



City of Miami

Legislation

Ordinance

City Hall
3500 Pan American
Drive
Miami, FL 33133
www.ci.miami.fl.us

File Number: 04-01101

Final Action Date:

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING ORDINANCE NO. 11000, OF THE ZONING ORDINANCE OF THE CITY OF MIAMI, FLORIDA, BY AMENDING ARTICLES 4 AND 6, SECTION 401, SCHEDULE OF DISTRICT REGULATIONS AND SECTION 614 SD-14 LATIN QUARTER COMMERCIAL-RESIDENTIAL, AND RESIDENTIAL DISTRICTS; IN ORDER TO MODIFY THE C-1 RESTRICTED COMMERCIAL AND SD-14 ZONING CLASSIFICATIONS WITH REGARDS TO FOOTPRINT LIMITATIONS; ADDING CONDITIONS FOR APPROVAL; CONTAINING A REPEALER PROVISION AND A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Miami Planning Advisory Board, at its meeting of September 1, 2004, Item No. 4, following an advertised hearing, adopted Resolution No. PAB 101-04 by a vote of six to zero (6-0), RECOMMENDING APPROVAL of amending Zoning Ordinance No. 11000 as hereinafter set forth; and

WHEREAS, the City Commission after careful consideration of this matter deems it advisable and in the best interest of the general welfare of the City of Miami and its inhabitants to amend Ordinance No. 11000 as hereinafter set forth;

NOW, THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE CITY OF MIAMI, FLORIDA:

Section 1. The recitals and findings contained in the Preamble to this Ordinance are hereby adopted by reference thereto and incorporated herein as if fully set forth in this Section.

Section 2. Ordinance No. 11000, as amended, the Zoning Ordinance of the City of Miami, Florida, is hereby amended by amending the text of said Ordinance as follows: {1}

"ARTICLE 4. Schedule of District Regulations"

* * *

C-1 Restricted Commercial.

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Intent and Scale:

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Floor area ratio: Maximum of one and seventy-two hundredths (1.72) times the gross lot area.

Building footprint: Maximum of four-tenths (0.40) times the gross lot area; except that by Class II Special Permit, the maximum building footprint may be increased to six tenths (0.60) times the gross lot area for projects that comply with the following requirements:

A. At ground level. Habitable spaces as liners to conceal parking structures or parking areas, must be provided for at least 65% of linear street frontages

B. At the second floor level. Habitable spaces as liners to conceal parking structures or parking areas, with a combination of architectural articulation for all linear street frontages shall be permitted; however, in no case will the habitable space liners be less than 40% of all linear street frontages. The effect of this requirement shall be to ensure that parking structures and parked vehicles are concealed from exterior street view.

C. Third floor level and above. Habitable spaces as liners to conceal parking structures or parking areas, with a combination of architectural articulation for all linear street frontages shall be permitted; however, in no case will the habitable space liners be less than 25% of all linear street frontages where lot depth is equal to or greater than 105'-0" excluding required setbacks along the primary street frontage. In cases where lot depth is less than 105'-0" excluding required setbacks along the primary street frontage, no habitable spaces as liners shall be required so long as the project provides and incorporates architectural articulation for all linear street frontages. The effect of this requirement shall be to ensure that parking structures and parked vehicles are concealed from exterior street view.

D. In addition, since the intent of this modified footprint is to promote more urbanized projects along commercial corridors, all projects shall demonstrate an emphasis to articulate and express architecturally the corners of the proposed structures along such corridors. The effect of this requirement shall be to ensure that parking structures and parked vehicles are concealed from exterior street view while providing appropriate urban forms along primary street frontages.

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ARTICLE 6. Special Districts

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Sec. 614. SD-14, 14.1: Latin Quarter Commercial-Residential and Residential Districts.

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614.3.5. Floor area limitations.

614.3.5.1. Floor area limitations for residential or nonresidential use in a building; floor area limitations for combination residential and nonresidential uses in a building. Except as modified by section 614.3.5.2 below:

* * *

3. Building footprint: Maximum of four-tenths (0.40) times the gross lot area; except that by Class II Special Permit, the maximum building footprint may be increased to six tenths (0.60) times the gross

lot area for projects that comply with the following requirements:

A. At ground level. Habitable spaces as liners to conceal parking structures or parking areas, must be provided for at least 65% of linear street frontages

B. At the second floor level. Habitable spaces as liners to conceal parking structures or parking areas, with a combination of architectural articulation for all linear street frontages shall be permitted; however, in no case will the habitable space liners be less than 40% of all linear street frontages. The effect of this requirement shall be to ensure that parking structures and parked vehicles are concealed from exterior street view.

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Section 3. All ordinances or parts of ordinances insofar as they are inconsistent or in conflict with the provisions of this Ordinance are hereby repealed.

Section 4. If any section, part of section, paragraph, clause, phrase or word of this Ordinance is declared invalid, the remaining provisions of this Ordinance shall not be affected.

Section 5. This Ordinance shall become effective thirty (30) days after final reading and adoption thereof. {2}

APPROVED AS TO FORM AND CORRECTNESS:

JORGE L. FERNANDEZ
CITY ATTORNEY



Footnotes:

{1} Words and/or figures stricken through shall be deleted. Underscored words and/or figures shall be added. The remaining provisions are now in effect and remain unchanged. Asterisks indicate omitted and unchanged material.

{2} This Ordinance shall become effective as specified herein unless vetoed by the Mayor within ten days from the date it was passed and adopted. If the Mayor vetoes this Ordinance, it shall become effective immediately upon override of the veto by the City Commission or upon the effective date stated herein, whichever is later.