

MEMORANDUM

ICI
Agenda Item No. 1G8

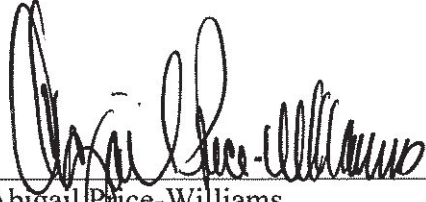
TO: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

DATE: December 10, 2019

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Ordinance relating to zoning;
creating section 33-284.63.2
of the Code; creating the
"Palmetto Transit Sub-District"
within the Downtown Kendall
Urban Center District;
establishing review standards
and regulations related to
development in the Palmetto
Transit Sub-District

The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Xavier L. Suarez.



Abigail Price-Williams
County Attorney

APW/smm

Memorandum



Date: January 22, 2020

To: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

A handwritten signature in black ink, appearing to read "Carlos A. Gimenez". The signature is written in a cursive style and is positioned to the right of the printed name.

Subject: Fiscal Impact Statement for Ordinance Relating to Zoning; Palmetto Transit Sub-District

The implementation of this ordinance will not have a fiscal impact to Miami-Dade County as the proposed changes would not require additional staffing resources or operational costs.

A handwritten signature in black ink, appearing to read "Jack Osterholt". The signature is written in a cursive style and is positioned above a horizontal line.

for

Jack Osterholt
Deputy Mayor

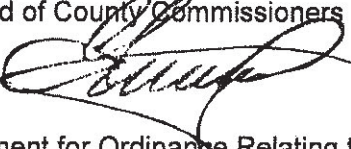
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Memorandum

MIAMI-DADE
COUNTY

Date: January 22, 2020

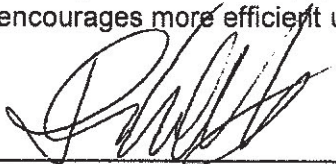
To: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

From: Carlos A. Gimenez 
Mayor

Subject: Social Equity Statement for Ordinance Relating to Zoning Creating the "Palmetto
Transit Sub-District" within the Downtown Kendall Urban Center Zoning District

The proposed ordinance relating to zoning creates Section 33-284.63.2 of the Code of Miami-Dade County (Code) creating the "Palmetto Transit Sub-District" within the Downtown Kendall Urban Center Zoning District.

The proposed ordinance furthers the County's policy of enabling more density and mix of uses along the County's premium transit corridors and in the vicinity of Metrorail stations (Urban Center and Mixed-Use policies of the Comprehensive Development Master Plan). Developments resulting from the implementation of the proposed ordinance are intended to provide an integration of uses that encourages more efficient use of resources and infrastructure, including transportation and housing.



Jack Osterholt
Deputy Mayor

192730



MEMORANDUM

(Revised)

TO: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

DATE: January 22, 2020

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No.

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 present ____, 2/3 membership ____, 3/5's ____, unanimous ____, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) ____, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) ____, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) ____) 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. 4(E)

ORDINANCE NO. _____

ORDINANCE RELATING TO ZONING; CREATING SECTION 33-284.63.2 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; CREATING THE “PALMETTO TRANSIT SUB-DISTRICT” WITHIN THE DOWNTOWN KENDALL URBAN CENTER DISTRICT; ESTABLISHING REVIEW STANDARDS AND REGULATIONS RELATED TO DEVELOPMENT IN THE PALMETTO TRANSIT SUB-DISTRICT; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

WHEREAS, the County’s Comprehensive Development Master Plan (CDMP) designates the area surrounding Dadeland North and South Metrorail Stations as the Downtown Kendall Metropolitan Urban Center (“DKUCD”); and

WHEREAS, the CDMP provides that urban centers are intended to be moderate-to-high-intensity design unified areas containing a concentration of different urban functions integrated both horizontally and vertically; and

WHEREAS, the CDMP further states that diversified urban centers are encouraged to become hubs for future urban development intensification in the County around which a more compact and efficient urban structure will evolve; and

WHEREAS, the DKUCD regulations were originally adopted in 1999; and

WHEREAS, on January 23, 2018, this Board adopted Ordinance No. 18-05 revising the regulating plans of the DKUCD to provide for intensification of certain parcels in the vicinity of the Dadeland South Metrorail Station along the west side of U.S. 1; and

WHEREAS, said intensification was consistent with CDMP policy and interpretative text revisions established after the initial adoption of the DKUCD regulations; and

WHEREAS, this ordinance expands on Ordinance No. 18-05 and addresses a triangle of properties, bounded by the Palmetto Expressway Ramp/SR 826 on the west, the Palmetto Expressway/SR 826 Extension Ramp on the east, and the South Dade Transitway Corridor on the south; and

WHEREAS, facilitating increased density in the DKUCD, as set forth in this ordinance, furthers the County's goals and policies pertaining to urban development centered around transit corridors in a pedestrian-friendly environment; and

WHEREAS, this ordinance furthers such goals and policies by providing for increased density in the DKUCD and providing greater flexibility for the development there, while also facilitating walkability and connectivity with public transit; and

WHEREAS, accordingly, this Board wishes to expand the DKUCD regulations to achieve these aims in the manner more particularly set forth herein,

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

Section 1. Section 33-284.63.2 of the Code of Miami-Dade County, Florida, is hereby created to read as follows:¹

Sec. 33-284.63.2. – Palmetto Transit Sub-District.

Notwithstanding the provisions of sections 33-284.62 and 33-284.63, property within the Palmetto Transit Sub-district may be developed in compliance with the following provisions. Development undertaken pursuant to the following provisions shall be subject exclusively to those provisions and not to any of the provision or requirements of sections 33-284.62 or 33-284.63.

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.

The Palmetto Transit Sub-District shall be bounded by the Palmetto Expressway Ramp to the west, the Palmetto Expressway Extension Ramp to the east, and the South Dade Transitway Corridor to the south.

(A) *General Requirements.* All new development and redevelopment shall comply with the following parameters irrespective of Sub-District and frontage categories:

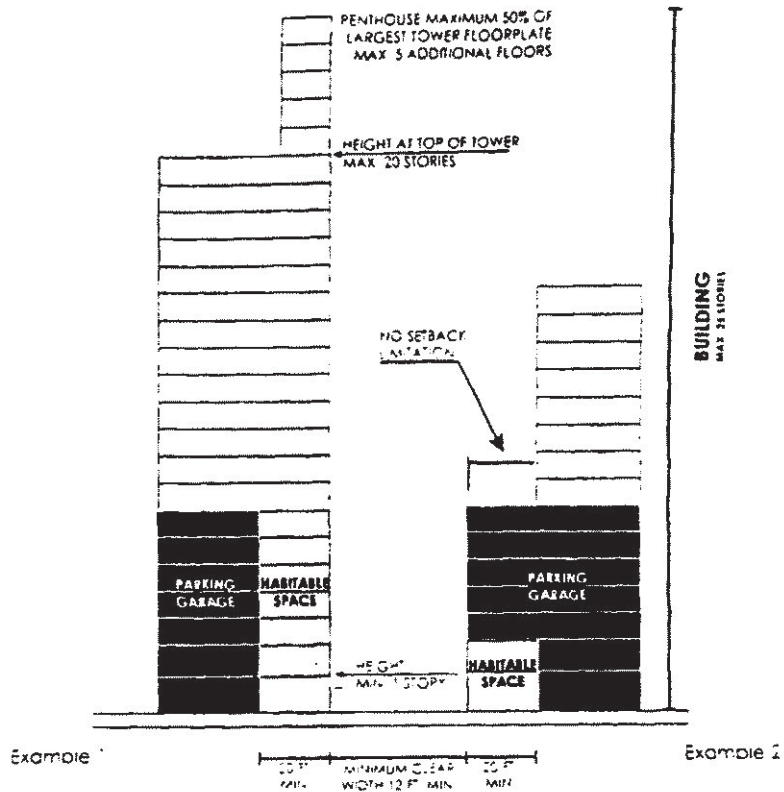
(1) *Permitted Uses.* All business and civic uses permitted in the BU-1, BU-1A, BU-2 Districts, and the following:

- (a) Residential uses shall not require public hearing.
- (b) The following BU-3 uses shall be permitted:
 - (i) Bakeries, retail and wholesale.
 - (ii) Locksmith shops.
 - (iii) Secondhand stores.
 - (iv) Television and broadcasting stations.
 - (v) Other similar uses as approved by the Director.
- (c) Outside food sales and services including, but not limited to, outdoor dining, cart vendors, and merchandise displays shall not require public hearing.
- (d) Drive-in services shall be concealed from streets by buildings or garden walls.
- (e) The provisions of section 33-150(A) and (B) of this Code regarding alcoholic beverages shall not apply.

(B) *Development parameters.*

(1) *Placement Diagrams.* The following diagram identifies design parameters specifically for the Palmetto Transit Sub-district and “C” Street frontage type situations:

Palmetto Transit Sub-District – “C” Street



<p>Building Height</p>	<p>Maximum height: 25 stories. A story shall be measured from floor to ceiling, with a minimum clearance of eight feet and a maximum clearance of 16 feet. In the event that the clearance in any story is greater than 16 feet, it shall be counted as more than one story.</p>
<p>Lots and Buildings</p>	<p>Maximum tower floorplates shall be 30,000 square feet or 30 percent of the net lot area, whichever is greater. Cantilever balconies 10 feet or less in depth shall not be counted towards the maximum tower floorplate area.</p>
<p>Building Placement</p>	<p>Setbacks—Zero foot minimum setback on all sides for pedestal, tower and penthouse.</p>
	<p>Spacing—Notwithstanding setbacks, a minimum clear width of 12 feet is required between buildings. For vehicular access, a minimum clear width of 16 feet is required.</p>

	Overhead Cover—A maximum of 50 percent of the street may be covered above the first floor with structures connecting buildings including habitable space, roofs, upper story terraces, pedestrian bridges, automobile bridges between parking garages or parking garages.
Streetwalls	Vehicular Entries—Allowed. Each entry may be up to 33 feet wide, with a minimum interval of 60 feet of habitable space between each vehicular entry along street frontage.
	Habitable Space—20 foot minimum depth along street frontage for first two stories.
	Expression Line—None required.
Off-Street Parking	Street Level—20 foot minimum setback from pedestal's build-to line.
	Other Levels—No setback required from pedestal's build-to line.

- (C) *Open space.* Open space shall be provided as follows:
 - (1) Open space shall be any exterior surface areas consisting of designated open space or private open space. A minimum of 15 percent of net lot area shall be provided for open space. Designated open space may count toward open space.
 - (2) Open space may include outdoor at-grade or rooftop space accessible to the public all or most of the time, including parks, plazas, squares, colonnades, courtyard gardens, paseos, and pedestrian paths and/or associated ornamental or shading landscaped areas.
- (D) *Landscape.* All landscaping shall be provided in accordance with chapter 18A, provided, however, that:
 - (1) The minimum number of required trees per acre of net lot area shall be 16 trees;
 - (2) The Director may authorize up to 50 percent of the required lot trees to be provided within a three-mile radius at: public parks; or along transit or transportation corridors, as defined in the CDMP;
 - (3) Required lots trees may be provided as rooftop trees.
- (E) *Street trees.* Street trees shall be placed along “C” streets at a maximum average spacing of 20 feet on center. Street trees shall have a minimum caliper of six inches and shall have a minimum clear trunk of eight feet at the time of planting.

Palms may be used as street trees. Street trees are not required when colonnades are provided along the street or when obstructing a safe sight distance triangle.

- (F) *Parking.* Parking shall be provided as per section 33-124, except as follows:
- (1) In the Palmetto Transit Sub-District, for all single use projects, the minimum parking permitted shall be:
 - (a) Residential—One parking space per dwelling unit.
 - (b) Office—One parking space per 400 square feet of gross floor area.
 - (c) Hotel—One parking space for every two guest rooms.
 - (d) Retail—One parking space per 500 square feet of gross floor area.
 - (e) Restaurant, Pub, and Bar—One parking space per 100 square feet of patron area.
 - (2) Required parking for mixed-use projects shall be calculated by applying the Urban Land Institute Shared Parking Methodology, on file with the Director, to the parking standards above. Required parking shall fulfill between 90 percent and 110 percent of the calculated requirement.
 - (3) Off-street parking areas shall be located on the same lot, parcel or premises as the use to be served. Alternatively, off-street parking may be on a lot or parcel of land that is in the Downtown Kendall Urban Center District and is within 300 feet from the site of such use to be served; provided such use shall immediately terminate in the event such parking area therefor is not available. If off-street parking is being used within the DKUCD, all those having any right, title or interest in and to such property site 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) No minimum parking shall be required for parcels located within 500 feet of a rapid-rail transit station. For parcels located within ¼ mile and ½ mile from a rapid rail transit station, minimum required parking shall be 50 percent and 30 percent, respectively.
 - (5) Bicycle racks shall be provided on all sites in accordance with section 33-122.3.
 - (6) Drop-off drives and porte cocheres may front onto “C” and “D” streets and alleys.

- (7) Loading and service entries shall be allowed on street frontage.
- (8) Mechanized parking shall be allowed. For the purpose of this section, mechanized parking shall be defined as a mechanism with vertical and horizontal transport capability that provides for automobile storage and retrieval. Mechanized parking may be counted as a parking space required per this section provided that:
 - (a) A queuing analysis is submitted and approved during the Administrative Site Plan and Architectural Review.
 - (b) Mechanized parking shall be located within an enclosed building or garage and shall be screened along all frontages, except along a service road or a pedestrian passage.
- (G) *Walls, Fences, and Hedges.*
 - (1) Walls, fences, and hedges may be placed inside of and within the required setback.
 - (2) Walls, fences, and hedges shall not exceed 96 inches in height.
- (H) *Parking garages.*
 - (1) Parking garages shall have architectural expression facing public streets and open spaces consistent and harmonious with that of habitable space. Architectural expression shall include balconies, glazing, awnings, or other similar architectural elements.
 - (2) Ramps should be internalized wherever possible.
 - (3) For the exposed top level of parking structures, a minimum of 50 percent of the area shall be covered with shade-producing structures, such as a vined pergola or retractable canvas shade structure; in connection with residential or office uses, shading may also be provided by a landscaped roof terrace or amenity area.
 - (4) All garage lighting installations shall be designed to minimize direct spillage, sky glow, and hazardous interference with pedestrian and 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.
- (I) *Plan review standards for the Palmetto Transit Sub-district.*
 - (1) The purpose of the plan review is to encourage logic, imagination and variety in the design process and thereby insure the congruity of the proposed development and its compatibility with the surrounding area. The Department shall review plans for compliance

with zoning regulations and for compliance with the site plan review criteria contained herein. The decision of the Department in relation to the plan review criteria may be appealed by the applicant to the Board of County Commissioners within 30 days of the date the project was denied approval in writing. Such appeals shall be in accordance with section 33-309. All final plans submitted for building permits shall be substantially in compliance with the plans approved under the plan review procedure herein established.

- (2) Exhibits that the applicant shall submit to the Department shall include, but not be limited to, the following:
 - (a) Schematic and fully dimensioned site plan including the following information:
 - (i) Lot lines and setbacks.
 - (ii) Location, shape, size, height and use of all existing and proposed buildings.
 - (iii) Location of decorative walls, entrance features and signage.
 - (iv) Location of landscaping, if any.
 - (v) Location of surface parking.
 - (vi) Location of outdoor lighting.
 - (vii) Location of loading facilities, waste collection areas and other service areas.
 - (viii) Location of internal drives, including ingress and egress drives to existing or proposed roadway and sidewalk systems.
 - (ix) Location of pedestrian access points, including connections to existing or proposed bridges, roadways, or sidewalk areas.
 - (b) Floor plans and elevations of all structures, including total gross square footage of each floor, the floor area ratio of each building and the total floor area ratio.
 - (c) Figures indicating the following:
 - (i) Gross and net acreage.
 - (ii) Amount of building coverage at ground level in square feet.
 - (iii) Total trees and shrubs, if any, percentage of landscaping and type of plant material.
 - (iv) Location and number of parking spaces, if any, parking layout and total amount of paved areas in square feet.

- (v) Such other design data as may be needed to evaluate the project.
- (3) The following checklist of criteria shall be utilized by the Department in the review process:
 - (a) Circulation. Pedestrian and auto circulation at ground level shall be separated insofar as is practicable, and all circulation systems shall adequately serve the needs of the development and be compatible and functional with circulation systems outside the development.
 - (b) Signs and outdoor lighting. All signs and outdoor lighting shall be designed as an integral part of and be harmonious with the building design and the surrounding landscape.
 - (c) Service areas. Service areas shall be screened and so located as not to be visible from view unless located in an alley, service drive, or at the rear of a building.
 - (d) Roof installations and facilities. All permitted installations housing mechanical equipment located on the roof shall be screened from ground view at the level at which the installations are located, and shall be designed as an integral part of and be harmonious with the building design.
 - (e) Outdoor furniture and graphics. All outdoor furniture and graphics shall be designed as an integral part of the overall design of the project.

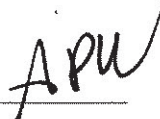
Section 2. If any section, sentence, clause, or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 3. 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 4. 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:



Lauren E. Morse

Prime Sponsor: Commissioner Xavier L. Suarez