

# MONROE COUNTY'S TRADITIONAL VILLAGE ORDINANCE

*(Mandatory and enforceable by municipal law)*

## **Purpose and Intent**

The Traditional Village District (TVD) is a Monroe County district designed to ensure the development of land along the lines of traditional villages, hamlets and settlements. Its formal provisions adapt the traditional conventions of design that were common in the United States and the Caribbean before 1940, and its biological provisions stress the ideal of equality between humans and other forms of life. The TVD ordinance mandates and defines the following principles:

- A. The existing natural habitat of Monroe County is the main economic asset of a traditional village district and, as such, it must be protected, restored and preserved.
- B. A traditional village district is a place in which human activities are harmlessly integrated into the natural world to insure the continuation of both, the natural and the man-made, into the unlimited future.
- C. The traditional village district uses renewable energy sources (solar, wind, etc.), returns organic wastes to the land, avoids the presence of toxic and harmful substances, and recycles as much of the waste stream as possible.
- D. A traditional village district is a sustainable community committed to fairness and non-exploitation toward other parts of today's world, human and non-human, and toward all future life.
- E. A traditional village district has a defined village proper and a rural/semi-rural edge composed of parks, heaths, greenbelts and wilderness preserves or conservancy areas.
- F. The edges of a traditional village district are recognized for its environmental, aesthetic, sporting and recreational benefits.
- G. The traditional village proper decreases the land utilized for physical development. It is spatially related to pedestrian users, compact and limited in size.
- H. The traditional village proper has a mixed use center, various gathering places, public buildings, open areas, and a variety of residential buildings forming the edge of public and semi public spaces, all interwoven and in close proximity.
- I. Civic buildings are carefully placed and reinforce the character of the traditional village district. These buildings shall become community symbols and provide identity for places of cultural, social and religious assembly.
- J. Spatially-defined squares and parks provide places for social activity and recreation.
- K. Private buildings form the edge of the thoroughfare space and are built in ways that have a minimum impact on the land and the local ecology.
- L. An inter-connected hierarchy of roads, pathways, sidewalks and trails serve equitably the needs of the pedestrian, the bicycle and the automobile. A traditional village district has a minimal need for motorized transport and contributes to the preservation of contiguous open spaces for scenic enjoyment, recreational use and identity.

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fence, wall, or hedge built between the frontage line and a point even with the nearest enclosed edge of the house shall be of equal height as the street edge. Any openings shall be gated.

49. **Street lamp:** a light standard not to exceed fifteen (15) feet in height. Street lamps shall be installed on both sides of thoroughfares at no more than seventy-five foot intervals measured parallel to the thoroughfare. Any street lights in service lanes shall be designed in accordance with the standards developed by the Illumination Engineering Society. The installation and maintenance of the street light system will be through a special taxing district.
50. **Street Vista:** a view through or along a thoroughfare centerline which is not less than two hundred (200) feet in length.
51. **Thoroughfares:** public vehicular infrastructure composed of avenues, streets, roads and drives.
52. **Village proper:** the built-up area planned for development within a TVD, including blocks, thoroughfares, and squares, but excluding greenbelts, parks, heaths, wilderness preserves or any other open green periphery areas.
53. **Warranted traffic control device:** a device (typically a yield sign, or stop sign, or a traffic signal) that has met the minimum criteria for installation based on the latest edition of the National Manual on Uniform Control Devices.
54. **Wilderness preserve:** a preservation area similar to a natural condition which is to remain perpetually uncultivated and sparsely inhabited. A wilderness preserve may be created through a land purchase, a transfer of development rights (TDR) or a transfer of vested rights (TVR) and must be donated to and administered by the Monroe County Land Trust. A wilderness preserve shall have a gross area of no less than five (5) acres.

## DEVELOPMENT PARAMETERS

All applicants for a TVD shall comply with the following development parameters:

1. **Size and location of site:** the site shall be located within the geographic area of Monroe County. The minimum size of the Traditional Village District shall be ten (10) acres and the maximum size shall not exceed eighty (80) acres. Any TVD occupying between ten (10) and fifteen (15) acres shall be considered a *Settlement*. Any TVD occupying between sixteen (16) and twenty-five (25) acres shall be considered a *Hamlet*. Any TVD occupying between twenty-six (26) acres and eighty (80) acres shall be considered a *Village*.
2. **Natural edges and village proper requirements:** The natural edges shall occupy no less than fifty (50) percent of the total area within a Traditional Village District (a settlement shall have no less than five (5) acres, a hamlet no less than eight (8) acres, and a village no less than thirteen (13) acres dedicated to the preservation and/or restoration of natural habitats). The areas outside the natural edges (a maximum of

50% of the TVD) form the village proper. Larger parcels shall be developed as multiple TVD's each individually subject to all the provisions. A TVD may be located adjacent to, but shall not be bisected by a federal highway (i.e.: U.S. 1).

3. **Development rights:** all residential and commercial rights in Monroe County shall be transferable, in whole or in part, from any parcel of land to a traditional village district. A deed of transfer shall be recorded in the chain of title containing a covenant that prohibits further use of the transferor parcel for any other use but open space. The village proper shall comprise a bundle of rights including existing and vested rights, transfer of development rights, and/or transfer of vested rights.
4. **Density:** the requested densities, in terms of number of units per gross residential acre and total number of dwelling units shall be disclosed at the time of application. Said number of dwelling units and densities shall be approved during a final public hearing by the Monroe County Board of Commissioners as described under the Ownership Requirements section of this ordinance.

C. **General Performance Standards:**

1. **General Criteria:**

- a. A TVD area shall be divided into a **village proper** with buildings and public infrastructure, and a **natural edge** composed of green areas and open spaces such as a wilderness preserves, parks, a greenbelts, heaths and/or any other periphery area.
- b. The Village proper shall occupy a maximum of fifty (50) percent of the area occupied by the Traditional Village District.
- c. The traditional village district (T.V.D.) must further the objectives and policies set forth by the Monroe County Comprehensive Plan in regards to water quality programs, potable water, solid waste, sanitary sewer, and drainage.

2. **Natural Edges General Design Criteria:**

- a. **Land Use:**
  1. The natural edge consists of wilderness preserves for wildlife and marine habitats, parks protecting the natural vegetation, greenbelts, hybrid parks, heaths and undisturbed shoreline areas.
  2. Plazas, greens, squares or any other public space infrastructure within the village proper does not count for the natural edge acreage calculations.

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3. The natural edge requires governance and must comply with requirements imposed by the Monroe County Board of Commissioners and the Florida Department of Community Affairs, from time to time, to protect Monroe County's wildlife and its endangered habitats.
  4. Development rights associated with natural edges shall be transferred to the village proper of any TVD within Monroe County.
  5. Natural edges shall become conservation easements for the enjoyment of children and adults. These areas shall be preserved and maintained by the TVD owner(s) and/or the homeowner's association in perpetuity.
  6. The preservation and maintenance of a natural edge shall be supervised by the Land Authority through a written agreement recorded at the County's Clerk office.
  7. Camping sites are prohibited within the natural edges.
- b. Land Allocation:
1. The natural edges shall occupy no less than 50 (fifty) percent of the total area within a Traditional Village District.
  2. The natural edges shall protect 100 (one hundred) percent of all undisturbed salt marsh, buttonwood wetlands and hammocks.
  3. The natural edges shall be planted with replacement vegetation species at a rate of two replacement units per one demolished within the Village proper.
- c. Buildings:
1. Buildings of more than one hundred and fifty (150) square feet shall be prohibited within the natural edge areas.
  2. Two consecutive buildings shall be separated by no less than three hundred (300) linear feet of natural vegetation.
  3. All buildings shall have a minimum vegetated setback of twenty (20) feet to all types of wetlands.
  4. Permanent buildings on undisturbed beach and/or berm areas shall be prohibited.
  5. Open air shelters of no more than one hundred and fifty (150) feet are permitted. Benches, bird houses, wood fencing and communal drain fields are permitted.
  6. New docking facilities and marinas with more than six (6) slips shall be prohibited.
- d. Thoroughfares:
1. New waterway canals, paved thoroughfares and/or paved bicycle paths shall be prohibited within the natural edge areas.

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2. Construction of paved thoroughfares shall be limited to trails on pine lands and elevated boardwalks on hammock and wetland areas.
3. A network of boardwalks, elevated on pilings no less than two (2) feet over the Flood Base Line, shall be permitted within the natural edge areas.

e. Parking:

1. Vehicular and motorboat circulation are prohibited within a TVD natural edge except for maintenance vehicles approved by the Board of County Commissioners and the Florida Department of Community Affairs.
2. Parking shall occur at the boundary between the village proper and the natural edge and shall not encroach on areas occupied by natural habitats or endangered species.
3. Parking within the natural edges shall be prohibited.

**3. Village Proper General Design Criteria:**

a. Land Use:

1. The village proper is a clustered development consisting of civic, residential, commercial, and mixed-use buildings facing public spaces and infrastructure.
2. Affordable housing units (for households deriving at least seventy (70) percent of their household income from gainful employment in Monroe County) may be developed in outbuildings, shop front use lots, or small house lots. A maximum of four (4) consecutive affordable units shall be conglomerated along any block frontage.

b. Land Allocation:

1. Except for the civic use category, land uses in the village proper are regulated by net lot area as a percentage of the gross area of the village proper.
2. Similar land use categories shall face across thoroughfares. Dissimilar uses may abut at rear lot lines, or face across avenues, or opposite sides of green, square, and plazas. Public uses and civic uses are considered similar land uses within all TVD use categories.
3. All corner lots shall be designated for a more intensive use category than the neighboring building lots. Shop front use lots are highly encouraged at corner lots.

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- c. Lots and buildings:
1. All lots shall share a frontage line with an avenue, a street, a road, a drive and/or a public space.
  2. All buildings shall have their main entrance opening to an avenue, a street, a road, a drive and/or a public space.(except outbuildings).
  3. All uses shall be conducted within completely enclosed buildings with the exception of loggias, open air markets, and other uses specified herein.
  4. Stoops, and front porches may encroach up to ten (10) feet into the front setbacks.
  5. Excluding civic use buildings, no building or portion thereof shall be less than ninety (90) feet from the centerline right of way of an avenue, a street, a road or a drive.
  6. All buildings shall be setback no less than twenty-four (24) feet from the edge of a canal and/or the mean tide.
  7. All buildings require a roof overhang of no less than thirty-six (36) inches. Exposed rafters and/or decorated fascias are permitted.
- d. Avenues, streets, roads, drives, service lanes, paths and passages:
1. Traffic control signing shall be established for each village to satisfy intersecting thoroughfares geometry and installed at entrances and other appropriate locations.
  2. Avenues, streets, roads, drives shall provide access to all tracts and building lots.
  3. All avenues, streets, roads, drives, service lanes, paths and passages shall connect to other avenues, streets, roads, drives, service lanes, paths and passages within the Village proper and connect to existing and projected avenues, streets, roads, drives, service lanes, paths and passages outside the TVD, if applicable. Closes must replace cul-de-sacs, T-turnarounds and gated or dead-end streets. Cul-de-sacs, T-turnarounds and gated or dead-end thoroughfares are not permitted within a TVD.
  4. There shall be a continuous network of service lanes to the rear of land uses occupied by shop fronts and attached houses.
  5. The average perimeter of all blocks within the Village proper shall not exceed twelve hundred (1,200) feet. No block face shall have a length greater than four hundred (400) feet without a service lane, a path or passageway providing through access to a heath, or a park, or a greenbelt, or a wilderness preserve, or another avenue, street, road, drive, or service lane.

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6. A warranted traffic control device shall be placed at intervals no further than six hundred (600) feet on all avenues, streets, and roads within the Village proper.
7. All sidewalks shall have a continuous unobstructed clear area of a width no less than thirty-six (36) inches. This area shall be unobstructed by utility poles, fire hydrants, benches or any other temporary or permanent structure.
8. Utilities shall run underground.
9. Where TVD thoroughfares intersect highways, the provisions of this ordinance shall not apply with regard to roadway design.
10. Thoroughfare furniture such as trash containers and bus benches shall be permanently secured to the sidewalk.
11. No sign, awning, lighting, wiring or other object higher than twenty-seven (27) inches from the ground shall extend more than four (4) inches horizontally over any sidewalk from the column, post or wall on which it is mounted or shall hang down above the sidewalk unless its bottom edge is more than eighty (80) inches above the sidewalk.

e. Parking:

1. Parking lots shall be located at the rear or at the side of buildings. Street walls shall be built on the frontage line of parking lots.
2. Parking lots or garage buildings shall not abut avenues, streets, roads, drives, or civic use lots.
3. Parking lots shall not be adjacent to or within squares, greens, greenbelts and/or parks.
4. Parking lots shall not occupy lots which terminate a street vista.
5. Adjacent parking lots shall have vehicular connections, via a service lane.
6. On-street parking directly fronting a lot shall count toward fulfilling the parking requirement of that lot. One parking space credit shall be given for every space in front of a lot that is over fifty (50) percent of the length of the parking space.
7. Civic use lots within or adjacent to public use tracts may count on-street parking fronting the public use tract towards its parking requirements.
8. A group or common parking lots is permitted in shop front, attached house and work shop uses and shall be credited to the required parking for individual uses. Shared parking shall be permitted if approved at a public hearing.
9. Attached and detached single family units shall have a minimum of one and one half (1.5) parking spaces per unit.

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10. There shall be a minimum of one (1) handicap parking space within one hundred and fifty (150) feet of each intersection. Such parking shall have a clear unobstructed space five (5) feet from the curb side, measured toward the lot line and shall be the full length of the parking space.
11. Parking for community related retail and service uses shall not require on-site parking provided that: (1) the total floor space for the individual uses does not exceed seven hundred and fifty (750) square feet of gross floor area; (2) such uses be restricted to shop front and small house uses; (3) that such uses shall be restricted to the following: professional offices, art galleries, bakery, barber, beauty parlor, bookstore, coffee house, ice cream parlor or sale of cookies, convenience grocery, dry cleaning, sale of newspapers or magazines, and shoe repair.

f. Landscape:

1. Native trees shall be planted along all avenues at a maximum average spacing of twenty-four (24) feet on center. Trees shall have a clear trunk of four (4) feet, a minimum spread of seven (7) feet, and a minimum caliper of two and one-half (2 ½) inches at the time of planting.
2. Trees shall not be required when an arcade is provided.
3. Trees shall be used as a design element to provide visual identity to the TVD and reinforce the hierarchy of the avenues.
4. Trees shall be arranged and maintained at intersections to provide reasonable visibility for warranted traffic control devices. Trees shall not be planted closer than fifteen (15) feet to the corner.
5. Trees shall be planted within the parallel parking lane on avenues and streets within the TVD and in planting areas no smaller than four (4) feet by seven (7) feet. Trees in planting areas shall be placed four (4) feet from the travel lanes. Small house use may provide a planting strip between the sidewalk and the travel lane of no less than five (5) feet.
6. Roads and drives do not require landscape.
7. For all parking lots with more than six (6) spaces the landscaped area shall be comprised of a minimum of twenty (20) percent of the total parking lot area. One indigenous shade tree shall be required for each three hundred (300) square feet of the above required open space. Native shade trees shall have four (4) feet of clear trunk and a minimum caliper of three (3) inches at time of planting. Palm trees are highly discouraged.

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8. The edges of parking lots which abut a thoroughfare shall have a street wall with trees planted within the lot at a maximum average of four (4) feet from the frontage line. Edges which abut property under a different ownership shall have a street wall or be planted with shrubs at least two and one half (2 ½) feet high at time of planting with a maximum spacing of two and one half (2 ½) feet on center.

**Application Requirements:**

An application for approval of a TVD shall follow the following four (4) steps: a public design workshop -a *charrette*, preliminary site plan review; intermediate site plan review; and final review.

A. The Charrette:

1. This is a public design workshop in which designers, property owners, developers, builders, environmentalists, economists, citizens, public officials, and any other person or group of people, with vested rights in the specific property, work in harmony to achieve one (1) marketable master plan.
2. Prior to said joint meeting, the applicant may confer with the Growth Management Staff, other affected departments and, where applicable, representatives of adjacent municipalities, in connection with the preparation of the TVD *charrette*. During these conferences, the applicant shall provide a general outline of the proposal with a narrative report providing sufficient information on the goals of the proposed development.
3. It shall be the responsibility of the applicant to coordinate with the Director of the Growth Management Division and the Director of Planning the scheduled appointments, advertisement and location for the design *charrette*. It is also the responsibility of the applicant and the Directors of Growth Management and the Planning Division to coordinate and invite representatives from the Planning Department, Building and Zoning, and (or) any other departments having a vested right on the property, and where applicable, representatives of adjacent municipalities to a joint meeting for the purposes of participating in the *charrette*.
4. The *charrette* process shall take no less than two (2) days. To insure the participation of citizens in the design process, one of these days shall be a Saturday or a Sunday.

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