



## Miami-Dade Legislative Item File Number: 120887

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**File Number:** 120887    **File Type:** Ordinance    **Status:** Adopted  
**Version:** 0    **Reference:** 12-47    **Control:** Board of County Commissioners  
**File Name:** ZONING AMENDING PLAN REVIEW STANDARDS IN BUSINESS DISTRICTS    **Introduced:** 4/27/2012  
**Requester:** NONE    **Cost:**    **Final Action:** 7/3/2012  
**Agenda Date:** 7/3/2012 **Agenda Item Number:** 7B

**Notes:** Title: ORDINANCE PERTAINING TO ZONING; AMENDING SECTIONS 33-245.2, 33-251.5, 33-253.9 AND 33-256.8 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; AMENDING PLAN REVIEW STANDARDS IN THE BUSINESS DISTRICTS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NO. 120802]

**Indexes:** ZONING    **Sponsors:** Jose "Pepe" Diaz, Prime Sponsor  
Jean Monestime, Co-Sponsor

**Sunset Provision:** No    **Effective Date:**    **Expiration Date:**

**Registered Lobbyist:** None Listed

### Legislative History

Acting Body	Date	Agenda Item	Action	Sent To	Due Date	Returned	Pass/Fail
Board of County Commissioners	7/3/2012	7B	Adopted				P
Infrastructure and Land Use Committee	6/13/2012	1F1	Forwarded to BCC with a favorable recommendation				P
Board of County Commissioners	5/1/2012	4B SUBSTITUTE	Adopted on first reading		6/13/2012		P
<b>REPORT:</b>		The foregoing proposed ordinance was adopted on first reading and set for public hearing before the Infrastructure and Land Use Committee on June 13, 2012 at 2:00 p.m.					
County Mayor	4/30/2012		Additions		5/1/2012		

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County Attorney 4/27/2012	Referred	Infrastructure and Land Use Committee	6/13/2012
County Attorney 4/27/2012	Assigned	John D. McInnis	

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## Legislative Text

### TITLE

ORDINANCE PERTAINING TO ZONING; AMENDING SECTIONS 33-245.2, 33-251.5, 33-253.9 AND 33-256.8 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; AMENDING PLAN REVIEW STANDARDS IN THE BUSINESS DISTRICTS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE

### BODY

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:

Section 1. Article XXIV of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:

ARTICLE XXIV - BU-1, NEIGHBORHOOD BUSINESS DISTRICT

\* \* \*

Sec. 33-245.2. - Plan review standards.

(A) The Department shall review plans for compliance with zoning regulations and for compliance with the site plan review criteria. The decision of the Department in relation to the site plan review criteria may be appealed by the party(ies) which filed the application for the project to the appropriate Community Zoning Appeals Board within thirty (30) days of the date the project was denied approval in writing. Appeals will be heard as expeditiously as possible. The purpose of the site plan review is to encourage logic, imagination and variety in the design process and thereby insure the congruity of the proposed development and its compatibility with the surrounding area. All final plans submitted for building permits shall be substantially in compliance with plans approved under the plan review procedure herein established.

\* \* \*

(C) The following checklist of criteria shall be utilized as a guide by the Department and by the appropriate board, upon appeal, in the review process:

\* \* \*

(8) Circulation. Pedestrian and auto circulation shall be separated insofar as practicable and all circulation systems shall adequately serve the needs of the project and be compatible and functional with circulation systems outside the development. >>When head-in parking is located directly adjacent

to a storefront, << [[a minimum sidewalk width of ten (10) feet shall be required. Concrete security planters with a minimum depth of forty (40) inches shall be placed along the outer edge of the sidewalk to visually and physically separate the vehicular and pedestrian areas. The planters]] >> an anti-ram fixture with a minimum Department of State protection rating of K4 shall be placed along the outer edge of the sidewalk to visually and physically separate the vehicular and pedestrian areas. Installations must include a landscaping/planting component to mitigate the visual impacts of the anti-ram fixture. The anti-ram fixture shall be continuous with reasonable breaks provided to allow for pedestrian access and compliance with the Americans with Disabilities Act. <<

\* \* \*

>>(12) Window Height. When head-in parking is located directly adjacent to a storefront, ground floor windowsills shall be placed at a minimum height of 24 inches and a maximum of 48 inches above grade. <<

Section 2. Article XXV of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:

ARTICLE XXV. - BU-1A, LIMITED BUSINESS DISTRICT

\* \* \*

Sec. 33-251.5. - Plan review standards.

(A) The Department shall review plans for compliance with zoning regulations and for compliance with the site plan review criteria. The decision of the Department in relation to the site plan review criteria may be appealed by the party(ies) which filed the application for the project to the appropriate Community Zoning Appeals Board within thirty (30) days of the date the project was denied approval in writing. Appeals will be heard as expeditiously as possible. The purpose of the site plan review is to encourage logic, imagination and variety in the design process and thereby insure the congruity of the proposed development and its compatibility with the surrounding area. All final plans submitted for building permits shall be substantially in compliance with plans approved under the plan review procedure herein established.

\* \* \*

(C) The following checklist of criteria shall be utilized as a guide by the Department and by the appropriate board, upon appeal, in the review process:

\* \* \*

(8) Circulation. Pedestrian and auto circulation shall be separated insofar as practicable and all circulation systems shall adequately serve the needs of the project and be compatible and functional with circulation systems outside the development. >>When head-in parking is located directly adjacent to a storefront, << [[a minimum sidewalk width of ten (10) feet shall be required. Concrete security planters with a minimum depth of forty (40) inches shall be placed along the outer edge of the sidewalk to visually and physically separate the vehicular and pedestrian areas. The planters]] >> an anti-ram fixture with a minimum Department of State protection rating of K4 shall be placed along the outer edge of the sidewalk to visually and physically separate the vehicular and pedestrian areas. Installations

must include a landscaping/planting component to mitigate the visual impacts of the anti-ram fixture. The anti-ram fixture shall be continuous with reasonable breaks provided to allow for pedestrian access and compliance with the Americans with Disabilities Act.<<

\* \* \*

>>(12) Window Height. When head-in parking is located directly adjacent to a storefront, ground floor windowsills shall be placed at a minimum height of 24 inches and a maximum of 48 inches above grade.<<

Section 3. Article XXVI of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:

ARTICLE XXVI. - BU-2, SPECIAL BUSINESS DISTRICT

\* \* \*

Sec. 33-253.9. - Plan review standards.

(A) The Department shall review plans for compliance with zoning regulations and for compliance with the site plan review criteria. The decision of the Department in relation to the site plan review criteria may be appealed by the party(ies) which filed the application for the project to the appropriate Community Zoning Appeals Board within thirty (30) days of the date the project was denied approval in writing. Appeals will be heard as expeditiously as possible. The purpose of the site plan review is to encourage logic, imagination and variety in the design process and thereby insure the congruity of the proposed development and its compatibility with the surrounding area. All final plans submitted for building permits shall be substantially in compliance with plans approved under the plan review procedure herein established.

\* \* \*

(C) The following checklist of criteria shall be utilized as a guide by the Department and by the appropriate board, upon appeal, in the review process.

\* \* \*

(8) Circulation. Pedestrian and auto circulation shall be separated insofar as practicable and all circulation systems shall adequately serve the needs of the project and be compatible and functional with circulation systems outside the development. >>When head-in parking is located directly adjacent to a storefront,<< [[a minimum sidewalk width of ten (10) feet shall be required. Concrete security planters with a minimum depth of forty (40) inches shall be placed along the outer edge of the sidewalk to visually and physically separate the vehicular and pedestrian areas. The planters]] >>an anti-ram fixture with a minimum Department of State protection rating of K4 shall be placed along the outer edge of the sidewalk to visually and physically separate the vehicular and pedestrian areas. Installations must include a landscaping/planting component to mitigate the visual impacts of the anti-ram fixture. The anti-ram fixture shall be continuous with reasonable breaks provided to allow for pedestrian access and compliance with the Americans with Disabilities Act.<<

\* \* \*

>>(12) Window Height. When head-in parking is located directly adjacent to a storefront, ground floor windowsills shall be placed at a minimum height of 24 inches and a maximum of 48 inches above grade.<<

Section 4. Article XXVII of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:

ARTICLE XXVII. - BU-3 LIBERAL BUSINESS DISTRICT

\* \* \*

Sec. 33-256.8. - Plan review standards.

(A) The Department shall review plans for compliance with zoning regulations and for compliance with the site plan review criteria. The decisions of the Department in relation to the site plan review criteria may be appealed by the party(ies) which filed the application for the project to the appropriate Community Zoning Appeals Board within thirty (30) days of the date the project was denied approval in writing. Appeals will be heard as expeditiously as possible. The purpose of the site plan review is to encourage logic, imagination and variety in the design process and thereby insure the congruity of the proposed developments and its compatibility with the surrounding area. All final plans submitted for building permits shall be substantially in compliance with plans approved under the plan review procedure herein established.

\* \* \*

(C) The following checklist of criteria shall be utilized as a guide by the Department and by the appropriate board, upon appeal, in the review process.

\* \* \*

(8) Circulation. Pedestrian and auto circulation shall be separated insofar as practicable and all circulation systems shall adequately serve the needs of the project and be compatible and functional with circulation systems outside the development. >>When head-in parking is located directly adjacent to a storefront,<< [[a minimum sidewalk width of ten (10) feet shall be required. Concrete security planters with a minimum depth of forty (40) inches shall be placed along the outer edge of the sidewalk to visually and physically separate the vehicular and pedestrian areas. The planters]] >>an anti-ram fixture with a minimum Department of State protection rating of K4 shall be placed along the outer edge of the sidewalk to visually and physically separate the vehicular and pedestrian areas. Installations must include a landscaping/planting component to mitigate the visual impacts of the anti-ram fixture. The anti-ram fixture shall be continuous with reasonable breaks provided to allow for pedestrian access and compliance with the Americans with Disabilities Act.<<

\* \* \*

>>(12) Window Height. When head-in parking is located directly adjacent to a storefront, ground floor windowsills shall be placed at a minimum height of 24 inches and a maximum of 48 inches above grade.<<

Section 5. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 6. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any sunset provision, shall become and be made a part of the Code of Miami-Dade County, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

Section 7. This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

1 Words stricken through and/or ~~[[double bracketed]]~~ shall be deleted, words underscored and/or >>double arrowed<< are added. Remaining provisions are now in effect and remain unchanged.

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