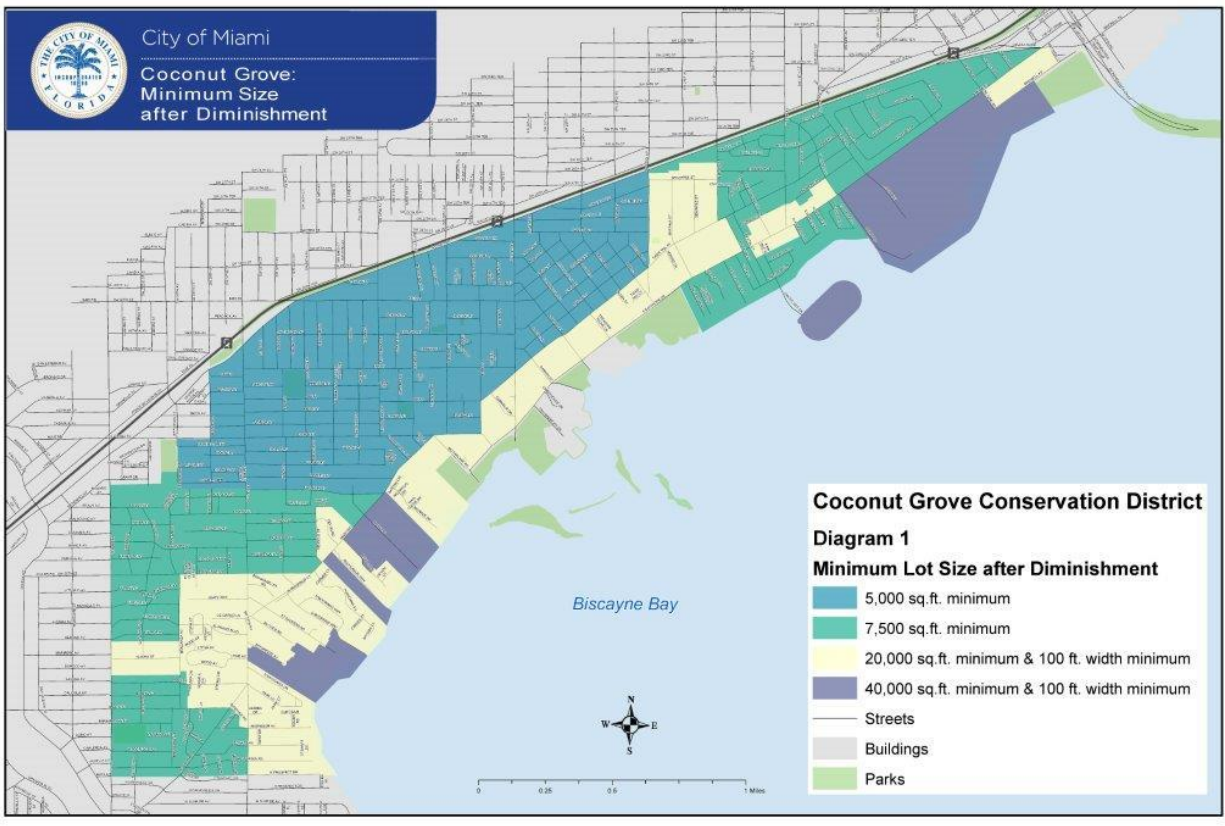


ARTICLE 1. DEFINITIONS

1.1 BOUNDARIES

Generally described as bounded by city limits to the west and south, US 1 on the west and north, Rickenbacker Causeway on the east, Biscayne Bay along the east and south. More specifically depicted on Diagram 1.

Diagram 1:



1.2 DEFINITIONS OF TERMS

Building Site: One or more Lots, or portions of Lots, that are aggregated to form a single residential site including platted and unplatted Lots. Evidence identifying a Building Site may include: City tax records, covenants, unity of title, deeds, permits, subdivision records, and City of Miami Municipal Atlas. For purposes of regulating development within T3 Transect Zones in the Coconut Grove Conservation District ("CGCD"), regulations based on Lot shall be based on Building Site.

Lot Coverage: The area of the Lot occupied by all Buildings, excluding single-story unenclosed Structures such as decks, pools, trellises, Carports, Porches, pergolas, pavilions, porticos, Driveways, pathways, and pools.

Village Center: Bounded by Oak Street and Tigertail Avenue on the north, SW 27th Avenue and Biscayne Bay on the east, Via Abitare Way and Charles Avenue along southern edge, and SW 32nd Avenue on the west.

Village West Island Design Guidelines: Architectural and urban design guidelines adopted by the City of Miami to protect and reinforce the Caribbean vernacular architectural style traditional of the area.

1.4 DEFINITIONS OF LANDSCAPE REQUIREMENTS

Buffer Tree: A canopy tree of substantial size and appearance, common throughout Coconut Grove. Shall meet the following standards; Classified as Florida Grade 1, twenty (20) feet in height minimum, eight (8) feet clear trunk minimum, ten (10) inches diameter at breast height, minimum.

Oolitic Limestone: A sedimentary limestone consisting of ooliths that are cemented together. This limestone is common throughout Coconut Grove and aesthetically blends well with other natural elements.

ARTICLE 2. GENERAL PROVISIONS

2.1 PURPOSE AND INTENT

Coconut Grove, one of Miami's first neighborhoods, is recognized for its lush, heavily landscaped, natural green areas, public open space, recreational opportunities, proximity to Biscayne Bay, waterfront views, geologic features, vibrant business district services, historic resources, and diverse property sizes.

Village Island West honors the legacy of the African-American community in Miami's History with unique Caribbean and Bahamian character and heritage. Charles Avenue, Grand Avenue, and Douglas Road, north of Grand Avenue, shall maintain the scale and character of the existing neighborhood through sensible development, complementing historic resources including: the Mariah Brown House, home of the first Bahamian settler; the Historic Black Cemetery; the E.F. Stirrup House, home of the first black doctor; historical churches, and several others. The CGCD protects the history of the Village Island District by promoting its revitalization and restoration of gateways, gathering places, and activities representative of its historic culture and heritage.

Coconut Grove Conservation District preserves the neighborhood character, unique to the area, by including specific regulations to protect the heavily landscaped character. The regulations ensure the preservation of green spaces and further expansion of tree canopy throughout the area. The conservation district encourages the preservation of existing structures and guides new development to protect the scale, character, and architectural variety within the established neighborhoods of Coconut Grove.

2.2 APPLICABILITY

The effect of these regulations shall be to modify transect regulations included within the Coconut Grove Conservation District (CGCD) boundaries to the extent indicated herein.

Where standards set forth in the Coconut Grove Conservation District conflict with the Miami 21 Code, the standards set forth in this Conservation Plan shall control. Where this Coconut Grove Conservation District is silent, the underlying Miami 21 Code standards shall govern if applicable.

Demolition permits shall require a Waiver and be referred to the Planning Department for review under the Tree Preservation Ordinance. All submittals shall contain a tree survey by a certified arborist and a buildable footprint diagram identifying the developable lot portions.

No Waiver shall be required if the proposed Demolition maintains more than fifty percent (50%) of the original structure, later additions shall be excluded from this calculation.

ARTICLE 3. GENERAL TO ZONES

3.14 PUBLIC BENEFITS PROGRAM

The intent of the Public Benefits Program established in this section is to allow Density bonus in T4 and T5 Transect Zones in exchange for contribution to the Affordable/Workforce Housing Public Benefits Program and to allow Building Disposition, as defined in Miami 21, bonuses in T5 and T6 Transect Zones in exchange for contribution to the Civic Space and Cross-Block Connectivity Public Benefits Programs. The bonuses do not increase the maximum height permitted.

3.14.1 The bonuses shall be permitted if the proposed Development contributes toward the specified public benefits, above that which is otherwise required by this Code, in the amount and in the manner as set forth herein.

1. T4: 36 dwelling units per acre maximum, bonus to 65 dwelling units per acre
2. T5: 65 dwelling units per acre maximum, bonus to 150 dwelling units per acre
3. In T5 and T6 zones Building Disposition bonuses for developments that provide Civic Space area to the City of Miami as described in Section 3.14.4.
4. In T5 and T6 zones Building Disposition bonuses for developments that provide Cross-Block Connectivity to the City of Miami as described in Section 3.14.4.

3.14.2 Upon providing a binding commitment for the specified public benefits as provided in Section 3.14.3 below, the proposed development project shall be allowed to build within the restrictions of the specific Transect Zone, up to the bonus as established in this Section.

3.14.3 The Density bonus shall be permitted in exchange for affordable/workforce housing, contribution to the City. The Building Disposition bonuses shall be permitted in exchange for Civic Space or Cross-Block Connectivity contributions to the City.

3.14.4 For the purposes of the Public Benefits Program, the following criteria shall apply:

a. Affordable/Workforce Housing. A development project in a T4 or T5 zone may provide any of the following or combination thereof:

1. Workforce housing on site of the development. For each unit of workforce housing provided on site, the development's Density maximum shall be increased by two (2) units, resulting in one (1) additional Market Rate Unit up to the maximum Density bonus permitted, as described in Section 3.14.1.
2. Affordable housing on site of the development. For each unit of affordable housing provided on site, the development's Density maximum shall be increased by three (3) units, resulting in two (2) additional Market Rate Units up to the maximum Density bonus permitted, as described in Section 3.14.1.
3. The unit type distribution provided as Affordable/Workforce Housing units shall match the unit type distribution provided as Market Rate Housing.
4. Developments must fully integrate Affordable/Workforce units with market rate units; separate access or sections shall not be permitted.

b. Civic Space Types. For a development project in a T5 or T6 zone within the CGCD boundaries that donates a Civic Space Type onsite to the City, an additional two (2) square feet of area for each square foot of donated space, shall be accommodated within the Building Disposition bonus as described in Section 3.14.5.

c. Cross-Block Connectivity. For a Development project in a T5 or T6 zone within the CGCD boundaries that provides an open to the sky cross-Block Paseo or Pedestrian Passage, connects two (2) Thoroughfares, and is publicly accessible 24-hours a day or reduced hours by process of Waiver, an additional six (6) square feet of area for each square foot of donated space, shall be accommodated within the Building Disposition bonus as described in Section 3.14.5.

3.14.5 Building Disposition Bonus. The additional Floor Area generated through The Public Benefits Program, shall be accommodated as follows:

- a. The maximum mezzanine Habitable Space Floor Area, as defined in Miami 21, of 33% may be exceeded up to 100%, provided that such mezzanine is designed as an extension of the ground floor façade and is visually perceived as part of the ground floor.
- b. The First Layer may be encroached up to a maximum of five (5) feet, on the upper stories. This bonus excludes the ground and mezzanine levels. The total Floor Area within the encroachment shall not exceed the area generated from the Public Benefits Program.

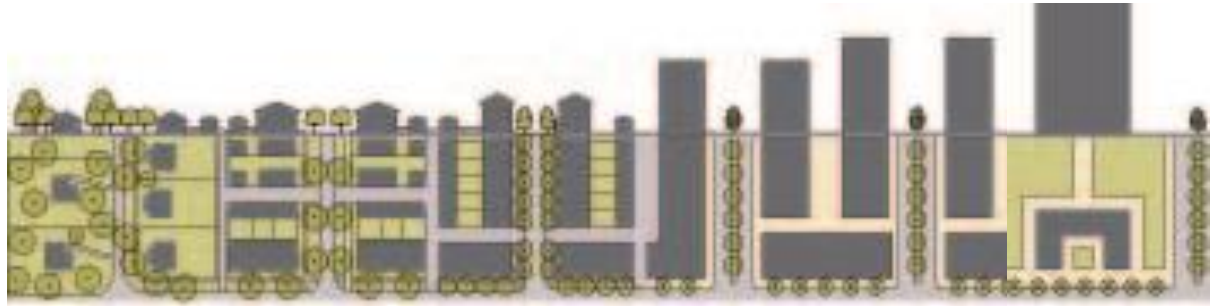
ARTICLE 4. STANDARDS & TABLES

4.1 PARKING REQUIREMENTS

- a. In T4, T5, and T6 Transect Zones, including properties abutting T3 Transect Zones, the parking ratio may be reduced within a Transit Oriented Development (“TOD”) area or within a Transit Corridor area by up to thirty percent (30%) by process of Waiver; by up to fifty percent (50%) by process of Waiver and payment into a transit enhancement Trust Fund, as established by Chapter 35 of the City Code; or by one hundred percent (100%) for any Structure with a Floor Area of ten thousand (10,000) square feet or less.

- b. In T3 and T4 Zones, Ancillary Dwelling Units shall not require additional parking spaces.

ARTICLE 4. TABLE 2 CGCD SUMMARY



LOT OCCUPATION	T3	T4	T5	T6-8	T6-12	CI-HD
a. Lot Area	Established by Diagram 1	1,400 s. f. – 20,000 s. f. **	1,200 – s. f. 40,000 s. f.**	5,000 – s. f. min 40,000 s. f. max.**	5,000 – s. f. min 70,000 s. f. max.**	10,000 – s. f. min
b. Lot Width	50 ft. min.	16 ft. min / 50 ft. min.**	16 ft. min / 50 ft. min.**	50 ft. min.	50 ft. min.	50 ft. min.
c. Lot Coverage	50% max.	60% max.	80% max.	80% max.**	80% max.**	80% max
d. Floor Lot Ratio (FLR)	0.5 max. (T3-R and T3-L) 0.75 max. (T3-O)			5 / 25% additional Public Benefit ***	8 / 30% additional Public Benefit ***	8
e. Frontage at front Setback		50% min.	70% min.	70% min.	70% min.	None
f. Green/Open Space Requirement	40% Lot Area min.(T3-R and T3-L) 35% Lot Area min. (T3-O)					
g. Density	9-18 du/acre max.**	15% Lot Area min. 36 du/acre max.****	10% Lot Area min. 65 du/acre max.****	10% Lot Area min. 150 du /acre *	10% Lot Area min. 150 du /acre *	10% Lot Area min. 150 du /acre *
BUILDING SETBACK						
a. Principal Front	30 ft. min.**	10 ft. min.	10 ft. min.	10 ft. min.	10 ft. min.	10 ft. min.
b. Secondary Front	10 ft. min.**	10 ft. min.	10 ft. min.	10 ft. min.	10 ft. min.	10 ft. min.
c. Side	5 ft. min.**	0 ft. min. / 5 ft. min.**	0 ft. min.**	0 ft. min.**	0 ft. min.**	0 ft. min.
d. Rear	20 ft. min.**	20 ft. min.	0 ft. min.**	0 ft. min.**	0 ft. min.**	0 ft. min.
OUTBUILDING SETBACK						
a. Principal Front	20 ft. min.	30 ft. min.				
b. Secondary Front	10 ft. min.	10 ft. min.				
c. Side	10 ft. min. **	0 ft. min. / 5 ft. min.				
d. Rear	10 ft. min. **	5 ft. min.				
PRIVATE FRONTAGES						
a. Common Lawn	permitted	permitted	prohibited	prohibited	prohibited	permitted
b. Porch & Fence	permitted	permitted	prohibited	prohibited	prohibited	prohibited
c. Terrace or L.C.	prohibited	permitted	prohibited	prohibited	prohibited	permitted
d. Forecourt	prohibited	permitted	permitted	permitted	permitted	permitted
e. Sloop	prohibited	permitted	permitted	permitted	permitted	permitted
f. Shopfront	prohibited	permitted (T4 L, T4 v O)	permitted (T5 L, T5 O)	permitted (T6-8 L, T6-8 O)	permitted (T6-12 L, T6-12 O)	permitted
g. Gallery	prohibited	prohibited	permitted **	permitted **	permitted **	permitted **
h. Arcade	prohibited	prohibited	permitted **	permitted **	permitted **	permitted **
BUILDING HEIGHT (Stories)						
a. Principal Building	2 max.	3 max.	2 min. 5 max.	2 min. 3 max.	2 min. 12 max.	1 min. As regulated by F.A.A.
b. Outbuilding	2 max.	2 max.				
c. Benefit Height Abutting T6, T5 & T4 only			1 max **	4 max **	3 max **	
THOROUGHFARES						
a. HW & RR	permitted	prohibited	prohibited	prohibited	prohibited	prohibited
b. BV	permitted	permitted	permitted	permitted	permitted	permitted
c. SR	permitted	permitted	prohibited	permitted	permitted	permitted
d. RS	permitted	permitted	prohibited	permitted	permitted	permitted
e. SS & AV	prohibited	prohibited	permitted	permitted	permitted	permitted
f. CS & AV	prohibited	prohibited	permitted	permitted	permitted	permitted
g. Rear Lane	permitted	permitted	prohibited	prohibited	prohibited	prohibited
h. Rear Alley	permitted	permitted	permitted	permitted	permitted	permitted
i. Path	permitted	permitted	prohibited	prohibited	prohibited	prohibited
j. Passage	permitted	permitted	permitted	permitted	permitted	permitted
k. Bicycle Path	permitted	permitted	permitted	permitted	permitted	permitted
l. Bicycle Lane	permitted	permitted	permitted	permitted	permitted	prohibited
m. Bicycle Route	permitted	permitted	permitted	permitted	permitted	permitted
n. Sharrow	prohibited	permitted	permitted	permitted	permitted	permitted
o. Priority Bicycle Route	permitted	permitted	prohibited	permitted	permitted	permitted

* Or as modified in Diagram 9

** Note: Refer to Article 5 for Specific Transect Zone Regulations

*** Note: Bonus shall not be available for T6 properties abutting T3 properties (refer to Article 3)

****Density bonus available in some zones as described in Section 3.14 of this code.

ARTICLE 4. TABLE 3 BUILDING FUNCTION: USES

	T3 SUB-URBAN			T4 URBAN GENERAL			T5 URBAN CENTER			T6 URBAN CORE			C CIVIC			D DISTRICTS		
	R	L	O	R	L	O	R	L	O	R	L	O	CS	CI	CI-HD	D1	D2	D3
DENSITY (UNITS PER ACRE)	9	9	18	36***	36***	36***	65***	65***	65***	150*	150*	150*	N/A	AZ**	150*	36	N/A	N/A
RESIDENTIAL																		
SINGLE FAMILY RESIDENCE	R	R	R	R	R	R	R	R	R	R	R	R						
COMMUNITY RESIDENCE	R	R	R	R	R	R	R	R	R	R	R	R			R			
ANCILLARY UNIT	R	R	R	R	R	R												
TWO FAMILY RESIDENCE			R	R	R	R	R	R	R	R	R	R						
MULTI FAMILY HOUSING				R	R	R	R	R	R	R	R	R			R			
DORMITORY					E	E		R	R		R	R		E	R			
HOME OFFICE	R	R	R	R	R	R	R	R	R	R	R	R			R			
LIVE - WORK					R	R		R	R		R	R			R			
WORK - LIVE															R	R		
LODGING																		
BED & BREAKFAST				W	R	R	E	R	R	E	R	R			R	R		
INN						R		R	R	E	R	R			R	R		
HOTEL								R	R		R	R			R			
OFFICE																		
OFFICE					R	R		R	R		R	R		E	R	R	R	W
COMMERCIAL																		
AUTO-RELATED COMMERCIAL ESTAB.									W		W	W				R	R	
ENTERTAINMENT ESTABLISHMENT						R		W	R		R	R				R	R	
ENTERTAINMENT ESTAB. - ADULT																	R	
FOOD SERVICE ESTABLISHMENT					R	R		R	R	W	R	R	W	E	R	R	R	W
ALCOHOL BEVERAGE SERVICE ESTAB.					E	E		E	E		E	E			E	E	E	E
GENERAL COMMERCIAL					R	R		R	R	W	R	R	E	E	R	R	R	W
MARINE RELATED COMMERCIAL ESTAB.								W	W		W	W	E			R	R	R
OPEN AIR RETAIL								W	W		W	W	W	E	R	R	R	W
PLACE OF ASSEMBLY								R	R	E	R	R		E	E	R	R	W
RECREATIONAL ESTABLISHMENT								R	R		R	R		E	R	R	R	W
CIVIC																		
COMMUNITY FACILITY					W	W		W	W		W	W	W	E	W	R	R	
RECREATIONAL FACILITY	E	E	E	E	R	R	E	R	R	E	R	R	W	E	W	R	R	
RELIGIOUS FACILITY	E	E	E	E	R	R	E	R	R	E	R	R	W	E	R	R	R	W
REGIONAL ACTIVITY COMPLEX												E		E	E			
CIVIL SUPPORT																		
COMMUNITY SUPPORT FACILITY					W	W		W	W		W	W		E	E	R	R	W
INFRASTRUCTURE AND UTILITIES	W	W	W	W	W	W	W	W	W	W	W	W	W	E	W	W	R	W
MAJOR FACILITY														E	R	E	E	E
MARINA				E	W	W	E	W	W	E	W	W	R	E		R	R	R
PUBLIC PARKING					W	W		W	W		W	W		E	R	R	R	W
RESCUE MISSION														E	R	E	W	W
TRANSIT FACILITIES					W	W	E	W	W	E	W	W		E	R	R	R	W
EDUCATIONAL																		
CHILDCARE				E	W	W	E	W	W	W	W	W	E	E	R	E		
COLLEGE / UNIVERSITY								W	W		W	W		E	R	E		
ELEMENTARY SCHOOL	E	E	E	E	E	E	E	W	W	E	W	W		E	R	E		
LEARNING CENTER					E	E		R	R		R	R	E	E	R	E		
MIDDLE / HIGH SCHOOL	E	E	E	E	E	E	E	W	W	E	W	W		E	R	E		
PRE-SCHOOL	E	E	E	E	E	E	E	R	R	E	R	R		E	R	E		
RESEARCH FACILITY					R	R		R	R		R	R		E	R	R	R	W
SPECIAL TRAINING / VOCATIONAL						E		W	W		W	W		E	R	R	R	W
INDUSTRIAL																		
AUTO-RELATED INDUSTRIAL ESTBL.																R	R	W
MANUFACTURING AND PROCESSING																R	R	W
MARINE RELATED INDUSTRIAL ESTBL.																R	R	R
PRODUCTS AND SERVICES																R	R	W
STORAGE/ DISTRIBUTION FACILITY																R	R	W

R Allowed By Right
W Allowed By Warrant: Administrative Process - CRC (Coordinated Review Committee)
E Allowed By Exception: Public Hearing - granted by PZAB (Planning, Zoning & Appeals Board)
Boxes with no designation signify Use prohibited.

Uses may be further modified by Supplemental Regulations, State Regulations, or other provisions of this Code. See City Code Chapter 4 for regulations related to Alcohol Beverage Service Establishments
* Additional densities in some T6 zones are illustrated in Diagram 9.
** AZ: Density of lowest Abutting Zone
*** Density Bonus available in some zones as described in Section 3.14 of this code.

ARTICLE 5. SPECIFIC TO ZONES

5.1 GENERALLY

This Article sets forth the standards applicable to development within each Transect Zone located within the CGCD. Provisions of the Miami 21 Code modified herein shall apply only within the CGCD.

5.1.1 This Article sets forth the standards applicable to development within each Transect Zone that are specific to:

- Building Disposition
- Building Configuration
- Building Function and Density
- Parking Standards
- Architectural Standards
- Landscape Standards
- Ambient Standards

5.3 SUB-URBAN TRANSECT ZONES (T3)

5.3.1 Building Disposition (T3)

- a. Established Building Sites shall be maintained. New Building Sites shall only be established by process of Warrant. Establishing new Building Sites shall be subject to the criteria specified in Article 4, Table 12: Design Review Criteria, of Miami 21, and the following requirements:
 1. Newly established Building Sites shall be in accordance with Diagram 1.
 2. The establishing of new Building Sites shall not reduce existing tree canopy. Specimen trees shall be preserved, relocated or mitigated on-site.
 3. Newly established Building Sites shall comply with all existing Lot requirements. Any existing Structures on a Lot shall not become non-conforming as a result of the creation of the newly established Building Site. Any legal non-conforming Structures on a Lot shall result in the same or reduced degree of nonconformity as a result of the newly established Building Site.
 4. Newly established Building Sites shall have a Lot Area equal to or larger than the mean average of existing Building Sites, of the same zoning designation, within the same subdivision.
 5. All Warrants and platting submittals for the diminishment of a Building Site shall contain the required documents set forth in Sec. 17-4 (c) of the City Code, which include but are not limited to a Tree Disposition Plan, Tree Boundary Survey prepared by a licensed Surveyor, a Tree Protection Plan and a Certified Arborist Report prepared by an ISA (International Society of Arboriculture) Certified Arborist. Photographs of the site (including all structures and flora) shall be required and keyed to a Site Plan.
 6. Newly established Building Sites shall require a Unity of Title or a Covenant in Lieu of Unity of Title.
 7. Building Sites shall not include any portions of land under a different zoning transect.
- b. Lot coverage by Buildings shall not exceed that shown in Illustrations 5.3A and 5.3B.

- c. Floor Lot Ratio (“FLR”) shall not exceed that shown in Illustrations 5.3A and 5.3B. The structure may be granted relief, from the Planning Director, to exceed the maximum FLR by an additional fifteen (15) percent with the addition or maintenance, of a minimum of one (1) Buffer Tree for every fifteen (15) feet of Frontage. Buffer Trees shall meet the following minimum standards:
 - 1. Classified as Florida Grade 1
 - 2. A minimum of twenty (20) feet in height.
 - 3. A minimum of eight (8) feet clear trunk.
 - 4. A minimum of ten (10) inches diameter at breast height.
- d. A Building shall be disposed in relation to the boundaries of its Lot according to Illustrations 5.3A and 5.3B.
- e. In Zone T3-R, one (1) Principal Building consisting of one (1) Dwelling Unit at the Frontage and one (1) Ancillary Dwelling Unit (“ADU”) may be built on Lots 7,500 square feet or larger. In Historic Properties zoned T3-R, one (1) Principal Building consisting of one (1) Dwelling Unit at the Frontage and one (1) Ancillary Dwelling Unit (“ADU”) may be built on each Lot. In Zone T3-L, one (1) Principal Building consisting of one (1) Dwelling Unit at the Frontage and one (1) Ancillary Dwelling Unit (“ADU”) may be built on each Lot. In Zone T3-O, one (1) Principal Building consisting of two (2) Dwelling Units at the Frontage and one (1) Ancillary Dwelling Unit (“ADU”) may be built on each Lot.
- f. Setbacks for Principal Buildings shall be as shown in Illustrations 5.3A and 5.3B. The minimum side Setback shall be five (5) feet. The total side Setback in Zone T3-O shall be a minimum of 20% of the Lot Width. The minimum total side Setback in Zones T3-R and T3-L shall be as established in the following table:

<u>Building Site Size in Square Feet</u>	<u>Interior Lots First story of Structure</u>	<u>Interior Lots Second Story of Structure</u>	<u>Corner Lots First Story of Structure</u>	<u>Corner Lots Second Story of Structure</u>
<u>Less than 7,500</u>	<u>10 Feet</u>	<u>15 Feet</u>	<u>15 Feet</u>	<u>20 Feet</u>
<u>7,500 – 10,000</u>	<u>15 Feet</u>	<u>25 Feet</u>	<u>15 Feet</u>	<u>25 Feet</u>
<u>More than 10,000</u>	<u>25 Feet</u>	<u>35 Feet</u>	<u>25 Feet</u>	<u>35 Feet</u>

- 1. For purposes of protecting and/or mitigating an existing tree, pursuant to Chapter 17, a structure may be granted relief, from the Planning Director, to encroach into the minimum required side and rear Setbacks. The minimum side Setback shall be no less than five (5) feet. The minimum rear Setback may not be reduced to less than ten (10) feet on the first story and fifteen (15) feet on the upper stories.
- 2. Setbacks may otherwise be adjusted by Waiver by no more than ten percent (10%).
- g. Facades shall be built parallel to a rectilinear Principal Frontage Line or parallel to the tangent of a curved Principal Frontage Line.
- h. Setbacks for Outbuildings, pools, tennis courts or other similar recreational facilities shall be as shown for Outbuildings in Illustrations 5.3A and 5.3B.
 - 1. One (1) Story, non-habitable Accessory Structure, of a maximum of two hundred (200) square feet or ten percent (10%) of the Floor Area of the Principal Building, whichever is greater, shall be located in the Second or Third layer of the property and shall be setback a minimum of five (5)

feet from any side Property Line and ten (10) feet from any rear Property Line. Setbacks for such structures may be reduced by Waiver.

5.3.2 Building Configuration (T3)

- a. Encroachments shall be allowed as follows:
 1. At the First Layer, the structure may project a maximum of ten (10) feet provided that said projection does not exceed thirty (30) feet or fifty (50) percent of the Lot Frontage, whichever is less, in width along the front of the building. Open Porches shall be at a minimum seven (7) feet deep and may encroach up to fifteen (15) feet into the First Layer. Cantilevered portions of Awnings, balconies, bay windows and roofs shall be a maximum of three (3) feet deep and may encroach up to three (3) feet into the First Layer. Other cantilevered portions of the Building shall maintain the required Setback of thirty (30) feet.
 2. At the Second and Third Layers, Awnings, balconies, bay windows, chimneys, roofs and stairs may encroach up to fifty percent (50%) of the depth of the Side Setback or three (3) feet, whichever is less. The minimum side setback, of five (5) feet shall not be encroached.
 3. At the Third Layer, Awnings, Canopies, Trellises, Gazebos, and other unenclosed structures may encroach up to fifty percent (50%) of the depth of the Rear Setback. Trellises, Gazebos, and other unenclosed structures for recreational purposes may encroach up to five (5) feet into the minimum required rear setback, provided that said projection does not exceed two-hundred (200) square feet or five (5) percent of the Lot Area, whichever is less. Such structures shall be a maximum height of fifteen (15) feet.
- b. Unroofed screen enclosures shall be located within the Second or Third Layer only and shall have a five (5) foot minimum side and rear Setback.
- c. All outdoor storage, electrical, plumbing, mechanical, and communications equipment and appurtenant enclosures, shall be located within the Second or Third Layer and concealed from view from any Lot Line. These shall not be allowed as Encroachments, on any required Setback, except for Buildings existing as of the effective date of this Code, where mechanical equipment, such as air conditioning units, pumps, exhaust fans or other similar noise producing equipment may be allowed as Encroachments by Waiver.
- d. Building Heights shall be measured in Stories and shall conform to Article 4, Table 2 and be as shown in Illustration 5.3. The first-floor elevation of a Principal Building shall be a maximum of two and a half (2.5) feet above grade, or as regulated by FEMA, whichever is higher. A flat roof shall be a maximum of two (2) Stories and twenty-five (25) feet. A pitched roof shall be a maximum of twenty-five (25) feet to the eave and shall not exceed ten (10) feet overall Height above the second Story.
- e. Mechanical equipment on a roof shall be enclosed by parapets of the minimum Height necessary to conceal it, and a maximum Height of three and a half (3.5) feet. Mechanical equipment that is not fully concealed by the maximum parapet shall be setback a minimum of ten (10) feet from all building facades and fully concealed. At the roof, other ornamental Building features may extend up to three and a half (3.5) feet above the maximum Building Height. Roof decks shall be permitted at the maximum Height. Trellises may extend above the maximum Height up to eight (8) feet. Extensions above the maximum Height up to two hundred (200) square feet for either a stair enclosure or ornamental purpose shall be permitted by right provided that the extension is set back a minimum of ten (10) feet from the structures' facades.

- f. Fences and walls may be located up to and including the Frontage Line to the following maximum Height. Height of fences and walls shall not exceed four (4) feet within the First Layer, except aluminum or iron picket and post Fences with or without masonry posts shall not exceed six (6) feet. Fences and walls located within the Second and Third Layers shall not exceed eight (8) feet.

5.3.3 Building Function & Density (T3)

- a. Buildings in T3 Transect Zones shall conform to the Functions, Densities, and Intensities described in Article 4, Table 3 of this Code, Article 4, Table 4 of Miami 21, and Illustration 5.3A and 5.3B. Certain Functions as shown in Article 4, Table 3 shall require approval by Warrant or Exception. Consult Article 6, of this Code and Miami 21, for any supplemental use regulations.
- b. Religious Facilities requiring additional Height or relief from parking requirements and Frontage requirements may be permitted by process of Exception.

5.3.4 Parking Standards (T3)

- a. Vehicular parking shall be required as shown in Article 4, Tables 4 and 5 of Miami 21, with the exceptions as listed in Section 4.1 Parking Requirements of this Code.
- b. Parking may be accessed by an Alley when such is available.
- c. Covered parking and garages and at least fifty percent (50%) of required parking shall be located within the Second and Third Layers as shown in Article 4, Table 8, of Miami 21. in T3-R and T3-L a maximum thirty percent (30%) of the width of the Facade may be covered parking or garage. In T3-O covered parking and garages shall be a maximum sixty percent (60%) of the width of the façade. Garages shall not be located along the same front Setback Line as the front wall of a residential structure unless the garage door(s) does not face the street. Garage structures with access openings that face the street shall be set back a minimum of five (5) feet from the front wall of the principal residential structure. Garage doors which are more than ten (10) feet wide shall not be allowed.
- d. Driveways and drop-offs including parking may be located within the First Layer. The maximum width at the Property Line of a driveway on a Frontage shall be twelve (12) feet for T3-R and T3-L and twenty (20) feet for T3-O. Two (2) separate driveways on one Lot shall have a minimum separation of twenty (20) feet in T3-R and T3-L only. Except as required for the driveway approach, no portion of any driveway in a required yard adjacent to a street shall be within five (5) feet of any Property Line other than as may be required to allow for turnaround maneuver, in which case said driveway shall be constructed of permeable material in its entirety.
- e. Tandem Parking on site is encouraged.

5.3.5 Architectural Standards (T3)

- a. Only permanent Structures shall be allowed. Temporary Structures such as mobile homes, construction trailers, travel trailers, recreational vehicles, and other temporary Structures shall not be allowed except as permitted by City Code.

- b. Roof materials should be light-colored, high Albedo or a planted surface.
- c. Adjacent Lots or Lots in the same subdivision under single ownership, or developed by a single builder or developer shall not employ the same, similar or duplicate architectural plans. Adjacent buildings under such conditions shall be substantially differentiated in massing, footprint, and exterior detailing.

5.3.6 Landscape Standards (T3)

- a. A minimum of one shade tree shall be planted within the First Layer for each fifty (50) feet of Frontage Line.
- b. At the First Layer, pavement shall be limited as follows: Impervious pavement shall be limited to thirty percent (30%) of the area and pervious pavement shall be limited to fifty percent (50%) of the area; a combination of pervious and impervious pavement shall be limited to fifty percent (50%) of the area in the First Layer.
- c. Green Space for Lots in Zones T3-R and T3-L shall be a minimum of forty (40) percent of Lot Area. Green Space for Lots in Zones T3-O shall be a minimum of thirty-five (35) percent of the Lot Area.
- d. All front yards shall be designed in a way that minimizes the impact of garage fronts and off-street parking. Front yards shall provide a more permeable surface and use abundant landscaping and tree canopy throughout.
- e. All fences located within any street-front Setback area shall be covered from the public right-of-way view by plant material except when said fence is faced or constructed with Oolitic Limestone.
- f. Additional landscape requirements are listed in Article 9 of Miami 21.

ILLUSTRATION 5.3A SUB-URBAN TRANSECT ZONES (T3-R AND T3-L)

BUILDING DISPOSITION

LOT OCCUPATION

a. Lot Area	Established by Diagram 1.
b. Lot Width	50 ft. min.
c. Lot Coverage	50% max.
d. Floor Lot Ratio (FLR)	0.5 / 15% additional Buffer Trees*
e. Frontage at front Setback	N/A
f. Green Space	40% Lot Area min.
g. Density	9 du/ac max.

BUILDING SETBACK

a. Principal Front	30 ft. min.
b. Secondary Front	10 ft. min.
c. Side	5 ft. min.**
d. Rear	20 ft. min.

OUTBUILDING SETBACK

a. Principal Front	20 ft. min.
b. Secondary Front	10 ft. min.
c. Side	10 ft. min.**
d. Rear	10 ft. min.**

BUILDING CONFIGURATION

FRONTAGE

a. Common Lawn	permitted
b. Porch & Fence	permitted
c. Terrace or L.C.	permitted
d. Forecourt	permitted
e. Stoop	prohibited
f. Shopfront	prohibited
g. Gallery	prohibited
h. Arcade	prohibited

BUILDING HEIGHT

a. Principal Building	2 Stories and 25 ft. to eave max.
b. Outbuilding	2 Stories and 25 ft. to eave max.

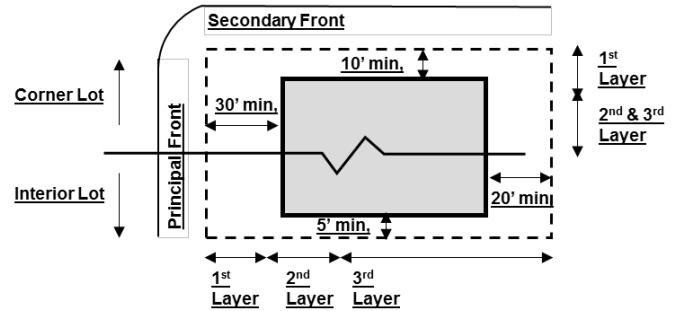
PARKING

Facade Width	30 % max.
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** Refer to Section 5.3.1 for Specific Requirements

*15% increase with the addition of Buffer Trees - See Section 5.3.1.

BUILDING PLACEMENT



OUTBUILDING PLACEMENT

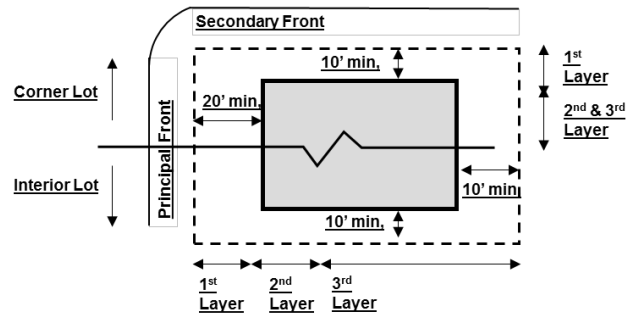


ILLUSTRATION 5.3B SUB-URBAN TRANSECT ZONES (T3-O)

BUILDING DISPOSITION

LOT OCCUPATION

a. Lot Area	Established by Diagram 1.
b. Lot Width	50 ft. min.
c. Lot Coverage	50% max.
d. Floor Lot Ratio (FLR)	0.75 / 15% additional Buffer Trees*
e. Frontage at front Setback	N/A
f. Green Space	35% Lot Area min.
g. Density	18 du/ac max.

BUILDING SETBACK

a. Principal Front	30 ft. min.
b. Secondary Front	10 ft. min.
c. Side	5 ft. min. 20% Lot Width total min.**
d. Rear	20 ft. min.

OUTBUILDING SETBACK

a. Principal Front	20 ft. min.
b. Secondary Front	10 ft. min.
c. Side	10 ft. min.**
d. Rear	10 ft. min.**

BUILDING CONFIGURATION

FRONTAGE

a. Common Lawn	permitted
b. Porch & Fence	permitted
c. Terrace or L.C.	permitted
d. Forecourt	permitted
e. Stoop	prohibited
f. Shopfront	prohibited
g. Gallery	prohibited
h. Arcade	prohibited

BUILDING HEIGHT

a. Principal Building	2 Stories and 25 ft. to eave max.
b. Outbuilding	2 Stories and 25 ft. to eave max.

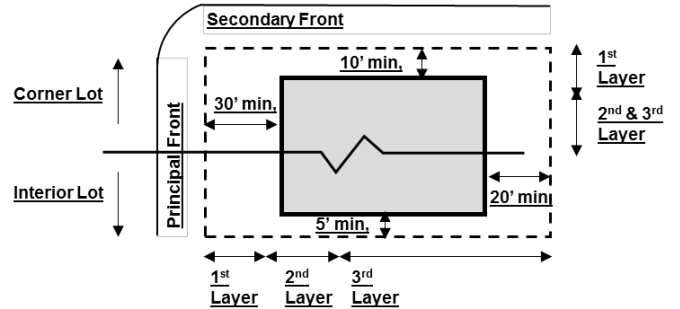
PARKING

Facade Width	50% max.
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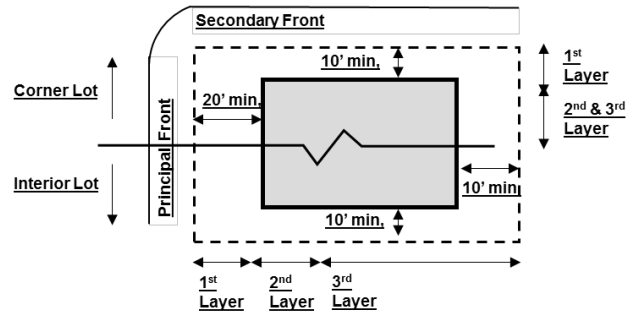
*15% increase with the addition of Buffer Trees - See Section 5.3.1.

**Refer to Section 5.3.1 for Specific Regulations

BUILDING PLACEMENT



OUTBUILDING PLACEMENT



ARTICLE 6. SUPPLEMENTAL REGULATIONS

6.1 INTENT AND EXCLUSIONS

The supplemental regulations of this Article apply to the specific uses listed below within the broader Use categories identified in Article 4, Table 3 and Article 5. These regulations supplement other standards listed elsewhere in this Code. No permit or Certificate of Use may be granted for any Use, unless the Use complies with the requirements of these supplemental regulations and any other applicable standards of the Miami 21 Code.

Specifically excluded from all Transect Zones in the City are stockyards, slaughterhouses, wrecking yards, rag shops, cement plants, paper factories, ammunition plants, fireworks manufacturing, house barges, refining, smelting, forging, and unattended donation collection bins.

The regulations of Article 6, Table 13 are arranged by Transect Zone and in the same order in which they appear in Article 4, Table 3. These regulations may be further supplemented by Article 6.

When calculating distance separation requirements, measurement shall be made from the nearest point of the Lot of the existing facility, Use, or Structure to the nearest point of the Lot of the proposed facility, Use, or Structure.

A blank cell in Table 13 signifies that the Use is prohibited.

ARTICLE 6. TABLE 13 SUPPLEMENTAL REGULATIONS
T3 - SUB-URBAN ZONE

	RESTRICTED	LIMITED	OPEN
DENSITY (UPA)	9 UNITS PER ACRE	9 UNITS PER ACRE	18 UNITS PER ACRE
ANCILLARY UNIT	Maximum size of unit 450 square feet. Shall only be used as Single-Family Residence dwelling. May only be rented if the principal dwelling owner resides on site. Unit Structure shall be architecturally harmonious with the Principal Building. Any Facade, within 20 feet of another property shall only provide clerestory windows along that corresponding Facade.	Maximum size of unit 450 square feet. Shall only be used as Single-Family Residence dwelling. May only be rented if the principal dwelling owner resides on site. Unit Structure shall be architecturally harmonious with the Principal Building. Any Facade, within 20 feet of another property shall only provide clerestory windows along that corresponding Facade.	Maximum size of unit 450 square. Shall only be used as Single-Family Residence dwelling. May only be rented if the principal dwelling owner resides on site. Unit Structure shall be architecturally harmonious with the Principal Building. Any Facade, within 20 feet of another property shall only provide only clerestory windows along that corresponding Facade.

6.3 COMMERCIAL DISTRICTS

6.3.1 Coconut Grove Corridors

The sub-districts are demarcated, traversed or connected by important corridors subject to their own unique characteristics and considerations. The Coconut Grove Corridors are as follows and include the rights of way and the Lots immediately adjacent to the right of way:

- South Bayshore Drive
- Tigertail Drive
- S.W. 27th Avenue
- Bird Avenue
- McDonald Street
- Main Highway
- Douglas Road
- Grand Avenue
- Le Jeune Road

6.3.2 Large Scale Retail

- a. Large-Scale Retail Establishment - A retail establishment or combination of commercial retail establishment(s), including membership establishments with any commercial retail use, of over twenty thousand (20,000) square feet in gross floor area. The gross floor area includes building gross floor area and ancillary outdoor storage or merchandise display areas. For the purposes of this definition, the floor area does not include motor vehicle parking or loading areas. For the purpose of determining the applicability of the twenty thousand (20,000) square feet of floor area, the aggregate square footage of all adjacent stores or retail tenants that share common check-out stands or a controlling interest, or storage areas, shall be considered one establishment. Large-Scale Retail Establishment within the Coconut Grove Corridors listed above shall be permitted by Exception only.
- b. Large Scale Grocery Stores - Retail establishments exclusively for the sale of groceries and not exceeding forty thousand (40,000) square feet located within the underlying T5 or T6 Transect Zones abutting US-1 (Federal Hwy.), Grand Avenue, Douglas Road, and SW 27th Avenue may be permitted by Warrant. "Groceries" is defined as food products, dry groceries (such as household products and paper goods), and other items typically sold (such as meats, poultry, seafood, sushi, dairy products, frozen foods, fruits, vegetables, deli items, prepared foods, baked goods, health and beauty products, pharmaceuticals, and alcoholic beverages) or services commonly provided in a grocery store in Miami-Dade County.
- c. Limitation - The square footage of individual retail establishments within Coconut Grove Corridors, defined above, and in the Village Center shall be limited to a maximum size of twenty thousand (20,000) square feet in total floor area used for retail and related services, except as may be modified below for Large-Scale Retail Establishments. Retail Specialty Centers as defined in City Code Sec. 4-2 located adjacent to Coconut Grove Corridors listed in above may be approved by a Warrant. Special event permits are exempted from the limitations of this Section.

- d. Site requirements - In addition to all requirements in the applicable zoning district, Large-Scale Retail Establishment shall meet the following site criteria and limitations:
1. Maximum size of Retail Establishment. The maximum size of any individual retail establishment within any Coconut Grove Corridor shall be seventy thousand (70,000) square feet. No individual retail establishment within a Large-Scale Retail Establishment shall be permitted which exceeds seventy thousand (70,000) square feet.
 2. Minimum Lot dimensions. Large-Scale Retail Establishment may be permitted exclusively in Lots having a minimum net area of two (2) acres. Properties which do not meet the two-acre size limitation shall be limited to individual Establishments of twenty thousand (20,000) square feet or less.
 3. Minimum Setbacks and build-to lines. Large Scale Retail Establishments shall have the following minimum Setbacks:
 - (a) Any front or side Setback abutting a public right-of-way or non-residentially zoned property build-to line is twenty (20) feet. The area from the build-to line to the right-of-way line shall be used for permanent sidewalks with illumination, pedestrian amenities, or landscaping, except in areas as required for emergency access, or where driveway entrances are located. Landscaping in this setback area shall count toward the green space requirements. This area may not be used for parking or loading at any time.
 - (b) Side or rear Lot Line abutting a residentially zoned property: Setback is fifty (50) feet. The Setback shall include a twenty (20) foot heavily landscaped buffer area. If an access alley, parking, loading door, delivery area, or inventory storage area is present along this side of the property, then the Setback area shall also include an eight (8) foot-high masonry wall inside of the twenty (20) foot landscape buffer.
 4. Building orientation and facades
 - (a) Building facades and elevations shall be designed to minimize the visual impacts of the scale of the Building.
 - (b) Large-Scale Retail structures may be oriented with their entrances toward arterial or collector roadways as defined in the City Comprehensive Plan.
 - (c) Any side with regular public ingress/egress point(s) is to be considered a front. Regular public ingress/egress to the building shall not be located facing residential Uses. There may be more than one (1) front. Front and side facade design shall include the following design features to minimize scale impacts and promote activated street frontages.
 - (d) Building design variations at intervals no greater than fifty (50) feet.
 - (e) Storefront windows, with interior spaces visible and lit from within at night, equal to at least fifty (50) percent of the linear length of ground-floor wall on the Building's front

elevations as defined herein. Window spacing should be such that no more than twenty (20) percent of the length of the wall may have an uninterrupted length without storefront windows.

5. Vehicular access. Primary ingress and egress to the site must be provided from the arterial(s) and not from secondary roads or collectors and is subject to the following:
 - (a) Except as required for emergency access, vehicular driveways shall not be along local road-ways as defined in the City Comprehensive Plan.
 - (b) Except where required for emergency access or other compelling public safety reasons, vehicular driveways shall not be located within one hundred (100) feet of residentially zoned land along the same side of the street, as measured from the nearest point of the driveway.
 - (c) Delivery vehicle access/egress shall be clearly defined in the Site Plan, and shall only be from arterial roadways, and located no less than one hundred (100) feet from residentially zoned land along the same side of the street, as measured from the nearest point of the driveway.
 - (d) Where large and bulk merchandise sales are expected, customer pick-up access/egress shall be clearly defined in the Site Plan, and shall only be from arterial roadways, and located no less than one hundred (100) feet from residentially zoned land along the same side of the street, as measured from the nearest point of the driveway.
6. Parking and loading requirements
 - (a) One (1) space per every two hundred (250) square feet of gross floor area shall be required for a Large-Scale Retail Establishment. All required parking must be provided onsite.
 - (b) Along collector roads as defined by the City Comprehensive Plan, setback buffers, building design or other features shall screen parking such that no more than thirty (30) percent of the parking lot or facilities are visible from the roadway.
 - (c) Along local roads as defined by the City Comprehensive Plan, setback buffers, building design or other features shall completely screen parking such that the parking lot or facilities are not visible from the roadway, except for distances as required by driveways or emergency access.
 - (d) All loading and deliveries shall be adjacent to an arterial roadway. Said loading and delivery areas shall be screened from public view by an eight-foot wall.
7. Green Space. Large-Scale Retail Establishments shall implement landscaping in an area equal in size to, or greater than, fifteen (15) percent of the gross Lot Area. Landscaping shall be implemented generally so as to provide ample shade areas in the parking lot and abut-ting sidewalks and to minimize the visual impact of the structure and parking space

on the streetscape. To this end, a landscape plan for the site shall be submitted to the Planning Department for review and approval by the Planning, Zoning and Appeals Board ("PZAB") as part of the required Exception.

8. Buffer. Wherever the property abuts another property with a more restrictive zoning designation, a Large-Scale Retail Establishment shall provide a twenty (20) foot wide heavily landscaped buffer. This buffer shall include Florida native trees at no less than fifteen (15) to twenty (20) feet in height, with a diameter at breast height of no less than four (4) to five (5) inches spaced on fifteen (15) foot centers. Also included in this buffer shall be hedging and ground cover. This buffer shall be included in the required landscape plan.
9. Fences and walls. Fences and walls shall be erected to a minimum height of eight (8) feet wherever the property abuts another property with a more restrictive zoning designation.
- e. Large-Scale Retail Establishments shall be located exclusively on a Lot having frontage on one (1) or more arterial roads.
- f. Hours of operation. Except for special events requiring special event permits, Large-Scale Retail Establishments shall open no earlier than 7:00 a.m. on weekends and 8:00 a.m. on weekdays and shall close no later than 11:00 p.m. on weekends and 10:00 p.m. on weekdays. Deliveries to or from any Large-Scale Retail Establishment shall be limited to the hours of 10:00 a.m. through 3:00 p.m. Monday through Saturday.
- g. Variances prohibited. No Variances from the provisions set forth in the site requirements or hours of operation are permitted.

6.3.3 Mixed Use Cultural District

Boundaries: all properties located on Grand Avenue between Margaret Street on the east and the City limits on the west, and Douglas Road between Grand Avenue on the south and Day Avenue on the north.

The Mixed Use Cultural District is intended to give a distinctive cultural character to retail and commercial uses on Grand Avenue and Douglas Road. The intent is to enhance these corridors as a tourist destination, encourage heritage retail and cultural/historic businesses, support current resident-owned businesses, promote a cultural facade, provide more culturally themed businesses, establish a critical mass of retail and provide a culturally themed bridge to all other parts of the District by promoting the culture of the community in this short corridor and entranceway to the commercial main street. To this end, the District is dedicated primarily to culturally themed boutiques, gift shops and book stores, hair salons, apparel, restaurants and cafes, music shops and outdoor plazas, straw markets, cultural facilities, art and upscale cultural entertainment that reflect a Caribbean culture.

- a. Use Regulations
The Mixed Use Cultural District shall permit the following Uses in addition to those which are permitted in the underlying transect zones:

1. Permanent structures providing for a Straw Market with Caribbean crafts, foods, apparel, souvenirs, and other goods attractive to tourists, subject to a Waiver with a mandatory referral to the district NET Administrator, and limited to the following items for sale: Heritage retail foods, apparel, souvenirs; bookstores and gift shops with cultural themes; hair salons, including outdoor hair braiding; and music and entertainment reflective of that found in the Caribbean.

2. "Large-Scale Retail Establishments" exclusively for the sale of groceries and not exceeding forty thousand (40,000) square feet shall be permitted within the Mixed Use Cultural District only for properties with an underlying T5 Transect Zone by process of Warrant. "Groceries" are defined as food products, dry groceries (such as meats, poultry, seafood, sushi, dairy products, frozen foods, fruits, vegetables, deli items, prepared foods, baked goods, health and beauty products, pharmaceuticals, and alcoholic beverages) or services commonly provided in a grocery store in Miami-Dade County.

3. Other permissible Uses along ground floor locations include: Bars, saloons, taverns, private clubs, and supper clubs, including those with dancing and live entertainment are permitted in such ground floor locations along primary streets or elsewhere within the District only by Warrant, and only subject to limitations on buffer overlay districts.

4. Sales display and outdoor dining within open or partially open space.

5. Vending in open space as per the City of Miami's Vending in Open Space Regulations.

b. Height:

In order to ensure appropriate scale of infill development along Grand Avenue and Douglas Road, irrespective of the underlying zoning limitations, new single-Use structures shall be limited to a maximum of fifty (50) feet and mixed-use structures shall be limited to sixty-two (62) feet to be accommodated in no more than five (5) stories. This restriction shall not apply to developments with vested rights through a permit lawfully issued before the effective date of _____.

c. Architectural Guidelines:

All establishments and businesses in the Mixed Use Cultural District shall conform to the Village Island West and Grand Avenue Architectural and Urban Design Guidelines and shall maintain a facade that is consistent with Caribbean architectural facades as described and as examples are shown within the guidelines. To ensure the compatibility of new construction, the design for any new construction shall also be reviewed by the Historic and Environmental Preservation Board ("HEPB") for its compatibility of scale, materials, roof slope, general form, massing and ornamental details.

d. Additional Regulations

1. Existing businesses established prior to the adoption of this Code shall be allowed to remain in the Mixed Use Cultural District regardless of their cultural theme without being considered nonconformities.

2. Underground parking shall be permitted in T3 Transect Zones by Warrant for those properties which abut T5 Transect Zones along Grand Avenue between SW 37th Avenue and SW 32nd Avenue. Any T3 designated properties which have underground parking shall be required to be developed with Residential Structures for Residential Use on the surface of the underground parking structure. No replat is required if the T3 Transect Zone properties are tied to the property abutting Grand Avenue by a Covenant-in-Lieu of Unity of Title. Density limitations shall apply as per the underlying Transect Zone without the limitation of one (1) unit per Lot of record for T3-R and two (2) units per lot of record for T3-O and the following minimum Setbacks shall apply:

(a) T3-R Properties

(i) Front: twenty (20) feet

(ii) Side: five (5) feet

(iii) Rear: zero (0) feet

(b) T3-O Properties

(i) Front: ten (10) feet

(ii) Side: Zero (0) feet

(iii) Rear: Zero (0) feet

(c) Minimum required setbacks may be reduced through the Warrant process.

6.3.4 Market District

Boundaries: all properties fronting on Grand Avenue between Commodore Plaza Street to the east and Elizabeth Street to the west.

The Market District is intended to foster community markets along a portion of Grand Avenue relating to the sale of fruits, vegetables and other crafts indigenous of the Caribbean Islands. The Caribbean Market District allows for a tourism destination similar to those found throughout Caribbean nations that represent the heritage of the surrounding community.

a. Use Regulations.

The Market District area shall permit the following Uses, in addition to those which are permitted in the underlying transect zone:

1. Farmer's markets and Caribbean crafts and food markets that specialize in the sale of crafts and fresh fruits and vegetables that are Caribbean in nature are permitted within this District, subject to a Warrant with a mandatory referral to the District NET Administrator. All regulations contained in this Code are applicable, and further subject to the following limitations:
 - (a) Any outdoor market must be located on a parcel of no less than fifteen thousand (15,000) square feet of Lot Area.
 - (b) An outdoor market shall be limited to no more than sixty-five (65) percent of the area of the subject parcel in display area.

- (c) An outdoor market may not include any permanent structures. All display tables and other such material must be removed at the end of the permitted time of operation.
- (d) The outdoor market display area shall be located along the Grand Avenue frontage and be set back no less than twenty-five (25) feet from any abutting residentially zoned property.
- (e) No outdoor market may be located closer than one thousand five hundred (1,500) feet from another outdoor market.
- (f) Only handmade crafts, fresh fruits and vegetables, prepared raw foods and drinks derived from fresh fruits and vegetables may be sold in an outdoor market within this District.

b. Additional Regulations

1. All establishments and businesses in the Market District shall conform to the Village Island West and Grand Avenue Architectural and Urban Design Guidelines and shall maintain a facade that is consistent with Caribbean architectural facades as described and as examples are shown within the guidelines. To ensure the compatibility of new construction, the design for any new construction shall also be reviewed by the Historic and Environmental Preservation Board for its compatibility of scale, materials, roof slope, general form, massing and ornamental details.
2. Existing businesses established prior to the adoption of this Code shall be allowed to remain in the Market District regardless of their cultural theme without being considered nonconformities.

6.4 SPECIAL DISTRICTS

6.4.1 Charles Avenue

Charles Avenue (originally Evangelist Street) has historically housed some of the original Bahamian settlements within the Village West Island District that occupies the neighborhoods around the intersection of Douglas Road and Grand Avenue. This street has been degraded through demolition, abandonment and redevelopment and thereby diminishing the historic integrity to become a historic district; however, it is of special and substantial public interest due to its historic identity and remaining historic structures. This designation will encourage appropriate infill to preserve the context of historic sites on Charles Avenue, including: the Mariah Brown House, home of the first Bahamian settler; the Historic Black Cemetery; the E.F. Stirrup House, home of the first black doctor; historical churches, and several other historic homes.

- a. All new construction, major alterations, and additions on Charles Avenue shall be required to be reviewed by the process of Waiver. To ensure the compatibility of new construction on Charles Avenue, the design for any new construction shall also be reviewed by the HEPB for its compatibility of scale, materials, roof slope, general form, massing and ornamental details.

- b. Any requests for the demolition of structures that are over fifty (50) years in age along Charles Avenue shall be referred to the Historic Preservation Officer for review of historical significance.
- c. All new construction, major alterations, and additions on Charles Avenue shall conform to the Village Island West and Grand Avenue Architectural and Urban Design Guidelines. The architectural guidelines contained in the Village West Island District are intended to produce visual compatibility among the buildings on Charles Avenue and throughout the District representing building traditions of early South Florida, the Caribbean, and the early African-American settlers.

ARTICLE 7. PROCEDURES AND NONCONFORMITIES

7.1 PROCEDURES

7.1.6 Notice of Hearings

Notice of hearings shall be as set forth in Chapter 62 of the City Code or as set forth in the Miami 21 Code.

- a. Additional notice required for Exception and Variance applications.

All Coconut Grove neighborhood or homeowner associations that wish to receive a courtesy notice of Exception or Variance applications in their areas shall register with their Neighborhood Enhancement Team ("NET") Office on a yearly basis. Such registration shall consist of a letter to the Director of the Planning Department or to the Zoning Administrator, in which the association shall request such notification and shall specify the name, address and telephone number of the official representative of the association designated to receive said notice and a list of all the officers of said association. At the time of initial application for an Exception or Variance, the applicant shall obtain the list of all registered neighborhood and homeowner associations pertaining to the application in question from the Planning Director or the Zoning Administrator and shall notify in writing the official representative of all such registered associations in writing, by certified mail, of the application. The applicant shall submit with the application these certified receipts. If any such association have any comments or recommendations, such comments and recommendations shall be submitted in writing to the Planning Director or Zoning Administrator no later than fifteen (15) days from receipt of such notification. Late or misdelivered comments shall not be considered.

- b. All properties located within the Village Center shall be reviewed by the Coordinated Review Committee, as established in Article 7 of Miami 21.