall be planted in such a manner as to present a finished appearance and reasonably complete coverage within one (1) year after planting.
d. Native facultative trees or shrubs may be used in lieu of native herbaceous facultative plants, provided that the minimum required stormwater retention capacity is not adversely affected.

9.10 LANDSCAPE PLAN REVIEW CRITERIA

All landscape plans shall be reviewed by the Office of Zoning. Where existing trees lie within Natural Forest Communities, Environmental Preservation Districts, and/or Scenic Transportation Corridors, landscape plans shall be reviewed and approved by the Historic Preservation Division of the Planning Department as prescribed in Chapter 17 of the City Code. Landscape plans shall be reviewed in accordance with Section 9.1 and the guidelines and illustrations provided in the Landscape Manual as well as the Guide to Florida Friendly Landscaping provided by the Florida Yards and Neighborhoods Program.

9.11 PREPARER’S CERTIFICATION OF LANDSCAPE COMPLIANCE AT TIME OF FINAL INSPECTION

a. A notarized Preparer’s Certification of Landscape Compliance form bearing the original letterhead of the designing firm and licensing number shall be submitted to and approved by the Office of Zoning prior to issuance of any Certificate of Use or Certificate of Occupancy. The notarized Preparer’s Certification of Landscape Compliance form shall contain a statement, signed and sealed by the landscape architect or by person(s) authorized to prepare plans by Chapter 481, Florida Statutes, who prepared the approved plans, that the landscape and irrigation plans have been implemented and that all requirements of this article have been met. Any changes or substitutions to the approved plan shall be approved by the original designing firm prior to the implementation of said changes and substitutions. All changes or substitutions to the approved plan shall be noted on all copies. Changes and substitutions of plant material shall be of similar quality, quantity and size, as originally approved and shall be in compliance with the intent and requirements of this code.

b. For a new single family or duplex residence on its own lot or applicable existing development, the owner or owner’s agent may certify in writing that landscape and irrigation have been installed according to approved plan(s).

c. The Planning Department and the Office of Zoning shall have the right to inspect all projects for compliance prior to issuance of a Certificate of Use or Certificate of Occupancy.

9.12 LANDSCAPE ADJUSTMENT

Unless otherwise required by this Code, as amended, the Code of the City of Miami, as amended, or the Florida Building Code, as amended; Landscape Ordinance requirements may be modified through the Waiver process, with mandatory referral to the Planning Director.

a. Criteria to be considered in granting Waivers of Landscape Ordinance Requirements

In addition to the considerations listed in Article 4, Table 12 and elsewhere in this Code, the following shall also apply to the review of Waiver permits pursuant to this Section:

1. Waivers of Landscape Ordinance requirements may be granted when, to do so promotes the intent of the particular Transect Zone where the proposal is located; and help mitigate any potential adverse effect of a specific proposal whose implementation is found to be in com-
Article 9. Landscape Requirements

1. Compliance with the intent and findings of a commission approved Planning study or conceptual plan for the subject area.

2. Waivers of Landscape Ordinance requirements may be granted when, the observance of applicable guides and standards for which the Waiver is being requested would put the proposed project into a variance situation which is against the public interest.

b. Specific findings required

Specific findings shall be made by the Planning Department which establish how the above criteria are met. Additionally, any conditions, restrictions and limitations deemed appropriate by the Planning Director shall be implemented in order to ensure compliance with the considerations set forth above, as well as in Article 4, Table 12 of this Code.

9.13 Landscape Maintenance

a. An owner is responsible to ensure that landscaping required to be planted pursuant to this chapter is installed in compliance with the Landscape requirements; maintained as to present a healthy, vigorous, and neat appearance free from refuse and debris; and sufficiently fertilized and watered to maintain the plant material in a healthy condition.

b. If any tree or plant dies which is being used to satisfy current landscape code requirements, such tree or plant shall be replaced with the same landscape material or an approved substitute.

c. Trees shall be pruned in the following manner:

1. All cuts shall be clean, flush and at junctions, laterals or crotches. All cuts shall be made as close as possible to the trunk or parent limb, without cutting into the branch collar or leaving a protruding stub.

2. Removal of dead wood, crossing branches, weak or insignificant branches, and sucker shall be accomplished simultaneously without any reduction in crown.

3. Cutting of lateral branches that results in the removal of more than one-third (1/3) of all branches on one (1) side of a tree shall only be allowed if required for hazard reduction or clearance pruning.

4. Lifting of branches or tree thinning shall be designed to distribute over half of the tree mass in the lower two-thirds (2/3) of the tree.

5. No more than one-third (1/3) of a tree’s living canopy shall be removed within a one (1) year period.

6. Trees shall be pruned according to the current ANSI A300 Standards and the Landscape Manual.

9.14 Prohibitions

a. Prohibited plant species. Prohibited species shall not be planted and shall be removed from any
site which is subject to the requirements of this article.

b. Controlled plant species. Controlled species shall not be planted within five hundred (500) feet of a Natural Forest Community or native habitats as defined herein.

c. West Indian Mahogany. West Indian Mahogany, Swietenia mahagoni, shall not be planted within five hundred (500) feet of a rockland hammock or pine rockland.

d. Tree abuse. Tree abuse is prohibited. Abused trees shall not be counted toward fulfilling the minimum tree requirements.

9.15 ENFORCEMENT

a. The Code Enforcement Department shall withhold approval of a final building inspection prior to the issuance of a Certificate of Use or Certificate of Occupancy until a notarized Preparer’s Certification of Landscape Compliance form has been submitted and approved.

b. The Code Enforcement Department shall have the right to inspect the lands affected by this Code and is authorized to issue cease and desist orders and citations to the current owner and the Contractor, if applicable, for violations.

c. Failure to install or maintain landscaping according to the terms of this article shall constitute a violation of this Code. Also, failure to plant, preserve, or maintain each individual tree shall be considered to be a separate violation of this Code. Each day in which either landscaping or individual trees are not installed or maintained according to the terms of this article shall constitute a continuing and separate violation of this Code. Further, failure by the current owner or the Contractor to provide the required landscaping and watering of such landscaping within ninety (90) days after the South Florida Water Management District ends the emergency Phase II and Phase III water restrictions shall constitute a violation of this Code.
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### Amendments to Article 10

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10.1.1 PURPOSE

The purpose of 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 designed to optimize communication and design quality of Signs. Through these regulations, the City of Miami will uphold the United States Constitution and State of Florida Constitution, conserve and protect scenic beauty, regulate signage for the purpose of visual clutter, and preserve the aesthetic character of the City. In addition, special permits which may have been approved under previous Ordinance 11000 or under previous sections of this ordinance 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 provided for by these regulations.

10.1.1.1 INTENT:

a. Promote the effectiveness of Signs by preventing their improper placement, deterioration and excessive size and number.

b. Regulate and control Signs and Sign Structures in order to prevent property damage and personal injury resulting from improper construction or poor maintenance.

c. Promote the free and safe flow of traffic and protect pedestrians and motorists from injury and property damage attributable to cluttered, distracting, or illegal signage.

d. Control and reduce visual clutter and visual blight.

e. Prevent any deleterious effects arising from the unrestricted use of Signs by providing a reasonable, flexible, efficient, comprehensive and enforceable set of regulations that will foster a high quality, aesthetic, visual environment for the City, 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 Open 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 affect the image of the City.

j. Acknowledge the differing design concerns and needs for Signs in certain specialized areas such as tourist areas.
k. Require that Signs be properly maintained for safety and visual appearance.

l. Protect non-Commercial speech such that any Sign allowed herein may contain any lawful non-Commercial message, so long as said Sign complies with the size, Height, Area location and other requirements of these regulations.

m. Provide no more restrictions on speech than necessary to implement the purpose and intent of this section.

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.

10.1.2 CRITERIA FOR GRANTING SIGN PERMIT

10.1.2.1 Permits required for Signs except those exempted.

Except for classes of Signs exempted from permit requirements as specified in Section 10.1.3, all Signs shall require permits. Applications for such permits shall be made separately or in combination with applications for other permits as appropriate to the circumstances of the case and shall provide at a minimum the information as specified in Section 7.1.2.9.

10.1.3 SIGNS EXEMPTED FROM PERMIT REQUIREMENTS

The following types of Signs, and Changeable Copy 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 Zone in which they are to be located.

a. Address, Notice, Directional or Warning Signs. No Sign permit shall be required for Address, Notice, Directional or Warning Signs except as otherwise required in this section. Any Sign that exceeds the area below is subject to Building Identification criteria within Section 10.2, Table 15.

1. Address Signs, not to exceed one (1) for each Dwelling Unit or other Use for each Lot Line adjacent to a street. Each address sign shall be limited to two (2) square feet in Area.

2. Notice, Directional or Warning Signs, not to exceed one (1) for each Dwelling Unit or other Use for each Lot Line adjacent to a street. Each Notice, Directional and Warning Sign shall be limited to two (2) square feet in Area.

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. Signs shall be
ARTICLE 10. SIGN REGULATIONS

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. Flags. Limited to one (1) per property and shall not exceed twenty-five (25) square feet. National flags, state flags and flags of political subdivisions within the State of Florida shall not be subject to these regulations; however, in no case shall more than three (3) flags be flown per property. The flags permitted by this subsection shall not be used in mass to circumvent this subsection by using said flags primarily as an advertising device.

e. Celebratory Flags and Banners. A Sign permit shall not be required for celebratory flags and Banners located within Regional Activity Complexes related to community wide celebrations or commemorations. Such Signs shall not include any form of commercial advertising, shall not be located within any public right-of-way, and shall be removed within thirty (30) days of such event.

f. Vehicle Signs. No Sign permit shall be required for display of Signs on automobiles, trucks, buses, trailers, or other vehicles when used for purposes of transportation.

g. Changeable Copy Sign. No Sign permit shall be required for routine Change of Copy on a Changeable Copy Sign, the customary use of which involves frequent and periodic changes, provided such change of copy does not result in increase of total Sign Area beyond permissible limits and meets all other requirements of this Code and the City Code. Signs with the capability of content change by means of manual or remote input include the following types:

1. Manually Activated - Changeable sign whose message copy or content can be changed manually on a Display Surface.

2. Electronically Activated - Changeable sign whose message, copy or content can be remotely programmed electronically.

10.1.4 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 or Waiver from these provisions are permitted unless otherwise stated within Article 10:

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, location and other requirements of this Code and the City Code.

b. False and misleading Signs shall be unlawful to post.

c. Illuminated Sign Requirements:
1. Illuminated Signs containing functions of Animated Signs are prohibited. Illuminated Signs within a T1, T3, T4, T5-R, T6-R or CS Transect Zone shall be reviewed by process of Warrant as per Table 15. Illuminated Signs in all other Transect Zones shall be allowed by Right subject to the regulations specified within Table 15.

2. Signs may be Internally Illuminated or Indirectly Illuminated from any external source. Illuminated Sign fixtures or luminaries shall not shine directly on adjacent properties, motorists or pedestrians. Illumination will provide visibility to the Sign and eliminate glare and intensity which might pose safety hazards to drivers and pedestrians.

3. Signs that are Internally Illuminated may not exceed a maximum brightness level of 0.3 foot candles above ambient light as measured at a preset distance depending on Sign size. Measuring distance shall be calculated by taking the square root of the product of the Sign Area multiplied by one-hundred (Example using a 12 square foot Illuminated Sign: \(\sqrt{12\times100} = 34.6\) feet measuring distance). All applicants shall provide a written certification from the Sign manufacturer that the light intensity has been factory preset not to exceed the levels specified.

4. No Illuminated Sign shall be permitted within one hundred (100) feet from any portion of a T1, T3, T4-R, T5-R or T6-R property, as measured along the street Frontage on the same side of the street, or as measured in a straight line to a property across the street, unless Signs are specifically authorized by Warrant as per Table 15.

d. Structural members of all Signs, including supports, electrical conduit and receptacle boxes, or any other operational devices shall be covered, painted, or designed in such a manner as to be visually unnoticeable.

e. Devices used to attract attention such as blinking or flashing lights, streamer lights, pennants, banners, balloons, streamers, and all fluttering and spinning devices shall be prohibited.

f. Portable Signs shall be prohibited, including those that are tied down with metal straps, chaining, or otherwise temporarily anchored to an existing Structure or other similar method of anchoring.

g. Roof Signs shall be prohibited in all Transects. No Sign shall extend above the roof line or parapet wall.

h. Any Sign issued a Certificate of Appropriateness that meets the criteria of Section 23-6.4 of the City Code may be exempted from these Sign limitations through a Warrant process.

i. All Class A and Class C Signs shall comply with the requirements of Chapter 62 of the City Code.

j. All Signs shall comply with the vision clearance standards within this Code.

k. Master Sign packages or vertical shopping center Signs approved under zoning ordinance 11000 or Special Area Plan Sign packages adopted under the provisions of Article 3, Section 3.9.1 of this Code shall be governed by approved conditions and may be modified through the provisions
of Section 10.3.7 of this Article.

10.1.5 REMOVAL, REPAIR OR REPLACEMENT OF SIGNS

a. All nonconforming Signs shall be subject to the provisions within Article 7, Section 7.2

b. Repair or Maintenance of Signs; Decrepit or dilapidated Signs.

1. All Signs shall be properly maintained in a safe and legible condition at all times. Signs that are not properly maintained (whether or not determined to be unsafe as provided by the Florida Building Code) shall be removed, repaired, or replaced. No Zoning permit shall be required for such maintenance, however a permit may be required by other departments or agencies.

2. No Zoning Sign permit shall be required for routine maintenance on a Sign, providing such maintenance does not result in alteration of the Sign as originally permitted. 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, location and other requirements of this Code.

c. Removal, repair or replacement of any Sign with regard to any official order as indicated below.

1. Signs 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, shall require repair or replacement within a stated time, not to exceed ninety (90) days from the date of the order, or removal prior to the expiration of such period. No Zoning permit shall be required for such repair or replacement, however a permit may be required by other departments or agencies.

2. In the event that an official order is issued for a having a Sign for a discontinued use for a period of thirty (30) days or longer, all signs identifying the use are to be removed from the site or in the case of a painted Sign, painted out. Sign removal shall be the responsibility of the owner of the property.

3. The building official or Code compliance officer may issue a written notice to the responsible party of any Sign found to be unsafe. The written notice shall specify either the repair or removal of the Sign within the time specified in the notice by the responsible party. The building official or code compliance officer shall serve this notice on the responsible party in accordance with the Florida Building Code and City Code and the responsible party may seek review of such decisions as provided in the Florida Building Code and City Code.

d. Change or Replacement of a Sign not due to any official order for removal.

1. Replacement of any Sign that is not a Changeable Copy Sign shall conform to Section 10.2
Table 15 of this Code.

2. Class B Signs 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.

3. A twenty percent (20%) increase in Sign Area may be allowed, by Waiver, for all Freestanding Signs replaced with a Monument Sign. Such Monument Sign shall conform with Table 15 and shall not be cumulative with any other increase in Sign Area.
10.2 SIGN DESIGN STANDARDS

Table 15 Function:

The following tables illustrate Sign design standards for specific Sign types allowed within Restricted(R), Limited(L) and Open(O) categories of specified Transect Zones. Calculated Aggregate Area maximum shall not be exceeded for any establishment or Sign type. Sign Area calculation shall be determined by the establishment length fronting a street multiplied by the Aggregate Area Ratio specific to each Transect. In 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 this Code including:

1. Size and area
2. Location standards
3. Sign placement
4. Illumination Sign regulations.

BUILDING SIGN TYPES

*Disclaimer: The following image serves to illustrate the types of building signs and not the placement, design or size of signs for any particular site.*
10.2.1 SIGN MEASUREMENT CALCULATIONS

Sign Placement
a. All Signs, excluding Monument Signs placed between Average Sidewalk Elevation and fifty (50) feet height above sidewalk shall be subject to Table 15 Sign Design Standards.
b. Signs above fifty (50) feet shall comply with section 10.3.6 of this Code.
c. All Monument Signs shall be placed along the Principal Frontage within the Base Building Line of the establishment site. No establishment shall bear more than two (2) Monument Signs on a single Frontage. Signs that are located in the First Layer shall not disrupt pedestrian activity and shall respect a clearance of ten (10) feet from back-of-curb. Additional Vision Clearance regulations shall be applied as per Section 3.8.4.
d. Signs shall not exceed a tenant’s occupied establishment.
e. Monument Signs shall not be located within the public right-of-way unless permitted by Public Works.

Sign Area
a. Aggregate Area Calculation

Walls fronting a street between Average Sidewalk Elevation and fifty (50) feet height above sidewalk: Aggregate Area = (total linear frontage) x (aggregate area ratio). See Table 15 for specific signage calculation details.
b. Sign Area: See Article 1, Section 1.3 Definitions of Signs

c. Monument Sign Area

Monument Signs which may include up to two (2) Display Surfaces. The area of the Sign shall be the area of the largest Display Surface that is visible from any single direction. Total Sign Area shall not exceed forty (40) square feet for T3 and T4 Transect Zones and one hundred (100) square feet for T5, T6, D and C Transect Zones excluding embellishments.
d. Monument Base

The base of the Sign Structure shall not be calculated into the Display Surface calculation. Sign base width shall not vary by more than 20% of the total Sign Display Surface width.
## SIGN DESIGN STANDARDS

### T3 - SUB-URBAN

<table>
<thead>
<tr>
<th>WALL</th>
<th>WINDOW</th>
<th>PROJECTING</th>
<th>HANGING</th>
<th>AWNING</th>
</tr>
</thead>
<tbody>
<tr>
<td><img src="image1" alt="Wall Sign" /></td>
<td><img src="image2" alt="Window Sign" /></td>
<td><img src="image3" alt="Projecting Sign" /></td>
<td><img src="image4" alt="Hanging Sign" /></td>
<td><img src="image5" alt="Awning Sign" /></td>
</tr>
</tbody>
</table>

### BUILDING IDENTIFICATION

<table>
<thead>
<tr>
<th>Aggregate Area Ratio</th>
<th>Aggregate Area</th>
<th>Width</th>
<th>Height (Measured from Average Sidewalk Elevation)</th>
<th>Depth/Projection</th>
<th>Aggregate Area Per Sign Type</th>
<th>Principal Frontage Quantity</th>
<th>Secondary Frontage Quantity</th>
</tr>
</thead>
<tbody>
<tr>
<td>0.25 sq.ft. per linear Frontage</td>
<td>24 sq.ft. max per Frontage</td>
<td>50% of linear Frontage</td>
<td>See Section 10.2.1 of Article 10</td>
<td>12 in. max.</td>
<td>Included in total Aggregate Area; shall not exceed 50% of Aggregate Area</td>
<td>1 sign per 150 ft linear Frontage</td>
<td>1 sign per 250 ft linear Frontage</td>
</tr>
</tbody>
</table>

### BUSINESS IDENTIFICATION

<table>
<thead>
<tr>
<th>Aggregate Area Ratio</th>
<th>Aggregate Area</th>
<th>Width</th>
<th>Depth/Projection</th>
<th>Aggregate Area Per Sign Type</th>
<th>Principal Frontage Quantity</th>
<th>Secondary Frontage Quantity</th>
</tr>
</thead>
<tbody>
<tr>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
</tbody>
</table>

### ILLUMINATION PERMIT

<table>
<thead>
<tr>
<th></th>
<th>By Warrant</th>
<th>N/A</th>
<th>By Warrant</th>
<th>By Warrant</th>
<th>By Warrant</th>
<th>By Warrant</th>
</tr>
</thead>
</table>

### SUPPLEMENTAL STANDARDS

- Refer to Section 10.2 Table 15 Function for calculated Aggregate Area description.
- Limited to the identification of subdivisions, developments, neighborhoods, Religious Facilities, Elementary, Middle or High Schools.
- Signage to be displayed on street level windows only.
- All Sign proposals may only be permitted by Warrant.
### SIGN DESIGN STANDARDS CONT.

**MONUMENT**

<table>
<thead>
<tr>
<th>R</th>
<th>L</th>
<th>O</th>
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</thead>
</table>

**DIRECTIONAL**

<table>
<thead>
<tr>
<th>R</th>
<th>L</th>
<th>O</th>
<th>R</th>
<th>L</th>
<th>O</th>
</tr>
</thead>
</table>

#### T3 - SUB-URBAN

<table>
<thead>
<tr>
<th>AS ADOPTED - MAY 2016</th>
</tr>
</thead>
</table>

### BUILDING IDENTIFICATION

<table>
<thead>
<tr>
<th>Aggregate Area Ratio</th>
<th>Aggregate Area</th>
<th>Width</th>
<th>Height (Measured from Average Sidewalk Elevation)</th>
<th>Depth/Projection</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>15 sq. ft. max per Display Surface</td>
<td>6 ft. max</td>
<td>6 ft. max</td>
<td>18 in. max</td>
</tr>
<tr>
<td></td>
<td>5 sq. ft. max per Display Surface</td>
<td></td>
<td>8 ft. max</td>
<td>12 in. max</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Aggregate Area Per Sign Type</th>
<th>Principal Frontage Quantity</th>
<th>Secondary Frontage Quantity</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1 sign per 100 ft. of Frontage (no more than 2 Display Surfaces)</td>
<td>1 sign per entrance, exit or parking area</td>
</tr>
</tbody>
</table>

### BUSINESS IDENTIFICATION

<table>
<thead>
<tr>
<th>Aggregate Area Ratio</th>
<th>Aggregate Area</th>
<th>Width</th>
<th>Height</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
</tbody>
</table>

### ILLUMINATION PERMIT

<table>
<thead>
<tr>
<th>SUPPLEMENTAL STANDARDS</th>
</tr>
</thead>
</table>

- Limited to the identification of subdivisions, developments, neighborhoods, Religious Facilities, Elementary, Middle or High Schools.
- All Sign proposals may only be permitted by Warrant.
- An increase up to forty (40) square feet for such a Sign shall be permitted if the Sign is located on a right-of-way greater than fifty (50) feet and the facility has a setback in excess of thirty (30) feet.
- Limited to Wall, Hanging, or Monument Signs.

- Limited to the identification of subdivisions, developments, neighborhoods, Religious Facilities, Elementary, Middle or High Schools.
- All Sign proposals may only be permitted by Warrant.
### SIGN DESIGN STANDARDS

<table>
<thead>
<tr>
<th>WALL</th>
<th>WINDOW</th>
<th>PROJECTING</th>
<th>HANGING</th>
<th>AWNING</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>T4</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

#### SINGLE ESTABLISHMENT WITHIN A BUILDING

<table>
<thead>
<tr>
<th>Aggregate Area Ratio</th>
<th>Aggregate Area</th>
<th>Width</th>
<th>Height (measured from average sidewalk Elevation)</th>
<th>Depth/Projection</th>
<th>Aggregate Area Per Sign Type</th>
<th>Principal Frontage Quantity</th>
<th>Secondary Frontage Quantity</th>
</tr>
</thead>
<tbody>
<tr>
<td>0.25 sq. ft. per linear Frontage</td>
<td>(total linear building Frontage) x (aggregate area ratio); 150 sq. ft. max per Frontage (24 sq. ft. max for T4-R)</td>
<td>50% of linear Frontage</td>
<td>8 ft min (bottom of Sign)</td>
<td>12 in. max</td>
<td>Shall not exceed 50% of Aggregate Area; Included in total Aggregate Area</td>
<td>1 sign per 150 ft lineal Frontage</td>
<td>1 sign per 250 ft lineal Frontage</td>
</tr>
</tbody>
</table>

#### BUILDING WITH MORE THAN ONE ESTABLISHMENT OPENING TO THE OUTDOORS

<table>
<thead>
<tr>
<th>Aggregate Area Ratio</th>
<th>Aggregate Area (Building Identification)</th>
<th>Aggregate Area (Business Identification)</th>
<th>Width</th>
<th>Height (measured from average sidewalk Elevation)</th>
<th>Depth/Projection</th>
<th>Aggregate Area Per Sign Type</th>
<th>Principal Frontage Quantity</th>
<th>Secondary Frontage Quantity</th>
</tr>
</thead>
<tbody>
<tr>
<td>25 sq. ft. per linear ft.</td>
<td>max 10 sq. ft. per Frontage.</td>
<td>(linear feet of Frontage) x (aggregate area ratio).</td>
<td>50% of linear Frontage</td>
<td>8 ft min (bottom of Sign)</td>
<td>N/A</td>
<td>Shall not exceed 50% of Aggregate Area; Included in total Aggregate Area</td>
<td>1 Business Identification Sign per 20 ft. of establishment accessing the outdoors</td>
<td>1 Sign per 100 ft. of establishment accessing the outdoors</td>
</tr>
</tbody>
</table>

#### ILLUMINATION PERMIT

<table>
<thead>
<tr>
<th>ADDRESS SIGN</th>
<th>SUPPLEMENTAL STANDARDS</th>
</tr>
</thead>
<tbody>
<tr>
<td>max 2 sq. ft. area max 1 sign</td>
<td>Limited to establishment name, logo, decorative graphic bands, hours of operation and Class B Signs. All T4-R Sign proposals may only be permitted by Warrant. Any painted Wall Signs shall be permitted by Warrant.</td>
</tr>
<tr>
<td>max 2 sq. ft. area max 1 sign</td>
<td>Limited to establishment name, logo, decorative graphic bands, hours of operation and Class B Signs. Signage to be displayed on street level windows only. All T4-R Sign proposals may only be permitted by Warrant.</td>
</tr>
<tr>
<td>max 2 sq. ft. area max 1 sign</td>
<td>Limited to establishment name, logo, decorative graphic bands, hours of operation and Class B Signs. Projection angle shall be parallel or perpendicular to wall. All T4-R Sign proposals may only be permitted by Warrant.</td>
</tr>
<tr>
<td>max 2 sq. ft. area max 1 sign</td>
<td>Limited to establishment name, logo, decorative graphic bands, hours of operation and Class B Signs. All T4-R Sign proposals may only be permitted by Warrant.</td>
</tr>
<tr>
<td>max 2 sq. ft. area max 1 sign</td>
<td>Limited to establishment name, logo, decorative graphic bands, hours of operation and Class B Signs. All T4-R Sign proposals may only be permitted by Warrant.</td>
</tr>
</tbody>
</table>
### SINGLE ESTABLISHMENT WITHIN A BUILDING

<table>
<thead>
<tr>
<th>Aggregate Area Ratio</th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Aggregate Area</td>
<td>15 sq.ft. max per Display Surface</td>
<td>5 sq.ft. max per Display Surface</td>
<td></td>
</tr>
<tr>
<td>Width</td>
<td>6 ft. max</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Height (Measured from Average Sidewalk Elevation)</td>
<td>6 ft. max</td>
<td>5 ft. max</td>
<td></td>
</tr>
<tr>
<td>Depth/Projection</td>
<td>18 in. max</td>
<td>N/A</td>
<td>12 in. max</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Aggregate Area Per Sign Type</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Principal Frontage Quantity</td>
<td>1 sign per 100 ft. of Frontage (no more than 2 Display Surfaces)</td>
</tr>
<tr>
<td>Secondary Frontage Quantity</td>
<td>1 sign per entrance, exit or parking area</td>
</tr>
</tbody>
</table>

### BUILDING WITH MORE THAN ONE ESTABLISHMENT OPENING TO THE OUTDOORS

<table>
<thead>
<tr>
<th>Aggregate Area Ratio</th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Aggregate Area (Building Identification)</td>
<td>15 sq.ft. max per Display Surface</td>
<td>24 sq.ft Display Surface</td>
<td></td>
</tr>
<tr>
<td>Aggregate Area (Business Identification)</td>
<td>5 sq.ft. max per Display Surface</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Width</td>
<td>6 ft. max</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Height (Measured from Average Sidewalk Elevation)</td>
<td>6 ft. max</td>
<td>7 ft max</td>
<td></td>
</tr>
<tr>
<td>Depth/Projection</td>
<td>N/A</td>
<td>12 in. max</td>
<td>N/A</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Aggregate Area Per Sign Type</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Principal Frontage Quantity</td>
<td>1 sign per 100 ft. of Frontage (no more than 2 Display Surfaces)</td>
</tr>
<tr>
<td>Secondary Frontage Quantity</td>
<td>1 sign per drive-through (no more than 1 Display Surfaces)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>ILLUMINATION PERMIT</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>ADDRESS SIGN</td>
<td></td>
</tr>
<tr>
<td></td>
<td>max 2 sq.ft. area/max 1 Sign</td>
</tr>
<tr>
<td>SUPPLEMENTAL STANDARDS</td>
<td></td>
</tr>
</tbody>
</table>

- Limited to establishment name, logo, decorative graphic bands, hours of operation.
- An increase up to forty (40) square feet for such a Sign shall be permitted if the Sign is located on a right-of-way greater than fifty (50) feet and the facility has a setback in excess of thirty (30) feet.
- All T4-R Sign proposals may only be permitted by Warrant.
- Limited to establishment name, logo, menu selection/ pricing for food service, hours of operation.
- Shall be located within the Third Layer between the building and the drive-through lane and shall not be noticeably visible from the public right-of-way.
- Limited to Wall, Hanging, or Monument Signs.
- All T4-R Sign proposals may only be permitted by Warrant.
## T5 - T6

### SINGLE ESTABLISHMENT WITHIN A BUILDING

<table>
<thead>
<tr>
<th>Aggregate Area Ratio</th>
<th>Aggregate Area</th>
<th>Width</th>
<th>Height (measured from average sidewalk elevation)</th>
<th>Depth/Projection</th>
</tr>
</thead>
<tbody>
<tr>
<td>0.5 sq ft. per linear Frontage</td>
<td>(total linear building Frontage) x (aggregate area ratio): 300 sq ft. max per Frontage (40 sq ft. max for T5-R and T6-R)</td>
<td>70% of linear Frontage</td>
<td>8 ft min (bottom of Sign)</td>
<td>12 in. max</td>
</tr>
<tr>
<td>1.5 sq ft. per linear Frontage</td>
<td>60% of valance area</td>
<td>8 ft min (bottom of Sign)</td>
<td>See Wall Sign Aggregate Area</td>
<td>4 ft. max</td>
</tr>
</tbody>
</table>

### BUILDING WITH MORE THAN ONE ESTABLISHMENT OPENING TO THE OUTDOORS

<table>
<thead>
<tr>
<th>Aggregate Area Ratio</th>
<th>Aggregate Area (building identification)</th>
<th>Aggregate Area (business identification)</th>
<th>Width</th>
<th>Height (measured from average sidewalk elevation)</th>
<th>Depth/Projection</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 sq ft. max</td>
<td>max 50 sq ft per Frontage</td>
<td>(linear feet of Frontage) x (aggregate area ratio)</td>
<td>70% of linear Frontage (per establishment)</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>20% of total glass area</td>
<td>25 sq ft. max; included in total Aggregate Area</td>
<td>Included in total Aggregate Area</td>
<td>8 ft min (bottom of Sign)</td>
<td>12 in. max</td>
<td>N/A</td>
</tr>
<tr>
<td>Aggregate Area per sign type</td>
<td>8 ft min (bottom of Sign)</td>
<td>See Wall Sign Aggregate Area</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Principal Frontage Quantity</td>
<td>20% of total glass area; Included in total Aggregate Area</td>
<td>See Wall Sign Aggregate Area</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Secondary Frontage Quantity</td>
<td>6 sq ft. max per Frontage; Included in total Aggregate Area</td>
<td>Limited to skirt or bottom edge of Awning; Included in total Aggregate Area</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
</tbody>
</table>

### ILLUMINATION PERMIT

<table>
<thead>
<tr>
<th>Address Sign</th>
<th>By Warrant</th>
<th>By Right</th>
<th>N/A</th>
<th>By Warrant</th>
<th>By Right</th>
<th>By Warrant</th>
<th>By Right</th>
<th>By Warrant</th>
<th>By Right</th>
</tr>
</thead>
<tbody>
<tr>
<td>SUPPLEMENTAL STANDARDS</td>
<td>max 10 sq ft. area/max 1 Sign</td>
<td>max 10 sq ft. area/max 1 Sign</td>
<td>N/A</td>
<td>max 10 sq ft. area/max 1 Sign</td>
<td>N/A</td>
<td>N/A</td>
<td>max 10 sq ft. area/max 1 Sign</td>
<td>N/A</td>
<td>N/A</td>
</tr>
</tbody>
</table>

- Limited to establishment name, logo, decorative graphic bands, hours of operation and Class B Signs.
- Limited to establishment name, logo, decorative graphic bands, hours of operation and Class B Signs.
- Signage to be displayed on street level window only.
- Limited to establishment name, logo, decorative graphic bands, hours of operation and Class B Signs.
- Projection angle shall be parallel or perpendicular to wall.
- Limited to establishment name, logo, decorative graphic bands, hours of operation and Class B Signs.
### ARTICLE 10. TABLE 15 SIGN DESIGN STANDARDS CONT.

#### T5 - URBAN CENTER/T6 - URBAN CORE ZONE

<table>
<thead>
<tr>
<th>SIGN DESIGN STANDARDS</th>
<th>MONUMENT</th>
<th>MENU BOARD</th>
<th>DIRECTIONAL</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>T5 - T6</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

#### SINGLE ESTABLISHMENT WITHIN A BUILDING

<table>
<thead>
<tr>
<th>Aggregate Area Ratio</th>
<th>Aggregate Area (Building Identification)</th>
<th>Aggregate Area (Business Identification)</th>
<th>Width</th>
<th>Height (Measured from Average Sidewalk Elevation)</th>
<th>Depth/Projection</th>
<th>Aggregate Area Per Sign Type</th>
<th>Principal Frontage Quantity</th>
<th>Secondary Frontage Quantity</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>40 sq. ft. max per Display Surface</td>
<td>15 sq. ft. max per Display Surface</td>
<td>8 ft. max</td>
<td>8 ft. max (14 ft. max by Warrant)</td>
<td>24 in. max</td>
<td>8 ft. max</td>
<td>1 sign per 100 ft. of Frontage (no more than 2 display surfaces)</td>
<td>1 sign per entrance, exit or parking area</td>
</tr>
</tbody>
</table>

#### BUILDING WITH MORE THAN ONE ESTABLISHMENT OPENING TO THE OUTDOORS

<table>
<thead>
<tr>
<th>Aggregate Area Ratio</th>
<th>Aggregate Area (Building Identification)</th>
<th>Aggregate Area (Business Identification)</th>
<th>Width</th>
<th>Height (Measured from Average Sidewalk Elevation)</th>
<th>Depth/Projection</th>
<th>Aggregate Area Per Sign Type</th>
<th>Principal Frontage Quantity</th>
<th>Secondary Frontage Quantity</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>40 sq. ft. max per Display Surface</td>
<td>24 sq. ft Display Surface</td>
<td>8 ft. max</td>
<td>7 ft max (14 ft. max by Warrant)</td>
<td>24 in. max</td>
<td>12 in. max</td>
<td>1 sign per 100 ft. of Frontage (no more than 2 Display Surfaces)</td>
<td>1 sign per drive-through (no more than 1 Display Surfaces)</td>
</tr>
</tbody>
</table>

#### ILLUMINATION PERMIT

<table>
<thead>
<tr>
<th></th>
<th>By Warrant</th>
<th>By Right</th>
<th>By Right</th>
</tr>
</thead>
</table>

#### ADDRESS SIGN

|                        | max 10 sq. ft. area/max 1 sign | max 5 sq. ft. area/max 1 sign |

#### SUPPLEMENTAL STANDARDS

- Limited to establishment name, logo, decorative graphic bands, hours of operation.
- Individual Business Identification sign may be located within Building Identification Monument sign, but total Sign Area shall exceed one hundred (100) square feet.
- Height may exceed eight (8) feet by Warrant process, but shall not exceed fourteen (14) feet in height.
- Limited to establishment name, logo, menu selection/ pricing for food service, hours of operation.
- Shall be located within the Third Layer between the building and the drive-through lane and shall not be noticeably visible from the public right-of-way.
- Limited to Wall, Hanging, or Monument Signs.
# Miami 21 Article 10. Table 15 Sign Design Standards Cont.

## C - Civic Zone

### Sign Design Standards

<table>
<thead>
<tr>
<th>WALL</th>
<th>WINDOW</th>
<th>PROJECTING</th>
<th>HANGING</th>
<th>AWNING</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Aggregate Area Ratio</strong></td>
<td>0.25 sq. ft. per linear Frontage</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Aggregate Area</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(total linear building Frontage) x (aggregate area ratio); 300 sq. ft. max per Frontage (25 sq. ft. max for CS)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Width</td>
<td>40% of linear Frontage</td>
<td>70% of linear Frontage</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Depth/Projection</td>
<td>12 in. max</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Aggregate Area Per Sign Type</td>
<td>Shall not exceed 60% of Aggregate Area; Included in total Aggregate Area</td>
<td>1 sq. ft. max</td>
<td>20% of total glass area; Included in total Aggregate Area</td>
<td>25 sq. ft. max; Included in total Aggregate Area</td>
</tr>
<tr>
<td><strong>Principal Frontage Quantity</strong></td>
<td>1 sign per 150 ft linear Frontage (no more than 3 signs total)</td>
<td>1 sign per window</td>
<td>1 sign per 150 ft linear Frontage</td>
<td>1 sign per 150 ft linear Frontage</td>
</tr>
<tr>
<td><strong>Secondary Frontage Quantity</strong></td>
<td>1 sign per 250 ft linear Frontage (shall not exceed 50 sq. ft. in area)</td>
<td>1 sign per window</td>
<td>1 sign per 250 ft linear Frontage</td>
<td>1 sign per 250 ft linear Frontage</td>
</tr>
</tbody>
</table>

### Building with More than One Establishment Opening to the Outdoors

| Aggregate Area Ratio | 1.0 sq. ft. per linear ft. | See Wall Sign Aggregate Area | See Wall Sign Aggregate Area | See Wall Sign Aggregate Area | See Wall Sign Aggregate Area |
| Aggregate Area (Building Identification) | max 50 sq. ft. per Frontage | | | | |
| Aggregate Area (Business Identification) | (linear feet of Frontage) x (aggregate area ratio) | | | | |
| Width | 70% of linear Frontage (per establishment) | | | | |
| Depth/Projection | N/A | 8 ft min (bottom of Sign) | 8 ft min (bottom of Sign) | N/A | N/A |
| Aggregate Area Per Sign Type | Shall not exceed 60% of Aggregate Area; Included in total Aggregate Area | | | | |
| Principal Frontage Quantity | 1 Business Identification Sign per 20 ft. of establishment accessing the outdoors | 1 Business Identification Sign per 20 ft. of establishment accessing the outdoors | 1 Business Identification Sign per 20 ft. of establishment accessing the outdoors | 1 Business Identification Sign per 20 ft. of establishment accessing the outdoors |
| Secondary Frontage Quantity | 1 Sign per 100 ft. of establishment accessing the outdoors | 1 Sign per 100 ft. of establishment accessing the outdoors | 1 Sign per 100 ft. of establishment accessing the outdoors | 1 Sign per 100 ft. of establishment accessing the outdoors |

### Illumination Permit

- **By Right**
- **By Warrant**
- N/A

### Address Sign

- **By Right**
- **By Warrant**
- N/A

### Supplemental Standards

- **Limited to establishment name, logo, decorative graphic bands, hours of operation and Class B Signs.**
- **Any painted Wall Signs shall be permitted by Warrant.**
- **Limited to establishment name, logo, decorative graphic bands, hours of operation and Class B Signs.**
- **Signage to be displayed on street level windows only.**
- **Limited to establishment name, logo, decorative graphic bands, hours of operation and Class B Signs.**
- **Projection angle shall be parallel or perpendicular to wall.**
- **Limited to establishment name, logo, decorative graphic bands, hours of operation and Class B Signs.**
- **Limited to establishment name, logo, decorative graphic bands, hours of operation and Class B Signs.**
## Article 10, Table 15 Sign Design Standards Cont.

### C - Civic Zone

#### Single Establishment Within a Building

<table>
<thead>
<tr>
<th>Aggregate Area Ratio</th>
<th>Monument</th>
<th>Menu Board</th>
<th>Directional</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aggregate Area</td>
<td>40 sq. ft. max per Display Surface</td>
<td>10 sq. ft. max per Display Surface</td>
<td>10 sq. ft. max per Display Surface</td>
</tr>
<tr>
<td>Width</td>
<td>8 ft. max</td>
<td>8 ft. max</td>
<td>8 ft. max</td>
</tr>
<tr>
<td>Height (Measured from Average Sidewalk Elevation)</td>
<td>6 ft. max (14 ft. max by Warrant)</td>
<td>8 ft. max</td>
<td>N/A</td>
</tr>
<tr>
<td>Depth/Projection</td>
<td>24 in. max</td>
<td>N/A</td>
<td>10 in. max</td>
</tr>
<tr>
<td>Aggregate Area Per Sign Type</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Principal Frontage Quantity</td>
<td>1 sign per 100 ft. of frontage (no more than 2 Display Surfaces)</td>
<td>1 Sign per entrance, exit or parking area</td>
<td>1 Sign per entrance, exit or parking area</td>
</tr>
<tr>
<td>Secondary Frontage Quantity</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

#### Building with More than One Establishment Open to the Outdoors

<table>
<thead>
<tr>
<th>Aggregate Area Ratio</th>
<th>Monument</th>
<th>Menu Board</th>
<th>Directional</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aggregate Area (Building Identification)</td>
<td>40 sq. ft. max per Display Surface</td>
<td>24 sq. ft Display Surface</td>
<td>24 sq. ft Display Surface</td>
</tr>
<tr>
<td>Aggregate Area (Business Identification)</td>
<td>15 sq. ft. max per Display Surface</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Width</td>
<td>8 ft. max</td>
<td>7 ft max</td>
<td>N/A</td>
</tr>
<tr>
<td>Height (Measured from Average Sidewalk Elevation)</td>
<td>8 ft. max (14 ft. max by Warrant)</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Depth/Projection</td>
<td>12 in. max</td>
<td>24 in. max</td>
<td>N/A</td>
</tr>
<tr>
<td>Aggregate Area Per Sign Type</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Principal Frontage Quantity</td>
<td>1 sign per 100 ft. of frontage (no more than 2 Display Surfaces)</td>
<td>1 Sign per drive-through (no more than 1 Display Surfaces)</td>
<td>1 Sign per drive-through (no more than 1 Display Surfaces)</td>
</tr>
<tr>
<td>Secondary Frontage Quantity</td>
<td>1 Sign per 150 ft. of establishment accessing the outdoors</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

#### Illumination Permit

<table>
<thead>
<tr>
<th>Address Sign</th>
<th>By Warrant</th>
<th>By Right</th>
</tr>
</thead>
<tbody>
<tr>
<td>max 10 sq. ft. area/ max 1 Sign</td>
<td>max 5 sq. ft. area/ max 1 Sign</td>
<td></td>
</tr>
</tbody>
</table>

#### SupPLEMENTAL STANDARDS

- Limited to establishment name, logo, decorative graphic bands, hours of operation. Regional parks shall be allowed commercial sponsorship messages not to exceed twenty-five percent (25%) of total Sign Area.
- Monument Sign total Sign Area shall not exceed one hundred (100) square feet.
- Height may exceed eight (8) feet by Warrant process, but shall not exceed fourteen (14) feet in height.
- Limited to establishment name, logo, menu selections, pricing for food service, hours of operation.
- Shall be located within the Third Layer between the building and the drive-through lane and shall not be noticeably visible from the public right-of-way.
- Limited to Wall, Hanging, or Monument Signs.
### SINGLE ESTABLISHMENT WITHIN A BUILDING

<table>
<thead>
<tr>
<th>Aggregate Area Ratio</th>
<th>Aggregate Area</th>
<th>Width</th>
<th>Height</th>
<th>Depth/Projection</th>
<th>Aggregate Area Per Sign Type</th>
<th>Principal Frontage Quantity</th>
<th>Secondary Frontage Quantity</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.5 sq. ft. per linear Frontage</td>
<td>(total linear Building Frontage) x (aggregate area ratio); 300 sq. ft. max per Frontage</td>
<td>70% of linear Frontage</td>
<td>(Measured from Average Sidewalk Elevation) 8 ft min (bottom of Sign)</td>
<td>12 in. max</td>
<td>Shall not exceed 60% of Aggregate Area; Included in total Aggregate Area</td>
<td>1 Sign per 150 ft linear Frontage (no more than 3 Signs total)</td>
<td>1 Sign per 250 ft linear frontage (shall not exceed 50 sq. ft. in area)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Aggregate Area (Building Identification)</th>
<th>Aggregate Area (Business Identification)</th>
<th>Width</th>
<th>Height</th>
<th>Depth/Projection</th>
<th>Aggregate Area Per Sign Type</th>
<th>Principal Frontage Quantity</th>
<th>Secondary Frontage Quantity</th>
</tr>
</thead>
<tbody>
<tr>
<td>max 50 sq. ft per Frontage.</td>
<td>(linear feet of Frontage) x (aggregate area ratio).</td>
<td>70% of linear Frontage</td>
<td>(Measured from Average Sidewalk Elevation) 8 ft min (bottom of Sign)</td>
<td>12 in. max</td>
<td>Shall not exceed 60% of Aggregate Area; Included in total Aggregate Area</td>
<td>1 Sign per 150 ft linear Frontage (no more than 3 Signs total)</td>
<td>1 Sign per 250 ft linear frontage (shall not exceed 50 sq. ft. in area)</td>
</tr>
</tbody>
</table>

### BUILDING WITH MORE THAN ONE ESTABLISHMENT OPENING TO THE OUTDOORS

<table>
<thead>
<tr>
<th>Aggregate Area Ratio</th>
<th>Aggregate Area (Building Identification)</th>
<th>Aggregate Area (Business Identification)</th>
<th>Width</th>
<th>Height</th>
<th>Depth/Projection</th>
<th>Aggregate Area Per Sign Type</th>
<th>Principal Frontage Quantity</th>
<th>Secondary Frontage Quantity</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.0 sq. ft. per linear ft.</td>
<td>max 50 sq. ft per Frontage.</td>
<td>(linear feet of Frontage) x (aggregate area ratio). See Wall Sign Aggregate Area</td>
<td>70% of linear Frontage</td>
<td>(Measured from Average Sidewalk Elevation) 8 ft min (bottom of Sign)</td>
<td>12 in. max</td>
<td>Shall not exceed 60% of Aggregate Area; Included in total Aggregate Area</td>
<td>1 Business Identification Sign per 20 ft. of establishment accessing the outdoors</td>
<td>1 Sign per 100 ft. of establishment accessing the outdoors</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>ILLUMINATION PERMIT</th>
<th>ADDRESS SIGN</th>
<th>SUPPLEMENTAL STANDARDS</th>
</tr>
</thead>
<tbody>
<tr>
<td>By Right</td>
<td>max 10 sq. ft./area max 1 Sign</td>
<td>Limited to establishment name, logo, decorative graphic bands, hours of operation and Class B Signs.</td>
</tr>
<tr>
<td>N/A</td>
<td>max 10 sq. ft./area max 1 Sign</td>
<td>Limited to establishment name, logo, decorative graphic bands, hours of operation and Class B Signs.</td>
</tr>
<tr>
<td>By Right</td>
<td>N/A</td>
<td>Any painted Wall Signs shall be permitted by Warrant.</td>
</tr>
<tr>
<td>By Right</td>
<td>N/A</td>
<td>Limited to establishment name, logo, decorative graphic bands, hours of operation and Class B Signs.</td>
</tr>
<tr>
<td>By Right</td>
<td>max 10 sq. ft./area max 1 Sign</td>
<td>Projection angle shall be parallel or perpendicular to wall.</td>
</tr>
</tbody>
</table>

### SUPPLEMENTAL STANDARDS

- Limited to establishment name, logo, decorative graphic bands, hours of operation and Class B Signs.
- Any painted Wall Signs shall be permitted by Warrant.
### ARTICLE 10. TABLE 15 SIGN DESIGN STANDARDS CONT.

#### AS ADOPTED - MAY 2016

**SIGN DESIGN STANDARDS**

<table>
<thead>
<tr>
<th>D</th>
<th>MONUMENT</th>
<th>MENU BOARD</th>
<th>DIRECTIONAL</th>
</tr>
</thead>
</table>

#### SINGLE ESTABLISHMENT WITHIN A BUILDING

<table>
<thead>
<tr>
<th>Aggregate Area Ratio</th>
<th>Aggregate Area</th>
<th>Width</th>
<th>Height (Measured from Average Sidewalk Elevation)</th>
<th>Depth/Projection</th>
<th>Aggregate Area Per Sign Type</th>
</tr>
</thead>
</table>
|                      | 40 sq. ft. max per Display Surface | 8 ft. max | 8 ft. max (14 ft. max by Warrant) | 24 in. max | D1  
1 sign per 100 ft. of Frontage (no more than 2 Display Surfaces)  
1 Sign per entrance, exit or parking area |
|                      | 10 sq. ft. max per Display Surface | 8 ft. max | 10 in. max | N/A |

#### BUILDING WITH MORE THAN ONE ESTABLISHMENT OPENING TO THE OUTDOORS

<table>
<thead>
<tr>
<th>Aggregate Area Ratio</th>
<th>Aggregate Area (Business Identification)</th>
<th>Aggregate Area (Building Identification)</th>
<th>Width</th>
<th>Height (Measured from Average Sidewalk Elevation)</th>
<th>Depth/Projection</th>
<th>Aggregate Area Per Sign Type</th>
</tr>
</thead>
</table>
|                      | 15 sq. ft. max per Display Surface | 40 sq. ft. max per Display Surface | 8 ft. max | 8 ft. max (14 ft. max by Warrant) | 12 in. max | D1  
1 Sign per 100 ft. of Frontage (no more than 2 Display Surfaces)  
1 Sign per drive-through (no more than 1 Display Surfaces) |
|                      | 24 sq ft Display Surface | 24 sq ft Display Surface | 7 ft max | 24 in. max | N/A |

#### ILLUMINATION PERMIT

- By Right  
- By Right  
- By Right

#### ADDRESS SIGN

- max 10 sq. ft. area/max 1 Sign  
- max 5 sq. ft. area/max 1 Sign

#### SUPPLEMENTAL STANDARDS

- Limited to establishment name, logo, decorative graphic bands, hours of operation.  
- Individual Business Identification sign may be located within Building Identification Monument sign, but total Sign Area shall exceed one hundred (100) square feet.  
- Height may exceed eight (8) feet by Warrant process, but shall not exceed fourteen (14) feet in height.  
- Limited to establishment name, logo, menu selection/ pricing for food service, hours of operation.  
- Shall be located within the Third Layer between the building and the drive-through lane and shall not be noticeably visible from the public right-of-way.  
- Limited to Wall, Hanging, or Monument Signs.
10.3 SUPPLEMENTAL SIGN REGULATIONS

10.3.1 Class A Signs (Temporary)

For the purposes of this Article, Class A Signs shall be removed from the event or location to which they are related in a timeframe described below, unless otherwise specified.

a. **Class A (construction, development and special events signs).** All construction, development and special events signs shall comply with the requirements of Chapter 62 of the City Code.

b. **Class A (real estate Signs).** No Sign permit shall be required for real estate Signs displayed on private property. Such real estate Signs shall be removed within thirty (30) days of the sale or rental of the property. All such real estate Signs shall be subject to the following regulations:

   1. In T5-L,O, T6-L,O, CI, CI-HD, D1, D2 and D3 Transect Zones, Signs shall not exceed fifteen (15) square feet in Sign surface Area; or

   2. In T3, T4-R, T5-R or T6-R Transect Zones, Signs shall not exceed one (1) for each Dwelling Unit and not exceed four (4) square feet in Sign surface Area.

c. **Class A (political election Signs).** No Sign permit shall be required for political election Signs displayed on private property. Such political election Signs shall be permitted no earlier than three (3) months prior to the date of the election and removed within fifteen (15) days after the election. All such political election Signs shall be subject to the following regulations:

   1. In T5-L,O, T6-L,O, CI, CI-HD, D1, D2 and D3 Transect Zones, Signs shall not exceed fifteen (15) square feet in aggregate of Sign surface Area; or

   2. In T3, T4, T5-R and T6-R Transect Zones, Signs shall not exceed four (4) square feet in aggregate of Sign surface Area.

10.3.2 Class B Signs (Entertainment Establishments)

For the purposes of this Article, Class B Signs for Entertainment Establishments may install no more than two (2) outdoor display encasements for event posters per fifty (50) feet of linear Frontage subject to the following guidelines:

a. Shall be located within thirty (30) feet of Entertainment Establishments main entrance.

b. Shall be permanently wall-mounted, maintained in good condition and contain current events.

c. Shall not exceed forty-six (46) inches in height by thirty-two (32) inches in width by for (4) inches in depth.

d. Framing materials (other than fasteners) for event posters shall be made of wood, brass or aluminum, and shall blend in and be consistent with the color of the building façade.
e. Illuminated Sign encasements shall be subject to requirements of Section 10.1.4 (c) of this Article.

f. Information displayed on posters shall be limited to the specific Entertainment Establishments events and event show times.

10.3.3 Class C Signs (Commercial Advertising Signs)

All Class C Signs shall comply with the requirements of the City Code, Article IX of Chapter 2 for Outdoor Advertising on City Buildings and Article XIII of Chapter 62 for Murals and Billboards.

10.3.4 Home Office Signs

All Home Office Signs shall be limited to one (1) sign and not to exceed one (1) square foot in Area located on the front facade.

10.3.6 Signs Above a Height of Fifty (50) Feet

Except as otherwise provided in a specific Transect Zone, all Signs higher than fifty (50) feet above Average Sidewalk Elevation shall be permitted by Warrant and shall be reviewed based on the following guidelines:

a. Signs shall be limited to the Building Identification or the name of one (1) major Commercial, Office or Lodging 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 Sign Area shall be as indicated in the table below.

<table>
<thead>
<tr>
<th>AREA</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>any portion of a Sign over fifty (50) feet</td>
<td>140 s. f.</td>
</tr>
<tr>
<td>or greater, but less than two hundred (200) feet above grade</td>
<td></td>
</tr>
<tr>
<td>any portion of a Sign at two hundred (200) feet or greater, but less than three hundred (300) feet above grade</td>
<td>210 s. f.</td>
</tr>
<tr>
<td>any portion of a Sign at three hundred (300) feet or greater, but less than four hundred (400) feet above grade</td>
<td>280 s. f.</td>
</tr>
<tr>
<td>any portion of a Sign over four hundred (400) feet above grade</td>
<td>350 s. f.</td>
</tr>
</tbody>
</table>

d. 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:
ARTICLE 10. SUPPLEMENTAL SIGN REGULATIONS

AS ADOPTED - MAY 2016

<table>
<thead>
<tr>
<th>AREA</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>any portion of a Sign over fifty (50) feet</td>
<td>200 s. f.</td>
</tr>
<tr>
<td>over fifty (50) feet or greater, but less</td>
<td></td>
</tr>
<tr>
<td>than two hundred (200) feet above grade</td>
<td></td>
</tr>
<tr>
<td>any portion of a Sign at two hundred</td>
<td>300 s. f.</td>
</tr>
<tr>
<td>(200) feet or greater, but less than three</td>
<td></td>
</tr>
<tr>
<td>hundred (300) feet above grade</td>
<td></td>
</tr>
<tr>
<td>any portion of a Sign at three hundred</td>
<td>400 s. f.</td>
</tr>
<tr>
<td>(300) feet or greater, but less than four</td>
<td></td>
</tr>
<tr>
<td>hundred (400) feet above grade</td>
<td></td>
</tr>
<tr>
<td>any portion of a Sign over four hundred</td>
<td>500 s. f.</td>
</tr>
<tr>
<td>(400) feet above grade</td>
<td></td>
</tr>
</tbody>
</table>

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 or one (1) vertical line of letters or symbols, unless it is determined by the Planning Director 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 Waiver from maximum logotype, length of Sign or Number Of Signs shall be granted.

g. The following design guidelines shall be applied to all Signs higher than fifty (50) feet above Average Sidewalk Elevation:

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 shall not be allowed.

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 prohibited.

3. In the case of an Illuminated Sign, a reverse channel letter that silhouettes the Sign against an Illuminated Building face is desirable. Illumination of a Sign should be accompanied by accent lighting of the Building’s distinctive Architectural Features and especially the Facade area surrounding the Sign. Illuminated Signs on unlit Buildings shall not be allowed.

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.
10.3.7 Special Sign Package

The purpose of a Special Sign Package is to allow buildings exceeding 200,000 square feet of commercial or office gross leasable Building Floor Area, mixed use developments over four (4) stories (excluding residential uses), entertainment establishments and Civil Support Uses exceeding 200,000 square feet of Building Floor Area to allow greater flexibility in Sign regulations to result in a higher or specialized quality design. It is important that Sign designs preserve the characteristics of the surrounding community and create a Sign package that will contribute to the character of the area. Specific Sign standards may be exceeded for various Sign types with the exception that the total Aggregate Area is not exceeded. Comprehensive signage proposals for Special Sign Package may only be permitted by Warrant. Aggregate Areas that exceed Table 15 Sign Design Standards may be permitted only by Exception.

10.3.8 Regional Activity Complex Sign Package

Comprehensive signage proposals for Regional Activity Complexes may only be permitted by Exception. Proposed Aggregate Area shall not exceed three (3) square feet for each linear foot of wall fronting on a street. In determining whether an Exception should be granted, the PZAB shall consider the following guidelines as well as Article 4, Table 12:

a. Certain deviations from the Sign standards and areas otherwise applicable may be considered within comprehensive signage proposals for Regional Activity Complexes. Specific Sign criteria may be waived to achieve specific objectives commensurate with the facility’s regional purpose, size, bulk and scale.

b. Signs should respect the Architectural Features of the Structure 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.

c. 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.

d. In the case a Sign is Illuminated, a reverse channel letter that silhouettes the Sign against a lighted Building face is desirable. Illumination of a Sign should be accompanied by accent lighting of the Building’s distinctive Architectural Features and especially the Facade area surrounding the Sign. Illuminated Signs on unlit Buildings are unacceptable. The objective is a visual lighting emphasis on the Building with the lighted Sign as subordinate. Automatic electric changing Signs acceptable under the Miami-Dade County Code Section 33-96.1 may be reviewed for compliance under this Section.

e. 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 under Miami-Dade County Code Section 2-11.15, shall not be construed as Signage subject to these regulations.