

council@pinecrest-fl.gov

VILLAGE OF PINECREST
Office of the Village Council

March 25, 2022

The Honorable Oliver G. Gilbert, III
Vice Chairman
Miami- Dade Board of County Commissioners
Stephen P. Clark Center
111 Northwest 1st Street, Suite 220
Miami, FL 33128

Re: Proposed New Rapid Transit Zone Ordinance

Dear Vice Chairman Gilbert:

Attached for your kind consideration is a report developed by the South Dade Municipal Coalition (SDMC), which is an alliance of elected officials, managers, and community leaders from all the cities in South Dade, including Florida City, Homestead, Cutler Bay, Palmetto Bay and Pinecrest. This group has been meeting on a regular basis together with the City of South Miami, Chamber South, the South Dade Chamber, and The Economic Development Council of South Dade, to discuss the ordinance you proposed related to zoning matters along transit corridors throughout Miami-Dade County. The attached report represents a unified effort by the Coalition to analyze the elements of the proposed new Rapid Transit Zone (RTZ).

We deeply appreciate the transparent way you have approached this proposed ordinance and the amount of time you have spent in outreach to the Miami Dade County League of Cities, individual municipalities, County Commissioners and the SDMC. In the spirit of that outreach, the SDMC considered and contemplated the common areas of concern primarily surrounding the need to address County-wide traffic congestion through mass transit. Based on extensive discussion, the Coalition has developed a roadmap to assist the County Commission, and TPO, in identifying solutions to its traffic problems, while respecting each community's character and enhancing the quality of life for South Dade's residents.

The Coalition proposes that it work collectively to provide the densities throughout the South Dade Rapid Transit corridor adjacent to the planned stations that would support rapid transit alternatives (BRT, as well as Light Rail in the future). Basing its approach on the published Federal government Transit Administration guidelines and the County's Land Use Objectives for Transit Oriented Development, the municipalities along the South Dade Rapid Transit Corridor would individually adopt Comprehensive Master Plan amendments and zoning codes in a manner that would meet the intent to support the County-wide transit system by promoting transit-oriented development near the corridor, while still protecting the character standards of each community.

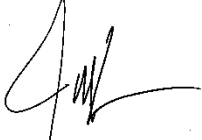
The South Dade Municipal Coalition would like to stress that it is critical that each municipality maintain the right of self-determination in local affairs and urges you to consider an approach that allows the municipalities to work collectively to solve the challenges that exist in South Dade.

12645 Pinecrest Parkway, Pinecrest, Florida 33156
T: 305.234.2121 | F: 305.234.2131
www.pinecrest-fl.gov



In summary, the South Dade Municipal Coalition is thankful for the open door and respect that you have shown us and shares in your objective to implement regional transportation solutions. We believe that we can do that while maintaining those elements that make each community unique in its own right and we look forward to doing that in close collaboration with the County.

Respectfully,



Joseph M. Corradino
Mayor



Katie Abbott
Vice Mayor



Shannon Del Prado
Councilmember



Anna Hochkammer
Councilmember



Doug Kraft
Councilmember



OFFICE OF THE MAYOR AND VILLAGE COUNCIL

VIA US CERTIFIED MAIL

March 15, 2022

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Stephen P. Clark Center
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Miami, FL 33128

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Village of Palmetto Bay
9705 East Hibiscus Street
Palmetto Bay, FL 33157
www.palmettobay-fl.gov

Tel: (305) 259-1234

Fax: (305) 259-1290

Basing its approach on the published Federal government Transit Administration guidelines and the County's Land Use Objectives for Transit Oriented Development, the municipalities along the South Dade Rapid Transit Corridor would individually adopt Comprehensive Master Plan amendments and zoning codes in a manner that would meet the intent to support the County-wide transit system by promoting transit-oriented development near the corridor, while still protecting the character standards of each community.

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Respectfully,



Karyn Cunningham
Mayor



Leanne Tellam
Vice Mayor



Patrick Fiore
Councilmember



Steve Cody
Councilmember



Marsha Matson
Councilmember



March 28, 2022

The Honorable Oliver G. Gilbert, III
Vice Chairman
Miami- Dade Board of County Commissioners
Stephen P. Clark Center
111 Northwest 1st Street, Suite 220
Miami, FL 33128

Re: Proposed New Rapid Transit Zone Ordinance

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Attached for your kind consideration is a report developed by the South Dade Municipal Coalition (SDMC), which is an alliance of elected officials, managers, and community leaders from all the cities in South Dade, including Florida City, Homestead, Cutler Bay, Palmetto Bay and Pinecrest. This group has been meeting on a regular basis together with the City of South Miami, Chamber South, the South Dade Chamber, and The Economic Development Council of South Dade, to discuss the ordinance you proposed related to zoning matters along transit corridors throughout Miami-Dade County. The attached report represents a unified effort by the Coalition to analyze the elements of the proposed new Rapid Transit Zone (RTZ).

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OFFICE OF THE MAYOR

Tim Meerbott
Mayor

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I am available at your convenience if you have any questions or comments and can be reached at tmeerbott@cutlerbay-fl.gov or by calling (305) 234-4262.

Sincerely,

Tim Meerbott
Mayor

Enclosure: South Dade Municipal Coalition Report





March 15, 2022

The Honorable Oliver G. Gilbert, III
Vice Chairman
Miami- Dade Board of County Commissioners
Stephen P. Clark Center
111 Northwest 1st Street, Suite 220
Miami, FL 33128

City Council

Steven D. Losner
Mayor

Julio Guzman
Vice Mayor

Erica G. Ávila
Councilwoman

Jenifer N. Bailey
Councilwoman

Patricia D. Fairclough-Staggers, Ed.S
Councilwoman

Sean L. Fletcher
Councilman

Larry Roth
Councilman

Jerry Estrada, M.P.A.
City Manager

City Hall

100 Civic Court
Homestead, FL 33030
305-224-4400
www.cityofhomestead.com

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Respectfully,

Mayor Steven D. Losner

Vice Mayor Julio Guzman

Councilwoman Erica G. Avila

Councilwoman Jenifer N. Bailey

Councilwoman Patricia Fairclough-Staggers

Councilman Sean L. Fletcher

Councilman Larry Roth



Office of the Mayor

March 25, 2022

The Honorable Oliver G. Gilbert, III
Vice Chairman
Miami-Dade Board of County Commissioners
Stephen P. Clark Center
111 Northwest First Street, Suite 220
Miami, Florida 33128

Re: Proposed New Rapid Transit Zone Ordinance

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Respectfully,

Otis T. Wallace
Mayor

404 West Palm Drive • P.O. Box 343570 • Florida City, Florida 33034-0570 • Telephone (305) 247-8221 • Fax (305) 242-8133

This report is developed by the South Dade Municipal Coalition, which is an alliance of elected officials, managers, and community leaders from all the cities in South Dade, including Florida City, Homestead, Cutler Bay, Palmetto Bay and Pinecrest. This group has been meeting with local chambers of commerce and community organizations since 2007 to discuss common issues in the region and along the US 1 corridor. The primary purpose of this coalition is to explore community issues, develop and debate a common set of facts, and enable the elected officials to make the best decisions possible for their respective communities.

All five cities have been meeting on a regular basis together with the City of South Miami, Chamber South, the South Dade Chamber, and The Economic Development Council of South Dade, to discuss an ordinance proposed by Miami-Dade Board of Commissioners Vice Chairman Oliver Gilbert related to zoning matters along transit corridors throughout Miami-Dade County. This report represents a unified attempt by the Coalition to analyze the elements of the proposed new Rapid Transit Zone (RTZ) ordinance as drafted by Vice Chairman Gilbert. The group considered and addressed the common areas of concern primarily surrounding the need to address traffic congestion through mass transit, and developed a road-map to assist the County in identifying solutions to its traffic problems, while respecting each community's character and enhancing quality of life for South Dade's residents.

The South Dade Municipal Coalition (SDMC) understands the need to support the Bus Rapid Transit (BRT) system along the South Dade Transit Corridor, and it understands Miami-Dade County's desire to access Federal funding in support of other projects along the transit corridors throughout the County. The Coalition strongly believes that within municipalities, this needs to be accomplished with densities and intensities of land use and zoning that match the unique character of each city, in geographic areas that protect the integrity of single-family residential neighborhoods. The SDMC stresses its desire to retain local control over the zoning of lands within municipal boundaries, including the review, approval and appeal processes. The SDMC agrees that ignoring County-wide transportation and transit issues that plague the community is not an option. However, the coalition does not agree with the drafted approach of wholesale implementation of the proposed new Rapid Transit Zone (RTZ) Ordinance removing zoning control from the incorporated municipalities. By way of this report, the SDMC wishes to propose an alternative approach to implement the desired patterns of metropolitan development in support of the South Dade Transit Corridor and forecasted future population growth in the County, while respecting and maintaining the zoning autonomy of each municipality.

Background

The geographic size of Miami-Dade County is very large, and is only matched by its economic footprint. The northern area of the county is almost completely built. Although South Dade is as large as Broward County, it has significant amounts of undeveloped land -- both inside and outside the Urban Development Boundary. South Dade, which covers the geographic area south of SW 88 Street, is anticipated to absorb the bulk of the population growth in Miami-Dade County in the foreseeable future.

Currently, South Dade experiences an imbalance between residential population and employment opportunities. Generally speaking, South Dade has about 50% of the land area of Miami Dade County, 25% of the population and 12% of the jobs. South Dade is primarily residential and agricultural with commerce concentrated along the US 1 corridor and in the West Kendall areas. According to the US Census, South Dade has a population of approximately 532,000 people, but only provides 170,000 jobs. If past growth trends continue, South Dade's population is expected to rise to approximately 758,000 by 2040 (a 30% increase); and, employment is expected to increase to 277,000 by 2040 (a 40% increase).

Therefore, while forecasted to slightly improve by 2040, the imbalance between population and employment opportunities will continue well into the foreseeable future.

Over the years, Countywide population growth, coupled with limited housing options, have increased housing costs. Those increases in housing costs are particularly worse closer to the employment centers -- causing new arrivals, as well as working families to seek housing further south, away from the existing jobs. This pattern has created a myriad of issues for South Dade, including increased traffic congestion, the need for rapid transit, affordable housing shortages, the need for economic development, water and sewer infrastructure needs, school capacity issues and environmental concerns. According to the University of Florida Bureau of Economic and Business Research, Miami-Dade County's population is expected to grow by as much as 1,160,900 over the next 18 years. Therefore, it is anticipated that the problems with traffic congestion Countywide, and specifically in South Dade, will only worsen.

Due to the disparity in job availability in South Dade, approximately 2/3 of residents must travel outside of South Dade to work every day. Unless those who commute out of the region can move on something other than roads, they will continue to endure severe automotive traffic congestion. Further, the roadway network could never expand to a capacity that could absorb the future volume of travel from population growth. This inevitability comes at a tremendous cost to South Dade resident's time, money and quality of life.

After decades of debating the need for Metrorail to address the movement of large amounts of people from South Dade to northern areas of the County, the Transportation Planning Organization (TPO), through its Strategic Miami Area Rapid Transit (SMART) Plan, approved BRT on the South Dade Transit Corridor. Miami-Dade County's first SMART Plan project implements a gold-standard \$300 million BRT line along that transit corridor. Already under construction, the adopted transit solution was a controversial resolution to South Dade's traffic problem. Almost all South Dade municipalities preferred and lobbied for a rail line, but time considerations and increased costs to achieve the preferred rail alternative, resulted in the interim implementation of a BRT solution.

Proposed Ordinance Analysis

In the Spring of 2021, Vice Chairman Oliver Gilbert initiated meetings with the Miami-Dade League of Cities representatives to introduce a draft ordinance that explores the merging of the original 1980s Rapid Transit Zone Plan, and the more recently developed SMART Plan. The proposed ordinance (Appendix A), if adopted, would have the effect of:

- 1) permitting a maximum of 125-250 dwelling units per acre within a radius expanding from each planned or existing urban center/transit station;
- 2) expanding the SMART Plan densities and intensities ½ mile in either direction of every SMART Plan transit corridor throughout the County – irrespective of municipal boundaries; and,
- 3) expanding the SMART Plan densities and intensities one mile in either direction of the 836 transit corridor – irrespective of municipal boundaries.

In South Dade, this would generally affect all properties within a ¼ mile radius of stations, as well as all properties ½ mile on either side of the South Dade Transitway (US 1 corridor) between transit stations from Dadeland North Metrorail Station south to the Park n' Ride at SW 344 Street in Florida City.

Historically, the County has reserved zoning jurisdiction within specific radiuses from existing rapid transit stations. For example, in anticipation of the implementation of the County's Metrorail system in the late 1970s, the County developed codes that control zoning at the Metrorail station properties within both unincorporated and incorporated areas. With the adoption of Ordinance 78-74, the Miami-Dade Board of County Commissioners (BCC) established Rapid Transit Zones (RTZ) in order to coordinate transportation and land use policy decisions necessary to shape desired patterns of metropolitan development. That ordinance, commonly known as the RTZ Ordinance, provides zoning authority around rapid transit stations for County-owned properties. Its intent tracked language from the Home Rule Amendment, providing the County authority for provision of a metropolitan style of government, enumerating its powers to provide transit services and comprehensive planning found under Section 1.01, Article I, of the Miami-Dade County Charter.

On September 27, 2018, the BCC expanded its authority to effect desired patterns of metropolitan development by adopting an ordinance approving Comprehensive Development Master Plan (CDMP) Application No. CDMP20180014. Among other things, said ordinance established the SMART Plan areas which increased residential intensities and Floor Area Ratios (FAR) within ½ mile of SMART Corridors and existing Metrorail corridors in unincorporated areas. Importantly, after strong objections from municipalities throughout the County, the BCC agreed those comprehensive plan amendments would not apply to any incorporated areas. Further, in 2019, the County adopted two RTZ zoning districts to implement the densities provided in the Miami-Dade County Comprehensive Master Plan, affecting unincorporated areas ½ mile from the SMART Corridors.

Now, with the introduction of the proposed new RTZ ordinance, Vice Chairman Gilbert proposes the same residential intensities and FARs already established for unincorporated areas along the SMART Corridors, be expanded into incorporated areas.

Convenient access to transit fosters development, while density encourages people to use the transit system. The intent of the proposed new RTZ ordinance is to focus population growth around and in between transit stations to capitalize on the public investments in transit, and provide benefits, including:

- increased ridership and associated revenue gains for transit systems
- incorporation of public and private sector engagement and investment
- revitalization of neighborhoods
- a larger supply of affordable housing
- economic returns to surrounding landowners and businesses
- congestion relief and associated environmental benefits
- improved safety for pedestrians and cyclists through non-motorized infrastructure

In the South Dade area, the proposed new RTZ ordinance would establish SMART Subzones that would increase residential densities within a ¼ to ½ mile radius of various stations depending on their designation as either Metropolitan (Dadeland, Southland and Homestead stations) or within a general 700-1800 ft to ½ mile radius from Community (all other stations along the corridor, i.e. 104 Street, 136 Street) within municipal limits. The following table illustrates the proposed maximum density changes that would specifically affect the Metropolitan and Community designated stations along South Dade Transit Corridor.

Comprehensive Development Master Plan Urban Center Designation	Maximum Allowed Density (Units Per Acre)	Maximum Allowed Height (Stories)
Community	125	15
Metropolitan	250	25

Further, the proposed new RTZ ordinance would also increase densities within municipalities outside of the ¼ - ½ radius from transit stations along the South Dade Transit Corridor between stations as follows:

Mixed Use Developments within:	Maximum Allowed Density (Units per Acre)	Floor Area Ratio Range	Maximum Allowed Height (Stories)
¼ Mile of Corridor	60	Up to 2.0	6
Between ¼ Mile and ½ Mile from Corridor	36	Up to 1.5	6
Between ½ mile and 1 mile of Corridor	18	Up to 1.25	6

Additionally, the proposed new RTZ ordinance seeks to expand County control over the development review and approval process in the RTZ areas, take incremental tax revenue to pay for County transit infrastructure, control signage, and mandate 12.5% of new units to be designated workforce housing.

Coalition Approach

While engaging with Vice Chairman Gilbert and County staff following the unveiling of the proposed new RTZ ordinance, municipalities were assured the process of further refining the new RTZ ordinance was meant to be interactive -- soliciting input and cooperation from the municipalities through the Miami-Dade League of Cities in order to further tweak the final document. Discussions have circled around the need for cities to show how they would support transit-oriented development to set a firm, base standard to inform future development patterns in support of the County’s rapid transit system. The need to support the Countywide rapid transit solution and the promotion of residential development along the transit corridors is tied to the reality of current traffic congestion issues that are expected to continue to worsen as the population in the County grows. Subsequent meetings between Vice Chairman Gilbert and the South Dade Municipal Coalition reiterated the intent to be collaborative and explore possible approaches.

As an alternative to the process established in the proposed new RTZ ordinance, the Coalition proposes that it work collectively to provide the densities throughout the South Dade Transit corridor adjacent to the planned stations that would support rapid transit alternatives (BRT, as well as Light Rail in the future). Basing its approach on the published Federal government Transit Administration guidelines for transit supportive densities as the base standard, the municipalities along the South Dade Corridor

would individually adopt Comprehensive Master Plan amendments and zoning codes in a manner that would meet Vice Chairman Gilbert's intent to support the Countywide transit system and promote transit oriented development near transit corridors, while still protecting the character standards of each community.

This approach would be in alignment with the Miami-Dade County Charter that recognizes that "each municipality may provide for higher standards of zoning, service, and regulation than those provided by the Board of County Commissioners in order that its individual character and standards may be preserved for its citizens." The South Dade Coalition stresses that it is critical that each municipality maintain the right of self-determination in local affairs, while supporting the Countywide initiative to improve its transit system to alleviate traffic congestion throughout the County.

Presently, some of the South Dade cities already have approved Comprehensive Development Master Plans and zoning codes that are by all measures, highly supportive of rapid transit. Intending to update their respective Comprehensive Development Master Plans and zoning codes, other cities in the coalition are at varying points in the process of evaluating density, intensity, floor area ratios and height around the transit stations. With a focus to still maintain the character of their respective communities, those cities in the process of updating their plans have committed and agree to support the current Bus Rapid Transit solution along the South Dade Transit Corridor (with an ultimate goal of supporting a rail line in the future) to address the current traffic congestion issues and anticipated population growth in the area.

Herein, the Coalition provides evidence that collectively, the densities and intensities planned for future development are enough to be supportive of the Rapid Transit System, so that the "one size fits all" uniform approach in support of the County rapid transit system as currently proposed in the new RTZ ordinance is not needed, and a more flexible and variable approach is appropriate. Attached are exhibits containing summaries of each municipality's efforts with regard to updated zoning.

Conclusion

The SDMC shares the Commission's goal of encouraging Transit Oriented Development (TOD) to facilitate and sustain substantial investments in regional transit solutions. The appendices show what each municipality is doing or has done to ensure compliance with the County's Land Use Objectives to encourage TOD. The Coalition also recognizes that the process of building Transit Oriented Development around planned or current transit stations must also be in harmony with the existing community. Questions concerning residential density, building heights and commercial intensity are answered differently by each municipality in South Dade, and we respectfully submit that those municipalities are in the best position to posit those answers.



South Dade Corridor Mass Transit Supportive Development Pinecrest Parkway (US 1) Corridor

The Village of Pinecrest has coordinated and hosted the “Inspire Pinecrest” Campaign, to examine ongoing planning initiatives to make recommendations for the update of the Pinecrest Parkway (US 1) Vision Plan and improve the Pinecrest Parkway Corridor while focusing on protecting community character, economic sustainability, transit-oriented development, and diverse housing options.

Recent amendments to the Miami-Dade County Comprehensive Plan, in combination with scheduled Bus Rapid Transit (BRT) improvements along the adjoining South Dade Rapid Transit Corridor have led to a review of the merits of allowing a mixture of residential, office, and retail uses in the future redevelopment of commercial properties along Pinecrest Parkway (US 1) adjacent to the Miami-Dade Metro Rail North Station, the Metro Rail South Station, and at planned Bus Rapid Transit Stations near SW 104 Street and SW 136 Street. Pinecrest continues community engagement as part of the ongoing visioning process with the creation of the Pinecrest Parkway Committee, that will work together with Village staff and consulting architects to engage residents and refine the plan. Said plan once adopted, will inform future Zoning amendments and Comprehensive Master Plan amendments sometime in 2023 or sooner. The following description provides background information on elements that are currently under consideration by the community and may change as the visioning process has not been completed.

Pinecrest Parkway (US 1) Transit Stations

Existing and planned transit stations adjacent to Pinecrest Parkway include Dadeland North Metrorail Station, Dadeland South Metrorail Station, and planned bus transitway improvements and new stations at SW 104 Street and SW 136 Street.



Pinecrest Business Alternative Districts



Existing



Proposed

1. Kendall Drive and Pinecrest Parkway District (Existing and Proposed Expansion)
2. Dadeland Plaza District (Existing)
3. Kendall Plaza District (Existing)
4. SW 104 Street District (New Proposed)
5. SW 136 Street District (New Proposed)

Mixed-use Development - While Commercial, Office, and Residential mixed-use development is currently permitted in the North Pinecrest Business Alternative (NPBA) Districts, located in proximity to the Metro Rail Stations (Aqua color), mixed-use development is also being considered for the areas adjacent to the existing NPBA Districts and planned Bus Rapid Transit stations at SW 104 Street and SW 136 Street (Yellow color). Pinecrest is also considering the expansion of the District located to the north of SW 88 Street to include the existing multi-family residential Monterey Gardens, Dadeland Grove, and Gardens of Pinecrest, located in close proximity to the Dadeland North Metrorail Station. Building heights and densities are still in flux as the visioning process continues to engage members of the community and stakeholders.

Architectural Design – The Village anticipates development of architectural design standards and site development requirements for mixed-use Transit Oriented Development within the Pinecrest Business Alternative Districts to include lush, well designed landscape architecture; easily accessible and inviting pedestrian gathering spaces; open terraces, above ground gardens, attractive, low intensity and shielded lighting; environmentally conservative design and construction; and architecturally appealing design with tiered, articulating and undulating facades.

New development projects would include well-designed facades with massing that helps to create a discernible “street side” condition, and with clearly defined cornice lines at the upper levels rather than flat parapets to help define a sense of visual order and character. New buildings would be positioned adjacent to new, wider sidewalks. Awnings and canopies would be provided over sidewalks and pedestrian ways to provide shade.

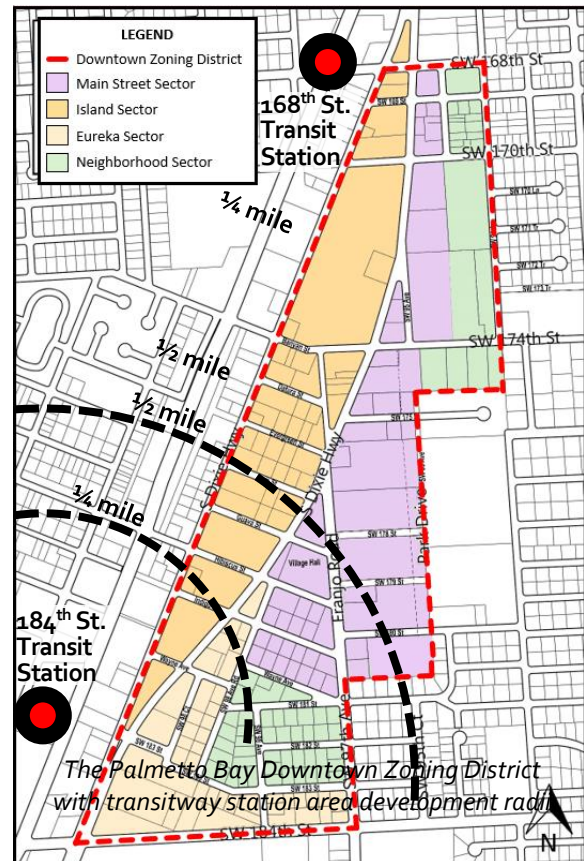


**South Dade Corridor Mass Transit-Supportive Development
Palmetto Bay Downtown**

In 2020, the Village of Palmetto Bay created the 194-acre “Downtown” zoning district to support the County’s South Dade Transitway with a pedestrian-oriented, mixed-use development within walking distance of the South Corridor.

Most of the “Downtown” zoning district is within ½-mile of the SW 168th Street or the SW 184th Street Station Community Centers. In total, Palmetto Bay’s Downtown zoning district densities can support the development of 7,562 multifamily residential units, of which 1,481 are currently existing or permitted. Downtown residential code also supports live-work units.

The Village utilizes its Comprehensive Plan to control overall development maximums to sequentially control development in step with demand and infrastructure capacity through amedable caps, and to balance housing with commercial to be mutually supportive. Residential is currently capped at 2,500 and commercial is at 1,500,000 sq. ft. of commercial area for retail, entertainment, office and other employment destinations.



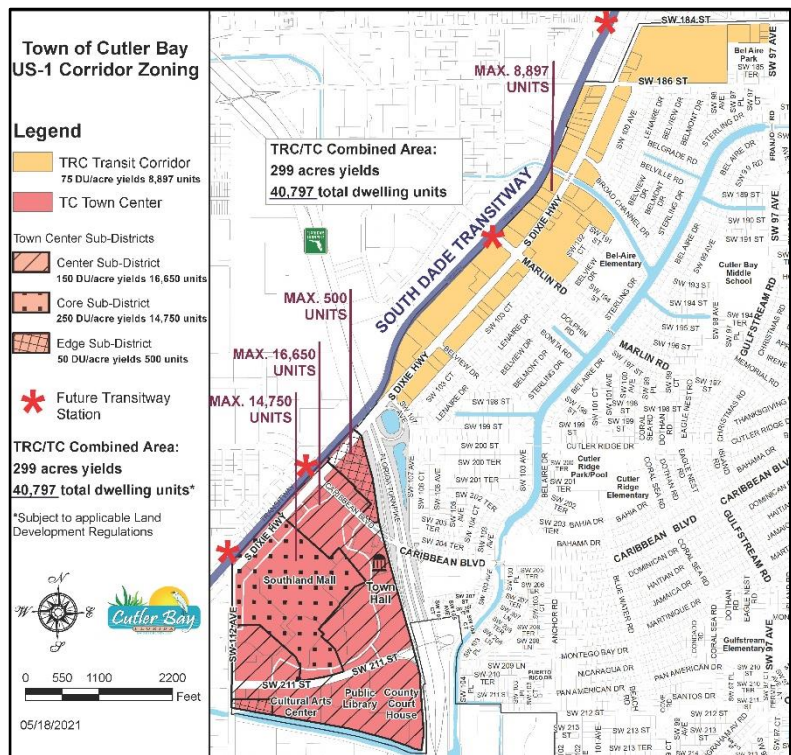
Palmetto Bay Downtown <i>(shading color keyed to map)</i>	Permitted Residential Density (DU/gross acre)	Permitted Building Height (floors)	Maximum Permitted Residential Units	Commercial Floor Area Estimate
Downtown Zoning District Island Sector	54	5	3,024	391 ksf
Downtown Zoning District Eureka Sector	43	5	1,478	259 ksf
Downtown Zoning District Main Street Sector	32	5	2,247	482 ksf
Downtown Zoning District Neighborhood Sector	24	3	812	26 ksf
Total			7,562	1,158 ksf



**South Dade Corridor Mass Transit-Supportive Development
Cutler Bay**

Within the Town of Cutler Bay, properties along US-1 and the South Dade Transitway between SW 184 St and the Homestead Extension of Florida’s Turnpike, all properties are within the TRC, Transit Corridor District, and south of Florida’s Turnpike to the southwestern boundary of the Town at SW 112 Ave, all properties are zoned TC, Town Center. The allowable densities in these areas are substantially higher than throughout the rest of the Town and are designed to be supportive of high-capacity transit system improvements along the South Dade Transitway. Within the TC, Town Center area, the higher-density zoning extends over half a mile from the Transitway across the Southland Mall site and the South Dade Government Center.

As shown on the map, from the Town’s northern boundary at SW 184th St. south to Florida’s Turnpike, properties along and within approximately one quarter mile of the Transitway are zoned TRC, Transit Corridor or MR, Multi-Family Residential. In the TC, Transit Corridor District, the permissible density is 75 dwelling units per acre, which provides, by-right, the development potential of 8,897 dwelling units along the US-1 corridor. The underlying architectural and development regulations aim to make this area pedestrian-friendly in support of high-capacity transit and the Town is currently developing parking bonus provisions to reduce required parking within reasonably close proximity to the upcoming BRT stations to support and incentivize Transit-Oriented Development.



DU/gross acre: dwelling units per gross acre, including area to the centerline of adjacent rights-of-way
ksf: 1,000 square feet of floor area

The TC, Town Center District is divided into three sub-districts similarly to the County’s Urban Center guidelines: Town Center-Edge, Town Center-Core and Town Center-Center. The distribution of these subdistricts shown on the map, encompass all areas south and west of Florida’s turnpike to the Town’s corporate boundaries. Within this area, a total of 31,900 units are allowed by-right based on the allowable densities under the Town’s Land Development Regulations. Further, within the TC, Town Center District, any new development proposed which meets the Town’s zoning standards and does not require a variance is subject to administrative review and approval, eliminating the need for a public hearing and expediting development in this area as an added incentive. Further, in 2021, the Town adopted new parking bonus provisions to reduce parking requirements for developments proposing to incorporate transit, pedestrian, and bicycle amenities beyond the minimum prescribed by our Code.

Further, the Town allows shared parking between commercial and residential uses in mixed-use developments and encourages added density through Floor Area and Building Height bonuses for green development. Not only does the TC, Town Center District allow over 30,000 dwelling units by right across the 80-acres of land area, the Town Center also allows over 32,000,000 square feet of non-residential commercial floor area within this District. As noted above, building height and floor area ratio bonuses for green development are intended to incentivize forward-looking development within the Town, which will support development of commercial uses in the area. With approximately 200,000 workers in the South Dade area, the region must look to areas like the Cutler Bay Town Center District to support the economic development of our region.

The Town of Cutler Bay continues to support the extension of the Metrorail as the preferred alternative to Miami-Dade Transit’s proposed BRT system. According to the TPO’s own study prior to selection of the BRT project, Cutler Bay’s existing zoning meets or exceeds the density requirements to support high-capacity transit. With the exception of recommended increases to density on the unincorporated side of the Transitway relative to Station 6, all stations located in or adjacent to Cutler Bay meet the Population and Employment Preferred Vision Goals outlined by the TPO based on an independent analysis performed by Calvin Giordano and Associates. Based on this independent analysis and the existing density permitted under the Town’s adopted zoning, there is sufficient capacity within the Town’s municipal zoning code to provide ample residential and commercial space along the South Dade Transitway Corridor.

Town of Cutler Bay (Town Center and Transit Corridor Districts)	Permitted Residential Density (DU/gross acre)	Permitted Building Height (floors)	Maximum Permitted Residential Units	Commercial Floor Area Estimate
Town Center – Edge Subdistrict	50	8	500	435 ksf
Town Center – Center Subdistrict	150	15	14,750	12,087 ksf
Town Center – Core Subdistrict	250	18	16,550	9,766 ksf
Transit Corridor	75	3-5	8,897	10,335 ksf
Total			40,697	32,623 ksf

DU/gross acre: dwelling units per gross acre, including area to the centerline of adjacent rights-of-way
ksf: 1,000 square feet of floor area

APPENDIX A

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>

Note 1: Maximum allowed height determined by Miami-Dade Aviation (MDAD)

(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.<<

* * *

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, 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, 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)<<[[~~(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 >>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-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 isometrics 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