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OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

Memorandum

MIAMI-DADE COUNTY

Amended
Agenda Item No. 7(G)

Date: March 4, 2008

To: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

From: George M. Burgess
County Manager

Subject: Zoning ordinance amending Section 33C of the Code of Miami-Dade County, Florida in connection with the approval process for Metrorail station sites within the City of Miami.

O#08-28

This item was considered at the February 12, 2008 Government Operations and Environment Committee and amended to revise the development parameters to only require 12.5% workforce housing units, setbacks for non-residential uses, clarifies details of building heights, revises screening requirements for parking structures, and clarifies the notice requirements for the Rapid Transit Developmental Committee. Further, the item was also considered at the February 13, 2008 Transit Committee and further amended to remove a reference to Metropolitan Urban Centers (as there are none in the City of Miami) and to clarify the number of floors for each level in the definition of building height. All differences between the first reading item and the current item are indicated with a double underline.

Recommendation

It is recommended that the Board adopt the attached proposed zoning ordinance amending Section 33C of the Code of Miami-Dade County, Florida in connection with the approval process for Metrorail station sites within the City of Miami.

Scope

This ordinance affects property within Districts 3, 5 and 7.

Fiscal Impact/Funding Source

This ordinance should have no adverse fiscal impact to the County. The ordinance will facilitate transit oriented development and will therefore promote better land use around transit stations and more effective and efficient transit service. The ordinance will also allow for faster and well planned development to occur on transit properties and will result in direct payments to the County in the form of long term lease revenues or sale of transit properties.

Track Record/Monitor

N/A.

Background

Pursuant to Chapter 33C of the Code of Miami-Dade County (the Code), the Rapid Transit Zone for the Metrorail Transit System is established. These lands include all surface, subsurface, and appurtenant airspace and include all station sites, parking areas and yard and maintenance shops facilities. Jurisdiction for all of the station sites is vested in Miami-Dade County regardless of municipal code, charter, or ordinance provisions to the contrary.

The amendments proposed in this ordinance shall only apply to all stations within the City of Miami to be developed as follows: Coconut Grove, Douglas Road (the portion that is not

covered by standards established for the Water & Sewer property), Brickell, Culmer, and the Civic Center.

The amendments to Section 33C of the Code proposed in this ordinance shall not apply to those Metrorail stations with established development standards (the Existing Stations.) These stations include the following: – Dadeland North, Dadeland South, South Miami, a portion of Douglas Road Station (Water & Sewer facilities building has established standards), Vizcaya, Government Center, Overtown, Santa Clara, Allapattah, Brownsville, Martin Luther King, Northside, Okeechobee nor to those stations to be developed that are not located within the City of Miami.

Each Existing Station was approved for development through a process that entailed the development of separate master development standards for each station that were, when located in a municipality, sent to the municipality where the station is located for approval. Once the standards were approved by the municipality or the Board of County Commissioners when located in unincorporated Miami-Dade, a site plan was reviewed and approved by the Board of County Commissioners (BCC). The master development standards for the Existing Stations were created by the Rapid Transit Developmental Impact Committee (RTDIC) through a hearing of the RTDIC. The standards were then heard and approved by the municipality where the station is located. If approved by the municipality by ordinance a site plan was proffered by the developer and the RTDIC made a recommendation to the BCC to be heard and approved by the BCC as a special exception.

Currently, when uses authorized by Chapter 33C are proposed within municipalities, the RTDIC is charged with preparing proposed master plan development standards. These standards are then submitted to the appropriate municipality for review and adoption as the Master Land Use Plan for such uses. Once adopted, said land use plans control all public actions involving or affecting land use or development. For those standards approved prior to September 30, 2003 a site plan is submitted and considered for approval by the RTDIC. These site plan approval decisions are appealable to the Board of County Commissioners (BCC). Site plan approval for stations approved by the municipalities subsequent to September 30, 2003 are submitted and considered for approval as a special exception by the BCC.

Section 33C-3 establishes the RTDIC which consists of an Assistant County Manager, the Fire Chief, and 5 Department Directors from the Water and Sewer Dept., DERM, Public Works, Planning and Zoning, and MPO along with 2 representatives from each of the following municipalities: City of Miami, City of Coral Gables, City of Hialeah and the City of South Miami.

Procedure

All stations to be developed not located in the City of Miami shall be approved through the same process currently in place as outlined above. This proposed Ordinance creates Master Development Standards for the remaining Metrorail station sites located within the City of Miami. These standards will not be forwarded to the City for adoption; however, the City of Miami will be consulted prior to final adoption of the standards by the Board and will have an opportunity to provide input. A Request for Proposals (RFP) will be generated for each specific site. Proposals for development will be evaluated taking into account the specific requirements within the particular RFP and the overall Master Development

Standards. With this new process the site plan will be considered for approval by the RTDIC.

Attachments

Alex Muñoz
Assistant County Manager

MEMORANDUM

(Revised)

TO: Honorable Chairman Bruno A. Barreiro and Members, Board of County Commissioners

DATE: March 4, 2008

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

SUBJECT: Amended Agenda Item No. 7(G)

Please note any items checked.

_____ "4-Day Rule" ("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

_____ Bid waiver requiring County Manager's written recommendation

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

_____ Housekeeping item (no policy decision required)

_____ No committee review

Approved _____ Mayor

Veto _____

Override _____

Amended

Agenda Item No. 7(G)

3-4-08

ORDINANCE NO. **08-28**

ORDINANCE PERTAINING TO FIXED-GUIDEWAY RAPID TRANSIT SYSTEM DEVELOPMENT ZONE; AMENDING SECTION 33C-2 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA PERTAINING TO RAPID TRANSIT ZONE PERMITTED USES; AMENDING SECTION 33C-4 PERTAINING TO RAPID TRANSIT DEVELOPMENTAL IMPACT ZONE; CREATING SECTION 33C-8 PERTAINING TO RAPID TRANSIT ZONE DISTRICT REGULATIONS FOR NON-METRORAIL DEVELOPMENT WITHIN THE CITY OF MIAMI; 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 33C-2 of the Code of Miami-Dade County is hereby amended as follows:[1]

Sec. 33C-2. Rapid Transit Zone.

* *

(D) *Permitted land uses.* The following land uses are permitted within the Rapid Transit Zone and no others:

* *

(9)(a) Such other uses, including commercial, office and residential uses, as may be appropriate to and compatible with the operation of the Rapid Transit System and the convenience of the ridership thereof.

(b) Subzones; development regulations, standards and criteria. In the unincorporated areas of the Rapid Transit Zone, subzones shall be created by separate ordinances which shall become part of this chapter. Said ordinances shall identify the boundaries of the individual subzones and shall establish development regulations and site plan review standards and criteria for those land uses permitted pursuant to subsection (9)(a) herein and approved pursuant to subsection (9)(c) herein.

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[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.

(c) Requests for approval of development of those land uses permitted pursuant to subsection (9)(a) herein within a subzone created pursuant to subsection (9)(b) herein shall be made by filing an application in accordance with the provisions of Section 33-304. Said application shall be considered a special exception for site plan approval to be considered and acted upon directly by the Board of County Commissioners pursuant to the criteria established in Section 33-311(d) and the provisions of the applicable subzone.

(d) Whenever uses authorized by subparagraph (a) above are proposed within portions of the Rapid Transit Zone passing through municipalities, the Station Area Design and Development Program process, a joint municipal-County program >>administered through the Rapid Transit Developmental Impact Committee<<, shall prepare proposed master plan development standards for such proposed uses. Such proposed master plan development standards shall be submitted to the appropriate municipality for review and adoption as the Master Land Use Plan for such uses. Once adopted, said land use plans shall control all public actions involving or affecting land use or development, including action on applications for zoning relief. Amendments to said Master Land Use Plans shall be subject to the procedures specified in this subparagraph. Applications for a site plan approval and other related zoning actions under a Master Land Use Plan that was approved by a municipality on or before September 30, 2003, shall be considered by the Rapid Transit Developmental Impact Committee under the standards and requirements established by such plan, upon receipt of the recommendations of the Department of Planning and Zoning and the Miami-Dade Transit Agency. Decisions of the Rapid Transit Developmental Impact Committee upon such applications shall be subject to appeal to the Board of County Commissioners in accordance with the requirements of Section 33-314, Miami-Dade County Code. It shall be the duty of the Clerk of the Board of County Commissioners to immediately transmit to the relevant municipality a certified copy of the Rapid Transit Developmental Impact Committee's and the County Commission's actions in regard to the uses provided for in this subsection. >> An aggrieved party<< [[~~The municipality~~]] may seek judicial review of the County Commission's action in accordance with Section 33-316, Miami-Dade County Code.

>>(e) After March 15, 2008, 2008 (the effective date of this ordinance), whenever uses authorized by subparagraph (a) above are proposed within portions of the Rapid Transit Zone located within the City of Miami not yet subject to an approved set of development standards, the master plan development standards set forth in section 33C-8 herein shall control such proposed uses Said land use plans shall control all public actions involving or affecting land use or

development, including action on applications for zoning relief. Amendments to said Master Land Use Plans shall be subject to the procedures specified in this subparagraph. Applications for site plan approval and other related zoning actions under a Master Land Use Plan shall be considered by the Rapid Transit Developmental Impact Committee under the standards and requirements established by such plan, upon receipt of the recommendations of the Department of Planning and Zoning and the Miami-Dade Transit Agency. Decisions of the Rapid Transit Developmental Impact Committee upon such applications shall be subject to appeal to the Board of County Commissioners in accordance with the requirements of Section 33-314, Miami-Dade County Code. It shall be the duty of the Clerk of the Board of County Commissioners to immediately transmit to the City of Miami, a certified copy of the decision of the Rapid Transit Developmental Impact Committee and the actions of the Board of County Commissioner in regard to the uses provided for in this subsection. An aggrieved party may seek judicial review of the County Commission's action in accordance with Section 33-316, Miami-Dade County Code.<<

[[(e)]] >>(f)<< The uses provided in this subsection shall, where applicable, be subject to municipal ordinances relating to occupational license taxes, and such taxes be and they are hereby expressly reserved to such municipalities.

Section 2. Section 33C-4 of the Code of Miami-Dade County is hereby amended as follows:

Sec. 33C-4. Rapid Transit Developmental Impact Zone.

The Rapid Transit Developmental Impact Zone consists of those lands in such close proximity to the Rapid Transit System as to have a significant impact thereon. The Station Area Design and Development >>(SADD)<< Program (authorized by Miami-Dade County Resolution No. R-829-77), a joint municipal-County program>>, administered through the Rapid Transit Development Impact Committee,<< shall prepare proposed development standards for the Rapid Transit Developmental Impact Zone >>for those stations not subject to Section 33C-2(D)(9)(e)<<. Such proposed development standards shall be submitted to the Rapid Transit Developmental Impact Committee established by Section 33C-3 of this chapter for review, comment and any recommendations. The Rapid Transit Developmental Impact Committee report, including the proposed development standards, shall be submitted to the appropriate municipality or, in the unincorporated areas, to the County for review and adoption as the land use plan for developments within the Rapid Transit Developmental Impact Zone. >>The foregoing notwithstanding, after completion of the initial task by the SADD Program, for those stations not subject to Section 33C-2(D)(9)(e) the Rapid

Transit Development Impact Committee shall prepare all future development standards for the Rapid Transit Development Impact Zone for review and adoption by the Board of County Commissioners if located in unincorporated Miami-Dade County or the appropriate municipality if located in incorporated Miami-Dade County<< Once adopted, said land use plans shall control all public actions involving or affecting land use or development, including action on applications for zoning relief, within the Rapid Transit Developmental Impact Zone. Amendments to said land use plans shall be subject to the procedures specified in this section. The County may seek judicial review of any official municipal acts relating to lands within the Rapid Transit Developmental Impact Zone.

>>Notwithstanding anything to the contrary herein, mailed notice of hearings before the Rapid Transit Developmental Impact Committee pursuant to Section 33-2(D)(9)(e) shall be provided in the same manner as hearings on applications filed before the Community Zoning Appeals Board pursuant to Section 33-310(d)(3) for the special exceptions expressly enumerated in that subsection. Mailed notice of the hearings shall also be provided simultaneously to the municipality in which the application site is located. Applications shall comply with the procedural requirements of Section 33-304. <<

Section 3. Section 33C-8 of the Code of Miami-Dade County is hereby created as follows:

>>Sec. 33C-8. Rapid transit zone district regulations for non-Metrorail development within the City of Miami.

(A) Purpose and intent. The purpose of these development standards is to provide guidelines governing the use, site design, building mass, parking, and circulation for all non-Metrorail development in the Rapid Transit Zone within the City of Miami with the intent of fulfilling the goals, objectives and policies of the County's Comprehensive Development Master Plan urban center text. Unless specified to the contrary, the Rapid Transit Zone District Regulations supersede all conflicting requirements in Chapter 33 and Chapter 18A of the Code of Miami-Dade County.

(B) Definitions. Terms used in this section shall take their commonly accepted meaning unless otherwise defined in Chapter 33 or Chapter 28 of the Code of Miami-Dade County, or already defined herein. Terms requiring interpretation specific to this section are as follows:

(1) *arcade/colonnade*: A roofed structure, extending over the sidewalk, open to the street except for supporting columns and piers. An arcade/colonnade's depth shall be measured from face of column to face of building. In Metropolitan Urban Centers colonnade depth shall

be a minimum of 15' and in Community Urban Centers colonnade depth shall be a minimum of 10'.

(2) *block*: A combination of contiguous building lots, the perimeter of which abuts rights-of-way, drives, or an open space.

(3) *build-to-line*: A line parallel to the block face, along which a building shall be built.

(4) *building height*: A limit to the vertical extent of a building measured in stories above grade, not including chimneys, antennas, elevator shafts, mechanical rooms or other non-habitable areas.

(5) *f.a.r.*: The floor area of the building or buildings, excluding parking structures, on any lot divided by the area of the site.

(6) *habitable space*: Building space whose use involves human presence. Habitable space shall not include areas devoted to the parking of vehicles in parking garage structures, self-service storage facilities, or warehouses.

(7) *live-work unit*: A mixed-use building type with one single-family residential dwelling located above one work space.

(8) *open space*: An outdoor, at grade space which is accessible to the public all or most of the time, including parks, plazas, squares, colonnades, greens, promenades, pedestrian paths and/or associated ornamental or shaded landscaped areas.

(9) *penthouse*: In a Community Urban Center , the 2 top stories (top 5 stories with Gold LEED certification; top 3 stories with Silver LEED Certification) of a building with a floorplate area less that that of the tower below. In a Metropolitan Community Urban Center, the 5 top (7 top stories for Gold LEED Certification; 6 top stories for Silver LEED Certification) stories of a building with a floorplate area less that that of the tower below

(10) *pedestal*: In a Community Urban Center, the bottom 5 story (7 story with Gold LEED Certification; 6 story with Silver LEED certification) portion of a building that creates the street frontage. In a Metropolitan Urban Center, the bottom 7 story (11 story with Gold LEED Certification; 8 story with Silver LEED Certification) portion of a building that creates the street frontage.

(11) *plaza*: An open space fronted by retail and office uses. A minimum of 50% and a maximum of 75% of the plaza's area, exclusive of dedicated rights-of-way and drives, shall be hard-surfaced. Landscaping shall consist primarily of hard-surfaced areas,

permanent architecture or water-oriented features, and trees that are placed in an orderly fashion and that are regularly spaced.

(12) *square*: An outdoor open space that shall be flanked by streets or drives on at least 3 sides and shall not be hard-surfaced for more than 50% of the area exclusive of dedicated rights-of-way. Landscaping shall consist primarily of hard-surfaced walks, lawns, and trees that are placed in an orderly fashion and that are regularly spaced.

(13) *story*: An enclosed floor level within a building containing habitable space.

(14) *tower*: In a Community Urban Center, the middle 8 story (13 story with Gold LEED certification; 11 story with Silver LEED Certification) portion of a building above the pedestal and below the penthouse. In a Metropolitan Urban Center, the middle 13 story (22 story with Gold LEED Certification; 16 story with Silver LEED Certification) portion of a building above the pedestal and below the penthouse.

(15) *workforce housing unit or WHU*: a dwelling unit, the sale, rental or pricing of which, in accordance with this article, is restricted to households whose income is within the workforce housing target income range.

(16) *workforce housing target income range*: households whose income range is established at 65% up to 140% of the most recent median family income for the County reported by the U.S. Department of Housing and Urban Development as maintained by the Department of Planning and Zoning.

(C) Development Parameters. The following parameters shall apply to Rapid Transit Zone Station development provided such uses are compatible with transit uses and operations as determined by the Miami-Dade Transit Agency:

(1) Permitted Uses. A minimum of two of the following uses shall be included in all Rapid Transit Zone Station development:

(a) Business and civic uses allowed in the BU-1, BU-1A and BU-2 zoning districts. Drive-thru services are permitted and shall be concealed from the adjoining street network.

(i) Outside food sales and services including but not limited to outdoor-dining, cart vendors, and merchandise displays.

(ii) The provisions of Section 33-150(A) and (B) of the Zoning Code regarding alcoholic beverage uses shall not apply.

(b) Residential uses. All residential or mixed-use developments, including those which obtained LEED or similar organization certification, located within any of the Rapid Transit Zone. with more than 4 residential units, shall provide a minimum of 12.5% of their units as work force housing units.

(c) Housing for the elderly.

(2) Setbacks. The setbacks for Rapid Transit Zone station development shall be as follows:

(a) Pedestal build-to-line from streets and drives: 0' when colonnade is provided in all urban centers; 15' in Metropolitan Urban Centers when colonnade is not provided, 10' in Community Urban Centers when colonnade is not provided. The build-to-line setback shall be hard surfaced and finished to match the adjoining sidewalk when a colonnade is not provided.

Tower build-to-line from streets and drives: minimum 10' when colonnade is provided in all urban centers; minimum 25' in Metropolitan Urban Centers when colonnade is not provided, minimum 20' in Community Urban Centers when colonnade is not provided. The build-to-line setback shall be hard surfaced and finished to match the adjoining sidewalk when a colonnade is not provided.

Penthouse build-to-line from streets and drives: for up to a minimum of 50% of the building frontage, minimum 20' when colonnade is provided in all urban centers; minimum 35' in Metropolitan Urban Centers when colonnade is not provided, minimum 30' in Community Urban Centers when colonnade is not provided. The build-to-line setback shall be hard surfaced and finished to match the adjoining sidewalk when a colonnade is not provided.

When non residential uses are located across the street from single family zoned property, the build-to-line shall be 30' for the pedestal, except 20' if colonnade is provided, a minimum of 40' for the tower and a minimum of 50' for the penthouse.

(b) Interior side: 0' in all urban centers, except 30' minimum for all portions of the building including parking structures when adjacent to single family residential zoned districts.

(c) Rear side: 0' minimum in all urban centers including the metrorail station guideway, except 30' minimum for all portions of the building including parking structures when adjacent to single family residential zoned districts

(3) Floor Area Ratio (f.a.r.). The floor area ratio for Rapid Transit Zone station development shall be as follows:

(a) Community Urban Centers (; Civic Center Station; Coconut Grove Station; Culmer Station; the undeveloped portion of Douglas Road Station) shall have a minimum f.a.r. of 1.5.

(4) Density. The maximum densities for Rapid Transit Zone station development shall be as follows:

(a) Metropolitan Urban Centers: 250 units per net acre.
(b) Community Urban Centers: 125 units per net acre.

A 25% density bonus above the listed maximum urban center densities is permitted for residential rapid transit developments being designed for and having registered for certification for a Gold certification rating from LEED (Leadership in Energy and Environmental Design) or a similar organization accredited by the U.S. Green Building Council (USGBC). Residential developments being designed and having registered for certification for a Silver certification rating from LEED or a similar organization accredited by the U.S. Green Building Council (USGC) is permitted a density bonus of 12.5% above the listed maximum urban center densities.

(5) Building Heights. The maximum building heights for all Rapid Transit Zone station development shall be as follows:

(a) Metropolitan Urban Centers: 25 stories (maximum – 7 stories pedestal, 13 stories tower, 5 stories penthouse)
(b) Community Urban Centers: 15 stories (maximum – 5 stories pedestal, 8 stories tower, 2 stories penthouse)
(c) The maximum building height for the Coconut Grove station shall be 250" provided the development is designed and has registered for certification for a Silver certification rating from LEED or a similar organization accredited by the U.S. Green Building Council (USGC).

All rapid transit development having being designed and having registered for a certification rating from LEED or a similar organization accredited by the USBG is permitted an increase in the number of allowable stories as follows:

(a) Metropolitan Urban Centers: ; a total of 30 stories (maximum – 8 stories pedestal, 16 stories tower, 6 stories penthouse) with Silver Certification; 40 stories (maximum – 11 stories pedestal, 22 stories tower, 7 stories penthouse) with Gold Certification

(b) Community Urban Centers: ;a total of 20 stories (maximum – 6 stories pedestal, 11 stories tower, 3 stories penthouse) with Silver Certification; 25 stories (maximum – 7 stories pedestal, 13 stories tower, 5 stories penthouse) with Gold Certification

Each story shall have a maximum height of 16', as measured from floor to floor, except that a single story may have a maximum height of 30', provided no mezzanine area exceeds 10% of the floor area of that story. Any height above 16' shall count as an additional story.

(6) Building Frontage: 80% minimum at build-to-line for all Rapid Transit Zone station developments. Habitable space is required along the entire ground floor portion of all buildings including parking garages.

(7) Parking. The minimum parking requirements for all Rapid Transit Zone station development shall be provided as specified in Section 33-124 of the Zoning Code, except as follows:

(a) Residential – 1 parking space for 1-bedroom units; 1.5 parking spaces for 2-bedroom units; 1.75 parking spaces for 3 or more bedroom units; and 0.5 parking spaces for housing for the elderly.
(b) Workforce housing units – Workforce housing units may reduce the parking requirements of this section by 0.25 spaces/unit.
(c) Retail – 1 parking space for each 250 square feet of gross floor area.
(d) Restaurants – 1 parking space for each 50 square feet of patron area.
(e) Office – 1 parking space for each 400 square feet of gross floor area.
(f) Hotel –1 parking space for first 40 guest rooms and one additional space for every 2 guest rooms or suites thereafter.
(g) Live-work units – residential component: 2 spaces per unit. workshop component: 1 space for 325 square feet of workshop area.
(h) The minimum combined parking requirement for mixed-use development shall be as follows:

Size of Parcel (sq. ft.)	Percentage of parking required as otherwise provided in this section
0 to 15,000	60%
15,001 to 30,000	70%
30,000 or more	80%

Multi-story parking garage structures shall be screened along all frontages (streets and common open spaces), except along a service road or a pedestrian passage, by a liner building containing

a minimum depth of 20' of habitable space. Parking garages shall have all architectural expression facing public open space consistent and harmonious with that of habitable space.

Surface parking shall be located a minimum of 20' from property lines. Streetwalls and/or habitable space shall be built at the frontage line or at the build-to-line to screen parking from view.

(8) Encroachments. Awnings, balconies, roof eaves, signs, porches, stoops and ramps may encroach into setbacks. Awnings, balconies, roof eaves and signs may encroach into rights-of-way; however, they shall not extend a distance closer than 6" from the curb face. All right-of-way encroachments shall be a minimum of 132" above the sidewalk. Encroachments shall not be taller than the building or pedestal, whichever is lower. Cantilevers and mouldings shall not exceed 3' in extension beyond the vertical wall surface, unless visibly supported by brackets or other supports.

(9) Building Facades.

(a) Building streetwall surfaces shall be a minimum 30% glazed. Mirror-type glass shall not be allowed. All glazing shall be of a type that permits view of human activities and spaces within. The first floor streetwall shall be a minimum 30% glazed. Glazing shall be clear or very lightly tinted for the first 5 stories, except where used for screening garages where it may be translucent.

(b) Security screens and gates shall be a minimum 50% transparent.

(c) Colonnade column spacing, windows, and doors shall have a vertical proportion.

(10) Open Space. A minimum of 15% of the lot area shall be reserved for open space in the form of greens, squares, plazas, parks, promenades and pedestrian paths. It shall be at grade level and it shall be accessible to the public. Arcades/colonnades shall count towards meeting the minimum open space requirements. Parking lot buffers shall not count towards the open space requirement.

(11) Landscape. Landscape shall be provided in accordance with Chapter 18A (Landscape Code) of Miami-Dade County with the following exceptions:

(a) Street trees shall be placed along all streets at an average spacing of 25' on center with a minimum 4" diameter at breast height.

(b) Street trees shall not be required when colonnades are being provided along the street.

(c) Tree requirements for private property shall be based on 16 trees per net acre of lot area.

(12) Pedestrian Passage. A pedestrian passage shall be required every 400 linear feet of street frontage to allow public access through the site. The passage shall be minimum unobstructed 8' wide.

(D) Site Plan Review Standards and Criteria. The purpose of the site plan review is to encourage logic, imagination, and variety in the design process in an attempt to ensure congruity of the proposed development and its compatibility with the surrounding area. The following site plan review standards shall be utilized as a guide by the Miami-Dade Rapid Transit Developmental Impact Committee, the Miami-Dade Department of Planning and Zoning, and by the Board of County Commissioners in the consideration for site plan approval for all Rapid Transit Zone stations: All development in the Rapid Transit Zone shall be designed to contribute to the creation of a high-quality pedestrian environment within the zone and along its perimeter and provide direct logistical connections between the transit station and the adjacent neighborhood.

(1) Design considerations shall include: the placement, orientation and scale of buildings and building elements particularly at street level, sidewalks and connections, and provisions of weather protection, landscape, and lighting.

(2) The architectural design and scale of any proposed structure shall be compatible with surrounding existing or proposed uses or shall be made compatible by the use of screening elements. Screening elements can include such devices as trees and shrubs, walls and fencing, berming or any combination of these elements. Visual buffering shall be provided between parking and service areas and adjacent uses.

(3) All buildings shall have their main entrance opening to a street or meaningful open space from such as squares, parks, greens, plazas and promenades. In addition, there shall be pedestrian entrances at maximum intervals of 75' along the street.

(4) Building placement shall architecturally define transit station entrance plazas, fare collection areas, and platforms. Habitable space shall front entrance plazas, fare collection areas, and platforms to promote pedestrian activity between the development and the transit station.

(5) Colonnade column spacing and fenestration (doors, windows, openings) shall have a vertical proportion.

(6) All developments shall have sidewalks or pedestrian paths a minimum 8' wide providing pedestrian linkages between the transit station and

anticipated destinations in the Rapid Transit Zone and the adjacent neighborhoods.

(7) Buildings and their pedestrian accommodations, landscapes and parking facilities shall be oriented and arranged towards the street, contribute to spatial enclosure of street space in and around the Sub-zone, blocks and pedestrian pathways in the Rapid Transit Zone, and shall produce coherent, direct connections within the site and to the adjacent streets, sidewalks and paths.

(8) Building architecture, exterior finish materials and textures, architectural elements and ornamentation shall be selected to produce human scale at street level.

(9) Open spaces and landscaping should be incorporated into the design of all development projects to allow sufficient light and air to penetrate the project, to direct wind movements, to shade and cool, to visually enhance architectural features and relate the structure design to the site, and to functionally enhance the projects. Outdoor graphics and exterior art displays and water features should be encouraged to be designed as an integral part of the open space and landscaped areas.

(10) All development projects should be designed so as to reduce energy consumption. Energy conservation methods may include, without limitation, the natural ventilation of structures, the citing of structures in relation to prevailing breezes and sun angles, and the provision of landscaping for shade and transpiration.

(11) Public open spaces in the form of squares, plazas greens, etc., shall be connected to the station and proposed development, so as to provide easy access thereto. A sprinkler system shall be installed in all of the proposed landscaped areas to maintain said areas in good, healthy condition.

(12) Service areas shall be located and screened to minimize negative visual impacts from the street.

(13) Mechanical equipment installed on roofs shall be screened from view by parapets or other architectural elements.

(14) Trees shall be used as a design element to provide visual identity to the property and reinforce the street edge. Tree grates or other approved devices shall be provided around all trees in hard surface areas to ensure adequate water and air penetration.

(15) All utilities on-site shall be buried underground.

(16) Adequate circulation throughout the development project shall be provided to accommodate emergency vehicles.

(17) The development shall be designed with a coordinated outdoor pedestrian scaled lighting system that is adequate, integrated into the project and compatible and harmonious with the surrounding areas.

(18) Street furniture such as trash containers and benches shall be permanently secured to the sidewalk. Street furniture shall not obstruct sight visibility triangles at street intersections.

(19) Dumpsters shall not be visible from the public street.

(20) Architectural elements at street level shall have human scale, abundant windows, doors and design variations to create interest for the pedestrian. Blank walls at street level and above the ground floor of buildings are not permitted.

(21) All parking garages shall have all architectural expressions facing public open spaces consistent and harmonious with that of habitable spaces.

(E) Site Review Procedure and Exhibits. Development proposal shall be submitted and reviewed as provided in Section 33-304, Code of Miami-Dade County, and herein:

(1) Pre-application conference. Prior to the filing of an application for site plan approval, the prospective applicant shall schedule a pre-application conference with the Miami-Dade County Department of Planning and Zoning for preliminary review of a conceptual development plan. The Department of Planning and Zoning shall notify the Miami-Dade Transit Agency, Miami-Dade County and affected municipal Departments of Public Works, as well as other Miami-Dade County and municipal agencies, as appropriate. Said agencies and departments shall be requested to provide current information about any government-planned street improvements, and any street section standards that would be applicable, on streets adjoining the proposed development site. The applicant shall bring to the conference a schematic development plan illustrating fundamentals of the proposed site design and architecture, addressing locations of existing and planned property lines, property ownership, public right-of-way, streets, transit platform, buildings and open spaces, and other essential elements of the proposed development with sufficient information to demonstrate an understanding of the intent, standards and criteria established in this section.

(2) Application Exhibits. The exhibits listed below shall be submitted with the formal application for site plan review. The Department of Planning and Zoning shall review the application, including these exhibits, for completeness as required to determine compliance with all requirements of this Section. The Director of the Department of Planning and Zoning is authorized to waive any of the items required because of the nature or timing of the development or because the information cannot be furnished at the time of this review, provided the Director determines that the information is not necessary to a determination of conformance with the requirements of the Section. The exhibits shall include the following:

(a) Site plan(s) at a scale of not less than 1" equals 60' containing the following information:

(i) Location of existing and planned streets and curb lines.

(ii) Location of lot lines and setbacks.

(iii) Location, shape, size, and height, as applicable, of existing and proposed buildings, open spaces, fencing, walls, projections, signage, and landscaping.

(iv) Location of on-street and off-street parking, loading facilities, and waste collection areas.

(v) Phase lines, if applicable.

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

(vii) 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 Section.

(viii) Figures indicating gross and net acreage, and area to be dedicated for public right-of-way.

(ix) Square footage of each land use and total for the development.

(x) Total number of dwelling units and hotel guest rooms if applicable.

(xi) Amount of building coverage at ground level in square feet and percentage of net lot area.

(xii) Amount of open space required and provided, in square feet and percentage of net lot area.

(xiii) Number of parking spaces required and provided.

(F) Conflicts with other chapters and regulations: This article shall govern in the event of conflicts with other zoning, subdivision, or landscape regulations of the Zoning Code, or with the Miami-Dade Public Works Department Manual.<<

Section 4. 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 5. 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 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 6. 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: **March 4, 2008**

Approved by County Attorney as to form and legal sufficiency: _____

Prepared by: JM

John McInnis