MEMORANDUM

Agenda Item No.7(E)

TO:	Honorable Chairwoman Rebeca Sosa and Members, Board of County Commissioners	**DATE:**	May 7, 2013
FROM:	R. A. Cuevas, Jr. County Attorney	**SUBJECT:**	Ordinance relating to zoning and other land development regulations; providing for Palmer Lake Metropolitan Center District

This item was amended from the original version as stated on the County Mayor's memorandum.

The accompanying ordinance was prepared by the Regulatory and Economic Resources Department and placed on the agenda at the request of Co-Prime Sponsors Commissioner Bruno A. Barreiro, Chairwoman Rebeca Sosa and Co-Sponsor Commissioner Dennis C. Moss.

R. A. Cuevas, Jr.
County Attorney

RAC/jls

Memorandum

MIAMI-DADE COUNTY

Date: May 7, 2013

To: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

Subject: Proposed Zoning Ordinance Establishing the Palmer Lake Metropolitan Urban Center Zoning District.

This item reflects the amendments made at the March 14, 2013 Land Use and Development Committee meeting to provide that additional water-related and water-dependent uses may be approved by the County Commission rather than the Director, and to require hotels in the Riverside sub-district to provide soundproofing.

Recommendation
It is recommended that the Board adopt the attached ordinance establishing the Palmer Lake Metropolitan Urban Center zoning district.

Scope
The proposed ordinance impacts the unincorporated area around Palmer Lake in Commission Districts 5 and 6.

Fiscal Impact/Funding Source
The proposed ordinance creates no fiscal impact on Miami-Dade County.

Track Record/Monitor
The proposed ordinance would establish a new zoning district within the County's zoning code. The Department of Regulatory and Economic Resources would be in charge of monitoring the implementation of this ordinance.

Background
The proposed Palmer Lake Metropolitan Urban Center zoning district implements recommendations from the Palmer Lake Charrette Area Plan report which was approved by the Board of County Commissioners (BCC) on May 1, 2012 through resolution No. R-393-12.

The Palmer Lake area is designated as a Metropolitan Urban Center by the Comprehensive Development Master Plan (CDMP) which provides for high intensity business, residential, and mixed uses. This is also an area of countywide significance due to its location adjoining the Miami Intermodal Center (MIC) and proximity to Miami International Airport.

The recommendations in the Palmer Lake Charrette Area Plan primarily address the future development of currently underutilized land resulting in the creation of a high-quality urban district with uses complimentary to Miami International Airport and the transportation facilities within the MIC. Specific plan recommendations include the development of a high-density mixed-use core along both sides of NW 37th Avenue, development of a park at the FDOT property adjoining Palmer Lake, the extension of NW 37th Avenue to North River Drive via a new Miami River bridge, construction of sidewalks and on-street parking throughout the study area, and bicycle facilities along the designated Miami River Greenway.

The Palmer Lake Charrette Area Plan report contains strategies for the implementation of its recommendations. One of these strategies is the establishment of a zoning district providing for development standards to permit mixed-uses and pedestrian-oriented buildings. Consistent with that recommendation, the proposed ordinance would establish the Palmer Lake Metropolitan Urban Center (PLMUC) zoning district within Chapter 33 of the Code of Miami-Dade County. The PLMUC would be applicable exclusively to the Palmer Lake area and provide for:

- Mixed uses, including retail, office, residential and industrial uses in the Core and Core East areas
- Industrial, water-dependent and water-related uses along the Miami River, Tamiami Canal and Palmer Lake
- Building standards that will require new buildings to be developed in an attractive pedestrian and transit supportive manner
- Street standards that will require future right-of-way improvements to provide for ample sidewalk areas and bicycle facilities, as well as encourage on-street parking areas and landscaping
- Reduced parking requirements for developments located in proximity to the MIC and providing mixed uses and workforce housing units
- Landscape and open space standards
- Pedestrian access to the Miami River, Tamiami Canal and Palmer Lake.

The proposed PLMUC district was prepared with extensive input from Palmer Lake area business owners, property owners, residents and stakeholders. Draft versions of the PLMUC district were reviewed and commented upon at six public meetings held in 2011 and 2012. The Planning Advisory Board recommended adoption of the PLMUC district at its December 17, 2012 meeting. Properties within the boundaries of the proposed district would become subject to the PLMUC standards upon approval of a rezoning application to be heard at a future public hearing.

Jack Osterholt
Deputy Mayor

MEMORANDUM

(Revised)

TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: May 7, 2013

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Agenda Item No. 7(E)

Please note any items checked.

_____ **"3-Day Rule" for committees applicable if raised**

_____ **6 weeks required between first reading and public hearing**

_____ **4 weeks notification to municipal officials required prior to public hearing**

_____ **Decreases revenues or increases expenditures without balancing budget**

_____ **Budget required**

_____ **Statement of fiscal impact required**

_____ **Ordinance creating a new board requires detailed County Mayor's report for public hearing**

_____ **No committee review**

_____ **Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous _____) to approve**

_____ **Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required**

Approved _____ Mayor

Veto _____

Override _____

Agenda Item No. 7(E)

5-7-13

ORDINANCE NO. _____

ORDINANCE RELATING TO ZONING AND OTHER LAND DEVELOPMENT REGULATIONS; PROVIDING FOR THE PALMER LAKE METROPOLITAN CENTER DISTRICT; AMENDING STANDARD URBAN CENTER DISTRICT REGULATIONS GOVERNING NON-CONFORMITIES; CREATING SECTIONS 33-284.99.55 THROUGH 33-284.99.66 OF THE CODE OF MIAMI-DADE COUNTY (CODE); AMENDING SECTIONS 33-2 AND 33-284.89.2 OF THE CODE; PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:

Section 1. Section 33-284.99.55 of the Code of Miami-Dade County, Florida is hereby created as follows:

ARTICLE XXXIII(T)
PALMER LAKE METROPOLITAN URBAN CENTER DISTRICT (PLMUC)

Sec. 33-284.99.55. Purpose and intent.

This Article applies to the area bounded by the Miami River on the northeast, the Seaboard Air Line Railroad on the west, and the Tamiami Canal on the south, hereinafter referred to as the Palmer Lake Metropolitan Urban Center District (PLMUC). A more detailed legal description of this boundary is provided in Section 33-284.99.66 below. The intention of this Article is to permit the development of a Metropolitan Urban Center that fulfills the goals, objectives and policies of the Comprehensive Development Master Plan by:

(A) Coordinating development intensity within the district by the proximity to mass transit

(B) Organizing an interconnected network of streets to improve pedestrian access to transit

(C) Creating attractive and usable public space by shaping the way buildings front onto streets and open spaces

(D) Maintaining and promoting marine activity on the Miami River by encouraging the retention of water dependent and/or water related uses.

The Illustrative Plan (Figure 1), illustrates the vision and may be used to better interpret this Article. Where there is conflict between the illustrative plan and the text of this Article, the text shall govern.

Figure 1. Illustrative Plan.

Section 2. Section 33-284.99.56 of the Code of Miami-Dade County, Florida is hereby created as follows:

Sec. 33-284.99.56. Definitions.

Terms used throughout this Article shall take their commonly accepted meaning unless otherwise defined in Chapter 33 or Chapter 28 of the Code of Miami-Dade County. Terms requiring interpretation specific to this Article are as follows:

(1) *Block:* A combination of contiguous building lots, the perimeter of which abuts one or more public streets, private streets, easements or designated open spaces.

(2) *Building Frontage:* The portion of a building required to adjoin or be located within the frontage zone.

(3) *Building Frontage Zone:* The portion of a lot adjoining a street or right-of-way. The width of the building frontage zone is established by the applicable street type and/or Sub-district.

(4) *Elevated Pedestrian Walkway:* an enclosed structure located above private property and/or the public right-of-way allowing pedestrian access between and through buildings.

(5) *Floorplate:* The total indoor and outdoor area of any given story of a building, measured to the exterior of the wall.

(6) *Forecourt:* an open area where the building pedestal is recessed outside of the building frontage zone.

(7) *Frontage:* The property line or lines of a lot which coincide with a right-of-way or other public open space line as shown on a Regulating Plan.

(8) *Habitable Space:* Building space whose use involves human presence with direct view of the adjoining streets or open space, excluding parking garages, self-service storage facilities, and warehouses.

(9) *Mixed-use building:* A building that includes a combination of two or more vertically integrated uses, such as, but not limited to retail and/or office uses on the ground story, with residential uses above.

(10) *Pedestal:* the lower portion of the building including the ground story located adjoining or within the building frontage zone..

(11) *Retail Use:* Premises used for the exchange of services or goods.

(12) *Storefront:* Retail or office use areas, lobby areas or other habitable space located at the building frontage.

(13) *Story:* A floor level within a building as described in this Article's General Requirements.

(14) *Street:* A thoroughfare for the movement of pedestrians and vehicles, as provided in this Article.

(15) *Tower:* The upper portion of a building above the pedestal.

(16) *Water-dependent Use:* Activities that can be carried out only on, in, or adjacent to water areas because the use requires access to a water body, including without limitation: waterborne transportation hubs such as ports or marinas; or marine recreation.

(17) *Water-related Use:* Activities that are not directly dependent upon access to a water body, but that provide goods and services that are directly associated with water-dependent uses.

(18) *Weather Protection Features:* Architectural features that provide protection from the sun and rain, including without limitation, colonnades, awnings, or projecting roofs.

(19) *Work-force Housing Unit or WHU:* A dwelling unit, the sale, rental or pricing which is restricted to households whose income is up to one-hundred forty (140) percent of the most recent median family income for the County reported by the U.S. HUD as maintained by the Department of Planning and Zoning.

Section 3. Section 33-284.99.57 of the Code of Miami-Dade County, Florida is hereby created as follows:

Sec. 33-284.99.57. Organization of this article.

This Article is organized into three (3) primary sections:

(1) The Regulating Plans allocate Sub-Districts and Street Types, which serve as the controlling plans for the district.

(2) The Uses section provides for the various uses permitted by Sub-District.

(3) The General Requirements are the instructions for implementing the Regulating Plans.

Section 4. Section 33-284.99.58 of the Code of Miami-Dade County, Florida is hereby created as follows:

Sec. 33-284.99.58. Regulating plans.

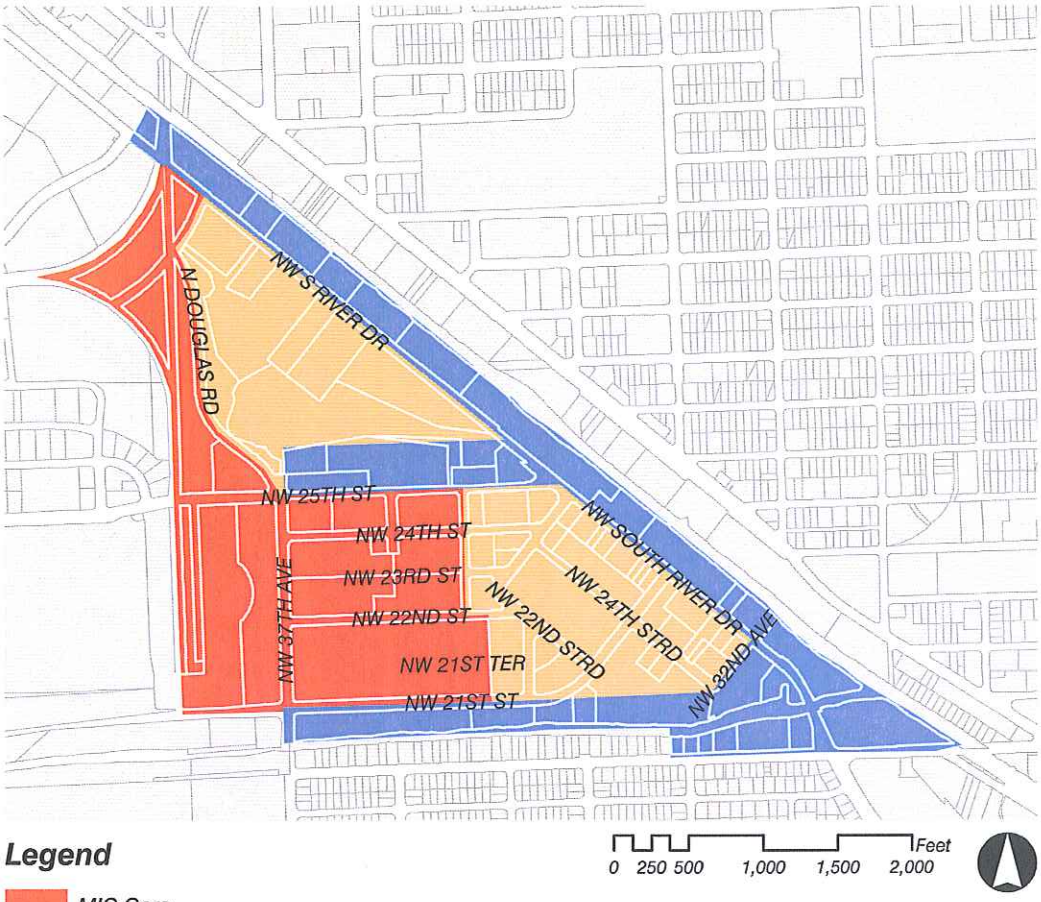
(A) The Regulating Plans establish three (3) Sub-Districts, five (5) street types, and bicycle and greenway facilities, as set forth below:

(1) The Sub-District Plan delineates three sub-districts, the MIC Core, the Center, and the Riverside. These Sub-Districts control land use and intensity of development in accordance with the County's Comprehensive Development Master Plan.

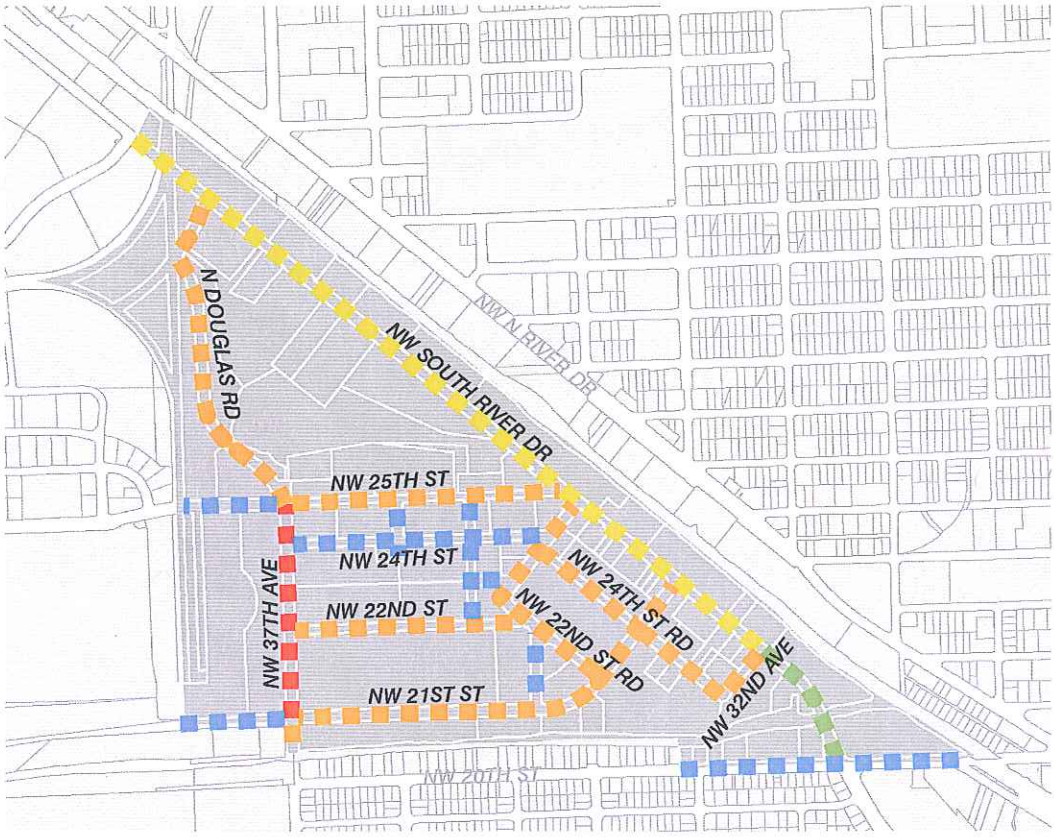
(2) The Street Frontage Plan establishes a hierarchy of street types in existing and future locations, which shall be provided in all future development. The five (5) street types, in descending order of pedestrian activity, are lettered 'A' through 'E.' An 'A' street is the most important street to accommodate pedestrian activity.

(3) The Greenway and Bicycle Plan establishes the location of bicycle and greenway facilities within the PLMUC.

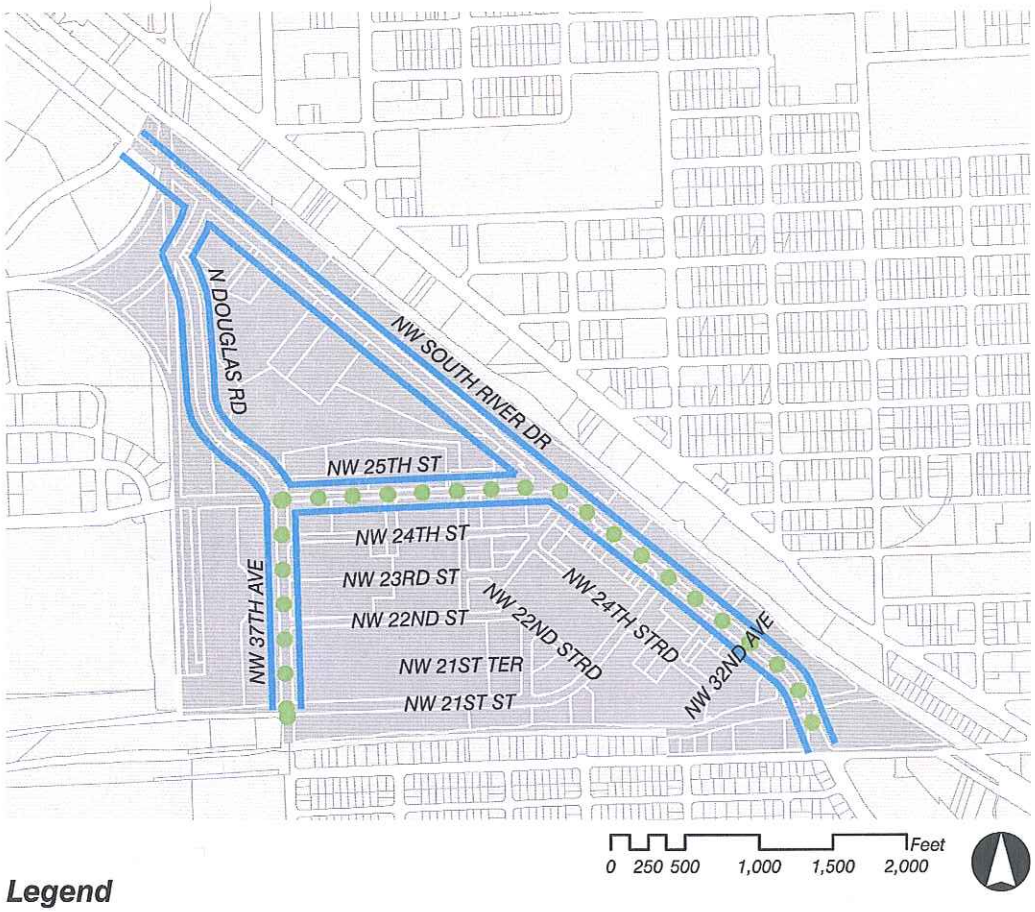
(B) Sub-District Plan



(C) Street Frontage Plan



(D) Greenway and Bicycle Plan



Section 5. Section 33-284.99.59 of the Code of Miami-Dade County, Florida is hereby created as follows:

Sec. 33-284.99.59. Uses.

No land, body of water and/or structure shall be used or permitted to be used, and no structure shall be hereafter erected, constructed, reconstructed, moved, occupied, or maintained for any purpose in Palmer Lake Metropolitan Urban Center District except for one (1) or more of the following uses. All uses are subject to the airport safety uses and height restrictions provided in Section 33-336 of this chapter. The uses delineated herein shall be permitted only in compliance with the development parameters provided in Section 33-284.99.60 of this article.

(A) Permitted uses in the MIC Core and Center Sub-Districts shall be as follows:

(1) All uses permitted in the IU-1, IU-2, and BU-2 Districts.

(2) The following BU-3 uses:

i. Bakeries, retail and wholesale.

ii. Secondhand stores.

iii. Television and broadcasting stations.

iv. Upholstery and furniture repairs.

(3) Residential uses shall be permitted up to two hundred fifty (250) units per acre. Developments having more than four (4) residential units shall provide a minimum of twelve and one-half (12.5) percent of their units as work-force housing units.

(4) Hotels, motels, and apartment hotels developed for transient residential usage shall be permitted up to three hundred seventy five (375) units per acre.

(5) Mobile food sales and services, including but not limited to outdoor dining, cart vendors, and merchandise displays, shall be permitted in accordance with Section 33-13(h) of this code.

(6) Commercial parking garages shall be permitted either alone or in conjunction with other permitted uses and shall comply with the storefront and screening requirements of this article.

(7) Drive-through services, provided that they shall be concealed from 'A', 'B' and 'C' streets by buildings or walls.

(8) Alcoholic beverage uses shall be permitted in accordance with Article X of this chapter, except that such uses shall not be subject to the spacing/distance requirements set forth in Section 33-150(A) and (B) therein.

(B) Permitted uses in the Riverside Sub-District shall be as follows:

(1) All uses permitted in the IU-1 and IU-2 Districts.

(2) The following water-dependent uses:

i. Storage of recreational boats, including rack storage facilities. A masonry wall at least ninety-six (96) inches in height shall enclose the boat storage area except along an adjoining lake, canal, or river.

ii. Marinas, non-live aboard, marine commercial. No permanent occupancy of private watercraft shall be permitted, except as required for a watchman's quarters. The following accessory uses shall be permitted at a commercial marina: Bait and tackle shop; Charter boat service; Dock master's office; Dry stack boat storage facility; Pleasure craft fueling facility; Pleasure craft rentals; Restaurants including therein any accessory outdoor dining area(s). Marinas shall provide electrical, water, and sewage disposal connections to each vessel berth.

iii. Other water-dependent uses not specifically enumerated in this section or in the IU-1 and IU-2 districts as >>approved by resolution of the County Commission<< [[~~determined by the director~~]][1].

(3) The following water-related uses:

i. Fish market and accessory seafood restaurant.

ii. Seafood products and by-products collection, cooking, processing, and wholesale distribution, including accessory eating and drinking establishments related to such operations.

iii. Vessel sales, wholesale or retail, and the following accessory uses: Marine supplies and equipment, retail and or wholesale distribution; Marine sporting goods and supplies, retail and or wholesale distribution.

iv. Other water-related uses not specifically enumerated in this section or in the IU-1 and IU-2 districts as >>approved by

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[1] Committee amendments are indicated as follows: words double stricken through and/or [[double bracketed]] shall be deleted, words double underlined and/or >>double arrowed<< constitute the amendment proposed

resolution of the County Commission<< [[~~determined by the director~~]].

(4) The following additional uses shall be permitted only in conjunction with a water-dependent use occurring on the same lot and in compliance with the waterfront setback and access requirements set forth in Section 33-284.99.60(B)(4)(b). These additional uses shall be permitted only when the Director determines that such use: will not have an adverse impact on operation of the Port of the Miami River; will not substantially reduce or inhibit existing public access to marine or tidal waters; and will not interfere with the activities or operation of adjacent water-dependent uses or significantly impede access to vessel berthing or other access to the water by water-dependent uses.

i. Hotels, motels, and apartment hotels developed for transient residential use shall be allowed up to three hundred seventy five (375) units per acre >>, provided that such uses shall be constructed so that the Day Night Noise Level (DNL) within guest rooms are no greater than forty-five (45) decibels (db). Submitted plans for such uses shall include an acoustical analysis demonstrating that the proposed construction complies with the noise limit indicated, including documentation of noise levels at the development site, noise insulation measures to be utilized in building construction, and the predicted performance of the proposed measures<<.

ii. Retail uses shall be allowed, provided that such use is limited to less than fifty (50) percent of the total building area on the same lot, except that retail uses provided as accessory to permitted hotel uses shall not be subject to this limitation.

iii. On lots adjoining the Tamiami Canal, residential uses shall be permitted above the ground story and limited to less than fifty (50) percent of the total building area on the same lot, except that hotels, motels, and apartment hotels shall not be subject to this limitation.

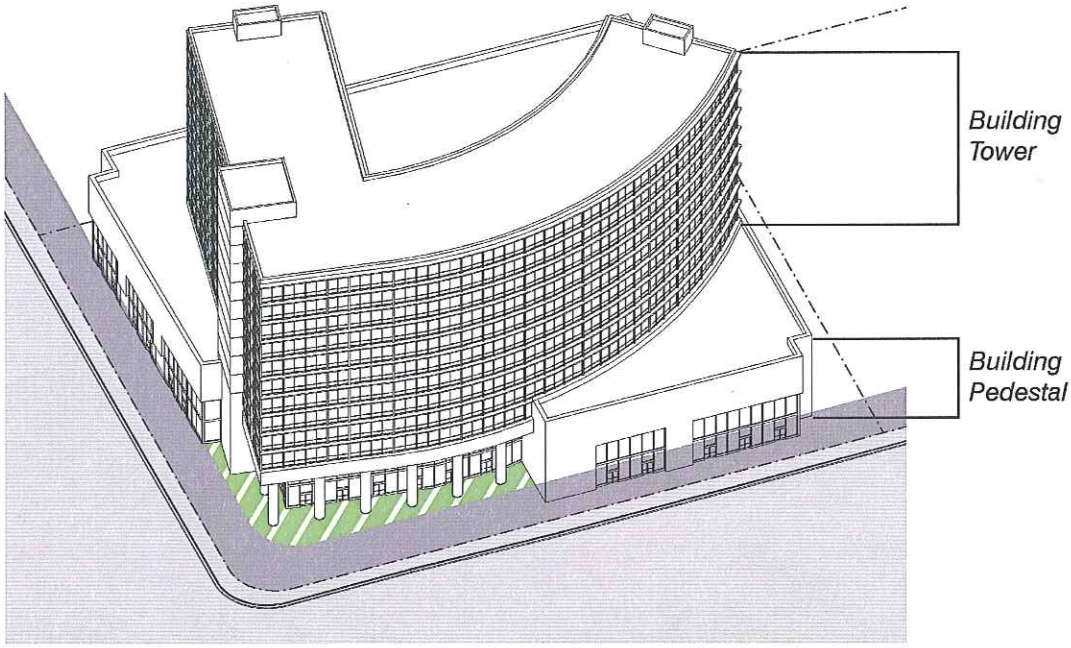
(C) In all sub-districts, public recreation buildings, playgrounds, and parks or reservations owned and operated by a municipality, County, State or the United States Government shall be permitted. No minimum building frontage shall be required for such recreation building.

Section 6. Section 33-284.99.60 of the Code of Miami-Dade County, Florida is hereby created as follows:

Sec. 33-284.99.60. Development parameters.

(A) Building Standards.

(1) The below diagram illustrates the building placement standards for all Sub-districts:

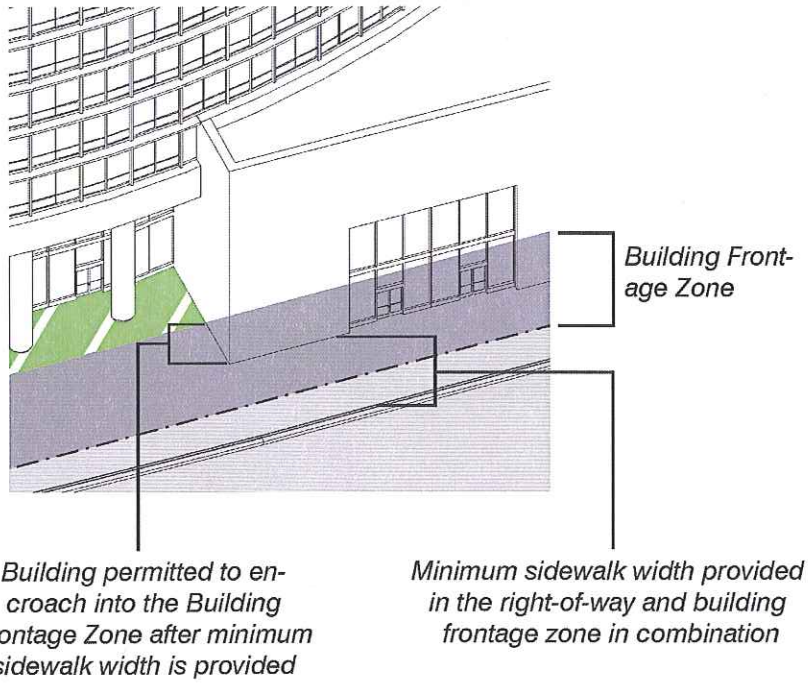


(2) The below table provides minimum requirements for building and site development by Street Type:

Building/Site Element	'A' Street	'B' Street	'C' Street	'D' Street	'E' Street
Minimum Sidewalk Width	18 ft.	10 ft.	6 ft.	6 ft.	6 ft.
Building Frontage Zone Width	25 ft.	15 ft.	6 ft.	6 ft.	12 ft.
Minimum Building Frontage	80 percent	50 percent	None	None	None
Minimum Storefront within the Building Frontage	75 percent	50 percent	None	None	None

(3) The minimum sidewalk width may be provided in the right-of-way and building frontage zone in combination. The building pedestal shall be located adjoining or within the building frontage zone for the minimum linear distance required by the above table.

(4) The building pedestal shall be permitted to encroach into the building frontage zone such that the minimum sidewalk width is provided.



(B) General Requirements.

All new development and redevelopment shall comply with the following parameters, irrespective of Sub-District and frontage categories:

(1) **Lots and Buildings.**

(a) Minimum lot size is two thousand (2,000) square feet, with a minimum frontage of twenty (20) feet.

(b) All lots shall share a frontage with a street.

(c) The maximum height of buildings shall be as provided in Article XXXVII - Miami International Airport (Wilcox Field) Zoning of this chapter.

(d) Minimum front and side street building setbacks shall be determined by the table in paragraph (A) above. Minimum building interior side and rear setbacks shall be zero (0) feet. Lot coverage and floor area of buildings shall not be limited.

(e) All buildings shall have their main pedestrian entrance opening to the street of highest pedestrian activity. Where storefronts are required, pedestrian entrances shall be provided at maximum intervals of seventy-five (75) feet. Where ground story uses have entries from more than one street frontage, the primary entrance shall be from the street of highest pedestrian activity.

(f) Building design shall use energy conservation measures, including but not limited to self-shading, natural lighting, natural ventilation, outdoor circulation, and reduced dependence on artificial lighting and air conditioning. Porches, balconies, breezeways, pergolas, deep eaves, eyebrows, and other elements promoting natural ventilation and shading are encouraged. Each building shall dedicate a specific location for recycling separation, storage, and access.

(g) Vehicular entry gates at garage entries shall be positioned a minimum of twenty (20) feet behind the front wall of the building. At colonnaded frontages, this distance is measured from the interior/rear wall of the colonnade. To increase safety during off-hours, the setback area between the entry gate and the public sidewalk may be gated at the sidewalk edge during times when the garage is closed.

(h) Glazing, Transparency and Storefront Requirements:

(1) Portions of buildings facing or adjoining the building frontage zone shall be glazed as follows: office, hotel, and residential, minimum thirty (30) percent; retail, minimum twenty (20) percent; industrial and marine,

minimum ten (10) percent. Storefronts shall be glazed as provided below and may count toward the overall building glazed area. Glazing shall be clear or tinted, except where used for screening garages, where it may be translucent.

(2) Where required, storefronts shall occupy the ground story and be directly accessible from the building frontage zone and/or sidewalk. Storefronts shall be a minimum of sixty (60) percent clear-glazed for the height of the ground story.

(3) Storefront security screens, if any, shall be of the mesh type that pedestrians can see through and shall be located behind storefront displays. Storefronts shall remain open to view and be lit from within at night.

(i) Parking garages shall have all architectural expression facing public streets and open spaces and shall be consistent and harmonious with that of habitable space. Architectural expression shall include vertically proportioned openings, balconies, glazing, awnings, or other similar architectural elements. Ramping is encouraged to be internalized wherever possible. Exposed spandrels are prohibited. The exposed top level of parking structures shall be covered a minimum of sixty (60) percent with a shade producing structure such as a vined pergola or retractable canvas shade structure. All garage lighting installations shall be designed to minimize direct spillage, sky glow, and hazardous interference with vehicular traffic on adjacent rights-of-way and all adjacent properties; this may be achieved through the use of down-turned building beams, garage screening, landscaping, or other similar architectural elements.

(j) Elevated pedestrian walkways shall be permitted subject to the following:

i. Walkways shall be permitted to extend over the public right-of-way.

ii. The bottom of the walkway shall be a minimum of sixteen (16) feet six (6) inches above the street. Street and pedestrian lighting shall be provided at the underside of the walkway.

iii. Walkways and connecting corridors shall have a minimum interior clear width of fourteen (14) feet. The exterior width of the Walkway structure shall be no wider than thirty (30) feet.

iv. Walkways shall be single story and designed to be horizontally level with the street. Changes in grade

between buildings shall be accommodated so that the walkway appears level from the exterior.

v. At least eighty (80) percent of the vertical enclosure of the walkway shall be transparent or open. Windows, if provided, shall be of clear or lightly tinted glass that allow views into and out of the walkway. Louvers or other shade structures are permitted for shading and weather protection within the walkway.

vi. Walkways shall be designed to facilitate access between street and walkway levels. Elevators, stairs and escalators linking the street and walkway levels shall be conveniently located with clear directional signs.

vii. Signage providing directional information on destinations accessible through the walkway shall be required within the walkway structure, along pedestrian routes connecting to the walkway in adjoining buildings, and at street level building entrances. Signage at building entrances leading to a walkway shall state that the walkways are open to the public and their hours of operation.

viii. The walkway shall be open to the general public seven (7) days a week from at least seven (7) AM to ten (10) PM.

ix. The walkway shall be maintained in good order for the life of the principal structure.

x. An agreement shall be recorded in the public records of Miami-Dade County between affected property owners and public entities establishing public access, maintenance, operation, and removal of the Walkway structure and adjoining accessways consistent with this article.

(k) Fixtures, including but not limited to backflow preventers, pumps, underground ventilation exhausts, and electrical vaults, shall be located within or to the side or rear of buildings; such fixtures shall not be located within the required building frontage zone.

(l) Backflow preventers shall be shielded from view, as required by Sec. 32-157(d) of this code.

(m) Colonnades and cantilevered building elements shall be permitted in the building frontage zone. Colonnades shall be a minimum clear width of ten (10) feet. Colonnades shall be

designed to maximize visibility from the street through the colonnade area and into building interiors.

(n) Awnings, balconies, roof eaves, open steps, pedestrian ramps, landscape planters and fountains may extend into or be located in the building frontage zone or forecourt area.

(o) The maximum width of a forecourt shall be fifty (50) percent of the minimum required building frontage. Where multiple forecourts are provided, their total width in aggregate shall be a maximum of fifty (50) percent of the minimum required building frontage. The maximum depth of a forecourt shall be fifty (50) percent of its width.

(2) **Streets.**

(a) Streets shall provide access to all building lots and tracts.

(b) All streets shall connect to other streets. Dead-end streets and T-turnarounds shall only be permitted temporarily for new streets when the adjacent property is not platted, not developed or both. When the adjacent property is platted or developed, a street shall connect to existing development and the dead-end street or T-turnaround removed.

(c) All streets shall have curb and gutter and have sidewalks on both sides of the travel lanes. Where possible, there shall be parking lanes, which, in addition to on-street parking, may be used for 'drop off' areas, valet stands, or bus stops.

i. All sidewalks shall have a minimum width as required by the table in paragraph (A) above and a continuous unobstructed area of a width no less than sixty (60) inches.

ii. On-street parking lanes shall not be closer than twenty-five (25) feet to intersections measured from the intersecting lot lines.

(d) Designated bicycle facilities shall be provided along NW South River Drive, NW 37th Avenue, and NW 25th Street.

(e) Awnings, balconies, roof eaves and signs may encroach into rights-of-way; however, they shall not extend a distance closer than six (6) inches from the curb face. All right-of-way encroachments shall be a minimum one hundred thirty-two (132) inches above the sidewalk. Building encroachments in the right-of-way shall require review and approval from the Public Works and Waste Management Department.

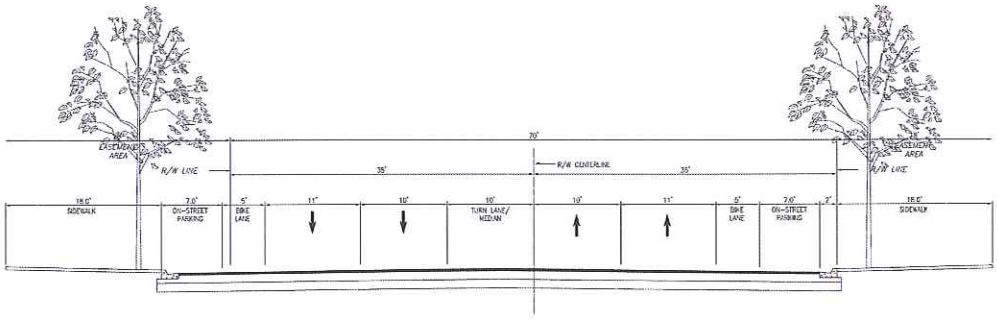
(f) New utility installations shall run underground, and above-ground projections of utilities shall be placed in or along rights-of-way of streets of lower pedestrian activity, wherever practicable.

(g) Street lighting shall be required along all streets. The type and spacing of light fixtures shall be approved by the Public Works and Waste Management Department. Approval shall be based on uniformity of types, location, right-of-way width, and luminosity.

(h) Right-of-way improvements necessary to meet the requirements of this Article shall be constructed concurrently with any development activity. For multiple-phase developments, right-of-way improvements shall be constructed concurrently with those phases or portions of a property being developed.

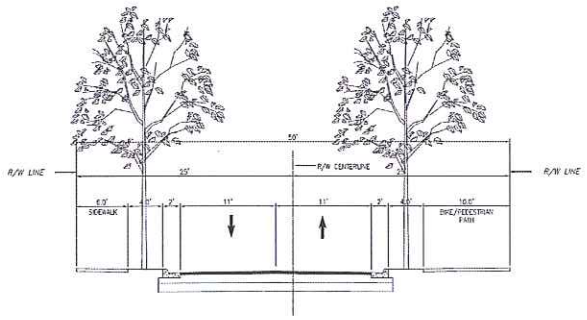
(i) Street development standards. The diagrams below illustrate the sidewalk, bicycle facility, landscaping, and parking elements for streets within the Palmer Lake Metropolitan Urban Center District. Right-of-way improvements are subject to the review and approval of the Public Works and Waste Management Department and may vary from the below diagrams due to right-of way limitations, recorded easements, roadway geometry, or other constraints.

1. 'A' Street:



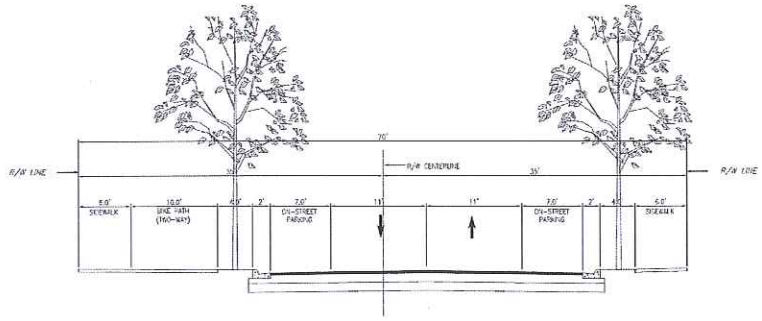
114' TYPICAL SECTION
SIDEWALKS, BIKE PATH, TREE PLANTERS, CURB & GUTTER, ON-STREET PARKING LANES

2. 'B' Street with bicycle facility:



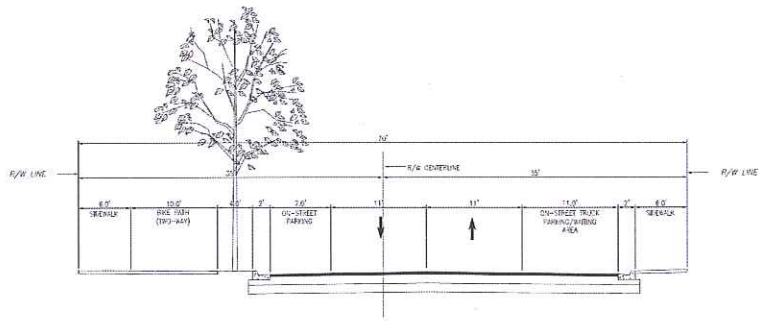
50' TYPICAL SECTION
SIDEWALKS, BIKE PATH, LANDSCAPE STRIPS, CURB & GUTTER

3. 'C' Street with bicycle facility:



70' TYPICAL SECTION
SIDEWALKS, BIKE PATH, LANDSCAPE STRIPS, CURB & GUTTER, ON-STREET PARKING LANES

4. 'C' Street with bicycle facility and truck parking/waiting area:



70' ALTERNATE SECTION
SIDEWALKS, BIKE PATH, LANDSCAPE STRIPS, CURB & GUTTER, ON-STREET PARKING LANES
TRUCK PARKING/WAITING AREA WHERE NECESSARY

The truck parking/waiting area illustrated may occur on either or both sides of the street.

(3) **Walls, Fences, and Hedges.**

Walls, fences, and hedges may be placed within the building frontage zone, provided that the minimum sidewalk width for the applicable street type is satisfied. Walls, fences, and hedges shall not exceed ninety-six (96) inches in height. Chain link fences shall not be permitted facing or within the Building Frontage Zone.

(4) **Open Space and Recreation Areas.**

(a) A minimum of ten (10) percent of net lot area shall be reserved for private open space. Colonnades, landscape areas, water features, pedestrian areas in the building frontage zone, landscaped roof terraces on buildings or garage structures may be counted towards this requirement. Up to twenty (20) percent of the area required for private open space may consist of submerged land areas.

(b) Development on lots adjoining the Miami River, Tamiami Canal, and/or Palmer Lake that contain uses permitted subject to the requirements of Section 33-284.99.59(B)(4) shall provide a waterfront setback as provided below:

1. Lots with less than 150 feet of distance as measured perpendicular from the adjoining street right of way to the mean high water line or bulkhead for more than 50 percent of the width of the lot shall provide a waterfront setback of ten (10) feet.

2. Lots with less than 150 feet of frontage along the Miami River, Tamiami Canal, or Palmer Lake as measured along the mean high water line or bulkhead shall provide a waterfront setback of ten (10) feet.

3. All other lots shall provide a waterfront setback of twenty (20) feet.

4. Any portion of a lot with less than 50 feet of distance as measured perpendicular from the adjoining street right of way to the mean high water line or bulkhead shall not be required to provide a waterfront setback for that portion of the lot.

5. Within the setback area, a hard-surfaced walkway area shall be provided with a minimum width of sixty (60) percent of the required setback width. The setback area shall be furnished with seating areas, lighting, decorative trash receptacles, and landscaping as appropriate. Colonnades and/or cantilevered building elements shall be permitted to encroach into the setback area. Walkways shall be designed to permit connections to existing or future walkways located on adjoining waterfront lots. The setback area and walkway shall be accessed from the street by exterior walkways or through building interiors, courtyards, or breezeways. The setback area, walkway and accessways shall permit general public access seven (7) days a week from at least seven (7) AM to ten (10) PM. For lots adjoining Palmer Lake, docks or boardwalks located over the lake providing similar amenities shall satisfy the setback requirement. That portion of a lot occupied by a water-dependent use shall be exempt from the requirements of this sub-section.

(c) Along the Miami River Greenway, as shown in the 'Greenway and Bicycle Plan' above, the following shall be required: sidewalk, multi-use path, and/or bicycle path.

(5) **Parking.**

(a) Parking shall be provided as per Section 33-124 of this Code, except as follows:

(1) The minimum parking for the following types of development shall be as follows:

i. Residential—One (1) parking space per dwelling unit.

ii. Office—One (1) parking space per four-hundred (400) square feet of gross floor area.

iii. Hotel—One (1) parking space for the first forty (40) guest rooms and one (1) additional parking space for every two (2) guest rooms or suites thereafter.

(2) Parking reduction. Development meeting the following criteria shall be permitted to reduce the number of parking spaces required in accordance with the following table:

Use	**Location, Parcel Requirement**	**Permitted reduction of required parking as otherwise provided in this section**		
		MIC Core	Center	Riverside
Group 1: Work-force reduction				
Work-force housing units (WHU) as defined in this Article	No location limitation	25%*	25%*	25%*
Group 2: Location reduction				
Non-residential, mixed-use, multi-family residential	Within one-quarter (1/4) mile of a bus stop or rail station serviced by premium transit**	75%	60%	50%
Non-residential, mixed-use, multi-family residential	Within one-half (1/2) mile of a bus stop or rail station serviced by premium transit**	50%	40%	30%
Non-residential, mixed-use, multi-family residential	Within three-quarters (3/4) mile of a bus stop or rail station serviced by premium transit**	40%	30%	20%
Group 3: Parcel size reduction				
Mixed-use	Parcels less than fifteen-thousand (15,000) square feet	75%	60%	50%

Mixed-use	Parcels between fifteen-thousand (15,000) and thirty-thousand (30,000) square feet	40%	40%	30%
Mixed-use	Parcels greater than thirty-thousand (30,000) square feet	30%	20%	20%
* Percentage reduction applies only to those spaces required by WHU restricted residential units ** Distance measured from the perimeter of Tracts "C," "F," and "G" of the Miami Intermodal Center, Plat Book 168, Page 53.				

Developments meeting more than one of the use, location, and parcel criteria shall be permitted to combine each permitted reduction; the combined reduction shall be calculated by reducing the first applicable criteria from each group in the order of the table above.

(3) Off-street parking areas shall be located:

i. On the same lot as the use to be served; or

ii. On a lot within the PLMUC that is within seven hundred fifty (750) feet of the site of the use(s) to be served, provided that such use(s) shall immediately terminate in the event such parking area therefor is not available, and provided that all parties having any right, title, or interest in and to the property being served shall execute and place on the public records of this County a covenant approved by the Director that such use(s) shall cease and terminate upon the elimination of such parking area, and that no use shall be made of such property until the required parking area is available and provided.

(4) On-street parking spaces directly abutting a lot shall count toward the parking requirement for development of that lot. In the event that on-street parking spaces are removed due to roadway improvements, those removed spaces that were counted toward a development's parking requirement shall not cause that development to become nonconforming.

(b) Surface parking lots shall be located a minimum of twenty (20) feet from the front property line along 'A' and 'B' Streets. Along all streets, surface parking lots shall not be permitted within the building frontage zone or forecourt areas. Walls and/or habitable space shall be built adjoining the building frontage zone to screen parking from view.

(c) Parking garages adjoining the building frontage zone along 'A' street frontages shall be entirely screened by habitable space for a minimum depth of twenty (20) feet and the entire height of the garage structure.

(d) Parking garages adjoining the building frontage zone along 'B' and 'C' street frontages shall be entirely screened by habitable space for a minimum depth of twenty (20) feet at the ground story of the garage structure; except that lots with more than one street frontage shall be required to provide screening for fifteen (15) percent of the garage structure's ground story frontage along the lower-ranking streets.

(e) Parking garages facing 'A' streets that have a lot depth at any one (1) point of less than one hundred fifty (150) feet shall be required to provide habitable space only at the ground floor. However, architectural expression shall comply with the requirements of this article.

(f) Drop-off drives and porte-cocheres shall not adjoin an 'A' street frontage.

(g) Loading and service entries shall be allowed only on 'C,' 'D' and 'E' streets, alleys and within parking lots and structures. For those lots with frontages only on one street, loading and servicing shall be allowed from the street frontage.

(h) Pedestrian entries to parking garages shall be directly from the street frontage as well as from the contiguous building.

(i) Parking lots shall provide for pedestrian and vehicular cross access to existing and prospective adjacent parking lots.

(j) Parking stall dimensions and spaces for persons with disabilities and/or strollers shall comply with Article VII of this chapter.

(k) Bicycle racks shall be provided in accordance with Section 33-122.3 of this Code.

(l) Mechanized parking shall be allowed for residential multi-family and non-residential buildings and, when provided, shall be exempt from the provisions of Section 33-122 of this chapter. For the purposes of this article, mechanized parking shall be defined as a mechanism with vertical and horizontal transport capability that provides for automobile storage or retrieval. Mechanized parking spaces may be counted toward the minimum number of parking spaces required in this section, provided that:

i. A queuing analysis is submitted and approved during the Administrative Site Plan and Architectural Review; and

ii. Mechanized parking shall be located within an enclosed building/garage which shall be screened as provided in (c) and (d) above.

(m) The provisions of Section 33-131 of this chapter shall not apply to the required parking for any permitted use.

(n) Child care facilities located within mixed-use buildings shall be exempt from the auto-stacking requirements of Section 33-151.18(c) of this chapter.

(6) **Landscape.**

With the exception of Sections 18A-7, 18A-8, 18A-9, 18A-11, 18A-12 and 18A-13, the provisions of Chapter 18A of the Code of Miami-Dade County, Florida, shall not apply to properties in the PLMUC, except as provided herein. Trees and landscape shall be required for streets, medians, squares, plazas, and private property in accordance with the following:

(a) Street Trees: Street trees shall be placed along 'A,' 'B,' 'C' and 'E' Streets at a maximum average spacing of thirty-five (35) feet on center. Street trees shall have a minimum caliper of six (6) inches and shall have a minimum clear trunk of eight (8) feet at the time of planting. Where palms are used as street trees they shall be placed at a maximum average spacing of twenty-five (25) feet on center. Street trees shall be planted in one or more of the following methods of installation:

(1) Tree grates. Trees are planted within openings in the sidewalk. The openings shall be covered by permanently installed grates perforated to permit natural irrigation. The grates shall be installed flush with the surrounding sidewalk.

(2) Tree planters. Trees are planted within a raised planter located on the sidewalk. The planter shall be defined on all sides by a permanent masonry structure to consist of a minimum six (6) inch raised curb. The area within the planter, in addition to the required trees, shall be planted with ground cover, shrubs, or other appropriate plant material.

(3) Continuous landscape strips. Trees are planted in the area between the curb or roadway edge and the sidewalk. This area, in addition to the required trees, shall be planted with grass. Continuous landscape strips shall not be permitted along street frontages where the ground story of buildings are occupied by storefronts.

Street trees shall not be required where colonnades are provided and the sidewalk area outside of the colonnade is less than eight (8) feet in width. Where colonnades are provided and the sidewalk area outside the colonnade is between five (5) and eight (8) feet in width, one or more of the following shall be provided: landscaped planters located above the colonnade; a trellis attached to the colonnade structure and planted with climbing foliage; landscaped planters located adjoining the colonnade columns. On streets designated 'Miami River Greenway' on the Greenway and Bicycle Plan, street trees shall not be planted within the required unobstructed sidewalk area.

(b) Median Trees: Median trees shall have a minimum caliper of six (6) inches and shall have a minimum clear trunk of eight (8) feet at time of planting. Median planting shall provide a one hundred (100) percent canopy coverage within two (2) years of installation. Median trees may be a maximum of twenty (20) percent flowering trees or palms, which at time of planting shall have a minimum height of fifteen (15) feet, a minimum spread of ten (10) feet, and a minimum caliper of three (3) inches.

(c) Tree requirements for private property shall be based on fifteen (15) trees per net acre of lot area. Trees shall have a minimum caliper of six (6) inches and shall have a minimum clear trunk of eight (8) feet at time of planting.

(d) At grade parking lots shall follow all requirements of Section 18A(6)(J) of this Code.

All landscaped areas shall be continuously maintained in a good, healthy condition, and sprinkler systems of sufficient size and spacing shall be installed to serve all required landscaped areas and parking lots. Irrigation shall supply a minimum of the equivalent one and one-half (1½) inch rainfall per week. Rain sensors shall be installed in all systems.

(7) **Signs.**

Except as provided herein, the definitions set forth in Section 33-84 of this chapter shall apply. In the event of a conflict, the provisions of this section shall govern.

(a) Temporary signs. Temporary signs (Class A) shall be permitted in compliance with Section 33-99 of this chapter.

(b) Permanent Point of Sale Signs. Permanent point of sale signs (Class B) shall be permitted as follows:

(1) For purposes of this section, the following definitions shall apply:

i. Digital technology (signs): electronic technology that allows for changes to a sign copy resulting from digital data input. Included in this technology are signs that use series of lights, including light emitting diodes (LED), fiber optics, or other similar technology.

ii. Nits: Luminance is the measure of the light emanating from an object with respect to its size and is the term used to quantify electronic sign brightness. The unit of measurement for luminance is nits (nt), which is the total amount of light emitted from a sign divided by the surface area of the sign [candelas per square meter (cd/m^2)].

(2) The following permanent point of sale signs are permitted in all sub-districts in conjunction with permitted business and industrial uses: monument sign, pylon, flat attached, hanging, awning, cantilever, and projecting. No other detached sign shall be permitted except monument signs.

i. Projecting signs shall be mounted and perpendicular to the building.

ii. The copy of an awning sign shall only be located on the valance of the awning.

iii. The bottom of a hanging sign shall be located at a minimum height of eight (8) feet from the finished floor.

iv. Monument signs, which are freestanding, 2-faced signs, shall have a base at least seventy-five (75) percent of the horizontal width of the sign and located directly on the ground or a maximum of twelve (12) inches above grade.

v. Cantilever signs are mounted on that portion of the building projecting horizontally, whether it be on the same plane as the roof line or not.

(3) Maximum size, location, and number of signs shall be as follows:

Sign Type	**Size**	**Number of Signs**
Flat Attached, Cantilever, Pylon, Projecting*	10% of wall area**	Not limited
Hanging, Awning	6 sq. ft.	Not limited
Monument*	monument: 25 sq. ft. maximum for first 50 feet of street frontage plus .75 sq. ft. for each additional foot of street frontage to a maximum sign face area of 40 sq. ft.	One per street frontage

* Each side of a projecting, pylon, or monument sign with two faces shall count toward the maximum permitted sign area.

** Where a building may be occupied by multiple tenants, the permitted sign area that results from the percentage of wall area is shared among all tenants. A sign survey shall be required at time of permitting to demonstrate compliance with the maximum sign area permitted. Up to thirty (30%)

percent of the sign may be illuminated using digital technology.

(4) Illumination/lighting shall comply with the following:

Where digital technology is allowed, it shall be provided in compliance with the following:

i. No auditory message or mechanical sounds shall be emitted from the sign.

ii. The sign shall not display any illumination that moves, appears to move, blinks, fades, rolls, dissolves, flashes, scrolls, shows animated movement, or changes in intensity during the static display period.

iii. All digital signs shall be modulated so that, from sunset to sunrise, the brightness shall not be more than 500 Nits. Sunset and sunrise times are those times established by the Miami office of the National Weather Service. At all other times, the maximum brightness levels shall not exceed 5,000 Nits. All digital signs shall have installed ambient light monitors and at all times shall allow such monitors to automatically adjust the brightness level of the sign based on ambient light conditions.

iv. The message display shall not change more often than once each eight seconds, with all moving parts or illumination moving or changing simultaneously.

v. Any digital sign that malfunctions, fails, or ceases to operate in its usual or normal programmed manner shall immediately revert to a black screen and shall be restored to its normal operation conforming to the requirements of this section within twenty-four (24) hours.

(c) Commercial signs. Commercial signs (Class C) shall be permitted as follows:

(1) In the MIC Core Sub-district and along A, B, and C streets:

Class C signs shall be permitted attached to buildings of at least seventy-five feet in height. Freestanding Class C signs shall not be permitted.

i. The lowest portion of the sign shall be at least thirty (30) feet above grade.

ii. The total sign area shall not occupy more than ten (10) percent of the wall area.

iii. The sign shall not obstruct balconies or terraces; signs located in front of building windows shall be perforated so as not to obstruct visibility from within.

iv. The sign shall not be oriented toward any residential zoning district adjacent to PLMUC.

(2) In all other areas:

i. Class C signs shall be permitted within bus shelter structures and pedestrian information displays located in the building frontage zone and/or the right-of-way.

ii. The maximum size of Class C signs within such structures or displays shall be thirty-two (32) square feet. Two-sided signs shall be permitted with one side counting toward the permitted sign area.

iii. Bus shelter structures and pedestrian information displays containing Class C signs shall be spaced at least one hundred (100) feet apart as measured parallel to the street centerline.

iv. The design, location, and construction of such structures or displays located in the right-of-way shall be approved by the Director of the Public Works and Waste Management Department and the Director of the Department of Regulatory and Economic Resources.

(d) Directional signs. Directional signs, to direct traffic flow and locate entrances and exits shall be permitted on private property in connection with any permitted use. Directional signs shall not exceed thirty-two (32) square feet in area. The maximum height above grade of a detached directional sign shall be twelve (12) feet. The number, setback, and locations of the signs shall be determined for each facility as part of the site plan review process. Directional signs shall be shown on site plans indicating sign size, location, and copy.

Section 7. Section 33-284.99.61 of the Code of Miami-Dade County, Florida is hereby created as follows:

Sec. 33-284.99.61. Industrial uses disclosure.

(A) *Definitions.*

(1) *Affected land* for the purpose of this section means: any parcel of land that is zoned Palmer Lake Metropolitan Urban Center (PLMUC).

(2) *Interest in real property* means a nonleasehold, legal or equitable estate in land or any severable part thereof created by deed, contract, mortgage, easement, covenant, or other instrument.

(3) *Purchaser* means a buyer, transferee, grantee, donee, or other party acquiring an interest in real property.

(4) *Real property transaction* means the sale, grant, conveyance, mortgage, or transfer of an interest in real property.

(5) *Seller* means a transferor, grantor, donor, or other party conveying an interest in real property.

(B) *Disclosure statement for real property transactions involving Affected land.* The seller shall provide the purchaser with the following statement, which shall be set forth on a separate sheet of paper and shall be signed by the prospective purchaser prior to the execution of any other instrument committing the purchaser to acquire title to such real property or any other interest in any Affected land, as follows:

(1) For all Affected land, the statement shall include the following language:

LAND INVOLVED IN THIS TRANSACTION IS ZONED PALMER LAKE METROPOLITAN URBAN CENTER (PLMUC).

INDUSTRIAL ACTIVITIES WHICH MAY BE LAWFULLY CONDUCTED WITHIN THIS AREA INCLUDE BUT MAY NOT BE LIMITED TO: OPERATION OF MACHINERY; ENGINE BUILDING AND REPAIR; MARINE VESSEL BUILDING AND REBUILDING; FOOD PROCESSING; PROCESSING OF FREIGHT INCLUDING PACKING, CRATING, WAREHOUSING, AND DISTRIBUTION/RECEIVING; TRACTOR AND TRUCK TRAFFIC; THE GENERATION OF NOISE, ODORS, DUST AND FUMES ASSOCIATED WITH THE CONDUCT OF THE FOREGOING ACTIVITIES. THESE ACTIVITIES MAY OCCUR AT ANY TIME THROUGH THE DAY OR NIGHT.

I HEREBY CERTIFY THAT I HAVE READ AND UNDERSTAND THE FOREGOING STATEMENT.

_____ _____

Date Signature of Purchaser

(C) *Acknowledgment of industrial uses disclosure statement on instrument of conveyance*. It shall be the seller's responsibility that the following statement shall appear in a prominent location on the face of any instrument conveying title

to or any other interest in Affected land. The seller shall record the notarized statement with the Clerk of the Court:

I HEREBY CERTIFY THAT I HAVE READ, UNDERSTAND AND HAVE SIGNED THE INDUSTRIAL USES DISCLOSURE STATEMENT FOR THE SALE OF OR OTHER TRANSACTION INVOLVING THIS PARCEL OF AFFECTED LAND AS REQUIRED BY SECTION 33-284.99.61, CODE OF MIAMI-DADE COUNTY, FLORIDA.

_____ _____

Date Signature of Purchaser

(D) *Penalties*. Any seller who violates any provision of this section, or fails to comply therewith, or with any lawful rule, regulation or written order promulgated under this section, shall be subject to the penalties, civil liability, attorney's fees and enforcement proceedings set forth in Sections 33-39 through 33-39.3, Code of Miami-Dade County, Florida, and to such other penalties, sanctions and proceedings as may be provided by law. Miami-Dade County shall not be held liable for any damages or claims resulting from the seller's failure to comply with provisions of this section.

Section 8. Section 33-284.99.62 of the Code of Miami-Dade County, Florida is hereby created as follows:

Sec. 33-284.99.62. Review procedure.

(1) Projects following the provisions of this article and the Regulating Plans shall be processed and approved administratively. The Miami-Dade County Department of Regulatory and Economic Resources shall review the applications, including exhibits listed below, for completeness and compliance with the provisions of this article and the Regulating Plans. All complete submissions to the Department shall be reviewed and approved or denied within twenty-one (21) days from the date of submission of the completed application. The applicant shall have the right to extend the twenty-one (21) day period by an additional twenty-one (21) days upon timely request made in writing to the Department. The Department shall have the right to extend the twenty-one (21) day period by written notice to the applicant that additional information is needed to process the site plan. Denials shall be in writing and shall specifically set forth the grounds for the denial. Any final decision of the Director may be appealed in accordance with the public hearing procedure established in Article XXXVI of this Code and in accordance with the procedure established for appeals of administrative decisions.

(2) Exhibits prepared by design professionals such as architects and landscape architects shall be submitted to the Department and shall include, but not be limited, to the following:

(A) Site plan(s) including:

(1) Lot lines, building frontage zone and setbacks.

(2) Location, shape, size and height of existing and proposed building construction and landscaping.

(3) Location of on-street and off-street parking, loading facilities, waste collection areas, and all above ground utilities.

(4) Indication of signage.

(5) Indication of any site or building design methods used to conserve energy.

(6) Street type designations as per this Article.

(7) Indication of Sub-District boundaries as per this Article.

(B) Landscape plans including specification of plant material, location and size.

(C) 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 Article.

(D) Figures indicating the following:

(1) Gross and net acreage.

(2) Amount of landscaped open space in square feet and percentage required and provided.

(3) Total square footage of all land uses.

(4) Amount of building coverage at ground level in square feet and percentage.

(5) Total trees required and provided, indicating on site and off site contribution within the District.

(6) Parking required and provided.

(7) Total amount of paved area in square feet.

(8) Total number of dwelling units.

(9) Such other design data as may be needed to evaluate the project.

(3) In the case of multiple-phase development, each phase of the development, whether standing independently or in conjunction with existing developed or proposed future contiguous phases, shall meet all the requirements of this article. Notwithstanding the review procedure contained herein, all requests for the subdivision of property within the Palmer Lake Urban Center District shall have previously received site plan approval in accordance with the requirements of this section or Section 33-284.99.63 below.

Section 9. Section 33-284.99.63 of the Code of Miami-Dade County, Florida is hereby created as follows:

Sec. 33-284.99.63. Zoning hearing review.

Relief from the following requirements of this Article shall be permitted only pursuant to the standards and requirements of Section 33-311(A)(4)(a) of this chapter:

(1) Building frontage requirements.

(2) Storefront requirements.

(3) Habitable space requirements.

Section 10. Section 33-284.99.64 of the Code of Miami-Dade County, Florida is hereby created as follows:

Sec. 33-284.99.64. Nonconforming structures and uses.

Nonconforming uses and structures shall be governed by the provisions of Sec. 33-284.89.2 of this chapter.

Section 11. Section 33-284.99.65 of the Code of Miami-Dade County, Florida is hereby created as follows:

Sec. 33-284.99.65. Conflicts with other chapters and regulations.

When conflicts with other Zoning, Subdivision or the Landscape regulations occur, this article shall take precedence. Where conflicts occur with Miami-Dade Department of Public Works and Waste Management Manual of Public Works, unless otherwise

approved by the Director of the Public Works and Waste Management Department and the Director of the Department of Regulatory and Economic Resources, this article shall take precedence. Notwithstanding the foregoing, development in the Palmer Lake Metropolitan Urban Center District shall comply with the provisions of Article XXXVII - Miami International Airport (Wilcox Field) Zoning.

Section 12. Section 33-284.99.66 of the Code of Miami-Dade County, Florida is hereby created as follows:

Sec. 33-284.99.66. Legal Description and applicability.

A portion of Sections 28 and 29, Township 53 South, Range 41 East, Miami-Dade County, Florida; being more particularly described as follows:

BEGINNING AT A POINT being the intersection of NW 37th Avenue and NW 21st Street also being a point 436 feet north of the southwest corner of Section 28 Township 53 Range 41, thence west along the centerline of said NW 21st Street 720 feet to a point, thence north to a point being the southwest corner of TRACT F of MIAMI INTERMODAL CENTER (PB 168 PG 53), thence north 237.5 feet along the west line of said TRACT F to a point, thence east 55.92 feet east to a point being +/- 16 feet west of the southwest corner of TRACT D of MIAMI INTERMODAL CENTER (PB 168 PG 53), thence north along and parallel of the west line of said TRACT D to a point being +/- 7.5 ft west of the northwest corner of said TRACT D, thence +/- 83 feet northeasterly to a point being the southwest corner of TRACT J of MIAMI INTERMODAL CENTER (PB 168 PG 53), thence north 842 feet along the west line of said TRACT J to a point, thence west +/-59.5 feet to a point, thence northwesterly for a curvilinear distance of +/-923 feet along the north right of way line of the south wye track of the SEABOARD AIR LINE RAILROAD to a point, thence northeasterly for a curvilinear distance of +/-882 feet along the south right of way line of the north wye track of the SEABOARD AIR LINE RAILROAD to a point, thence north to +/-203 feet to a point being the intersection of the centerline of NW South River Drive and SEABOARD AIR LINE RAILROAD, thence northwesterly +/- 283 feet to a point being the intersection of NW 31st Street and NW South River Drive, thence northeasterly 255 feet to a point, thence meandering southeasterly 6,340 feet along the centerline of MIAMI CANAL to a point being the northeast corner of CANAL POINT (PB 30 PG 63), thence southeasterly 697 feet along the centerline of MIAMI CANAL to a point being 84 feet west of the southeast corner of the SW 1/4 of the SE 1/4 of the SE 1/4 of Section 28 Township 53 Range 41, thence west 2,055 feet along the south line of Section 28 Township 53 Range 41 to a point, thence north 47 feet to a point being southwest corner of LOT 486 of GRAPELAND HEIGHTS (PB 14 PG 63), thence north along the west line of said LOT 486 to a point being the northwest corner of said LOT 486, thence north 40 feet to a point being the centerline of TAMIAMI CANAL, thence meandering westerly +/-2,553 feet along the centerline of said TAMIAMI CANAL to a point being 191 feet north of the southwest corner of Section 28 Township 53 Range 41, thence north 245 feet along the west line of Section 28 Township 53 Range 41 to the POINT OF BEGINNING.

Full scale maps of the Palmer Lake Metropolitan Urban Center boundary are on file with the Department of Regulatory and Economic Resources.

No provision in this article shall be applicable to any property except lands lying within the boundaries of the Palmer Lake Metropolitan Urban Center as described herein. No property lying within the boundaries of the Palmer Lake Metropolitan Urban Center shall be entitled to the uses or subject to the regulations provided in this article until an application for a district boundary change to the Palmer Lake Metropolitan Urban Center has been heard and approved in accordance with the provisions of this chapter.

Section 13. Sec. 33-2 of the Code of Miami-Dade County, Florida, is hereby amended as follows: [2]

Sec. 33-2. - Districts enumerated.

For the purpose of this chapter, all the unincorporated area of the County is hereby divided into the following districts:

GU—Interim District

RU-1—Single-family Residential District

* * * *

OPD—Office Park District

ULU—Utility lines underground

>>PLMUC—Palmer Lake Metropolitan Urban Center<<

Section 14. Section 33-284.89.2 of the Code of Miami-Dade County, Florida is hereby amended as follows:

Sec. 33-284.89.2. Nonconforming Lots, Uses and Structures.

* * * *

[2] Words stricken through and/or [[double bracketed]] shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.

B. Nonconforming Lots, Uses and Structures

* * * *

3. Nonconforming Structures

* * * *

b. If a nonconforming structure is damaged by fire, flood, explosion, wind, war, riot or any other act of force majeure, repairs shall be subject to the following provisions:

i. If the repair/replacement cost is less than fifty (50) percent of the [[~~building's or property's assessed value~~]] >>value of the structure based upon the average of two (2) independent appraisals<<, the structure may be reconstructed up to the same building height and within the same building footprint existing prior to the damage, provided that an application for final building permit has been submitted within twelve (12) months of the date of such damage unless extended by the Board of County Commissioners.

ii. If the repair/replacement cost is equal to or exceeds fifty (50) percent of the building's [[~~or property's assessed value, whichever is greater~~]] >> value based upon the average of two (2) independent appraisals<<, the building and site improvements shall be brought into compliance with current regulations.

[[~~iii. For the purposes of this chapter, "assessed value" shall refer to the building or property value, whichever is greater, indicated on the most recent tax roll prior to renovation or damage.~~]]

[[~~iv.~~]]>>iii.<< Routine internal and external maintenance, repairs and material replacement such as re-roofing, painting, window or door replacement, mechanical equipment repair and replacement, plumbing and electrical maintenance, and similar repair, maintenance and replacements shall be permitted and shall not be subject to the requirements of this Article.

Section 15. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 16. It is the intention of this Board of County Commissioners, and is hereby ordained that the provisions of this ordinance shall become and made part of the Code of Miami-Dade County, Florida. The section of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article" or other appropriate word.

Section 17. This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

PASSED AND ADOPTED:

Approved by County Attorney as
to form and legal sufficiency:

Prepared by:

Dennis A. Kerbel