## Chapter 33C FIXED-GUIDEWAY RAPID TRANSIT SYSTEM—DEVELOPMENT ZONE [[1]](#BK_2602AFE556CB5A7FAC88927E6C156EA4)

[Sec. 33C-1. Legislative intent, findings and purposes.](#BK_8760002DD616E3445DEC27B9E813404E)

[Sec. 33C-2. Rapid Transit Zone.](#BK_0FD47862217791C33894F908ED969D34)

[Sec. 33C-3. Rapid Transit Developmental Impact Committee.](#BK_5B2837FFCCDA5980085890A43E414A76)

[Sec. 33C-4. Rapid Transit Developmental Impact Zone.](#BK_B9D29289EF7BDB202187C0E6E6E97B53)

[Sec. 33C-5. Guideway Aesthetic Zone.](#BK_CAFBADD62AE5480C08797FB9C68BB9D3)

[Sec. 33C-6. [Exceptions.]](#BK_947E509EBD3C7A2C6745FDFF833AA9BE)

[Sec. 33C-7. Dr. Martin Luther King, Jr. Corridor Subzone.](#BK_329AAEF7536BA05C96FF9D22B054F248)

[Sec. 33C-8. Rapid transit zone district regulations for non-Metrorail development within the City of Miami.](#BK_10D1AB66D75FFF3CD73DB220AF241AEB)

Sec. 33C-1. Legislative intent, findings and purposes.

The Board of County Commissioners for Miami-Dade County, Florida, hereby declares and finds that the uncoordinated use of lands within the County threatens the orderly development and the health, safety, order, convenience, prosperity and welfare of the present and future citizens of this County. Pursuant to Ordinance No. 75-22, the Board adopted and accepted the Comprehensive Development Master Plan for Miami-Dade County whereby it specifically declared that it was the continuing policy of Miami-Dade County, in cooperation with federal, State, regional and local governments, and other concerned public and private organizations, to use all reasonable means and measures to:

(a) Foster and promote the general welfare;

(b) To create and maintain conditions under which man and nature can exist in productive harmony; and

(c) To fill the social, economic and other requirements of the present and future generations of citizens of Miami-Dade County, Florida.

The board further found that the Comprehensive Development Master Plan was enacted to assure for all people of Miami-Dade County an attempt to create safe, healthful, productive and aesthetically and culturally pleasing surroundings; to attain the widest range of beneficial uses of the environment without unreasonable degradation, risk to the health or safety, or other undesirable and unintended consequences, to preserve important historic, cultural and natural aspects of our national heritage; to maintain, wherever possible, an environment which supports diversity and variety of individual choice; to achieve a balance between population and resources which will permit the high standards of living and a wide sharing of life's amenities, and to enhance the quality of renewal resources and approach the maximum attainable recycling of depletable resources. In furtherance of these goals and objectives, the Board finds that the coordinated review and analysis of its mass transit facilities is necessary to carry on a central metropolitan government in Miami-Dade County, Florida. Coordinated review and analysis of the mass transit system is susceptible to, and would be most effectively carried on, under a uniform plan of regulation applicable to the County as a whole. The planning of major transportation facilities, combined with other plan implementation tools, can be effectively used in meeting social, economic and environmental needs and in creating a major influence on metropolitan development patterns and life styles. The capability of a transportation network, acting in conjunction with other urban services to establish general development trends, is well recognized. A maximum coordination of transportation and land use policy decisions is therefore essential to optimize the role of transportation as a potent tool for implementing the desired patterns of metropolitan development.

The Board further finds that the Stage I Fixed-Guideway Rapid Transit System has, since 1973, undergone extensive planning, review, analysis, and engineering design efforts. The Stage I System has received design approval from both the federal and State governments and is in the process of final design, procurement and construction activities. The Stage I System, including proposed improvements in other forms of surface transportation facilities, represents a concerted, coordinated effort to improve not only the transportation facilities within Miami-Dade County, but the overall quality of life enjoyed by citizens of and visitors to Miami-Dade County. Finally, the Stage I System represents one (1) of the largest public works projects ever undertaken in Miami-Dade County and the Southeastern United States. As such, the Stage I Fixed-Guideway Rapid Transit System may only be planned, engineered, implemented, and administered on a County-wide basis, in a manner which will:

(a) Provide maximum opportunities for development to serve as financial assistance to the system; and

(b) Provide incentives for joint development with the private sector.

(Ord. No. 78-74, § 1, 10-17-78)

Sec. 33C-2. Rapid Transit Zone.

(A) *Definition.* The "Rapid Transit Zone" consists of all land area, including surface, subsurface, and appurtenant airspace, heretofore or hereafter designated by the Board of County Commissioners as necessary for the construction of the fixed-guideway portion of the Stage I Rapid Transit System, including all station sites, parking areas and yard and maintenance shop facilities.

(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 and Exhibit 10, May 26, 1983, 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 Planning and Zoning, as the Rapid Transit Zone for the Stage I Fixed-Guideway Rapid Transit System. The Director of the Department of Planning and Zoning 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.

(C) *Jurisdiction of County.* Jurisdiction for purposes of building and zoning approvals (including, but not limited to, site plan approvals, issuance of building permits, building inspections, compliance with the South Florida Building Code, issuance of certificates of occupancy, zoning applications, special exceptions, variances, district boundary changes, building and/or zoning moratoria, and all other types of functions typically performed by Building and/or Zoning Departments), water and sewer installations, compliance with environmental regulations, street maintenance (including sidewalks where applicable) and utility regulation, all of which relate to the uses specifically delineated in subsection (D) below, shall be and are hereby vested in Miami-Dade County regardless of any municipal code, charter, or ordinance provisions to the contrary.

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

(1) Fixed guideways for the Rapid Transit System.

(2) Stations for the Rapid Transit System, including such uses as passenger platforms and waiting areas, ticket and information booths, restrooms, utility rooms, in-station advertising displays, stairs, elevators, walkways, concessions, vending machines, and other service-related businesses offering goods and services for sale to passengers, and other similar uses as are necessary for or ancillary to the proper functioning of a rapid transit station.

(3) Parking lots and parking structures.

(4) Bus stops and shelters.

(5) Streets and sidewalks.

(6) Maintenance facilities for the Rapid Transit System, including yard and shops, and associated tracks and facilities.

(7) Landscaping.

(8) Bikeways, parks, community gardening, playgrounds, power substations and other uses necessary for the construction, operation and maintenance of the Rapid Transit System.

(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.

(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](../level3/PTIIICOOR_CH33ZO_ARTXXXVIZOPR.docx#PTIIICOOR_CH33ZO_ARTXXXVIZOPR_S33-304AP). 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](../level3/PTIIICOOR_CH33ZO_ARTXXXVIZOPR.docx#PTIIICOOR_CH33ZO_ARTXXXVIZOPR_S33-311COZOAPBOUTDU)(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](../level3/PTIIICOOR_CH33ZO_ARTXXXVIZOPR.docx#PTIIICOOR_CH33ZO_ARTXXXVIZOPR_S33-314DIAPAPCOCO), 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 may seek judicial review of the County Commission's action in accordance with [Section 33-316](../level3/PTIIICOOR_CH33ZO_ARTXXXVIZOPR.docx#PTIIICOOR_CH33ZO_ARTXXXVIZOPR_S33-316EXRECORE), Miami-Dade County Code.

(e) After March 15, 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](../level2/PTIIICOOR_CH33CFIIDRATRSYEVZO.docx#PTIIICOOR_CH33CFIIDRATRSYEVZO_S33C-8RATRZODIRENTRDEWIMI) 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](../level3/PTIIICOOR_CH33ZO_ARTXXXVIZOPR.docx#PTIIICOOR_CH33ZO_ARTXXXVIZOPR_S33-314DIAPAPCOCO), 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 Commissioners 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](../level3/PTIIICOOR_CH33ZO_ARTXXXVIZOPR.docx#PTIIICOOR_CH33ZO_ARTXXXVIZOPR_S33-316EXRECORE), Miami-Dade County Code.

(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.

(10) County government office development in the Rapid Transit Zone within municipalities. Whenever County office development is proposed for that portion of the Rapid Transit Zone surrounding the Douglas Road Metrorail Station, the directors of the Departments of Planning and Zoning, the Miami-Dade Transit Agency and the department proposing the development shall develop proposed master plan development standards for such proposed uses. The standards shall contain, at a minimum: (a) maximum height of the building; (b) maximum floor area ratio; (c) maximum parking provided; (d) minimum open space; (e) minimum setbacks from property lines; (f) gross and net land area; (g) criteria for pedestrian and vehicular circulation systems; (h) signage criteria; (i) criteria for parking layouts and drives; and (j) features demonstrating conformity with the guidelines for development of urban centers contained in the Comprehensive Development Master Plan, conformity with the Miami-Dade County Urban Design Manual, and consistency with the Metrorail Compendium of Design Criteria. Upon the consent of the county manager, the proposed standards shall be submitted to the affected municipality's governing board for review and approval.

In reviewing the standards, the municipality shall consider the type of function involved, the public need therefor, the existing land use pattern in the area and the nature of the impact of the facility on the surrounding property. The municipal governing board shall have the power to approve or reject the standards, but shall not modify the standards as submitted. Unless extended by agreement with the County Manager, failure of the municipal governing board to reach a final decision on the proposed development standards within 60 days after receipt of the standards may be deemed by the County to be a lack of objection to the standards as proposed. If the municipal governing board rejects the proposed development standards, the proposed County office development shall not be permitted at the site unless the Board of County Commissioners determines after duly noticed public hearing that the proposed development is of County-wide necessity and significance, and upon such determination approves the development standards in accordance with the criteria applicable to the municipal governing board.

After approval of the development standards, a site plan consistent with the approved development standards shall be submitted to the Director of the Department of Planning and Zoning. After review by the Directors of the Departments of Planning and Zoning, the Miami-Dade Transit Agency and the department seeking development approval, the County Manager may submit the site plan to the Board of County Commissioners with a recommendation for approval.

The Board of County Commissioners may authorize the development and approve the site plan by resolution following public hearing. The public hearing shall be held upon 15 days' notice of the time and place of the hearing published in a newspaper of general circulation in Miami-Dade County, which publication shall include the time and place of hearing before the Board of County Commissioners. A courtesy notice containing general information as to the date, time and place of the hearing, the property location and general nature of the proposed development may be mailed to the property owners of record within a radius of three hundred (300) feet of the property described in the application, or such greater distance as the County Manager may provide; provided, however, that failure to mail or receive such courtesy notice shall not affect any action or proceeding taken hereunder. To provide additional notice to the public, the property may be posted by a sign or signs indicating the action desired and the time and place of public hearing thereon. Failure to post the property shall not affect any action taken hereunder. At the public hearing, the Board shall consider, among other factors, the type of function involved, the public need therefor, the existing land use pattern in the area, alternative locations for the facility and the nature of the impact of the development on the surrounding property.

This process shall apply only to that portion of the Rapid Transit Zone surrounding the Douglas Road Metrorail Station.

(E) *Effect on existing land uses.* All land areas included by this section within the Rapid Transit Zone upon which uses other than those specified in subsection (D) of this section were authorized or permitted prior to October 27, 1978 may be used as follows:

(1) *Existing structures.* All existing buildings or structures and all uses for which building permits have already been issued prior to the effective date of this article and which have complied with the applicable provisions of the South Florida Building Code, may be continued or constructed in accordance with the approved plans and specifications therefor. Alterations, improvements, or expansions of existing structures shall be subject to the provisions of paragraph (2) hereof.

(2) *All other lands.* No applications for site or plan approvals and/or building permits shall be issued for new facilities within the Rapid Transit Zone except in the following circumstances:

(a) The estimated construction cost does not exceed ten thousand dollars ($10,000.00) in any consecutive two-year period; or

(b) The Miami-Dade Transit Agency certifies that approval of the application will not have an adverse impact upon a material element of the Stage I System. The Miami-Dade Transit Agency shall, with respect to any application for which certification is refused, provide a detailed written explanation supporting the refusal to certify and specifying the corrective actions, if any, which would lead to certification. The decision of the Agency may be appealed to the Board of County Commissioners within thirty (30) days from the date of the written explanation by filing a notice of appeal with the Clerk of the Board of County Commissioners. The Board of County Commissioners, after giving public notice as required by [Chapter 33](../level2/PTIIICOOR_CH33ZO.docx#PTIIICOOR_CH33ZO) of the Code, shall hear the appeal and either affirm, deny or modify the decision of the Agency. Appeals from the Board of County Commissioners' action shall be in accordance with [Section 33-316](../level3/PTIIICOOR_CH33ZO_ARTXXXVIZOPR.docx#PTIIICOOR_CH33ZO_ARTXXXVIZOPR_S33-316EXRECORE) of this Code.

(Ord. No. 78-74, § 1, 10-17-78; Ord. No. 79-59, § 1, 7-3-79; Ord. No. 82-80, § 1, 9-7-82; Ord. No. 83-27, § 1, 5-17-83; Ord. No. 95-215, § 1, 12-5-95; 98-114, § 1, 7-21-98; Ord. No. 98-125, § 24, 9-3-98; Ord. No. 00-38, § 1, 2-21-00; Ord. No. 02-171, § 1, 9-24-02; Ord. No. 03-113, § 2, 5-6-03; Ord. No. 08-28, § 1, 3-4-08)

Annotation—CAO 84-10.

**Editor's note—**

Ord. No. 82-79, § 1, adopted Sept. 7, 1982, and Ord. No. 87-55, § 1, adopted July 21, 1987, amended [§ 33C-2](../level2/PTIIICOOR_CH33CFIIDRATRSYEVZO.docx#PTIIICOOR_CH33CFIIDRATRSYEVZO_S33C-2RATRZO) by amending one (1) of the drawings of the Rapid Transit Zone maps, which drawings are not reproduced herein.

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

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](../level3/PTIIICOOR_CH33ZO_ARTXXXVIZOPR.docx#PTIIICOOR_CH33ZO_ARTXXXVIZOPR_S33-303.1DEIMCO), 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. The Rapid Transit Developmental Impact Committee shall, subject to the procedures specified in [Section 33-303.1](../level3/PTIIICOOR_CH33ZO_ARTXXXVIZOPR.docx#PTIIICOOR_CH33ZO_ARTXXXVIZOPR_S33-303.1DEIMCO), Miami-Dade County Code, perform the duties specified in [Section 33C-2](../level2/PTIIICOOR_CH33CFIIDRATRSYEVZO.docx#PTIIICOOR_CH33CFIIDRATRSYEVZO_S33C-2RATRZO) and [Section 33C-4](../level2/PTIIICOOR_CH33CFIIDRATRSYEVZO.docx#PTIIICOOR_CH33CFIIDRATRSYEVZO_S33C-4RATRDEIMZO) of this chapter.

Mailed notice of hearings before the Rapid Transit Developmental Impact Committee pursuant to [Section 33C-2](../level2/PTIIICOOR_CH33CFIIDRATRSYEVZO.docx#PTIIICOOR_CH33CFIIDRATRSYEVZO_S33C-2RATRZO)(D)(9)(d) shall be provided in the same manner as hearings on applications filed before the Community Zoning Appeals Board pursuant to [Section 33-310](../level3/PTIIICOOR_CH33ZO_ARTXXXVIZOPR.docx#PTIIICOOR_CH33ZO_ARTXXXVIZOPR_S33-310NOHEPRACCOZOAPBOBOCOCO)(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](../level3/PTIIICOOR_CH33ZO_ARTXXXVIZOPR.docx#PTIIICOOR_CH33ZO_ARTXXXVIZOPR_S33-304AP).

(Ord. No. 78-74, § 1, 10-17-78; Ord. No. 03-113, § 3, 5-6-03)

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](../level2/PTIIICOOR_CH33CFIIDRATRSYEVZO.docx#PTIIICOOR_CH33CFIIDRATRSYEVZO_S33C-2RATRZO)(D)(9)(e). Such proposed development standards shall be submitted to the Rapid Transit Developmental Impact Committee established by [Section 33C-3](../level2/PTIIICOOR_CH33CFIIDRATRSYEVZO.docx#PTIIICOOR_CH33CFIIDRATRSYEVZO_S33C-3RATRDEIMCO) 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](../level2/PTIIICOOR_CH33CFIIDRATRSYEVZO.docx#PTIIICOOR_CH33CFIIDRATRSYEVZO_S33C-2RATRZO)(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](../level3/PTIIICOOR_CH33ZO_ARTIINGE.docx#PTIIICOOR_CH33ZO_ARTIINGE_S33-2DIEN)(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](../level3/PTIIICOOR_CH33ZO_ARTXXXVIZOPR.docx#PTIIICOOR_CH33ZO_ARTXXXVIZOPR_S33-310NOHEPRACCOZOAPBOBOCOCO)(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](../level3/PTIIICOOR_CH33ZO_ARTXXXVIZOPR.docx#PTIIICOOR_CH33ZO_ARTXXXVIZOPR_S33-304AP).

(Ord. No. 78-74, § 1, 10-17-78; Ord. No. 08-28, § 2, 3-4-08)

**Editor's note—**

Pursuant to the provisions of this chapter, and Resolution No. R-867-76, the County has enacted the following ordinances, accepting Station Area Design and Development Studies:

|  |  |  |
| --- | --- | --- |
| **Ord. No.** | **Date** | **Station area** |
| 80-129 | 11-18-80 | Earlington Heights |
| 81-29 | 3-17-81 | Martin Luther King, Jr. |
| 81-30 | 3-17-81 | Dadeland North |
| 81-31 | 3-17-81 | Brownsville |
| 81-32 | 3-17-81 | Northside |
| 82-12 | 3- 2-82 | Dadeland South |

Sec. 33C-5. Guideway Aesthetic Zone.

*Definition:* The Guideway Aesthetic Zone consists of those land areas designated by the Board of County Commissioners which are adjacent to or within the Rapid Transit Developmental Impact Zone. Said lands [include those land areas which] are within the line of sight of the Rapid Transit System fixed guideways and stations and upon which land developments and/or structures (specifically including billboards) will deleteriously affect the aesthetic impact of the Rapid Transit System.

(Ord. No. 78-74, § 1, 10-17-78)

Sec. 33C-6. [Exceptions.]

The provisions of Sections [33C-2](../level2/PTIIICOOR_CH33CFIIDRATRSYEVZO.docx#PTIIICOOR_CH33CFIIDRATRSYEVZO_S33C-2RATRZO)(D)(9) through [33C-5](../level2/PTIIICOOR_CH33CFIIDRATRSYEVZO.docx#PTIIICOOR_CH33CFIIDRATRSYEVZO_S33C-5GUAEZO) shall not apply to those portions of the Rapid Transit Zone or Rapid Transit impact zone that are included within the boundaries of an urban center designation in the Comprehensive Development Master Plan and for which specific Urban Center Zoning District regulations have been adopted.

(Ord. No. 99-166, § 2, 12-16-99)

**Editor's note—**

Ord. No. 99-166, § 2, adopted Dec. 16, 1999 replaced [section 33C-6](../level2/PTIIICOOR_CH33CFIIDRATRSYEVZO.docx#PTIIICOOR_CH33CFIIDRATRSYEVZO_S33C-6EX) with a new [section 33C-6](../level2/PTIIICOOR_CH33CFIIDRATRSYEVZO.docx#PTIIICOOR_CH33CFIIDRATRSYEVZO_S33C-6EX). Former [section 33C-6](../level2/PTIIICOOR_CH33CFIIDRATRSYEVZO.docx#PTIIICOOR_CH33CFIIDRATRSYEVZO_S33C-6EX) pertained to the Dadeland Subzone and derived from Ord. No. 82-81, § 1, adopted Sept. 7, 1982; Ord. No. 95-215, § 1, adopted Dec. 5, 1995; Ord. No. 98-14, § 1, adopted Jan. 13, 1998; and Ord. No. 98-125, §§ 24, 37, adopted Sept. 3, 1998.

Sec. 33C-7. Dr. Martin Luther King, Jr. Corridor Subzone.

(1) *Boundaries.* Pursuant to the provisions of [Section 33C-2](../level2/PTIIICOOR_CH33CFIIDRATRSYEVZO.docx#PTIIICOOR_CH33CFIIDRATRSYEVZO_S33C-2RATRZO)(D)9(b), the Dr. Martin Luther King, Jr. Corridor Subzone (MLK Corridor Subzone) of the Rapid Transit Zone is hereby established; the boundaries of the Subzone include all portions of the Rapid Transit Zone located north of NW 51st Street and east of NW 32nd Avenue, as described in and incorporated into [Section 33C-2](../level2/PTIIICOOR_CH33CFIIDRATRSYEVZO.docx#PTIIICOOR_CH33CFIIDRATRSYEVZO_S33C-2RATRZO)(B) hereof; said boundaries shall be certified by the Clerk of the Board as a part of this section, and transmitted to the Department of Planning and Zoning for custody.

(2) *Development regulations.* The following development regulations shall apply within the MLK Corridor Subzone, except for the Brownsville and Martin Luther King Jr. Stations, which development shall comply with the Model City Urban Center District regulations set forth in [Chapter 33](../level2/PTIIICOOR_CH33ZO.docx#PTIIICOOR_CH33ZO), Article XXXIII(R) of this Code, and except for the Northside Station, which development shall comply with the North Central Urban Area District regulations set forth in [Chapter 33](../level2/PTIIICOOR_CH33ZO.docx#PTIIICOOR_CH33ZO), Article XXXIII(S) of this Code:

(a) Mixed uses, as provided by [Section 33C-2](../level2/PTIIICOOR_CH33CFIIDRATRSYEVZO.docx#PTIIICOOR_CH33CFIIDRATRSYEVZO_S33C-2RATRZO)(D)(9)(a) shall be permitted, said uses including, but not limited to, residential, office, hotel, clubs, restaurants, theatres, retail, etc.

(b) Parking for single use projects shall be provided at no less than ninety (90) percent or no greater than one hundred ten (110) percent of the following standards:

i. Residential—One (1) parking space for each dwelling unit.

ii. Office—One (1) parking space for each four hundred (400) square feet of gross floor area.

iii. Hotel—One (1) parking space for every two (2) guestrooms.

iv. Other uses—Ninety (90) percent of the required parking per [Section 33-124](../level3/PTIIICOOR_CH33ZO_ARTVIIOREPA.docx#PTIIICOOR_CH33ZO_ARTVIIOREPA_S33-124ST)

(c) Parking for mixed-use projects (two (2) or more land uses) shall be calculated by applying the ULI Shared Parking Methodology (Library of Congress Card Number 83 51648) to the parking requirements as specified above. Parking shall fulfill between ninety (90) percent and one hundred ten (110) percent of the ULI calculation.

(d) Setbacks. See site plan review standards and criteria herein.

(e) The maximum floor area ratio shall not exceed 3.0.

(f) The maximum building height shall not exceed one hundred fifty (150) feet.

(g) The minimum open space shall be twenty-five (25) percent; said open space may be provided at grade or on abovegrade surfaces, provided that at least fifteen (15) percent is outdoor at grade, and shall include landscape areas improved and maintained with grass, shrubbery, and trees, water fountains and features, art displays, and other landscape elements and features.

(h) Sign(s), to direct traffic flow and locate entrances and exits to developments and/or to identify developments within the subzone area and on abutting properties shall be permitted in connection with any permitted use. Said signs shall be reviewed by the Department of Planning and Zoning and Miami-Dade Transit Agency for compliance with the standards and criteria set forth in [Section 33C-7](../level2/PTIIICOOR_CH33CFIIDRATRSYEVZO.docx#PTIIICOOR_CH33CFIIDRATRSYEVZO_S33C-7DRMALUKIJRCOSU)(3) below.

(3) *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 insure the congruity of the proposed development and its compatibility with the surrounding area. The following site plan review standards and criteria shall be utilized as a guide by the Developmental Impact Committee or the Department of Planning and Zoning and by the Board of County Commissioners in the consideration of requests for special exception for site plan approvals within the MLK Corridor Subzone, except for the Brownsville and Martin Luther King Jr. Stations, which development shall comply with the Model City Urban Center District regulations set forth in [Chapter 33](../level2/PTIIICOOR_CH33ZO.docx#PTIIICOOR_CH33ZO), Article XXXIII(R) of this Code, and except for the Northside Station, which development shall comply with the North Central Urban Area District regulations set forth in [Chapter 33](../level2/PTIIICOOR_CH33ZO.docx#PTIIICOOR_CH33ZO), Article XXXIII(S) of this Code:

(a) All development shall conform foremost with the guidelines for development of Urban Centers contained in the Comprehensive Development Master Plan, and shall be reviewed for its compatibility with the Miami-Dade County Urban Design Manual, the Metrorail compendium of design criteria, and the applicable station area design and development plan.

(b) Mixed, twenty-four-hour activity uses should be encouraged to be incorporated into the design of development projects.

(c) Setbacks may not be required due to the unique locational characteristics associated with the MLK Corridor Subzone site; however, building locations shall be reviewed to assure compatibility with surrounding existing, proposed, and anticipated development and uses and to assure that no visual or other safety hazards are created in connection with existing, proposed, and anticipated pedestrian and vehicular circulation systems.

(d) Pedestrian open space, in the form of plazas, arcades, courtyards, landscaped areas, etc., particularly at the level of the station, with convenient connections between the station and restaurants, theatres, retail uses, etc., so as to provide easy access thereto, should be encouraged to be incorporated into the design of all development projects.

(e) The scale of all development projects should be designed to be compatible with surrounding existing, proposed, and anticipated development and uses, and, therein, step-down buildings may be encouraged to be incorporated into the design of the project, and all development should be architecturally and aesthetically compatible with the station and enhance the surrounding area.

(f) Open space 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.

(g) All development projects should be designed so as to reduce energy consumption. Energy conservation methods may include, but not be limited to, the natural ventilation of structures, the siting of structures in relation to prevailing breezes and sun angles, and the provision of landscaping for shade and transpiration.

(h) All development projects should be designed so that the pedestrian and vehicular circulation systems adequately serve the needs of the project and are compatible and functional with the circulation systems exterior to the site.

(i) All development projects should be designed with a coordinated outdoor lighting and signage system that is adequate for and an integral part of the project and that is compatible and harmonious with the project and the surrounding area.

(Ord. No. 99-161, § 1, 11-16-99; Ord. No. 10-13, § 8, 2-2-10; Ord. No. 11-65, § 8, 8-2-11)

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](../level2/PTIIICOOR_CH33ZO.docx#PTIIICOOR_CH33ZO) and [Chapter 18A](../level2/PTIIICOOR_CH18AMIDECOLAOR.docx#PTIIICOOR_CH18AMIDECOLAOR) 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](../level2/PTIIICOOR_CH33ZO.docx#PTIIICOOR_CH33ZO) or [Chapter 28](../level2/PTIIICOOR_CH28SU.docx#PTIIICOOR_CH28SU) 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 feet and in Community Urban Centers colonnade depth shall be a minimum of 10 feet.

(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 than that of the tower below. In a Metropolitan Community Urban Center, the 5 top stories (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 stories (7 stories with Gold LEED Certification; 6 stories with Silver LEED Certification) portion of a building that creates the street frontage. In a Metropolitan Urban Center, the bottom 7 stories (11 stories with Gold LEED Certification; 8 stories 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 stories (13 stories with Gold LEED Certification; 11 stories with Silver LEED Certification) portion of a building above the pedestal and below the penthouse. In a Metropolitan Urban Center, the middle 13 stories (22 stories with Gold LEED Certification; 16 stories 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](../level3/PTIIICOOR_CH33ZO_ARTXALBE.docx#PTIIICOOR_CH33ZO_ARTXALBE_S33-150LOES)(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 Zones, 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 feet when colonnade is provided in all urban centers; 15 feet in Metropolitan Urban Centers when colonnade is not provided. 10 feet 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 feet when colonnade is provided in all urban centers; minimum 25 feet in Metropolitan Urban Centers when colonnade is not provided, minimum 20 feet 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 feet when colonnade is provided in all urban centers; minimum 35 feet in Metropolitan Urban Centers when colonnade is not provided, minimum 30 feet 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 nonresidential uses are located across the street from single-family zoned property, the build-to-line shall be 30 feet for the pedestal, except 20 feet if colonnade is provided, a minimum of 40 feet for the tower and a minimum of 50 feet for the penthouse.

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

(c) *Rear side:* 0 feet minimum in all urban centers including the metrorail station guideway, except 30 feet 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 (USGBC) are 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 feet 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 (USGBC).

All rapid transit development having been designed and having registered for a certification rating from LEED or a similar organization accredited by the USGBC 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 feet, as measured from floor to floor, except that a single story may have a maximum height of 30 feet, provided no mezzanine area exceeds 10% of the floor area of that story. Any height above 16 feet 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](../level3/PTIIICOOR_CH33ZO_ARTVIIOREPA.docx#PTIIICOOR_CH33ZO_ARTVIIOREPA_S33-124ST) 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 feet 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 feet 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 inches from the curb face. All right-of-way encroachments shall be a minimum of 132 inches above the sidewalk. Encroachments shall not be taller than the building or pedestal, whichever is lower. Cantilevers and mouldings shall not exceed 3 feet 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 toward meeting the minimum open space requirements. Parking lot buffers shall not count toward the open space requirement.

(11) *Landscape.* Landscape shall be provided in accordance with [Chapter 18A](../level2/PTIIICOOR_CH18AMIDECOLAOR.docx#PTIIICOOR_CH18AMIDECOLAOR) (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 feet on center with a minimum 4-inch 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 feet 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 toward the street, contribute to spatial enclosure of street space in and around the Subzone, 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 siting 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](../level3/PTIIICOOR_CH33ZO_ARTXXXVIZOPR.docx#PTIIICOOR_CH33ZO_ARTXXXVIZOPR_S33-304AP), Code of Miami-Dade County, and herein:

(1) *Preapplication Conference.* Prior to the filing of an application for site plan approval, the prospective applicant shall schedule a preapplication 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 inch equals 60 feet 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.

(Ord. No. 08-28, § 3, 3-4-08)

FOOTNOTE(S):

--- (**1**) ---

**Editor's note—** Ord. No. 78-74, § 1, adopted Oct. 17, 1978, amended this Code by adding Ch. 33C, §§ 33C-1—33C-5. [(Back)](#BK_336132BBBD846577CD4916920C842C4E)

**Cross reference—** Zoning, Ch. 33; developments in incorporated areas creating county impact, Ch. 33A. [(Back)](#BK_336132BBBD846577CD4916920C842C4E)