

MEMORANDUM

Agenda Item No. 4(B)

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

DATE: June 1, 2022

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Ordinance relating to the Rapid Transit System-Development Zone in the incorporated and unincorporated areas; amending chapter 33C of the Code; providing for expansion of the Rapid Transit Zone to include all Metrorail corridors not already incorporated therein, the Palmetto Metrorail Station, the Miami Intermodal Center, the South Dade Transitway, all planned SMART Plan Corridors, and certain County-owned and private properties adjacent or nearby thereto; providing applicability to incorporated areas; revising permitted uses in the Rapid Transit Zone ("RTZ") district to permit additional recreational and support facility uses and micromobility facilities; creating standard procedures section to consolidate provisions that are common to all subzones and non-Metrorail development areas; creating SMART Corridor Subzone and Palmetto Station Subzone of the RTZ District and providing uses, regulatory framework, site plan review standards, and procedures for zoning approval; revising requirements pertaining to workforce housing units; amending procedures for other subzones and non-Metrorail development areas based on new standard procedures section; revising Government Center Subzone development standards regarding setbacks; providing for administrative review of takings and vested rights claims based on application of chapter 33C; renumbering section 33C-13, governing signs, as section 33C-3.2; amending section 33-314; revising County Commission jurisdiction over applications pursuant to chapter 33C; making technical changes

The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Vice-Chairman Oliver G. Gilbert, III.


Geri Bonzon-Keenan
County Attorney

GBK/smm



MEMORANDUM

(Revised)

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

DATE: June 1, 2022

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 4(B)

Please note any items checked.

- ☐ "3-Day Rule" for committees applicable if raised
- ☒ 6 weeks required between first reading and public hearing
- ☒ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Statement of social equity required
- ☐ Ordinance creating a new board requires detailed County Mayor's report for public hearing
- ☐ No committee review
- ☐ Applicable legislation requires more than a majority vote (i.e., 2/3's present ____, 2/3 membership ____, 3/5's ____, unanimous ____, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) ____, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) ____, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) ____ to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved	_____	Mayor	Agenda Item No. 4(B)
Veto	_____		6-1-22
Override	_____		

ORDINANCE NO. _____

ORDINANCE RELATING TO THE RAPID TRANSIT SYSTEM-DEVELOPMENT ZONE IN THE INCORPORATED AND UNINCORPORATED AREAS; AMENDING CHAPTER 33C OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA (“CODE”); PROVIDING FOR EXPANSION OF THE RAPID TRANSIT ZONE TO INCLUDE ALL METRORAIL CORRIDORS NOT ALREADY INCORPORATED THEREIN, THE PALMETTO METRORAIL STATION, THE MIAMI INTERMODAL CENTER, THE SOUTH DADE TRANSITWAY, ALL PLANNED SMART PLAN CORRIDORS, AND CERTAIN COUNTY-OWNED AND PRIVATE PROPERTIES ADJACENT OR NEARBY THERETO; PROVIDING APPLICABILITY TO INCORPORATED AREAS; REVISING PERMITTED USES IN THE RAPID TRANSIT ZONE (“RTZ”) DISTRICT TO PERMIT ADDITIONAL RECREATIONAL AND SUPPORT FACILITY USES AND MICROMOBILITY FACILITIES; CREATING STANDARD PROCEDURES SECTION TO CONSOLIDATE PROVISIONS THAT ARE COMMON TO ALL SUBZONES AND NON-METRORAIL DEVELOPMENT AREAS; CREATING SMART CORRIDOR SUBZONE AND PALMETTO STATION SUBZONE OF THE RTZ DISTRICT AND PROVIDING USES, REGULATORY FRAMEWORK, SITE PLAN REVIEW STANDARDS, AND PROCEDURES FOR ZONING APPROVAL; REVISING REQUIREMENTS PERTAINING TO WORKFORCE HOUSING UNITS; AMENDING PROCEDURES FOR OTHER SUBZONES AND NON-METRORAIL DEVELOPMENT AREAS BASED ON NEW STANDARD PROCEDURES SECTION; REVISING GOVERNMENT CENTER SUBZONE DEVELOPMENT STANDARDS REGARDING SETBACKS; PROVIDING FOR ADMINISTRATIVE REVIEW OF TAKINGS AND VESTED RIGHTS CLAIMS BASED ON APPLICATION OF CHAPTER 33C; RENUMBERING SECTION 33C-13, GOVERNING SIGNS, AS SECTION 33C-3.2; AMENDING SECTION 33-314; REVISING COUNTY COMMISSION JURISDICTION OVER APPLICATIONS PURSUANT TO CHAPTER 33C; MAKING TECHNICAL CHANGES; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

WHEREAS, pursuant to the County’s power to carry on a central metropolitan government and to, among other things, provide for and operate rail and bus terminals and public transportation systems and prepare and enforce comprehensive plans for the development of the County, and in furtherance of the purposes of better coordinating land uses and transportation facilities and other purposes set forth in chapter 33C of the County Code, the County exercises regulatory and other jurisdiction over the Rapid Transit Zone and the RTZ zoning district in both the incorporated and unincorporated areas; and

WHEREAS, on June 7, 2016, in Resolution No. R-523-16, this Board endorsed the Strategic Miami Area Rapid Transit (“SMART”) Plan as approved by the Transportation Planning Organization (“TPO”), which calls for expanding the central metropolitan transit system with six rapid transit corridors: Beach Corridor, East-West Corridor, Kendall Corridor, North Corridor, Northeast Corridor, and South Dade Transitway; and

WHEREAS, in February of 2018, this Board adopted Ordinance No. 18-8, which created the Miami-Dade County Transportation Infrastructure Improvement District (the “TIID”) and a corresponding trust fund, to use tax increment financing for the development, construction, maintenance, and operation of the SMART Plan rapid transit corridor projects; and

WHEREAS, pursuant to section 2-2363 of the Code, the TIID boundaries include “all real properties wholly or partially located within ½ mile of the existing Metrorail corridor and proposed alignments . . . of the SMART Plan rapid transit corridors, except for the East-West Corridor,” which instead includes “all real properties wholly or partially located within 1 mile of the proposed alignment”; and

WHEREAS, in Resolution No. R-460-18, pursuant to sections 20-8.6 and 20-28.1 of the Code, this Board designated the unincorporated areas located within the TIID as “Areas or Facilities of Countywide Significance,” meaning that regulatory jurisdiction over those areas would remain with Miami-Dade County notwithstanding subsequent annexation to an existing municipality or the inclusion of such area as part of a newly incorporated municipality; and

WHEREAS, the Rapid Transit Zone governed by chapter 33C should be amended to include all existing Metrorail corridors not already included therein, the existing Palmetto Station, the Miami Intermodal Center, the South Dade Transitway, the SMART Plan corridors, and certain public and private properties adjacent or nearby thereto; and

WHEREAS, in furtherance of coordinating land uses and transportation facilities, the County’s Comprehensive Development Master Plan (“CDMP”) contains policies that govern the density and intensity of development in areas around existing and planned transit stations shown on the CDMP’s Land Use Plan Map, which areas are designated as regional, metropolitan, or community urban centers; and

WHEREAS, the County has a single regional urban center, which is downtown Miami, several metropolitan urban centers, including the Aventura/Ojus area, the stadium area in Miami Gardens, the Dolphin Mall area in Sweetwater, downtown Homestead, Palmer Lake, and downtown Kendall, and numerous community urban centers, including Princeton, Perrine, and Goulds; and

WHEREAS, the CDMP’s Statement of Legislative Intent currently requires municipalities to implement the County’s existing policies governing development within urban centers; and

WHEREAS, directing higher density development along transit corridors helps to saturate the housing supply and thereby lower housing costs, provide increased ad valorem tax to both the County and municipalities, and provide a funding source to operate the central metropolitan transit system; and

WHEREAS, in developing the Metrorail, Metromover, and other components of the County's central metropolitan transit system, the County has received funds from the United States government, which are subject to the Federal Transit Administration Guidance on Joint Development, FTA Circular FTA C 7050.1.B, last revised on August 14, 2020 (the "FTA Circular"); and

WHEREAS, the FTA Circular requires that all FTA assisted projects: either "add economic value to privately or publicly-funded economic development activity occurring in close proximity to a public transportation facility" or "incorporate private investment"; either "enhance the effectiveness of public transportation and be related physically or functionally to public transportation" or "establish new or enhanced coordination between public transportation and other modes of transportation"; ensure that the County receives a "fair share of revenue" from any development of the project, subject to FTA review and approval; ensure that any person occupying space at a facility constructed with FTA assistance "pay a fair share of the costs of the facility" to the County, subject to FTA review and approval; and restrict the County's "use or dispos[ition] of property that is subject to the federal interest" to "raise revenue for transit systems and enhance transit ridership"; and

WHEREAS, in addition, the FTA's New Starts Process considers existing and potential land uses around transportation corridors as part of its evaluation criteria in awarding federal funding; and

WHEREAS, high density development in areas surrounding transit facilities not only pays for the immediate infrastructure but also, through the increased tax increment per square foot relative to extremely low-density sprawl, can provide revenue well beyond the geographic location of the revenue creator; and

WHEREAS, in addition to funding transportation, development in the RTZ provides further relief to municipal budgets and may allow for lower property tax rates; and

WHEREAS, promoting development in these areas also reduces pressure to redevelop and intrude on existing single-family communities; and

WHEREAS, increased development in the RTZ not only helps manage housing costs and reduce pressure to intrude on lower density areas, but also provides for real, lower cost transportation alternatives that inure to the benefit of residents of the County's largest cities; and

WHEREAS, the County owns the existing Palmetto Metrorail Station, an approximately 17.93-acre parcel of property adjacent to the station, and an approximately 4.29-acre property lying just east of Palmetto Expressway nearby, as shown on Exhibit 24; and

WHEREAS, since 1996, the CDMP has provided that "all future rapid transit station sites and their surroundings shall, at a minimum, be developed in accordance with the [CDMP's] Community [Urban] Center policies"; and

WHEREAS, those urban center policies provide for mixed-use development at a minimum floor-area ratio of 1.5 in the designated core and of 0.5 in the designated edge, and at a maximum density of 125 dwelling units per acre; and

WHEREAS, in addition, CDMP Land Use Element Policy LU-7F encourages "[r]esidential development around existing and proposed rapid transit stations [to] have a minimum density of 15 dwelling units per acre (15 du/ac) within 1/4 mile walking distance from

the stations and 20 du/ac or higher within 700 feet of the station, and a minimum of 10 du/ac between 1/4 and 1/2 mile walking distance from the station,” and “b]usiness and office development around rail stations [to] have a minimum intensity of 1.5 FAR within 1/4 mile walking distance from the station, 2.0 FAR within 700 feet, and 1.0 FAR between 1/4 and 1/2 mile walking distance from the station”; and

WHEREAS, the above-referenced County-owned parcels are appropriate locations to provide transit-oriented development; and

WHEREAS, to ensure coordination of land uses around this existing station site, this Board wishes to create a new RTZ subzone, called the Palmetto Station Subzone and located as indicated on Exhibit 24 to this ordinance, to govern development of the identified area; and

WHEREAS, this Board also wishes to: revise development standards regarding setbacks for the Government Center Subzone, which are cross-referenced in the Palmetto Station Subzone and other subzones; provide additional recreational and support facility uses that are allowed throughout the Rapid Transit Zone; and expressly allow micromobility and bicycle facilities throughout the Rapid Transit Zone; and

WHEREAS, the standard application procedures for development in the various RTZ District subzones should be consolidated in a single new section, and chapter 33C should be streamlined by cross-referencing the consolidated procedures in the existing subzones, specifying only the procedures that are unique to each subzone, and removing obsolete or redundant provisions; and

WHEREAS, this Board also wishes to create a new subzone, named the SMART Corridor Subzone, to provide default development standards for all other lands being included within the RTZ District in this ordinance and in any future expansions of the Rapid Transit Zone; and

WHEREAS, the new SMART Corridor Subzone recognizes that the County's rapid transit system is a regional asset that benefits all residents and visitors throughout Miami-Dade County and therefore calls for the County, as the central metropolitan government, to set minimum standards over all development within the subzone within both incorporated and unincorporated areas; and

WHEREAS, the SMART Corridor Subzone maintains municipal regulatory authority over, and respects unique municipal character of, those properties in the Subzone that lie within incorporated areas, but provides targeted County oversight through minimum standards to ensure that municipalities approve future development that produces the ridership necessary to support the central metropolitan transit system and also provides for the County to maintain exclusive regulatory jurisdiction over certain County-owned properties so the County may ensure appropriate utilization of its own lands to facilitate the purposes of chapter 33C; and

WHEREAS, the SMART Corridor Subzone procedures provide greater flexibility to attain the desired development levels, by allowing property owners in the unincorporated areas to either follow the procedures for approval provided in chapter 33C, or to apply for any other zoning district pursuant to chapter 33 that provides the minimum required floor-area ratio; and

WHEREAS, the ordinance recognizes that some lands that may fall within the boundaries of the SMART Corridor Subzone are and should continue to be subject to different development regulations, and thus it excludes the following from the SMART Corridor Subzone regulations: lands that are zoned for, or developed with, single-family or two-family residences and that are not part of a mixed-use development; lands already assigned to a specific RTZ subzone; lands included within a designated urban center or urban area district pursuant to chapter 33; airport

properties, except those constituting the Miami Intermodal Center (“MIC”), as airport properties are governed by article XXXVII of chapter 33; PortMiami; the designated City of Miami Urban Core east of I-95; and Fisher Island; and

WHEREAS, the ordinance also specifies that municipalities may collect municipal impact fees from properties in incorporated areas that are under the County’s Rapid Transit Zone jurisdiction, provided that such municipal impact fees are not duplicative of the County’s impact fees; and

WHEREAS, the ordinance also specifies the jurisdiction of the Board of County Commissioners to hear appeals of administrative determinations made pursuant to chapter 33C and to have direct or appellate jurisdiction over other RTZ District applications; and

WHEREAS, this ordinance also ensures protection of private property rights by allowing for administrative review of takings or vested rights claims pursuant to the County’s existing process, as set forth in section 2-114.1, for decisions made pursuant to chapter 33C,

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:

Section 1. The foregoing recitals are incorporated as if set forth herein and are approved.

Section 2. Chapter 33C of the Code of Miami-Dade County, Florida is hereby amended as follows:¹

**Chapter 33C – RAPID TRANSIT SYSTEM—
DEVELOPMENT ZONE**

* * *

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

Sec. 33C-2. Rapid Transit Zone: definitions; designation of lands included; County jurisdiction; municipal services; occupational license taxes >> municipal impact fees<<.

- (A) *Definitions.* Terms used throughout this article shall take their commonly accepted meaning unless otherwise defined in Chapters >>18A<< ~~[[18-A]]~~, 28, or 33. Terms requiring interpretation specific to this article are as follows:

* * *

- (4) "Department" >>shall be as defined in section 33-1<< ~~[[means the Miami Dade County Department of Regulatory and Economic Resources or its successor department]]~~.
- (5) "DERM" means the >>"Department" defined in section 24-5<< ~~[[Department's Division of Environmental Resources Management or its successor department]]~~.
- (6) "Director" >>shall be as defined in section 33-1<< ~~[[means the Director of the Department, or the Director's designee]]~~.

* * *

- >>(14) Micromobility means any motorized transportation device made available for private use for point-to-point trips and that is generally not capable of traveling at a speed greater than 20 miles per hour on level ground. This term includes motorized scooters and electric bicycles as defined in chapter 316, Florida Statutes.
- (15) Public works manual means the manual of minimum standards for the public works construction promulgated pursuant to section 2-100.
- (16) "Single-family" includes rowhouse or townhouse developments.
- (17) "Workforce housing unit" or "WHU" shall be as defined in section 33-284.82.<<

(B) *Designation of lands included in the Rapid Transit Zone.*

(1) The Board of County Commissioners hereby designates as, and includes within, the Rapid Transit Zone all land areas (including surface, subsurface, and appurtenant airspace) shown on the following exhibits bearing the following effective dates, certified by the Clerk of the Board as a portion of this chapter, incorporated herein by reference, and transmitted to the custody of the Department: Exhibit 1, July 31, 1998; Exhibits 2 through 9 and Exhibits 11 through 16, July 13, 1979; Exhibit 10, May 26, 1983; Exhibit 17, February 13, 2014; Exhibit 18, February 1, 2020; Exhibit 19, February 1, 2020; Exhibit 20, December 27, 2019; Exhibit 21, June 12, 2020; Exhibit 22(A), April 30, 2021, and Exhibit 22(B), March 11, 2022; ~~[[and]]~~ Exhibit 23, December 11, 2021; ~~>>and Exhibits 24-31, [insert effective date of this ordinance]<<.~~

(2) ~~>>The Board of County Commissioners hereby designates as, and includes within, the Rapid Transit Zone all land areas (including surface, subsurface, and appurtenant airspace) located wholly or partially within one-half mile of each of the SMART Plan Corridors, or within one mile of the East-West Corridor, identified on Exhibit 32, [insert effective date of this ordinance], subject to section 33C-3.3.~~

~~(3)<<~~ The Director shall submit to each affected municipality an official map or maps designating the Rapid Transit Zone which may from time to time be altered, enlarged, added to, amended or deleted by ordinance of the Board of County Commissioners.

(C) *Jurisdiction of County.* For lands included within the Rapid Transit Zone pursuant to subsection (B) above, jurisdiction over the following, all of which relate to the uses expressly authorized in this chapter, shall be and is hereby vested in Miami-Dade County regardless of any municipal code, charter, or ordinance provisions to the contrary ~~>>, except as specifically provided in this chapter<<~~:

(1) Regulatory decisions, including, but not limited to: comprehensive planning; district boundary changes, special exceptions, variances, unusual uses, site plan approvals, and other zoning approvals; historic

preservation; compliance with environmental regulations>>; flood protection regulations<<; issuance of building permits; building inspections; construction-related fire permits and inspections, but not fire suppression or fire rescue services or annual inspections for fire safety; compliance with the Florida Building Code and the Florida Fire Prevention Code; issuance of certificates of occupancy; building or zoning moratoria; subdivision approvals; and all other types of planning, zoning, subdivision, or building functions or other functions typically performed by departments, boards, or other entities that review or issue development permits or development orders.

- (2) Water and sewer installations.
- (3) Street maintenance (including sidewalks and bicycle paths where applicable).
- (4) Utility regulation.

* * *

>>(F) Reservation of municipal impact fees. The uses provided in this chapter shall, where established within a municipality, be subject to payment of impact fees established by municipal ordinance and collected by a municipality for such uses, to the extent such municipal impact fees are not duplicative of impact fees collected by Miami-Dade County, as may be amended.<<

Sec. 33C-3. Rapid Transit Zone (“RTZ”) District.

- (A) *Zoning Designation.* All lands subject to this chapter shall be assigned to the zoning district named “Rapid Transit Zone (RTZ) District” and, if applicable, to the appropriate subzone identified in this chapter.

* * *

- (B) *Uses.* No land, body of water, or structure shall be used or permitted to be used, and no structure shall be hereafter erected, constructed, reconstructed, moved, structurally altered, or maintained for any purpose in the RTZ District, except as provided in this chapter.

(1) *Administrative designation of RTCSAs and ~~[[RTCPBA]]~~ >>RTCBPA<<.* The Director may designate or redesignate County-owned land areas as either RTCSA or RTCBPA, and in that event, shall thereafter maintain maps on file showing the respective boundaries of the RTCSA and the RTCBPA.

(2) *Permitted uses.* The following uses are permitted within the Rapid Transit Zone, including the RTCSAs, ~~[[RTCPBA]]~~ >>RTCBPA<<, and all subzones:

* * *

(h) Bikeways, >>walkways, multi-use pathways, maintenance pathways, greenways,<< parks, >>plazas, greens,<< community gardening, ~~[[and]]~~ playgrounds, >>recreation areas, and associated restrooms, utility rooms, and maintenance areas<<.

* * *

(j) >>Micromobility and bicycle facilities.

(k)<< Other uses necessary for the construction, operation, or maintenance of the Rapid Transit System.

(3) *Additional permitted uses within Rapid Transit Corridor Bicycle and Pedestrian Area.* Notwithstanding >section<< ~~[[Section]]~~ 33C-4 or any other provisions to the contrary, unless expressly permitted in >>paragraph (B)(2)<< ~~[[subsection (2)]]~~ above, uses within the RTCBPA shall be governed exclusively by the following standards and procedures.

* * *

(4) *Additional permitted uses in areas outside the RTCSAs and RTCBPA.* In addition to those uses listed in >>paragraph (B)(2)<< ~~[[4]]~~ above, the following additional uses shall be permitted in the RTZ District outside the Rapid Transit Corridor

Station Areas and outside the Rapid Transit Corridor Bicycle and Pedestrian Area, in conformance with the requirements set forth in this chapter:

- (a) Such other uses, including commercial, office, hotel, governmental, institutional, health care facilities, rental car facilities, and residential uses, as may be appropriate to and compatible with the operation of the Rapid Transit System or an Intercity Passenger Rail System and the convenience of the ridership thereof, as authorized pursuant to an applicable subzone or other provision of this chapter.
- (b) Intercity Passenger Rail Systems, both public and private, including all uses permitted for the Rapid Transit System pursuant to >>paragraph<< [[subsection]] (B)(2) above and including ancillary facilities associated with the maintenance and operations of a rail system. "Intercity Passenger Rail System" means a rail system that provides passenger service on a guideway system between two or more cities, between several destinations within one city, or both.

>>**Sec. 33C-3.1 – Standard procedures for RTZ subzones.**

- (A) Except as provided otherwise in this chapter, all development within a subzone shall be governed by the procedures set forth in this section.
- (B) Initial Review. The first step in obtaining development approval pursuant to this chapter for uses other than those permitted uses allowed as of right pursuant to subsection 33C-3(B)(2) shall be the filing of an application for a special exception for a general development plan, in accordance with the following:

- (1) Pre-application Conference. The applicant shall participate in at least one pre-application conference coordinated by the Department, including representatives of the departments and agencies identified in section 33-303.1(A)(1) to (9).
- (2) Following the pre-application conference, civic uses that are governmental facilities as defined in section 33-303(b)(1), may be approved in accordance with the procedures for approval of governmental facilities set forth in section 33-303.
- (3) Application for public hearing.
 - (a) Following the pre-application conference, a request to approve one or more additional permitted uses enumerated in this chapter, except civic uses to the extent provided in paragraph (B)(2) above, shall be made by filing an application with the Department in accordance with section 33-304.
 - (b) Applications shall be governed by the procedures set forth in chapter 33, article XXXVI.
 - (c) The application shall be considered a special exception for a general development plan to be considered and acted upon directly by the Board of County Commissioners.
- (4) Required exhibits. The following exhibits shall be submitted with the application:
 - (a) Written exhibits: a narrative describing the properties to be included within the site plan, vision statement, consistency with the intent and purpose of these regulations, statement of conformance with these regulations, overall size and location, relevance to the region, connection to the surrounding urban context and rapid transit system, economic impact on the local economy, and any additional information necessary to explain the development.

(b) Graphic exhibit(s): a plan depicting the property(ies) to be included in the subzone, the roadway network surrounding the property(ies), the pedestrian connections to the rapid transit system, size and folio of each subject property, and any additional information specified at the pre-application conference to evaluate the character and impact of the proposed development.

(C) Final Review - Administrative Site Plan Review (“ASPR”). Final review for development shall be considered administratively by the Department through an application for administrative site plan review (“ASPR”) in accordance with section 33-284.88, except that the required dimensioned site plans shall include the following additional information:

- (1) Floor-area ratio.
- (2) Total square footage for each use by type, as applicable (i.e. residential uses, office uses).
- (3) Total number of residential units, including identifying the number of affordable or workforce housing units where applicable.
- (4) Existing and proposed fences, walls, architectural accents, or street furniture, if applicable.
- (5) Vehicular and pedestrian circulation systems, including:
 - (a) connection(s) to existing or proposed roadway and sidewalk system; and
 - (b) connections via bridges, paths, sidewalks, or a combination thereof to adjacent or nearby rapid transit stations or systems; and
 - (c) provisions for first and last mile connections to transit, including micromobility or bicycle facilities, rental, or parking; and

- (6) Total number of parking spaces required and provided.
 - (7) Location of space for storage and collection of solid waste and recyclable material.
 - (8) Proposed grades, if significantly altered.
 - (9) Sketches of design elements to be used for buffering surrounding uses, if applicable.
 - (10) Development phase lines.
 - (11) For floor plans and elevations, provide isometrics or perspectives. For residential uses, provide floor plans and elevations for typical units.
 - (12) The Director may waive any of the required items required because of the nature or timing of the development or because the information cannot reasonably be furnished at the time of review.
- (D) Modifications. Modifications to an approved general development plan or conditions thereto shall also be subject to the foregoing procedures.
- (E) Applications for other special exceptions, unusual uses, and variances. Applications for special exceptions (other than for a general development plan or modifications to an approved plan or conditions thereto), unusual uses, and variances from the requirements of this section for properties in the unincorporated area shall be to the Rapid Transit Developmental Impact Committee in accordance with section 33C-6.
- (F) Platting. Separate parcels located within a subzone shall not be deemed a subdivision and shall be exempt from the platting requirements of chapter 28 where the parcels are made subject to a unity of title or covenant in lieu of unity of title that satisfies the requirements set forth in section 33-257, as determined in the discretion of the Director in consultation with the County Attorney as provided therein.
- (G) Conflicts. The development review procedures, standards, and criteria set forth in this chapter shall govern in the event of conflicts with other zoning, subdivision, or landscape regulations of this code, applicable municipal code, or with

the public works manual, except that in the event of a conflict with article XXXVII of chapter 33, the airport zoning regulations shall control.

Sec. 33C-3.2. - Signs.<<

* * *

>>Sec. 33C-3.3 - SMART Corridor Subzone; additional permitted uses; development standards; review and approval procedures.

(A) Applicability in the incorporated and unincorporated areas.
Except as provided below, in section 33C-4, or elsewhere in this chapter, lands within the RTZ District and outside of the RTCsAs and RTCBPA shall be assigned to the SMART Corridor Subzone and shall be governed by this subsection.

(1) Exclusions. Notwithstanding any other provision to the contrary, the following shall not be included within the SMART Corridor Subzone; the Director shall be responsible for interpreting the applicability of these exclusions to any particular parcel, subject to review of administrative interpretations pursuant to section 33-314:

- (a) Lands assigned to a different subzone in this chapter.
- (b) Lands included within an urban center or urban area district pursuant to chapter 33.
- (c) Lands that are zoned for, or developed with, single-family or two-family residences and that are not part of a mixed-use development.
- (d) Airport properties, except those constituting the Miami Intermodal Center as shown on Exhibit 25 to subsection 33C-2(B). Airport properties excluded from this subzone shall be governed by article XXXVII of chapter 33 and not this chapter.
- (e) PortMiami, also known as the “Dante B. Fascell Port of Miami” or the “Port of Miami,” which is the geographic area located

within the CDMP's designated Regional Urban Center, commencing at the northeast intersection of Biscayne Boulevard and Port Boulevard, thence east along the north side of Port Boulevard to the perimeter of the Port of Miami, thence north/northeasterly, south/southeasterly, west/northwesterly, and northeast along said perimeter to Port Boulevard (encompassing the entirety of the Port of Miami lands, formerly Dodge, Lummus, and Sam's Islands), thence west along the south side of Port Boulevard to the eastern side of Biscayne Boulevard, thence north along the eastern side of Biscayne Boulevard to the point of beginning. The full legal description of the PortMiami boundaries is on file with the Department and with PortMiami's administrative office.

- (f) Those portions of the City of Miami Urban Core, as defined in section 33-84, that are east of I-95.
- (g) Fisher Island.
- (h) Properties within the North Corridor, other than County-owned properties, outside of the Miami Gardens RTZ Boundaries shown on Exhibit 26.

(2) *Applicability to municipalities.*

- (a) Except as provided in this section and section 33C-5, and notwithstanding section 33C-2 regarding County jurisdiction, for properties within the SMART Corridor Subzone that are located within a municipality, the applicable municipality may continue to exercise jurisdiction over regulatory decisions, water and sewer installations, street maintenance, and utility regulation to the extent it otherwise exercises jurisdiction over those functions.

- (b) Each municipality shall, by ordinance, adopt:
 - (i) its own zoning districts and its own development standards satisfying the minimum floor-area ratio requirements of this section; such ordinance may include, without limitation, protection of existing single-family neighborhoods from encroachment by incompatible development, exclusion of existing single-family neighborhoods from the Rapid Transit Zone, and requirements that buildings meet LEED or other green building standards that promote ecological and resource-efficient construction or operations; and
 - (ii) its own procedures for review and approval of zoning applications, including district boundary changes, special exceptions, unusual uses, and variances, or their municipal equivalents.
- (c) Notwithstanding any provision to the contrary, municipal zoning districts and development standards shall require all new development and redevelopment within urban centers and rapid transit activity corridors, as defined below and as applicable, to provide at least the minimum floor area ratio as is provided in subsection (C), except where such minimums would:
 - (i) result in incompatible development encroaching into, or being established adjacent to or abutting, existing single-family or two-family neighborhoods; or
 - (ii) require redevelopment of existing single-family or two-family neighborhoods.
- (d) Time to comply.
 - (i) For the North Corridor, as shown on Exhibits 26 and 32, the affected municipalities shall have until July

31, 2023, within which to adopt standards and procedures pursuant to this section or demonstrate that their existing standards or procedures comply with the minimum standards of this section.

(ii) All other municipalities that exercise jurisdiction over real properties that are located wholly or partially within one-half mile of each of the SMART Plan Corridors identified on Exhibit 32, or within one mile of the East-West Corridor identified on Exhibit 32, shall have until July 31, 2024, within which to adopt standards and procedures as required by this section or demonstrate that their existing standards or procedures comply with the minimum standards of this section.

(iii) Each municipality shall submit its adopted development standards and procedures for properties within the Rapid Transit Zone to the County Mayor or County Mayor's designee within 30 days of adoption.

(e) *Adoption of municipal SMART Plan Corridor zoning maps.* The Board may, by resolution, designate for inclusion within the Rapid Transit Zone, as set forth in subsection 33C-2(B), a municipal map of lands that will be subject to the minimum floor-area ratio requirements of this section, which map has been adopted by municipal ordinance.

(B) *Additional permitted uses.* The following categories of additional uses shall be permitted in the SMART Corridor Subzone, either alone or in horizontal or vertical mixed-use developments, as defined in section 33-1. Except where otherwise specified herein, uses shall be as defined in section 33-284.83(B).

(1) Accommodation uses.

(2) General retail/personal service establishments.

- (3) Professional business offices.
 - (4) Residential uses, including group residential homes subject to requirements for the MC category and rooming houses subject to section 33-208(6), provided that all developments with more than 4 residential units shall provide a minimum of 12.5 percent of their units as workforce housing units on the site of the proposed development.
 - (5) Entertainment uses, except adult entertainment.
 - (6) Food/beverage establishments.
 - (7) Rental car facilities.
 - (8) Commercial parking garages and surface parking lots.
 - (9) Institutional or governmental uses, including civic uses, colleges, universities, trade schools, child-care facilities, religious facilities, and schools (K-12).
 - (10) Health care services, except hospitals.
 - (11) Public and private parks and open spaces.
 - (12) Industrial uses as permitted in section 33-259, subject to the following requirements:
 - (a) Prior to being added to the RTZ District, the property on which an industrial use is proposed was designated on the land use plan or zoned for industrial uses; and
 - (b) The proposed industrial use is mixed with one or more other allowed uses, either in vertical or horizontal mixed-use developments.
 - (13) Other similar uses, as determined by the Director.
- (C) Density, intensity, and building height. The County's CDMP provides different policies for development density and intensity for different areas within the SMART Corridor

Subzone. Properties that are within the radius of a CDMP-designated urban center shall be governed by the CDMP policies for urban centers. Properties that are located outside of a CDMP-designated urban center shall be governed by the CDMP's policies for mixed-use development. Figure 1 graphically depicts the relationship between these areas. In accordance with those policies, the maximum density as measured by dwelling units per acre, maximum and minimum intensity as measured by floor-area ratio (FAR), and maximum building height shall be as set forth in the subparagraphs below.

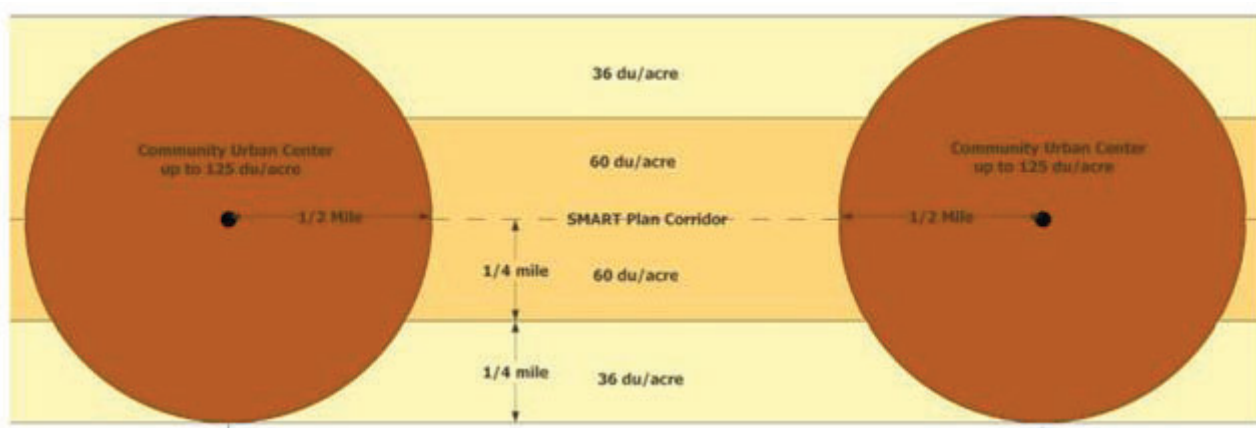


Figure 1

(1) For properties located within the radius of an urban center designated on the CDMP Land Use Plan map but not incorporated in an urban center zoning district set forth in chapter 33:

(a) The following table applies:

<u>CDMP Urban Center Designation</u>	<u>Maximum Allowed Density (dwelling units per acre)</u>	<u>Minimum Required Floor Area Ratio</u>	<u>Maximum Allowed Height (Stories)</u>
<u>Community</u>	<u>125</u>	<u>greater than 1.5 in the core; not less than 0.5 in the edge</u>	<u>15</u>

<u>Metropolitan</u>	<u>250</u>	<u>greater than 3.0 in the core; not less than 0.75 in the edge</u>	<u>25</u>
<u>Regional</u>	<u>500</u>		<u>Note 1</u>
	<u>Note 1: Maximum allowed height determined by MDAD pursuant to article XXXVII of chapter 33</u>		

- (b) In addition, the following minimum densities shall govern residential development around existing and proposed rapid transit stations:

<u>Distance from Proposed or Existing Rapid Transit Station</u>	<u>Minimum Required Density (dwelling units per acre)</u>
<u>Between one-half mile and one-quarter mile walking distance</u>	<u>10</u>
<u>One-quarter mile walking distance</u>	<u>15</u>
<u>Within 700 feet</u>	<u>20</u>

- (c) Notwithstanding the foregoing, where the underlying land use designation provides for greater density or intensity, the greater density or intensity shall govern, provided that the entire development fits within the maximum building envelope established by the applicable floor area ratio.

- (2) For properties located within a Rapid Transit Activity Corridor but outside the radius of a designated urban center:

- (a) The following table sets forth the range of densities and heights that may be permitted pursuant to the CDMP, depending on a property's location:

<u>Mixed-Use Developments Located Within:</u>	<u>Maximum Allowed Density (dwelling units per acre)</u>	<u>Floor Area Ratio Range</u>	<u>Maximum Allowed Height (Stories)</u>
<u>One-quarter mile of RTAC</u>	<u>60</u>	<u>1.0 to 2.0</u>	<u>8</u>
<u>Between one-quarter mile and one-half mile of RTAC</u>	<u>36</u>	<u>1.0 to 1.5</u>	<u>6</u>
<u>Between one-half mile and one mile of RTAC</u>	<u>18</u>	<u>0.5 to 1.25</u>	<u>4</u>

(b) Greater density, floor area ratio, or height may be available in accordance with the applicable CDMP Land Use Plan map designation. In that event:

- (i) Maximum height shall be as set forth in section 33-493(2) for the Mixed-Use Corridor District (“MCD”); and
- (ii) The greater density, floor area ratio, or height shall govern, provided that the entire development fits within the maximum building envelope established by the applicable floor area ratio.

(c) Notwithstanding any other provision to the contrary, where the applicant demonstrates that neither vertical nor horizontal mixed-use development on the subject property is feasible, a single-use building that provides for the maximum density or intensity of development allowed by the underlying land use plan map designation may be approved.

(D) *Building Placement Standards and General Requirements.*

- (1) The building placement standards and general requirements applicable to the MCD, as set forth in section 33-493(3) and (4), shall govern.
- (2) In addition, all proposed developments shall provide connections via bridges, paths, sidewalks, or a combination of such features to adjacent or nearby rapid transit stations or systems.

- (E) Compatibility with existing single-family or two-family neighborhoods. Notwithstanding any other provision to the contrary, densities or intensities lower than the above minimum requirements may be approved where the minimum requirements would result in incompatible development encroaching into, or being established adjacent to or abutting, existing single-family or two-family neighborhoods.
- (F) Signs. Signs shall be governed by section 33C-3.2.
- (G) Parking. Except as provided in this chapter, parking shall comply with subsection 33-284.86(F).
- (H) Jurisdiction over rights-of-way and County-owned properties within the SMART Corridor Subzone in incorporated and unincorporated areas.
 - (1) Notwithstanding any provision to the contrary, the following shall be under the County's exclusive regulatory jurisdiction pursuant to subsection 33C-2(C):
 - (a) SMART Corridor rights-of-way; and
 - (b) County-owned real properties in the incorporated and unincorporated areas meeting the qualifications set forth in this subsection (H).
 - (2) County-owned properties in the SMART Corridor Subzone shall be governed by subsection (I) below and the plan review standards for the Government Center Subzone, as set forth in section 33C-11(F), which is incorporated by reference herein. It is provided, however, that all such applications shall be heard by the Board of County Commissioners and not a Community Zoning Appeals Board.
 - (3) SMART Corridor rights-of-way are governed by this chapter and by article XIV of chapter 2.

(4) Subject properties.

- (a) This subsection (H) shall apply to a single property, or one or more contiguous or adjacent properties, that meet the following qualifications, regardless of whether such properties are specifically identified on the referenced exhibits or are partially located outside of the applicable boundaries:

 - (i) are owned by Miami-Dade County; and
 - (ii) are individually or collectively 0.5 acres or more in size; and
 - (iii) are located wholly or partially within one-half mile of each of the SMART Plan Corridors, or within one mile of the East-West Corridor, identified on Exhibit 32; and
 - (iv) are not excluded from the SMART Corridor Subzone pursuant to subsection (A) above.
- (b) Notwithstanding any provision to the contrary, this subsection (H) shall also apply to the selected properties identified on Exhibit 27, which are further identified by the following folio numbers: 01-4109-048-0010, 01-4120-045-0010, 01-4121-000-0010, 01-4121-005-0010, 01-4121-005-0030, 01-4121-006-0330, 01-4121-007-0610, 01-4121-007-0740, 01-4121-007-0860, 01-4121-007-0870, 01-4121-007-0880, 01-4121-007-0890, 09-4025-010-0530, 09-4025-063-0010, and 09-4025-063-0040.
- (c) Notwithstanding any provision to the contrary, County-owned properties subject to the Stadium Zoning Ordinance shall be governed by article XLIII of chapter 33 and not this chapter.

(I) Review and approval procedures for development in SMART Corridor Subzone in unincorporated area; exceptions.

(1) Applications for development in the SMART Corridor Subzone in the unincorporated area shall be governed by section 33C-3.1, except as provided in this subsection (I), and except for the following:

(a) applications that seek approval as provided in section 33C-5; or

(b) applications that seek approval in accordance with chapter 33 and that provide the minimum floor-area ratio required by subsection (C) above.

(2) Applications in the SMART Corridor Subzone shall be heard as follows:

(a) Applications for properties in the unincorporated area of less than 5 acres in size and seeking approval of less than 250 residential units shall be heard by the applicable Community Zoning Appeals Board, the decision of which may be appealed to the Board of County Commissioners by an aggrieved or adversely affected party.

(b) Applications for properties in the unincorporated area of at least 5 acres in size or seeking approval of at least 250 residential units shall be heard directly by the Board of County Commissioners.

Sec. 33C-4. Rapid Transit Zone (“RTZ”) District: general processes for >>certain<< stations and subzones >>outside of the SMART Corridor Subzone<<[[~~created prior to April 8, 2014~~]].

(A) *Process within incorporated areas subject to a land use plan adopted pursuant to SADD Program.* Except where provided for otherwise in this chapter, the following process shall govern development within lands subject to a land use plan approved through the Station Area Design and

Development Program prior to March 15, 2008>>, and not included within an urban center or urban area zoning district pursuant to chapter 33<<.

- (1) >>Previously adopted SADD Program<< [[~~Once adopted, said~~]] land use plans shall control all public actions involving or affecting land use or development, including action on applications for zoning relief>>, except as provided in paragraph (2) below<<.
- (2) [[~~Amendments to said Master Land Use Plans shall be subject to the procedures applicable to the initial adoption of such land use plans.~~]]>>Notwithstanding any other provisions of this code or municipal ordinances or resolutions to the contrary, the Board of County Commissioners may supersede any previously adopted SADD Program land use plan by:
 - (a) Approving an application for special exception for a general development plan in accordance with the development standards and procedures for review and approval of development in the unincorporated area within the SMART Corridor Subzone, as set forth in section 33C-3, or in accordance with the development standards and procedures of another applicable subzone as set forth in this chapter; or
 - (b) Including the subject property in an urban center or urban area district pursuant to chapter 33.<<
- (3) >>Where the applicable SADD Program land use plan is not superseded as provided in paragraph (2), the Rapid Transit Developmental Impact Committee ("RTDIC") shall hear applications for the following in accordance with the procedures set forth in section 33C-6 and under the standards and requirements established by such land use plan:<< [[~~Applications for a~~]] site plan approval>>; special exception (other than for a general development plan or modification to an approved plan or conditions thereto) or unusual use pursuant to such SADD Program land use

~~plan;<< [[and other related zoning actions under a Master Land Use Plan that was approved by a municipality,]] and [[applications for]] variances or other zoning relief from the requirements of any such >>land use plan<< [[Master Land Use Plan or for any other zoning action on land within this area, shall be considered by the Rapid Transit Developmental Impact Committee in accordance with the procedures set forth in section 33C-6 under the standards and requirements established by such plan, upon receipt of the recommendations of the Department and DTPW]].~~

- (4) Decisions of the >>RTDIC<< ~~[[Rapid Transit Developmental Impact Committee]]~~ upon such applications shall be subject to appeal to the Board of County Commissioners in accordance with ~~[[the requirements of]]~~ section 33-314.
- (5) It shall be the duty of the Clerk of the Board of County Commissioners to immediately transmit to the relevant municipality a certified copy of the >>RTDIC's<< ~~[[Rapid Transit Developmental Impact Committee's]]~~ and the County Commission's actions pursuant to this subsection.
- (6) An aggrieved party may seek judicial review of the County Commission's action in accordance with section 33-316.

(B) *Process for City of Miami >>for certain areas<<.*

- (1) Whenever uses authorized by this chapter are proposed within portions of the Rapid Transit Zone located within the City of Miami that, as of March 15, 2008, were not subject to a land use plan approved by the City through the >>SADD<< ~~[[Station Area Design and Development]]~~ Program and are not designated as RTCSA, RTCBPA, or as part of a specific subzone, the master plan development standards set forth in section 33C-8 shall control such proposed uses >>unless the County Commission supersedes these standards in accordance with subsection (A)(2) above<<.

>>(2) Except as provided otherwise in this chapter<<
~~[[Notwithstanding any other provisions to the contrary]]~~, development within and around the Allapattah, Civic Center, Culmer, Vizcaya, Coconut Grove, and Douglas Road Metrorail Stations shall be governed by >>the development standards set forth in<< section 33C-8.

[(2) ~~*Downtown—Intermodal—District—Corridor.*~~ Notwithstanding any other provision of this code to the contrary, whenever uses authorized by section 33C-3(B)(4) are proposed within the Downtown Intermodal District Corridor Subzone of the Rapid Transit Zone as designated in section 33C-9 herein, the procedures and development standards adopted pursuant to section 33C-9 shall control.

(3) ~~*Brickell Station Subzone.*~~ Notwithstanding any other provision of this code to the contrary, whenever uses authorized by section 33C-3(B)(4) are proposed within the Brickell Station Subzone of the Rapid Transit Zone as designated in section 33C-10 herein, the procedures and development standards adopted pursuant to section 33C-10 shall control.

(4) ~~*Government Center Subzone.*~~ Notwithstanding any other provision of this code to the contrary, all development within the Government Center Subzone shall be governed solely by section 33C-11.

(5) ~~*Historic—Overtown/Lyric—Theatre—Subzone.*~~ Notwithstanding any other provision of this code to the contrary, whenever uses authorized by section 33C-3(B)(4) are proposed within the Historic Overtown/Lyric Theatre Subzone as designated in section 33C-12 herein, the procedures and development standards adopted pursuant to section 33C-12 shall control.

(6) ~~*Santa Clara Subzone.*~~ Notwithstanding any other provision of this code to the contrary, whenever uses authorized by section 33C-3(B)(4) are proposed within the Santa Clara Subzone as designated in section 33C-14 herein, the procedures and development standards adopted pursuant to section 33C-14 shall control.

- (7) ~~Metromover Subzone. Notwithstanding any other provision of this code to the contrary, whenever uses authorized by section 33C-3(B)(4) are proposed within the Metromover Subzone as designated in section 33C-15 herein, the procedures and development standards adopted pursuant to section 33C-15 shall control.]]~~

Sec. 33C-5. - Rapid Transit Zone (“RTZ”) District: pending regulatory applications, existing zoning district regulations, ~~[[and]] non-conformities>>, and review of takings and vested rights claims<<.~~

- (A) *Pending applications.* Notwithstanding any provision to the contrary, an applicant with an active application that would be subject to this chapter but that was filed with a municipality or the County prior to the subject property being included in the Rapid Transit Zone may continue under the pending process until the application is decided or the permit is closed, including issuance of any final certificates of occupancy for building permits.
- (1) Once the pending process is concluded, all future applications shall be subject to the County’s jurisdiction as set forth in section 33C-2.
- (2) Uses or structures established in accordance with such a pending application shall be subject to the provisions in this section regarding existing zoning designations and nonconformities.
- (B) *Existing zoning designations; administrative site plan review required.* Until a special exception or other zoning approval for development is approved pursuant to this chapter, lands within the RTZ District shall remain subject to the applicable County or municipal zoning district regulations that existed prior to inclusion in the RTZ District, in accordance with the following:
- (1) >>Administration of prior regulations.
- (a) For properties included in the RTZ District as of April 30, 2021, and for properties included in a subzone other than the SMART Corridor Subzone after that date, all<< [[A#]] such

prior regulations shall be administered by the County pursuant to its regulatory jurisdiction as set forth in this chapter.

- >>(b) For properties included in the SMART Corridor Subzone in the unincorporated area:
 - (i) All such prior regulations, including applications for special exceptions, unusual uses, or variances, shall continue to be administered in accordance with chapter 33;
 - (ii) It is provided, however, that applications for district boundary changes or other such changes in zoning district shall be subject to section 33C-3.<<

(2) Notwithstanding any such prior regulations or other provisions to the contrary, no applications for development permits or development orders on undeveloped land shall be approved until the Department has approved a site plan following administrative site plan review in accordance with section 33-284.88 and the following additional requirements:

- (a) The Department determines that the site plan maximizes density or intensity to the greatest extent practicable, to further the purpose of this chapter to coordinate land uses with transportation facilities.
- (b) DTPW certifies that approval of the application will not have an adverse impact upon a material element of the Rapid Transit System. DTPW shall, with respect to any application for which certification is refused, provide a detailed written explanation supporting the refusal to certify and specifying the corrective actions, if any, which would lead to certification.

(3) Notwithstanding any such prior regulations or other provisions to the contrary, no applications for development permits or development orders to modify existing development or vested development approvals shall be approved until:

- (a) The Department has determined that the proposed modification complies to the greatest extent practicable with the purpose and requirements of this chapter to coordinate land uses with transportation facilities; and
- (b) DTPW issues the certification required in paragraph (2)(b) above.

(4) Denial of an application pursuant to this section may be appealed to the Board of County Commissioners in accordance with section 33-314 ~~[[for appeals of administrative decisions]]~~.

~~>>~~(5) Notwithstanding any other provisions to the contrary, the following shall not be subject to the procedures set forth in paragraphs (2) and (3) above:

- (a) properties that are zoned for, or developed with, single-family or two-family residences and that are not part of a mixed-use development; and
- (b) properties that are added to the SMART Corridor Subzone.<<

(C) *Non-conforming lots, uses, and structures.*

~~>>~~(1)<< Upon approval of a zoning application pursuant to this chapter, legally established lots, uses, and structures that do not conform to the requirements of this chapter, including approvals granted pursuant to subsections (A) and (B) above, shall be deemed nonconforming and shall be subject to section 33-284.89.2.

>>(2)<< Notwithstanding any other provisions to the contrary, a non-conforming development may be expanded by any amount to provide a mixed-use development, and in that event, only the new mixed-use development shall be subject to the requirements of this chapter.

>>(D) Administrative review of takings and vested rights claims.
Any applicant alleging that this chapter, as applied to a particular development order or action, constitutes or would constitute a temporary or permanent taking of private property or an abrogation of vested rights, shall comply with the procedures set forth in section 2-114.1 regarding claims relating to the application of chapter 33.<<

Sec. 33C-6. - Rapid Transit Developmental Impact Committee.

(A) There is hereby established a Rapid Transit Developmental Impact Committee (“RTDIC”).

(1) The RTDIC shall be composed of:

- (a) two representatives of the Department, which shall be a combination of either the Director, the Assistant Director for zoning, or the DERM Director;
- (b) a Director or Assistant Director of DTPW, MDFR, WASD, and PROS;
- (c) the Secretariat of the TPO;
- (d) the County Mayor or designee; and
- (e) two representatives selected by the applicable municipality when the subject property is located within >>a municipality<< ~~[[one of the following municipalities: City of South Miami, City of Coral Gables, City of Miami, and the City of Hialeah]].~~

(2) Each member may assign staff of the respective department to act on the member’s behalf as needed.

- (B) ~~[[Notwithstanding any other provisions to the contrary, except as specified within the applicable subzone regulations, for developments located within the Downtown Intermodal District Corridor Subzone established by section 33C-9, the Brickell Station Subzone established by section 33C-10, the Historic Overtown/Lyric Theatre Subzone established by section 33C-12, and the Santa Clara Subzone established by section 33C-14, shall be composed of the representatives identified in paragraphs (A)(1)(a)-(d) above and three representatives from the City of Miami.~~
- ~~(C)]~~ The RTDIC shall perform its duties in accordance with the procedures specified in section 33-303.1 >>applicable to the DIC Executive Council<<, unless provided otherwise in this chapter>>, and shall hear only the following applications, after receiving the recommendation of the Director:
- (1) For properties subject to a previously adopted SADD Program land use plan, applications for a site plan approval, special exception, unusual use, or variance from the requirements of such plan, provided that such application is not accompanied by an application for development pursuant to a subzone; and
 - (2) For properties subject to any subzone or to section 33C-8, applications for a special exception (except for approval of a general development plan or modification to an approved plan or conditions thereto), an unusual use, or a variance from the requirements of the applicable subzone; and
 - (3) For properties subject to a subzone other than the SMART Corridor Subzone, such applications as are provided for in the applicable subzone regulations<<.
- >>(C)<<[[~~(D)~~]] Except as expressly provided in this chapter, mailed notice of hearings before the Rapid Transit Development Impact Committee shall be provided in the same manner as hearings on applications filed before the Community Zoning Appeals Board pursuant to section 33-310.

- (1) Mailed notice of the hearing shall also be provided simultaneously to the municipality in which the application site is located.
- (2) Applications shall comply with the procedural requirements of section 33-304.

>>(D) Appeals. Any aggrieved or adversely affected party may appeal a final decision of the RTDIC to the Board of County Commissioners in accordance with section 33-314.<<

~~[(E) Notwithstanding any other provision of this code to the contrary, for the Downtown Intermodal District Corridor Subzone established by section 33C-9, the Brickell Station Subzone established by section 33C-10, the Historic Overtown/Lyric Theatre Subzone established by section 33C-12, and the Santa Clara Subzone established by section 33C-14, notice of meetings before the Rapid Transit Developmental Impact Committee shall comply with the procedures set forth in those respective sections.]]~~

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

- (A) *Purpose and intent.* The purpose of these development standards is to provide guidelines governing the use, site design, building mass, parking, and circulation for all non-Metrorail development in the Rapid Transit Zone within the City of Miami >>around the Allapattah, Civic Center, Culmer, Vizcaya, Coconut Grove, and Douglas Road Metrorail Stations.<< with the intent of fulfilling the goals, objectives and policies of the County's Comprehensive Development Master Plan urban center text. ~~[[Unless specified to the contrary, the Rapid Transit Zone District Regulations supersede all conflicting requirements in Chapter 33 and Chapter 18A of the Code of Miami-Dade County.]]~~
- (B) *Definitions.* Terms used in this section shall take their commonly accepted meaning unless otherwise defined in >>chapters 18A, 28, or 33<< ~~[[Chapter 33 or Chapter 28 of the Code of Miami-Dade County]]~~, or already defined herein. Terms requiring interpretation specific to this section are as follows:

* * *

~~[(15) *Workforce housing unit or WHU:* A dwelling unit, the sale, rental or pricing of which, in accordance with this article, is restricted to households whose income is within the workforce housing target income range.~~

~~(16) *Workforce housing target income range:* Households whose income range is established at 65% up to 140% of the most recent median family income for the County reported by the U.S. Department of Housing and Urban Development as maintained by the Department of Planning and Zoning.]]~~

(C) *Development Parameters.* The following parameters shall apply to Rapid Transit Zone Station development provided such uses are compatible with transit uses and operations as determined by >>DTPW<< ~~[[the Miami Dade Transit Agency]]~~:

* * *

(D) *Site Plan Review Standards and Criteria.* The purpose of the site plan review is to encourage logic, imagination, and variety in the design process in an attempt to ensure congruity of the proposed development and its compatibility with the surrounding area. The following site plan review standards shall be utilized as a guide ~~[[by the Miami Dade Rapid Transit Developmental Impact Committee, the Department, and by the Board of County Commissioners]]~~ in the consideration for >>development approval in the applicable areas.<< ~~[[site plan approval for all Rapid Transit Zone stations:]]~~ All development in the >>applicable area<< ~~[[Rapid Transit Zone]]~~ shall be designed to contribute to the creation of a high-quality pedestrian environment within the zone and along its perimeter and provide direct logistical connections between the transit station and the adjacent neighborhood.

* * *

(E) *Site Review Procedure and Exhibits.* >>Applications for development shall be governed by section 33C-3.1, except that applications shall not be subject to the initial review

procedures set forth therein.<< ~~[[Development proposal shall be submitted and reviewed as provided in Section 33-304, Code of Miami Dade County, and herein:~~

- (1) ~~*Preapplication Conference.* Prior to the filing of an application for site plan approval, the prospective applicant shall schedule a preapplication conference with the Miami Dade County Department of Planning and Zoning for preliminary review of a conceptual development plan. The Department of Planning and Zoning shall notify the Miami Dade Transit Agency, Miami Dade County and affected municipal Departments of Public Works, as well as other Miami Dade County and municipal agencies, as appropriate. Said agencies and departments shall be requested to provide current information about any government planned street improvements, and any street section standards that would be applicable, on streets adjoining the proposed development site. The applicant shall bring to the conference a schematic development plan illustrating fundamentals of the proposed site design and architecture, addressing locations of existing and planned property lines, property ownership, public right of way, streets, transit platform, buildings and open spaces, and other essential elements of the proposed development with sufficient information to demonstrate an understanding of the intent, standards and criteria established in this section.~~
- (2) ~~*Application Exhibits.* The exhibits listed below shall be submitted with the formal application for site plan review. The Department shall review the application, including these exhibits, for completeness as required to determine compliance with all requirements of this Section. The Director is authorized to waive any of the items required because of the nature or timing of the development or because the information cannot be furnished at the time of this review, provided the Director determines that the information is not necessary to a determination of conformance with the requirements of the Section. The exhibits shall include the following:~~

- (a) ~~Site plan(s) at a scale of not less than 1 inch equals 60 feet containing the following information:~~
 - ~~(i) Location of existing and planned streets and curb lines.~~
 - ~~(ii) Location of lot lines and setbacks.~~
 - ~~(iii) Location, shape, size, and height, as applicable, of existing and proposed buildings, open spaces, fencing, walls, projections, signage, and landscaping.~~
 - ~~(iv) Location of on-street and off-street parking, loading facilities, and waste collection areas.~~
 - ~~(v) Phase lines, if applicable.~~
 - ~~(vi) Landscape plans, including specification of plant material, location, and size.~~
 - ~~(vii) Floor plans and elevations of all structures, including total gross square foot area of each floor and all dimensions relating to the requirements of this Section.~~
 - ~~(viii) Figures indicating gross and net acreage, and area to be dedicated for public right-of-way.~~
 - ~~(ix) Square footage of each land use and total for the development.~~
 - ~~(x) Total number of dwelling units and hotel guest rooms if applicable.~~
 - ~~(xi) Amount of building coverage at ground level in square feet and percentage of net lot area.~~
 - ~~(xii) Amount of open space required and provided, in square feet and percentage of net lot area.~~
 - ~~(xiii) Number of parking spaces required and provided.~~
 - ~~(xiv) Locations for loading and unloading of vehicular passengers.~~

- (F) ~~*Conflicts with Other Chapters and Regulations.* This article shall govern in the event of conflicts with other zoning, subdivision, or landscape regulations of the Zoning Code, or with the Miami-Dade Public Works Department Manual.]]~~

Sec. 33C-9. - Downtown Intermodal District Corridor Subzone.

* * *

(D) >>Review and approval process for development in DID Corridor Subzone. Applications for development shall be governed by section 33C-3.1, which is incorporated by reference herein, except as follows:<< ~~[[Pre-application conference. The applicant shall participate in at least one pre-application conference with the Rapid Transit Development Impact Committee (RTDIC) prior to filing the application. The applicant shall provide a general outline of the proposal through schematics and sketch plans including narrative information sufficient for the understanding of the proposed development.~~

(E) Initial Review.

(1) ~~Following the pre-application conference, a request for approval of a general site development plan for development within the Downtown Intermodal District Corridor Subzone of the Rapid Transit Zone as provided in subsection 33C-9 herein, shall be made by filing an application with the Rapid Transit Developmental Impact Committee (RTDIC) in accordance with the provisions of Section 33-304. Said application shall be considered a special exception for approval of a general site development plan to be considered and acted upon directly by the Board of County Commissioners pursuant to the development regulations established in Section 33C-9. Applications shall comply with the procedural requirements of Section 33-304 of this code.]]~~

>>(1) The pre-application conference shall include three representatives from the City of Miami.

(2) Initial review.

(a) Following the pre-application conference, applications, including governmental facilities, shall be presented to the RTDIC in accordance with section 33C-6 for a recommendation as to compliance with the requirements of this chapter.

(b) For purposes of this section, the City of Miami shall have three representatives on the RTDIC.

(c)<< Within >>60<< [[sixty (60)]] days after the filing of the application, [[the RTDIC Staff Council shall review the application, and]] the RTDIC shall issue a recommendation upon such application. The recommendation shall reflect the consensus of the members present.

>>(d)<< In the event that the City representatives present do not concur with a recommendation for approval, the recommendation shall be for denial. The recommendation shall be transmitted to the Board of County Commissioners for final action.

>>(e)<< In the event of a recommendation of denial by the RTDIC, approval of the application shall require the affirmative vote of 9 members of the Board of County Commissioners.

[(2) ~~Phased development. The intermodal characteristics of the DID Corridor Subzone serving the MetroRail, MetroMover, and MetroBus systems may require that the construction of infrastructure to serve future development be completed in phases. Where a phased development is requested, the Board of County Commissioners, in approving a phased site plan, shall specify building footprints, heights, density, intensity, and gross square footage of buildings that are identified on the site plan as future development parameters granted by the Board of County Commissioners. Specific land uses and design details of said future development may be reviewed and approved by the Rapid Transit Developmental Impact Committee in subsequent phases pursuant to the Final Review criteria enumerated herein, provided the development~~

~~parameters approved by the Board of County Commissioners in the phased site plan are not exceeded and the development regulations set forth herein are met.~~

~~(3) Required exhibits for Initial Development. The following exhibits shall be submitted with the application for a general site development plan:~~

~~(a) A narrative describing the project's scope, including but not limited to: vision statement, size of project and location, and prominent components of the development; phasing of the development if necessary; scale; relevance to the region; its connection to the surrounding urban context; economic impact on the local economy; design concept(s); significance of the project as a gateway to the community; and any additional information necessary to explain the development.~~

~~(b) Schematic site plan(s) at a scale of not less than one (1) inch equals one hundred (100) feet indicating: prominent structural components of the development; permitted land uses; existing and proposed streets; major points of egress/ingress of the development; public open space locations and area in square feet; floor area ratio; pedestrian circulation; residential density; and square feet of retail, office, institutional, governmental, and other proposed land uses not to exceed the development thresholds contained in the administrative site plan development parameters included herein.~~

~~(c) Information on adjoining and adjacent uses on a plan at a scale no less than one (1) inch equals one hundred (100) feet to indicate the relationship(s) between the proposed development and adjacent areas including, but not limited to: existing land uses and their intensities; densities, vehicular and pedestrian circulation systems, blocks and lots, and unique geographical features.~~

- (d) ~~Perspectives, isometries, elevations and other drawings illustrating proposed development.~~
- (e) ~~Any additional information specified by the Rapid Transit Development Impact Committee at the pre-application conference to evaluate the character and impact of the proposed development.~~

(F) *Final Review.*

(4)] >>(3)<< *Final Review for development of the Downtown Intermodal District Corridor Subzone.*

>>(a)<< Following approval of the special exception, final review for all or a portion of the development~~[[, including phased development,]]~~ shall be made and approved administratively by the RTDIC in accordance with plans and documents approved by the Board of County Commissioners.

>>(b)<< The RTDIC review shall be guided by development >>and plan review<< standards established in >>this section<< ~~[[subparagraph 33C-9(F), herein, for an administrative site plan review (ASPR)]]~~.

>>(c)<< Applications for modification of a site plan approved pursuant to this section, including applications for approval of a subsequent phase of a previously approved phased site plan, shall be considered and acted upon administratively by the RTDIC >>at a public meeting but<< without the necessity of public hearing.

>>(d)<< In the event that the City representatives present do not concur with approval of the application, the decision of the RTDIC shall be for denial.

>>(e) Any aggrieved or adversely affected party may appeal the decision of the RTDIC to the Board of County Commissioners pursuant to section 33-314.<< The affirmative vote of 9 members of the Board of County Commissioners shall be required to reverse a decision of denial by the RTDIC.

~~[(2) *Notice.* Mailed notices of the RTDIC Executive Council meeting shall be accomplished by placing in the United States mail a written notice to all property owners of record, as reflected on the Miami Dade County Property Appraiser's tax roll as updated, within five hundred (500) feet of the subject property. Such mailed notices shall contain general information, including, but not limited to, the date, time and place of the meeting, the property's location (and street address, if available), and nature of the application shall be sent no sooner than thirty (30) days and no later than twenty (20) days prior to the meeting. The property shall be posted no later than twenty (20) days prior to the meeting in a manner conspicuous to the public, by a sign or signs containing information including, but not limited to, the applied for zoning action, application number, and the time and place of the public meeting. The property owner shall be responsible for ensuring that the sign is maintained on the site until completion of the public meeting and for removal of the sign within two (2) weeks following completion of the public meeting. In addition, notice shall be published in a newspaper of general circulation in Miami Dade County, as follows: a full legal notice, to be published no later than twenty (20) days and no earlier than thirty (30) days prior to the meeting, to contain the date, time and place of the meeting, the property's location and street address, if available.~~

~~(3) *Required Exhibits.* The following exhibits must be included with an application. It is provided, however, that the Director shall have the authority to waive any of the items because of the nature or timing of the development or because the information cannot be furnished at the time of this~~

~~review. The application shall be deemed complete if all items in this subsection are included in the application.~~

- (a) ~~Master plan at a scale of not less than 1 inch equals 100 feet, which shall include the following information:~~
 - ~~(i) Lot lines and setbacks.~~
 - ~~(ii) Proposed floor area of all permitted uses.~~
 - ~~(iii) Height, size, shape and location of existing and proposed buildings.~~
 - ~~(iv) Location of off-street parking and layouts showing number of parking spaces required and provided.~~
 - ~~(v) Proposed grades if significantly altered.~~
 - ~~(vi) Signage, street and lot lighting, street and lot furniture.~~
 - ~~(vii) Total number of dwelling units and hotel rooms, if applicable.~~
 - ~~(viii) Location and amount of public/private open space required and provided.~~
 - ~~(ix) Phase lines, if applicable.~~
 - ~~(x) Figures indicating gross and net acreage, and areas to be dedicated for public rights-of-way.~~
 - ~~(xi) Vehicular and pedestrian circulation system including blocks, streets, major points of access into and out of the development, pedestrian crosswalks, medians, and on-street parking.~~
 - ~~(xii) Location of pedestrian access points, including connections to existing or proposed bridges, roadways, or sidewalk areas.~~
 - ~~(xiii) Location of loading facilities, waste collection areas, and other service areas.~~
 - ~~(xiv) Locations for loading and unloading of vehicular passengers.~~
- (b) ~~Floor plans and elevations of all structures, including gross square footage of each floor.~~

- ~~(c) Sections of major structures.~~
- ~~(d) Isometries or perspectives of the proposed development.~~
- ~~(e) Landscape plan(s) in accordance with Chapter 18(A), except as modified herein.~~
- ~~(f) Such other design data as may be specified to satisfy a condition of approval of the Initial Review.~~

~~(G)]~~>>(E)<< *Administrative Site plan development parameters.*
The following development regulations shall apply to all development within the DID Corridor Subzone.

* * *

- (7) *Signs:* Signs visible from public rights-of-way or public areas shall comply with >>section 33C-3.2<< ~~[[Section 33-284.87 of this Code]]~~, except that Class C signs may be permitted in accordance with Section 33-107 ~~[[of this Code]]~~.

>>(a)<< Subject to the requirements and limitations of >>section<< ~~[[Section]]~~ 33-107 ~~[[of this Code]]~~, a maximum of five ~~[[5]]~~ murals may be approved in this Subzone.

>>(b)<< The signage plan submitted with the application for final site plan review shall contain criteria, locations>>₂<< and sizes of signs.

* * *

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

* * *

- ~~[(I)] *Platting.* Separate parcels located within the DID Corridor Subzone and made subject to a unity of title or covenant in lieu of unity of title shall not be deemed a subdivision and shall be exempt from the platting requirements of Chapter 28.~~
- ~~(J) *Conflicts.* The development review procedures, standards, and criteria set forth in this Section 33C-9 shall govern in the event of conflicts with other zoning, subdivision or landscape regulations of the Miami Dade County Code or with the Miami Dade County Public Works and Waste Management Department Manual.~~
- ~~(K)]>>(G)<< *Amendments.* At least six ~~[(6)]~~ weeks prior to the scheduled public hearing of any amendments to this >>section<< ~~[[Section]]~~ 33C-9, the County shall mail or e-mail a copy of the proposed ordinance to the City Clerk and the City Attorney of the City of Miami. The communication to the City shall include the date of the scheduled public hearing.~~

Sec. 33C-10. - Brickell Station Subzone.

* * *

- (E) >> *Review and approval process for development in Brickell Station Subzone.* Applications for development shall be governed by the procedures for review and approval of development in the DID Corridor Subzone set forth in section 33C-9, which are incorporated by reference herein, except that the applicable development and plan review standards shall be those set forth in this section.<<
- ~~[[*Initial Review.*~~

- ~~(1) *Application.* Following the pre-application conference, a request for approval of a general site development plan for development within the Brickell Station Sub-zone, shall be made by filing an application with the RTDIC in accordance with the provisions of Section 33-304. Said application shall be considered a special exception for approval of a general site development plan to be considered and acted upon directly by the Board of County~~

~~Commissioners pursuant to the development regulations established in this section. Applications shall comply with the procedural requirements of Section 33-304 of this Code.~~

- (2) ~~*RTDIC recommendation.* Within 60 days after the filing of the application, the RTDIC Staff Council shall review the application, and the RTDIC shall issue a recommendation upon such application. The recommendation shall reflect the consensus of the members present. In the event that the City representatives present do not concur with a recommendation for approval, the recommendation shall be for denial. The recommendation shall be transmitted to the Board of County Commissioners for final action. In the event of a recommendation of denial by the RTDIC, approval of the application shall require the affirmative vote of 9 members of the Board of County Commissioners.~~
- (3) ~~*Phased development.* Projects within the sub-zone may be constructed in phases, and the construction of public buildings and infrastructure to serve future development may accordingly need to be completed in phases. Where a phased development is requested, the Board of County Commissioners, in approving a phased site plan, shall specify building footprints, heights, density, intensity, and gross square footage of buildings as future development parameters. The RTDIC may review and approve specific land uses and design details of said future development in subsequent phases pursuant to the Final Review criteria enumerated herein, provided that the development parameters approved by the Board of County Commissioners in the phased site plan are not exceeded and that the development regulations set forth herein are met.~~
- (4) ~~*Required exhibits for Initial Development.* The following exhibits shall be submitted with the application for a general site development plan:~~
 - (a) ~~A narrative describing the project's scope, including but not limited to: vision statement, the project's consistency with the intent and purpose of these regulations, size of project~~

~~and location, and prominent components of the development; phasing of the development if necessary; scale; relevance to the region; its connection to the surrounding urban context; economic impact on the local economy; design concept(s); significance of the project as a gateway to the community; and any additional information necessary to explain the development.~~

- ~~(b) Schematic site plan(s), at a scale of not less than 1 inch equals 100 feet, indicating: prominent structural components of the development; permitted land uses; existing and proposed streets; major points of egress/ingress of the development; public open space locations and area in square feet; floor area ratio; pedestrian circulation; residential density; and square feet of retail, office, institutional, governmental, and other proposed land uses, not to exceed the development thresholds contained in the administrative site plan development parameters included herein.~~
- ~~(c) Information on adjoining and adjacent uses, on a plan at a scale no less than 1 inch equals 100 feet, to indicate the relationship(s) between the proposed development and adjacent areas including, but not limited to: existing land uses and their intensities; densities, vehicular and pedestrian circulation systems, blocks and lots, and unique geographical features.~~
- ~~(d) Perspectives, isometrics, elevations and other drawings illustrating proposed development.~~
- ~~(e) Any additional information specified by the RTDIC at the pre-application conference to evaluate the character and impact of the proposed development.~~

~~(F) Final Review.~~

- (1) ~~Final Review for development of the Brickell Subzone.~~ Following approval of the special exception, final review for all or a portion of the development, including phased development, shall be made and approved administratively by the RTDIC in accordance with the plans and documents approved by the Board of County Commissioners. The RTDIC review shall be guided by development standards established in this section. Applications to modify a site plan approved pursuant to this section, including applications to approve a subsequent phase of a previously approved phased site plan, shall be considered and acted upon administratively by the RTDIC without the necessity of public hearing.
- (2) ~~In the event that the City representatives present do not concur with approval of the application, the decision of the RTDIC shall be for denial. The affirmative vote of 9 members of the Board of County Commissioners shall be required to reverse a decision of denial by the RTDIC.~~
- (3) ~~Notice.~~
 - (a) ~~Mailed notices of the RTDIC Executive Council meeting shall be accomplished by placing in the United States mail a written notice to all property owners of record, as reflected on the Miami-Dade County Property Appraiser's tax roll as updated, within 500 feet of the subject property. Such mailed notices shall contain general information, including, but not limited to, the date, time and place of the meeting, the property's location (and street address, if available), and nature of the application shall be sent no sooner than 30 days and no later than 20 days prior to the meeting.~~
 - (b) ~~The property shall be posted no later than 20 days prior to the meeting in a manner conspicuous to the public, by a sign or signs containing information including, but not limited to, the applied for zoning action, application number, and the time and place of the public meeting. The property owner shall~~

~~be responsible for ensuring that the sign is maintained on the site until completion of the public meeting and for removal of the sign within two weeks following completion of the public meeting.~~

- (e) ~~In addition, notice shall be published in a newspaper of general circulation in Miami-Dade County, as follows: a full legal notice, to be published no later than 20 days and no earlier than 30 days prior to the meeting, to contain the date, time and place of the meeting, the property's location and street address, if available.~~

- (4) ~~*Required Exhibits.* The following exhibits must be included with an application. It is provided, however, that the Director of the Department shall have the authority to waive any of the items because of the nature or timing of the development or because the information cannot be furnished at the time of this review. The application shall be deemed complete if all items in this subsection are included in the application.~~

- (a) ~~Master plan, at a scale of not less than 1 inch equals 100 feet, which shall include the following information:~~
 - (i) ~~Lot lines and setbacks.~~
 - (ii) ~~Proposed floor area of all permitted uses.~~
 - (iii) ~~Height, size, shape, and location of existing and proposed buildings.~~
 - (iv) ~~Location of off-street parking and layouts showing number of parking spaces required and provided.~~
 - (v) ~~Proposed grades if significantly altered.~~
 - (vi) ~~Signage, street and lot lighting, and street and lot furniture.~~
 - (vii) ~~Total number of dwelling units and hotel rooms, if applicable.~~
 - (viii) ~~Location and amount of open space required and provided.~~
 - (ix) ~~Phase lines, if applicable.~~

- (x) ~~Figures indicating gross and net acreage, and areas to be dedicated for public rights-of-way.~~
- (xi) ~~Vehicular and pedestrian circulation system, including blocks, streets, major points of access into and out of the development, pedestrian crosswalks, medians, and on-street parking.~~
- (xii) ~~Location of pedestrian access points, including connections to existing or proposed bridges, roadways, or sidewalk areas.~~
- (xiii) ~~Location of loading facilities, waste collection areas, and other service areas.~~
- (xiv) ~~Locations for loading and unloading of vehicular passengers.~~
- (b) ~~Floor plans and elevations of all structures, including gross square footage of each floor.~~
- (c) ~~Sections of major structures.~~
- (d) ~~Isometries or perspectives of the proposed development.~~
- (e) ~~Landscape plan(s) in accordance with Chapter 18(A), except as modified herein.~~
- (f) ~~Such other design data as may be specified to satisfy a condition of approval of the Initial Review.~~

~~(G)]>>(F)<<~~ *Administrative Site plan development parameters.*
 The following development regulations shall apply to all development within the sub-zone.

* * *

- (7) *Signs:* Signs visible from public rights-of-way or public areas shall comply with >>section 33C-3.2<< ~~[[Section 33-284.87 of this Code]]~~, except that Class C signs may be permitted in accordance with Section 33-107 ~~[[of this Code]]~~. The signage

plan submitted with the application for final site plan review shall contain criteria, locations and sizes of signs.

* * *

>>(G)<<[[~~(H)~~]] *Plan Review Standards.* The purpose of the plan review standards is to encourage the creation of development within the Brickell Subzone that is consistent with the intent and purposes of these regulations, acts as a significant gateway for and destination to the Brickell area, and facilitates its future growth by designing and arranging buildings, public open space, transit, and street circulation in a manner that fosters around-the-clock pedestrian activity, serves the local and regional transit demands of the community, contributes to the urban revitalization of the City of Miami, and encourages public service, infrastructure, or public benefit components to address the needs of a growing population.

* * *

[[~~(I)~~]] ~~*Platting.* Separate parcels located within the sub-zone and made subject to a unity of title or covenant in lieu of unity of title shall not be deemed a subdivision and shall be exempt from the platting requirements of Chapter 28.~~

(J) ~~*Conflicts.* The development review procedures, standards, and criteria set forth in this Section 33C-10 shall govern in the event of conflicts with other zoning, subdivision or landscape regulations of the Miami Dade County Code or with the Miami Dade County Public Works Manual.~~

(~~K~~)>>(H)<< *Amendments.* At least six [~~(6)~~] weeks prior to the scheduled public hearing of any amendments to this >>section<< [[~~Section~~]] 33C-10, the County shall mail or e-mail a copy of the proposed ordinance to the City Clerk and the City Attorney of the City of Miami. The communication to the City shall include the date of the scheduled public hearing.

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

* * *

- (D) *Development regulations.* The following development regulations shall apply to all development within the subzone.

* * *

- (2) Setbacks, floor plate, and lot size:

- (a) Due to the unique characteristics associated with the high-density or high-intensity, mixed-use developments contemplated for this subzone, there shall be no minimum setback from ~~[[streets,]]~~ interior/rear property lines~~[[,]]~~ and park rights-of-way~~>>~~, and the street setback shall be no more than is necessary to ensure a minimum 15-foot-wide continuous sidewalk along all streets.
- (i) The street setback may be further reduced to accommodate a sidewalk width of 10 feet if approved pursuant to the plan review required by subsection (F).
- (ii) No street setback shall be required where a colonnade open to the street is provided with an equivalent sidewalk area, which sidewalk area may be reduced to 10 feet if approved pursuant to the plan review required by subsection (F)<<.

* * *

- (7) *Signs:* Signs visible from public rights-of-way or public areas shall comply with ~~>>section 33C-3.2<< [[Section 33-284.87]]~~, except that Class C signs may be permitted in accordance with Section 33-107~~[[, and a]]>>~~.
- (a) A<< maximum of seven murals may be approved in this Subzone.
- ~~>>~~(b)~~<<~~ The signage plan submitted with the application for final site plan review shall contain criteria, locations, and sizes of signs.

* * *

- (F) *Plan Review Standards.* These plan review standards are intended to: (i) encourage the creation of development within the Government Center Subzone, which acts as a significant gateway for, and destination to, the Miami-Dade Government Center area; and (ii) facilitate future growth in the Government Center Subzone by designing and arranging buildings, public open space, transit, and street circulation in a manner that fosters around-the-clock pedestrian activity, serves the local and regional transit demands of the community, and contributes to the urban revitalization of the downtown area.

* * *

- (7) >>For developments located in the City of Miami, proposed<< ~~[[Proposed]]~~ building scale should be in harmony with building scales allowed by applicable City of Miami regulations for surrounding properties.

>>(8)<< Buildings and their landscapes shall be built to the sidewalk edge in a manner that frames the adjacent street to create public space in the street corridor that is comfortable and interesting, as well as safe for pedestrians. Architectural elements at street level shall have abundant fenestration, windows and doors and design elements that create interest for the pedestrian.

>>(9)<<~~[(8)]~~ Proposed development in the subzone shall provide connections via bridges, paths, sidewalks, or a combination of such features to adjacent or nearby Metrorail and Metromover systems >>and other transit facilities<< .

- (G) *Review and approval process.* >>Applications for development shall be governed section 33C-3.1, which is incorporated by reference herein, except that the applicable development and plan review standards shall be those set forth in this section.<< ~~[[Notwithstanding any other provisions in this chapter, the review procedure for development within the Government Center Subzone shall be as follows:~~

~~(1) Initial Review.~~

- ~~(a) Pre-application Conference. The applicant shall participate in at least one pre-application conference coordinated by the Department with the participation of the members of the Developmental Impact Committee as provided in Section 33-303.1(A)(1) to (9) (the "DIC Lower Council").~~
- ~~(b) Following the pre-application conference, the uses enumerated in section 33C-3(B)(2), and civic uses permitted under subsection 33C-11(C)(2) that are governmental facilities as defined in section 33-303(b)(1), may be approved in accordance with the procedures for approval of governmental facilities set forth in section 33-303.~~
- ~~(c) Application for public hearing. Following the pre-application conference, a request to approve development of the uses enumerated in subsection 33C-11(C)(2) within the Government Center Subzone, except civic uses to the extent provided above, shall be made by filing an application with the Department in accordance with the provisions of Section 33-304. Said application shall be considered a special exception for a general development plan to be considered and acted upon directly by the Board of County Commissioners pursuant to the development regulations established in this section. Applications shall be subject to the procedures set forth in Chapter 33, Article XXXVI.~~
- ~~(d) Required exhibits. The following exhibits shall be submitted with the application:
 - ~~(i) Written exhibits: A narrative describing the properties to be included within the site plan, vision statement, consistency with the intent~~~~

~~and purpose of these regulations, statement of conformance with these regulations, overall size and location, relevance to the region, connection to the surrounding urban context and rapid transit system, economic impact on the local economy, and any additional information necessary to explain the development.~~

- (ii) ~~Graphic exhibits: A plan depicting the properties to be included in the subzone, the roadway network surrounding the properties, the pedestrian connections to the Government Center Metrorail Station, size and folio of each property, and any additional information specified at the pre-application conference to evaluate the character and impact of the proposed development.~~

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

- (a) ~~The Department shall review plans, including the exhibits listed below, for completeness and compliance with the applicable provisions of this chapter and for compliance with the site plan review criteria provided herein.~~
- (b) ~~Additionally, all applications shall be reviewed by the County departments that comprise the Lower Council DIC and other relevant County entities for potential impacts on infrastructure and other services resulting from the application. If the application indicates impacts on services and~~

~~infrastructure provided by any of the foregoing, the applicant shall meet with the affected department or entity to discuss potential mitigation of the impacts and shall submit evidence to the Department of such discussion.~~

~~(c) The Director shall issue a final decision within 21 days of the date of submission of the completed application. The applicant shall have the right to extend the 21 day period by an additional 21 days upon request made in writing to the Department. The Department shall have the right to extend the 21 day period by written notice to the applicant that additional information is needed. Denials shall be in writing and shall specifically set forth the grounds for the denial.~~

~~(d) Any final decision of the Director may be appealed in accordance with Section 33-314 pertaining to appeals of administrative decisions.~~

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

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

~~(a) Lot lines and setbacks;~~

~~(b) Location, shape, size and height of existing and proposed buildings, structures, open~~

~~spaces/recreational facilities
and other physical features
that are proposed;~~

- ~~(c) Floor Area Ratio;~~
- ~~(d) Total square footage for each
use by type, as applicable (i.e.
residential uses, office uses);
and total number of
residential units;~~
- ~~(e) Existing and proposed fences,
walls, architectural accents, or
street furniture, if applicable,
and building exterior finish
material;~~
- ~~(f) Landscape plans, including
total number of trees required
and provided, specifications
of species of plant material,
location, and size in
accordance with this section
and Chapter 18A;~~
- ~~(g) Vehicular and pedestrian
circulation systems including
connections to existing or
proposed roadway and
sidewalk system and locations
for loading and unloading of
vehicular passengers;~~
- ~~(h) Location of on-street and off-
street parking, including total
number of parking spaces
required and provided;~~
- ~~(i) Location of loading facilities;~~
- ~~(j) Location of space for storage
and collection of solid waste
and recyclable material;~~

- (k) ~~Proposed grades if significantly altered;~~
- (l) ~~Location of backflow prevention devices and connections;~~
- (m) ~~Indication of any site design methods used to conserve energy;~~
- (n) ~~Existing and proposed signs, and locations of advertising or graphic features, if applicable;~~
- (o) ~~Sketches of design elements to be used for buffering surrounding uses, if applicable; and~~
- (p) ~~Development phase lines.~~
- (ii) ~~Floor plans and elevations of all structures and other major design elements, providing isometries or perspectives and, for residential uses, floor plans and elevations for typical units.~~
- (H) ~~*Platting.* Separate parcels located within the subzone and made subject to a unity of title or covenant in lieu of unity of title in accordance with Section 33-257 shall not be deemed a subdivision and shall be exempt from the platting requirements of Chapter 28.~~
- (I) ~~*Conflicts.* The development review procedures, standards, and criteria set forth in this section shall govern in the event of conflicts with other zoning, subdivision, or landscape regulations of this Code or with the Miami-Dade County Public Works Manual.]]~~

Sec. 33C-12. - Historic Overtown/Lyric Theatre Station Subzone.

* * *

(D) *Procedures for approval and development standards.*

- (1) Applications for development in the subzone shall be governed by the ~~[[pre-application and application]]~~ procedures and development standards relating to the >>DID Corridor<< ~~[[Brickell Station]]~~ Subzone, including the requirements for a supermajority vote of the Board in certain circumstances, as set forth in section >>33C-9<< ~~[[33C-10(D), (E), (F), (G), and (H)]]~~, which are incorporated by reference herein.
- (2) Notwithstanding the foregoing, County-owned properties in the subzone, as identified on Exhibit 20, shall be governed by the ~~[[pre-application and application]]~~ procedures and development standards relating to the Government Center Subzone, as set forth in section 33C-11(D), (E), (F), and (G), which are incorporated by reference herein.

~~[[E)] *Platting.* Separate parcels located within the subzone and made subject to a unity of title or covenant in lieu of unity of title shall not be deemed a subdivision and shall be exempt from the platting requirements of Chapter 28.~~

~~(F) *Conflicts.* The development review procedures, standards, and criteria set forth in this section shall govern in the event of conflicts with other zoning, subdivision, or landscape regulations of this code or with the Miami-Dade County Public Works Manual.]]~~

* * *

Sec. 33C-14. - Santa Clara Station Subzone.

* * *

(D) *Procedures for approval and development standards.*

- (1) Applications for development in the subzone shall be governed by the ~~[[pre-application and application]]~~ procedures and development standards relating to the >>DID Corridor<< ~~[[Brickell Station]]~~ Subzone, including the requirements for a supermajority vote of the Board in certain circumstances, as set forth in section >>33C-9<< ~~[[33C-10(D), (E), (F), (G), and (H)]]~~, which are incorporated by reference herein.

- (2) Notwithstanding the foregoing, any County-owned properties in the subzone shall be governed by the ~~[[pre-application and application]]~~ procedures and development standards relating to the Government Center Subzone, as set forth in section 33C-11(D), (E), (F), and (G), which are incorporated by reference herein.

~~[(E) *Platting.* Separate parcels located within the subzone and made subject to a unity of title or covenant in lieu of unity of title shall not be deemed a subdivision and shall be exempt from the platting requirements of Chapter 28.~~

~~(F) *Conflicts.* The development review procedures, standards, and criteria set forth in this section shall govern in the event of a conflict with other zoning, subdivision, or landscape regulations of this code or with the Miami Dade County Public Works Manual.]]~~

Sec. 33C-15. Metromover Subzone.

* * *

- (D) *Procedures for approval and development standards.* Applications for development in the subzone shall be governed by the ~~[[pre-application and application]]~~ procedures and development standards relating to the Government Center Subzone, as set forth in section 33C-11(D), (E), (F), and (G), which are incorporated by reference herein.

* * *

~~[(E) *Platting.* Separate parcels located within the subzone and made subject to a unity of title or covenant in lieu of unity of title shall not be deemed a subdivision and shall be exempt from the platting requirements of chapter 28.~~

~~(F) *Conflicts.* The development review procedures, standards, and criteria set forth in this section shall govern in the event of a conflict with other zoning, subdivision, or landscape regulations of this code or with the Miami Dade County Public Works Manual.]]~~

Sec. 33C-16. - Dolphin Station Subzone.

* * *

- (D) *Procedures for approval and development standards.* Applications for development in the subzone shall be governed by the ~~[[pre-application and application]]~~ procedures and development standards relating to the Government Center Subzone, as set forth in Section 33C-11(D), (E), (F), and (G), which are incorporated by reference herein, subject to the following:

* * *

- ~~[(E) *Platting.* Separate parcels located within the subzone and made subject to a unity of title or covenant in lieu of unity of title shall not be deemed a subdivision and shall be exempt from the platting requirements of Chapter 28.~~
- (F) ~~*Conflicts.* The development review procedures, standards, and criteria set forth in this section shall govern in the event of a conflict with other zoning, subdivision, or landscape regulations of this code or with the Miami Dade County Public Works Manual.]]~~

>>Sec. 33C-17. – Palmetto Station Subzone.

- (A) *Purpose and intent.* The following development review standards and criteria shall govern applications for initial plan approval of the general site development plan, and applications for final site plan review, for all development to be located within the boundaries of the Palmetto Station Subzone established in this section. These standards are consistent with, and support, the CDMP’s policies requiring development of rapid transit station sites and surrounding properties based on the density and intensity standards applicable to community urban centers.
- (B) *Boundaries.* The Palmetto Station Subzone of the Rapid Transit Zone is hereby established; the boundaries of the subzone are identified in Exhibit 24 of section 33C-2. The legal description and a full-scale map of the boundaries are on file with the Department.

(C) Permitted uses. Permitted uses shall be in accordance with section 33C-11(C) relating to the Government Center Subzone, which is incorporated by reference herein, subject to the following:

- (1) Notwithstanding the maximum density permitted by the CDMP, residential density shall not exceed 125 dwelling units per acre.
- (2) The following additional uses are permitted:
 - (a) Hospitals;
 - (b) Laboratories;
 - (c) Life science uses;
 - (d) Nursing homes;
 - (e) Schools; and
 - (f) Urgent care centers.

(D) Procedures for approval and development standards. Applications for development in the subzone shall be governed by the procedures and development standards relating to the Government Center Subzone, as set forth in Section 33C-11(D), (E), (F), and (G), which are incorporated by reference herein, subject to the following:

- (1) Parking. Notwithstanding any provision to the contrary, residential uses shall provide at least 1 space per dwelling unit.
- (2) Building Height. The maximum building height shall be the lower of 25 stories or the maximum allowed by MDAD in accordance with article XXXVII of chapter 33.
- (3) Signs. Notwithstanding any provision to the contrary, murals shall not be allowed in this subzone.

- (4) Architectural Expression. Notwithstanding any other provision to the contrary, the minimum glazing for building facades facing public and private street rights-of-way or public open space or both shall be 30 percent.<<

Section 3. Section 33-314 of the Code of Miami-Dade County, Florida is hereby amended as follows:

Sec. 33-314. Direct applications and appeals to the County Commission.

* * *

- (C) The County Commission shall have jurisdiction to directly hear other applications as follows:

* * *

- (6) Applications for appeals of administrative decisions.
>>(a)<< Upon application, hear and decide appeals where it is alleged there is an error in any order, requirement, decision, or determination made by an administrative official in the interpretation of any portion of the regulations >>of this chapter or chapter 33C<<, or of any final decision adopted by resolution >>pursuant those chapters<<, except appeals of administrative site plan review, or appeals of administrative variances pursuant to the provisions of >>section<< ~~[[Section]]~~ 33-36.1, >>where this chapter provides for such<< ~~[[said]]~~ appeals first being under the jurisdiction of the Community Zoning Appeals Board (CZAB).
>>(b)<< It is provided, however, that where zoning requests that would ordinarily be heard before the CZAB are joined with a request for an appeal of an administrative decision, the zoning requests shall remain pending before the CZAB until the appeal of the administrative decision has been determined by the County Commission.

* * *

- (9) Upon application for, hear and decide appeals of decisions of the Rapid Transit Developmental Impact Committee pursuant to chapter 33C.

* * *

- (20) Applications >>for development in the RTZ District, or for review of decisions regarding development in the RTZ District, as<< [[for special exception for a general site development plan within the Government Center Subzone or Metromover Subzone of the Rapid Transit Zone, or as otherwise]] provided in chapter 33C.

* * *

Section 4. Section 33C-13 of the Code of Miami-Dade County, Florida, is hereby renumbered as section 33C-3.2.

Section 5. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 6. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any sunset provision, shall become and be made a part of the Code of Miami-Dade County, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

Section 7. This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

PASSED AND ADOPTED:

Approved by County Attorney as
to form and legal sufficiency:

Prepared by:

Dennis A. Kerbel

Prime Sponsor: Vice-Chairman Oliver G. Gilbert, III


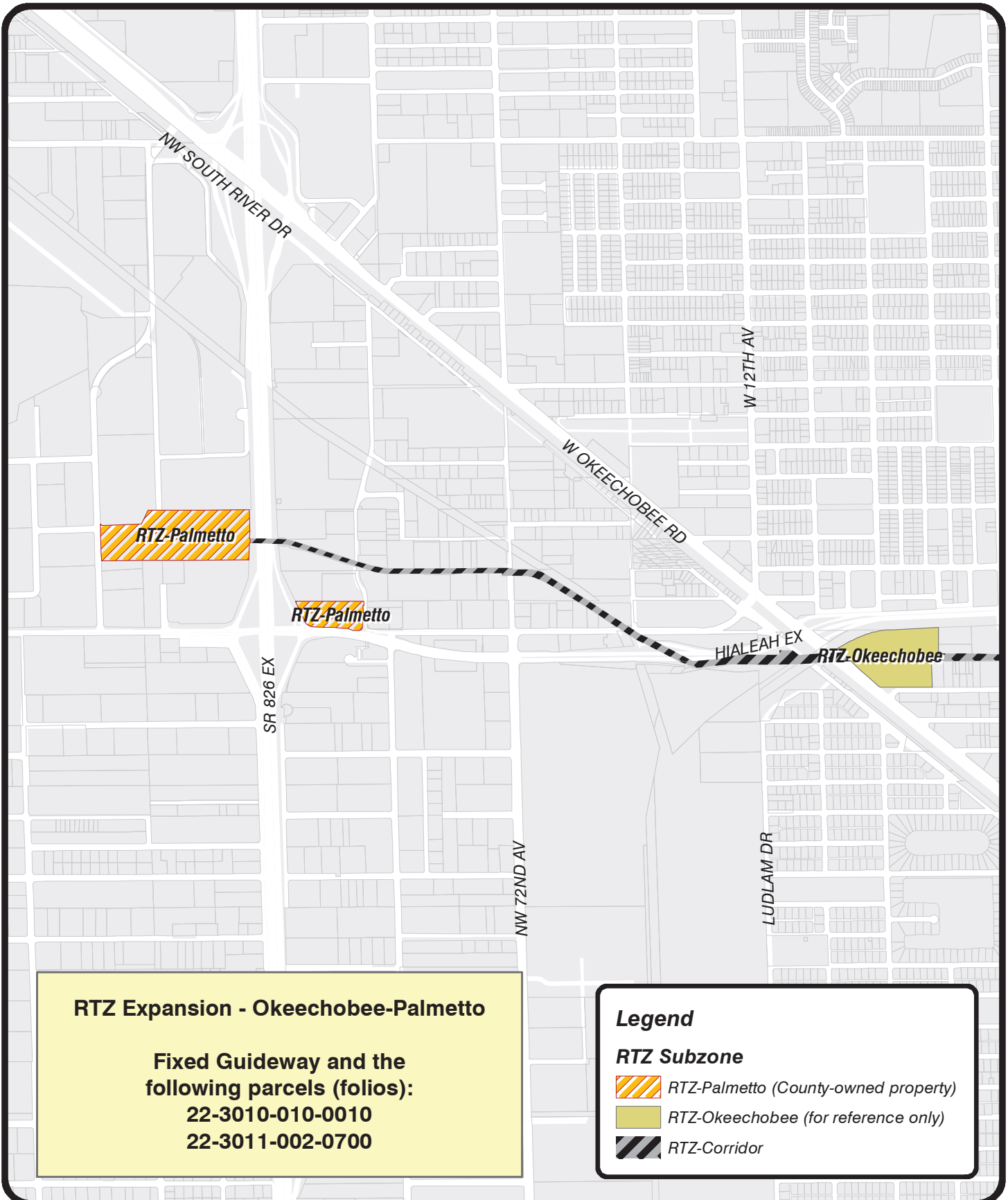
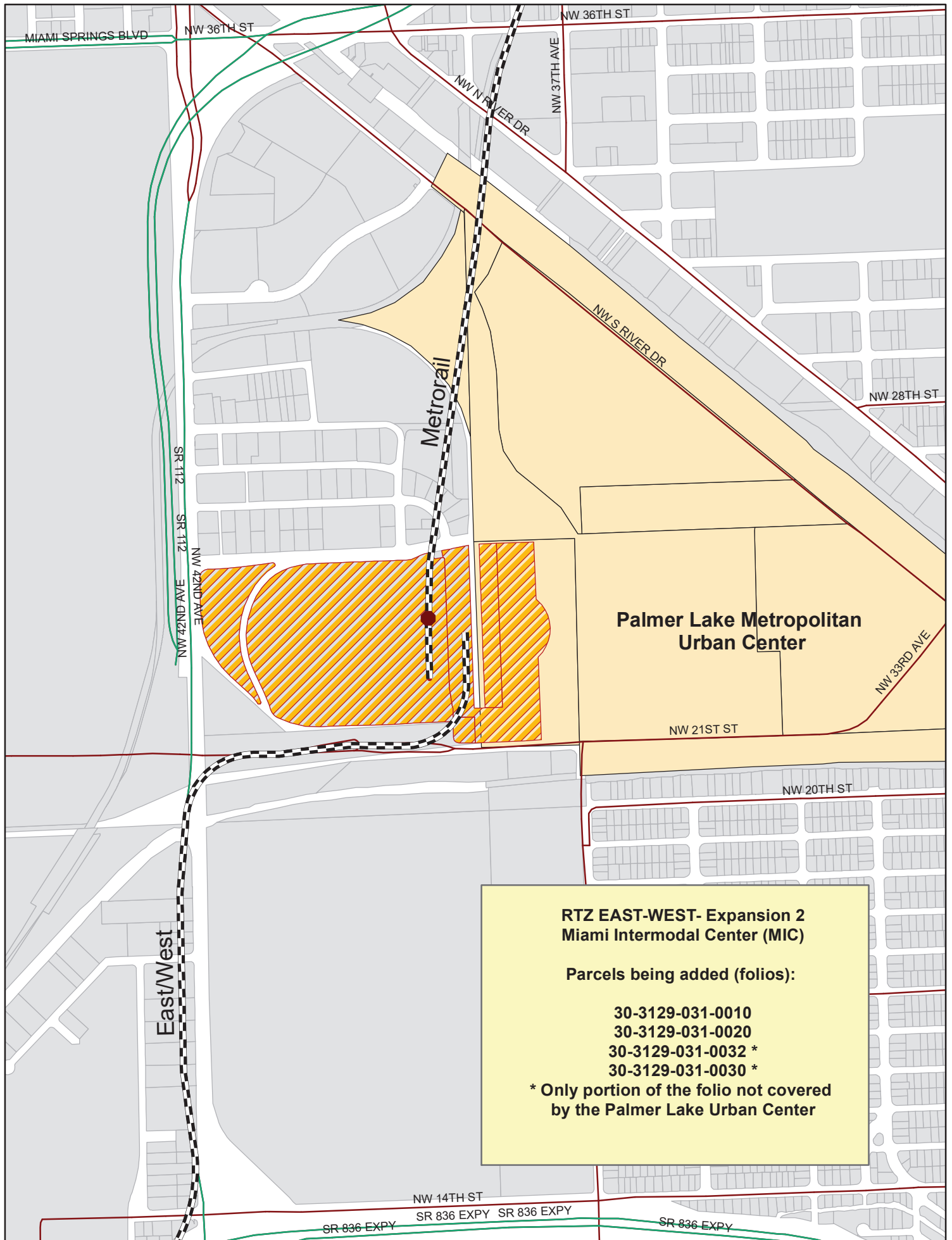
GKS For GBK


EXHIBIT 24



※Full scale maps are on file with the department



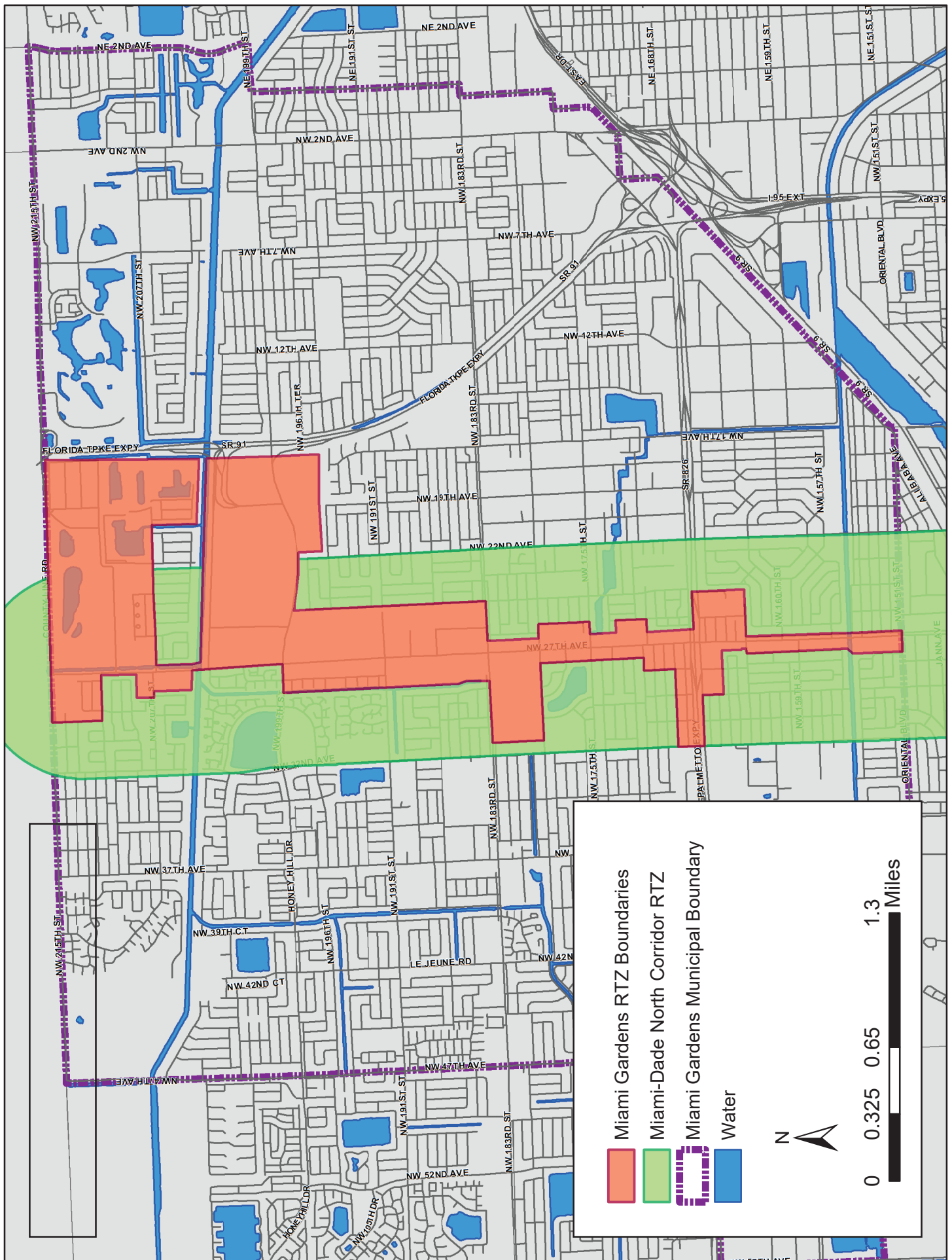
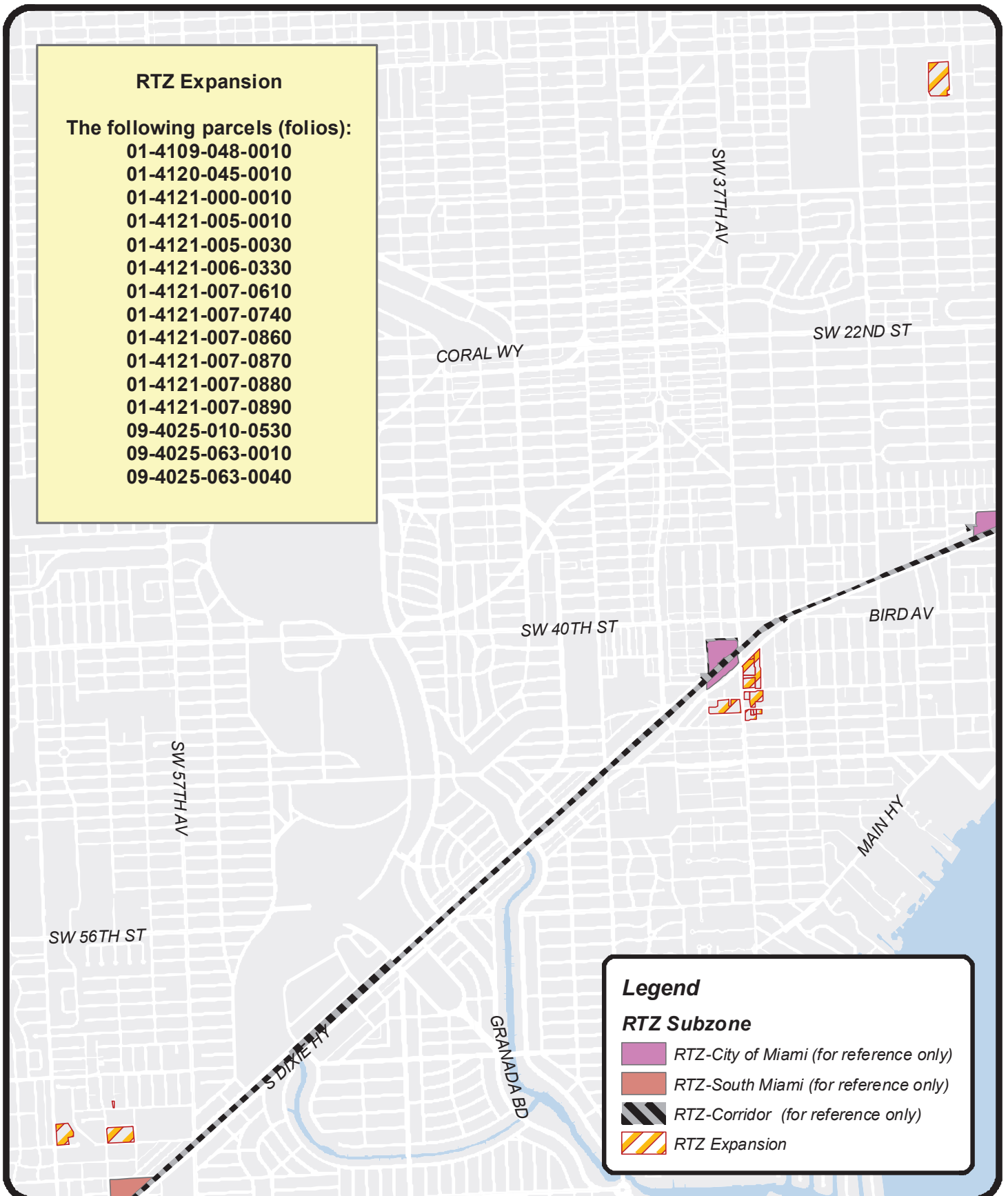
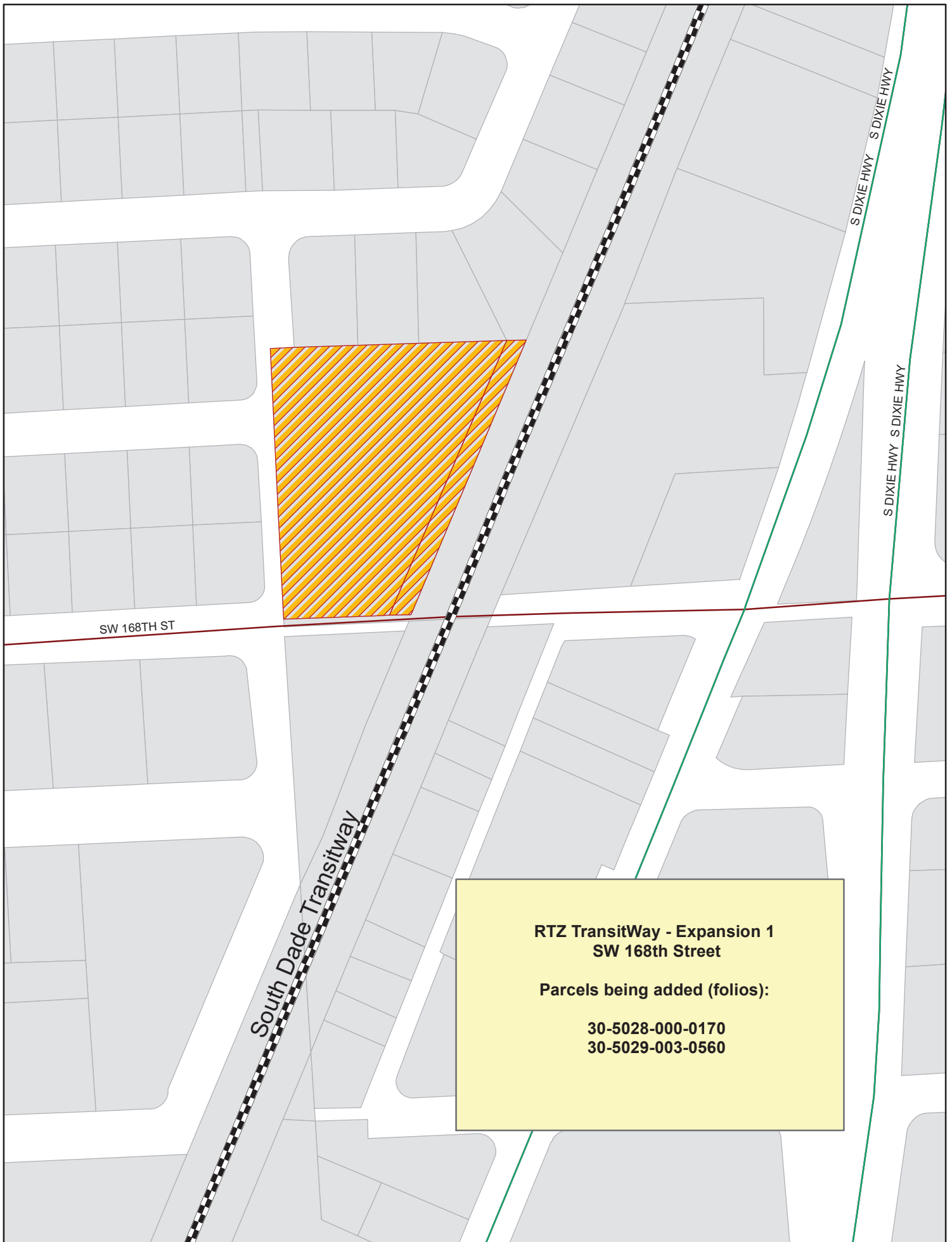


EXHIBIT 27



※Full scale maps are on file with the department

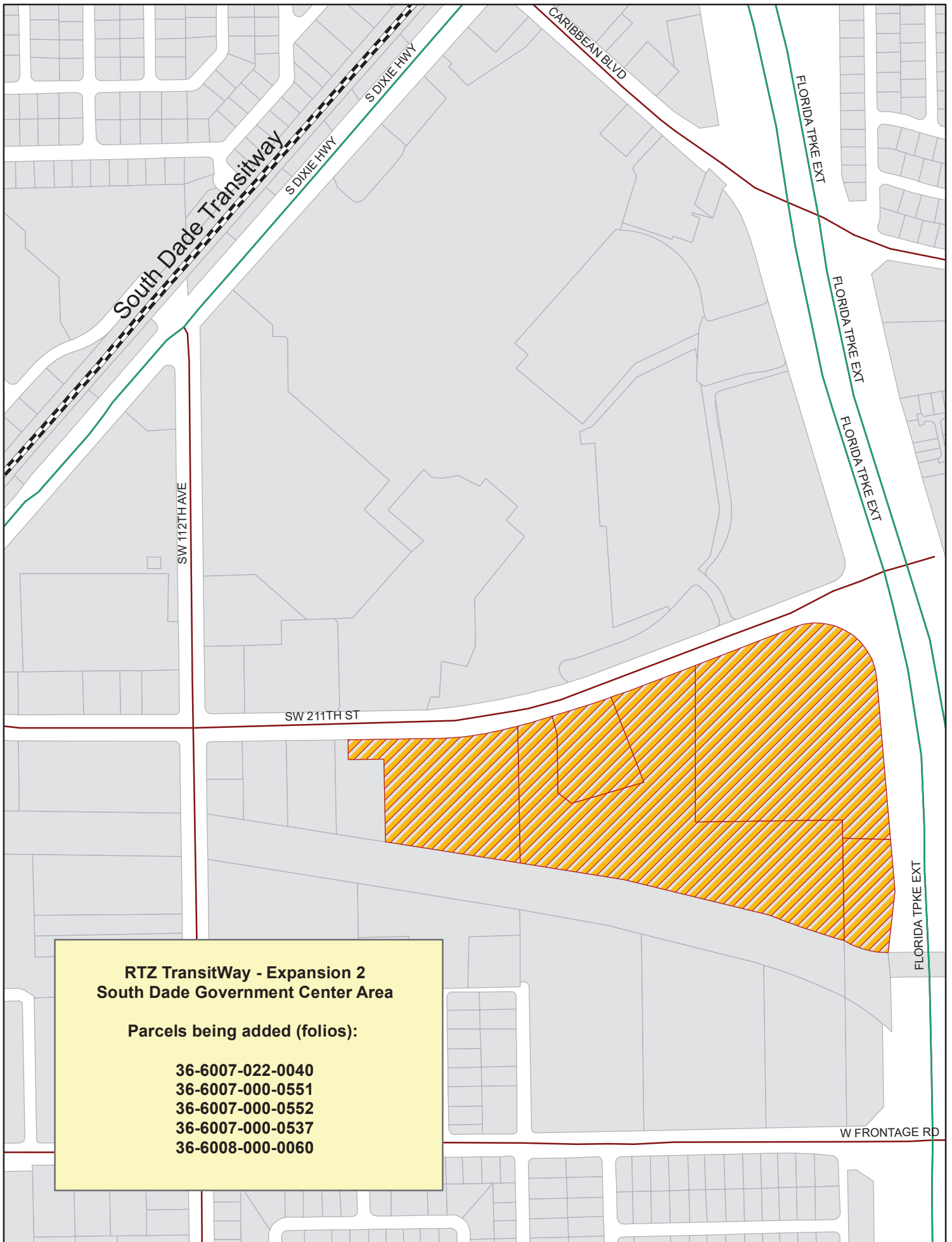


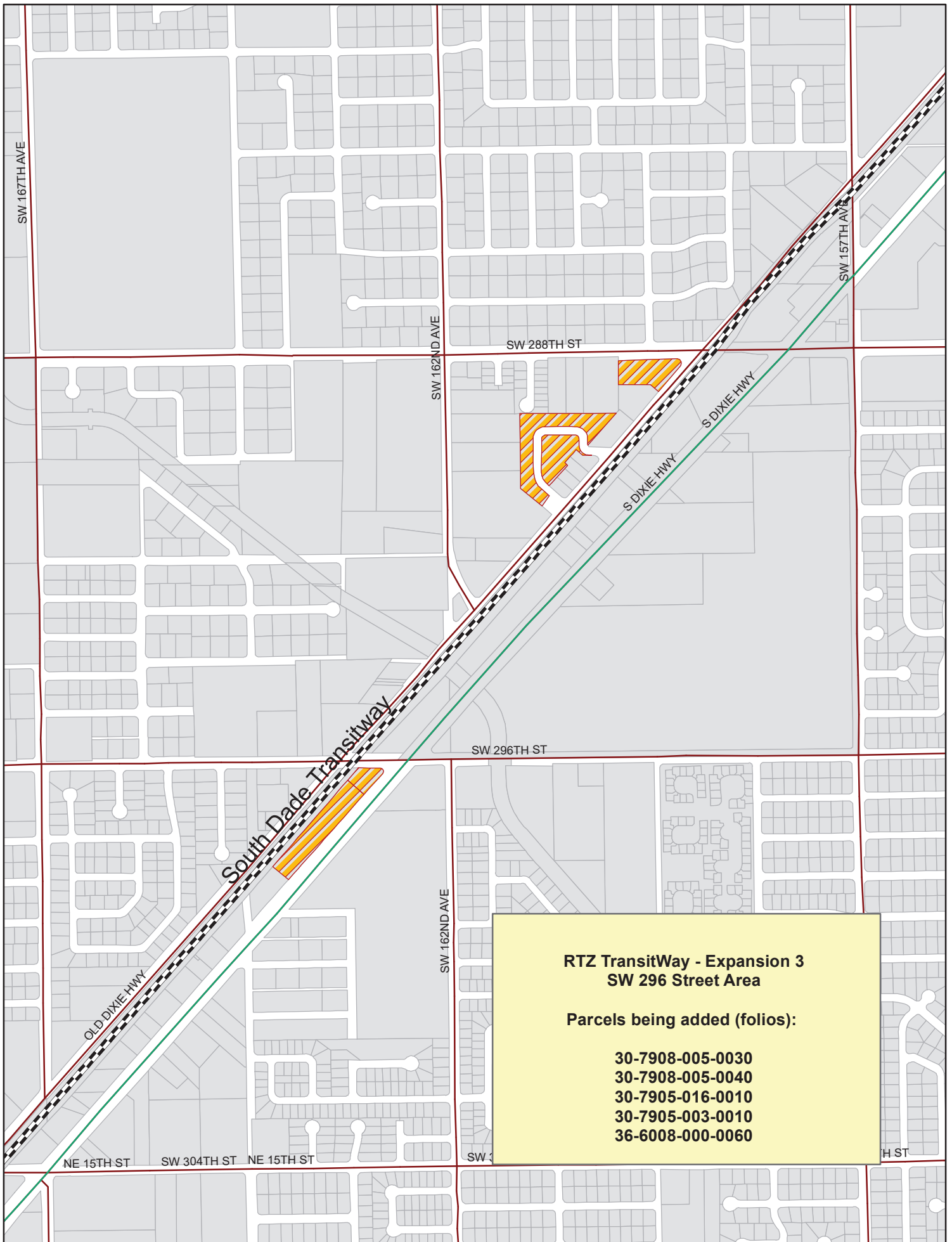


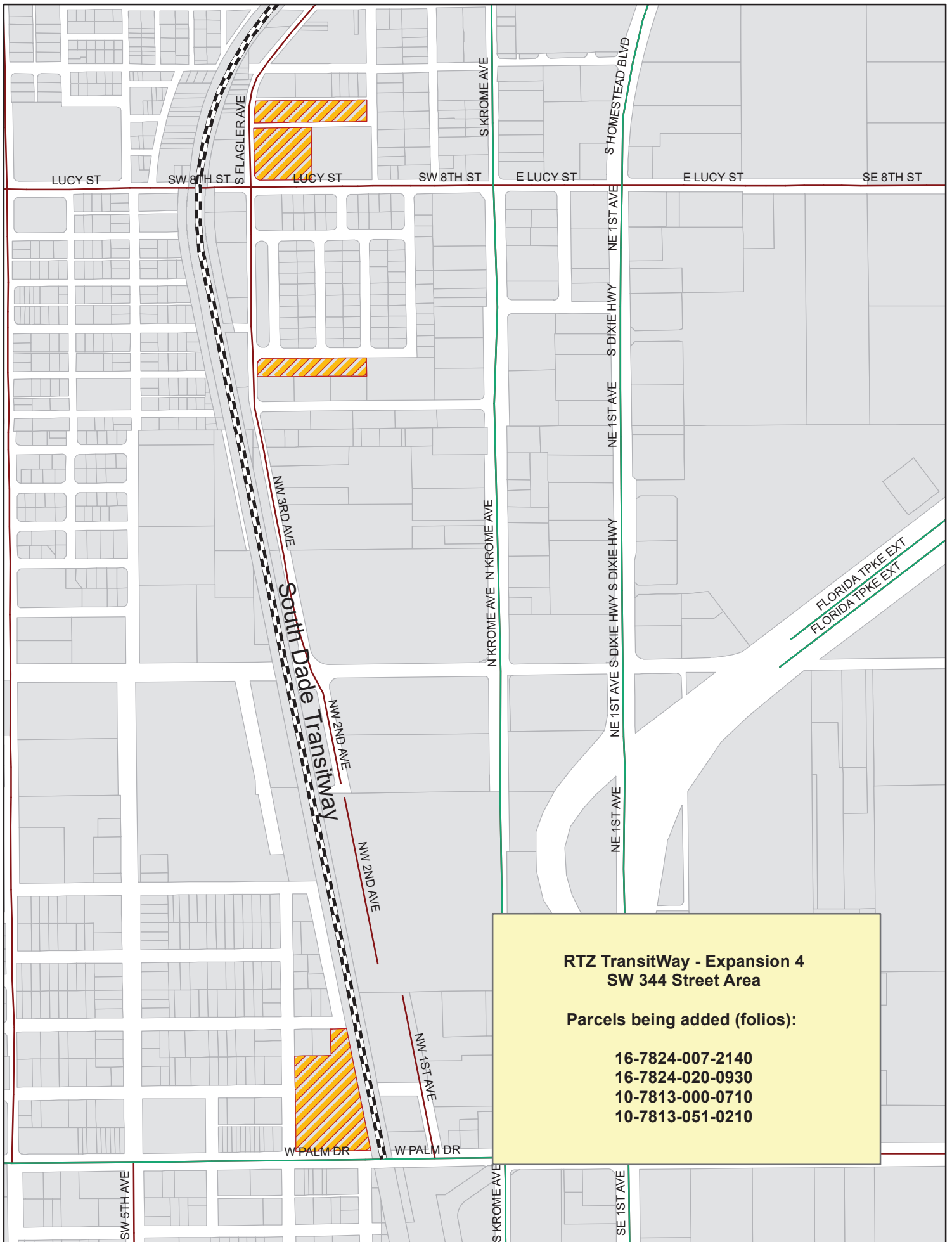
**RTZ TransitWay - Expansion 1
SW 168th Street**

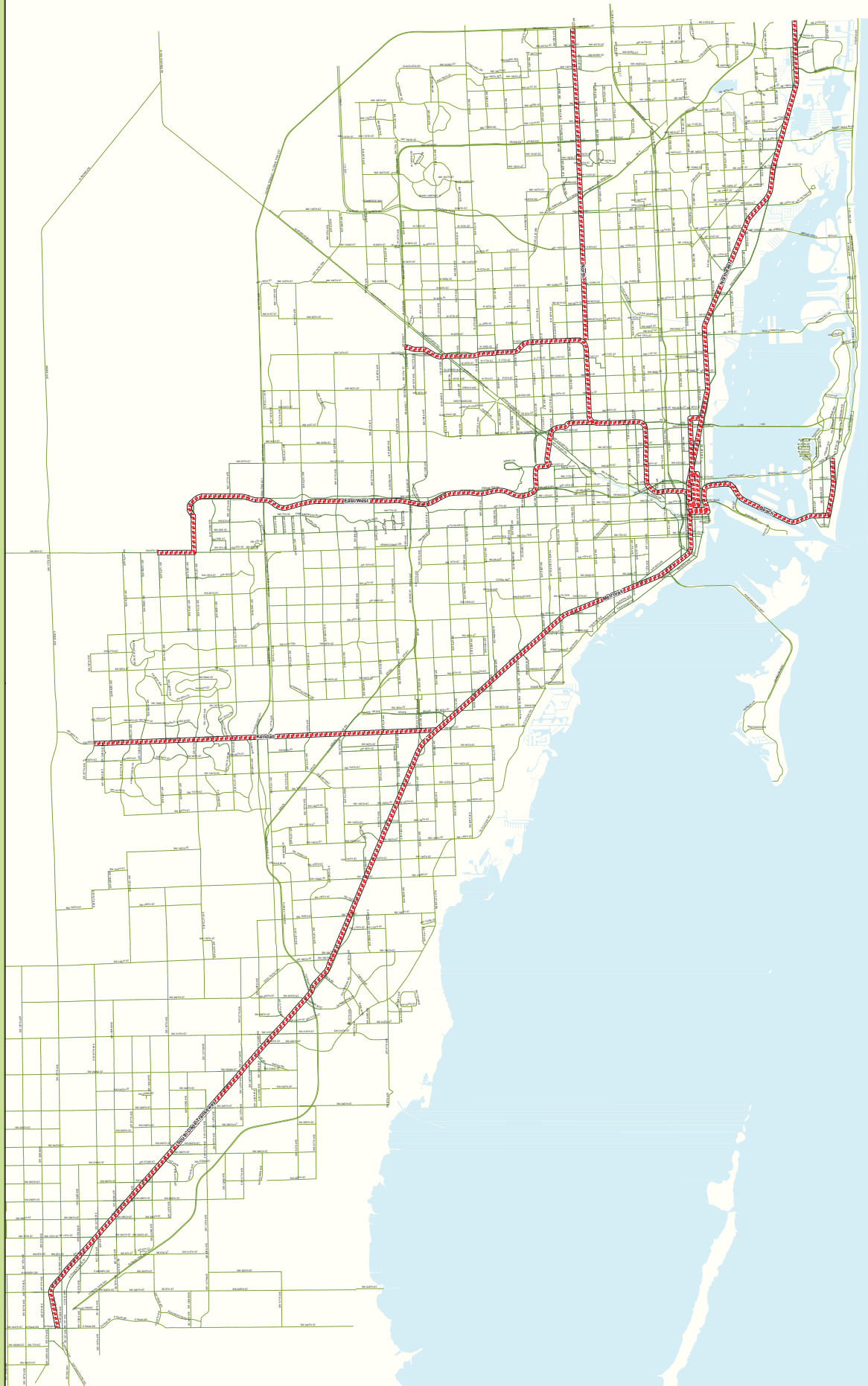
Parcels being added (folios):

**30-5028-000-0170
30-5029-003-0560**









Legend
 SMART Plan Corridor
 Major Road
 Coastal Water

EXHIBIT 32 - STRATEGIC MIAMI AREA RAPID TRANSIT (SMART) PLAN CORRIDORS



78

0 1 2 Miles