

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO ZONING; PROVIDING FOR THE CREATION OF CHAPTER \_\_\_\_ OF THE CODE OF PALMETTO BAY (CODE); ENTITLED “FRANJO TRIANGLE & U.S. 1 ISLAND ZONING DISTRICT” (FT&I); PROVIDING FOR PERMITTED USES, CONDITIONAL USES AND PROHIBITED USES; DESIGN STANDARDS; AMENDING THE OFFICIAL ZONING MAP TO REFLECT THE CREATION OF THE FRANJO TRIANGLE COMMERCIAL ISLAND ZONING DISTRICT; REZONING THE DESIGNATED AREA TO THE “FT&I DISTRICT” AND ENCOMPASSES BOTH THE FRANJO ROAD TRIANGLE AND U.S. 1 COMMERCIAL ISLAND GENERALLY BOUNDED BY S.W. 94TH AVENUE ON THE EAST, S.W. 168TH STREET AND THE NORTHERN PORTION OF THE U.S.1 ISLAND TO THE POINT OF NORTHBOUND AND SOUTHBOUND LANES DIVISION ON THE NORTH, U.S. 1 SOUTHBOUND ON THE WEST (INCLUDING THE ISLAND AREA) AND S.W. 184TH STREET ON THE SOUTH; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.**

**WHEREAS**, the Franjo Triangle & U.S. 1 Island District (FT&I) encompasses both the Franjo Road Triangle and U.S.1 Island generally bounded by S.W. 94th Avenue on the east, S.W. 168th Street and the northern portion of the U.S.1 Island to the point of northbound and southbound lanes division on the north, U.S. 1 southbound on the west (including the island area) and S.W. 184th Street on the south; and

**WHEREAS**, on November 8, 2004, the Mayor and Village Council adopted Resolution No. 04-89 amending and accepting “The Franjo Triangle Commercial Island Charrette Report, A Citizen’s Vision Plan” (“Report”) prepared September, 2004, and further directed staff to take appropriate action to implement the Report; and

**WHEREAS**, the findings of the Report have been incorporated into the Comprehensive Plan of the Village of Palmetto Bay that became effective on October 13, 2005; and

**WHEREAS**, creating FT&I and applying the zoning district regulations to the Franjo Road Triangle and U.S.1 Island area implements the findings of the Report and the goals and objectives of the Comprehensive Plan; and

**WHEREAS**, the Village and Miami-Dade County obtained a grant to perform a design review and development of a performance based zoning code for the FT&I; and

**WHEREAS**, the Village Planning and Zoning staff, with the assistance of Miami-Dade County, developed the design and use standards for the district, which design is consistent with and enhances the vision of the Village as established in the future land use designation of the Village's adopted Comprehensive Code; and

**WHEREAS**, the Mayor and Village Council seek to adopt the recommended zoning district; amend the zoning map to reflect the creation of the FT&I district; effectively rezone of the area within the FT&I; and create designated uses and design criteria for the district to be known as the Franjo Triangle & U.S. 1 Island District (FT&I); and

**WHEREAS**, on February 6<sup>th</sup>, 2006, the Mayor and Village Council held its first public hearing on the FT&I Ordinance and received public comments on the draft ordinance; and

**WHEREAS**, on April 3<sup>rd</sup>, 2006, the Mayor and Village Council held its second public hearing on the FT&I Ordinance and received public comments on the draft ordinance;

**NOW, THEREFORE, BE IT ENACTED BY THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AS FOLLOWS:**

Section 1. Chapter \_\_\_\_ of the Village of Palmetto Bay's Code of ordinances is hereby created and entitled "Franjo Triangle & U.S. 1 Island Zoning District" and reads as follows:<sup>1</sup>

Chapter \_\_\_\_

### **FRANJO TRIANGLE & U.S. 1 ISLAND DISTRICT**

\_\_\_.1 *Purpose, Intent and Applicability.*

- A. The regulations contained in this chapter and Chapter 18A of the Miami-Dade County Code, as adopted by the Village of Palmetto Bay via ordinance 04-16, which Chapter shall be known as the "Landscape Code," shall apply to this chapter, except as otherwise added to or modified herein.

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<sup>1</sup> Words stricken through and/or [[double bracketed]] shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.

B. The Illustrative Master Plan found at Figure 1, illustrates the citizens' vision and may be used to interpret this chapter. Where the Illustrative Master Plan conflicts with the text of this chapter, the text shall govern.

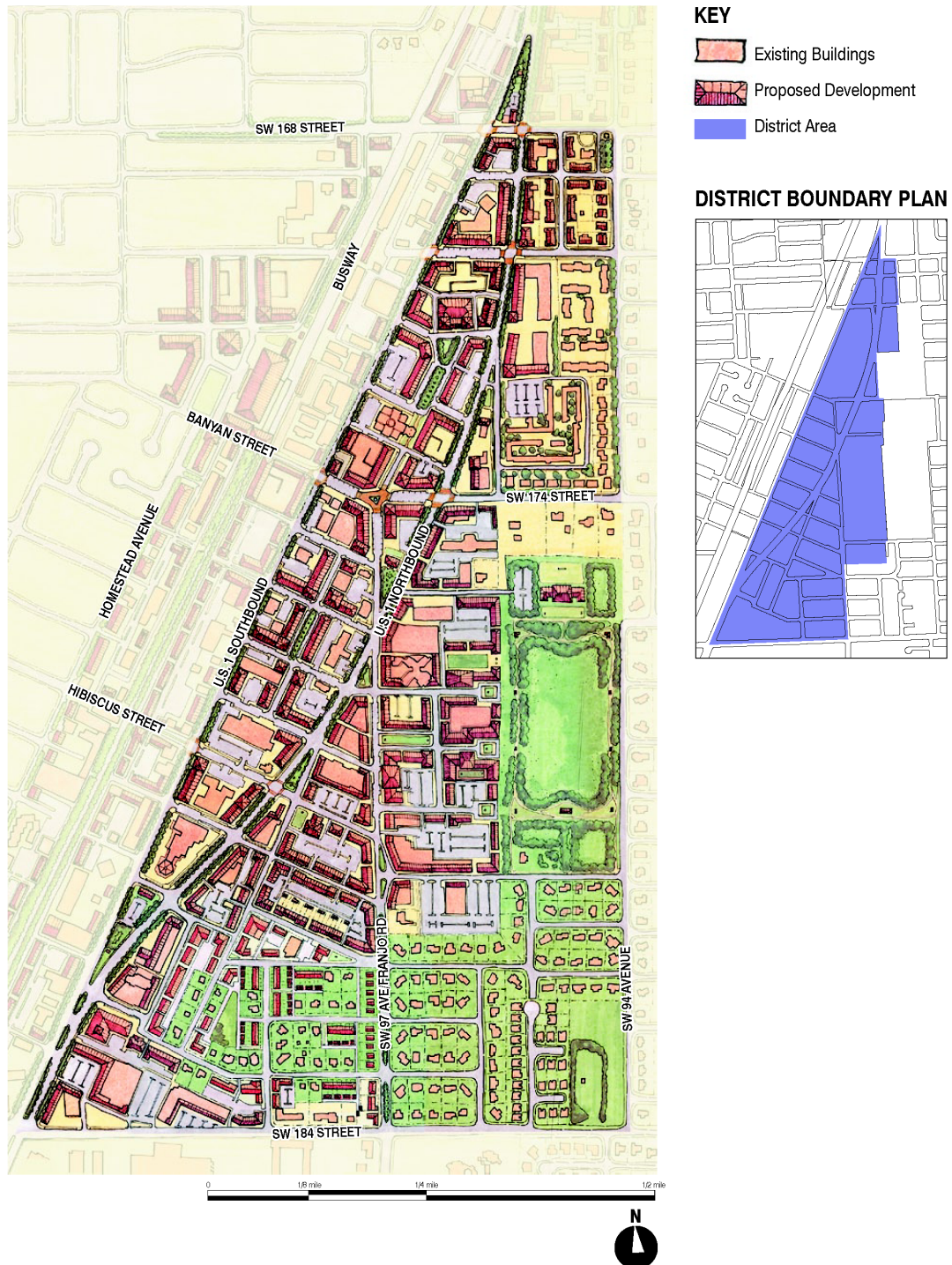
C. The boundaries shown in Figure 1 shall constitute the Franjo Triangle & U.S. 1 Island Boundary Plan and are generally described as follows:

The Franjo Triangle & U.S. 1 Island District (FT&I) encompasses both the Franjo Road Triangle and U.S.1 Island generally bounded by S.W. 94th Avenue on the east, S.W. 168th Street and the northern portion of the U.S.1 Island to the point of northbound and southbound lanes division on the north, U.S.1 southbound on the west (including the island area) and S.W. 184th Street on the south.

D. Full scale maps of the Illustrative Master Plan presented in Figure 1, as well as all the Regulating Plans and Street Development Parameters figures in this chapter, are on file with the Palmetto Bay Department of Community Development.

E. No provision in this chapter shall be applicable to any property lying outside the boundaries of the Franjo Triangle & U.S. 1 Island District ("FT&I") as described herein.

**Figure 1: Illustrative Master Plan**



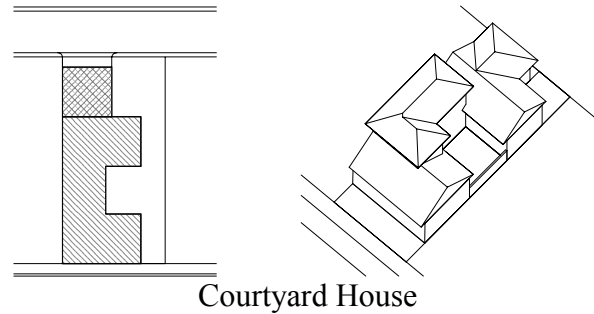


## 2. Definitions.

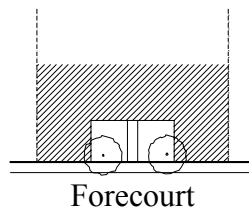
Terms used throughout this chapter shall take their commonly accepted meaning unless otherwise defined in Chapters 18-A, 28 or 33 of the Code of Miami-Dade County as adopted by the Village of Palmetto Bay pursuant to Ordinance 04-16. Terms requiring interpretation specific to this chapter are as follows:

1. Anchor point: the location depicted on the Open Space Plan on which a plaza, green or square must be situated.
2. Balcony: a projecting or recessed platform on a building, sometimes supported from below, sometimes cantilevered, enclosed with a railing or balustrade.
3. Bike lane: a corridor dedicated specifically for bicycle use.
4. Block: a combination of contiguous building lots, the perimeter of which abuts public rights-of-way or an open space.
5. Block face: the right-of-way line or easement line that delineates a block edge.
6. Boulevard: a roadway traversing a neighborhood, flanked with sidewalks, on-street parking, street trees and buildings.
7. Building placement diagrams: diagrams that provide a schematic representation of the permissible footprints and profiles of structures by land use and Sub-district.
8. Build-to line: a line parallel to the block face, along which a building shall be built. A forecourt may be used to vary the build-to line in the Core and Center Sub-districts.
9. Busway: a limited access right of way for the exclusive use of buses.
10. Civic use: a use that is open to the public and conducted within a community building, including, without limitation: libraries, schools, police stations, fire stations, court houses, village hall, post offices, museums, and other governmental public buildings. The architect of a civic use building shall reflect the building's civic nature in its design.
11. Clear zone: an area within the curb radius, which shall be kept clear of all objects to a prescribed height to provide vehicle clearance.
12. Colonnade: a roofed structure, extending over a private walkway, open to the street and sidewalk except for supporting columns or piers.
13. Cornice line: a molded and projecting horizontal member that crowns an architectural composition.

14. Courtyard house: a single-family dwelling distinguished by the provision of a court or atrium. The court shall be enclosed on at least three sides by habitable space and shall provide penetrable openings such as windows and doors between the interior of the dwelling and the court. A Courtyard house may occupy the full width of the lot.

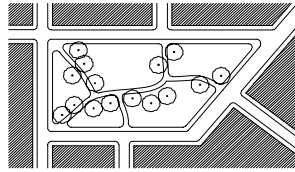


15. Department: The Village of Palmetto Bay Department of Community Development.
16. Designated open space: an outdoor, at-grade space including greens, squares, plazas, and colonnades as indicated on the Designated Open Space Plan.
17. Director: The Director of the Department of Community Development or his/her designee.
18. Fenestration: design and position of windows, entrances and other structural openings in a building.
19. Floorplate: the shape and size of any given floor of a building. The floorplate that touches the ground is called the footprint, after the shape it leaves on the land.
20. Forecourt: the space between the principal building and the right-of-way where the building façade is set back and replaced by a low wall at the build-to line. The forecourt is suitable for gardens and outdoor seating and is required to be fronted by buildings on three sides.



21. Front property line: the property line abutting the higher ranking street right-of-way. For equal ranking street rights-of-way, either frontage may be designated as the front property line.

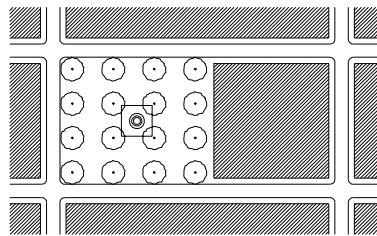
22. Green: an outdoor open space, mostly surrounded by residential uses, which shall not be hard surfaced for more than 20 percent of the area exclusive of dedicated rights-of-way. Greens shall be located according to the Designated Open Space Plan, and its landscaping shall consist primarily of lawn, trees and garden structures.



Green

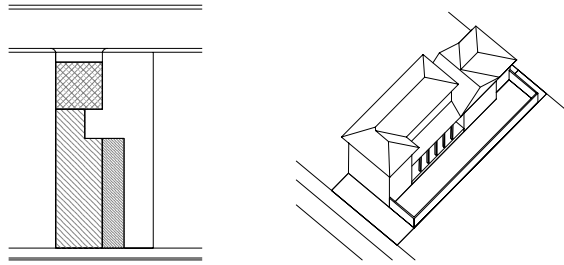
23. Greenway or linear park: an outdoor open space along a natural edge, including, without limitation: a river front, a canal, a scenic road, or other route. Greenways provide passage for pedestrians or bicycles and are used to link nature reserves, cultural features, other parks, and open spaces and/or historic sites.
24. Habitable space: building space the use of which involves regular human presence. Habitable space shall not include areas devoted to the parking of vehicles in parking garage structures, self-service storage facilities or warehouses.
25. Home office: a professional office use within a residential use, as provided in section 33-25.1 of the Miami-Dade County Code as adopted by the Village of Palmetto Bay via ordinance 04-16.
26. Institutional use: a use that is conducted within a building for the medical treatment or care of persons suffering from illness or infirmity; for the care of infants, convalescents, or aged persons; or for penal or corrective purposes.
27. Live-Work unit: a mixed-use building type with one single-family residential dwelling located in conjunction with one work space.
28. Main street: a vehicular and pedestrian thoroughfare lined primarily with mixed-use buildings, as depicted on the Street Types Regulating Plan.
29. Minor street: a street that is predominantly residential in character as depicted on the Street Types Regulating Plan.
30. Mixed-use building: a building that includes a combination of two or more vertically or horizontally integrated uses.
31. Off-street parking: garage parking or surface parking not on a public or private street.
32. On-street parking: parking on a public or private street.
33. Outdoor produce market: an outdoor commercial establishment where produce and hand crafted items are offered for sale.

34. Pedestal: the bottom portion of a building that creates the street frontage.
35. Pedestrian passages: interconnected paved walkways that provide pedestrian passage through blocks and that connect directly with the network of sidewalks and open spaces.
36. Penthouse: topmost built area of a building with a floorplate area less than that of the tower below.
37. Plaza: an outdoor open space fronted by retail and office uses. A minimum of 50 percent and a maximum of 75 percent of the plaza's area, exclusive of dedicated rights-of-way, shall be hard surfaced. Plazas shall be located according to the Designated Open Space Plan; and, its landscaping shall consist primarily of hard-surfaced areas, permanent architecture or water-oriented features and trees that are placed in an orderly fashion and that are regularly spaced as shown below.



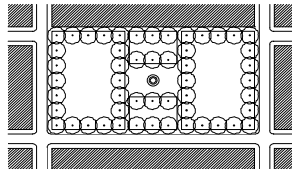
Plaza

38. Residential Building Type: one of the following residential building types permitted in the FT&I District: single-family detached, duplex, rowhouses/townhouses, courtyard house, side yard house, and apartment.
39. Rowhouses/Townhouses: a single-family attached dwelling unit of a group of 3 or more units, each separated from the adjoining unit by a common party fire wall. Each common party fire wall shall extend to the roof line or above the roof of units that it serves and shall have no openings therein. Each rowhouse/townhouse unit shall be serviced with separate utilities and shall otherwise be independent of any other unit.
40. Service road: a private or public vehicular passageway providing primary, secondary or service access to the sides or rear of building lots.
41. Sideyard house: a single-family dwelling that provides an extensive porch oriented toward a side yard; the side yard is screened from the view of the street by a 6-foot masonry wall along the build-to line.



Sideyard house

42. Square: an outdoor open space that shall be flanked by streets on at least 3 sides and shall not be hard-surfaced for more than 50 percent of the area exclusive of dedicated rights-of-way. Squares shall be located according to the Designated Open Space Plan, and their landscaping shall consist primarily of hard-surfaced walks, lawns and trees that are placed in an orderly fashion and that are regularly spaced as shown below.



Square

43. Storefront: the portion of a building at the first story of a mixed-use building consisting of habitable space to be used for business, office or institutional purposes.
44. Story: an enclosed floor level within a building containing habitable space.
45. Street network: a system of intersecting and interconnecting streets and service roads.
46. Street Type Development Parameters: the design criteria that establish the required elements for the placement and size of the following: sidewalks, curbs and gutters, parking, medians, bike lanes, traffic lanes, street trees, and landscape strips in the public right-of-way.
47. Street vista: a view through or along a street centerline terminating with the view of a significant visual composition of an architectural structure or element. Street Vistas are indicated on the Open Space Regulating Plan by arrows; direction of the vista is indicated by the direction of the arrow. Garages and blank walls are not significant visual compositions.
48. Tower: the middle portion of a building above the pedestal and below the penthouse.

49. Weather protection elements: architectural elements that provide protection from the sun and the rain, including, without limitation: colonnades, awnings, bus shelters, or projecting roofs.

\_\_\_3. *Uses.*

No land, body of water or structure shall be used or permitted to be used, and no structure shall be hereafter erected, constructed, reconstructed, moved, structurally altered, or maintained for any purpose in the FT&I District, except as provided in this chapter. The uses delineated herein shall be permitted only in compliance with the Regulating Plans and General Requirements provided in this chapter.

A. Permitted Uses.

1. Residential uses. Residential uses are permitted in the areas designated in the Land Use Regulating Plan as Live-Work Neighborhood (LW), Mixed-Use Neighborhood (MN), Mixed-Use Corridor (MC), Mixed-Use Main Street (MM), and Business and Office (BO), as provided in the table below. In addition, density averaging shall be permitted when a unified development is located on multiple parcels, with different land uses or Sub-district designations, under the same ownership.



Land Use Areas					Permitted Residential Uses
LW	MN	MC	MM	BO	
X					detached single family dwelling
X	X				courtyard and sideyard dwellings
X	X				Rowhouses/townhouses
X	X	X	X	X	family day care (upon compliance with the applicable requirements of the RU-1 zoning district regulations)
X	X	X	X	X	group home (upon compliance with the applicable requirements of the RU-1 zoning district regulations)
X	X		X		municipal recreation building, playground or park owned and operated by a municipality, county, state, or the federal government
X	X	X	X	X	civic uses: only on sites no greater than three (3) acres and only in accordance with the Building Placement and Design Development Parameters
		X	X	X	multiple family dwelling units are permitted when integrated vertically or horizontally with other lawful uses
	X				multiple family dwelling units are permitted with optional first floor other lawful uses
X	X				multiple family dwelling units are permitted as a sole use
(X) permitted in the Land Use Area					

2. Ancillary uses. The following uses shall be permitted as ancillary uses to a lawful residential unit in the areas designated:
  - a. Live-Work Neighborhood (LW) and Mixed-Use Neighborhood (MN):
    - (i) the following accessory buildings and non-residential uses, when located in the rear yard: workshop, garage, utility shed, gazebo, cabana, garden features, basketball hoop, pool and the like, and carport;
    - (ii) for an attached or detached single family unit, a single accessory dwelling unit with a maximum of 600 square feet of habitable space under the same ownership as the single family unit;

- (iii) home office, as provided in section 33-25.1 of the Miami-Dade County Code as adopted by the Village of Palmetto Bay via ordinance 04-16.

b. Live-Work Neighborhood (LW):

workshop uses that occupy the work portion of a Live-Work unit. The workshop uses are limited to small scale businesses. The workshop use shall specifically preclude the use of large machinery or uses that create noxious odors or ambient noise levels in excess of the allowable levels for that area as provided for in the Village's noise ordinance. All required parking shall be met on site.

c. Mixed-Use Neighborhood (MN): Within the MN District, in addition to the required residential component, optional first floor uses may include:

- (i) retail uses;
- (ii) professional offices;
- (iii) medical, dental, and optical offices;
- (iv) veterinarian offices;
- (v) service convenience uses; and
- (vi) civic uses.

3. Mixed uses. The vertical or horizontal integration of two or more of residential, business and office, civic and institutional uses shall be required as provided herein. Vertical integration allows any combination of primary uses, with business uses typically located on the ground floor and office and/or residential uses on the upper floors. Horizontal integration allows any combination of parcels with different primary uses within the same block under the same ownership.

Parcels of a half-acre or less in size shall be exempt from the mixed use requirement. These parcels shall comply with all other General Requirements and Regulating Plans of this chapter for the Business and Office (BO), Mixed-Use Main Street (MM) and Mixed-Use Corridor (MC) designated areas.

The following uses shall be permitted in accordance with the Land Use Regulating Plan, in the areas designated as Business and Office (BO), Mixed-Use Main Street (MM) and Mixed-Use Corridor (MC):

- a. multiple family dwelling units;
- b. professional offices;
- c. medical, dental and optical offices;
- d. veterinarian offices;

- e. schools, in accordance with applicable provisions of this code;
- f. government offices;
- g. hotels and apartment hotels;
- h. museums;
- i. automobile parking garages;
- j. municipal recreation buildings;
- k. police and fire stations and substations;
- l. post offices;
- m. transit stations;
- n. new and used automobile and motorcycle sales subject to the following requirements:
  - i. used sales shall only be permitted in conjunction with new sales; and
  - ii. ancillary service and repair shall only be permitted in conjunction with new sales.
- o. dry-cleaning establishments where cleaning is not done onsite, offering drop-off and pick-up service only, but allowing other related services, including without limitation, tailoring and shoe repair, provided such establishments contain no more than 4,000 square feet of floor area; and
- p. the following business uses, provided, however, such establishments contain no more than 20,000 square feet of gross floor area and provide no outside storage and/or display of merchandise, equipment, materials or supplies:
  - (1) antique shops;
  - (2) apparel store new and used merchandise;
  - (3) appliance and electrical fixture stores;
  - (4) art goods stores, artist studios and galleries;
  - (5) auditoriums;
  - (6) bait and tackle shops;
  - (7) banquet and convention halls;
  - (8) banks;
  - (9) beauty parlors;
  - (10) bakeries;
  - (11) barber shops;
  - (12) bicycle sales, rentals, and repairs (non-motorized);
  - (13) billiard rooms;
  - (14) book stores;
  - (15) card shops;
  - (16) civic uses;
  - (17) confectionaries, ice cream stores and dairy stores;
  - (18) department stores;
  - (19) drugstores;
  - (20) florist shops and garden shops;
  - (21) funeral parlors,
  - (22) furniture stores;
  - (23) grocery stores, fruit stores, health food stores, delicatessen, meat and fish markets, and other similar food stores;

- (24) religious facilities;
- (25) handcrafted product shops and hobby shops, including related workshops;
- (26) hardware stores;
- (27) health and exercise clubs;
- (28) home improvement stores;
- (29) information booths;
- (30) institutional uses;
- (31) interior design shops;
- (32) jewelry stores;
- (33) leather goods and luggage shops;
- (34) locksmith;
- (35) music and dance studios;
- (36) newsstands;
- (37) office and stationery supplies;
- (38) optical stores;
- (39) paint and wallpaper stores;
- (40) photography studios, photo supply shops and photo galleries;
- (41) physical training schools with indoor training, including, without limitation: gymnastics, martial arts and dance academies;
- (42) pottery shops;
- (43) printing shops;
- (44) pubs and bars, provided that these establishments comply with the distance requirements and other applicable provisions of this code;
- (45) libraries;
- (46) restaurants and coffee houses;
- (47) shoe stores and shoe repair shops;
- (48) souvenir shops and gift shops;
- (49) sporting goods stores;
- (50) tailor shops;
- (51) tobacco shops; and
- (52) other similar uses.

A. Conditionally Permitted Uses. The following conditional uses shall be permitted subject to the administrative approval of a site plan, pursuant to section \_\_.9 of this chapter, to assure compliance with the requirements established herein:

- 1. Liquor package stores shall be permitted only in the Core Sub-district and only in compliance with all applicable regulations of this code and provided that such stores shall not operate on Sundays.
- 2. Stand alone automobile service, repair and gasoline stations shall:
  - a. be permitted only in the Business and Office (BO) areas in the Center Sub-District;
  - b. be exempt from the minimum height requirement;

- c. conduct all services and repair functions within an enclosed structure, except those services routinely performed at the pump island;
  - d. prohibit outside storage and/or display of merchandise, equipment, materials and/or supplies; and
  - e. provide a continuous street façade consisting of buildings or walls along all rights-of-way except driveways. When provided, walls shall not exceed three and one-half feet (3.5) feet in height and shall be a minimum of 75 percent opaque. The main building shall provide a minimum of 40 percent of building frontage along the front property line.
- 3. Drive-through facilities shall:
  - a. be permitted only in the Core Sub-District;
  - b. provide a continuous street façade consisting of buildings or walls along all rights-of-way except driveways. When provided, walls shall not exceed three and one-half (3.5) feet in height and shall be a minimum of 75 percent opaque. The main building shall provide a minimum of 40 percent of building frontage along the front property line; and
  - c. be permitted upon determination under \_\_9(B) that the drive-through shall create minimal traffic congestion or disruption to adjacent streets.
- 4. Uses operating in excess of the allowable noise levels for that area as provided for in the Village's noise ordinance shall be prohibited.
- 5. Sidewalk cafes and outdoor table service may be provided in compliance with the Village's sidewalk cafe ordinance.

#### .4. *Regulating Plans*

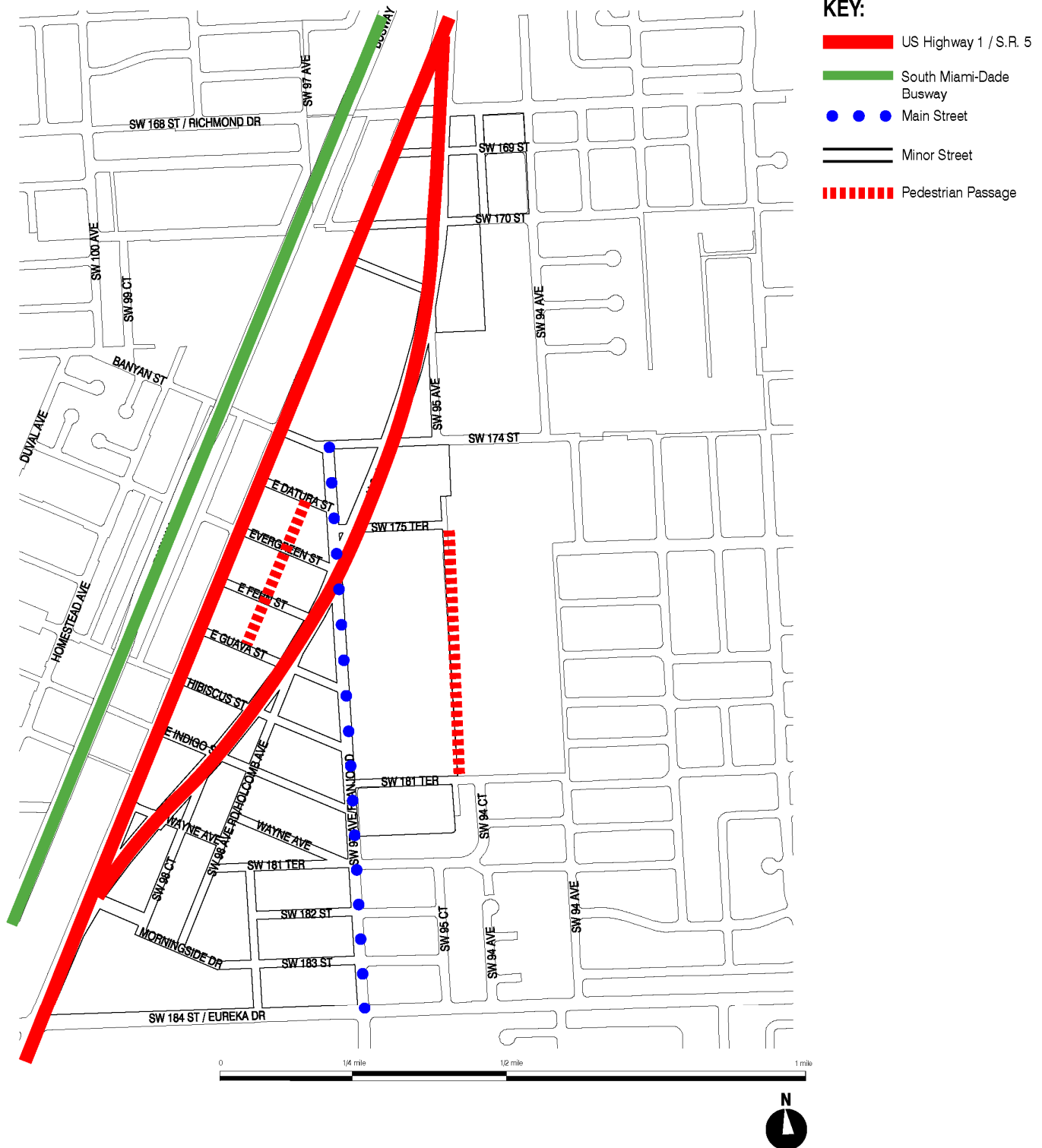
The Regulating Plans shall consist of the following controlling plans, as defined and graphically depicted in this section.

- A. The Street Types Plan establishes a hierarchy of street types in existing and future locations. The five Street Types and the hierarchy of streets (from most important to least important in accommodating all types of activity) are U.S. 1, Main Street, Boulevard, Minor Street, and Service Road.
- B. The Sub-districts Plan delineates two (2) Sub-districts: Core and Center. These Sub-districts shall regulate the allowable intensity of development in accordance with the Comprehensive Plan and this chapter.
- C. The Land Use Plan delineates the areas where specified land uses and development of various types and intensities shall be permitted.
- D. The Building Heights Plan establishes the minimum and maximum allowable number of stories and the overall height.
- E. The Designated Open Space Plan designates open spaces. The designated open spaces shall be controlled by anchor points.
- F. The New Streets Plan shows the location and the number of new streets needed to create the prescribed network of streets within the FT&I District. All new A

- streets shall be required in the same general location as shown on the New Streets Plan. All B streets shall be located as provided in Section \_\_.6(F) of this chapter.
- G. The Bike Route Plan depicts the designated bike routes, including the bike facility requirements if any, which shall be shown in all development plans.



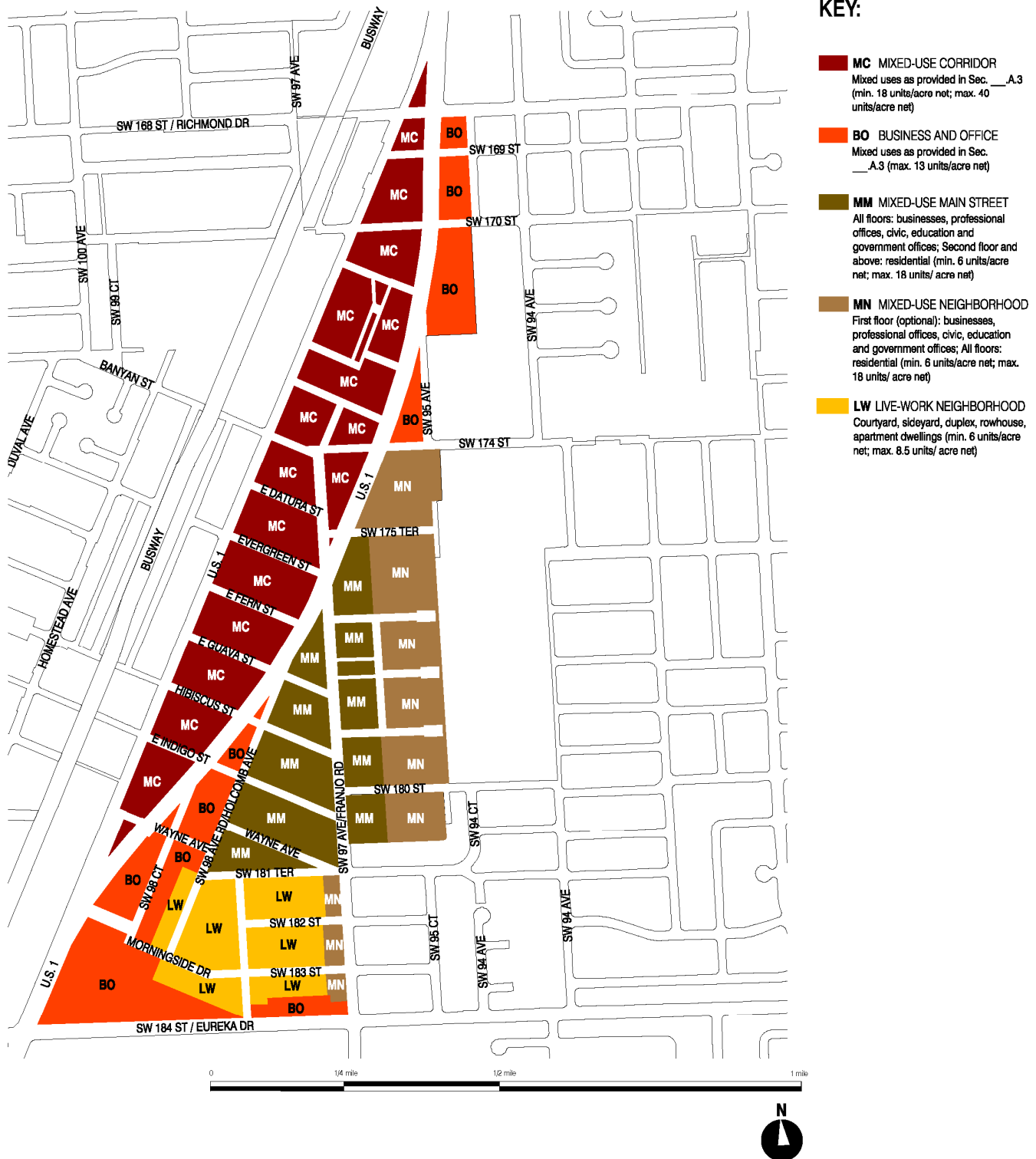
## A. Street Types Plan



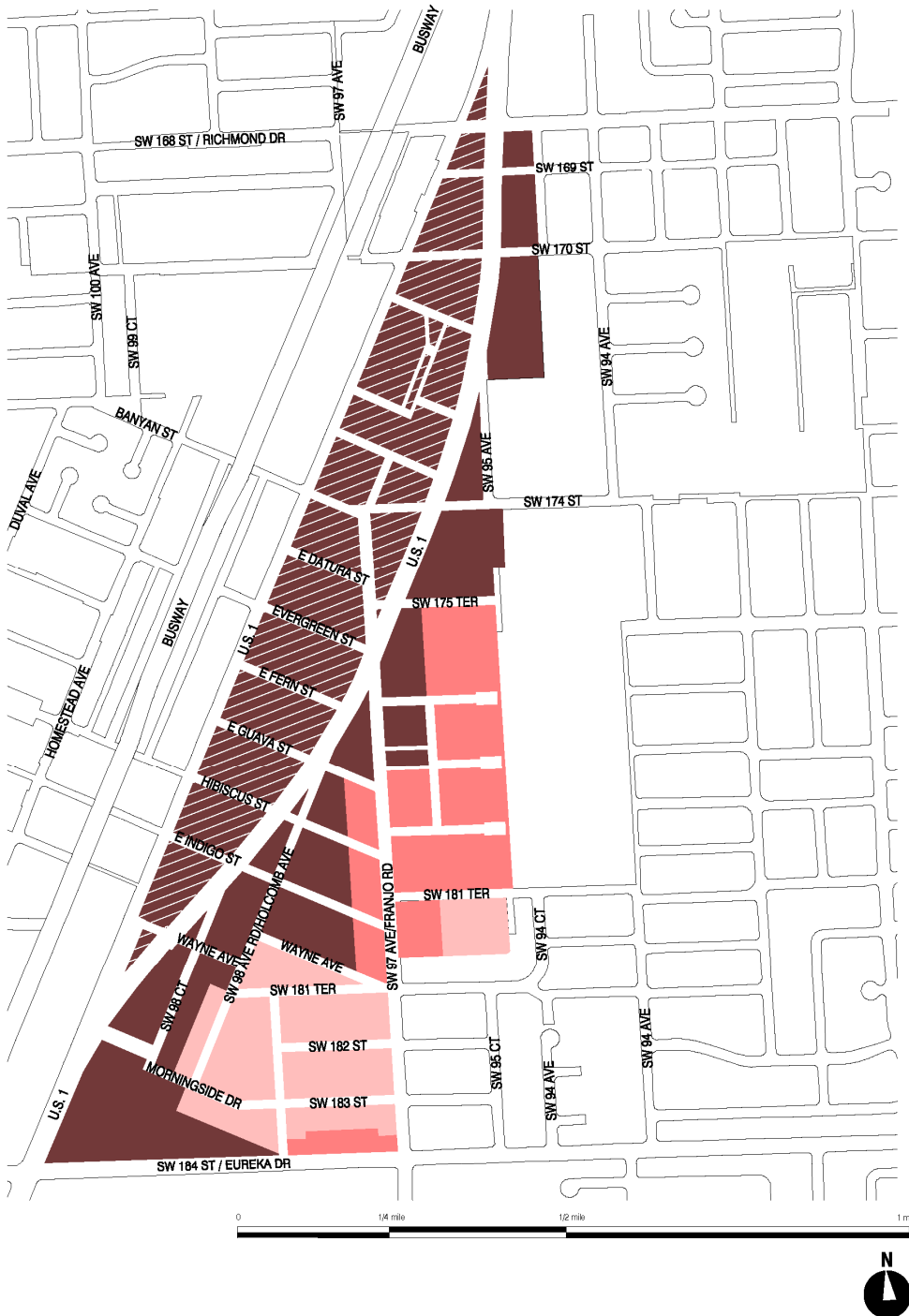
## B. Sub-Districts Plan



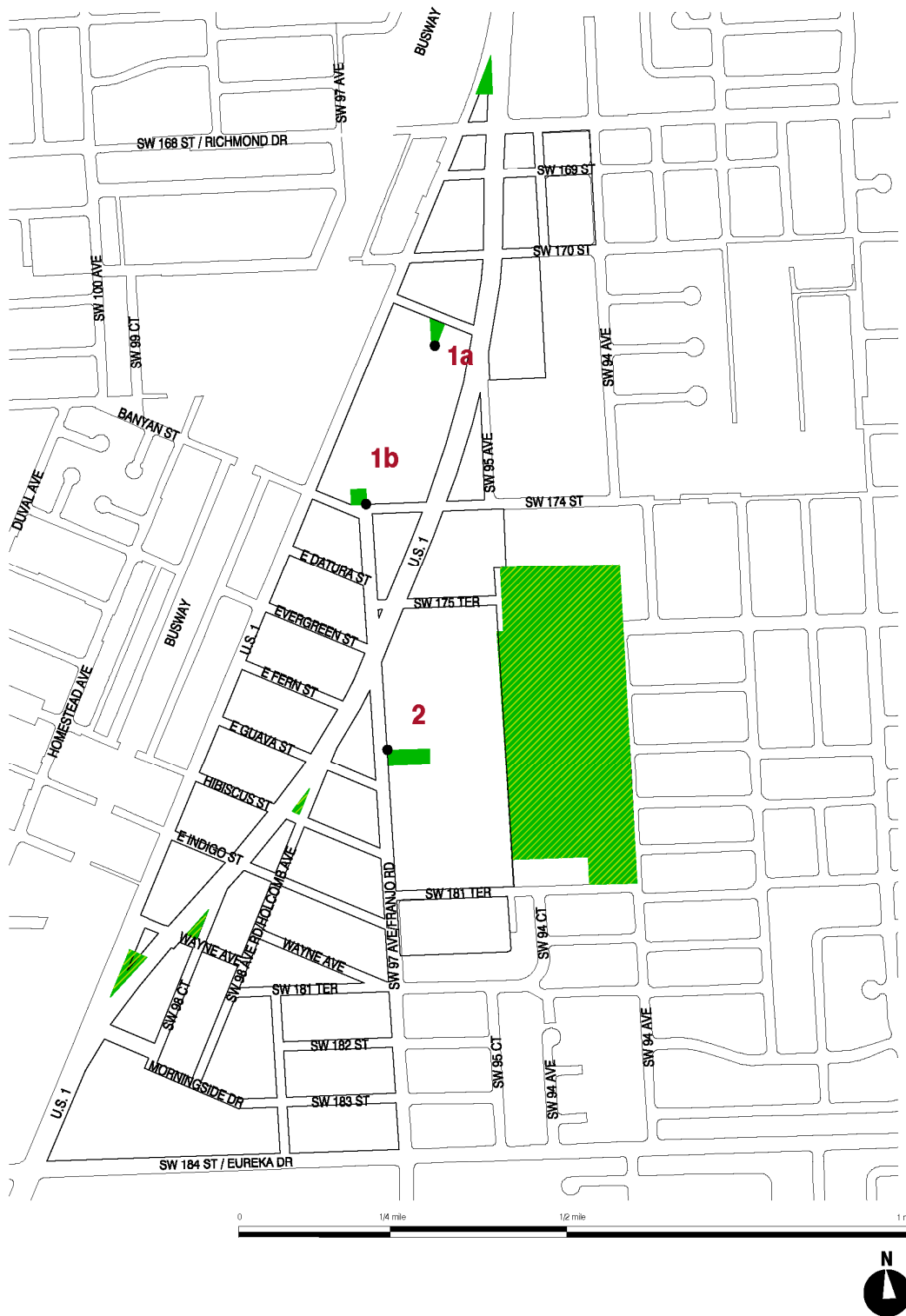
### C. Land Use Plan



## D. Building Heights Plan



## E. Designated Open Space Plan



### KEY:

- PROPOSED BLOCKS
- DESIGNATED OPEN SPACE
- ▨ EXISTING OPEN SPACE
- ← STREET VISTA
- ANCHOR POINT

Open space, where an anchor point is shown, shall provide the general square footage shown in this Designated Open Space Plan.

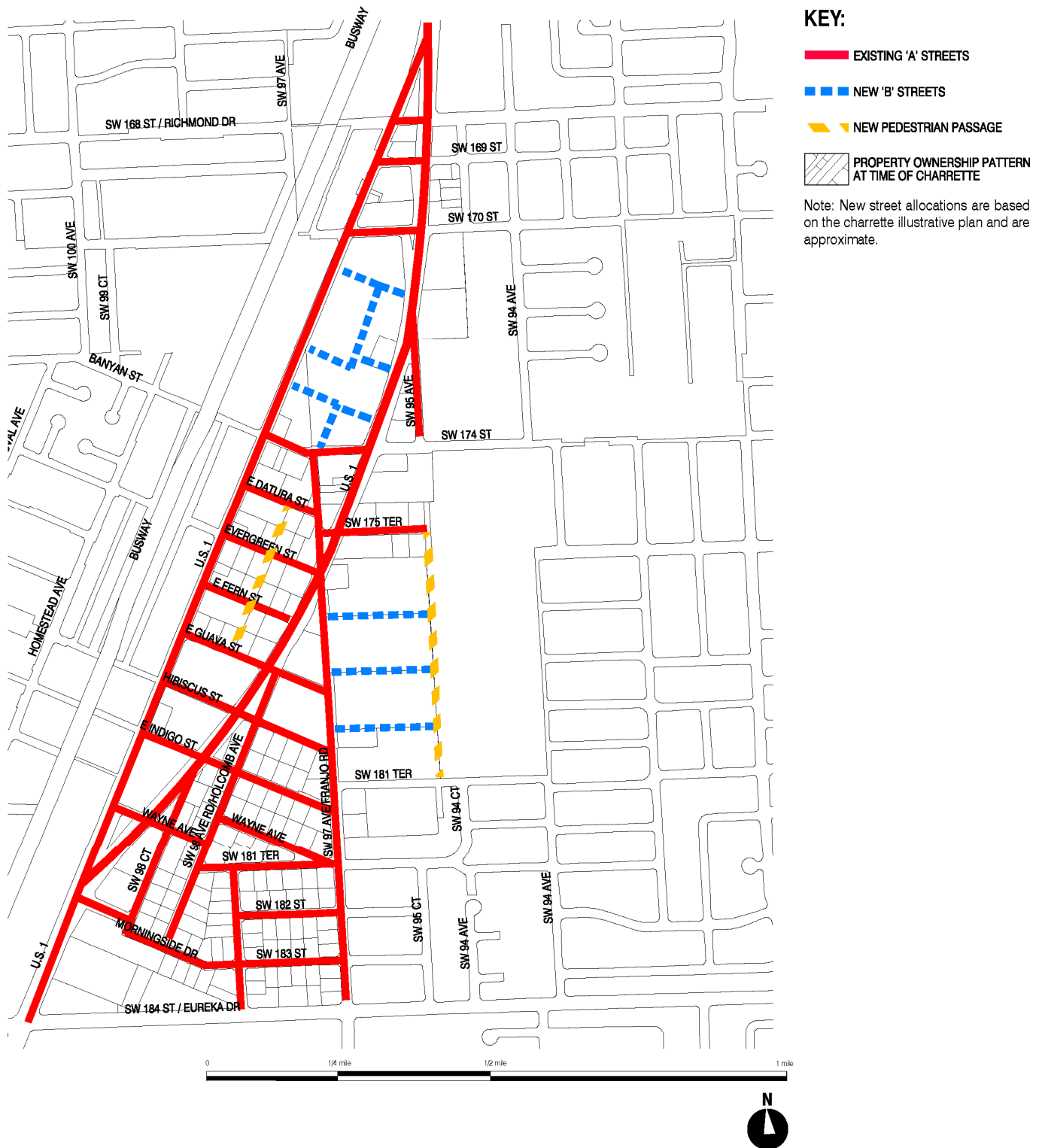
Open space, where an anchor point is not shown, shall be developed according to the Street Type Development Parameters.

G Green, S Square, P Plaza

### No Type Area

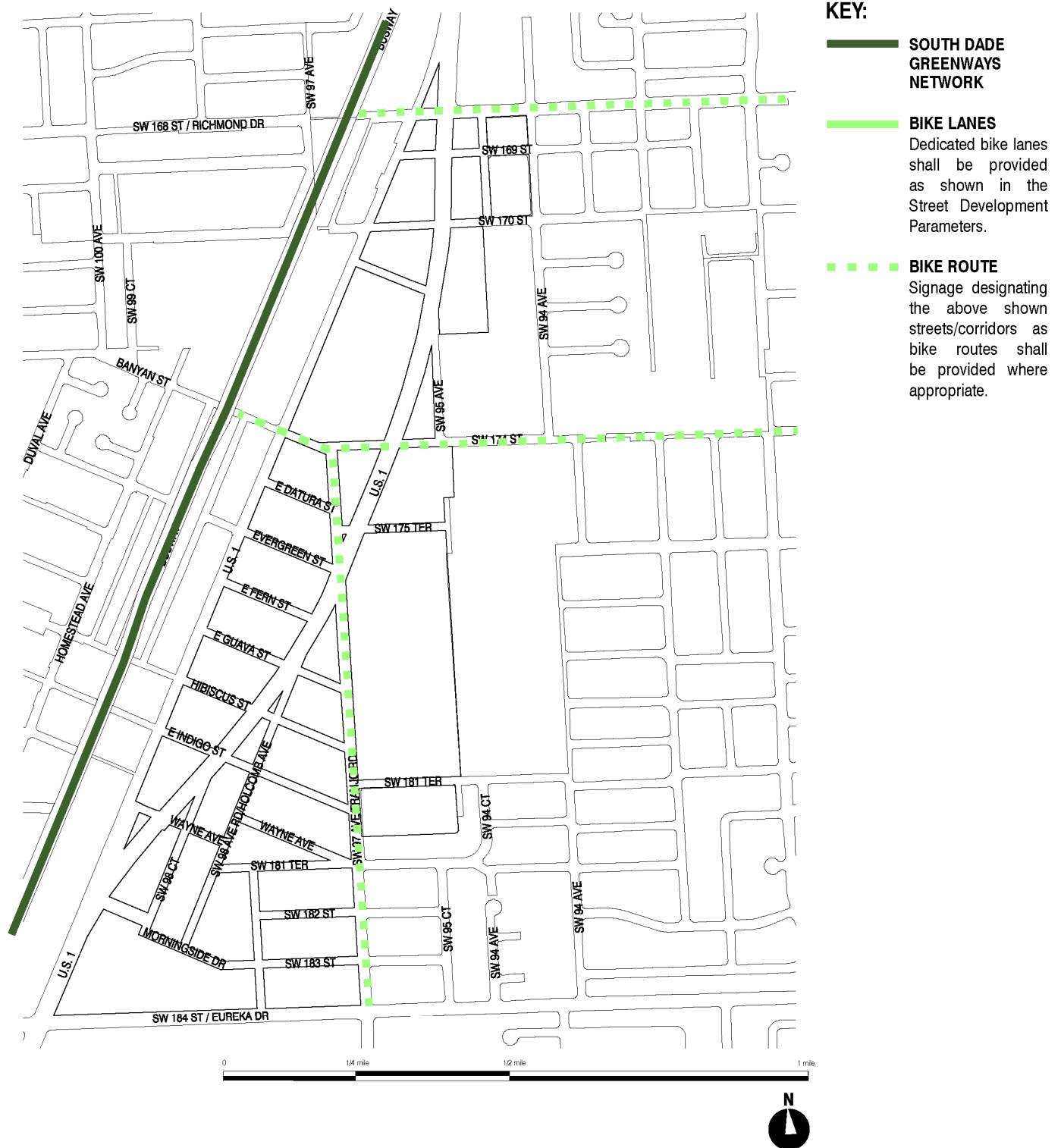
1a	S	6,500 SF
1b	S	6,500 SF
2	S	17,500 SF

## F. New Street Dedications Plan





## G. Bike Route Plan



.5 *Building Placement and Street Type Development Parameters*

- A. All new development and redevelopment within the FT&I shall comply with the Building Placement and Design Parameters as provided in this section.
- B. Unless otherwise provided by the Building Placement and Design Parameters in this section, the following front and side street setbacks shall be required within the FT&I:




Street type	Required Setback	
	Core	Center
U.S. 1	6 feet	6 feet
Main Street	6 feet	6 feet
Minor Street	10 feet	6 feet
Service Road	0 feet	0 feet
Pedestrian Passage	0 feet	0 feet

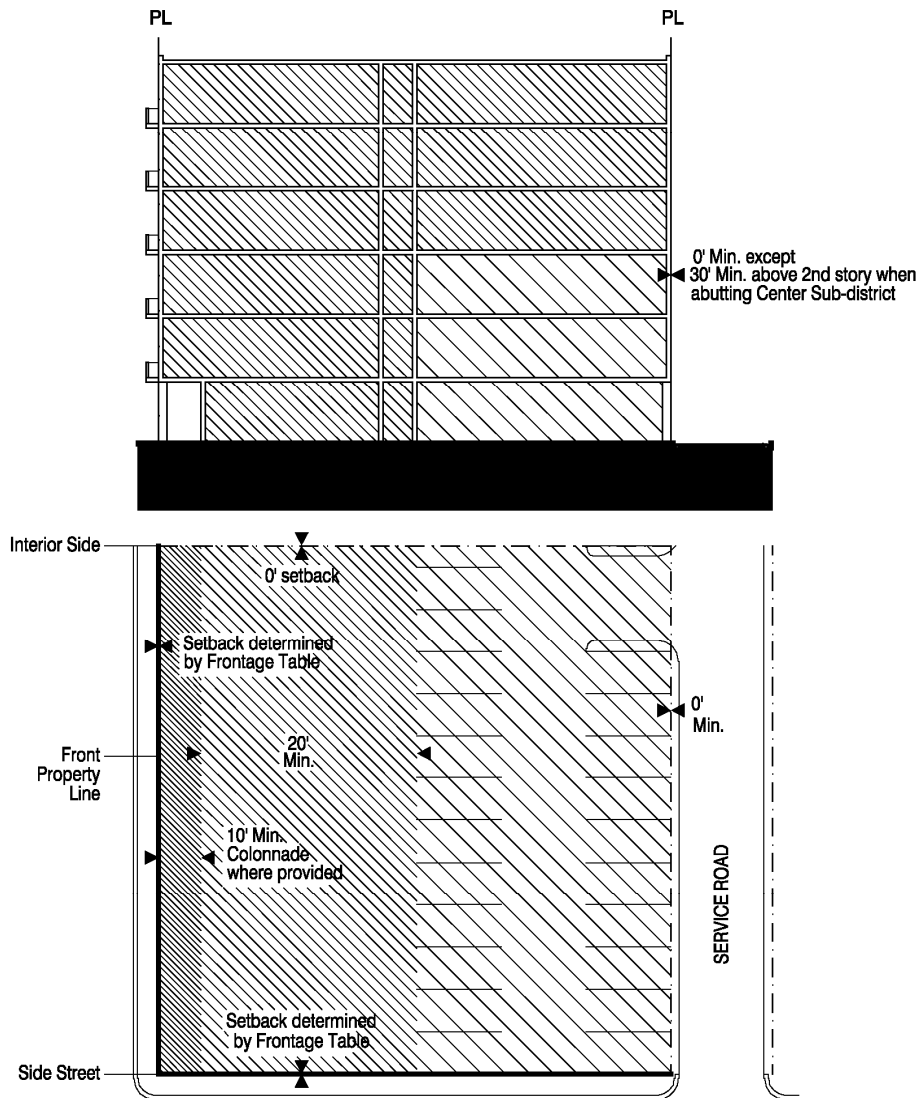
- C. Parcels of one-half acre in size or less, shall, on a case by case basis, be exempted from specific provisions of subsection (A) above due to impracticability of application, upon written finding of impracticability by the Director of Community Development.

## MIXED-USE (MM, MC, BO, MN)

### CORE/CENTER

#### BUILDING PLACEMENT

- PL: Property Line  
 Min: Minimum  
 Max: Maximum  
 Req: Required
- Build to Line  
 - - - Property Line  
 Colonnade  
 Habitable Space  
 Parking and/or allowable building area



#### LAND USES

Applies to areas designated MM, MC, BO, and MN. For permitted uses refer to Sec. \_\_\_\_\_.3.

#### BUILDING FRONTAGE

100 Percent Minimum at build-to line in the Core Sub-district; 80 percent minimum at build-to line in the Center Sub-district. Minimum frontage requirement applies along the front property line only.

#### PARKING

All on-site parking shall be accessed from the service road or adjacent minor street. Up to 60% of required parking may be provided off site within a 500' radius.

#### SETBACK

The interior side/rear setbacks shall be as shown above. Front and side street setbacks as provided in Frontage Table; see Sec. \_\_\_\_\_.5.

#### OTHER ELEMENTS

The front setback, where required, shall be hard surfaced and finished to match the adjoining sidewalk. A minimum of 5' clear width within the setback shall be kept unobstructed for pedestrians. Weather protection elements shall be provided on the building facade.

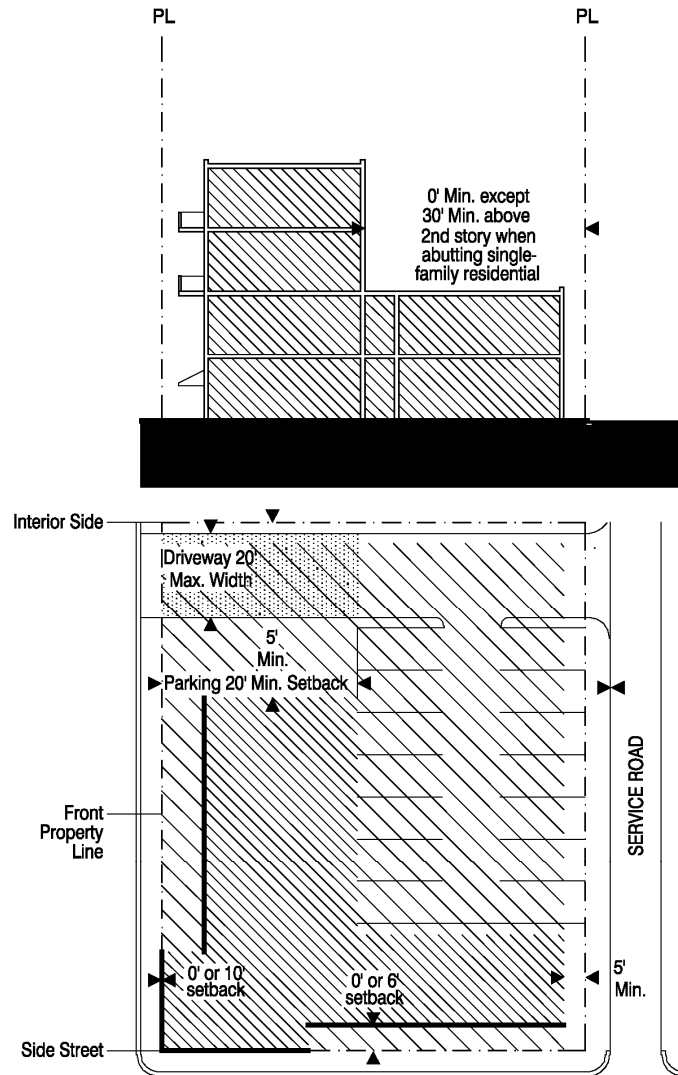
Colonnades where provided shall be a minimum of 10' deep. The colonnade depth shall not exceed the colonnade height. The exterior of the colonnade shall be no closer than 5' to the curb line.

Perimeter walls, fences, hedges, entrances and pedestrian pass throughs shall be provided as specified in the General Requirements.

**MIXED-USE** (MC, BO, MM, MN)  
**CORE/CENTER** (CIVIC USES)

**BUILDING PLACEMENT**

- PL: Property Line  
 Min: Minimum  
 Max: Maximum  
 Req: Required
- Build to Line  
 - - - Property Line  
 ▨ Habitable Space  
 ▩ Driveway  
 ▧ Parking and/or allowable building area



**LAND USES**

Applies to areas designated MC, BO, MM, or MN developed with Civic Uses. For permitted uses refer to Sec. Sec. \_\_\_\_\_.3.

**BUILDING FRONTAGE**

25 Percent Minimum at build-to line. Minimum frontage requirement applies along the front property line only.

**PARKING**

All on-site parking shall be accessed from the service road where provided. For properties without an adjoining service road, parking may be accessed from the front property line through a driveway as shown above.

**SETBACK**



The front setback shall be 0' or 10' in order to implement urban design principles. The side and rear setback shall be as shown above.

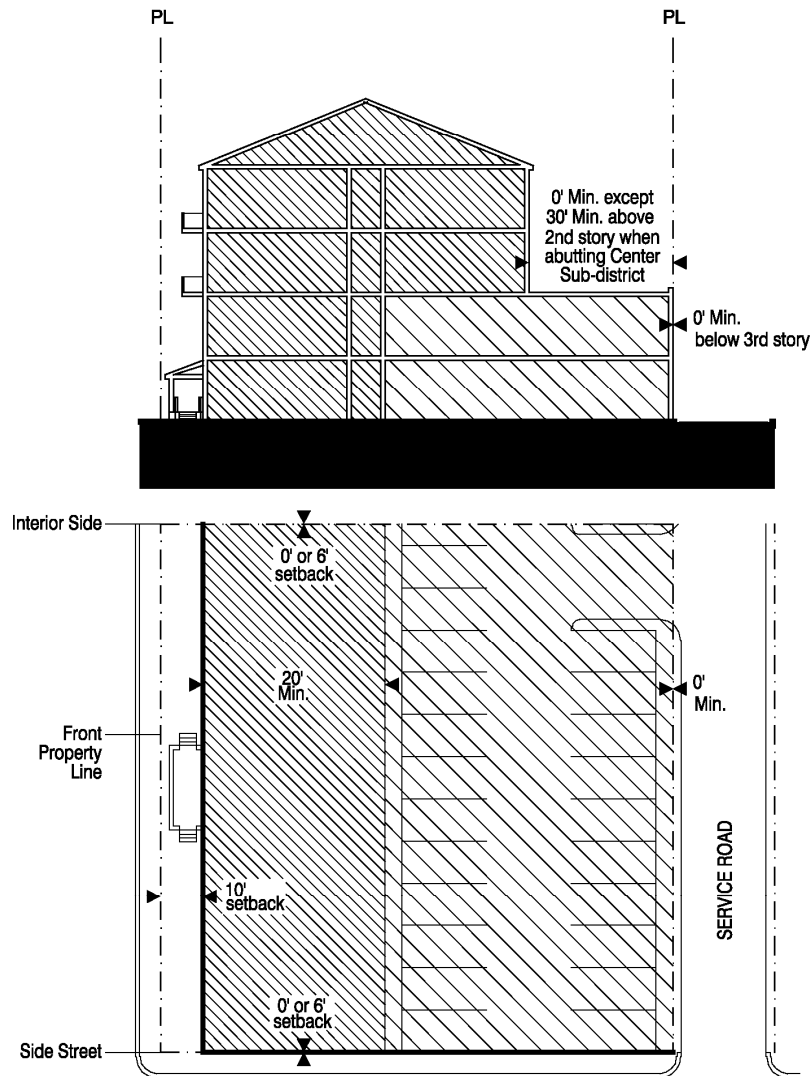
**OTHER ELEMENTS**

The front setback shall be landscaped. Perimeter walls, fences, hedges, entrances and pedestrian pass throughs shall be provided as specified in the General Requirements.

# **MIXED-USE NEIGHBORHOOD (MN)** **CORE/CENTER (APARTMENTS)**

## **BUILDING PLACEMENT**

- PL: Property Line  
 Min: Minimum  
 Max: Maximum  
 Req: Required
- Build to Line  
 - - - - - Property Line  
 Habitable Space  
 Parking and/or allowable building area



## **LAND USES**

Applies to areas designated MN developed as apartments. For permitted uses refer to Sec. \_\_\_\_3.

## **BUILDING FRONTAGE**

80 Percent Minimum at build-to line. Minimum frontage requirement applies along the front property line only.

## **PARKING**

All on-site parking shall be accessed from the service road or adjacent minor street. Up to 60% of required parking may be provided off site within a 500' radius.

## **SETBACK**



The side setback shall be 0' or 6' in order to implement urban design principles. The front and rear setback shall be as shown above.

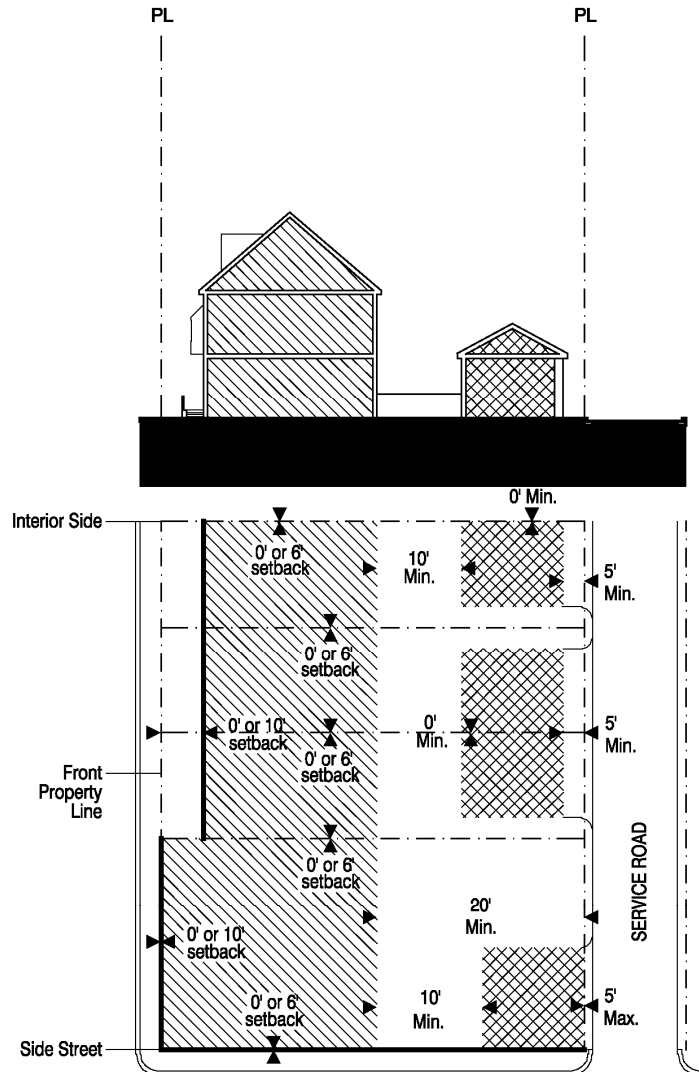
## **OTHER ELEMENTS**

The front setback shall be landscaped. Perimeter walls, fences, hedges, entrances and pedestrian pass throughs shall be provided as specified in the General Requirements.

# **MIXED-USE/LIVE-WORK NEIGHBORHOOD (MN, LW)** **CORE/CENTER (LIVE-WORK)**

## **BUILDING PLACEMENT**

- PL: Property Line  
 Min: Minimum  
 Max: Maximum  
 Req: Required
- Build to Line  
 - - - - - Property Line  
 Habitable Space  
 Parking and/or allowable building area



## **LAND USES**

Applies to areas designated MN and LW developed as live-work units. For permitted uses refer to Sec. \_\_\_\_3.

## **BUILDING FRONTAGE**

80 Percent Minimum at build-to line. Minimum frontage requirement applies along the front property line only.

## **PARKING**

All on-site parking shall be accessed from the service road or adjacent minor street. Up to 60% of required parking may be provided off site within a 500' radius.

## **SETBACK**

The side setback shall be 0' or 10' in order to implement urban design principles. The front and rear setback shall be as shown above.

## **OTHER ELEMENTS**

Perimeter walls, fences, hedges, entrances and pedestrian pass throughs shall be provided as specified in the General Requirements.








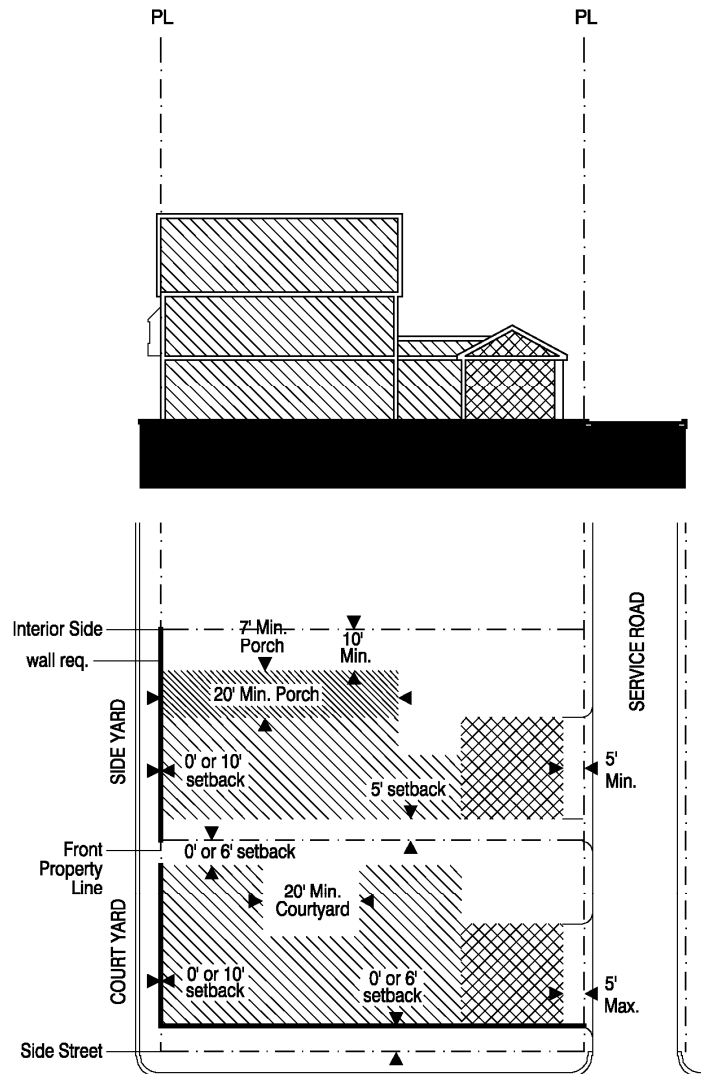
# MIXED-USE/LIVE-WORK NEIGHBORHOOD (MN, LW)

## CORE/CENTER (SIDEYARD OR COURTYARD)

### BUILDING PLACEMENT

PL: Property Line  
Min: Minimum  
Max: Maximum  
Req: Required

-  Build to Line
-  Property Line
-  Required Porch
-  Habitable Space
-  Accessory Building/Dwelling/Parking Area



### LAND USES

Applies to areas designated MN and LW developed as Courtyard or Sideyard Houses. For permitted uses refer to Sec. \_\_\_\_\_.3.

### BUILDING FRONTAGE

65 Percent Minimum at build-to line for Courtyard Houses and Sideyard Houses. Minimum frontage requirement applies along the front property line only.

### PARKING

For Sideyard and Courtyard Houses all on-site parking shall be accessed from the service road.

### SETBACK

For Courtyard Houses, the side setback shall be 0' or 6' in order to implement urban design principles. The front setback shall be 0' or 10' in order to implement urban design principles. The rear setback shall be as shown above.

### OTHER ELEMENTS

The front setback shall be landscaped. Perimeter walls, fences, hedges, entrances and pedestrian pass throughs shall be provided as specified in the General Requirements.

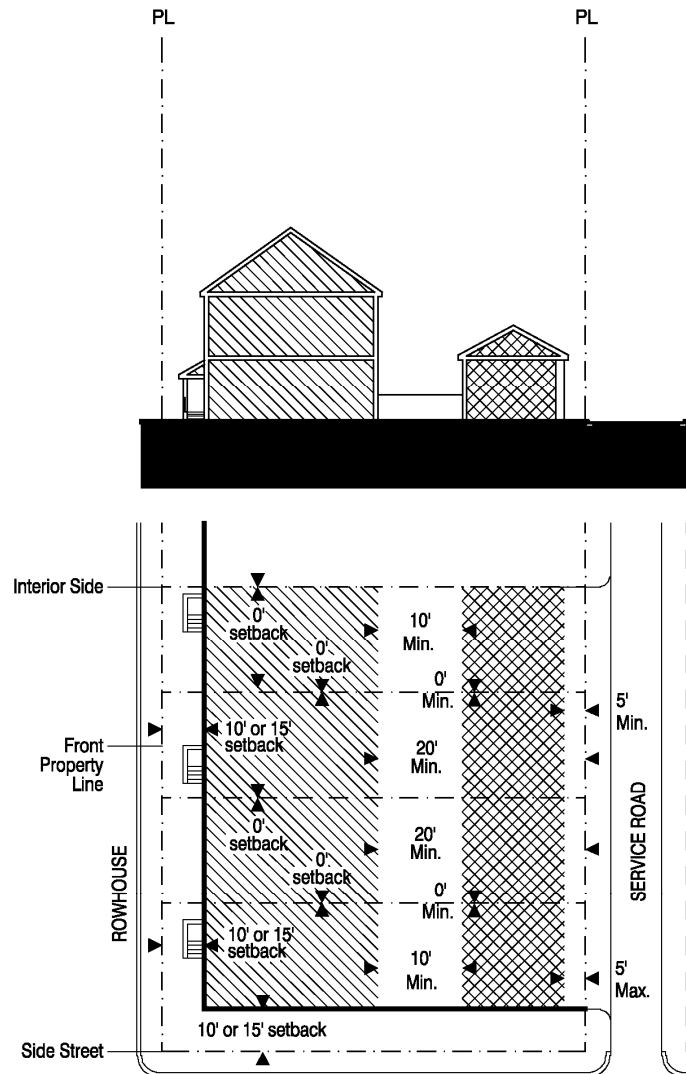
# MIXED-USE/LIVE-WORK NEIGHBORHOOD (MN, LW)

## CORE/CENTER (ROWHOUSE)

### BUILDING PLACEMENT

PL: Property Line  
Min: Minimum  
Max: Maximum  
Req: Required

— Build to Line  
- - - Property Line  
▨ Habitable Space  
▩ Accessory Building/Dwelling/  
Parking Area



### LAND USES

Applies to areas designated MN and LW developed as Rowhouses. For permitted uses refer to Sec. \_\_\_\_3.

### BUILDING FRONTAGE

100 percent at build-to line except at end of building groups.  
Minimum frontage requirement applies along the front property line only.

### PARKING

For Rowhouses all on-site parking shall be accessed from the service road.

### SETBACK

The front setback shall be 10' or 15' in order to implement urban design principles. The rear and side setback shall be as shown above.

### OTHER ELEMENTS



The front setback shall be landscaped.  
Perimeter walls, fences, hedges, entrances and pedestrian pass throughs shall be provided as specified in the General Requirements.

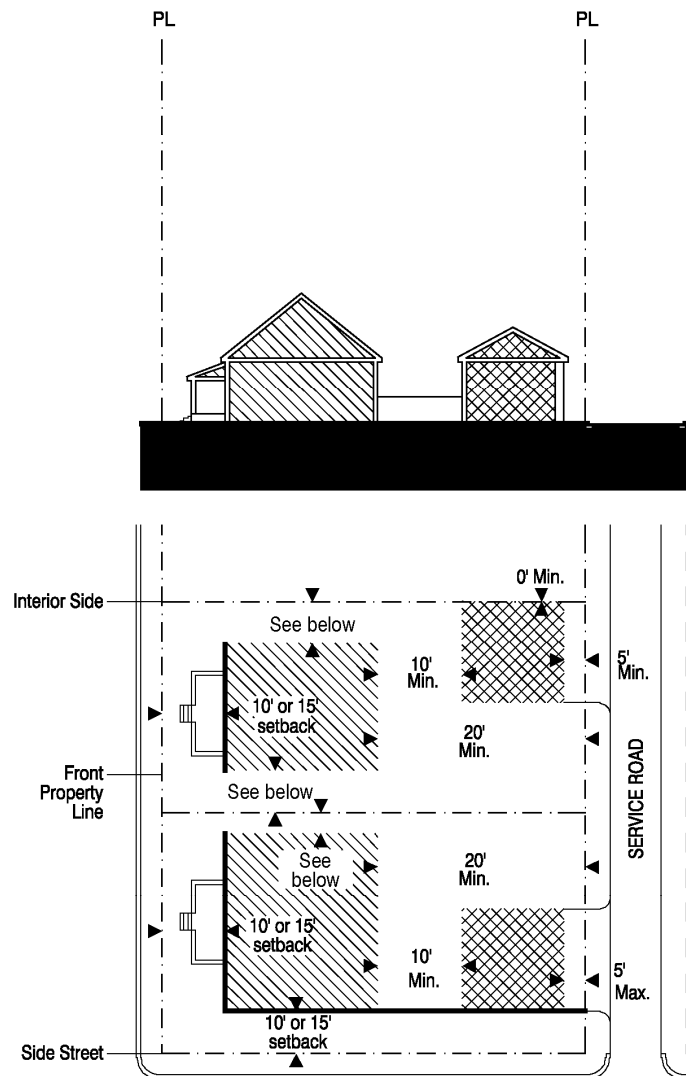
# LIVE-WORK NEIGHBORHOOD (LW)

## CENTER (SINGLE FAMILY DETACHED)

### BUILDING PLACEMENT

PL: Property Line  
 Min: Minimum  
 Max: Maximum  
 Req: Required

— Build to Line  
 - - - Property Line  
 Habitable Space  
 Accessory Building/Dwelling/Parking Area



<b>LAND USES</b>	Applies to areas designated LW developed as single-family detached dwellings. For permitted uses refer to Sec. _____.3.
<b>BUILDING FRONTAGE</b>	40 Percent Minimum at build-to line. Minimum frontage requirement applies along the front property line only.
<b>PARKING</b>	All on-site parking shall be accessed from the service road where provided.
<b>SETBACK</b>	The front setback shall be 10' or 15' in order to implement urban design principles. For lots with frontage between 50 and 75 feet the minimum side setback shall be 10% of the lot frontage; for lots with frontage greater than 75 feet the side setback shall be a minimum of 7.5 feet. The rear setback shall be as shown above.
<b>OTHER ELEMENTS</b>	The front setback shall be landscaped. Perimeter walls, fences, hedges, entrances and pedestrian pass throughs shall be provided as specified in the General Requirements.

# LIVE-WORK NEIGHBORHOOD (LW)

## CENTER (SINGLE FAMILY DETACHED WITHOUT SERVICE ROAD)

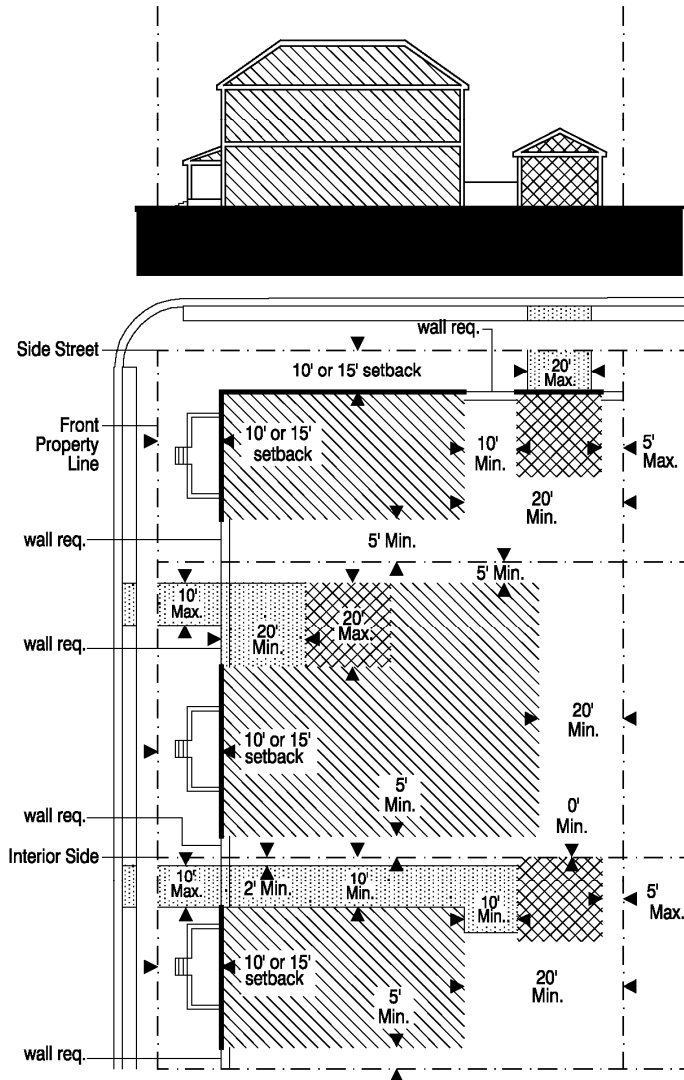
### BUILDING PLACEMENT

Lots > or = 50' Only

PL

PL: Property Line  
Min: Minimum  
Max: Maximum  
Req: Required

- Build to Line
- Property Line
- Habitable Space
- Accessory Building/Dwelling/Parking Area
- Driveway



### LAND USES

Applies to areas designated LW where a service road is not provided and for lots greater than or equal to 50'. For permitted uses refer to Sec. \_\_\_\_\_.3.

### BUILDING FRONTAGE

60 percent minimum at build-to line on all frontages. The garage shall not count toward the frontage requirements. Minimum frontage requirement applies along the front property line only.

### PARKING

All on-site parking for single family detached units on lots greater or equal to 50 feet wide and in the Edge Sub-district only, shall be accessed from the service road or from the street as shown above.

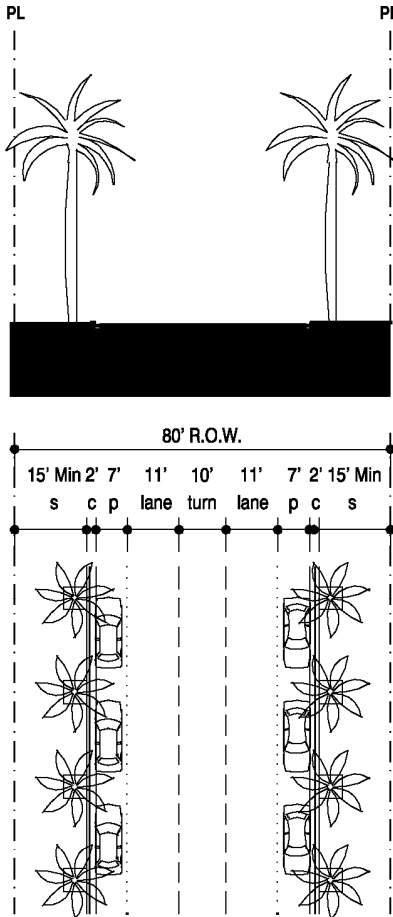
### SETBACK

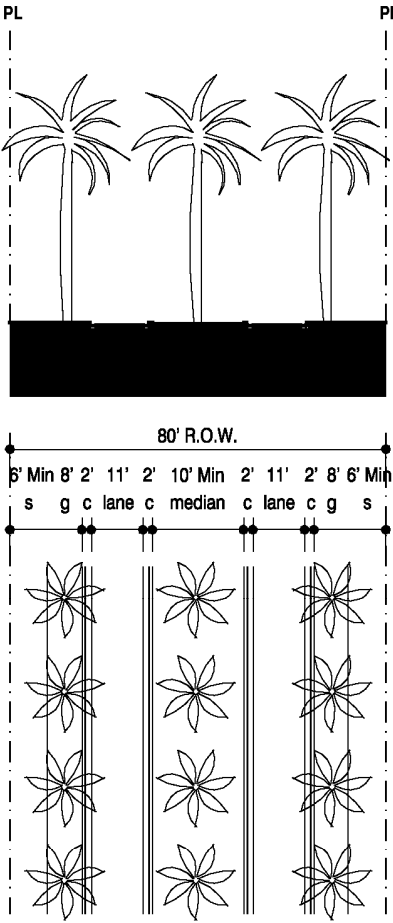
The front setback shall be 10' or 15' in order to implement urban design principles. The side and rear setbacks shall be as shown above.

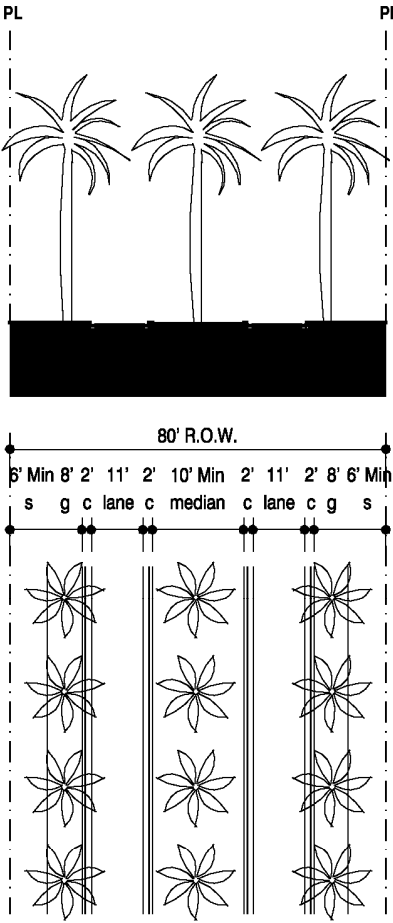
### OTHER ELEMENTS

Where a driveway intersects a sidewalk, the sidewalk shall remain at a continuous level.

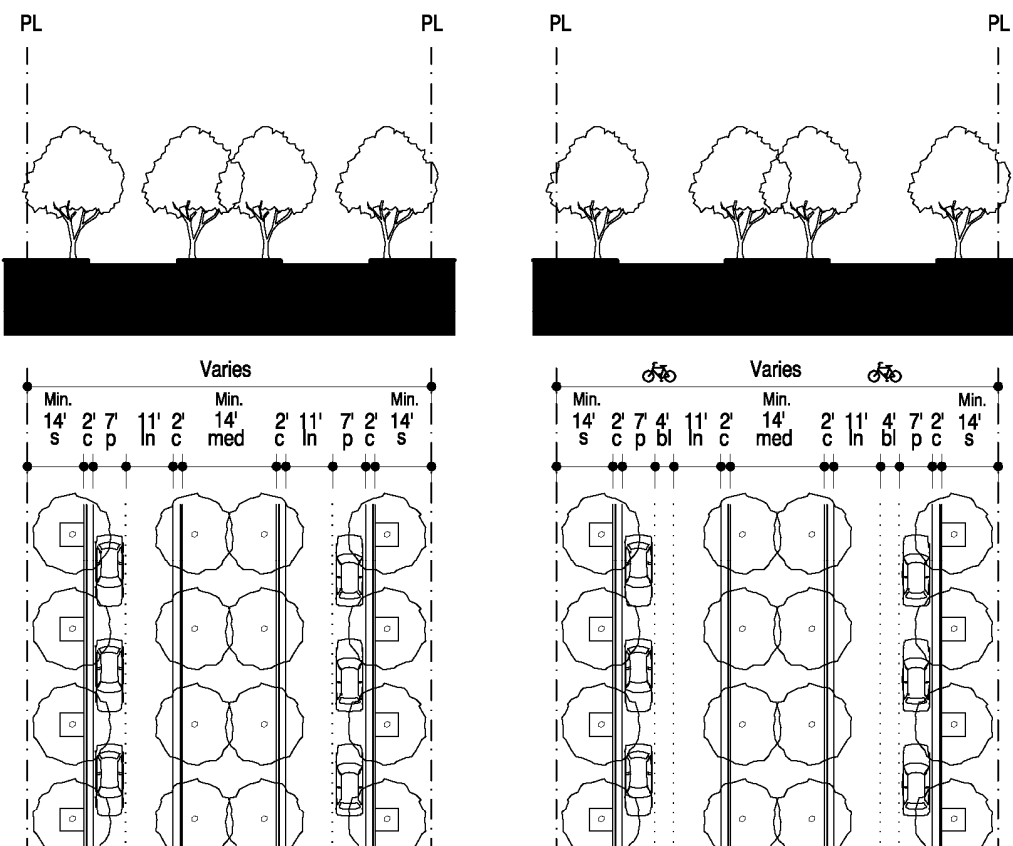
- A. **The following diagrams establish the Street Type Parameters by Sub-district. Building setbacks shall be required as illustrated in the building placement parameters; where setbacks reference a Frontage Table, such table shall be specific to the individual district requirements.**

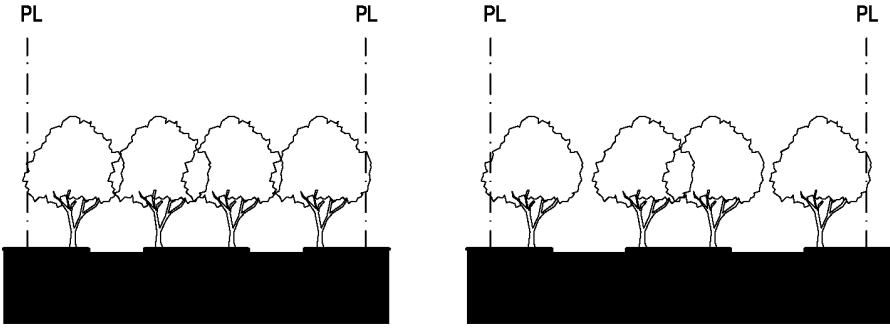
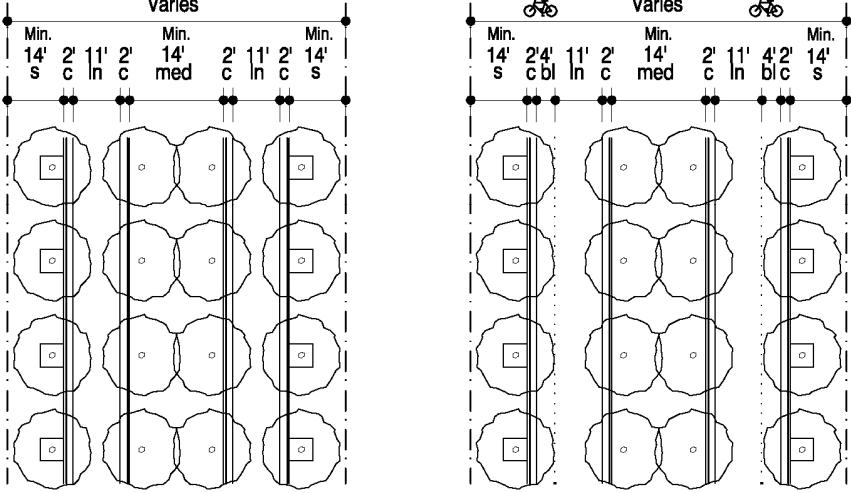
STREET TYPE 9	<div>MAIN STREET (Parking Both Sides)</div> <div>CORE</div>
<div>STREET SECTION</div> <div> <p><b>Key:</b></p> <p>s: sidewalk</p> <p>g: green</p> <p>c: curb and gutter</p> <p>ln: lane</p> <p>med: median</p> <p>p: parking</p> <p>bl: bike lane</p> <p>col: colonnade</p> <p>PL: property line</p> <p>Min: Minimum</p> <p>Max: Maximum</p> <p>Req: Required</p> <p>Ded: Dedication</p> </div> <div> <p>--- Property Line</p> </div>	
<div>LANDSCAPE/ OPEN SPACE</div>	<p>Parking lot buffers and street trees shall meet all requirements of Chapter 18-A of this Code and this Article except street trees shall have a minimum diameter breast height of 4". Street trees shall be planted in 5' x 5' tree grates. Permanent irrigation is required. In the Center sub-district, tree grates are optional and street trees shall be planted in a 6' continuous landscape strip.</p>
<div>PARKING</div>	<p>On-street parking shall count towards the minimum required parking.</p>
<div>OTHER ELEMENTS</div>	<p>Where a colonnade is provided on the ground floor the sidewalk shall be 5' maximum along the building side only. If additional traffic lanes are provided the outer lanes shall be a maximum of 11' wide and the inner lanes shall be a maximum of 10' wide. Additional traffic lanes shall only be added provided that all the street parameters are maintained, at a minimum, as depicted above.</p>

STREET TYPE 9	MAIN STREET CENTER
<b>STREET SECTION</b>  <b>Key:</b> s: sidewalk g: green c: curb and gutter ln: lane med: median p: parking bl: bike lane col: colonnade PL: property line Min: Minimum Max: Maximum Req: Required Ded: Dedication  - - - - - Property Line	
<b>LANDSCAPE/ OPEN SPACE</b>	Parking lot buffers and street trees shall meet all requirements of Chapter 18-A of this Code and this Article except street trees shall have a minimum diameter breast height of 4". Street trees shall be planted in 5' x 5' tree grates. Permanent irrigation is required. In the Center sub-district, tree grates are optional and street trees shall be planted in a 6' continuous landscape strip.
<b>PARKING</b>	
<b>OTHER ELEMENTS</b>	If additional traffic lanes are provided the outer lanes shall be a maximum of 11' wide and the inner lanes shall be a maximum of 10' wide. Additional traffic lanes shall only be added provided that all the street parameters are maintained, at a minimum, as depicted above.

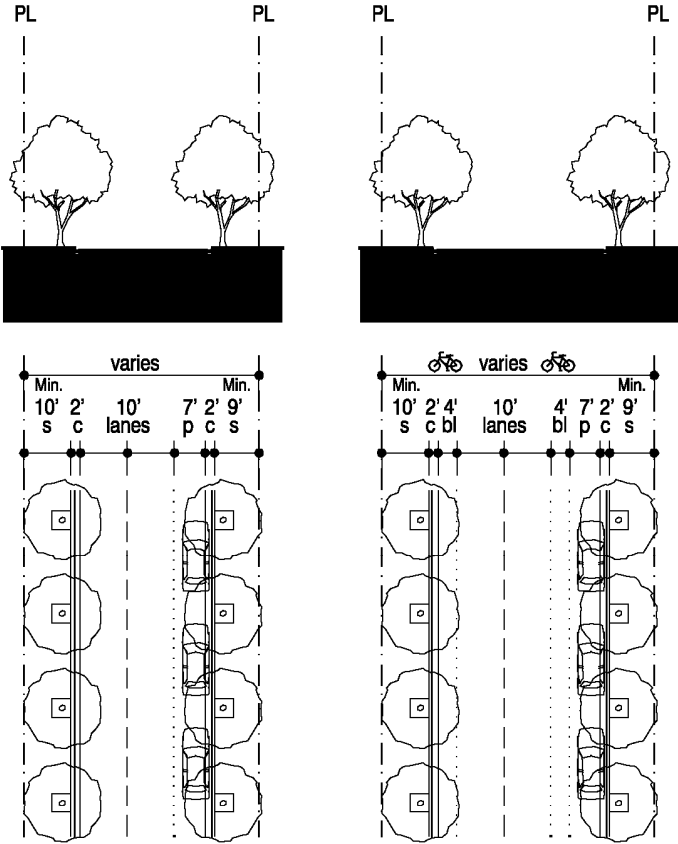
STREET TYPE 9	MAIN STREET CENTER
<b>STREET SECTION</b>  <b>Key:</b> s: sidewalk g: green c: curb and gutter ln: lane med: median p: parking bl: bike lane col: colonnade PL: property line Min: Minimum Max: Maximum Req: Required Ded: Dedication  - - - - - Property Line	 <p>80' R.O.W.</p> <p>6' Min s 8' g 2' c 11' ln 2' c 10' Min med 2' c 11' ln 2' c 8' g 6' Min s</p>
<b>LANDSCAPE/ OPEN SPACE</b>	Parking lot buffers and street trees shall meet all requirements of Chapter 18-A of this Code and this Article except street trees shall have a minimum diameter breast height of 4". Street trees shall be planted in 5' x 5' tree grates. Permanent irrigation is required. In the Center sub-district, tree grates are optional and street trees shall be planted in a 6' continuous landscape strip.
<b>PARKING</b>	N/A
<b>OTHER ELEMENTS</b>	If additional traffic lanes are provided the outer lanes shall be a maximum of 11' wide and the inner lanes shall be a maximum of 10' wide. Additional traffic lanes shall only be added provided that all the street parameters are maintained, at a minimum, as depicted above.

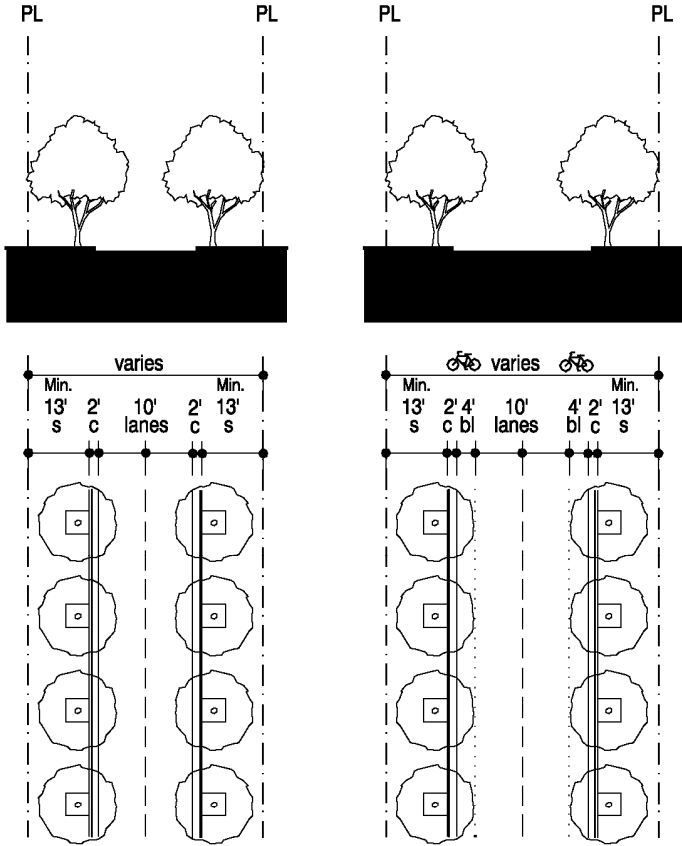


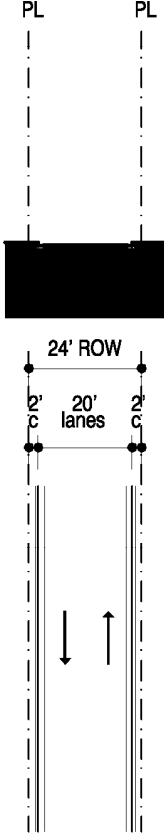
STREET TYPE 1	<div>BOULEVARD (Parking Both Sides)</div> <div>CORE/CENTER</div>
<div>STREET SECTION</div> <div> <p><b>Key:</b></p> <p>s: sidewalk g: green c: curb and gutter ln: lane med: median p: parking bl: bike lane col: colonnade PL: property line Min: Minimum Max: Maximum Req: Required Ded: Dedication</p> <p>--- Property Line</p> </div>	<div>  </div>
<div>LANDSCAPE/ OPEN SPACE</div>	<p>Parking lot buffers and street trees shall meet all requirements of Chapter 18-A of this Code and this Article except street trees shall have a minimum diameter breast height of 4". Street trees shall be planted in 5' x 5' tree grates. Permanent irrigation is required. In the Center sub-district, tree grates are optional and street trees shall be planted in a 6' continuous landscape strip.</p>
<div>PARKING</div>	<p>On-street parking shall count towards the minimum required parking.</p>
<div>OTHER ELEMENTS</div>	<p>Where a colonnade is provided on the ground floor the sidewalk shall be 5' maximum along the building side only.</p> <p>On all Boulevard intersections, the median shall have a mountable curb.</p> <p>In the Center sub-district, the sidewalk shall be a minimum of 8' when adjacent to a 6' landscape strip.</p> <p>If additional traffic lanes are provided the outer lanes shall be a maximum of 11' wide and the inner lanes shall be a maximum of 10' wide. Additional traffic lanes shall only be added provided that all the street parameters are maintained, at a minimum, as depicted above.</p>

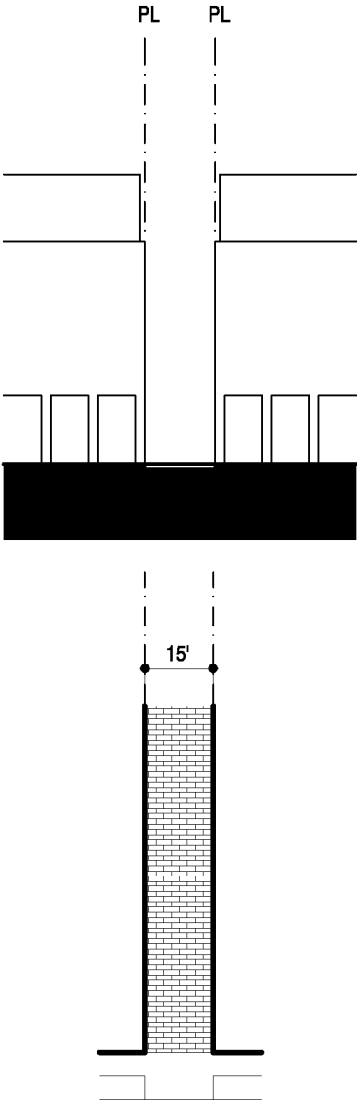
STREET TYPE 2	<div>BOULEVARD (No Parking)</div> <div>CORE/CENTER</div>
<div>STREET SECTION</div> <div> <div>Key:</div> <div>s: sidewalk</div> <div>g: green</div> <div>c: curb and gutter</div> <div>ln: lane</div> <div>med: median</div> <div>p: parking</div> <div>bl: bike lane</div> <div>col: colonnade</div> <div>PL: property line</div> <div>Min: Minimum</div> <div>Max: Maximum</div> <div>Req: Required</div> <div>Ded: Dedication</div> <div> <div>---</div> <div>Property Line</div> </div> </div>	<div>  </div> <div> <div>Varies</div> <div> <div>Min. 14' s</div> <div>2' c</div> <div>11' ln</div> <div>2' c</div> <div>Min. 14' med</div> <div>2' c</div> <div>11' ln</div> <div>2' c</div> <div>Min. 14' s</div> </div>  </div>
<div>LANDSCAPE/ OPEN SPACE</div>	<div>Parking lot buffers and street trees shall meet all requirements of Chapter 18-A of this Code and this Article except street trees shall have a minimum diameter breast height of 4". Street trees shall be planted in 5' x 5' tree grates. Permanent irrigation is required. In the Center sub-district, tree grates are optional and street trees shall be planted in a 6' continuous landscape strip.</div>
<div>PARKING</div>	<div>N/A</div>
<div>OTHER ELEMENTS</div>	<div> <div>Where a colonnade is provided on the ground floor the sidewalk shall be 5' maximum along the building side only.</div> <div>On all Boulevard intersections, the median shall have a mountable curb.</div> <div>In the Center sub-district, the sidewalk shall be a minimum of 8' when adjacent to a 6' landscape strip.</div> <div>If additional traffic lanes are provided the outer lanes shall be a maximum of 11' wide and the inner lanes shall be a maximum of 10' wide. Additional traffic lanes shall only be added provided that all the street parameters are maintained, at a minimum, as depicted above.</div> </div>

STREET TYPE 3	<div>MINOR STREET (Parking Both Sides)</div> <div>CORE/CENTER</div>
<div>STREET SECTION</div> <div> <p><b>Key:</b></p> <p>s: sidewalk g: green c: curb and gutter ln: lane med: median p: parking bl: bike lane col: colonnade PL: property line Min: Minimum Max: Maximum Req: Required Ded: Dedication</p> <p>--- Property Line</p> </div>	
<div>LANDSCAPE/ OPEN SPACE</div>	<p>Parking lot buffers and street trees shall meet all requirements of Chapter 18-A of this Code and this Article except street trees shall have a minimum diameter breast height of 4". Street trees shall be planted in 5' x 5' tree grates. Permanent irrigation is required. In the Center sub-district, tree grates are optional and street trees shall be planted in a 6' continuous landscape strip.</p>
<div>PARKING</div>	<p>On-street parking shall count towards the minimum required parking.</p>
<div>OTHER ELEMENTS</div>	<p>Where a colonnade is provided on the ground floor the sidewalk shall be 5' maximum along the building side only. In the Center sub-district, the sidewalk shall be a minimum of 8' when adjacent to a 6' landscape strip. If additional traffic lanes are provided the outer lanes shall be a maximum of 11' wide and the inner lanes shall be a maximum of 10' wide. Additional traffic lanes shall only be added provided that all the street parameters are maintained, at a minimum, as depicted above.</p>

STREET TYPE 4	<div>MINOR STREET (Parking One Side)</div> <div>CORE/CENTER</div>
<div>STREET SECTION</div> <div> <p><b>Key:</b></p> <p>s: sidewalk g: green c: curb and gutter ln: lane med: median p: parking bl: bike lane col: colonnade PL: property line Min: Minimum Max: Maximum Req: Required Ded: Dedication</p> <p>--- Property Line</p> </div>	
<div>LANDSCAPE/ OPEN SPACE</div>	<p>Parking lot buffers and street trees shall meet all requirements of Chapter 18-A of this Code and this Article except street trees shall have a minimum diameter breast height of 4". Street trees shall be planted in 5' x 5' tree grates. Permanent irrigation is required. In the Center sub-district, tree grates are optional and street trees shall be planted in a 4' continuous landscape strip.</p>
<div>PARKING</div>	<p>On-street parking shall count towards the minimum required parking.</p>
<div>OTHER ELEMENTS</div>	<p>Where a colonnade is provided on the ground floor the sidewalk shall be 5' maximum along the building side only. In the Center sub-district, the sidewalk shall be a minimum of 5' when adjacent to a 4' landscape strip. If additional traffic lanes are provided the outer lanes shall be a maximum of 11' wide and the inner lanes shall be a maximum of 10' wide. Additional traffic lanes shall only be added provided that all the street parameters are maintained, at a minimum, as depicted above.</p>

STREET TYPE 5	<div>MINOR STREET (No Parking)</div> <div>CORE/CENTER</div>
<div>STREET SECTION</div> <div> <p><b>Key:</b></p> <p>s: sidewalk</p> <p>g: green</p> <p>c: curb and gutter</p> <p>ln: lane</p> <p>med: median</p> <p>p: parking</p> <p>bl: bike lane</p> <p>col: colonnade</p> <p>PL: property line</p> <p>Min: Minimum</p> <p>Max: Maximum</p> <p>Req: Required</p> <p>Ded: Dedication</p> <p>--- Property Line</p> </div>	
<div>LANDSCAPE/ OPEN SPACE</div>	<p>Parking lot buffers and street trees shall meet all requirements of Chapter 18-A of this Code and this Article except street trees shall have a minimum diameter breast height of 4". Street trees shall be planted in 5' x 5' tree grates. Permanent irrigation is required. In the Center sub-district, tree grates are optional and street trees shall be planted in a 5' continuous landscape strip.</p>
<div>PARKING</div>	<p>N/A</p>
<div>OTHER ELEMENTS</div>	<p>Where a colonnade is provided on the ground floor the sidewalk shall be 5' maximum along the building side only. In the Center sub-district, the sidewalk shall be a minimum of 8' when adjacent to a 5' landscape strip. If additional traffic lanes are provided the outer lanes shall be a maximum of 11' wide and the inner lanes shall be a maximum of 10' wide. Additional traffic lanes shall only be added provided that all the street parameters are maintained, at a minimum, as depicted above.</p>

STREET TYPE 7	<b>SERVICE ROAD</b> (In all land use areas) <b>CORE/CENTER</b>
<b>STREET SECTION</b>  <b>Key:</b> s: sidewalk g: green c: curb and gutter ln: lane med: median p: parking bl: bike lane col: colonnade PL: property line Min: Minimum Max: Maximum Req: Required Ded: Dedication  - · - · - Property Line	
<b>LANDSCAPE/ OPEN SPACE</b>	N/A
<b>PARKING</b>	All on-site parking shall be accessed from the service road.
<b>OTHER ELEMENTS</b>	Multi-story garages, parking courts, and surface parking lots are permitted along service roads only. Accessory dwellings, single family garages and accessory buildings are permitted along service roads in all Sub-districts.

STREET TYPE 8	PEDESTRIAN PASSAGE CORE/CENTER
<b>STREET SECTION</b>  <b>Key:</b> s: sidewalk g: green c: curb and gutter ln: lane med: median p: parking bl: bike lane col: colonnade PL: property line Min: Minimum Max: Maximum Req: Required Ded: Dedication  - · - · - Property Line	
<b>LANDSCAPE/ OPEN SPACE</b>	Landscape shall meet all requirements of Chapter 18-A of this Code and this Article. Trees are optional and shall be planted in a 5' x 5' tree grate or individual planter.
<b>PARKING</b>	N/A
<b>OTHER ELEMENTS</b>	For mixed-use buildings only, a minimum of 50 percent of building frontage shall be required along the passage. The setback along the passage shall be 0'. The hard surfaced area shall be 15' and enhanced with a material different from the sidewalk. The pedestrian passages are optional and shall be interconnected with the sidewalks and public open spaces and provide pedestrian access to parking areas, through blocks, from street to street.

\_\_\_6. *General Requirements.*

Setbacks, building frontage and building placement shall be as set forth in the Building Placement and Design Parameters in section \_\_\_.5 of this code, except as specifically provided herein.

A. Lots and blocks. The following shall be required:

<b>Minimum Lot Requirements</b>		
	<b>Size (Square Feet)</b>	<b>Frontage (Feet)</b>
Rowhouses/Townhouses	1,200	20
Courtyard house and Sideyard house	3,000	35
Single-family detached	5,000 * 4,375 **	50
Duplex	7,500	75
Live-work units	1,700	20 (max 40)
Irregularly shaped lots		15 (***)
All lots shall share a frontage line with a street or an open space		
(*) when service roads are not provided.		
(**) when service roads are provided.		
(***) such lots shall be located only at the end of a series of lots.		
<b>Block Requirements</b>		
Unless otherwise provided in the Regulating Plans the perimeter of a block shall not exceed 1,600 feet and the maximum length of a block shall be 500 feet.		

B. Buildings.

1. Storefronts shall be provided on the first floor of mixed-use buildings, and shall be directly accessible from a street frontage or an open space as follows:
  - a. For properties with two or more frontages, storefronts shall be located on a minimum of two frontages, with priority given to frontages on an open space and the highest ranking street.
  - b. Storefronts shall have a transparent clear glazed area of not less than 70 percent of the facade area. The first floor shall be occupied by habitable uses that generate pedestrian activity and provide surveillance of the street. Ground floor windowsills shall be placed at a minimum height of 24 inches and a maximum of 48 inches above grade. Security enclosures, if any, shall be of the mesh type that pedestrians can see through, and shall be located behind storefront displays.
2. All colonnades shall comply with the following:
  - a. Finished floor elevation of the colonnade shall match the adjoining sidewalk.



- b. Colonnades shall have a minimum clear height of 10 feet (including lighting) and a minimum clear width of 10 feet (on the first floor from build-to line to exterior building face, excluding supporting structures). Awnings shall be permitted but shall not count toward the required colonnades. Colonnades shall not cause roof drainage into the public right-of-way. Colonnades shall be attached to buildings. In no instance shall the depth of a colonnade exceed the colonnade's height.
  - c. Free-standing colonnades shall not satisfy the build-to line requirement.
- 3. A minimum of 30 percent of all first floor street walls shall be fenestrated with windows. Mirror type glass shall be prohibited. All glazing shall be of a type that permits view of human activities and spaces within the structure. Colonnade column spacing, windows and doors shall be proportioned such that the height of each opening is greater than its width. At least 50 percent of the area of security screens and gates shall be transparent.
- 4. In the Core and Center Sub-districts, the build-to line shall be maintained in accordance with the Building Placement and Street Type Development Parameters, except that the building may be set back up to 25 feet to accommodate a forecourt.
- 5. The height of an accessory building shall not exceed the height of the principal building.
- 6. An open, covered or paved connection between a principal building and an accessory building may be built within the minimum required 10-foot spacing as shown in the Building Placement and Design Parameters.

7. Awnings, balconies, stoops, stairs, open porches, and bay windows shall be permitted to extend into the minimum required setbacks, to a maximum of:

	<b>Front Setback, Side Street Setback</b>		<b>Interior Side</b>
	<b>In a setback of 10 feet or less</b>	<b>In a setback of greater than 10 feet</b>	
<b>Bay windows</b>	3 feet	3 feet	3 feet
<b>Balconies</b>	6 feet	6 feet	3 feet
<b>Awnings</b>	6 feet	6 feet	3 feet
<b>Stoops</b>	6 feet	6 feet	3 feet
<b>Stairs</b>	6 feet	8 feet	3 feet
<b>Porches</b>	6 feet	8 feet	3 feet

Roof eaves, chimneys, signs, and ramps may encroach into all setbacks. Porticoes, canopies, and colonnades shall be guttered. Water run-off and drainage shall be deposited onsite.

8. Where a zero (0) foot setback is permitted, roof eaves, bay windows and balconies may encroach beyond the property line a maximum of three (3) feet, except when abutting private property. Awnings may encroach into the rights-of-way, but shall not extend into the street more than six (6) inches from the face of the curb. All right-of-way encroachments shall be a minimum of 11 feet above the sidewalk.
9. Buildings fronting a Main Street (Franjo Road) shall provide 20 percent of fenestration as balconies.
10. Accessory buildings shall be permitted to have balconies or bay windows that encroach a maximum of three (3) feet into the rear yard setback.
11. Service areas shall be screened and located out of the view from adjacent properties or from the street.
12. The primary entrance of a building shall provide access to a public right-of-way or an open space. The primary entrance to the upper levels of mixed-use building with colonnades shall be through the colonnaded area along the front property line.
13. Each story shall have a maximum height of 16 feet, as measured from floor to floor. Any height above 16 feet shall count as an additional story, except that a single story may have a maximum height of 30 feet, provided that no mezzanine area exceeds 10 percent of the floor area of that story.
14. A live-work unit shall have two components: a workshop and a residential unit. The workshop component may occur on the ground floor with living space on the

upper floors or in a courtyard building which provides workshop space along the street and residential space at the side and back. The workshop shall be directly accessible from the primary street frontage or an open space. The workshop's facade shall have a transparent clear glazed area of not less than 70 percent. The primary entrance of the residential component of a live-work unit shall be separate from the workshop component of the unit and shall directly lead to a primary street frontage or an open space.

15. Rowhouses/townhouses shall provide a minimum of 15 feet between building groups and the length of a building group shall not exceed 240 feet.
16. A cornice line shall project a minimum of two (2) inches from the front elevation of the structure.

C. Open Space. Open spaces under this chapter shall be classified as (1) designated or (2) private open spaces.

1. Designated open spaces shall be subject to the following requirements:
  - a. The general location, area and dimensions shall conform with the Designated Open Space Plan.
  - b. Designated open spaces shall include the anchor point depicted on the Regulating Plan, and shall be provided at grade level.
  - c. Provided that all other parameters on the Designated Open Space Plan are met and that an individual/developer owns the entire designated open space area and an adjacent area, the final location of the designated open space may be pivoted around its anchor point onto such adjacent area, allowing the area previously designated as open space to be developed as permitted in the Land Use Regulating Plan.
  - d. Designated open spaces shall be provided in the form of squares, greens or plazas as provided in the Designated Open Space Plan. Parking lot buffers shall not count toward the designated open space requirement.
  - e. No replatting or other land subdivision shall divide property in such a way that required designated open space is avoided or its location changed.
  - f. Designated open spaces shall be shaded, and its ground surface shall be a combination of paving materials, lawn or ground cover.
  - g. If a lot or group of lots is designated partially as open space in the Designated Open Space Plan, the portion not designated as open space shall be developable in a contiguous pattern at a density/intensity that will equal the density/intensity permitted by the land use designation for the entire parcel. An additional story above the number of stories permitted by the Sub-districts and Building Heights Plans shall be permitted only to allow the increased density/intensity and shall front the designated open space.

- h. Around designated open spaces, the building's frontage, height and placement shall be in accordance with the Building Placement and Design Parameters.

2. Private open spaces

- a. Private open spaces shall be provided in the form of colonnades, courtyards, terraces, and lawns. Parking lot buffers shall not count toward the open space requirement.
- b. All residential developments, except for multi-family residential and live-work units, shall provide a minimum of 400 square feet of private open space per lot, in the form of courtyards, terraces and lawns.
- c. All multi-family residential developments, including mixed-use developments, shall reserve a minimum of 10 percent of the site for common, private open space. Colonnades, where required, shall count toward this requirement.
- d. Private open spaces shall be shaded, and their ground surface shall be a combination of paving materials, lawn or ground cover. Enclosures of private open spaces shall comply with subsection H below.

- 3. In addition to the open space required above at subsection \_\_.6(C), for residential development over 50 units, an additional dedication not to exceed two (2) acres may be made for parkland and public school use.

D. Landscape. Except as provided herein, landscape shall be provided as required by Chapter 18A Miami-Dade County Code as adopted by the Village of Palmetto Bay via ordinance 04-16. In the Core and Center Sub-districts, landscape shall be provided as follows:

- 1. Street trees shall be planted at a maximum of 25 feet average on center, with a minimum four (4) inch diameter at breast height.
- 2. Street trees shall not be required when colonnades are being provided along the street.
- 3. For all land uses, except for single family or duplex, tree requirements for private property shall be based on 16 trees per net acre of lot area and, in addition to the placement on the lot, may be placed in greens, squares, plazas, and medians.

E. Parking. Except as provided herein, parking shall be provided as required by section 33-124 of the Miami-Dade County Code as adopted by the Village of Palmetto Bay via ordinance 04-16.

- 1. Multi-story parking garages, parking lots and on-street parking shall count toward all parking requirements except for the parking requirements of detached single-family residences, courtyard and sideyard houses, rowhouses/townhouses, or duplexes. Multi-story structured parking shall be counted in computing building height.

2. Parking shall be provided as follows:

<b>Single Family Residential (off-street):</b>
single family detached: two (2) spaces/unit
courtyard or sideyard house: two (2) spaces/unit
rowhouse/townhouse: two (2) spaces/unit
duplex: two (2) spaces/unit
<b>Multi-family Residential:</b>
One and one-half (1.5) spaces/one (1) bedroom unit
One and three-quarters (1.75) spaces/two (2) bedroom unit
Two (2) spaces/three (3) or more bedroom units
<b>Hotel:</b> one (1) space for each of the first 40 guest rooms and one (1) additional space for every two (2) guest rooms or suites thereafter
<b>Retail:</b> One (1) space/250 square feet of gross floor area
<b>Office:</b> One (1) space/300 square feet of gross floor area
<b>Medical Offices:</b> One (1) space/200 square feet of gross floor area
<b>Restaurants:</b> One (1) space/ 50 square feet of patron area
<b>Institutional:</b> shall comply with section 33-124 of the Miami-Dade County Code as adopted by the Village of Palmetto Bay via ordinance 04-16.
<b>Live-work units:</b>
(1) residential component: two (2) spaces/unit,
(2) workshop component: one (1) space/325 square feet of workshop area; and
(3) parking requirements shall be met on-site.
<b>Live-work buildings:</b>
(1) residential component: shall comply with the multi-family residential requirements described in this sub-section;
(2) work space, non-residential component, shall comply with Sec. section 33-124, Standards, of the Miami-Dade County Code as adopted by the Village of Palmetto Bay via ordinance 04-16; and
(3) parking requirements shall be met on-site.
<b>Civic uses:</b> shall comply with section 33-284.51(B)(4) of the Miami-Dade County Code as adopted by the Village of Palmetto Bay via ordinance 04-16.
<b>All other uses</b> shall comply with the parking standards provided in section 33-124 of the Miami-Dade County Code as adopted by the Village of Palmetto Bay via ordinance 04-16.

3. The combined parking requirement for mixed-use development shall be 90 percent of the total parking otherwise required in this section; provided, however, that in the Core Sub-district, the combined parking required for mixed-use development shall be 80 percent of the total parking otherwise required in this section.
4. Mixed-use developments in the Core and Center Sub-districts may provide up to 60 percent of the required parking off-site, where the off-site parking is located on

a minor street and within 500 feet of the development. Any certificate of use for Mixed-use shall immediately terminate in the event such parking area is not available. An applicant for approval of a Mixed-use development with off-site parking shall execute and record in the public records of this Village a declaration of restrictions approved by the Director covenanting that such Mixed-use shall cease and terminate upon the elimination of such parking area, and that no Mixed-use requiring such parking shall be made of such property until the required parking area is available and provided.

5. Residential uses on a lot or group of lots entirely or partially designated as open space as provided in section \_\_.6(C) of this Chapter, may provide off-site parking of up to 60 percent of the parking required. This off-site parking shall be located on a minor street and within 500 feet of the development. Such residential uses shall immediately terminate in the event such parking area is not available. An applicant for approval of a development with off-site parking shall execute and record in the public records of this Village a declaration of restrictions approved by the Director covenanting that such residential use shall cease and terminate upon the elimination of such parking area, and that no residential use requiring such parking shall be made of such property until the required parking area is available and provided.
6. Individual parking garages for single-family homes shall count toward the parking requirement.
7. Parking for individuals with disabilities shall comply with the Florida Building Code.
8. Parking for persons transporting strollers shall comply with section 33-122.2 of the Miami-Dade County Code as adopted by the Village of Palmetto Bay via ordinance 04-16.
9. Except for detached single-family homes, courtyard or sideyard houses and duplexes, all parking may be in the form of multi-story parking garage structures or parking lots that shall be provided in the rear or on one side of the building, screened from public right-of-way. Parking is not permitted in the front setback.
10. Multi-story parking garage structures shall be screened along all frontages, except along a service road or a pedestrian passage by a liner building containing a minimum depth of 20 feet of habitable space. On parcels having a lot depth at any one point of less than 150 feet, as measured from the front property line, screening shall only be required on the ground floor. All architectural elements of a multi-story parking structure that face a street or an open space shall appear consistent and harmonious with that of habitable space. No vehicles parked within the structure shall be visible from the street.
11. Parking lots shall provide for vehicular connectivity to adjacent parking areas.

F. Streets, service roads, pedestrian passages and utilities.

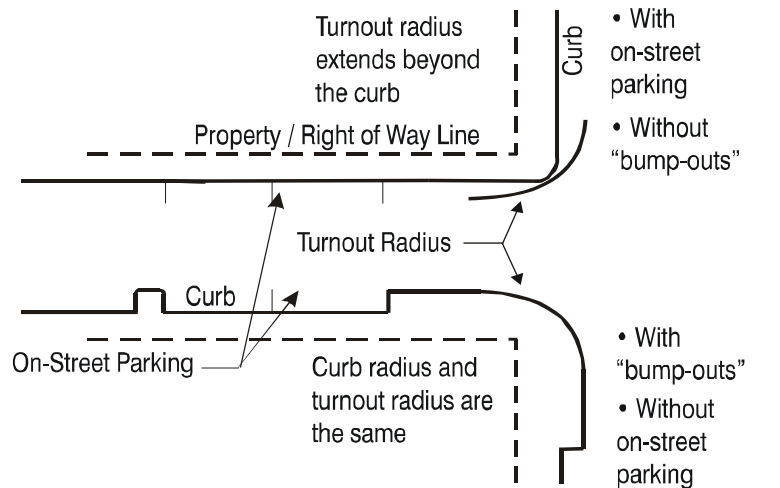
1. All streets shall be located according to the New Streets Plan and Street Types Development Parameters. All new B streets and Pedestrian Passages shall be in the same general location as shown on the New Streets Dedications Plan and may be modified or deleted as provided in (2.) below. All streets and pedestrian passages shall allow general public access. Privately built streets shall provide an

approved plat restriction to allow general public access. No gates that impede through traffic are permitted along A or B streets. No new B streets or Pedestrian Passages shall be deleted.

2. The Director shall approve the modification of A or B streets if the following conditions are satisfied:
  - a. Review and approval by the Director of Public Works who shall review the proposal for traffic and safety issues.
  - b. The proposal does not diminish the general size and location of an open space shown in the Designated Open Space Plan.
  - c. The proposal maintains connectivity to the surrounding area.
  - d. The proposal enhances pedestrian safety.
  - e. The proposal is compatible with the surrounding area.
  - f. The proposal allows for the appropriate use of private property.

For deletions of any streets, a public hearing shall be required.

3. The design of new streets and modifications of existing streets shall comply with the following requirements:
  - a. Street rights-of-way shall be in accordance with the Street Type Development Parameters.
  - b. All streets and service roads shall connect to other streets or service roads. Cul-de-sacs, T-turnarounds and dead end streets shall be prohibited.
  - c. Sidewalks shall be provided and consist of:
    - (1) Minimum width of six (6) feet, unless a different width is required by the Street Development Parameters;
    - (2) Minimum unobstructed area of 60 inches;
    - (3) Where a colonnade is required, free and clear use of a continuous unobstructed area of at least 60 inches within the colonnade; and
    - (4) No utility poles, fire hydrants or any other temporary or permanent structures within the unobstructed area.
  - d. Where on-street parking is provided, parking lanes shall be no closer than 25 feet from the intersection measured from the outermost corner of the nearest corner property line
  - e. Maximum curb radii at intersections shall comply with the following:



Sub-district; Street Type	With On-Street Parking, without Bump-out	With Bump-Out	Without On- Street Parking
All Sub-districts; County and State Arterials*	15'	34'-6"	34'-6"
All Sub-districts; County Collectors*	15'	20' curb radii 25' clear zone	20' curb radii 25' clear zone
Core Sub-district; All other streets	15'	20' curb radii 25' clear zone	20' curb radii 25' clear zone
Center Sub-district; All other streets	15'	15' curb radii 25' clear zone	15' curb radii 25' clear zone
* Roadway Classifications as designated in the Transportation Element of the Miami-Dade County Comprehensive Development Master Plan.			



- f. Curb and gutters shall be provided as follows:
  - (1) All Sub-districts: At all intersections and roadway edges of arterials, boulevards and Main Street.
  - (2) Core and Center Sub-districts: At all intersections and roadway edges of minor streets.
- g. Utilities other than fire hydrants shall run underground.
- h. Buildings placed at the end of a Street Vista may provide one (1) additional story above that which is otherwise permitted by the Building Height Regulating Plan; such additional story shall occupy up to 15 percent of the floor area of the story immediately below.
- i. Service roads may occur within buildings.
- j. Service road access from the front property line shall be limited to 1 point of access for every 250 feet of frontage.

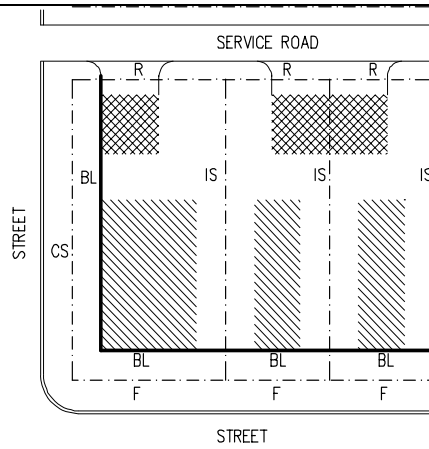
G. Street Lighting. Street lighting shall comply with the following:

- 1. Street lighting shall be provided in MC, BO, MN, MN and LW. Street lighting shall be provided in driveways, parking areas, sidewalks, pedestrian passages, commercial establishment entryways, recreation areas, and multi-family residential common areas and entryways.
- 2. Outdoor lighting of these areas shall comply with section 33-4.1 of the Miami-Dade County Code as adopted by the Village of Palmetto Bay via ordinance 04-16.
- 3. All light fixtures shall be of a pedestrian scale, with a maximum height of 18 feet and a maximum spacing between fixtures of 40 feet.
- 4. The type and style of lights shall be as specified by the Village and spacing of light fixtures shall be approved by the Village's Department of Public Works. Village approval shall be based on uniformity of types, location, right-of-way width, and luminosity.
- 5. Weather and vandalism resistant covers shall protect all light fixtures.
- 6. Streetlamps shall be installed on both sides of streets.
- 7. Cobra-head lights shall not be permitted.

H. Walls, fences, and hedges. The following shall be permitted:

Location	Type and Material	Spacing	Height	Transparency
Around perimeter of designated open space	Walls or Fences: Masonry, wood, electrostatic plated aluminum, or wrought iron	Posts and Pillars: Max. 10' Apart	Max. 42''(*)	75% Minimum
	Hedges and shrubs	Max. 30'' O.C.(**)	At time of planting Min. 18''	N/A
		Max. 48'' O.C.	Max. 42''	
In front of the build-to-line (BL), Along front (F), corner side (CS), interior side (IS), and rear (R) property lines	Walls or Fences: Masonry, wood, electrostatic plated aluminum, or wrought iron. Chain link allowed in LW only.	Posts and Pillars: Max. 10' Apart	Max. 42'' (*)	75% Minimum
	Hedges and shrubs	Max. 30'' O.C.	At time of planting Min. 18''	N/A
		Max. 48'' O.C.	Max. 42''	
Behind the build-to-line (BL), Along interior side (IS) and rear (R) property lines	Walls or Fences: Masonry, wood, electrostatic plated aluminum, or wrought iron. Chain link allowed in LW only.	N/A	Min. 48'' Max. 72''	75% Maximum
	Hedges and Shrubs	Max. 30'' O.C.	At time of planting Min. 18''	N/A

Location	Type and Material	Spacing	Height	Transparency
		Max. 48" O.C.	Max. 72"	
	Chain Link in LW	N/A	Min. 60" Max. 72"	N/A
Along the build-to-line (BL)	Walls or Fences: Masonry, wood, electrostatic plated aluminum, or wrought iron. Chain link allowed in LW only.	Posts and Pillars: Max. 10' Apart	Min. 48" Max. 72"	25% Maximum
	Hedges and shrubs	Max. 30" O.C.	At time of planting Min. 18"	N/A
		Max. 48" O.C.	Max. 72"	
Parking Areas Along Streets	Walls or Fences: Masonry, wood, electrostatic plated aluminum, or wrought iron. Chain link allowed in LW only.	Posts and Pillars: Max. 10' Apart	Min. 42" (*)	25% Maximum
	Hedges and shrubs	Max. 48" O.C.	At time of planting Min. 42"	N/A
Construction Areas	Chain Link	N/A	N/A	N/A
Industrial Areas Along B Streets Only	Chain Link	N/A	N/A	N/A
(*) excluding decorative elements of posts and pillars not to exceed 12" in height. (**) on center				



Note:

Hedges and shrubs shall be subject to Chapter 18-A of this code.

Where a wall or fence is used for screening parking areas along streets, a five foot landscape strip with a hedge shall be required in front of the wall or fence.

The maximum spacing for pillars and posts shall apply except along driveways.

- I. Enclosed uses. All uses shall be conducted within completely enclosed buildings, except outdoor uses that may be expressly permitted in this chapter. Materials and products shall be stored within an enclosed building or within an area completely enclosed within walls having a life expectancy of 20 years or more from the date of installation. Storage shall not be visible above the height of the walls. Commercial trucks shall be stored or parked within an enclosed building or an area enclosed by a fence, wall or hedge, and out of the view from adjacent properties. Above ground propane and chlorine storage tanks shall be prohibited.

.7 Signs.

Except as provided herein, signage shall comply with section 33-284.63 of the Miami-Dade County Code as adopted by the Village of Palmetto Bay via ordinance 04-16.

- A. Temporary signs shall be permitted in compliance with Sec. 33-99 of the Miami-Dade County Code as adopted by the Village of Palmetto Bay via ordinance 04-16.
- B. Permanent Point of Sale Signs. Permanent point of sale signs shall be permitted as follows:
1. The following permanent point of sale signs are permitted in all sub-districts in conjunction with permitted business uses: building identification, detached, flat attached, hanging, awning, and cantilever projecting.
    - a. Cantilever projecting signs shall be mounted and perpendicular to the building.
    - b. The copy of an awning sign shall only be located on the valance of the awning.
    - c. The bottom of a hanging sign shall be located at a minimum height of eight (8) feet from the finished floor.
  2. Maximum size, location, and number of signs shall be as follows:

<b>Core</b>	<b>Center</b>	<b>Number of Signs</b>
Building identification at top of building: 150 sq. ft.	Building identification at top of building: 75 sq. ft.	One (1) per building
Flat attached: 24 sq. ft.		One (1) of each type per tenant per street frontage
Cantilever: eight (8) sq. ft.		
Hanging, awning, detached, six (6) sq. ft.		

3. Illumination/lighting shall comply with section 33-96 of the Miami-Dade County Code as adopted by the Village of Palmetto Bay via ordinance 04-16.
  4. Maximum heights shall be as follows:
    - a. Four (4) feet above grade to top of sign for detached signs;
    - b. No limits for flat attached signs;
    - c. For signs painted on the façade of a building or on the valance of an awning, the copy shall not exceed one (1) foot.
- C. Prohibited Signs. The following types of outdoor signs shall be prohibited:
1. automatic electric changing signs;

2. revolving, rotating and other moving signs;
3. banners;
4. flags;
5. roof signs;
6. balloon signs; and
7. class C commercial signs or other outdoor advertising, except as permitted by the Village.

8 *Non-conforming Structures, Uses, and Occupancies.*

Nothing contained in this chapter shall be deemed or construed to prohibit a continuation of a legal nonconforming structure, use or occupancy in the FT&I District that either (1) was existing as of the date of the district boundary change on the property to FT&I District or (2) on or before said date, had received final site plan approval through a public hearing pursuant to this chapter or through administrative site plan review or had a valid building permit. However, any structure, use or occupancy in the FT&I District that is discontinued for a period of at least six months, or is superseded by a lawful structure, use or occupancy permitted under this chapter, or that incurs damage to the roof or structure to an extent of 50 percent or more of its market value, shall be subject to Section 33-35(c) of the Miami-Dade County Code as adopted by the Village of Palmetto Bay via ordinance 04-16. However, a lawfully existing single-family home use that is discontinued for a period of at least six (6) months or that incurs damage to the roof or structure to an extent of 50 percent, or more of its market value, shall not be subject to section 33-35(c) of the Miami-Dade County Code as adopted by the Village of Palmetto Bay via ordinance 04-16.

9 *Review Procedure/Administrative Site Plan and Architectural Review.*

Except for individual single-family homes and duplexes, all applications for development approval within FT&I that are not otherwise permitted as nonconforming uses or structures shall comply with the requirements of this chapter and with the site plan and architectural review criteria contained herein. Developments shall be processed and approved administratively as follows:

- A. Administrative site and architectural plan review. The Department shall review plans, including the exhibits listed below for completeness and compliance with the provisions of this chapter, including the Regulating Plans, and for compliance with the site plan review criteria provided herein. The Director shall issue a final decision within 21 days of the date of submission of the completed application. The applicant shall have the right to extend the 21-day period by an additional 21 days upon timely request made in writing to the Department. The Department shall have the right to extend the 21-day period by written notice to the applicant that additional information is needed. Denials shall be in writing and shall specifically set forth the grounds for the denial. Any final decision of the Director may be appealed in accordance with the procedures established in this Chapter for appeals of administrative decisions.
- B. Applications for administrative site plan and architectural review under this chapter shall be accompanied by exhibits prepared by registered architects and landscape architects that shall be submitted to the Department and shall include the following:
  1. Site plan(s) including:
    - a. Sub-district location and land use plan designation;
    - b. Street layouts and designations, as per this chapter;
    - c. Locations, shape, size, and height of existing buildings;
    - d. Pedestrian and vehicular circulation systems;
    - e. Drive-through facilities circulation systems, if any;
    - f. Indication of street vistas;
    - g. Lot lines, setbacks and build-to-lines;
    - h. Location of open spaces including anchor points, if applicable;
    - i. Location, layouts and drives of on-street and off-street parking, loading facilities and waste collection areas;
    - j. location, layouts of drive through facilities, including ingress and egress;
    - k. Indication of signage; and
    - l. Indication of any site or building design methods used to conserve energy.
  2. Landscape plans, including specifications of species of plant material, location, and size in accordance with this chapter and Chapter 18A of the Miami-Dade County Code as adopted by the Village of Palmetto Bay via ordinance 04-16.
  3. Street cross-sections, including adjacent buildings and open space.
  4. Floor plans, elevations and sections of all buildings, including total gross square feet of area for each floor and all dimensions relating to the

requirements of this chapter. A pattern book may be submitted for detached and attached single-family units including, at a minimum, unit plans and elevations, elevation of unit groupings and typical design details such as street lamps, benches, fencing, and paving details.

5. Figures indicating the following:
  - a. Gross and net acreage;
  - b. Total square footage for each use by type;
  - c. Total number of dwelling units;
  - d. Total number of parking spaces required and provided;
  - e. Amount of passive and active open space in square feet; and
  - f. Such other design data as may be needed to evaluate the project's compliance with the requirements of this chapter, including traffic impact analyses and studies.
- C. Fees established for review of applications for administrative site plan and architectural review under this chapter. The Village shall charge the applicant the direct cost of review by employed professionals and/or engineering, planning, legal, technical or environmental consultants deemed reasonably necessary by the Village to review any application. Charges shall be in accord with the hourly rate charges by such employed professionals or consultants. The applicant shall reimburse the Village for the cost of such upon submission of an invoice within 30 days.

10 *Zoning relief from certain requirements.*

Relief from the following requirements of this chapter shall be permitted only pursuant to the standards and requirements of section 33-311(A)(4)(a) of the Miami-Dade County Code as adopted by the Village of Palmetto Bay via ordinance 04-16.

1. Minimum and maximum densities;
2. required liner buildings used to screen parking;
3. colonnade regulations, including minimum horizontal and vertical clearances;
4. provision of A streets;
5. requirements for street trees, greens, plazas, squares and medians;
7. maximum size of blocks;
8. curb requirement in the Core and Center sub-district; and
9. signage.



.11 Conflicts with other chapters and regulations.

This chapter shall govern in the event of conflicts with other zoning, subdivision or landscape regulations of this code.

.12 Vesting of Site Plan and Building Permits.

All site plans and building permits already being reviewed (prior to final passage of the FT&I Ordinance) by the Village Department of Community Development may proceed forward and shall not be required to adhere to the FT&I ordinance.. Further, it being the intent of this ordinance that building permits for the repair of existing structures, or parts thereof building permits may be issued for any and all projects if the project does not increase the size or footprint of the existing building or structure, and, provided, the project does not require more than 50 percent modification. Fifty percent modification shall require compliance with the FT&I ordinance.

Section 2. Renumbering or Relettering.

It is the intention of this Village Council, and is hereby ordained that the provisions of this ordinance shall become and made part of the Code of the Village of Palmetto Bay, Florida. The section of this ordinance may be renumbered or relettered to accomplish such intention, and the word “ordinance” may be changed to “section,” “article,” “chapter,” or other appropriate word.

Section 3. Severability.

The provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 4. Ordinances in conflict.

All ordinances or parts of ordinances in conflict with the provisions of this ordinance are repealed.

Section 5. Codification.

This ordinance shall be codified and included in the Code of Ordinances.

Section 6. Effective Date.

This ordinance shall take effect immediately upon enactment.

**PASSED AND ENACTED** this [1st] day of [May], 2006.

1<sup>st</sup> Reading: February 6<sup>th</sup>, 2006

2<sup>nd</sup> Reading: April 3<sup>rd</sup>, 2006

3<sup>rd</sup> Reading: May 1<sup>st</sup>, 2006

Attest: \_\_\_\_\_

Meighan Pier,  
Village Clerk

\_\_\_\_\_  
Eugene P. Flinn, Jr.,  
Mayor

APPROVED AS TO FORM:

\_\_\_\_\_  
Eve A. Boutsis, Office of Village Attorney  
Nagin Gallop & Figueredo, P.A.

**FINAL VOTE AT ADOPTION:**

Council Member Ed Feller \_\_\_\_\_

Council Member Paul Neidhart \_\_\_\_\_

Council Member John Breder \_\_\_\_\_

Vice-Mayor Linda Robinson \_\_\_\_\_

Mayor Eugene P. Flinn, Jr. \_\_\_\_\_