



City of Miami

Legislation

Ordinance

City Hall
3500 Pan American
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Miami, FL 33133
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File Number: 15-00678zt

Final Action Date:

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING ORDINANCE NO. 13114, THE ZONING ORDINANCE OF THE CITY OF MIAMI, FLORIDA, BY 1) AMENDING ARTICLE 1, SECTION 1.2, ENTITLED "DEFINITIONS OF TERMS", TO ADD AND MODIFY TERMS; AND 2) AMENDING ARTICLE 3, SECTION 3.3.6, ENTITLED "ESTABLISHED SETBACK AREAS"; CONTAINING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on October 22, 2009, Ordinance No. 13114, was adopted as the City of Miami's Zoning Ordinance ("Miami 21 Code"); and

WHEREAS, on May 7, 2015, a public workshop was held to discuss the proposed Wynwood NRD-1 with the Wynwood Business Improvement District ("BID"), the general public, and interested parties; and

WHEREAS, Neighborhood Revitalization Districts ("NRDs") are needed to assist in revitalizing unique and distinctive areas of the City that exhibit a certain defined character worthy of enhancements; and

WHEREAS, it has been determined that new and revised definition of terms and established setback areas are required so that the intent of the Wynwood Neighborhood Revitalization District ("NRD-1") can be reflected in the Miami 21 Code and definitions and setbacks are established for the Wynwood NRD-1 and future NRDs within the City; and

WHEREAS, the Miami Planning, Zoning, and Appeals Board ("PZAB"), at its meeting of June 17, 2015, Item No. PZAB.3, following an advertised hearing, adopted Resolution No. PZAB-R-15-035 by a vote of nine to zero (9-0), recommending APPROVAL of this item to the City of Miami City Commission; 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 citizens to amend its Zoning Ordinance as hereinafter set forth.

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

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. 13114, the Zoning Ordinance of the City of Miami, Florida, is hereby amended by making modifications to Article 1 and Article 3 in the following particulars:{1}

ARTICLE 1. DEFINITIONS

* * *

1.2 DEFINITIONS OF TERMS

This section provides definitions for terms in this Code that are technical in nature or that might not be otherwise reflect a common usage of the word. If a term is not defined in this Article, then the Zoning Administrator shall determine the correct definition of the term.

* * *

Extensive Green Roof: An area atop a roof surface of a Building surfaced with soil and Florida Friendly Landscaping that are appropriate for South Florida green roof systems, including ground cover, grasses, herbs, and flowering herbaceous plants, which require little or no maintenance and no permanent irrigation system. This area will serve to retain stormwater runoff and to mitigate the Heat Island Effect. The depth of the growing medium shall be a minimum of two (2) inches and a maximum of six (6) inches.

* * *

Intensive Green Roof: An area atop a roof surface of a Building surfaced with soil and a variety of Florida-Friendly plants that are appropriate for South Florida green roof systems, including herbaceous plants and shrubs, and small trees, which require professional maintenance and an advanced green roof irrigation system. This area will serve the purpose of retaining stormwater runoff and mitigating the Heat Island Effect. The depth of the growing medium shall be a minimum of six (6) inches. Rooftop farms, urban roof farms or vegetable farms on roofs are considered Intensive Green Roofs, requiring higher nutrient applications and focused maintenance. Rooftop farming areas of an Intensive Green Roof must be planted with appropriate plant material during non-farming periods.

* * *

Legacy Structure: An existing Structure within an NRD area which is maintained or re-purposed by the property owner that contributes to the character of the District. The Structure must maintain its physical integrity so that it sufficiently conveys its original character, possess integrity of design, setting, material, workmanship, feeling and association, and meets specific criteria of the District.

* * *

Paseo: An access way limited to pedestrian use connecting streets, plazas, alleys, garages and other existing and future public spaces abutting a property. A Paseo shall have a clear path of a minimum of ten (10) feet in width that is restricted to pedestrian use and lined with active uses having frequent doors and windows. A Paseo may be roofed above the first floor for (100%) of its length, but any roof portion of Paseo shall not be counted as Open Space.

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Neighborhood Revitalization District (NRD): An overlay zoning district. See Article 3, Section 3.12.3.

* * *

Open Space: Any parcel or area of land or water essentially unimproved by permanent Buildings and open to the sky, excluding open parking areas; such space shall be reserved for public or private Use. Open Spaces may include parks, greens, squares, courtyards, gardens, playgrounds, paseos, and pedestrian paths or associated landscaped areas.

* * *

Pedestrian Passage: An Open Space connecting other public spaces, that is restricted to pedestrian use and limited vehicular access that connects thoroughfares, plazas, alleys, garages and other public use spaces. Pedestrian Passage shall have a minimum width of twenty (20) feet. Building walls enfronting a Pedestrian Passage shall have frequent doors and windows. ~~In T6-36, T6-48, T6-60 and T6-80, a Pedestrian Passage may be roofed.~~

* * *

Roof Terrace: An outdoor space accessible to Building occupants that is designed to provide elevated views of the surrounding area. The terrace shall be located beyond the second story of a Building with a minimum size of eight hundred (800) square feet, consisting primarily of Florida Friendly Landscaping and high-albedo pavement, and may include container gardens and rooftop farming. Extensive, Intensive or a combination of Extensive and Intensive Green Roof systems may also be provided as additional landscape.

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ARTICLE 3. GENERAL TO ZONES

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3.3.6 ESTABLISHED SETBACK AREAS

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I. Wynwood

1. Boundary: Established Setback Areas have been identified within Wynwood NRD-1 Street Master Plan located within Appendix A of this Code.

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Section 3. If any section, part of a section, paragraph, clause, phrase or word of this Ordinance is declared invalid, the remaining provisions of this Ordinance shall not be affected.

Section 4. This Ordinance shall become effective thirty (30) days after final reading and adoption thereof. {2}

APPROVED AS TO FORM AND CORRECTNESS:

VICTORIA MÉNDEZ
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 unless vetoed by the Mayor within ten (10) 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, whichever is later.