

# **MIAMI 21 CODE**

**April 2008**

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MIAMI 21

**PUBLIC HEARING - FIRST READING 2008-04**

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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 Miami 21 area 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 for users to read only the parts they need. It is not necessary to read it from cover to cover, but 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, provides guidance for phasing, lots and frontages, height, sustainability, public Thoroughfares and Frontages, Special Area Plans, historic preservation, and the public benefits program.

**Article 4. Standards & Tables** illustrates the components of the Code such as Intensity and parking requirements per Transect Zone. It contains Table 3 that 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 Zones.

**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, architecture, environment and landscape 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 occupations/home office; ancillary

units, community residences; Adult Daycare; Child Daycare; Auto-Related Uses; helistops; Open Air Retail; and Adult Entertainment .

**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. The specific regulations as to allowable Uses and as to placement of Buildings and Structures can be found in Articles 3 and 5 of the Code.

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

### **Instructions for navigating the articles**

To determine the regulations of the Code applicable to a site, one must consult both the Miami 21 Code and the Miami 21 Atlas. The Miami 21 Atlas designates the Transect Zone 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.