

**CITY OF MIAMI  
OFFICE OF ZONING  
MEMORANDUM**

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**TO:** Gilberto Pastoriza, Attorney at Law  
**FROM:** Barnaby L. Min, Zoning Administrator  
**DATE:** December 29, 2011  
**RE:** Zoning Interpretation  
11-0005

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This Zoning Interpretation is issued to clarify the requirements that Miami-Dade College must comply with when developing within the City of Miami ("City") jurisdiction. Article 4, Table 3 of Miami21, the City's zoning ordinance, indicates what process colleges and universities must proceed with when proposing a new or expanded use. Specifically, for properties located in T5-L, T5-O, T6-L, or T6-O Transect Zones, a Warrant (administrative permit) from the Department of Planning must be obtained. For properties located in CI and D1 Transect Zones, an Exception (public hearing before the Planning, Zoning, and Appeals Board) must be obtained. For properties located within a CI-HD Transect Zone, colleges and universities may operate by right. Colleges and universities in all other Transect Zones are strictly prohibited.

In contrast to Miami 21, Florida Statute 1013.371 states that "all public educational and ancillary plants constructed by a board must conform to the Florida Building Code and the Florida Fire Prevention Code, and the plants are *exempt from all other . . . ordinances . . .*" (Emphasis added).

As stated above, Miami21 is the zoning ordinance of the City. As specifically stated by Florida Statute 1013.371, compliance with municipal ordinances, including Miami21, is not required. Accordingly, while encouraged, Miami-Dade College is not subject to the requirements of Miami21, including but not limited to, the requirements for a Warrant or Exception. Likewise, the procedures for Warrants and Exceptions as detailed in Article 7 of Miami21 are inapplicable to colleges and universities developed by Miami-Dade College. Please note, however, that full compliance with the City of Miami's Comprehensive Plan is required.

This interpretation shall be final unless appealed to the Planning, Zoning, and Appeals Board within 15 days of the date of its issuance.

cc: Francisco Garcia, Director of Planning  
Victoria Mendez, Assistant City Attorney  
Rafael Suarez-Rivas, Assistant City Attorney  
Office of Zoning  
Office of NET