

TABLE OF CONTENTS

SAP 2	MIAMI DESIGN DISTRICT RETAIL STREET
SAP 2.1	APPLICANTS
SAP 2.2	DEVELOPMENT AGREEMENT
SAP 2.3	REGULATING PLAN
	ARTICLE 1. DEFINITIONS
	ARTICLE 2. GENERAL PROVISIONS
	ARTICLE 3. GENERAL TO ZONES
	ARTICLE 4. STANDARDS & TABLES
	ARTICLE 5. SPECIFIC TO ZONES
	ARTICLE 6. SUPPLEMENTAL REGULATIONS
	ARTICLE 7. PROCEDURES AND NONCONFORMITIES
	ARTICLE 9. LANDSCAPING REQUIREMENTS.
SAP 2.4	CONCEPT BOOK

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AMENDMENTS TO MIAMI 21			
ORDINANCE	DATE APPROVED	DESCRIPTION	LEGISLATIVE ID
1334	7/26/2012	Special Area Plan for Miami Design District Retail Street	11-01196ap
13414	10/24/2013	Amendment to MDD Retail Street SAP to add additional properties	11-01196ap1
		2 nd Amendment to MDD Retail Street SAP to add an additional property	11-01196ap2

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SAP 2 MIAMI DESIGN DISTRICT RETAIL STREET

The Miami Design District Retail Street is a mixed-use project in the heart of the Design District situated on certain parcels totaling approximately ~~24.06~~ 22.86 acres. The site is generally bounded by Northeast 43rd Street and Northeast 42nd Street to the North, North Federal Highway and Biscayne Boulevard to the East, Northeast 38th Street to the South, and by NE Miami Court and North Miami Avenue to the West, Miami, Florida, and further described in Exhibit "A".

SAP 2.1 APPLICANTS**Applicant Entities:**

Ben Newton LLC
Dacra Design 4141 LLC
Dacra Design Moore (Del.), LLC
FCAA, LLC
Half-Circle Property (Del.) LLC
Lovely Rita Acquisitions, LLC
MDDA Morning Dew, LLC
Monte Carlo Associates (Del.) LLC
Norwegian Wood Acquisitions, LLC
Oak Plaza Associates (Del.) LLC
Penny Lane Acquisitions, LLC
Sweet Virginia Acquisitions
Tiny Dancer Acquisitions LLC
Sun King, LLC
Uptown Girl Development LLC
Flagler Holding Group, Inc.
4201 NE 2nd Ave, LLC

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SAP 2.2 DEVELOPMENT AGREEMENT

THIS SECTION PENDING FINAL REVIEW

SAP 2.3 REGULATING PLAN

ARTICLE 1. DEFINITIONS

1.1 DEFINITIONS OF BUILDING FUNCTION: USES (Article 4, Table 3)

d. COMMERCIAL

This category is intended to encompass land Use functions of retail, service, entertainment or recreational establishments and supporting office. The definitions listed herein shall only apply within the Miami Design District Retail Street SAP area.

Entertainment Establishment: A place of business serving the amusement and recreational needs of the community. Such facilities may include, but are not limited to: cinemas, billiard parlors, teen clubs, dance halls, video arcades, or special event spaces and ballrooms. Uses not included: Entertainment Establishment, Adult.

Open Air Retail: A retail sales establishment operated substantially in the open air including, but not limited to: farmers market, vending carts/~~kiosks~~, kiosks, Retail Merchandising Units, and the like. Uses not included are: car sales, equipment sales, boat sales, ~~and~~ home and garden supplies, and Flea Markets.

1.2 DEFINITION OF TERMS

This section provides for terms in the Code that are technical in nature or that might not be otherwise reflected in 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. The definitions listed herein shall only apply within the Miami Design District Retail Street SAP area.

Awning: A movable roof-like Structure, cantilevered or otherwise entirely supported from a Building, used to shade or screen windows or doors.

Cantilever: A Frontage where the Facade includes a cantilevered section of a Building, including but not limited to, open balconies, bay windows, planters, and similar architectural features, that ~~overlaps the Sidewalk~~ may project beyond the Frontage Line, with the Facade at Sidewalk level remaining at the Frontage Line.

Frontage, Retail: A Principal Frontage facing a public space such as a Thoroughfare of higher pedestrian importance (i.e. traffic volume, number of lanes, etc.) requiring that Facades be detailed as storefronts in accordance with the requirements set forth in Sec. 5.4.5.b., 5.5.5.b., and 5.6.5.b of the Miami Design District Retail Street SAP. Retail Frontages do not include the Secondary Frontages located on NE 42nd Street between NE 1st and 2nd Avenues, as well as those portions of a Pedestrian Passage Frontages located more than twenty-five (25') from the intersection of any Thoroughfare and the Pedestrian Passage.

Loading Space: An area in which goods and products are moved on and off a vehicle, including the stall or berth.

Retail Merchandising Unit: A freestanding structure open on one or more sides, fixed or portable, which may be connected to electricity and/or potable water, used as Open Air Retail for a commercial purpose or for the display or dissemination of information.

Transit Corridor: A mass transit route with designated transit vehicle(s) operating at an average 25 minute or less headway Monday through Friday between the hours of 7 a.m. through 7 p.m. and includes designated transit stop locations within 1/4 mile of the Miami Design District Retail Street SAP area. Multiple transit routes or types of transit vehicles may not be added cumulatively under this definition for the purpose of parking reductions.

1.3 DEFINITIONS OF SIGNS

Copy Area: The area computed by surrounding each Identification or Secondary Identification Sign with a square or rectangle shape to determine the area. Less those portions within the square or rectangle consisting of logo brand marks, framing elements, large scale featured artwork swashes, simple lines, back plates, or other decorative elements.

Directional Sign: Vehicular or pedestrian-scale signage containing multiple messages that serve to identify the Miami Design District and guide or direct the public safely to destinations within the district. Directional signs may be located on private property or within the Public Right-of-Way, subject to the approval of the Director of Public Works for all such signs within the Public Right-of-Way. Directional signs may be combined with address Signs but shall bear no advertising matter, and may be directed to guide area visitors to entrances, exits, retailer/tenants, or Parking Areas. The words “advertising matter” shall not be construed to include graphic logos, registered trade names, or elements of the district identity or “tag lines” that may be incorporated as part of the sign aesthetics. The size of a Directional Sign, and copy thereon, shall be scaled appropriately to the speed of the area traffic.

Gateway Sign: A large-scale, mounted identity Sign of not greater than 5,000 square feet in size or 85% of a Building wall that serves to identify the district, mark a destination for visitors, and reinforce the district’s character as a destination for art, culture, dining, and fashion. A Gateway Sign may include or be comprised solely of an art installation and recognition of the installation sponsor, which sponsor or donor recognition shall be limited to one (1) recognition comprising no more than 15% of the art installation forming all or a part of the Gateway Sign. Art installations forming part of a Gateway Sign shall not contain any point of sale signage or commercial product expression related to the donor or sponsor. Gateway Signs shall be oriented to face major traffic Thoroughfares, such as I-195, Biscayne Boulevard and North Miami Avenue, and shall be limited to no more than five (5) such signs within the Miami Design District Retail Street SAP area.

Notice and Warning Sign: Signs limited to providing notice concerning posting of property against trespass; directing deliveries; indicating the location of buried utilities; warning against hazardous conditions; prohibiting salesman; peddlers, or agents; and the like.

Secondary Identification Sign: A Sign limited to the name or registered trade name of a Building, institution or person, whether natural or corporate person.

SAP Signage Package: A comprehensive signage proposal consisting of Gateway Signs and/or Directional Signs for all or a Block(s) of the Miami Design District Retail Street SAP requiring

approval by SAP Permit for Signage that deviates from the requirements of Article 6 of Miami 21, as further amended by the Miami Design District Retail Street Special Area Plan.

Sign Area: Signs shall be comprised of individual letters, figures or elements on a wall or similar surface of the Building or Structure. The area and dimension of the Sign shall encompass a regular geometric shape or a combination of regular geometric shapes, which form, or approximate, the perimeter of all elements in the display, the frame, and any applied background that is not part of the architecture of the Building. When separate elements are organized to form a single Sign, and are separated by open space, the Sign area and dimensions shall be calculated by determining the geometric form or combination of forms, which comprise all of the Sign area, including the space between different elements, less the space attributed to any elements not comprising part of the Copy Area.

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ARTICLE 2. GENERAL PROVISIONS

2.1 PURPOSE AND INTENT

2.1.1 INTENT

The intent of the Miami Design District Retail Street Special Area Plan (SAP) is to guide the design, construction and management of a new retail pedestrian street and its surrounding city streets in the Design District to ensure a high quality, mixed use, pedestrian experience. The control of Building location, massing, and surface is intended to produce public space that is safe, comfortable and interesting for pedestrians and attractive to high-end retail tenants. Pedestrian mobility is to be improved by an enhanced Public Right-of-Way Streetscape and by the addition of a four block long Pedestrian Passage.

The public space of the Pedestrian Passage is of a scale that is intimate and episodic. The quantity and materials of shared elements in the public spaces, such as pavement, signs and lighting are intended to be minimized and recessive, as the primary experience should be that of the highly individualistic retail stores. The Building Facade lines of the Miami Design District Retail Street SAP are drawn to support the continuity of the existing Design District street wall, to form the sequential character of the pedestrian street experience, and to give store tenants appropriate space distribution and visibility.

This document precedes the final development program, architectural design and detailing, and infrastructure engineering, and it is expected that adjustments to the development program, architectural design and detailing, infrastructure engineering may be necessary during implementation phases of design development and construction documents. Nothing in this Miami Design District Retail Street SAP, including the initial development program as set forth on Page A1.98 of the Concept Book, shall be construed to limit development in excess of the initial development program. Any future development in excess of the initial development program shall be subject at all times to the maximum density and intensity permitted by the underlying transect designation of any one Lot or parcel forming part of this SAP and the procedures set forth in Article 7 of this Miami Design District Retail Street SAP, including the approval of substantial modifications to the development program by process of Exception.

The SAP is based on the Miami 21 Zoning Code, as amended through April 2012, and shall serve to supplement the code. Where standards set forth herein conflict with standards set forth in the code, the standards in this SAP shall govern. Where the standards in the SAP are silent, the underlying Miami 21 zoning code requirements shall govern. By virtue of the adoption of the Miami Design District Retail Street SAP, and any subsequent amendments thereto, all provisions of the Miami 21 Zoning Code requiring enactment or authorization by Special Area Plan pursuant to and identified in Section 3.9, unless modified in the SAP, shall be deemed duly enacted or authorized.

The Miami Design District Retail Street SAP shall not constitute a precedent for the balance of the City of Miami. The alternate standards of this SAP should be considered unique with regard to the large aggregation of property under multiple ownership committed to an integrated development plan, as well as its unified design and management that will enable and ensure a coherent, high quality, and sustainable result.

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ARTICLE 3. GENERAL TO ZONES

3.3 LOTS AND FRONTAGES

3.3.6 For new Buildings in Established Setback Areas, the Established Setback may be maintained for those Frontages identified on page A4-72.1 of the Concept Book. Where a new Building is Setback from the Established Setback Area consistent with Article 5, Illustrations 5.4, 5.5, and 5.6 of the Miami Design District SAP, such Setback shall govern the placement of all new Buildings to the nearest corner of the same Block Frontage, except for the Setback of plaza entries and as otherwise permitted in Sec. 5.4.5.d., 5.5.5.e., and 5.6.5.e. Galleries, Cantilevers and Arcades may be permitted within the First Layer in Established Setback Areas and may be permitted to encroach into the Public Right-of-Way by SAP Permit and upon a recommendation of approval or approval with conditions by UDRB and with the approval of the Director of Public Works. Habitable Space above the Public Right-Of-Way shall be included in the development capacity of the subject lot and included towards the overall development capacity approved within this SAP.

Established Setback Areas include:

c. Design District

1. Boundary: The Established Setback for the Miami Design District Retail Street SAP shall be as identified on page A4-72.1 of the Concept Book.

3.5 MEASUREMENT OF HEIGHT

3.5.3 Except as specifically provided herein, the Height limitations of this Code shall not apply to any roof Structures for housing elevators, bathrooms, stairways, tanks, ventilating fans, solar energy collectors, or similar equipment required to operate and maintain the Building (provided that such Structures shall not cover more than twenty percent (20%) of roof area for T4 and T5); nor to church spires, steeples, belfries, monuments, water towers, flagpoles, vents, or similar Structures, which may be allowed to exceed the maximum Height by Waiver; nor to fire or parapet walls, which shall not extend more than five (5) feet above the maximum Height in T4 and T5 and ten (10) feet in T6 and Districts.

3.6 OFF-STREET PARKING AND LOADING STANDARDS

3.6.1 Off-street Parking Standards

- a. Off-street Parking requirements for the individual Transect Zones shall be as set forth in Article 4, Table 4 of the Miami Design District Retail Street SAP. Where required off-street parking is based on square footage of Use, the calculation shall only include Habitable Rooms and Habitable Space occupied by such Use. With the exception of Block 5 East, Off-street parking requirements within the Miami Design District Retail Street SAP area may be calculated and provided for in aggregate for new Buildings. Existing properties as identified below shall not be required to provide parking if densities and intensities do not increase from existing uses from the adopted date of approved Miami Design District Retail Street SAP, as amended. If density and intensities change then applicable parking requirements shall apply. All new development shall be subject to parking requirements within Miami 21, as the same may be modified by the Miami Design District Retail Street SAP.

Existing Property Table

NUMBER	NAME	ADDRESS
1	Laverne (SAP Parcel #1)	90 NE 39 th ST
2	Buick Building (SAP Parcel #2)	3841 NE 2 AVE
3	Buena Vista Building (SAP Parcel #7)	180 NE 39 ST
4	Oak Plaza-KVA (SAP Parcel #17)	150 NE 40 ST
5	Oak Plaza-Twery (SAP Parcel #18)	154 and 160 NE 40 ST
6	Thomas Maier (SAP Parcel #19)	170 NE 40 ST
7	Melin (SAP Parcel #20)	3930 NE 2 AVE
8	Newton (SAP Parcel #21)	201 NE 39 ST
9	Rosen (SAP Parcel #24)	151 NE 40 ST
10	Mosaic/Chatham (SAP Parcel #25)	155 NE 40 ST
11	Moore-Garden Lounge (SAP Parcel #26)	175 NE 40 ST
12	Moore Building (SAP Parcel #27)	4040 NE 2 AVE
13	4100/Lee Building (SAP Parcel #45)	4100 NE 2 AVE
14	4141 Building (SAP Parcel #46)	4141 NE 2 AVE
15	Flagler Building (SAP Parcel #48)	4218 NE 2 AVE
16	4240 Building (SAP Parcel #49)	4240 NE 2 AVE
17	Spears (SAP Parcel #52)	3815 NE MIAMI CT
18	Always Flowers (SAP Parcel #53)	50 NE 39 ST
19	Lidia (SAP Parcel #54)	30 NE 39 ST
20	Lidia (SAP Parcel #55)	3840 NE MIAMI AVE
21	Lidia (SAP Parcel #56)	3825 N MIAMI AVE
22	Marcy (SAP Parcel #57)	3852 N MIAMI AVE
23	Marcy (SAP Parcel #58)	20 NW 39 ST
24	Marcy (SAP Parcel #59)	28 NW 39 ST
25	Madonna (SAP Parcel #60)	3900 N MIAMI AVE
26	Madonna (SAP Parcel #60)	21 NW 39 ST

- b. Off-street Parking dimensions and Shared Parking (mixed-use) reduction table shall be as set forth in Article 4, Table 5 of the Miami Design District Retail Street SAP.
- c. Required Parking for Adaptive Reuses may be reduced or exempted by Waiver for properties located in a Community Redevelopment Area, or in areas where a Parking Trust Fund has been established, or for historic sites and contributing Structures within designated historic districts.
- d. Parking reductions shall not be cumulative except in T4, T5 and T6. Parking reductions shall not exceed fifty percent (50%) of the total Off-street Parking required, except for Residential components of projects within one thousand (1,000) feet of Metrorail or Metromover stations.

3.6.2 Off-street Parking Driveway Standards [RESERVED]

3.6.3 Additional Off-street Parking Regulations

General performance standards for Off-street Parking facilities:

- a. Parking shall be implemented so as to provide safe and convenient access to and from public Thoroughfares which include movement lanes and Public Frontages.
- b. Vehicular access through Residential properties for nonresidential Uses shall be prohibited.
- c. Off-street Parking spaces shall be located with sufficient room for safe and convenient parking without infringing on any public Thoroughfare or sidewalk.
- d. Off-street Parking spaces whose locations require that cars back into movement lanes shall only be permissible in T3 and T4 zones. Backing into Alleys shall be permissible in all Transect Zones.
- e. Off-street Parking or loading area shall not be used for the sale, repair, or dismantling of any vehicle or equipment, or for storage of materials or supplies.
- f. Parking or storage of commercial trucks, buses, vans, sign trailers; trailers or semi-trailers for freight, cargo; or the like shall not be permitted in any T3, T4, T5-R or T6-R Zone.
- g. Inoperable vehicles shall be stored only in storage facilities or other approved places where they are completely concealed from public view.
- h. Except in connection with permitted active continuing construction on the premises, construction equipment such as earth moving machines, excavators, cranes, and the like shall only be allowed in D1, D2 and D3, as allowed by this Code.
- i. All Off-street Parking shall comply with applicable regulations related to lighting, paving, and drainage including the Miami-Dade County Code and the Florida Building Code.
- j. Specific areas may be set aside for Tandem Parking. Tandem Parking in all Transect Zones, except T3, may be used by both a valet parking operator or for residential self-parking. Each Tandem Parking space for residential self-parking shall serve a single residential unit.
- k. Parking facilities on adjoining Lots may share access points, driveways and parking subject to a recorded covenant running with the property on which the facilities are located.
- l. Where Lots are Abutting, underground parking may extend to Abutting blocks and Lots, including under Thoroughfares.

3.6.4 Calculation of Off-street Parking requirements related to number of seats.

Where parking requirements relate to number of seats and seating is in the form of undivided pews, benches, or the like, twenty (20) lineal inches shall be construed to be equal to one (1) seat. Where Parking requirements relate to movable seating in auditoriums and other assembly rooms, ten (10) square feet of Floor Area shall be construed to be equal to one (1) seat except where otherwise specified. Net floor area shall be the actual area occupied by seating and related aisles, and shall not include accessory unoccupied areas or the thickness of walls.

3.6.5 Valet Parking

Off-street Parking facilities maintained with valet parking shall be allowed generally, provided that the minimum Off-street Parking requirements of this Code are satisfied and that an attendant shall remain on duty during business hours or as long as the Principal Building is occupied.

Valet parking stations shall respond to demand within the Miami Design District Retail Street SAP area and multiple valet stations may be provided on each block when such stations are operated under a unified management scheme. Each valet station shall be permitted subject to review by the Miami Parking Authority (MPA) to ensure that the proposed locations will not adversely affect the flow of traffic on the adjoining Thoroughfare.

3.6.9 Loading Requirements

Off-street vehicular loading shall be required in accordance with the standards set forth in Article 4, Table 5 of the Miami Design District Retail Street SAP. Service and loading vehicles servicing properties located within the Miami Design District Retail Street SAP area may gain access to such off-street loading area in order to service the property by utilizing no more than three (3) on-street maneuvers.

- a. Loading Standards. On-street loading shall be allowed in areas designated by signage and for limited intervals during specified hours.
 1. Retail/Commercial Loading. On-street loading areas intended to service storefront retail and retail locations along the Pedestrian Passage shall be permitted within specifically designated zones. Loading within such designated zones shall not exceed 20 minutes. Such loading activity shall occur only between the hours of 6 a.m. and 10 a.m.
 2. Express Parcel Delivery. On-street loading for express parcel delivery shall be allowed in specifically designated zones. Loading within such designated zones shall not exceed 15 minutes and shall occur only between the hours of 8 a.m. and 6 p.m.

3.6.10 Bicycle Parking Requirements

- a. Bicycle parking shall be provided in aggregate for all new, Buildings in all T4, T5, and T6 zones, as shown in Article 4, Table 4 of the Miami Design District Retail Street SAP. The requirement set forth herein shall not apply to any existing and Adaptive Use Buildings. Existing, on-street bicycle racks located within the public Right-of-Way cannot be utilized to satisfy bicycle parking requirements set forth herein below.
- b. After the first fifty (50) required bicycle spaces are provided within the Miami Design District Retail Street SAP area ~~identified within page A1.5 of the Concept Book~~, additional required spaces may be reduced by one-half.
- c. Required bicycle parking shall meet the following standards:
 1. Required bicycle parking facilities may be located within the project site, adjacent to multiple Buildings, or in a shared bicycle parking facility located within the Miami Design District Retail Street SAP area and subject to all the conditions for shared bicycle parking facilities below:

- (a) Required bicycle parking for Buildings within the Miami Design District Retail Street SAP area may be satisfied by the same bicycle parking facility used jointly, provided that such right of joint use and maintenance is evidenced by covenant running with the land or equivalent legal document establishing the joint use.
 - (b) Shared bicycle parking facilities may be located anywhere within the Miami Design District Retail Street SAP area. Any Building(s) seeking to utilize said shared facility in order to satisfy its bicycle parking requirements shall be located within 300 feet of any Building housing a shared bicycle parking facility which has sufficient capacity to provide the required bicycle parking spaces. The owner/developer of any Building seeking to use a shared parking facility to satisfy these requirements shall certify to the Zoning Administrator, on a form acceptable to the City Attorney, that the said shared bicycle parking facility has sufficient capacity to provide the required bicycle parking spaces.
 - (c) The minimum number of required bicycle parking is satisfied by all Buildings using the shared facility.
- c. Within the Miami Design District Retail Street SAP area, bicycle parking requirements may be satisfied by providing bicycle racks within the Sidewalk or on-street bicycle corrals within an on-street parking space. Said racks or bicycle corrals shall be available for use by the public at no cost. Locations may be chosen to support Transit Oriented Development along Priority Corridors.
- d. Bicycle parking requirements shall be calculated in aggregate for the off-street parking requirements for the Miami Design District Retail Street SAP area.

3.9 SPECIAL AREA PLANS

3.9.1 General

- g. Unless a Building is specifically approved as part of the Special Area Plan, any Building equal to or greater than 200,000 sq. ft. shall be reviewed by the Planning Director, after referral to and recommendation from the CRC for conformance to the Plan, prior to issuance of the Building Permit.

3.13 SUSTAINABILITY

3.13.1 General

- a. Landscape requirements are as required in Article 9 of the Miami Design District Retail Street SAP, this code, and the City of Miami Tree Protection regulations of Chapter 17 of the City Code, as amended by the Miami Design District Retail Street SAP Development Agreement. Where regulations of the Miami Design District Retail Street SAP and thise Miami 21 code isare more restrictive than the Tree Protection regulations, the Miami Design District Retail Street SAP and thise Miami 21 code shall apply.

NOTE: All new Buildings in excess of 50,000 sq. ft. within the Miami Design District Retail Street SAP shall conform to the sustainability requirements set forth in Miami 21.

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ARTICLE 4, TABLE 4 DENSITY, INTENSITY AND PARKING

T4 – GENERAL URBAN ZONE

DENSITY (UPA)	36 UNITS PER ACRE
RESIDENTIAL	<p>Residential Uses are permissible as listed in Table 3, limited by compliance with:</p> <ul style="list-style-type: none"> • Minimum of 1.5 spaces per principal Dwelling Unit. • Ancillary Dwelling – Minimum of 1 parking space per ancillary dwelling unit. • Live-Work – Work component shall provide parking as required by the non-residential Use in addition to parking required for the Dwelling Unit • Adult Family-Care Homes – Minimum 1 space per staff member and 1 space per 4 residents. • Community Residence – Minimum of 1 parking space per staff member in addition to the parking required for the principal Dwelling Unit(s). • Parking Requirement may be reduced according to the Shared parking standard, Article 4, Table 5. • <u>Parking ratio may be reduced by thirty percent (30%) if the property is (i) within ½ mile radius of a TOD or ¼ mile radius of a Transit Corridor, and (ii) within 650 feet from a Parking Garage or Parking Lot identified in the Miami Design District Retail Street SAP Parking Management Program.</u> • Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required. See also Article 3.6.10.
LODGING	<p>Lodging Uses are permissible as listed in Table 3.</p> <ul style="list-style-type: none"> • Minimum of 1 parking space for every 2 lodging units. • Minimum of 1 additional parking space for every 5 lodging units. • Parking Requirement may be reduced according to the Shared parking standard, Article 4, Table 5. • <u>Parking ratio may be reduced by thirty percent (30%) if the property is (i) within ½ mile radius of a TOD or ¼ mile radius of a Transit Corridor, and (ii) within 650 feet from a Parking Garage or Parking Lot identified in the Miami Design District Retail Street SAP Parking Management Program.</u> • <u>Parking may be provided off-site within Parking Structures or Parking Lots identified in the Miami Design District Retail Street SAP Parking Management Program.</u> • Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required. See also Article 3.6.10.
OFFICE	<p>Office Uses are permissible as listed in Table 3.</p> <ul style="list-style-type: none"> • Minimum of 3 parking spaces for every 1,000 s.f. square feet of office use. • Parking Requirement may be reduced according to the Shared parking standard, Article 4, Table 5. • <u>Parking ratio may be reduced by thirty percent (30%) if the property is (i) within ½ mile radius of a TOD or ¼ mile radius of a Transit Corridor, and (ii) within 650 feet from a Parking Garage or Parking Lot identified in the Miami Design District Retail Street SAP Parking Management Program.</u> • <u>Parking may be provided off-site within Parking Structures or Parking Lots identified in the Miami Design District Retail Street SAP Parking Management Program.</u> • Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required. See also Article 3.6.10.
COMMERCIAL	<p>Commercial Uses are permissible as listed in Table 3, limited by compliance with:</p> <ul style="list-style-type: none"> • A maximum area of 40,000 square feet per establishment. • Minimum of 3 parking spaces for every 1,000 square feet of commercial use. • Parking Requirement may be reduced according to the Shared parking standard, Article 4, Table 5. • <u>Parking ratio may be reduced by thirty percent (30%) if the property is (i) within ½ mile radius of a TOD or ¼ mile radius of a Transit Corridor, and (ii) within 650 feet from a Parking Garage or Parking Lot identified in the Miami Design District Retail Street SAP Parking Management Program.</u> • Parking may be provided off-site within Parking Structures or Parking Lots identified in the Miami Design District Retail Street SAP Parking Management Program, as illustrated on pg. A2.2 of the Miami Design District Retail Street SAP Concept Book. • Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required (before any reductions). See also Article 3.6.10.
CIVIC	<p>Civic Uses are permissible as listed in Table 3, limited by compliance with:</p> <ul style="list-style-type: none"> • Minimum of 1 parking space for every 5 seats of Assembly Use. • Parking Requirement may be reduced according to the Shared parking standard, Article 4, Table 5. • <u>Parking ratio may be reduced by thirty percent (30%) if the property is (i) within ½ mile radius of a TOD or ¼ mile radius of a Transit Corridor, and (ii) within 650 feet from a Parking Garage or Parking Lot identified in the Miami Design District Retail Street SAP Parking Management Program.</u> • Parking for Civic Uses may be provided off-site within a distance of 1,000 feet. • Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required. See also Article 3.6.10.

EDUCATIONAL	Educational Uses are permissible as listed in Table 3, limited by compliance with: <ul style="list-style-type: none">• Minimum of 3 parking spaces for every 1,000 feet of Educational Use.• Schools – Minimum of 1 parking space for each faculty or staff member, 1 visitor parking space per 100 students, 1 parking space per 5 students in grades 11 and 12 or College/University.• Childcare Facilities – Minimum of 1 space for the owner/operator and 1 space for each employee, and 1 drop-off space for every 10 clients cared for.• Parking Requirement may be reduced according to the Shared parking standard, Article 4, Table 5• <u>Parking ratio may be reduced by thirty percent (30%) if the property is (i) within ½ mile radius of a TOD or ¼ mile radius of a Transit Corridor, and (ii) within 650 feet from a Parking Garage or Parking Lot identified in the Miami Design District Retail Street SAP Parking Management Program.</u>• Parking may be provided off-site within Parking Structures or Parking Lots identified in the Miami Design District Retail Street SAP Parking Management Program, as illustrated on pg. A2.2 of the Miami Design District Retail Street SAP Concept Book.• Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required. See also Article 3.6.10
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T5 – URBAN CENTER ZONE

DENSITY (UPA)	65 UNITS PER ACRE
RESIDENTIAL	<p>Residential Uses are permissible as listed in Table 3, limited by compliance with:</p> <ul style="list-style-type: none"> • Minimum of 1.5 spaces per Dwelling Unit • Minimum of 1 additional visitor parking space for every 10 Dwelling Units • Live-Work – Work component shall provide parking as required by the non-residential Use in addition to parking required for the Dwelling Unit(s). • Adult Family-Care Homes – Minimum 1 space per staff member and 1 space per 4 residents. • Community Residence – Minimum of 1 parking space per staff member in addition to the parking required for the principal Dwelling Unit(s). • Parking requirement may be reduced according to the Shared parking standard, Art. 4, Table 5. • Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required. See also Art. 3.6.10. • Parking ratio may be reduced within ½ mile radius of TOD and within ¼ mile radius of a Transit Corridor by thirty percent (30%). • Parking may be provided by ownership or lease offsite within 1000 feet. • Loading – See Article 4, Table 5. • Parking may be provided off-site within Parking Structures or Parking Lots identified in the Miami Design District Retail Street SAP Parking Management Program, as illustrated on pg. A2.2 of the Miami Design District Retail Street SAP Concept book.
LODGING	<p>Lodging Uses are permissible as listed in Table 3.</p> <ul style="list-style-type: none"> • Minimum of 1 parking space for every 2 lodging units. • Minimum of 1 additional parking space for every 10 lodging units. • Minimum of 3 parking spaces for every 1,000 square feet of commercial use, except for Public Storage Facilities, minimum 1 parking space for every 2,000 square feet for the first 20,000 square feet, and 1 parking space per 10,000 square feet thereafter. • Parking requirement may be reduced according to the Shared parking standard, Art. 4, Table 5. • Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required. See also Art. 3.6.10. • Parking ratio may be reduced within ½ mile radius of TOD and within ¼ mile radius of a Transit Corridor by thirty percent (30%). • Parking may be provided by ownership or lease offsite within 1000 feet. • Loading – See Article 4, Table 5. • Parking may be provided off-site within Parking Structures or Parking Lots identified in the Miami Design District Retail Street SAP Parking Management Program, as illustrated on pg. A2.2 of the Miami Design District Retail Street SAP Concept Book.
OFFICE	<p>Office Uses are permissible as listed in Table 3, limited by compliance with:</p> <ul style="list-style-type: none"> • Minimum of 3 parking spaces for every 1,000 square feet of Office use. • Parking requirement may be reduced according to the Shared Parking standard, Art. 4, Table 5. • Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required. See also Art. 3.6.10. • Parking ratio may be reduced within ½ mile radius of TOD and within ¼ mile radius of a Transit Corridor by thirty percent (30%). • Parking may be provided by ownership or lease offside within 1000 feet. • Loading – See Article 4, Table 5. • Parking may be provided off-site within Parking Structures or Parking Lots identified in the Miami Design District Retail Street SAP Parking Management Program, as illustrated on pg. A2.2 of the Miami Design District Retail Street SAP Concept Book.
COMMERCIAL	<p>Commercial Uses are permissible as listed in Table 3, limited by compliance with:</p> <ul style="list-style-type: none"> • A maximum area of 55,000 per establishment with one (1), 120,000 square foot establishment, maximum. <u>For Block 5 East, one (1) additional establishment with a maximum size of 100,000 square may be permitted by Exception.</u> • Minimum of 3 parking spaces for every 1,000 square feet of commercial use, except for Public Storage Facilities, minimum 1 parking space for every 2,000 square feet for the first 20,000 square feet, and 1 parking space per 10,000 square feet thereafter. • Parking requirement may be reduced according to the Shared Parking standard, Art. 4, Table 5.

	<ul style="list-style-type: none"> • Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required. See also Art. 3.6.10. • Parking ratio may be reduced within ½ mile radius of TOD and within ¼ mile radius of a Transit Corridor by thirty percent (30%). • Parking may be provided by ownership or lease offside within 1000 feet. • Loading – See Article 4, Table 5. • Commercial Auto-related, Drive-Thru or Drive-In Facilities – See Article 6. • Parking may be provided off-site within Parking Structures or Parking Lots identified in the Miami Design District Retail Street SAP Parking Management Program, as illustrated on pg. A2.2 of the Miami Design District Retail Street SAP Concept Book.
<p>EDUCATIONAL</p>	<p>Educational Uses are permissible as listed in Table 3, limited by compliance with:</p> <ul style="list-style-type: none"> • Minimum of 3 parking spaces for every 1,000 square feet of Educational Use. • Schools – Minimum of 1 parking space for each faculty or staff member, 1 visitor parking space per 100 students, 1 parking space per 5 students in grades 11 and 12 or College/University. • Childcare Facilities – Minimum of 1 space for the owner/operator and 1 space for each employee, and 1 drop-off space for every 10 clients cared for. • Parking requirement may be reduced according to the Shared Parking standard, Art. 4, Table 5. • Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required. See also Art. 3.6.10. • Parking ratio may be reduced within ½ mile radius of TOD and within ¼ mile radius of a Transit Corridor by thirty percent (30%). • Parking may be provided by ownership or lease offside within 1000 feet. • Loading – See Article 4, Table 5. • Parking may be provided off-site within Parking Structures or Parking Lots identified in the Miami Design District Retail Street SAP Parking Management Program, as illustrated on pg. A2.2 of the Miami Design District Retail Street SAP Concept Book.

T6 – URBAN CORE ZONE

DENSITY (UPA)	150 UNITS PER ACRE
RESIDENTIAL	<p>Residential Uses are permissible as listed in Table 3, limited by compliance with:</p> <ul style="list-style-type: none"> • Minimum of 1.5 spaces per Dwelling Unit • Minimum of 1 additional visitor parking space for every 10 Dwelling Units • Live-Work – Work component shall provide parking as required by the non-residential Use in addition to parking required for the Dwelling Unit(s). • Adult Family-Care Homes – Minimum 1 space per staff member and 1 space per 4 residents. • Community Residence – Minimum of 1 parking space per staff member in addition to the parking required for the principal Dwelling Unit(s). • Parking requirement may be reduced according to the Shared parking standard, Art. 4, Table 5. • Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required. See also Art. 3.6.10. • Parking ratio may be reduced within ½ mile radius of TOD and within ¼ mile radius of a Transit Corridor by thirty percent (30%). • Parking may be provided by ownership or lease offsite within 1000 feet. • Loading – See Article 4, Table 5. • Parking may be provided off-site within Parking Structures or Parking Lots identified in the Miami Design District Retail Street SAP Parking Management Program, as illustrated on pg. A2.2 of the Miami Design District Retail Street SAP Concept book.
LODGING	<p>Lodging Uses are permissible as listed in Table 3.</p> <ul style="list-style-type: none"> • Minimum of 1 parking space for every 2 lodging units. • Minimum of 1 additional parking space for every 10 lodging units. • Minimum of 3 parking spaces for every 1,000 square feet of commercial use, except for Public Storage Facilities, minimum 1 parking space for every 2,000 square feet for the first 20,000 square feet, and 1 parking space per 10,000 square feet thereafter. • Parking requirement may be reduced according to the Shared parking standard, Art. 4, Table 5. • Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required. See also Art. 3.6.10. • Parking ratio may be reduced within ½ mile radius of TOD and within ¼ mile radius of a Transit Corridor by thirty percent (30%). • Parking may be provided by ownership or lease offsite within 1000 feet. • Loading – See Article 4, Table 5. • Parking may be provided off-site within Parking Structures or Parking Lots identified in the Miami Design District Retail Street SAP Parking Management Program, as illustrated on pg. A2.2 of the Miami Design District Retail Street SAP Concept Book.
OFFICE	<p>Office Uses are permissible as listed in Table 3, limited by compliance with:</p> <ul style="list-style-type: none"> • Minimum of 3 parking spaces for every 1,000 square feet of Office use. • Parking requirement may be reduced according to the Shared Parking standard, Art. 4, Table 5. • Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required. See also Art. 3.6.10. • Parking ratio may be reduced within ½ mile radius of TOD and within ¼ mile radius of a Transit Corridor by thirty percent (30%). • Parking may be provided by ownership or lease offside within 1000 feet. • Loading – See Article 4, Table 5. • Parking may be provided off-site within Parking Structures or Parking Lots identified in the Miami Design District Retail Street SAP Parking Management Program, as illustrated on pg. A2.2 of the Miami Design District Retail Street SAP Concept Book.
COMMERCIAL	<p>Commercial Uses are permissible as listed in Table 3, limited by compliance with:</p> <ul style="list-style-type: none"> • A maximum area of 55,000 per establishment with one (1), 120,000 square foot establishment, maximum and one (1), 160,000 maximum square foot establishment will be allowed in T6-12 and above. • Minimum of 3 parking spaces for every 1,000 square feet of commercial use, except for Public Storage Facilities, minimum 1 parking space for every 2,000 square feet for the first 20,000 square feet, and 1 parking space per 10,000 square feet thereafter. • Parking requirement may be reduced according to the Shared Parking standard, Art. 4, Table 5. • Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required. See also Art. 3.6.10.

	<ul style="list-style-type: none"> • Parking ratio may be reduced within ½ mile radius of TOD and within ¼ mile radius of a Transit Corridor by thirty percent (30%). • Parking may be provided by ownership or lease offside within 1000 feet. • Loading – See Article 4, Table 5. • Parking may be provided off-site within Parking Structures or Parking Lots identified in the Miami Design District Retail Street SAP Parking Management Program, as illustrated on pg. A2.2 of the Miami Design District Retail Street SAP Concept Book.
<p>EDUCATIONAL</p>	<p>Educational Uses are permissible as listed in Table 3, limited by compliance with:</p> <ul style="list-style-type: none"> • Minimum of 3 parking spaces for every 1,000 square feet of Educational Use. • Schools – Minimum of 1 parking space for each faculty or staff member, 1 visitor parking space per 100 students, 1 parking space per 5 students in grades 11 and 12 or College/University. • Childcare Facilities – Minimum of 1 space for the owner/operator and 1 space for each employee, and 1 drop-off space for every 10 clients cared for. • Parking requirement may be reduced according to the Shared Parking standard, Art. 4, Table 5. • Minimum of 1 Bicycle Rack Space for every 20 vehicular spaces required. See also Art. 3.6.10. • Parking ratio may be reduced within ½ mile radius of TOD and within ¼ mile radius of a Transit Corridor by thirty percent (30%). • Parking may be provided by ownership or lease offside within 1000 feet. • Loading – See Article 4, Table 5. • Parking may be provided off-site within Parking Structures or Parking Lots identified in the Miami Design District Retail Street SAP Parking Management Program, as illustrated on pg. A2.2 of the Miami Design District Retail Street SAP Concept Book.

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ARTICLE 5. SPECIFIC TO ZONES

5.1 GENERALLY

5.1.1 This Article sets forth the standards applicable to development within the each Transect Zone located within the Miami Design District Retail Street SAP area. Provisions of the Miami 21 Code modified herein shall apply only within the Miami Design District Retail Street SAP.

5.4 GENERAL URBAN TRANSECT ZONES (T4)

5.4.1 Building Disposition (T4)

- a. Newly platted Lots shall be dimensioned according to Illustration 5.4 for each Block of the Miami Design District Retail Street SAP.
- b. Lot Coverage by any Building shall not exceed the percentage listed in Illustration 5.4 and Article 4, Table 2 of the Miami Design District Retail Street SAP, calculated in aggregate for new Buildings only.
 1. **Block 5 East.** Notwithstanding the foregoing, Lot Coverage for new Buildings on Block 5 East shall be calculated independently of the aggregate calculation for new Buildings on the balance of the Blocks comprising the Miami Design District Retail Street SAP. Said Lot Coverage shall not exceed the percentage listed in Illustration 5.4 for Block 5 East of the Miami Design District Retail Street SAP.
- c. A Building shall be disposed in relation to the boundaries of its Lot according to Illustration 5.4 for each Block and in Article 4, Table 2 of the Miami Design District Retail Street SAP.
- d. One Principal Building at the Frontage, and one Outbuilding to the rear of the Principal Building, may be built on each Lot as shown in Article 4, Table 8 of the Miami Design District Retail Street SAP. The Outbuilding shall be separated from the Principal Building by a minimum of ten (10) feet.
- e. Setbacks for Principal Buildings shall be as set forth in Article 4, Table 2 and shown in Illustration 5.4 for each Block of the Miami Design District Retail Street SAP.
 1. **Block 5 East.** For the Secondary Frontage along NE 43rd Street of Block 5 East, any Building shall be Setback a minimum of twenty-five feet (25') from the Frontage Line for the initial one hundred and fifty feet (150') of said Secondary Frontage from NE 2nd Avenue and, thereafter, shall be Setback a minimum of fifty feet (50') from the Frontage Line for the balance of said Frontage to NE 4th Avenue.
- f. Facades shall be built parallel to a rectilinear Principal Frontage Line or parallel to the tangent of a curved Principal Frontage Line, for a minimum fifty percent (50%) of its length.
- g. The Setbacks for Outbuildings, pools, tennis courts or other similar recreational facilities shall be as shown for Outbuildings in Illustration 5.4 of the Miami Design District Retail Street SAP.

- h. Accessory Structures shall follow the setbacks for Principal Buildings as shown in Illustration 5.4 of the Miami Design District Retail Street SAP. One (1) Story, non-habitable Accessory Structures, of a maximum of two hundred (200) square feet or ten (10%) percent of the Floor Area of the Principal Building, whichever is greater, shall be located in the Second or Third layer of the property and shall be setback a minimum of five (5) feet from any side Property Line and ten (10) feet from any rear Property Line.

5.4.2 Building Configuration (T4)

- a. Development within Private Frontages shall comply with Article 4, Table 2 and Illustration 5.4 of the Miami Design District Retail Street SAP.
- b. Galleries, Arcades and Cantilevered Buildings shall be permitted to extend above the Public Right-of-Way of an entire Block Face. (See Section 3.3.6 and Article 4, Table 6 of the Miami Design District Retail Street SAP). ~~Galleries, Arcades and Cantilevers located within the Public Right-of-Way shall not count towards Open Space requirements.~~ In T4, an Arcade, Gallery or Cantilever, and the addition of any Habitable Space above an Arcade or Cantilever, shall require an SAP Permit and: (i) ~~upon~~ a recommendation of approval or approval with conditions by UDRB; and (ii) ~~with~~ the approval of the Director of Public Works.
 1. An Arcade shall not reduce the active Sidewalk width from the connecting Sidewalk and shall maintain a minimum vertical clearance of fifteen feet (15') above the average Sidewalk grade. The Arcade shall be a minimum of thirteen feet (13') deep and may overlap the whole width of the Sidewalk to within two (2') feet of the curb.
 2. A Cantilever extending into the Public Right-Of-Way, shall maintain a minimum vertical clearance of fifteen (15') feet above the average Sidewalk grade. A Cantilever may overlap the whole width of the Sidewalk to within two (2') feet of the curb.
 3. A Gallery shall not reduce the active Sidewalk width from the connecting Sidewalk and shall maintain a minimum vertical clearance of fifteen feet (15') above the average Sidewalk grade. The Gallery shall be a minimum of thirteen feet (13') deep and may overlap the whole width of the Sidewalk to within two (2') feet of the curb.
- c. Encroachments shall be allowed as follows:
 1. Pedestrian Passage. An Awning and/or Canopy within the Pedestrian Passage shall be permitted to encroach to a maximum depth of eight (8) feet or twenty five percent (25%) of the width of the Pedestrian Passage, whichever is less. Such Encroachment shall further be limited by objects in the Pedestrian Passage such as trees, streetlamps, etc. Bottom edges of Awnings or Canopies shall be no lower than eight (8) feet above the pavement/floor. Awnings of the quarter-sphere type shall not be permitted.
 2. Sidewalk or Public Alleys. Awnings or Canopies abutting a Sidewalk or a public Alley or similar Public Right-Of-Way shall be designed in accordance with Section 54-186 of the City Code and:
 - i. Shall maintain a minimum vertical clearance of eight feet (8') above the Sidewalk and shall not extend into or occupy more than two-thirds (2/3) of the width of the Sidewalk

- measured from the building where said Awning or Canopy has a vertical clearance of less than fifteen feet (15') above the Sidewalk.
- ii. Stanchions or columns that support Awnings or Canopies shall be located not less than two (2') feet in from the curb line.
 - iii. Shall not extend over any portion of the Sidewalk within two (2') feet of the curb where said Awning or Canopy has a minimum vertical clearance of fifteen (15') feet or greater above the Sidewalk.
 - iv. Shall be further limited by objects located within the Public Right-of-Way such as trees, street lights, etc.
3. Open Balconies, bay windows, planters and other architectural features shall be permitted to encroach into the Pedestrian Passage up to three (3) feet beyond the Building Facade for up to twenty five percent (25%) of the width of the Building Facade when located not less than fourteen (14') feet above the surface of the Pedestrian Passage.
- d. Unroofed screen enclosures shall be located within the Second or Third Layer only and shall have a five (5) feet minimum side and rear Setback.
 - e. All outdoor storage, electrical, plumbing, mechanical, and communications equipment and appurtenant enclosures, shall be within the Second or Third Layer and concealed from view from any Frontage or sidewalk by liner buildings, walls, Streetscreens, or opaque gates. These shall not be allowed as Encroachments on any required Setback, except for Buildings existing as of the effective date of this Code, where mechanical equipment, such as air conditioning units, pumps, exhaust fans or other similar noise producing equipment may be allowed as Encroachments in the Setback by Waiver.
 - f. Loading and service entries shall be accessed from Alleys when available. When a Lot has only Principal Frontages, vehicular entries, Loading Docks and service areas shall be permitted on Principal Frontages. Loading and service entries shall be screened from all Pedestrian Passage and Principal Frontage views by decorative walls or gates, commercial grade decorative wood or metal, tile, artistic or non-advertising signage (including way finding signage), Streetscreens or art or green walls.
 - g. Building Heights shall be measured in Stories and shall conform to Article 4, Table 2 and as shown in Illustration 5.4 of the Miami Design District Retail Street SAP. The first-floor Elevation of a Principal Building shall be at average Sidewalk grade; a first-floor Residential Function should be at a minimum Height of two (2) feet and a maximum Height of three and a half (3.5) feet for privacy reasons or as regulated by FEMA, whichever is higher. The height of the building shall be up to three (3) Stories, and a maximum of forty (40) feet to the top of the roof slab.
 1. Block 5 East. Notwithstanding the foregoing, any portion of a Building or Structure located within Zone B of Block 5 East shall not exceed one (1) Story with a maximum Height of twenty-five (25') feet. See also Illustration 5.4 for Block 5 East and Sec. A4.3 of the Miami Design District Retail Street SAP Concept Book.

- h. Mechanical equipment on a roof shall be enclosed by parapets of the minimum Height necessary to conceal it, and a maximum Height of five (5) feet. Other ornamental Building features may extend up to five (5) feet above the maximum Building Height. Roof decks shall be permitted up to the maximum Height. Trellises may extend above the maximum Height up to eight (8) feet. Extensions up to ten (10) feet above the maximum Height for a stair, elevator or mechanical enclosure shall be limited to twenty (20%) percent of the roof area.
- i. Fences and walls may be located at the Frontage Line as shown in Article 4, Table 6 of the Miami Design District Retail Street SAP. Fences and walls shall be a maximum Height of four (4) feet at the First Layer, except aluminum or iron picket and post Fences with or without masonry posts which shall not exceed a maximum of six (6) feet in Height. Within the Second and Third Layers, Fences and walls shall be a maximum Height of eight (8) feet.
- j. All ground floor and roof top utility infrastructure and mechanical equipment shall be concealed from public view. At the Building Frontage, all equipment such as backflow preventers, siamese connections, and the like shall be placed within the line of the Facade or behind the Streetscreen. Exhaust air fans and louvers may be allowed on the Facade only on Frontages located not less than fourteen (14') feet above the Sidewalk in a fashion that does not adversely impact the pedestrian experience. All service infrastructure and utility elements, including, but not limited to, electrical transformers, telephone boxes, cable and other utility boxes, utility wiring, meters, backflow preventers, condensers, dumpsters and loading docks, shall be screened from all Pedestrian Passage and street views by walls or gates. Loading and service entries shall be accessed from subterranean garages or designated service areas.
- k. Service, infrastructure and utility elements may be creatively concealed or emphasized. Rooftop elements, such as equipment, tanks, exits and elevator towers, shall be designed, housed or concealed as architectural elements worthy of public view as such elements shall be visible from the elevated highway and surrounding Buildings.

5.4.3 Building Function & Density (T4)

- a. Buildings in T4 shall conform to the Functions, Densities, and Intensities described in Article 4, Tables 3 and 4 and Illustration 5.4 of the Miami Design District Retail Street SAP. Certain functions as shown in Article 4, Table 3 of the Miami Design District Retail Street SAP shall require approval by Warrant or Exception. Consult Article 6 of the Miami Design District Retail Street SAP for any supplemental use regulations.

5.4.4 Parking Standards (T4)

- a. Vehicular parking shall be required as shown in Article 4, Tables 4 and 5 of the Miami Design District Retail Street SAP.
- b. Parking may be accessed by an Alley when available.
- c. Surface parking lots, covered parking and garages shall be located within the Second and Third Layers as illustrated in Article 4, Table 8 of the Miami Design District Retail Street SAP. Surface parking lots, garages, Loading space and service areas shall be masked from the Frontage by a Streetscreen as specified in Illustration 5.4 of the Miami Design District Retail Street SAP. A maximum one hundred per cent (100%) of the width of the Facade may be

- surface parking, covered parking or garage, which shall align with or be set back from the Facade. Driveways and drop-offs, including parking, may be located within the Second Layer.
- d. Underground parking may extend into the First Layer. Ramps to underground parking shall be within the Second and Third Layers. Underground structures should be entered by pedestrians from a Building or the Pedestrian Passage.
 - e. The maximum width at the Property Line of a driveway on a Frontage shall be twelve (12) feet. Shared driveway width combining ingress and egress shall be a maximum width of thirty-five (35) feet at the Property Line and may encroach into Setbacks. Two separate driveways on one Lot shall have a minimum separation of twenty (20) feet. Any vehicular drive greater than twenty (20) feet in width shall require a median of not less than three (3) feet in width between vehicular ingress and egress travel lanes to enhance pedestrian safety.
 - 1. **Block 5 East.** Notwithstanding the foregoing, no driveways or curb cuts shall be permitted along the Frontage abutting NE 43rd Street east of NE 2nd Avenue.
 - f. Tandem Parking on site should be encouraged.
 - g. Shared Parking shall be calculated according to Article 4, Table 5 for the Miami Design District Retail Street SAP.
 - h. In T4-L and T4-O a minimum of one (1) bicycle rack space shall be provided for every twenty (20) vehicular parking spaces and may be in the Private Frontage or the Public Right-of-Way in a fashion consistent with the guidelines referenced in 3.6.10.d of the Miami Design District Retail Street SAP.
 - i. Where Lots are Abutting, underground parking may extend to Abutting Blocks and Lots, including under Thoroughfares.
 - j. Above-grade parking may extend into the Second Layer above a first floor Liner with decorative Facade treatment matching the Liner Facade below or an art or green wall. Underground Parking may extend above grade into a first floor Liner if the Building Facade is designed to meet the Sidewalk in such a manner that fully obscures the Parking Area.

5.4.5 Architectural Standards (T4)

- a. Only permanent structures shall be allowed. Temporary Structures, such as mobile homes, construction trailers, travel trailers, recreational vehicles and other temporary structures, shall not be allowed except as otherwise permitted by City Code.
- b. The Facades on Retail Frontages shall be detailed as storefronts with decorative Facade treatment or an art or green wall, and glazed no less than fifty per cent (50%) of the Sidewalk-level Story. A reduction to the above glazing standard to provide between forty-nine percent (49%) and thirty percent (30%) glazing may be granted by SAP Permit. Requests for reductions to provide between twenty-nine percent (29%) to a minimum of fifteen percent (15%) glazing may be granted by SAP Permit with review by the UDRB, with the following exceptions:

- ~~• Along NE 1st Avenue and NE 2nd Avenue a reduction between forty nine percent (49%) and thirty percent (30%) may be granted by SAP Permit with review by the UDRB.~~
- ~~• Along NE 39th Street, NE 40th Street and NE 41st Street, a reduction between forty nine percent (49%) and thirty percent (30%) may be granted by SAP Permit with review by UDRB. Requests between twenty nine percent (29%) to a minimum of fifteen percent (15%) shall require an SAP Permit and a recommendation of approval or approval with conditions by the UDRB.~~
- c. Roof materials should be light-colored, high-Albedo or a planted surface and shall comply with Article 3, Section 3.13.2 of this Code.
- d. Building walls shall reinforce the continuity of the Frontage Line and of the a Pedestrian Passage by their surfaces and by their establishment of the edge. Building walls may curve, angle, or deviate from the Setback, established pursuant to Sec. 3.3.6, by no more than ten feet (10') if approved by SAP Permit.
 1. **Block 5 East.** Building walls for the Secondary Frontage abutting NE 43rd Street may depart from the above requirement in a manner consistent with the standards set forth in Sec. 5.4.1.e.1.
- e. Each Shopfront Facade may be an individual design. In the case of Abutting Shopfront Facades, their designs shall be coordinated. Party walls may extend beyond or above the walls of Abutting Buildings and shall be designed and finished as if they were intended to be permanent, as they may be seen from Thoroughfares, the Pedestrian Passage, and from surrounding Buildings.
- f. Entrance doors shall be at Sidewalk grade or the grade of the Pedestrian Passage, with the exception to entrance doors for existing Buildings and their additions. At the first Story, Facades along a Frontage Line shall have: (i) frequent doors and windows; (ii) pedestrian entrances at a maximum spacing of seventy-five (75') feet; and (iii) vehicular entries at a minimum spacing of sixty (60') feet, unless otherwise approved by SAP Permit.
- g. The visible exterior soffits of Balconies and roof overhangs and the ceilings of Arcades and Balconies shall be articulated with attention to materials and lighting given that the undersides of such elements are frequently more visible than the Facade.

5.4.6 Landscape Standards (T4)

- a. Open Space Calculation. Open Space shall be calculated on an aggregate basis for all of the new Building Lots included as part of the Miami Design District Retail Street SAP and shall be a minimum of six and a half percent (6.5%) of the total new Building Lot Area. Should the Open Space provided at the completion of the development program set forth on page A1.98 of the Concept Book fall below ten percent (10%) of the total new Building Lot Area, the owner(s) of the multiple properties comprising the Miami Design District Retail Street SAP area shall off-set the difference between the desired ten percent (10%) Open Space and the required six and a half percent (6.5%) Open Space in accordance with the terms of the Development Agreement. Areas under permanent kiosks or Retail Merchandising Units shall not be calculated as Open Space.
 1. **Block 5 East.** Notwithstanding the foregoing, Open Space for Block 5 East shall be calculated independently of the aggregate calculation for new Buildings on the balance of

the Blocks comprising the Miami Design District Retail Street SAP. Open Space for Block 5 East shall be a minimum of six and a half percent (6.5%) of the Block 5 East Lot Area. Should the Open Space provided on Block 5 East fall below ten percent (10%) of the Block 5 East Lot Area, the owner(s) of the tracts comprising Block 5 East shall off-set the difference desired ten percent (10%) Open Space and the required six and a half percent (6.5%) Open Space in accordance with the terms of the Block 5 East Development Agreement.

- b. Please see Article 9 for Additional Regulations.

5.4.7 Ambient Standards (T4)

- a. Noise regulation shall be as established by the City Code.
- b. Average lighting levels measured at the Building Frontage shall not exceed 2.0 foot-candles (fc). Average Horizontal illuminance, measured at the Building Frontage, where adjacent to T3 shall not exceed 1.0 fc.
- c. Lighting of Building and Open Space of First and Second Layers shall complement the street lighting of Abutting public spaces.
- d. The lighting fixtures of exposed rooftop parking shall be concealed by a parapet wall and shall not be seen from surrounding streets.
- e. Neither direct nor reflected light or glare shall extend or pollute beyond parapet walls.

5.5 URBAN CENTER TRANSECT ZONES (T5)

5.5.1 Building Disposition (T5)

- a. Newly platted Lots shall be dimensioned according to Illustration 5.5 for each Block of the Miami Design District Retail Street SAP.
- b. Lot coverage by any Building shall not exceed the percentage listed in Illustration 5.5 for each Block and Article 4, Table 2 of the Miami Design District Retail Street SAP, calculated in aggregate for new Buildings only.
 1. **Block 5 East.** Notwithstanding the foregoing, Lot Coverage for new Buildings in Block 5 East shall be calculated independent of the aggregate calculation for new Buildings on the balance of the Blocks comprising the Miami Design District Retail Street SAP. Said Lot Coverage shall not exceed the percentage listed in Illustration 5.5 for Block 5 East of the Miami Design District Retail Street SAP.
- c. Buildings shall be disposed in relation to the boundaries of their Lots according to Illustration 5.5 for each Block and Article 4, Table 2 of the Miami Design District Retail Street SAP.
- d. Buildings or Shopfronts shall have their principal pedestrian entrances on the Pedestrian Passage, a Principal Frontage Line or from a Courtyard at the Second Layer. Where a Building or Shopfront fronts both the Pedestrian Passage and a Principal Frontage and its length along the Principal Frontage is eighty (80') feet or less, its principal pedestrian entrance may be located on either the Pedestrian Passage or the Principal Frontage. Where a Building or Shopfront fronts both the Pedestrian Passage and a Principal Frontage and its length along the Principal Frontage is greater than eighty (80') feet on the ground floor fronts on both the Pedestrian Passage and a Principal Frontage, its principal pedestrian entrance shall be located on the Principal Frontage.
- e. For the minimum Height, Facades shall be built parallel to the Principal Frontage Line along a minimum of sixty percent (60%) of its length on the Setback line as shown in Illustration 5.5 for each Block of the Miami Design District Retail Street SAP. In the absence of a Building along the remainder of the Frontage line, a Streetscreen shall be built co-planar with the Facade to conceal parking and service areas.
- f. At the first Story, Facades along a Principal Frontage should have frequent doors and windows.
- g. Setbacks for Buildings shall be as shown in Illustration 5.5 for each Block and set forth in Article 4, Table 2 of the Miami Design District Retail Street SAP.
- h. ~~For sites with three hundred and forty (340) feet Frontage length or more, a~~ A cross-Block passage shall be provided as follows:
 1. Cross-Block Pedestrian Connection. If the Frontage Line of a site is at any point more than three hundred and forty (340) feet from a Thoroughfare intersection, the Building shall provide a cross-Block Pedestrian Passage, subject to the following exceptions:-

- a. **Block 3 West.** An above ground Parking Garage or above ground Parking Structure located in Block 3 West ~~identified on page A1.14 of the Concept Book~~ shall not be required to provide a cross-Block Pedestrian Passage.
 - b. **Block 4.** A cross-Block Pedestrian Passage shall not be provided to exit onto NE 42nd Street.
 - c. **Block 5 East.** In lieu of providing a cross-Block Pedestrian Passage for Block 5 East, any Building or Structure constructed thereon shall, at a minimum, incorporate a Cantilever, Arcade or Gallery along NE 2nd Avenue Frontage for Block 5 East, cantilevered Awnings and entry Canopies shall be liberally used as part of the Building design along said Frontage, subject to the limitations set forth in Section 5.5.2 of the Miami Design District Retail Street SAP, and in combination with street trees to ensure that pedestrians are adequately protected from the elements.
2. **Cross-Block Vehicular Passage.** If the Frontage Line of a site is at any point six hundred and fifty (650) feet from a Thoroughfare intersection, a vehicular cross-Block passage shall be provided. ~~A cross-Block connection shall not be provided to exit onto NE 42nd Street.~~

5.5.2 Building Configuration (T5)

- a. Development within Private Frontages shall comply with Article 4, Table 2 and Illustration 5.5 for each Block of the Miami Design District Retail Street SAP.
- b. Galleries, Arcades and Cantilevered Buildings shall be permitted to extend above the Public Right-of-Way. (See Section 3.3.6 and Article 4, Table 6 of the Miami Design District Retail Street SAP). ~~Galleries, Arcades and Cantilevers located within the Public Right Of Way shall not count towards the Open Space requirements.~~ In T5, an Arcade, Gallery or Cantilever, and the addition of any Habitable Space above an Arcade or Cantilever, shall require an SAP Permit and: (i) ~~upon~~ a recommendation of approval or approval with conditions by UDRB_i and (ii) ~~with~~ the approval of the Director of Public Works.
 1. An Arcade shall not reduce the active Sidewalk width from the connecting Sidewalk, and shall maintain a minimum vertical clearance of fifteen feet (15') above the average Sidewalk grade. The Arcade shall be no less than thirteen (13') feet deep and may overlap the whole width of the Sidewalk to within two (2') feet of the curb.
 2. A Cantilever extending into the Public Right-Of-Way shall maintain a minimum vertical clearance of fifteen (15') feet above the average Sidewalk grade. A Cantilever may overlap the whole width of the Sidewalk to within not less than two (2') feet of the curb.
 3. A Gallery shall not reduce the active Sidewalk width from the connecting Sidewalk and shall maintain a minimum vertical clearance of fifteen (15') feet above the average Sidewalk grade. The Gallery shall be a minimum of thirteen (13') feet deep and may overlap the whole width of the Sidewalk to within two (2') feet of the curb.
- c. Encroachments shall be allowed as follows:

1. Pedestrian Passage. Awnings and/or Canopies within the Pedestrian Passage shall be permitted to encroach to a maximum depth of eight feet (8') or twenty five percent (25%) of the width of the Pedestrian Passage. Such encroachment shall be further limited by objects located within the Pedestrian Passage such as trees, street lights, etc. Bottom edges of Awnings or Canopies shall be no lower than eight feet (8') above the pavement/floor. Awnings of the quarter-sphere type shall not be permitted.
 2. Sidewalk or Public Alleys. Awnings or Canopies abutting a Sidewalk or public Alley or similar Public Right-Of-Way shall be designed in accordance with the Section 54-186 of the City Code and:
 - i. Shall maintain a minimum clearance of eight feet (8') above the Sidewalk and shall not extend into or occupy more than two-thirds (2/3) of the width of the Sidewalk measured from the building where said Awning or Canopy has a vertical clearance of less than fifteen (15') feet above the Sidewalk.
 - ii. Stanchions or columns that support Awnings or Canopies shall be located not less than two (2') feet from within the curb line.
 - iii. Shall not extend over any portion of the Sidewalk within two (2') feet of the curb where said Awning or Canopy has a minimum vertical clearance of less than fifteen (15') feet above the Sidewalk.
 3. Other cantilevered portions of the Building shall maintain the required Setbacks. At the Second and Third Layers, bay windows, chimneys, roofs, and stairs may encroach up to fifty percent (50%) of the depth of the side or rear Setback. At the Second and Third Layers, Balconies may encroach up to fifty percent (50%) of the depth of the side or rear Setback.
 4. Open Balconies, bay windows, planters and other architectural features shall be permitted to encroach into the Pedestrian Passage up to three (3) feet beyond the Building Facade for up to twenty five percent (25%) of the width of the Building façade when located not less than fourteen feet (14') above the surface of the Pedestrian Passage.
- d. Screen enclosures shall be located within the Second or Third Layer only and shall have a five (5) feet minimum side and rear Setback when Abutting T3 or T4.
 - d. Loading and service entries shall be accessed from Alleys when available and otherwise from the Secondary Frontage. When Lots have only Principal Frontages, vehicular entries, Loading spaces and service areas shall be permitted on Principal Frontages. Loading and service entries shall be screened from all Pedestrian Passage and Primary Frontage views by decorative walls, gates or Streetscreens.
 - e. All outdoor storage, electrical, plumbing, mechanical, and communications equipment and appurtenant enclosures shall be located within the Second or Third Layer and concealed from view from any Frontage or Sidewalk by Liner Buildings, walls, Streetscreens, or opaque gates. These shall not be allowed as Encroachments.

- f. Building Heights shall be measured in Stories and shall conform to Article 4, Table 2 and be as shown in Illustration 5.5 for each Block of the Miami Design District Retail Street SAP, except for the Parking Garage or Structure on Block 3 West whose maximum building height shall be eighty-one feet (81') with no limitation on the number of Stories. The first floor elevation shall be at average Sidewalk grade. A first floor Residential Function should be raised a minimum of two (2) feet and a maximum of three and a half (3.5) feet above average Sidewalk grade. Existing one Story Structures shall be considered conforming and may be enlarged. Each of the following Blocks shall be subject to the additional standards set forth herein below:
1. **Block 3 West.** Parking Garages or Parking Structures located on Block 3 West shall have a maximum Building Height of eighty-one feet (81') with no limitation on the total number of Stories.
 2. **Block 4.** Buildings and Structures, or portions thereof, located on Block 4 shall be limited to a maximum Height of fifty feet (50').
 3. **Block 5 East.** Buildings and Structures, or portions thereof, located on Block 5 East shall be developed in a manner consistent with the standards for each of the Block 5 East zones depicted in Section A4.3 of the Miami Design District SAP Concept Book. Said Building(s) and Structure(s) shall comply with the following maximum Heights for each zone:
 - i. Zone C: 2 Stories
 - ii. Zone D: 4 Stories
 - iii. Zone D2: 5 Stories
 - iv. Zone E: 5 Stories

Within Zone E, the introduction of a mezzanine level within the 5th Story shall be permitted and shall not be counted as an additional Story so long as the Height of the improvements located within said zone do not exceed eight-one feet (81').
- g. Mechanical equipment on a roof shall be enclosed by parapets of the minimum Height necessary to conceal it and a maximum Height of five (5) feet. Other ornamental Building features may extend up to ten (10) feet above the maximum Building Height. Roof decks shall be permitted up to the maximum Height. Trellises may extend above the maximum Height up to eight (8) feet. Extensions up to ten (10) feet above the maximum Height for stair, elevator or mechanical enclosures shall be limited to twenty (20%) percent of the roof area, unless approved by Waiver.
- h. All ground floor and roof top utility infrastructure and mechanical equipment shall be concealed from public view. At the Building Frontage, all equipment such as backflow preventers, siamese connections, and the like shall be screened from public view with landscaping or a similar aesthetic treatment placed within the line of the Facade or located behind the Streetscreen. Exhaust air fans and louvers may be allowed on the Facade only on Secondary Frontages when located not less than fourteen (14') feet above the average Sidewalk Elevation in a fashion that does not adversely impact the pedestrian experience. Service, infrastructure and utility elements may be creatively concealed or emphasized. Rooftop elements, such as equipment, tanks, exits and elevator towers, shall be designed,

housed or concealed as architectural elements worthy of public view as such elements shall be visible from the elevated highway and surrounding Buildings.

- i. Streetscreens shall be a minimum of three and a half (3.5) feet in Height and constructed of a material matching the adjacent building Facade or of masonry, commercial grade decorative wood or metal, tile, artistic or non-advertising signage (including way finding), or art or a green wall. The Streetscreen may be replaced by a hedge or fence. Streetscreens shall have openings no larger than necessary to allow automobile and pedestrian access. Streetscreens shall be located co-planar with the Building Facade Line. Streetscreens more than three (3) feet high shall be fifty percent (50%) permeable or articulated to avoid blank walls.
- j. Within the Second and Third Layers, fences and walls shall not exceed a Height of eight (8) feet, with the exception of Streetscreens masking loading docks.

5.5.3 Building Function & Density (T5)

- a. Buildings in T5 shall conform to the Functions, Densities, and Intensities described in Article 4, Tables 3 and 4 and Illustration 5.5 for each Block of the Miami Design District Retail Street SAP. Certain Functions as shown in Article 4, Table 3 of the Miami Design District Retail Street SAP shall require approval by Warrant or Exception. Consult Article 6 of the Miami Design District Retail Street SAP for any Supplemental Use regulations.

5.5.4 Parking Standards (T5)

- a. Vehicular parking and loading shall be required as shown in Article 4, Tables 4 and 5 of the Miami Design District Retail Street SAP.
- b. On-street parking available along the Frontage Lines that correspond to each Lot shall be counted toward the parking requirement of the Building on the Lot.
- c. Parking should be accessed by an Alley. Parking shall, when available, be accessed from the Secondary Frontage. Where Lots have only Principal Frontages, parking may be accessed from the Principal Frontages. When a Lot has only Principal Frontages, Driveways, Loading Docks and service areas shall be at the Second Layer and permitted on Principal Frontages.
- d. All parking, open parking areas, covered parking, garages, Loading Spaces and service areas, shall be masked from the Frontage by a Streetscreen as illustrated in Article 4, Table 8 of the Miami Design District Retail Street SAP. Underground parking may extend into the Second Layer only if it is fully underground. Ramps to underground parking shall be only within the Second and Third Layers. Above ground parking may extend into the Second Layer with appropriate Facade treatment. For any above ground parking structures located at the intersection of two Thoroughfares, a retail liner shall be provided for a minimum of fifty (50) feet in order to complement the surrounding architecture. Surface parking may extend into the Second Layer a maximum of twenty five percent (25%) of the length of the Primary Frontage up to a maximum of fifty (50) feet, except Interim Parking which may be 100% of the length of the Primary Frontage and shall comply with all other applicable City Code regulations.

- e. The vehicular entrance of a parking lot or garage on a Frontage shall be no wider than forty-five (45) feet, ~~except for a Parking Garage or Parking Structure in Block 3 West identified on page A1.14 2.2 of the Concept Book whose total vehicular pavement shall be no wider than fifty-one (51') feet (exclusive of the width of the pedestrian refuge and any abutting alley) upon approval by SAP Permit.~~ The minimum distance between vehicular entrances shall be twenty (20) feet at the Property Line and may encroach into Setbacks. Where the vehicular entrance exceeds thirty (30) feet in width, a median of not less than three (3) feet in width shall be provided between vehicular ingress and egress travel lanes to enhance pedestrian safety.
1. **Block 3 West.** For any Parking Garage or Parking Structure in Block 3 West identified on page A2.2 of the Concept Book, the vehicular entrance of said parking lot or garage shall be limited to total vehicular pavement not wider than fifty-one feet (51') (exclusive of the width of the pedestrian refuge and any abutting alley) upon approval by SAP Permit.
- f. Pedestrian entrances to all parking lots and parking structures shall be directly from a Frontage Line. Underground parking structures should be entered by pedestrians directly from a Principal Building or the Pedestrian Passage.
- g. Buildings mixing Uses shall provide parking for each Use. Shared Parking shall be calculated according to Article 4, Table 5 of the Miami Design District Retail Street SAP.
- h. Underground parking may extend into the First Layer. Ramps to underground parking shall be within the Second and Third Layers. Where Lots are Abutting, underground parking may extend to Abutting Blocks and Lots, including under Thoroughfares.
- i. Above-grade parking may extend into the Second Layer above a first floor Liner with decorative Façade treatment matching the Liner Façade below or an art or green wall. ~~For any Parking Garage or Parking Structure located on Block 3 West, a decorative Façade treatment or art or green wall shall be approved via SAP Permit. The Façade treatment shall conceal from view all internal elements including, but not limited to, vehicles, piping, fans, ducts and all lighting.~~ Underground Parking may extend above-grade into a first floor Liner if the Building Façade is designed to meet the Sidewalk in such a manner that fully obscures the Parking Area.
1. **Block 3 West.** For any Parking Garage or Parking Structure located on Block 3 West, a decorative Façade treatment or art or green wall shall be approved via SAP Permit. The Façade treatment shall conceal from view all internal elements including, but not limited to, vehicles, piping, fans, ducts and all lighting.

5.5.5 Architectural Standards (T5)

- a. Only permanent Structures shall be allowed. Temporary Structures such as mobile homes, construction trailers, travel trailers, recreational vehicles and other temporary Structures shall not be allowed, except as otherwise permitted by the City Code and this code.
- b. The Facades on Retail Frontages shall be detailed as storefronts with decorative Façade treatment or an art or green wall, and glazed no less than fifty per cent (50%) of the Sidewalk-level Story. A reduction to the above glazing standard to provide between forty-nine percent (49%) and thirty percent (30%) glazing may be granted by SAP Permit.

Requests for reductions to provide between twenty-nine percent (29%) to a minimum of fifteen percent (15%) glazing may be granted by SAP Permit with review by the UDRB, with the following exceptions:

- ~~• Along NE 1st Avenue and NE 2nd Avenue a reduction between forty-nine percent (49%) and thirty percent (30%) may be granted by SAP Permit.~~
 - ~~• Along NE 39th Street, NE 40th Street and NE 41st Street, a reduction between forty-nine percent (49%) and thirty percent (30%) may be granted by SAP Permit with review by UDRB. Requests between twenty nine percent (29%) to a minimum of fifteen percent (15%) shall require an SAP Permit and a recommendation of approval or approval with conditions by UDRB.~~
- c. Roof materials should be light-colored, high Albedo or of a planted surface and shall comply with Article 3, Section 3.13.2 of this Code.
 - d. The Facade of a Parking Garage that is not concealed behind a Habitable Liner shall be screened to conceal all internal elements such as plumbing pipes, fans, ducts and lighting. Ramping should be internalized wherever possible. Exposed spandrels shall be prohibited. The exposed top level of parking Structures shall be covered a maximum of sixty percent (60%) with a shade producing Structure such as, but not limited to, a vined pergola or retractable canvas shade Structure. In lieu of the use of the aforementioned shade producing Structure, an alternate treatment of the exposed top level of parking Structure may be approved by SAP Permit.
 - e. Building walls shall reinforce the continuity of the Frontage Line and of the Pedestrian Passage by their surfaces and by their establishment of the edge. Building walls may curve, angle, or deviate from the established Setback, as established pursuant to Sec. 3.3.6., by no more than ten feet (10') if approved by SAP Permit.
 - f. Each Shopfront Facade may be an individual design. In the case of Abutting Shopfront Facades, their designs shall be coordinated. Party walls may extend beyond or above the walls of Abutting Buildings and shall be designed and finished as if they were intended to be permanent, as they may be seen from Thoroughfares, the Pedestrian Passage, and from surrounding Buildings.
 - g. Not less than one (1) entrance doors per Building or tenant space, as the case may be, shall be at Sidewalk grade or the grade of the Pedestrian Passage, with the exception to entrance doors for existing Buildings and their additions.
 - h. The visible exterior soffits of Balconies and roof overhangs and the ceilings of Arcades and Balconies shall be articulated with attention to materials and lighting given that the undersides of such elements are frequently more visible than the Facade.

5.5.6 Landscape Standards (T5)

- a. Open Space shall be calculated on an aggregate basis for all of the new Building Lots included as part of the Miami Design District Retail Street SAP and shall be a minimum of six and a half percent (6.5%) of the total new Building Lot Area. Should the Open Space provided at the completion of the development program set forth on page A1.98 of the Concept Book fall below ten percent (10%) of the total new Building Lot Area, the owner(s) of

the multiple properties comprising the Miami Design District Retail Street SAP area shall off-set the difference between the desired ten percent (10%) Open Space and required six and a half percent (6.5%) Open Space in accordance with the terms of the Development Agreement. Areas under permanent kiosks shall not be calculated as Open Space.

1. **Block 5 East.** Notwithstanding the foregoing, Open Space for Block 5 East shall be calculated independent of the aggregate calculation for new Buildings on the balance of the Blocks comprising the Miami Design District Retail Street SAP. Open Space for Block 5 East shall be a minimum of six and a half percent (6.5%) of the Block 5 East Lot Area. Should the Open Space provided on Block 5 East fall below ten percent (10%) of the Block 5 East Lot Area, the owner(s) of the tracts comprising Block 5 East shall off-set the difference desired ten percent (10%) Open Space and the required six and a half percent (6.5%) Open Space in accordance with the terms of the Block 5 East Development Agreement.

5.5.7 Ambient Standards (T5)

- a. Noise regulations shall be as established in the City Code.
- b. Average lighting levels measured at the Building Frontage shall not exceed 5.0 foot-candles (fc). Average horizontal illuminance, measured at the Building Frontage, where adjacent to T3 shall not exceed 1.0 fc.
- c. Lighting of Building and contingent Open Spaces shall be complementary with the street lighting of Abutting public spaces as illustrated in Article 8 of the Miami Design District Retail Street SAP. Interior garage lighting fixtures shall not be visible from streets.
- d. The lighting fixtures of exposed rooftop parking shall be concealed by a parapet wall and shall not be seen from surrounding streets.
- e. Neither direct nor reflected light or glare shall extend or pollute beyond parapet walls.

5.6 URBAN CORE TRANSECT ZONES (T6)

5.6.1 Building Disposition (T6)

- a. Lot coverage by any Building shall not exceed the percentage listed in Illustration 5.6 for each Block and Article 4, Table 2 of the Miami Design District Retail Street SAP, calculated in aggregate for new Buildings only.
 1. **Block 5 East.** Notwithstanding the foregoing, Lot Coverage for new Buildings shall be calculated independent of the aggregate calculation for new Buildings on the balance of the Blocks comprising the Miami Design District Retail Street SAP. Said Lot Coverage shall not exceed the percentage listed in Illustration 5.6 for Block 5 East of the Miami Design District SAP.
- b. Buildings shall be disposed in relation to the boundaries of their Lots according to Illustration 5.6 for each Block and the standards set forth in Article 4, Table 2 of the Miami Design District Retail Street SAP.
- c. Buildings or Shopfronts shall have their principal pedestrian entrances on the Pedestrian Passage, a Principal Frontage Line or from a courtyard at the Second Layer. Where a Building or Shopfront fronts both the Pedestrian Passage and a Principal Frontage and its length along the Principal Frontage is eighty (80') feet or less, its principal pedestrian entrance may be located on either the Pedestrian Passage or the Principal Frontage. Where a Building or Shopfront fronts both the Pedestrian Passage and a Principal Frontage and its length along the Principal Frontage is greater than eighty (80') feet, its principal pedestrian entrance shall be located on the Principal Frontage.
- d. For the minimum Height, Facades shall be built parallel to the Principal Frontage Line along a minimum of sixty percent (60%) of its length on the Setback line as shown in Illustration 5.6 for each Block of the Miami Design District Retail Street SAP. In the absence of Building along the remainder of the Frontage line, a Streetscreen shall be built co-planar with the Facade to shield parking and service areas. In the case of two (2) or three (3) Principal Frontages meeting at Thoroughfare intersections, the Building corner may recede from the designated Setback up to twenty percent (20%) of the Lot length.
- e. Setbacks for Buildings shall be as shown in Illustration 5.6 for each Block and set forth in Article 4, Table 2 of the Miami Design District Retail Street SAP. ~~For T6-8 and T6-12, Frontage Setbacks above the eighth floor for Lots having one (1) dimension measuring one hundred (100) feet or less may be a minimum of zero (0) feet.~~ For T6-12, T6-24, T6-36, T6-48, T6-60 and T6-80, the Frontage Setbacks above the eighth floor shall not be required for a Frontage facing a Civic Space or a Right-of-Way seventy (70) feet or greater in width. At property lines Abutting a lower Transect Zone the Setbacks shall reflect the transition as shown in Illustration 5.6 of the Miami Design District Retail Street SAP.
 1. **Block 2.** For Lots zoned T6-12 having one (1) dimension measuring one hundred feet (100') or less, Frontage Setbacks above the eighth floor may be a minimum of zero feet (0').
 2. **Block 2 West.** For Lots zoned T6-12 having one (1) dimension measuring one hundred feet (100') or less, Frontage Setbacks above the eighth floor may be a minimum of zero feet (0').

3. **Block 3 West.** For Lots zoned T6-8 having one (1) dimension measuring one hundred feet (100') or less, Frontage Setbacks above the eighth floor may be a minimum of zero feet (0').
- f. Above the eighth floor, minimum building spacing is sixty (60) feet, except that where the Building abuts T5, the sixty (60) feet required spacing above the fifth floor shall be 20 feet. For ~~T6-42~~, T6- 24, T6-36, T6-48, T6-60 and T6-80 Lots having one dimension one hundred (100) feet or less, side and rear Setbacks above the eighth floor may be reduced to a minimum of twenty (20) feet.. For ~~T6-42~~, T6-24, T6-36, T6-48, T6-60 and T6-80 above the eighth floor in the Second Layer, at a setback of ten (10) feet, an additional two stories of habitable space may extend a maximum sixty percent (60%) of the length of the street Frontages. For T6-12, T6-24, T6-36, T6-48, T6-60 and T6- 80 above the eighth floor an additional six feet of non-habitable space may be allowed without additional setback to accommodate depth of swimming pools, landscaping, transfer beams, and other structural and mechanical systems.

~~Above the fifth floor, for Lots in T6-12 west of NE 1st Avenue, where Height shall be limited to twelve (12) Stories and the Building is adjacent to a T5 Lot, Building side Setbacks may be a minimum of ten (10) feet and no Building separation shall be required.~~

~~Above the eighth floor, for Lots in T6-12 west of NE 1st Avenue, where Height shall be limited to fourteen (14) Stories and the Building is adjacent to a T6 Lot, Building side Setbacks may be a minimum of fifteen (15) feet and the minimum Building separation may be reduced to thirty (30) feet. Closed stairs and open balconies may encroach up to five (5) feet into the Setback by SAP Permit.~~

1. **Block 2 West.** Lots zoned T6-12 may:
 - i. Reduce to a minimum of twenty feet (20') Frontage Setbacks above the eighth floor when the Lot has one (1) dimension measuring one hundred feet (100') or less;
 - ii. Reduce side Setbacks above the 5th floor to a minimum of ten feet (10') and no Building separation shall be required when adjacent to a T5 zoned Lot;
 - iii. Reduce side Setbacks above the 8th floor to a minimum of fifteen feet (15') and building separation to thirty feet (30') when the Building is adjacent to a T6 Lot;
and
 - iv. Permit closed stairs and open balconies to encroach up to five feet (5') into the Setback via SAP Permit.
- g. ~~For sites with three hundred and forty (340) feet Frontage length or more, a~~ cross-Block passage shall be provided as follows:
 1. Cross-Block Pedestrian Connection. If the Frontage Line of a site is at any point more than three hundred and forty (340) feet from a Thoroughfare intersection, the Building shall provide a cross-Block Pedestrian Passage, subject to the exception listed herein below. Such a cross-Block connection may be covered above the first floor by a maximum of twenty-five percent (25%) of its length with Structures connecting Buildings, such as a terrace, pedestrian bridge or vehicular bridge. In all T6 zones, a cross Block connection may be roofed.

- a. **Block 1 West.** A Parking Garage or Parking Structure located in Block 1 West shall not be required to provide a cross-Block Pedestrian Passage.
2. **Cross-Block Vehicular Connection.** If the Frontage Line of a site is at any point six hundred and fifty (650) feet from a Thoroughfare intersection, a vehicular cross-Block connection shall be provided.

5.6.2 Building Configuration (T6)

- a. Development within Private Frontages shall comply with Article 4, Tables 2 and Illustration 5.6 for each Block of the Miami Design District Retail Street SAP.
- b. Galleries, Arcades and Cantilevered Buildings shall be permitted to extend above the Public Right-of-Way of an entire Block Face. (See Section 3.3.6 and Article 4, Table 6 of the Miami Design District Retail Street SAP). ~~Galleries, Arcades and Cantilevers located within the Public Right-Of-Way shall not count towards Open Space requirements.~~ In T6, an Arcade, Gallery or Cantilever, and the addition of any Habitable Space above an Arcade or Cantilever shall require an SAP Permit and: (i) upon a recommendation of approval or approval with conditions by UDRB; and (ii) with the approval of the Director of Public Works.
 1. An Arcade shall not reduce the active Sidewalk width from the connecting Sidewalk and shall maintain a minimum vertical clearance of fifteen feet (15') above the average Sidewalk grade. The Arcade shall be no less than thirteen (13') feet deep and may overlap the whole width of the Sidewalk to within two (2') feet of the curb.
 2. A Cantilever extending into the Public Right-Of-Way, shall maintain a minimum vertical clearance of fifteen (15') feet above the average Sidewalk grade. A Cantilever may overlap the whole width of the Sidewalk to within two (2') feet of the curb.
 3. A Gallery shall not reduce the active Sidewalk width from the connecting Sidewalk and shall maintain a minimum vertical clearance of fifteen (15') feet above the average Sidewalk grade. The Gallery shall be a minimum of thirteen (13') feet deep and may overlap the whole width of the Sidewalk to within two (2') of the curb.
- c. Above the eighth floor, the Building Floorplate dimensions shall be limited as follows:
 1. 15,000 square feet maximum for Residential Uses in T6-8, T6-12 and T6-24
 2. 18,000 square feet maximum for Residential Uses in T6-36, T6-48, T6-60 and T6-80
 3. 30,000 square feet maximum for Commercial Uses and for parking
 4. 180 feet maximum length for Residential Uses
 5. 215 feet maximum length for Commercial Uses
- d. Encroachments shall be as follows:
 1. Pedestrian Passage. Awnings or Canopies within the Pedestrian Passage shall be permitted to encroach to a maximum depth of eight (8') feet or twenty five percent (25%) of the width of the Pedestrian Passage, whichever is less. Such Encroachment shall be

further limited by objects located within the Pedestrian Passage such as trees, street lights, etc. Bottom edges of Awning or Canopies shall be no lower than eight feet (8') above the pavement/floor. Awnings of the quarter-sphere type shall not be permitted.

2. Sidewalk or Public Alley. Awnings or Canopies abutting a Sidewalk or a public Alley or similar Public Right-of-Way shall be designed in accordance with Section 54-186 of the City Code and:
 - i. Shall maintain a minimum vertical clearance of not less than eight feet (8') above the pavement/floor and shall not extend into or occupy more than two-thirds (2/3) of the width of the Sidewalk measured from the building where said Awning or Canopy has a vertical clearance of less than fifteen (15') feet above the Sidewalk.
 - ii. Stanchions or columns that support Awnings or Canopies shall be located not less than two (2') feet from within the curb line.
 - iii. Shall not extend over any portion of the Sidewalk within two (2') feet of the curb where said Awning or Canopy has a minimum vertical clearance of fifteen (15') feet above the Sidewalk.
 - iv. Such Encroachment shall be further limited by the edge of the Sidewalk or by objects in the Public Right-of-Way such as trees, streetlamps, etc.
3. At the Second Layer, bay windows and roofs shall be at a maximum three (3) feet deep and may encroach up to thirty percent (30%) of the depth of the Sidewalk. Other cantilevered portions of the Building shall maintain the required Setbacks. At the Second and Third Layers, bay windows, chimneys, roofs, and stairs may encroach up to fifty percent (50%) of the depth of the side or rear Setback. At the Second and Third Layers, Balconies may encroach up to fifty percent (50%) of the depth of the side or rear Setback.
4. Open balconies, bay windows, planters and other architectural features shall be permitted to encroach into the Pedestrian Passage up to three (3) feet beyond the Building Facade for up to twenty five percent (25%) of the width of the Building façade when located not less than fourteen (14') feet above the surface of the Pedestrian Passage.
- e. All outdoor storage, electrical, plumbing, mechanical and communications equipment and appurtenant enclosures shall be located within the Second or Third Layer and concealed from view from any Frontage or Sidewalk by Liner Buildings, walls, Streetscreens, or opaque gates. These shall not be allowed as Encroachments.
- f. Loading and service entries shall be accessed from Alleys when available, and otherwise from the Secondary Frontage. Loading spaces and service areas shall be internal to the building, ~~except for T6-12 Lots west of NE 1st Avenue where Loading shall be open but buffered by a highly decorative wall or screen and permitted by SAP Permit.~~ Where Lots have only Principal Frontages, vehicular entries, Loading Docks and service areas shall be permitted on Principal Frontages. Loading and service entries shall be screened from all Pedestrian Passage and Primary Frontage views by decorative walls or gates or Streetscreens.

1. **Block 2 West.** Unenclosed Loading Spaces and services areas on T6-12 zoned Lots within Block 2 West are permitted by SAP Permit and shall be buffered by a highly decorative wall or screen.

- g. Building Heights shall be measured in Stories and shall conform to Article 4, Table 2 of the Miami Design District Retail Street SAP and be allocated as required in Illustration 5.6 for each Block of the Miami Design District Retail Street SAP. First-floor elevation shall be at average Sidewalk grade. A first level Residential Function should be raised a minimum of two (2) feet and a maximum of three and a half (3.5) feet above average Sidewalk grade. Existing one Story Structures shall be considered conforming and may be enlarged.

1. **Block 2 West.** Building(s) and Structure(s), or any portions thereof, located on Block 2 West shall have their maximum benefit Heights limited as follows:
 - i. Parcel 11: 0 Stories
 - ii. Parcel 12: 2 Stories

2. **Block 3 West.** Building(s) and Structure(s), or any portions thereof, located on Parcels 22 and 23 of Block 3 West shall have a maximum benefit Height of two (2) Stories.

- h. Mechanical equipment on a roof shall be enclosed by parapets of the minimum Height necessary to conceal it. Other enclosures for housing stairs, bathrooms, elevators or mechanical equipment or for ornamental Building features may extend up to ten (10) feet above maximum height for T6-8 and T6-12. Roof decks shall be permitted up to the maximum Height. Trellises may extend above the maximum Height up to fourteen (14) feet.

- i. All ground floor and roof top utility infrastructure and mechanical equipment shall be concealed from public view. At the Building Frontage, all equipment such as backflow preventers, siamese connections, and the like shall be screened from public view with landscaping or a similar aesthetic treatment, placed within the line of the Facade or behind the Streetscreen. Exhaust air fans and louvers may be allowed on the Facade only on Frontages fourteen (14') feet above the Sidewalk in a fashion that does not adversely impact the pedestrian experience. Service, infrastructure and utility elements may be creatively concealed or emphasized. Rooftop elements, such as equipment, tanks, exits and elevator towers, shall be designed, housed or concealed as architectural elements worthy of public view, as such elements shall be visible from the elevated highway and surrounding tall Buildings.

- j. Streetscreens or fences shall be a minimum of three and a half (3.5) feet in Height and constructed of a material matching the adjacent Building Facade or of masonry, wrought iron or aluminum. The Streetscreen may be replaced by a hedge. Streetscreens shall have openings no larger than necessary to allow automobile and pedestrian access. Streetscreens shall be located co-planar with the Building Facade Line. Streetscreens over three (3) feet high shall be fifty percent (50%) permeable or articulated to avoid blank walls.

- k. Within the Second and Third Layers, fences and walls shall not exceed a Height of eight (8) feet, with the exception of Streetscreens masking loading docks.

5.6.3 Building Function & Density (T6)

- a. Buildings in T6 shall conform to the Functions, Densities, and Intensities described in Article 4, Tables 3 and 4 and Illustration 5.6 of the Miami Design District Retail Street SAP. Certain Functions as shown in Article 4, Table 3 of the Miami Design District Retail Street SAP shall require approval by Warrant or Exception. Consult Article 6 of the Miami Design District Retail Street SAP for any supplemental regulations.
- b. The calculation of the FLR shall not apply to that portion of the building that is entirely below base flood elevation.

5.6.4 Parking Standards (T6)

- a. Vehicular parking and loading shall be required as shown in Article 4, Tables 4 and 5 of the Miami Design District Retail Street SAP.
- b. On-street parking available along the Frontage Lines that correspond to each Lot shall be counted toward the parking requirement of the Building on the Lot.
- c. Parking should be accessed by an Alley. Parking shall be accessed from the Secondary Frontage when available. Where Lots have only Principal Frontages, parking may be accessed from the Principal Frontages. When a Lot has only Principal Frontages, Driveways, vehicular entries, Loading Docks and service areas shall be at the Second Layer and permitted on Principal Frontages.
- d. Primary Frontage. All parking, open parking areas, covered parking, garages, Loading Spaces and service areas, with the exception of drop-off drives and porte-cocheres, shall be located within the Third Layer and shall be masked from the Frontage by a Liner Building or Streetscreen as illustrated in Article 4, Table 8 of the Miami Design District Retail Street SAP. Parking, drop-off drives and porte-cocheres may extend into the Second Layer with appropriate Facade or Landscape treatment. For any above or below ground parking structures located at the intersection of two Thoroughfares, a retail Liner shall be provided for a minimum of fifty feet (50') in order to complement the surrounding architecture. Surface parking may extend into the Second Layer a maximum of twenty five percent (25%) of the length of the Primary Frontage up to a maximum of fifty (50) feet, except for Interim Parking which may be 100% of the length of the Primary Frontage and shall comply with all other applicable City Code regulations.
- e. Underground parking may extend into the First Layer. Ramps to underground parking shall be within the Second or Third Layers.
- f. The vehicular entrance of a parking Lot or garage on a Frontage shall be no wider than forty-five (45) feet, ~~except for a Parking Garage or Parking Structure in Block 3 West identified on page A1.14. of the Concept Book whose vehicular entrance(s) shall be no wider than fifty-one (51) feet.~~ The minimum distance between vehicular entrances shall be twenty (20) feet at the Property Line and may encroach into Setbacks. Where the vehicular entrance exceeds thirty (30) feet in width, a median of not less than three (3) feet in width shall be provided between vehicular ingress and egress travel lanes to enhance pedestrian safety.

1. Block 3 West. Notwithstanding the foregoing, the vehicular entrance of a Parking Garage or Parking Structure on a Frontage on Block 3 West shall be no wider than fifty-one feet (51').
- g. Pedestrian entrances to all parking lots and Parking Structures shall be directly from a Frontage Line. Underground Parking Structures should be entered by pedestrians directly from a Principal Building or the Pedestrian Passage.
- h. Buildings mixing uses shall provide parking for each Use. Shared Parking shall be calculated according to Article 4, Table 5 of the Miami Design District Retail Street SAP.
- i. Where Lots are Abutting, underground parking may extend to Abutting Blocks and Lots, including under Thoroughfares.
- j. Above-grade parking may extend into the Second Layer above a first floor liner with decorative facade treatment matching the liner facade below or an art or green wall. Underground parking may extend above grade into a first floor Liner if the Building Facade is designed to meet the Sidewalk in such a manner that fully obscures the Parking Area.

5.6.5 Architectural Standards (T6)

- a. Only permanent Structures shall be allowed. Temporary Structures, such as mobile homes, construction trailers, travel trailers, recreational vehicles and other temporary Structures, shall not be allowed, except as otherwise permitted by the City Code and this code.
- b. The Facades on Retail Frontages shall be detailed as storefronts with decorative Facade treatment or an art or green wall, and glazed no less than fifty per cent (50%) of the Sidewalk-level Story. A reduction to the above glazing standard to provide between forty-nine percent (49%) and thirty percent (30%) glazing may be granted by SAP Permit. Requests for reductions to provide between twenty-nine percent (29%) to a minimum of fifteen percent (15%) glazing may be granted by SAP Permit with review by the UDRB, with the following exceptions:
 - ~~• Along NE 1st Avenue and NE 2nd Avenue a reduction between forty-nine percent (49%) and thirty percent (30%) may be granted by SAP Permit.~~
 - ~~• Along NE 38th, 39th, 40th and NE 41st Streets, a reduction between forty-nine percent (49%) and thirty percent (30%) may be granted by SAP Permit with review by UDRB. Requests between twenty-nine percent (29%) to a minimum of fifteen percent (15%) shall require an SAP Permit and a recommendation of approval or approval with conditions by UDRB.~~
 - Notwithstanding the foregoing, only the first two hundred feet (200') of NE 38th Street east of NE 1st Avenue shall be detailed as a storefront and glazed with clear glass for no less than 70% of the sidewalk-level Story.
- c. Roof materials should be light-colored, high Albedo or of a planted surface and shall comply with Article 3, Section 3.13.2 of this Code.
- d. The Facade of a parking garage that is not concealed behind a Habitable Liner and all Elevations shall be screened to conceal all internal elements such as plumbing pipes, fans, ducts and lighting. Ramping should be internalized wherever possible. Exposed spandrels

- shall be prohibited. The exposed top level of parking structures shall be covered a minimum of sixty percent (60%) with a shade producing structure such as, but not limited to, a vined pergola or retractable canvas shade structure. In lieu of the use of the aforementioned shade producing Structure, an alternate treatment of the exposed top level of parking Structure may be approved by SAP Permit.
- e. Building walls shall reinforce the continuity of the Frontage Line and of the Pedestrian Passage by their surfaces and by their establishment of the edge. Building walls may curve, angle, or deviate from the established Setback, as established pursuant to Sec. 3.3.6., by no more than ten feet (10') if approved by SAP Permit
 - f. Each Shopfront Facade may be an individual design. In the case of Abutting Shopfront Facades, their designs shall be coordinated. Party walls may extend beyond or above the walls of Abutting buildings and shall be designed and finished as if they were intended to be permanent as they may be seen from Thoroughfares, the Pedestrian Passage, and from surrounding Buildings.
 - g. Not less than one (1) entrance door per Building or tenant space, as the case may be, shall be at Sidewalk grade or the grade of the Pedestrian Passage, with the exception to entrance doors for existing Buildings and their additions.
 - h. The visible exterior soffits of Balconies and roof overhangs and the ceilings of Arcades and Balconies shall be articulated with attention to materials and lighting given that the undersides of such elements are frequently more visible than the Facade.

5.6.6 Landscape Standards (T6)

- a. Open Space shall be calculated on an aggregate basis for all of the new Building Lots included as part of the Miami Design District Retail Street SAP and shall be a minimum of six and a half percent (6.5%) of the total new Building Lot Area. Should the Open Space provided at the completion of the development program set forth on page A1.98 of the Concept Book fall below ten percent (10%) of the total new Building Lot Area, the owner(s) of the multiple properties comprising the Miami Design District Retail Street SAP area shall offset the difference between the desired ten percent (10%) Open Space and required six and a half percent (6.5%) Open Space in accordance with the terms of the Development Agreement. Areas under permanent kiosks shall not be calculated as Open Space.

5.6.7 Ambient Standards (T6)

- a. Noise regulations shall be as established in the City Code.
- b. Average lighting levels measured at the Building Frontage shall not exceed 20 fc (foot-candles).
- c. Average Lighting of Building and contingent Open Spaces shall complement the street lighting of Abutting public spaces as illustrated in Article 8 of the Miami Design District Retail Street SAP. Interior garage lighting fixtures shall not be visible from Thoroughfares.
- d. The lighting fixtures of exposed rooftop parking shall be concealed by a parapet wall and shall not be seen from surrounding Thoroughfares.
- e. Neither direct nor reflected light or glare shall extend or pollute beyond parapet walls.

ARTICLE 6. SUPPLEMENTAL REGULATIONS

6.3 COMMERCIAL USES

6.3.1 Large Scale Retail

A single commercial establishment occupying more than 55,000 square feet of Floor Area in the Miami Design District Retail Street S.A.P. shall be permitted subject to the following requirements:

LOCATION	<p>By Right in T6-12 or above for up to two (2) establishments with a maximum size of 120,000 square feet and 160,000 square feet.</p> <p>By Right in T5 for up to one (1) establishment with a maximum size of 120,000 square feet.</p> <p>By Exception in T5 on Block 5 East for up to one (1) establishment with a maximum size of 100,000 square feet.</p> <p>By Warrant in D1</p> <p>By Right in D2. Section 6.3.1. "Additional Requirements" shall not apply.</p>
LOT SIZE	As required by the Transect Zone.
COMMERCIAL AREA LIMITATIONS	Minimum of 55,000 square feet.
REQUIREMENTS WHEN ABUTTING A MORE RESTRICTIVE TRANSECT	<ul style="list-style-type: none"> • A minimum of one (1) shade tree with a minimum Height of twelve (12) feet shall be planted at twenty-five feet (25') on center along the perimeter of the wall. • Additional landscaping in the form of shrubs and Buffer plant material shall also be required.
PARKING	<ul style="list-style-type: none"> • All required Parking shall conform to the Transect Zone.
ADDITIONAL REQUIREMENTS	<ul style="list-style-type: none"> • At ground level: Habitable Space, such as Liners, to conceal Parking Structures or Parking Areas must be provided for at least sixty-five percent (65%) of linear street Frontages. • Second floor level: Habitable Space, such as Liners to conceal Parking Structures, with a combination of architectural articulation for all linear street Frontages shall be required; however, in no case shall the Habitable Space Liners be less than forty percent (40%) of all Linear street Frontages. • Third floor level and above: Habitable Space, such as Liners, to conceal a Parking Structure with a combination of architectural articulation for all liner street Frontages shall be permitted; however, in no case will the Habitable Space Liners be less than twenty-five percent (25%) of all linear street Frontages. • A decorative facade, art wall or green wall may substitute for the Liner on a maximum of two (2) street Frontages.

6.3.2 Criteria for Certain Open Air Retail Uses

- a. Open Air Retail uses are permitted by Right.
- b. All exhibits, displays and sales of items from a Retail Merchandising Unit shall be subject to the following limitations:
 1. Retail Merchandising Units, excluding any associated signage, as permitted below in b.5., shall be limited to a maximum size of one hundred and sixty (160) square feet in area and shall not exceed a maximum Height of fifteen (15) feet;

2. There shall be no more than twenty (20) Retail Merchandising Units located in the SAP boundaries, and limited to Parcels 1-63, as identified on Sheet A1.5 of the Concept Book.
 3. Retail Merchandising Units shall be setback from any adjacent public right-of-way by a minimum of ten (10) feet.
 4. Retail Merchandising Unit openings and windows may be closed from time to time to secure the structure.
 5. Individual exterior identity signs shall be limited to sixteen (16) square feet in area, with no dimension exceeding eight (8) linear feet in length. There shall be no more than two (2) identity signs per Retail Merchandising Unit.
- c. Open Air Retail uses shall not count towards gross buildable area and floor lot ratio calculations if the vending carts, kiosks, Retail Merchandising Units or other structure has wheels and is removable within 24 hours in case of emergency.
 - d. Deviations from the standards set forth in Section 6.3.2.b may be approved by SAP Permit upon a finding by the Planning Director that the requested modifications are justified due to one or more of the following special conditions:
 1. Established pedestrian flow patterns;
 2. Existing landscape features;
 3. Governmental action which creates a peculiar configuration on the subject property;
 4. Deviations do not interfere with the pedestrian experience within the Pedestrian Passage.

6.5 SIGN STANDARDS

6.5.1.5 GENERAL REQUIREMENTS

The following general requirements and limitations shall apply with regard to Signs located within the Miami Design District Retail Street SAP, in addition to provisions appearing elsewhere in this code, with the exception of Signs located more than twenty-five feet (25') from the intersection of any Thoroughfare and the Pedestrian Passage. No Variance from these provisions is permitted unless other-wise provided herein.

- a. Any Sign allowed herein may contain, in lieu of any other message or copy, any lawful non-Commercial message, so long as said Sign complies with the size, Height, Area and other requirements of this code and the City Code.
- b. Limitations on false and misleading Signs. It shall be unlawful to post any Sign that is false or misleading.

- c. No Sign adjacent to a T3, T4-R, T5-R or T6-R zone shall be illuminated or Flashing unless such Signs are specifically authorized by the regulations for the Transect in which erected. Whether or not illuminated or Flashing Signs are authorized generally within a zone, no Flashing Sign shall be permitted within one hundred (100) feet of any portion of property in a Residential district located north of NE 42nd Street, as measured along the street Frontage on the same side of the street, or as measured in a straight line to property across the street, if the flashing element of such Sign is directly visible from the Residential property involved.
- d. Revolving or Whirling Signs and pennant or streamer Signs are hereby prohibited unless such Signs are specifically authorized by the regulations for the Zone in which erected.
- e. Signs of historic significance. Any Sign determined to be of historic significance by the Historic and Environmental Preservation Board, through resolution that makes findings according to the Chapter 23 of the City Code, may be exempted by Warrant from any Sign limitation imposed by this code. The placement of said Sign may be as approved according to the considerations and standards of Warrant approval, as the criteria in Chapter 23.
- f. Variances for Height on freestanding outdoor Advertising Signs may be granted by the Planning, Zoning and Appeals Board, pursuant to the limitations set forth in this code and upon compliance with the following:
 - 1. An application for a Height Variance for a freestanding outdoor Advertising Sign may only be submitted, and accepted by the City, if the Height Variance is necessary due to a government action which renders the Sign not visible from the roadway(s) which it was intended to be viewed from; said government action will only be considered a justification for the requested Variance if the action occurs after the Sign has been legally erected under the provisions of the zoning ordinance in effect at the time the Sign was built. A legally erected Sign that was legally constructed and not in compliance with the Height provisions of the Zoning Ordinance may not justify the noncompliant Height as hardship for a Variance request; only a subsequent government action, which physically impedes the visibility of a Sign, will be considered a valid justification;
 - 2. Any application for a Height Variance for a freestanding outdoor Advertising Sign must be accompanied by line of sight studies from the roadway(s) which such Sign is intended to be viewed from; and
 - 3. A finding must be made that the Variance be requested is the minimum Variance necessary to make such Sign visible from the roadway(s) which such Sign is intended to be viewed from.
 - 4. In addition, this section shall not apply to any Sign with nonconforming status.
- g. All Temporary Signs shall comply with the requirements of Chapter 62 of the City Code.
- h. All Signs shall comply with the vision clearance standards of this code.
- i. A Warrant shall be required for establishment of community or Neighborhood bulletin boards, including kiosks in districts where permissible, but no Sign permits shall be required for posting of notices thereon. Size and location standards shall be as set forth in the districts where permissible. Subject to approval by the officer or agent designated by the City Manager, such bulletin boards or kiosks may be erected on public property. Conditions of the

Warrant shall include assignment of responsibility for erection or maintenance, and provision for removal if not properly maintained.

- j. Freestanding Signs higher than seven (7) feet in height are prohibited in Transect Zones T6-24, T6-36, T6-48, T6-60, and T6-80. Free standing Signs above seven (7) feet in height are allowed By Right in District (D) Zones and may be permitted by Warrant in all other Zones, subject to any applicable Design Guidelines. These regulations do not apply to those signs regulated under Chapter 62, Article 13 of the City Code.
- k. Painted wall Signs are prohibited in Transect Zones T6-24, T6-36, T6-48, T6-60, and T6-80. Painted wall Signs are allowed By Right in District (D) Zones and may be permitted by Warrant in all other Zones, subject to any applicable Design Guidelines. Painted wall Signs shall be limited to on-premises business identification signage as more specifically regulated in each transect zone per Section 6.5.2. These regulations do not apply to those signs regulated under Chapter 62, Article 13 of the City Code.

6.5.2 TRANSECT SPECIFIC STANDARDS

6.5.2.1 GENERALLY

- a. Criteria. In the review and approval of Signs, the City shall ensure compliance with all applicable sections of the Florida Building Code and ensure that the Signs comply with the zoning regulations of this code including:
 1. The size and Area of the Signs comply with the specifications set forth for the type of Sign and the Zone in which the Sign is to be located; and
 2. The Signs comply with location standards on the subject property or Structure as specified herein.

6.5.2.5 T4-O, T5-L, T5-O, T6-L, T6-O, CI-HD, D1, D2 AND D3

Except as otherwise provided, the following Signs are permitted and may be illuminated but shall not be Animated or flashing.

- a. For a single establishment within a Building:
 1. Wall Signs. When a single establishment takes up an entire Building, wall Signs shall be limited to one and one half (1 1/2) square feet of Sign Area for each lineal foot of Building Facade area.
 - Each establishment is permitted one (1) Identification Sign and up to two (2) Secondary Identification Signs per Shopfront Facade, all of which shall be subject to the aggregate Sign Area. The Sign Area for each Shopfront Facade shall be calculated independently.
 - Wall signs shall be limited to registered trade names, logo brand marks, swashed, simple lines, back plates and other decorative touches. Tag lines, bylines, merchandise or service descriptions are not permitted.

- The Copy Area of each Identification Sign and Secondary Identification Sign shall be computed by surrounding each Sign with a square or rectangle shape in order to calculate the area. Elements such as logo brand marks, swashes, simple lines, back plates or other decorative touches shall not be included as part of the Copy Area. Letter height shall be determined by measuring the tallest letter of an Identification Sign or Secondary Identification Sign, inclusive of swashes, ascenders, and descenders. Identification Signs and Secondary Identification Signs shall not exceed eighty percent (80%) of the width of the Shopfront Facade. The combined area of all Identification Signs and Secondary Identification Signs shall not exceed thirty-five percent (35%) of the area of the Shopfront Facade.
2. Window Signs. Attached signs shall not exceed thirty-five (35%) of the glassed area of the window in which placed. Number of such Signs is not limited by these regulations, but the Window Sign areas shall be included as part of aggregate wall Sign Area, as limited above. Only trade names or graphic logos may be used. Store description, advertisements, or tag lines are not permitted. The entire graphic shall be mounted below 48" in height from finished floor and all applied graphics shall be adhered to the interior side of the glass. Painted Signs in the form of artistic murals may be allowed by SAP Permit.
 3. Projecting Signs. Shall be limited to one (1) Sign structure with no more than two (2) Sign surfaces, neither of which shall exceed forty (40) square feet in Sign Area; however, such permissible Sign Area may be increased to eighty (80) square feet where maximum projection from the face of the Building is two (2) feet or less; sixty (60) square feet where projection is more than two (2) and less than three (3) feet; and forty (40) square feet where projection is at least three (3), but not more than four (4) feet. The aggregate Area of such Signs shall be included as part of aggregate wall Sign Area, as limited above.
 4. Ground/Freestanding Signs. Shall be limited to one (1) Sign structure with no more than two (2) Sign surfaces, neither of which shall exceed forty (40) square feet in Sign Area for each establishment or for each one hundred (100) feet of street Frontage. Permitted Sign Area may be cumulative, but no Sign surface shall exceed one hundred (100) square feet. Maximum Height limitation shall be twenty (20) feet including embellishments, measured from the crown of the nearest adjacent local or arterial street, not including limited access highways or expressways, provided, however, that the Zoning Administrator may increase the measurement of the crown by up to five (5) feet to accommodate unusual or undulating site conditions.
 5. Tenant Logo Treatment. Identification Signage (fascia wall signs, for example) can be inter-mixed with large expressions and artistic interpretations of the tenant brand logo marks. Tenant logos may be considered as larger scaled artistic expressions of the merchandising and can be used at a large urban Building scale, as Building patterns, or may be incorporated into the Building architecture itself, so as to be considered a part of the Building and Facade expression. Building wraps are not permitted. All Tenant Logo Treatment shall not be calculated as part of aggregate Facade Sign Area.

Where a tenant logo or any letter, numeral, character, figure or emblem will cover more than fifty percent (50%) of the area of the Building Facade, such architectural or artistic treatment shall require approval by SAP Permit.

6. Building Address Signs. Building addresses will not be calculated as part of aggregate wall Sign Area, as limited above.

7. Wall Mounted Plaque. Not more than one (1) such Sign, not exceeding four (4) square feet in area, may be located adjacent to entry doors. No taglines, slogans, service or product descriptions are permitted in the text. A Wall Mounted Plaque shall be calculated as part of aggregate Facade Sign Area, as limited above.
8. Inlaid Entry Vestibule Floor Signs. Not more than one (1) such Sign not exceeding ten (10) square feet in area, may be recessed into the floor, located solely within tenant lease line at the entry vestibule of the store, and integrated flush into the surrounding flooring system. Such Signs must be fabricated out of durable, non-slip materials. Inlaid Entry Vestibule Floor Signs shall not be calculated as part of aggregate wall Sign Area, as limited above.
9. Interior Signs. Signage, mounted inside the store three (3) feet beyond the Shopfront Facade, viewed from the pedestrian walkway will not be calculated as part of aggregate Facade Sign Area, as limited above. Any Signage mounted inside the store within three (3) feet of the Shop-front Facade shall be considered a Window Sign and governed by the requirements of Sec. 6.5.2.5.a.2.
10. Video and animated architectural Facade treatments may be used as approved by Warrant.
11. Prohibited Sign Types. Following is a list of prohibited sign types:
 - Suspended blade signs.
 - Moving, rotating, or flashing signs, except video facade treatments permitted via SAP Permit.
 - Signs with exposed neon, vacuum-formed plastic, and internally illuminated plex-faced box signs.
 - Parapet-mounted signs or signs which project above the parapet.
 - Painted tenant identity signs, except artistic murals permitted via SAP Permit.
 - Balloon or inflatable signs.
 - Signs which emit sound, odor, or any visible matter, except audio video permitted through the SAP Permit.
 - Simulated materials, i.e. plastic laminate, paper, cardboard, foam, Sentra.
 - Freestanding tenant identity signs and portable signs such as A-frame sandwich boards.
 - Signs advertising the availability of employment opportunities.
 - Signs with tag lines, slogans, phone numbers, or service description.
 - Signs attached, painted on, or otherwise affixed to trees and landscaping.

- b. For a single Building with more than one establishment opening up to the outdoors:
1. Wall Signs. The Building in which the establishments are located shall be allowed one (1) wall Sign, limited to a Building Identification Sign, not exceeding fifty (50) square feet in Area, for each face of the Building oriented toward the street. In addition, each individual establishment within a Building that has a separate entrance to the outdoors (available to the general public, whether on the ground floor or on an upper level), and a minimum Frontage of twenty (20) linear feet to the outdoors, shall be allowed the following Signs:
 - A wall Sign not to exceed one (1) square foot in Area for each linear foot of Frontage of the establishment.
 - Window Signs not to exceed twenty percent (20%) of the glass area of the window or glass door in which placed; such Window Signs may be painted or attached. The number of such Signs is not limited by these regulations, but aggregate Area shall be included as part of aggregate wall Sign Area, as limited above.
 - A hanging (as in under an Awning or similar Structure) Sign not to exceed three (3) square feet in Area.
 2. Window Signs. Attached signs shall not exceed thirty-five (35%) of the glassed area of the window in which placed. The number of such Signs is not limited by these regulations, but the total areas shall be included as part of aggregate wall Sign Area, as limited above. Only trade names or graphic logos may be used. Store descriptions, advertisements, or tag lines are not permitted. The entire graphic shall be mounted below 48" in height from finished floor and all applied graphics shall be adhered to the interior side of the glass. Painted Signs in the form of artistic murals may be allowed by SAP Permit.
 3. Projecting Signs. Shall be limited to one (1) Sign structure with no more than two (2) Sign surfaces, neither of which shall exceed forty (40) square feet in Sign Area; however, such permissible Sign Area may be increased to eighty (80) square feet where maximum projection from the face of the Building is two (2) feet or less; sixty (60) square feet where projection is more than two (2) and less than three (3) feet; and forty (40) square feet where projection is at least three (3), but not more than four (4) feet. The aggregate Area of such Signs shall be included as part of aggregate wall Sign Area, as limited above.
 4. Ground or freestanding Signs. Shall be limited to one (1) Sign structure with no more than two (2) Sign surfaces, neither of which shall exceed forty (40) square feet in Sign Area for each establishment or for each one hundred (100) feet of street Frontage. Permitted Sign Area may be cumulative, but no Sign surface shall exceed one hundred (100) square feet. Maximum Height limitation shall be twenty (20) feet including embellishments, measured from the crown of the nearest adjacent local or arterial street, not including limited access highways or expressways, provided, however, that the Zoning Administrator may increase the measurement of the crown by up to five (5) feet to accommodate unusual or undulating site conditions.
- c. For outdoor advertising business Signs. Outdoor advertising business Signs shall be permitted as accessory Uses to principal Commercial Uses, and such Signs shall further be limited as follows:
1. Signs shall be wall mounted only on side walls of the existing principal Commercial Structure and shall not be freestanding;

2. Signs shall be limited to one Sign per Structure only;
3. Sign Area shall be limited to no greater than thirty-two (32) square feet;
4. Permissible Sign Area may only be utilized on a Commercial Structure which has the allowable thirty-two (32) square feet of Sign Area unused from the total permissible wall Sign Area for the Structure in question (not counting the twenty (20) square feet of wall Signs allowable per establishment); and
5. Such Signs may either be painted or mounted onto the subject wall.

6.5.3 Limitations on Signs Above a Height of Fifty (50) Feet Above Grade

Except as otherwise provided in a specific Transect Zone, the following regulations shall apply to all Signs above a Height of fifty (50) feet above grade:

- a. Signs shall be limited to the identification of the Building or the name of one (1) major tenant of the Building occupying more than five percent (5%) of the gross leasable Building Floor Area. Not more than two (2) Signs per Building on two (2) separate Building Facades shall be permitted.
- b. Signs shall consist of individual letters or a graphic logotype, including embellishments such as borders or backgrounds.
- c. The maximum height of a letter shall be as indicated in the table below.

any portion of a Sign over fifty (50) feet but less than two hundred (200) feet above grade	4 FEET
any portion of a Sign over two hundred (200) feet but less than three hundred (300) feet above grade	6 FEET
any portion of a Sign over three hundred (300) feet but less than four hundred (400) feet above grade	8 FEET
any portion of a Sign over four hundred (400) feet above grade	9 FEET

- d. The maximum height of a logo may exceed the maximum letter height by up to fifty percent (50%) if its width does not exceed its height. When text and a graphic logotype are combined in an integrated fashion to form a seal or emblem representative of an institution or corporation, and when this emblem is to serve as the principal means of Building identification, the following regulations shall apply.

any portion of a Sign over fifty (50) feet but less than two hundred (200) feet above grade	200 SQ. FT
any portion of a Sign over two hundred (200) feet but less than three hundred (300) feet above grade.	300 SQ. FT
any portion of a Sign over three hundred (300) feet but less than four hundred (400) feet above grade	400 SQ. FT
any portion of a Sign over four hundred (400) feet above grade	500 SQ. FT

- e. The maximum length of the Sign shall not exceed eighty percent (80%) of the width of the Building wall upon which it is placed, as measured at the height of the Sign. The Sign shall consist of not more than one (1) horizontal line or one (1) vertical of letters or symbols, unless it is determined that two (2) lines of lettering would be more compatible with the Building design. The total length of the two (2) lines of lettering, end-to-end, if permitted, shall not exceed eighty percent (80%) of the width of the Building wall.
- f. Deviations from the maximum size of letter, logotype, length of Sign or number of Signs may be granted by Waiver.
- g. All Signs higher than fifty (50) feet above grade may be permitted by Warrant and shall be reviewed based on the following guidelines:
1. Signs should respect the Architectural Features of the Facade and be sized and placed subordinate to those features. Overlapping of functional windows, extensions beyond parapet edges obscuring architectural ornamentation or disruption of dominant Facade lines are examples of Sign design problems considered unacceptable.
 2. The Sign's color and value (shades of light and dark) should be harmonious with Building materials.
 3. In the case of a lighted Sign, a reverse channel letter that silhouettes the Sign against a lighted Building face or the subtle application of illuminated letter returns is desirable. Lighting of a Sign should be accompanied by accent lighting of the Building's distinctive Architectural Features and especially the Facade area surrounding the Sign. Lighted Signs on unlit Buildings are un-acceptable. The objective is a visual lighting emphasis on the Building with the lighted Sign as subordinate.
 4. Feature lighting of the Building, including exposed light elements that enhance Building lines, light sculpture or kinetic displays that meet the criteria of the Miami-Dade County art-in-public places ordinance, shall not be construed as Signage subject to these regulations.

6.5.4 Special Area Plan Signage Package

The Miami Design District Retail Street SAP Signage Package shall serve to enhance the district's identity, provide safe and clear directional devices for visitors into and through the district, deliver information about the Miami Design District Retail Street SAP area, and preserve the character of the surrounding community as a unique destination for art, culture, design, and fashion in Miami. A SAP Signage Package

shall allow greater flexibility in sign regulations when the flexibility results in a higher or specialized quality design. Approval of such a package may also authorize the placement of Directional Signs within the Public Right-of-Way or First Layer subject to the following conditions: (i) Directional Signs shall not be located within the First Layer or Public Right-of-Way so as to disrupt pedestrian activity; (ii) Directional Signs shall respect the vision clearance standards set forth in Sec. 3.8.4 of Miami 21; and (iii) the placement of a Directional Sign within the Public Right-of-Way shall require the approval of Public Works Department. Specific sign standards may be exceeded for various sign types with the exception that the total aggregate areas for Building Identification and Directional Signs are not exceeded. A SAP Signage Package submittal may be submitted for either the entirety of the SAP area or for the individual blocks comprising the SAP area. Such submittal, at a minimum, shall include the following: (i) a plan view of each Sign type indicating the typical condition for each Sign type and (ii) the specifications of each sign type. Where an SAP Signage Package is approved for an individual block, all subsequent submittals for future blocks shall incorporate an aesthetic consistent with the aesthetic of the previously approved Signage package. Upon approval of a SAP Signage Package, all signs which conform to the standards set forth therein shall not require an individual SAP Permit, and shall be permitted if in compliance with the Florida Building Code.

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ARTICLE 7. PROCEDURES AND NONCONFORMITIES

7.1.2 Permits

The permits that may be necessary to develop property within the Miami Design District Retail Street SAP area include the following: Warrant; Waiver; Exception; Variance; SAP Permit; and amendment to the Miami Design District Retail Street SAP. The permits, with the exception of the SAP Permit, are illustrated in Article 7, Diagram 14. In addition, certain approvals may be necessary to confirm that uses are permitted under the Code, these include zoning approval (by right), certificate of use, planning determination, or zoning interpretation. Permits issued in error shall convey no rights to any party. The Zoning Administrator shall require corrections to be made unless construction has commenced on that portion of the construction that was permitted in error.

7.1.2.10 Miami Design District Retail Street SAP Permit

a. SAP Permit.

The SAP Permit authorizes the Development of Structures or Uses within the Miami Design District Retail Street SAP area following review of the proposed design or Use by the Planning Director. Design conditions or Uses requiring approval by SAP Permit are described in the various articles of the Miami Design District Retail Street SAP, and are referenced here only for convenience. The specific parameters of each SAP Permit are further described in the articles in which each SAP Permit appears in the Code.

1. Arcades, Galleries, and Cantilevers in T4, T5, and T6 (Article 5, Section 5.4.2.b, 5.5.2.b, and 5.6.2.b).
2. Encroachment of closed stair and open balconies above the 8th floor for T6-12 Lots west of NE 1st Avenue a maximum of five (5) feet into the required Setback (Article 5, Section 5.6.1.f).
3. Habitable stories above Arcade and Cantilevered Buildings in T4, T5, and T6 (Article 5, Section 5.4.2.b, 5.5.2.b, and 5.6.2.b).
4. Open, buffered Loading for T6-12 Lots located west of NE 1st Avenue (Article 5, Section 5.6.2.f).
5. Retail Frontage glazing reductions (Article 5, Section 5.4.5.b, 5.5.5.b, 5.6.5.b).
6. Single Establishment within a Building - painted Signs in the form of artistic murals (Article 6, Sec. 6.5.2.5.a.2).
7. Building with more than one establishment – painted Signs in the form of artistic murals (Article 6, Sec. 6.5.2.5.b.2).
8. Architectural or artistic signage treatment where tenant logo or any letter, numeral, character figure or emblem in excess of fifty percent (50%) of the area of the Building Façade (Article 6, Sec. 6.5.2.5.a.5).

9. SAP Signage Package approval (Article 6, Section 6.5.4).
 10. Decorative Facade treatment or art or green wall (Article 5, Section 5.5.4.i).
 11. Building Setback modification from Established Setback (Article 5, Section 5.4.5.d., 5.5.5.e, and 5.6.5.e).
 12. Vehicular pavement width for parking lot or Parking Garage entrance (Article 5, Section 5.5.4.e.i.1).
- b. SAP Permit review and approval process.

All Development of Structures or authorization of Uses within the Miami Design District Retail Street SAP area identified as permitted by SAP Permit shall be reviewed and approved as set forth below.

1. Applications for SAP permits shall be made on forms provided by the city and, in addition, shall be accompanied by any information reasonably deemed necessary by the Planning Director to render a decision on the subject application. The Planning Director shall review each submitted application for a SAP Permit for completeness. Unless a Building was specifically approved as part of the Special Area Plan, all Buildings shall be reviewed by the Planning Director, after referral for recommendation to the Coordinated Review Committee (CRC) for conformance to the Plan, prior to the issuance of the Building Permit, consistent with the requirements of Sec. 3.9.1.g of this Code. All applications for Uses within the Miami Design District Retail Street SAP authorized by the SAP Permit shall be reviewed by the Planning Director without need for referral to the CRC.
2. Where there is no referral to the CRC, the Planning Director shall issue a notice of an intended decision within twenty-one (21) calendar days of a determination that the SAP Permit application is complete. Where there is a referral to the CRC, the Planning Director shall issue a notice of an intended decision within fifteen (15) calendar days of the meeting date of the CRC. The applicant shall have seven (7) calendar days from receipt of the notice of the intended decision to request a conference with the Planning Director to discuss revisions or provide additional information regarding the application. Within ten (10) calendar days of the conference, or if no conference is requested within ten (10) days of the notice of the intended decision, the Planning Director shall issue his decision with written findings and determinations regarding the applicable criteria set forth in this section and any other applicable regulations as they relate to the application. The applicant and the Planning Director may mutually agree to an extension of time for the issuance of the final decision. The findings and determinations shall be used to approve, approve with condition, or deny the SAP Permit application. If a decision is not issued by the Planning Director within the above-specified timeframes, the SAP Permit application shall be deemed approved.
3. The Planning Director shall approve, approve with conditions, or deny the SAP Permit application. Approvals shall be granted when the application is consistent with the Comprehensive Plan, the Miami Design District Retail Street SAP, and the terms of the accompanying Development Agreement. Conditional approvals shall be granted when the application requires the imposition of conditions in order to be consistent with the Comprehensive Plan, the Miami Design District Retail Street SAP, and the terms of the

accompanying Development Agreement. Denials of applications shall be issued if, in the estimation of the Planning Director, conditions and safeguards have been considered and the application is still found to be inconsistent with the Comprehensive Plan, the Miami Design District Retail Street SAP, and the accompanying Development Agreement. The decision of the Planning Director shall include an explanation of the code requirements for an appeal of the decision. The Director shall include a citation of the legal authority supporting the denial of an SAP Permit application.

c. SAP Permit Review Criteria.

A SAP Permit shall be approved if the application is consistent with the Comprehensive Plan, the Miami Design District Retail Street SAP, and its accompanying Development Agreement. The Planning Director shall further consider the criteria set forth in Table 12 of Article IV where appropriate.

d. SAP Permit Appeal to the Planning, Zoning and Appeals Board.

The SAP Permit applicant may appeal the determination of the Planning Director within fifteen (15) calendar days of the issuance of a final decision. Appeal of the determination of the Planning Director shall be filed with the Office of Hearing Boards and shall be heard de novo by the Planning, Zoning and Appeals Board. The Board shall determine whether to affirm or reverse the determination of the Planning Director. Should the Board choose to reverse the determination of the Planning Director, where the Planning Director previously denied the SAP Permit, the Board may approve the permit as requested by the applicant or approve with conditions and safeguards necessary to ensure the SAP permits consistency with the Comprehensive Plan, the Miami Design District Special Area Plan, and the terms of the accompanying Development Agreement.

The SAP Permit applicant may appeal the ruling of the Planning, Zoning and Appeals Board to the City Commission within fifteen (15) calendar days of the issuance of its ruling. Such appeals shall be filed with the Office of Hearing Boards and shall be considered de novo by the City Commission. The City Commission shall determine whether to affirm or reverse the ruling of the Board.

The filing of all appeals shall state the specific reasons for such appeal and shall be made on forms designated by the Office of Hearing Boards together with the payment of any required fee(s).

7.1.2.11 Modifications to the Initial Development Program & Redevelopment Credits

1. Uses, and their respective Intensities or Densities, indicated on page A1.98 of the Concept Book are the Principal Uses currently envisioned for development on each specific parcel. However, the Densities and Intensities listed therein may be redistributed to any Lot or parcel within the Miami Design District Retail Street SAP area, subject always to the Density and Intensity limits of the underlying Transect. Notwithstanding the Densities and Intensities listed on page A1.98 of the Concept Book, future development within the Miami Design District Retail Street SAP may exceed such specified Densities and Intensities in aggregate by 10% without need for further administrative review. Any proposed development within the Miami Design District Retail Street SAP which exceeds the Densities and Intensities specified on page. A1.98 of the Concept Book by more than

10% in aggregate may be approved by process of Exception, subject at all times to the maximum Densities and Intensities permitted by the underlying Transect designation of a particular Lot or parcel.

2. Where an existing Building identified on Page A2.3 of the Miami Design District Retail Street SAP Concept Book is redeveloped, only the net additional Floor Area shall be counted against the Density and Intensity limits set forth on Page A1.8 of the Miami Design District Retail Street SAP Concept Book. Such redevelopment, however, shall remain subject at all times to the maximum Densities and Intensities permitted by the underlying Transect designation of a particular Lot or parcel.

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ARTICLE 9. LANDSCAPING REQUIREMENTS**9.5 MINIMUM STANDARDS**

The following standards shall be considered minimum requirements unless otherwise indicated:

9.5.3 TREES**a. Tree Size**

All trees, except street trees, shall be a minimum of twelve (12) feet high and have a minimum caliper or diameter at breast height (DBH) of two (2) inches at time of planting, except that thirty (30) percent of the tree requirement may be met by native species with a minimum height of ten (10) feet and a minimum caliper of one and one-half (1 1/2) inches at time of planting.

b. Street tree size and spacing

Street trees shall be of a species typically grown in Miami-Dade County which normally mature to a height of fifteen (15) feet and a minimum caliper of three (3) inches at time of planting, and shall be provided along all roadways at a maximum average spacing of thirty (30) feet on center, except as otherwise provided in this Article. The thirty (30) foot average spacing requirement for multiple single family units and townhouse shall be based on the total lineal footage of roadway for the entire project and not based on individual Lot widths. Street trees shall be placed within the swale area or shall be placed on private property where demonstrated to be necessary due to right-of-way obstructions as determined by the Public Works Department. Street trees planted along private roadways shall be placed within seven (7) feet of the edge of roadway pavement and/or where present within seven (7) feet of the sidewalk.

c. Power lines

Where the height and location of overhead power-lines requires the planting of low growing trees, street trees shall have a minimum height of eight (8) feet, a minimum caliper of one and one-half (1 1/2) inches at time of planting, and shall meet the following requirements:

1. Single trunk trees clear of lateral branches to four (4) feet and/or multi trunk trees or tree/shrubs, as referenced in the Landscape Manual, cleared of foliage to a height of four (4) feet.
2. A maximum average spacing of twenty-five (25) feet on center.
3. Maturing to a height and spread not encroaching within five (5) feet of overhead power distribution lines.
4. Under high voltage (50kV and above) transmission lines installed independent of under built distribution lines, tree height and spread shall not exceed the minimum approach distances specified in the current ANSI (American National Standards Institute) Z133.1 Standards, as referenced in the Landscape Manual.

9.5.5 MINIMUM NUMBER OF TREES

The minimum number of required trees, in addition to street trees, is referenced in Table A.

Within the Miami Design District Retail Street SAP, where the trees provided exceed the minimum caliper or DBH requirements set forth in Sec 9.5.3.a and 9.5.3.b, the total number of required trees may be reduced, so long as, at the time of planting, the total minimum caliper or DBH provided is equal to or greater than the total minimum caliper or DBH for the number trees required in Table A and Sec. 9.5.3.b at the time of planting.

TABLE A

*Note: Chart to be inserted.

*Requirements determined by most restrictive abutting Transect Zone

Where a conflict exists, the requirement imposing the higher standard shall apply.

- a. Urban Center and Urban Core Transect Zones. In Urban Center or Urban Core Transect Zones, if the minimum number of trees required cannot be reasonably planted on the ground level of the subject property, the applicant may plant twenty-five percent (25%) of the required trees on upper levels such as open recreation areas or exposed decks.
- b. Off-site tree planting. If the minimum number of trees required cannot be reasonably planted within the Miami Design District Retail Street SAP Area, the applicant may enter into an agreement with the city, as approved by the department, to plant the excess number of required trees on public property in the following order of priority: (i) elsewhere within Design District; (ii) within one (1) mile of the Design District; or (iii) within any City park; or (iv) at any location within the City approved by the Planning Department.
- c. Tree trust fund. If the minimum number of trees required cannot be reasonably planted on the subject property, but as an alternative to the off-site tree planting option provided in subsection 9.5.5.b, the applicant shall contribute into the city's tree trust fund the sum of one thousand dollars (\$1000.00) for each two (2) inch caliper tree required in accordance with Table A of Section 9.5.5. A city resident with current proof of residency and homestead status shall contribute five hundred (\$500.00) for each two (2) inch caliper tree required in accordance with Table A of Section 9.5.5.
- d. Grassed areas that are to be used for organized sports such as football and soccer or other similar sports or playgrounds, that are clearly identified on a landscape plan shall not be counted toward calculating tree and maximum lawn area requirements.
- e. Trees shall be planted to provide shade to residential structures of a height of thirty-five (35) feet or less. At least two (2) required lot trees shall be positioned in the energy conservation zone as defined herein. All exterior air conditioning units, except for air conditioning units placed on the roof, shall be shaded by trees and/or shrubs as referenced in the Landscape Manual.

- f. Palms of a fourteen (14) foot minimum overall height and minimum caliper of three (3) inches at time of planting shall count as a required tree on the basis of two (2) palms-per tree, except as provided herein for palms used as of street trees. No more than thirty (30) percent of the minimum tree requirements shall be palms.
- g. Existing trees required by law to be preserved on site and that meet the requirements of Section 9.5.3, may be counted toward fulfilling the minimum tree requirements.
- h. Prohibited and controlled tree species shall not be counted toward fulfilling minimum tree requirements. Prohibited trees shall be removed from the site after obtaining approval of a tree removal permit.
- i. No less than thirty (30) percent of the required trees and/or palms shall be native species.
- j. No less than fifty (50) percent of the required trees shall be low maintenance and drought tolerant species.
- k. Eighty (80) percent of the trees shall be listed in the Miami-Dade Landscape Manual, the Miami-Dade Street Tree Master Plan and/or the University of Florida's Low-Maintenance Landscape Plants for South Florida list.
- l. In order to prevent adverse environmental impacts to existing native plant communities, cabbage palms (*Sabal palmetto*) that are harvested from the wild shall not be used to satisfy minimum landscaping requirements. Only existing cabbage palms (*Sabal palmetto*) which are rescued from government approved donor sites, transplanted within the site, or commercially grown from seed shall be counted towards the minimum tree and native plant requirements.
- m. When trees are planted within the right-of-way, the owners of land adjacent to the areas where street trees are planted must maintain those areas including the trees, plants and sod, using pruning methods specified in this Code. A covenant executed by those owners is required, or a special taxing district must be created to maintain these areas. Where the State, County or municipality determines that the planting of trees and other landscape material is not appropriate in the public right-of-way, they may require that said trees and landscape material be placed on private property.
- n. Consideration shall be given to the selection of trees, plants and planting site to avoid serious problems such as clogged sewers, cracked sidewalks, and power service interruptions.

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SAP 2.4 CONCEPT BOOK