

MEMORANDUM

Agenda Item No. 7(F)

TO: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

DATE: September 1, 2022

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 core
subdistrict along E and F streets

At the July 14, 2022 meeting, the County Infrastructure, Operations and Innovations Committee amended this substitute item to revise sub-subparagraph 33-284.62(B)(6)(d)(2) to limit the total building height for exempt garages. This committee amendment was in addition to the changes included in the substitute as described in the following substitute statement:

This substitute differs from the original version in that it: (1) allows the penthouse floorplate to be as large as the tower floorplate under certain conditions rather than requiring a reduced floorplate; (2) provides additional flexibility for the construction of parking garages within the required height under certain conditions; (3) makes technical changes; and (4) makes a conforming change to the recital clauses.

Rule 5.06(h) of the Board's Rules of Procedure provides that where double underlining and double strikethrough would not clearly show the differences between an original item and the 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/uw

Memorandum



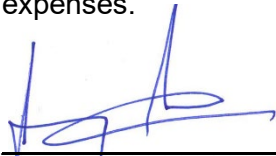
Date: September 1, 2022

To: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

From: Daniella Levine Cava
Mayor 

Subject: Fiscal Impact Statement for Ordinance Relating to Revision of Downtown Kendall Urban Center Zoning District's Core


The implementation of this ordinance will not have a fiscal impact to Miami-Dade County, as the proposed zoning changes will not require additional staffing resources nor generate additional operational expenses.



Jimmy Morales
Chief Operations Officer

Date: September 1, 2022


To: Honorable Chairman Jose “Pepe” Diaz
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

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

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 the Dadeland North and Dadeland South Metrorail stations. As there are existing buildings of a similar height in close proximity to the areas where the “penthouse” floors are 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 DKUCD 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.



Jimmy Morales
Chief Operations Officer

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⌘ This map and the information depicted herein are provided "as is" and may contain inaccuracies.
 ⌘ No assurance of merchantability or fitness for a particular purpose is given.



MEMORANDUM
(Revised)

TO: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

DATE: September 1, 2022

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 7(F)

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(F)
9-1-22

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 CORE SUBDISTRICT ALONG E AND F 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, and D streets to develop up to 25 stories, but buildings along E and F streets in the Core are limited to 20 stories, despite the entire Core area being in close proximity to US 1 and the Metrorail station; and

WHEREAS, this Board wishes to allow buildings up to 25 stories along E and F streets within the Core as is allowed along all other streets within that 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:¹

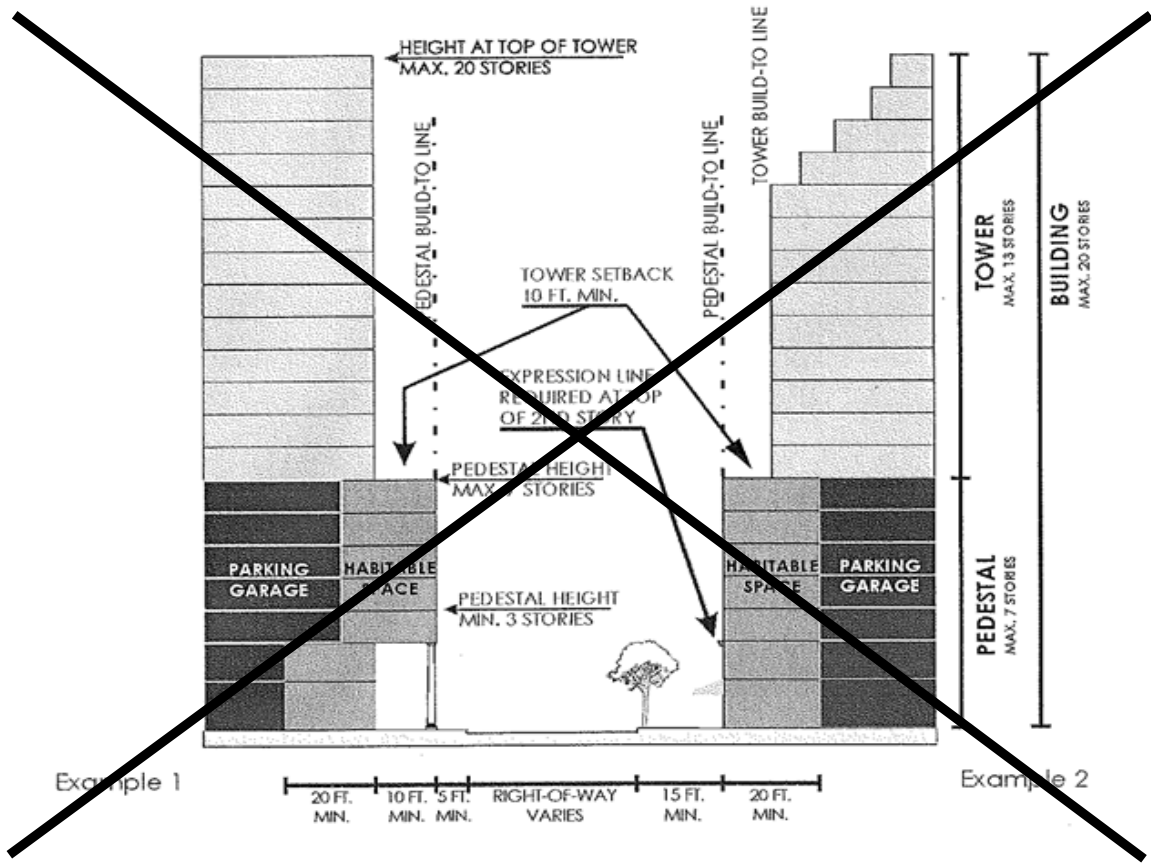
Sec. 33-284.62. Development parameters.

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

* * *

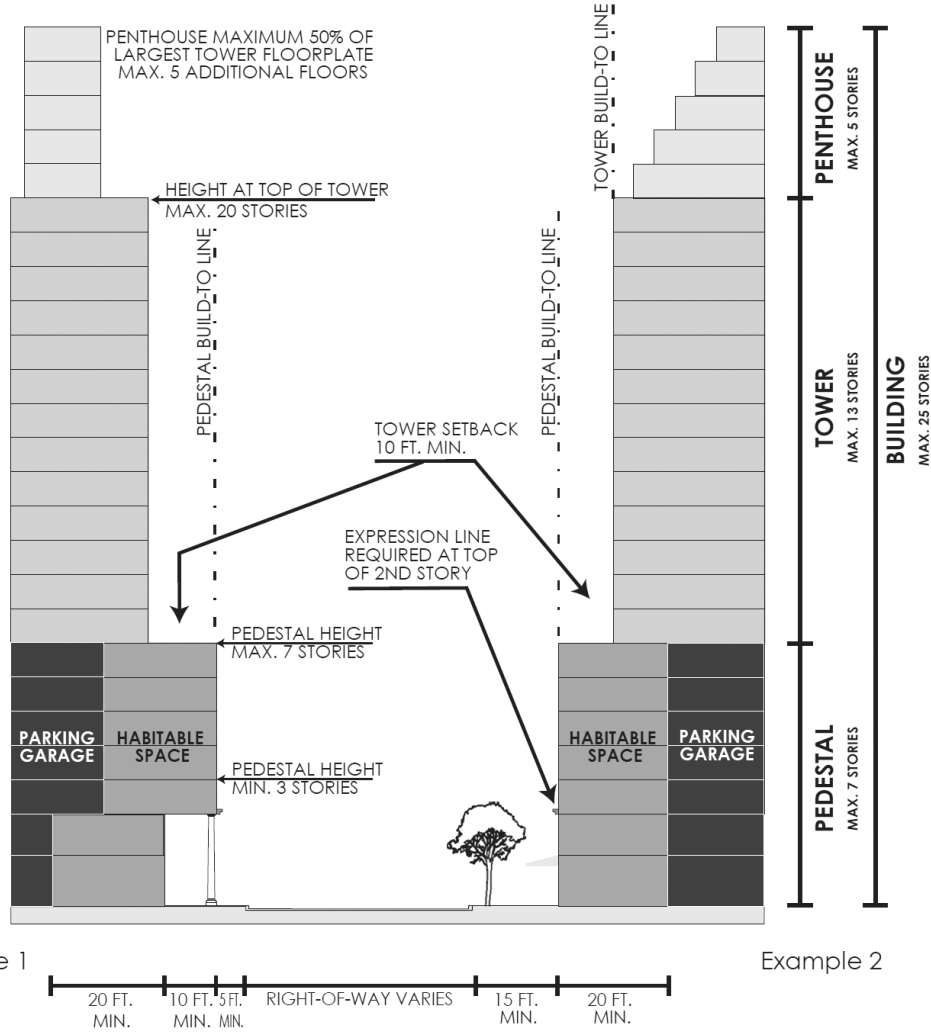
¹ Words stricken through and/or ~~[[double bracketed]]~~ shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.

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Example 1

Example 2

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Core Sub-District—"E" and "F" Streets

<p>Building Height</p>	<p>Pedestal—At street front, three (3) stories minimum/seven (7) stories maximum. Tower—Thirteen (13) stories maximum. >>Penthouse—Five (5) stories maximum. Floorplate maximum is fifty (50) percent of largest tower floorplate. It is provided, however, that the penthouse floorplate may be up to the size of the largest tower floorplate where the largest tower floorplate is less than eight thousand (8,000) square feet.<<</p>
<p>Building Placement</p>	<p>Street—Fifteen (15) feet minimum from right-of way for pedestal; except that when a colonnade is provided, a five (5) foot minimum setback from the right-of-way for pedestal shall be permitted. Twenty-five (25) feet minimum setback from the right-of-way for tower when the build-to line is fifteen (15) feet, or fifteen (15) foot minimum setback from the right-of-way for tower when the build-to line is five (5) feet.</p>

	Overhead Cover—A maximum of fifty (50) percent of "F" streets may be covered above the first floor with structures connecting buildings, including roofs, upper story terraces, pedestrian bridges, habitable space, garages and automobile bridges between garages.
	Interior Side/Rear—Zero (0) foot minimum setback for pedestal and tower.
	Frontage Length—For "E" Streets, a minimum fifty (50) percent of the lot's street frontage. For "F" streets, a minimum thirty (30) percent of the lot's street frontage. Free standing colonnades shall not count towards frontage length.
Streetwalls	Vehicular Entries—Allowed. Each entry may be up to thirty-three (33) feet wide, with a minimum interval of seventy (70) feet between each vehicular entry for "F" streets and up to sixty-six (66) feet wide with a minimum interval of seventy (70) feet between each vehicular entry along "E" streets.
	Habitable Space—Twenty (20) foot minimum depth for the full height and length of the pedestal.
	Colonnade—When provided, the colonnade shall be two (2) stories high for full required frontage at build-to line. The colonnade shall have a minimum clear width of ten (10) feet, including columns.
	Expression Lines—Required at the top of the second story.
Parameters	The setback shall be hard-surfaced and finished to match the adjoining sidewalk and, when provided, the colonnade. Street trees shall be planted in minimum twenty-five (25) square foot planters adjoining the right-of-way. Street trees are not required when a colonnade is provided.
Off-Street Parking	Colonnade Level—When provided, twenty (20) foot minimum setback from interior wall of colonnade.
	All Building Levels—Twenty (20) foot minimum setback from pedestal's build-to line.
	Surface parking—Twenty (20) foot minimum setback from right-of-way. A ten (10) foot minimum landscape buffer zone shall be incorporated between the setback area and the parking lot, to be built with streetwalls and landscaping, including trees and shrubs.

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

- * * *
- (6) Parking.

* * *

- (d) >>For parking<< [[Parking]] garages on parcels of record as of [[the date of approval of this Article]] >>December 16, 1999, having at least one frontage<< facing "A", "E", [[and]] >>or<< "F" streets >>and having<< [[that have]] a lot depth at any one

[[~~(1)~~] point of less than one hundred fifty
(150) feet>>:

(1) Such parking garages<< are required to provide habitable space only at the colonnade or ground levels. However, architectural expression shall remain required as per this article.

>>(2) Parking levels within such garages shall not be considered a story, provided that the total height of the building is no greater than a building with habitable spaces lining the parking garage.<<

* * *

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:



Dennis A. Kerbel

Prime Sponsor: Commissioner Raquel A. Regalado