

Approved _____ Mayor _____

Agenda Item No. _____

Veto _____

Override _____

ORDINANCE NO. _____

ORDINANCE RELATING TO THE FIXED-GUIDEWAY 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 EXISTING METRORAIL CORRIDORS, THE EXISTING PALMETTO AND DOLPHIN METRORAIL STATIONS, THE MIAMI INTERMODAL CENTER, THE SOUTH DADE BUSWAY, ALL PLANNED SMART PLAN CORRIDORS, AND CERTAIN PROPERTIES ADJACENT OR NEARBY THERETO; CREATING THE SMART CORRIDOR SUBZONE OF THE RTZ DISTRICT; PROVIDING USES, REGULATORY FRAMEWORK, SITE PLAN REVIEW STANDARDS, AND PROCEDURES FOR ZONING APPROVAL IN THE SMART CORRIDOR SUBZONE; AMENDING PROCEDURES FOR OTHER SUBZONES AND NON-METRORAIL DEVELOPMENT AREAS BASED ON SMART CORRIDOR SUBZONE PROCEDURES; AMENDING SECTION 33-314; PROVIDING FOR COUNTY COMMISSION JURISDICTION OVER SMART CORRIDOR SUBZONE APPLICATIONS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

WHEREAS, the Rapid Transit Zone and the RTZ zoning district over which the County exercises regulatory and other jurisdiction pursuant to chapter 33C should be amended to include all existing Metrorail corridors not already defined in chapter 33C, the existing Palmetto and Dolphin Stations, the Miami Intermodal Center, the South Dade Busway, the SMART Plan corridors, and certain County-owned properties adjacent or nearby thereto; and

WHEREAS, this Board also wishes to create a new subzone, named the SMART Corridor Subzone, to provide default development standards for all new lands being included within the

RTZ District in this ordinance and in any future expansions of the Rapid Transit Zone and to provide a default procedure to consider applications for development in the RTZ district; and

WHEREAS, the new SMART Corridor Subzone application procedures recognize 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 maintain greater regulatory control over development

WHEREAS, to provide for certainty and consistency for all development applications within the RTZ district, the procedures for all existing subzones are also being amended to instead use the new SMART Corridor Subzone applications procedures,

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

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

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

* * *

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:

* * *

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.

>>(14) Workforce housing unit or WHU shall be as defined in section 33-193.6.<<

(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; ~~[[and]]~~ Exhibits 22(A) and 22(B), >>April 30<< ~~[[March 26]]~~, 2021>>; and Exhibits _____, [insert effective date of this ordinance]<<.

* * *

(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; 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.<<

Sec. 33C-3. Rapid Transit Zone (RTZ) District>>; land development regulations; SMART Corridor Subzone; review and approval procedures<<.

- (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 Rapid Transit Zone (RTZ) District, except as provided in this chapter.

* * *

>>(C) SMART Corridor Subzone; additional permitted uses and development standards. Except where (i) assigned to a specific subzone in this chapter, (ii) included within an urban center or urban area district pursuant to chapter 33, or (iii) provided for otherwise in this chapter, all 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 the development standards set forth in this subsection and the procedures set forth in subsection (E).

(1) *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) Where the applicable portion of the SMART Corridor Subzone is located within a municipality, the provisions of this section shall be a minimum standard.
- (c) A municipality may, by ordinance, adopt:
 - (i) its own development standards, provided that such standards require at least as much density of residential development and intensity of non-residential development as is provided herein; and
 - (ii) its own procedures for review and approval of zoning applications, subject to the minimum requirements set forth in subsection (E).
- (d) A municipality that adopts an ordinance adopting development standards, procedures, or both shall submit such ordinance to the County Mayor or County Mayor's designee within 30 days of adoption.
- (e) A municipality that does not adopt its own standards or procedures shall be responsible for administering and enforcing the provisions of this section within the SMART Corridor Subzone.

(2) *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 33-1.

Except where otherwise specified herein, uses shall be as defined in section 33-284.83(B).

- (a) Accommodation uses.
- (b) General retail/personal service establishments.
- (c) Professional business offices.
- (d) Residential uses, including group residential homes subject to requirements for the MC category.
- (e) Entertainment uses, except adult entertainment.
- (f) Food/beverage establishments.
- (g) Rental car facilities.
- (h) Commercial parking garages and surface parking lots.
- (i) Institutional uses, including civic uses, colleges and universities, child-care facilities, religious facilities, and schools (K-12).
- (j) Health care services, except hospitals.
- (k) Public parks and open spaces.
- (l) Industrial uses as permitted in section 33-259, subject to the following requirements:
 - (i) 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
 - (ii) The proposed industrial use is mixed with one or more other allowed uses, either in vertical or horizontal mixed-use developments.
- (m) Other similar uses, as determined by the Director.

- (2) Workforce housing requirement. All residential or mixed-use 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.
- (3) Density and building height. The CDMP provides different policies for development density and intensity for different areas within the SMART Corridor Subzone. In accordance with those

policies, the maximum density and building height allowed shall be as set forth in the following tables:

(a) For properties located within the radius of an urban center as designated on the CDMP Land Use Plan map:

(i) The following table applies:

<u>CDMP Urban Center Designation</u>	<u>Maximum Allowed Density (Units per Acre)</u>	<u>Maximum Allowed Height (Stories)</u>
<u>Community</u>	<u>125</u>	<u>15</u>
<u>Metropolitan</u>	<u>250</u>	<u>25</u>
<u>Regional</u>	<u>500</u>	<u>Note 1</u>
<u>Note 1: Maximum allowed height determined by Miami-Dade Aviation (MDAD)</u>		

(ii) Floor area ratio is not limited.

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

(i) 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 (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>Up to 2.0</u>	<u>6</u>
<u>Between one-quarter mile and one-half mile of RTAC</u>	<u>36</u>	<u>Up to 1.5</u>	<u>6</u>
<u>Between one-half mile and one mile of RTAC</u>	<u>18</u>	<u>Up to 1.25</u>	<u>6</u>

(ii) Additional density, floor area ratio, and height may be available in accordance with the applicable CDMP Land Use Plan map designation. In that event, maximum height shall be as set forth in section

33-493(2) for the Mixed-Use
Corridor District (MCD).

(4) Building Placement Standards and General Requirements.

- (a) The building placement standards and general requirements applicable to the MCD, as set forth in section 33-493(3) and (4), shall govern.
- (b) 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.

(5) Greater density or intensity recognized. Notwithstanding any other provision to the contrary, where the applicable County or municipal comprehensive plan or land use plan map designation would permit greater allowances for density, height, floor area ratio, or combination thereof than is provided in this chapter, the subject property may be developed in accordance with such greater allowances.

(6) Signs. Signs shall be in accordance with section 33-284.87.

(D) Review and approval procedures for development in SMART Corridor Subzone in unincorporated area. Except as provided in section 33C-5, and notwithstanding any other provisions in this chapter or chapter 33 to the contrary, all proposed development within the SMART Corridor Subzone shall be reviewed in accordance with the following procedures:

- (1) Initial Review. The first step shall be the filing of an application for a special exception for a general development plan, in accordance with the following:
 - (a) 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).

- (b) 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.
- (c) *Application for public hearing.* Following the pre-application conference, a request to approve additional permitted uses enumerated in subsection (C)(1) above, except civic uses to the extent provided above, shall be made by filing an application with the Department in accordance with 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 and section 33-314. 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 the 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 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.

- (2) *Final Review - Administrative Site Plan Review.*
Final review for all or a portion of the development within the SMART Corridor Subzone 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:
- (a) Floor Area Ratio.
 - (b) Total square footage for each use by type, as applicable (i.e. residential uses, office uses).
 - (c) Total number of residential units, including identifying the number of affordable or workforce housing units where applicable.
 - (d) Existing and proposed fences, walls, architectural accents, or street furniture, if applicable.
 - (e) Vehicular and pedestrian circulation systems, including connection(s) to existing or proposed roadway and sidewalk system and connections via bridges, paths, sidewalks, or a combination thereof to adjacent or nearby rapid transit stations or systems.
 - (f) Total number of parking spaces required and provided.
 - (g) Location of space for storage and collection of solid waste and recyclable material.
 - (h) Proposed grades, if significantly altered.
 - (i) Sketches of design elements to be used for buffering surrounding uses, if applicable.
 - (j) Development phase lines.
 - (k) For floor plans and elevations, provide isometrics or perspectives. For residential

- uses, provide floor plans and elevations for typical units.
- (1) 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.
 - (3) Modifications to an approved general development plan or conditions thereto shall also be subject to the foregoing procedures.
- (E) Review and approval procedures for development in SMART Corridor Subzone in incorporated areas; appeal to the Board of County Commissioners. All zoning inquiries and applications for zoning action for properties within the SMART Corridor Subzone that are located within a municipality shall be submitted to and reviewed by the applicable municipality. Except as provided in section 33C-5, applications for development pursuant to this chapter, or for modifications to an approved plan or conditions thereto, shall be processed in accordance with the following:
- (1) Initial review by municipality. An application for special exception for a general development plan, or modification to an approved plan or conditions thereto, shall be reviewed in accordance with the procedures set forth in subsection (D) for initial review.
 - (2) Appeal to the Board of County Commissioners – initial review.
 - (a) Notwithstanding any provision of chapter 33, this chapter, or applicable municipal regulation to the contrary, any aggrieved or adversely affected party may appeal the municipality’s final decision on initial review of an application for special exception for a general development plan to the Board of County Commissioners.
 - (b) Appeal applications shall be noticed and heard in accordance with article XXXVI of chapter 33 and shall be considered de novo.
 - (c) The Board of County Commissioners may affirm, modify, or reverse the decision of the municipality.

- (i) The decision to affirm the municipality may be by majority vote of all members present.
 - (ii) The decision to modify or reverse the municipality shall require the affirmative vote of two-thirds of all members present.
 - (d) The decision by the Board of County Commissioners shall be the final decision on the subject application, and upon such decision becoming final in accordance with the County's rules and regulations, it may only be reviewed by a court of competent jurisdiction.
- (3) Final review by municipality.
 - (a) An application for final review shall be reviewed in accordance with the ASPR procedures set forth in subsection (D).
 - (b) Any aggrieved or adversely affected party may appeal the final decision of a municipality on final review to the Board of County Commissioners. Such appeals shall be governed by paragraph (2) above.
- (4) Alternative procedures adopted by municipal ordinance. A municipality may, by ordinance, adopt its own procedures for review and approval of zoning applications in the SMART Corridor Subzone, provided that any such ordinance requires:
 - (a) At least one quasi-judicial public hearing on the application; and
 - (b) That final quasi-judicial decisions and final administrative decisions on applications related to the SMART Corridor Subzone may be appealed to the Board of County Commissioners in accordance with this subsection (E).
- (F) Application for 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 shall be to

the Rapid Transit Developmental Impact Committee in accordance with section 33C-6.

- (G) Platting. Separate parcels located within the SMART Corridor 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 and the County Attorney as provided therein for the unincorporated area or, in the incorporated areas, of their municipal equivalents.
- (H) 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, applicable municipal code, or with the Miami-Dade County Public Works Manual.<<

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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), applications<< [[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 >>SADD Program 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 >>(RTDIC)<< 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.

- (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, all<< [[AH]] such prior regulations shall be administered by the County pursuant to its regulatory jurisdiction as set forth in this chapter.
 - >>(b) For properties added to the RTZ District after April 30, 2021, all such prior regulations, including applications for special exceptions, unusual uses, or variances, shall continue to be administered by the County or by the municipal zoning authority, as applicable. It is provided, however, that no change in zoning district shall be approved, and that any such application shall instead be considered as an application for a special exception for a general development plan pursuant to section 33C-3.<<
- (2) Notwithstanding any such prior regulations or other provisions to the contrary, >>for properties included in the RTZ District as of April 30, 2021,<< 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, >>for properties included in the RTZ District as of April 30, 2021,<< 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:

(i) properties that are zoned for no more than, or are developed with, single-family or two-family residences; and

(ii) properties that are added to the RTZ District after April 30, 2021,<<

- (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.

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, MDRF, 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, unless provided otherwise in this chapter>>, and shall hear only the following applications:
- (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 a subzone, 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<<.

>>(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 the procedures for review and approval of development in the unincorporated area within the SMART Corridor Subzone as set forth in section 33C-2(D), which are incorporated by reference herein.<< ~~[[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 >>chapter<< ~~[[*article*]]~~ shall govern in the event of conflicts with other zoning, subdivision, or landscape regulations of >>this code<< ~~[[*the Zoning Code,*]]~~ or with the Miami-Dade Public Works Department Manual.

Sec. 33C-9. - Downtown Intermodal District Corridor
>>Subzone<< ~~[[*Sub-Zone*]]~~.

* * *

- (D) >> Review and approval process for development in DID Corridor Subzone. Applications for development shall be governed by the procedures for review and approval of development in the unincorporated area within the SMART Corridor Subzone as set forth in section 33C-2(D), which are incorporated by reference herein.<< ~~[[*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. Within 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. 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.~~

- (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, isometrics, 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:~~

- ~~(1) Final Review for development of the Downtown Intermodal District Corridor 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 plans and documents approved by the Board of County Commissioners. The RTDIC review shall be guided by development standards established in subparagraph 33C 9(F), herein, for an administrative site plan review (ASPR). 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 without the necessity of public hearing. 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.~~
- ~~(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)]~~ *Administrative Site plan development parameters.* The following development regulations shall apply to all development within the DID Corridor Subzone.

* * *

>>(E)<<[[~~(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.

* * *

>>(F)<<[[~~(H)~~]] *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 >>in accordance with Section 33-257<< shall not be deemed a subdivision and shall be exempt from the platting requirements of >>chapter<< [[~~Chapter~~]] 28.

>>(G)<<[[~~(H)~~]] *Conflicts*. The development review procedures, standards, and criteria set forth in this >>section<< [[~~Section 33C-9~~]] 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<< [[~~the Miami-Dade County Code or with the Miami-Dade County Public Works and Waste Management Department Manual~~]].

[[~~(K)~~]] *Amendments*. ~~At least six (6) weeks prior to the scheduled public hearing of any amendments to this 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<< [[~~Sub-Zone~~]].

* * *

(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 unincorporated area within the SMART Corridor Subzone as set forth in section 33C-2(D), which are incorporated by reference herein.<< [[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.~~

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

* * *

>>(E)<<[[~~(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.

* * *

>>(F)<<[[~~(I)~~]] *Platting.* Separate parcels located within the >>subzone<< [[~~sub-zone~~]] 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<< [[~~Chapter~~]] 28.

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

[[~~(K)~~]] *Amendments.* ~~At least six (6) weeks prior to the scheduled public hearing of any amendments to this 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.

* * *

- (G) *Review and approval process.* >> Applications for development shall be governed by the procedures for review and approval of development in the unincorporated area within the SMART Corridor Subzone as set forth in section 33C-2(D), which are incorporated by reference herein.<< ~~[[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<< [[Chapter]] 28.

* * *

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

* * *

- (D) *Procedures for approval and development standards.*
>>Applications for development shall be governed by the procedures for review and approval of development in the unincorporated area within the SMART Corridor Subzone as set forth in section 33C-2, which are incorporated by reference herein.<<

[[~~(1) Applications for development in the subzone shall be governed by the pre-application and application procedures and development standards relating to the Brickell Station Subzone, including the requirements for a supermajority vote of the Board in certain circumstances, as set forth in section 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 >>in accordance with Section 33-257<< shall not be deemed a subdivision and shall be exempt from the platting requirements of >>chapter<< [[Chapter]] 28.

* * *

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

* * *

- (D) *Procedures for approval and development standards.*
>>Applications for development shall be governed by the procedures for review and approval of development in the unincorporated area within the SMART Corridor Subzone as set forth in section 33C-2, which are incorporated by reference herein.<<

[[~~(1) Applications for development in the subzone shall be governed by the pre-application and application procedures and development standards relating to the Brickell Station Subzone, including the requirements for a supermajority vote of the Board in certain circumstances, as set forth in section 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 >>in accordance with Section 33-257<< shall not be deemed a subdivision and shall be exempt from the platting requirements of >>chapter<< [[~~Chapter~~]] 28.

* * *

Sec. 33C-15. Metromover Subzone.

* * *

- (D) *Procedures for approval and development standards.*
Applications for development in the subzone shall be governed by the >>procedures for review and approval of development in the unincorporated area within the SMART Corridor Subzone as set forth in section 33C-2<< [[~~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 >>in accordance with Section 33-257<< shall not be deemed a subdivision and shall be exempt from the platting requirements of chapter 28.

* * *

Section 2. 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:

* * *

- (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 appeals of municipal decisions regarding such applications, 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 3. 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 4. 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 5. 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