

# 30-50-23. Downtown Urban Village District

## 30-50.23.1 GENERAL INTRODUCTION; PROCEDURES; BONUSES; INCENTIVES

### Section 1.01 Purpose and Intent

This Section 1 introduces provides the detailed regulations for the development within the Village of Palmetto Bay Downtown zoning district Urban Village (DUV) and outlines how these regulations will be used to implement as a part of the Village's vision. The intention of this section is to facilitate development of a community village center for a downtown within the Village of Palmetto Bay. These regulations will: This section will:

- Create a new living and working environment in the heart of Palmetto Bay that will feature walkable and bikeable streets, compact mixed-use buildings, and convenient access to many forms of transportation.
- Provide for appropriate building and architectural scale through the inception of development standards that provide for a varied building forms that responds to the individual sectors districts within the Downtown boundary. Urban Village (DUV).
- Promote and enhance commercial and civic street scene activity through adequate provisions for the inclusion of sufficient ground level retail commercial oriented uses, and retail commercial architectural typologies;
- Promote and enhance the architectural character of the Downtown Urban Village (DUV) through the inception of provisions that promote high-quality urban design form, architectural features, and Complete Streets design standards within the Downtown Urban Village (DUV).

### Section 1.02 Application

The Palmetto Bay Downtown Urban Village regulations (DUV) is are guided by the provisions herein, for the sole purpose of establishing form based regulations for development within the Downtown Urban Village (DUV). Where there appears to be a conflict between these regulations the DUV and other requirements of any other statute, law, or regulation, the most restrictive, and/or imposing the higher standard for achieving the Downtown vision shall govern, unless otherwise noted.

### Section 1.03 Organization

This Downtown code The DUV is organized into the following sections:

#### 1. Introduction; Procedures; Bonuses; Incentives

Section 1 introduces important provisions of this code including non-conforming uses, Downtown review procedures, and allowable bonuses and incentives.

#### 2. Regulating Plan and Uses

Section 2 provides four regulating plans, which are maps that identify where in the Downtown zoning district certain regulations will apply. The first regulating plan defines four the sectors within the Downtown Urban Village (DUV) boundary; sector designations control the height and density

of buildings and permitted uses (see Figure 2). Other regulating plans identify new streets and alleys (Figure 3), public open spaces (Figure 4), and street types (Figure 5); the parcels included within each sector, and describes, sector by sector the standards for building placement, design and use consistent with the permitted uses within the Village.

Section 2.07: Uses identifies the land use types allowed by the Village of Palmetto Bay in each of the sectors shown in Figure 2, established in the Regulating Plans. Parcels within the Village of Palmetto Bay Downtown Urban Village (DUV) boundaries shall be designated only by land uses identified as permitted within the applicable sector.

#### 3. Sector Summaries Urban Design Standards

Section 3 provides a summary of key differences between the regulations that apply to the four sectors regulates the elements of development that affect the public realm. The urban design standards regulate building and parking placement, building height, and profile, and vary according to the location of the property within a sector defined on the Sector Plan, Figure 2.

#### 4. Development Architecture Standards

Section 4 regulates the way in which buildings development on each individual lot and block may be is developed to create an environment consistent with the intentions of the Village of Palmetto Bay Illustrative Vision Plan. Development standards are established according to the designated "frontage type" of a building. Allowable frontage types are determined by the "street type" that a lot faces, through the implementation of two (2) main mechanisms: Building Types, Sec. 4.02-4.04 and Frontage Types, Sec. 4.05.

#### 5. Street Connectivity Standards

Section 5 identifies standards conceptual location of new streets and guidelines for the design of new streets and the retrofit of existing old streets to support the intentions of the Village of Palmetto Bay Illustrative Vision Plan.

#### 6. Definitions

Section 6 identifies and defines the terms used in this Downtown code, the DUV.

## Section 1.04 Non-Conforming Uses and Structures

Nothing contained in this document shall be deemed or construed to prohibit the continuation of a legally established, non-conforming use or structure. The intent of this section is to encourage non conformities to be brought into compliance with these current regulations.

### A. Nonconforming Uses

1. Legally established nonconforming uses may continue to operate so long as the use was legally established.
2. If a nonconforming use is discontinued for a period of six months, the use may not be reestablished. A use shall be considered discontinued once the activities or commerce, essential to the continuation of the use, are abandoned. Discontinuance due to acts of force majeure shall not constitute abandonment provided that a good faith effort is made to reestablish said use.

### B. Nonconforming Structures

1. Legally established nonconforming structures may continue to be used and maintained, so long as structure was legally conforming to the existing code at the time of construction.
2. Expansions, repairs, alterations and improvements to nonconforming structures shall be permitted in accordance with the following provisions:
  - (a) Internal and external repairs or improvements (general upkeep) that do not increase the square footage of the nonconforming structure shall be permitted and shall not be subject to the requirements of this section.
  - (b) Expansions to a non-conforming structure shall be permitted as follows:
    - (i) If the total square footage of the proposed improvement is less than or equal to 30% of the structure's square footage on July 1, 2018, any at the time it became nonconforming. Any request for improvement shall require application for site plan approval. In addition, the property shall meet the tree requirements of 20 trees per acre of lot area, or participate in the Palmetto Bay Downtown Urban Village (DUV) Landscape and Open Space Program's payment in lieu program for relief from standards of Sec. 1.07 B.
    - (ii) If the total square footage of the proposed improvement is greater than 30% of the structure's square footage at the time it became nonconforming, the entire structure and site improvements shall be brought into compliance with the Downtown regulations, DUV.
3. If a non-conforming structure is damaged by an act of force majeure, repairs shall be subject to the following provisions:
  - (a) If a repair/replacement cost is less than 50% of the building's assessed value, the structure may be reconstructed at the same height and within the same building footprint as permitted originally, provided a new application for building permit is filed within 12 months of the date of damage.

(b) If a repair/replacement cost is equal to or greater than 50% of the building's assessed value, the structure and site improvements shall be brought into full compliance with the Downtown regulations, DUV.

(c) These provisions do not override the floodplain management regulations found in section 30-100.6.

## Section 1.05 Urban Design Review Procedure

All applications for development approval within the Village of Palmetto Bay Downtown zoning district Urban Village (DUV) shall comply with the requirements of section 30-30.5 and as more particularly required by this section and the review criteria in the sections to follow.

### A. Application Process

All developments within the Village of Palmetto Bay Downtown zoning district Urban Village (DUV) shall be afforded the opportunity for site plan and architecture pre-application staff review. These informal meetings are to provide the applicant the opportunity to become familiar with the standards set forth in this code and to be advised on any site planning issues that may arise with regard to a development. Applicants are encouraged to present schematic plans of development with the idea being so that all potential issues in the plan may be addressed before application submittal.

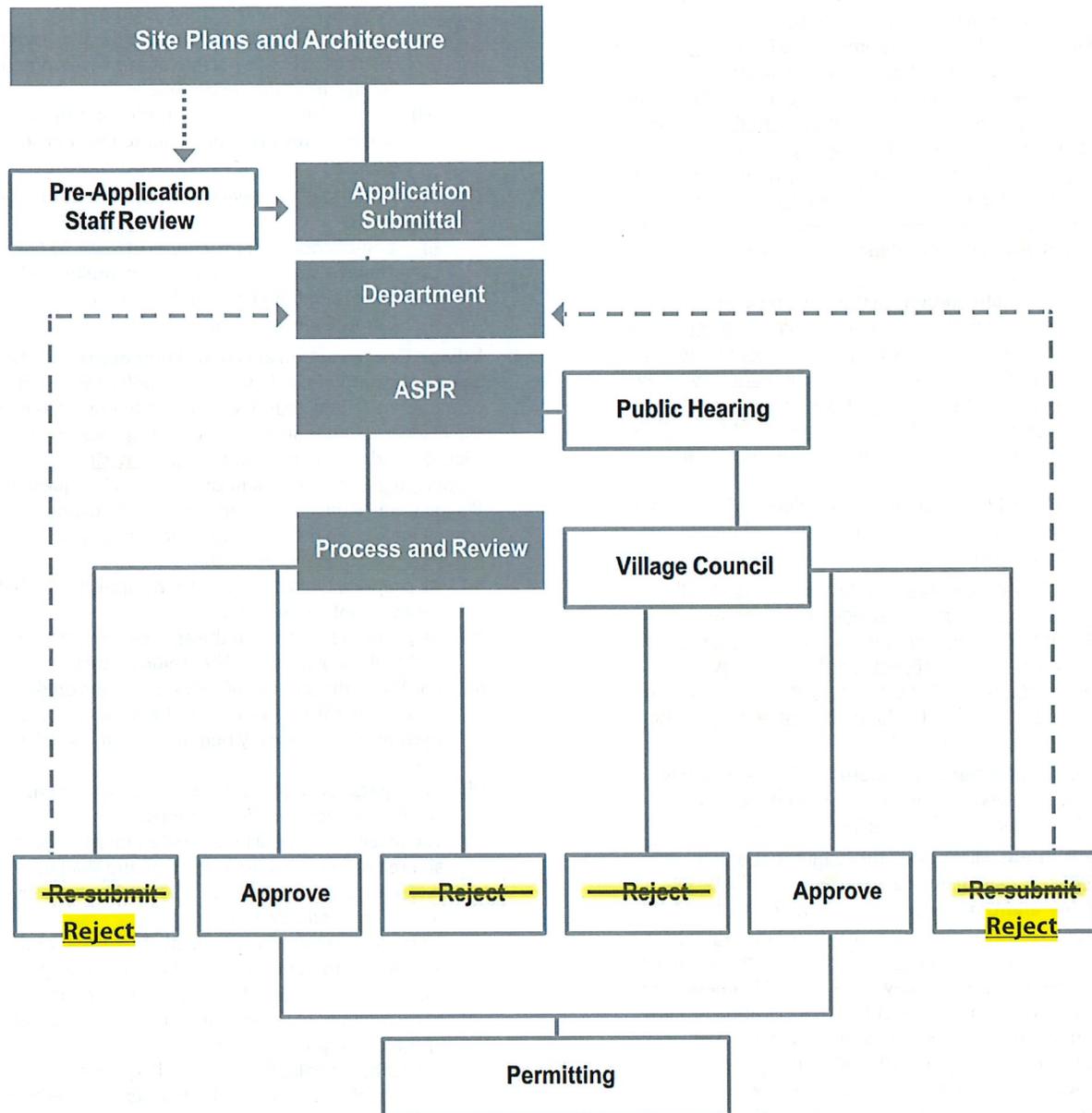
At any time, the applicant may submit an application for review by the Department, Figure 1. Applications for Site Plan Review shall be accompanied by exhibits prepared by qualified parties and a registered architect/landscape architect, submitted to the Department and shall include the following illustrations at a minimum:

- Application
- Survey
- Identification of development site area on all Regulating Plans
- Identification of street cross-sections within the site plan and the primary frontage for the site
- Site plans illustrating all proposed development on the site, including a table that indicates all area/frontage calculations, parking, landscape and open spaces that are required
- All floor plans, elevations and sections of all buildings, for each floor and all dimensions/ percentage requirements, including a corresponding table of building heights, square footage by use, and number of residential units within the development

### B. Site Plan Review Required

All applications for development pursuant to 30-50.23 shall require site plan review. Only those site plans that include variances, density bonuses (reserve residential units or reserve commercial floor area, transfer of development rights), development incentives, height bonuses, other design modifications (see Sec. 1.10), or any use which requires public hearing pursuant to the Village's Land Development regulations, and/or any other design considerations not contemplated by these provisions, shall be subject to public hearing review before the Mayor and Village Council.

Figure 1



C. **DENSITY BONUSES: Reserve Residential Units and Transfer of Development Rights**

1. **Intent and purpose:** The intent of this section is to provide density bonuses incentives that encourage the development of the Downtown Urban Village (DUV). The goal is to incentivize development in a manner that is sustainable to achieve the stated Goal, Objective or Policies of the Village Comprehensive Plan for the Franjo Activity Center. These bonuses would allow a development site to exceed the base density as specified in Sec. 3.01, but never to exceed the stated maximum bonus density. The building height caps in Sec. 3.01 still apply to development sites that receive these bonuses. Two types of density bonuses are available: to facilitate appropriate redevelopment and revitalization, and to facilitate economic development. This section provides procedures

(a) To allocate portions of the 1,246 reserve residential units available for the entire Downtown at the time of individual site plan approvals. These 1,246 units are part of the 5,661 total dwelling units that may be constructed in the Downtown under the current Comprehensive Plan, and commercial floor area, as authorized and provided by the Comprehensive Plan, and the

(b) To consider the transfer of residential development rights (TDRs) between properties within the Downtown, DUV;

A third bonus, to allocate additional commercial floor area, is authorized by the Village Comprehensive Plan but is not necessary because the amount of commercial floor area is not directly regulated by the Downtown code. A total of 1,500,000 square feet of commercial floor area may be constructed in the Downtown under the current Comprehensive Plan.

2. **Specific definitions:** The words and phrases in this section shall have the meanings prescribed in this section, except as otherwise defined in Section 6.

3. **Application:** All requests for assignment of available reserve residential units, reserve commercial square footage, and/or transfer of development rights require specific approval of the Village Council through the design modification process (see Sec. 1.10). shall be by application as provided by the Village of Palmetto Bay. All property owners subject to the application request (including owner(s) of the sending site when the application includes a TDR) shall be party to the application. All reserve residential units, reserve commercial square footage, and/or transfer of development rights application request shall be filed with a site plan application of the receiving site pursuant to section 30-30.5;

(a) All property owners subject to the application request (including the owner(s) of the sending site in the case of TDR) are encouraged to meet with staff prior to submission of an application. The purpose of the meeting is to discuss the development and/or redevelopment of the property(s) and to understand any limitations that may be imposed thereupon.

(b) All property owners subject to the application request shall be a signature to the application, and provide such information as requested by the Village to review the request. At a minimum, the information shall include the following:

- (i) Identification of the affected properties;
- (ii) Proof of ownership of the receiver site, and for TDR's proof of ownership of the development right(s) from the sender site;
- (iii) A complete site plan application of the receiver site to be reviewed pursuant to Division 30-30.5.

(c) The Village staff will review the application to assess; determine:

- (i) Compliance with the criteria of Sec.1.05 C 4
- (ii) That the site plan application complies with the Land Development Regulations and Comprehensive Plan.

4. **Village Council action and criteria for approval:** After a public hearing, the Village Council shall adopt a written resolution granting, granting with conditions, or denying the reserve residential unit, reserve commercial square footage, and/or TDR request during the design modification process. To authorize any such request, the Village Council must determine that the following criteria have been met, in addition to the design modification criteria in Sec. 1.10:

- (a) All property owners subject to the application shall be applicants to the request.
- (b) All properties subject to the application must be within the Downtown DUV zoning district.
- (c) For TDR's, the amount of residential units on the sender site cannot be reduced below 40% of the maximum base density permitted on the sender site property.
- (d) An application shall not be approved if the sender site has any active code violations.
- (e) The receiver site shall be evaluated for its viability as an area of increased development and shall be reviewed pursuant to Section 30-30.5, as reflective of the intended development.
- (f) All bonds, assessments, back City taxes, fees and liens (other than mortgages) affecting all properties subject to the application shall be paid in full prior to recordation of the warranty deed for the transfer of the development rights.
- (g) For TDRs, the validity of the sending site's residential development right(s) has been verified as available by the Director.

5. **Allocation and Transfer Generally:**

- (a) Prior to the issuance of a building permit authorizing the development of the receiver site, deeds of transfer, or other appropriate legal instrument, shall be recorded in the chain of title of all affected properties containing a covenant prohibiting the further use of the development right(s) so allocated or transferred. Further, all impact fees and any incentive-based bonus fees (see Sec. 1.07) must be paid in full.
- (b) Approved allocation of reserve residential units, reserve commercial square footage and/or TDR's shall expire if a building permit has not been issued

for construction of the units within two years after approval of the allocation, the time table for permitting/construction is not met pursuant Section 30-30.2(k) or as so provided in the approved phasing plan of the approved site plan application request. A requests for a single two-year extension may shall be filed pursuant to 30-30.2.

- (c) Unused reserve residential units and unused reserve commercial square footage that were not utilized within the required time period provided herein shall revert to the Village and return to the Village's reserve. In the case of TDR, residential units that were not utilized within the required time period provided herein shall be added to the Village residential reserve.

## Section 1.06 Public Improvement Trust Funds

The Village of Palmetto Bay shall create the following Public Improvement Trust Funds:

### A. The Village Centralized Parking Trust Fund

The Village Centralized Parking Trust Fund is created to collect funds to build public parking facilities within the DUV Downtown, which may include parking structures, shared parking lots, and on-street parking, and to implement transportation demand management strategies. The fee schedule of which shall be established by an ordinance.

### B. The Village Landscape, Civic, and Open Spaces Improvement Trust Fund

The Village Landscape, Civic, and Open Spaces Improvement Trust Fund is created to collect funds for the Village of Palmetto Bay to improve the quality, quantity and character of the right-of-ways, landscaping, civic buildings, and public open spaces within the Downtown, DUV. The fee schedule of which shall be established by an ordinance.

## Section 1.07 Other Development Incentives

The Village of Palmetto Bay creates the following programs to incentivize development within the DUV Downtown. All development incentives require specific approval of the Village Council through the design modification process (see Sec. 1.10). In order to implement the concepts and ideas fundamental to the ultimate vision, creative ways to manage and improve the limited available space within the DUV must be explored and addressed to attract the best development.

### A. The Village Parking Incentives Program

Adequate parking must be available to serve development and redevelopment of property. Downtown parking standards are shall be provided in Sec. 4.04.C, on-site or off-site through a centralized parking system in order to encourage development of property, consolidate parking and implement the vision of the Village.

The Village of Palmetto Bay hereby creates the Village Parking Incentives Program that reduces the Downtown to provide developers an opportunity for relief from parking requirements in specific cases where a proposed development has a reduced parking demand and/or contributes towards a centralized shared parking system, set forth in the DUV. The intention of this

program is to reduce the burden that mandatory parking requirements have on property owners. These opportunities are as follows:

1. **Proximity to Premium Transit:** To encourage development of sites around transit stations, a 30% reduction of the total parking requirements of this code shall be permitted for all sites within 1,000 feet of near a premium transit station. Premium transit stations and a 1,000-foot radius around each are illustrated on Figure 5 in Sec. 2.05. Lots shown in cross-hatching on Figure 5 qualify for the 30% parking reduction.
2. **Ground Floor Mixed-Use:** To encourage mixed-use developments within the Downtown, DUV, a reduction of 20% of the total parking requirements of this code shall be permitted for development that is mixed-use, with the total area of the development at the ground floor (1st Story) one (1) use (Commercial-Retail, Office,) and the remainder of stories above, another uses (Office, Residential).
3. **Payment-in-Lieu of On-Site Parking:** Developments within the Downtown Village (DV), and Downtown General (DG), and Urban Village (UV) Sectors, Figure 2, may provide payment-in-lieu of one (1) parking space for every three (3) parking spaces required by the total parking requirements of this code. This incentive is available after the fee has been of which shall be established by an ordinance. The fee is and payable to the Village Centralized Parking Trust Fund.

Developments meeting more than one (1) of the qualifications of the parking incentives program shall be permitted to combine multiple reductions; the combined reduction shall be calculated by applying the reductions in the order of applicable criteria above.

### B. The Village Landscape, Civic, and Open Space Incentive Improvement Program

It is the vision of the Village of Palmetto Bay to transform into a vibrant, attractively developed Downtown Urban Village (DUV), with a network of pedestrian and bike-friendly, open spaces. The Village of Palmetto Bay hereby creates the Village Landscape, Civic, and Open Space Incentive Program to incentivize development that supports this ultimate vision.

1. **Reserved.** Developments that seek relief from the minimum standards for private open space on the site may dedicate an exterior area of their parcel, adjacent to a street frontage, as a public open space. In exchange, developments shall be permitted a reduction of the total private open space requirements for their development, equal to the area designated as public open space. The maximum total reduction shall be a 30% reduction of private open space.
2. **Reserved.** Developments that seek relief from the minimum standards for tree requirements on the site may provide payment in lieu, up to 35% of the minimum required trees, according to Sec. 4.04 A-E 6. the fee of which shall be established by an ordinance payable to the Village Landscape and Open Space Improvement Trust Fund.

## Section 1.08 Green Certification

All development projects within the Village of Palmetto Bay shall achieve baseline third-party certification, such as LEED, ENERGY STAR for Buildings, National Green Building Standard, Florida Green Building Coalition, or other similar organizations.

## Section 1.09 Height Development Bonuses

The intent of the Height Development Bonuses program is (1) to provide development design options that contribute to the overall quality of a project, and/or (2) to incentivize future development to contribute to the construction of amenities that provide a public benefit within the downtown area. The program involves standards that exceed minimum required development parameters. Bonuses come in the form of additional building height (stories), not to exceed the maximums as provided for in the eligible districts.

### A. Eligibility for Height Bonuses

Development parcels may be eligible for height development bonuses if they are within the DUV as follows: • All developments within the Downtown Village (DV), and Downtown General (DG), or Urban Village (UV) Sectors. • All development parcels, minimum 30,000 sq. ft. lot area, with primary frontage along SW 97th Avenue (Franjo Road) in the Urban Village (UV) Sector.

### B. Height Development Bonus Opportunities

The following height bonuses may shall be available for eligible development parcels:

#### 1. Parking Bonuses for Height

- (a) Developments with underground parking shall be permitted an increase of one (1) story, not to exceed maximum overall bonus building height, as prescribed in Sec. 3.01, within each of the sectors. To qualify, the amount number of underground parking spaces whose ceilings are no higher than 3 feet above the sidewalk must be at least shall equal a minimum of the average number of spaces on all other parking levels combined.
- (b) Developments that contribute a fee equal to 15% of their adjusted required parking amount shall be permitted an increase of one (1) story, not to exceed maximum overall bonus building height, as prescribed in Sec. 3.01, within each of the sectors. This fee is separate from any shall not be payment-in-lieu of required parking (see Sec. 1.07.A). This bonus is available after the fee has been shall be established by ordinance. The fee is and payable to the Village Centralized Parking Trust Fund.

#### 2. Landscape, Civic, and Open Space Bonuses for Height

- (a) Developments that contribute an additional fee to be used for landscaping, civic buildings, and public open spaces in an amount equal to the required park impact fee, shall be permitted an increase of one (1) story, not to exceed the maximum overall bonus building height, as prescribed in Sec. 3.01, within each of the sectors. This fee shall does not replace the required park impact fee. This bonus is available after the fee has been shall be established by an ordinance. The fee is and payable to the

Village Landscape, Civic, and Open Spaces Trust Fund.

- (b) Developments that construct the public open spaces identified on the Public Open Spaces Plan 2.04, shall be permitted an increase of one (1) story, not to exceed maximum overall bonus building height, as prescribed in Sec. 3.01, within each of the sectors.

#### 3. Green Bonus for Height

- (a) Development projects that exceed the baseline third-party green certification levels may shall be permitted an increase of one (1) story by the Village Council, not to exceed the maximum overall bonus building height, after the Village Council establishes minimum standards for the green bonus.

### C. General

Development projects may seek shall be permitted to combined bonuses, not to exceed the maximum overall bonus building height, as prescribed in Sec. 3.01, within each of the sectors. All height development bonuses require specific shall be permitted pending the approval of the Village Council through the design modification process (see Sec. 1.10)

## Section 1.10 Design Modifications

A. During the site plan review process, an applicant may request approval of a design modification that would provide an acceptable alternative to a development or architectural standard in the DUV regulations or use a bonus or development incentive allowed by this code. Examples include:

1. Reduce a frontage percentage requirement.
2. Eliminate a required main entrance on a building frontage.
3. Provide access to parking in a manner not otherwise allowed.
4. Reduce a façade transparency requirement.
5. Allow a frontage type to face a street on which that frontage type is not permitted.
6. Use a frontage type not specified by this code.
7. Request a density bonus by using reserve residential units or transferring development rights (Sec. 1.05.C).
8. Request a development incentive affecting parking or open space (Sec. 1.07).
9. Request a height bonus (Sec. 1.09).

B. Design modifications cannot change these Downtown regulations:

1. Sector boundaries cannot not be moved.
2. Height and density limits in Sec. 3.01 cannot be increased.
3. Additional uses beyond those authorized in this code cannot be added.

C. Applicants are encouraged to request a pre-application staff review before requesting a design modification, as provided in Sec. 1.05.A.

D. Design modifications may be approved only by the Village Council, in accordance with Sec. 1.05.B.

1. The Village Council shall consider the following factors when evaluating requests for design modifications:
  - (a) The extent to which the proposed design modification complies with or differs from the applicable standard in the code.
  - (b) Any unusual circumstances regarding the property or immediate area.
  - (c) The effect of approving or denying the design modification on the development project and on the surrounding area.
  - (d) Recommendations of village staff.
  - (e) Testimony from the applicant.
2. Before approving a design modification, the Village Council must find that:
  - (a) The proposed design modification is an acceptable alternative for the site to a development or architectural standard in this code or a proper use of a bonus or development incentive allowed by this code;

(b) The proposed design modification does not detract from the design principles supporting the code's standard and the broader intent of the Downtown regulations;

(c) The proposed design modification will not be injurious to surrounding properties or nearby neighborhoods; and

(d) The proposed design modification is not inconsistent with the Comprehensive Plan.

## Section 1.11 Concurrency

Downtown development is subject to the Village's concurrency requirements. The Village Comprehensive Plan exempts development applications from traffic concurrency requirements if they are within a quarter mile from busway stations at SW 169th Street or Indigo Street or from a community urban center at Banyan Street.

## Village of Palmetto Bay Illustrative Vision Plan



*This plan illustrates a long-term vision that inspired the original Downtown Urban Village code for the Village of Palmetto Bay. Development proposals must comply with the provisions of the current Downtown zoning district.*

**Section 2.01 Purpose**

This section establishes the Regulating Plans which define the district wide regulations that foster desirable development on the properties within the Village of Palmetto Bay Downtown zoning district, Urban Village (DUV). The information within each of the regulating plans, in addition to the standards in Sec. 3-6, make up the Downtown Village of Palmetto Bay DUV code. The Regulating Plans consist of the following plans:

- 2.02 Sector Plan (Figure 2)**
- 2.03 New Streets Plan (Figure 3)**
- 2.04 Public Open Spaces Plan (Figure 4)**
- 2.05 Street Type Hierarchy Plan (Figure 5)**
- Residential Density Plan

**Section 2.02 Sector Plan**

The Sector Plan, Figure 2, divides the areas within the Downtown Urban Village (DUV) into sectors that progress from urban, more intense type of development to lesser urban areas, all of which provide for a mixture of uses.

Each of the sectors directly reinforce the Village of Palmetto Bay’s vision for the Downtown Urban Village (DUV) and provide an opportunity for property owners to develop in a manner that supports these urban design objectives and transforms the urban realm into a cohesive, mixed-use downtown area.

The sectors within the Downtown Urban Village (DUV) allocate land uses, building type, and frontage type within a planned area, in addition to detailed parameters for building placement, form and height.

**A. Downtown Village (DV)**

The Downtown Village (DV) sector applies to the center primary area of the new Downtown Urban Village (DUV), which is composed of the most vital, concentrated, mixed-use, and pedestrian- and bike-oriented areas with many civic and public activities, and defined by multi-story flexible block and flex building typologies.

The flexible block and flex Building typologies are suitable to satisfy the broad assortment of retail, office, civic, light service and residential uses that serve a true mixed-use downtown area. Higher intensity commercial uses may line the street front of Franjo Road at ground level, with offices or multi-family residential units above.

Landscaping should reflect the urban character of the sector, emphasizing ped/bike protection and accentuating the architectural character of the area, by planting in tree grates or landscape islands.

Parking is permitted both on-site and off-site within the DV Sector.

**B. Downtown General (DG)**

The Downtown General (DG) sector applies to the western portion area of the Downtown Urban Village (DUV) immediately surrounding the Downtown Village (DV). The Downtown General (DG) includes serves as a transition from

the large properties abutting US1 and some nearby smaller properties, into the area intended to become the main, ped/bike-friendly, transit-connected Downtown Urban Village (DUV).

This sector provides for flexible building types in the general form of flexible blocks and flex buildings, both of which may accommodate higher intensity commercial/retail at the ground level and offices or multi-unit residential on the floors above. More traditional ‘urban big box’ Larger commercial uses may be accommodated in the Downtown General (DG) sector with a selection of other compatible uses, vertically integrated within taller the same buildings.

Landscaping should consist of a more urban scale and pattern of planting with street trees planted in tree grates and landscape islands.

Parking is permitted both on-site and off-site within the DG Sector.

**C. Urban Village (UV)**

The Urban Village (UV) sector is applied to lower intensity mixed-use and residential areas within the Downtown Urban Village (DUV). This sector serves as a transition from the higher intensity DG and DV downtown sectors, by prescribing lower heights and density and a smaller selection of frontage types, additional lesser-intense building types.

The flex and rowhouse (mixed-use) building type maintain a compatible use profile to the other more intense districts, but establishes compatibility in scale with a residential rowhouse typology introduced in the Urban Village (UV) sector.

Landscaping matches should be consistent with the more neighborhood scale of the district with shade trees planted in tree grates, landscape islands, and planting strips with some shallow-depth landscaping in the setbacks separating some building entrances from the public sidewalks.

Parking is permitted both on-site and off-site within the UV Sector.

**D. Neighborhood Village (NV)**

The Neighborhood Village (NV) sector is applied to the existing lowest lower intensity areas within the Downtown Urban Village (DUV) but is meant to introduce a limited mixed-use component compatible with the development of the higher intensity mixed-use sectors.

Rowhouse typologies are introduced, with the ability to provide a mixed-use component to the district but remain compatible with higher intensity residential typologies like Stacked Apartment buildings. Single Family houses may be developed as a more urban typology like sideyard and courtyard houses, which maintain the street edge and continue to respect the public realm.

Landscaping matches should be consistent with the neighborhood scale of the district with shade trees planted in landscape islands or planting strips and some shallow-depth landscaping in any setbacks separating building entrances and frontage features from the public sidewalks.

Parking is permitted both on-site and off-site within the NV Sector.

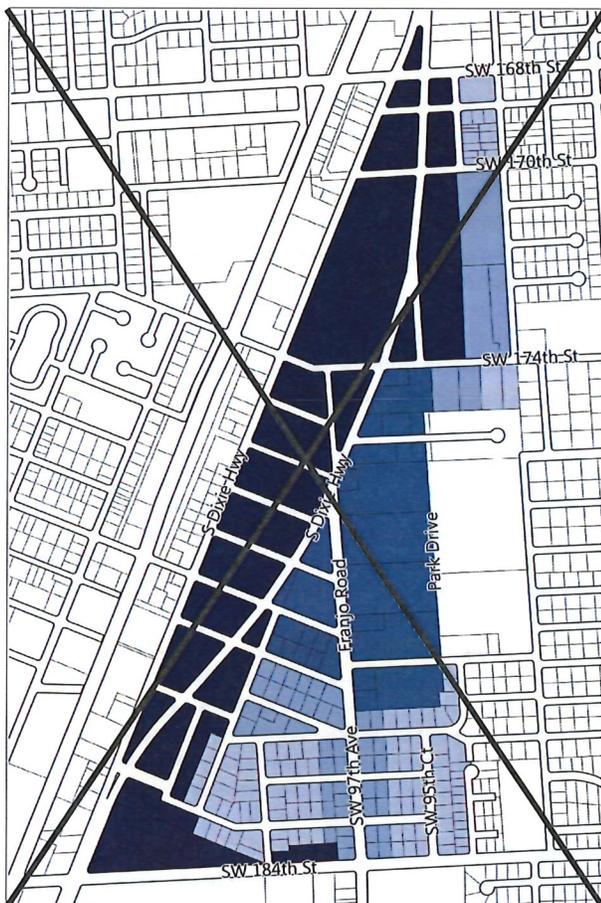
**E. Sector Boundaries**

The boundaries of all sectors are shown on Figure 2. Wherever possible, boundaries are established on rear lot lines (mid-block) rather than along streets. This method ensures that streets will have buildings of the same scale on both sides, and the design of the street can be matched to the anticipated scale of buildings.

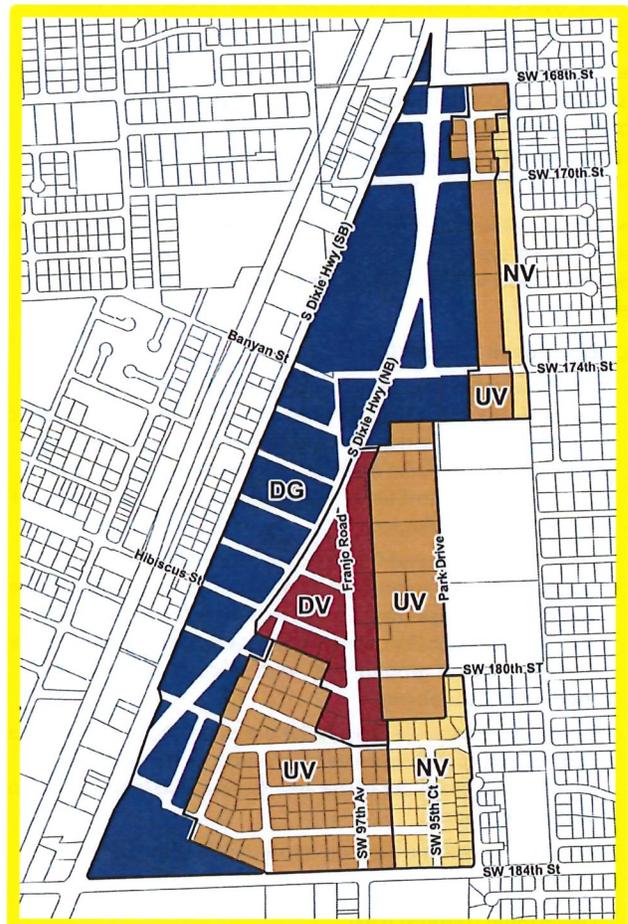
Key		
(DV)	Downtown Village	
(DG)	Downtown General	
(UV)	Urban Village	
(NV)	Neighborhood Village	

Key		
(DV)	Downtown Village	
(DG)	Downtown General	
(UV)	Urban Village	
(NV)	Neighborhood Village	

**Figure 2** Sector Plan



**Figure 2** Sector Plan



## Section 2.03 New Streets Plan

The New Streets Plan, Figure 3, shows the location and number of new streets and alleys needed to create an improved network of streets to achieve the goals of prescribed by the Village of Palmetto Bay Illustrative Vision Plan. All new streets and alleys shall be located in the same general location as shown in the New Streets Plan and developed under the standards established by these regulations (see Secs. 4.04.M and 5.01).

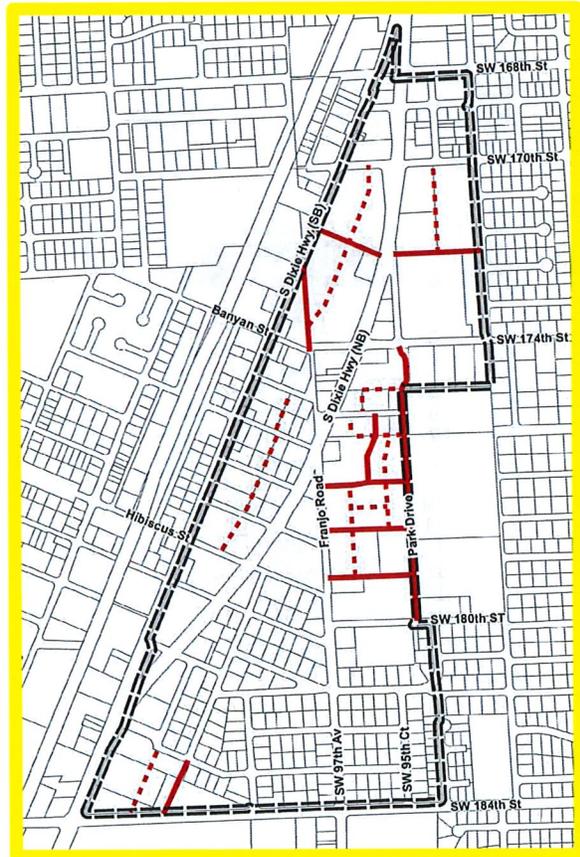
### Key

- New Street ————
- New Alley - - - - -

Figure 3 ———— New Streets Plan



Figure 3 ———— New Streets Plan



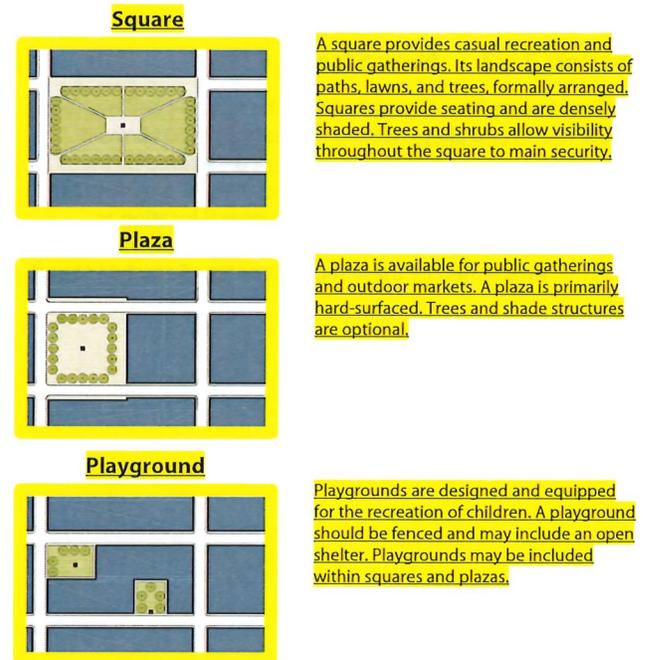
## Section 2.04 Public Open Spaces Plan

The Public Open Spaces Plan, Figure 4, shows the number and location of public open spaces that could be proposed to create an improved network of open spaces within the future vision of the Village of Palmetto Bay. The general proportion and size of each public space shall be controlled by Table 1.

Most public open spaces are spatially defined by buildings and are configured as formal squares, hardscaped plazas, and/or playgrounds; examples are shown in Figure 4.5. Linear public open spaces along Franjo Road (#19 in Table 1) are to be configured as shown in Figure 5.02.

Developments that construct these public open spaces may qualify for bonus building height; see Secs. 1.09.B.2 and 4.04.O.

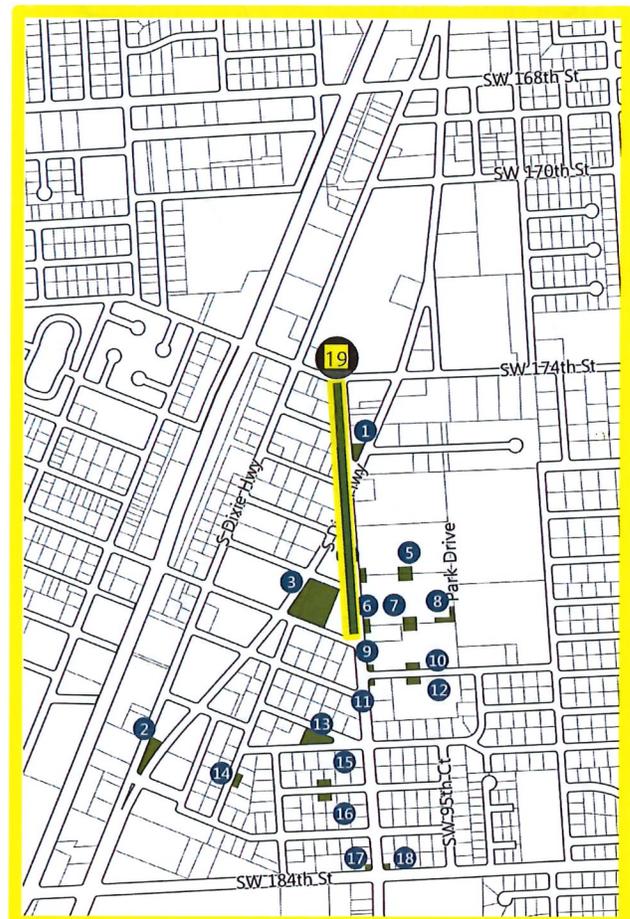
**Figure 4.5 Configuration of Public Open Spaces**



**Key**  
Public Open Space

Open Space	Area
1	7,500 sq.ft.
2	14,000 sq.ft.
3	70,000 sq.ft.
4	4,800 sq.ft.
5	9,600 sq.ft.
6	4,800 sq.ft.
7	9,600 sq.ft.
8	8,000 sq.ft.
9	2,400 sq.ft.
10	4,800 sq.ft.
11	2,400 sq.ft.
12	4,800 sq.ft.
13	16,000 sq.ft.
14	4,800 sq.ft.
15	4,800 sq.ft.
16	4,800 sq.ft.
17	2,400 sq.ft.
18	2,400 sq.ft.
19	15' x lot width

**Figure 4 Public Open Spaces Plan**



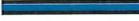
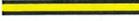
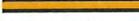
## Section 2.05 Street Type Hierarchy Plan

The Street Type Plan Hierarchy, Figure 5, plan illustrates the types of streets, both existing and new, to be constructed/redeveloped within the Downtown zoning district, Village of Palmetto Bay. Figure 5 also illustrates the parking reduction area for development near premium transit stations (see section 1.07.A).

Streets designed according to the standards within these regulations contain many new character elements that will contribute to the improved street network and ped/bike character of the Downtown Urban Village (DUV). The elements and dimensions for each street type are described in Section 5.

These street types affect numerous regulations for buildings facing these streets; see Section 4. For all street types, a Build-to lines shall be established consistent with the street type that is identified in Figure 62 and the corresponding standards illustrated in Sec.5.01 A-E. For the Stoop and porch frontage types in Sec.4.05 D-E, within the Urban Village (UV) and Neighborhood Village (NV) sectors, the setbacks shall be 10 feet.

The street type key to following streets and corresponding Figure 5, describes outline the hierarchy of streets, with the highest-priority street type listed first. Certain regulations in this code are based on this hierarchy, from top priority down. This hierarchy of streets is important for development where frontage and access shall be considered.

Street Type Key		Priority
Franjo Road (FR)		#1
US-1 (US1)		#2
Park Drive (PD)		#3
Primary (P)		#4
Neighborhood (N)		#5
Secondary (S)		#6

Premium Transit Key	
Premium transit station	
1000-foot radius	
Parking reduction area	

Figure 5 Street Hierarchy Plan

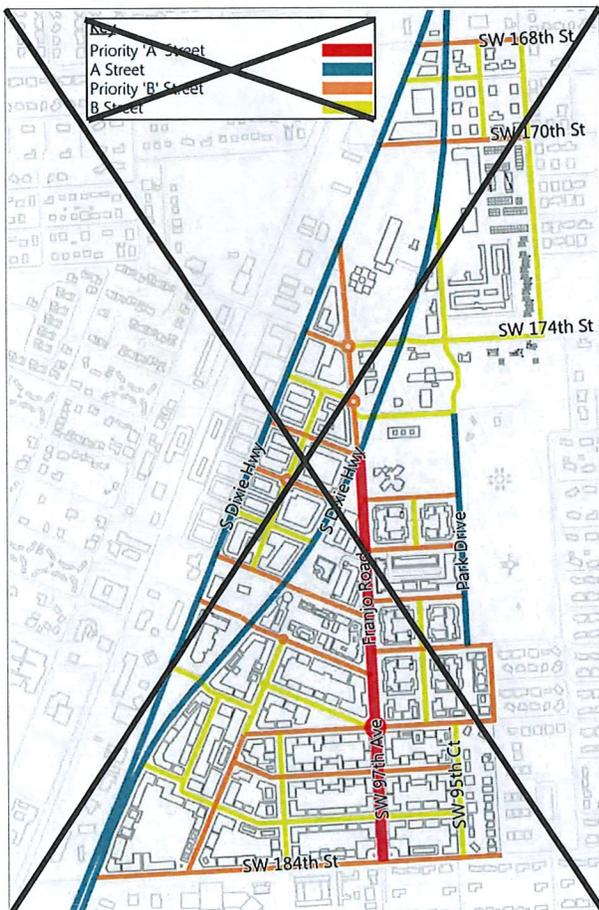
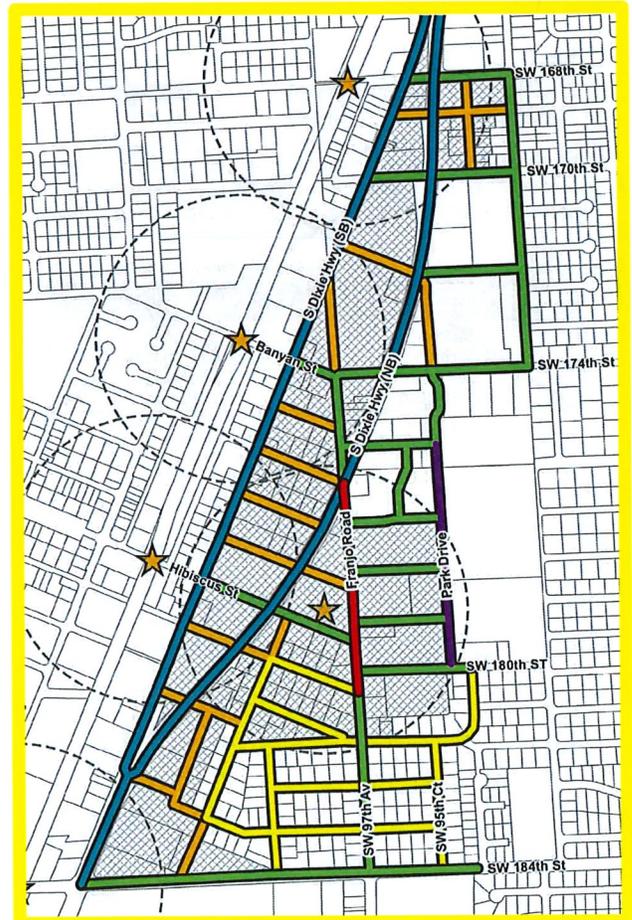


Figure 5 Street Type Plan



**Section 2.06 Reserved**

**Residential Density Plan**

The Residential Density Plan, Figure 6, illustrates the range of densities that shall be permitted on the parcels within the Downtown Urban Village (DUV). All densities shall be based on the gross lot area, meaning that parcels shall be extended to the center line of the street for the purpose of calculating the lot area.

A. Minimum Average Unit Size: In total, a mixture of unit sizes and types shall be provided in all residential components of development. The number of units in a multi-family building to be constructed in the Downtown Urban Village (DUV) shall meet the minimum average required unit size of 750 sq. ft. minimum. This will encourage development of mainly one (1), two (2) and three (3) bedroom residential units. The minimum unit size for any residential units that shall be permitted within the DUV is 625 sq. ft. min.

~~Key~~

~~24 du/ac max. base density (gross)~~ ■

~~14 du/ac max. base density (gross)~~ ■

~~Maximum Base Density: Maximum base density refers to the number of initial residential units permitted per acre before adding available reserve residential units and/or TDR residential units.~~

~~Table 2 Minimum Area of Multi-Family Units~~

<del>Multi-Family Units</del>	<del>Area (min.)</del>
<del>Studio</del>	<del>625 sq.ft.</del>
<del>1 Bedroom</del>	<del>650 sq.ft.</del>
<del>2 Bedroom</del>	<del>850 sq.ft.</del>
<del>3 Bedroom</del>	<del>1,100 sq.ft.</del>

**Figure 6 Residential Density Plan**



## Section 2.07 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 Downtown zoning district, Urban Village (DUV), except as provided in this section. The uses delineated herein shall be permitted only in compliance with the regulating plans and general requirements provided in this section.

- A. Residential Uses:** Residential uses are permitted in the areas designated in the Sector Plan as Downtown Village (DV), Downtown General (DG), Urban Village (UV) and Neighborhood Village (NV), as provided in Table 3.

**Table 3 Residential Uses**

Sectors				Residential Uses
DV	DG	UV	NV	
○	○	○	●	Detached single family dwelling
○	○	●	●	Attached single family dwelling
●	●	●	●	Multiple-family dwelling unit
<b>Key</b>				
Permitted				●
<del>Non-Not</del> Permitted				○

- B. Accessory Ancillary Uses:** The following uses shall be permitted as accessory ancillary uses to a lawful residential units in the areas designated:

- Urban Village (UV) and Neighborhood Village (NV) sectors:
  - The following accessory structures buildings and non-residential uses, when located in the rear yard: workshop, garage, utility shed, gazebo, cabana, garden features, basketball hoop, pool and carport;
  - For an attached or detached single-family dwelling, a single accessory dwelling unit with a maximum of 600 square feet of habitable building space under the same ownership as the single-family unit;
  - For Home office, as provided in Section 30-60.14 Home Office of the Village of Palmetto Bay Code.
- See Sec. 4.04.I for setback and height regulations for all accessory structures.
- See Sec. 4.04.J for additional regulations on accessory dwellings.

- C. Mixed Uses:** The vertical or horizontal integration of two or more of residential, business and office, civic and institutional uses may be required as provided herein. Vertical integration allows any combination of primary uses, with commercial/retail 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. Vertical integration of mixed-uses shall be required for developments with gross floor area greater than 150,000 sq. ft., where a minimum of 10% of the building frontage must be constructed with the storefront architectural feature; see Table 33 in Sec. 4.05 and Sec. 4.05.D, within buildings that have primary frontage along SW 97th Avenue (Franjo Road).

- The following non-residential uses shall be permitted in the areas designated in the Sector Plan as Downtown Village (DV), Downtown General (DG), Urban Village (UV) and Neighborhood Village (NV), as provided in Table 4 and provide no outside storage and/or display of merchandise, equipment, materials or supplies.

**Table 4 Non-Residential Uses**

Non-Residential Uses	Sectors			
	DV	DG	UV	NV
<b>Civic Uses</b>	●	●	○	○
Religious Facilities	●	●	○	○
Schools (K—12)	●	●	○	○
<b>Municipal Recreation</b>	●	●	●	●
<b>Group Residential Home</b>	●	●	●	●
<b>Big-Box Retail/Service</b>	●	●	○	○
<b>General Retail/Personal Service</b>	●	●	●	○
<b>Neighborhood Proprietor Commercial/ Retail/Office and Services</b>	●	●	●	●
<b>Automotive Uses</b>	○	○	○	○
Gas/Service Stations	○	○	○	○
<b>Office/Uses</b>	●	●	●	○
<b>Colleges and Universities</b>	●	●	●	○
<b>Entertainment Uses</b>	●	●	●	○
<b>Accommodation Uses</b>	●	●	●	○
<b>Food and Beverage Establishments</b>	●	●	●	○
<b>Drive-Through Facilities</b>	○	●	○	○
<b>Commercial Parking Structure</b>	●	●	○	○
<b>Key</b>				
Permitted				●
<del>Non-Not</del> Permitted				○
Permitted with provision (Sec. 2.07.D)				○

**D. Supplementary to Table 4, the following uses shall be permitted provided the following:**

1. Civic uses on sites that are less than one (1) acre shall be permitted within the Urban Village (UV) and Neighborhood Village (NV) sectors
2. Automotive uses shall be permitted within the Downtown General (DG) sector subject to the following conditions:
  - (a) Used sales shall only be permitted in conjunction with new sales; and
  - (b) Ancillary sales, service and repair shall only be permitted in conjunction with new sales; and
  - (c) No outside storage and/or display of merchandise, equipment, materials or supplies is permitted.
3. Legally established, presently operating gas stations shall continue to operate as legal but non-conforming and subject to the standards of Sec.1.04
4. Neighborhood Proprietor Commercial-Retail/Office and Services shall be permitted in the Neighborhood Village (NV) Sector and shall not exceed 20% of the buildings square footage and shall occur at the ground level.
5. Drive-through facilities shall ~~(a)~~ be permitted only in the Downtown General (DG) sector and only if placed behind ~~(b) Provide~~ a continuous street façade consisting of buildings or placed behind a service wall using the service frontage type (see Sec. 4.03.H). ~~or walls along all rights-of-way except driveways. When provided, walls shall not exceed three and one-half (3 1/2) feet in height and shall be a minimum of 75% opaque. The main building shall provide a minimum of 40% of building frontage along the primary frontage; and~~
  - ~~(c) Be permitted upon determination that the drive-through shall create minimal traffic congestion or disruption to adjacent streets.~~
6. Sidewalk cafe and outdoor table service may be provided in compliance with the Village's Sidewalk Café Ordinance. See Sec.30-60.17.
7. Any other uses not specifically listed are prohibited.

### 30-50.23.3 SECTOR SUMMARIES URBAN DESIGN STANDARDS

#### Section 3.01 Purpose

This section identifies the Urban Design Standards for the development in each of the sectors and ensures that said development is consistent with the vision for the Village of Palmetto Bay Downtown Urban Village (DUV). Development within each sector shall be in compliance with the standards for building types, building form and parking. The sectors are organized by the most urban Downtown Village (DV) and Downtown General (DG) to the least, Urban Village (UV) and Neighborhood Village (NV). Unless otherwise stated, all standards in this section are expressed as 'minimums' and may be exceeded in compliance with all applicable provisions of the zoning code.

#### Section 3.01.2 Summary of Sectors

Below, in Table 5, The four (4) sectors that are defined on Figure 2 in Sec. 2.02 are organized from most urban to least urban in descending order, according to their role in the Village of Palmetto Bay Downtown zoning district Urban Village (DUV) and as they appear in this code Section.

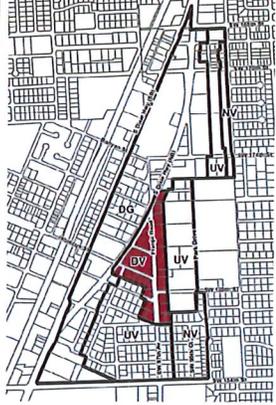
- Downtown Village (DV)
- Downtown General (DG)
- Urban Village (UV)
- Neighborhood Village (NV)

Table 5 provides a summary of key differences between the regulations that apply to the four sectors.

DV	DG	UV	NV
Downtown Village	Downtown General	Urban Village	Neighborhood Village
Building Types	Building Types	Building Types	Building Types
Flexible Block <input checked="" type="checkbox"/> Flex Building <input checked="" type="checkbox"/> Rowhouse <input type="checkbox"/> Stacked Apartment <input type="checkbox"/> Single Family House <input type="checkbox"/>	Flexible Block <input checked="" type="checkbox"/> Flex Building <input checked="" type="checkbox"/> Rowhouse <input type="checkbox"/> Stacked Apartment <input type="checkbox"/> Single Family House <input type="checkbox"/>	Flexible Block <input checked="" type="checkbox"/> Flex Building <input checked="" type="checkbox"/> Rowhouse <input checked="" type="checkbox"/> Stacked Apartment <input checked="" type="checkbox"/> Single Family House <input checked="" type="checkbox"/>	Flexible Block <input type="checkbox"/> Flex Building <input checked="" type="checkbox"/> Rowhouse <input checked="" type="checkbox"/> Stacked Apartment <input checked="" type="checkbox"/> Single Family House <input checked="" type="checkbox"/>
Frontage Types	Frontage Types	Frontage Types	Frontage Types
Arcade <input checked="" type="checkbox"/> Storefront <input checked="" type="checkbox"/> Forecourt <input checked="" type="checkbox"/> Stoop <input type="checkbox"/> Porch <input type="checkbox"/>	Arcade <input checked="" type="checkbox"/> Storefront <input checked="" type="checkbox"/> Forecourt <input checked="" type="checkbox"/> Stoop <input type="checkbox"/> Porch <input type="checkbox"/>	Arcade <input checked="" type="checkbox"/> Storefront <input checked="" type="checkbox"/> Forecourt <input checked="" type="checkbox"/> Stoop <input checked="" type="checkbox"/> Porch <input type="checkbox"/>	Arcade <input type="checkbox"/> Storefront <input checked="" type="checkbox"/> Forecourt <input checked="" type="checkbox"/> Stoop <input checked="" type="checkbox"/> Porch <input checked="" type="checkbox"/>

**Key**  
 Permitted   
 Non-Permitted   
 Allowed   
 Non-Allowed

Table 5

	<b>DV</b> <b>Downtown Village</b>	<b>DG</b> <b>Downtown General</b>	<b>UV</b> <b>Urban Village</b>	<b>NV</b> <b>Neighborhood Village</b>
				
<b>Building Height</b>	2 stories (min.) 4 stories (max.) 6 stories (potential bonus) <sup>1</sup>	6 stories (max.) 8 stories (potential bonus) <sup>1</sup>	2 stories (min.) 4 stories (max.) 5 stories (potential bonus) <sup>1</sup> 6 stories (potential bonus) <sup>1,3</sup>	3 stories (max.) (bonuses not available)
<b>Maximum Density</b>	24 du/ac (base density) 60 du/ac (potential bonus) <sup>2</sup>	36 du/ac (base density) 72 du/ac (potential bonus) <sup>2</sup>	24 du/ac (base density) 36 du/ac (potential bonus) <sup>2</sup> 60 du/ac (potential bonus) <sup>2,3</sup>	18 du/ac (base density) (bonuses not available)
<b>Permitted Uses</b>	See Section 2.07			
<b>Permitted Frontage Types</b>	See Section 4.02			
<b>Standards for Frontage Types</b>	See Sections 4.03, 4.04, and 4.05			
<b>Required Streetscape Improvements</b>	See Sections 4.04.N and 4.04.O			

<sup>1</sup> To qualify for bonus stories, see *Height Bonuses* in Section 1.09.

<sup>2</sup> To qualify for bonus density, see *Reserve Residential Units and Transfer of Development Rights* in Section 1.05.C.

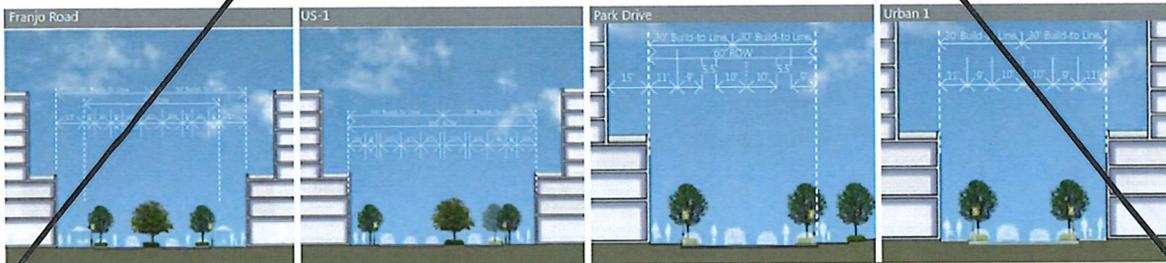
<sup>3</sup> The highest bonus height and bonus density apply only to land south of SW 177th Street and north of SW 180th Street.

# A. Downtown Village (DV)

## Sector Summary

DV Downtown Village							
	Building Types	Lot Size W x D	Residential Density*	Building Height	Uses by Story		Private Open Space
	Flexible Block	160'x160' (min.)	24 du/ac	3 stories (min.) 5 stories (max.) 8 stories (with bonus)	1st 2nd+	C-R/O/R E-R/O/R	15% of site
	Flex Building	80'x100' (min.)	24 du/ac	3 stories (min.) 5 stories (max.) 8 stories (with bonus)	1st 2nd+	C-R/O/R C-R/O/R	15% of site
	*Maximum Base Density: Maximum base density refers to the number of initial residential units permitted per acre before adding available reserve and/or TDR units.						
Streets and Building Placement							
Street Type	ROW	Build-To Line Primary	Secondary	Sidewalk	Bike Lanes	Uses (at Street)	Glazing (at Street)
Franjo Road (FR)	70'	50' (from centerline of road, up to 2 stories)	65' (from centerline of road, > 2 stories)	20'	Yes	C-R	70% (min)
US-1 (US1)	100'	50' (from centerline of road, up to 2 stories)	65' (from centerline of road, > 2 stories)	16'	N/A	C-R O R	70% min. (C-R/O only)
Park Drive (PD)	60'	30' (from centerline of road, up to 2 stories)	45' (from centerline of road, > 2 stories)	10'	Yes	C-R O R	70% min. (C-R/O only)
Urban 1 (TS-U1)	50' or 60'	30' (from centerline of road, up to 2 stories)	45' (from centerline of road, > 2 stories)	10'	N/A	C-R O R	70% min. (C-R/O only)

Key: Commercial-Retail: C-R      Office: O      Residential: R



## 1. Building Types and Height

Table 6 identifies the permitted building types and the minimum and maximum heights allowed, by building type within the Downtown Village (DV) sector, subject to compliance with all other applicable standards.

Table 6 Building Types and Heights (Stories)

Building Types		Min.	Max.	Max w/ Bonus
(a) Flexible Block	●	3	5	8 <sup>i,ii</sup>
(b) Flex Building	●	3	5	8 <sup>i,ii</sup>
(c) Rowhouse	○	-	-	-
(d) Stacked Apartment	○	-	-	-
(e) Single Family House	○	-	-	-

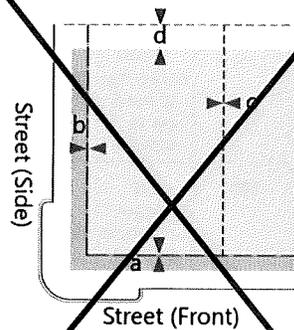
**Key**  
 Permitted ●  
 Non-Permitted ○  
 N/A -

- (i) For buildings abutting Park Drive and overlooking Palmetto Bay Park maximum height shall be 4 stories, and, shall be limited to six (6) stories, with bonus, to provide transition to the park and neighborhoods to the East.
- (ii) Unless primary frontage is along Franjo road, buildings adjacent to a Neighborhood Sector (NV) or Neighborhood Village (NV), maximum height, with bonuses, shall be limited to six (6) stories to provide compatibility with the neighborhood scale.

## 2. Building Setbacks

Figure 7 and corresponding Table 7 identifies any required setbacks, for the (DV) sector. The required setbacks shall apply to all stories of a building, at the ground level. Setbacks shall be measured from the build-to line along street frontages and the property line for all other sides.

Figure 7 Building Setbacks



**Key**  
 Development Area [stippled pattern]  
 Encroachment Area [cross-hatched pattern]  
 Build-to Line [dashed line]  
 Property Line [solid line]

Table 7 Building Setbacks

Required Setbacks	
(a) Street (Front)	0ft
(b) Street (Side)	0ft
(c) Side (Interior)	0ft min.
(d) Rear	15ft min.

## 3. Frontage Requirements

All ground floors of building types within the (DV) sector shall comply with the allowed frontage types in Table 8, subject to compliance with all other applicable standards. Refer to Sec.4.04 A-E 7(b) for permitted frontage type by individual building types.

Table 8 Frontage Types

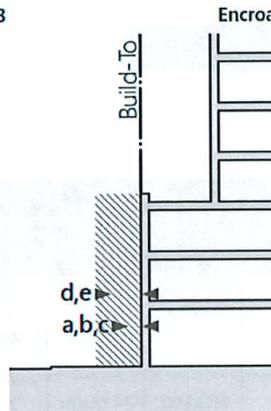
Frontage Types	
(a) Arcade	■
(b) Storefront	■
(c) Forecourt	■
(d) Stoop	□
(e) Porch	□

**Key**  
 Allowed ■  
 Non-Allowed □  
 N/A -

#### 4. Encroachments

Figure 8 and corresponding Table 9 identifies the encroachments allowed into the build-to line, and the vertical clearance and horizontal projection by encroachment type, within the (DV) sector.

Figure 8



**Key**  
 Encroachment Area  
 Build-to Line

Table 9

Encroachments	Vertical Clearance (Ground)	Horizontal Projection
<b>Street (Front and Side)</b>		
(a) Signage <sup>i</sup>	8ft min.	24" max.
(b) Lighting <sup>i</sup>	8ft min.	24" max.
(c) Awning	10ft min.	6ft max.
(d) Balcony	12ft min.	6ft max.
(e) Window	17ft min.	4ft max.
<b>Side (Interior)</b>		
Rear	N/A	N/A

- (i) Horizontal projection of encroachment can exceed the maximum allowable distance at a rate of six (6") inches for every foot above the eight (8ft) feet min. vertical clearance, for a total of 48" max.
- (ii) Sidewalk cafes and outdoor table service may encroach at the sidewalk level, provided that it shall be in compliance with the Village's Sidewalk Café Ordinance. See Sec.30-60.17.

#### 5. Parking Access and Setbacks

All off-street parking and associated access that does not occur within a parking structure, in the (DV) sector, shall be developed according to the requirements provided in Figure 9-10 and accompanying Table 10-11.

Figure 9

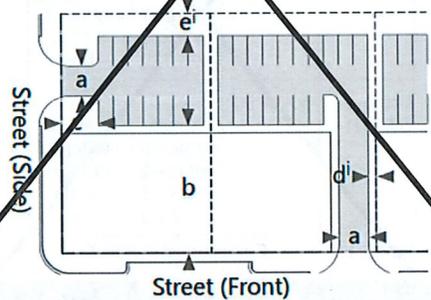
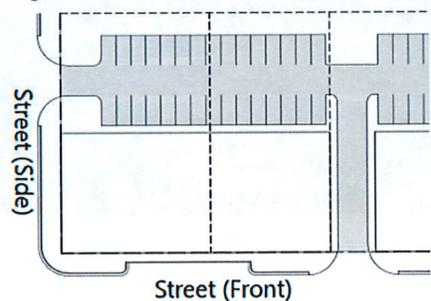


Figure 10



**Key**  
 Parking Area  
 Build-to Line  
 Property Line

Table 10

Driveway Dimensions	
Parking Access (Driveway)	
(a) 1-way	10ft min.
(a) 2-way Parking	20ft min.
	Not Allowed

Table 11

Parking Area Setback	
Required Setbacks	
(b) Street (Front)	30ft min.
(c) Street (Side)	10ft min.
(d) Side (Interior) <sup>i</sup>	5ft min.
(e) Rear <sup>i</sup>	5ft min.

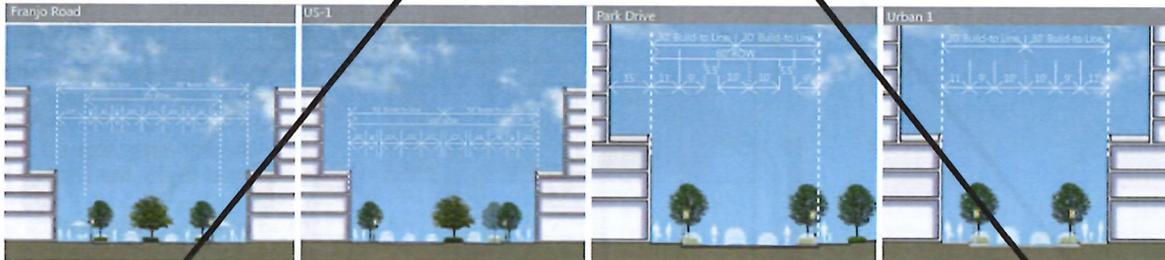
- (i) Side (Interior) and Rear setback shall be min. five (5) feet and landscaped with ground cover and a low hedge/wall or fence, where driveway access is provided to the rear of the lot. See Sec.4.03 B 1(ai-ii)
- Shared access to parking shall be encouraged to limit the frequency of curb cuts along the primary frontage street, which maintains the improved streetscape and street front at the pedestrian level. See Sec.4.03 B 2. A cross access agreement between property owners shall be provided to the Village of Palmetto Bay depicting shared access.

## B. Downtown General (DG)

### Sector Summary

DG Downtown General							
	Building Types	Lot Size W x D	Residential Density*	Building Height	Uses by Story		Private Open Space
	Flexible Block	160'x160' (min.)	24 du/ac	4 stories (min.) 5 stories (max.) 8 stories (with bonus)	1st 2nd+	C-R/O/R C-R/O/R	15% of site
	Flex Building	80'x100' (min.)	24 du/ac	4 stories (min.) 5 stories (max.) 8 stories (with bonus)	1st 2nd+	C-R/O/R C-R/O/R	15% of site
<p>*Maximum Base Density: Maximum base density refers to the number of initial residential units permitted per acre before adding available reserve and/or TDR units.</p>							
Streets and Building Placement							
Street Type	ROW	Build-To Line Primary Secondary		Sidewalk	Bike Lanes	Uses (at Street)	Glazing (at Street)
Franjo Road (FR)	70'	50' (from centerline of road, up to 2 stories)	65' (from centerline of road, >2 stories)	20'	Yes	C-R	70% (min)
US-1 (US1)	100'	50' (from centerline of road, up to 2 stories)	65' (from centerline of road, >2 stories)	16'	N/A	C-R O R	70% min. (C-R/O only)
Urban 1 (TS-U1)	50' or 60'	30' (from centerline of road, up to 2 stories)	45' (from centerline of road, >2 stories)	10'	N/A	C-R O R	70% min. (C-R/O only)

Key: Commercial-Retail: C-R Office: O Residential: R



### 1. Building Types and Height

Table 12 identifies the permitted building types and the minimum and maximum heights allowed, by building type within the Downtown General (DG) sector, subject to compliance with all other applicable standards.

Table 12 Building Types and Heights (Stories)

Building Types		Min.	Max.	Max w/ Bonus
(a) Flexible Block	●	3	5	8 <sup>i</sup>
(b) Flex Building	●	3	5	8 <sup>i</sup>
(c) Rowhouse	○	-	-	-
(d) Stacked Apartment	○	-	-	-
(e) Single Family House	○	-	-	-

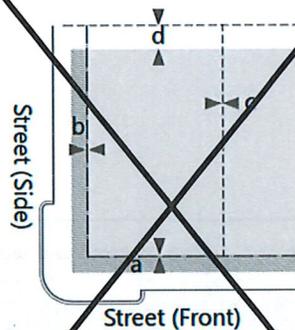
**Key**  
 Permitted ●  
 Non-Permitted ○  
 N/A -

- (i) Unless primary frontage is along Franjo road, buildings adjacent to a Neighborhood Sector (UV) or Neighborhood Village (NV), maximum height, shall be 4 stories, and, shall be limited to six (6) stories, with bonus, to provide compatibility with the neighborhood scale.
- (ii) For buildings within the Island portion of the DUV, maximum height shall be 7 stories, with additional height available, up to 10 stories maximum height with bonus.

### 2. Building Setbacks

Figure 11 and corresponding Table 13 identifies any required setbacks, for the (DG) sector. The required setbacks shall apply to all stories of a building, at the ground level. Setbacks shall be measured from the build-to line along the street frontages and the property line for all other sides.

Figure 11 Building Setbacks



**Key**  
 Development Area (light gray)  
 Encroachment Area (dark gray)  
 Build-to Line (dashed line)  
 Property Line (dotted line)

Table 13 Building Setbacks

Required Setbacks	
(a) Street (Front)	0ft
(b) Street (Side)	0ft
(c) Side (Interior)	0ft min.
(d) Rear	15ft min.

### 3. Frontage Requirements

All ground floors of building types within the (DG) sector shall comply with the allowed frontage types in Table 14 subject to compliance with all other applicable standards. Refer to Sec.4.04 A-E 7(b) for permitted frontage type by individual building types.

Table 14 Frontage Types

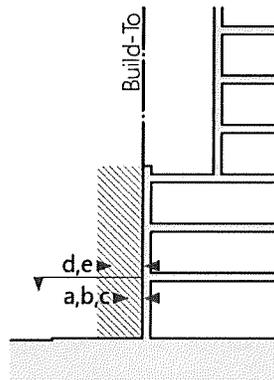
Frontage Types	
(a) Arcade	■
(b) Storefront	■
(c) Forecourt	■
(d) Stoop	□
(e) Porch	□

**Key**  
 Allowed ■  
 Non-Allowed □  
 N/A -

#### 4. Encroachments

Figure 12 and corresponding Table 15 identifies the encroachments allowed into the build-to line, and the vertical clearance and horizontal projection by encroachment type, within the (DG) sector.

Figure 12 Encroachments



**Key**  
 Encroachment Area  
 Build-to Line

Table 15 Encroachments

Encroachments	Vertical Clearance (Ground)	Horizontal Projection
<b>Street (Front and Side)</b>		
(a) Signage <sup>i</sup>	8ft min.	24" max.
(b) Lighting <sup>i</sup>	8ft min.	24" max.
(c) Awning	10ft min.	6ft max.
(d) Balcony	12ft min.	6ft max.
(e) Window	12ft min.	4ft max.
<b>Side (Interior)</b>	N/A	N/A
<b>Rear</b>	N/A	N/A

- (i) Horizontal projection of encroachment can exceed the maximum allowable distance at a rate of six (6") inches for every foot above the eight (8) feet min. vertical clearance, for a total of 48" max.
- (ii) Sidewalk cafes and outdoor table service may be encroach at the sidewalk level, provided that it shall be in compliance with the Village's Sidewalk Café Ordinance, Sec. 30-60.17.

#### 5. Parking Access and Setbacks

All off-street parking and associated access that does not occur within a parking structure, in the (DG) sector, shall be developed according to the requirements provided in Figure 13-14 and accompanying Table 16-17.

Figure 13 Parking Access and Setbacks

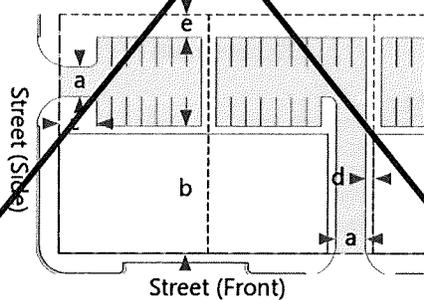
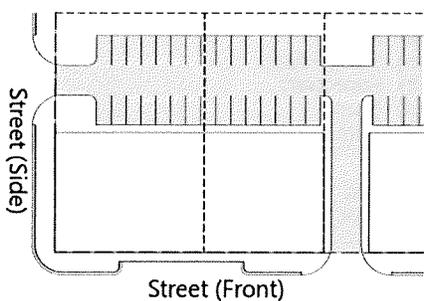


Figure 14 Shared Access



**Key**  
 Parking Area  
 Build-to Line  
 Property Line

Table 16 Driveway Dimensions

Parking Access (Driveway)	
(a) 1-way	10ft min.
(a) 2-way	20ft min.
Parking	Not Allowed

Table 17 Parking Area Setback

Required Setbacks	
(b) Street (Front)	30ft min.
(c) Street (Side)	10ft min.
(d) Side (Interior) <sup>i</sup>	5ft min.
(e) Rear <sup>i</sup>	5ft min.

- (i) Side (Interior) and Rear setback shall be min. five (5) feet and landscaped with ground cover and a low hedge/wall or fence, where driveway access is provided to the rear of the lot. See Sec.4.03 B 1(ai-ii).

Shared access to parking shall be encouraged to limit the frequency of curb cuts along the primary frontage street, which maintains the improved streetscape and street front at the pedestrian level. See Sec.4.03 B 2. A cross access agreement between property owners shall be provided to the Village of Palmetto Bay depicting shared access.

# C. Urban Village (UV)\*

## Sector Summary

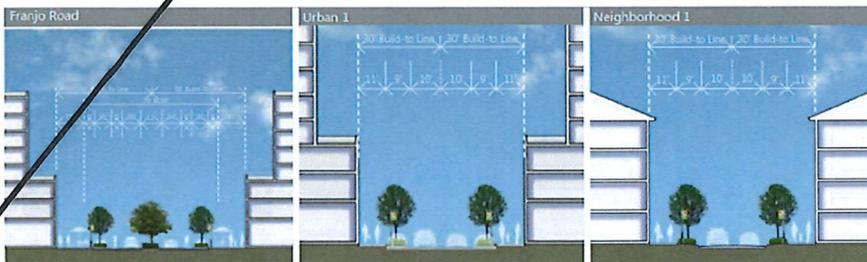
UV		Urban Village					
	Building Types	Lot Size W x D	Residential Density*	Building Height	Uses by Story		Private Open Space
	Flexible Block	160'x160'	24 du/ac	3 stories (min.) 5 stories (max.) 8 stories (with bonus)	1st 2nd+	C-R/O/R C-R/O/R	15% of site
	Flex Building	80'x100'	24 du/ac	3 stories (min.) 5 stories (max.) 6 stories (with bonus)	1st 2nd+	C-R/O/R C-R/O/R	15% of site
	Row-house	80'- 125'x100'	24 du/ac	2 stories (min.) 3 stories (max.)	1st 2nd+	C-R/O/R R	400 sq.ft. per unit
	Stacked Apartment Building	80'-200'x 100'	24 du/ac	2 stories (min.) 4 stories (max.)	1st 2nd+	R R	10% of site
Single Family House	45'- 100'x100'	24 du/ac	3 stories (max.)	1st 2nd+	R R	10% of site	

\*Maximum Base Density: Maximum base density refers to the number of initial residential units permitted per acre before adding available reserve and/or TDR units.

### Streets and Building Placement

Street Type	ROW	Build-To Line		Sidewalk	Bike Lanes	Uses (at Street)	Glazing (at Street)
		Primary	Secondary				
Franjo Road (FR)	70'	50' (from centerline of road, up to 2 stories)	65' (from centerline of road, > 2 stories)	20'	Yes	C-R	70% (min)
Urban 1 (TS-U1)	50' or 60'	30' (from centerline of road)	45' (from centerline of road)	10'	N/A	C-R O R	70% min. (C-R/O only)
Neighborhood 1 (TS-N1)	50' or 60'	30' (from centerline of road)	45' (from centerline of road)	10'	N/A	R	N/A

Key: Commercial-Retail: C-R Office: O Residential: R



(\*) Notwithstanding any provision of this code amendment or the Downtown Urban Village Ordinance, any land development applications or permit requests regarding properties within the Neighborhood Village or Urban Village, which are currently (as of January 4, 2016, which is the date of passage of this amendment on second reading) constructed as single family residences shall be analyzed and approved or permitted under the rules applicable to R-1 zoning district at the time of application or permit request.

## 1. Building Types and Height

Table 18 identifies the permitted building types and the minimum and maximum heights allowed, by building type within the Urban Village (UV) sector, subject to compliance with all other applicable standards.

Table 18 Building Types and Heights (Stories)

Building Types	Min.	Max.	Max w/ Bonus
(a) Flexible Block	3	5	8 <sup>i</sup>
(b) Flex Building	3	5	6 <sup>i</sup>
(c) Rowhouse	2	3	-
(d) Stacked Apartment	2	4	-
(e) Single Family House	-	3	-

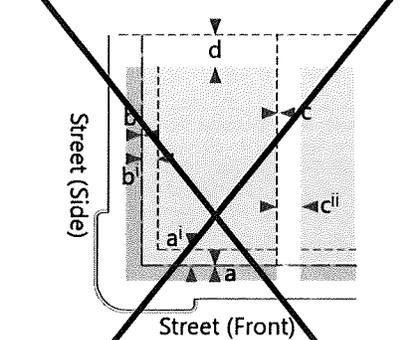
**Key**  
 Permitted ●  
 Non-Permitted ○  
 N/A -

- (i) Unless primary frontage is along Franjo road, buildings adjacent to a Neighborhood Sector (UV) or Neighborhood Village (NV), maximum height, with bonuses, shall be limited to six (6) stories to provide compatibility with the neighborhood scale.

## 2. Building Setbacks

Figure 15 and corresponding Table 19 identifies any required setbacks, for the (UV) sector. Where applicable, the required setbacks shall apply to all stories of a building, at the ground level. Setbacks shall be measured from the build-to line along the street frontages and the property line for all other sides.

Figure 15 Building Setbacks



**Key**  
 Development Area ●  
 Encroachment Area ■  
 Build-to Line ---  
 Property Line - - -

Table 19 Building Setbacks

Required Setbacks	
(a) Street (Front) <sup>i</sup>	0/10ft
(b) Street (Side) <sup>i</sup>	0/10ft
(c) Side (Interior) <sup>ii</sup>	0ft min./5ft <sup>iii</sup> min.
(d) Rear	15ft min.

- (i) Street (Front and Side) setback shall be 10ft where a stoop frontage type is used in association with an applicable building type, with frontage on a Typical Street, in the (UV) Sector. (Franjo Road frontage excluded)  
 (ii) Side (Interior) setback shall be minimum 5ft for Stacked Apartment and Single Family House building types, designed as an edge-yard, in the (UV) sector.  
 (iii) For zero-lot line development within the (UV) sector, there shall be minimum 5ft side setback at each end of consolidated development parcel

## 3. Frontage Requirements

All ground floors of building types within the (UV) sector shall comply with the allowed frontage types in Table 20, subject to compliance with all other applicable standards. Refer to Sec.4.04 A-E 7(b) for permitted frontage type by individual building types.

Table 20 Frontage Types

Frontage Types	
(a) Arcade	■
(b) Storefront	■
(c) Forecourt	■
(d) Stoop	■
(e) Porch	□

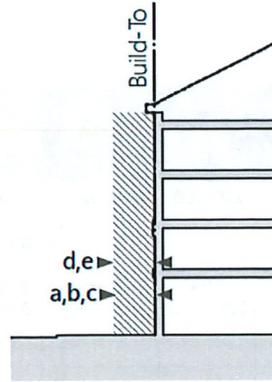
**Key**  
 Allowed ■  
 Non-Allowed □  
 N/A -

#### 4. Encroachments

Figure 16 and corresponding Table 21 identifies the encroachments allowed into the build-to line, and the vertical clearance and horizontal projection by encroachment type, within the (UV) sector.

For buildings with a stoop frontage, encroachment shall be considered anything that projects from the setback line towards the established build-to line.

Figure 16



**Key**  
 Encroachment Area  
 Build-to Line

Encroachments

Table 21

Encroachments	Vertical Clearance (Ground)	Horizontal Projection
<b>Street (Front and Side)</b>		
(a) Signage <sup>1</sup>	8ft min.	24" max.
(b) Lighting <sup>1</sup>	8ft min.	24" max.
(c) Awning	10ft min.	6ft max.
(d) Balcony	12ft min.	6ft max.
(e) Window	17ft min.	4ft max.
<b>Side (Interior) Rear</b>	N/A	N/A

- (i) Horizontal projection of encroachment can exceed the maximum allowable distance at a rate of six (6") inches for every foot above the eight (8) feet min. vertical clearance, for a total of 48" max.
- (ii) Sidewalk cafes and outdoor table service may be encroach at the sidewalk level, provided that it shall be in compliance with the Village's Sidewalk Café Ordinance. See Sec. 30-60.17.

#### 5. Parking Access and Setbacks

All off-street parking and associated access that does not occur within a parking structure, in the (UV) sector, shall be developed according to the requirements provided in Figure 17-18 and accompanying Table 22-23.

Figure 17

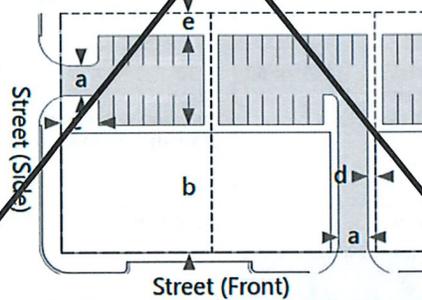
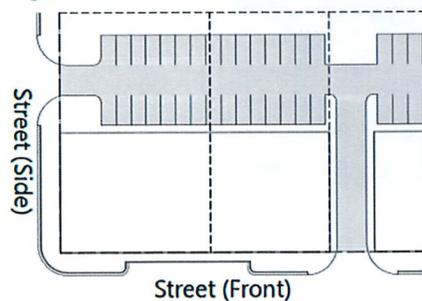


Figure 18



**Key**  
 Parking Area  
 Build-to Line  
 Property Line

Parking Access and Setbacks

Table 22

Driveway Dimensions	
Parking Access (Driveway)	
(a) 1-way	10ft min.
(a) 2-way Parking	20ft min.
	Not Allowed

Table 23

Parking Area Setback	
Required Setbacks	
(b) Street (Front)	30ft min.
(c) Street (Side)	10ft min.
(d) Side (Interior) <sup>1</sup>	5ft min.
(e) Rear <sup>1</sup>	5ft min.

- (i) Side (Interior) and Rear setback shall be min. five (5) feet and landscaped with ground cover and a low hedge/wall or fence, where driveway access is provided to the rear of the lot. See Sec.4.03 B 1(ai-ii).

Shared access to parking shall be encouraged to limit the frequency of curb cuts along the primary frontage street, which maintains the improved streetscape and street front at the pedestrian level. See Sec.4.03 B 2. A cross access agreement between property owners shall be provided to the Village of Palmetto Bay depicting shared access.

D. Neighborhood Village (NV)\*

Sector Summary

NV  
Neighborhood Village



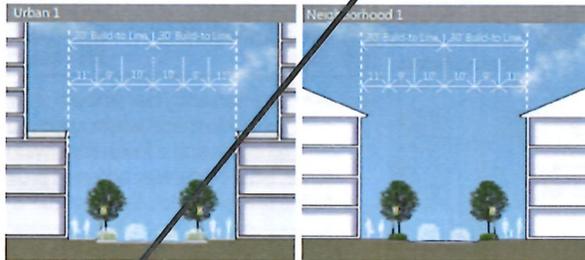
Building Types	Lot Size W x D	Residential Density*	Building Height	Uses by Story	Private Open Space
Flex Building	80'x100'	24 du/ac	3 stories (min.) 5 stories (max.) 6 stories (with bonus)	1st 2nd+	C-R/O/R O/R 15% of site
Row-house	80'- 125'x100'	24 du/ac	2 stories (min.) 3 stories (max.)	1st 2nd+	C-R/O/R R 400 sq.ft. per unit
Stacked Apartment Building	80'-200'x 100'	24 du/ac	2 stories (min.) 4 stories (max.)	1st 2nd+	R R 10% of site
Single-family House	45'- 100'x100'	24 du/ac	3 stories (max.)	1st 2nd+	R R 10% of site

\*Maximum Base Density: Maximum base density refers to the number of initial residential units permitted per acre before adding available reserve and/or TDR units.

Streets and Building Placement

Street Type	ROW	Build-To Line		Sidewalk	Bike Lanes	Uses (at Street)	Glazing (at Street)
		Primary	Secondary				
Urban 1 (TS-U1)	50' or 60'	30' (from centerline of road)	45' (from centerline of road)	10'	N/A	C-R O R	70% min. (C-R/O only)
Neighborhood 1 (TS-N1)	50' or 60'	30' (from centerline of road)	45' (from centerline of road)	10'	N/A	R	N/A

Key: Commercial-Retail: C-R Office: O Residential: R



(\*) Notwithstanding any provision of this code amendment or the Downtown Urban Village Ordinance, any land development applications or permit requests regarding properties within the Neighborhood Village or Urban Village, which are currently (as of January 4, 2016, which is the date of passage of this amendment on second reading) constructed as single family residences shall be analyzed and approved or permitted under the rules applicable to R-1 zoning district at the time of application or permit request.

### 1. Building Types and Height

Table 24 identifies the permitted building types and the minimum and maximum heights allowed, by building type within the Neighborhood Village (NV) sector, subject to compliance with all other applicable standards.

Table 24 Building Types and Heights (Stories)

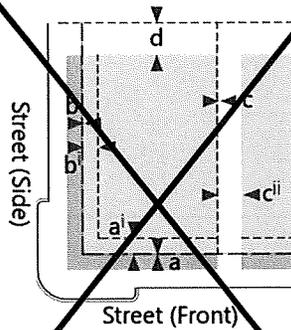
Building Types	Min.	Max.	Max. w/ Bonus
(a) Flexible Block	-	-	-
(b) Flex Building	3	5	6
(c) Rowhouse	2	3	-
(d) Stacked Apartment	2	4	-
(e) Single Family House	-	3	-

**Key**  
 Permitted ●  
 Non-Permitted ○  
 N/A -

### 2. Building Setbacks

Figure 19 and corresponding Table 25 identifies any required setbacks, for the (NV) sector. Where applicable, the required setbacks shall apply to all stories of a building, at the ground level. Setbacks shall be measured from the build-to line along street frontages and the property line for all other sides.

Figure 19 Building Setbacks



**Key**  
 Development Area  
 Encroachment Area  
 Build-to Line  
 Property Line

Table 25 Building Setbacks

Required Setbacks	
(a) Street (Front) <sup>i</sup>	0/10ft
(b) Street (Side) <sup>i</sup>	0/10ft
(c) Side (Interior) <sup>ii</sup>	0ft min./5ft <sup>iii</sup> min.
(d) Rear	15ft min.

- (i) Street (Front and Side) setback shall be 10ft where a stoop/porch frontage type is used in association with an applicable building type, with frontage on a Typical Street, in the (NV) Sector. (Franjo Road frontage excluded)
- (ii) Side (Interior) setback shall be minimum 5ft for Stacked Apartment and Single Family House building types, designed as an edge-yard, in the (NV) sector.
- (iii) For zero-lot line development within the (NV) sector, there shall be minimum 5ft side setback at each end of consolidated development parcel

### 3. Frontage Requirements

All ground floors of building types within the (NV) sector shall comply with the allowed frontage types in Table 26 subject to compliance with all other applicable standards. Refer to Sec.4.04 A-E 7(b) for permitted frontage type by individual building types.

Table 26 Frontage Types

Frontage Types	
(a) Arcade	□
(b) Storefront	■
(c) Forecourt	■
(d) Stoop	■
(e) Porch	■

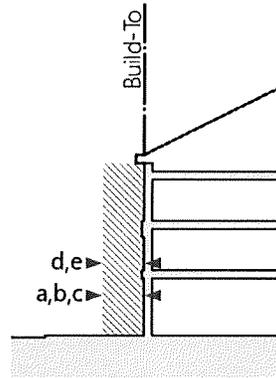
**Key**  
 Allowed ■  
 Non-Allowed □  
 N/A -

#### 4. Encroachments

Figure 20 and corresponding Table 27 identifies the encroachments allowed into the build-to line, and the vertical clearance and horizontal projection by encroachment type, within the (NV) sector.

For buildings with a stoop/porch frontage, encroachment shall be considered anything that projects from the setback line towards the established build-to line.

Figure 20



**Key**  
 Encroachment Area  
 Build-to Line

Encroachments

Table 27

Encroachments	Vertical Clearance (Ground)	Horizontal Projection
<b>Street (Front and Side)</b>		
(a) Signage <sup>i</sup>	8ft min.	24" max.
(b) Lighting <sup>i</sup>	8ft min.	24" max.
(c) Awning	10ft min.	6ft max.
(d) Balcony	12ft min.	6ft max.
(e) Window	12ft min.	4ft max.
<b>Side (Interior) Rear</b>	N/A N/A	N/A N/A

- (i) Horizontal projection of encroachment can exceed the maximum allowable distance at a rate of six (6") inches for every foot above the eight (8) feet min. vertical clearance, for a total of 48" max.
- (ii) Sidewalk cafes and outdoor table service may be encroach at the sidewalk level, provided that it shall be in compliance with the Village's Sidewalk Café Ordinance. See Sec. 30-60.17.

#### 5. Parking Access and Setbacks

All off-street parking and associated access that does not occur within a parking structure, in the (NV) sector, shall be developed according to the requirements provided in Figure 21-22 and accompanying Table 28-29.

Figure 21

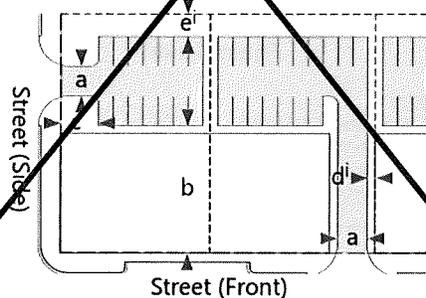
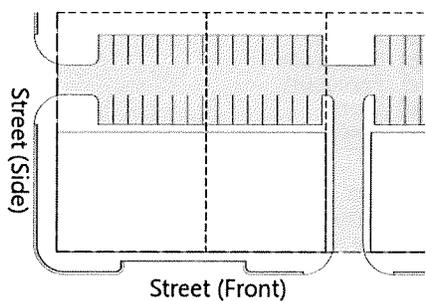


Figure 22



**Key**  
 Parking Area  
 Build-to Line  
 Property Line

Table 28

Driveway Dimensions	
Parking Access (Driveway)	
(a) 1-way	10ft min.
(a) 2-way Parking	20ft min. Not Allowed

Table 29

Parking Area Setback	
Required Setbacks	
(b) Street (Front)	30ft min.
(c) Street (Side)	10ft min.
(d) Side (Interior) <sup>i</sup>	5ft min.
(e) Rear <sup>i</sup>	5ft min.

- (i) Side (interior) and Rear setback shall be min. five (5) feet and landscaped with ground cover and a low hedge, where driveway access is provided to the rear of the lot. See. Sec. 4.03 B 1(ai-ii).

Shared access to parking shall be encouraged to limit the frequency of curb cuts along the primary frontage street, which maintains the improved streetscape and street front at the pedestrian level. See Sec. 4.03 B 2. A cross access agreement between property owners shall be provided to the Village of Palmetto Bay depicting shared access.