

MEMORANDUM

Agenda Item No. 7(G)
(Second Reading 5-5-20)
April 20, 2020

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

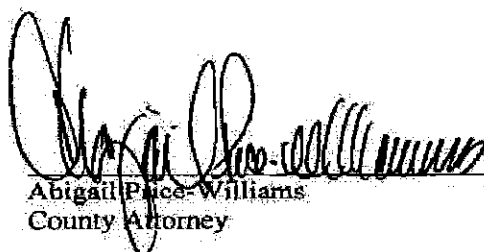
DATE:

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Ordinance relating to zoning;
amending sections 33-284.57,
33-284.88, 33-284.99.62, 33C-8,
33C-9, 33C-10, and 33C-11 of
the Code; requiring consideration
of vehicular passenger loading
areas in site plan review criteria
for Downtown Kendall Urban
Center District, Standard Urban
Center District Regulations,
Palmer Lake Metropolitan Urban
Center District, and Rapid
Transit Zone and Subzones;
deleting section 33C-7 in its
entirety; deleting redundant
regulations for development
within area governed by Model
City Urban Center District and
North Central Urban Area
District; making technical
changes

Ordinance No. 20-39

The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Eileen Higgins and Co-Sponsor Chairwoman Audrey M. Edmonson.



Abigail Price-Williams
County Attorney

APW/smm

Memorandum



Date: May 5, 2020

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

From: Carlos A. Gimenez
Mayor

A handwritten signature in black ink, appearing to read "Carlos A. Gimenez". The signature is written in a cursive style with a large, sweeping initial 'C'.

Subject: Fiscal Impact Statement for Ordinance Relating to Zoning

The implementation of this ordinance will not have a fiscal impact to Miami-Dade County as the proposed regulations would be reviewed as part of the established Administrative Site Plan Review process.

A handwritten signature in black ink, appearing to read "Jack Osterholt". The signature is written in a cursive style with a large, sweeping initial 'J'.

Jack Osterholt
Deputy Mayor


FIS04020 200136

Memorandum



Date: May 5, 2020

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

From: Carlos A. Gimenez 
Mayor

Subject: Social Equity Statement for Ordinance Relating to Zoning and Site Plan Review Criteria

The proposed ordinance relating to zoning amends Sections 33-284.57, 33-284.88, 33-284.99.62, 33C-8, 33C-9, 33C-10, and 33C-11 of the Code of Miami-Dade County (Code) requiring consideration of vehicular passenger loading areas in site plan review criteria for the Downtown Kendall Urban Center District, Standard Urban Center District Regulations, the Palmer Lake Metropolitan Urban Center District, and Rapid Transit Zone and subzones. The proposed ordinance also contains some technical amendments, including the deletion of certain redundant sections of the Code.

The implementation of the proposed ordinance is intended to reduce the current conflict between pedestrian, motorized and vehicular traffic caused by, among other things, undesignated ride sharing drop-off and pick-up areas.

A handwritten signature in black ink, appearing to read "Jack Osterholt". The signature is written in a cursive, flowing style.

Jack Osterholt
Deputy Mayor

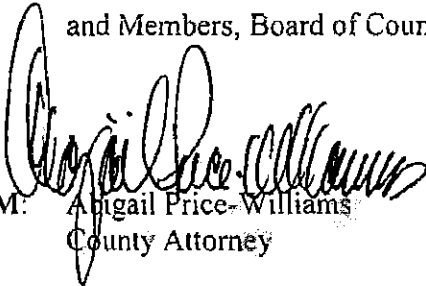
200136



MEMORANDUM
(Revised)

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

DATE: May 5, 2020

FROM: 
Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 7(G)

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(G)
5-5-20

ORDINANCE NO. 20-39

ORDINANCE RELATING TO ZONING; AMENDING SECTIONS 33-284.57, 33-284.88, 33-284.99.62, 33C-8, 33C-9, 33C-10, AND 33C-11 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; REQUIRING CONSIDERATION OF VEHICULAR PASSENGER LOADING AREAS IN SITE PLAN REVIEW CRITERIA FOR DOWNTOWN KENDALL URBAN CENTER DISTRICT, STANDARD URBAN CENTER DISTRICT REGULATIONS, PALMER LAKE METROPOLITAN URBAN CENTER DISTRICT, AND RAPID TRANSIT ZONE AND SUBZONES; DELETING SECTION 33C-7 IN ITS ENTIRETY; DELETING REDUNDANT REGULATIONS FOR DEVELOPMENT WITHIN AREA GOVERNED BY MODEL CITY URBAN CENTER DISTRICT AND NORTH CENTRAL URBAN AREA DISTRICT; MAKING TECHNICAL CHANGES; PROVIDING SEVERABILITY, INCLUSION IN AND EXCLUSION FROM THE CODE, AND AN EFFECTIVE DATE

WHEREAS, the County's Comprehensive Development Master Plan (CDMP) calls for the coordination of land uses and transportation facilities to, among other things, attract transit ridership, produce short trips, and minimize transfers; 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 CDMP; and

WHEREAS, this Board has encouraged increased density and transit-oriented development adjacent to the County's existing mass transit system through its ordinances creating urban center and urban area zoning districts and through its ordinances regarding development within the Rapid Transit Zone and its various subzones; and

WHEREAS, in these denser and more compact areas, transportation for many residents and visitors is through vehicles for hire as defined in chapter 31 of the County Code and transportation network companies as defined in section 627.748, Florida Statutes; and

WHEREAS, such vehicles stopping to drop off or pick up passengers can block the flow of traffic on already congested streets and have other impacts on the roadway network in these densely packed areas; and

WHEREAS, this Board wishes to revise its development regulations to require all applicants for site plan approval in these zoning districts to show how sites will accommodate drop-off and pick-up in an orderly fashion to minimize impacts to the roadway network; and

WHEREAS, this Board also wishes to delete the Martin Luther King Jr. Corridor Subzone regulations set forth in section 33C-7, because those regulations are redundant with the regulations governing the Model City Urban Center District and the North Central Urban Area District, set forth in articles XXXIII(R) and XXXIII(S) of chapter 33, respectively,

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 33-284.57 of the Code of Miami-Dade County, Florida is hereby amended to read as follows:¹

Sec. 33-284.57. - Review procedure.

Projects following the provisions of this ~~[[Article]]~~ >>article<< and the Regulating Plans shall be processed and approved

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.

administratively. The ~~[[Miami-Dade County]]~~ Department ~~[[of Planning and Zoning]]~~ shall review the applications including exhibits listed below for completeness and compliance with the provisions of this ~~>>article<< [[Article]]~~ and the Regulating Plans. All complete submissions to the Department shall be reviewed and approved or denied, within ~~>>21<< [[twenty-one (21)]]~~ days from the date of submission. The applicant shall have the right to extend the ~~>>21<< [[twenty-one (21)]]~~ day period by an additional ~~>>21<< [[twenty-one (21)]]~~ days upon timely request made in writing to the Department. The Department shall have the right to extend the ~~>>21<< [[twenty-one (21)]]~~ day period by written notice to the applicant that additional information is needed to process the site plan. Denials shall be in writing and shall specifically set forth the grounds for the denial. Any final decision of the Director may be appealed in accordance with the public hearing procedure established in Article XXXVI of this ~~>>chapter<< [[Code]]~~ and in accordance with the procedure established for appeals of administrative decision.

Exhibits prepared by design professionals such as architects and landscape architects shall be submitted to the Department and shall include, but not be limited, to the following:

(A) Site plan(s) including:

* * *

~~>>(8) Locations for loading and unloading of vehicular passengers, to: (i) accommodate passengers who use vehicles for hire or transportation network companies; and (ii) minimize impacts of passenger loading and unloading on the surrounding roadway network. A loading or unloading zone that is shared among adjacent or adjoining parcels may be permitted, provided that a safe pedestrian route to each parcel is provided.<<~~

* * *

Section 3. Section 33-284.88 of the Code of Miami-Dade County, Florida is hereby amended to read as follows:

Sec. 33-284.88. - Review Procedure/Administrative Site Plan and Architectural Review.

Except for individual single-family homes and duplexes, all applications for development approval within an Urban Center District that are not otherwise permitted as nonconforming uses or structures shall comply with the requirements of this article and with the site plan and architectural review criteria contained herein. Developments shall be processed and approved administratively as follows:

* * *

B. Applications for administrative site plan and architectural review under this article shall be accompanied by exhibits prepared by registered architects and landscape architects which shall be submitted to the Department and shall include the following:

* * *

1. Site plan(s) including:

* * *

>>(m) Locations for loading and unloading of vehicular passengers, to: (i) accommodate passengers who use vehicles for hire or transportation network companies; and (ii) minimize impacts of passenger loading and unloading on the surrounding roadway network. A loading or unloading zone that is shared among adjacent or adjoining parcels may be permitted, provided that a safe pedestrian route to each parcel is provided.<<

* * *

Section 4. Section 33-284.99.62 of the Code of Miami-Dade County, Florida is hereby amended to read as follows:

Sec. 33-284.99.62. - Review procedure.

(1) Projects following the provisions of this article and the Regulating Plans shall be processed and approved administratively. The ~~[[Miami-Dade County]]~~ Department ~~[[of Regulatory and Economic Resources]]~~ shall review the applications, including exhibits listed below, for

completeness and compliance with the provisions of this article and the Regulating Plans. within >>21<< [[~~twenty-one (21)~~]] days from the date of submission. The applicant shall have the right to extend the >>21-<< [[~~twenty-one (21)~~]] day period by an additional >>21<< [[~~twenty-one (21)~~]] days upon timely request made in writing to the Department. The Department shall have the right to extend the >>21-<< [[~~twenty-one (21)~~]] day period by written notice to the applicant that additional information is needed to process the site plan. Denials shall be in writing and shall specifically set forth the grounds for the denial. Any final decision of the Director may be appealed in accordance with the public hearing procedure established in Article XXXVI of this >>chapter<< [[Code]] and in accordance with the procedure established for appeals of administrative decision.

(2) Exhibits prepared by design professionals such as architects and landscape architects shall be submitted to the Department and shall include, but not be limited, to the following:

(A) Site plan(s) including:

* * *

>>(8) Locations for loading and unloading of vehicular passengers, to: (i) accommodate passengers who use vehicles for hire or transportation network companies; and (ii) minimize impacts of passenger loading and unloading on the surrounding roadway network. A loading or unloading zone that is shared among adjacent or adjoining parcels may be permitted, provided that a safe pedestrian route to each parcel is provided.<<

* * *

Section 5. Section 33C-7 of the Code of Miami-Dade County, Florida is hereby deleted in its entirety.

Section 6. Section 33C-8 of the Code of Miami-Dade County, Florida is hereby amended to read as follows:

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

* * *

(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.

* * *

>>(22) All developments shall provide vehicular passenger loading and unloading zones to: (i) accommodate passengers who use vehicles for hire or transportation network companies; and (ii) minimize impacts of passenger loading and unloading on the surrounding roadway network. A loading or unloading zone that is shared among adjacent or adjoining parcels may be permitted, provided that a safe pedestrian route to each parcel is provided.<<

* * *

(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:

* * *

(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 inch equals 60 feet containing the following information:

* * *

>>(xiv) Locations for loading and unloading of vehicular passengers.<<

* * *

Section 7. Section 33C-9 of the Code of Miami-Dade County, Florida is hereby amended to read as follows:

Sec. 33C-9. - Downtown Intermodal District Corridor Sub-Zone.

* * *

(F) Final Review.

* * *

- (3) *Required Exhibits.* The following exhibits must be included with an application. It is provided, however, that the Director 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<< [~~one (1)~~] inch equals >>100<< [~~one hundred (100)~~] feet, which shall include the following information:

* * *

>>(xiv) Locations for loading and unloading of vehicular passengers.<<

* * *

- (H) *Plan Review Standards.* The purpose of the site development standards is to encourage the creation of development within the Subzone that acts as a significant gateway for and destination to downtown Miami by designing and arranging buildings, public open space, transit and street circulation in a manner that foster round the clock pedestrian-activity, serves the local and regional transit demands of the community and contributes to the urban revitalization of the City of Miami.

* * *

- (2) Developments shall provide direct pedestrian and vehicular connections to the adjacent block and street network.

>>(i) All developments shall provide vehicular passenger loading and unloading zones to: (i) accommodate passengers who use vehicles for hire or transportation network companies; and (ii) minimize impacts of passenger loading and unloading on the surrounding roadway network. A loading or unloading zone that is shared among adjacent or adjoining parcels may be permitted, provided that a safe pedestrian route to each parcel is provided.

(ii)<< Pedestrian crosswalks providing safe passage from adjoining streets and blocks into the development project of the Subzone shall be installed at street corners and, if practicable, midblock locations.

>>(iii)<< Crosswalks shall be distinguished from other street elements by the use of conspicuous materials, texture>>_<< and color.

* * *

Section 8. Section 33C-10 of the Code of Miami-Dade County, Florida is hereby amended to read as follows:

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

* * *

(F) *Final Review.*

* * *

(4) *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:

* * *

>>(xiv) Locations for loading and unloading of vehicular passengers.<<

* * *

(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.

* * *

(2) Developments shall provide direct pedestrian and vehicular connections to the adjacent block and street network.

>>(i) All developments shall provide vehicular passenger loading and unloading zones to: (i) accommodate passengers who use vehicles for hire or transportation network companies; and (ii) minimize impacts of passenger loading and unloading on the surrounding roadway network. A loading or unloading zone that is shared among adjacent or adjoining parcels may be permitted, provided that a safe pedestrian route to each parcel is provided.

(ii)<< 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.

>>(iii)<< Crosswalks shall be distinguished from other street elements by the use of conspicuous materials, texture>>,<< and color.

* * *

Section 9. Section 33C-11 of the Code of Miami-Dade County, Florida is hereby amended to read as follows:

Sec. 33C-11. - Government Center Subzone.

* * *

(F) *Plan Review Standards.* These plan review standards are intended to: (i) encourage the creation of development within the Government Center Subzone, which acts as a significant gateway for, and destination to, the Miami-Dade Government Center area; and (ii) facilitate future growth in the Government Center Subzone 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, and contributes to the urban revitalization of the downtown area.

* * *

(2) Developments shall provide direct pedestrian and vehicular connections to the adjacent block and street network.

>>(i) All developments shall provide vehicular passenger loading and unloading zones to: (i) accommodate passengers who use vehicles for hire or transportation network companies; and (ii) minimize impacts of passenger loading and unloading on the surrounding roadway network. A loading or unloading zone that is shared among adjacent or adjoining parcels may be permitted, provided that a safe pedestrian route to each parcel is provided.

(ii)<< Pedestrian crosswalks providing safe passage from adjoining streets and blocks into the development project of the Subzone shall be installed at street corners and, if practicable, midblock locations.

>>(iii)<< Crosswalks shall be distinguished from other street elements by the use of conspicuous materials, texture>>_<< and color.

* * *

(G) *Review and approval process.* Notwithstanding any other provisions in this chapter, the review procedure for development within the Government Center Subzone shall be as follows:

* * *

- (2) *Final Review—Administrative Site Plan Review.* Following initial review in accordance with the provisions above, final review for all or a portion of the development within this subzone shall be considered administratively by the Department through an application for administrative site plan review (“ASPR”) in accordance with the following procedure:

* * *

- (e) Required Exhibits. The following exhibits must be included with an application. Exhibits shall be prepared by registered architects and landscape architects and shall include the information set forth below. It is provided, however, that the Director may waive any of the items required because of the nature or timing of the development or because the information cannot reasonably be furnished at the time of review.

- (i) Dimensioned site plans indicating, as a minimum, the following information:

* * *

- (g) Vehicular and pedestrian circulation systems including connections to existing or proposed roadway and sidewalk system >>and locations for loading and unloading of vehicular passengers<<;

* * *

Section 10. 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.

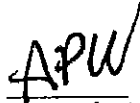
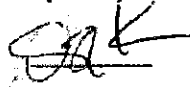
Section 11. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any sunset provision, shall become and be made a part of the Code of Miami-Dade County, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

Section 12. 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:

May 5, 2020

Approved by County Attorney as
to form and legal sufficiency:

Prepared by:

Dennis A. Kerbel

Prime Sponsor: Commissioner Eileen Higgins
Co-Sponsor: Chairwoman Audrey M. Edmonson