Frequently asked Questions

Q: What is zoning in progress?

A: It is an interim protection measure, or a pause button, on the City of Miami's review and approval of applications for new development. The measure is in effect while the City Commission considers changes to the zoning ordinance which if adopted may not allow the requested uses or structures that are requested in the new applications.

Applications for such proposed prohibited uses or structures will be received by the city after the zoning in progress ordinance takes effect, however, they will not be processed through zoning review until the time limits of the zoning in progress ordinance have lapsed.

Q: When does zoning in progress go into effect?

A: The City of Miami has not yet determined what the effective date will be for the application of zoning in progress. The current proposal specifies that zoning in progress will take effect upon a favorable recommendation by the PAB, ZB or first reading approval by the City Commission, whichever occurs first.

Q: Is this a moratorium?

A: A zoning in progress ordinance is not like a moratorium in that it does not stop the city from accepting all applications for development. Any development application that complies with, or is not affected by the proposed zoning ordinance amendment, will be accepted and processed as normal. In addition, this interim protection measure includes a pre-established maximum time limit, not to exceed 180 days, in which the city commission must act on the proposed zoning ordinance amendment, or else all applications that have been held under the ordinance will be released and processed as normal, whether they comply with the new zoning ordinance amendment or not.

Q: What happens if I file an application for development prior to the zoning notice date established in the zoning in progress ordinance?

A: If the application is not affected by the proposed code amendments, then the application is accepted and processed as normal. If you have filed an application that would be affected by the proposed code amendments but it was filed prior to the zoning notice date, then the application is accepted and processed as normal. However, once the approval is obtained, the permit must be obtained within certain specified time limits, depending on the particular type of permit being sought.
Q: If my application is processed for approval under the zoning in progress ordinance, how long will I have to get a building permit?

A: Approved applications for building permits for single family residential uses will have 180 days to obtain a building permit, with a possible time extension of an additional 180 days if the permit is actively being sought.

Approved applications for building permits for other construction, or Certificates of Use (not single family residential uses or involving special permits or variances), will have 60 days to obtain the building permit or CU, with a possible time extension of an additional 60 days if the permit is actively being sought.

Approved applications for building permits for construction or Certificates of Use involving Variances, Class II Special Permits and Special Exception permits will have one year to obtain the building permit or CU from the date the special permit or variance was granted, or 60 days from the effective date of the new ordinance (which ever is greater), with a possible time extension of an additional 60 days if the permit is actively being sought.

Approved applications for building permits for construction or Certificates of Use involving Major Use Special Permits will have 2 years to obtain a building permit or CU with two possible time extension of additional 2 years each for a maximum of 6 years with no additional time extensions beyond the 6 years.

Q: What if I don’t get my building permit on time?

A: Then the application for development permit will have to be modified to meet the newly adopted regulations; the plans will be rejected by zoning.

Q: What if I don’t get my application for development filed prior to the notice date established in the zoning in progress ordinance?

A: If the application is not affected by the zoning ordinance amendment in question, then it is accepted and processed as normal.

If the application is filed after the notice date and is affected by the zoning ordinance amendment in question, then it is received by the City of Miami’s Zoning Administrator and time and date stamped. All applications for uses and structures which would not be permitted by the proposed zoning ordinance amendment will be held by the Zoning Administrator until such time that the City Commission acts on the proposed amendment. If the amendment is adopted prior to 180 days, all such applications will be returned to the applicants; if the amendment is rejected by the City Commission, all applications being held will be accepted and processed as normal; and if the City Commission fails to act within 180 days, then all applications being held will be accepted and processed as normal.
Q: How long can my application for development be held without processing while a new ordinance is being considered by the City Commission?

A: No longer than 180 days from the notice date established in the ordinance.

Q: If I file an application for development that is held because it is affected by a proposed new ordinance, and then another new ordinance is proposed by the City Commission prior to the 180 days established for the first ordinance, am I subject to another 180 day wait because of the second ordinance?

A: No; each new ordinance is independent of the other and the notice date is particular to each ordinance. A second 180 day wait for an application filed under the first proposed ordinance will not be added because of a second proposed ordinance. An application received when a proposed ordinance starts the 180 day clock are time and date stamped in order for the City of Miami to know when it came in, so that it is only held up for the ordinance amendments filed prior to the receipt date of the development application. If a new ordinance amendment is proposed, it will have its own notice date.