

# MEMORANDUM

Agenda Item No. 7(C)

**TO:** Honorable Chairman Oliver G. Gilbert, III  
and Members, Board of County Commissioners

**DATE:** April 4, 2023

**FROM:** Geri Bonzon-Keenan  
County Attorney

**SUBJECT:** Ordinance relating to zoning in the unincorporated area; amending section 33-284.62 of the Code; revising Downtown Kendall Urban Center zoning district regulations pertaining to building height in the center subdistrict along E streets

**This item was amended at the 3-15-23 Transportation, Mobility and Planning Committee meeting to allow the portion of the building identified as the tower to be up to a maximum of 17 stories, with conforming changes to the building placement diagram.**

**Rule 5.06(h) of the Board's Rules of Procedure provides that where double underlining and double strike-through would not clearly show the differences between an original item and a committee amendment, comments may instead be provided. Pursuant to this rule, the preceding description of the differences between the original item and the committee amendment is provided in lieu of double underlining and double strike-through for this item.**

The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Raquel A. Regalado.

  
Geri Bonzon-Keenan  
County Attorney

GBK/ks

MDC001

# Memorandum



**Date:** April 4, 2023

**To:** Honorable Chairman Oliver G. Gilbert III  
and Members, Board of County Commissioners

**From:** Daniella Levine Cava  
Mayor

A handwritten signature in blue ink that reads "Daniella Levine Cava". The signature is written in a cursive style and is positioned to the right of the printed name and title.

**Subject:** Fiscal Impact Statement for Ordinance Relating to Zoning – Downtown Kendall Urban Center Zoning

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The implementation of this ordinance will not have a fiscal impact to Miami-Dade County, it changes certain building heights in the Downtown Kendall Metropolitan Urban Center Sub-District - "E" Street.

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Jimmy Morales  
Chief Operations Officer

# Memorandum



**Date:** April 4, 2023

**To:** Honorable Chairman Oliver G. Gilbert, III  
and Members, Board of County Commissioners


**From:** Daniella Levine Cava   
Mayor

**Subject:** Social Equity Statement for Ordinance Amending Downtown Kendall Urban  
Center Zoning District Regulations

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The proposed ordinance amends Section 33-284.62 of the Code of Miami-Dade County pertaining to the Downtown Kendall Urban Center (DKUC) Zoning District regulations. More specifically, the proposed ordinance revises provisions relating to development that is in the “Center” Sub-District and located along type “E” streets. The DKUC district regulates development through the use of specific sub-districts and street types; the various combination of these establishes the urban character of the district with each requiring different building features, setbacks, number of stories, and streetscape elements. The amendment proposed would permit buildings in the “Center” and along “E” streets to have a “penthouse” of three stories for a total building height of up to twenty-three stories where eighteen stories is currently permitted. This is compatible with other areas in the DKUC district where buildings of twenty-five stories are already permitted.

The proposed ordinance furthers the County’s policies that require higher-density development to occur along transit corridors; the areas affected are mainly located adjacent to the existing Metrorail guideway and South Miami-Dade Transitway. As there are existing buildings of a similar height in close proximity to the areas where the additional building height is to be permitted, there is not anticipated to be any change in the character of the area different from redevelopment that has already occurred since the implementation of the DKUC district in 1999. Furthermore, an analysis of shadows cast from buildings with the increased height indicate that surrounding residential neighborhoods to the south and east are not impacted.

  
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Jimmy Morales  
Chief Operations Officer

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**MEMORANDUM**  
(Revised)

**TO:** Honorable Chairman Oliver G. Gilbert, III  
and Members, Board of County Commissioners

**DATE:** April 4, 2023

**FROM:**   
Gen Bonzon-Keenan  
County Attorney

**SUBJECT:** Agenda Item No. 7(C)

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. 7(C)  
4-4-23

ORDINANCE NO. \_\_\_\_\_

ORDINANCE RELATING TO ZONING IN THE UNINCORPORATED AREA; AMENDING SECTION 33-284.62 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; REVISING DOWNTOWN KENDALL URBAN CENTER ZONING DISTRICT REGULATIONS PERTAINING TO BUILDING HEIGHT IN THE CENTER SUBDISTRICT ALONG E STREETS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

**WHEREAS**, the County’s Comprehensive Development Master Plan (CDMP) designates the area surrounding the Dadeland North and South Metrorail Stations as the Downtown Kendall Metropolitan Urban Center (“DKUCD”), which calls for development as a diversified urban center that is to become a hub for future urban development intensification in a more compact and efficient urban form; and

**WHEREAS**, the CDMP also designates the DKUCD as a “regional activity center” pursuant to chapter 380, Florida Statutes, which further encourages higher development intensities; and

**WHEREAS**, the CDMP encourages increased density and intensity around rapid transit station sites, and the DKUCD’s Core subdistrict, which is closest to the Dadeland South Metrorail Station, accordingly provides for very intense mixed uses; and

**WHEREAS**, the Core subdistrict allows buildings along A, B, C, D, E, and F streets to develop up to 25 stories, but E streets along the Center subdistrict are limited to 15 stories, despite the E Street in the Center area being US 1 and in close proximity to the Metrorail station; and

**WHEREAS**, this Board wishes to allow buildings up to 23 stories along E streets within the Center subdistrict, and to provide additional flexibility for development of parking garages within the height of such buildings under certain conditions,

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

**Section 1.** The foregoing recitals are incorporated as if set forth herein and are approved.

**Section 2.** Section 33-284.62 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:<sup>1</sup>

**Sec. 33-284.62. Development parameters.**

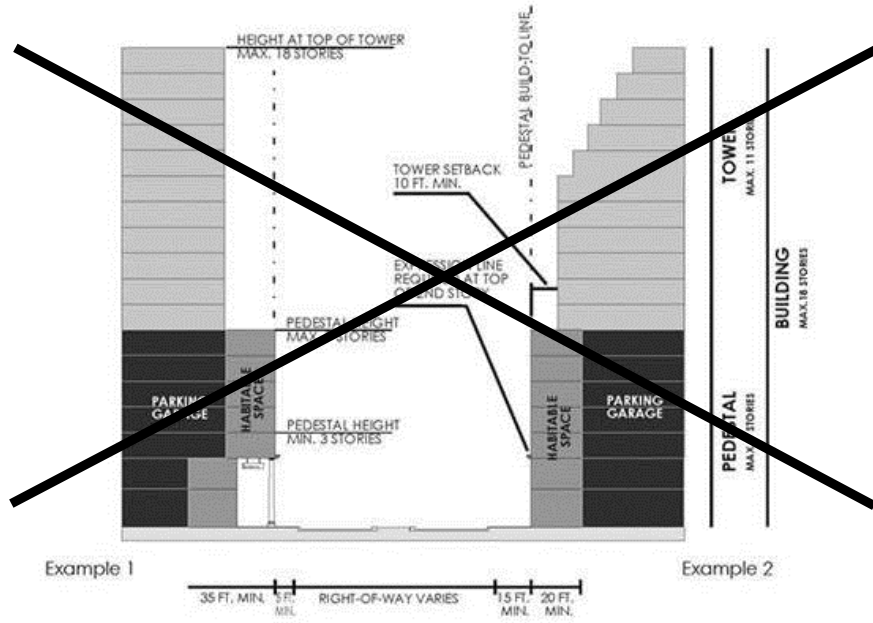
- (A) Placement Diagrams. The following diagrams in this section identify design parameters specifically for the fourteen (14) sub-district and frontage type situations:

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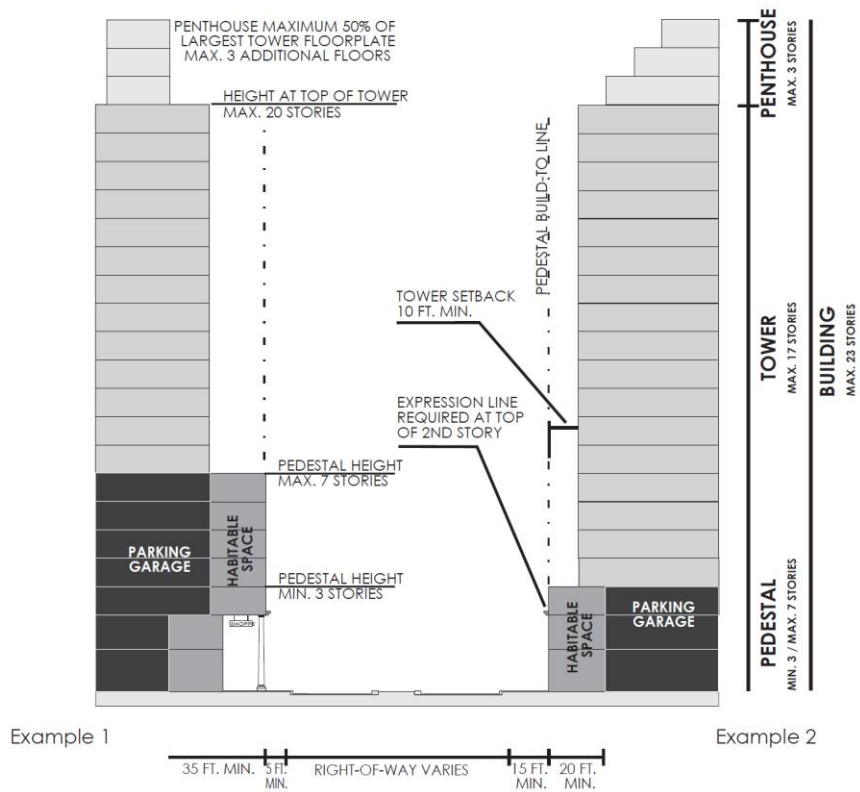
<sup>1</sup> Words stricken through and/or [[double bracketed]] shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.

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Center Sub-District—"E" Street

Building Height	Pedestal—At street front, 3 stories minimum/7 stories maximum. Tower— <del>15</del> >>17<< stories maximum. Combined pedestal >>1<< <del>and</del> tower >>, and penthouse<< height may not exceed <del>18</del> >>23<< stories. >>Penthouse—Three (3) stories maximum. Floorplate maximum is fifty (50) percent of largest tower floorplate below.<<
Building Placement	Front—Build-to-line 15 feet minimum from right-of-way for pedestal; when a colonnade is provided, a 5-foot minimum setback from the right-of-way shall be permitted; and for tower, 25 feet minimum setback from right-of-way when the build-to line is at 15 feet, or 15 feet minimum setback from right-of-way when the build-to line is 5 feet.
	Interior Side/Rear—No minimum setback for pedestal and tower.
	Abutting Non-Designated Street—Same as Front.
	Frontage Length—Minimum 50 percent of lot width.
Streetwalls	Vehicular Entries—Allowed. Each entry may be up to 66 feet wide, with a minimum interval of 70 feet for "E" streets and up to 33 feet wide, with a minimum interval of 70 feet between each vehicular entry along frontage for abutting non-designated streets.
	Habitable Space—20 foot depth minimum for first story and entire length of pedestal.
	Expression Lines—Required at the top of the second story.
Off-Street Parking	Colonnade Level—When provided, 20 foot minimum setback from interior wall of colonnade.
	All Building Levels—20 foot minimum setback from pedestal's build-to line.
Pedestrian Connection	Parcels south of South Datan Drive shall provide a 10 foot wide pedestrian walkway or colonnade or property that is located in such a manner as to encourage pedestrian access to the Metrorail station.

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**Section 3.** 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 4.** 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 5.** 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:

GKS for GBK

Prepared by:

A handwritten signature in black ink, appearing to be 'JMK', written over a horizontal line.

Lauren E. Morse  
James Eddie Kirtley  
Dennis A. Kerbel

Prime Sponsor: Commissioner Raquel A. Regalado