



City of Miami

Legislation

Ordinance

File Number: 17599

Final Action Date:

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING ORDINANCE NO. 13114, THE ZONING ORDINANCE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, ("MIAMI 21 CODE") BY AMENDING ARTICLE 3, ENTITLED "GENERAL TO ALL ZONES", MORE SPECIFICALLY TO ADD SECTION 3.18, TITLED "TRANSIT STATION NEIGHBORHOOD DEVELOPMENT" ESTABLISHING CRITERIA FOR TRANSIT ORIENTED DEVELOPMENT WITH DESIGN FLEXIBILITY AND PUBLIC BENEFITS; CONTAINING A SEVERABILITY CLAUSE, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City created new goals, objectives, and policies in the MCNP around implementing Transit Oriented Developments (TOD) as part of the 2022 Evaluation Appraisal and Review (EAR); and

WHEREAS, the City defined Transit Oriented Developments under Policy LU-5.1.2 of the MCNP; and

WHEREAS, the City aspires to strengthen planning around future fixed-rail transit stations and determined a new future land use designation was justified and necessary; and

WHEREAS, the proposed changes meet the intent of Goal LU-5, Objective LU-5.1, Policy LU-1.6.2, Policy HO-1.1.9, Objective TR-1, and Policy TR-1.1.4 by encouraging growth around transit stations, reducing greenhouse gas emissions, and increasing housing stock near transit stations; and WHEREAS, the City of Miami has adopted a Comprehensive Neighborhood Plan (MCNP) that identifies the need for Transit-Oriented Development (TOD) to support sustainable growth, provide alternative mode of transportation, and promote public transit use; and

WHEREAS, the Future Land Use Map of the MCNP designates certain areas as appropriate for increased density and intensity near transit corridors and stations, consistent with principles of urbanism and smart growth; and

WHEREAS, the establishment of the Transit Station Neighborhood District (TSND) supports this vision by providing a framework for development within proximity—up to one mile—of existing or approved fixed rail stations; and

WHEREAS, the TSND incentivizes development that includes pedestrian and mobility enhancements such as sidewalks, crosswalks, traffic calming features, and bicycle infrastructure, thereby improving access to transit and key community destinations; and

WHEREAS, the TSND promotes equitable growth by requiring a portion of residential units to be designated as Affordable or Workforce Housing in accordance with Sections 3.15 and 3.16 of the Miami 21 Code; and

WHEREAS, the TSND allows greater building height, lot coverage, and intensity consistent with the T6-12-O or T6-24B-O transect zones depending on the level of development and type of approval; and

WHEREAS, the TSND encourages the creation of master plans that provide significant public benefits, including but not limited to: new or improved transit stations, enhanced landscaping, public parks or open spaces, trust fund contributions, and mobility amenities; and

WHEREAS, the TSND incentivizes sustainable development through the inclusion of green infrastructure, LEED or FGBC certified buildings, rooftop gardens, bioswales, and brownfield redevelopment; and

WHEREAS, the overlay supports small business growth through provisions for micro-retail and ensures flexibility in building form and use to allow for educational, civic, and cultural functions; and

WHEREAS, the City of Miami seeks to ensure that development near transit stations aligns with long-term goals of resilience, inclusivity, and neighborhood enhancement;

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

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

Section 2. Article 7, Section 7.1.2.1(b)(3) of the Miami 21 Code of the City of Miami is hereby amended in the following particulars:¹

“ARTICLE 3. GENERAL TO ALL ZONES

* * *

3.18 TRANSIT STATION NEIGHBORHOOD DEVELOPMENT

The intent of the Transit Station Neighborhood District (“TSND”) established in this section is to provide a framework for increased density and intensity, consistent with the Future Land Use Map of the Miami Comprehensive Neighborhood Plan (MCNP), in Transit Oriented Development (TOD) areas in order to promote responsible urban development and encourage transit ridership.

3.18.1 Applicability. Applicable to properties within one-half mile of an existing or approved transit station; the distance from the train station may be increased up to

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.

one mile if the project includes pedestrian shed, bicycle shed, or a circulator. Shall have a Land Use Designation of TOD – 1, TOD – 2, TOD – 3, or TOD – 4.

3.18.2 General TSND. In place of any conflicting provisions elsewhere in this Code, parcels within the TSND areas of applicability may be developed in accordance with the following, subject to a Warrant. Parcels that are zoned T3 are not eligible for the provisions in Section 3.18.2.

- a) Enhanced bike and pedestrian shed: Pedestrian and Mobility Connections: Creating or improving pedestrian and mobility connections between the development site and a transit stop and/or other community-serving destinations such as parks, government buildings, and commercial corridors. Such connections may include, but are not limited to, City Right-of-Way crosswalks, sidewalk improvements, street trees, street furnishings, and, traffic calming improvements that are coordinated with the City's Capital Improvements Program of the associated Commission District.
- b) Affordable housing – ten percent (10%) residential units as qualifying Affordable or Workforce Housing units pursuant to Section 3.15 and 3.16 of Miami 21.
- a. Height. Height shall be permitted in accordance with the T6-12-O transect zone.
- b. Density and Intensity: Shall be based on the underlining Land Use designation: TOD node 1-4.
- c. Lot Coverage. Lot coverage shall be permitted in accordance with the T6-12-O transect zone.
- d. Building Placement and Disposition. Building Placement and Disposition shall be permitted in accordance with T6-12-O transect zone regulations.
- e. Permitted Uses. Uses shall be permitted in accordance with the T6- 12-O transect zone.
- f. Parking. Parking shall be required in accordance with Article 4 Table for provisions for the T6-12-O transect zone, acknowledging Transit Oriented Development (TOD) area provisions. Parking standards shall be in accordance with T6-12-O transect zone regulations.
- g. Architectural, Landscape, and Ambient standards. Architectural, Landscape, and Ambient standards shall be in accordance with the T6-12-O transect zone.

3.18.3 In place of any conflicting provisions elsewhere in this Code, parcels within the TSND areas of applicability may be developed in accordance with the following, when approved as part of a master plan approved by Exception. Parcels that are zoned T3 are not eligible for the provisions in Section 3.18.3. Master plans shall include a minimum of 40,000 square feet of land and shall include a Streetscape Master Plan, regulatory plan and a Traffic Study. The Master plan shall outline significant urban

planning and neighborhood benefit packages, evaluated by the City through the Exception process. It shall include the following Public Benefits:

1. Transit Station:

- a) Development of a new fixed rail station as approved by the Miami – Dade County Transportation Planning Organization;
or
- b) Significant improvements to a fixed rail station amounting in approximately one and half percent (1.5%) of total project investment.

2. Neighborhood Enhancements: The Development shall provide all of the following Neighborhood Enhancements:

- a) Landscape Enhancements: Development provides for native specimen street trees within the verge with a DBH of twenty-five percent (25%) above the typical standards required by Article 9 and City Code Chapter 17 and are specified within an adopted Street Tree Master Plan.

- b) Public Parks, Open Space, or Park Improvements. The development project may provide any of the following or combination thereof:

- 1. Public Park, or Open Space, provided through purchase and in an area of need identified by the City Parks and Open Space Master Plan and the City's Parks Department. In addition park improvements provided through donation for Public Parks with amenity levels that are Moderate or that Need Improvement as defined by the Parks Department Facilities' Assesment Report.

- a) The Open Space may be a Park, Green or Square, as more fully described in [Article 4, Table 7](#) of this Code.
 - b) Park improvements shall for all applicable purposes be treated as a Trust Fund contribution pursuant to [Section 3.14.4.b.\(3\)](#).
 - c) Donations must meet all City requirements for design, equipment specifications, construction, warranties, etc. Park improvements are subject to review and approval by the City Manager or designee in accordance with Miami 21.

- 2. Public Open Space provided on-site in a location and of a design to be approved by the Planning Director. The project shall maintain the Frontage requirements of the Transect Zone. The Open Space may be a

Courtyard, Plaza, or Thoroughfare or Pedestrian Passage through the site connecting two (2) Thoroughfares, such as a segment of the Baywalk or FEC Greenway. See [Article 4, Table 7](#).

3. Trust Fund contribution: The cash contribution shall be determined based on a percentage of the market value of the per square foot price being charged for units at projects within the market area where the proposed project seeking the bonus is located. The calculation assumes a land value per saleable or rentable square foot within market area to equate to between 10 (ten) to 15 (fifteen) percent of market area's weighted average sales price per square foot. The cash contributions shall be adjusted on an annual basis to reflect market conditions effective October 1st of every year.

- c) Pedestrian and Mobility Connections: Creating or improving pedestrian and mobility connections between the development site and a transit stop and/or other community-serving destinations such as parks, government buildings, and commercial corridors. Such connections may include, but are not limited to, City Right-of-Way crosswalks, sidewalk improvements, street trees, street furnishings, and, traffic calming improvements that are coordinated with the City's Capital Improvements Program of the associated Commission District.

1. As identified under Section 3.14.4.b improvements shall be coordinated with the City's Capital Improvement Program within the associated Commission District. Nothing herein shall prohibit or limit an applicant under this section from making an additional voluntary contribution of amounts in excess of its obligation under this section to be used for Capital Improvements within the associated Commission District.

- d) Mobility Amenities:

1. A minimum of four (4) enhanced on-site (within master plan area) mobility amenities shall be provided over and above the required bicycle facilities identified within Section 3.6.10. Such mobility amenities include air-conditioned space, lockers, showers, bicycle repair stations, drinking fountains within the mobility amenity space, and increased bicycle storage providing at least twenty percent (20%) more bicycle spaces than required; or
2. A funded circulator.

3. Minimum of twenty percent (20%) of residential units as qualifying Affordable or Workforce Housing units pursuant to Section 3.15 and 3.16 of Miami 21.
4. Small Business Development: On site Workforce Development training, Small Business support such as incubator or ground floor micro-retail space.
5. Other Enhancements: The Development shall include at least (1) of the following:
 - a) Historic Preservation. A contribution to the Historic Preservation Trust Fund.
 - b) Green Building and infrastructure:
 1. At least one (1) structure within the Development shall be a minimum of Gold certified by either U.S. Green Building Council (USGBC) the Florida Green Building Coalition (FGBC) .
 - a. If at the time the first Certificate of Occupancy is issued for the Building that received a public benefits bonus for a Green Building, the anticipated LEED or FGBC certification, as applicable, has not been achieved, then the owner shall post a performance bond in a form acceptable to the City of Miami. The performance bond shall be determined based on the value of land per square foot of Building in the area of the City in which the proposed project is located, which may be adjusted from time to time based on market conditions. The methodology for determining the value of land per square foot of Building shall be maintained in the Planning Department. The City will draw down on the bond funds if LEED or FGBC certification, as applicable, has not been achieved and accepted by the City within one year of the City issuance of the Certificate of Occupancy for the Building. Funds that become available to

the City from the forfeiture of the performance bond shall be placed in the Miami 21 Public Benefits Trust Fund established by this Code.

2. Incorporate Green Walls in High Traffic Areas (minimum 1000 square feet)
3. Rainwater Haversting
4. Rootop Gardens/ Green Roof as per
5. Minimal Exvation Foundations
6. Graywater Re-Use
7. Bioswales
8. Raingarden

c) Brownfields: Redevelopment on a Brownfield Site.

d) Civic Space Types and Civil Support Uses: Donation of a Civic Space Types or Civil Support Uses on site to the City of Miami or construction of a public or charter school.

e) Contribution to the Public Art Trust Fund.

b. Development Parameters. Master plans complying with the above parameters may include the following, as shown in the approved master plan:

1. Height. Maximum height shall be permitted up to the T6- 24B-O transect zone; the minimum height required shall be one (1) story.
2. Density: Properties included in the Master Plan shall have a land use designation of TOD Node 1, TOD Node 2, TOD Node 3, or TOD Node 4. Density shall corespond to the density of the land use designation in the Miami Neighborhood Comprehensive Plan. Residential density may be shared and shifted between phases and projects within the master plan so long as the master plan as a whole complies with the density requirements herein and does not exceed the land use designation by more than 100%.
3. Intensity. Intensity shall corespond to the density of the land use designation in the Miami Neighborhood Comprehensive Plan. Floor area may be shared and shifted between transect zones within the master plan so long as the master plan as a whole complies with the intensity requirements herein.
4. Lot Coverage. Lot coverage shall be permitted in accordance with the T6-24-O transect zone.
5. Building Placement and Disposition. Building Placement and Disposition shall be permitted generally in accordance with T6-24B-O transect zone regulations, with the below adjustments:

- a) Parking may extend into the Second Layer above the first Story along all Frontages. The Façade of a parking garage that is not concealed behind a Habitable Liner shall be screened to conceal from view all internal elements including, but not limited to, vehicles, plumbing pipes, fans, ducts and all lighting. The size, location, and materials for such screening elements shall be approved by the Planning Director with a recommendation from the UDRB.
- b) Pedestrian or Vehicular Cross Block Passages are required as per XXX. Requirements may be modified or waived provided that pedestrain connectivity and circulation is demonstrated within the master plan.
- c) Developments abutting two (2) or more Thoroughfares shall have only one (1) Principal Frontage and shall not be subject to the minimum Principal Frontage Line requirements. Determination of which Frontage is to serve as the Principal Frontage shall be made by the Planning Director. (SAP section)
- d) Developments shall not be subject to maximum Lot Area requirements.
- e) Developments shall be exempt from complying with the requirements contained in Sections 5.6.1(g), 5.6.1(h), and 5.6.2(b) through the master plan with the exception of first layer requirments.
- 6. Permitted Uses. Uses shall be permitted generally in accordance with T6-24B-O transect zone regulations, with the below adjustments:
 - a) Educational uses as listed in Section 1.1.g shall be permissible as of right.
 - b) Civic uses as listed in Section 1.1.e. shall be permissible as of right.
 - c) Civil Support uses; all listed in Section 1.1.f. shall be permissible as of right.
 - d) Outdoor dining within private property shall be permissible as of right.
 - e) Public storage facilities shall be permissible as of right, not subject to the limitations included in Article 6.
 - f) Large scale retail, in excess of 55,000 square feet, shall be permissible as of right – form and design shall be

approved by the Planning Director with a recommendation by UDRB.

7. Parking. Centralized parking within the master plan shall be encouraged. Centralized parking within the master plan shall allow parking to be shared and shifted between phases and projects within the master plan so long as the master plan as a whole complies with the parking requirements herein.
 - a) General Commercial, Place of Assembly: 1.5 spaces per 1,000 SF
 - b) Office, Civic (except Place of Assembly), Health Care Services: 0.6 spaces per 1,000 SF
 - c) Residential: 1 space per unit; 0.5 spaces per income restricted unit qualifying under Section 3.15.1 or 3.15.2
 - d) Lodging: 0.3 spaces per unit
 - e) Transit systems, including Maintenance Facilities: no parking required.
 - f) Other Uses: 50% of the required parking indicated in Article 4, Table 4 for the T6 district.
 - g) Tandem Parking by both a valet operator or for residential self-parking shall be permitted provided that the total number of spaces is equal to or greater than the number of units with one (1) Tandem Parking space satisfying one (1) required parking space. Each Tandem Parking space for residential self-parking shall serve a single residential unit.
8. Architectural, Landscape, and Ambient standards. Architectural, Landscape, and Ambient standards shall be in accordance with the T6-24B-O transect, with the below exceptions:
 - a) Temporary activations that traditionally require a TUP and comply with building code requirements shall be permitted.
 - b) Developments shall be exempt from complying with the requirements contained in Sections 5.6.5(b) provided that All newly constructed Principal Building Facades along Primary and Secondary Frontages shall:
 - a. include and maintain art treatment along a minimum of twenty-five percent (25%) of the ground floor Facade or twenty-five percent (25%) of the Facade above the ground floor; and

- b. include a minimum of 70 - percent (70%) art or glass treatment at the sidewalk level.
 - i. Art or glass treatment shall be of a design to be approved by the Planning Director with the recommendation of the UDRB.

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

Section 5. This Ordinance shall become effective immediately upon its adoption.

APPROVED AS TO FORM AND CORRECTNESS: