



## City of Miami Zoning Information

# Sub-Urban Transect T3

Miami 21 Zoning Code

Notice: This is a reference manual only. For official information, please refer to the Miami 21 Code, as amended, the Zoning Ordinance of the City of Miami. Additional regulations may be applicable. All applications require zoning review and referral prior to commencement.

Revised April 2018

**Specified Sexual Activities:** Those activities which, when described, displayed, exhibited, simulated, or depicted by whatsoever medium in an adult entertainment service establishment: (a) show the human genitals in a state of sexual stimulation, or being aroused to a state of sexual stimulation, (b) show acts of human masturbation, human sexual intercourse, or sodomy; or sexual acts between humans and animals; (c) show one (1) human being fondling or touching erotically the genitals, pubic area, buttock, anus, or female breast of another human being. See Section 1.1 (Commercial Entertainment Establishment, Adult).

**Square:** See Article 4, Table 7.

**Stall / Berth:** The space where vehicles are placed for parking or loading or unloading operations.

**Stationing:** The placing or positioning of a given movable item on a given parcel of land for period of time exceeding 12 hours.

**Stoop:** A small stair, landing or ramp connecting a Building entrance to the Sidewalk. Also See Article 4, Table 6.

**Storage and Distribution:** See Section 1.1, Industrial Use.

**Story:** A level within a Building by which Height is measured.

**Streetscape:** The urban element that establishes the major part of the public realm. The streetscape is composed of Thoroughfares (travel lanes for vehicles and bicycles, parking lanes for cars, and Sidewalks or paths for pedestrians) as well as the amenities of the Public Frontages (street trees and plantings, benches, streetlights, paving, street furniture, etc.), and the visible Private Frontages (Building Facades and Building Elevations, Porches, yards, Fences, etc.).

**Streetscreen:** A freestanding wall required in certain Transect Zones built along the Frontage Line, or coplanar with the Facade, often for the purpose of masking a parking lot from the Thoroughfare. See Article 4, Table 8.

**Structure:** A Structure is anything constructed or erected, the use of which requires fixed location on the ground or attachment to something having fixed location on the ground or on or below the surface of the ground or water.

**Sub-Urban Zone or T3 Zone:** See Article 4, Table 1.

**Terminated Vista:** A location at the axial conclusion of a Thoroughfare. A Building located at a Terminated Vista designated on a Special Area Plan is required to be designed in response to the axis.

**Terrace:** See Article 4, Table 6.

**Thoroughfare:** A vehicular way incorporating moving lanes and parking lanes within a right-of-way as part of an interconnected network for vehicular, pedestrian, and bicycle mobility.

**Tower:** In T6 Zones that portion of a Building that extends above the Pedestal.

**Towing Service:** Establishment which provides for the removal and temporary storage of vehicles but does not include disposal, permanent disassembly, salvage or accessory storage of inoperable vehicles.

**Townhouse:** See Rowhouse.

**Transect:** A system of ordering human habitats in a range from the most natural to the most urban. Transect Zones describe the physical character of place at any Scale, according to the Density and Intensity of land use and urbanism.

**Transect Zone (T-Zone):** The identification of areas of varying Density whose character is determined by the requirements for Use, Height, Setback and the form of Building and the form of the enfronting public streetscape. The elements are determined by their location on the Transect scale. The T-Zones are: T1 Natural, T2 Rural, T3 Sub-Urban, T4 Urban General, T5 Urban Center, and T6 Urban Core, CS Civic Space, CI Civic Institutional, CI-HD Civic Institution – Health District, D1 Work Place, D2 Industrial and D3 Waterfront Industrial. Within T3 through T6 Zones are additional categories, Restricted (R), Limited (L) and Open (O), and each category shall also be considered a T-Zone.

**Transit Corridor:** A designation established by the City involving an area not exceeding a one-quarter (1/4) mile radius from a non-limited access thoroughfare that included designated transit stop locations and is served by one or more mass transit route(s) with designated transit vehicle(s) operating at an average of ten (10) minute or less headway Monday thru Friday between the hours of 7am thru 7pm. Multiple transit routes or types of transit vehicles may be added cumulatively under this definition for the purpose of parking reductions.

**Transit Facility:** See Section 1.1, Civil Support Use.

**Transit Oriented Development (TOD):** A designation established by the City involving an area not exceeding a one-half (1/2) mile radius from a convergence of modes of transit, or a train station.

**Transition Line:** A horizontal line spanning the full width of a Facade, expressed by a material change or by a continuous horizontal articulation such as a cornice or a balcony.

**Transmission Towers:** Freestanding Structures intended for the support of antennas used in the reception and relay of radar, radio, cellular, television or telephone communications.

**Travel Trailer / Recreational Vehicle:** A vehicular, portable Structure built on a chassis, designed to be used as a temporary dwelling for travel, recreational, or vacation purposes. This includes pickup

**2.1 PURPOSE AND INTENT****2.1.1 Title and Purpose**

- a. This Code shall be known as the Miami 21 Code of the City of Miami, Florida. This Code is declared to be in accord with the Miami Comprehensive Neighborhood Plan, as required by the Local Government Comprehensive Planning and Land Development Regulation Act, Section 163.3161 et seq., Florida Statutes (the “Comprehensive Plan”). A primary purpose of this Code is to implement the Comprehensive Plan.
- b. It is further the purpose of the Miami 21 Code to promote the public health, safety, morals, convenience, comfort, amenities, prosperity, and general welfare of the City and to provide a wholesome, serviceable, and attractive community, including without limitation protection of the environment; conservation of land, energy and natural resources; improved mobility; more efficient use of public funds; greater health benefits of a pedestrian environment; historic preservation; provision of recreational and open spaces; reduction of sprawl; and improvement of the built environment and human habitat.
- c. To further the goals and objectives of the Comprehensive Plan and the purpose of this Code, the City is divided into Transect Zones (“T-Zones”) of such number, characteristics, area, common unity of purpose, adaptability, or use as will accomplish the goals and objectives of the Comprehensive Plan and this Code.

**2.1.2 Intent**

The Miami 21 Code is intended to advance the interests of both conservation and development while responding to the existing conditions of the City, its regional context, and its natural features, infrastructure and Buildings.

- a. The conservation goals include:
  1. Preserving Neighborhoods, Historical Resources and the natural environment
  2. Improving the relationship between low Density Residential neighborhoods and adjacent Commercial Corridors with appropriate transitions of Density and Height following the theory of the Transect
  3. Increasing access to the natural environment through the Baywalk, the Riverwalk, the north-south Greenway, and new Parks
  4. Conserving energy and reducing carbon dioxide emissions through improved Thoroughfare connectedness to encourage walkability, bicycling and transit use
  5. Increasing tree canopy
  6. Encouraging green Buildings



b. The development goals include:

1. Maintaining the future growth capacity of the City core to ensure its preeminence as the transit-oriented, pedestrian-friendly focus for the region's economic, civic and cultural activities
2. Rebuilding the City's commercial Corridors to function as Mixed-Use, transit-oriented, walkable centers for adjacent Residential Neighborhoods
3. Ensuring that private Development contributes to increased infrastructure capacity, and through building embellishes a pedestrian-friendly public realm of highest ambient quality
4. Establishing a rational process for successional growth in areas identified for density and growth

### 2.1.3

#### **Transect Principles**

The Miami 21 Code is intended to encourage the evolution of a settlement pattern based on the organizational principles of the Transect. The Transect is defined as a geographical cross-section that reveals a sequence of environments. Applied to the human or the built environment, the Transect is used to identify and organize a continuum of the physical environment ranging from the least to the most urban.

Transect planning creates coordinated, integrated and harmonious environments, based on the arrangement of all the components to support locational character. Within the range of urban contexts, each different type of location, called a Transect Zone, has development Function, Intensity and Disposition appropriate to the location, and integrates the details of the corresponding public realm. To ensure this integration, the Miami 21 Code controls development on Lots as well as establishes guidelines for the detailing of public right-of-way. For example, narrow streets with open swales find their place in neighborhoods of suburban character, while wide streets with tree lined sidewalks accompany Commercial Development in more intense urban areas.

The Transect encourages the making of places that build on historic character and that evolve over time. This evolution, with the principles enumerated below guiding growth or reduction in Density and Intensity, is called succession. Successional change emerges from a vision of the larger urban context and appropriate transitions across Transect Zones.

The City of Miami's urban context is comprised of a series of Neighborhoods, Corridors, urban centers, and Districts, each with its own arrangement of Transect Zones. In all cases the goal of transit-oriented, pedestrian-friendly, Mixed-Use urbanism shall guide the arrangement of Transect Zones, Thoroughfares, Buildings and landscape. The specific design of each component should be appropriate to its Transect Zone, as provided in this Code.

Transect Zones are sequential in Intensity: successional zoning changes shall only be permitted sequentially and respecting transitions across Abutting Transect Zones as provided in Article 7.

Transect Zones manifest a range of responses to natural and urban conditions. As described in Article 5, Transect Zones T1, T2 and T3, the least urban, emphasize the presence of the natural

**3.1****TRANSECT ZONES****3.1.1**

The Miami 21 Code Transect Zones are described in Article 4, Table 1 and include the standards summarized in Article 4, Table 2 and further described in Article 5. They range in Function and Density from low-Density, primarily residential areas to high Density Mixed-Use areas, across the Transect, with zones identified as T1, T2, T3, T4, T5, T6, CS, CI, CI-HD, D1, D2 and D3 and all R, L, O and T6 subcategories.

**3.2****PHASING**

All development shall conform to this Code regardless of phasing. Each phase of a development project shall conform to this Code in its entirety.

**3.3****LOTS AND FRONTAGES****3.3.1**

Lots assembled into one (1) ownership within one (1) Transect Zone may be developed as a single Lot. Lots assembled into one (1) ownership that encompass more than one (1) Transect Zone shall be developed according to the corresponding Transect regulation for each Lot, except as described in Section 3.6.1(e). In such cases, there shall be no transfer of Density or Intensity of Development Capacity between Transect Zones, except if the Lots are assigned equal Densities, Density may be transferred across the Transect boundary. Where Lots are assembled into one (1) ownership, the side or rear Setbacks sharing the Property Line may be eliminated. Lot assembly shall require a Unity-of-Title acceptable to the City Attorney. Contiguous Lots in one (1) ownership, as of the effective date of this Code, may be developed as one (1) Lot in excess of the maximum Lot size.

**3.3.2**

In Transect Zones T5, T6, CI, CS, D1, D2, and D3, buildable sites shall Enfront a vehicular Thoroughfare or a Pedestrian Passage, with at least one Principal Frontage.

**3.3.3**

Lots facing Thoroughfares on more than one (1) side shall have designated Principal Frontage(s) and may have Secondary Frontage(s). Unless otherwise designated by a Special Area Plan, a Principal Frontage shall be that facing the Thoroughfare of higher pedestrian importance or intensity (i.e., traffic volume, number of lanes, etc.), as determined by the Planning Department upon request by the Zoning Administrator.

- a. If two Thoroughfares are of equal importance each Frontage shall be considered a Principal Frontage. Lots with two or more Frontages may consider other non-fronting Property Lines as sides.
- b. Lots shall have at least one (1) Principal Frontage, except waterfront Lots shall have at least two (2) Principal Frontages, one of which shall be the waterfront and shall conform to Waterfront Setback Standards. For Waterfront Setbacks, see Section 3.11.
- c. Where an existing lot of record is located adjacent to a Thoroughfare in a manner that creates an irregular Frontage such that the side or rear yards cannot be determined as with a regular lot, the Zoning Administrator shall determine, by Waiver, the yard and setbacks for the lot as fits the circumstances of the case. In addition to general Waiver requirements, the Zoning Administra-

*SW 8th Street Setback: Zero (0') feet with Gallery*

**j. 22nd Avenue**

1. Boundary: 22nd Avenue from NW 1st Street to SW 8th Street.

*22nd Ave Setback: Zero (0') feet with Arcade*

**k. Central Coconut Grove**

1. Boundary:
  - All properties Adjacent to Grand Avenue between Margaret Street and Mary Street.
  - All properties Adjacent to Commodore Plaza between Grand Avenue and Main Highway.
  - All properties Adjacent to Fuller Street between Grand Avenue and Main Highway.
  - All properties Adjacent to Main Highway between Charles Avenue to Grand Avenue.
  - All properties Adjacent to McFarlane Road between Grand Avenue and South Bayshore Drive.
  - All properties Adjacent to Virginia Street between Oak Avenue and Grand Avenue.
  - All properties Adjacent to Florida Avenue between Virginia Street and Mary Street.
  - All properties Adjacent to Rice Street between Oak Avenue and Florida Avenue.
  - All properties on the west side of Mary Street between Oak Avenue and Grand Avenue.
  - All properties on the south side of Oak Avenue between Matilda Street and Tigertail Avenue.

*Central Coconut Grove Setback (on the streets listed above): Five (5) feet.*

**l. Wynwood**

1. Boundary: Established Setback Areas have been identified within Wynwood NRD-1 Street Master Plan located within Appendix A of this Code.

**3.4**

**DENSITY AND INTENSITY CALCULATIONS**

**3.4.1** Lot Area, inclusive of any dedications, is used for purposes of Density and Intensity calculation.

**3.4.2** Density shall be calculated in terms of units as specified by Article 4, Tables 3 and 4. The referenced tables provide the maximum allowable Densities. Intensity shall be calculated in terms of Floor Lot Ratio. The buildable Density or Intensity on any particular site will be affected by other regulations in this Code and thus the stated maximums of this Miami 21 Code may exceed the actual Capacity that a site can sustain when other regulations of this Code are applied to the site. The inability to reach the maximum Density or Intensity because of the necessity to conform to the other regulations of this Code shall not constitute hardship for purposes of a Variance.

**3.4.3** Lodging Units shall be considered as equivalent to one-half (0.50) of a Dwelling Unit.

**3.4.4** The allowable Transect Zone Density may be increased as provided by the Future Land Use Element of the Miami Comprehensive Plan (Residential Density Increase Areas), as illustrated in Article 4, Diagram 9.

**3.5****MEASUREMENT OF HEIGHT**

- 3.5.1** Unless otherwise specified herein, the Height of Buildings shall be measured in Stories. The height of Fences and walls shall be measured in feet. The Height of Buildings, Fences and walls shall be measured from the Average Sidewalk Elevation or, where no sidewalk exists, the average of the record profile grade elevation of the street Abutting the Principal Frontage of the Building, as determined by the Public Works Department. In the event that the base flood elevation, as established by FEMA, is higher than the sidewalk or grade elevations, the Height of the first Story but not the height of Fences and walls shall be measured from the base flood elevation.
- 3.5.2** A Story is a Habitable level within a Building of a maximum fourteen (14) feet in Height from finished floor to finished floor. Basements are not considered Stories for the purposes of determining Building Height. A ground level retail Story may exceed this limit up to a total height of twenty-five (25) feet. A single floor level exceeding fourteen (14) feet, or twenty-five (25) feet at ground level retail, shall be counted as two (2) Stories; except for T6-36, T6-48, T6-60, T6-80, and D1, where a single floor level exceeding fourteen (14) feet may count as one (1) story if the building height does not exceed the maximum height, including all applicable bonuses, allowed by the transect at fourteen (14) feet per floor. Where the first two stories are retail, their total combined Height shall not exceed thirty-nine (39) feet and the first floor shall be a minimum of fourteen (14) feet in Height. Mezzanines may not exceed thirty-three percent (33%) of the Habitable Space Floor Area, except for D1, where mezzanines may not exceed fifty percent (50%) of the Habitable Space Floor Area. Mezzanines extending beyond thirty-three percent (33%) of the Floor Area, or fifty percent (50%) of the Floor Area in D1, shall be counted as an additional floor. The Height of a Parking Structure concealed by a Liner may be equal to the Height of the Liner; this may result in a Liner Story concealing more than one level of Parking.
- 3.5.3** Except as specifically provided herein, the Height limitations of this Code shall not apply to any roof Structures for housing elevators, stairways, tanks, ventilating fans, solar energy collectors, or similar equipment required to operate and maintain the Building (provided that such Structures shall not cover more than twenty percent (20%) of roof area for T4 and T5); nor to church spires, steeples, belfries, monuments, water towers, flagpoles, vents, or similar Structures, which may be allowed to exceed the maximum Height by Waiver; nor to fire or parapet walls, which shall not extend more than five (5) feet above the maximum Height in T4 and T5 and ten (10) feet in T6 and Districts.
- 3.5.4** No Building or other Structure shall be located in a manner or built to a Height which constitutes a hazard to aviation or creates hazards to persons or property by reason of unusual exposure to aviation hazards. In addition to Height limitations established by this Code, limitations established by the Miami-Dade County Height Zoning Ordinance as stated in Article 37 of the Code of Miami-Dade County (Miami International Airport) shall apply to Heights of Buildings and Structures.

A letter authorizing clearance from the Miami-Dade Aviation Department or the Federal Aviation Administration (FAA) may be required by the Zoning Administrator prior to the issuance of any Building permit.

Construction of an Educational facility within the delineated Miami International Airport Critical Approach Area as defined by the Miami-Dade County Code shall only be granted by Exception. Construction of such facility is subject to the approval by the Miami-Dade County Aviation Department or any other agencies authorized by law to approve the construction.

**3.5.5** Height limitations for Properties Abutting and in Proximity to National Historic Landmarks

- a. All properties designated a National Historic Landmark (NHL) which include a Designed Landscape that is an integral part of the documented significance supporting the NHL designation shall be protected by height limitations throughout the entire Civic Institution zoned property of which the NHL is a part, so as to protect the Designed Landscape from the potentially adverse effects of an undertaking that may diminish the integrity of the NHL property's location, design, setting, materials, workmanship, association or qualities that qualified it for NHL designation. Examples of adverse effects which diminish the integrity of the NHL property include those which: cause physical destruction of or damage to all or part of the NHL property; or change the character of the NHL property's use or physical features within the NHL property's setting that contribute to its historic significance; or introduce visual, atmospheric or audible elements that diminish the integrity of the NHL property's significant historic features; or alter the NHL property in a way that is not consistent with the federal standards for the treatment of historic properties and applicable guidelines, as published by the United States Department of the Interior.
- b. The height of structures throughout the entire Civic Institution zoned property of which the NHL is a part shall not exceed that established by a six (6) degree vertical plane which is measured beginning from the ground floor elevation of the principal historic building at the façade that overlooks the Designed Landscape, which plane shall extend in a one hundred eighty (180) degree arc facing the Designed Landscape and measured at grade from the midpoint of the building façade. The ground floor elevation shall be measured according to the 1929 N.G.V.D. of Mean Sea Level supplied by the City of Miami. Structures existing on affected properties at the time of the effective date of this Miami 21 Code shall not be considered nonconforming structures.
- c. Should the height limitations for structures located in such Civic Institution zoned property as of the effective date of this Miami 21 Code be more restrictive than that created by this section, the most restrictive height shall apply. In the event of a rezoning of all or part of the Civic Institution property, either by successional zoning or by Special Area Plan, the height limitations specified in this Section 3.5.5 shall be incorporated in all subsequent rezonings.
- d. For purposes of this Section 3.5.5., the following definitions shall apply:
  1. Designed Landscape is one or more of the following:
    - a landscape that has significance as a design or work of art;
    - a landscape consciously designed and laid out by a master gardener, landscape architect, architect, or horticulturalist to a design principle, or an owner or other amateur using a recognized style or tradition in response or reaction to a recognized style or tradition;
    - a landscape having a historical association with a significant person, trend, event, etc. in landscape gardening or landscape architecture; or
    - a landscape having a significant relationship to the theory or practice of landscape architecture.
  2. National Historic Landmark is a nationally significant historic place designated by the Secretary of the Interior because it possesses exceptional value or quality in illustrating or interpreting the heritage of the United States, and defined in Title 36, Section 65.3 of the Code of Federal Regulations.

**3.5.6** See Chapter 23 of the City Code, titled Historic Preservation, for regulations and additional height

requirements.

**3.6****OFF-STREET PARKING AND LOADING STANDARDS****3.6.1****Off-street Parking Standards**

- a. Off-street Parking requirements for the individual Transect Zones shall be as set forth in Article 4, Table 4. Where required off-street parking is based on square footage of Use, the calculation shall only include Habitable Rooms and Habitable Space occupied by such Use.
- b. Off-street Parking dimensions and Shared Parking (mixed-use) reduction table shall be as set forth in Article 4, Table 5.
- c. Required Parking for Adaptive Reuses may be reduced or exempted by Waiver for properties located in a Community Redevelopment Area, or in areas where a Parking Trust Fund has been established, or for historic sites and contributing Structures within designated historic districts.
- d. Parking reductions shall not be cumulative except in T6-36, T6-48, T6-60 and T6-80. Parking reductions shall not exceed fifty percent (50%) of the total Off-street Parking required, except for Residential components of projects within one thousand (1,000) feet of Metrorail or Metromover stations.
- e. Parking that is otherwise not allowed but that is customarily incidental and subordinate to a principal Use may be provided in any T3 or T4-R Transect Zone by process of Exception and only if there is an existing legally built parking lot. Access for such Lots shall be subject to all other requirements of the Transect Zone including Liner, landscaping, or Streetscreen requirements. Such parking shall not expand or increase the degree of nonconformity. Parking in other Transect Zones shall be approved pursuant to Article 4, Table 3.

**3.6.2****Off-street Parking Driveway Standards [RESERVED]****3.6.3****Additional Off-street Parking Regulations**

General performance standards for Off-street Parking facilities:

- a. Parking shall be implemented so as to provide safe and convenient access to and from public Thoroughfares which include movement lanes and Public Frontages.
- b. Vehicular access through Residential properties for nonresidential Uses shall be prohibited.
- c. Off-street Parking spaces shall be located with sufficient room for safe and convenient parking without infringing on any public Thoroughfare or sidewalk.
- d. Off-street Parking spaces whose locations require that cars back into movement lanes shall only be permissible in T3 and T4 zones. Backing into Alleys shall be permissible in all Transect Zones.
- e. Off-street Parking or loading area shall not be used for the sale, repair, or dismantling of any vehicle or equipment, or for storage of materials or supplies.



- f. Parking or storage of commercial trucks, buses, vans, sign trailers; trailers or semi-trailers for freight, cargo; non-recreational watercraft; or the like shall not be permitted in any T3, T4, T5-R or T6-R Zone.
- g. Inoperable vehicles and other inoperable Recreational Watercraft or equipment shall be stored only in storage facilities or other approved places where they are completely concealed from public view.
- h. Except in connection with permitted active continuing construction on the premises, construction equipment such as earth moving machines, excavators, cranes, and the like shall only be allowed in D1, D2 and D3, as allowed by this Code.
- i. All Off-street Parking shall comply with applicable regulations related to lighting, paving, and drainage including the Miami-Dade County Code and the Florida Building Code.
- j. Specific areas may be set aside for Tandem Parking. Tandem Parking in all Transect Zones, except T3 and T4, shall be used only by a valet parking operator.
- k. Parking facilities on adjoining Lots may share access points, driveways and parking subject to a recorded covenant running with the property on which the facilities are located, by process of Waiver.
- l. Stationing of Recreation Watercraft:
  - 1. Transect Zones  
Stationing of Recreational Watercraft may only be permitted in T3, T4-R and T4-L Zones and only where incidental to a Single-Family Residence. This section shall not be construed as preventing the docking of boats along the waterfront.
  - 2. Screening  
Screening arrangements shall be made to buffer view of the Recreational Watercraft from Abutting parcels by means of walls, fences or landscaping of sufficient opaqueness to visually conceal its bulk while in keeping with applicable provisions in Article 3 and 5.
  - 3. Occupancy  
Recreational Watercraft stationed in T3, T4-R and T4-L Zones shall not be used as Residential or other Occupancies.
  - 4. Location  
Stationing of Recreational Watercraft may only be permitted when placed within the Second or Third Layer of the property.
  - 5. Height  
The maximum height of the Recreational Watercraft shall not exceed eight (8) feet, inclusive of trailer and excluding Minor Accessories.
  - 6. State or condition  
Stationing of Recreational Watercraft in T3, T4-R and T4-L Zones may only be permitted as

long as the Recreational Watercraft is maintained in an orderly and seemly condition.

#### **3.6.4 Calculation of Off-street Parking requirements related to number of seats.**

Where parking requirements relate to number of seats and seating is in the form of undivided pews, benches, or the like, twenty (20) lineal inches shall be construed to be equal to one (1) seat. Where Parking requirements relate to movable seating in auditoriums and other assembly rooms, ten (10) square feet of Floor Area shall be construed to be equal to one (1) seat except where otherwise specified. Net floor area shall be the actual area occupied by seating and related aisles, and shall not include accessory unoccupied areas or the thickness of walls.

#### **3.6.5 Valet Parking**

Off-street Parking facilities maintained with valet parking shall be allowed generally, provided that the minimum Off-street Parking requirements of this Code are satisfied and that an attendant shall remain on duty during business hours or as long as the Principal Building is occupied.

#### **3.6.6 Parking Management Plan**

Parking allowed off-site through a parking management plan agreement with the City of Miami Parking Authority shall be as set forth in Chapter 35 of the City Code.

Within areas under a parking management plan, outdoor areas, including the public right-of-way, which are regularly used for display and sales, or as dining areas, shall be calculated as part of the establishment's total floor area and shall comply with Off-Street parking requirements.

#### **3.6.7 Off-street Parking Reductions by Use**

##### **a. Parking reductions for Elderly Housing.**

1. Housing for the Elderly, in relation to this regulation, is not to be construed as homes or institutions for the aged which are primarily convalescent or Nursing Homes.
2. Off-street Parking space requirements in connection with Housing for the Elderly conforming to the requirements of state or federal programs may be reduced by Waiver to a maximum of one (1) parking space per every two (2) dwelling units.
3. The applicant shall submit plans which demonstrate how the remaining parking will be accommodated in the event that the housing becomes market rate housing at some time in the future.

The following criteria shall apply:

- (a) Applicant shall submit written certification from the applicable state or federal agency in charge of the program.
- (b) Off-street Parking reduction shall be permitted upon a finding by the Planning Director that, in view of location of such housing, the economic status of anticipated occupants, and other pertinent considerations as specified in the permit, there will be adequate Off-



street Parking for occupants, visitors, and staff.

- (c) The premises shall be used as Housing for the Elderly, subject to the exceptions and limitations set forth in (a) above, until the parking requirements for a different Use have been met.

b. Parking Reduction for Low-Income Housing

1. Off-street Parking requirements in connection with housing for low income families and individuals may be reduced by process of Exception only up to fifty percent (50%) of the spaces generally required. Housing for low-income families and individuals shall be qualified by the City of Miami Department of Community Development.
2. The applicant shall submit plans which demonstrate how the remaining parking may be accommodated in the event that the housing becomes market rate housing at some time in the future.
3. The following criteria shall apply:
  - (a) The project shall otherwise conform to the requirements of state or federal programs for this purpose.
  - (b) The Board, in its consideration of the application for Exception, shall determine and make a finding that the reduction in Off-street Parking requirements is justified in view of the nature and type of prospective occupancy and the economic circumstances involved, and that traffic and parking problems resulting from such reduction will not unduly burden traffic facilities in the Neighborhood.
  - (c) The Board shall, as part of its grant of Exception, specify that the City, upon notice and review for Waiver, may later require that the applicant implement its plan to provide the full amount of required parking if it is demonstrated that traffic and parking conditions together with impact on the Neighborhood require such provision.
  - (d) After such permit has been issued, the premises shall not be used other than as Low Income Housing, subject to the Exception and limitations set forth in (a) above, unless and until any parking requirements and all other requirements or limitations of this Code have been met.

**3.6.8 Deferral of Off-street Parking Standards**

a. Deferral of portions of total required parking improvements in phased projects

Parking requirements shall be met as set forth by this Code and built concurrently with approved improvements generating said requirement. Provision of parking should not in part or in whole be deferred for future implementation. Further, phased projects shall be approved subject to provision of required parking for each component phase to be provided concurrently with the phase generating said requirement; however deferrals may be granted by Exception as specified below.

- b. Deferral period, revocation of permit; notice of revocation.

A deferral may be allowed for up to five (5) years without provision for renewal except upon application for a new Exception.

### **3.6.9 Off-street Loading Requirements**

- a. Off-street vehicular loading shall be required for all T5, T6, CS, CI, CI-HD and D zones, as shown in Article 4, Table 5 and shall require no more than three (3) turning movements.

### **3.6.10 Off-street Bicycle Parking Requirements**

- a. Off-street bicycle parking shall be provided for all T4, T5, T6, CS, CI, CI-HD, and D zones, as shown in Article 4, Table 4.
- b. After the first fifty (50) required bicycle spaces are provided, additional spaces may be reduced by one-half.
- c. Required bicycle parking shall meet the following standards:
  - 1. Required bicycle parking shall be provided in a safe, accessible and convenient location.
  - 2. Bicycle parking facilities shared by more than one use are encouraged.
  - 3. Required bicycle parking facilities may be located within the project site or in a shared bicycle parking facility subject to all the conditions for shared bicycle parking facilities below:
    - (a) Required bicycle parking spaces for two (2) or more adjacent sites may be satisfied by the same bicycle parking facility used jointly provided that such right of joint use and maintenance is evidenced by covenant running with the land or equivalent legal document establishing the joint use.
    - (b) Required shared bicycle parking facilities are to be located within 300 feet of any building's main entrance.
    - (c) The minimum number of required bicycle parking is satisfied by all sites using the shared facility.
    - (d) For the purposes of this section, shared bicycle parking facilities are areas, locations, or structures designed to accommodate, house, store, maintain or hold several bicycle parking spaces.
  - 4. When required off-street vehicular parking is covered, the required bicycle parking shall also be covered.
  - 5. When required bicycle parking is provided in racks, one (1) standard U-rack will accommodate two (2) bikes and each rack must meet the following standards:
    - (a) The bicycle frame and one (1) wheel can be locked to the rack with a high security,

U-shaped shackle lock if both wheels are left on the bicycle;

- (b) A bicycle six feet long can be securely held with its frame supported so that the bicycle cannot be pushed or fall in a manner that will damage the wheels or components; and
  - (c) The rack must be securely anchored.
6. When required bicycle parking is provided in lockers, the lockers must be securely anchored.
7. Parking and maneuvering areas.
- (a) Each required bicycle parking space must be accessible without moving another bicycle;
  - (b) There must be an aisle of at least five (5) feet wide behind all required bicycle parking to allow room for bicycle maneuvering;
  - (c) The area devoted to bicycle parking must be hard surfaced.
8. A one (1) square foot directional sign shall be required if the bicycle parking area is not visible from the street or main building entrance. Said sign must be posted at the main building entrance indicating the location of the bicycle parking.

**3.7****FENCES AND WALLS****3.7.1****General**

For all Commercial and Industrial Uses, a six-foot (6) solid masonry wall shall be provided along all property lines which adjoin T3, T4-R, T5-R and T6-R.

**3.7.2****Prohibited on Fences and walls**

- a. The use of broken glass, projecting nails, coiled razor wire, spikes or similar materials on walls and Fences is prohibited in all Transect Zones.
- b. Barbed wire Fences, or use of barbed wire along the top of a fence or wall, shall be permissible only in D1, D2 and D3, subject to approval by Waiver upon making a written finding that its use and placement are reasonably necessary to the safety, welfare and security of the property.

**3.8****THOROUGHFARES****3.8.1****General Principles**

- a. Thoroughfares are intended for use by vehicular, transit, bicycle, and pedestrian traffic and to provide access to Lots and Open Spaces.

- b. Thoroughfares consist of lanes for vehicles, transit, bicycles and Public Frontages. The lanes may have a variety of widths for movement and parking. The Public Frontages contribute to the character of Transect Zones. They may include swales, Sidewalks, curbing, Planters, bicycle paths and street trees. See Article 4, Tables 6 and 8.
- c. Thoroughfares should be designed in context with the urban form and desired design speed of the Transect Zones through which they pass. The Public Frontages that pass from one Transect Zone to another should be adjusted accordingly.
- d. Bicycles are a sustainable and viable mode of transportation and recreation in the City of Miami. Bicycle use of Thoroughfares should be as follows: Bicycles and vehicles may share use of lanes on all Thoroughfares. Thoroughfares that have sufficient paving width to accommodate bicyclists' safety should include dedicated Bicycle Lanes. Greenways, waterfront walks and other Civic Spaces should include Bicycle usage .
- e. A City-wide bicycle plan may designate an interconnected network serving bicyclists with a series of marked routes that include Bicycle Lanes as well as Bicycle Routes that give bicycles priority, such as those Thoroughfares which parallel major corridors or include major corridors which can be reconfigured to limit conflicts between vehicles and bicycles.
- f. Pedestrian comfort should be a primary consideration of Thoroughfare design and dimensions. Design conflict between vehicular, bicycle and pedestrian movement should be decided in favor of the pedestrian.

### 3.8.2 Thoroughfares

- a. The guidelines for Thoroughfares are as described in Article 8.
- b. The Thoroughfare network should be designed to prioritize connectivity, defining Blocks not exceeding an average perimeter length of 1,320 feet. The length shall be measured as the sum of Lot Frontage Lines. Thoroughfare closings should not be allowed; instead, traffic calming designs should be deployed to control traffic volume and speed.
- c. All Thoroughfares should terminate at other Thoroughfares, to form a network. Cul-de-sacs should be permitted only when supported by natural site conditions. Thoroughfares that provide View Corridors shall not be vacated.
- d. In T5 and T6 Zones, Public and Private Frontages should be coordinated with a single paving and landscape design as provided in Article 4, Table 6 and Article 8.

### 3.8.3 Public Frontages

- a. Public Frontages should be designed as shown in Article 4, Table 6 and allocated within Transect Zones as specified in Article 4, Table 2.
- b. Within the Public Frontages, the arrangement of street trees and street lights should be as provided in Article 8.
- c. The Public Frontage in Transect Zones T1, T2 and T3 should include trees of various species, and

may include low maintenance understory landscape. The introduced landscape should consist primarily of native species requiring minimal irrigation, fertilization and maintenance.

- d. The Public Frontage in Transect Zones T4, T5, T6 and D1 should include trees planted in a regularly-spaced Allée of single or alternated species with shade canopies of a height that, at maturity, clears the first Story. The introduced landscape should consist primarily of durable species tolerant of soil compaction.

#### **3.8.4 Vision Clearance**

##### **3.8.4.1 Intent; “Material Impediment to Visibility” construed.**

It is the intent of these regulations to provide protection from traffic hazards at intersections for automotive vehicles and their passengers, and for cyclists and pedestrians, including small children. Given this intent, the phrase “Material Impediment to Visibility,” as used here, is to be construed as any material obstruction to Visibility which would result in concealment of a child over two and one-half (2 1/2) feet in height approaching an intersection, or would conceal an approaching automotive vehicle or cyclist from such a child. In determinations as to whether or not there is Material Impediment to Visibility, the speed, direction, and duration of movement to point of potential collision or contact shall be considered.

Adjacent to Thoroughfares, nothing shall be erected, placed, planted, or allowed to grow in such a manner as to form a Material Impediment to Visibility between the heights of two and one-half (2 1/2) feet and ten (10) feet above the street grade level within Visibility Triangles described below:

- a. At Thoroughfare intersections with Building Setbacks:  
Visibility Triangles shall be maintained to include an area bounded by the first twenty-five (25) feet along the intersecting edges of the right-of-way (or Base Building Line) projected where rounded, and a line running across the Lot and connecting the ends of such twenty-five-foot lines. See Article 4, Table 8.
- b. At intersections of driveways with Thoroughfares with Building Setbacks:  
Visibility Triangles shall be maintained to include an area bounded by the first ten (10) feet along the intersecting edges of the Base Building Line and the driveway, projected where rounded, and a line running across any intervening right-of-way and the Lot and connecting the ends of such ten-foot lines. See Article 4, Table 8.
- c. At Thoroughfare intersections with Buildings with no Setbacks:  
Visibility Triangles shall be maintained to include an area bounded by the first ten (10) feet along the intersecting edges of the Base Building Line, projected where rounded, and a line running across the Lot and connecting the ends of such ten-foot lines. See Article 4, Table 8.
- d. At intersections of driveways with Thoroughfares with no Building Setbacks:  
Visibility triangles shall be maintained to include an area bounded by the first five (5) feet along the intersecting edges of the Base Building Line and driveway, projected where rounded, and a line running across any intervening right-of-way and the Lot and connecting the ends of such five-foot lines. See Article 4, Table 8.
- e. At all Thoroughfare intersections:

**3.11****WATERFRONT STANDARDS**

In addition to the Miami City Charter requirements, the following Setback, walkways and waterfront standards shall apply to all waterfront properties within the City of Miami, except as modifications to these standards for all waterfront properties may be approved by the City Commission pursuant to the procedures established in the City Charter.

All Miami riverfront properties shall include water-related uses across all Transect Zones except T3.

a. Waterfront Setbacks

1. Waterfront Setbacks shall be a minimum of fifty (50) feet measured from the mean high water line provided along any waterfront, except where the depth of the Lot is less than two-hundred (200) feet the Setback shall be a minimum of twenty-five percent (25%) of the Lot depth; and except for T3, T4-R, D1, D2 and D3 Transect Zones where a minimum Setback of twenty (20) feet shall be provided, except where the depth of the Lot is less than eighty (80) feet the Setback shall be a minimum of twenty-five percent (25%) of the Lot depth. These requirements shall not apply to Marine Related Industrial Establishments along the Miami River. Within D1, D2 and D3 Transect Zones facilities may span across man-made slips with a Structure to conduct marine-related commercial and industrial activities.
2. Side Setbacks shall be equal in aggregate to at least twenty-five percent (25%) of the water frontage of each Lot based on average Lot Width, to allow View Corridors open from ground to sky and to allow public access to the waterfront; except for T3, T4-R, D1, D2 and D3 Transect Zones.

b. Waterfront Walkways Design Standards:

1. Waterfront walkways shall be designed and constructed within the waterfront Setbacks in accordance with these Waterfront Walkway Design Standards and should remain open to public access during all times, but at a minimum, shall remain open to the public between 6am through 10pm. Waterfront walkways are not required within Transect Zones T3, T4-R, D1, D2 and D3 unless the site is a new Commercial retail, Office or restaurant Use.
2. Waterfront walkways shall feel public, meet all Americans with Disabilities Act (A.D.A.) requirements throughout the entire length of the waterfront walkway and provide unobstructed visual access to the water.
3. Waterfront walkways shall connect to abutting public walkways, neighboring walkways, and Open Space at a consistent A.D.A. compliant width and grade to allow clear pedestrian circulation along the water's edge.
4. The waterfront walkway surface shall remain at a constant elevation and be accessible to handicapped persons throughout the entire length of the waterfront walkway. Walkways should have a slight grade away from the bulkhead edge for stormwater retention within the transition zone.
5. The total width of a waterfront walkway shall be a minimum of twenty-five (25) feet and built to the standards and guidelines outlined in Waterfront Design Guidelines, on Appendix B.

e. NRD Land Development Regulations

The requirements of this Code shall be effective in the NRD except as modified by the regulations of the revitalization plan and any proposed regulations or design guidelines adopted by the City Commission upon designation of the NRD. The ordinance designating the NRD shall be referenced in this Code, with any specific regulations and design guidelines of the NRD adopted by reference to this Code and maintained in the Planning and Zoning Department.

f. NRD-1 Wynwood Neighborhood Revitalization District

The Wynwood NRD-1, originally adopted by Ord. No. 13561, on September 24, 2015, is hereby amended and codified in Appendix J to this Code.

**3.13****SUSTAINABILITY****3.13.1 General**

- a. Landscape requirements are as required in Article 9 of this Code and the City of Miami Tree Protection regulations of Chapter 17 of the City Code, except that where this Code is more restrictive than the Tree Protection regulations, this Code shall apply.
- b. All new Buildings of more than 50,000 square feet of Habitable Rooms or Habitable Space in the T5, T6, CI and CS zones shall be at a minimum certified as Silver by the United States Green Building Council (USGBC) Leadership in Energy and Environmental Design (LEED) standards or equivalent standards adopted or approved by the City.
  1. At the time of Building Permit application, the owner shall submit:
    - (a) Proof of registration with the Green Building Certification Institute, or equivalent agency;
    - (b) A signed and sealed affidavit from a LEED Accredited Professional, or applicable designation, stating that the proposed Building is designed to achieve the required certification; and
    - (c) A LEED Scorecard, or equivalent document, identifying anticipated credits to be achieved.
  2. At the time of Certificate of Occupancy application, the owner shall submit:
    - (a) Proof of certification by the Green Building Certification Institute, or equivalent agency;
    - (b) A bond posted in a form acceptable to the City, in the amount indicated below;
      - (i) Two percent (2%) of the total cost of construction for a 50,000 - 100,000 square feet Building;
      - (ii) Three percent (3%) of the total cost of construction for a 100,001 - 200,000 square feet Building;
      - (iii) Four percent (4%) of the total cost of construction for any Building greater than 200,000 square feet; or



- (c) Proof of partial compliance from the Green Building Certification Institute, or applicable agency, which demonstrates the credits presently achieved. In addition, a prorated portion of the full bond amount, as indicated in subsection 2(b) above, shall be posted based on the number of remaining credits needed to meet minimum certification requirements. The bond amount to be posted shall be calculated as follows:

$$(\text{credits remaining for certification} / \text{credits required for certification}) \times \text{full bond amount} = \text{prorated bond amount}$$

### 3. Forfeiture of Bond

A bond under this Section 3.13.1 shall be forfeited to the City in the event that the Building does not meet the for LEED Silver certification or applicable certification. The City will draw down on the bond funds upon failure of the owner to submit proof of LEED Silver certification in a form acceptable to the City within one (1) year of the City's issuance of the Certificate of Occupancy for the Building. If required certification is not achieved but a majority of the credits have been verified, the owner shall forfeit a portion of the bond based on any outstanding credits which shall be calculated as follows:

$$(\text{credits remaining for certification} / \text{credits required for certification}) \times \text{full bond amount} = \text{bond amount forfeited}$$

If the amount to be forfeited is greater than fifty percent (50%) of the full bond amount, the bond shall be forfeited in its entirety. Funds that become available to the City from the forfeiture of the bond shall be placed in the Miami 21 Public Benefits Trust Fund established by this Code.

- c. Affordable Housing Developments that qualify under Section 3.15, may elect to comply with the sustainability requirements promulgated by the Florida Housing Finance Corporation, or its successor agency, in lieu of the requirements set forth in Section 3.13.1.b above.
- d. The preservation of Natural Features of land such as trees, vegetation, geological, and other characteristics and the preservation of features of archaeological significance are declared to be in the public interest. Said preservation may justify the relaxation of Setbacks or required Off-street Parking by Waiver. The Zoning Administrator shall determine that the trees, vegetation, geological and other natural characteristic, or archaeological features are in the Buildable Area of the Site and not in Setback areas required for the development of the site.

#### 3.13.2

#### Heat Island Effect

The intent of this section is to reduce the heat island effect in the City of Miami and to consequently reduce energy consumption and bills for buildings within the City.

##### a. Applicability

In all Transect Zones, except T3, the provisions of this section are applicable to all new construction and to repair or replacement greater than fifty percent (50%) by area of existing roofs or site Hardscape. All repairs or replacement of existing roofing or Hardscape shall be reviewed by the Zoning Department for compliance with this section. The following portions of new or existing roofs are exempted from the requirements of section 3.13.2:



1. The portion of the roof acting as a substructure for and covered by a rooftop deck, vegetation associated with an extensive or intensive green roof as defined by the U.S. Environmental Protection Agency, or any area of a roof utilized by photovoltaic and solar equipment.
2. A rooftop deck covering a maximum of 1/3 of the rooftop total gross area.
3. Existing roofs where less than fifty percent (50%) of existing roof area is repaired or replaced are exempt from the requirements of 3.13.2.c.
4. Existing Hardscapes where less than fifty percent (50%) of existing Hardscape area is being repaired or replaced are exempt from the requirements of 3.13.2.d.

b. Solar Reflectance

1. For roofing materials, all roof exterior surfaces and building materials used to comply with this section, shall have a minimum Solar Reflectance as specified in sections 3.13.2.c and 3.13.2.d when (i) tested in accordance with ASTM E903 or ASTM E1918, (ii) tested with a portable reflectometer at near ambient conditions, (iii) labeled by the Cool Roof Rating Council, or (iv) labeled as an Energy Star qualified roof product. Any product that has been rated by the Cool Roof Rating Council or by Energy Star shall display a label verifying the rating of the product.
2. For paving materials, all paving materials used to comply with this section shall have a minimum solar reflectance as specified in sections 3.13.2.d when (i) tested in accordance with ASTM E903 or ASTM E1918, (ii) tested with a portable reflectometer at near ambient conditions, or (iii) default values of Solar Reflectance for listed materials may be used as follows:

Material	Solar Reflectance
Typical new gray concrete	0.35
Typical weathered gray concrete	0.20
Typical new white concrete	0.40
Typical weathered white concrete	0.40
New asphalt	0.05
Weathered asphalt	0.10

c. Roof

1. Requirements for Low Sloped Roofs

Roofing materials used in roofs with slopes of a rise of zero (0) units in a horizontal length (0:12 pitch) up to and including roofs with slopes of a rise of two (2) units in a horizontal length of 12 units (2:12 units) ("low-sloped") shall meet the following requirements:

- (a) Low-sloped roofs constructed as part of a new building shall utilize roofing products that meet or exceed an initial reflectance value of 0.72 or a three-year installed reflectance value of 0.5 as determined by the Cool Roof Rating Council or by Energy Star.

- (b) Exception. Where more than 50% of the total gross area of the low-sloped roof is covered with vegetation associated with an extensive or intensive green roof as defined by the US EPA, the remainder of the roof shall have a reflectance value of a minimum of 0.30 and the rooftop deck exception in section 3.13.2.a.1 applies.
- (c) Exception. Ballasted roofs with a minimum of 15 lbs/sq. ft. or ballast over the entire roof surface may have a reflectance value of a minimum of 0.30. For the purposes of this section, "ballast" shall mean river rock aggregate or larger, pavers or other means of weighing down a roofing membrane over a substrate to resist wind uplift.

## 2. Requirements for Steep Sloped Roofs

Roofing materials used in roofs with slopes of a rise greater than two (2) units in a horizontal length (2:12 pitch) ("steep-sloped") shall meet the following requirements:

- (a) Steep sloped roofs shall have an initial Solar Reflectance of 0.15 or greater.

## 3. Requirements for Roofs with Multiple Slopes

Roofs with multiple slopes shall be subject to those requirements applicable to the slope which covers the largest area of the building footprint.

## g. Non-roof Requirements

- 1. Provide any combination of the following strategies for fifty percent (50%) of the site Hard-scape:
  - (a) Shade from solar panels or roofing materials with a Solar Reflectance of at least 0.30.
  - (b) Shade from trees within five (5) years of occupancy.
  - (c) Paving materials with a Solar Reflectance of at least 0.30.
  - (d) Pervious Pavement System.

OR

- 2. Place a minimum of fifty-percent (50%) of parking spaces under cover (defined as underground, under deck, under roof, or under building). Any roof used to shade or cover parking must have a Solar Reflectance of at least 0.30.

## 3.14

## PUBLIC BENEFITS PROGRAM

The intent of the Public Benefits Program established in this section is to allow bonus Building Height and FLR in T6 Zones and bonus Building Height in D1 Zones in exchange for the developer's contribution to specified programs that provide benefits to the public.

### 3.14.1

The bonus Height and FLR shall be permitted if the proposed Development contributes toward the specified public benefits, above that which is otherwise required by this Code, in the amount and in the manner as set forth herein.

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- c. Historic Preservation. Bonus Floor Area to the maximum bonus Height and FLR as described in Section 3.14.1 shall be allowed for additional square footage qualified under the city Transfer of Development Rights program established in Chapter 23, City Code.
- d. Green Building. In a T6 zone, additional Height and FLR shall be allowed for Buildings certified by the U.S. Green Building Council as follows:
  - 1. Silver: For Buildings under 50,000 sf, 2.0% of the floor lot ratio (FLR)
  - 2. Gold: 4.0% of the Floor Lot Ratio (FLR)
  - 3. Platinum: 13.0% of the Floor Lot Ratio (FLR)

Note: Standards equivalent to the USGBC, as adopted by the City, may alternatively apply.

If at the time the first Certificate of Occupancy is issued for the Building that received a public benefits bonus for a Green Building, the anticipated LEED certification has not been achieved, then the owner shall post a performance bond in a form acceptable to the City of Miami. The performance bond shall be determined based on the value of land per square foot of Building in the area of the City in which the proposed project is located, which may be adjusted from time to time based on market conditions. The methodology for determining the value of land per square foot of Building shall be maintained in the Planning Department. The City will draw down on the bond funds if LEED certification has not been achieved and accepted by the City within one year of the City issuance of the Certificate of Occupancy for the Building. Funds that become available to the City from the forfeiture of the performance bond shall be placed in the Miami 21 Public Benefits Trust Fund established by this Code.

- e. Brownfields. One additional Story of Height shall be permitted for redevelopment on a Brownfield Site as defined herein.
- f. Civic Space Types and Civil Support Uses. For a development project in a T6 zone that donates a Civic Space Types or Civil Support Uses on site to the City of Miami, an additional two square feet of area for each square foot of donated space or use, up to the bonus Height and FLR, shall be allowed.

**3.14.5** No Building permit shall be issued for bonus Height and FLR until the Zoning Administrator has certified compliance with the provisions of this section, upon referral and assurance of compliance from applicable departments. Certification shall be made only after a certified check has been deposited and cleared to the Miami 21 Public Benefits Trust Fund or, for non cash contributions, a binding commitment has been approved by the City Manager. The cash contribution shall be nonrefundable.

**3.15 AFFORDABLE AND ATTAINABLE MIXED-INCOME HOUSING SPECIAL BENEFIT PROGRAM SUPPLEMENTAL REGULATIONS**

The intent of the Affordable Housing special benefit program established in this section is to facilitate the development of high quality Affordable Housing in the City by providing development incentives, including, but not limited to, modifications of architectural/design standards and parking reductions.

**3.15.1** As a pre-requisite to qualify as an Affordable Housing Development eligible for any of the special benefits described in Section 3.15, an applicant shall submit to the Office of Zoning:

- a. Certification by the City's Community and Economic Development Department that the pro-

posed Development will provide a minimum of eighty percent (80%) of the Dwelling Units (Multi-family or Elderly) as Affordable Housing serving residents at or below sixty percent (60%) of the area median income (AMI) as published by the United States Department of Housing and Urban Development annually; or that the proposed Development is a mixed-income building providing at least forty percent (40%) of the units as Affordable Housing serving residents at or below sixty percent (60%) of AMI or providing at least twenty percent (20%) of the units as Affordable Housing serving residents at or below fifty percent (50%) of AMI, is not restricted to elderly residents, and is located within a Residential Density Increase Area as set forth in Article 4, Diagram 9 of the Miami 21 Code;

- b. A recorded covenant running with the land acceptable to the City of Miami, confirming the property will meet the criteria in subsection (a) above for a period of no less than thirty (30) years from the date of the issuance of a final Certificate of Occupancy

**3.15.2** As a pre-requisite to qualify as an Attainable Mixed-Income Housing Development eligible for any of the special benefits described in Section 3.15, an applicant shall submit to the Office of Zoning:

- a. Certification by the City's Community and Economic Development Department that the proposed Development will provide a minimum of forty percent (40%) of the Dwelling Units as Affordable Housing serving residents at or below sixty percent (60%) of AMI and the remainder of the Dwelling Units as Workforce Housing; or certification by the City's Community and Economic Development Department that the proposed Development will provide a minimum of twenty percent (20%) of the Dwelling Units as Affordable Housing serving residents at or below fifty percent (50%) of AMI and the remainder of the Dwelling Units as Workforce Housing.
- b. Verification that the proposed Development is within a quarter ( $\frac{1}{4}$ ) mile of a Transit Corridor, or a half ( $\frac{1}{2}$ ) mile of a TOD.
- c. A recorded covenant running with the land acceptable to the City of Miami, confirming the property will meet the criteria in subsection (a) above for a period of no less than thirty (30) years from the date of the issuance of a final Certificate of Occupancy, with two (2) automatic ten (10) year extensions that may be released by a vote of the City Commission.

**3.15.3** Affordable and Attainable Mixed-Income Housing Developments that abut a T3 Zone are not eligible for the provisions in Section 3.15. Affordable and Attainable Mixed-Income Housing Developments that abut a T4 Zone shall require a Warrant for consideration under Section 3.15.

**3.15.4** In place of any conflicting provisions elsewhere in this Code, Affordable and Attainable Mixed-Income Housing Developments may be developed in accordance with the following, subject to a Warrant:

- a. Height
  1. T5: Maximum building height of 75 feet with no limitation on the number of Stories;
  2. T6-8: Maximum building height of 125 feet with no limitation on the number of Stories;
  3. T6-12: Maximum building height of 240 feet with no limitation on the number of Stories;
- b. Parking may extend into the Second Layer above the first Story along all Frontages. The Façade of a parking garage that is not concealed behind a Habitable Liner shall be screened to conceal from view all internal elements including, but not limited to, vehicles, plumbing pipes, fans, ducts and all lighting. The size, location, and materials for such screening elements shall be reviewed by Waiver with referral to the Planning Department.

- c. Pedestrian or Vehicular Cross Block Passages shall not be required.
- d. Development Abutting two (2) or more Thoroughfares shall have only one (1) Principal Frontage and shall not be subject to the minimum Principal Frontage Line requirement. Determination of which Frontage is to serve as the Principal Frontage shall be made by the Planning Director upon request by the Zoning Administrator.
- e. Development shall not be subject to maximum Lot Area requirements.
- f. Development in T6 Zones shall be exempt from complying with the requirements contained in Sections 5.6.1 (h) and 5.6.2 (b).
- g. Setback requirements above the eighth floor may be modified by Waiver for Development in T6 Zones.

**3.15.5** Parking requirements for those units that qualify as Affordable or Attainable Mixed-Income Housing may be reduced as stated below. The parking reductions below may be cumulative; however in no event shall parking be reduced by more than eighty percent (80%) of the spaces required.

- a. A thirty-five percent (35%) reduction in required parking is permitted by Right.
- b. Within a Transit Oriented Development (TOD), an additional reduction of fifteen percent (15%) of required parking is permitted by Right and an additional reduction of fifteen percent (15%) of required parking is permitted for Attainable Mixed-Income Housing Projects by Waiver.
- c. An additional reduction of up to fifteen percent (15%) of required parking may be permitted by Warrant, upon a showing that the reduction in off-street parking is justified in view of the nature and type of prospective occupancy and the economic circumstances involved, and that the impacts from such reduction are not likely to unduly burden traffic and parking facilities in the neighborhood.
- d. Parking for development proposals providing Housing for the Elderly may be reduced by Warrant to provide a maximum of one (1) parking space per every two (2) Dwelling Units provided as Elderly Housing, upon a showing that the reduction in off-street parking is justified in view of the nature and type of prospective occupancy and the economic circumstances involved, and that the impacts from such reduction are not likely to unduly burden traffic and parking facilities in the neighborhood.
- e. Affordable or Attainable Mixed-Income Housing Developments whose parking has been reduced under the terms set forth in Section 3.15 will continue to operate under the recorded covenant described in Subsection 3.15.1(b) or 3.15.2(b), until parking requirements applicable at the time of release are met.

**3.15.6** In addition to the Development incentives listed above, Attainable Mixed-Income Housing projects shall be afforded Density bonuses as follows;

- a. Any Development that meets the criteria in Subsection 3.15.2 (a) and 3.15.2 (b) and provides a minimum of ten percent (10%) of the Dwelling Units as Extremely Low Income as defined herein shall be provided one (1) additional unit of Density per Attainable-Workforce Housing unit provided. The Development after the Density bonus shall maintain the affordable and workforce

housing mix described in 3.15.2 (a), and shall provide ten percent (10%) of the Dwelling Units as Extremely Low Income Housing for the entire Development.

- b. Any Development that meets the criteria in Subsection 3.15.2 (a) and 3.15.2 (b) and provides a minimum of five percent (5%) of the Dwelling Units as Extremely Low Income as defined herein shall be provided one half (1/2) additional unit of Density Attainable-Workforce Housing unit provided. The Development after the Density bonus shall maintain the affordable and workforce housing mix described in 3.15.2 (a), and shall provide five percent (5%) of the Dwelling Units as Extremely Low Income Housing for the entire Development

### 3.16

### WORKFORCE HOUSING SPECIAL BENEFIT PROGRAM SUPPLEMENTAL REGULATIONS

**3.16.1** As a pre-requisite to qualify as an Attainable Workforce Housing Development eligible for any of the special benefits described in Section 3.16, an applicant shall submit to the Office of Zoning:

- a. Certification by the City's Community and Economic Development Department that the proposed Development will provide a minimum of twenty-five percent (25%) of the Dwelling Units as Workforce Housing serving residents above sixty percent (60%) of the area median income ("AMI") and at or below eighty percent (80%) of the AMI as published by the United States Department of Housing and Urban Development ("HUD") annually; that the proposed Development will provide a minimum of fifty percent (50%) of the Dwelling Units as Workforce Housing serving residents above eighty percent (80%) of the AMI and at or below one-hundred-twenty percent (120%) of the AMI as published by HUD annually; and the proposed Development will provide the remaining Dwelling Units as Workforce Housing serving residents above sixty percent (60%) of the AMI and at or below one-hundred-forty percent (140%) of the AMI as published by HUD annually;
- b. Verification that the proposed Development is within a quarter ( $\frac{1}{4}$ ) mile from a Transit Corridor or a half ( $\frac{1}{2}$ ) mile from a Transit Oriented Development ("TOD"); and
- c. A recorded covenant running with the land, in a form acceptable to the City Attorney, requiring the property meet the criteria in Subsection (a) above for a period of no less than thirty (30) years from the date of the issuance of a temporary or final Certificate of Occupancy, whichever is issued first.

### 3.16.2

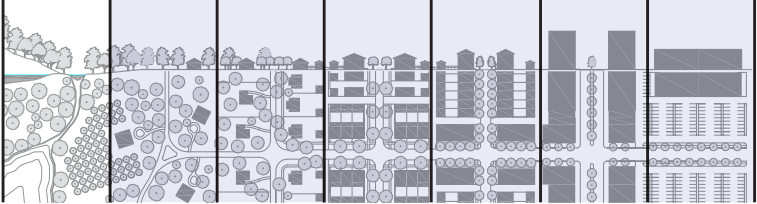
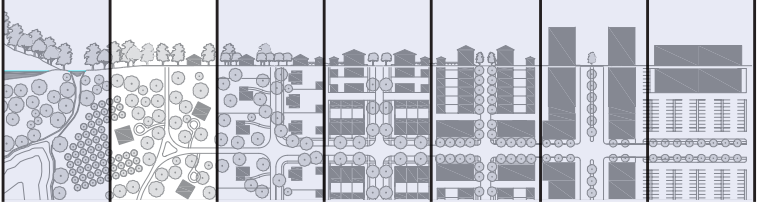
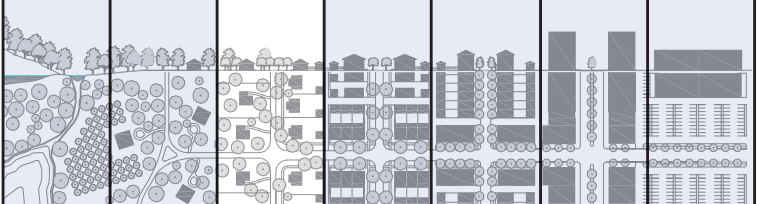
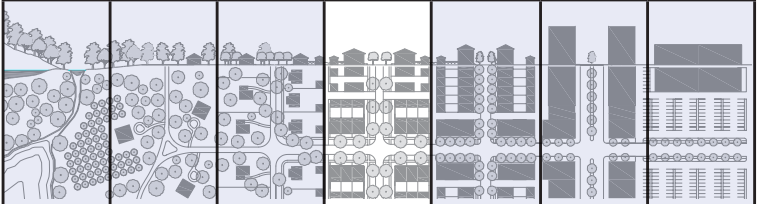
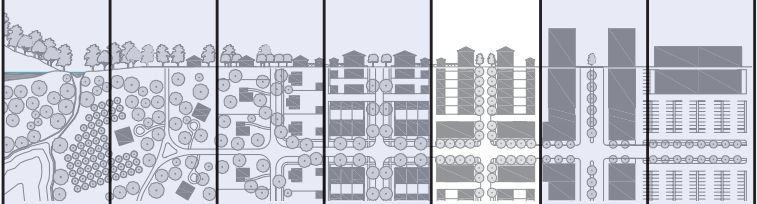
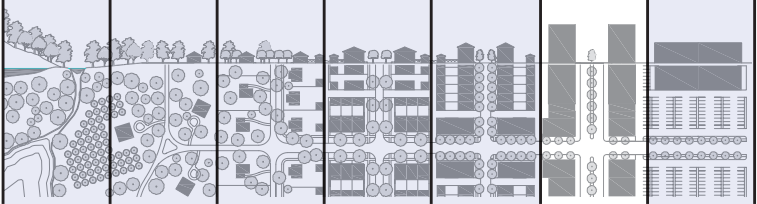
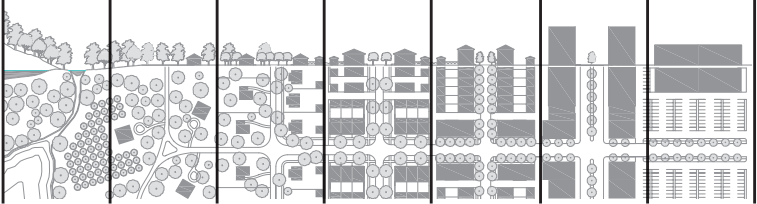
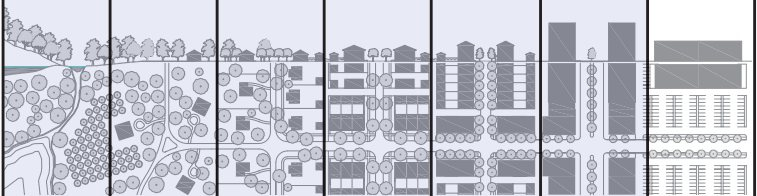
Attainable Workforce Housing Developments that Abut a T3 Zone are not eligible for the provisions in Section 3.16. Attainable Workforce Housing Developments that abut a T4 Zone shall require a Warrant for consideration under Section 3.16.

**3.16.3** Notwithstanding any conflicting provisions elsewhere in this Code, Attainable Workforce Housing Developments may be developed in accordance with the following, subject to a Warrant:

- a. Height
  - 1. T5: Maximum building height of seventy-five (75) feet with no limitation on the number of Stories;
  - 2. T6-8: Maximum building height of one hundred twenty-five (125) feet with no limitation on the number of Stories;
  - 3. T6-12: Maximum building height of two hundred forty (240) feet with no limitation on the


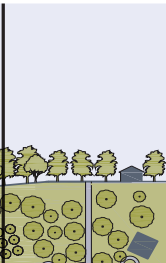
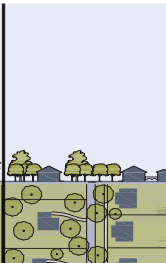
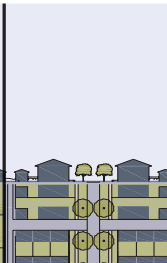
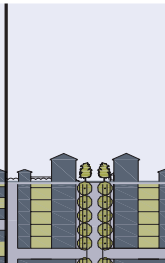
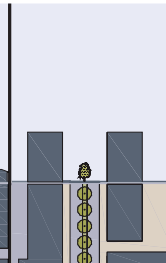
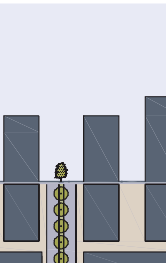
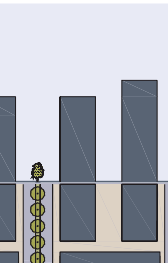


AS ADOPTED - JANUARY 2018

<b>T1</b>	<b>THE NATURAL ZONE</b> consists of lands approximating a wilderness condition, permanently set aside for conservation in an essentially natural state.	
<b>T2</b>	<b>THE RURAL ZONE</b> consists of lands in open or cultivated state or sparsely settled. These include woodland, grassland and agricultural land.	
<b>T3</b>	<b>THE SUB-URBAN ZONE</b> consists of low-Density areas, primarily comprised of Single-Family and Two Family residential units with relatively deep Setbacks, Streetscapes with swales, and with or without Sidewalks. Blocks may be large and the roads may be of irregular geometry to accommodate natural and historic conditions.	
<b>T4</b>	<b>THE GENERAL URBAN ZONE</b> consists of a Mixed-Use but primarily residential urban fabric with a range of Building types including rowhouses, small apartment Buildings, and bungalow courts. Setbacks are short with an urban Streetscape of wide Sidewalks and trees in planters. Thoroughfares typically define medium-sized blocks.	
<b>T5</b>	<b>THE URBAN CENTER ZONE</b> consists of higher Density Mixed-Use Building types that accommodate retail and office Uses, rowhouses and apartments. A network of small blocks has Thoroughfares with wide Sidewalks, steady street tree planting and Buildings set close to the Frontages with frequent doors and windows.	
<b>T6</b>	<b>THE URBAN CORE ZONE</b> consists of the highest Density and greatest variety of Uses, including Civic Buildings of regional importance. A network of small blocks has Thoroughfares with wide Sidewalks, with steady tree planting and Buildings set close to the Frontage with frequent doors and windows.	
<b>C</b>	<b>THE CIVIC ZONE</b> consists of public use space and facilities that may contrast in use to their surroundings while reflecting adjacent Setbacks and landscape.	
<b>D</b>	<b>THE DISTRICT ZONE</b> consists of the least regulated Building and accommodates commercial and industrial Uses of a scale and with a Streetscape that facilitate vehicular access.	

**AS ADOPTED - JANUARY 2018**

### ARTICLE 4. TABLE 2 MIAMI 21 SUMMARY

	R U R A L			U R B A N				
								
LOT OCCUPATION	T1 NATURAL ZONE	T2 RURAL ZONE	T3 SUB-URBAN ZONE	T4 GENERAL URBAN ZONE	T5 URBAN CENTER ZONE	T6-8 URBAN CORE ZONES	T6-12 URBAN CORE ZONES	T6-24 URBAN CORE ZONES
a. Lot Area			5,000 s.f. min.	1,400 s.f. - 20,000 s.f. **	1,200 s.f. - 40,000 s.f.**	5,000 sf. min 40,000 s.f. max.**	5,000 sf. min. 70,000 s.f. max.**	5,000 sf. min. 100,000 s.f.max. **
b. Lot Width			50 ft. min.	16 ft. min / 50 ft. min.**	16 ft. min / 50 ft. min.**	50 ft. min.	50 ft. min.	50 ft. min.
c. Lot Coverage			50% max. 1st Floor 30% max. 2nd Floor for T3 R & T3L only	60% max.	80% max.	80% max.**	80% max.**	80% max.**
d. Floor Lot Ratio (FLR)						5 / 25% additional Public Benefit ***	8 / 30% additional Public Benefit ***	a. 7 / 30% additional Public Benefit or b. 16 / 40% additional Public Benefit ***
e. Frontage at front Setback				50% min.	70% min.	70% min.	70% min.	70% min.
f. Green / Open Space Requirements			25% Lot Area min.	15% Lot Area min.	10% Lot Area min.	10% Lot Area min.	10% Lot Area min.	10% Lot Area min.
g. Density			9-18 du/acre max.**	36 du/acre max.	65 du/acre max.	150 du /acre *	150 du /acre *	150 du /acre *
BUILDING SETBACK								
a. Principal Front			20 ft. min.	10 ft. min.	10 ft. min.	10 ft. min.	10 ft. min.	10 ft. min.
b. Secondary Front			10 ft. min.	10 ft. min.	10 ft. min.	10 ft. min.	10 ft. min.	10 ft. min.
c. Side			5 ft. min.**	0 ft. min. / 5 ft. min.**	0 ft. min.**	0 ft. min.**	0 ft. min.**	0 ft. min.**
d. Rear			20 ft. min.	20 ft. min.	0 ft. min.**	0 ft. min.**	0 ft. min.**	0 ft. min.**
OUTBUILDING SETBACK								
a. Principal Front			20 ft. min. (T3 L only)	30 ft. min.				
b. Secondary Front			10 ft. min. (T3 L only)	10 ft. min.				
c. Side			5 ft. min. (T3 L only)	0 ft. min. / 5 ft. min.				
d. Rear			5 ft. min. (T3 L only)	5 ft. min.				
PRIVATE FRONTAGES								
a. Common Lawn			permitted	permitted	prohibited	prohibited	prohibited	prohibited
b. Porch & Fence			permitted	permitted	prohibited	prohibited	prohibited	prohibited
c. Terrace or L.C.			prohibited	permitted	prohibited	prohibited	prohibited	prohibited
d. Forecourt			prohibited	permitted	permitted	permitted	permitted	permitted
e. Stoop			prohibited	permitted	permitted	permitted	permitted	permitted
f. Shopfront			prohibited	permitted (T4 L, T4 O)	permitted (T5 L, T5 O)	permitted (T6-8 L, T6-8 O)	permitted (T6-12 L, T6-12 O)	permitted (T6-24 L, T6-24 O)
g. Gallery			prohibited	prohibited	permitted **	permitted **	permitted **	permitted **
h. Arcade			prohibited	prohibited	permitted **	permitted **	permitted **	permitted **
BUILDING HEIGHT (Stories)								
a. Principal Building			2 max.	3 max.	2 min. 5 max.	2 min. 8 max.	2 min. 12 max.	2 min. 24 max.
b. Outbuilding			2 max.	2 max.				
c. Benefit Height Abutting T6, T5 & T4 only					1 max.**	4 max.**	8 max.**	24 max.**
THOROUGHFARES								
a. HW & RR			permitted	prohibited	prohibited	prohibited	prohibited	prohibited
b. BV			permitted	permitted	permitted	permitted	permitted	permitted
c. SR			permitted	permitted	prohibited	permitted	permitted	permitted
d. RS			permitted	permitted	prohibited	permitted	permitted	permitted
e. SS & AV			prohibited	prohibited	permitted	permitted	permitted	permitted
f. CS & AV			prohibited	prohibited	permitted	permitted	permitted	permitted
g. Rear Lane			permitted	permitted	prohibited	prohibited	prohibited	prohibited
h. Rear Alley			permitted	permitted	permitted	permitted	permitted	permitted
i. Path			permitted	permitted	prohibited	prohibited	prohibited	prohibited
j. Passage			permitted	permitted	permitted	permitted	permitted	permitted
k. Bicycle Path			permitted	permitted	permitted	permitted	permitted	permitted
l. Bicycle Lane			permitted	permitted	permitted	permitted	permitted	permitted
m. Bicycle Route			permitted	permitted	permitted	permitted	permitted	permitted
n. Sharrow			prohibited	permitted	permitted	permitted	permitted	permitted
o. Priority Bicycle Route			permitted	permitted	prohibited	permitted	permitted	permitted

\*\*\* Note: Bonus shall not be available for T6 properties abutting T3 properties (refer to Article 3)



	U R B A N				D I S T R I C T S			C I V I C
	T6-36	T6-48	T6-60	T6-80	D1	D2	D3	CI-HD
LOT OCCUPATION								
a. Lot Area	5,000 sf. min.	5,000 sf. min.	5,000 sf. min.	5,000 sf. min.	5,000 s.f. min.	5,000 s.f. min.	10,000 s.f. min.	10,000 s.f. min.
b. Lot Width	100 ft. min.	100 ft. min.	100 ft. min.	100 ft. min.	50 ft. min.	50 ft. min.	100 ft. min.	50 ft. min.
c. Lot Coverage	80% max.**	80% max.**	80% max.**	80% max.**	80% max	90% max	90% max	80% max
d. Floor Lot Ratio (FLR)	a.12 or b.22 / 40% additional Public Benefit ***	a.11 or b.18 / 50% additional Public Benefit ***	a.11 or b.18 / 50% additional Public Benefit ***	24 / 50% additional Public Benefit ***				8
e. Frontage at front Setback	70% min.	70% min.	70% min.	70% min.	None	None	None	None
f. Open Space Requirements	10% Lot Area min.	10% Lot Area min.	10% Lot Area min.	10% Lot Area min.	5% Lot Area min.	5% Lot Area min.	5% Lot Area min.	10% Lot Area min.
g. Density	150 du /acre *	150 du /acre *	150 du /acre *	150 du /acre *	36 du/acre max.			150 du /acre *
BUILDING SETBACK								
a. Principal Front	10 ft. min.	10 ft. min.	10 ft. min.	10 ft. min.	10 ft. min.	10 ft. min.	5 ft. min.	10 ft. min.
b. Secondary Front	10 ft. min.	10 ft. min.	10 ft. min.	10 ft. min.	10 ft. min.	5 ft. min.	5 ft. min.	10 ft. min.
c. Side	0 ft. min.**	0 ft. min.**	0 ft. min.**	0 ft. min.**	0 ft. min.**	0 ft. min.**	0 ft. min.**	0 ft. min.**
d. Rear	0 ft. min.**	0 ft. min.**	0 ft. min.**	0 ft. min.**	0 ft. min.**	0 ft. min.**	0 ft. min.**	0 ft. min.**
OUTBUILDING SETBACK								
a. Principal Front								
b. Secondary Front								
c. Side								
d. Rear								
PRIVATE FRONTAGES								
a. Common Lawn	prohibited	prohibited	prohibited	prohibited	prohibited	prohibited	prohibited	permitted
b. Porch & Fence	prohibited	prohibited	prohibited	prohibited	prohibited	prohibited	prohibited	prohibited
c. Terrace or L.C.	prohibited	prohibited	prohibited	prohibited	permitted	permitted	permitted	permitted
d. Forecourt	permitted	permitted	permitted	permitted	permitted	permitted	permitted	permitted
e. Stoop	permitted	permitted	permitted	permitted	permitted	permitted	permitted	permitted
f. Shopfront	permitted (T6-36 L, T6-36 O)	permitted (T6-48 L, T6-48 O)	permitted (T6-60 L, T6-60 O)	permitted (T6-80 L, T6-80 O)	permitted	permitted	permitted	permitted
g. Gallery	permitted **	permitted **	permitted **	permitted **	permitted **	permitted **	permitted **	permitted **
h. Arcade	permitted **	permitted **	permitted **	permitted **	permitted **	permitted **	permitted **	permitted **
BUILDING HEIGHT (Stories)								
a. Principal Building	2 min. 36 max.	2 min. 48 max.	2 min. 60 max.	2 min. 80 max.	none 8 max.	none 8 max.	none 8 max.	1 min. As regulated by F.A.A.
b. Outbuilding								
c. Benefit Height Abutting T6, T5 & T4 only	24 max.**	32 max.**	unlimited **	unlimited **	2 max.**			
THOROUGHFARES								
a. HW & RR	prohibited	prohibited	prohibited	prohibited	prohibited	prohibited	prohibited	prohibited
b. BV	permitted	permitted	permitted	permitted	permitted	permitted	permitted	permitted
c. SR	permitted	permitted	permitted	permitted	permitted	permitted	permitted	permitted
d. RS	permitted	permitted	permitted	permitted	permitted	permitted	permitted	permitted
e. SS & AV	permitted	permitted	permitted	permitted	permitted	permitted	permitted	permitted
f. CS & AV	permitted	permitted	permitted	permitted	permitted	permitted	permitted	permitted
g. Rear Lane	prohibited	prohibited	prohibited	prohibited	prohibited	prohibited	prohibited	prohibited
h. Rear Alley	permitted	permitted	permitted	permitted	permitted	permitted	permitted	permitted
i. Path	prohibited	prohibited	prohibited	prohibited	prohibited	prohibited	prohibited	prohibited
j. Passage	permitted	permitted	permitted	permitted	permitted	permitted	permitted	permitted
k. Bicycle Path	permitted	permitted	permitted	permitted	permitted	permitted	permitted	permitted
l. Bicycle Lane	permitted	permitted	permitted	permitted	permitted	permitted	prohibited	prohibited
m. Bicycle Route	permitted	permitted	permitted	permitted	permitted	permitted	permitted	permitted
n. Sharrow	permitted	permitted	permitted	permitted	permitted	permitted	permitted	permitted
o. Priority Bicycle Route	permitted	permitted	permitted	permitted	permitted	permitted	permitted	permitted

\* Or as modified in Diagram 9

\*\* Note: Refer to Article 5 for Specific Transect Zone Regulations

\*\*\* Note: Bonus shall not be available for T6 properties abutting T3 properties (refer to Article 3)

	T3 SUB-URBAN			T4 URBAN GENERAL			T5 URBAN CENTER			T6 URBAN CORE			C CIVIC			D DISTRICTS		
	R	L	O	R	L	O	R	L	O	R	L	O	CS	CI	CI-HD	D1	D2	D3
DENSITY (UNITS PER ACRE)	9	9	18	36	36	36	65	65	65	150*	150*	150*	N/A	AZ**	150*	36	N/A	N/A
<b>RESIDENTIAL</b>																		
SINGLE FAMILY RESIDENCE	R	R	R	R	R	R	R	R	R	R	R	R						
COMMUNITY RESIDENCE	R	R	R	R	R	R	R	R	R	R	R	R			R			
ANCILLARY UNIT		R		R	R	R												
TWO FAMILY RESIDENCE			R	R	R	R	R	R	R	R	R	R						
MULTI FAMILY HOUSING				R	R	R	R	R	R	R	R	R			R			
DORMITORY					E	E		R	R		R	R		E	R			
HOME OFFICE	R	R	R	R	R	R	R	R	R	R	R	R			R			
LIVE - WORK					R	R		R	R		R	R			R			
WORK - LIVE															R	R		
<b>LODGING</b>																		
BED & BREAKFAST				W	R	R	E	R	R	E	R	R			R	R		
INN						R		R	R	E	R	R			R	R		
HOTEL								R	R		R	R			R			
<b>OFFICE</b>																		
OFFICE					R	R		R	R		R	R		E	R	R	R	W
<b>COMMERCIAL</b>																		
AUTO-RELATED COMMERCIAL ESTAB.									W		W	W				R	R	
ENTERTAINMENT ESTABLISHMENT						R		W	R		R	R				R	R	
ENTERTAINMENT ESTAB. - ADULT																	R	
FOOD SERVICE ESTABLISHMENT					R	R		R	R	W	R	R	W	E	R	R	R	W
ALCOHOL BEVERAGE SERVICE ESTAB.					E	E		E	E		E	E			E	E	E	E
GENERAL COMMERCIAL					R	R		R	R	W	R	R	E	E	R	R	R	W
MARINE RELATED COMMERCIAL ESTAB.								W	W		W	W	E			R	R	R
OPEN AIR RETAIL								W	W		W	W	W	E	R	R	R	W
PLACE OF ASSEMBLY								R	R	E	R	R		E	E	R	R	W
RECREATIONAL ESTABLISHMENT								R	R		R	R		E	R	R	R	W
<b>CIVIC</b>																		
COMMUNITY FACILITY					W	W		W	W		W	W	W	E	W	R	R	
RECREATIONAL FACILITY	E	E	E	E	R	R	E	R	R	E	R	R	W	E	W	R	R	
RELIGIOUS FACILITY	E	E	E	E	R	R	E	R	R	E	R	R	W	E	R	R	R	W
REGIONAL ACTIVITY COMPLEX												E		E	E			
<b>CIVIL SUPPORT</b>																		
COMMUNITY SUPPORT FACILITY					W	W		W	W		W	W		E	E	R	R	W
INFRASTRUCTURE AND UTILITIES	W	W	W	W	W	W	W	W	W	W	W	W	W	E	W	W	W	W
MAJOR FACILITY														E	R	E	E	E
MARINA				E	W	W	E	W	W	E	W	W	R	E		R	R	R
PUBLIC PARKING					W	W	E	W	W	E	W	W		E	R	R	R	W
RESCUE MISSION														E	R	E	W	W
TRANSIT FACILITIES					W	W	E	W	W	E	W	W		E	R	R	R	W
<b>EDUCATIONAL</b>																		
CHILDCARE				E	W	W	E	W	W	W	W	W	E	E	R	E		
COLLEGE / UNIVERSITY								W	W		W	W		E	R	E		
ELEMENTARY SCHOOL	E	E	E	E	E	E	E	W	W	E	W	W		E	R	E		
LEARNING CENTER					E	E		R	R		R	R	E	E	R	E		
MIDDLE / HIGH SCHOOL	E	E	E	E	E	E	E	W	W	E	W	W		E	R	E		
PRE-SCHOOL	E	E	E	E	E	E	E	R	R	E	R	R		E	R	E		
RESEARCH FACILITY					R	R		R	R		R	R		E	R	R	R	W
SPECIAL TRAINING / VOCATIONAL						E		W	W		W	W		E	R	R	R	W
<b>INDUSTRIAL</b>																		
AUTO-RELATED INDUSTRIAL ESTBL.																R	R	W
MANUFACTURING AND PROCESSING																R	R	W
MARINE RELATED INDUSTRIAL ESTBL.																R	R	R
PRODUCTS AND SERVICES																R	R	W
STORAGE/ DISTRIBUTION FACILITY																R	R	W

R Allowed By Right

W Allowed By Warrant: Administrative Process - CRC (Coordinated Review Committee)

E Allowed By Exception: Public Hearing - granted by PZAB (Planning, Zoning & Appeals Board)

Boxes with no designation signify Use prohibited.

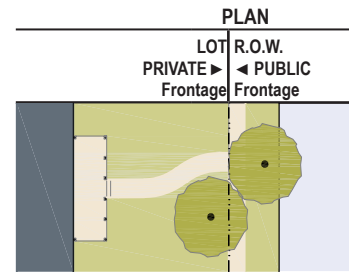
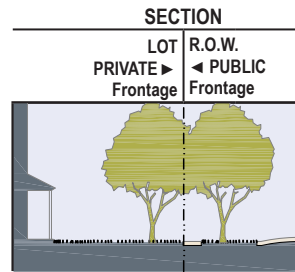
Uses may be further modified by Supplemental Regulations, State Regulations, or other provisions of this Code. See City Code Chapter 4 for regulations related to Alcohol Beverage Service Estab.

\* Additional densities in some T6 zones are illustrated in Diagram 9.

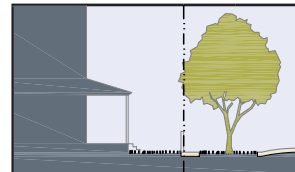
\*\* AZ: Density of lowest Abutting Zone

	<b>RESTRICTED</b>	<b>LIMITED</b>	<b>OPEN</b>
<b>DENSITY (UPA)</b>	<b>9 UNITS PER ACRE</b>	<b>9 UNITS PER ACRE</b>	<b>18 UNITS PER ACRE</b>
<b>RESIDENTIAL</b>	<p>Residential Uses are permissible as listed in Table 3, limited by compliance with:</p> <ul style="list-style-type: none"> <li>• Minimum of 2 parking spaces per principal Dwelling Unit.</li> <li>• Adult Family-Care Homes - Minimum of 1 parking space per staff member and 1 space per 4 residents.</li> <li>• Community Residence - Minimum of 1 parking space per staff member in addition to the parking required for the principal Dwelling Unit.</li> </ul>	<p>Residential Uses are permissible as listed in Table 3, limited by compliance with:</p> <ul style="list-style-type: none"> <li>• All Dwelling Units shall be under single ownership</li> <li>• Minimum of 2 parking spaces per principal Dwelling Unit.</li> <li>• Minimum of 1 parking space per Ancillary Dwelling Unit.</li> <li>• Adult Family-Care Homes - Minimum of 1 parking space per staff member and 1 space per 4 residents.</li> <li>• Community Residence - Minimum of 1 parking space per staff member in addition to the parking required for the Dwelling Units.</li> </ul>	<p>Residential Uses are permissible as listed in Table 3, limited by compliance with:</p> <ul style="list-style-type: none"> <li>• Minimum of 2 parking spaces per principal Dwelling Unit.</li> <li>• Adult Family-Care Homes - Minimum of 1 parking space per staff member and 1 space per 4 residents.</li> <li>• Community Residence - Minimum of 1 parking space per staff member in addition to the parking required for the Dwelling Units.</li> </ul>
<b>CIVIC</b>	<p>Civic Uses are permissible as listed in Table 3.</p> <ul style="list-style-type: none"> <li>• Minimum of 1 parking space for every 5 seats of assembly use.</li> <li>• Minimum of 1 parking space for every 1,000 square feet of exhibition or recreation area, and parking spaces for other Uses as required.</li> </ul>	<p>Civic Uses are permissible as listed in Table 3.</p> <ul style="list-style-type: none"> <li>• Minimum of 1 parking space for every 5 seats of assembly use.</li> <li>• Minimum of 1 parking space for every 1,000 square feet of exhibition or recreation area, and parking spaces for other Uses as required.</li> </ul>	<p>Civic Uses are permissible as listed in Table 3.</p> <ul style="list-style-type: none"> <li>• Minimum of 1 parking space for every 5 seats of assembly use.</li> <li>• Minimum of 1 parking space for every 1,000 square feet of exhibition or recreation area, and parking spaces for other Uses as required.</li> </ul>
<b>CIVIL SUPPORT</b>	<p>Civil Support Uses are permissible as listed in Table 3.</p> <ul style="list-style-type: none"> <li>• Minimum of 1 parking space for every 800 square feet of Civil Support Use.</li> <li>• Minimum of 1 parking space for every 5 seats of assembly uses.</li> </ul>	<p>Civil Support Uses are permissible as listed in Table 3.</p> <ul style="list-style-type: none"> <li>• Minimum of 1 parking space for every 800 square feet of Civil Support Use.</li> <li>• Minimum of 1 parking space for every 5 seats of assembly uses.</li> </ul>	<p>Civil Support Uses are permissible as listed in Table 3.</p> <ul style="list-style-type: none"> <li>• Minimum of 1 parking space for every 800 square feet of Civil Support Use.</li> <li>• Minimum of 1 parking space for every 5 seats of assembly uses.</li> </ul>
<b>EDUCATIONAL</b>	<p>Educational Uses are permissible as listed in Table 3.</p> <ul style="list-style-type: none"> <li>• Minimum of 3 parking spaces for every 1,000 square feet of Educational Use.</li> <li>• Schools – Minimum of 1 parking space for each faculty or staff member, 1 visitor parking space per 100 students, 1 parking space per 5 students in grades 11 and 12.</li> </ul>	<p>Educational Uses are permissible as listed in Table 3.</p> <ul style="list-style-type: none"> <li>• Minimum of 3 parking spaces for every 1,000 square feet of Educational Use.</li> <li>• Schools – Minimum of 1 parking space for each faculty or staff member, 1 visitor parking space per 100 students, 1 parking space per 5 students in grades 11 and 12.</li> </ul>	<p>Educational Uses are permissible as listed in Table 3.</p> <ul style="list-style-type: none"> <li>• Minimum of 3 parking spaces for every 1,000 square feet of Educational Use.</li> <li>• Schools – Minimum of 1 parking space for each faculty or staff member, 1 visitor parking space per 100 students, 1 parking space per 5 students in grades 11 and 12.</li> </ul>

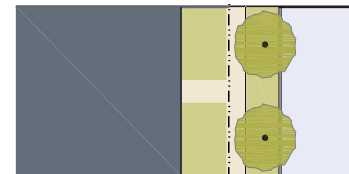
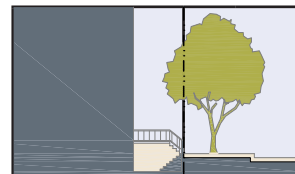
**a. Common Lawn:** a Frontage wherein the Façade is set back substantially from the Frontage Line. The front yard created remains unfenced and is visually continuous with adjacent yards, supporting a common landscape. The Setback can be densely landscaped to buffer from higher speed Thoroughfares.



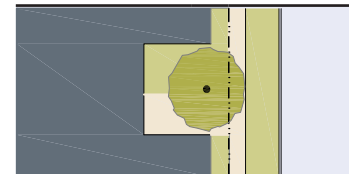
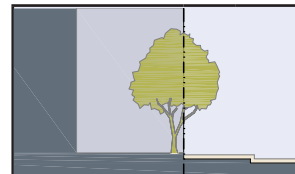
**b. Porch & Fence:** a Frontage wherein the Façade is set back from the Frontage Line with an attached Porch permitted to encroach. A fence at the Frontage Line maintains the demarcation of the yard while not blocking view into the front yard.



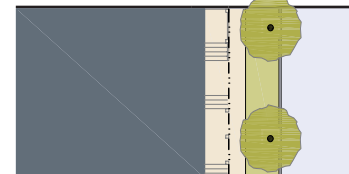
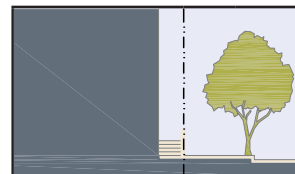
**c. Terrace or Light Court:** a Frontage wherein the Façade is set back from the Frontage Line by an elevated terrace or a sunken light court. This type buffers residential use from urban sidewalks and removes the private yard from public encroachment. The raised terrace is suitable for outdoor cafes.



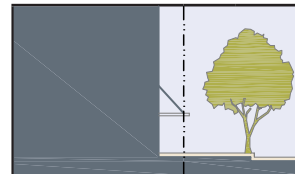
**d. Forecourt:** a Frontage wherein a portion of the Façade is close to the Frontage Line with a portion set back. The forecourt with a large tree offers visual and environmental variety to the urban Streetscape. The Forecourt may accommodate a vehicular drop off.



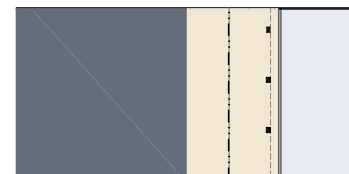
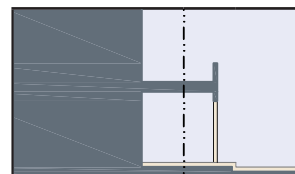
**e. Stoop:** a Frontage wherein the Façade is aligned close to the Frontage Line with the first Story elevated from the sidewalk sufficiently to secure privacy for the windows. The entrance is usually an exterior stair and landing. This type is recommended for ground-floor Residential Use.



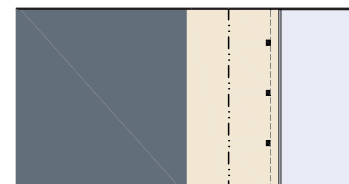
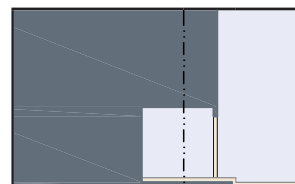
**f. Shopfront:** a Frontage wherein the Façade is aligned close to the Frontage Line with the Building entrance at sidewalk grade. This type is conventional for retail Use. It has substantial glazing at the sidewalk level and an Awning that may overhang the sidewalk.



**g. Gallery:** a Frontage wherein the Façade is aligned close to the Frontage Line with an attached cantilevered or a lightweight colonnade overlapping the sidewalk. This type is conventional for retail Use. The Gallery shall be no less than 15' feet wide and may overlap the whole width of the sidewalk to within 2 feet of the curb. Permitted by Special Area Plan.



**h. Arcade:** a Frontage wherein the Façade includes a colonnade that overlaps the sidewalk, while the Façade at sidewalk level remains at the Frontage Line. This type is conventional for retail Use. The arcade shall be no less than 15' feet wide and may overlap the whole width of the sidewalk to within 2 feet of the curb. Permitted by Special Area Plan.

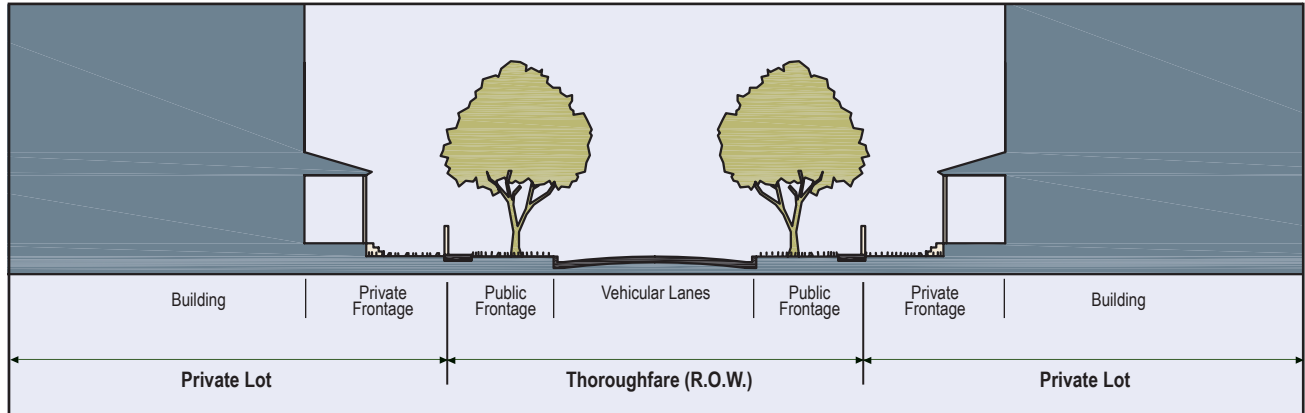


AS ADOPTED - JANUARY 2018

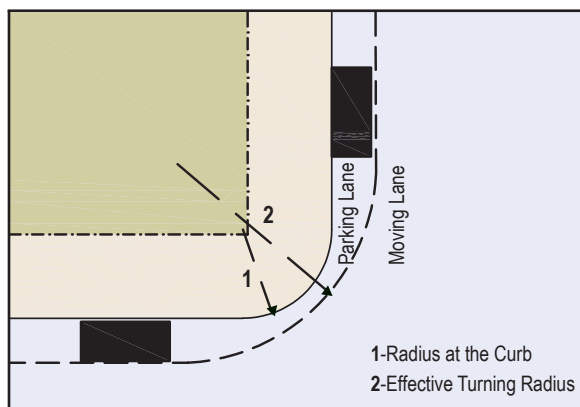
This table describes the standards for areas zoned as Civic Space (CS) and for Public Parks and Open Space provided by the Public Benefits Program. Civic Space Types should be at the ground level, landscaped and/or paved, open to the sky and shall be open to the public. Civic Space Types may be publicly or privately owned. Open Space requirements for each zone are described in Article 5.

<p><b>a. Park:</b> A natural preserve available for unstructured and structured recreation programs. A Park may be independent of surrounding Building Frontages. Its landscape may be naturalistic and consist of paths and trails, meadows, woodland, sports fields and open shelters. Parks may be Conservation Areas, preserving natural conditions and their size may vary.</p>	
<p><b>b. Green:</b> An Open Space, available for unstructured recreation programs. A Green may be spatially defined by landscaping rather than Building Frontages. Its landscape shall consist of lawn and trees, naturalistically disposed. The minimum size shall be one acre and the maximum shall be 4 acres.</p>	
<p><b>c. Square:</b> An Open Space available for unstructured recreation programs and civic purposes. A square is spatially defined by Building Frontages with streets on at least one Frontage. Its landscape shall consist of pavement, lawns and trees, formally disposed. Squares shall be located at the intersection of important Thoroughfares. The minimum size shall be 1/3 acre and the maximum shall be 2 acres.</p>	
<p><b>d. Plaza:</b> An Open Space available for civic purposes and programmed activities. A Plaza shall be spatially defined by Building Frontages and may include street Frontages. Its landscape shall consist primarily of pavement and trees. Plazas shall be located at the intersection of important Thoroughfares. The minimum size shall be 1/8 acre and the maximum shall be 2 acres.</p>	
<p><b>e. Courtyard / Garden:</b> An Open Space spatially defined by Buildings and street walls, and visually accessible on one side to the street.</p>	
<p><b>f. Playground:</b> An Open Space designed and equipped for the recreation of children. A Playground shall be fenced and may include an open shelter. Playgrounds shall be interspersed within residential areas and may be placed within a Block. Playgrounds may be included within Parks and Greens. There shall be no minimum or maximum size.</p>	
<p><b>g. Pedestrian Passage:</b> An Open Space connecting other public spaces, that is restricted to pedestrian use and limited vehicular access, of a minimum width of 20 feet. Building walls enfronting a Pedestrian Passage shall have frequent doors and windows. In T6-36, T6-48, T6-60 and T6-80, a Pedestrian Passage may be roofed.</p>	
<p><b>h. Community Garden:</b> A grouping of garden plots available for small-scale cultivation, generally to residents of apartments and other dwelling types without private gardens. Community gardens should accommodate individual storage sheds.</p>	

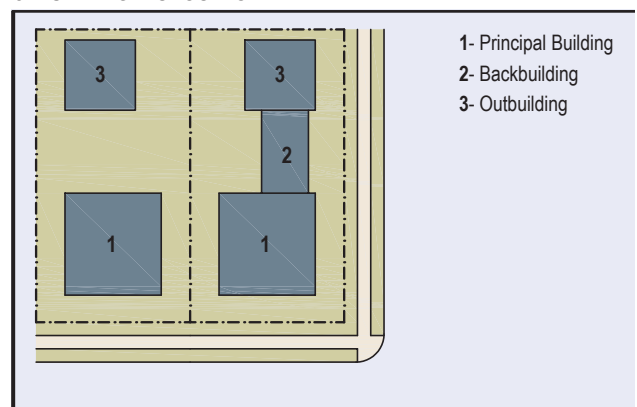
a. THOROUGHFARE & FRONTAGES



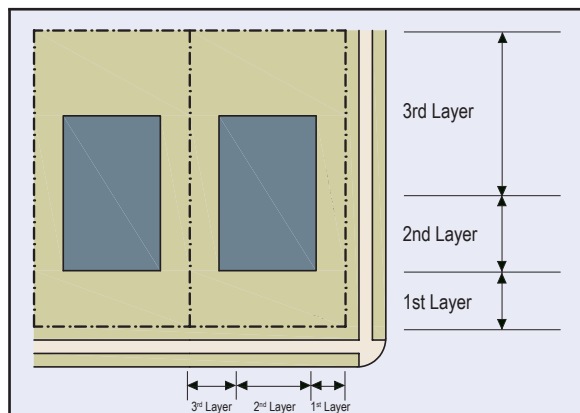
b. TURNING RADIUS



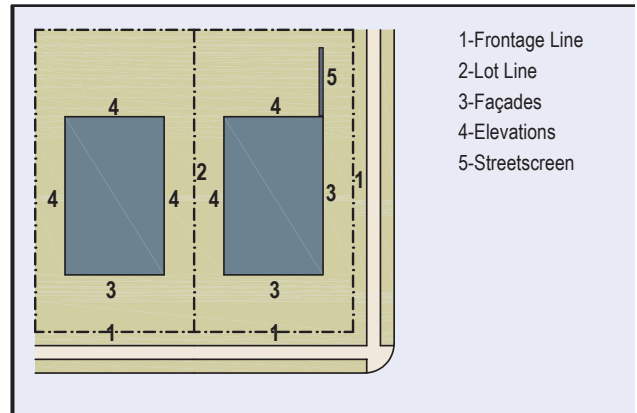
c. BUILDING DISPOSITION



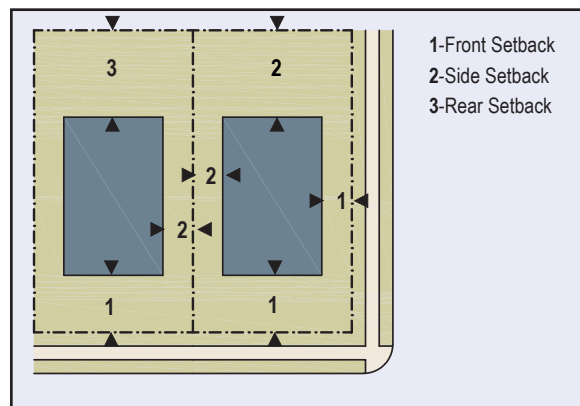
d. LOT LAYERS



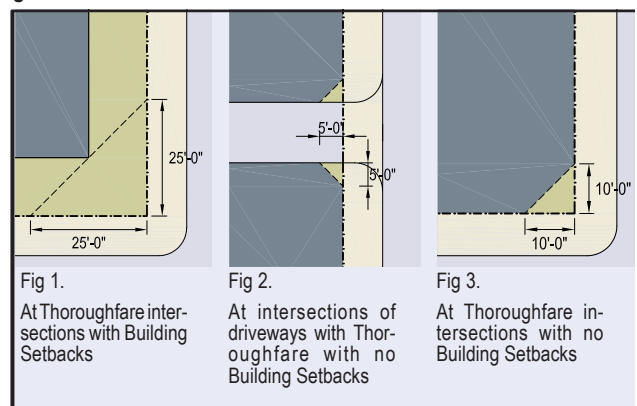
e. FRONTAGE & LOT LINES



f. SETBACK DESIGNATIONS



g. VISIBILITY TRIANGLE



## AS ADOPTED - JANUARY 2018

**DESIGN REVIEW CRITERIA****BUILDING DISPOSITION**

- Respond to the physical context taking into consideration natural features, existing urban form and Transect Zone intentions.
- For Buildings on Corner Lots, design Façades to acknowledge all Frontages.
- For modifications of nonconforming Structures. See also Article 7, Section 7.2 for specific regulations.
- Create transitions in Height and mass with Abutting properties and Transect Zones.

**BUILDING CONFIGURATION**

- Articulate the Building Façade vertically and horizontally in intervals appropriate to the existing Neighborhood and Transect Zone.
- Articulate the Building Façade at street level to recognize pedestrian continuity and interest, and at upper levels to recognize long views of Buildings.
- Use architectural styles and details (such as roof lines and fenestration), colors and materials derivative from surrounding area.
- Design Façades that respond primarily to human scale.
- Promote pedestrian interaction.
- Design all walls as active Façades, with doors and windows; when not possible, embellish walls with architectural design treatment.
- Provide usable Open Space that allows for visible and convenient pedestrian access from the public sidewalk.
- Building sites should locate service elements, such as trash dumpsters, utility meters, loading docks, backflow preventers, siamese connections and electrical, plumbing, mechanical and communications equipment away from a street front. All service elements shall be situated and screened from view to the street and adjacent properties.

**BUILDING FUNCTION & DENSITY**

- Respond to the Neighborhood context and Transect Zone.

**PARKING STANDARDS**

- Minimize the impact of automobile parking and driveways on the pedestrian environment and adjacent properties, especially T3 areas.
- For pedestrian and vehicular safety minimize conflict points such as the number and width of driveways and curb cuts.
- Minimize off-street parking adjacent to a thoroughfare front and where possible locate parking behind the Building.
- Design landscaping or surface parking areas as buffers between dissimilar Uses.
- Screen parking garage structures with Habitable Space. Where Habitable Space is not provided, architectural treatments and landscaping shall screen the garage structure.

**LANDSCAPE STANDARDS**

- Preserve existing vegetation and/or geological features whenever possible.
- Reinforce Transect Zone intention by integrating landscape and hardscape elements.
- Use landscaping to enhance Building design and continuity of Streetscape.
- Use landscape material, such as plantings, trellises, pavers, screen walls, planters and similar features, to enhance building design and continuity of streetscape.
- Provide landscaping that screens undesirable elements, such as surface parking lots, and that enhances open space and architecture.

**SIGN STANDARDS**

- Provide signage appropriate for the scale and character of the establishment and immediate Neighborhood.
- Signage shall be within calculated aggregate area appropriate for Transect Zone.
- Signage shall be located below fifty (50) foot height limit along the Building Primary Frontage.
- Number of Signs for an establishment shall not exceed the allowable amount per linear Frontage.
- Monument Signs shall be located within the appropriate Setback and not to disrupt pedestrian activity.
- Illumination and other lighting effects shall not create a nuisance to adjacent property or create a traffic hazard.

**AMBIENT STANDARDS**

- Provide lighting appropriate to the Building and landscape design in a manner that coordinates with signage and street lighting.
- Orient outdoor lighting to minimize glare to the public realm and adjacent properties.
- Protect residential areas from excessive noise, fumes, odors, commercial vehicle intrusion, traffic conflicts and the spillover effect of light.



**5.3****SUB-URBAN TRANSECT ZONES (T3)****5.3.1****Building Disposition (T3)**

- a. Newly platted Lots shall be dimensioned according to Illustration 5.3
- b. Lot Coverage by Building shall not exceed that shown in Illustration 5.3.
- c. A Building shall be disposed in relation to the boundaries of its Lot according to Illustration 5.3.
- d. In Zone T3-R, one Principal Building consisting of one Dwelling Unit at the Frontage may be built on each Lot as shown in Article 4, Table 8. In Zone T3-L one Principal Building consisting of one Dwelling Unit at the Frontage and one Outbuilding may be built on each Lot. The Outbuilding shall be separated from the Principal Building by a minimum of ten (10) feet. A Backbuilding may connect the Principal Building and the Outbuilding. In Zone T3-O, one Principal Building consisting of two Dwelling Units at the Frontage may be built on each Lot as shown in Illustration 5.3.
- e. Setbacks for Principal Buildings shall be as shown in Illustration 5.3. Setbacks may otherwise be adjusted by Waiver by no more than ten percent (10%).
- f. Facades shall be built parallel to a rectilinear Principal Frontage Line or parallel to the tangent of a curved Principal Frontage Line.
- g. Setbacks for Outbuildings, pools, tennis courts or other similar recreational facilities shall be as shown for Outbuildings in Illustration 5.3.
- h. Accessory Structures shall follow the setbacks for Principal Buildings as shown in Illustration 5.3. One (1) Story, non-habitable Accessory Structures, of a maximum of two hundred (200) square feet or ten (10%) of the Floor Area of the Principal Building, whichever is greater, shall be located in the Second or Third layer of the property and shall be setback a minimum of five (5) feet from any side Property Line and ten (10) feet from any rear Property Line. Setbacks for such structures may be reduced by Waiver.

**5.3.2****Building Configuration (T3)**

- a. Development within Private Frontages shall comply with Article 4, Tables 2 and 6 and Illustration 5.3. For T3-R and T3-L, second story lot coverage shall not exceed thirty percent (30%).
- b. Encroachments shall be allowed as follows: At the First Layer, stairs may encroach up to eight (8) feet of the depth of the Setback. Open Porches shall be at a minimum seven (7) feet deep and may encroach up to eight (8) feet of the depth of the Setback. At the First Layer, cantilevered portions of Awnings, balconies, bay windows and roofs shall be a maximum three (3) feet deep and may encroach up to three (3) feet of the depth of the Setback. Other cantilevered portions of the Building shall maintain the required Setback. At the Second and Third Layers, Awnings, balconies, bay windows, chimneys, roofs and stairs may encroach up to fifty percent (50%) of the depth of the Side Setback or three (3) feet, whichever is less. At the Third Layer, Awnings and canopies may encroach up to fifty percent (50%) of the depth of the Rear Setback.
- c. Unroofed screen enclosures shall be located within the Second or Third Layer only and shall



have a five (5) foot minimum side and rear Setback.

- d. All outdoor storage, electrical, plumbing, mechanical, and communications equipment and appurtenant enclosures, shall be located within the Second or Third Layer and concealed from view from any Frontage. These shall not be allowed as Encroachments, on any required setback, except for Buildings existing as of the effective date of this Code, where mechanical equipment, such as air conditioning units, pumps, exhaust fans or other similar noise producing equipment may be allowed as Encroachments by Waiver.
- e. Building Heights shall be measured in Stories and shall conform to Article 4, Table 2 and be as shown in Illustration 5.3. The first-floor elevation of a Principal Building shall be a maximum of two and a half (2.5) feet above grade, or as regulated by FEMA, whichever is higher. A flat roof shall be a maximum of two Stories and twenty-five (25) feet. A pitched roof shall be a maximum of twenty-five (25) feet to the eave and shall not exceed ten (10) feet overall Height above the second Story.
- f. Mechanical equipment on a roof shall be enclosed by parapets of the minimum Height necessary to conceal it, and a maximum Height of three and a half (3.5) feet. At the roof, other ornamental Building features may extend up to three and a half (3.5) feet above the maximum Building Height. Roof decks shall be permitted at the maximum Height. Trellises may extend above the maximum Height up to eight (8) feet. Extensions above the maximum Height up to four hundred (400) square feet for either a stair enclosure or ornamental purpose shall be permitted by process of Waiver. All extensions including attics shall not exceed ten (10) feet above the second Story.
- g. Fences and walls may be located up to and including the Frontage Line to the following maximum Height. Height of fences and walls shall not exceed four (4) feet within the First Layer, except aluminum or iron picket and post Fences with or without masonry posts shall not exceed six (6) feet. Within the Second and Third Layers, Fences and walls shall not exceed eight (8) feet.

### 5.3.3

#### **Building Function & Density (T3)**

- a. Buildings in T3 shall conform to the Functions, Densities, and Intensities described in Article 4, Tables 3 and 4 and Illustration 5.3. Certain Functions as shown in Article 4, Table 3 shall require approval by Warrant or Exception. Consult Article 6 for any supplemental use regulations.
- b. Religious Facilities requiring additional Height or relief from parking requirements and frontage requirements may be permitted by process of Exception.

### 5.3.4

#### **Parking Standards (T3)**

- a. Vehicular parking shall be required as shown in Article 4, Tables 4 and 5.
- b. Parking may be accessed by an Alley when such is available.
- c. Covered parking and garages and at least fifty percent (50%) of required parking shall be located within the Second and Third Layers as shown in Article 4, Table 8; in T3-R and T3-L a maximum thirty percent (30%) of the width of the Facade may be covered parking or garage. In T3-O covered parking and garages shall be a maximum sixty percent (60%) of the width of the façade. Covered parking and garages shall align with or be set back from the Facade. Driveways and

drop-offs including parking may be located within the First Layer.

- d. The maximum width at the Property Line of a driveway on a Frontage shall be twelve (12) feet for T3-R and T3-L and twenty (20) feet for T3-O. Two separate driveways on one Lot shall have a minimum separation of twenty (20) feet in T3-R and T3-L only.
- e. Tandem Parking on site is encouraged.

**5.3.5****Architectural Standards (T3)**

- a. Only permanent Structures shall be allowed. Temporary Structures such as mobile homes, construction trailers, travel trailers, recreational vehicles, and other temporary Structures shall not be allowed except as per City Code.
- b. Roof materials should be light-colored, high Albedo or a planted surface.

**5.3.6****Landscape Standards (T3)**

- a. A minimum of one shade tree shall be planted within the First Layer for each fifty (50) feet of Frontage Line.
- b. At the First Layer, pavement shall be limited as follows: Impervious pavement shall be limited to thirty percent (30%) of the area and pervious pavement shall be limited to sixty percent (60%) of the area; a combination of pervious and impervious pavement shall be limited to sixty percent (60%) of the area in the First Layer.
- c. Green Space shall be a minimum twenty-five (25%) of the Lot area.

**5.3.7****Ambient Standards (T3)**

- a. Noise regulations shall be as established in the City Code.
- b. Average lighting levels measured at the Building Frontage shall not exceed one (1.0) foot-candle.
- c. Lighting of Building and Open Space of First and Second Layers shall be compatible with street lighting of Abutting public spaces.

## BUILDING DISPOSITION

### LOT OCCUPATION

a. Lot Area	5,000 s.f. min.
b. Lot Width	50 ft min.
c. Lot Coverage	50% max. first floor 30% max. second floor (T3 R & T3 L only)
d. Floor Lot Ratio (FLR)	N/A
e. Frontage at front Setback	N/A
f. Green Space	25% Lot Area min.
g. Density	T3 R = 9 du/ac max. T3 L = 9 du/ac max. T3 O = 18 du/ac max.

### BUILDING SETBACK

a. Principal Front	20 ft. min.
b. Secondary Front	10 ft. min.
c. Side	5 ft. min. 20% Lot Width total min.
d. Rear	20 ft. min.

### OUTBUILDING SETBACK (T3 L ONLY)

a. Principal Front	20 ft. min.
b. Secondary Front	10 ft. min.
c. Side	5 ft. min.
d. Rear	5 ft. min.

## BUILDING CONFIGURATION

### FRONTAGE

a. Common Lawn	permitted
b. Porch & Fence	permitted
c. Terrace or L.C.	permitted
d. Forecourt	permitted
e. Stoop	prohibited
f. Shopfront	prohibited
g. Gallery	prohibited
h. Arcade	prohibited

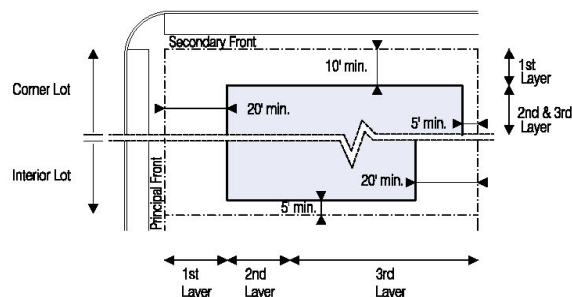
### BUILDING HEIGHT

a. Principal Building	2 Stories and 25 ft. to eave max.
b. Outbuilding	2 Stories and 25 ft. to eave max.

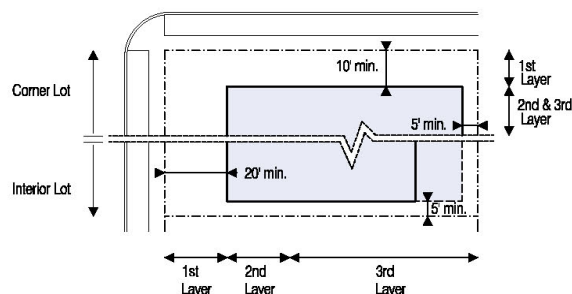
### PARKING

Facade Width	T3 R & T3 L 30 % max. T3 O 60% max.
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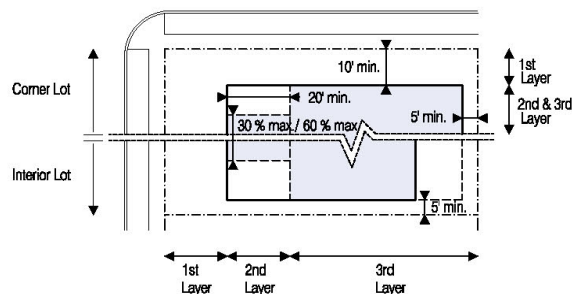
## BUILDING PLACEMENT



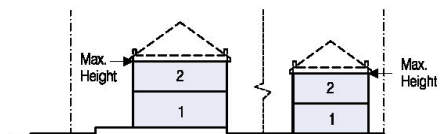
## OUTBUILDING PLACEMENT



## PARKING PLACEMENT



## BUILDING HEIGHT



	RESTRICTED	LIMITED	OPEN
DENSITY (UPA)	9 UNITS PER ACRE	9 UNITS PER ACRE	18 UNITS PER ACRE
DWELLING UNIT	Efficiency Dwelling Unit: 400 square feet min. One bedroom Dwelling Unit: 550 square feet min. Two bedroom Dwelling Unit: 650 square feet min.	Efficiency Dwelling Unit: 400 square feet min. One bedroom Dwelling Unit: 550 square feet min. Two bedroom Dwelling Unit: 650 square feet min.	Efficiency Dwelling Unit: 400 square feet min. One bedroom Dwelling Unit: 550 square feet min. Two bedroom Dwelling Unit: 650 square feet min.
ANCILLARY UNIT		Maximum size of unit 450 square feet excluding garage. Shall only be used as Single-Family Residence dwelling. May only be rented if the principal dwelling owner is in residence on site. Unit Structure shall be architecturally harmonious with the Principal Building. Any Facade abutting another property shall provide only clerestory windows along that corresponding Facade.	Prohibited as a third unit.
BOATS HOUSEBOAT HOUSE BARGE	Occupancy of private pleasure crafts and houseboats or house barges shall not be allowed except for those specifically grandfathered and regulated by Ordinance #10932, adopted October 24, 1991.	Occupancy of private pleasure crafts and houseboats or house barges shall not be allowed except for those specifically grandfathered and regulated by Ordinance #10932, adopted October 24, 1991.	Occupancy of private pleasure crafts and houseboats or house barges shall not be allowed except for those specifically grandfathered and regulated by Ordinance #10932, adopted October 24, 1991.
BOAT HOUSE	Maximum size: 20 feet wide, 40 feet long, 15 feet high.	Maximum size: 20 feet wide, 40 feet long, 15 feet high.	Maximum size: 20 feet wide, 40 feet long, 15 feet high.
BOAT SLIP	Maximum coverage of waterfront setback: 35%	Maximum coverage of waterfront setback: 35%	Maximum coverage of waterfront setback: 35%
DOCKS PIERS	Extension of docks or Piers into Biscayne Bay are limited to 35 feet . Further extension of docks or Piers into Biscayne Bay permitted by Exception, when required by applicable agency. Extension of docks or Piers into other waterways limited to 10 feet or 10% of waterway width, whichever is less. Further extensions permitted by Exception, when required by applicable agency. Only private pleasure craft may be docked or moored. Dock/ Pier Setbacks: 10 feet from any Abutting property Vessel setback: 5 feet from any Abutting property. Prohibited uses or appurtenances: davits in excess of 3 ton capacity, commercial vessels, commercial boat ramps, and commercial hauling and fueling.	Extension of docks or Piers into Biscayne Bay are limited to 35 feet . Further extension of docks or Piers into Biscayne Bay permitted by Exception, when required by applicable agency. Extension of docks or Piers into other waterways limited to 10 feet or 10% of waterway width, whichever is less. Further extensions permitted by Exception, when required by applicable agency. Only private pleasure craft may be docked or moored. Dock/ Pier Setbacks: 10 feet from any Abutting property Vessel setback: 5 feet from any Abutting property. Prohibited uses or appurtenances: davits in excess of 3 ton capacity, commercial vessels, commercial boat ramps, and commercial hauling and fueling.	Extension of docks or Piers into Biscayne Bay are limited to 35 feet . Further extension of docks or Piers into Biscayne Bay permitted by Exception, when required by applicable agency. Extension of docks or Piers into other waterways limited to 10 feet or 10% of waterway width, whichever is less. Further extensions permitted by Exception, when required by applicable agency. Only private pleasure craft may be docked or moored. Dock/ Pier Setbacks: 10 feet from any Abutting property Vessel setback: 5 feet from any Abutting property. Prohibited uses or appurtenances: davits in excess of 3 ton capacity, commercial vessels, commercial boat ramps, and commercial hauling and fueling.
COMMUNITY RESIDENCES 1-6 RESIDENTS	Subject to the requirements of Section 6.2.	Subject to the requirements of Section 6.2.	Subject to the requirements of Section 6.2.
COMMUNITY RESIDENCES 7-14 RESIDENTS			Prohibited within 500 feet of any T3-R or T3-L. Subject to the requirements of Section 6.2.
ADULT FAMILY CARE HOME 1-5-RESIDENTS	Prohibited within 1000 feet of another such residence. Subject to the requirements of Section 6.2.	Prohibited within 1000 feet of another such residence. Subject to the requirements of Section 6.2.	Prohibited within 1000 feet of another such residence. Subject to the requirements of Section 6.2.

	RESTRICTED	LIMITED	OPEN
DENSITY (UPA)	9 UNITS PER ACRE	9 UNITS PER ACRE	18 UNITS PER ACRE
HOME OFFICE	<p>Shall be located wholly within Dwelling Unit.</p> <p>Maximum size of Home Office shall be 25% of the size of the Dwelling Unit based on county property records.</p> <p>Home Occupations limited to individual tutoring; non-amplified individual instrument instruction; authors and composers; artists; designers; seamstresses; tailors; and uses similar in impact. Office uses, excluding medical and dental offices.</p> <p>Maximum of one client at a time.</p> <p>Maximum of two staff members, one of which must reside on premises.</p> <p>Hours of operation limited to Monday through Saturday 8:00 AM to 6 PM.</p> <p>No equipment or process shall be used which creates undue noise, vibration, glare, fumes, or odors detectable to normal senses off the property.</p> <p>Certificate of Use required.</p>	<p>Shall be located wholly within Dwelling Unit.</p> <p>Maximum size of Home Office shall be 25% of the size of the Dwelling Unit based on county property records.</p> <p>Home Occupations limited to individual tutoring; non-amplified individual instrument instruction; authors and composers; artists; designers; seamstresses; tailors; and uses similar in impact. Office uses, excluding medical and dental offices.</p> <p>Maximum of one client at a time.</p> <p>Maximum of two staff members, one of which must reside on premises.</p> <p>Hours of operation limited to Monday through Saturday 8:00 AM to 6 PM.</p> <p>No equipment or process shall be used which creates undue noise, vibration, glare, fumes, or odors detectable to normal senses off the property.</p> <p>Certificate of Use required.</p>	<p>Shall be located wholly within Dwelling Unit.</p> <p>Maximum size of Home Office shall be 25% of the size of the Dwelling Unit based on county property records.</p> <p>Home Occupations limited to individual tutoring; non-amplified individual instrument instruction; authors and composers; artists; designers; seamstresses; tailors; and uses similar in impact. Office uses, excluding medical and dental offices.</p> <p>Maximum of one client at a time.</p> <p>Maximum of two staff members, one of which must reside on premises.</p> <p>Hours of operation limited to Monday through Saturday 8:00 AM to 6 PM.</p> <p>No equipment or process shall be used which creates undue noise, vibration, glare, fumes, or odors detectable to normal senses off the property.</p> <p>Certificate of Use required.</p>
PERSONAL WIRELESS FACILITY	Subject to the requirements of Section 6.4.	Subject to the requirements of Section 6.4.	Subject to the requirements of Section 6.4.

## 6.2 COMMUNITY RESIDENCES AND SIMILAR HOMES/FACILITIES

The purpose of a Community Residence is to integrate its residents into the community; over concentration of such facilities within a Neighborhood causes the area to lose its character, thereby defeating the purpose of locating Community Residences in the Neighborhood. A Zoning verification shall be required in order to confirm State established distance requirements outlined in this section. All such facilities shall be required to provide a signed and sealed survey to the Office of Zoning which demonstrates that the distance limitations required below pursuant to state statutes are met. Failure to comply with this requirement will deem the facility in non-compliance with state and City regulations.

To the extent applicable by state law, location of a facility may be denied if it results in an over concentration of Community Residences in proximity to the site selected such that the nature and character of the Neighborhood would be substantially altered. Any facility exceeding the thresholds outlined in this section shall refer to the requirements of Community Support Facility.

### 6.2.1 Community Residence Standards

1 to 6 Residents	
LOCATION	T3 - R, L & O   T4 - R, L & O   T5 - R, L & O   T6 - R, L & O
LOCATION STANDARDS	<p>Community Residences of six (6) or fewer residents shall not be located within a radius of one-thousand (1,000) feet of another.</p> <p>Distance shall be measured from nearest point of Property Line of proposed Community Residence to nearest point of Property Line of existing Community Residence within a T3-R or T3-L property.</p> <p>Homes of six (6) or fewer residents which otherwise meet the definition of a community residential home shall be deemed a single-family residence dwelling and a non-Commercial Use, for the purpose of this code. Homes of six (6) or fewer residents that otherwise meet the definition of a community residential home shall be allowed in T3, T4, T5 or T6, , provided that such homes shall not be located within a radius of one-thousand (1,000) feet of another existing such home with six or fewer residents. Such homes with six (6) or fewer residents shall not be required to comply with the notification provisions of this section; provided that, prior to licensing, the sponsoring agency provides the Office of Zoning with the most recently published data compiled from the licensing entities that identifies all community residential homes within the jurisdictional limits of the City in order to show that no other community residential home is within a radius of one-thousand (1,000) feet of the proposed home with six (6) or fewer residents. At the time of home occupancy, the sponsoring agency must notify the City of Miami Office of Zoning that the home is licensed by the licensing entity.</p>
PARKING	See Article 3 and Article 4, Table 4 and Table 5.
7 to 14 Residents	
LOCATION	T3 - R, L & O   T4 - R, L & O   T5 - R, L & O   T6 - R, L & O
LOCATION STANDARDS	<p>Prohibited in all T3 - R and L and within five-hundred (500) feet thereof.</p> <p>Community Residences servicing seven (7) to fourteen (14) residents shall not be located within a radius of twelve-hundred (1,200) feet of another.</p> <p>Distance shall be measured from nearest point of Property Line of proposed Community Residence to nearest point of Property Line of existing Community Residence or T3-R or T3-L.</p> <p>When a site for a community residential home servicing seven (7) to fourteen (14) residents or similar assisted living facility has been selected by a sponsoring agency in an area that allows multifamily, the agency shall notify the Planning Director in writing and include in such notice the specific address of the site, the residential licensing category, the number of residents, and the community support requirements of the program. Such notice shall also contain a statement from the licensing entity indicating the licensing status of the proposed assisted living facility or community residential home and specifying how the home meets applicable licensing criteria for the safe care and supervision of the clients in the home. The sponsoring agency shall also provide to the City the most recently published data compiled from the licensing entities that identifies all assisted living facilities, adult family-care homes, or community residential homes within the jurisdictional limits of the City. The Office of Zoning shall review the notification of the sponsoring agency in accordance with Transect regulations.</p> <ul style="list-style-type: none"> <li>Pursuant to such review by the Planning Department, the City may: <ol style="list-style-type: none"> <li>Determine that the siting of the assisted living facility or community residential home is in accordance with this code and approve the siting. If the siting is approved, the sponsoring agency may establish the home at the site selected.</li> <li>Fail to respond within sixty (60) days. If the City fails to respond within such time, the sponsoring agency may establish the home at the site selected.</li> <li>Deny the siting of the home.</li> </ol> </li> <li>The City shall not deny the siting of an assisted living facility or community residential home unless the City establishes that the siting of the home at the site selected: <ol style="list-style-type: none"> <li>Does not otherwise conform to regulations of this code applicable to other multifamily uses in the area.</li> <li>Does not meet applicable licensing criteria established and determined by the licensing entity, including requirements that the home be located to assure the safe care and supervision of all clients in the home.</li> <li>Would result in such a concentration of community residential homes, assisted living facilities, and adult family-care in the area in proximity to the site selected, or would result in a combination of such homes with other residences in the community, such that the nature and character of the area would be substantially altered. A home that is located within a radius of twelve-hundred (1,200) feet of another existing community residential home in a multifamily zone shall be an over concentration of such homes that substantially alters the nature and character of the area. A home that is located within a radius of five-hundred (500) feet of a property designated T3R or T3L substantially alters the nature and character of the area.</li> <li>All distance requirements in this section shall be measured from the nearest point of the existing home or property designated T3-R or T3-L to the nearest point of the proposed home.</li> </ol> </li> </ul> <p>If agreed to by both the City and the sponsoring agency, a conflict may be resolved through informal mediation. The City shall arrange for the services of an independent mediator or may utilize the dispute resolution process established by a regional planning council pursuant to Fla. Stat. s. 186.509. Mediation shall be concluded within forty-five (45) days of a request therefore. The resolution of any issue through the mediation process shall not alter any person's right to a judicial determination of any issue if that person is entitled to such a determination under statutory or common law.</p>
PARKING	See Article 3 and Article 4, Table 4 and Table 5.

**6.2.2 Adult Family-Care Homes Standards**

1 to 6 Residents	
LOCATION	T3 - R, L & O   T4 - R, L & O   T5 - R, L & O   T6 - R, L & O
LOCATION STANDARDS	Adult Family-Care Homes of five (5) or fewer residents shall not be located within a radius of one-thousand (1,000) feet of another. Distance shall be measured from nearest point of Property Line of proposed Community Residence to nearest point of Property Line of existing Community Residence.
PARKING	See Article 3 and Article 4, Table 4 and Table 5.

**6.3 COMMERCIAL USES****6.3.1 Large Scale Commercial**

Except for Public Storage Facilities which must comply with the criteria set forth under Article 6, Table 13, a single commercial establishment occupying more than 55,000 square feet of Floor Area in any T6-O, D1 or D2 shall be permitted subject to the following requirements:

Large Scale Commercial	
LOCATION	By Exception in T6-O and shall be located only on Lots having Frontage on one (1) or more arterial roads. Ingress and egress to the Lot must be provided from these arterials and not from secondary roads or collectors. The Lots shall also be served and be readily accessible by collective transportation systems. By Warrant in D1 By Right in D2. Section 6.3.1 "Additional Requirements" shall not apply.
LOT SIZE	As required by Transect Zone
COMMERCIAL AREA LIMITATIONS	Minimum: 55,000 square feet
REQUIREMENTS WHEN ABUTTING A MORE RESTRICTIVE TRANSECT	<ul style="list-style-type: none"> <li>A minimum of one (1) shade tree with a minimum Height of twelve (12) feet shall be planted at twenty-five (25) feet on center along the perimeter of the wall</li> <li>Additional landscaping in the form of shrubs and Buffer plant material shall also be required.</li> </ul>
PARKING	<ul style="list-style-type: none"> <li>All required Parking shall conform to Transect Zone and in addition it shall be provided onsite within an enclosed Structure</li> <li>Parking Structures and parked vehicles shall be concealed from exterior street view and may only be located within the Third Layer</li> </ul>
ADDITIONAL REQUIREMENTS	<ul style="list-style-type: none"> <li>At ground level: Habitable Space such as Liners to conceal Parking Structures or Parking Areas, must be provided for at least sixty-five (65%) percent of linear street Frontages.</li> <li>Second floor level: Habitable Space such as Liners to conceal Parking Structure, with a combination of architectural articulation for all linear street Frontages shall be required; however, in no case shall the Habitable Space Liners be less than forty percent (40%) of all linear street Frontages.</li> <li>Third floor level and above: Habitable Space such as Liners to conceal Parking Structure, with a combination of architectural articulation for all linear street Frontages shall be permitted; however, in no case will the Habitable Space Liners be less than twenty-five percent (25%) of all linear street Frontages.</li> </ul>

**6.3.2 Vending Carts in Open Air Retail**

Within open space, or partially open space, the following uses may be permitted pursuant to the Warrant process:

1. Outdoor dining areas;
2. Display and sale of the following items from vending carts:
  - (a) Flowers, plants and shrubs; vegetables, produce, citrus or other unpackaged foods, not requiring refrigeration or further preparation, subject to applicable state health regulations; and
  - (b) Arts and Crafts.

Within open space, or partially open space, display and sale of other merchandise or food products allowed to be sold generally within the district, and subject to the restrictions set forth herein, may be permitted by Exception.



**6.4 INFRASTRUCTURE AND UTILITIES****6.4.1 Personal Wireless Service Facilities (PWSF)**

The purpose and intent of these performance standards for the location, siting and design of PWSF are to:

- Allow for alternative types of PWSF in locations pursuant to these standards.
- Encourage the use of existing structures not originally built as antenna mounts such as roof-tops, utility poles, and church steeples for deploying PWSF. Discourage new PWSF mounts where co-location and mounts on existing structures are possible;
- Expedite the review process for applications choosing the least intrusive alternative of deploying PWSF as permitted by these standards;
- Encourage users of mounts to locate, site and design them in a way that minimizes the adverse visual impact of the mounts and associated equipment;
- To promote compatibility of PWSF with surrounding land uses, and protect the attractiveness, health, safety, general welfare, and property values of the community.

1. Collocation

- a. Collocation of antennae, equipment enclosures, and ancillary facilities (“facilities”) on existing towers as specified on FS 365.172 (12)(a)1.a., or on other structures as specified in FS 365.172(12)(a)1.b, shall be allowed by right, subject to the land development regulations in effect at the time of the initial PWSF placement approval, when the collocation:
  - Does not increase the height of the tower or other structure, as applicable, to which the facilities are to be attached; and
  - Does not increase the ground space area approved in the site plan; and
  - Consists of antennae, equipment enclosures, and ancillary facilities that conform to the land development regulations applied to the initial facilities placed on tower, and the tower supporting the facilities. However, the land development regulations at the time of the collocation application (other than regulation of the number of collocations) may be applied to the facilities if they do not conflict with land development regulations applied to the initial PWSF; and
  - Is not located within a historic building, structure, site, object, or district, except for the collocation on existing towers.
- b. If only a portion of the collocation does not meet the requirements specified above, where all other portions of the collocation meet the requirements, that portion of the collocation may be allowed subject to a Warrant or Exception, as applicable. Further, HEP approval shall be required if applicable, except for collocation on existing towers.
- c. By right and to allow collocation, an existing tower may be structurally modified, or may be replaced with a monopole tower, or an existing camouflaged tower may be replaced with a like-

camouflaged tower, if the overall height of the modified or replaced tower is not increased.

## 2. Replacement or Modification

Replacement of or modification to PWSF, except for a tower, shall be as of right when, as reasonably determined by the City:

- The resulting PWSF is not readily discernibly different in size, type and appearance when viewed from ground level from surrounding properties, or
- The replacement or modification of equipment is not visible from surrounding properties.

## 3. New Placement and Substantial Modifications

MONOPOLE OR TOWER DEVICES		ROOFTOP OR ANCHORED DEVICES	
T3	By Exception subject to conditions and limitations.	By Exception subject to conditions and limitations.	
T4	By Exception subject to conditions and limitations.	By Warrant subject to conditions and limitations.	
ALL OTHER	By Exception subject to conditions and limitations; including min. 500 feet distance requirement from any T3 or T4 designated Zone measured from nearest property line of PWSF site to the property line of the nearest parcel zoned as T3 or T4.	By Warrant subject to conditions and limitations.	

	MAXIMUM DEVICE HEIGHT	MINIMUM SETBACK	REQUIRED STRUCTURAL HEIGHT	MAXIMUM DEVICE HEIGHT ABOVE ROOF
T3	35 feet	20 feet	35 feet	13 feet
T4	60 feet	20 feet	35 feet	13 feet
ALL OTHER	100 feet single carrier 125 feet multiple	20 feet	35 feet	13 feet

ADDITIONAL REQUIREMENTS	<ul style="list-style-type: none"> <li>• All freestanding monopole or tower facilities shall be designed to include sufficient landscape as to screen the proposed facility from any adjacent right-of-ways. Sufficient landscape shall include trees, shrubs and ground cover in a tiered configuration.</li> <li>• All freestanding monopole or tower facilities shall be designed to accommodate up to three co-locations of other antennas by future carriers. Any applicant of new device shall show proof that co-location to existing devices serving the area is not available.</li> <li>• The mount shall not be visible from the ground from a distance of 600 feet; Screening from ground view may be provided by a parapet or some other type wall or Screening.</li> <li>• No part of the mount shall be located closer than eight (8) feet to any power line.</li> <li>• Mounts may not exceed three (3) separate areas per rooftop</li> </ul>			
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STANDARDS	<p>In the event that a specific facility cannot comply with the standards set forth above, an application for modifications as to such standards shall only be permissible by Exception. Such applications shall be accepted upon compliance with the following:</p> <ul style="list-style-type: none"> <li>• The applicant for each such facility shall submit a justification report prepared by an engineer qualified in the technological aspects (such as a "radio frequency [RF] engineer") as to why the facility must be modified in terms of height or location; such report shall be accompanied with a review fee as set forth in Chapter 62 of the City Code.</li> <li>• The applicant for each such facility shall include, as part of the application, line of sight studies that depict the three dimensional view of such facility from all adjacent right-of-ways; photo montages shall be considered an acceptable form of line of sight studies.</li> <li>• The applicant for each such facility shall include, as part of the application, a mitigation plan that depicts proposed Buffering and Screening of such facility from all adjacent right-of-ways; such mitigation plan shall be in compliance with the criteria and standards set forth for PWSF applications unless the relief being sought is from one or more of such standards.</li> <li>• For any such facility that is proposed to be located within a property zoned T3, T4-R, T5-R or T6-R, the mitigation plan shall be required to either conceal, camouflage or disguise the proposed facility, or if possible, replace a monopole or tower structure with a series of short mounts that are camouflaged within the area so as to reduce the negative visual impact of a possible larger structure.</li> </ul>			
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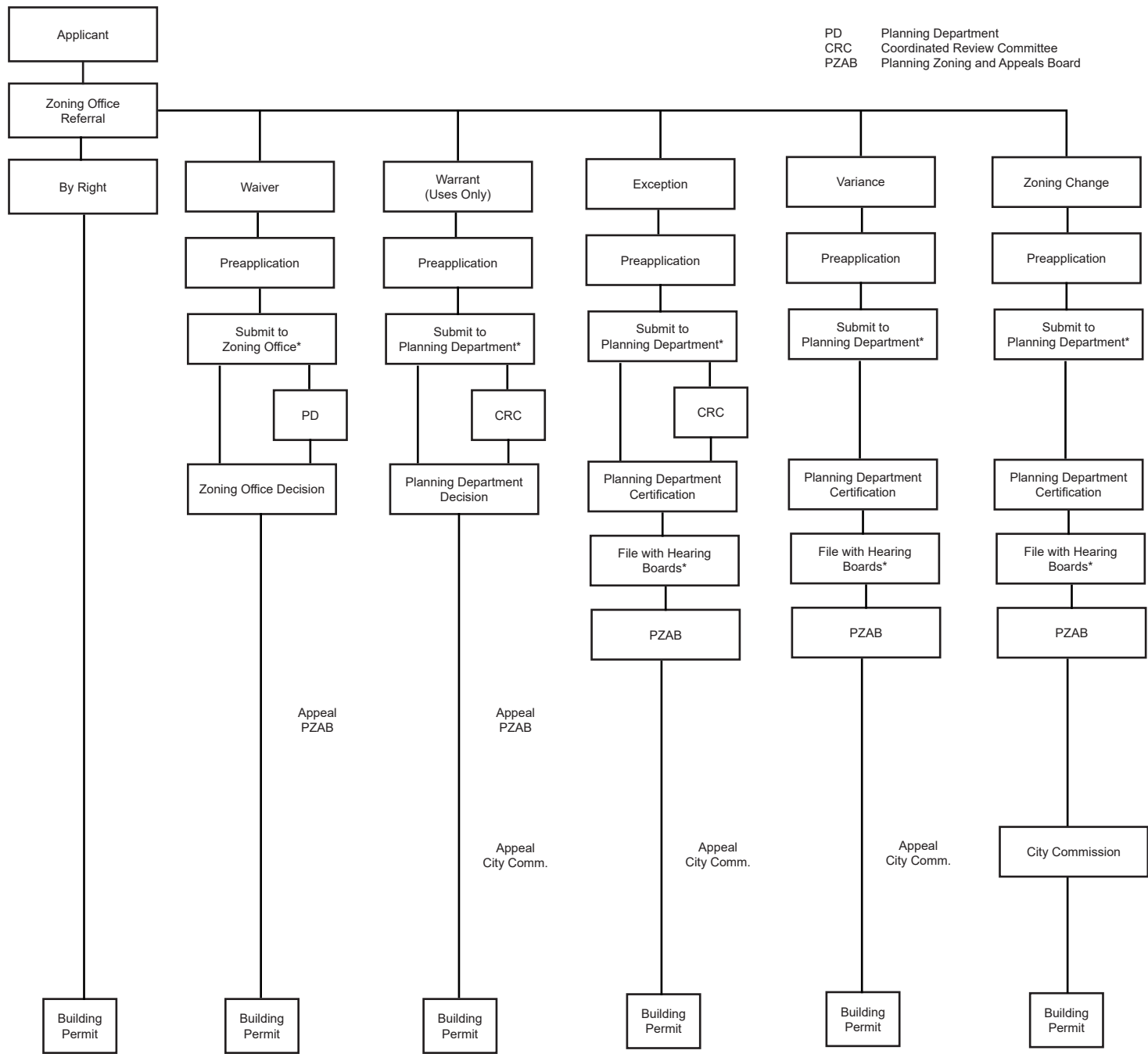
### 6.4.1.1 Personal Wireless Service Facilities (PWSF) Procedures

PROCEDURES	<p>An application is deemed submitted or re-submitted on the date it is received by the City.</p> <ul style="list-style-type: none"> <li>The City shall notify the applicant in writing that the application is not complete and in compliance with regulations for administrative purposes within 20 days after the application is submitted, or after additional information resubmitted.</li> </ul> <p>Collocation Applications:</p> <ul style="list-style-type: none"> <li>A building permit shall be granted or denied no later than 45 business days after the date the application is determined to be properly completed.</li> </ul> <p>Other wireless facility applications:</p> <ul style="list-style-type: none"> <li>Other applications shall be granted or denied no later than 90 business days after the date the application is determined to be properly completed.</li> </ul> <p>If a properly completed application is not granted or denied within the timeframe set forth above, the application shall be deemed automatically approved and the applicant may proceed with the placement of the facility, as set forth in FS 365.172( 12) (d), unless:</p> <ul style="list-style-type: none"> <li>the timeframe is voluntarily extended by the applicant; or</li> <li>the City's procedures generally applicable to all other similar types of applications require City Commission action, in which case the City Commission must act on the application at its next regularly scheduled meeting; or</li> <li>an extension is required because of a declared local, state or federal emergency that directly affects administration of all permitting activities</li> </ul>
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### 6.4.1.2 Personal Wireless Service Facilities (PWSF) Definitions

DEFINITIONS	<p><b>Camouflage</b> shall mean a way of designing or installing and mounting a PWSF that creates the effect that the PWSF is part of its surroundings.</p> <p><b>Carrier</b> shall mean a company licensed by the Federal Communications Commission (FCC) that provides wireless services. A tower builder or owner is not a carrier unless licensed to provide personal wireless services.</p> <p><b>Co-location</b> shall mean the use of a common mount by two (2) or more wireless carriers.</p> <p><b>Conceal</b> shall mean to enclose a PWSF within a natural or man-made feature resulting in the facility being either invisible or made part of the feature enclosing it.</p> <p><b>Design</b> shall mean the appearance of PWSF such as their materials, color and shape.</p> <p><b>Disguise</b> shall mean to design a PWSF to appear to be something other than a PWSF.</p> <p><b>Landscape Buffer</b> shall mean an area of landscaping separating two (2) distinct land uses or a land use and a public right-of-way, which acts to soften or mitigate the effects of one use on another. It can be considered a form of camouflage.</p> <p><b>Lattice Tower</b> shall mean a type of mount that consists of multiple legs and cross-bracing of structural steel.</p> <p><b>Mitigation</b> shall mean the reduction or elimination of visual impacts by the use of one or more methods, including concealment, camouflage and disguise.</p> <p><b>Monopole</b> shall mean one type of self-supporting mount consisting of a single shaft of wood, steel or concrete and antennas at the top or along the shaft.</p> <p><b>Mount</b> shall mean the Structure or surface to which antennas are attached.</p> <p><b>Personal Wireless Service Facility (PWSF)</b> shall mean any a facility for the provision of personal wireless services, as defined by Section 704 of the Telecommunications Act of 1996. A PWSF is any facility for the transmission or reception of personal wireless services, which may consist of an antenna array, transmission cables, equipment shelter or Building, access road, mount, and a guy system. Such facilities may include "monopole" or "lattice tower (tower)" structures.</p> <p><b>Radio Frequency (RF)</b> engineer shall mean someone with a background in electrical engineering or microwave engineering who specializes in the study of radio frequencies.</p> <p><b>Screening</b> shall mean visually shielding or obscuring one Abutting nearby Structure or use from another by fencing, walls, berms, or densely planted vegetation. Screening can be considered a form of camouflage.</p> <p><b>Short Mounts</b> shall mean alternatives to monopoles or lattice towers, such as masts or poles. For example, two (2) poles or three (3) masts might be an alternative to one lattice tower.</p> <p><b>Standards</b> shall mean guidelines or measures provided in this section by which acceptability is determined. PWSF shall be measured by standards for visibility and safety. This code generally regulates these facilities on three levels: location (where the facility can go), siting (how the facility is placed within its setting) and design (what the facility looks like).</p> <p><b>Tower</b> shall mean a mount constructed for the primary purpose of supporting antennas and other PWSF components.</p> <p><b>Visual impact</b> shall mean a modification or change that could be incompatible with Scale, form, texture, or color of the existing natural or man-made landscape.</p>
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PERMITTING PROCESS DIAGRAM



**7.2 NONCONFORMITIES: STRUCTURES; USES; LOTS; SITE IMPROVEMENTS; AND SIGNS****7.2.1 Generally****a. Definition**

A nonconformity as used in this Code is an existing Use, Structure, Lot or site improvement that is in compliance with the zoning regulations that were applicable to it when it was established, and for which all required permits were issued, but which does not conform in whole or in part to the regulations of this Code. Such nonconformity is legal and may continue except as regulated by this section.

1. A nonconformity may also be created where the lawful use of eminent domain or an order of a court of competent jurisdiction has affected the lawfully existing Use, Structure, Lot or site improvement in a way so that the property does not comply with this Code. In this instance, the nonconformity is legal and may continue except as regulated by this section.
2. A change in tenancy, ownership, or management of a nonconforming Use, Structure, Lot or site improvement shall not be construed to create a nonconformity, provided the change is otherwise lawful and in compliance with this Code.

**b. Intent concerning nonconformities generally.**

It is the intent of this Code that nonconformities may continue but are not encouraged to expand or enlarge, and once they cease they may not be re-established, except under the terms of Section 7.2.

- c. The existence of nonconformity shall not be used as a reason to add new Uses, Structures, or site improvements that are not allowed by the regulations of the Transect Zone in which it is located.
- d. The temporary or illegal Use of property shall not be sufficient to establish the existence of a nonconformity or to create rights in the continuation of a nonconformity until it shall come into compliance with the regulations of this Code.
- e. If at any time a nonconforming Structure, or any Structure containing a nonconforming Use, becomes unsafe or unlawful by declaration of the City of Miami, Miami-Dade County Unsafe Structures Board, or other government agency having jurisdiction, the Structure shall not thereafter be restored or repaired and the Use shall not be reestablished except in conformity with the regulations of the Transect Zone in which it is located.

**7.2.2 Structures and Uses in the Event of Disaster****a. Single-Family Residences, Duplexes and Multi-Family Structures**

In the event of a natural disaster, explosion, fire, act of God, or the public enemy, the Zoning Administrator may permit the reconstruction of any nonconforming Single-Family Residence,

duplex or multi-family structures to the same or decreased nonconformity as existed immediately prior to the disaster, upon proof satisfactory to the Zoning Administrator of the configuration of the prior Single-Family Residence, duplex or multi-family structures, and only in compliance with the Florida Building Code. An application for reconstruction of the Single-Family Residence, duplex or multi-family structures shall be filed within twelve (12) months of the event of its destruction, unless the City Commission authorizes the Zoning Administrator to extend the twelve (12) month time period city-wide.

b. All Other Structures

1. Where a nonconforming Structure is destroyed by natural disaster, explosion, fire, act of God, or the public enemy, the Zoning Administrator may, by Waiver, allow the replacement or reconstruction of the nonconforming Structure in whole or in part upon finding that the Waiver criteria of this Code and the criteria of paragraph 2 below are met.
2. Criteria for approval. Replacement or reconstruction may be permitted if the following findings are made.
  - (a) The cause of destruction was not the deliberate action of the owner of the Structure or his agents.
  - (b) The replacement or reconstruction is reasonably necessary to allow the conforming Use of the Structure.
  - (c) The replacement or reconstruction meets the Florida Building Code.
3. An Application for the reconstruction or repair shall be filed within a period of twelve (12) months from the date of the destruction unless the City Commission authorizes the Zoning Administrator to extend the twelve (12) month time period city-wide.

c. Nonconforming Uses

1. The restoration of a nonconforming Use within a Structure that is destroyed by natural disaster, explosion, fire, act of God, or the public enemy, may be approved by Warrant. The Use must be restored in a conforming Structure or Structure approved by Waiver, and of equal or lesser size and on the same Lot. The approval shall further find that the criteria of paragraph 2 below are met.
2. Criteria for approval. The restoration of the nonconforming Use may be permitted if all of the following are found to be met:
  - (a) The cause of destruction was not the deliberate action of the owner of the Structure or his agents; and
  - (b) Nothing contained in the provisions of this Code or the City Code requires termination of such nonconforming Use; and
  - (c) There is substantial public advantage in continuance of the nonconforming Use; and

- (d) Replacement or reconstruction in the manner proposed, with related actions imposed in conditions and safeguards, will reduce any previous adverse effects of the Use on neighboring properties; and
  - (e) The Use will not be enlarged or intensified.
3. The application for restoration shall be filed within twelve (12) months of destruction and be diligently carried to completion. Unless restoration is so initiated and completed, the nonconforming Use shall terminate and not be resumed.

### **7.2.3 Alterations and Expansion of Nonconforming Structures**

#### **a. Single-Family Residences and Duplexes**

- 1. Interior alterations to a nonconforming Single-Family Residence or duplex for interior work such as repairs or interior remodeling shall be allowed.
- 2. Alterations, additions, repairs and maintenance to a nonconforming Single-Family Residence or duplex shall be permitted as long as there is no enlargement of any nonconformity that affects the exterior of the Building or premises.
- 3. Where alteration, addition, repair or maintenance enlarges a nonconformity affecting the exterior of the Building or premises, the enlargement may be permitted by Waiver from the Zoning Administrator.

#### **b. All other Structures**

- 1. Less than fifty percent (50%) of square footage of Structure.  
Alterations which enlarge the nonconformity of a nonconforming Structure to an extent of less than fifty percent (50%) of the total square footage of the nonconforming Structure may be permitted by Exception from the Planning, Zoning and Appeals Board.
- 2. Fifty percent (50%) or more of square footage of the Structure.  
A nonconforming Structure may be altered to enlarge the nonconformity of the Structure by fifty percent (50%) or more of the total square footage of the nonconforming Structure only if the Structure thereafter conforms to the Transect Zone in which it is located.

#### **c. Computation of alterations**

The extent of alteration will be calculated to include the sum of all alterations over a period of three consecutive years.

#### **d. Expansion, repairs, remodeling and maintenance that do not enlarge the nonconformity of a nonconforming Structure**

All expansions, repairs, remodeling and maintenance that do not enlarge the nonconformity of the Structure are permitted consistent with the Florida Building Code.



#### **7.2.4 Moving a Nonconforming Structure on the Same Lot**

A nonconforming Structure may be moved on the same Lot only pursuant to an Exception. In addition to satisfying the Exception criteria, the following criteria apply:

- a. The proposed movement must reduce the degree of nonconformity to the maximum extent reasonably feasible, or eliminate the nonconformity;
- b. The Structure shall in no case be moved in such a manner as to increase the degree of nonconformity; and
- c. Where a nonconforming Structure is moved to a location not on the same Lot, the Structure and all new construction shall thereafter conform to the regulations for the Transect Zone to which it is moved.

#### **7.2.5 Locally Designated Historic Resources—Nonconformities**

- a. Definition

A locally designated historic resource is a Building or Structure listed in the Miami Register of Historic Places that has been deemed individually significant for its contribution to Miami's history and sense of place; or is a part of a locally designated historic district where the individual Building or Structure is deemed to add to the historic architectural qualities or historical associations, and the Building or Structure has been so designated through the formal public process provided in Chapter 23 of the City Code.

- b. Generally

Nonconforming locally designated historic resources shall be subject to the regulations of this section, except as they may be granted certain waivers or an exception for preservation purposes by the Historic and Environmental Preservation Board pursuant to Chapter 23 of the City Code.

#### **7.2.6 Nonconforming Uses**

- a. Time Limitation

Where, at the effective date of adoption or amendment of this Code, a lawful Use exists which would not be permitted under this Code, the Use may be continued for twenty (20) years from the date the Use first became legal nonconforming and consistent with the regulations of this section. The Use shall not be allowed to continue automatically upon expiration of the twenty (20) years. Upon application, the City Commission may grant by Exception an extension for continuance of the Use for an additional term of up to twenty (20) years. However, accessory parking abutting T3-R areas that were approved as transitional Uses under prior zoning codes and were legally nonconforming prior to the adoption of this Code will not have a continued automatic twenty-year (20) extension as provided in this section, but shall instead seek an Exception before the City

Commission within sixty (60) days of renewal of a Certificate of Use.

- b. Legally established alcoholic beverage establishments, having a valid Certificate of Use or certificate of occupancy and all other required permits, may continue in existence despite subsequent establishment of a church or school within the distance limitations of Chapter 4 entitled "Alcoholic Beverages" of the City Code.

c. Replacement and Expansion of Structures that Contain Nonconforming Use

- 1. No enlargement, extension, replacement, or reconstruction of an existing Structure which contains a nonconforming Use shall be permitted except to change the Use to a conforming Use, except as provided below:

(a) Interior Arrangement

A nonconforming Use may be extended throughout any parts of a Structure which was clearly designed or arranged for the nonconforming Use at the time that the Use became nonconforming. If a portion of a Structure was unoccupied or not manifestly designed for the nonconforming Use, the Use may not be expanded within the Structure.

- (b) Alterations to the extent of less than fifty percent (50%) of the square footage of a Structure containing a nonconforming Use

Where an alteration of a Structure containing a nonconforming Use is less than fifty percent (50%) of the square footage of the Structure at the time of alteration, the nonconforming Use may be permitted to continue pursuant to an Exception.

(c) Exterior

No nonconforming Use which exists outside a Structure shall be extended to occupy more area than was occupied at the time the Use became nonconforming, except as approved by Exception and to comply with the non Use regulations of the Transect in which it is located. In this case, the occupancy of the new location shall be construed as remaining a nonconforming Use.

2. Extending / Transferring the Nonconforming Use

No nonconforming Use shall be extended to occupy any other Structure on the same Lot or parcel if the other Structure was not used for the nonconforming Use at the time the Use became nonconforming.

3. Subdivision or structural additions

Structures used for nonconforming Uses shall not be subdivided, nor shall any Structures be added on the premises, except for conforming Uses and Structures.

d. Discontinuance or Abandonment of a nonconforming Use

If, for a period of more than six (6) months, a nonconforming Use is documented as being dis-

continued or a Certificate of Use for a nonconforming Use lapses, any subsequent Use shall conform to the regulations of this Code. Provided, however, the time period shall not include any time during which the discontinuance is caused by governmental action which impedes access to the premises.

**7.2.7****Nonconforming Lots****a. Nonconforming Lot**

A nonconforming Lot may continue and may be used as provided by this section. A nonconforming Lot is one shown on the latest recorded plat or described by deed, both as recorded in the public records of Miami-Dade County, which met the width, length and area requirements in effect when the Lot became of record, and which Lot would not conform to the requirements of this Code.

**b. Street or alley closure**

When a Lot has become nonconforming due to a street or alley vacation or closure, the Lot may be modified pursuant to an approval by the Director of the Public Works Department as long as the degree of nonconformity created by the vacation or closure is not increased.

**c. Rules concerning combinations of contiguous nonconforming Lots in the same ownership and with common Frontage for T3 Transects only.****1. Combinations required**

(a) If two or more Lots, or combinations of Lots and portions of Lots, with continuous Frontage in the same ownership exist at the time of passage or amendment of this Code, and if all or part of the Lots do not meet the requirements for Lot width and area, the lands involved shall be considered an "undivided parcel" for the purposes of this Code. Except as provided below in paragraph c.2., no portion of an undivided parcel shall be used or sold in a manner diminishing compliance with general Transect requirements for Lot width and area.

(b) The undivided parcel shall be considered one Lot for which only one Single-Family Residence or duplex may be constructed, regardless of how many nonconforming Lots make up the parcel.

(c) A unity of title, or covenant in lieu of unity of title, which complies with all applicable requirements of the City Code shall be required on all undivided parcels prior to the issuance of any building permits, including demolition permits.

**2. Exceptions to the combination requirement**

Notwithstanding paragraph c.1, where nonconforming Lots with continuous Frontage in the same ownership exist at the time of passage or amendment of this Code, such Lots may be developed individually, in accordance with the applicable code requirements and pursuant to a Waiver, if such Lots individually comply with any of the following exceptions.

(a) Duplex Lots restricted to Single-Family Residences

The owner of two or more adjoining nonconforming duplex Lots must by covenant (in a form acceptable to the City Attorney) restrict the Use of the Lots to the development of no more than one Single-Family Residence per Lot and must comply with all Miami 21 Code requirements except for minimum Lot width.

(b) The ninety percent (90%) rule

The Lots must individually comply with ninety percent (90%) of the requirements for Lot width, area, and Principal Front Setback under the Miami 21 Code regulations.

(c) The one thousand (1,000) feet radius rule

The width or size of such nonconforming Lots must be equal to or larger than the majority of the existing Building sites within the same Transect Zones and either within a minimum one thousand (1,000) foot radius of the nonconforming Lot perimeter, or extending no further than the immediate vicinity, whichever is less. "Building site" shall mean a Lot, group of Lots or parcel upon which a Single-Family Residence or duplex is located. "Immediate vicinity" shall mean either an area in which a parcel of land is located that is physically, functionally or geographically identifiable as a distinct realm, place or neighborhood, or an area within a radius of one-half mile from the nonconforming Lot, whichever is smaller.

## 7.2.8 Nonconforming Site Improvements

Where nonconforming site improvements exist, such as Off-street Parking and loading, access, fences, walls, lighting, landscaping, or similar site improvements, such nonconformities may continue and the site may be altered only as provided below.

- a. No change shall be made in any nonconforming site improvement which increases the nonconformity. Changes may be approved by Waiver, if the changes result in the same or a reduced degree of nonconformity
- b. Except in a T3 or T4-R Transect Zone or within an area of the City for which a parking trust fund has been established and is in effect pursuant to Chapter 35 of the City Code, where existing Off-street Parking is nonconforming to the requirements of this Code or any other City standards to any Use permitted in the Transect Zone, Adaptive Use, shall not require the provision of additional parking or on-site storm water retention or detention. If the prior Use of such structure was single-family, duplex, or lodging and the site abuts a T3 Transect Zone, the provision of additional parking shall be required as per the requirement of this Code. No modifications may be permitted which increase the degree of the existing nonconformity. Modifications to Off-street Parking may be approved by Waiver, and the Waiver may be conditioned on safeguards that reduce the degree of nonconformity to the extent reasonably feasible in the circumstances of the case.

**8.1****GENERAL DESCRIPTION**

This article describes the guidelines for development of Thoroughfares throughout the City. It supplements the design standards adopted in the City of Miami Manual of Engineering Standards for Design and Construction, maintained in its most current form at the City of Miami Department of Public Works. Where these guidelines conflict with the Manual, the standards of the Manual shall apply.

The urban landscape is characterized by a set of interdependent elements that create a sense of place. These include Thoroughfare type, Building type, Frontage type, and the form and disposition of landscape and lighting. Thoroughfares provide the City with both the major part of public Open Space as well as moving lanes for vehicles, bicycles and transit. A Thoroughfare is associated with a particular type of movement, and is endowed with two attributes: movement type and character. The movement type of the Thoroughfare refers to the number of vehicles that can move safely through a segment within a given time period; it is physically manifested by the number of lanes and their width, by the centerline radius, the curb radius, and the super-elevation of the pavement. The character of the Thoroughfare refers to its suitability as a setting for pedestrian activities and is physically manifested by the associated Frontage types as determined by location within the Transect.

Thoroughfares can be assigned appropriately to Transect Zones, with calibrated Right-of-Way widths, movement types, design speed, number of travel lanes, pavement width, curb radius and Verge type.

In Zones T3 and T4, D1, D2 and D3, generally sidewalks occur at the edge of the Right-of-Way. In Zones T5 and T6, sidewalks occur at the edge of the Right-of-Way and are given the additional dimensions of the 10 foot setback in the First Layer.

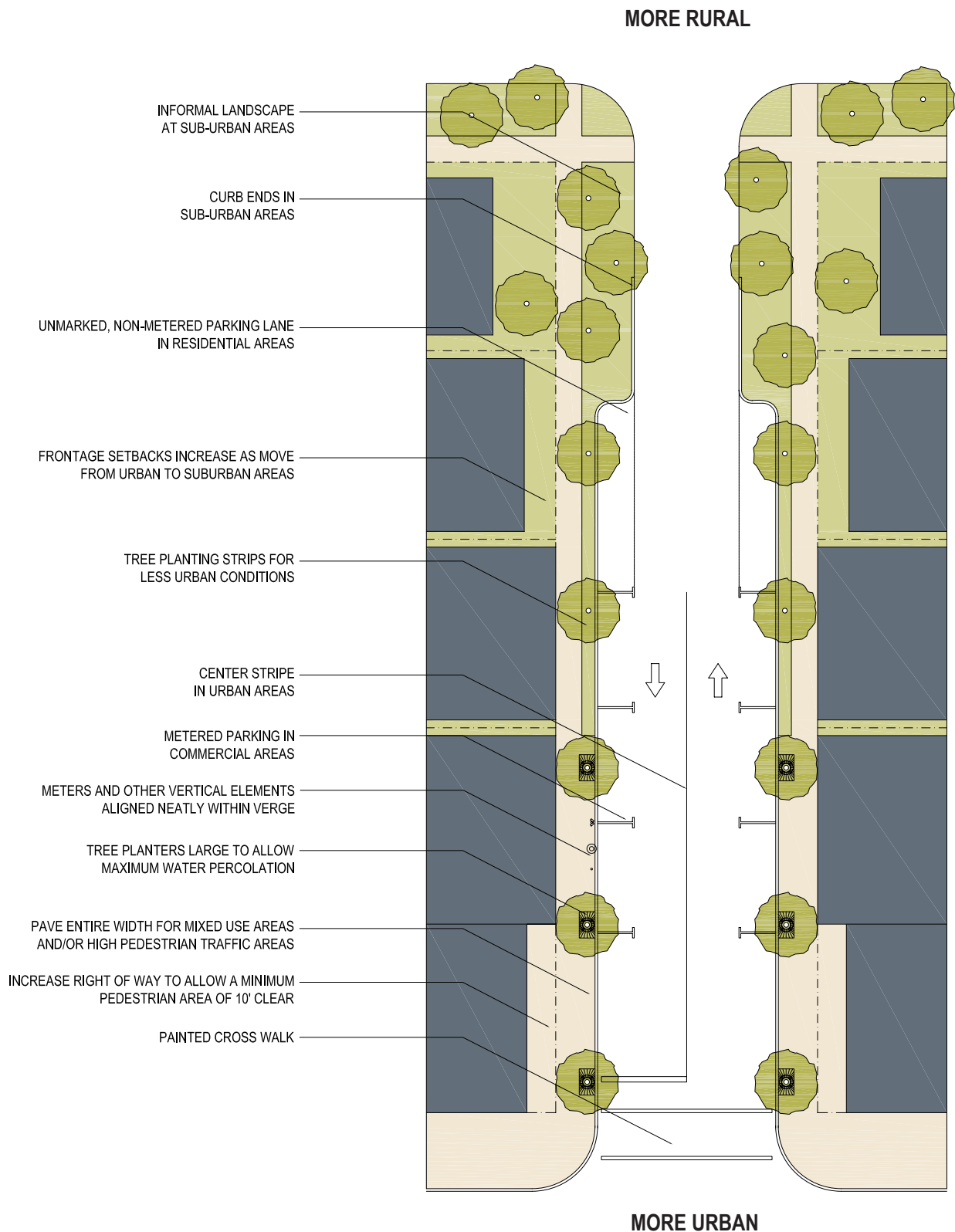
The following additional assumptions govern the Thoroughfares shown here:

- To clear sight lines for drivers, Visibility Triangles shall be required as described in Article 3, Section 3.8.4.1
- Pavement widths are measured inside of curb to inside of curb.
- Curb and gutter may range from 1'-6" for City Thoroughfares to 2'-0" for some County Thoroughfares.
- Parking spaces range from 7'-0" to 9'-0" including pan; they should be wider on higher speed Thoroughfares but may be restricted by existing Right-of-Way dimensions.
- Right turns may be taken from the parking lane.
- Tree spacing is 22' on center to match parallel parking or 25' on center to match Lot Line spacing.
- Tree planters have a minimum dimension of 4' x 4', increased where possible to a 4' x 8' dimension.
- Bulb-outs may be added where Thoroughfare widths are wide and design speed high, or where sidewalks are narrow, in order to facilitate pedestrian safety.

Thoroughfares must evolve with the needs of the City. As Miami continues to grow, a Thoroughfare may change in character reflecting new density, or conversely, a return to an historic dimension. For instance, a continuous lawn planter may be replaced with individual tree wells for additional sidewalk space, or a wide neighborhood street may be narrowed to control traffic intrusion.

The accommodation of bicycles and transit requires detailed response to the existing Thoroughfare condition and thus is not illustrated specifically here.

8.2 Illustration: The Thoroughfare across the Transect





## Public Frontages

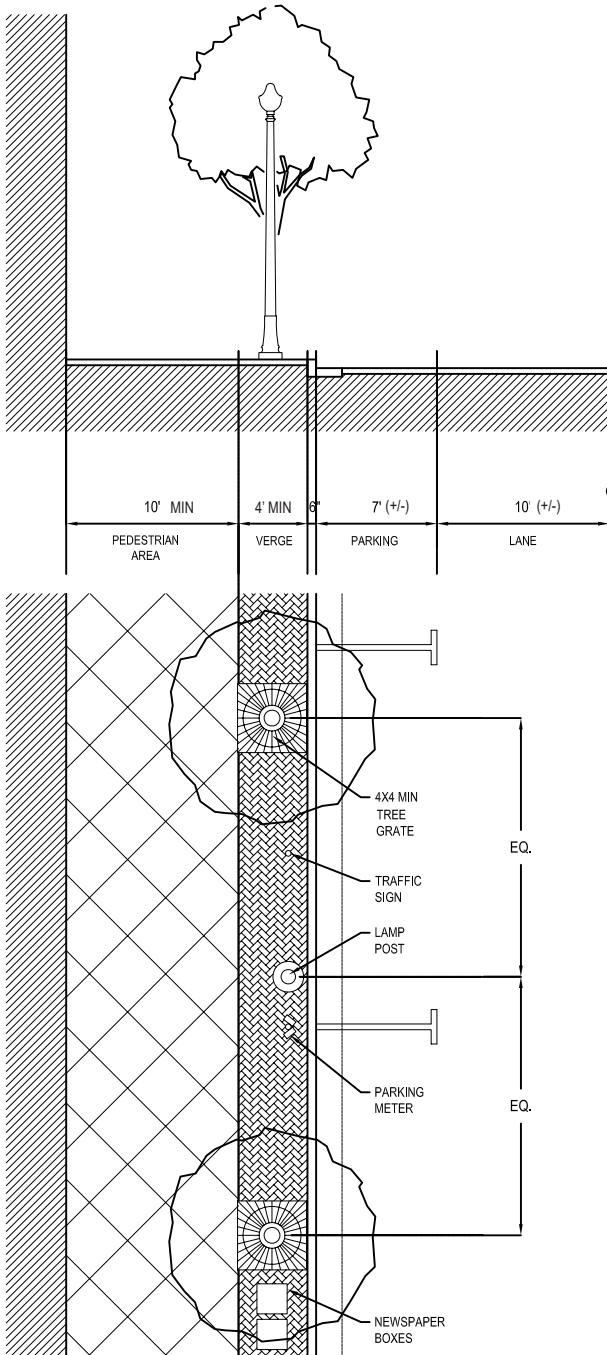
Note: Appropriate types for Civic Zones shall be determined based on context and abutting Transect Zones.

8.3 Public Frontages (continued)

		PLAN	
		LOT PRIVATE FRONTAGE ▶	R.O.W. ◀ PUBLIC FRONTAGE
a. (HW) For Highways: This Frontage has open swales drained by percolation, bicycle trails and no parking. The landscaping consists of the natural condition or multiple species arrayed in naturalistic clusters. Buildings are buffered by distance or berms.			T1
			T3
b. (RD) For Roads: This Frontage has open swales drained by percolation and a walking path or bicycle trail along one or both sides and yield parking. The landscaping consists of multiple species arrayed in naturalistic clusters.			T1
			T3
c. (ST) For Street: This Frontage has raised curbs drained by inlets and sidewalks separated from the vehicular lanes by individual or continuous planters, with parking on one or both sides. The landscaping consists of street trees of a single or alternating species aligned in a regularly spaced alley.			T3
			T4
			T5
			T6
d. (DR) For Drive: This Frontage has raised curbs drained by inlets and a wide sidewalk or paved path along one side, related to a greenway or waterfront. It is separated from the vehicular lanes by individual or continuous planters. The landscaping consists of street trees of a single or alternating species aligned in a regularly spaced alley.			T3
			T4
			T5
			T6
e. (AV) For Avenues: This Frontage has raised curbs drained by inlets and wide sidewalks separated from the vehicular lanes by a narrow continuous planter with parking on both sides. The landscaping consists of a single tree species aligned in a regularly spaced alley.			T3
			T4
			T5
			T6
			D
f. (ST) (AV) For Mixed Use Streets or Avenues: This Frontage has raised curbs drained by inlets and very wide sidewalks along both sides separated from the vehicular lanes by separate tree wells with grates and parking on both sides. The landscaping consists of a single tree species aligned with regular spacing where possible.			T3
			T4
			T5
			T6
			D
g. (BV) For Boulevards: This Frontage has slip roads on both sides. It consists of raised curbs drained by inlets and sidewalks along both sides, separated from the vehicular lanes by planters. The landscaping consists of rows of a single tree species aligned in a regularly spaced alley.			T3
			T4
			T5
			T6
			D

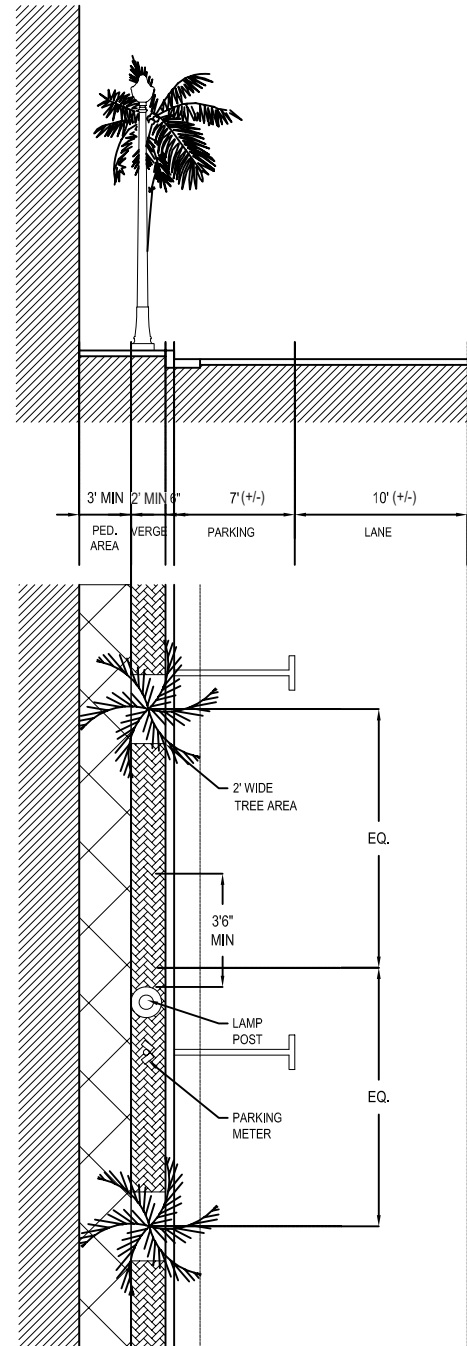
Note: Appropriate types for Civic Zones shall be determined based on context and abutting Transect Zones.

#### 8.4 Illustration: Sidewalks



##### IDEAL CONDITION

Sidewalk may be scored concrete. Verge may be permeable pavement. All vertical elements shall be located within verge and neatly aligned.



##### LESS THAN IDEAL EXISTING CONDITION

Sidewalk dimensions shall comply with A.D.A. standards. Narrow sidewalks should provide a 5'-0" X 5'-0" minimum passing space at reasonable intervals not to exceed 200 feet. See Chapter 11- 4.3 Florida Building Code. All vertical elements to be located within verge and neatly aligned.

TABLE A			
Zoning District	Number of Trees Required		Maximum Lawn Area
	Per Acre of Net Lot Area	Per Lot	Percent of Req. Open Space
Sub-Urban			
T3-R		3	50%
T3-L		3	50%
T3-O		3	50%
Urban General			
T4-R	28		40%
T4-L	28		40%
T4-O	28		40%
Urban Center			
T5-R	22		20%
T5-L	22		20%
T5-O	22		20%
Urban Core			
T6-R	22		20%
T6-L	22		20%
T6-O	22		20%
District			
D1	22		20%
D2	15		20%
D3	15		20%
Civic			
CI	*		*%
CS	N/A		N/A

\*Requirements determined by most restrictive abutting Transect Zone

**10.1 . GENERAL****10.1.1 PURPOSE**

The purpose of this section is to provide a comprehensive system of regulations for Signs visible from the public right-of-way and to provide a set of standards designed to optimize communication and design quality of Signs. Through these regulations, the City of Miami will uphold the United States Constitution and State of Florida Constitution, conserve and protect scenic beauty, regulate signage for the purpose of visual clutter, and preserve the aesthetic character of the City. In addition, special permits which may have been approved under previous Ordinance 11000 or under previous sections of this ordinance may also contain conditions that regulate Signs on certain properties. No Signs or advertising devices of any kind or nature shall be erected or maintained on any premises or affixed to the inside or outside of any Structure to be visible from the public right-of-way except as specifically provided for by these regulations.

**10.1.1.1 INTENT:**

- a. Promote the effectiveness of Signs by preventing their improper placement, deterioration and excessive size and number.
- b. Regulate and control Signs and Sign Structures in order to prevent property damage and personal injury resulting from improper construction or poor maintenance.
- c. Promote the free and safe flow of traffic and protect pedestrians and motorists from injury and property damage attributable to cluttered, distracting, or illegal signage.
- d. Control and reduce visual clutter and visual blight.
- e. Prevent any deleterious effects arising from the unrestricted use of Signs by providing a reasonable, flexible, efficient, comprehensive and enforceable set of regulations that will foster a high quality, aesthetic, visual environment for the City, enhancing it as a place to live, visit and do business.
- f. Assure that public benefits derived from expenditures of public funds for the improvement and beautification of streets and other public Structures and Open Spaces shall be protected by exercising reasonable control over the character and design of Sign Structures.
- g. Address the business community's need for adequate business identification and advertising communication by improving the readability, and therefore, the effectiveness of Signs by preventing their improper placement, over-concentration, excessive Height, area, and bulk.
- h. Coordinate the placement and physical dimensions of Signs within the different Transects.
- i. Protect property values, the local economy, and the quality of life by preserving and enhancing the appearance of the Streetscapes that affect the image of the City.
- j. Acknowledge the differing design concerns and needs for Signs in certain specialized areas such as tourist areas.

- k. Require that Signs be properly maintained for safety and visual appearance.
- l. Protect non-Commercial speech such that any Sign allowed herein may contain any lawful non-Commercial message, so long as said Sign complies with the size, Height, Area location and other requirements of these regulations.
- m. Provide no more restrictions on speech than necessary to implement the purpose and intent of this section.

These regulations are specifically intended to be severable such that if any section, subsection, sentence, clause or phrase of these regulations is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, the decision shall not affect the validity of the remaining provisions of these regulations.

### **10.1.2 CRITERIA FOR GRANTING SIGN PERMIT**

#### **10.1.2.1 Permits required for Signs except those exempted.**

Except for classes of Signs exempted from permit requirements as specified in Section 10.1.3, all Signs shall require permits. Applications for such permits shall be made separately or in combination with applications for other permits as appropriate to the circumstances of the case and shall provide at a minimum the information as specified in Section 7.1.2.9.

### **10.1.3 SIGNS EXEMPTED FROM PERMIT REQUIREMENTS**

The following types of Signs, and Changeable Copy Signs, are exempted from permit requirements because such Signs are needed in order to convey messages to protect lives, give direction, identify public access ways, and protect civil rights.

Such Signs shall comply with size and location requirements as set forth in these regulations for the specific Transect Zone in which they are to be located.

- a. Address, Notice, Directional or Warning Signs. No Sign permit shall be required for Address, Notice, Directional or Warning Signs except as otherwise required in this section. Any Sign that exceeds the area below is subject to Building Identification criteria within Section 10.2, Table 15.
  - 1. Address Signs, not to exceed one (1) for each Dwelling Unit or other Use for each Lot Line adjacent to a street. Each address sign shall be limited to two (2) square feet in Area.
  - 2. Notice, Directional or Warning Signs, not to exceed one (1) for each Dwelling Unit or other Use for each Lot Line adjacent to a street. Each Notice, Directional and Warning Sign shall be limited to two (2) square feet in Area.
- b. Cornerstones, memorials, or tablets. Due to their historic or civic significance to the community, no Sign permit is required for cornerstones, memorials, or tablets when part of any masonry surface or constructed of bronze or other incombustible and durable material. Signs shall be

limited to identification and date of construction of Buildings, persons present at dedication or involved in Development or construction, or significant historical events relating to the premises or development.

- c. U. S. Mail delivery receptacles. No Sign permit shall be required for delivery receptacles for U.S. mail which have been approved for use by postal authorities.
- d. Flags. Limited to one (1) per property and shall not exceed twenty-five (25) square feet. National flags, state flags and flags of political subdivisions within the State of Florida shall not be subject to these regulations; however, in no case shall more than three (3) flags be flown per property. The flags permitted by this subsection shall not be used in mass to circumvent this subsection by using said flags primarily as an advertising device.
- e. Celebratory Flags and Banners. A Sign permit shall not be required for celebratory flags and Banners located within Regional Activity Complexes related to community wide celebrations or commemorations. Such Signs shall not include any form of commercial advertising, shall not be located within any public right-of-way, and shall be removed within thirty (30) days of such event.
- f. Vehicle Signs. No Sign permit shall be required for display of Signs on automobiles, trucks, buses, trailers, or other vehicles when used for purposes of transportation.
- g. Changeable Copy Sign. No Sign permit shall be required for routine Change of Copy on a Changeable Copy Sign, the customary use of which involves frequent and periodic changes, provided such change of copy does not result in increase of total Sign Area beyond permissible limits and meets all other requirements of this Code and the City Code. Signs with the capability of content change by means of manual or remote input include the following types:
  - 1. Manually Activated - Changeable sign whose message copy or content can be changed manually on a Display Surface.
  - 2. Electronically Activated - Changeable sign whose message, copy or content can be remotely programmed electronically.

#### **10.1.4 GENERAL REQUIREMENTS**

The following general requirements and limitations shall apply with regard to Signs, in addition to provisions appearing elsewhere in this Code. No Variance or Waiver from these provisions are permitted unless otherwise stated within Article 10:

- a. Any Sign allowed herein may contain, in lieu of any other message or copy, any lawful non-commercial message, so long as said Sign complies with the size, Height, Area, location and other requirements of this Code and the City Code.
- b. False and misleading Signs shall be unlawful to post.
- c. Illuminated Sign Requirements:



1. Illuminated Signs containing functions of Animated Signs are prohibited. Illuminated Signs within a T1, T3, T4, T5-R, T6-R or CS Transect Zone shall be reviewed by process of Warrant as per Table 15. Illuminated Signs in all other Transect Zones shall be allowed by Right subject to the regulations specified within Table 15.
  2. Signs may be Internally Illuminated or Indirectly Illuminated from any external source. Illuminated Sign fixtures or luminaries shall not shine directly on adjacent properties, motorists or pedestrians. Illumination will provide visibility to the Sign and eliminate glare and intensity which might pose safety hazards to drivers and pedestrians.
  3. Signs that are Internally Illuminated may not exceed a maximum brightness level of 0.3 foot candles above ambient light as measured at a preset distance depending on Sign size. Measuring distance shall be calculated by taking the square root of the product of the Sign Area multiplied by one-hundred (Example using a 12 square foot Illuminated Sign:  $\sqrt{12 \times 100} = 34.6$  feet measuring distance). All applicants shall provide a written certification from the Sign manufacturer that the light intensity has been factory preset not to exceed the levels specified.
  4. No Illuminated Sign shall be permitted within one hundred (100) feet from any portion of a T1, T3, T4-R, T5-R or T6-R property, as measured along the street Frontage on the same side of the street, or as measured in a straight line to a property across the street, unless Signs are specifically authorized by Warrant as per Table 15.
- d. Structural members of all Signs, including supports, electrical conduit and receptacle boxes, or any other operational devices shall be covered, painted, or designed in such a manner as to be visually unnoticeable.
  - e. Devices used to attract attention such as blinking or flashing lights, streamer lights, pennants, banners, balloons, streamers, and all fluttering and spinning devices shall be prohibited.
  - f. Portable Signs shall be prohibited, including those that are tied down with metal straps, chaining, or otherwise temporarily anchored to an existing Structure or other similar method of anchoring.
  - g. Roof Signs shall be prohibited in all Transects. No Sign shall extend above the roof line or parapet wall.
  - h. Any Sign issued a Certificate of Appropriateness that meets the criteria of Section 23-6.4 of the City Code may be exempted from these Sign limitations through a Warrant process..
  - i. All Class A and Class C Signs shall comply with the requirements of Chapter 62 of the City Code.
  - j. All Signs shall comply with the vision clearance standards within this Code.
  - k. Master Sign packages or vertical shopping center Signs approved under zoning ordinance 11000 or Special Area Plan Sign packages adopted under the provisions of Article 3, Section 3.9.1 of this Code shall be governed by approved condi-

## 10.2.1 SIGN MEASUREMENT CALCULATIONS

### Sign Placement

- All Signs, excluding Monument Signs placed between Average Sidewalk Elevation and fifty (50) feet height above sidewalk shall be subject to Table 15 Sign Design Standards.
- Signs above fifty (50) feet shall comply with section 10.3.6 of this Code.
- All Monument Signs shall be placed along the Principal Frontage within the Base Building Line of the establishment site. No establishment shall bear more than two (2) Monument Signs on a single Frontage. Signs that are located in the First Layer shall not disrupt pedestrian activity and shall respect a clearance of ten (10) feet from back-of-curb. Additional Vision Clearance regulations shall be applied as per Section 3.8.4.
- Signs shall not exceed a tenant's occupied establishment.
- Monument Signs shall not be located within the public right-of-way unless permitted by Public Works.

### Sign Area

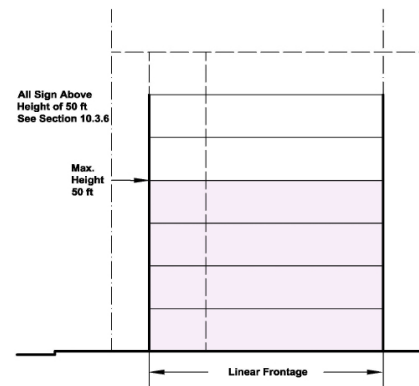
- Aggregate Area Calculation

Walls fronting a street between Average Sidewalk Elevation and fifty (50) feet height above sidewalk: Aggregate Area = (total linear frontage) x (aggregate area ratio). See Table 15 for specific signage calculation details.

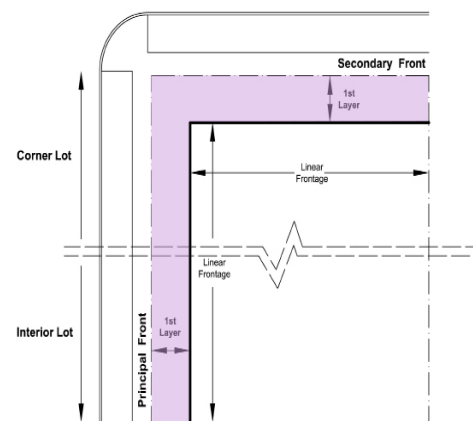
- Sign Area: See Article 1, Section 1.3 Definitions of Signs
- Monument Sign Area  
Monument Signs which may include up to two (2) Display Surfaces. The area of the Sign shall be the area of the largest Display Surface that is visible from any single direction. Total Sign Area shall not exceed forty (40) square feet for T3 and T4 Transect Zones and one hundred (100) square feet for T5, T6, D and C Transect Zones excluding embellishments.
- Monument Base

The base of the Sign Structure shall not be calculated into the Display Surface calculation. Sign base width shall not vary by more than 20% of the total Sign Display Surface width.

### SIGN HEIGHT PLACEMENT



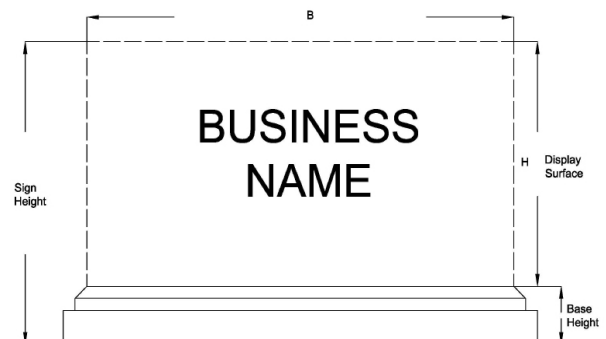
### SIGN SETBACK PLACEMENT




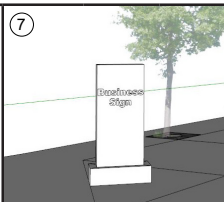
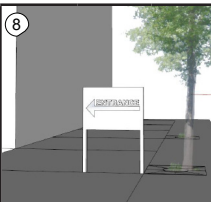
### SIGN AREA



### MONUMENT SIGN AREA



SIGN DESIGN STANDARDS	WALL			WINDOW			PROJECTING			HANGING			AWNING		
<div>T3</div>	<div><div>1</div><div><div><div></div><div>Depth/Projection Sign</div><div></div></div><div></div></div></div>			<div><div>2</div><div><div><div></div><div>Sign</div><div>Sign</div><div>Sign</div></div></div></div>			<div><div>3</div><div><div><div></div><div>BUSINESS</div></div></div></div>			<div><div>4</div><div><div><div></div><div>Sign</div></div></div></div>			<div><div>5</div><div><div><div></div><div>Business Sign</div></div></div></div>		
	R	L	O	R	L	O	R	L	O	R	L	O	R	L	O
BUILDING IDENTIFICATION															
Aggregate Area Ratio	0.25 sq.ft. per linear Frontage			See Wall Sign Aggregate Area			See Wall Sign Aggregate Area			See Wall Sign Aggregate Area			See Wall Sign Aggregate Area		
Aggregate Area	24 sq.ft. max per Frontage			20% of total glass area			18 sq.ft. max			3 sq.ft. max per frontage			Limited to skirt or bottom edge of Awning		
Width	50% of linear Frontage						12 in. max.						60% of valance area		
Height (Measured from Average Sidewalk Elevation)	See Section 10.2.1 of Article 10			See Section 10.2.1 of Article 10			8 ft. min (bottom of sign)			8 ft. min (bottom of sign)			Letters, emblems, logos or symbols on valance 6 in. max		
Depth/Projection	12 in. max						3 ft. max								
Aggregate Area Per Sign Type	Included in total Aggregate Area; shall not exceed 50% of Aggregate Area			Included in total Aggregate Area; shall not exceed Aggregate Area			Included in total Aggregate Area; shall not exceed 50% of Aggregate Area			Included in total Aggregate Area; shall not exceed 50% of Aggregate Area			Included in total Aggregate Area; shall not exceed 50% of Aggregate Area		
Principal Frontage Quantity	1 sign per 150 ft linear Frontage			1 sign per window			1 sign per 150 ft linear Frontage			1 sign per 150 ft linear Frontage			1 sign per window or door opening located on the Principal Frontage		
Secondary Frontage Quantity	1 sign per 250 ft linear Frontage			1 sign per window			1 sign per 250 ft linear Frontage			1 sign per 250 ft linear Frontage			N/A		
BUSINESS IDENTIFICATION															
Aggregate Area Ratio	N/A			N/A			N/A			N/A			N/A		
Aggregate Area															
Width															
Height															
Depth/Projection															
Aggregate Area Per Sign Type															
Principal Frontage Quantity															
Secondary Frontage Quantity															
ILLUMINATION PERMIT	By Warrant			N/A			By Warrant			By Warrant			By Warrant		
SUPPLEMENTAL STANDARDS	<div><div>Refer to Section 10.2 Table 15 Function for calculated Aggregated Area description.</div><div>Limited to the identification of subdivisions, developments, neighborhoods, Religious Facilities, Elementary, Middle or High Schools.</div><div>All Sign proposals shall only be permitted by Warrant.</div></div>			<div><div>Limited to the identification of subdivisions, developments, neighborhoods, Religious Facilities, Elementary, Middle or High Schools.</div><div>Signage to be displayed on street level windows only</div><div>All Sign proposals may only be permitted by Warrant</div></div>			<div><div>Limited to the identification of subdivisions, developments, neighborhoods, Religious Facilities, Elementary, Middle or High Schools.</div><div>Projection angle shall be parallel or perpendicular to wall.</div><div>All Sign proposals may only be permitted by Warrant</div></div>			<div><div>Limited to the identification of subdivisions, developments, neighborhoods, Religious Facilities, Elementary, Middle or High Schools.</div><div>All Sign proposals may only be permitted by Warrant</div></div>			<div><div>Limited to the identification of subdivisions, developments, neighborhoods, Religious Facilities, Elementary, Middle or High Schools</div><div>All Sign proposals may only be permitted by Warrant</div></div>		

SIGN DESIGN STANDARDS				MONUMENT			DIRECTIONAL		
									
	R	L	O	R	L	O	R	L	O
BUILDING IDENTIFICATION									
Aggregate Area Ratio									
Aggregate Area				15 sq.ft. max per Display Surface			5 sq.ft. max per Display Surface		
Width				6 ft. max					
Height (Measured from Average Sidewalk Elevation)				6 ft. max			8 ft. max		
Depth/Projection				18 in. max			12 in. max		
Aggregate Area Per Sign Type									
Principal Frontage Quantity				1 sign per 100 ft. of Frontage (no more than 2 Display Surfaces)			1 sign per entrance, exit or parking area		
Secondary Frontage Quantity							1 sign per entrance, exit or parking area		
BUSINESS IDENTIFICATION									
Aggregate Area Ratio				N/A			N/A		
Aggregate Area									
Width									
Height									
Depth/Projection									
Aggregate Area Per Sign Type									
Principal Frontage Quantity									
Secondary Frontage Quantity									
ILLUMINATION PERMIT									
			By Warrant			By Warrant			
SUPPLEMENTAL STANDARDS									
			<ul style="list-style-type: none"><li>Limited to the identification of subdivisions, developments, neighborhoods, Religious Facilities, Elementary, Middle or High Schools.</li><li>All Sign proposals may only be permitted by Warrant.</li><li>An increase up to forty (40) square feet for such a Sign shall be permitted if the Sign is located on a right-of-way greater than fifty (50) feet and the facility has a setback in excess of thirty (30) feet.</li></ul>			<ul style="list-style-type: none"><li>Limited to the identification of subdivisions, developments, neighborhoods, Religious Facilities, Elementary, Middle or High Schools.</li><li>All Sign proposals may only be permitted by Warrant.</li><li>Limited to Wall, Hanging, or Monument Signs.</li></ul>			

**10.3 SUPPLEMENTAL SIGN REGULATIONS****10.3.1 Class A Signs (Temporary)**

For the purposes of this Article, Class A Signs shall be removed from the event or location to which they are related in a timeframe described below, unless otherwise specified.

- a. Class A (construction, development and special events signs). All construction, development and special events signs shall comply with the requirements of Chapter 62 of the City Code.
- b. Class A (real estate Signs). No Sign permit shall be required for real estate Signs displayed on private property. Such real estate Signs shall be removed within thirty (30) days of the sale or rental of the property. All such real estate Signs shall be subject to the following regulations:
  1. In T5-L,O, T6-L,O, CI, CI-HD, D1, D2 and D3 Transect Zones, Signs shall not exceed fifteen (15) square feet in Sign surface Area; or
  2. In T3, T4-R, T5-R or T6-R Transect Zones, Signs shall not exceed one (1) for each Dwelling Unit and not exceed four (4) square feet in Sign surface Area.
- c. Class A (political election Signs). No Sign permit shall be required for political election Signs displayed on private property. Such political election Signs shall be permitted no earlier than three (3) months prior to the date of the election and removed within fifteen (15) days after the election. All such political election Signs shall be subject to the following regulations:
  1. In T5-L,O, T6-L,O, CI, CI-HD, D1, D2 and D3 Transect Zones, Signs shall not exceed fifteen (15) square feet in aggregate of Sign surface Area; or
  2. In T3, T4, T5-R and T6-R Transect Zones, Signs shall not exceed four (4) square feet in aggregate of Sign surface Area.

**10.3.2 Class B Signs (Entertainment Establishments)**

For the purposes of this Article, Class B Signs for Entertainment Establishments may install no more than two (2) outdoor display encasements for event posters per fifty (50) feet of linear Frontage subject to the following guidelines:

- a. Shall be located within thirty (30) feet of Entertainment Establishments main entrance.
- b. Shall be permanently wall-mounted, maintained in good condition and contain current events.
- c. Shall not exceed forty-six (46) inches in height by thirty-two (32) inches in width by for (4) inches in depth.
- d. Framing materials (other than fasteners) for event posters shall be made of wood, brass or aluminum, and shall blend in and be consistent with the color of the building façade.