

# **CITY OF OPA-LOCKA**

*The City of Bright Opportunities*



## **JOINT WORKSHOP BETWEEN OPA-LOCKA CITY COMMISSION AND OPA-LOCKA COMMUNITY REDEVELOPMENT AGENCY**

### **Agenda**

**Thursday, October 2, 2025**

**6:00 PM**

*Human Resources Conference Room  
780 Fisherman Street, 4th Floor  
Opa-locka, FL 33054*

### **City Commission**

**Mayor John H. Taylor Jr.**

**Vice Mayor Joseph L. Kelley**

**Commissioner Dr. Sherelean Bass**

**Commissioner Natasha L. Ervin**

**Commissioner Luis B. Santiago**

### **Appointed Officials**

**City Manager Sha'mecca Lawson**

**City Attorney Burnadette Norris-Weeks**

**City Clerk Joanna Flores, CMC**

## **SPEAKING BEFORE THE CITY COMMISSION**

NOTE: All persons speaking shall come forward and give your full name and address, and the name and address of the organization you are representing.

There is a three (3) minute time limit for speaker/citizens forum and participation at all city commission meetings and public hearings. Your cooperation is appreciated in observing the three (3) minute time limit policy. If your matter requires more than three (3) minutes, please arrange a meeting or an appointment with the City Clerk prior to the commission meeting. City of Opa-locka Code of Ordinances Section 2-57

### **DECORUM POLICY**

Any person making impertinent or slanderous remarks or who become boisterous while addressing the commission, shall be declared to be out of order by the presiding officer, and shall be barred from further audience before the Commission by the presiding officer, unless permission to continue or again address the commission be granted by the majority vote of the commission members. City of Opa-locka Code of Ordinances Section 2-58

### **NOTICE TO ALL LOBBYISTS**

Any person appearing in a paid or remunerated representative capacity before the city staff, boards, committees and the City Commission is required to register with the City Clerk before engaging in lobbying activities. *City of Opa-locka Code of Ordinances Section 2-18*

### **FLORIDA STATUTES, CHAPTER 285.0105**

"If a person decides to appeal any decision made by the Board, Agency or Commission with respect to the proceedings, and that, for such purpose, that person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based."

### **PROCEDURES FOR PUBLIC PARTICIPATION**

#### **How to watch the meeting**

Members of the public can watch public meetings and public hearings at <https://www.youtube.com/user/CityofOpaLocka>

City Commission Meetings are held in-person while allowing virtual participation. Members of the public wishing to address the Commission may do so in person or virtually.

**To participate virtually**, please register by 6:00 p.m. on the scheduled meeting date via the City of Opa-locka website at [www.opalockafl.gov](http://www.opalockafl.gov).

**CITY OF OPA-LOCKA**  
*"The City of Bright Opportunities"*

---

**AGENDA**

**JOINT WORKSHOP BETWEEN OPA-LOCKA CITY COMMISSION AND OPA-LOCKA  
COMMUNITY REDEVELOPMENT AGENCY**

**October 2, 2025**

**6:00 PM**

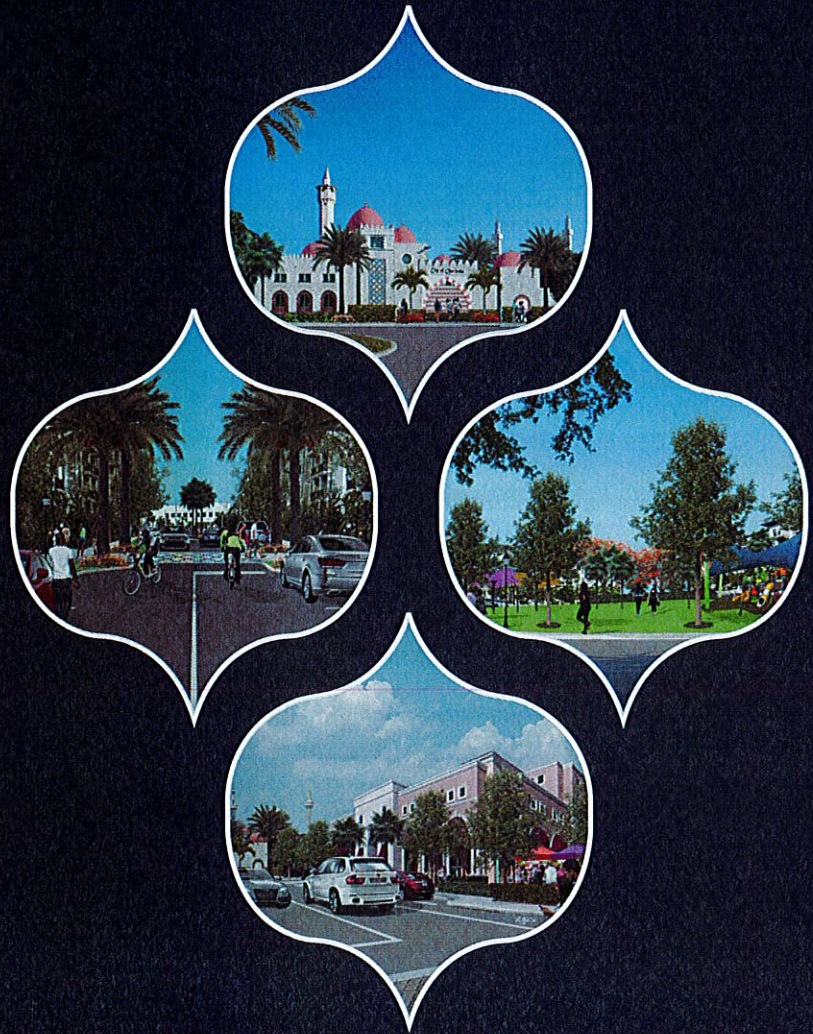
- 1. CALL TO ORDER:**
- 2. ROLL CALL:**
- 3. INVOCATION:**
- 4. PLEDGE OF ALLEGIANCE:**
- 5. DISCUSSION ITEMS / PRESENTATIONS:**
  - **Downtown Master Plan by Stantec Consultants — OCRA / PCD Staff**
  - **Historic Downtown Opa-locka District (HDOD) — Opa-locka LDR / Zoning Code PCD Staff**
  - **Zoning Amendment for height increase — PCD Staff**
  - **Opa-locka Live Local Act Ordinance — PCD Staff**
  - **Incentive Initiatives — OCRA Staff**
  - **OCRA Property Acquisitions — OCRA Staff**
  - **Public / Private Partnership Development Opportunities for City-Owned Properties**
  - **Next Steps — City Commission and OCRA**
- 6. PUBLIC COMMENTS:**

Agenda Items Only
- 7. ADJOURNMENT:**

For further information, please contact the Office of the City Clerk by telephone at (305) 953-2800 or email [jflores@opalockafl.gov](mailto:jflores@opalockafl.gov).

# Opa-locka Downtown Master Plan

CITY OF OPA-LOCKA COMMUNITY REDEVELOPMENT AGENCY



SEPTEMBER 2021  
OPA-LOCKA, FLORIDA



## Team

### City of Opa-locka Community Redevelopment Agency Commission

Jannie Russell, Chair  
Matthew Pigatt  
Veronica Williams  
Chris Davis  
Alvin Burke\*  
John Taylor, Jr.  
Rose Tydus

### City of Opa-locka Community Redevelopment Agency Staff

John E. Pate, City Manager & CRA Executive Director  
Corion DeLaine, Interim CRA Manager & Downtown Master Plan Project Manager  
Gregory Gay, Director of Development Services & CRA Consultant  
Gerald Lee, Zoning Official  
Kinshannta Hall, Board Secretary

### Consultants

David Dixon, FAIA, Stantec  
Jared Beck, AICP, Stantec  
Jim Carras, AICP, Carras Community Investments  
Eboni Chrispin, We Are Ideas, Inc.

### Community Partners

#### Opa-locka Community Development Corporation

Nikisha Williams, Chief Operating Officer  
Eric Strickland, Former Director of Real Estate  
Marcia Grant  
Lia Yaffar

#### The Carrie Meek Foundation

Matthew Beatty, Vice President and COO

*\*Sadly, Alvin Burke passed away before completion of the Plan.*





## Introduction

### **This Plan started with a mission: revive Downtown.**

- The process moved forward with research and a series of deep dive interviews to define what type of revival was possible, and far more important what revive Downtown meant for Opa-locka;
- Opa-locka is a unique community that deserves a unique plan.
  - A rich history together with present day poverty and the impacts of racial injustice are equally visible;
  - Larger trends have come together to set the stage for a remarkable Downtown revival;
  - Unlike more conventional Downtown renaissance which celebrates the benefits of a booming knowledge economy which often celebrate the benefits of affluence, Downtown's revival can celebrate deeper values—melding its rich legacy with a living culture that celebrates who the community is today to create South Florida's most distinctive Downtown.
- This plan does not look at Opa-locka's future through a single lens. It is equally about economic opportunity and equity, large scale development and preserving people in place, culture and small businesses, private sector initiative and public sector leadership;
- Every resident of Opa-locka will be a partner in Downtown's revival and share in its benefits.



## Executive Summary

**Note. While it is always tempting to read a Planning report by starting with the recommendations. For a community with the unique history...and future opportunities...that characterize Opa Locka, this Plan is best read starting on page 1 and moving forward. This Plan makes the case for significant new, broadly shared, opportunity for a community that has suffered from decades of disinvestment and racial injustice. Please join us in starting the journey toward a brighter future as the journey starts in Chapter 2.**

**Chapter 2 sets the stage.** Following years of disinvestment, rapidly changing demographic, economic, mobility, and environmental trends point to two decades of unprecedented opportunity for Downtown revival. Projected market demand over the next decade, particularly for housing, reinforces the prospect of significant new investment in Downtown over the next two decades. Of course, without managing change through a strong equity lens, revival can lead to gentrification and displacement. With the right planning and City leadership, Downtown's revival can be fully inclusive and equitable. Past studies and deep dive conversations with a cross section of Downtown stakeholders revealed a strong consensus: Opa-locka needs a Downtown that helps build expanded opportunity and shared community for the entire City.

**Chapter 3 sets direction.** The Mission Statement talks about why Opa-locka is moving forward with Downtown Plan—to revive Downtown as a place that unlocks a new era of opportunity for the entire community. The Vision Statement talks about what the community hope to achieve: a Downtown that helps the community build a more economically competitive, equitable, livable, and resilient future. Five core goals translate this vision into the foundation for a Plan that will make a real difference:

- Make sure this Plan is real—build the necessary foundation:
- Unlock Downtown's Vibrancy:
- Embody Opa-locka's unique legacy and living culture
- Transform Downtown into an engine of expanded economic, equitable opportunity for all of Opa-locka
- Recast Downtown as an inclusive heart that invites everyone to celebrate shared community

**Chapter 4 analyses existing conditions.** The chapter also maps opportunities for change—vacant and underutilized parcels across Downtown—and discusses how to put the goals to work to move positive change forward.

**Chapter 5 – Builds on Chapters 2, 3, and 4 to unlock a new era of opportunity for Downtown.** The chapter begins with an illustrative plan demonstrating what is achievable across Downtown over the next decade and then offers a set of detailed recommendations for realizing this “Big Picture” backed up by detailed place and policy-based strategies. The chapter concludes by identifying funding sources to support the significant public investment—investment that will pay rich dividends—that will be required to move revival forward and assigns responsibility for each strategy.

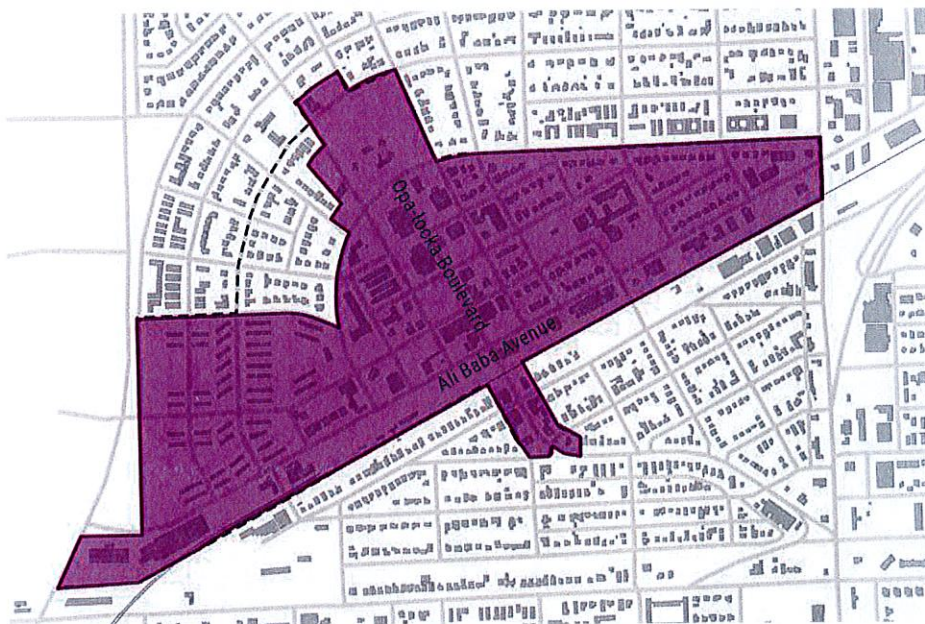
**Appendices** provide additional documentation to support the Plan's recommendations and strategies.





## Chapter 3: Setting Direction

**Downtown Historic Overlay District - Proposed** Currently being developed, this district would provide consistent zoning to allow for shopping, trading, working, governing, faith, the arts and entertainment, and residential dwelling units within the historic core of Opa-locka. This overlay would also serve as the boundary for the Downtown historic district. This area should be expanded to match the Plan boundaries.



## **Occupied Space**

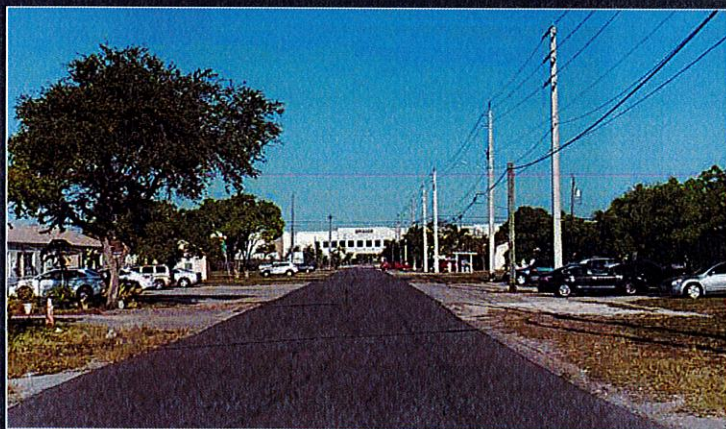
The limited amount of existing commercial development Downtown also limits the amount of opportunity for vacancy. Based on the most recent data available, the Miami Gardens / Opa-locka county sub-market has among the lowest retail and office vacancy rate in Miami-Dade County. While there are some vacant storefronts, others are open and area entrepreneurs have shared plans for future business openings in Downtown.

Searches through housing sites including Zillow and Apartments.com for rental and purchase single-family or multi-family homes within Downtown shows almost no availability in either categories.

Expanding beyond Downtown there are a limited number of housing units of any type available for purchase or rent. This supports focusing future housing development Downtown.

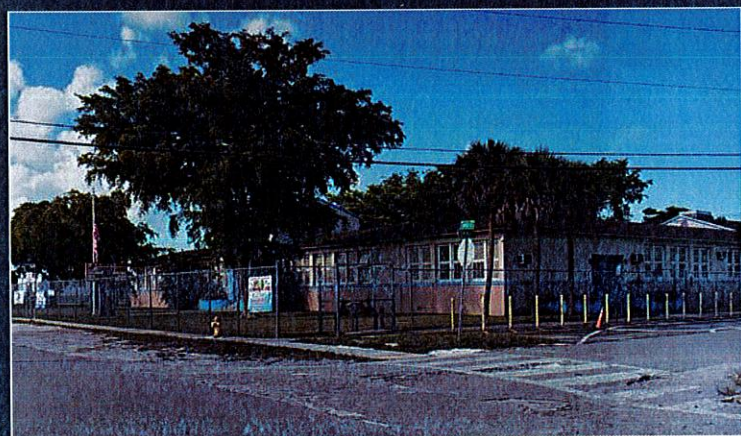


## Street Scenes

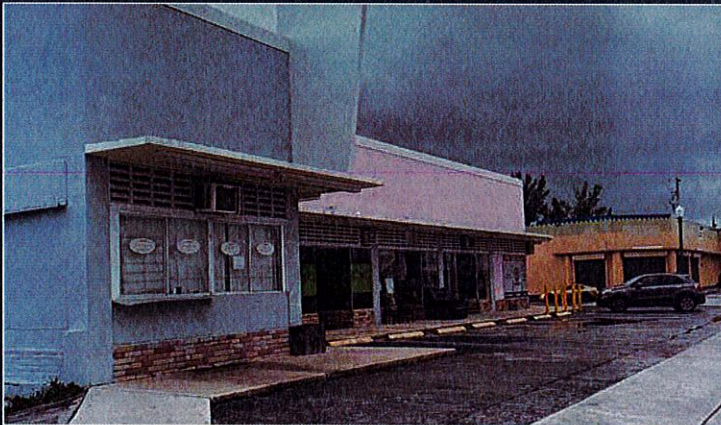


**Fisherman Street**, as shown above, can become a second "Main Street" connecting this vibrant residential neighborhood with the core Downtown area. Shared-use lanes, on-street parking, shade, landscape, sidewalks, lighting, furnishings and a comfortable scale will create an active and pedestrian friendly streetscape.





Downtown East largely single-family homes and a focus should be placed on improving the overall connectivity within it and to the core Downtown area. Partnerships with entities including the Miami-Dade County School District and the **Dr. Robert B. Ingram Elementary School** to help improve local landmarks will help show confidence that public commitment to Downtown is strong.

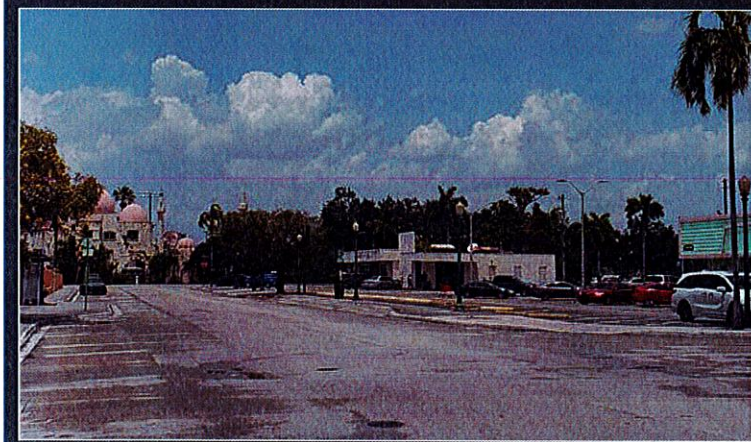


Facade, landscape, and site improvements can help activate existing historic buildings along **Opa-locka Boulevard** in a short time-frame to build momentum.



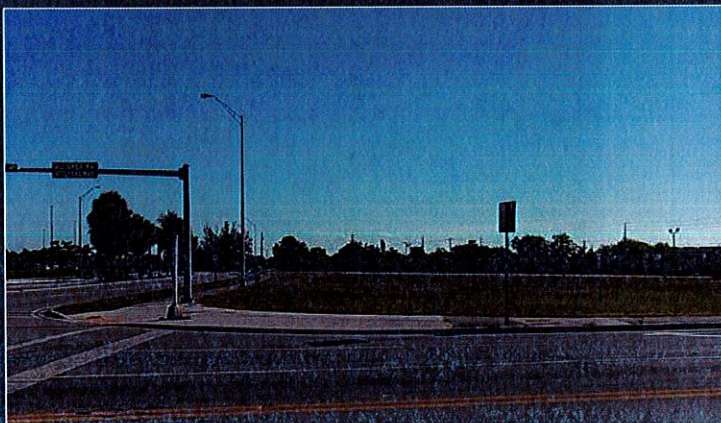


Facade, landscape, and site improvements on multiple buildings in close proximity, such as this building on **Opa-locka Boulevard**, and on visible intersections will help generate synergy in activating Downtown streets.



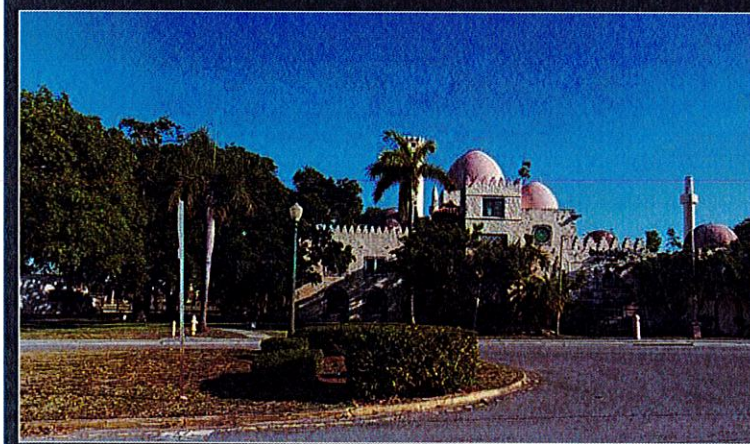
**Opa-locka Boulevard** will change shape over time as some parcels may be sold and redeveloped while other existing buildings may be improved or expanded. Above, infill and a facade improvement occur in one block, which also hosts a market in the parking lot.





Downtown currently lacks any distinct sense of arrival. Creating gateways appropriately sized to the space available will help create identity for Downtown, and serve as wayfinding for visitors. The intersection at **Ali Baba Avenue and Douglas Road** offers a significant amount of opportunity for gateway development.



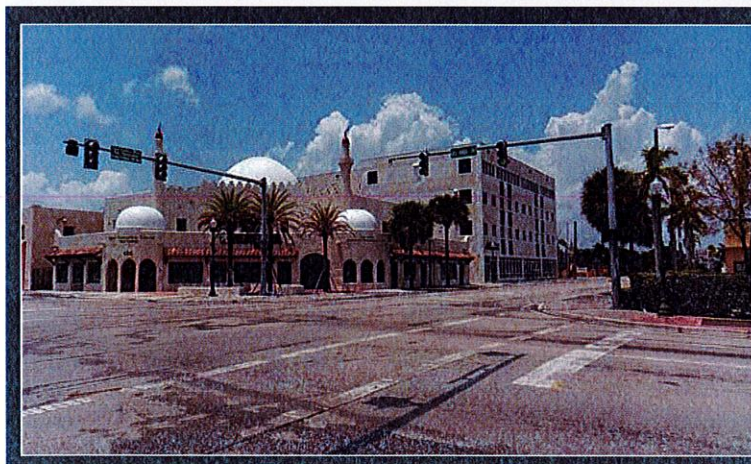


**Historic City Hall** is the "Crown Jewel" of Opa-locka. In addition to its rich history and significance, it is prominently situated at the terminus of Opa-locka Boulevard. Restoration and rehabilitation of this building will be a tremendous boost to the confidence of the community and energize further reinvestment within Downtown. It can also become the heart of community activity and a place that welcomes all.





A new neighborhood park provides needed greenspace, an area to promote physical activity, and to host neighborhood scale events in a prominent location at **Sharazad Boulevard and Sabur Lane.**



Minor intersection improvements, including a street mural, enhanced landscape, banners, and more prominent crosswalks can help create an additional sense of arrival within Downtown, as shown here at the intersection of **Ali Baba Avenue and Opa-locka Boulevard**.





**ORDINANCE NO. 2025-06**

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING ORDINANCE 15-31 OF THE LAND DEVELOPMENT REGULATIONS, ARTICLE IV, SECTION 22-101 (O), RELATED TO THE HISTORIC DOWNTOWN OPA-LOCKA DISTRICT (HDOD) TO INCREASE THE MAXIMUM BUILDING HEIGHTS TO NO HIGHER THAN 105 FEET AND TEN STORIES TO COMPLY WITH FEDERAL AVIATION ADMINISTRATION REGULATIONS, PART 77 TO ENSURE SAFETY AND LIVABILITY; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR SCRIVENER'S ERRORS; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, in 2011, the City of Opa-Locka adopted the Opa-Locka Community Redevelopment Plan (OLCRP), a conceptual plan prepared by Carras Community Investment, Inc. in conjunction with Urban Revitalization Solutions. The OLCRP sought to capitalize on the area's assets while redressing enduring concerns about building vacancy, crime, public safety, open space, and underutilization of land; and

**WHEREAS**, in 2015, the OLCRP was followed by more advanced planning effort that culminated in the Sustainable Opa-Locka 2030 Comprehensive Development Master Plan (SOCDMP), an implementation strategy prepared by the Corradino Group; and

**WHEREAS**, the OLCRP identified Downtown Opa-Locka as a challenged economic area in need of revitalization to promote a thriving wealth-creating and job-generating business center with regional strength; and

**WHEREAS**, both the OLCRP and the SOCDMP advanced the idea of implementing revitalization activities as well as a special district designation in order to revitalize a depressed and underutilized segment of the City; and

**WHEREAS**, the Historic Downtown Opa-Locka District (HDOD) designation was intended to provide consistent zoning regulations to redefine the historic center of the city in order to create a unique urban district that will provide a physical place where daily life activities such as shopping, trading, working, governing, faith, the arts and entertainment and dwelling could interact and complement each other into a cohesive whole pattern and network; and

**WHEREAS**, the zoning district was created to provide goals and objectives for historic, present and future development with the view toward creating a town center neighborhood that will be a symbol of the community and a reflection of the city's values and aspirations; and

**WHEREAS**, the City Commission now desires to amend Article IV, Section 22-101 (O) of the Historic Downtown Opa-Locka District (HDOD) to increase the maximum building heights to no higher than 105 feet and ten stories to comply with Federal Aviation Administration Regulations, Part 77 to ensure safety and livability; and

**WHEREAS**, the Planning and Zoning Board of the City of Opa-Locka held a public hearing on November 19, 2024, to consider an amendment to Ordinance 15-31 Article IV, Section 22-101 (O), of the Land Development Regulations to increase height from 75 feet to 105 feet and the building stories from seven stories to ten stories within the Historic Downtown Opa-Locka District. The Planning and Zoning Board recommended approval of said amendment by a 4-0 vote.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AS FOLLOWS:**

**SECTION 1. Incorporation of Recitals.** The above recitals are true and correct and are incorporated into this Ordinance by reference.

**SECTION 2. Adoption of the Amendment to the Historic Downtown Opa-locka District.** The City Commission of the City of Opa-Locka hereby amends Ordinance 15-31 of the Land Development Regulations, Article IV, Section 22-101 (O) related to Historic Downtown Opa-Locka District (HDOD) to increase the maximum heights to no higher than 105 feet and ten stories as set forth below:

*(0) Building height limit.*

*(1) The maximum building height shall be no higher than ~~75~~ 105 feet, no more than ~~seven~~ ten (10) stories and shall comply with Federal Aviation Administration Regulations, Part 77 and to ensure safety and livability.*

**SECTION 3 Conflict & Repealer.**

All ordinances, parts of ordinances or code provisions in conflict herewith ordinance are hereby repealed.

**SECTION 4. Severability.**

If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions of the Code or applications of this Ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

**SECTION 5. Scrivener's Errors.**

Sections of this Ordinance may be renumbered or re-lettered and corrections of typographical errors which do not affect the intent may be authorized by the Interim City Manager without need of public hearing following review by the City Attorney, by filing a corrected or re-codified copy of same with the City Clerk.

**SECTION 6. Inclusion In Code.**

It is the intention of the City Commission of the City of Opa-Locka that the provisions of this Ordinance shall at some time in the future become and be made a part of the Code of Ordinances of the City of Opa-Locka and that the sections of this Ordinance may be renumbered or re-lettered and the word "Ordinance" may be changed to "Chapter," "Section," "Article" or such other appropriate word or phrase, the use of which shall accomplish the intentions herein expressed; provided, however, that Section 1 hereof or the provisions contemplated thereby shall not be codified.

**SECTION 7. Effective Date.**

This Ordinance shall, upon adoption, become effective as specified by the City of Opa-Locka Code of Ordinances and the City of Opa-Locka Charter.

**PASSED FIRST READING** this 22<sup>nd</sup> day of January 2025.

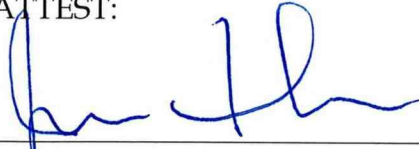
**PASSED SECOND READING** this 12<sup>th</sup> day of February 2025



---

John H. Taylor Jr.  
Mayor

ATTEST:



---

Joanna Flores, City Clerk

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:



---

Burnadette Norris-Weeks, P.A.  
City Attorney

Moved by: Commissioner Ervin

Seconded by: Commissioner Santiago

**VOTE:** 5-0

|                       |     |
|-----------------------|-----|
| Commissioner Bass     | YES |
| Commissioner Santiago | YES |
| Commissioner Ervin    | YES |
| Vice Mayor Kelley     | YES |
| Mayor Taylor          | YES |

The Historic Downtown Opa-locka District shall be established as an area of the city where it has been found that programs which will contribute to economic development through the development of a more active streetscape should be undertaken. The district shall have the following territorial boundaries: Starting from a point in the centerline of Northwest 27th Avenue and Ali Baba Avenue, proceeding west along Ali Baba Avenue /the CRX Railroad ROW including the northern portion of Burlington Street to NW 37<sup>th</sup> Avenue, North towards Sabur Lane and west to Sharazad Boulevard, Historic City Hall –Sherbondy Village Community Center Complex on the north side and curve East to back to NW 27<sup>th</sup> Avenue.



## **Section 22-97. – HISTORIC DOWNTOWN OPA-LOCKA DISTRICT**

### **(A) Purpose and intent.**

The Historic Downtown Opa-locka District (HDOD) district designation seeks to provide consistent zoning regulations that will redefine the historic center of the city in order to create a unique urban district that will provide a physical place where daily life activities such as shopping, trading, working, governing, faith, the arts and entertainment and dwelling will interact and complement each other into a cohesive whole pattern and network. The zoning district will provide goals and objectives to provide guidance for historic, present and future development with the view toward creating a town center neighborhood that will be a symbol of the community and a reflection of the city's values and aspirations. The intention of this section is to develop the Historic Downtown Opa-locka District ("district") as defined, recognizable area that is community-oriented, surrounded by historic-natural settings and functional buildings where people can reside, work and entertain. The intent of the city in adopting the Historic Downtown Opa-Locka District Ordinance is to:

- (1) Define the boundaries of the historic downtown district;
- (2) Expand the economic base of the city, by providing additional employment opportunities and additional revenues to the city and the region by making the area of the district more attractive in ways that can increase commerce and tourism which will assist in the development of specific plans that will allow for large scale social events and activities within the district to consider the city when choosing their sites;
- (3) Provide the basis for the continued and expanded support for initiatives that will cause the district to be considered as a destination for large scale events and activities in conformance with the goals and objectives of other city policies;
- (4) Enhance the area encompassed by the district through programs that will attract workers, residents and visitors to active public spaces and gathering places and create a pedestrian friendly environment;
- (5) Develop programs to further enhance the pedestrian environment through the establishment of unique streetscape design guidelines providing additional signage opportunities.

### **(B) Establishment of the district.**

The Historic Downtown Opa-locka District shall be established as an area of the city where it has been found that programs which will contribute to economic development through the development of a more active streetscape should be undertaken. The district shall have the following territorial boundaries: Starting from a point in the centerline of Northwest 27th Avenue and Ali Baba Avenue, proceeding west along Ali Baba Avenue /the CRX Railroad ROW including the northern portion of Burlington Street to NW 37<sup>th</sup> Avenue, North towards Sabur Lane and west to Sharazad Boulevard, Historic City Hall –Sherbondy Village Community Center Complex on the north side and curve East to back to NW 27<sup>th</sup> Avenue.

### (C) Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Block* means a combination of building lots, the perimeter of which abuts a public right-of-way or public space.

*Block face* means the right-of-way line that delineates a block edge.

*Building height* means a limit to the vertical extent of a building measured in feet above grade. Building height shall be measured in feet from the average elevation of the affronting curb to the eave line.

*Civic uses* means premises used primarily for public education, cultural performances, gatherings and displays administered by not-for-profit cultural, educational, governmental and religious organizations.

*Carmenes* means secluded inner gardens or courtyards with private-public features such as fountains, benches and ornamental architecture.

*Colonnade* means a roofed structure, extending over the sidewalk, open to the street except for supporting columns or piers.

*Courtyard garden* means a grade level garden enclosed on at least three sides, at least two sides by building walls and on its remaining sides by fences or garden walls, with a minimum 30 percent of its area landscaped. The street opening to the courtyard garden shall not exceed the width of the street or square that it fronts.

*Curb radius* means the curved edge of street paving at an intersection, measured to the inside travel edge of the travel lane.

*Easement* means an area of private property legally dedicated for public use.

*Frontage* means the property line or lines of a lot that coincide with a right-of-way or other public space.

*Paseo* means an easement that allows public pedestrian access traversing private property from one public right-of-way to another.

*Public open space* means an open space that is accessible to the public all or some of the time, including, public rights-of-way, parks, plazas, squares, canal-walks, alleys, colonnades, carmenes, courtyard gardens, paseos and other easements.

*Square* means a public space surrounded on four sides by streets or other vehicular passage. Every corner of a square shall have a street intersection.

*Street* means a thoroughfare for the movement of pedestrians and vehicles, which may be public open space or private property allowing public passage.

*Streetwall* means the vertical surface of a building or structure that faces public space.

*Traffic calming device* means a structure or device that is intended to slow the speed of the traffic on a roadway. It is usually constructed at an intersection. Examples of traffic calming devices are traffic circles and roundabouts. Traffic calming devices may include a change of pavement height, texture and materials to identify an area where speed is to be reduced.

**Cross reference—** Definitions generally, Sec. 22-238.

**(D) Uses.**

*(A) Allowed uses.*

Accounting, bookkeeping, law and other professional offices.

Agency (for employment, travel and/or services to be performed elsewhere).

Art or photographic studio (commercial).

Automobile rental agency, office use only.

Bank or other financial institution.

Business or commercial school.

Catering and delicatessen (including butcher shop) business.

Civic clubs, lodges and fraternal organization facilities.

Conference, meeting facilities or areas of public assemblage for less than 20 people.

Day care center, nursery school or preschool facility.

Dental care and doctor's offices.

Dog grooming only—prohibiting a "pet shop" type business or the boarding, maintaining or keeping of dogs on-premises anytime between 7:00 p.m. and 7:00 a.m.

Dry cleaning and laundry, drop-off/pick-up only.

Family restaurant/arcade; so long as the arcade use does not exceed 40 percent of the available business space, alcoholic beverages are permitted on the premises pending administrative review, no gambling games/machines are permitted, the arcade area is continually supervised, and the family nature of the operation is maintained. No more than two family restaurant/arcades shall be permitted in the Downtown District.

Gymnasium, health club, dance studio or other center where "physical activity" lessons are conducted.

Insurance agency.

Laundry—No more than two allowed in the Downtown District.

Lodging (Hotels, Motels, Peer to Peer home sharing services)

Museum.

Mixed-use development of residential uses on upper floors above retail, office and related uses.

Office supply or support (office supplies, copying, printing shop).

Personal services (i.e., barbershops, beauty parlors, physical therapy clinics, etc. No physical therapy clinic shall be open for business between the hours of 10:00 p.m. and 6:00 a.m.).

Pharmacy.

Post office.

Restaurant (and lounge), cafe, cafeteria, bar and grill.

Retail use.

Small appliance sales and/or service.

Sporting goods store; excluding the sale of weapons and related products used for sporting and hunting activities, no outdoor store displays or merchandising activities; no more than one store allowed in the district that sell the described merchandise.

Stereo/video/electronics rental, sales and/or service.

Theater (live) or motion picture house.

Veterinary clinic (excluding short-term boarding, for medical purposes only).

Other enterprises or businesses which are similar in character and impact to enterprises or businesses enumerated herein, and which are consistent with the Comprehensive Plan adopted pursuant to Chapter 163, Florida Statutes. A final determination of similarity with listed uses and consistency with the Comprehensive Plan shall be made by the City Commission, after obtaining a recommendation by the Planning and Zoning Board.

**(B) Prohibited uses.**

Adult bookstore;

Adult-related business;

Gaming, gambling and casino machines, billiard and pool parlors;

Automotive auctions, repair, sales and service facilities;

Bar; Package store

Clinical laboratory;

Funeral home;

Gun range;

Gun shop;

Pawn shop, Thrift store;

Tattoo Parlor;

Large-scale administrative offices, big box retail/wholesale sales operations and service and professional facilities;

Any large or medium-scale aviation or marine-related repair or service facilities;

Open air, tented, or booth-operated flea markets or any retail/wholesale sales operation not contained within a business building, except as otherwise permitted by Florida State Statutes, §§ 110-01 through 110-03 and permitted temporary uses in LDR Sec. 22- 119.

Any industrial or manufacturing operation or facilities.

#### **(E) Goals and objectives.**

The overall goal and objective of the district is to provide regulation and development guidelines to contribute to the long-term sustainability and quality of life for the community. Specific goals and objectives include, but are not limited to, the following:

- (1) Promote pedestrian-friendly rights-of-way.
- (2) Protect public open spaces.
- (3) Promote mixed-income housing strategies.
- (4) Foster historic preservation.
- (5) Improve code compliance and enforcement.
- (6) Encourage meaningful development boundaries.
- (7) Promote local and regional public transportation.
- (8) Pursue public education on redevelopment.

#### **(F) Implementation concepts.**

The concepts of the district shall be as follows:

- (1) *Make pedestrians a high priority.* Enhance the open network of smaller blocks and provide increased access through new sidewalks, paseos and public alleys. Provide a tree canopy planted along sidewalks or medians to create shade from the sun and more attractive streets or sidewalks.
- (2) *Slow down vehicular traffic.* Reduce lanes or lane widths, expand the median and add on-street parking and trees as traffic calming devices. Use swale areas facing streets and sidewalks for trees and shrubs and encourage property owners to enhance landscaping. Provide parking in the rear areas, hidden from the front view. Reconstruct curbs with smaller radii at intersections. Encourage property owners to provide cross access between their parking lots and that of their neighbors.

- (3) *Improve pedestrian corridors.* Improve commercial facades to increase pedestrian comfort and safety through enhanced lighting and landscaping. Improve the network of secondary pedestrian corridors in order to extend existing patterns of pedestrian travel. Create a sense of enclosure and urban character through street facade.
- (4) *Aggregate open space for squares, plazas, passive parks and other public open spaces.* Promote activity and natural surveillance by providing plazas and squares, open to the public and level with the grade of the sidewalk. Create a legible network of open spaces by waiving minimum open space requirements on specific lots or parcels in exchange for a credit to develop larger open public spaces.
- (5) *Extend transit, at a variety of scales and modes of travel.* Implement a circulator system, such as a local bus system, to be used for local service and to connect to the regional system. Increase transit ridership to facilitate growth and mobility without unmanageable traffic congestion.
- (6) *Attack visual blight.* Promote infill development along the edges of blocks to define street space. Inventory vacant or underutilized lots and provide incentives for development. Utilize code enforcement procedures to compel compliance from property owners who have neglected the appearance of their property. Enforce building codes to ensure applicable minimum standards for older buildings.
- (7) *Provide for water retention areas to improve drainage and flooding protection in low-lying areas.* Promote the procurement of vacant or underutilized land that may be reservoirs for additional storage and storm water retention within the district. Provide for a hydric park network to reduce flooding and restore the community's connection to water resources.
- (8) *Promote civic uses.* Encourage public access and participation by providing cultural performances, gatherings and displays for education and enlightenment.

#### **(G) Precedence over other zoning and land use regulations.**

In addition to the criteria previously provided in the Downtown Mixed Use Overlay (DMU) land use classification and the Historic Downtown Opa-locka District (HDOD), commercial liberal (B-2), multifamily (R-3), light industrial (I-1), Liberal Industrial (I-3) and civic (C) zoning districts, the requirements provided in this division must also be followed as the requirements of the HDOD shall prevail.

#### **(H) Road classifications in the HDOD district.**

To further define the functions of the roads and streets within the district, roads are classified as follows:

- (1) *Major roadways* shall mean those roads that are designed for the efficient movement of people and vehicles to and through the district. The roads enable traffic to easily traverse the area as well as provide access to other areas within and outside the City of Opa-locka. NW 27<sup>th</sup> Avenue, NW 37<sup>th</sup> Avenue, State Road 9, Ali Baba Avenue, Opa-locka Boulevard are classified as major roadways within this district.
- (2) *Minor roadways* shall mean those roads that are designed for ease of access for the movement of people and vehicles through the district. Minor roadways generally provide short distance access to individual properties within the district and to adjoining areas. Ali Baba Avenue, from 17<sup>th</sup> Avenue to LeJeune-Douglass Connector; Sharazad Boulevard from NW 27<sup>th</sup> Avenue to Ali Baba Avenue, and Opa-locka Boulevard from NW 27<sup>th</sup> Avenue to Sharazad Boulevard.
- (3) *Local streets* mean those roads in the district that provide access to individual properties that are not designated major or minor roadways.

**(I) Zoning regulations.**

(a) Mixed Use Residential densities in downtown multifamily R-3, R-4, B-2, I-1 and I-4 zoning districts shall not exceed 150 units per net acre, unless the property owner provides public open space as provided in incentives (2) below, but in no event shall the units per net acre exceed 200 units for affordable/live-work or assisted living. Residential densities outside of the HDOD shall not exceed 150 units.

(b) Landscaping for all property zoned residential or that includes residential uses within the zoning district shall conform to an urban design plan that will be adopted by the city within eight months of the effective date hereof.

(c) The dimensions of squares, plazas, paseos and other open public spaces shall conform to an urban design plan that will be adopted by the city within four months of the effective date of the ordinance from which this section is derived.

(d) The facade and architecture requirements shall conform to a Moorish design plan. The goal of the architectural parameters is to promote creative architectural solutions within an ensemble of basic urban forms that will ensure harmony and continuity without mandating a particular style. Building design shall promote pedestrian safety, comfort and interest for adjoining public spaces. Building design shall promote energy conservation by including self-shading, natural lighting, natural ventilation, outdoor circulation and reduced dependence on artificial lighting and air conditioning.

(e) Streetwalls shall have pedestrian entrances at maximum intervals of 150 feet. The principal pedestrian entrance of all buildings shall be from the street, courtyard garden or from a paseo.

(f) Streetwalls, landscape buffers or a building shall be constructed to screen parking from view.

## **(J) Incorporation of TOD District**

A Transit Oriented Development District is generally characterized as a developed environment within a quarter-mile of a public transit system, with building characteristics and public amenities that promote the safe movement of pedestrians.

The City of Opa-locka's Transit Oriented Development District is located in the HDOD which boundaries stated in item (B).

Opa-locka's Transit Oriented Development District (TODD) is specifically created to facilitate mixed-use development, with access to transit stations or stops along existing and planned high performance transit service corridors.

The TODD Code also encourages commercial functions that include shop-fronts at street level, with residential units and office space above, wide pedestrian-friendly and multimodal sidewalks, rear on-site parking, and possibly public parking facilities.

The TODD incorporates the goals of the HDOD efforts with elements from the previous Commercial Liberal ("B-2") and Downtown Mixed Use Overlay District standards to produce development standards for the TODD. The TODD facilitates mixed-use development, pedestrian-oriented streets, public mobility options, Moorish style architecture, and opportunities for location of work, play, services and entertainment within walking distance.

*General.* This designation shall be known as the TODD for the City of Opa-locka. The TODD shall promote the Goals, Objectives and Policies contained of the previous Downtown Mixed Use District designation within the Future Land Use Element of the Comprehensive Plan. Specifically, Objective LU-2 of the Sustainable Opa-locka 20/30 Comprehensive Plan Future Land Use Element are designed to maximize the development potential of Historic Downtown Opa-locka.

The TODD designation supplements the Land Development Regulations ("LDR") provisions within the City of Opa-locka for the area known as the HDOD. The TODD is generally described as the area bound to the north by Dunad Avenue, to the east by NW 27<sup>th</sup> Avenue, to the south by NW 135<sup>th</sup> Street, and to the west by Sesame Street.

Opa-locka's TODD designation is specifically created to encourage compact first-rate projects based upon smart growth principles; to preserve the existing character of neighborhoods surrounding the Historic Downtown Opa-locka core; to regulate for high-quality infill development, and to create a predictable process for developers and the community to meet these goals.

## **(J) Incentives.**

Incentives to encourage land development to achieve goals and objectives within the district are as follows:

- (1) Land dedication for sidewalks outside of public right-of-way, passive parks, paseos, public use and open spaces, a natural drainage parkway or land for additional

storage and stormwater retention in lieu of payment of a monetary park, recreation and open space fee as provided by (X).

- (2) Increased density for residential or mixed use development for additional units per net acre up to a maximum of 32 units per net acre as provided in the multifamily R-3, R-4 zoning designations in the HDOD zoning districts. Additional units per net acre will be permitted in exchange for land located within the HDOD district, or a monetary contribution equal to the fair market value of the land not to exceed 40 percent of the total donation, donated to the city as a passive park, paseo, public and/or open space or a natural drainage parkway as follows: 1,500 square feet for each of the first two additional units, 1,000 square feet for each of the third, fourth and fifth additional units, and 850 square feet for each additional unit after the fifth additional unit. If land located anywhere within the HDOD district is donated to the city, then the city shall waive the city park, recreation and open space impact fee for each additional unit.
- (3) Financial assistance from the Opa-locka Community Redevelopment Agency to eligible properties for renovation of commercial properties fronting major and minor roadways within the district.
- (4) Provide a perpetual easement to the city on private property for construction of an architectural feature at or near the boundaries of the district as a credit toward satisfaction of minimum open space requirements.
- (5) Provide a perpetual easement to the city on private property for sidewalks, paths and paseos or natural drainage parkways as a credit toward satisfaction of minimum landscaping and open space requirements.
- (6) Contests and prizes offered by a not-for-profit organization or public-private partnership to promote good urban design and innovation for the enhancement and sustainability of the district.
- (7) Five thousand dollars to be paid to the city for each parking space below the minimum parking requirements for on-site parking, but in no event shall the deficiency in on-site parking exceed 30 percent of the minimum parking requirements. These funds shall be placed in a designated account and accumulated by the city to finance a parking system within the HDOD that will include a parking garage within a 1,500-foot radius of boundary lines of the property where city hall is located. Affordable housing properties developed and owned by the city are exempt from the provisions in this paragraph.
- (8) Provide a minimum 20% total combination of affordable/elderly housing.
- (9) The grant of incentives identified in subparagraphs (1), (4), (5), (7) and (8) above, shall require approval of the city commission by ordinance.

## **(K) Special permit**

In order to be granted a permit for such establishments within this district, the property owners/applicant shall obtain a Special Permit as specified in the Opa-locka LDR/Zoning Code Ordinance, as amended, the zoning ordinance of the City. In reviewing an application for establishments serving alcoholic beverages, the director of Planning and Community development shall apply the following review guidelines criteria in addition to the standard criteria of a Special Permit.

In reviewing an application for the District Permit for a supper club, nightclub, restaurant, coffee shop, or bar, the following additional criteria shall apply:

- a. Use requirements and restrictions: To qualify to operate a supper club, nightclub, restaurant or bar & grill, the establishment must have a minimum of 40 seats. To qualify for coffee shop, the establishment must have a max of 20 seats.
- b. Operational Plan: An Operational/business plan that address the hours of operation, number of employees, menu items, goals of the business, and other operational characteristic pertinent to the application.
- c. Parking: Irrespective of parking requirements specified in the LDR/Zoning Code as amended, the zoning ordinance of the City of Opa-locka, adaptive reuse of existing buildings for this function shall be required to provide additional parking via on street parking or parking agreement with established shared parking arrangement; however, new buildings or facilities shall be required to provide a parking plan which fully describes where and how the parking is to be provided and used, e.g. valet, self-parking, shared parking, after-hour metered spaces, and the manner in which the parking is to be managed. By a Special Permit, 100 percent of the required parking may be located offsite within a distance of 500 feet from the subject establishment if the proposed parking is to be self-park, and a distance of 1000 feet from the subject establishment if the proposed parking is to be by valet. For restaurants and other dining establishments, as adaptive re-use of an existing structure, any square footage used of the kitchen and/or storage areas will not be counted towards the parking requirements.
- d. For establishment proposing capacities of more than 200 persons, an indoor/outdoor crowd control plan that addresses how large groups of people waiting to gain entry into the establishment or already on the premises, will be controlled.
- e. A security plan for the establishment and any parking facility.
- f. For establishment proposing capacities of more than 200 persons, a traffic circulation analysis and plan that details the impact of projected traffic on the immediate neighborhood and how to mitigate the impact.
- g. A sanitation plan, which addresses on-site facilities and off-premises issues resulting from the operation of the establishment.
- h. A plan depicting proximity of proposed establishments of residential use

- i. If the proposed establishment is within 500 feet of the residential uses, noise attenuation plan is required.

**(L) Alcoholic beverage sales within the district.**

(a) *Minimum distance requirements.* There shall be no minimum distance required between any places of business within the entertainment overlay district licensed by the state to sell alcoholic beverages for consumption on the premises and any other place of business similarly licensed within the district.

(b) *Hours of operation.* The hours and days of sale and consumption of alcoholic beverages are set forth in section 6-369.

(c) *Hours for music and entertainment.* Music, singing and other forms of entertainment whether amplified or not, shall be permitted indoors at any time during business hours of any facility or business enterprise within the district, and in addition music, singing and entertainment shall be permitted outdoors within the district, however, such outdoor music, singing and entertainment shall comply with special events and entertainment regulations as set forth in chapter (X) of the City of Opa-Locka Code of Ordinances.

(d) *Outdoor sales of alcoholic beverages.* Those persons or entities within the district licensed under the state beverage license laws, may sell and serve beers, wines and alcoholic beverages of any type regardless of alcohol content at any location within the district licensed for such sale and under the control of such licensee, including, but not limited to, sidewalk cafes, outdoor areas designed for food or beverage consumption on both adjacent to and operated in concert with a business operated within enclosed premises. Alcoholic beverages can only be consumed on premises of purchase.

**(M) Signs. See LDR Sec. 22-229.**

**(N) Parking Standards and Requirements.**

1. In the HDOD contingent on use, shall be required to provide any off-street parking in excess of the off-street parking that is currently in existence in this "built-out" area of the City and subjected to administrative review or Planning and Zoning board and approval from City Commission.
2. All existing buildings in the HDOD are subjected to administrative review for any use currently allowed in this district to provide any additional off-street parking despite any change of use that might intensify the use of any building and normally require a corresponding increase in the amount of off-street parking.
3. However as a consequence of this provision, any existing building in the HDOD occupied for any currently allowed use as listed under subsection (2) providing any additional off-street parking due to an increase in any intensity of use shall be subjected to administrative review .

4. Nothing contained herein shall be construed to authorize or permit the physical expansion or addition to any existing building in the HDOD over or in any area of established and existing off-street parking prior to administrative review and approval.
5. That the aforesaid provisions shall not be applicable to any of the following:
  - (a) When an existing building in the HDOD is demolished and subsequently replaced by the construction of a new building on the property.
  - (b) When an existing building in this district is "effectively demolished" by the razing of more than 51 percent of the square footage of the existing structure and the subsequent reconstruction of that portion of the building previously demolished.
  - (c) When any additional area of occupancy and use is physically constructed and added onto, or attached to, any existing building in this district.
  - (d) When a new building is constructed on a previously vacant lot or parcel of property. If any of the foregoing instances occur, all off-street parking requirements and provisions contained in the Code of Ordinances shall remain applicable thereto.

*Parking and density calculations.*

- (a) All parking allocations must be approved by the DRC.
- (b) All development in the HDOD may be eligible receive a maximum of 35 percent reduction from the parking standards listed in Section 22-153 "Off Street Parking and Loading Standards" of the LDC pending administrative review and approval or Planning, Zoning and Appeals Board and the City Commission review and approval.

***Payment-in-Lieu of Parking Fund.*** A Payment-in-Lieu of Parking Fund shall be established by the City to provide funding specifically for parking and related improvements within the HDOD. Payment-in-Lieu of Parking Fees will be collected from all applicants for development and uses within the HDOD that do not provide sufficient on-site parking spaces or Shared Parking spaces to meet the minimum parking requirements of the Code. The Payment-in-Lieu of Parking Fee option for compliance with this subsection shall become effective upon adoption by the City Commission of a Resolution which specifies the amount of the Payment-in-Lieu of Parking Fund Fee.

(a) ***Payment-in-Lieu of Parking Fund Fee Calculation.*** The amount of a payment to the Payment-in-Lieu of Parking Fund shall be calculated per parking space which is required but not provided via on-site parking spaces or Shared Parking spaces. The amount per parking space shall be determined by the average cost to the City for the construction of a parking space in a Parking Structure on a program wide basis within the HDOD, which shall be determined by the Building Director in coordination with the

Planning & Community Development Director. The average cost shall include actual costs and fees for land acquisition, design and planning, legal fees, engineering, actual construction, and permit review and inspection.

(b) Payment in Full of Payment-in-Lieu of Parking Fee. For property owners opting to pay in full, or applicants not eligible to provide payment through a Payment in Lieu of Parking Agreement as provided in subsection (D), payment of the full amount of the in-lieu fee shall be due prior to the issuance of a building permit for the development, or prior to issuance of a certificate of use for the use for which the payment is required, whichever occurs sooner.

(c) Payment in Lieu of Parking Agreement. In-Lieu of Parking Fee Agreements shall only be made between the City and the owner(s) of the subject property. Applicants for an in-lieu fee which is not paid in full prior to issuance of a building permit, must enter into an In-Lieu of Parking Fee Agreement with the City prior to the issuance of a building permit for the development, or prior to issuance of a certificate of use for the use for which the payment is required, whichever occurs sooner. Such agreement shall be approved by the community development director, and shall be recorded at the property owner's expense in the Public Records of Broward County, Florida. The In-Lieu of Parking Fee Agreement shall provide that the obligations imposed by the agreement constitute a restrictive covenant upon the property, and shall bind successors, heirs and assigns, and shall be released by the City upon payment in full of the amount due under the agreement.

(d) Payment in Lieu of Parking Agreement Term. An In-Lieu of Parking Fee Agreement executed by a property owner applicant in accordance with this subsection shall provide that installment payments shall be made over no longer than a 36 month time period in 3 installments. The first installment shall be at least 50 percent of the total fee due, and shall be paid upon signing the agreement, prior to the issuance of a building permit for the development or a certificate of use, whichever occurs sooner. The second installment shall be in the amount of at least 25 percent of the total fee amount due, and shall be paid no later than the second anniversary date of the execution of the agreement. A third and final payment of 25 percent of the total fee may be authorized by the agreement, and shall be due no later than the third anniversary date of the execution of the agreement. A property owner subject to an In-Lieu of Parking Fee Agreement may make a redemption payment of the remainder of the amount due pursuant to the agreement, at any time prior to the final required payment.

#### *On-Site Parking.*

(a) All parking lots, garages, and Parking Structures shall be located at the rear of all buildings.

(b) Parking Areas shall be accessed from side and back streets and from adjacent properties.

(c) Large Surface Parking Lots shall be visually and functionally segmented into several smaller lots through the use of structures and landscaping. Designs that

reduce visibility, especially between Parking Areas and business entrances, shall be discouraged.

(d) Surface Parking Areas shall be obscured from Frontages by a building or Street Screen.

(e) Existing Surface Parking Lots are intended to be reduced, over time, through redevelopment and/or construction of structured parking facilities.

(f) Parking Areas shall not abut street intersections or terminate a street vista. On-street parking shall not be closer than 25 feet to a street intersection, measured from the extended right-of-way lines.

#### *On-Street Parking (Parallel Parking).*

(a) On-street parking will be allowed on Opa-locka Boulevard.

(b) On-street parking located adjacent to a building or lot shall not count toward fulfilling the parking requirements for that building or function.

#### *Off-Street Parking*

a) *Dwelling, multiple-family:* One space per bedroom with maximum two spaces per dwelling unit for residents. An additional five percent of the total residents' spaces shall be provided for visitors.

b) *Hotels and motels, including clubs:* One parking space for each sleeping room. If, in addition to sleeping rooms, there are other uses operated in conjunction with and/or as part of the hotel/motel, additional off-street parking spaces shall be provided for such other uses as would be required by this section if such uses were separate from the hotel/motel to the extent of 35 percent of the off-street parking specified in this article for retail stores, offices, services, establishments, bars, restaurants, dining rooms, night clubs, cabarets, ballrooms, banquet halls meeting rooms, auditoriums.

c) *Commercial uses:* **See LDR Sec. 22-155.**

d) **Developments that provide Affordable/ Elderly Housing may be reduced as stated below. In no event shall parking be reduced by more than thirty-five (35%) percent of the spaces required.**

e) **A maximum 35% reduction in required parking may be permitted within the HDOD pending administrative review.**

### *Shared Parking.*

- (a) The parking requirements for buildings containing more than one function shall be the total of the amount of parking required for each function.
- (b) Shared Parking Areas shall be located no further than one-quarter mile of the building or function utilizing the Shared Parking capacity.
- (c) Cross-access easements or similar mechanisms approved by the City Attorney shall be used to provide joint access between Shared Parking Areas.
- (d) In a Parking Structure or Garage, each above-ground level counts as a single Story regardless of its relationship to habitable Stories.
- (e) Parking Structures shall have Liner Buildings along primary frontages and landscape bufferyards adjacent to residential properties.
- (f) Vehicular entrances to parking lots, Parking Garages, and Parking Structures shall be no wider than 24 feet at the Build-to Line.
- (g) Pedestrian walkways shall be integrated, to the extent possible, into the interior and/or perimeter landscaping of parking lots; constructed with brick pavers, stamped concrete or a paved or similarly firm surface, at least six feet in width; and separated from vehicular and Parking Areas by grade, Curbing and/or vegetation, except for necessary ramps.
- (h) Pedestrian exits from all parking lots, garages, and Parking Structures shall be directly to a Build-to Line except underground levels which may be exited by pedestrians directly into a building.
- (i) Parking facilities and appurtenant driveways shall be designed to maximize the safety and convenience of pedestrians walking between parked cars and business entrances as well as between external points and locations on-site.

### *Loading and Service Areas.*

- (a) Loading docks, solid waste facilities, recycling facilities and other service areas shall be located to the rear or side of a building in visually unobtrusive locations.
- (b) All trash and recycling service areas shall be enclosed so as not to be visible.
- (c) Loading docks and service areas shall be permitted on Frontages only by Administrative Approval.

*Amenities.* A minimum of one bicycle rack place shall be provided within a Pedestrian Zone for every ten vehicular parking spaces required by this Code within the Mixed-Use High and Mixed-Use Low districts.

*Street requirements.*

- a) Streets in the HDOD are intended to be inviting public spaces and integral components of community design. HDOD streets shall be organized according to a hierarchy based on function, size, capacity, and Design Speed. In descending order of importance, the hierarchy shall consider pedestrians as the most important, followed by cyclists, mass transit, and automobiles. All design elements must consistently be applied to calm automobile traffic and to facilitate pedestrian activity.
- b) The hierarchy of streets for the HDOD should adhere to Tables 2A. Public Frontages, 2B. Vehicular Thoroughfares, and 2C—2F. Thoroughfare Assemblies. The proposed hierarchy of streets shall be indicated on the submitted site plan with each street type being separately detailed.
- c) Specialty paving required for pedestrian areas and the HDOD entrance is detailed in Tables 2C—2F. Thoroughfare Assemblies.
- d) Streets may be comprised of segments. Each segment shall have the characteristic of one street type.
- e) The elements that comprise a street within the HDOD are listed below and are depicted in detail in Tables 2C—2F. Thoroughfare Assemblies.
  - A. Pedestrian Zone:
    - 1. Curb and Gutter.
    - 2. Planting Area.
      - (a) Street Trees.
      - (b) Shrubs.
      - (c) Ground Cover.
    - 3. Sidewalk.
      - (a) Optional Planting Area.
      - (b) Pedestrian Accessways, Paths or Passages.
    - 4. Street Furniture.
    - 5. Lighting.
  - B. Public Utility Equipment or Public Easement (required if determined to be necessary by the Planning & Community Development Director).
  - C. On-Street Parking.
  - D. Bicycle Lanes.
  - E. Travel Lanes.
  - F. Landscaped Medians.
- f) In the HDOD, Sidewalks in addition to street trees, planting areas and furnishings occur within the Pedestrian Zone, which is comprised of the Build-to Line and the right-of-way.

- g) Sidewalks are required on both sides the street except for a street on the undeveloped edge of a HDOD. Sidewalk requirements are listed in Tables 2C-2F. Thoroughfare Assemblies.
- h) The primary Facades of all buildings shall contain the primary pedestrian Entry and face a public street.
- i) The requirements for placement and types of street trees are specified in Table 4. Public Planting.
- j) Street trees shall be planted on both sides of the street except for a street on the undeveloped edge of the HDOD district.
- k) Depending on the street type, the planting area may contain the required landscaping, the required street trees, or a combination of both.
- l) The required planting area width may be combined with the required Sidewalk to expand the Sidewalk beyond the required width. In this scenario, the street trees must be placed in tree grates.
- m) Utilities shall be placed underground and should be located along Rights-of-Way ("ROWs").
- n) Curbs and gutters shall conform to the City's Engineering design standards.
- o) Parallel on-street Parking Areas (including area of adjacent paved gutter) shall be at least 7 feet wide for Residential streets and at least 7 to 8 feet wide for Primary and Secondary Streets, and at least 22 feet long for all streets.
- p) Angled on-street parking may be provided as long as wheel stops or Curbed Sidewalks are provided.
- q) On-street parking width shall include the adjacent paved gutter area. Curbed bulb-outs containing streets trees and/or other plantings are encouraged to be built at regular intervals and at all intersections within a dedicated on-street Parking Area.
- r) Where provided, Bicycle Lanes shall be at least four feet in width and shall be placed between on-street Parking Areas and travel lanes, or between the Curb and gutter and the travel lanes in the absence of on-street Parking Areas.
- s) City approved bus shelters shall be provided by the property owners or the City on all Primary Streets within the HDOD.

**Cross reference—** Minimum Parking Ratios, section 22-155; Off-street parking facilities; paving and drainage; lighting; landscaping; and minimum number of off-street parking spaces; off-street parking requirements for single-family residential and multifamily zoning districts, section 22-161.

**(O) Building height limit.**

The maximum building height shall be no higher than 75 feet, no more than seven stories and shall comply with Federal Aviation Administration Regulations, Part 77 and to ensure safety and livability.

**(P) Building site area required.**

*Commercial or office use only, all floors:*

The minimum building site area required shall be a lot or parcel of land 10,000 square feet in area.

*Mixed use:*

Mixed-use building site area will be determined by FAR as specified under subsection (Q).

**(Q) Floor area limitations.**

All buildings within this category shall be limited to a floor area ratio (FAR) as listed:

| Height of Building | Floor Area Ratio |
|--------------------|------------------|
| 1 story            | 0.4              |
| 2 story            | 0.6              |
| 3 story            | 0.8              |
| 4 story            | 1                |
| 5 story            | 1.2              |
| 6 story            | 1.4              |
| 7 story            | 1.6              |
| 8 story            | 1.8              |
| 9 story or over    | 2                |

**(R) Maximum Allowable Density and Square Footage Requirements.**

Parcels located in the HDOD may be developed as follows:

1. Residential density shall not exceed one hundred and fifty (150) units per acre
2. Nonresidential developments shall be not less than a floor area ratio of 0.15 and shall not exceed a floor area ration of 3.0.

*Commercial or office use only, all floors:*

The minimum first floor area of a commercial building in this district shall be 1,500 square feet.

*Mixed use:*

In addition to the floor area required for the first floor of commercial or office use, the minimum square footage requirement for the upper-floor residential dwellings shall be as follows:

- a) One bedroom – 550 sq ft. minimum
- b) Two bedroom – 725 sq. ft. minimum
- c) Studio Units – 450 sq. ft. minimum (Seniors Only) capped at 30 percent

Also, the following maximum percentage allocation of total residential area to ground floor business area, per development, shall apply:

*Residential:* 67 percent (i.e., a 2:1 ratio between residential and business, respectively.)

*Front yard.* Front yard required for a building designed for commercial or mixed use. All buildings shall be built to the front property line except as follows:

1. A landscaped setback of 15 feet may be permitted for beautification purposes only, at the option of the property owner.
2. Projections beyond the face of the building (such as upper floors that cantilever beyond the footprint of the lower level) cannot extend beyond the front property line.

*Side yard required.* No side yard is required for a building designed for either commercial or mixed use, except where required for protective screening, as required in subsection (M) below.

Projections beyond the face of the building (such as upper floors that cantilever beyond the footprint of the lower level) cannot extend beyond the side property lines.

*Rear yard required* for a building designed for commercial or mixed use. There shall be a rear yard consisting of an area which is not less than 30 percent of the lot or building site to be improved. In order to provide space for drains and other uses, except in those cases where the lot or building site abuts upon a dedicated alley which has a width of not less than 40 feet, in which case the rear yard may be 20 percent of the lot or building site area.

#### **(S) Protective screening.**

Where any lot in this district adjoins a residential district, a five-foot strip of land adjoining the boundary of the residential district shall be set aside and used for planting or walls by the owner of the commercial or mixed-use lot at his expense, to form an effective screen for the protection of the residential area. No structure, except the screen or wall, or utilities or drainage facilities, shall be placed or permitted in the area. No vehicular access shall be permitted over the area, except for the installation or maintenance of screening, utilities, and drainage facilities.

**(T) Open space and landscaping requirements.**

- (a) Notwithstanding any provision of this Code to the contrary, each site shall provide a minimum of 12 percent of its net lot area as landscaped open space, except where this requirement is modified per subsection (b) and/or subsection (c).
- (b) In-lieu of providing all or a portion of the landscaped open space required by subsection (a), a property owner may choose to aggregate all or a portion of required landscaped open space together on one site within the HDOD. In order to utilize this option, said aggregated space must be readily accessible to the public, must be a minimum of one-quarter acre, and must be approved through the site plan review process. Additionally, where this option is utilized, in whole or in part, to meet the required landscaped open space for residential uses in the HDOD, said space may be counted toward any land dedication otherwise needed to meet the requirements of parks concurrency. When this option is utilized, a covenant running with the land encumbering all properties involved, and in a form acceptable to the City Manager and the City Attorney, shall be recorded among the public records. The burden shall be on the property owner and/or applicant to demonstrate compliance with landscaped open space requirements, and to produce any documentation as necessary. However, notwithstanding the provisions of this subsection, sufficient landscaping shall be provided on-site to appropriately complement building architecture and other functions on each site, as determined through the site plan review process, and to meet other explicit requirements of this Code.
- (c) Where a building includes a habitable rooftop, including but not limited to a recreation area or outdoor dining space, said habitable rooftop area shall be counted toward the amount of land required for landscaped open space per subsection (a).
- (d) Except as provided in subsection (e), each site shall provide the number of trees, shrubs and other landscape materials as provided in article VII Landscaping and Tree Preservation. However, placement of trees, shrubs and other landscape materials shall be determined through the site plan review process, consistent with the site plan review standards in Section 22-56.
- (e) Where all required trees and shrubs cannot be provided on-site, the property owner may choose a cash in-lieu payment to the city instead of providing that portion of trees or shrubs that cannot be provided on-site, subject to approval by the city commission. In order to utilize this provision, the property owner shall provide to the city a good faith estimate, at the prevailing market rate as approved by the City Manager, of the cost to purchase and install that portion of trees and shrubs that cannot be provided on-site, which shall constitute the amount of the required payment. The city may only use these funds in furtherance of projects identified in the adopted Beautification Master Plan that are within the HDOD. If there are no projects in the HDOD for which these funds may be utilized, the city shall not accept the cash in-lieu, and the property owner/developer shall either modify the proposed project to accommodate the required trees and

shrubs, or apply for a variance. However, notwithstanding the provisions of this subsection, sufficient landscaping shall be provided on-site to appropriately complement building architecture and other functions on each site, as determined through the site plan review process, and to meet other explicit requirements of this Code.

- (f) If a plaza or courtyard is placed in the front or side street setback between any street type and a building, as provided for in (Q)1, said plaza/courtyard shall remain open to the public except in the case of emergencies or in the case of special events, as approved by the city in accordance with Section 22-135. Said plaza/courtyard may be counted as open space, including as aggregated open space per subsection (b).

**(U) Off hours security devices.**

The use of shutters, awnings, gates, panels or sheets or any other device meant to provide off hours premises security is prohibited. Notwithstanding the foregoing, the provisions contained in sec. 22-118 of the LDR relating to storm protection, shall remain applicable to all district properties. Exterior mounted security gates or solid roll down metal windows shall not be permitted. Link or grill type security devices shall be permitted only if installed from the inside, within the window or doorframe. Other types of security devices fastened to the exterior walls are not permitted.