



Posted on Thu, Oct. 22, 2009

## Pedestrian-friendly Miami 21 zoning code approved

BY CHARLES RABIN  
[crabin@MiamiHerald.com](mailto:crabin@MiamiHerald.com)

Miami commissioners on Thursday finally passed the city's most comprehensive zoning code ever -- one that promises a healthier city and friendlier walking corridors -- after making dozens of tweaks before a City Hall packed with neighborhood groups.

After more than four years of debate and literally hundreds of public meetings, commissioners voted 4-1 Thursday evening to approve the cornerstone of Mayor Manny Diaz's development plans for Miami.

With Thursday's vote, Diaz said, Miami can look to oneday be compared to cities such as Chicago, New York, even Paris.

"I'm going to tell you that history will judge us right," he said.

The only no vote: administration critic Tomás Regalado.

The mayor has sought to transform auto-centric Miami into a more-urban, pedestrian-friendly city.

The so-called Miami 21 zoning code would replace a code that critics charge has led to overscaled and intrusive development. The new code encourages mixes of commercial and residential uses along major corridors, seeks to reduce the impact of large-scale development, and requires new buildings to conceal parking while meeting the sidewalk with active fronts like shops, offices and homes.

Opponents range from neighborhood activists to some architects who contend the code doesn't do enough to curb overscaled development while forcing new buildings into homogenous templates that limit creativity. Some lawyers argue it will unfairly curtail development rights.

Commissioners and residents spent a good portion of Thursday's gathering focused on the plan's most controversial element: a 35-foot height limit implemented on the Upper East Side's historic Miami Modern District during an earlier meeting at the urging of District Commissioner Sarnoff.

Some residents like the height limit; others, and most business owners, deplore it.

Upper East side activist Fran Rollason suggested raising the MiMo limit to 53 feet, arguing that lowering it "will ultimately run the Mom & Pops out of business."

Nancy Liebman, vice president of the MiMo Biscayne Association, said "the MiMo District is not going to survive" if the height limit is not raised to 53 feet. She said it's impossible to expect business owners to spend money restoring their property, then have no way to up its value.

Ultimately, commissioners voted 3-2 to limit the height to 35 feet, with Commissioners Joe Sanchez and

Angel Gonzalez voting against that element of the plan.

``We will live to regret this," said Liebman.

But others, like Upper East side resident Elvis Cruz, believe the 35-foot height limit ``will be an economic stimulus for the area." Cruz had earlier reminded Sarnoff he was elected by consecutive large margins by residents, many whom endorse the height limit.

Most other issues discussed Thursday centered around concerns over individual properties.

The difficulties in implementing the zoning changes were apparent when separate speakers said they bought their properties with an agreement to build under a specific covenant that now isn't allowed under Miami 21.

Still, land use attorney Neisen Kasdin called the new code a ``testament to the process. . . . This is the most thorough process I've ever seen in any community," he said.

*Miami Herald Staff Writer Andres Viglucci contributed to this story.*

---

© 2009 Miami Herald Media Company. All Rights Reserved.  
<http://www.miamiherald.com>