

MEMORANDUM

Agenda Item No. 7(A)

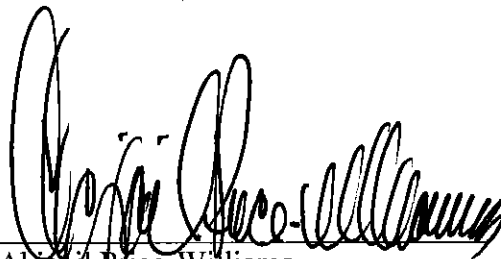
TO: Honorable Chairman Esteban L. Bovo, Jr.
and Members, Board of County Commissioners

DATE: (Second Reading 6-5-18)
March 20, 2018

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Ordinance relating to the fixed-guideway Rapid Transit System-Development Zone; creating section 33C-10 and amending sections 33C-2, 33C-3, 33C-4, and 33C-9 of the Code; providing for expansion of the Rapid Transit Zone and creating the Brickell Station Subzone; providing uses, site plan review standards, and procedures for approval of such site plan in the subzone; requiring supermajority votes by the Board in certain circumstances

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

Memorandum



Date: June 5, 2018

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

From: Carlos A. Gimenez
Mayor

A handwritten signature in black ink, appearing to read "Carlos A. Gimenez", written over the printed name.

Subject: Fiscal Impact Statement for Ordinance Relating to the Fixed-Guideway Rapid Transit System-Development Zone

The implementation of this ordinance will not have a fiscal impact to Miami-Dade County.

A handwritten signature in black ink, appearing to read "Alina T. Hudak", written over the printed name.

Alina T. Hudak
Deputy Mayor

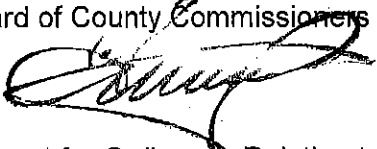
FIS05418 180540

Memorandum



Date: June 5, 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

The proposed ordinance relating to the Fixed-Guideway Rapid Transit System-Development Zone (RTZ) creates Section 33C-10 and amends Sections 33C-2, 33C-3, 33C-4 and 33C-9 of the Code of Miami-Dade County (Code) providing for expansion of the rapid transit zone and creating the Brickell Station subzone.

The proposed ordinance expands the RTZ to include a block bound by SW 11th Street to the north, SW 12th Street to the south, SW 2nd Avenue to the west, and SW 1st Avenue/Metrorail Station to the east, within the City of Miami. Under the RTZ, the properties would be developed under the same regulations that govern the All Aboard Florida Brightline site at Government Center. The proposed ordinance establishes the Brickell Sub-Zone and the regulatory framework for developments within the sub-zone and aligns with Miami-Dade County's effort of intensifying land uses surrounding mass transit stations and corridors.

These amendments to the Code would result in additional development 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.

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Jack Osterholt
Deputy Mayor

180540

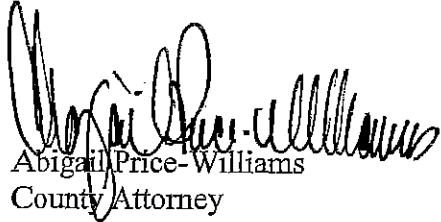


MEMORANDUM

(Revised)

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

DATE: June 5, 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

4

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 7(A)
6-5-18

ORDINANCE NO. _____

ORDINANCE RELATING TO THE FIXED-GUIDEWAY RAPID TRANSIT SYSTEM-DEVELOPMENT ZONE; CREATING SECTION 33C-10 AND AMENDING SECTIONS 33C-2, 33C-3, 33C-4, AND 33C-9 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; PROVIDING FOR EXPANSION OF THE RAPID TRANSIT ZONE AND CREATING THE BRICKELL STATION SUBZONE; PROVIDING USES, SITE PLAN REVIEW STANDARDS, AND PROCEDURES FOR APPROVAL OF SUCH SITE PLAN IN THE SUBZONE; REQUIRING SUPERMAJORITY VOTES BY THE BOARD IN CERTAIN CIRCUMSTANCES; 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 provide for rail facilities and public transportation systems; and

WHEREAS, the Board of County Commissioners has found that the coordinated review and analysis of mass transit facilities is necessary to carry on a central metropolitan government in Miami-Dade County and that coordinated review and analysis of the mass transit system is most effectively carried on under a uniform plan of regulation applicable to the County as a whole; 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 Comprehensive Development Master Plan; 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, the properties surrounding the Brickell Metrorail Station, which this ordinance includes within the Rapid Transit Zone, are located within the Downtown Regional Urban Center identified in the County's Comprehensive Development Master Plan (CDMP); and

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

WHEREAS, the adoption of uniform regulation to encourage private sector development of market rate, attainable, and workforce housing around the Brickell Metrorail station is in the best interest of the County,

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 as follows:¹

Sec. 33C-2. Rapid Transit Zone.

* * *

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.

(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]<< 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.*

* * *

>>(3) Brickell Station Subzone. Notwithstanding any other provision of this code to the contrary, whenever uses authorized by subparagraphs

(D)(2)(a) and (D)(2)(b) above are proposed within the Brickell Station Subzone of the Rapid Transit Zone as designated in subsection 33C-10 herein, the procedures and development standards adopted pursuant to subsection 33C-10 shall control.<<

* * *

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

Sec. 33C-3. Rapid Transit Developmental Impact Committee.

- (a) There is hereby established a Rapid Transit Developmental Impact Committee Executive Council composed of the County's Developmental Impact Committee Executive Council (established by Section 33-303.1, Miami-Dade County Code) and two (2) representatives from each of the following municipalities: City of South Miami, City of Coral Gables, City of Miami, and the City of Hialeah. It is provided, however, that for developments located within the Downtown Intermodal District Corridor Subzone established by ~~[[subsection]]~~ >>section<< 33C-9 >>and the Brickell Station Subzone established by section 33C-10<<, however, the Rapid Transit Developmental Impact Committee shall be composed of the County's Developmental Impact Committee Executive Council and three (3) representatives from the City of Miami. In addition, there shall be an RTDIC Staff Council composed of members of the County Departments identified in Section 33-303.1(A) of this Code and three (3) representatives from the City of Miami. The Rapid Transit Developmental Impact Committee shall, subject to the procedures specified in >>section<< 33-303.1, Miami-Dade County Code, perform the duties specified in Section 33C-2 and Section 33C-4 of this chapter.
- (b) Except for the Downtown Intermodal District Corridor Subzone established by subsection 33C-9 >>and the Brickell Station Subzone established by section 33C-10<< herein, mailed notice of hearings before the Rapid Transit

Development Impact Committee pursuant to Section 33C-2(D)(2)(d) 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 hearing 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.

- (c) Notwithstanding any other provision of this code to the contrary, for the Downtown Intermodal District Corridor Subzone established by section 33C-9 >>and the Brickell Station Subzone established by section 33C-10<< herein, notice of meetings before the Rapid Transit Developmental Impact Committee shall comply with the procedures set forth in >>those respective sections<< ~~[[33C-9]]~~.

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

as follows:

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

* * *

- (b) Except for the Downtown Intermodal District Corridor Subzone established by section 33C-9 >>and the Brickell Station Subzone established by section 33C-10<< herein, and notwithstanding anything to the contrary herein, mailed notice of hearings before the Rapid Transit Development Impact Committee pursuant to Section 33-2(D)(2)(e)(1) 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 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 5. Section 33C-10 of the Code of Miami-Dade County, Florida is hereby created
as follows:

>>**Sec. 33C-10. Brickell Station Sub-Zone.**

- (A) *Purpose and Intent.* The following development review standards and criteria shall govern applications for Initial Plan Approval of the general site development plan and applications for Final Site Plan Review for all development to be located within the boundaries of the Brickell Station Sub-Zone established in this section. The standards set forth herein further the unique land use characteristics of this area, which lies within the City of Miami Urban Core, as defined in section 33-84, and within the Downtown Regional Urban Center, as designated on the Land Use Plan Map of the County's Comprehensive Development Master Plan, and are consistent with, and support the City's commitment to, principles of urban planning, including responding to the existing conditions of the City, its downtown corridor, and its natural features, infrastructure, and buildings, improved mobility, enhanced pedestrian environment, and the reduction of urban sprawl. Development in this sub-zone also addresses government service and infrastructure needs of this quickly growing area, and therefore projects within this sub-zone are encouraged to incorporate public service, public infrastructure, or public benefit components, including, but not limited to, a police or fire station, regional sewer pump station, and affordable housing.
- (B) *Boundaries.* The Brickell Station Sub-zone of the Rapid Transit Zone is hereby established; the boundaries of the Sub-zone are identified in Exhibit 18 of section 33C-2(B). The legal description and a full-scale map of the boundaries are on file with the Miami-Dade County Department of Regulatory and Economic Resources or its successor Department (the "Department").
- (C) *Permitted Uses:* The following uses shall be permitted in the Brickell Station Sub-zone, either alone or as mixed uses in horizontal or vertical integration. "Vertical integration" means any combination of primary uses (such as passenger transit systems or businesses) located on the ground floor, and residential and accommodation uses such as hotels on the upper floors. "Horizontal integration" means any

combination of parcels or buildings and structures with different primary uses within the same development.

- (1) hotels;
- (2) commercial/retail;
- (3) offices;
- (4) residential;
- (5) bars and restaurants;
- (6) rental car facilities;
- (7) parking lots and parking structures, including commercial parking lots and garages that charge fees for parking;
- (8) governmental;
- (9) convention halls and showrooms;
- (10) institutional;
- (11) health care facilities, except hospitals;
- (12) public parks and open spaces; and
- (13) other similar uses, as approved by the Director of the Department.

(D) Pre-application conference. The applicant shall participate in at least one pre-application conference with the Rapid Transit Development Impact Committee (RTDIC) prior to filing the application. The applicant shall provide a general outline of the proposal through schematics and sketch plans including narrative information sufficient for the understanding of the proposed development.

(E) Initial Review.

- (1) Application. Following the pre-application conference, a request for approval of a general site development plan for development within the Brickell Station Sub-zone, shall be made by filing an application with the RTDIC in accordance with the provisions of section 33-304. Said application shall be considered a special exception for approval of a general site 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 comply with the procedural requirements of section 33-304 of this code.

- (2) RTDIC recommendation. Within 60 days after the filing of the application, the RTDIC Staff Council shall review the application, and the RTDIC shall issue a recommendation upon such application. The recommendation shall reflect the consensus of the members present. In the event that the City representatives present do not concur with a recommendation for approval, the recommendation shall be for denial. The recommendation shall be transmitted to the Board of County Commissioners for final action. In the event of a recommendation of denial by the RTDIC, approval of the application shall require the affirmative vote of 9 members of the Board of County Commissioners.
- (3) Phased development. Projects within the sub-zone may be constructed in phases, and the construction of public buildings and infrastructure to serve future development may accordingly need to be completed in phases. Where a phased development is requested, the Board of County Commissioners, in approving a phased site plan, shall specify building footprints, heights, density, intensity, and gross square footage of buildings as future development parameters. The RTDIC may review and approve specific land uses and design details of said future development in subsequent phases pursuant to the Final Review criteria enumerated herein, provided that the development parameters approved by the Board of County Commissioners in the phased site plan are not exceeded and that the development regulations set forth herein are met.
- (4) Required exhibits for Initial Development. The following exhibits shall be submitted with the application for a general site development plan:
 - (a) A narrative describing the project's scope, including but not limited to: vision statement, the project's consistency with the intent and purpose of these regulations, size of project and location, and prominent components of the development; phasing of the development if necessary; scale; relevance to the region; its connection to the surrounding urban context;

economic impact on the local economy; design concept(s); significance of the project as a gateway to the community; and any additional information necessary to explain the development.

- (b) Schematic site plan(s), at a scale of not less than 1 inch equals 100 feet, indicating: prominent structural components of the development; permitted land uses; existing and proposed streets; major points of egress/ingress of the development; public open space locations and area in square feet; floor area ratio; pedestrian circulation; residential density; and square feet of retail, office, institutional, governmental, and other proposed land uses, not to exceed the development thresholds contained in the administrative site plan development parameters included herein.
- (c) Information on adjoining and adjacent uses, on a plan at a scale no less than 1 inch equals 100 feet, to indicate the relationship(s) between the proposed development and adjacent areas including, but not limited to: existing land uses and their intensities; densities, vehicular and pedestrian circulation systems, blocks and lots, and unique geographical features.
- (d) Perspectives, isometrics, elevations and other drawings illustrating proposed development.
- (e) Any additional information specified by the RTDIC at the pre-application conference to evaluate the character and impact of the proposed development.

(F) Final Review.

- (1) Final Review for development of the Brickell Subzone. Following approval of the special exception, final review for all or a portion of the development, including phased development, shall be made and approved administratively by the RTDIC in accordance with the plans and documents approved by the Board of County Commissioners. The RTDIC review shall be guided by development

standards established in this section. Applications to modify a site plan approved pursuant to this section, including applications to approve a subsequent phase of a previously-approved phased site plan, shall be considered and acted upon administratively by the RTDIC without the necessity of public hearing.

(2) In the event that the City representatives present do not concur with approval of the application, the decision of the RTDIC shall be for denial. The affirmative vote of 9 members of the Board of County Commissioners shall be required to reverse a decision of denial by the RTDIC.

(3) Notice.

(a) Mailed notices of the RTDIC Executive Council meeting shall be accomplished by placing in the United States mail a written notice to all property owners of record, as reflected on the Miami-Dade County Property Appraiser's tax roll as updated, within 500 feet of the subject property. Such mailed notices shall contain general information, including, but not limited to, the date, time and place of the meeting, the property's location (and street address, if available), and nature of the application shall be sent no sooner than 30 days and no later than 20 days prior to the meeting.

(b) The property shall be posted no later than 20 days prior to the meeting in a manner conspicuous to the public, by a sign or signs containing information including, but not limited to, the applied for zoning action, application number, and the time and place of the public meeting. The property owner shall be responsible for ensuring that the sign is maintained on the site until completion of the public meeting and for removal of the sign within two weeks following completion of the public meeting.

(c) In addition, notice shall be published in a newspaper of general circulation in Miami-Dade County, as follows: a full legal notice, to be published no later than 20 days and no earlier than 30 days prior to the meeting, to contain the date, time and place of the

meeting, the property's location and street address, if available.

(3) Required Exhibits. The following exhibits must be included with an application. It is provided, however, that the Director of the Department shall have the authority to waive any of the items because of the nature or timing of the development or because the information cannot be furnished at the time of this review. The application shall be deemed complete if all items in this subsection are included in the application.

(a) Master plan, at a scale of not less than 1 inch equals 100 feet, which shall include the following information:

- (i) Lot lines and setbacks.
- (ii) Proposed floor area of all permitted uses.
- (iii) Height, size, shape, and location of existing and proposed buildings.
- (iv) Location of off-street parking and layouts showing number of parking spaces required and provided.
- (v) Proposed grades if significantly altered.
- (vi) Signage, street and lot lighting, and street and lot furniture.
- (vii) Total number of dwelling units and hotel rooms, if applicable.
- (viii) Location and amount of open space required and provided.
- (ix) Phase lines, if applicable.
- (x) Figures indicating gross and net acreage, and areas to be dedicated for public rights-of-way.
- (xi) Vehicular and pedestrian circulation system, including blocks, streets, major points of access into and out of the development, pedestrian crosswalks, medians, and on-street parking.
- (xii) Location of pedestrian access points, including connections to existing or proposed bridges, roadways, or sidewalk areas.

- (xiii) Location of loading facilities, waste collection areas, and other service areas.
- (b) Floor plans and elevations of all structures, including gross square footage of each floor.
- (c) Sections of major structures.
- (d) Isometrics or perspectives of the proposed development.
- (e) Landscape plan(s) in accordance with Chapter 18(A), except as modified herein.
- (f) Such other design data as may be specified to satisfy a condition of approval of the Initial Review.

(G) Administrative Site plan development parameters. 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.

<u>Use</u>	<u>Minimum Parking Requirements</u>
<u>Commercial/Retail, Restaurants, Bars, Convention Halls and Showrooms</u>	<u>1.8 spaces / 1000 SF</u>
<u>Office, Government, Institutional, Health Care Facilities</u>	<u>0.6 spaces / 1000 SF</u>
<u>Residential</u>	<u>0 spaces per unit</u>
<u>Hotels</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) To minimize adverse visual effects of the structure(s), multi-story parking garages facing public and private streets, rights-of-way, and/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 provisions of Section 33-122. For the purpose of this sub-zone, 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 Sub-zone may be located within one mile of the boundaries of the sub-zone. 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 of the Department, 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, cubic content, and lot size:*
- (a) Due to the unique characteristics associated with the high-density or high-intensity, mixed-use developments contemplated for this sub-zone, there shall be no minimum setback from streets at grade and above the eighth floor, 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.
- (c) The minimum lot size required to develop pursuant to these regulations is 32,000 square feet.

(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 the Miami-Dade County Department of Transportation and Public Works or successor agency ("DTPW") or by other 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 DTPW or other 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 (6) 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 sub-zone shall not be limited.

(5) Building Height: The maximum building height shall be the maximum allowed by the Federal Aviation Administration.

- (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 of this Code, except that Class C signs may be permitted in accordance with section 33-107 of this Code. The signage plan submitted with the application for final site plan review shall contain criteria, 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; however, 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 prohibited unless furnished with some type of artistic expression, such as sculpture, mosaic and similar features.
- (10) Landscaping: Landscaping shall conform to the standards set forth in section 18A-6, Code of Miami-Dade County, 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 the Department of Transportation and Public Works or its successor Department 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 of this code 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 sub-zone.
- (H) Plan Review Standards. The purpose of the plan review standards is to encourage the creation of development within the Brickell Subzone that is consistent with the intent and purposes of these regulations, acts as a significant gateway for and destination to the Brickell area, and facilitates its future growth 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, contributes to the urban revitalization of the City of Miami, and encourages public service, infrastructure, or public benefit components to address the needs of a growing population.
 - (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 sub-zone shall provide connections via bridges, paths, sidewalks, or a combination of such features to adjacent or nearby Metrorail and Metromover systems.

(I) Platting. Separate parcels located within the sub-zone and made subject to a unity of title or covenant in lieu of unity of title shall not be deemed a subdivision and shall be exempt from the platting requirements of chapter 28.

(J) Conflicts. The development review procedures, standards, and criteria set forth in this section 33C-10 shall govern in the event of conflicts with other zoning, subdivision, or landscape regulations of the Miami-Dade County Code or with the Miami-Dade County Public Works Manual.

(K) Amendments. At least six weeks prior to the scheduled public hearing of any amendments to this section 33C-10, the County shall mail or e-mail a copy of the proposed ordinance to the City Clerk and the City Attorney of the City of Miami. The communication to the City shall include the date of the scheduled public hearing.<<

Section 6. Section 33-314 of the Code of Miami-Dade County, Florida is hereby amended

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:

* * *

- (10) Upon application for, hear and decide appeals of decisions of the Rapid Transit Developmental Impact Committee pertaining to site plan approvals and related zoning actions issued pursuant to Section 33C-2(D)(2)(d) and (2)(e) >>, section<< [~~of Section~~] 33C-9 >>, or section 33C-10<< [~~of the Code of Miami-Dade County~~].

Section 7. 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 8. 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 9. 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:

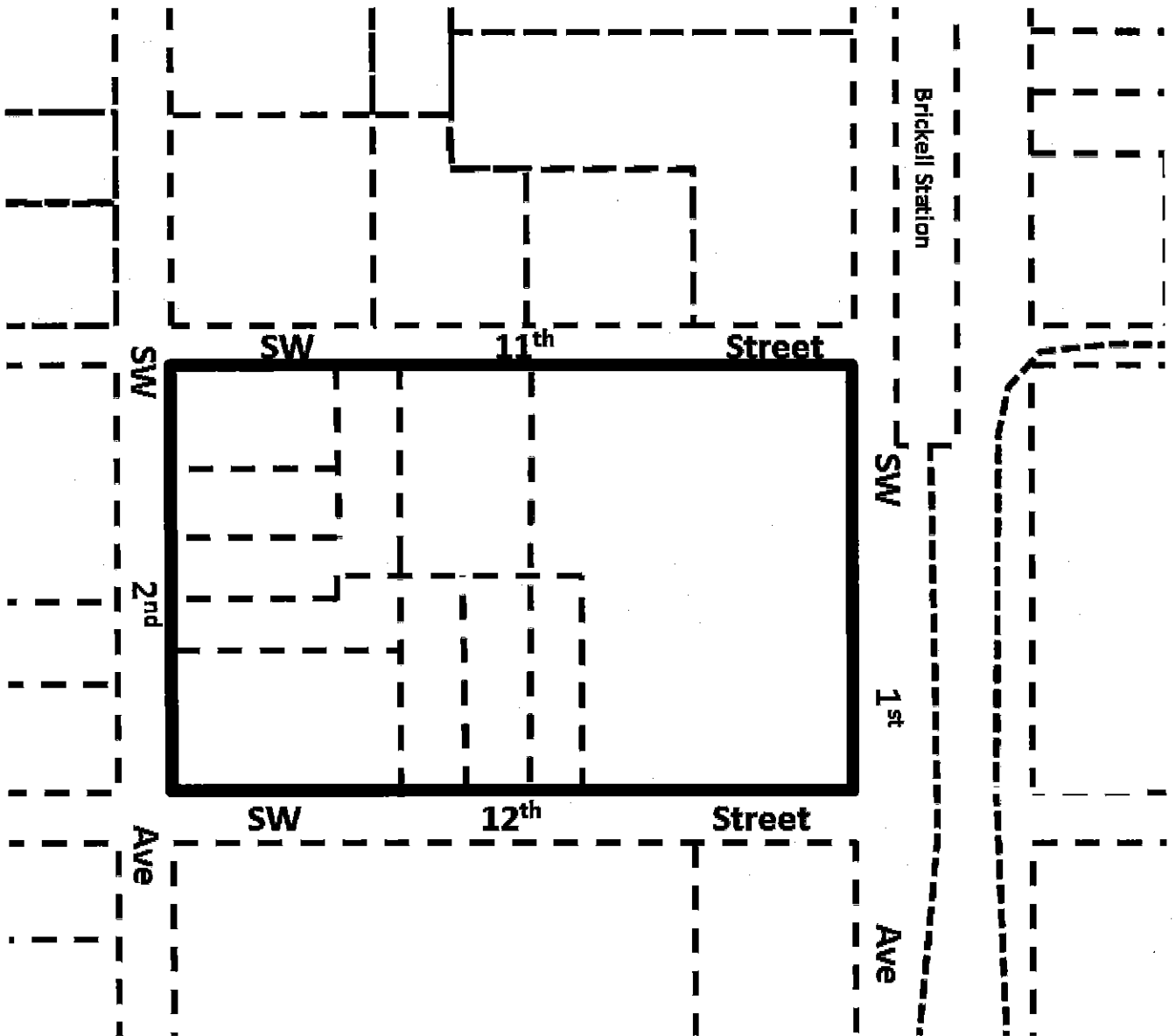
APW
DAK

Prepared by:

Dennis A. Kerbel

Prime Sponsor: Chairman Esteban L. Bovo, Jr.

Brickell Station Subzone



NOT TO SCALE