

ARTICLE XXXIII(S) PALMER LAKE METROPOLITAN URBAN CENTER DISTRICT

Sec. 33-284.99.50. Purpose and intent.

This article applies to the area bounded by the Miami River on the northeast, the Seaboard Air Line Railroad on the west, and the Tamiami Canal on the south. A more detailed legal description of this boundary is provided in section 33-284.99.61 below. The intention of this Article is to permit the development of a Metropolitan Urban Center that fulfills the goals, objectives and policies of the Comprehensive Development Master Plan by:

- (A) Coordinating development intensity within the district by the proximity to mass transit
- (B) Organizing an interconnected network of streets to improve pedestrian access to transit
- (C) Creating attractive and usable public ~~open~~ space ~~with~~ by shaping the way buildings front onto streets and open spaces
- (D) Maintains and promotes marine activity on the Miami River by encouraging the retention of water dependent and/or water related uses.

The Illustrative Plan (Figure 1), illustrates the vision and may be used to better interpret this Article. Where there is conflict between the illustrative plan and the text of this article, the text shall govern.



Figure 1. Illustrative Plan.

Sec. 33-284.99.51. Definitions.

Terms used throughout this Article shall take their commonly accepted meaning unless otherwise defined in Chapter 33 or Chapter 28 of the Code of Miami-Dade County. Terms requiring interpretation specific to this article are as follows:

- (1) Affordable Work-force Housing Unit or AWHU: A dwelling unit, the sale, rental or pricing which is restricted to households whose income is one-hundred forty (140) percent of the most recent median family income for the County reported by the U.S. HUD as maintained by the Department of Planning and Zoning.

- (2) Block: A combination of contiguous building lots, the perimeter of which abuts one or more public streets, private streets, easements or designated open spaces.
- (3) Building Frontage: The portion of a building required adjoin or be located within the frontage zone.
- (4) Building Frontage Zone: The portion of a lot adjoining a street or right-of-way. The width of the building frontage zone is established by the applicable street type and/or Sub-district.
- (5) Elevated Pedestrian Walkway: an enclosed structure located above private property or the public right-of-way allowing pedestrian access between and through buildings.
- (6) Floorplate: The total indoor and outdoor area of any given story of a building, measured to the exterior of the wall.
- (7) Forecourt: an open area where the building pedestal is recessed outside of the building frontage zone.
- (8) Frontage: The property line or lines of a lot which coincide with a right-of-way or other public open space line as shown on the Regulating Plan.
- (9) Habitable Space: Building space whose use involves human presence with direct view of the adjoining streets or open space, excluding parking garages, self-service storage facilities, and warehouses.
- (10) Mixed-use building: A building that includes a combination of two or more vertically integrated uses, such as, but not limited to retail and/or office uses on the ground story, with residential uses above.
- (11) Pedestal: the bottom lower portion of the building including the ground story located adjoining or within the building frontage zone..
- (12) Retail Use: Premises used for the exchange of services or goods.
- (13) Storefront: Retail or office use areas, lobby areas or other habitable space located at the building frontage.
- (14) Story: A floor level within a building as described in this Article's General Requirements.
- (15) Street: A thoroughfare for the movement of pedestrians and/or vehicles, as provided in this Article.
- (16) Tower: The upper portion of a building above the pedestal.
- (17) Water-dependent Use: Activities which can be carried out only on, in, or adjacent to water areas because the use requires access to ~~the a~~ a water body, ~~for~~ including without limitation: waterborne transportation including ports or marinas; recreation; electrical generating facilities; or water supply.
- (18) Water-related Use: Activities which are not directly dependent upon access to a water body, but which provide goods and services that are directly associated with water-dependent or waterway uses.
- (19) Weather Protection Features: Architectural features that provide protection from the sun and rain, including without limitation, colonnades, awnings, or projecting roofs.

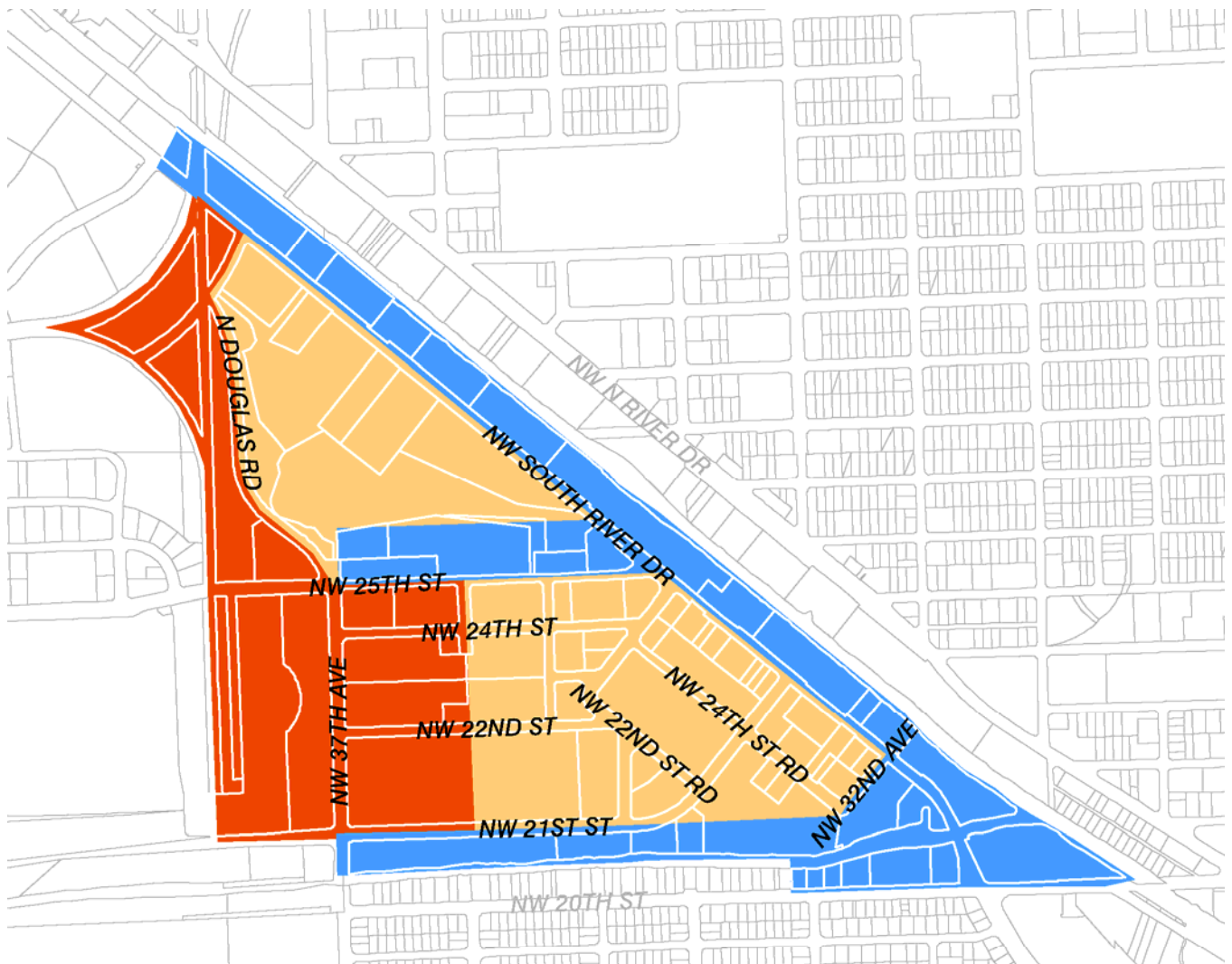
Sec. 33-284.99.52. Organization of this article.

- (A) This Article is organized into three (3) primary sections:
 - (1) The Regulating Plans allocate Sub-Districts and Street Types that serve as the controlling factors of the plan.
 - (2) The Uses section provides for the various uses permitted by Sub-District.
 - (3) The ~~Development Parameters~~ General Requirements are the instructions for implementing the Regulating Plans.
- (B) The controlling factors are the two (2) Regulating Plans which establish three (3) Sub-Districts and five (5) street types; each is illustrated as part of this Article.

- (1) The Sub-District Plan delineates three sub-districts, the MIC Core, the Center, and the Riverside. These Sub-Districts control land use and intensity of development in accordance with the County's Comprehensive Development Master Plan.
- (2) The Street Frontage Plan establishes a hierarchy of street types in existing and future locations which shall be provided ~~and shown~~ in all future development. The five (5) street types in descending order of pedestrian quality are lettered 'A' through 'E.' An 'A' street is the most important street to accommodate pedestrian activity.

Sec. 33-284.99.53. Regulating plans.

(A) Sub-District Plan



Legend

-  MIC Core
-  Center
-  Riverside

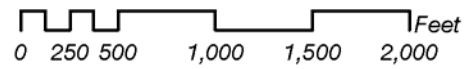
(B) Street Frontage Plan



Legend

Street Types

- ■ ■ A
- ■ ■ B
- ■ ■ C
- ■ ■ D
- ■ ■ E



Sec. 33-284.99.54. Uses.

No land, body of water and/or structure shall be used or permitted to be used, and no structure shall be hereafter erected, constructed, reconstructed, moved, occupied or maintained for any purpose in Palmer Lake Metropolitan Urban Center District except for one (1) or more of the following uses. All uses are subject to the airport safety uses and height restrictions provided in Section 33-336. The Building placement and location standards for the below permitted uses shall be as provided in Section. 33-284.99.55 below.

(1) Permitted uses in MIC Core and Center Sub-Districts shall be as follows:

All uses permitted in the IU-1, IU-2 and BU-2 Districts, and the following:

(a) The following BU-3 uses shall be permitted:

- i. Bakeries, retail and wholesale.
- ii. Cabinet working and carpentry shops.
- iii. Locksmith shops.
- iv. Secondhand stores.
- v. Television and broadcasting stations.
- vi. Upholstery and furniture repairs.

(b) Residential uses shall be permitted ~~in the MIC Core Sub-District~~ up to two hundred fifty (250) units per net acre; ~~residential uses in the Center Sub-District shall be permitted up to one hundred twenty five (125) units per net acre.~~ Developments having more than four (4) residential units shall provide a minimum of twelve and one-half (12.5) percent of their units as affordable work-force housing units.

(c) Hotels, motels and apartment hotels developed for transient residential usage shall be permitted up to three hundred seventy five (375) units per net acre.

(d) Outside Mobile food sales and services including but not limited to outdoor dining, cart vendors, and merchandise displays shall ~~not require public hearing~~ be permitted consistent with Sec. 33-13(h) of this code.

(e) Commercial parking garages shall be permitted either alone or in conjunction with other permitted uses.

(f) Drive-through services shall be concealed from 'A', 'B' and 'C' streets by buildings or walls.

(g) The provisions of Section 33-150(A) and (B) of this Code regarding alcoholic beverages shall not apply.

(2) Land uses permitted in Riverside Sub-District shall be as follows:

All uses permitted in the IU-1, IU-2 District and the following water dependent and/or water related uses:

(a) Storage of recreational boats, including rack storage facilities. A masonry wall at least ninety-six (96) inches in height shall enclose the boat storage area except along an adjoining lake, canal, or river.

(b) Fish market and accessory seafood restaurant.

(c) Seafood products and by-products collection, cooking, processing, and wholesale distribution, including accessory eating and drinking establishments related to such operations.

(d) Marinas, non-live aboard, marine commercial. No permanent occupancy of private watercraft shall be permitted, except as required for a watchman's quarters. The following accessory uses shall be permitted at a commercial marina:

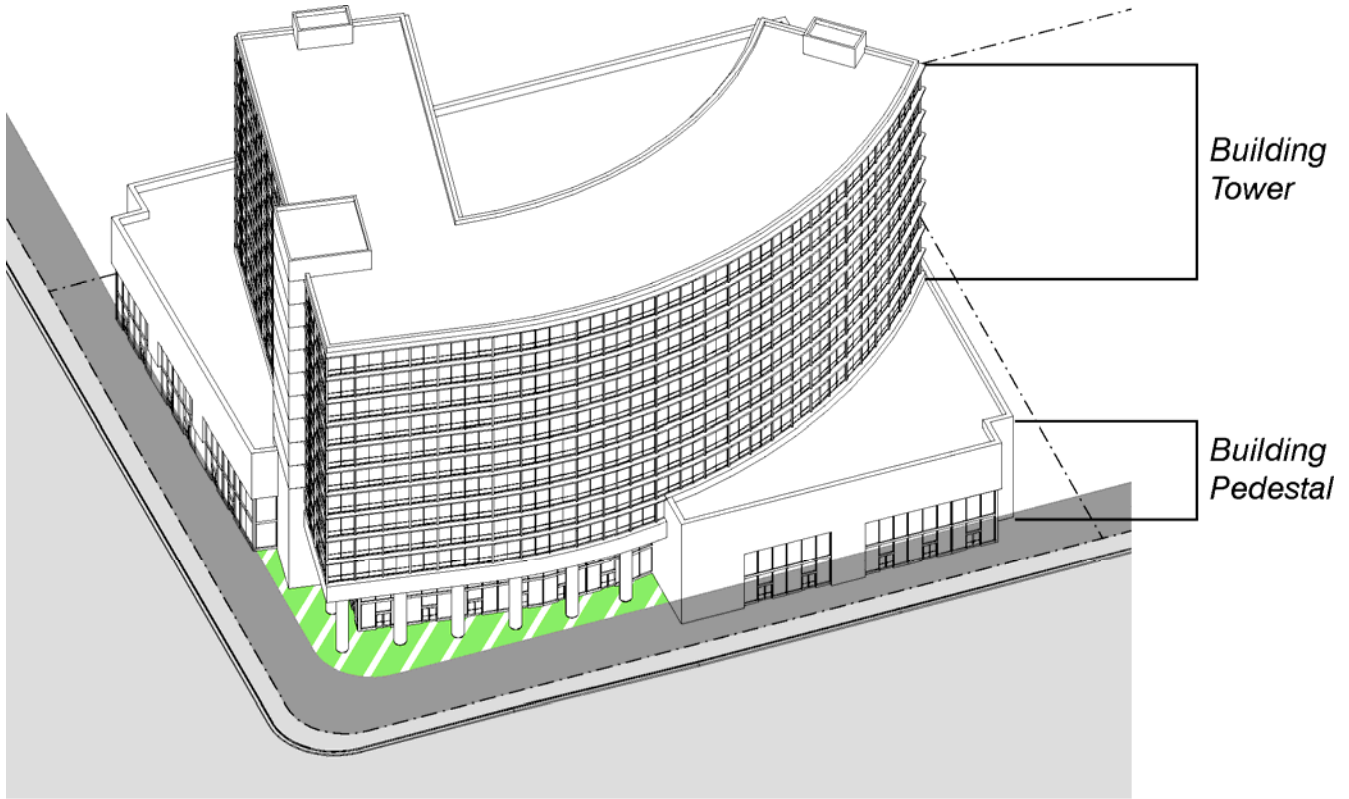
- i. Bait and tackle shop.
- ii. Charter boat service.
- iii. Dock master's office.
- iv. Dry stack boat storage facility.
- v. Pleasure craft fueling facility.


- vi. Pleasure craft rentals.
 - vii. Restaurants including therein any accessory outdoor dining area(s).
 - (e) Vessel sales, wholesale or retail, and the following accessory uses:
 - i. Marine supplies and equipment, retail and or wholesale distribution.
 - ii. Marine sporting goods and supplies, retail and or wholesale distribution.
 - ~~(f) Waterfront uses such as public river walk, pedestrian path, and bike trail shall be permitted, and shall comply with the security protocol of the Port of the Miami River.~~
 - (g) Retail uses shall be allowed in addition to water-dependent uses occurring on the same lot. Such retail use shall be limited to less than fifty (50) percent of the total building area on the same lot. A retail use shall be permitted only when it will not have an adverse impact on operation of the Port of the Miami River; will not substantially reduce or inhibit existing public access to marine or tidal waters; and will not interfere with the activities or operation of adjacent water-dependent uses or significantly impede access to vessel berthing or other access to the water by water-dependent uses. The requirements of this paragraph shall not apply to retail uses accessory to permitted hotel uses.
 - (h) On lots or parcels adjoining the Tamiami Canal, residential uses shall be permitted above the ~~first floor~~ ground story and shall be in addition to a water-dependent use occurring on the same lot. Such residential use shall be limited to less than fifty (50) percent of the total building area on the same lot. A residential use shall be permitted only when it will not have an adverse impact on operation of the Port of the Miami River; will not substantially reduce or inhibit existing public access to marine or tidal waters; and will not interfere with the activities or operation of adjacent water-dependent uses or impede access to vessel berthing or other access to the water by water-dependent and/or water-related uses. For this paragraph, hotels shall not be considered a residential use.
- (3) In all sub-districts, ~~Municipal~~ public recreation buildings, playgrounds, parks or reservations owned and operated by a municipality, County, State or the United States Government shall be permitted. No minimum building frontage shall be required for such recreation building.

Sec. 33-284.99.55. Development parameters.

(A) Building Standards.

The below diagram illustrates the building placement standards for all Sub-districts:



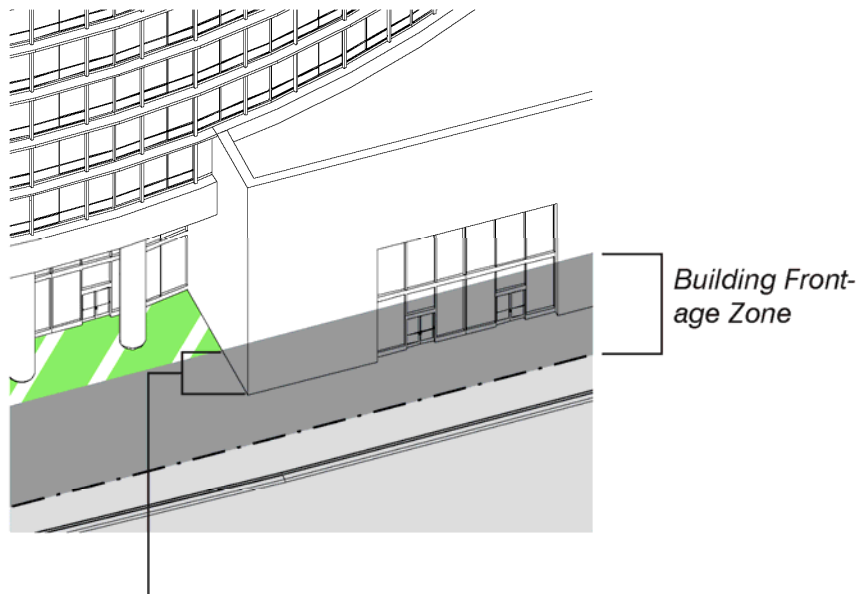
-  *Right-of-way*
-  *Building Frontage Zone*
-  *Forecourt area*
-  *Property line*

The below table provides minimum requirements for building and site development by Street Type:

Building/Site Element	'A' Street	'B' Street	'C' Street	'D' Street	'E' Street
Minimum Sidewalk Width	18 ft.	10 ft.	6 ft.	6 ft.	6 ft.
Building Frontage Zone Width	25 ft.	15 ft.	6 ft.	6 ft.	12 ft.
Minimum Building Frontage	80 percent	50 percent	None	None	None
Minimum Storefront within the Building Frontage	75 percent	50 percent	None	None	None

The minimum sidewalk **with width** may be provided in the right-of-way and building frontage zone in combination. The building pedestal shall be located **adjoining or** within the building frontage zone for the minimum **linear distance** required by the above table.

The building pedestal shall be permitted to encroach into the building frontage zone **provided such** that the minimum sidewalk width is provided.



Building permitted to encroach into the Building Frontage Zone after minimum sidewalk width is provided

(B) General Requirements.

All new development and redevelopment shall comply with the following parameters irrespective of Sub-District and frontage categories:

(1) Lots and Buildings.

- (a) Minimum lot size is two thousand (2,000) square feet with a minimum frontage of twenty (20) feet.
- (b) All lots shall share a frontage with a street.
- (c) The maximum height of buildings shall ~~be 160 feet.~~ not be limited except by the requirements of Article XXXVII - Miami International Airport (Wilcox Field) Zoning.
- (d) Minimum front and side street building setbacks shall be determined by the table in paragraph (A) above. Minimum building interior side and rear setbacks shall be zero (0) feet. Lot coverage and floor area of buildings shall not be limited.
- (e) All buildings shall have their main pedestrian entrance opening to ~~an 'A', 'B', 'C', 'D', or 'E' street~~ the street of highest pedestrian quality. Where storefronts are required, there shall be pedestrian entrances at maximum intervals of seventy-five (75) feet ~~along 'A' and 'B' streets.~~ When ground level story uses have entries from more than one street frontage, the primary entrance shall be from the higher ranking street of highest pedestrian quality.
- ~~(f) Where an 'A', 'B' or 'D' street intersects with another street, the corner of the building may need to be chamfered (angled) or rounded to satisfy view triangle and minimum sidewalk width requirements. The angled wall of the building shall count toward frontage requirements for both streets that it fronts. In situations where the view triangle causes the front facade to 'bend' at a shallow angle from the street, the angled or rounded wall may set back farther from the street intersection for aesthetic and structural reasons. However, the setback shall not be farther than twenty (20) feet measured from the intersection of the two (2) property lines perpendicularly to the front plane of the angled wall. For curved walls this will be measured to the midpoint of the curve. The depth of the colonnade underneath the angled wall of the building shall also be a minimum of fifteen (15) feet.~~
- (g) Building design shall use energy conservation measures including but not limited to self-shading, natural lighting, natural ventilation, outdoor circulation, and reduced dependence on artificial lighting and air conditioning. Porches, balconies, breezeways, pergolas, deep eaves, eyebrows and other elements promoting natural ventilation and shading are encouraged. Each building shall dedicate a specific location for recycling separation, storage and access.
- (h) Vehicular entry gates at garage entries shall be positioned a minimum of twenty (20) feet behind the front wall of the building. At colonnaded frontages, this distance is measured from the interior/rear wall of the colonnade. To increase safety during off-hours, the setback area between the entry gate and the public sidewalk may be gated at the sidewalk edge during times when the garage is closed.
- (i) Glazing, ~~and~~ Transparency and Storefront Requirements:
 - (1) Buildings shall be glazed as follows: office, hotel and residential, minimum thirty (30) percent; retail, minimum twenty (20) percent; industrial and marine, minimum fifteen (15) percent ~~be a minimum thirty (30) percent glazed.~~ Storefronts shall be glazed as provided below and may count toward the overall building glazed area. Glazing shall be clear or tinted, except where used for screening garages, where it may be translucent.

- (2) ~~Where required, Storefronts shall be provided on the ground floor along 'A' and 'B' streets, directly accessible from the building frontage. shall occupy the ground story and be directly accessible from the building frontage zone and/or sidewalk.~~ Storefronts shall be a minimum of sixty (60) percent clear-glazed ~~for the height of the ground story except for jewelry stores, which may be a minimum of twenty (20) percent, and for residential uses which may be a minimum of thirty (30) percent.~~
- (3) Storefront security screens, if any, shall be of the mesh type that pedestrians can see through and shall be located behind storefront displays. Storefronts shall remain open to view and lit from within at night.
- (j) Parking garages shall have all architectural expression facing public ~~open-space streets and open spaces~~ consistent and harmonious with that of habitable space. The architectural expression shall include vertically proportioned openings, balconies, glazing, awnings, or other similar architectural elements. Ramping is encouraged to be internalized wherever possible. Exposed spandrels are prohibited. The exposed top level of parking structures shall be covered a minimum of sixty (60) percent with a shade producing structure such as a vined pergola or retractable canvas shade structure. All garage lighting installations shall be designed to minimize direct spillage, sky glow and hazardous interference with vehicular traffic on adjacent rights-of-way and all adjacent properties; this may be achieved through the use of down-turned building beams, garage screening, landscaping, or other similar architectural elements.
- (k) Elevated pedestrian walkways shall be permitted subject to the following requirements:
- a. Walkways shall be permitted to extend over the public right-of-way.
 - b. The bottom of the walkway shall be a minimum of sixteen (16) feet six (6) inches above the street. Street and pedestrian lighting shall be provided at the underside of the walkway.
 - c. Walkways and connecting corridors shall have a minimum interior clear width of fourteen (14) feet. The exterior width of the Walkway structure shall be no wider than thirty (30) feet.
 - d. Walkways shall be single story and designed to be horizontally level with the street. Changes in grade between buildings shall be accommodated so that the walkway appears level from the exterior.
 - e. At least eighty (80) percent of the vertical enclosure of the walkway shall be transparent. ~~Windows shall be~~ of clear or lightly tinted glass that allow views into and out of the walkway. Louvers or other shade structures are permitted ~~in front of the glazed area to reduce heat gain for shading and weather protection~~ within the walkway.
 - f. Walkways shall be designed to facilitate access between street and walkway levels. Elevators, stairs and escalators linking the street and walkway levels shall be conveniently located with clear directional signs.
 - ~~g. The interior of walkways shall be air conditioned.~~
 - h. Signage providing directional information on destinations accessible through the walkway shall be required within the walkway structure, within along pedestrian routes connecting to the walkway in adjoining buildings, and at street level building entrances ~~at street level~~. Signage at building entrances leading to a walkway shall state that the walkways are open to the public and their hours of operation.
 - i. The walkway shall be open to the general public seven (7) days a week from at least seven (7) AM to ten (10) PM.
 - j. The walkway shall be maintained in good order for the life of the principal structure.

- k. An agreement shall be recorded in the public records of Miami-Dade County between affected property owners and public entities establishing public access, maintenance, operation, and removal of the Walkway structure and adjoining accessways consistent with this article.
- (l) Fixtures such as backflow preventers, pumps, underground ventilation exhausts, electrical vaults or similar shall be located within or to the side or rear of buildings; such fixtures shall not be located within the required building frontage zone.
- (m) Backflow preventers shall be shielded from ~~public~~ view as required by Sec. 32-157(d) of this code.
- (n) Colonnades and cantilevered building elements shall be permitted in the building frontage zone. Colonnades shall be a minimum of ten (10) feet in width or the minimum required sidewalk area within the building frontage zone, whichever is greater. Colonnades shall be designed to maximize visibility from the street through the colonnade area and into building interiors.
- (o) Awnings, balconies, roof eaves, open steps, pedestrian ramps, landscape planters and fountains may extend into or be located in the building frontage zone or Forecourt area.
- (2) **Streets.**
- (a) Streets shall provide access to all building lots and tracts.
- (b) All streets shall connect to other streets. Dead-end streets and T-turnarounds shall only be permitted temporarily for new streets when the adjacent property is not platted, not developed or both. When the adjacent property is platted or developed, a street shall connect to existing development and the dead-end street or T-turnaround removed.
- (c) All streets shall have curb and gutter and have sidewalks on both sides of the travel lanes. Where possible, there shall be parking lanes which in addition to on-street parking may be used for 'drop off' areas, valet stands, or bus stops.
- i. All sidewalks shall have a minimum width as ~~provided~~ required by the table in paragraph (A) above and a continuous unobstructed area of a width no less than sixty (60) inches.
- ii. On-street parking lanes shall not be closer than twenty-five (25) feet to intersections measured from the intersecting property lines.
- (d) Bike lanes Designated bicycle facilities shall be provided along NW South River Drive, NW 37th Avenue, and NW 25th Street.
- ~~(e) Curb radii at intersections shall be thirty four (34) feet six (6) inches or less.~~
- (f) ~~Awnings, balconies, roof eaves, signs, porches stoops and ramps may encroach into setbacks.~~ Awnings, balconies, roof eaves and signs may encroach into rights-of-way; however, they shall not extend a distance closer than six (6) inches from the curb face. All right-of-way encroachments shall be a minimum one hundred thirty-two (132) inches above the sidewalk.
- (g) ~~Utilities~~ New utility installations shall run underground and above-ground projections of utilities shall be placed in or along rights-of-way of streets of lower pedestrian quality, wherever practicable.
- (h) Street lighting shall be required along all streets. The type and spacing of light fixtures shall be approved by the Public Works and Waste Management Department. Approval shall be based on uniformity of types, location, right-of-way width, and luminosity.
- (i) Right-of-way improvements necessary to meet the requirements of this article shall be constructed concurrently with any development activity.

(3) **Walls, Fences and Hedges.**

Walls, Fences and Hedges. Walls, fences and hedges may be placed within the building frontage zone provided that the minimum sidewalk ~~with width~~ for the applicable street type is provided. Walls, fences and hedges shall not exceed ninety-six (96) inches in height. Behind the building frontage zone chain link fences shall be permitted. ~~Only where necessary, walls, fences and hedges along street frontages shall angle away from street intersections and driveways to avoid obstructing the sight visibility triangles or to provide the minimum eight (8) foot sidewalk width at the intersecting streets.~~

(4) **Open Space and Recreation Areas.**

- (a) A minimum of ~~fifteen (15)~~ ten (10) percent of ~~each~~ net site lot area shall be reserved for private open space. Colonnades, greens, landscape areas, water features, pedestrian areas in the building frontage zone, landscaped roof terraces on buildings or garage structures may be counted towards this requirement.
- (b) ~~Residential, retail, office, and hotel development on properties adjoining the Miami River, Tamiami Canal, and/or Palmer Lake shall provide a waterfront setback of twenty (20) feet as measured from the waterline or bulkhead. This setback area shall be furnished with walkways, seating areas, lighting, and landscaping as appropriate. Colonnades and/or cantilevered building elements shall be permitted to encroach into the setback area. Walkways shall be designed to permit connections to existing or future walkways located on adjoining waterfront properties. The setback area and walkway shall be accessed from the street by exterior walkways or through building interiors, courtyards, or breezeways. The setback area, walkway and accessways shall permit general public access seven (7) days a week from at least seven (7) AM to ten (10) PM. For properties adjoining Palmer Lake docks or boardwalks located over the lake providing similar pedestrian accommodation shall satisfy the setback requirement. New or existing marine industrial uses either alone or combined with residential, retail, office, and/or hotel uses shall be exempt from the requirements of this paragraph.~~

(5) **Parking.**

- (a) Parking shall be provided as per Section 33-124 of this Code, except as follows:
- (1) ~~In the MIC Core Sub-District, for all single use projects, the minimum parking permitted shall be:~~
- ~~i. Residential — One (1) parking space per dwelling unit.~~
 - ~~ii. Office — One (1) parking space per four hundred (400) square feet of gross floor area.~~
 - ~~iii. Hotel — One (1) parking space for every two (2) guest rooms.~~
 - ~~iv. Other uses — Use parking standard as specified in Section 33-124 of this Code.~~
- (2) ~~In the Core Sub-District, required parking for mixed-use projects shall be calculated by applying the Urban Land Institute (ULI) Shared Parking Methodology, on file with the Director, to the parking standards above. Required parking shall fulfill between ninety (90) percent and one hundred ten (110) percent of the calculated requirement.~~
- (3) ~~In the Center and Edge Sub-Districts, parking requirements for mixed-use projects shall be calculated by applying the (ULI) Shared Parking Methodology to the parking standards as specified in Section 33-124 of this Code. Parking shall fulfill between ninety (90) percent and one hundred ten (110) percent of the ULI calculated requirement.~~
- (4) ~~Off-street parking areas shall be located on the same lot, parcel or premises as the use to be served; or may be on a lot or parcel of land that is in the Palmer Lake Urban Center District and is within three hundred (300) feet from the site of such use(s) to be served; provided such use(s)~~

~~shall immediately terminate in the event such parking area therefor is not available and all those having any right, title or interest in and to such property site shall execute and place on the public records of this County a covenant approved by the Director that such use(s) shall cease and terminate upon the elimination of such parking area, and that no use shall be made of such property until the required parking area is available and provided.~~

- ~~(5) On street parking spaces directly abutting a lot shall count toward the parking requirement for development of that lot, except that such spaces shall not count toward parking requirements for disabled persons or persons transporting baby strollers.~~
- (1) For all single use development, the minimum parking required shall be:
 - i. Residential—One (1) parking space per dwelling unit.
 - ii. Office—One (1) parking space per four-hundred (400) square feet of gross floor area.
 - iii. Hotel—One (1) parking space for the first forty (40) guest rooms and one (1) additional parking space for every two (2) guest rooms or suites thereafter.
 - iv. Other uses—Use parking standard as specified in Section 33-124 of this Code.
- (2) Parking reduction. Development meeting certain criteria shall be permitted to reduce the number of parking spaces required. Specific use, location, and parcel requirements and permitted reductions are provided in the following table.

<u>Use</u>	<u>Location, Parcel Requirement</u>	<u>Permitted reduction of required parking as otherwise provided in this section</u>		
		<u>MIC Core</u>	<u>Center</u>	<u>Riverside</u>
<u>Group 1: Work-force reduction</u>				
<u>Work-force housing units (WHU) as defined in this article</u>	<u>No location limitation</u>	<u>25%*</u>	<u>25%*</u>	<u>25%*</u>
<u>Group 2: Location reduction</u>				
<u>Non-residential, mixed-use, multi-family residential</u>	<u>Within one-quarter (1/4) mile of a bus stop or rail station serviced by premium transit**</u>	<u>75%</u>	<u>60%</u>	<u>50%</u>
<u>Non-residential, mixed-use, multi-family residential</u>	<u>Within one-half (1/2) mile of a bus stop or rail station serviced by premium transit**</u>	<u>50%</u>	<u>40%</u>	<u>30%</u>
<u>Non-residential, mixed-use, multi-family residential</u>	<u>Within three-quarters (3/4) mile of a bus stop or rail station serviced by premium transit**</u>	<u>40%</u>	<u>30%</u>	<u>20%</u>
<u>Group 3: Parcel size reduction</u>				
<u>Mixed-use</u>	<u>Parcels less than fifteen-thousand (15,000) square feet</u>	<u>75%</u>	<u>60%</u>	<u>50%</u>
<u>Mixed-use</u>	<u>Parcels between fifteen-thousand (15,000) and thirty-thousand (30,000) square feet</u>	<u>40%</u>	<u>40%</u>	<u>30%</u>
<u>Mixed-use</u>	<u>Parcels greater than thirty-thousand (30,000) square feet</u>	<u>30%</u>	<u>20%</u>	<u>20%</u>
* <u>Percentage reduction applies only to those spaces required by WHU restricted residential units</u>				
** <u>Distance from a bus stop or rail station shall be measured from the perimeter of the property occupied by such station.</u>				

- Developments meeting more than one of the use, location, and parcel criteria shall be permitted to combine each permitted reduction; the combined reduction shall be calculated by reducing the first applicable criteria from each group in the order of the table above.
- (3) Off-street parking areas shall be located on the same lot, parcel or premises as the use to be served; or may be on a lot or parcel of land that is in the Palmer Lake Urban Center District and is within seven hundred fifty (750) feet from the site of such use(s) to be served; provided such use(s) shall immediately terminate in the event such parking area therefor is not available and all those having any right, title or interest in and to such property site shall execute and place on the public records of this County a covenant approved by the Director that such use(s) shall cease and terminate upon the elimination of such parking area, and that no use shall be made of such property until the required parking area is available and provided.
- (4) On-street parking spaces directly abutting a lot shall count toward the parking requirement for development of that lot.
- (b) Surface parking lots shall be located a minimum of twenty (20) feet from the front property line along 'A' and 'B' Streets. Walls and/or habitable space shall be built ~~at the frontage line or at the build-to-line~~ adjoining the building frontage zone to screen parking from view.
- (c) Parking garages adjoining the building frontage zone shall be screened along 'A' street frontages shall be screened by a minimum of twenty (20) feet of habitable space for the entire height of the garage structure.
- (d) Parking garages adjoining the building frontage zone shall be screened along 'B' and 'C' street frontages shall be screened by a minimum of twenty (20) feet of habitable space at the ground ~~floor~~ story of the garage structure; except that properties with more than one street frontage shall be required to provide screening for fifteen (15) percent of the garage structure's ground story frontage along the lower-ranking streets.
- (e) Parking garages facing 'A' streets that have a lot depth at any one (1) point of less than one hundred fifty (150) feet are required to provide habitable space only at the ground floor. However, architectural expression shall remain required as per this article.
- (f) Drop off drives and porte-cocheres shall not adjoin an frontage onto 'A' or 'B' street frontage; s may only occur behind habitable space, interior yard areas, and on 'C' and 'D' streets.
- (g) Loading and service entries shall be allowed only on 'C', ~~and 'D'~~ and 'E' streets, alleys and within parking lots and structures. For those properties with frontages only on 'A,' 'B' and 'C' one streets, loading and servicing shall be allowed ~~on from~~ the street frontage.
- (h) Pedestrian entries to parking garages shall be directly from the street frontage as well as from the contiguous building.
- (i) Parking lots shall provide for pedestrian and vehicular cross access to existing and prospective adjacent parking lots.
- (j) Parking stall dimensions and spaces for persons with disabilities and/or strollers shall be in accordance with Article VII of the Miami-Dade County Code.
- (k) Bicycle racks shall be provided as provided in Section 33-122.3 of this Code..
- (l) Mechanized parking shall be allowed for residential multi-family and non-residential buildings and when provided it shall be exempt from the provisions of Section 33-122 of this Code. For the purpose of this article, mechanized parking shall be defined as a mechanism with vertical and horizontal transport capability that provides for automobile storage or retrieval. A mechanized parking space may be counted as a parking space required in this section provided that:

- a. A queuing analysis is submitted and approved during the Administrative Site Plan and Architectural Review.
- b. Mechanized parking shall be located within an enclosed building/garage which shall be screened as provided in (c) and (d) above.

- ~~1. Along 'A' street frontages by a minimum of twenty (20) feet of habitable space for the entire height of the garage structure~~
- ~~2. Parking garages shall be screened along 'B' and 'C' street frontages by a minimum of twenty (20) feet of habitable space at the ground floor of the garage structure.~~

- (m) The provisions of Section 33-131 of this Code shall not apply to the required parking for any permitted use.
- (n) Child care facilities located within a mixed-use building shall be exempt from the auto-stacking requirements of Section 33-151.18(c) of this Code.

(6) **Landscape.**

With the exception of Sections 18A-7, 18A-8, 18A-9, 18A-11, 18A-12 and 18A-13, the provisions of Chapter 18A of the Code of Miami-Dade County, Florida, shall not apply, except as provided for below. Trees and landscape shall be required for streets, medians, squares, plazas, and private property in accordance with the following:

- (a) **Street Trees:** Street trees shall be placed along 'A,' 'B,' 'C' and 'E' Streets at a maximum average spacing of thirty-five (35) feet on center. Street trees shall have a minimum caliper of six (6) inches and shall have a minimum clear trunk of eight (8) feet at the time of planting. Where palms are used as street trees they shall be placed at a maximum average spacing of twenty-five (25) feet on center. Street trees shall be planted in one or more of the following methods of installation as required by Section 33-284.86(C)(4) above:
 - (1) Tree grates. Trees are planted within openings in the sidewalk. The openings shall be covered by permanently installed grates perforated to permit natural irrigation. The grates shall be installed flush with the surrounding sidewalk.
 - (2) Tree planters. Trees are planted within a raised planter located on the sidewalk. The planter shall be defined on all sides by a permanent masonry structure to consist of a minimum six (6) inch raised curb. The area within the planter, in addition to the required trees, shall be planted with ground cover, shrubs, or other appropriate plant material.
 - (3) Continuous landscape strips. Trees are planted in the area between the curb or roadway edge and the sidewalk. This area, in addition to the required trees, shall be planted with grass. Continuous landscape strips shall not be permitted along street frontages where the ground story of buildings are occupied by storefronts.
- (b) **Median Trees:** Median trees shall have a minimum caliper of six (6) inches and shall have a minimum clear trunk of eight (8) feet at time of planting. Median planting shall provide a one hundred (100) percent canopy coverage within two (2) years of installation. Median trees may be a maximum of twenty (20) percent flowering trees or palms, which at time of planting shall have a minimum height of fifteen (15) feet, a minimum spread of ten (10) feet, and a minimum caliper of three (3) inches.
- (c) Tree requirements for private property shall be based on ~~sixteen (16)~~ fifteen (15) trees per net acre of lot area. Trees shall have a minimum caliper of six (6) inches and shall have a minimum clear trunk of eight (8) feet at time of planting.
- (d) At grade parking lots shall follow all requirements of Section 18A(6)(J) of this Code.

All landscaped areas shall be continuously maintained in a good, healthy condition, and sprinkler systems of sufficient size and spacing shall be installed to serve all required landscaped areas and parking lots. Irrigation shall sup-

ply a minimum of the equivalent one and one-half (1½) inch rainfall per week. Rain sensors shall be installed in all systems.

(7) Signage.

Except as provided herein, signage shall comply with Section 33-284.63 of this chapter and the definitions set forth in Section 33-84 of this chapter shall apply. In the event of a conflict, the provisions of this section shall govern.

- (a) Temporary signs. Temporary signs (Class A) shall be permitted in compliance with Section 33-99 of this chapter.
- (b) Permanent Point of Sale Signs. Permanent point of sale signs (Class B) shall be permitted as follows:
 - (1) The following permanent point of sale signs are permitted in all sub-districts in conjunction with permitted business and industrial uses: monument sign, flat attached, hanging, awning, cantilever, and projecting.
 - i. Projecting signs shall be mounted and perpendicular to the building.
 - ii. The copy of an awning sign shall only be located on the valance of the awning.
 - iii. The bottom of a hanging sign shall be located at a minimum height of eight (8) feet from the finished floor.
 - iv. Monument signs, which are freestanding, 2-faced signs, shall have a base at least seventy-five (75) percent of the horizontal width of the sign and located directly on the ground or a maximum of twelve (12) inches above grade.
 - v. Cantilever signs are mounted on that portion of the building projecting horizontally, whether it be on the same plane as the roof line or not.
 - (2) Maximum size, location, and number of signs shall be as follows:

Sign Type	Size	Number of Signs
Flat Attached, Cantilever, Projecting*	10% of wall area**	Not limited
Hanging, Awning	6 sq. ft.	Not limited
Monument*	monument: 25 sq. ft. maximum for first 50 feet of street frontage plus .75 sq. ft. for each additional foot of street frontage to a maximum sign face area of 40 sq. ft.	One per street frontage
<p>* One side of a projecting or monument sign with two faces shall count toward the maximum permitted sign area.</p> <p>** Where a building may be occupied by multiple tenants, the permitted sign area that results from the percentage of wall area is shared among all tenants. A sign survey shall be required at time of permitting to demonstrate compliance with the maximum sign area permitted.</p>		

- (c) Commercial signs. Commercial signs (Class C) shall be permitted as follows:
 - (1) In the MIC Core Sub-district and along A, B, and C streets:
 - Class C signs shall be permitted attached to buildings of at least seventy-five feet in height. Free-standing Class C signs shall not be permitted.
 - i. The lowest portion of the sign shall be at least thirty (30) feet above grade.

- ii. The total sign area shall not occupy more than ten (10) percent of the wall area.
 - iii. The sign shall not obstruct ~~building windows~~, balconies, or terraces; signs located in front of building windows shall be perforated so as not to obstruct visibility from within.
 - iv. The sign shall not be oriented toward or be visible primarily from an adjoining residential zoning district.
- (2) In all other areas:
- i. Class C signs shall be permitted within bus shelter structures and pedestrian information displays located in the building frontage zone and/or the right-of-way.
 - ii. The maximum size of Class C signs within such structures or displays shall be thirty-two (32) square feet. Two-sided signs shall be permitted with one side counting toward the permitted sign area.
 - iii. Bus shelter structures and pedestrian information displays containing Class C signs shall be spaced at least one hundred (100) feet apart as measured parallel to the street center-line.
 - iv. The design, location, and construction of such structures or displays shall be approved by the directors of planning, zoning, and public works.
- (d) Directional signs. Directional signs, to direct traffic flow and locate entrances and exits shall be permitted on private property in connection with any permitted use. Directional signs shall not exceed thirty-two (32) square feet in area. The maximum height above grade of a detached directional sign shall be twelve (12) feet. The number, setback, and locations of the signs shall be determined for each facility as part of the site plan review process. Directional signs shall be shown on site plans indicating sign size, location, and copy.

Sec. 33-284.99.56. Review procedure.

Projects following the provisions of this Article and the Regulating Plans shall be processed and approved administratively. The Miami-Dade County Department of Planning and Zoning shall review the applications including exhibits listed below for completeness and compliance with the provisions of this Article and the Regulating Plans. All complete submissions to the Department shall be reviewed and approved or denied, within twenty-one (21) days from the date of submission. The applicant shall have the right to extend the twenty-one (21) day period by an additional twenty-one (21) days upon timely request made in writing to the Department. The Department shall have the right to extend the twenty-one (21) day period by written notice to the applicant that additional information is needed to process the site plan. Denials shall be in writing and shall specifically set forth the grounds for the denial. Any final decision of the Director may be appealed in accordance with the public hearing procedure established in Article XXXVI of this Code and in accordance with the procedure established for appeals of administrative decision.

Exhibits prepared by design professionals such as architects and landscape architects shall be submitted to the Department and shall include, but not be limited, to the following:

- (A) Site plan(s) including:
- (1) Lot lines, building frontage zone and setbacks.
 - (2) Location, shape, size and height of existing and proposed building construction and landscaping.
 - (3) Location of on-street and off-street parking, loading facilities, waste collection areas, and all above ground utilities.
 - (4) Indication of signage.
 - (5) Indication of any site or building design methods used to conserve energy.

- (6) Street type designations as per this Article.
- (7) Indication of Sub-District boundaries as per this Article.
- (B) Landscape plans including specification of plant material, location and size.
- (C) 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 Article.
- (D) Figures indicating the following:
 - (1) Gross and net acreage.
 - (2) Amount of landscaped open space in square feet and percentage required and provided.
 - (3) Total square footage of all land uses.
 - (4) Amount of building coverage at ground level in square feet and percentage.
 - (5) Total trees required and provided, indicating on site and off site contribution within the District.
 - (6) Parking required and provided.
 - (7) Total amount of paved area in square feet.
 - (8) Total number of dwelling units.
 - (9) Such other design data as may be needed to evaluate the project.

In the case of multiple-phase development, each phase of the development, whether standing independently or in conjunction with existing developed or proposed future contiguous phases, shall meet all the requirements of this Article. Notwithstanding the review procedure contained herein, all requests for the subdivision of property within the Palmer Lake Urban Center District shall have previously received site plan approval in accordance with the requirements of this section or Section 33-284.99.58 below.

Sec. 33-284.99.57. Zoning hearing review.

Relief from the following requirements of this article shall be permitted only pursuant to the standards and requirements of Section 33-311(A)(4)(a) of this chapter:

- (1) Building frontage requirements.
- (2) Storefront requirements.
- (3) Habitable space requirements.

Sec. 33-284.99.58. Nonconforming structures and uses.

- (A) Purpose/Applicability
 - 1. Nothing contained in this article shall be deemed or construed to prohibit the continuation of a legally established non-conforming use, structure, or occupancy, as those terms are defined in Sections 33-1, 33-34, and 33-35 of this chapter. The intent of this Section is to encourage nonconformities to ultimately be brought into compliance with current regulations. This section shall govern in the event of conflicts with other regulations of this code pertaining to legally established nonconforming uses, structures and occupancies.
 - 2. The term 'nonconformity' shall refer to a use, building, or lot that does not comply with the regulations of this Article. Only legally-established nonconformities shall have rights under this Section.
 - 3. For the purposes of this Section, 'legally established' shall apply to the following circumstances:
 - a. A site or improvement that is rendered nonconforming through the lawful use of eminent domain, an order of a court of competent jurisdiction, or the voluntary dedication of property.

- b. An existing use which conformed to the code at the time it was established.
- c. A building and/or site improvement that was permitted in accordance with regulations in effect at the time of permitting or that was approved pursuant to a public hearing.
- d. A building and/or site improvement that had received final site plan approval through a public hearing pursuant to this chapter or through administrative site plan review or had a valid building permit.
- e. Discontinuation of the use, structure, or occupancy would abrogate a vested right as determined by Sections 2-114.1 to 2-114.4 of this Code.

4. For the purposes of this section, the term 'expansion' shall mean an improvement, addition, enlargement, extension or modification to a structure that increases the square footage of the structure.

(B) Nonconforming Uses and Structures

1. Nonconforming Lots

- a. Development on a legally established, nonconforming lot that does not meet the lot frontage and/or lot area requirements of this Article, shall be permitted, provided that the development meets all other requirements of this Article.
- b. Expansions to structures on legally established, nonconforming lots shall be permitted as indicated in Section 33-284.91(C) of this article.
- c. Variances from other requirements of this Article shall require a public hearing, pursuant to this Article and Section 33-311 of this chapter.

2. Nonconforming Uses

- a. A legally established nonconforming use may continue. Expansions and/or alterations to a structure containing a nonconforming use, that would increase the floor area of the nonconforming use, shall require review, pursuant to Section 33-284.99.58(C) of this article.
- b. If a nonconforming use is discontinued for a period of more than one year, the use may not be reestablished. A use shall be considered discontinued once the activities and commerce, essential to the continuation of the use, are abandoned. Discontinuance due to acts of force majeure shall not constitute abandonment provided a good faith effort is made to reestablish.

3. Nonconforming Structures

- a. In order to prevent regulation changes from creating an undue burden on property owners, legally-established, nonconforming structures may continue to be used and maintained. Repairs, improvements and expansions to nonconforming structures shall meet the following provisions:
 - 1. Internal and external repairs, alterations, and improvements ~~including repairs and alterations that do not increase the square footage of the nonconforming structure~~ shall be permitted and shall not be subject to the requirements of this Article.
 - 2. Improvements such as additions, enlargements, extensions or modifications that will result in additional building square footage shall be permitted as follows:
 - i. If the total square footage of the proposed improvement is less than fifty (50) percent of the structure's net square footage at the time it became nonconforming, the improvement shall require review, pursuant to Section 33-284.91(C) of this article.

- ii. If the total square footage of the proposed improvement is equal to or exceeds fifty (50) percent of the structure's net square footage at the time it became nonconforming, the entire structure and site improvements shall be brought into compliance with current regulations.
 - iii. Once the cumulative total of additional square footage of improvements exceeds fifty (50) percent of the structure's net square footage at the time it became nonconforming, no additional expansions shall be permitted.
 - iv. For the purposes of this article, net square footage shall refer to the square footage indicated on the building permit or determined through equivalent evidence.
- b. If a nonconforming structure is damaged by fire, flood, explosion, wind, war, riot or any other act of force majeure, reconstruction shall be subject to the following provisions:
 - 1. If the repair/replacement cost is less than fifty (50) percent of the ~~structure's assessed~~ value of the structure as determined by the Building Official, the structure may be reconstructed at the building height and within the building footprint existing prior to the damage, provided an application for final building permit has been submitted within twelve (12) months of the date of such damage unless extended by a resolution by the Board of County Commissioners.
 - 2. If the repair/replacement cost is equal to or exceeds fifty (50) percent of the building's ~~assessed~~ value as determined by the Building Official, the building and site improvements shall be brought into compliance with this article.
 - ~~3. For the purposes of this Chapter, 'assessed value' shall refer to the building value indicated on the most recent tax roll prior to renovation or damage.~~
- c. If a nonconforming building is deemed to be unsafe, pursuant to Chapter 8, and demolition is required, the building shall be rebuilt in accordance with current regulations.
- d. In addition to the requirements of this Section, all repairs, improvements and expansions to a nonconforming building shall comply with Chapter 34 of the Florida Building Code.

(C) Plan Review Standards

Where a proposed expansion or renovation, consistent with Section 33-284.91(B) of this article is proposed the project shall be reviewed according to the plan review standards outlined in this Section. The intent of the plan review shall be to allow for the continuation of viable uses and structures while seeking opportunities to lessen the adverse impacts of proposed expansions and encouraging nonconformities to ultimately be brought into compliance.

- ~~1. Expansions to nonconforming one family and two family residences are permitted and shall not require Administrative Site Plan Approval (ASPR) provided said expansion complies with the single family detached or duplex lot criteria indicated in the building placement standards of this article. One family and two family residences that were rendered nonconforming due to the assignment of a non residential land use designation shall be permitted to continue and expand in accordance with Section 33-284.91(B) of this article. The expansion shall not require ASPR approval provided said expansion meets the applicable single family detached or duplex lot criteria indicated in the building placement standards of this article.~~

2. An expansion to a nonconforming multi-family and non-residential use in accordance with Section 33-284.91 (B) of this article requires approval through the Administrative Site Plan Review Process (ASPR), provided it meets all of the following criteria:
 - a. The expansion will not cause additional adverse impacts, such as traffic, noise, dust, odors and parking congestion, on surrounding properties or significantly change the character of the area.
 - b. The proposed expansion will not create new nonconformities.
 - c. The proposed expansion will comply with building frontage and/or setback regulations applicable only to the expansion as indicated in the building placement standards of this article.
 - d. All parking spaces necessitated by the expansion will be provided as per this article.
 - e. The expansion and parking area(s) shall comply with landscaping and screening requirements in accordance with this article and Chapter 18A (Landscape Code).
3. If the proposed expansion does not meet the aforementioned criteria, expansions shall only be permitted by public hearing. At public hearing, additional conditions may be added to enhance compatibility of the project, as follows:
 - a. Limit the manner in which the use is conducted, including restricting hours of operation and restraints to minimize adverse impacts such as noise, vibration, air pollution, glare and odor.
 - b. Specify additional screening or open space to minimize impacts to surrounding properties or the character of the area.
 - c. Restrictions on the height, size or location of a building or other structure.
 - d. Require additional right-of-way dedication or road improvements.
 - e. Restrictions on the number, size, location, height or lighting of signage.
 - f. Limit the location and intensity of outdoor lighting or require its shielding.
 - g. Restrictions to protect existing natural, cultural and historical resources.
 - h. Specify other conditions to further the intent and purpose of this Article and the Comprehensive Development Master Plan.

Sec. 33-284.99.59. Conflicts with other chapters and regulations.

When conflicts with other Zoning, Subdivision or the Landscape regulations occur, the Palmer Lake Urban Center District Article shall take precedence. Where conflicts occur with Miami-Dade Department of Public Works Manual of Public Works, unless otherwise approved by the Director of the Public Works Department and the Director of the Department of Planning and Zoning, this Article shall take precedence.

Sec. 33-284.99.60. Effective date.

This Article shall become effective (10) days after the date of enactment, unless vetoed, and if vetoed, shall become effective only upon an override by this Board. It is provided however that this Article shall not apply to any project or structure located within the Palmer Lake Urban Center District that has previously received site plan approval through a public hearing or administrative site plan review (ASPR), yet has not been constructed at the time of adoption of this Article. Said projects may be constructed in accordance with the terms of its approval within the ensuing five (5) years. Any structure that has been issued a valid building permit which is still valid five (5) years from the date of adoption of this Article, may proceed to construction

under the terms of that permit. For the purpose of calculating the five (5) year period under this section, the time shall be tolled during the pendency of administrative or judicial proceedings relating to development permits or development orders.

Sec. 33-284.99.61. Legal Description.

A portion of Sections 28 and 29, Township 53 South, Range 41 East, Miami-Dade County, Florida; being more particularly described as follows:

BEGIN at ... to the POINT OF BEGINNING.