

**CITY OF MIAMI
OFFICE OF ZONING
MEMORANDUM**

TO: Anthony Luis Recio
FROM: Barnaby L. Min, Zoning Administrator
DATE: June 21, 2011
RE: Zoning Interpretation
11-0004

This Zoning Interpretation is issued to clarify the conflict between Article 5, Section 5.7.2.6 and Article 7, Section 7.1.2.8 of the City of Miami's Zoning Ordinance, Miami21.

Section 5.7.2.6 states that in "the event that a Civic Institution *Zone* ceases to be used for Civic Institution Uses, it shall be developed either in accordance with the regulations of the most restrictive Abutting Transect Zone or by process of rezoning, subject to the limitations of the Comprehensive Plan." (Emphasis added).

Section 7.1.2.8 states that when "a CI zoned *property* ceases to be used for Civic functions, the successional rezoning is determined by identifying the lowest intensity Abutting Transect Zone, and rezoning to that Zone's next higher Intensity Zone." (Emphasis added).

Section 5.7.2.6 concerns the entire Transect Zone the property is located in and Section 7.1.2.8 concerns just the specific property. If any part of a CI Transect Zone continues to have a Civic Institution Use, the property cannot take advantage of the provisions of Section 5.7.2.6 but must seek a rezoning pursuant to Section 7.1.2.8. If the entire CI Transect Zone where the specific property is located ceases to be used for Civic Institution Uses, then the property can utilize the "automatic" provisions of Section 5.7.2.6.

In addition to this "automatic" process, Section 5.7.2.6 also gives a property the option of either developing according to the most restrictive Abutting Transect Zone or to rezone to the next higher Intensity of the most restrictive Abutting Transect Zone.

Accordingly, the differences between Sections 5.7.2.6 and 7.1.2.8 are intentional with different results available to properties located within Civic Institution Zones.

This interpretation shall be final unless appealed to the Planning, Zoning and Appeals Board within 15 days of the date of its issuance.

cc: Francisco Garcia, Director of Planning
Haydee Wheeler, Director of NET
Victoria Mendez, Assistant City Attorney
Office of Zoning