

**ORDINANCE NO. 17-24-2502**

**AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF SOUTH MIAMI, FLORIDA, AMENDING ARTICLE III "ZONING REGULATIONS," OF THE LAND DEVELOPMENT CODE, TO MODIFY PROVISIONS APPLICABLE TO TOWNHOUSE DEVELOPMENT, INCLUDING CREATING A NEW ZONING DISTRICT KNOWN AS RT-18 "TOWNHOUSE RESIDENTIAL" AND PROVIDING FOR APPLICABLE REGULATIONS; PROVIDING FOR CORRECTIONS; SEVERABILITY; CONFLICTS; IMPLEMENTATION; AND AN EFFECTIVE DATE**

**WHEREAS**, Article VIII, Section 2 of the Florida Constitution, and Chapter 166, Florida Statutes, provides municipalities with the authority to exercise any power for municipal purposes, except where prohibited by law, and to adopt ordinances in furtherance of such authority; and

**WHEREAS**, the City of South Miami (the "City") has adopted a Land Development Code (the "LDC") to promote the health, safety, community acceptable standard of morals and general welfare of the residents of the City of South Miami through the stated regulations of this LDC; and

**WHEREAS**, the City Commission finds it periodically necessary to amend the LDC in order to update regulations and procedures to implement planning goals and objectives; and

**WHEREAS**, Section 20-3.5F LDC provides dimensional requirements for multi-family residential development including townhomes, duplex, and multifamily apartments;

**WHEREAS**, Section 20-3.5F limits the density of RT-6 "Townhouse Residential" district and RT-9 "Two-Family Townhouse Residential" to a maximum six and nine units per acre, respectively, densities more typically associated with single family or duplex development, such as Miami-Dade County's "Low Density" or "Low-Medium Density" Comprehensive Development Master Plan designations; and

**WHEREAS**, the Commission finds that RT-6 district is underutilized and underdeveloped, with aging product that is not likely to be redeveloped because of the density restriction that is inadequate based on the current market and development within the City; and

**WHEREAS**, Florida Statutes Ch. 163.31771 encourages local governments to adopt an ordinance allowing Auxiliary Dwelling Units ("ADUs") that shall count towards the affordable housing component of the housing element in the local government's comprehensive plan; and

**WHEREAS**, there is a need to provide for the City's current and future residents to be able to work from their place of residence, thereby improving the City's economic health, improving the quality of life of the City's residents, and reducing the number of peak-hour trips on the City's thoroughfares; and

**WHEREAS**, this proposed amendment encourages the development of appropriately scaled, multi-family townhomes in areas currently designated for such uses, and improves the accessibility and affordability

of such types of housing for residents; and

**WHEREAS**, this proposed amendment encourages the development of ADUs as high-quality, intentional spaces for market-directed affordable housing within the townhouse district; and

**WHEREAS**, this proposed amendment provides for well-developed and regulated, high-quality live-work spaces within the townhouse district; and

**WHEREAS**, the Commission further finds that this proposed amendment encourages the development of appropriately scaled, multi-family townhomes at a reasonable density, and therefore finds it to be in the best interest and welfare of the City; and

**WHEREAS**, on April 9, 2024, the Planning Board, sitting in its capacity as the Local Planning Agency, reviewed this Ordinance and recommended approval with changes; and

**WHEREAS**, this Ordinance was considered by the City Commission on first reading on May 7, 2024, following which reading, on June 4, 2024 and June 18, 2024, the Mayor and City Commission conducted a duly noticed public hearing as required by law and adopted this ordinance on second reading.

**NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF SOUTH MIAMI, FLORIDA, AS FOLLOWS:<sup>1</sup>**

**Section 1.** **Recitals.** The above-stated recitals are true and correct and are incorporated herein by this reference.

**Section 2.** **Amending Article II.** Article II. Definitions of the LDC, specifically Section 20-2.3, is hereby amended to read as set forth in Exhibit "A" attached hereto.

**Section 3.** **Amending Article III.** Article III. Zoning Regulations of the LDC, specifically Sections 20-3.1, 20-3.3 and 20-3.5, are hereby amended to read as set forth in Exhibit "B" attached hereto.

**Section 4.** **Amending Article IV.** Article IV. Other Regulations of the LDC, specifically Section 20-4.3 is hereby amended to read as set forth in Exhibit "C" attached hereto.

**Section 5.** **Corrections.** Conforming language or technical scrivener-type corrections may be made by the City Attorney for any conforming amendments to be incorporated into the final Ordinance for signature.

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<sup>1</sup> Coding: ~~Strikethrough words~~ are deletions to the existing words. Underlined words are additions to the existing words. Changes between first and second reading are indicated with ~~double strikethrough~~ and double underline and are shaded in ~~dark grey~~.

**Section 6. Severability.** If any section, clause, sentence, or phrase of this Ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, the holding shall not affect the validity of the remaining portions of this Ordinance.

**Section 7. Conflicts.** That all ordinances or parts of ordinances, resolutions or parts of resolutions, in conflict herewith, are repealed to the extent of such conflict.

**Section 8. Implementation.** The City Manager is hereby authorized to take any and all necessary action to implement the purposes of this Ordinance.

**Section 9. Effective Date.** This Ordinance shall become effective immediately upon adoption.


**PASSED** on first reading on the 7<sup>th</sup> day of May, 2024.

**PASSED AND ADOPTED** on second reading on the 18<sup>th</sup> day of June, 2024.

ATTEST:

  
\_\_\_\_\_  
CITY CLERK

READ AND APPROVED AS TO FORM,  
LANGUAGE, LEGALITY AND  
EXECUTION THEREOF

  
\_\_\_\_\_  
WEISS SEROTA HELFMAN COLE  
& BIERMAN, P.L.  
CITY ATTORNEY

APPROVED:

  
\_\_\_\_\_  
MAYOR

COMMISSION VOTE: 5-0  
Mayor Fernández: Yea  
Vice Mayor Bonich: Yea  
Commissioner Calle: Yea  
Commissioner Liebman: Yea  
Commissioner Corey: Yea

1 **Exhibit "A"**

2 **20-2.3 - Definitions.**

3 \* \* \*

4  
5 *Density*. Shall mean the number of dwelling units permitted per acre of land. Density is calculated  
6 as the numerical value obtained by dividing the total number of primary dwelling units in a  
7 development by the acreage of the development's tract of land. (Ord. No. 06-20-2360, § 2, 2-4-20)  
8 Where expressly permitted in this Land Development Code, Auxiliary Dwelling Units (ADU)  
9 pursuant to Florida Statutes Ch. 163.31771 are not counted towards the numerical density value  
10 of a tract of land for zoning purposes.

11 \* \* \*

12  
13 *Dwelling or Dwelling Unit* means a structure, or a portion of a structure, occupied exclusively for  
14 residential purposes by one household family. Each Dwelling Unit is limited to one kitchen. The  
15 word "Dwelling" includes single-family houses, and each of the units of two-family homes,  
16 townhouses, and multi-family structures, as well as the general premises where the unit is located  
17 but does not include recreational vehicles or camp trailers. (Ord. No. 04-21-2394, § 2, 2-16-21)  
18 Dwelling Units include all primary dwelling units that are not Auxiliary Dwelling Units (ADU).

19  
20 *Accessory Dwelling Unit (ADU)*. Shall mean an ancillary or secondary living unit, that has a  
21 separate kitchen, bathroom, and sleeping area, existing either within the same structure, or on the  
22 same lot, as the primary dwelling unit. Each ADU shall apply toward satisfying the affordable  
23 housing component of the housing element in the local government's comprehensive plan under  
24 s. 163.3177(6)(f). An application for a building permit to construct an accessory dwelling unit  
25 must include a recorded title restriction by the applicant which commits that the unit will be rented  
26 at an affordable rate to extremely-low-income, very-low-income, or low-income person or  
27 moderate income person or persons, as such terms are defined in the Florida Statutes. Such title  
28 restriction shall be valid for a minimum term of thirty (30) years. An ADU requires that the owner  
29 reside in either the primary or secondary unit.

30  
31 *Dwelling, Duplex*. ~~Shall mean a residential structure that has two primary residences that occupy~~  
32 ~~Two-Family Dwelling that is designed for the regular occupancy of two (2) households as defined~~  
33 ~~in this section, within a single building that occupies a single lot and where the dwellings share a~~  
34 ~~common wall or floor in whole or in part. A duplex is one building with two separate dwelling~~  
35 ~~units for two households, each having their own entrances and room, and may include side by~~  
36 ~~side or upstairs and downstairs arrangement of the living units.~~ The two separate dwelling units  
37 of a Duplex shall each have a separate entrance to the exterior of a multi-story building in an  
38 upstairs and downstairs arrangement of the living units. Each of the two (2) units may be owned  
39 separately and conveyed separately provided that the owner(s) of the two (2) units create a master  
40 operating agreement by recording a Declaration of Restrictions and Maintenance Agreement for  
41 Split Duplex Use, or similar agreement, in a form acceptable to the City Attorney.

42  
43 *Dwelling, multi-family*. Shall mean a residential structure designed with three (3) or more Dwelling  
44 Units, each occupied by one family. (Ord. No. 04-21-2394, § 2, 2-16-21)

45

46 *Dwelling, single-family.* Shall mean a residential structure surrounded by a yard or other open  
47 space on the same lot, designed for or occupied exclusively by one family. It does not include  
48 spaces that meet the definition of and are occupied as Rooming Units. (Ord. No. 04-21-2394, § 2,  
49 2-16-21)

50  
51 ~~*Dwelling, townhouse.* (See "Townhouse.") (Ord. No. 04-21-2394, § 2, 2-16-21)~~

52  
53 *Dwelling, Townhouse.* Shall mean a group of ~~three (3)~~ two (2) or more multi-story (2 or more  
54 floors) dwelling units arranged side-by-side within a single building, with each residence designed  
55 for the regular occupancy of one household as defined in this section. Each of the dwelling units  
56 may be rented by separate lease agreements or may be owned separately and conveyed separately  
57 provided the owner(s) of the units create a master operating agreement by recording a Declaration  
58 of Restrictions and Maintenance Agreement for Townhouse Use, or similar agreement, in a form  
59 acceptable to the City Attorney. A Townhouse includes two or several ~~properties~~ multi-story  
60 residential units in a row that share both side walls or one side wall if located on the end of the  
61 Townhouse building. Each residential unit of a Townhouse building has a direct entrance fronting  
62 to a public street, with individual forecourts between the entrance and public sidewalk. Each unit  
63 is serviced with separate utilities and shall otherwise be independent of one another. Townhouse  
64 dwelling units may use the first ground floor above grade and above base flood elevation as  
65 applicable, optionally for a Live-Work Unit (LWU) as defined in this section, or as a front-facing  
66 Accessory Dwelling Unit (ADU) pursuant to Sec. 163.31771 F.S. (Ord. No. 06-20-2360, § 2, 2-4-  
67 20; Ord. No. 15-20-2369, § 2, 5-19-20)

68  
69 ~~*Dwelling, Two Family.* Shall mean a residential structure designed for two (2) families. Two-~~  
70 ~~family dwelling structures may take the form of two-story structures, where the two (2) dwellings~~  
71 ~~in the structure are placed one over the other in whole or in part; or semi-detached "twin"~~  
72 ~~dwellings, where the two (2) units in the building are separated by a common wall. In either case,~~  
73 ~~each unit in a two-family structure has a separate access and is serviced independently of the other.~~  
74 ~~Each of the two (2) units may be owned separately and conveyed separately provided the owner(s)~~  
75 ~~of the two (2) units create a master operating agreement by recording a covenant that conforms to~~  
76 ~~the substance of Section 33-257(2) [Ord. No. 98-125, § 21, 9-3-98] of the Miami-Dade County~~  
77 ~~Code. (Ord. No. 06-20-2360, § 2, 2-4-20; Ord. No. 04-21-2394, § 2, 2-16-21)~~

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80 *Home-based business.* Shall mean a business that operates, in whole or in part, from an improved  
81 residential property and meets the criteria in Section 559.955, Florida Statutes and the minimum  
82 standards in Section 20-3.6 of this code. (Ord. No. 13-22-2434, § 2, 5-17-22)

83  
84 \* \* \*

85 *Household.* Shall mean the people who occupy a housing unit, and may include related family  
86 members, spouses, former spouses, persons related by blood or marriage, licensed and common-  
87 law, persons who are presently residing together as if a family or who have resided together in  
88 the past as if a family, and persons who are parents of a child in common regardless of whether  
89 they have been married; and/or all the unrelated people, if any, such as lodgers, foster children,  
90 wards, or employees who share the housing unit. A person living alone in a housing unit, or a

91 group of unrelated people sharing a housing unit such as partners or roomers, is also counted as  
92 a household.

93  
94 Live-Work-Unit (LWU): Shall mean a residential unit that includes flex space ~~that~~ ~~which~~ may be  
95 used for commercial, office, studio, ~~or small-scale production work activity~~ as an artist or  
96 designer's studio or workroom as further regulated by the zoning district. Separate entrances  
97 may be available for the live and work portions of an LWU. Design standards and disposition  
98 within the building are further regulated by applicable zoning districts that permit LWU.

99  
100 \* \* \*

101 ~~Townhouse means a single family dwelling unit of a group of three (3) or more such units, each of~~  
102 ~~which shall be serviced with separate utilities and other facilities and shall otherwise be~~  
103 ~~independent of one another. (Ord. No. 06-20-2360, § 2, 2-4-20; Ord. No. 15-20-2369, § 2, 5-19-~~  
104 ~~20.)~~

105

1 **Exhibit “B”<sup>1</sup>**

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3 **20-3.1 - Zoning use districts and purposes.**

4  
5 A) *Zoning Districts Established.* In order to implement the intent of this Code and the city's  
6 adopted Comprehensive Plan, the City is hereby divided into ~~thirty-three (33)~~ the zoning  
7 use, overlay and special districts with the symbol designations and general purposes listed  
8 below and permitted uses set forth in Section 20-3.3(D). Except as expressly set forth  
9 within the regulations governing the DS district, standards shall be uniform throughout  
10 each district.

11 District symbols and names shall be known as:

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Symbol Name	
RS-1	Estate Residential
RS-2	Semi-Estate Residential
RS-3	Low Density Single-Family
RS-4	Single-Family
RS-5	Single-Family (50' lots)
RT-6	<del>Townhouse Duplex</del> Residential
RT-9	Two-Family/ <del>Townhouse Duplex</del> Residential
<u>RT-18</u>	<u>Townhouse Residential</u>
RM-18	Low Density Multi-Family Residential
RM-24	Medium Density Multi-Family Residential
RO	Residential Office
LO	Residential Office
MO	Medium-Intensity Office
NR	Neighborhood Retail
SR	Specialty Retail
GR	General Retail
TODD (MU-4)	Transit-Oriented Development District (Mixed Use-4)
TODD (MU-5)	Transit-Oriented Development District (Mixed Use-5)
TODD (MU-6)	Transit-Oriented Development District (Mixed Use-6)
TODD (PI)	Transit-Oriented Development District (Public/Institutional)
TODD (PR)	Transit-Oriented Development District (Parks & Recreation)
PUD-R	Planned Unit Development-Residential
PUD-M	Planned Unit Development-Mixed Use
PUD-H	Planned Unit Development-Hospital
HP-OV	Historic Preservation Overlay
HD-OV	Hometown District Overlay

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(B) *District Purpose Statements.*

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- (6) "RT-6" Townhouse Residential District: The purpose of this district is to provide suitable sites for the development of well planned, environmentally compatible, low-density townhouse or duplex projects on sites of at least ten thousand (10,000) square feet, which are located in such a manner as to serve as effective transitional land use elements between single-family and more intensive multi-family residential or commercial areas. This district is appropriate in areas designated "Townhouse Residential" or "Duplex Residential" on the City's adopted Comprehensive Plan.
- (7) "RT-9" Two-Family/Townhouse Residential District: The purpose of this district is to provide suitable sites for the development of well-planned, environmentally compatible, low-density attached single-family residential projects of a two-family and/or townhouse duplex nature, on sites of at least ten thousand (10,000) square feet which are located in such a manner as to serve as effective transitional land use elements between single-family and more intensive multi-family residential or commercial areas. This district is appropriate in areas designated "Townhouse Residential" or "Mixed Residential Moderate-Density" "Duplex Residential" on the City's adopted Comprehensive Plan.
- (8) "RT-18" "Townhouse District": The purpose of this district is to provide suitable sites for the development of well-planned, innovative and environmentally compatible residential uses that transition between single-family residential areas and zoning districts of higher residential density or commercial intensity. This district is "residential" and implements a residential land use category of the City's adopted Comprehensive Plan. Allowances provided in the RT-18 district for Live-Work Units (LWU) or for home offices shall not be construed to mean the district is "commercial" or "mixed-use." Townhouse dwelling units may optionally use the first ground floor area that is above minimum flood elevation and not used for required vehicle storage as: (a) part of the dwelling unit; (b) a live-work space as defined for Live-Work Units (LWU); or (c) an Accessory Dwelling Unit (ADU) pursuant to Sec. 163.31771, Florida Statutes. An application for a building permit to construct an accessory dwelling unit must include a recorded title restriction by the applicant which commits that the unit will be rented at an affordable rate to extremely-low-income, very-low-income, or low-income person or persons, as such terms are defined in the Florida Statutes. Each townhouse primary dwelling unit and each ADU shall have its own direct entrance fronting to a public street with front-facing glazing for both. Single-family residences are also permitted on individual lots. Townhouse dwelling units, exclusive of ADUs, shall be developed at densities no greater than 18 dwelling units per net acre. This district is appropriate in areas designated "Townhouse Residential", "Mixed-Use Commercial Residential" or "Multi-Family Residential" on the City's adopted Comprehensive Plan Future Land Use Map.

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**20-3.3 – Permitted Use Schedule**

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**SECTION 20-3.3(D)  
PERMITTED USE SCHEDULE**

P	=	PERMITTED BY RIGHT
S	=	PERMITTED AS SPECIAL USE
COND	=	SPECIAL USE CONDITIONS (See Section 20-3.4)
PARK	=	PARKING REQUIREMENTS (See Section 20-4.4(B) and as modified by Article VIII to TODD parking)
X	=	No conditions were adopted

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USE TYPE	RS-1	RS-2	RS-3	RS-4	RS-5	RT-6	RT-9	RT-18	LRM-18	RM-24	RO	LO	MO	NR	SR	GR	MUAH	TODD-MU-4	TODD-MU-5	TODD-MU-6	TODD-MUM	TODD-PI	TODD-PR	H	Pl	R	PR	DS	COND	PARKING	
Planned Unit Development Residential Uses	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S						S				S	8			
Adult Family Care Home	S	S	S	S	S	S	S	S	S	S	S																		13	1	
Assisted Living Facility (ALF)																	S	S	S	S										18	
Accessory Dwelling Unit (ADU)								P																							
Boardinghouse												P	P		P		P	P	P	P	P									17	
Dwelling, Single Family	P	P	P	P	P	P	P	P	P	P	S																		17	1	
Dwelling, Tourist												P	P		P		P	P	P	P	P									3	
Dwelling, Townhouse						P	P	P	P	S					P		P	P	P	P	P									17	2
Dwelling, Duplex Two Family						P	P	P	P	S							P													17	1
Dwelling, Multifamily									P	S					P		P	P	P	P	P						P		17	3	
Community Residential Home, 7 or more								P	P	P							P	P	P										13	1	
Group Home I Licensed (6 or less)	S	S	S	S	S	S	S	S	S	S	S							S	S	S	S								15	1	
Group home II Licensed (6 or less)	S	S	S	S	S	S	S	S	S	S	S							S	S	S	S								15	1	
Home-Based Business Accessory to a dwelling unit <sup>4</sup>	P	P	P	P	P	P	P	P	P	P	P		P		P		P	P	P	P	P	P									
Live-Work <sup>5</sup>								P										S	S	S	S								27, 28		
<b>PUBLIC AND INSTITUTIONAL USES</b>																															
Adult Day Care Facility																				S	S										11
Child Care Facility (7 or more children)								S	S	S	S	S	S	S	S	S	S	P	P	S	S	P		S	P	P			23	10	
Community Facilities																											P				
Community Garden																		S	S	S	S	S	S							25	
Continuing Care Retirement Community																														13	18
Early Childhood Child Care, Pre-K, Pre-School													P	P	P			P	P	S										11	
Fraternal Organization or Private Club								S	S	S	S	S	S	P				P	P	P	P	S			S		P	P	2	7	
Governmental Administration													P	P		P		P	P	P	P	P	P			P	P			10	
Hospital																								S						14	5
Mobile Pet Grooming Service	P	P	P	P	P	P	P	P	P																					-	-
Museum, Library, or Art Gallery												P	P		P		P	P	P	P	P	P			P		P			12	
Nursing Home / Skilled Nursing Facility																		P	P	P	P				P				13	18	
Greenway, Park, Plaza, or Playground, Public	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P				P	P	P	P		P		P	P			
Social Services Agency											S	S	S	S	S			S	S	S	S	S			S			S		10	
<b>EDUCATIONAL USES</b>																															
School, Elementary or Secondary													S	S		S	S	S	S				S						23	12	
School (ancillary to principal use), Church																										P				12	
School, Private or Charter													S	S				S	S	S		S							23	12	



USE TYPE	RS-1	RS-2	RS-3	RS-4	RS-5	RT-6	RT-9	RT-18	LRM-18	RM-24	RO	LO	MO	NR	SR	GR	MUWAH	TODDMU-4	TODDMU-5	TODDMU-6	TODDMUM	TODD-PI	TODD-PR	H	PI	R	PR	DS	COND	PARKING	
Lawn Maintenance Services																														11	
Learning Centers or Educational Facilities																												P		10	
Loan or Finance Agency											P	P		P		P	P	P	P	P	P							P		10	
Mail and Parcel Center												P	P	P	P	P	P	P	P	P	P							P		10	
Market Research Services											P	P	P		P		P	P	P	P	P							P		10	
Massage Therapist											P	P	P	P	P	P	P	P	P	P	P							P		9	
Medical Office											P	P	P		P		P	P	P	P	P			P						9	
Messenger or Courier Services												P	P	P	P	P	P	P	P	P	P							P		11	
Mobile Automobile Wash / Wax Service											S	S	S	S	S	S	S	S	S	S	S	S	S	S			P	20	na		
Notary Public											P	P	P	P	P		P	P	P	P	P							P		10	
Office, Business or Professional * 50% of ground floor square footage must be retail uses.											P	P	P		P	P*	P	P	P	P	P							P		10	
Opticians or Optical Goods											P	P	P		P		P	P	P	P	P			P			P		9		
Personal Skills Instruction Studio****											P	P	P	P	P	P	P	P	P	P	P							P		10	
Photographic Studio											P	P	P		P		P	P	P	P	P							P		11	
Physical Fitness Facility****											S	S	S		P		P	P	P	P	P						P	25	11		
Physical Therapist											P	P	P	P	P			P	P	P	P							P		9	
Picture Framing Store															P		P	P	P	P	P							P		11	
Planning and Zoning Consultant											P	P	P		P		P	P	P	P	P							P		10	
Psychologist											P	P	P				P	P	P	P	P									9	
Public Relations Services											P	P	P		P		P	P	P	P	P							P		10	
Quick Printing												P	P	P	P	P		P	P	P	P							P		11	
Radio and Television Repair Shop																				P	P									11	
Real Estate Agency											P	P	P	P	P		P	P	P	P	P							P		10	
Reproduction and Stenographic Services												P	P					P	P	P	P							P		11	
Research and Development, Incubator												P	P							P										14	
Reupholstery and Furniture Repair																			S	S										12	
Shoe Repair Shop														P	P		P	P	P	P	P							P		11	
Stock Brokerage											P	P	P		P		P	P	P	P	P									10	
Tailor or Seamstress															P		P	P	P	P	P							P		11	
Tanning Studio															P		P			P	P							P		11**	
Telephone Answering Service											P	P	P		P		P	P	P	P	P									11	
Tutorial Services											P	P	P		P		P	P	P	P	P							P		11	
Auditorium, Theater or Cinema															P		P	P	P	P								P		15	
Travel Agency												P	P	P	P		P	P	P	P	P							P		10	
Watch and Clock Sales and Repair															P	P	P	P	P	P	P							P		11	
RETAIL AND WHOLESALE TRADE																															
Air Conditioning Sales and Service																P				P										11	
Antique or Curio Shop														P	P	P	P	P	P	P								P		11	
Automobile Accessories and Parts																S				P								X		11	
Automobile Dealer																S												9		11	
Automobile Showroom																											P <sup>2</sup>			11	
Bait and Tackle Shop																P														11	
Bakery															P	P	P	P	P	P	P							P		11	
Bicycle Sales and Service															P	P	P	P	P	P	P							P		11	
Boat Dealer																	S												9	11	
Book or Stationery Store											S	S			P	P	P	P	P	P	P							P	16	11	
Business Machine Sales and Service																P	P	P	P	P	P							P		11	
Camera and Photo Supply Store											S	S			P	P	P	P	P	P	P							P	16	11	
Carpeting and Flooring Sales																P	P	P	P	P	P							P		11	
Clothing or Apparel Store (new only)																P	P	P	P	P	P							P		11	
Confectionary or Ice Cream Parlor											S	S	P		P	P	P	P	P	P	P							P	16	8	
Consumer Electronics or Music Store																P	P	P	P	P	P							P		11	
Cosmetics Store																P	P	P	P	P	P							P		11	

USE TYPE	RS-1	RS-2	RS-3	RS-4	RS-5	RT-6	RT-9	RT-18	LRM-18	RM-24	RO	LO	MO	NR	SR	GR	MUWAH	TODD-MU-4	TODD-MU-5	TODD-MU-6	TODD-MUM	TODD-PI	TODD-PR	H	PI	R	PR	DS	COND	PARKING
Dairy Products Store														P	P	P	P	P	P	P	P						P		8	
Deli														P	P	P	P	P	P	P	P						P		8	
Department of dry Gods Store															P	P	P	P	P	P	P						P		12	
Drinking Place, Bar / Lounge												S	S		S	S	P	P	P	P	P						P	16	7	
Drug or Sundry Store - Not selling prescription drugs												S	S	P	P	P	P	P	P	P	P								16	11
Drug, Pharmacy or Sundry Stores selling prescription drugs and Medical Marijuana Retail Center												S	S	S	S	S	S	S	S	S	S						S	24	9	
Fabric or Drapery Shop															P	P	P	P	P	P	P						P		11	
Florist												S	S	P	P	P	P	P	P	P	P						P	16	11	
Gasoline Service Station																S												5	11	
Grocery Store (over 4,000 sf gfa)															P	P	P	P	P	P	P						P		8	
Gift, Novelty or Souvenir Shop												S	S		P	P	P	P	P	P	P						P	16	11	
Glass and Mirror Sales and Services																P				P	P								11	
Hardware Store															P	P	P	P	P	P	P						P		11	
Heavy Machinery Sales, Rental and Services																													11	
Hobby, Toy or Game Shop												S	S		P	P	P	P	P	P	P						P	16	11	
Household Appliance Store																P	P	P	P	P	P						P		11	
Home Furniture or Furnishings Store																P	P	P	P	P	P						P		11	
Jewelry Store												S	S		P	P	P	P	P	P	P						P	16	11	
Lawn and Garden Supplies																P													11	
Lawnmower Sales and Services																P													11	
Lighting Fixtures Store																P	P	P	P	P	P						P		11	
Liquor or Package Store																S	S	P	S	S	S	P					S		11	
Luggage or Leather Goods Store																P	P	P	P	P	P						P		11	
Lumber and Building Materials Store																													11	
Microbrewery / Brew Pub <sup>3</sup>																		P	P	P	P									
Mobile Food Vendors																					P						P	*	Na	
Motorcycle Dealer																S				S							P	9	11	
Neighborhood Convenience Store																				***	***	***						26	11	
Newsstand												S	S	P	P	P	P	P	P	P	P						P	16	11	
Office Supplies												S	S		P	P	P	P	P	P	P						P	16	11	
Paint, Glass and Wallpaper Store																P	P	P	P	P	P								11	
Pet Sales or Grooming Services																P	P	P	P	P	P						P		11	
Plant Nursery or Greenhouse																P													11	
Plumbing Fixture Sales																P				P									11	
Poultry, Meat or Seafood Market																P	P	P	P	P	P						P		11	
Recreational Vehicle Dealer																S												9	11	
Restaurant, Accessory												S	S							P	P						P	16	Na	
Restaurant, Convenience																	S			P	P						P	4a	7	
Restaurant, General															P	P	P	P	P	P	P						P		7	
Restaurant, Walk-Up															P	P		P	P	P	P						P		7	
Sewing, Needlework or Piece Goods Store																P	P	P	P	P									11	
Shoe Store																P	P	P	P	P	P						P		11	
Sporting Goods Store																P	P	P	P	P	P						P		11	
Tea Room																P	P			P	P						P		12	
Tobacco Shop												S	S	P	P	P	P	P	P	P	P						P	16	11	
Used Merchandise Store: Consignment Goods																S	S	S	S	P							S	6	11	
Used Merchandise Store: Secondhand Goods																	S			S								6	11	
Used Merchandise Store: Vehicle Parts																				S								6	11	
Variety Store																P	P	P	P	P							P		11	
Wholesale Sales and Storage																													13	

USE TYPE	RS-1	RS-2	RS-3	RS-4	RS-5	RT-6	RT-9	RT-18	LRM-18	RM-24	RO	LO	MO	NR	SR	GR	MU/AH	TODD/MU-4	TODD/MU-5	TODD/MU-6	TODD/MU-M	TODD-PI	TODD-PR	H	PI	R	PR	DS	COND	PARKING	
TRANSPORTATION, WAREHOUSING AND COMMUNICATIONS																															
Radio and TV Broadcasting Station												P	P		P	P	P	P	P	P								P			12
Bus, Transit, Taxi, Limousine, or On-Demand Vehicles Service Facility															P	P			P	P	S										12
Food Storage Locker																															12
Material Storage Yard																														12	
Parking Lot, Commercial															P	P	P			P	P	P	P			P		P			
Storage Garage																															14
Transfer and Moving Company																															14
Vehicle and Truck Storage																															14
Public Warehousing and Storage																						S									14
MANUFACTURING AND INTENSIVE USES																															
Apparel Products																					S										14
Artist Studio																					S								28		14
Cabinet Making and Millwork																					S										14
Food Products (no abattoir)																					S										14
Furniture and Fixtures																					S										14
Machine Shop																					S										14
Ornamental Metalwork Shop																					S										14
Paint and Allied Products																					S										14
Printing, Publishing or Bookbinding																					S										14
Sign Painting and Lettering Shop																					S										14
Small Scale and Custom Manufacturing Business																					S								28		14
Stone Cutting and Processing																															14
Tire Vulcanizing and Retreading																															14
Upholstery Shop																					S										14

- 71
- 72 \* Revised January 15, 1991 by Ord. No. 3-91-1468 under section 15-63, miscellaneous
- 73 provisions, South Miami Code of Ordinances (see text at end of table).
- 74
- 75 \*\* Parking requirement category; one space per three hundred (300) square feet gross floor area.
- 76
- 77 \*\*\* This activity is permitted as of right if it does not include the sale of alcoholic beverages and
- 78 if it is not in the TODD MU-M district. Otherwise, it shall be approved as a Special Use
- 79 (Section 20-3.4) and as to the sale of alcoholic beverages it will also be subject to the
- 80 requirements of Chapter 4 of the South Miami Code of Ordinances.
- 81
- 82 \*\*\*\* All businesses that adjoin or abut a single-family or multi-family zoned district may not be
- 83 open before 8:00 a.m. and must close on or before 7:00 p.m.; if they are not adjoining or
- 84 abutting such districts, they shall not be open before 6:00 a.m. and they must be closed on or
- 85 before 10:00 p.m. Gross floor area of the use shall not exceed two thousand (2,000) square
- 86 feet.
- 87
- 88 1. Within the DS district, an Automobile Rental Agency shall operate only as concierge service
- 89 accessory to a hotel. No automobile rental inventory shall be permitted to be stored or parked
- 90 in on-site parking resources.
- 91

- 92 2. Automobiles for display to consumers may be stored inside the Automobile Showroom but  
93 may not be stored or parked in on-site parking resources. No more than ten (10) vehicles for  
94 consumer test driving use may be stored or parked in on-site parking resources. No  
95 automobile inventory shall be permitted to be stored or parked in on-site parking resources.  
96
- 97 3. A microbrewery is an establishment primarily engaged in the production and distribution of  
98 beer, ale, or other malt beverages, and which may include retail sales and on-site  
99 consumption. Parking shall be provided at a rate of one space per one thousand (1,000) gfa  
100 for the area devoted to production and one space per one hundred (100) gfa for patron areas.  
101
- 102 4. Parking shall be provided based on the standard required for the particular use that is  
103 operating as a home-based business.  
104
- 105 5. In the RT-18 district, Live-Work Units shall not require special use permit approval, provided  
106 that the Planning Director finds that the proposed Live-Work Units otherwise comply with  
107 all requirements of this code. To determine compatibility, the Special Use conditions listed  
108 in Section 20-3.4(B)(27), and Section 20-3.4(B)(28) as applicable to Artist Studios shall be  
109 applied to the review of all uses proposed for Live-Work Units. Live-Work Units may include  
110 professional services, personal services, and artist studios that are determined as compatible  
111 with the surrounding area. Live-Work Units shall not include in-person retail sales or pick-  
112 up by customers, and not be permitted to engage in prepared food service, including dine-in  
113 or take-out. Operations shall be limited to the hours of 8:00 a.m to 7:00 p.m. Signage shall  
114 be permitted subject to the criteria of Section 20-4.3. Prior to the issuance of a certificate of  
115 use for any Live-Work Units, the property owner must execute and record a declaration of  
116 restrictive covenants running with the land in a form approved by the Planning Director and  
117 the City Attorney which covenants that the Live-Work Unit(s) shall comply with the  
118 requirements of this Code, expressly lists requirements of Section 20-3.4(B)(27), and  
119 provides that the City may enforce said covenant through all means authorized by law  
120 including but not limited to the denial of building permits or revocation of certificates of use  
121 or occupancy on the subject property, injunctive relief, and other means.  
122

123 \* \* \*

#### 124

#### 125 **20-3.4 - Special use conditions.**

#### 126

127 Any of the following special uses may be approved and permitted by the City Commission at a  
128 public hearing, after a recommendation by the Planning Board, provided that such use is  
129 specifically listed as a permitted special use in the appropriate district column in the Permitted Use  
130 Schedule (Section 20-3.3D), and that such use complies with the following general and special  
131 requirements, as well as any other conditions that the City Commission may consider appropriate  
132 and necessary:

133

134 (A) General Requirements.

135

- 136 (1) All such uses shall comply with all requirements established in the appropriate zoning  
137 use district, unless additional or more restrictive requirements are set forth below or by  
138 the City Commission.  
139
- 140 (2) All such uses shall be determined to be of a compatible and complementary nature with  
141 any existing, planned or anticipated surrounding uses.  
142
- 143 (3) A public hearing shall be held by the City Commission to determine the overall  
144 compatibility of the use with the surrounding neighborhood.  
145
- 146 (4) If a special use is, in the future, determined by the Director of the Planning and Zoning  
147 Department or the City Commission, to be adversely affecting the health, safety or  
148 welfare, including quiet enjoyment, of persons residing or working in the vicinity of  
149 the proposed use, or otherwise to be detrimental to the public welfare or property or  
150 improvements in the surrounding neighborhood, or to be not in compliance with any  
151 other applicable Code provisions, the special use approval may be modified, with  
152 conditions of approval revised or added to alleviate such adverse effect, or revoked by  
153 the City Commission upon notification and public hearing.  
154

155 (B) Special Requirements.  
156

157 \* \* \*

158  
159 (27) LIVE-WORK UNITS

- 160 (a) At least one (1) resident in the unit shall maintain a valid Business License for  
161 the business on the premises.  
162 (b) Operation.  
163 i. Deliveries for non-residential uses that are part of the live-work and work-  
164 live units shall be limited to the hours of 8:00 a.m. to 8:00 p.m.  
165 ii. The nonresidential use must not generate traffic in volume or type in excess  
166 of that normally occurring by uses in the surrounding neighborhood.  
167 iii. Live-work units shall not be used for storage of flammable liquids or toxic  
168 hazardous materials, which means any and all materials, substances, waste  
169 or chemicals classified under applicable governmental laws, rules or  
170 regulations as hazardous or toxic substances, materials, waste or chemicals.  
171

172 (28) ARTIST STUDIO

- 173 (a) Artist studios are subject to the same conditions as light industrial uses per  
174 Sections 20-8.7(B) and (C).  
175 (b) Artist studios may be part of live-work units. When that is the case, this use is  
176 subject to the special requirements of Section 20-3.4(B)(27).  
177 (c) The use must not generate traffic in volume or type in excess of that normally  
178 occurring by uses in the surrounding neighborhood.  
179 (d) All activity must be carried out within the building or unit, including the storage  
180 of materials.  
181 (e) Mass production and assembly line techniques are not be allowed in artist studios.

182 (f) No more than two (2) persons shall practice or be employed at one time per artist  
183 studio.

184 \* \* \*

185  
186  
187 **20-3.5 - Dimensional requirements.**

188  
189 *(A) Residential Districts.*

190 In residential districts, the maximum density, minimum lot area and frontage, minimum yard  
191 setbacks, maximum coverage and maximum building heights for the permitted uses in each  
192 district shall be determined from the Dimensional Requirements Table for either single-family  
193 residential districts one-story (Section 20-3.5(E)) or single-family residential districts two-  
194 story (Section 20-3.5(H)) or multi-family districts (Section 20-3.5(F)).

195 \* \* \*

196  
197  
198 *(C) Dimensional Requirement Tables.*

199 (1) The use of land and the erection of buildings and other structures on land shall be subject  
200 to the dimensional requirements of the applicable zoning district, as reflected on the four  
201 (4) tables labeled "Dimensional Requirements, Single-Family Residential Districts, One-  
202 Story" (Section 20-3.5(E)) or "Dimensional Requirements, Single-Family Residential  
203 Districts, Two-Story" (Section 20-3.5(H)), "Dimensional Requirements, Attached Single-  
204 Family and Multi-family Residential Districts" (Section 20-3.5(F)), "Dimensional  
205 Requirements, Nonresidential Districts" (Section 20-3.5(G)), and "Dimensional  
206 Requirements, Downtown SoMi District" (Section 20.3.5(I)).

207  
208 (2) There shall be no variation or deviation from such dimensional requirements except where  
209 expressly allowed by this Code.

210  
211 (3) Minimum and maximum dimensional requirements for permitted uses within a PR or PI  
212 use district shall be the same as those listed in the following tables for uses within the most  
213 restrictive use district located adjacent to the subject PR or PI property.

214  
215 *(D) Properties within 100 feet of RM-18 or lower density districts.*

216 (1) Except where otherwise provided in regulations applicable to a specific zoning district, the  
217 maximum height of any new building or any vertical addition to an existing building  
218 located in RM-24 or more intense district and within 100 feet of RM-18 or lower density  
219 districts shall be limited to two (2) stories.

220  
221 (2) Properties or projects constructed under a City-approved Planned Unit Development Site  
222 Plan or projects subject to Development Agreements during the period that the Agreement  
223 is in effect, shall not be subject to the provisions of this section. In no case shall a project  
224 be rebuilt which exceeds the height, setback or density that was set forth in the  
225 Development Agreement or applicable Planned Unit Development Site Plan.

(3) Properties presently existing and actually built on the effective date of this ordinance shall be grandfathered in and exempted from the provisions of this section and allowed to be rebuilt to the same height if they are destroyed by an act of God or other natural disaster.

**Section 20-3.5E**  
**DIMENSIONAL REQUIREMENTS**  
**SINGLE-FAMILY RESIDENTIAL DISTRICTS - ONE-STORY**

	<b>RS-1</b>	<b>RS-2</b>	<b>RS-3</b>	<b>RS-4</b>	<b>RS-5</b>
Min. Lot Size					
Net Area (sq. ft.)	40,000	15,000	10,000	6,000	6,000
Frontage (ft.)	125	100	75	60	50
Min. Yard Setbacks (ft.)					
Front <sup>c</sup> .	50	35	25	25	25
Rear <sup>d</sup> .	25	25	25	25	25
Side (Interior) <sup>a, e</sup> .	12.5	10	7.5	7.5 <sup>b</sup> .	7.5 <sup>b</sup> .
Side (Street)	25	20	20	15	15
Max. Building Height (ft.)	25	25	25	25	25
Max. Building Coverage (%)					
First Floor	20	30	30	30 <sup>f</sup> .	30
Max. Impervious Coverage (%)	30	40	40	45 <sup>g</sup> .	45

- a Cumulative width of both side yards may not be less than twenty percent (20%) of total lot width.
- b Except that additions to existing structures may have five (5) feet interior side setbacks where any portion of the building already has a five-foot setback.
- c Except that a lot of record with a depth of ninety (90) feet or less may have a front setback of twenty (20) feet.
- d Except that a lot of record with a depth of eighty (80) feet or less and a lot frontage of thirty-five (35) feet or less may have a rear setback of twenty (20) feet. A lot of record with a depth of sixty-five (65) feet or less may have a rear setback of fifteen (15) feet.
- e Except that a lot of record with a frontage of forty (40) feet or less may have a side (interior) setback of five (5) feet.
- f Except that a lot of record with an area two thousand (2,000) square feet or less may have a maximum building coverage of fifty percent (50%). A lot of record with an area of two thousand one (2,001) to three thousand (3,000) square feet may have a maximum building coverage of forty percent (40%).
- g Except that a lot of record with an area of two thousand (2,000) square feet or less may have a maximum impervious coverage of seventy percent (70%). A lot of record with an area of two thousand one (2,001) to three thousand (3,000) square feet may have a maximum impervious coverage of fifty-five percent (55%).

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Section 20-3.5F  
DIMENSIONAL REQUIREMENTS  
ATTACHED SINGLE-FAMILY AND MULTI-FAMILY RESIDENTIAL DISTRICTS

	RT-6 (TH)(2F)	RT-9 (2F)	<u>RT-18</u> (TH)	RM-18 (MF)	RM-24 (MF)	MU-AH (MF)
Max. Density (units/acre)	6	9	<u>18</u>	18	24	24
Minimum Size of Development Site						
Net Area (sq. ft.)	10,000	10,000	<u>5,000</u>	15,000	15,000	(1 acre)
Frontage (ft.)	200	100	<u>50</u>	75	100	100
Lot Depth (ft.)	n.a.	<u>n.a.</u>	<u>100</u>	<u>n.a.</u>	<u>n.a.</u>	<u>n.a.</u>
Min. Land Area per Dwelling Unit <sup>a.</sup>						
Net Area (sq. ft.) <sup>b.</sup>	3,000	n.a.	<u>refer to</u> <u>Section</u> <u>20-3.5I</u>	n.a.	n.a.	n.a.
Frontage (ft.)	25	n.a.		n.a.	n.a.	n.a.
Minimum Yard Setbacks						
Front:						
1 and 2 stories	25	25 <sup>c</sup>	<u>refer to</u> <u>Section</u> <u>20-3.5I</u>	25	25	25
3 stories	n.a.	n.a.		n.a.	30	n.a.
4 stories	n.a.	n.a.		n.a.	35	n.a.
Rear:						
1 and 2 stories	25	25	<u>refer to</u> <u>Section</u> <u>20-3.5I</u>	20	20	20
3 stories	n.a.	n.a.		n.a.	25	n.a.
4 stories	n.a.	n.a.		n.a.	35	n.a.
Side (Interior):						
1 and 2 stories	10	7.5	<u>refer to</u> <u>Section</u> <u>20-3.5I</u>	12.5	12.5	12.5
3 stories	n.a.	n.a.		n.a.	15	n.a.
4 stories	n.a.	n.a.		n.a.	20	n.a.
Side (Street):						
1 and 2 stories	15	15	<u>refer to</u> <u>Section</u> <u>20-3.5I</u>	25	25	25
3 stories	n.a.	n.a.		n.a.	30	n.a.
4 stories	n.a.	n.a.		n.a.	35	n.a.
Between Buildings	20	15		20	20	20
Perimeter <u>Additional Setback</u> <sup>d</sup>	15	15	n.a.	n.a.	n.a.	
Maximum Building Height						
Stories:	2	2	<u>refer to</u> <u>Section</u> <u>20-3.5I</u>	2	4	2
Building Height (ft.)	25	25		30	50	30
Max. Impervious Coverage <sup>b.</sup> (%)	45	65		65	75	75

- 258 a. The land area per dwelling unit refers to that fraction of a development site (shown in square feet) that  
259 supports each unit proposed in the development. In the case of townhouses, this does not mean a platted  
260 lot, but may be thought of as the equivalent of a lot area per each townhouse unit. The frontage  
261 requirement applies to two-family and single-family structures but not townhouses.
- 262 b. Based on lot area
- 263 c. Front setback may be reduced to ten (10) feet to accommodate vehicle access at the rear of the units  
264 and a five-foot buffer between that accessway and the adjoining property.
- 265 d. In addition to all other required setbacks when the site area is greater than two (2) acres.  
266

267  
268  
269  
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271

\* \* \*

Section 20-3.5I  
DIMENSIONAL, LANDSCAPE AND PARKING REQUIREMENTS  
TOWNHOUSE RESIDENTIAL RT-18 DISTRICT

<u>Size of Development Site</u>	<u>RT-18</u> <u>2,000 to</u> <u>5,000</u> <u>sq. ft. site</u>	<u>RT-18</u> <u>5,000 to</u> <u>12,000</u> <u>sq. ft. site</u>	<u>RT-18</u> <u>Over</u> <u>12,000</u> <u>sq. ft. site</u>
<b><u>Development</u></b>	<u>single-family</u> <u>residence</u>	<u>Townhouse</u>	<u>Townhouse</u>
<b><u>Maximum Density (primary dwelling units / acre)</u></b>	<u>18.15</u>	<u>18</u>	<u>18</u>
<b><u>Lot Size</u></b>			
<u>Minimum Net Area (sq. ft.)</u>	<u>2,000</u>	<u>5,000</u>	<u>12,001</u>
<u>Maximum Net Area (sq. ft.)</u>	<u>12,000</u>	<u>12,000</u>	<u>extent of</u> <u>block</u>
<u>Minimum Frontage (ft.)<sup>a</sup></u>	<u>25</u>	<u>50</u>	<u>100</u>
<u>Minimum Lot Depth (ft.)</u>	<u>80</u>	<u>100</u>	<u>120</u>
<b><u>Minimum Land Area per Primary Dwelling Unit</u></b>			
<u>Net Area (sq. ft.)<sup>b</sup></u>	<u>2,000</u>	<u>2,200</u>	<u>2,640</u>
<u>Unit Frontage abutting Townhouse Zone on both sides(ft.)</u>	<u>25</u>	<u>22</u>	<u>22</u>
<u>Unit Frontage abutting Single-Family Zone on one side(ft.)</u>	<u>32.5</u>	<u>32.5</u>	<u>32</u>
<u>Unit Frontage abutting Single-Family Zone on both sides(ft.)</u>	<u>50</u>	<u>n. a.</u>	<u>n. a.</u>
<b><u>Setbacks (all units in feet)</u></b>			
<u>Front</u>	<u>20</u>	<u>n. a.</u>	<u>n. a.</u>
<u>First Front Façade Layer Build-to Line</u>	<u>n. a.</u>	<u>10</u>	<u>10</u>
<u>Second Front Façade Layer Setback</u>	<u>n. a.</u>	<u>20</u>	<u>12</u>
<u>Front Façade Minimum Spacing between Façade Layers</u>	<u>n. a.</u>	<u>20</u>	<u>20</u>
<u>Interior Side</u>	<u>0</u>	<u>5</u>	<u>7.5</u>
<u>Interior Side Abutting Single-Family Residential Zone</u>	<u>7.5<sup>c</sup></u>	<u>7.5</u>	<u>10</u>
<u>Street Side</u>	<u>10</u>	<u>10</u>	<u>10</u>
<u>Rear Setback</u>	<u>20</u>	<u>20</u>	<u>20</u>
<u>Rear Side Abutting Single-Family Residential Zone</u>	<u>n. a.</u>	<u>30</u>	<u>30</u>
<u>Rear Setback from Public Alley</u>	<u>n. a.</u>	<u>n. a.</u>	<u>20</u>
<u>Rear Setback from Dedicated Accessway</u>	<u>n. a.</u>	<u>n. a.</u>	<u>20</u>
<u>Rear Accessway two-way width (depth of lot)</u>	<u>n. a.</u>	<u>n. a.</u>	<u>23</u>
<u>Rear Landscape Buffer between Dedicated Accessway and</u> <u>Abutting Single Family Zone</u>	<u>n. a.</u>	<u>n. a.</u>	<u>5</u>
<b><u>Step-backs above 2<sup>nd</sup> Floor Ceiling (all units in feet)</u></b>			
<u>Front Step-back from First Layer Adjacent to Single Family Zone</u>	<u>n. a.</u>	<u>5</u>	<u>5</u>
<u>Rear Adjacent to or Abutting Single Family Zone</u>	<u>n. a.</u>	<u>10</u>	<u>10</u>
<b><u>Building Height where Townhouse Building is adjacent or abutting single-family residential or</u></b> <b><u>townhouse zoning districts on at least three (3) sides. (height measured per Section 20-2.3)</u></b>			
<u>Stories – Minimum</u>	<u>1</u>	<u>2</u>	<u>2</u>
<u>Stories - Maximum</u>	<u>2</u>	<u>3</u>	<u>3</u>
<u>Building Height – Maximum (ft.)</u>	<u>25</u>	<u>40</u>	<u>40</u>

<u>Size of Development Site</u>	<u>RT-18</u> <u>2,000 to</u> <u>5,000</u> <u>sq. ft. site</u>	<u>RT-18</u> <u>5,000 to</u> <u>12,000</u> <u>sq. ft. site</u>	<u>RT-18</u> <u>Over</u> <u>12,000</u> <u>sq. ft. site</u>
<b><u>Building Height</u></b> where Townhouse Building is adjacent to (across street) or abutting (sharing a property line) a zoning district on any one side that permits 4 or more floors, and not abutting single-family residential on any other side. <i>(height measured per Section 20-2.3 definition of building height)</i>			
<u>Stories – Minimum</u>	<u>1</u>	<u>2</u>	<u>2</u>
<u>Stories - Maximum</u>	<u>2</u>	<u>3</u>	<u>4</u>
<u>Building Height (ft.)</u>	<u>30</u>	<u>40</u>	<u>45</u>
<b><u>Building / Site Massing</u></b>			
<u>Maximum Building Frontage (ft.)</u>	<u>n. a.</u>	<u>200</u>	<u>200</u>
<u>Minimum Distance Between Buildings</u>	<u>n. a.</u>	<u>10</u>	<u>15</u>
<u>Maximum Building Coverage (%)</u>	<u>35<sup>d</sup></u>	<u>55</u>	<u>50</u>
<b><u>Landscape and Impervious Area</u></b>			
<u>Maximum Impervious Coverage (%)</u>	<u>55<sup>e</sup></u>	<u>70<sup>f.g.</sup></u>	<u>75<sup>f.g.</sup></u>
<u>Minimum Total Landscape Area (%)</u>	<u>n. a.</u>	<u>30</u>	<u>25</u>
<u>Minimum Landscape Area in Forecourt (%)</u>	<u>n. a.</u>	<u>5<sup>g</sup></u>	<u>10<sup>g</sup></u>
<u>Minimum Landscape Area in Rear and Side Yards (%)</u>	<u>n. a.</u>	<u>25</u>	<u>15</u>
<b><u>Minimum Number of Trees (all other requirements of Sec. 20-4.5 apply)</u></b>			
<u>Rear Yard buffer to dedicated accessway</u>	<u>n. a.</u>	<u>1 medium shade tree per unit (as defined in Sec. 20-4.5.1)</u>	<u>1 medium shade tree per unit (as defined in Sec. 20-4.5.1)</u>
<u>Minimum Number of Trees Required</u>	<u>3 per lot</u>	<u>28 per net acre</u>	<u>28 per net acre</u>
<b><u>Parking Amount and Location (all other requirements of Section 20-4.4 apply)</u></b>			
<u>Primary Dwelling Unit – number of spaces required</u>	<u>1</u>	<u>2</u>	<u>2</u>
<u>Primary Dwelling Unit – location of required spaces</u>	<u>on-site</u>	<u>1 vehicle in front-facing garage with a maximum of 1 garage door, and 1 vehicle in driveway<sup>h.</sup></u>	<u>on-site behind building(s) accessed by common accessway opening to side-street<sup>i.</sup></u>
<u>Accessory Dwelling Unit</u>	<u>n. a.</u>	<u>1</u>	<u>1</u>
<u>Accessory Dwelling Unit – location of required spaces</u>		<u>on-street<sup>j.</sup></u>	<u>on-site behind building(s), as above.</u>
<u>Live-Work Space</u>	<u>n. a.</u>	<u>0.5</u>	<u>0.5</u>
<u>Live-Work Space – location of required spaces</u>	<u>n. a.</u>	<u>on-street<sup>j.</sup></u>	<u>on-street<sup>j.</sup></u>

- 273 a. Lot frontage: Where individual lots or aggregation of lots includes a corner, lot frontage shall  
274 be measured along a State Road or County Road as depicted in Map 2.3 of the City’s adopted  
275 Comprehensive Plan, Transportation Element. Where all abutting streets are in the City’s  
276 maintenance jurisdiction, frontage shall be established on the roadway with the longer  
277 frontage of the block on which the site is located. Lot frontage for lots with more than one  
278 frontage shall be administratively determined by the Planning Director.
- 279 b. Net area applies to land allocated to each unit, whether each unit is owned fee-simple or  
280 property is rented and land under each unit remains aggregated under common ownership.
- 281 c. Except that additions to existing structures may have five (5) feet interior side setbacks where  
282 any portion of the building already has a five-foot setback.
- 283 d. Except that a lot of record with an area two thousand (2,000) square feet or less may have a  
284 maximum building coverage of fifty percent (50%). A lot of record with an area of two  
285 thousand one (2,001) to three thousand (3,000) square feet may have a maximum building  
286 coverage of forty percent (40%).
- 287 e. Except that a lot of record with an area of two thousand (2,000) square feet or less may have  
288 a maximum impervious coverage of seventy-five percent (75%)
- 289 f. Impervious area includes building footprint, driveways, accessways and parking as  
290 applicable, and does not include walkway or hardscape leading from sidewalk to front doors  
291 in forecourt
- 292 g. Forecourt landscape area may include walkways from sidewalk to door(s) and other  
293 hardscape elements, such that a minimum of 60% of forecourt is pervious, not including  
294 driveway where a driveway is located in the front of the townhouse.
- 295 h. Where parking for each primary dwelling unit is to be located at the front of the property, at  
296 least one space shall be in an enclosed garage at the ground floor of the building and one in  
297 the driveway leading to the garage door. There shall be no more than one (1) front-facing  
298 garage door, not greater than nine (9) feet in width, ~~with a minimum glazed area of 20% on~~  
299 ~~the door.~~ Driveways and garages of adjacent townhouse units are to be arranged so that they  
300 abut and permit one (1) full on-street space for each two units. This space may be calculated  
301 towards the parking requirements for the LWU or ADU. Driveway and garage dimensions  
302 shall comply with Section 20-4.4
- 303 i. Parking shall be required to be located to the rear of the RT-18 development site under any  
304 of the following circumstances: (1) adjacent to an existing public trafficway alley abutting  
305 the rear lot line of the development, or (2) a common accessway easement is dedicated at the  
306 rear of an RT-18 development and all dimensional requirements are met; or (3) where the lot  
307 has sufficient depth for an interior common accessway easement may be dedicated with  
308 midblock access along a side street and such that all dimensional requirements are met.  
309 Parking spaces for Primary Dwelling Units and Accessory Dwelling Units where required  
310 behind buildings, may be configured as a common lot that is accessed by a single 2-way  
311 accessway to a side street. The parking area shall not be visible from the front of the  
312 development. If parking abuts a single-family residential zone, surface parking shall be  
313 buffered by a landscape buffer of a minimum of 10 feet width, with a minimum of 1 medium  
314 shade tree as described in Section 20-4.5.1 and understory landscaping of a minimum height  
315 of 36.”

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\* \* \*

1 **Exhibit “C”**

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3 **20-4.3 - Sign regulations.**

4  
5 (A) Purpose and Intent. Regulations affecting the design, erection and maintenance of signs are established  
6 for the purpose of ensuring equitable means of graphic communication, while maintaining a  
7 harmonious and aesthetically pleasing visual environment within the city. It is recognized that signs  
8 form an integral part of architectural building and site design and require equal attention in their design,  
9 placement and construction.

10  
11 (B) Applicability and Definitions. No sign, unless herein excepted, shall be erected, constructed, posted,  
12 painted, altered or relocated, until a permit has been authorized and issued by the Planning and Zoning  
13 Department pursuant to this Code and the required submittals in Section 20-4.3(J). Signs in all zoning  
14 districts, except for PUD, and Downtown SoMi districts, shall be subject to the regulations in this  
15 section. Permitted sign regulations for PUD, and Downtown SoMi districts are referenced in those  
16 sections of this Code. Words and phrases used in this section shall have the meanings set forth below.  
17 *Sign.* Shall mean an identification, description, illustration, or device which is affixed to or  
18 represented directly or indirectly upon a building, structure or land and which directs attention  
19 to a product, place, activity, person, service, institution or business.

20 \* \* \*

21 *Sign, address identification.* Shall mean a sign which gives the name of the owner or occupant  
22 and/or the postal address of the property in numerical or written form.

23 \* \* \*

24 *Sign, flat* means any sign attached to and erected parallel to the face of, or erected or painted  
25 on the outside wall of, a building and supported throughout its length by such a wall or  
26 building. Flat signs may not project more than nine (9) inches beyond the surface of a building  
27 wall in any direction, including permitted projections beyond the top of parapet.

28 \* \* \*

29 *Sign, name plate* means a sign identifying the owner or occupant of the premises or the street  
30 address of the premises and located on an entry door or directly adjacent thereto.

31 \* \* \*

32 *Sign, project identification* means a sign relating to a multiple-family unit residential project  
33 and identifying the accepted name of the project, but which does not include rental or sales  
34 information or tenant or owner names.

35 \* \* \*

36 *Sign, window or door glass identification* means a sign with any display of characters or letters  
37 on a single window or door glass, or such sign which is behind and visible through such a  
38 window or door glass, including both temporary information signage and permanently erected  
39 signage.

40  
41 (C) Illumination.

42 (1) No sign shall be either directly or indirectly illuminated unless permitted within this Code.  
43 Illumination is specified under each sign category in Section [20-4.3\(I\)](#).

44 (2) When a sign is permitted to be illuminated directly, it may also be illuminated indirectly.

45 (3) Directly illuminated signs may give forth light or be designed to reflect light from one or  
46 more sources erected for the purpose of providing light for the sign, provided that lighting

47 is positioned so that none of the light shines onto an adjacent property nor into the eyes of  
 48 motorists or pedestrians.

49 (4) Indirectly illuminated signs may not produce light from within, nor be of neon, nor be  
 50 neon-lighted, but such signs may be illuminated by a light source not a part of, or attached  
 51 to, the sign itself.

52 (5) No reference to illumination shall be construed to mean that all types of illumination are  
 53 prohibited for that particular category of sign.

54 (6) All signs which are electrically illuminated shall require a separate electrical permit and  
 55 inspection.

56 (7) Electrical equipment and housing, wiring and conduit, tracks and nondecorative fixtures  
 57 utilized in connection with any illuminated sign shall be concealed from public view.

58 \* \* \*

59 (H) Permitted Sign Schedule.

60 (1) Signs shall be permitted in the various zoning districts in accordance with the following  
 61 schedule.

62 (2) Whenever a business is an existing non-conforming use; such an establishment shall be  
 63 permitted to erect signage as if the business were located where the use is permitted.

64 (3) LANDSCAPE and PROJECTING SIGNS must be reviewed by the Environmental Review  
 65 and Preservation Board. Required submittals shall be per Section [20-4.3\(J\)](#).

66 (4) ADDITIONAL SIGNS as described under Section [20-4.3\(L\)](#) may be permitted upon the  
 67 approval of the Environmental Review and Preservation Board.

68 (5) ALL SIGNS to be permanently erected, constructed, posted, painted, altered or relocated  
 69 on a designated historic structure or a "contributive" building must be reviewed by the  
 70 Historic Preservation Board prior to the issuance of a building permit for such signage.

71 (I) [Zoning Districts.]

72 \* \* \*

73 (2) RT-Townhouse Districts

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Sign Type	Conditions
ADDRESS ID	One (1) ADDRESS IDENTIFICATION SIGN per premises permitted, not to exceed one (1) square foot in area. Direct illumination is permitted.
BUILDING MARKER	One (1) BUILDING MARKER SIGN per premises permitted, not to exceed two (2) square feet in area.
CONSTRUCTION	One (1) CONSTRUCTION SIGN per lot, not to exceed four (4) square feet in area nor six (6) feet in height to be erected only during the progress of actual construction.
DIRECTIONAL	Two (2) DIRECTIONAL SIGNS per lot, not to exceed two (2) square feet in area per sign nor four (4) feet in height. Indirect illumination permitted.
GARAGE SALE	One (1) GARAGE SALE SIGN is permitted per single-family residential dwelling unit, two-times only, for two weekends including Friday only, per each calendar year, not to exceed two (2) square feet in area. Said sign

Sign Type	Conditions
	may only be erected on the private property where the garage sale is to be located from sunrise to sunset.
<u>NAME PLATE</u>	<u>One NAME PLATE identification sign per work space of permitted live-work units within individual townhome, not to exceed three (3) square feet in area. Indirect illumination is permitted from a wall sconce above the sign, directing light downward.</u>
POLITICAL	One (1) POLITICAL OR CAMPAIGN SIGN may be permitted as provided in Miami-Dade County Code of Ordinances.
PROJECT ID	One (1) PROJECT IDENTIFICATION SIGN per lot, not to exceed four (4) square feet in area. Indirect illumination is permitted.
REAL ESTATE	One (1) REAL ESTATE SIGN per lot, not to exceed six (6) square feet in area. For sites of five (5) acres or more in area, such signs shall not exceed twenty-four (24) square feet in area.
TOW AWAY ZONE	TOW-AWAY ZONE SIGNS are permitted per Florida Statutes.
<u>WINDOW OR DOOR GLASS</u>	<u>One WINDOW OR DOOR GLASS identification sign per work space of permitted live-work units within individual townhome, where door glass is within outside entrance door to the work space of a permitted live-work unit, or on transom or side light of such door where transom or side light is separated from the door only by a mullion. Characters, letters or door sign is not to exceed three (3) square feet in area. Indirect illumination is permitted from interior lighting within the door.</u>

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\* \* \*