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Miami 21 finally gets approval of City Commission

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CHARLES TRAINOR JR / MIAMI HERALD

City of Miami Mayor Manny Diaz listens to speakers as the commission meets to hear speakers from the public comment on the MIAMI 21 proposal at city hall, Friday, September 4th.

On its second try, the Miami City Commission approved the ambitious and controversial Miami 21 zoning code 4-1 after a daylong hearing Friday, charting a new, pedestrian-focused course for future development in a city famously built around the car.

Setting aside concerns that the new code "is not ready for prime time," as one critical resident put it, a commission majority endorsed Mayor Manny Diaz's strategy for reshaping development to foster a walkable city. New projects along the city's principal corridors would mix shops and homes -- an urban template more like that of Manhattan, Chicago or San Francisco than the strip-mall model of the Sunbelt.

The new code, which replaces the city's existing zoning in its entirety, must win confirmation in a second commission hearing, probably in mid- to late October, before taking effect.

Friday's vote, before a packed chamber, came a month after the commission deadlocked on the plan 2-2 with Commissioner Angel Gonzalez out because of illness. Gonzalez voted yes on Friday. Commissioner Tomás Regalado, a Diaz critic who is running for mayor, was the sole no vote.

Commission Chairman Joe Sanchez -- a Diaz ally who cast a surprise no vote last time because of a concern over strict height limits Commissioner Marc Sarnoff insisted on along upper Biscayne Boulevard -- switched to yes after Sarnoff appeared to drop the height issue until the second vote.

Sarnoff in the end outmaneuvered Sanchez, successfully attaching the 35-foot height limit for the Miami Modern historic district on the Boulevard -- known as MiMo -- to a Miami 21-related amendment to the city's historic preservation ordinance.

The approval of Miami 21 was a resounding victory for Diaz, who made the rezoning a centerpiece of his administration.

"This is about the future of Miami, about building sustainability," a beaming Diaz said after the vote, noting

that the plan is designed to guide development in the city for the next century.

“This is something the full effect of which probably won't be felt for years,” he said.

The four-year effort began at the height of the condo boom, whose excesses some critics have blamed on what they say is the Diaz administration's coziness with developers. But Diaz framed Miami 21 as a bid to tame intrusive and over-scaled development fostered by an outdated, hodgepodge zoning code he said was easily exploited by developers' lawyers.

“A vote to support Miami 21 will be a radical departure from our city's plan -- a past best exemplified by the philosophy of ‘build now, plan later,’ ” Diaz said at the hearing, which included four hours of public testimony.

Passage of the plan puts the city at the leading edge of urban planning nationally. Miami 21 represents a rejection of zoning as practiced in much of the country, which mandates separation of residential and commercial uses, in favor of a “form-based” code that encourages mixed-used districts and mandates that buildings hug the sidewalk with shops, homes or offices to encourage street life.

Denver and Philadelphia, among dozens of other cities, are considering similar codes.

“The whole world is watching,” resident Emile Farrah told the commissioners, urging them to pass Miami 21. “You don't have to be afraid of change.”

But concerns over its effects -- from homeowners worried they would have to rebuild their homes to the new code after a hurricane, to architects complaining it would straight-jacket their creativity -- contributed to long delays for Miami 21, which appeared at times to be politically doomed.

On Friday, though, much of the public testimony centered not on the plan's broad sweep, but on details and particular circumstances related to individual properties or blocks. That suggested that city planners -- who conducted about 500 public meetings -- succeeded in persuading residents of the benefits they claim for Miami 21, or at least in assuaging most concerns.

But commissioners remain at odds over the height limit of 35 feet for Biscayne Boulevard along the Upper East Side, significantly lower than what Miami 21 planners proposed. The limits were sought by some neighborhood activists but strongly opposed by property owners in the MiMo historic district. District supporters say the lower heights will stifle efforts to renovate and expand the historic motels and commercial buildings on the boulevard.

“This is my blood and sweat for 22 years,” said motel owner Henry Patel, long a backer of improvements along the boulevard, calling the height limits unfair.

But Sarnoff insisted the limits are needed to protect single-family neighborhoods that sit directly behind the Boulevard buildings.

Opposition to Miami 21 was led by some developers' lawyers and the Miami chapter of the American Institute of Architects.

But both hearings also drew numerous architects and lawyers in support of the code, though some said issues still remain to be resolved by the second reading. Many on both sides praised the work by lead consultant Elizabeth Plater-Zyberk, who incorporated dozens of changes proposed by residents, architects,

developers and property owners.

``We don't think it's perfect, but it's a good job," said prominent land-use lawyer Stanley Price.

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