

CITY OF MIAMI: PZAB RESOLUTION (ITEM NUMBER 18679)

A RESOLUTION OF THE MIAMI PLANNING, ZONING AND APPEALS BOARD, RECOMMENDING TO THE MIAMI CITY COMMISSION APPROVAL OF AN ORDINANCE AMENDING ORDINANCE NO. 13114, THE ZONING ORDINANCE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED ("MIAMI 21 CODE"), SPECIFICALLY BY AMENDING ARTICLE 1, TITLED "DEFINITIONS," TO INTRODUCE NEW DEFINITIONS AND AMEND DEFINITIONS RELATED TO GREENWAYS; BY AMENDING ARTICLE 3, TITLED "GENERAL TO ZONES," TO INTRODUCE A PUBLIC BENEFITS PROGRAM TO ALLOW ADDITIONAL HEIGHT AND FLOOR AREA FOR ELIGIBLE T5 AND T6 PROPERTIES WITHIN A QUARTER (1/4) MILE OF A GREENWAY; AND BY AMENDING ARTICLE 4, TITLED "STANDARDS AND TABLES," TO CLARIFY THE GREENWAY CIVIC SPACE TYPE; MAKING FINDINGS; CONTAINING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on October 22, 2009, the City Commission adopted Ordinance No. 13114, the Zoning Ordinance of the City of Miami, Florida, which has been amended from time to time ("Miami 21 Code"); and

WHEREAS, the City of Miami ("City") Greenway system is an expanding trail network, including existing and future portions of Greenways such as the Underline, Commodore Trail, Ludlam Trail, Miami River Greenway, and Underdeck; and

WHEREAS, Greenways provide essential community connectivity through the City, offer recreational and alternative transportation routes, improve public health, and boost local economies; and

WHEREAS, development along Greenways introduces active uses to the adjacent trails, contributes to high quality open spaces, and promotes active lifestyles by providing access to green spaces and safe paths for walking and biking; and

WHEREAS, an amendment is necessary to promote development along the City's Greenway network while supporting reinvestment into the City's public parks and open spaces through the development and construction of new portions of the designated Greenways, as well as improvements to existing Greenways; and

WHEREAS, consideration has been given to the Planning Director's recommendations and a public hearing was held on the proposed amendments; and

WHEREAS, consideration has been given to the need and justification for the proposed change, including changed or changing conditions that make the passage of the proposed change necessary; and

WHEREAS, consideration has been given to the relationship of this proposed amendment to the goals, objectives and policies of the Miami Comprehensive Neighborhood Plan (“MCNP”), with appropriate consideration as to whether the proposed change will further the goals, objectives and policies of the MCNP; the Miami 21 Code; and other City regulations; and

WHEREAS, the proposed amendments support Policy TR-2.9.3 of the MCNP to develop a comprehensive active transportation plan for Miami that integrates bicycle, pedestrian, and Greenway components by conducting a network gap analysis and developing a list of prioritized projects based on objective criteria. These criteria should include road classification; proximity to transit stops and park-and-ride lots; proximity to schools, parks, or other public facilities; proximity to activity centers and transit corridors; consideration of high-crash locations; potential to connect gaps in existing sidewalk, Greenway, and other non-motorized transportation network; and

WHEREAS, City staff met with the Friends of the Underline on August 26, 2025 and other relevant stakeholders of the City’s Greenway network on November 21, 2025; and

WHEREAS, after review and consideration, it is recommended that the City Commission approve an ordinance as set forth herein;

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING, ZONING AND APPEALS BOARD OF THE CITY OF MIAMI, FLORIDA:

Section 1. The recitals and findings contained in the Preamble to this Resolution are adopted and incorporated as if fully set forth in this Section.

Section 2. The Planning, Zoning and Appeals Board hereby recommends approval to the City Commission of an ordinance amending Ordinance No. 13114, the Zoning Ordinance of the City of Miami, Florida, making modifications to Article 1 ‘Definitions’ in the following particulars:¹

“ARTICLE 1. DEFINITIONS

* * *

1.2 DEFINITIONS OF TERMS

¹ Words and/or figures stricken through shall be deleted. Underscored words and/or figures shall be added. The remaining provisions are now in effect and remain unchanged. Asterisks indicate omitted and unchanged material.

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Commercial Vehicle: A Commercial Vehicle is any vehicle designed, intended or used for transportation of people, goods, or things, not including private passenger vehicles and trailers for private nonprofit transport of goods or boats.

Commodore Trail: See Greenway.

Common Lawn: See Article 4, Table 7.

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Frontage: The area between a Building Facade and the vehicular lanes of a Thoroughfare, Mean High waterline of a Waterfront, or Frontage Line of a Civic Space Type-, or Greenway.

* * *

Greenway: An Open Space Corridor in ~~largely natural condition~~ which consists of natural and/or planned landscape and which may include paths for bicycles and pedestrians including, but not limited to existing and future portions of the Underline, Commodore Trail, Ludlam Trail, Miami River Greenway, and Underdeck (also known as the Reverend Edward T. Graham Heritage Trail). See Article 4, Table 7.

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Low Income Housing: As established by the City's Community Development Department.

Ludlam Trail: See Greenway.

Major Facility: See Section 1.1, Civil Support Use.

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Market Rate Housing: As established by the City's Community Development Department.

Miami River Greenway: See Greenway.

Microbrewery: An establishment that is primarily a manufacturing facility, where beer is produced for wider distribution and consumption on premises, with a maximum production of 15,000 barrels of beer per year. The establishment shall include retail sales, a tasting room, and/or a restaurant where beer manufactured onsite is served. See Article 6.

* * *

Type: A category determined by Function, disposition, and configuration, including size or extent, such as Thoroughfare types, Civic Space Types, etc.

Underdeck (also known as Reverend Edward T. Graham Heritage Trail): See Greenway.

Underline: See Greenway.

Unity of Title: A written agreement executed by and between a property owner and the City whereby the property owner for a specified consideration by the City agrees that the Lots and or parcels of land constituting the Building site shall not be conveyed, mortgaged and or leased separate and apart from each other and that they shall be held together as one (1) tract. Such Unity of Title shall be recorded in the Public Records of Dade County, Florida and shall run with the land and shall be binding upon the property owner(s), their successors and assigns. See Article 7, Section 7.1.7. A covenant in lieu of Unity of Title is acceptable in situations where a unified lot is required by this Code, but a Unity of Title is not practical due to different ownership. Such covenant must conform to all of the requirements of Article 7, Section 7.1.7.5 of this Code. The terms Unity of Title and covenant in lieu of Unity of Title shall be interchangeable for purposes of this Code.

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Section 3. The Planning, Zoning and Appeals Board hereby recommends approval to the City Commission of an ordinance amending Ordinance No. 13114, the Zoning Ordinance of the City of Miami, Florida, making modifications to Article 3 'General to Zones' in the following particulars:²

"ARTICLE 3. GENERAL TO ZONES

* * *

SECTION 3.14 PUBLIC BENEFITS PROGRAM

The intent of the Public Benefits Program established in this section is to allow bonus Building Height in T5 and T6 Zones, bonus FLR in T6 Zones, and bonus Building Height in D1 Zones, subject to certain conditions, in exchange for the developer's contribution to specified programs that provide benefits to the public.

3.14.1

The bonus Height and FLR shall be permitted if the proposed Development contributes toward the specified public benefits, neighborhood enhancements, and/or Affordable/Workforce Housing above that which is otherwise required by this Code, in the amount and in the manner as set forth herein.

² Words and/or figures stricken through shall be deleted. Underscored words and/or figures shall be added. The remaining provisions are now in effect and remain unchanged. Asterisks indicate omitted and unchanged material.

T5 bonus Height

1. The bonus Height shall only be available to properties in a T5 Transect Zone that are not located within or Abutting the Neighborhood Conservation District (NCD) of Coral Gate (NCD-1), Village West Island District and Charles Avenue (NCD-2), or the Coconut Grove Neighborhood Conservation District (NCD-3), and satisfy one or more of the following circumstances:
 - a. T5-O site within a TOD not Abutting a T3 Transect Zone; or
 - b. T5-O site within a TOD Abutting a T3 Transect Zone shall be by process of Exception with City Commission approval; or
 - c. T5-O lots assembled and platted prior to Miami 21 that are more than 200,000 square feet shall be by process of Exception with City Commission approval; or
 - d. T5 site that Abuts a D1 Transect Zone except when Abutting a T3 Transect Zone; or
 - e. T5-O site within a one-quarter (1/4) mile of a Greenway, not Abutting a T3 Transect Zone; or
 - f. T5-O site within a one-quarter (1/4) mile of a Greenway, Abutting a T3 Transect Zone shall be by process of Exception with City Commission approval; or
 - e. g. T5-O site within an Opportunity Zone and within a TOD or a quarter (1/4) mile of a Transit Corridor, but not Abutting a T3 Transect Zone.
 - f. h. T5-O site located within one of the following Transit Corridors:
 - i. NW 7th Avenue
 - ii. Biscayne Boulevard
2. For properties that fall under the above subsections 3.14.1(1)(a) through ~~(d)~~(f), the bonus Height shall be as follows:

T5-O: five (5) Story maximum, bonus to eight (8) Stories; bonus Development Height shall only be permitted through Public Benefits pursuant to Section 3.14 and/or neighborhood enhancements as described below in an amount equivalent to the floor area of the proposed bonus floors, as follows:

 - a. Landscape Enhancements: Development provides for native specimen street trees within the verge with a DBH of twenty-five percent (25%) above the typical standards required by Article 9 and City Code Chapter 17 and are specified within an adopted Street Tree Master Plan. For each tree provided on-site above twenty-five percent (25%) of the standard DBH required, a development shall be allowed an equivalent amount of Floor Area of anticipated mature canopy area provided up to the bonus Height described in Section 3.14.1.

- b. Park Improvements: As identified under Section 3.14.4.b improvements shall be coordinated with the City's Capital Improvement Program within the associated Commission District. Nothing herein shall prohibit or limit an applicant under this section from making an additional voluntary contribution of amounts in excess of its obligation under this section to be used for Capital Improvements within the associated Commission District.
- c. Pedestrian and Mobility Connections: Creating or improving pedestrian and mobility connections between the development site and a transit stop and/or other community-serving destinations such as parks, government buildings, and commercial corridors. Such connections may include, but are not limited to, City Right-of-Way crosswalks, sidewalk improvements, street trees, street furnishings, and, traffic calming improvements that are coordinated with the City's Capital Improvements Program of the associated Commission District.
 - i. The value of contributing pedestrian and mobility connection improvements shall be calculated and for said value, the development project shall be allowed additional bonus Height as described in Section 3.14.1. For all applicable purposes, such contributions shall be treated as a Trust Fund contribution pursuant to Section 3.14.4.b.(3).
- d. On-site Mobility Amenities: For development sites within a TOD area and five hundred (500) feet of the Underline, enhanced on-site mobility amenities may be provided over and above the required bicycle facilities identified within Section 3.6.10. Such mobility amenities include air-conditioned space, lockers, showers, bicycle repair stations, drinking fountains within the mobility amenity space, and increased bicycle storage providing at least twenty percent (20%) more bicycle spaces than required. If at least two of the preceding enhancements are provided, the Development shall be allowed bonus Height of an equivalent amount of Floor Area as described in Section 3.14.1. If at least three (3) of the preceding enhancements are provided, the Development shall be allowed bonus Height of two (2) times the amount of Floor Area as described in Section 3.14.1. If at least four (4) of the preceding enhancements are provided, the Development shall be allowed bonus Height of three (3) times the amount of Floor Area as described in Section 3.14.1.
 - i. The value of contributing on-site mobility amenities shall be calculated and for said value, the development project shall be allowed additional bonus Height as described in Section 3.14.1. For all applicable purposes, such contributions shall be treated as a Trust Fund contribution pursuant to Section 3.14.4.b.(3).
- e. Greenway Improvements:
 - i. Development within a one-quarter (1/4) mile of a Greenway but not fronting a Greenway shall provide either of the following:

development of a mixed-income building with Dwelling Units provided as described below:

- a. Certification by the City of Miami's Housing and Community Development Department, or successor, that the proposed Development is providing the minimum requirements stated herein:
 - i. the first Story of bonus Development Height shall be permitted through the provision of a minimum five percent (5%) of the total Dwelling Units as Affordable/Workforce Housing serving residents at or below one hundred percent (100%) of the AMI; and
 - ii. any additional Stories of bonus Development Height, up to the maximum stated in 3.14.1.3, shall be permitted through the provision of an additional minimum of five percent (5%) of the total Dwelling Units as Affordable/Workforce Housing serving residents at or below eighty percent (80%) of the AMI.
- b. All Developments under this Section shall submit a recorded covenant running with the land in a form acceptable to the City of Miami, confirming the Development will meet the above criteria for a period of no less than thirty (30) years from the date of the issuance of a Certificate of Occupancy for homeownership or rental housing Development, with a minimum of two (2) automatic ten (10) year extensions that may only be released with City Commission approval. Said covenant shall meet all other requirements including those set forth in Chapter 62 of the City Code.

T6 bonus Height

The bonus shall not be available to properties in a T6 Zone if the property abuts a T3 Zone or in a T6-8 Zone if the property shares a property line with a CS Zone.

1. T6-8: eight Story maximum, bonus to twelve (12) Stories, FLR 5; bonus of twenty-five percent (25%)
2. T6-12: twelve (12) Story maximum, bonus to twenty (20) Stories, FLR 8, bonus of thirty percent (30%)
3. T6-24a: twenty-four (24) Story maximum, bonus to forty-eight (48) Stories, FLR 7, bonus of thirty percent (30%)
4. T6-24b: twenty-four (24) Story maximum, bonus to forty-eight (48) Stories, FLR 16, bonus of forty percent (40%)
5. T6-36a: thirty-six (36) Story maximum, bonus to sixty (60) Stories, FLR 12, bonus of forty percent (40%)
6. T6-36b: thirty-six (36) Story maximum, bonus up to sixty (60) Stories, FLR 22, bonus of forty percent (40%)

7. T6-48a: forty eight (48) Story maximum, bonus up to eighty (80) Stories, FLR 11, bonus of fifty percent (50%)
8. T6-48b: forty eight (48) Story maximum, bonus up to eighty (80) Stories, FLR 18, bonus of fifty percent (50%)
9. T6-60a: sixty (60) Story maximum, bonus up to unlimited Stories, FLR 11, bonus of fifty percent (50%)
10. T6-60b: sixty (60) Story maximum, bonus up to unlimited Stories, FLR 18, bonus of fifty percent (50%)
11. T6-80: eighty (80) Story maximum, bonus to unlimited Stories, FLR 24; bonus of fifty percent (50%).
 - a) Transect Zone Heights are fully described in Article 5.
 - b) In addition, certain other bonuses may be provided as follows:
12. Reserved
13. In T6 zones, additional Height and FLR for LEED certified Silver, Gold or Platinum Buildings as described in Section 3.14.4.
14. An additional Story in any zone for development of a Brownfield as described in Section 3.14.4.
15. In T6 zones additional Height and FLR for development that donates a Civic Space Type or Civil Support Use area, including a Greenway, to the City of Miami as described in Section 3.14.4.
16. In T6-24b zones, bonus Height and FLR shall be fully satisfied through the following requirements:
 - i. For rental Residential Development, a minimum of fourteen percent (14%) of the units shall be provided as Workforce Housing or a minimum of seven percent (7%) of the units shall be provided as Affordable Housing.
 - ii. For ownership Residential Development, a minimum of ten percent (10%) of the units shall be provided as Workforce Housing or a minimum of five percent (5%) of the units shall be provided as Affordable Housing.
 - iii. For all other development excluding ground floor Commercial and Office Uses, fourteen percent (14%) of the non-residential FLR shall be provided as a Trust Fund contribution as described in Section 3.14.4.a.(3).
17. In T6-8-O zones located in TOD areas, a proposed Development may obtain an additional two (2) Bonus FLR in addition to two (2) by Right FLR that is available only after fully utilizing all other Bonus FLR. There will be no limitations on the number of stories but a maximum Building Height of 179 feet (or 235 feet for developments which are 500 feet or more from T3) if the proposed Development meets one of the following

criteria, as further described in Section 3.14.4:

- For Office Development: Contributions to the Public Benefit Trust Fund for the purposes of developing Affordable/Workforce Housing at or below one hundred percent (100%) AMI.
- For Residential Development: All bonus height and FLR is satisfied through the provision of on-site Affordable/Workforce Housing at or below one hundred percent (100%) of AMI.

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3.14.3

The proposed bonus Height and FLR shall be permitted in exchange for contribution to the City for the following public benefits: Affordable/Workforce Housing, Public Parks and Open Space, Green Buildings, Brownfields, and Civic Space or Civil Support space. The City shall establish a Miami 21 Public Benefits Trust Fund for the cash contributions for Affordable/Workforce Housing, Public Parks and Open Space, and Green Building certification shortfall penalty made under this section. The City Commission, upon the manager's recommendation, shall annually decide the allocation of funds from the Trust Fund collected under this section. All cash contributions thus allocated by the Commission to support Affordable/Workforce Housing shall be deposited in the Affordable Housing Trust Fund for expenditures pursuant to the guidelines adopted by the City Commission. All cash contributions thus allocated by the Commission to support Parks and Open Space shall be deposited in the Parks and Open Space Trust Fund, set forth in Chapter 62 of the City Code, to be expended in accordance with the guidelines outlined therein.

a. Definitions

1. Affordable/Workforce Housing shall mean: housing available to families which meet the qualifications as established by the City Housing and Community Development Department and as specifically defined in Article 1 and shall not exceed 100% AMI.
2. Public Parks and Open Space shall mean: Open Space meeting the standards of Article 4, Table 7 of this Code.
3. Green Building shall mean a Building certified by the United States Green Building Council (USGBC) as Silver, Gold or Platinum rated.
4. Brownfield shall mean: a site within the City that is subject to a Brownfield Site Rehabilitation Agreement (BSRA) executed between the property owner and the City Department of Economic Development.

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3.14.4

For the purposes of the public benefits program, the following criteria shall apply:

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- b. Public Parks, Open Space, or Park Improvements. The development project may provide any of the following or combination thereof:
1. Public Park, or Open Space, provided through purchase and in an area of need identified by the City Parks and Open Space Master Plan and the City's Parks Department. In addition park improvements provided through donation for Public Parks with amenity levels that are Moderate or that Need Improvement as defined by the Parks Department Facilities' Assessment Report.
 - i. For each square foot of dedicated public Park or Open Space provided, the development shall be allowed two times the development Floor Area of provided land up to the bonus Height and FLR as described in Section 3.14.1. The Open Space may be a Park, Green, ~~or Square,~~ or Greenway, as more fully described in Article 4, Table 7 of this Code.
 - ii. Park and/or Greenway improvements shall be valuated and for said value the development project shall be allowed additional Floor Area up to the bonus Height and FLR described in Section 3.14.1 and shall for all applicable purposes be treated as a Trust Fund contribution pursuant to Section 3.14.4.b.(3).
 - iii. Park improvements for Public Parks in areas below 50% median income threshold shall be allowed two times the valuation credit.
 - iv. Park improvements for Public Parks located within five hundred (500) feet of the development site and that are within a T5 Transect Zone and a TOD area shall be allowed two (2) times the valuation credit for up to 50% of the Floor Area. Park improvements for Public Parks located within five hundred (500) feet of the development site that are within a T5 Transect Zone and a TOD area with a Metrorail, Brightline or Tri-Rail station shall be allowed five (5) times the valuation credit for up to 50% of the Floor Area.
 - v. Donations must meet all City requirements for design, equipment specifications, construction, warranties, etc. Park improvements are subject to review and approval by the City Manager or designee in accordance with Miami 21.
 2. Public Open Space provided on-site in a location and of a design to be approved by the Planning Director. For each square foot of dedicated public Park or Open Space provided, the development

shall be allowed an equivalent amount of development Floor Area up to the bonus Height and FLR as described in Section 3.14.1. The project shall maintain the Frontage requirements of the Transect Zone. The Open Space may be a Courtyard, Plaza, Greenway, or Thoroughfare or Pedestrian Passage through the site connecting two (2) Thoroughfares, such as a segment of the Baywalk or FEC Greenway. See Article 4, Table 7.

3. Trust Fund contribution. For a cash contribution to the Miami 21 Public Benefits Trust Fund, the development project shall be allowed additional Floor Area up to the bonus Height and FLR described in Section 3.14.1. The cash contribution shall be determined based on a percentage of the market value of the per square foot price being charged for units at projects within the market area where the proposed project seeking the bonus is located. The calculation assumes a land value per saleable or rentable square foot within market area to equate to between 10 (ten) to 15 (fifteen) percent of market area's weighted average sales price per square foot. The cash contributions shall be adjusted on an annual basis to reflect market conditions effective October 1st of every year.
4. Greenway Improvements.
 - i. A Development within a one-quarter (1/4) mile of a Greenway, but not fronting a Greenway, shall be allowed up to fifty percent (50%) of the bonus Floor Area up to the allowable bonus Height as described in Section 3.14.1 as follows:
 1. Development provides a cash contribution into the Parks and Open Space Trust Fund; or
 2. Development constructs and maintains a portion of a designated Greenway for a minimum length of fifty (50) linear feet. The value of the contributing Greenway shall be calculated and reviewed by the Planning Department and for said value, the Development project shall be allowed additional bonus Height as described in Section 3.14.1. The construction of said Greenway shall be coordinated with the owner of the respective Greenway, be of a design reviewed and approved by the Planning Department, and shall take place concurrently with the construction of the Development. Maintenance of said Greenway shall be evidenced by a covenant running with the land, in a form acceptable to the City Attorney.
 - ii. A Development fronting or Abutting a Greenway shall be

allowed up to fifty percent (50%) of the bonus Floor Area up to the bonus Height as described in Section 3.14.1 as follows:

1. A Development shall construct and maintain a portion of a designated Greenway either on or off-site, in a length equivalent to or greater than the linear feet of Building Frontage along said Greenway, with a minimum length of 50 feet. The value of the contributing Greenway shall be calculated and reviewed by the Planning Department, and for said value, the Development project shall be allowed additional bonus Height as described in Section 3.14.1. Construction of said Greenway shall be coordinated with the owner of the respective Greenway, be of a design reviewed and approved by the Planning Department, and shall take place concurrently with the construction of the Development. Maintenance of said Greenway shall be evidenced by a covenant running with the land, in a form acceptable to the City Attorney.
2. A Development may exceed the allowable Floor Area up to bonus height as described in Section 3.14.1 by an additional fifty percent (50%) by providing a cash contribution into the Parks and Open Space Trust Fund.
3. Notwithstanding the above, those properties participating in this program that front a Greenway shall comply with performance criteria as follows:
 - a. Building Facades exceeding one hundred (100) linear feet facing a Greenway shall be broken with vertical architectural elements, artistic intervention and/or a Civic Space Type; and
 - b. A Development shall provide enhanced landscape design and hardscape design that includes the following: Landscape Features, furnishing elements, bicycle racks, and lighting design.

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Section 4. The Planning, Zoning and Appeals Board hereby recommends approval to the City Commission of an ordinance amending Ordinance No. 13114, the Zoning Ordinance of the

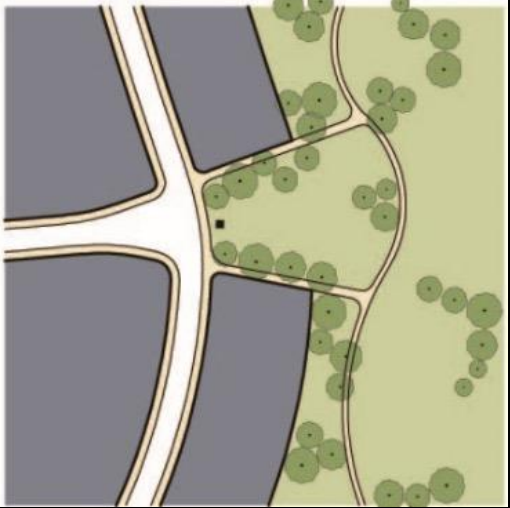
City of Miami, Florida, making modifications to Article 4 'Standards and Tables' in the following particulars:³

“ARTICLE 4. STANDARDS AND TABLES

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TABLE 7 CIVIC SPACE TYPES

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<p>i. Greenway: A continuous public space intended for recreation and conveyance that links to a <u>usually in combination with a larger linear trail network.</u> A Greenway shall have a minimum length of a half-mile and an average width of 14 feet or more but may at no point have a width less than 8 feet. Its landscape should be similar to a Park with bike and pedestrian trails through the space for enhanced connectivity. Buildings fronting a Greenway shall be considered a Principal Frontage in all Transect Zones except in T3 zones.</p>	
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Section 5. If any section, part of a section, paragraph, clause, phrase or word of this Resolution is declared invalid, the remaining provisions of this Resolution shall not be affected.

Section 6. It is recommended to the City Commission that the provisions of the Ordinance become and be made a part of the Miami 21 Code, which provisions may be renumbered or relettered and that the word “ordinance” may be changed to “section”, “article”, or other appropriate word to accomplish such intention.

Section 7. This Resolution shall become effective immediately upon adoption.

³ Words and/or figures stricken through shall be deleted. Underscored words and/or figures shall be added. The remaining provisions are now in effect and remain unchanged. Asterisks indicate omitted and unchanged material.