



## City of Miami Zoning Information

# General Urban Transect

# T4

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

**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.

- 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



**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

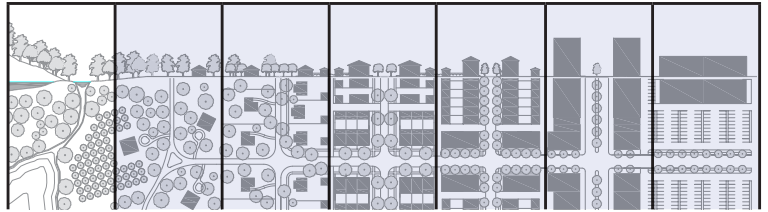
1. Waterfront Setbacks shall be a minimum of fifty (50) feet measured from the mean high water line provided along any waterfront, except where the depth of the Lot is less than two-hundred (200) feet the Setback shall be a minimum of twenty-five percent (25%) of the Lot depth; and except for T3, T4-R, 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:

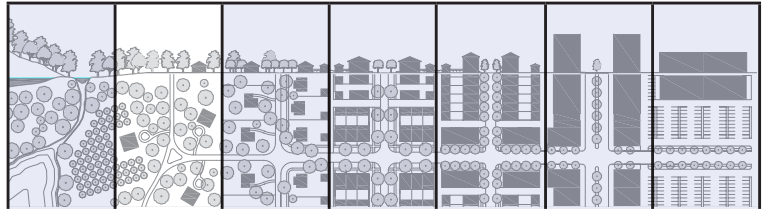
1. Waterfront walkways shall be designed and constructed within the waterfront Setbacks in accordance with these Waterfront Walkway Design Standards and should remain open to public access during all times, but at a minimum, shall remain open to the public between 6am through 10pm. Waterfront walkways 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.

AS ADOPTED - JANUARY 2018

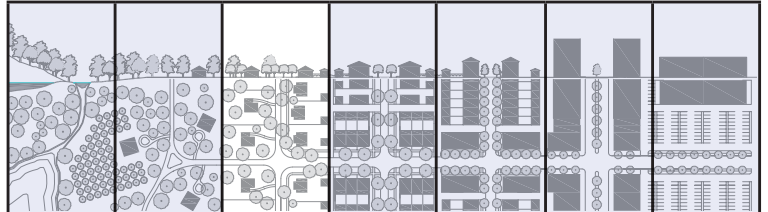
**T1** **THE NATURAL ZONE** consists of lands approximating a wilderness condition, permanently set aside for conservation in an essentially natural state.



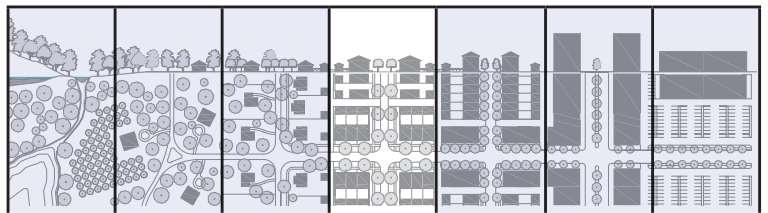
**T2** **THE RURAL ZONE** consists of lands in open or cultivated state or sparsely settled. These include woodland, grassland and agricultural land.



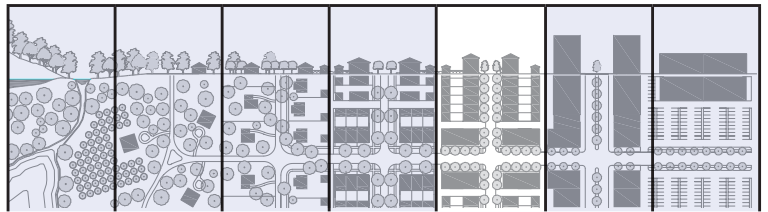
**T3** **THE SUB-URBAN ZONE** consists of low-Density areas, primarily comprised of Single-Family and Two Family residential units with relatively deep Setbacks, Streetscapes with swales, and with or without Sidewalks. Blocks may be large and the roads may be of irregular geometry to accommodate natural and historic conditions.



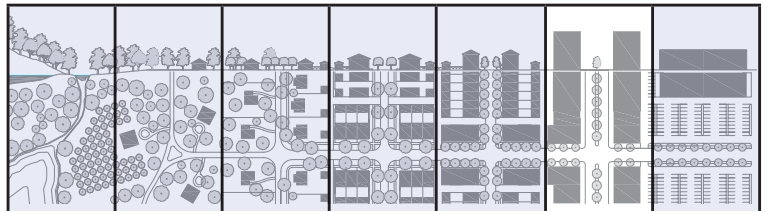
**T4** **THE GENERAL URBAN ZONE** consists of a Mixed-Use but primarily residential urban fabric with a range of Building types including rowhouses, small apartment Buildings, and bungalow courts. Setbacks are short with an urban Streetscape of wide Sidewalks and trees in planters. Thoroughfares typically define medium-sized blocks.



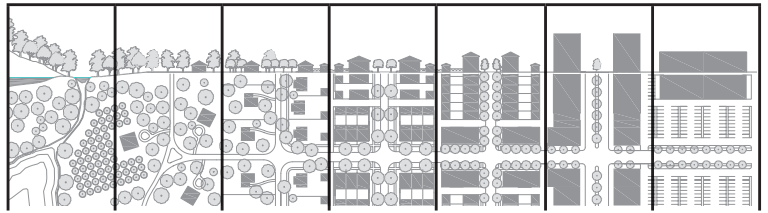
**T5** **THE URBAN CENTER ZONE** consists of higher Density Mixed-Use Building types that accommodate retail and office Uses, rowhouses and apartments. A network of small blocks has Thoroughfares with wide Sidewalks, steady street tree planting and Buildings set close to the Frontages with frequent doors and windows.



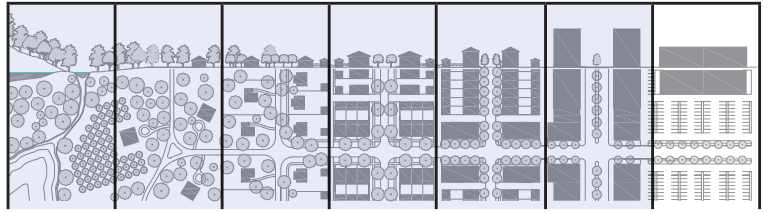
**T6** **THE URBAN CORE ZONE** consists of the highest Density and greatest variety of Uses, including Civic Buildings of regional importance. A network of small blocks has Thoroughfares with wide Sidewalks, with steady tree planting and Buildings set close to the Frontage with frequent doors and windows.

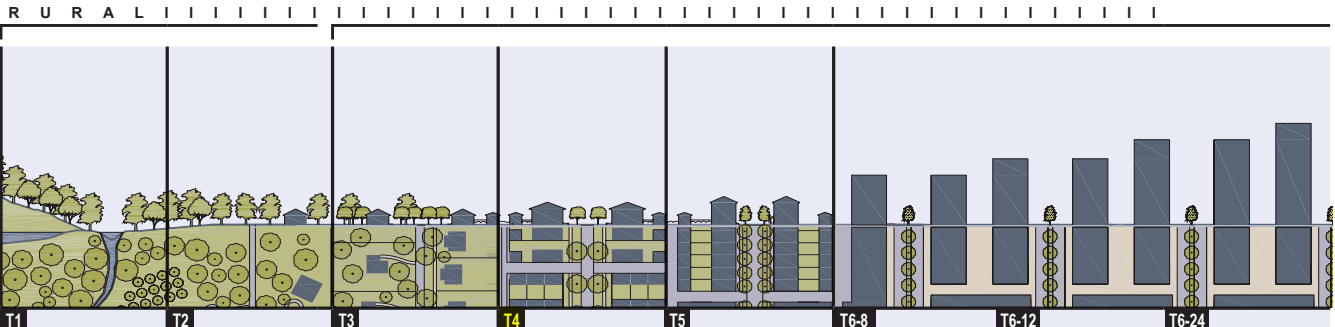


**C** **THE CIVIC ZONE** consists of public use space and facilities that may contrast in use to their surroundings while reflecting adjacent Setbacks and landscape.



**D** **THE DISTRICT ZONE** consists of the least regulated Building and accommodates commercial and industrial Uses of a scale and with a Streetscape that facilitate vehicular access.





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	T6-24
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 *
<b>BUILDING SETBACK</b>								
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.**
<b>OUTBUILDING SETBACK</b>								
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.				
<b>PRIVATE FRONTAGES</b>								
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 **
<b>BUILDING HEIGHT (Stories)</b>								
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.**
<b>THOROUGHFARES</b>								
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

\* 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
<b>DENSITY (UNITS PER ACRE)</b>	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	R	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	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

	RESTRICTED	LIMITED	OPEN
DENSITY (UPA)	36 UNITS PER ACRE	36 UNITS PER ACRE	36 UNITS PER ACRE
<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 1.5 parking spaces per principal Dwelling Unit.</li> <li>• Ancillary Dwelling - 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> <li>• Except for sites within 500 feet of an ungated T3 Transect Zone, the parking ratio may be reduced within a TOD area or within a Transit Corridor area by up to thirty percent (30%) by process of Waiver; by up to fifty percent (50%) by process of Waiver and payment into a transit enhancement Trust Fund, as established by Chapter 35 of the City Code; or by one hundred percent (100%) for any Structure with a Floor Area of ten thousand (10,000) square feet or less.</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 1.5 parking spaces per principal Dwelling Unit.</li> <li>• Ancillary Dwelling - Minimum of 1 parking space per ancillary dwelling unit.</li> <li>• Live-work - Work component shall provide parking as required by non-residential use in addition to parking required for the Dwelling Units.</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> <li>• Parking requirement may be reduced according to the Shared parking standard, Article 4, Table 5.</li> <li>• Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required.</li> <li>• Except for sites within 500 feet of an ungated T3 Transect Zone, the parking ratio may be reduced within a TOD area or within a Transit Corridor area by up to thirty percent (30%) by process of Waiver; by up to fifty percent (50%) by process of Waiver and payment into a transit enhancement Trust Fund, as established by Chapter 35 of the City Code; or by one hundred percent (100%) for any Structure with a Floor Area of ten thousand (10,000) square feet or less.</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 1.5 parking spaces per principal Dwelling Unit.</li> <li>• Ancillary Dwelling - Minimum of 1 parking space per ancillary dwelling unit.</li> <li>• Live-work - Work component shall provide parking as required by non-residential use in addition to parking required for the 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> <li>• Parking requirement may be reduced according to the Shared parking standard, Article 4, Table 5.</li> <li>• Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required.</li> <li>• Except for sites within 500 feet of an ungated T3 Transect Zone, the parking ratio may be reduced within a TOD area or within a Transit Corridor area by up to thirty percent (30%) by process of Waiver; by up to fifty percent (50%) by process of Waiver and payment into a transit enhancement Trust Fund, as established by Chapter 35 of the City Code; or by one hundred percent (100%) for any Structure with a Floor Area of ten thousand (10,000) square feet or less.</li> </ul>
<b>LODGING</b>	<ul style="list-style-type: none"> <li>• See City Code, Chapter 23.</li> </ul>	<p>Lodging Uses are permissible as listed in Table 3, limited by compliance with:</p> <ul style="list-style-type: none"> <li>• Minimum of 1 parking space for every 2 lodging units.</li> <li>• Minimum of 1 additional visitor parking space for every 5 lodging units.</li> <li>• Parking requirement may be reduced according to the Shared parking standard, Article 4, Table 5.</li> <li>• Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required.</li> <li>• Except for sites within 500 feet of an ungated T3 Transect Zone, the parking ratio may be reduced within a TOD area or within a Transit Corridor area by up to thirty percent (30%) by process of Waiver; by up to fifty percent (50%) by process of Waiver and payment into a transit enhancement Trust Fund, as established by Chapter 35 of the City Code; or by one hundred percent (100%) for any Structure with a Floor Area of ten thousand (10,000) square feet or less.</li> </ul>	<p>Lodging Uses are permissible as listed in Table 3, limited by compliance with:</p> <ul style="list-style-type: none"> <li>• Minimum of 1 parking space for every 2 lodging units.</li> <li>• Minimum of 1 additional visitor parking space for every 5 lodging units.</li> <li>• Parking requirement may be reduced according to the Shared parking standard, Article 4, Table 5.</li> <li>• Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required.</li> <li>• Except for sites within 500 feet of an ungated T3 Transect Zone, the parking ratio may be reduced within a TOD area or within a Transit Corridor area by up to thirty percent (30%) by process of Waiver; by up to fifty percent (50%) by process of Waiver and payment into a transit enhancement Trust Fund, as established by Chapter 35 of the City Code; or by one hundred percent (100%) for any Structure with a Floor Area of ten thousand (10,000) square feet or less.</li> </ul>
<b>OFFICE</b>		<p>Office Uses are permissible as listed in Table 3, limited by compliance with:</p> <ul style="list-style-type: none"> <li>• Limited to the first Story of the Principal Building or Accessory Structure;</li> <li>• Office and Commercial Uses shall be less than 50% Building floor area total.</li> <li>• Minimum of 3 parking spaces for every 1,000 square feet of office use.</li> <li>• Parking requirement may be reduced according to the Shared parking standard, Article 4, Table 5.</li> <li>• Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required.</li> <li>• Except for sites within 500 feet of an ungated T3 Transect Zone, the parking ratio may be reduced within a TOD area or within a Transit Corridor area by up to thirty percent (30%) by process of Waiver; by up to fifty percent (50%) by process of Waiver and payment into a transit enhancement Trust Fund, as established by Chapter 35 of the City Code; or by one hundred percent (100%) for any Structure with a Floor Area of ten thousand (10,000) square feet or less.</li> </ul>	<p>Office Uses are permissible as listed in Table 3, limited by compliance with:</p> <ul style="list-style-type: none"> <li>• Minimum of 3 parking spaces for every 1,000 square feet of office use.</li> <li>• Parking requirement may be reduced according to the Shared parking standard, Article 4, Table 5.</li> <li>• Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required.</li> <li>• Except for sites within 500 feet of an ungated T3 Transect Zone, the parking ratio may be reduced within a TOD area or within a Transit Corridor area by up to thirty percent (30%) by process of Waiver; by up to fifty percent (50%) by process of Waiver and payment into a transit enhancement Trust Fund, as established by Chapter 35 of the City Code; or by one hundred percent (100%) for any Structure with a Floor Area of ten thousand (10,000) square feet or less.</li> </ul>



	RESTRICTED	LIMITED	OPEN
DENSITY (UPA)	36 UNITS PER ACRE	36 UNITS PER ACRE	36 UNITS PER ACRE
COMMERCIAL		<p>Commercial Uses are permissible as listed in Table 3, limited by compliance with:</p> <ul style="list-style-type: none"> <li>Limited to the first Story of the Principal Building or Accessory Structure;</li> <li>Office and Commercial Uses shall be less than 50% Building floor area total.</li> <li>A maximum area of 4,000 square feet per establishment.</li> <li>Food establishments of a maximum seating capacity of 40 patrons.</li> <li>Minimum of 3 parking spaces for every 1,000 square feet of commercial use.</li> <li>Parking requirement may be reduced according to the Shared parking standard, Article 4, Table 5.</li> <li>Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required.</li> <li>Except for sites within 500 feet of an ungated T3 Transect Zone, the parking ratio may be reduced within a TOD area or within a Transit Corridor area by up to thirty percent (30%) by process of Waiver; by up to fifty percent (50%) by process of Waiver and payment into a transit enhancement Trust Fund, as established by Chapter 35 of the City Code; or by one hundred percent (100%) for any Structure with a Floor Area of ten thousand (10,000) square feet or less.</li> </ul>	<p>Commercial Uses are permissible as listed in Table 3, limited by compliance with:</p> <ul style="list-style-type: none"> <li>A maximum area of 4,000 square feet per establishment.</li> <li>Food establishments of a maximum seating capacity of 40 patrons.</li> <li>Minimum of 3 parking spaces for every 1,000 square feet of commercial use.</li> <li>Minimum of one Bike space for every 20 vehicular spaces required (before any reductions).</li> <li>Parking requirement may be reduced according to the Shared parking standard, Article 4, Table 5.</li> <li>Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required.</li> <li>Except for sites within 500 feet of an ungated T3 Transect Zone, the parking ratio may be reduced within a TOD area or within a Transit Corridor area by up to thirty percent (30%) by process of Waiver; by up to fifty percent (50%) by process of Waiver and payment into a transit enhancement Trust Fund, as established by Chapter 35 of the City Code; or by one hundred percent (100%) for any Structure with a Floor Area of ten thousand (10,000) square feet or less.</li> </ul>
CIVIC	<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> <li>Parking requirement may be reduced according to the Shared parking standard, Article 4, Table 5.</li> <li>Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required.</li> <li>Except for sites within 500 feet of an ungated T3 Transect Zone, the parking ratio may be reduced within a TOD area or within a Transit Corridor area by up to thirty percent (30%) by process of Waiver; by up to fifty percent (50%) by process of Waiver and payment into a transit enhancement Trust Fund, as established by Chapter 35 of the City Code; or by one hundred percent (100%) for any Structure with a Floor Area of ten thousand (10,000) square feet or less.</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> <li>Parking requirement may be reduced according to the Shared parking standard, Article 4, Table 5.</li> <li>Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required.</li> <li>Except for sites within 500 feet of an ungated T3 Transect Zone, the parking ratio may be reduced within a TOD area or within a Transit Corridor area by up to thirty percent (30%) by process of Waiver; by up to fifty percent (50%) by process of Waiver and payment into a transit enhancement Trust Fund, as established by Chapter 35 of the City Code; or by one hundred percent (100%) for any Structure with a Floor Area of ten thousand (10,000) square feet or less.</li> <li>Parking for civic uses may be provided off-site within a distance of 1,000 feet.</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> <li>Parking requirement may be reduced according to the Shared parking standard, Article 4, Table 5.</li> <li>Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required.</li> <li>Except for sites within 500 feet of an ungated T3 Transect Zone, the parking ratio may be reduced within a TOD area or within a Transit Corridor area by up to thirty percent (30%) by process of Waiver; by up to fifty percent (50%) by process of Waiver and payment into a transit enhancement Trust Fund, as established by Chapter 35 of the City Code; or by one hundred percent (100%) for any Structure with a Floor Area of ten thousand (10,000) square feet or less.</li> <li>Parking for civic uses may be provided off-site within a distance of 1,000 feet.</li> </ul>

	RESTRICTED	LIMITED	OPEN
DENSITY (UPA)	36 UNITS PER ACRE	36 UNITS PER ACRE	36 UNITS PER ACRE
<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 use.</li> <li>• Except for sites within 500 feet of an ungated T3 Transect Zone, the parking ratio may be reduced within a TOD area or within a Transit Corridor area by up to thirty percent (30%) by process of Waiver; by up to fifty percent (50%) by process of Waiver and payment into a transit enhancement Trust Fund, as established by Chapter 35 of the City Code; or by one hundred percent (100%) for any Structure with a Floor Area of ten thousand (10,000) square feet or less.</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>• Adult Daycare- Minimum of 1 space per staff member.</li> <li>• Minimum of 1 parking space for every 5 seats of assembly use.</li> <li>• Parking requirement may be reduced according to the Shared parking standard, Article 4, Table 5.</li> <li>• Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required.</li> <li>• Except for sites within 500 feet of an ungated T3 Transect Zone, the parking ratio may be reduced within a TOD area or within a Transit Corridor area by up to thirty percent (30%) by process of Waiver; by up to fifty percent (50%) by process of Waiver and payment into a transit enhancement Trust Fund, as established by Chapter 35 of the City Code; or by one hundred percent (100%) for any Structure with a Floor Area of ten thousand (10,000) square feet or less.</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 one Bike space for every 20 vehicular spaces required (before any reductions).</li> <li>• Adult Daycare- Minimum of 1 space per staff member.</li> <li>• Minimum of 1 parking space for every 5 seats of assembly use.</li> <li>• Parking requirement may be reduced according to the Shared parking standard, Article 4, Table 5.</li> <li>• Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required.</li> <li>• Except for sites within 500 feet of an ungated T3 Transect Zone, the parking ratio may be reduced within a TOD area or within a Transit Corridor area by up to thirty percent (30%) by process of Waiver; by up to fifty percent (50%) by process of Waiver and payment into a transit enhancement Trust Fund, as established by Chapter 35 of the City Code; or by one hundred percent (100%) for any Structure with a Floor Area of ten thousand (10,000) square feet or less.</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> <li>• Childcare Facilities- Minimum of 1 space for the owner/operator and 1 space for each employee, and 1 drop-off space for every 10 clients cared for.</li> <li>• Except for sites within 500 feet of an ungated T3 Transect Zone, the parking ratio may be reduced within a TOD area or within a Transit Corridor area by up to thirty percent (30%) by process of Waiver; by up to fifty percent (50%) by process of Waiver and payment into a transit enhancement Trust Fund, as established by Chapter 35 of the City Code; or by one hundred percent (100%) for any Structure with a Floor Area of ten thousand (10,000) square feet or less.</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> <li>• Childcare Facilities- Minimum of 1 space for the owner/operator and 1 space for each employee, and 1 drop-off space for every 10 clients cared for.</li> <li>• Parking requirement may be reduced according to the Shared parking standard, Article 4, Table 5.</li> <li>• Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required.</li> <li>• Except for sites within 500 feet of an ungated T3 Transect Zone, the parking ratio may be reduced within a TOD area or within a Transit Corridor area by up to thirty percent (30%) by process of Waiver; by up to fifty percent (50%) by process of Waiver and payment into a transit enhancement Trust Fund, as established by Chapter 35 of the City Code; or by one hundred percent (100%) for any Structure with a Floor Area of ten thousand (10,000) square feet or less.</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> <li>• Childcare Facilities- Minimum of 1 space for the owner/operator and 1 space for each employee, and 1 drop-off space for every 10 clients cared for.</li> <li>• Parking requirement may be reduced according to the Shared parking standard, Article 4, Table 5.</li> <li>• Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required.</li> <li>• Except for sites within 500 feet of an ungated T3 Transect Zone, the parking ratio may be reduced within a TOD area or within a Transit Corridor area by up to thirty percent (30%) by process of Waiver; by up to fifty percent (50%) by process of Waiver and payment into a transit enhancement Trust Fund, as established by Chapter 35 of the City Code; or by one hundred percent (100%) for any Structure with a Floor Area of ten thousand (10,000) square feet or less.</li> </ul>

**5.4 GENERAL URBAN TRANSECT ZONES (T4)****5.4.1 Building Disposition (T4)**

- a. Newly platted Lots shall be dimensioned according to Illustration 5.4.
- b. Lot Coverage by any Building shall not exceed that shown in Illustration 5.4.
- c. A Building shall be disposed in relation to the boundaries of its Lot according to Illustration 5.4.
- d. One Principal Building at the Frontage, and one Outbuilding to the rear of the Principal Building, may be built on each Lot as shown in Article 4, Table 8. The Outbuilding shall be separated from the Principal Building by a minimum of ten (10) feet.
- e. Setbacks for Principal Buildings shall be as shown in Illustration 5.4. Setbacks may otherwise be adjusted by Waiver by no more 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, for a minimum fifty percent (50%) of its length.
- g. The Setbacks for Outbuildings, pools, tennis courts or other similar recreational facilities shall be as shown for Outbuildings in Illustration 5.4.
- h. Accessory Structures shall follow the setbacks for Principal Buildings as shown in Illustration 5.4. 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.

**5.4.2 Building Configuration (T4)**

- a. Development within Private Frontages shall comply with Article 4, Tables 2 and 6 and Illustration 5.4.
- b. Encroachments shall be allowed as follows: At the First Layer, stairs may encroach up to fifty percent (50%) of the depth of the Setback. Open Porches shall be at a minimum seven (7) feet deep and may encroach up to fifty percent (50%) of the depth of the Setback. At the First Layer, Cantilevered portions of Awnings, balconies, bay windows and roofs shall be at a maximum three (3) feet deep and may encroach up to thirty percent (30%) of the depth of the Setback. Other cantilevered portions of the Building shall maintain the required Setbacks. 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 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 Setback.
- c. Unroofed screen enclosures shall be located within the Second or Third Layer only and shall have a five (5) feet minimum side and rear Setback.
- d. All outdoor storage, electrical, plumbing, mechanical, and communications equipment and ap-



purtenant enclosures, shall be within the Second or Third Layer and concealed from view from any Frontage or sidewalk by liner buildings, walls, Streetscreens, or opaque gates. 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 in the setback by Waiver.

- e. Loading and service entries shall be at the Third Layer and shall be accessed from Alleys when available. When a Lot has only Principal Frontages, vehicular entries, Loading Docks and service areas shall be at the Third Layer and shall be permitted on Principal Frontages only by process of Waiver.
- f. Building Heights shall be measured in Stories and shall conform to Article 4, Table 2 and be as shown in Illustration 5.4. The first-floor Elevation of a Principal Building shall be at average Side-walk grade; a first-floor Residential or Lodging Function should be at a minimum Height of two (2) feet and a maximum Height of three and a half (3.5) feet for privacy reasons or as regulated by FEMA, whichever is higher. The height of the building shall be up to three (3) Stories, and a maximum of forty (40) feet to the top of the roof slab.
- g. Mechanical equipment on a roof shall be enclosed by parapets of the minimum Height necessary to conceal it, and a maximum Height of five (5) feet. Other ornamental Building features may extend up to five (5) feet above the maximum Building Height. Roof decks shall be permitted up to the maximum Height. Trellises may extend above the maximum Height up to eight (8) feet. Extensions up to ten (10) feet above the maximum Height for a stair, elevator or mechanical enclosure shall be limited to twenty (20%) of the roof area.
- h. Fences and walls may be located at the Frontage Line as shown in Article 4, Table 6. Fences and walls shall be a maximum Height of four (4) feet at 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 be a maximum Height of eight (8) feet.
- i. All ground floor and roof top utility infrastructure and mechanical equipment shall be concealed from public view. At the Building Frontage, all equipment such as backflow preventers, siamese connections, and the like shall be placed within the line of the Façade or behind the Streetscreen. On the roof, a screen wall shall conceal all equipment except antennas from lateral view. Exhaust air fans and louvers may be allowed on the Façade only on Secondary Frontages above the first Floor.

#### **5.4.3 Building Function & Density (T4)**

- a. Buildings in T4 shall conform to the Functions, Densities, and Intensities described in Article 4, Tables 3 and 4 and Illustration 5.4. Certain functions as shown in Article 4, Table 3 shall require approval by Warrant or Exception. Consult Article 6 for any supplemental use regulations.

#### **5.4.4 Parking Standards (T4)**

- a. Vehicular parking shall be required as shown in Article 4, Tables 4 and 5.
- b. Parking may be accessed by an Alley when available.

- c. Surface parking lots, covered parking and garages shall be located within the Second and Third Layers as illustrated in Article 4, Table 8. Surface parking lots, garages, Loading space and service areas shall be masked from the Frontage by a Liner Building or Streetscreen as specified in Illustration 5.4. A maximum thirty percent (30%) of the width of the Facade may be surface parking, covered parking or garage, which shall align with or be set back from the Facade. Driveways and drop-offs including parking may be located within the First Layer.
- d. Underground parking may extend into the Second and First Layers only if it is fully underground and does not require raising the first-floor elevation of the First and Second Layers above that of the Sidewalk. Ramps to underground parking shall be within the Second and Third Layers.
- e. The maximum width at the Property Line of a driveway on a Frontage shall be twelve (12) feet. Shared driveway width combining ingress and egress shall be a maximum width of twenty (20) feet at the Property Line and may encroach into Setbacks. Two separate driveways on one Lot shall have a minimum separation of twenty (20) feet.
- f. Tandem Parking on site should be encouraged.
- g. Shared Parking shall be calculated according to Article 4, Table 5.
- h. In T4-L and T4-O a minimum of one (1) bicycle rack space shall be provided for every twenty (20) vehicular parking spaces and may be in the Private Frontage.

#### **5.4.5 Architectural Standards (T4)**

- 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. The Facades on Retail Frontages shall be detailed as storefronts and glazed with clear glass no less than seventy percent (70%) of the Sidewalk level Story. Security screens shall be seventy percent (70%) open.
- c. Roof materials should be light-colored, high-Albedo or a planted surface and shall comply with Article 3, Section 3.13.2 of this Code.

#### **5.4.6 Landscape Standards (T4)**

- a. A minimum of ten percent (10%) of the Lot Area in the First Layer shall be Green Space.
- b. In the First Layer, pavement shall be limited as follows: impervious pavement shall be limited to forty percent (40%) of the area and pervious pavement shall be limited to fifty percent (50%) of the area; a combination of pervious and impervious pavement shall be limited to fifty percent (50%) of the area in the First Layer.
- c. Open Space shall be a minimum fifteen percent (15%) of the Lot Area.

#### **5.4.7 Ambient Standards (T4)**

- a. Noise regulation shall be as established by the City Code.
- b. Average lighting levels measured at the Building Frontage shall not exceed 2.0 fc (foot-candles).
- c. Lighting of Building and Open Space of First and Second Layers shall be compatible with street lighting of Abutting public spaces.
- d. The lighting fixtures of exposed rooftop parking shall be concealed by a parapet wall and shall not be seen from surrounding streets.

**BUILDING DISPOSITION**

LOT OCCUPATION

a. Lot Area - With rear vehicular access	5,000 s.f. min.; 20,000 s.f. max. 1,400 s.f. min.; 20,000 s.f. max.
b. Lot Width - With rear vehicular access	50 ft. min. 16 ft. min.
c. Lot Coverage	60% max.
d. Floor Lot Ratio (FLR)	N/A
e. Frontage at front Setback	50% minimum
f. Open Space	15% Lot Area min.
9. Density	36 du/ac max.

BUILDING SETBACK

a. Principal Front	10 ft. min.
b. Secondary Front	10 ft. min.
c. Side	0 ft. or 5 ft. min. Abutting a Setback
d. Rear	20 ft. min.

OUTBUILDING SETBACK

a. Principal Front	30 ft. min.
b. Secondary Front	10 ft. min.
c. Side	0 ft. or 5 ft. min. Abutting a Setback
d. Rear	5 ft. min.

**BUILDING CONFIGURATION**

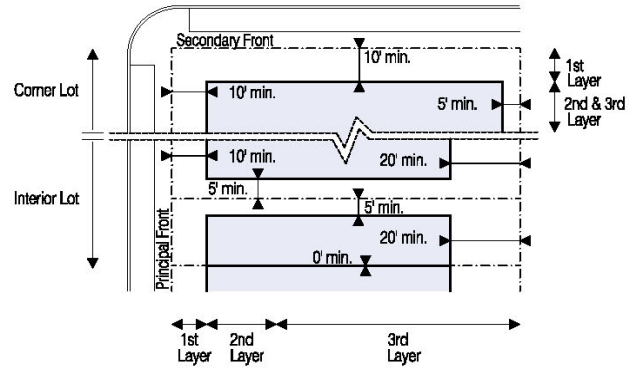
FRONTAGE

a. Common Lawn	permitted
b. Porch & Fence	permitted
c. Terrace or L.C.	permitted
d. Forecourt	permitted
e. Stoop	permitted
f. Shopfront	permitted (T4 L and T4 O only)
9. Gallery	prohibited
h. Arcade	prohibited

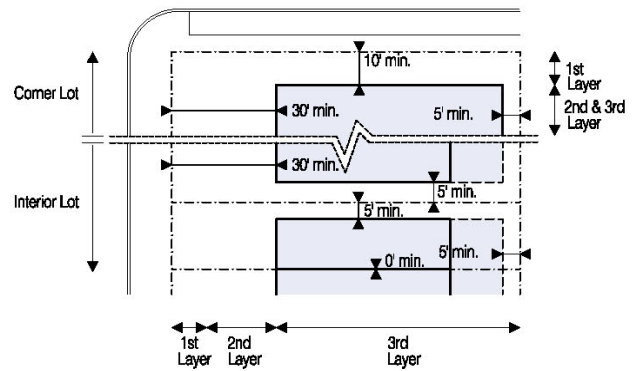
BUILDING HEIGHT

a. Principal Building	3 Stories max. and 40 ft. max.
b. Outbuilding	2 Stories max.

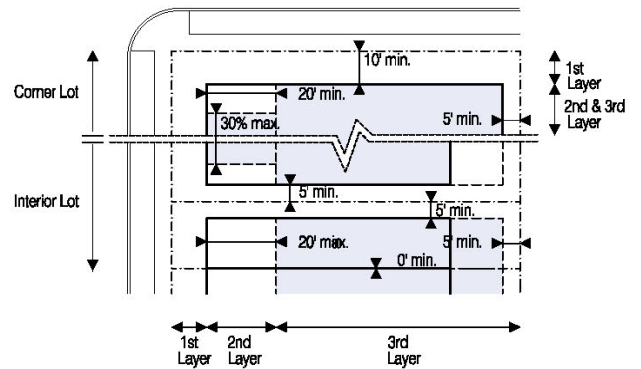
**BUILDING PLACEMENT**



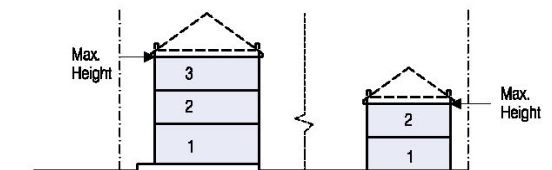
**OUTBUILDING PLACEMENT**



**PARKING PLACEMENT**



**BUILDING HEIGHT**



	RESTRICTED	LIMITED	OPEN
DENSITY (UPA)	36 UNITS PER ACRE	36 UNITS PER ACRE	36 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.
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 on property adjacent to T3-R, T4-R, T5-R, T6-R.  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 on property adjacent to T3-R, T4-R, T5-R, T6-R.  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 on property adjacent to T3-R, T4-R, T5-R, T6-R.  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	Subject to the requirements of Section 6.2.	Subject to the requirements of Section 6.2.	Subject to the requirements of Section 6.2.
ADULT FAMILY CARE HOME 1-5 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.

	RESTRICTED	LIMITED	OPEN
DENSITY (UPA)	36 UNITS PER ACRE	36 UNITS PER ACRE	36 UNITS PER ACRE
<b>HOME OFFICE</b>	<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>
<b>LIVE WORK</b>		<p>Shall be located within ground floor or Liner units.</p> <p>Maximum size of work occupation shall not exceed 50% of the size of the Dwelling Unit based on county property records.</p> <p>Live Work occupations limited to those allowed in Transect Zone.</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 within ground floor or Liner units.</p> <p>Maximum size of work occupation shall not exceed 50% of the size of the Dwelling Unit based on county property records.</p> <p>Live Work occupations limited to those allowed in Transect Zone.</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>
<b>BED AND BREAKFAST</b>	Subject to City Code Chapter 23.		
<b>DRIVE-THROUGH AND DRIVE-IN</b>			<p>May only be permitted by Warrant.</p> <p>Available only when site's Primary Frontage is along a County designated primary arterial road.</p> <p>Whenever possible, all ingress and egress to and from the site shall be from a County designated primary arterial road.</p> <p>Principal Frontage access may be allowed.</p> <p>Reservoir parking spaces shall be required as follows: One (1) at window, three (3) before service window, one (1) after service window.</p>
<b>ADULT DAYCARE</b>		For 6 to 9 adults: Minimum of 350 sq feet of indoor activity area.	For 6 to 9 adults: Minimum of 350 sq feet of indoor activity area.
<b>PERSONAL WIRELESS SERVICE FACILITY</b>	Subject to the requirements of Section 6.4.	Subject to the requirements of Section 6.4.	Subject to the requirements of Section 6.4.
<b>CHILDCARE</b>	<p>For 6 to 10 children maximum:</p> <p>Minimum of 35 square feet of usable indoor floor space per child on license.</p> <p>Minimum of 45 square feet of usable outdoor play area per child.</p> <p>A minimum outdoor play area shall be provided for one half of license capacity. In no event shall any outdoor play area be less than 450 square feet. The minimum standard of outdoor play area does not apply for children under one year of age.</p>	<p>For 6 to 10 children maximum:</p> <p>Minimum of 35 square feet of usable indoor floor space per child on license.</p> <p>Minimum of 45 square feet of usable outdoor play area per child.</p> <p>A minimum outdoor play area shall be provided for one half of license capacity. In no event shall any outdoor play area be less than 450 square feet. The minimum standard of outdoor play area does not apply for children under one year of age.</p>	<p>For 6 to 10 children maximum:</p> <p>Minimum of 35 square feet of usable indoor floor space per child on license.</p> <p>Minimum of 45 square feet of usable outdoor play area per child.</p> <p>A minimum outdoor play area shall be provided for one half of license capacity. In no event shall any outdoor play area be less than 450 square feet. The minimum standard of outdoor play area does not apply for children under one year of age.</p>

**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	
<b>LOCATION</b>	T3 - R, L & O   T4 - R, L & O   T5 - R, L & O   T6 - R, L & O
<b>LOCATION STANDARDS</b>	<p>Community Residences of six (6) 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 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>
<b>PARKING</b>	See Article 3 and Article 4, Table 4 and Table 5.
7 to 14 Residents	
<b>LOCATION</b>	T3 - R, L & O   T4 - R, L & O   T5 - R, L & O   T6 - R, L & O
<b>LOCATION STANDARDS</b>	<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. 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>1. 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>2. 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>3. 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>1. Does not otherwise conform to regulations of this code applicable to other multifamily uses in the area.</li> <li>2. 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>3. 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>4. 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>
<b>PARKING</b>	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   <span style="background-color: yellow;">T4 - R, L &amp; O</span>   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> </ul>	<ul style="list-style-type: none"> <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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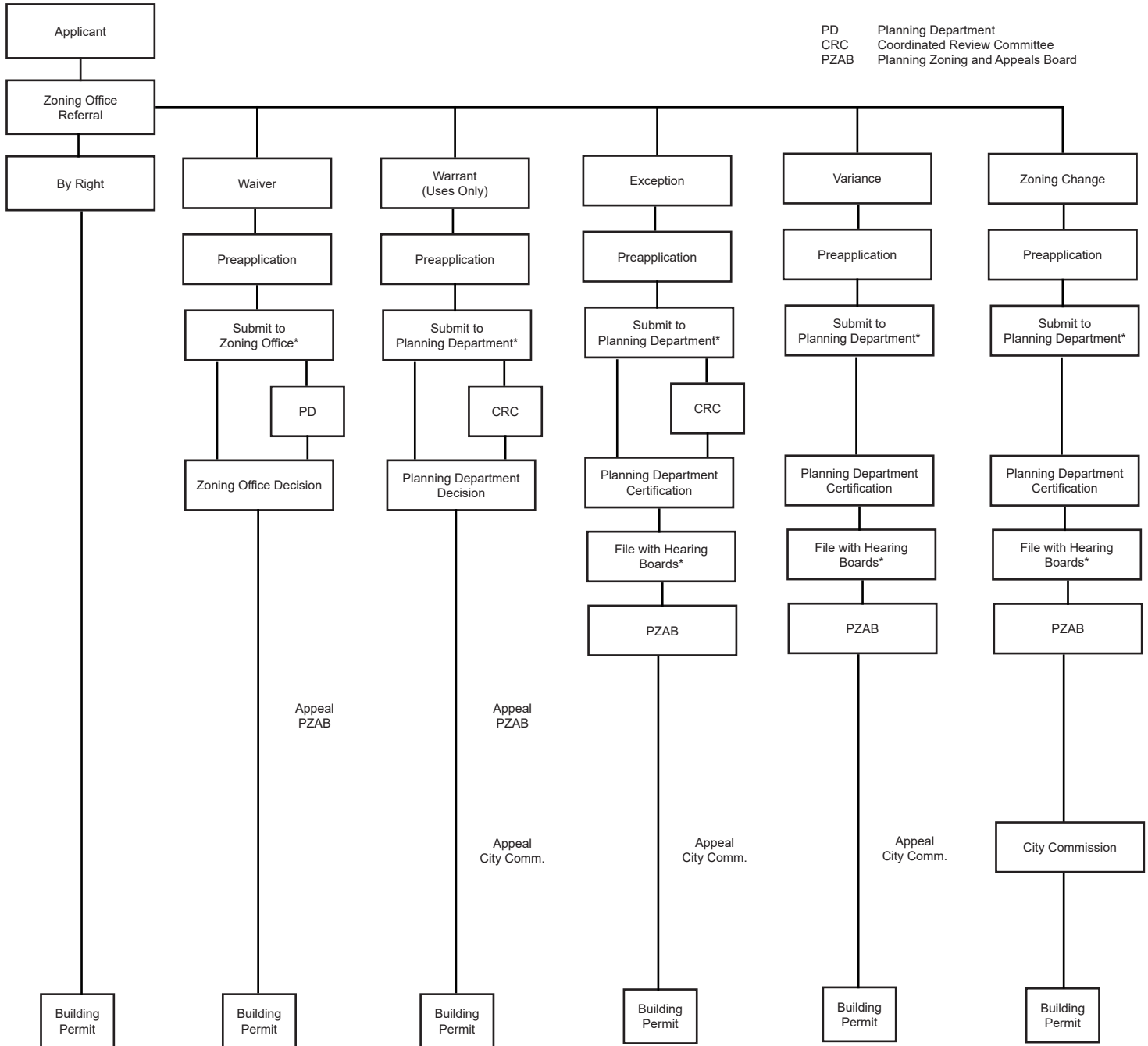
**6.4.1.1 Personal Wireless Service Facilities (PWSF) Procedures**

<b>PROCEDURES</b>	<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**

<b>DEFINITIONS</b>	<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) engineer</b> 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.

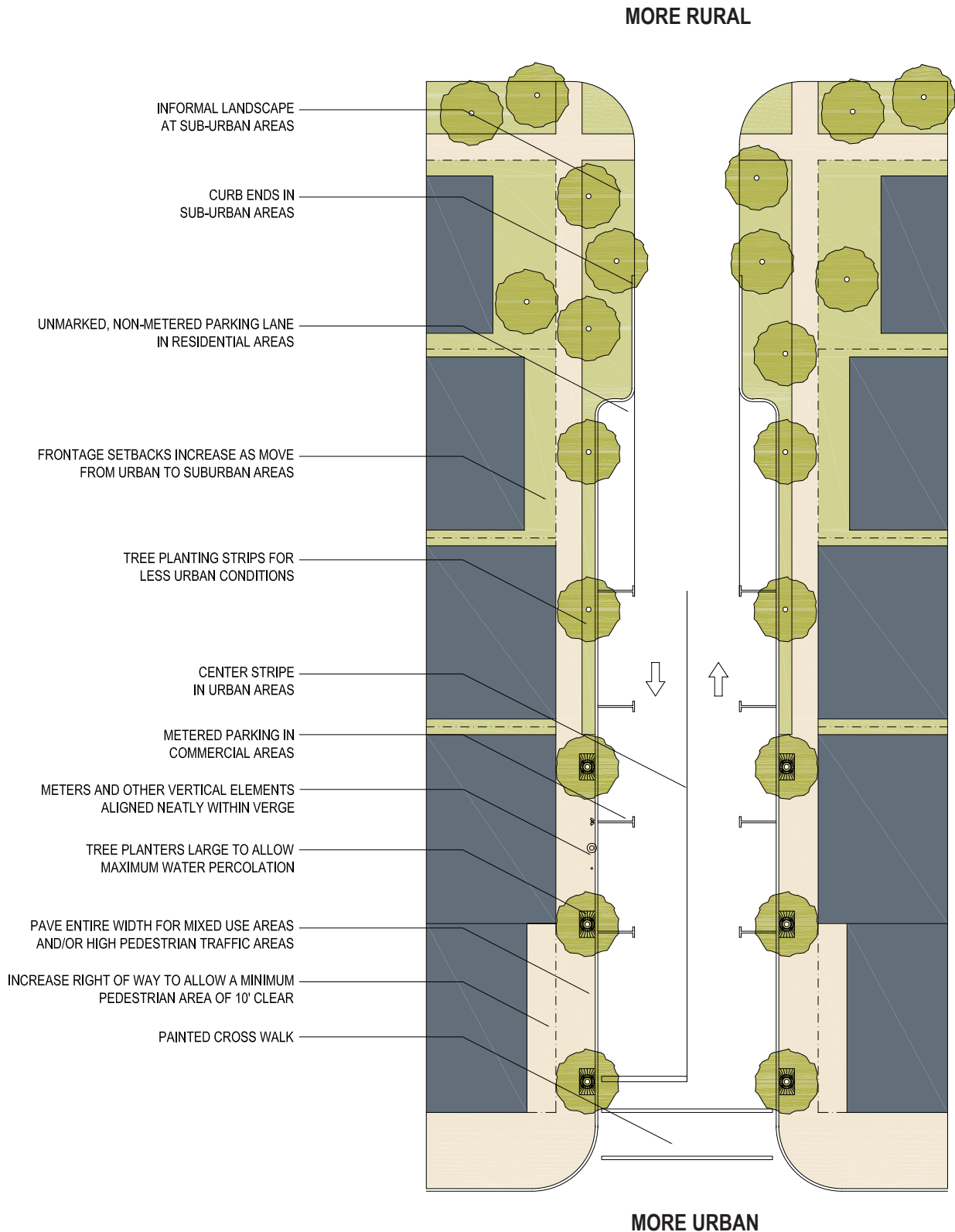
The following additional assumptions govern the Thoroughfares shown here:

- 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.


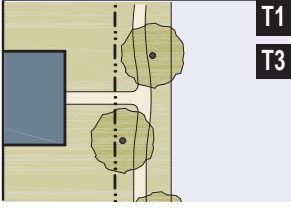
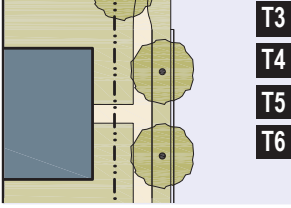
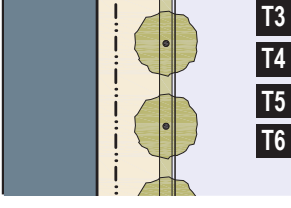
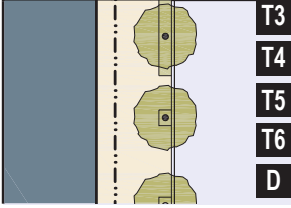
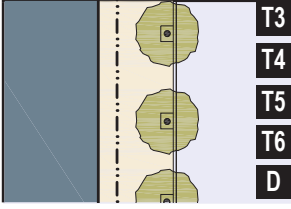
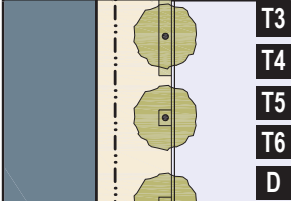
The accommodation of bicycles and transit requires detailed response to the existing Thoroughfare condition and thus is not illustrated specifically here.

8.2 Illustration: The Thoroughfare across the Transect





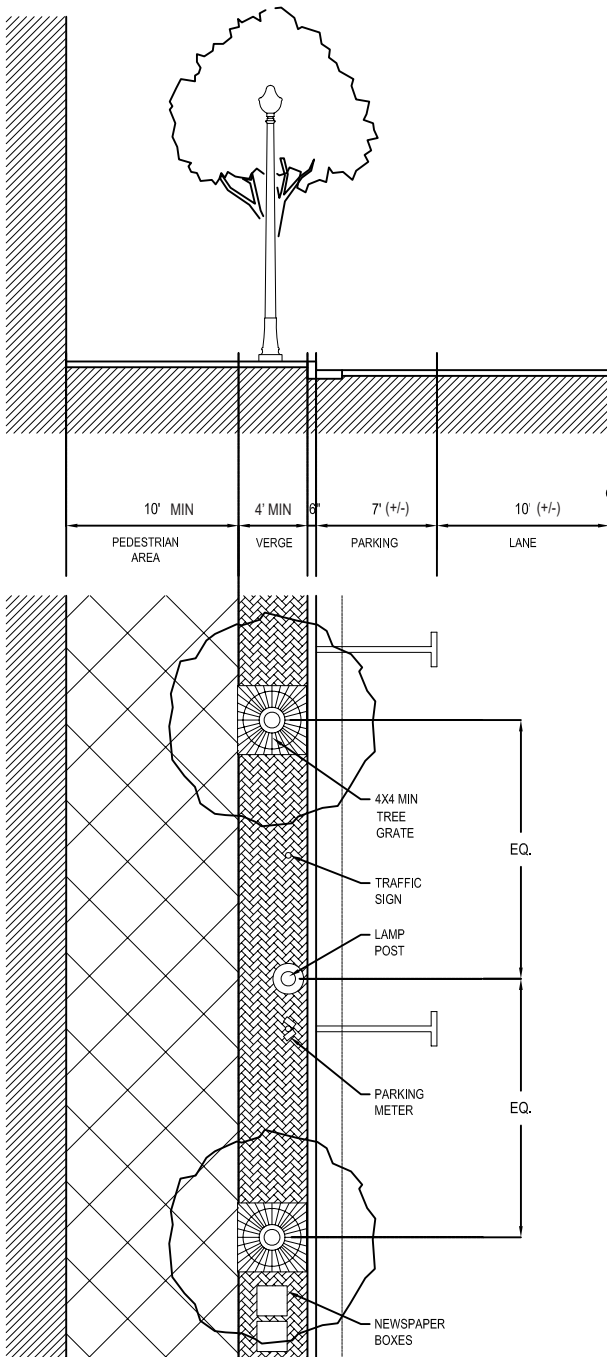
8.3 Public Frontages (continued)

	PLAN
	LOT PRIVATE FRONTAGE ▶ ◀ PUBLIC FRONTAGE R.O.W.
<p>a. <b>(HW) For Highways:</b> 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.</p>	 <p>T1 T3</p>
<p>b. <b>(RD) For Roads:</b> 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.</p>	 <p>T1 T3</p>
<p>c. <b>(ST) For Street:</b> 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.</p>	 <p>T3 T4 T5 T6</p>
<p>d. <b>(DR) For Drive:</b> 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.</p>	 <p>T3 T4 T5 T6</p>
<p>e. <b>(AV) For Avenues:</b> 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.</p>	 <p>T3 T4 T5 T6 D</p>
<p>f. <b>(ST) (AV) For Mixed Use Streets or Avenues:</b> 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.</p>	 <p>T3 T4 T5 T6 D</p>
<p>g. <b>(BV) For Boulevards:</b> 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.</p>	 <p>T3 T4 T5 T6 D</p>

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

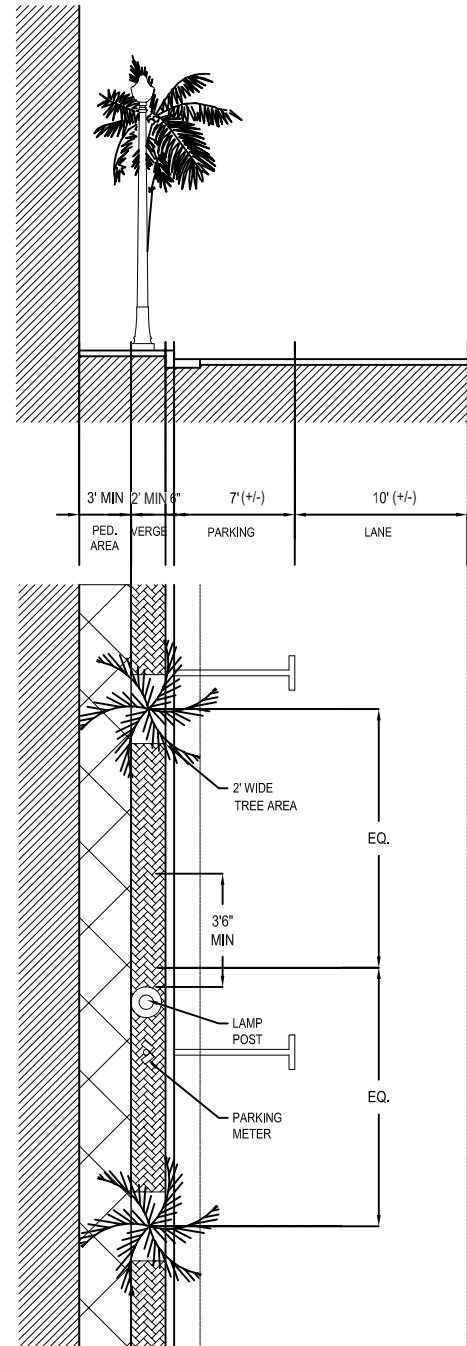


8.4 Illustration: Sidewalks



IDEAL CONDITION

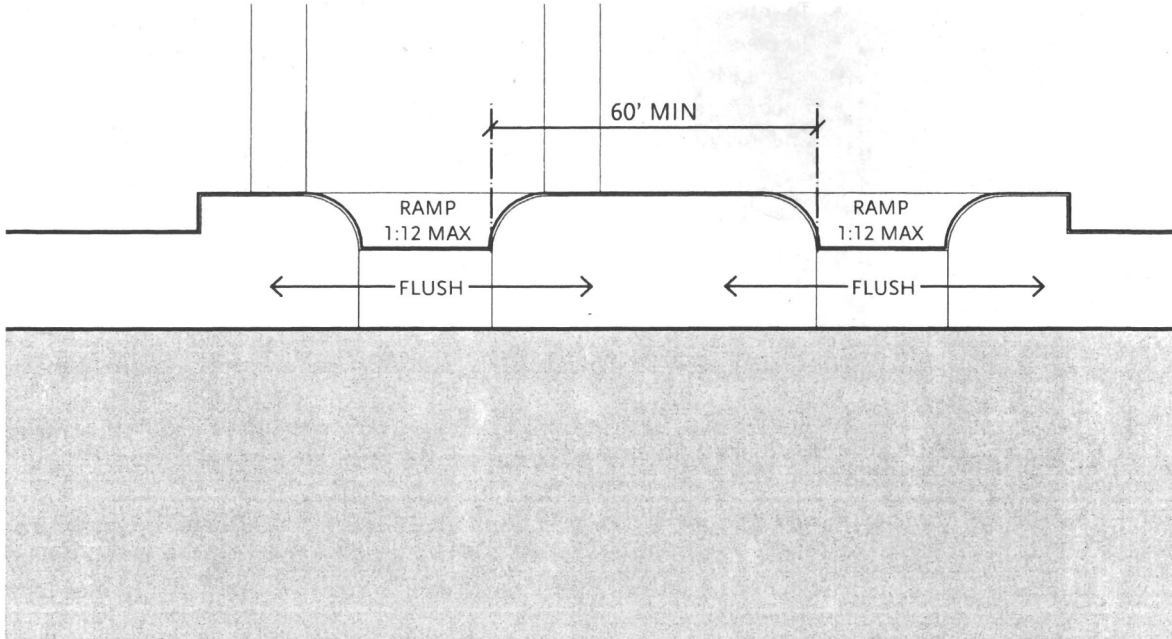
Sidewalk may be scored concrete. Verge may be permeable pavement. All vertical elements shall be located within verge and neatly aligned.



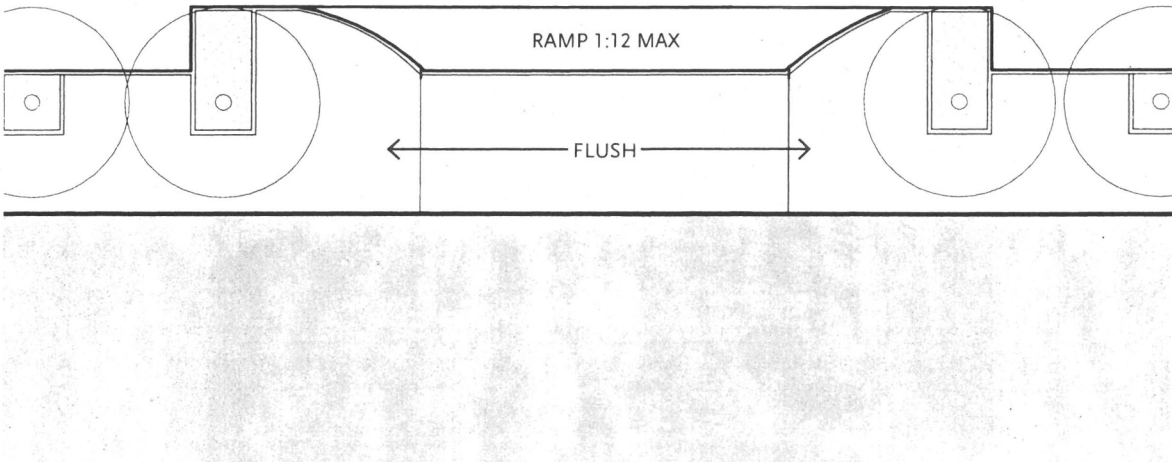
LESS THAN IDEAL EXISTING CONDITION

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.

8.4 Illustration: Sidewalks (continued)



Garage Entrance Spacing



Service Entrance Drive

<b>TABLE A</b>			
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-



tions and may be modified through the provisions of Section 10.3.7 of this Article.

#### 10.1.5 REMOVAL, REPAIR OR REPLACEMENT OF SIGNS

- a. All nonconforming Signs shall be subject to the provisions within Article 7, Section 7.2
- b. Repair or Maintenance of Signs; Decrepit or dilapidated Signs.
  1. All Signs shall be properly maintained in a safe and legible condition at all times. Signs that are not properly maintained (whether or not determined to be unsafe as provided by the Florida Building Code) shall be removed, repaired, or replaced. No Zoning permit shall be required for such maintenance, however a permit may be required by other departments or agencies.
  2. No Zoning Sign permit shall be required for routine maintenance on a Sign, providing such maintenance does not result in alteration of the Sign as originally permitted. 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, location and other requirements of this Code.
- c. Removal, repair or replacement of any Sign with regard to any official order as indicated below.
  1. Signs otherwise lawfully permitted, except for the condition or circumstance leading to an order issued by any official City or County Board with applicable jurisdiction in accordance with the applicable provisions of the City Code, the Florida Building Code or this Code, shall require repair or replacement within a stated time, not to exceed ninety (90) days from the date of the order, or removal prior to the expiration of such period. No Zoning permit shall be required for such repair or replacement, however a permit may be required by other departments or agencies.
  2. In the event that an official order is issued for a having a Sign for a discontinued use for a period of thirty (30) days or longer, all signs identifying the use are to be removed from the site or in the case of a painted Sign, painted out. Sign removal shall be the responsibility of the owner of the property.
  3. The building official or Code compliance officer may issue a written notice to the responsible party of any Sign found to be unsafe. The written notice shall specify either the repair or removal of the Sign within the time specified in the notice by the responsible party. The building official or code compliance officer shall serve this notice on the responsible party in accordance with the Florida Building Code and City Code and the responsible party may seek review of such decisions as provided in the Florida Building Code and City Code.
- d. Change or Replacement of a Sign not due to any official order for removal.
  1. Replacement of any Sign that is not a Changeable Copy Sign shall conform to Section 10.2 Table 15 of this Code.

2. Class B Signs previously associated with the premises on which erected, but no longer there or otherwise bearing other obsolete matter, shall be removed within thirty (30) days from the time such activity ceases.
  
3. A twenty percent (20%) increase in Sign Area may be allowed, by Waiver, for all Freestanding Signs replaced with a Monument Sign. Such Monument Sign shall conform with Table 15 and shall not be cumulative with any other increase in Sign Area.

**10.2 SIGN DESIGN STANDARDS**

Table 15 Function:

The following tables illustrate Sign design standards for specific Sign types allowed within Restricted(R), Limited(L) and Open(O) categories of specified Transect Zones. Calculated Aggregate Area maximum shall not be exceeded for any establishment or Sign type. Sign Area calculation shall be determined by the establishment length fronting a street multiplied by the Aggregate Area Ratio specific to each Transect. In review and approval of Signs, the City shall ensure compliance with all applicable sections of the Florida Building Code and ensure that the Signs comply with this Code including:

1. Size and area
2. Location standards
3. Sign placement
4. Illumination Sign regulations.

**BUILDING SIGN TYPES**



*Disclaimer: The following image serves to illustrate the types of building signs and not the placement, design or size of signs for any particular site.*

10.2.1 SIGN MEASUREMENT CALCULATIONS

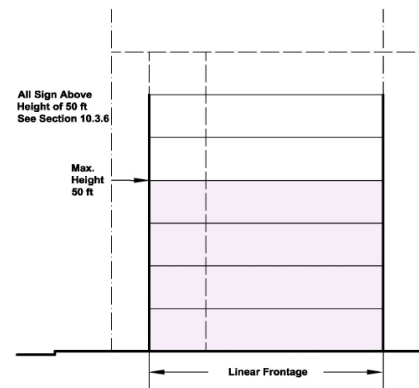
**Sign Placement**

- a. 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.
- b. Signs above fifty (50) feet shall comply with section 10.3.6 of this Code.
- c. 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.
- d. Signs shall not exceed a tenant’s occupied establishment.
- e. Monument Signs shall not be located within the public right-of-way unless permitted by Public Works.

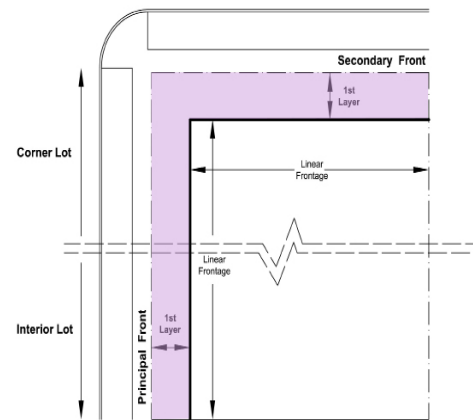
**Sign Area**

- a. Aggregate Area Calculation  
Walls fronting a street between Average Sidewalk Elevation and fifty (50) feet height above sidewalk:  $\text{Aggregate Area} = (\text{total linear frontage}) \times (\text{aggregate area ratio})$ . See Table 15 for specific signage calculation details.
- b. Sign Area: See Article 1, Section 1.3 Definitions of Signs
- c. 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.
- d. 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.

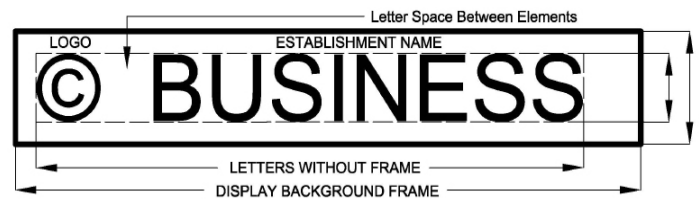
SIGN HEIGHT PLACEMENT



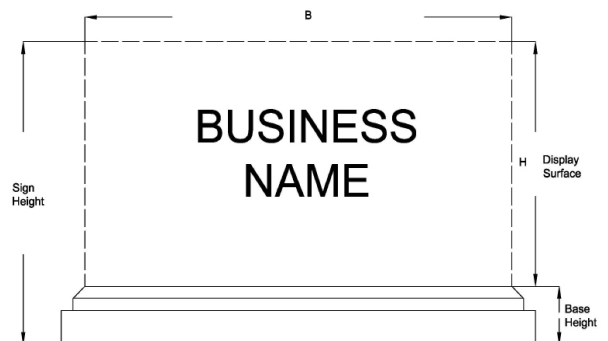
SIGN SETBACK PLACEMENT



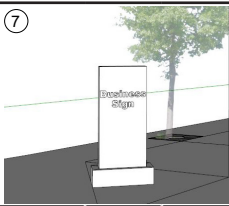
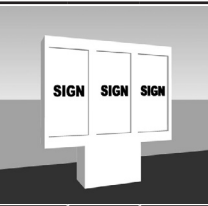
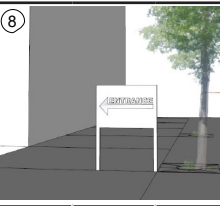
SIGN AREA



MONUMENT SIGN AREA



SIGN DESIGN STANDARDS	WALL			WINDOW			PROJECTING			HANGING			AWNING					
<b>T4</b>																		
	R	L	O	R	L	O	R	L	O	R	L	O	R	L	O			
<b>SINGLE ESTABLISHMENT WITHIN A BUILDING</b>																		
Aggregate Area Ratio	0.25 sq.ft. per linear Frontage			0.5 sq.ft. per linear Frontage														
Aggregate Area	(total linear building Frontage) x (aggregate area ratio); 150 sq.ft. max per Frontage (24 sq.ft. max for T4-R)																	
Width	50% of linear Frontage												60% of valance area					
Height (Measured from Average Sidewalk Elevation)							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	Shall not exceed 50% of Aggregate Area; Included in total Aggregate Area			1 sq.ft. max			20% of total glass area; Included in total Aggregate Area			15 sq.ft. max; Included in total Aggregate Area			3 sq.ft. max per Frontage; Included in total Aggregate Area			Limited to skirt or bottom edge of Awning; Included in total Aggregate Area		
Principal Frontage Quantity	1 sign per 150 ft linear Frontage			1 per unit			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					
<b>BUILDING WITH MORE THAN ONE ESTABLISHMENT OPENING TO THE OUTDOORS</b>																		
Aggregate Area Ratio				.25 sq.ft. per linear ft.			See Wall Sign Aggregate Area			See Wall Sign Aggregate Area			See Wall Sign Aggregate Area					
Aggregate Area (Building Identification)				max 10 sq.ft per Frontage.														
Aggregate Area (Business Identification)				(linear feet of Frontage) x (aggregate area ratio).						See Wall Sign								
Width				50% of linear Frontage (per establishment)						8 ft min (bottom of Sign)			60% of valance area					
Height (Measured from Average Sidewalk Elevation)										8 ft min (bottom of Sign)			Letters, emblems, logos or symbols on valance max 6 in					
Depth/Projection	N/A			12 in. max			N/A			N/A			N/A					
Aggregate Area Per Sign Type	N/A			Shall not exceed 50% of Aggregate Area; Included in total Aggregate Area			20% of total glass area; Included in total Aggregate Area			15 sq.ft. max; Included in total Aggregate Area			3 sq.ft. max per Frontage; Included in total Aggregate Area			Limited to skirt or bottom edge of Awning; Included in total Aggregate Area		
Principal Frontage Quantity	N/A			1 Business Identification Sign per 20 ft. of establishment accessing the outdoors			1 Sign per window			1 Business Identification Sign per 20 ft. of establishment accessing the outdoors			1 Business Identification Sign per 20 ft. of establishment accessing the outdoors			1 Business Identification Sign per 20 ft. of establishment accessing the outdoors		
Secondary Frontage Quantity	N/A			1 Sign per 100 ft. of establishment accessing the outdoors			1 Sign per window			1 Sign per 100 ft. of establishment accessing the outdoors			1 Sign per 100 ft. of establishment accessing the outdoors					
ILLUMINATION PERMIT	By Warrant			N/A			By Warrant			By Warrant			By Warrant					
ADDRESS SIGN	max 2 sq.ft. area/max 1 sign			max 2 sq.ft. area/max 1 sign			N/A			N/A			max 2 sq.ft. area/max 1 sign					
SUPPLEMENTAL STANDARDS	<ul style="list-style-type: none"> <li>Limited to establishment name, logo, decorative graphic bands, hours of operation and Class B Signs.</li> <li>All T4-R Sign proposals may only be permitted by Warrant.</li> <li>Any painted Wall Signs shall be permitted by Warrant.</li> </ul>			<ul style="list-style-type: none"> <li>Limited to establishment name, logo, decorative graphic bands, hours of operation and Class B Signs.</li> <li>Signage to be displayed on street level windows only</li> <li>All T4-R Sign proposals may only be permitted by Warrant.</li> </ul>			<ul style="list-style-type: none"> <li>Limited to establishment name, logo, decorative graphic bands, hours of operation and Class B Signs.</li> <li>Projection angle shall be parallel or perpendicular to wall.</li> <li>All T4-R Sign proposals may only be permitted by Warrant.</li> </ul>			<ul style="list-style-type: none"> <li>Limited to establishment name, logo, decorative graphic bands, hours of operation and Class B Signs.</li> <li>All T4-R Sign proposals may only be permitted by Warrant.</li> </ul>			<ul style="list-style-type: none"> <li>Limited to establishment name, logo, decorative graphic bands, hours of operation and Class B Signs.</li> <li>All T4-R Sign proposals may only be permitted by Warrant.</li> </ul>			<ul style="list-style-type: none"> <li>Limited to establishment name, logo, decorative graphic bands, hours of operation and Class B Signs.</li> <li>All T4-R Sign proposals may only be permitted by Warrant.</li> </ul>		

SIGN DESIGN STANDARDS		MONUMENT			MENU BOARD			DIRECTIONAL		
<h1>T4</h1>		⑦ 						⑧ 		
		R	L	O	R	L	O	R	L	O
<b>SINGLE ESTABLISHMENT WITHIN A BUILDING</b>										
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					5 ft. max	
Depth/Projection				18 in. max					12 in. max	
Aggregate Area Per Sign Type						N/A				
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	
<b>BUILDING WITH MORE THAN ONE ESTABLISHMENT OPENING TO THE OUTDOORS</b>										
Aggregate Area Ratio										
Aggregate Area (Building Identification)				15 sq.ft. max per Display Surface				24 sq.ft Display Surface		
Aggregate Area (Business Identification)				5 sq.ft. max per Display Surface						
Width				6 ft. max						
Height (Measured from Average Sidewalk Elevation)				6 ft. max				7 ft max		
Depth/Projection				12 in. max				24 in. max		
Aggregate Area Per Sign Type						N/A				N/A
Principal Frontage Quantity				1 sign per 100 ft. of frontage (no more than 2 Display Surfaces)				1 sign per drive-through (no more than 1 Display Surfaces)		
Secondary Frontage Quantity				1 sign per 150 ft. of establishment accessing the outdoors						
ILLUMINATION PERMIT						By Warrant		By Warrant		
ADDRESS SIGN				max 2 sq.ft. area/max 1 Sign					max 2 sq.ft. area/max 1 Sign	
SUPPLEMENTAL STANDARDS				<ul style="list-style-type: none"> <li>Limited to establishment name, logo, decorative graphic bands, hours of operation.</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> <li>All T4-R Sign proposals may only be permitted by Warrant.</li> </ul>		<ul style="list-style-type: none"> <li>Limited to establishment name, logo, menu selection/ pricing for food service, hours of operation.</li> <li>Shall be located within the Third Layer between the building and the drive-through lane and shall not be noticeably visible from the public right-of-way.</li> </ul>		<ul style="list-style-type: none"> <li>Limited to Wall, Hanging, or Monument Signs.</li> <li>All T4-R Sign proposals may only be permitted by Warrant.</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.