

MEMORANDUM

Agenda Item No. 7(A)

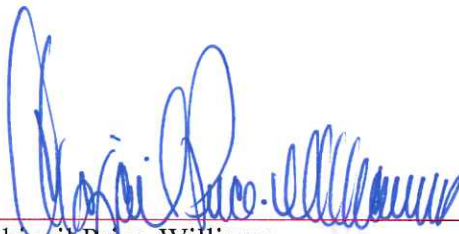
TO: Honorable Chairman Esteban L. Bovo, Jr.
and Members; Board of County Commissioners

(Second Reading 7-24-18)
DATE: June 19, 2018

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Ordinance relating to the fixed-guideway rapid transit system-development zone; amending section 33C-2 and creating section 33C-11 of the Code; providing for expansion of the Rapid Transit Zone and creating the government center subzone; providing uses, site plan review standards, and procedures for zoning approval in the subzone; amending definitions; amending section 33C-9; updating development parameters to address airport heights consistent with government center subzone; amending section 33-314; providing jurisdiction of the County Commission over zoning applications within government center subzone

The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Chairman Esteban L. Bovo, Jr.


Abigail Price-Williams
County Attorney

APW/cp

Date: July 24, 2018

To: Honorable Chairman Esteban L. Bovo, Jr.
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor



Subject: Expansion of the Fixed-Guideway Rapid Transit System Development Zone (RTZ) at Government Center – County Properties

Recommendation

It is recommended that the Board of County Commissioners (Board) adopt the attached ordinance expanding the County's Fixed-Guideway Rapid Transit System Development Zone (RTZ) in order to include County-owned properties located around the Government Center Metrorail/Metromover Station. In essence, the ordinance establishes the Government Center Subzone of the RTZ and the regulatory framework for properties located within its boundaries. The proposed ordinance also streamlines the final development approval process for properties within the RTZ in unincorporated Miami-Dade County and within the proposed Government Center Subzone.

Scope

County owned properties located around the Government Center Metrorail Station within the City of Miami and County Commission District 5.

Fiscal Impact/Funding Source

Approval of this item is not anticipated to create a fiscal impact to the County as the proposed expansion of the RTZ will not require additional staffing resources nor generate additional operational expenses.

Track Record/Monitor

Nathan Kogon, Assistant Director of the Development Services Division of the Miami-Dade County Department of Regulatory and Economic Resources.

Background

In 1978 the Board of County Commissioners (BCC) established the Fixed-Guideway Rapid Transit System – Development Zone, commonly known as the Rapid Transit Zone (RTZ). The RTZ consists of those lands occupied by the fixed-guideways, stations and surrounding areas under the County's planning, zoning and building jurisdiction. Except for recent expansions in the downtown (Brightline property) and Brickell area, lands within the RTZ are owned by Miami-Dade County.

The County owns significant amount of properties surrounding the Government Center Station, which were previously part of the now defunct Government Center Development of Regional Impact and are currently located outside of the RTZ. Said properties, including the Stephen P. Clark Government Center proper, are currently subject to the City of Miami's planning, zoning and building regulatory framework.

The proposed ordinance seeks to expand the boundaries of the RTZ at the Government Center Station, which currently consists of the station proper and the Brightline site, by establishing the Government Center Subzone (GCS), comprised of the County properties, and creating a corresponding regulatory framework. The latter was develop in accordance with the County's Comprehensive Development Master Plan's designation of the area as the County's only regional urban center and is consistent with the development standards previously approved by the BCC pertaining to the Brightline site and the

Honorable Chairman Esteban L. Bovo, Jr.
and Members, Board of County Commissioners
Page 2

Brickell subzone. Development of uses authorized in the Subzone will thereafter require a public hearing, either a zoning hearing or, for applicable projects, a standard governmental facilities hearing. The ordinance provides this Board with jurisdiction over those hearings.

The proposed expansion of the RTZ is in keeping with recent policy actions of this Board establishing the County's Transportation Infrastructure Improvement District (TIID) (Ordinance No. 18-8) and designating properties within the TIID as areas or facilities of Countywide Significance (Resolution No. R-460-18).

In addition to the establishment of the Government Center Subzone, the proposed ordinance also makes the airport height standard for the Brightline subzone consistent with the Government Center Subzone and with the recently adopted Brickell subzone. Lastly, the proposed ordinance provides for the preservation of development rights of historically designated properties within the GCS and enables the transfer of said rights to the extent permitted under the City of Miami's Historic Preservation Transfer of Development Rights program.



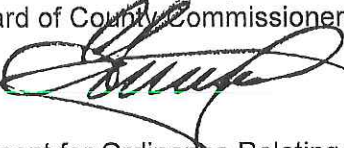
Jack Osterholt
Deputy Mayor

Memorandum

MIAMI-DADE
COUNTY

Date: July 24, 2018

To: Honorable Chairman Esteban L. Bovo, Jr.
and Members, Board of County Commissioners

From: Carlos A. Gimenez 
Mayor


Subject: Social Equity Statement for Ordinance Relating to the Fixed-Guideway Rapid Transit System-Development Zone- Government Center Subzone

The proposed ordinance relating to the Fixed-Guideway Rapid Transit System-Development Zone (RTZ) creates Section 33C-11 and amends Sections 33C-2, 33C-9 and 33-314 of the Code of Miami-Dade County (Code) providing for expansion of the rapid transit zone and creating the Government Center subzone to include County-owned properties located in the proximity of the Government Center Metrorail/ Metromover Station.

The proposed ordinance establishes the Government Center Subzone of the RTZ and the regulatory framework for properties located within its boundaries. The proposed ordinance also streamlines the development approval process for properties located within the RTZ in unincorporated Miami-Dade County and within the proposed Government Center Subzone.

These amendments to the Code would enable development/re-development of County owned properties adjacent to the rapid transit station, which in turn could result in additional housing and business opportunities. No other specific social equity or benefit can be determined at this time.

The proposed expansion of the RTZ furthers the County's policy of enabling more density and mix of uses to encourage the efficient use of resources and infrastructure as well as housing and business options.



Jack Osterholt
Deputy Mayor

181439

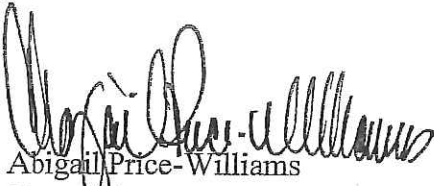


MEMORANDUM

(Revised)

TO: Honorable Chairman Esteban L. Bovo, Jr.
and Members, Board of County Commissioners

DATE: July 24, 2018

FROM: 
Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 7(A)

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
- Statement of social equity 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(A)
7-24-18

ORDINANCE NO. _____

ORDINANCE RELATING TO THE FIXED-GUIDEWAY RAPID TRANSIT SYSTEM-DEVELOPMENT ZONE; AMENDING SECTION 33C-2 AND CREATING SECTION 33C-11 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; PROVIDING FOR EXPANSION OF THE RAPID TRANSIT ZONE AND CREATING THE GOVERNMENT CENTER SUBZONE; PROVIDING USES, SITE PLAN REVIEW STANDARDS, AND PROCEDURES FOR ZONING APPROVAL IN THE SUBZONE; AMENDING DEFINITIONS; AMENDING SECTION 33C-9; UPDATING DEVELOPMENT PARAMETERS TO ADDRESS AIRPORT HEIGHTS CONSISTENT WITH GOVERNMENT CENTER SUBZONE; AMENDING SECTION 33-314; PROVIDING JURISDICTION OF THE COUNTY COMMISSION OVER ZONING APPLICATIONS WITHIN GOVERNMENT CENTER SUBZONE; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

WHEREAS, the Miami-Dade County Home Rule Charter grants to the County the power to carry on a central metropolitan government and to, among other things, provide for rail facilities and public transportation systems and prepare and enforce comprehensive plans for the development of the County; and

WHEREAS, the County's Comprehensive Development Master Plan (CDMP) calls for the coordination of land uses and transportation facilities to, among other things, attract transit ridership, produce short trips, and minimize transfers; and

WHEREAS, the CDMP goals, objectives, and policies seek to establish a more compact and efficient urban form within the Urban Development Boundary; and

WHEREAS, said urban form is primarily implemented through the development and redevelopment of properties along existing and planned transit corridors and designated urban centers that are planned and designed to promote transit-oriented development; and

WHEREAS, the CDMP designates the downtown Miami area as a Regional Urban Center, anchored by the Government Center Metrorail/Metromover Station; and

WHEREAS, the CDMP calls for the highest level of development density and intensity within the downtown Regional Urban Center; and

WHEREAS, maximum coordination of transportation and land use policy decisions is essential to optimize the role of transportation as a potent tool for implementing the desired patterns of metropolitan development consistent with the CDMP; and

WHEREAS, providing for increased density and transit-oriented development adjacent to the County's existing mass transit system will increase ridership on the County's public transportation system and further the health, safety, order, convenience, prosperity and welfare of the present and future citizens of the County; and

WHEREAS, in 1978, this Board created the Fixed-Guideway Rapid Transit System – Development Zone, commonly known as the Rapid Transit Zone (RTZ), which establishes the County's planning, zoning, and building jurisdiction over those lands occupied by the fixed guideways, stations, and surrounding areas; and

WHEREAS, most of the lands within the RTZ are owned by Miami-Dade County; and

WHEREAS, the County owns a significant amount of the properties surrounding the Government Center Station, which were previously part of the now-defunct Government Center Development of Regional Impact; and

WHEREAS, those County-owned properties, including the Stephen P. Clark Government Center, are currently located outside of the RTZ and are governed by the City of Miami's land use regulations; and

WHEREAS, this Board has previously expanded the boundaries of the RTZ to accommodate the redevelopment of properties adjacent to the Government Center, in the Downtown Intermodal District Corridor Sub-Zone, and of properties adjacent to the Brickell Metrorail Station, in the Brickell Station Subzone; and

WHEREAS, this Board seeks to expand the RTZ to include the Government Center and surrounding County-owned properties; and

WHEREAS, this proposed expansion of the RTZ is in keeping with this Board's recent actions establishing the County's Transportation Infrastructure Improvement District (TIID) (Ordinance No. 18-8) and designating properties within the TIID as areas or facilities of Countywide Significance (Resolution No. R-460-18), to further support the continued operation and expansion of a metropolitan transit system,

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

Section 1. The foregoing recitals are incorporated into this ordinance and are approved.

Section 2. Section 33C-2 of the Code of Miami-Dade County, Florida is hereby amended to read as follows:¹

Sec. 33C-2. Rapid Transit Zone.

- (A) *Definition* ~~shall take their commonly accepted meaning unless otherwise defined in chapters 18-A, 28, or 33. Terms requiring interpretation specific to this article are as follows:~~
~~(1)~~ The "Rapid Transit Zone" consists of all land area, including surface, subsurface, and appurtenant

¹ 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.

8

airspace, heretofore or hereafter designated by the Board of County Commissioners as necessary>>:<< for the construction of the fixed-guideway portion of the Stage I Rapid Transit System, including all station sites, parking areas and yard and maintenance shop facilities >>; or to support the continued operation and expansion of the metropolitan mass transit system.

- (2) The “Department” means the Miami-Dade County Department of Regulatory and Economic Resources or its successor department.
- (3) The “Director” means the Director of the Department, or the Director’s designee
- (4) The “DTPW” means the Miami-Dade County Department of Transportation of Public Works or its successor department
- (5) The “MDAD” means the Miami-Dade Aviation Department or its successor department<<.

(B) *Designation of lands included.* The Board of County Commissioners hereby designates all land areas (including surface, subsurface, and appurtenant airspace) shown on Exhibits 1 through 16, bearing the following effective dates: Exhibit 1, July 31, 1998, Exhibits 2 through 9 and Exhibits 11 through 16, July 13, 1979, Exhibit 10, May 26, 1983, Exhibit 17, February 13, 2014, ~~[[and]] Exhibit 18, [[insert effective date]]~~ >>June 15, 2018, and Exhibit 19, [insert effective date].<< certified by the Clerk of the Board as a portion of this chapter, incorporated hereby by reference, and transmitted to the custody of the Department of Regulatory and Economic Resources or its successor Department, as the Rapid Transit Zone for the Stage I Fixed - Guideway Rapid Transit System. The Director ~~[[of the Department of Regulatory and Economic Resources or its successor Department]]~~ shall submit to each affected municipality an official map or maps designating the Rapid Transit Zone which may from time to time be altered, enlarged, added to, amended or deleted by ordinance, after a public hearing within each municipality affected.

* * *

(D) *Uses.* No land, body of water, or structure shall be used or permitted to be used, and no structure shall be hereafter erected, constructed, reconstructed, moved, structurally altered, or maintained for any purpose in the Rapid Transit Zone, except as provided in this article.

* * *

(2) *Other uses; procedures for approval of such uses within the Rapid Transit Zone.* The following additional uses shall be permitted in conformance with the requirements set forth herein:

* * *

(e) *Process for City of Miami.*

* * *

>>(4) Government Center Subzone. Notwithstanding any other provision of this code to the contrary, all development within the Government Center Subzone shall be governed solely by section 33C-11.<<

* * *

Section 3. Section 33C-11 of the Code of Miami-Dade County, Florida is hereby created to read as follows:

>>**Sec. 33C-11. Government Center Subzone.**

(A) *Purpose and Intent.* The following development review standards and criteria shall govern all applications for development of properties located within the boundaries of the Government Center Subzone established in this section. The standards set forth herein further the unique land use characteristics of this area, which lies within the Downtown Regional Urban Center, as designated on the Land Use Plan Map of the CDMP, and within the City of Miami Urban Core, as defined in section 33-84. The CDMP calls for the

highest level of development density and intensity within the Regional Urban Center, which is anchored by the Government Center Metrorail/Metromover Station. These standards implement CDMP policies calling for coordination of land uses and transportation facilities to promote transit-oriented development, attract transit ridership, and establish a more compact and efficient urban form within the Urban Development Boundary in this high-density, high-intensity area.

(B) Boundaries. The Government Center Subzone of the Rapid Transit Zone is hereby established; the boundaries of the Subzone are identified in Exhibit 19 of section 33C-2(B). The legal description and a full-scale map of the boundaries are on file with the Department.

(C) Permitted Uses:

- (1) All uses allowed in sections 33C-2(D)(1).
- (2) The following categories of uses shall be permitted in the Subzone, either alone or as mixed uses in horizontal or vertical integration. "Vertical integration" means any combination of categories of uses in the same building. "Horizontal integration" means any combination of parcels or buildings and structures with different primary uses within the same development. Except where otherwise specified herein, the uses provided herein shall be as defined in section 33-284.83(B).
 - (a) Accommodation uses.
 - (b) General retail/personal service establishments.
 - (c) Professional business offices.
 - (d) Residential uses, including group residential homes subject to requirements for the MC category.
 - (e) Entertainment uses, except adult entertainment.
 - (f) Food/beverage establishments.
 - (g) Rental car facilities.
 - (h) Commercial parking garages and surface parking lots.
 - (i) Institutional uses, including civic uses, colleges and universities, child-care facilities, religious facilities, and schools (K-12).
 - (j) Health care services, except hospitals.

- (k) Public parks and open spaces.
- (l) Other similar uses, as determined by the Director.

(D) Development regulations. The following development regulations shall apply to all development within the sub-zone.

(1) Parking: The table below indicates minimum parking for each type of use.

Use	Minimum Parking Requirements
<u>General Retail/Personal Service, Entertainment, Food/Beverage Establishments, Convention Halls and Showrooms</u>	<u>1.8 spaces / 1000 SF</u>
<u>Professional Office, Institutional (except Convention Halls), Health Care Services</u>	<u>0.6 spaces / 1000 SF</u>
<u>Residential</u>	<u>0 spaces per unit</u>
<u>Accommodation</u>	<u>0.3 spaces / room</u>
<u>Transit systems, including Maintenance Facilities</u>	<u>0.6 spaces / 1000 SF (excluding platform)</u>
<u>Other Uses</u>	<u>50% of the required parking indicated in Section 33-124</u>

- (a) Parking Garages. To minimize adverse visual effects of the structure, multi-story parking garages facing public and private streets, rights-of-way, or public open space shall use screening methods, including, without limitation: liner buildings; glazing; building wall extensions; vertical planted walls; berms; landscaping; architectural fenestration; sculpture; design features; and/or other innovative screening methods.
- (b) Surface parking lots fronting streets shall be located a minimum of 10 feet from the right-of-way and screened at the 10-foot line with a wall having a maximum height of 3'6". The setback shall incorporate a combination of hard-scape and landscape elements finished to match the existing sidewalk.
- (c) Mechanized parking shall be allowed and, when provided, shall be exempt from the

12

provisions of section 33-122. For the purpose of this subzone, mechanized parking shall be defined as a mechanism with vertical and horizontal transport capability that provides for automobile storage and retrieval. A mechanized parking space shall be counted toward the parking requirements of this section. Mechanized parking may not be provided unless a queuing analysis is submitted and approved during the Administrative Site Plan Review process.

- (d) Required off-street parking for uses located within this Subzone may be located within one mile of the boundaries of the Subzone. An applicant for approval of development with off-site parking shall execute and record in the public records of this County a declaration of restrictions, approved by the Director, covenanting that such development shall cease and terminate upon the elimination of such parking area, and that no development requiring such parking shall be made of such property until the required parking area is available and provided.

(2) Setbacks, floor plate, and lot size:

- (a) Due to the unique characteristics associated with the high-density or high-intensity, mixed-use developments contemplated for this Subzone, there shall be no minimum setback from streets, interior/rear property lines, and park rights-of-way.
- (b) There shall be no maximum or minimum limitation on the size of a floor plate or minimum lot requirement.

(3) Encroachments:

- (a) Buildings and structures above the ground floor may be built above colonnades and/or encroach into street setbacks but shall not extend into the public or private right-of-way unless permitted by State law and approved by DTPW or by another governmental agency with authority over the right-of-way. It is provided, however, that, to the extent permitted by State law and subject to the

approval of the agency with authority over the right-of-way, and for the transportation purpose of providing a connecting pedestrian or vehicular corridor, the street may be covered above the first floor with publicly-accessible structures connecting buildings, including: platforms fitted with trains and passenger waiting areas; roofs; upper story terraces, pedestrian bridges, and automobile bridges between parking garages. Adequate clearance for structures above streets shall be maintained.

(b) Cantilevered balconies, awnings, weather protection elements and similar features with adequate vertical clearance may encroach into street rights-of-way but shall not extend closer than six inches from the curb face.

(4) Floor Area Ratio and lot coverage: The floor area ratio, lot coverage, and maximum square footage of buildings to be developed within the Subzone shall not be limited.

(5) Building Height: The maximum building height shall be the maximum allowed by MDAD in accordance with the zoning regulations for Miami International Airport provided in chapter 33.

(6) Open Space: The minimum open space requirement shall be 15 percent of the gross development area. Open space shall include parks, plazas, balconies, terraces, courtyards, arcades/colonnades, pedestrian paths, rooftop green spaces above buildings and parking garages, and transit platform areas improved for pedestrian comfort.

(7) Signs: Signs visible from public rights-of-way or public areas shall comply with section 33-284.87, except that Class C signs may be permitted in accordance with section 33-107, and a maximum of seven murals may be approved in this Subzone. The signage plan submitted with the application for site plan review shall contain categories, locations, and sizes of signs.

- (8) Density: Residential density shall not exceed 500 units per gross acre.
- (9) Architectural Expression: Building facades facing public and private street rights-of-way or public open space or both shall be a minimum 40 percent glazed. Glazing is not required for building facades that face the Metrorail or Metromover rights-of-way or for above-grade parking garage structures that face public and private street rights-of-way or public open space, provided that parking garages shall conform to the parking standards included herein. Blank walls facing public and private street rights-of-way and public open space shall be discouraged unless furnished with some type of artistic expression, such as sculpture, mosaic, or similar features.
- (10) Landscaping: Landscaping shall conform to the standards set forth in section 18A-6, as applicable to non-residential development, with the following exceptions:
- (a) A minimum of 30 trees per net acre of open space shall be provided. Trees may be placed in the lot, or in greens, squares, plazas and street medians within or in close proximity to this sub-zone. Lot trees shall have a minimum 2-inch diameter at breast height.
 - (b) Street trees shall be planted at a maximum of 30 feet average on center, with a minimum 3-inch diameter at breast height. Street trees shall be placed inside landscaped strips, tree planters, and in medians in the right-of-way or on private property where demonstrated to be necessary due to right-of-way obstructions, as determined by DTPW or other agency with jurisdiction.
- (11) Service areas and mechanical equipment: Service areas and fixtures shall be screened and located so as not to be visible from public and private rights-of-way or public open space. Mechanical equipment installed on roofs shall be screened from view by parapets or other architectural elements. 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 street setback area. Backflow preventers shall be shielded from view, as required by section 32-157(d).

(12) *Alcoholic Beverages:* The restrictions on premises used for the sale of alcoholic beverages set forth in chapter 33, article X regarding hours and days of sale, distance from other premises used for the sale of alcoholic beverages, and distance from schools or religious facilities shall not apply in this Subzone.

(E) *Historic Preservation – Transfer of Development Rights.* Properties within this Subzone that, prior to the effective date of this ordinance, were subject to the City of Miami’s zoning regulations and were eligible to apply for the City of Miami’s Transfer of Development Rights Program for Historic Properties may continue to avail themselves of the City’s program to transfer unused development rights, subject to the approval of the City of Miami pursuant to the requirements of that program.

(F) *Plan Review Standards.* These plan review standards are intended to: (i) encourage the creation of development within the Government Center Subzone, which acts as a significant gateway for, and destination to, the Miami-Dade Government Center area; and (ii) facilitate future growth in the Government Center Subzone by designing and arranging buildings, public open space, transit, and street circulation in a manner that fosters around-the-clock pedestrian activity, serves the local and regional transit demands of the community, and contributes to the urban revitalization of the downtown area.

(1) A mix of uses in the design of development projects is encouraged to the maximum extent possible. Mixed-use buildings, including, without limitation, residential, commercial, office, hotel, and restaurants, are highly encouraged in combination with transit and other governmental facilities.

(2) Developments shall provide direct pedestrian and vehicular connections to the adjacent block and street network. Pedestrian crosswalks providing safe passage from adjoining streets and blocks into the development project of the sub-zone shall be

installed at street corners and, if practicable, midblock locations. Crosswalks shall be distinguished from other street elements by the use of conspicuous materials, texture and color.

- (3) Public open space in the form of plazas, squares, greens, and landscaped areas shall be incorporated in the design of all development projects at grade or on above-grade surfaces. The public open spaces should have a scale that is compatible and complementary with the intensity of proposed development, and their design should relate to the development's concept. Landscaping, furniture, art, paved pedestrian paths, and lighting, among other features, should be used to enhance the open spaces pedestrian experience.
- (4) Consideration should be given to providing landscaping in a manner that reduces the heat island effect of the development on the urban environment.
- (5) All new development shall strive to meet certification standards from Florida Green Building Coalition or a similar organization.
- (6) Developments shall be designed with a coordinated outdoor lighting and signage system that is an integral part of the project and compatible and harmonious with existing and proposed development in the sub-zone and with surrounding uses. Signage should clearly indicate locations of, and guide pedestrians and vehicles to, proposed parking areas, transit facilities, permitted uses, and surrounding activities and uses.
- (7) Proposed building scale should be in harmony with building scales allowed by applicable City of Miami regulations for surrounding properties. Buildings and their landscapes shall be built to the sidewalk edge in a manner that frames the adjacent street to create public space in the street corridor that is comfortable and interesting, as well as safe for pedestrians. Architectural elements at street level shall have abundant fenestration, windows and doors and design elements that create interest for the pedestrian.

(8) Proposed development in the Subzone shall provide connections via bridges, paths, sidewalks, or a combination of such features to adjacent or nearby Metrorail and Metromover systems.

(G) Review and approval process: Notwithstanding any other provisions in this chapter, the review procedure for development within the Government Center Subzone shall be as follows:

(1) Initial Review.

(a) Pre-application Conference. The applicant shall participate in at least one pre-application conference coordinated by the Department with the participation of the members of the Developmental Impact Committee as provided in section 33-303.1(A)(1) to (9) (the “DIC Lower Council”).

(b) Following the pre-application conference, the uses enumerated in section 33C-2(D)(1), and civic uses permitted under subsection 33C-11(C)(2) that are governmental facilities as defined in section 33-303(b)(1), may be approved in accordance with the procedures for approval of governmental facilities set forth in section 33-303.

(c) Application for public hearing. Following the pre-application conference, a request to approve development of the uses enumerated in subsection 33C-11(C)(2) within the Government Center Subzone, except civic uses to the extent provided above, shall be made by filing an application with the Department in accordance with the provisions of section 33-304. Said application shall be considered a special exception for a general development plan to be considered and acted upon directly by the Board of County Commissioners pursuant to the development regulations established in this section. Applications shall be subject to

the procedures set forth in chapter 33, article XXXVI.

(b) Required exhibits. The following exhibits shall be submitted with the application:

(i) Written exhibits: a narrative describing the properties to be included within the site plan, vision statement, consistency with the intent and purpose of these regulations, statement of conformance with the these regulations, overall size and location, relevance to the region, connection to the surrounding urban context and rapid transit system, economic impact on the local economy, and any additional information necessary to explain the development.

(ii) Graphic exhibits: a plan depicting the properties to be included in the subzone, the roadway network surrounding the properties, the pedestrian connections to the Government Center Metrorail Station, size and folio of each property, and any additional information specified at the pre-application conference to evaluate the character and impact of the proposed development.

(2) Final Review - Administrative Site Plan Review. Following initial review in accordance with the provisions above, final review for all or a portion of the development within this Subzone shall be considered administratively by the Department through an application for administrative site plan review ("ASPR") in accordance with the following procedure:

(a) The Department shall review plans, including the exhibits listed below, for completeness and compliance with the applicable provisions of this chapter and for compliance with the site plan review criteria provided herein.

- (b) Additionally, all applications shall be reviewed by the County departments that comprise the Lower Council DIC and other relevant County entities for potential impacts on infrastructure and other services resulting from the application. If the application indicates impacts on services and infrastructure provided by any of the foregoing, the applicant shall meet with the affected department or entity to discuss potential mitigation of the impacts and shall submit evidence to the Department of such discussion.
- (c) The Director shall issue a final decision within 21 days of the date of submission of the completed application. The applicant shall have the right to extend the 21-day period by an additional 21 days upon request made in writing to the Department. The Department shall have the right to extend the 21-day period by written notice to the applicant that additional information is needed. Denials shall be in writing and shall specifically set forth the grounds for the denial.
- (d) Any final decision of the Director may be appealed in accordance with section 33-314 pertaining to appeals of administrative decisions.
- (e) Required Exhibits. The following exhibits must be included with an application. Exhibits shall be prepared by registered architects and landscape architects and shall include the information set forth below. It is provided, however, that the Director may waive any of the items required because of the nature or timing of the development or because the information cannot reasonably be furnished at the time of review.
 - (i) Dimensioned site plans indicating, as a minimum, the following information:
 - (a) Lot lines and setbacks;
 - (b) Location, shape, size and height of existing and proposed buildings,

structures, open spaces/recreational facilities and other physical features that are proposed;

- (c) Floor Area Ratio;
 - (d) Total square footage for each use by type, as applicable (i.e. residential uses, office uses), and total number of residential units;
 - (e) Existing and proposed fences, walls, architectural accents, or street furniture, if applicable, and building exterior finish material;
 - (f) Landscape plans, including total number of trees required and provided, specifications of species of plant material, location, and size in accordance with this section and chapter 18A;
 - (g) Vehicular and pedestrian circulation systems including connections to existing or proposed roadway and sidewalk system;
 - (h) Location of on-street and off-street parking, including total number of parking spaces required and provided;
 - (i) Location of loading facilities;
 - (j) Location of space for storage and collection of solid waste and recyclable material;
 - (k) Proposed grades if significantly altered;
 - (l) Location of backflow prevention devices and connections;
 - (m) Indication of any site design methods used to conserve energy;
 - (n) Existing and proposed signs, and locations of advertising or graphic features, if applicable;
 - (o) Sketches of design elements to be used for buffering surrounding uses, if applicable; and
 - (p) Development phase lines.
- (ii) Floor plans and elevations of all structures and other major design

elements, providing isometrics or perspectives And, for residential uses, floor plans and elevations for typical units.

(H) Platting. Separate parcels located within the Subzone and made subject to a unity of title or covenant in lieu of unity of title in accordance with section 33-257 shall not be deemed a subdivision and shall be exempt from the platting requirements of chapter 28.

(I) Conflicts. The development review procedures, standards, and criteria set forth in this section shall govern in the event of conflicts with other zoning, subdivision, or landscape regulations of this code or with the Miami-Dade County Public Works Manual.<<

Section 4. Section 33C-9 of the Code of Miami-Dade County, Florida is hereby amended

to read as follows:

Sec. 33C-9. - Downtown Intermodal District Corridor Sub-Zone.

* * *

(F) Final Review.

* * *

(5) Building Height: The maximum building height shall be ~~[[limited by FAA criteria]]~~ >>the maximum allowed by MDAD in accordance with the zoning regulations for Miami International Airport provided in chapter 33<<.

* * *

Section 5. Section 33-314 of the Code of Miami-Dade County, Florida is hereby amended to read as follows:

Sec. 33-314. Direct applications and appeals to the County Commission.

* * *

(C) The County Commission shall have jurisdiction to directly hear other applications as follows:

* * *

>>(20) Applications for special exception for a general site development plan within the Government Center Subzone of the Rapid Transit Zone, pursuant to section 33C-11.<<

* * *

Section 6. 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 7. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any sunset provision, shall become and be made a part of the Code of Miami-Dade County, Florida. The sections 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 8. 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:

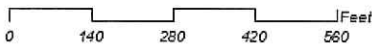
Prepared by:

Dennis A. Kerbel
James Eddie Kirtley

Handwritten signature in blue ink that reads "APW" above a horizontal line, and below the line, the words "FOR DAK" are written in a smaller, less legible script.

Prime Sponsor: Chairman Esteban L. Bovo, Jr.

EXHIBIT 19



25