

EXHIBIT D
REGULATING PLAN

MIAMI 21 APPENDIX R: ECORESILIENCY SAP



AMENDMENTS TO MIAMI 21			
ORDINANCE	DATE APPROVED	DESCRIPTION	LEGISLATIVE ID
13973	2-25-2021	Special Area Plan for Jungle Island	8363
TBD	TBD	Amendment to ECORESILIENCY SAP (fka Jungle Island SAP) to allow for mixed use residential development and rezoning to T6-36 with a maximum height of 48 stories on T6 zoned parcel and new public park on CS zoned parcel.	TBD



JUNGLE ISLAND SAP

Jungle Island is currently improved with landscaping, theme park attractions, restaurants, retail spaces, conference rooms, ballroom facilities, and a parking garage situated on 18.61 acres.

On April 14, 1998, pursuant to City Commission resolutions R-98-0375 and R-98-0376, the City Commission approved a Major Use Special Permit (MUSP) for development of the original Jungle Island (formerly known as Parrot Jungle) attraction, including 172,444 square feet of visitor attraction space with accessory commercial spaces and 500 required parking spaces. The Jungle Island MUSP was later modified on November 16, 2000, pursuant to City Commission resolution R-00-1032, to reconfigure the location of the ballroom facilities and other site improvements.

On August 28, 2018, pursuant to City Commission resolution R-18-0232, the City held a referendum and voters approved a City Charter amendment to waive competitive bidding and approve a fifth modification to the lease for Jungle Island that allows for development of a new hotel and attractions, with a maximum one hundred thirty (130) foot height.

The purpose of the Jungle Island SAP is to effectuate approval of this additional permitted development on the subject property, including attractions and a themed based hotel with ancillary retail and/or restaurant space and meeting space. The hotel will be built in the general vicinity of the existing parking garage.

SAP 1.1 Legal Description

PARCEL 1:

That portion of WATSON ISLAND lying and being in Sections 31 and 32, Township 53 South, Range 42 East, being more particularly described as follows:

Commence at a point known as P.T. STATION 25+50 of the official map of location and survey of a portion of section 8706, designated as a part of State Road A-1-A in Dade County, Florida as recorded in Plat Book 56 at Page 71 of the Public Records of Dade County, Florida, said point being the point of tangency of the centerline of the most Northerly curve of general Douglas Mac Arthur Causeway, running Southeasterly from the Northwesterly corner of Watson Island and having a radius of 1432.69 feet and a central angle of 62°00'00"; thence run N60°52'45"E, along the Northeasterly prolongation of the radial line of the above mentioned curve for a distance of 670.74 feet to the POINT OF BEGINNING of the parcel to be described. Said point being also the POINT OF BEGINNING of lease area 1 Miami Yacht Club; thence S09°52'53"E, along the Southwesterly line of said lease area 1 and its Southeasterly extension for 857.30 feet; thence S60°52'45"W, for 223.24 feet to its intersection with a line parallel and 100 feet Northeasterly of the most Northerly right of way line of said Mac Arthur causeway; thence N29°07'15"W, parallel



to said right-of-way for 1100.97 feet to a point of tangency; (A) thence along a tangential curve concave to the southwest having a radius of 800.00 feet, a central angle of $25^{\circ}16'16''$ for an arc distance of 352.85 feet, thence $S90^{\circ}00'00''W$ for 94.95 feet to its intersection with the northerly right-of-way line of said Mac Arthur Causeway and a circular curve concave to the Southwest, said point bears $S41^{\circ}51'52''W$ from its center; (B) thence along said curve having for its elements a radius of 1090.64 feet, a central angle of $6^{\circ}47'18''$ for an arc distance of 129.22 feet to a point of compound curvature; (C) thence along a compound curve concave to the southwest having for its elements a radius of 1441.25 feet, a central angle of $20^{\circ}27'49''$ for an arc distance of 514.75 feet; (D) thence $N34^{\circ}54'16''E$ for 338.29 feet; thence $S55^{\circ}05'44''E$ for 726.47 feet to its intersection with the approximate shoreline of Biscayne Bay; thence continue along said shoreline for following eight course (1) $S88^{\circ}21'37''E$ for 63.38 feet; (2) thence $S86^{\circ}09'34''E$ for 68.47 feet; (3) thence $S82^{\circ}33'21''E$ for 131.22 feet; (4) thence $S72^{\circ}18'34''E$ for 82.71 feet; (5) thence $S69^{\circ}29'02''E$ for 102.34 feet; (6) thence $S67^{\circ}53'24''E$ for 82.52 feet; (7) thence $S69^{\circ}05'26''E$ for 94.62 feet; (8) thence $N80^{\circ}40'44''E$ for 48.77 feet to its intersection with the southwesterly line of said lease area 1; thence $S08^{\circ}07'15''E$ along said line for 288.12 feet to the point of beginning and there terminating.

Said lands lying and being on Watson Island, Dade County Florida and containing 810.795 square feet (18.61 acres), more or less.

LESS AND EXCEPT:

That portion of WATSON ISLAND lying and being in Sections 31 and 32, Township 53 South, Range 42 East, being more particularly described as follows:

Commence at a point known as P.T. STATION 25+50 of the official map of location and survey of a portion of section 8706, designated as a part of State Road A-1-A in Dade County, Florida as recorded in Plat Book 56 at Page 71 of the Public Records of Dade County, Florida, said point being the point of tangency of the centerline of the most Northerly curve of general Douglas Mac Arthur Causeway, running Southeasterly from the Northwesterly corner of Watson Island and having a radius of 1432.69 feet and a central angle of $62^{\circ}00'00''$; thence $N60^{\circ}52'45''E$, along the Northeasterly prolongation of the radial line of the above mentioned curve for a distance of 130.00 feet to a point on the easterly right-of-way line of said Mac Arthur Causeway as recorded in Official Records Book 18018, at page 1171 and Official Records Book 18699, at page 1236 of the Public Record of Dade County Florida; thence $N29^{\circ}07'15''W$, along said right-of-way line, 256.28 feet to a point of curvature of a curve concave to the southwest; thence northwesterly along the arc of said curve having a radius of 926.00 feet and a central angle of $25^{\circ}46'26''$, a distance of 416.55 feet; thence $N54^{\circ}53'41''W$, 3.51 feet to a point of beginning; thence continue $N54^{\circ}53'41''W$, 157.45 feet to a point of curvature of a curve concave to the southwest, thence northwesterly along the arc of said curve having a radius of 1454.25 feet to a central angle of $16^{\circ}22'32''$, a distance of 415.64 feet; thence $N18^{\circ}43'47''E$, radially to last and next described curves, a distance of 4.77 feet to a point on a non-tangent curve, concave to the southwest thence northwesterly along the arc of said



~~curve, having a radius of 1459.02 feet and a central angle of 03°50'38", a distance of 97.89 feet (the preceding six course and distance being coincident with the easterly and northeasterly right-of-way line of said Mac Arthur Causeway as recorded in Official Records Book 18018, at Page 1171 and Official Records Book 18699, at Page 1236 of the Public Record of Dade County); thence S34°54'16"W, 18.80 feet to a point of curvature of a non-tangent curve concave to the southwest (a radial line to said point bears N14°36'45"E); thence southeasterly along the arc of said curve, having a radius of 1441.25 and a central angle of 20°27'49", a distance of 514.75 feet to a point of compound curvature of a curve concave to the southwest; thence southeasterly along the arc of said curve, having a radius of 1090.64 feet and a central angle of 06°47'18", a distance of 129.22 feet; thence N90°00'00"E, 35.33 feet to the point of beginning.~~

TOGETHER WITH THE FOLLOWING LANDS:

PARCEL 2:

~~That portion of WATSON ISLAND lying and being in Sections 31 and 32, Township 53 South, Range 42 East, being more particularly described as follows:~~

~~Commence at a point known as P.T. Station 25+50 of the origin of location and survey of a portion of Section 8706, designated as a part of State Road A-1-A, Dade County, Florida as recorded in Plat Book 56, Page 71 of the Public Records of Miami Dade County, Florida said point being the point of tangency of the centerline of the most northerly curve of General Douglas MacArthur Causeway, running southeasterly from the northwesterly corner of Watson Island and having a radius of 1432.69 feet and a central angle of 62°00'00"; thence N62°52'45"E, along the northeasterly prolongation of the radial line of the above mentioned curve for a distance of 670.74 feet; thence S09°52'53"E, 387.30 feet to the Point of beginning; thence continue S09°52'53"E, 470.00 feet; thence N60°52'45"E, 30.75 feet; thence N08°45'06"W, 49.29 feet; thence N09°52'53"W, 180.24 feet; thence N13°41'45"W, 134.32 feet; thence N13°41'15"W, 94.07 feet; thence S89°32'37"W, 15.03 feet to the Point of Beginning.~~



ECORESILIENCY SAP (FORMERLY JUNGLE ISLAND SAP AS AMENDED)

The following new or revised terms shall only apply within the area designated as part of the ~~Jungle Island~~ ECORESILIENCY Special Area Plan. Any regulation not modified herein shall be subject to the requirements of the Miami 21 Code and any other applicable regulation as of the Effective Date of the Development Agreement.

1.1 DEFINITIONS OF BUILDING FUNCTION: USES

d. COMMERCIAL

Attractions: Activities, experiences, rides or shows that are typically associated with a water or land based theme park and provided for the enjoyment of a paying visitor, permissible subject to the regulations provided in Article 6 and Article 7 of this Regulating Plan.

e. CIVIC

This category is intended to encompass land Use functions predominantly of community-oriented purposes or objectives including those of not-for-profit or for-profit organizations dedicated to arts and culture, sports, education, recreation, religion, government, and the like.

Research Facility: A facility for research and development that does not involve the use of human testing, animal husbandry, incinerators, heavy equipment, mass manufacturing, fabrication, processing, or sale of products. This may include research focused on ecological restoration, marine and aquatic ecosystems, wildlife conservation, sustainable environmental practices and other related uses. Any facility involving human testing, animal husbandry, and the use of incinerators shall be considered a Major Facility.

Learning Center: A facility offering students training, tutoring or instruction in subjects such as languages, music, fine arts or dance. This may include subjects focused on ecological restoration, marine and aquatic ecosystems, wildlife conservation, sustainable environmental practices and other related uses.

i. CONDO HOTEL

This category is intended to encompass land Use functions that provide a hybrid between Multi-Family Residential and Lodging Uses. This Use is intended to accommodate dwelling units with full residential facilities that may be rented or leased to transients on a month-to-month basis, or less.



Condo Hotel: Means a room or group of rooms, each containing a separate bathroom, and full kitchen facilities, with ingress and egress through a common lobby, intended for rental to transients on a day-to-day, week to week or month to month basis, which may also be used as a permanent dwelling unit.

1.2 DEFINITIONS OF TERMS

~~**Icon:** An architectural or artistic feature which is distinct and related to the themes and styles, as they may change over time, associated with the Jungle Island Theme Park.~~

~~**Icon Sign:** A Sign that is distinct and related to the themes and styles, as they may change over time, associated with the Jungle Island Theme Park.~~

~~**Jungle Island Theme Park:** A commercially operated park including Attractions, restaurants, bars, banquet and conference facilities, ballrooms, and retail shops established by the City of Miami via the Jungle Island MUSP, the Jungle Island Lease, and the Jungle Island Referendum. The Jungle Island Theme Park has a predominance of outdoor activities and shows for entertainment, and also includes structures and buildings which comply with the underlying zoning regulations or as modified in the Regulating Plan, where there are various devices for entertainment, including the sale of food and drink, which are typical of any theme park.~~

~~**Jungle Island Lease:** That certain Lease and Development Agreement between the City of Miami, Florida and Parrot Jungle and Gardens, Inc., originally dated September 2, 1997, as amended via five subsequent modifications, entered into on April 14, 2000, April 13, 2002, October 29, 2008, June 24, 2009, and March 6, 2019; and as assigned to ESJ JI Leasehold, LLC via that certain Assignment and Assumption Agreement and Termination of Sublease, entered into April 4, 2017, and recorded at Official Records Book 30486, Page 2539 of the Public Records of Miami Dade County, Florida.~~

~~**Jungle Island MUSP:** The zoning entitlements, plans, drawings and diagrams approved by the City of Miami through City Commission Resolutions R-98-0375, R-98-0376, and R-00-1032.~~

~~**Jungle Island Referendum:** Public referendum of the voters of the City of Miami, authorized by the City Commission under Resolution R-18-0232, and held on August 28, 2018, in which City voters approved a City Charter amendment that waived competitive bidding and approved a fifth modification to the Jungle Island Lease that permits development of a new hotel and attractions, with a maximum one hundred thirty (130) foot height.~~

~~**Jungle Island SAP Concept Plans:** Plans, drawings, and diagrams submitted as part of the SAP. The Jungle Island SAP Concept Plans may be modified by process of SAP Permit, including for~~



~~the purpose of utilizing all development rights permissible under the Regulating Plan and Development Agreement. See Section 6.3.7(b)(1)(viii).~~

~~**Jungle Island SAP Master Plan:** A diagram in the Jungle Island SAP Concept Plans that depicts the general proposed location of different Uses at the Jungle Island Theme Park. The actual location of Attractions may differ from what is depicted on the Master Plan. The Jungle Island SAP Master Plan may be modified by SAP Permit. See Section 6.3.7(b)(1)(vii).~~

~~**Regulating Plan:** Modifications of the underlying Miami 21 Transect Zone regulations for the Lots included in this SAP. Provides guidelines and standards for implementation of the Concept Plan.~~

~~**Special Area Plan (SAP):** Also known as the Jungle Island project.~~

~~**Accessory Use:** An accessory use is a Use customarily incidental and subordinate to the Principal Use and, unless otherwise specifically provided, located on the same premises. “On the same premises” shall be construed as meaning on the same Lot or on a contiguous Lot.~~

~~**ECORESILIENCY Special Area Plan or Special Area Plan (SAP):** The ECORESILIENCY Special Area Plan, modifying the previously approved Jungle Island SAP, specifically described in this Regulating Plan, Concept Book, and Development Agreement.~~

~~**ECORESILIENCY SAP Area or SAP Area:** The area encompassing the ECORESILIENCY Special Area Plan as specifically described in this Regulating Plan and Concept Book. The SAP Area may be developed as a Phased Project, if applicable.~~

~~**ECORESILIENCY SAP Concept Book or Concept Book:** Plans, drawings, and diagrams submitted as part of the SAP, modifying the previously approved Jungle Island Concept Plans. The Concept Book is conceptual in nature and intended to be a guideline for the development. The ECORESILIENCY SAP Concept Book may be modified by process of SAP Permit, including for the purpose of utilizing all development rights permissible under the Regulating Plan and Development Agreement.~~

~~**ECORESILIENCY SAP Development Agreement or Development Agreement:** An agreement between the City of Miami, Florida and Ecoresiliency Miami LLC, for the development of the Residential SAP Area, pursuant to Section 3.9.1(f) of Miami 21.~~

~~**ECORESILIENCY SAP Regulating Plan or Regulating Plan:** Modifications of the underlying Miami 21 Transect Zone regulations and the previously approved Jungle Island Regulation Plan for the Lots and properties included in the SAP Area.~~



Layer, Second: The area of a Lot directly behind the First Layer, or at the property line where no First Layer exists, and extending fifteen (15) feet into the Lot, as depicted in the Concept Book and Article 8, Illustration 8.1 of this Regulating Plan. The Second Layer is intended for Habitable Spaces which directly enfront Thoroughfares; however, the Second Layer may contain elements required by the Florida Building Code and other public utilities where no other location is feasible.

Liner: A Building or part of a Building with Habitable Space specifically designed to enfront a public space, masking a function without capacity to monitor public space, such as a parking lot, Parking Garage or storage facility. A Liner shall have a minimum depth of fifteen feet (15 ft.) and may also include open air spaces for active use with appropriate screening of the Parking Areas behind the active use.

Neighborhood: The 80+ acre island known as Watson Island, situated between mainland City of Miami and the City of Miami Beach. The island, both accessible, and bisected, by MacArthur Causeway, supports a community oriented mix of civic, cultural, residential, commercial and maritime related uses that encourage public access to the Biscayne Bay waterfront.

New Public Park: The approximate 13.3 +/- acre waterfront, publicly accessible park located within the CS Transect Zone portion of the SAP Area.

Podium: That portion of a Building up to 134 feet in Height.

Special Area Plan Permit (SAP Permit): An administrative permit, not requiring additional notice, issued by the City which authorizes Development within an this approved SAP.

Streetscreen: A freestanding wall or landscape buffer, such as a hedge, required in certain Transect Zones built along the Frontage Line, or coplanar with the Facade, often for the purpose of masking a parking lot from the Thoroughfare.

Thoroughfare: A travel way incorporating moving lanes, parking lanes, access easements or public civic space as part of an interconnected network for vehicular, pedestrian, and bicycle mobility.



2.1.2. ECORESILIENCY SAP

A. Intent

The ECORESILIENCY SAP (formerly known as the Jungle Island SAP) aims to transform the private entertainment attraction area into a world-class public park with waterfront access and create a community environment. This reimagined public park will serve as a natural sanctuary designed with substantial open green space, ecological restoration and educational enrichment opportunities for the community focused on nature, wildlife and marine ecosystems. A thoughtfully integrated residential development will be located adjacent to the public park, fostering a harmonious community where residents and visitors can connect with all aspects of the island’s natural habitat within a 21st century nature park experience.

The ECORESILIENCY SAP Area is comprised of approximately 18.61 +/- acres of land in total, currently owned by the City of Miami. Approximately 13.3 +/- acres of the SAP Area will be returned to the City with a world-class, waterfront public park (the “City SAP Area”). The remaining 5.4 +/- acres is conveyed for private ownership to ECORESILIENCY Miami LLC for the development of a mixed use/residential community thereon (the “Residential SAP Area”).

The intent of the ECORESILIENCY Special Area Plan (the “ECORESILIENCY SAP”) is to effectuate the will of the electorate and return the 13.3 +/- acres of City SAP Area to City residents for public use, restored with biodiverse natural habitats, landscaped open areas and waterfront access along the shores of Watson Island.

B. Background

On August 28, 2018, pursuant to City Commission resolution R-18-0232, the City voters approved, via referendum, a City Charter amendment to waive competitive bidding and approve certain modifications to the Jungle Island lease for development of a new hotel and attractions. On February 25, 2021, pursuant to City Ordinance No. 13973, the Miami City Commission approved the Jungle Island Special Area Plan, which included approval of a companion rezoning of the southeasterly 234,310 +/- square feet of the SAP Area to T6-12-O (Urban Core – Open Transect Zone) and a new hotel with up to 300 rooms (on the Residential SAP Area).

On November 5, 2024 the electorate of the City of Miami approved the referendum for the: i) the cancellation of the existing Jungle Island lease, ii) the negotiation of a land sale and development agreement for the residential development of the Residential SAP Area; and iii) the development of a new public waterfront park on the City SAP Area. On July 24, 2025, the City of Miami Commission approved that certain Purchase and Sale Agreement dated September 9, 2025 for the sale of the Residential SAP Area to ECORESILIENCY Miami LLC, a Delaware limited liability



company, in exchange for the cancellation of the existing Jungle Island Lease (defined herein), the development of a waterfront public park on the City SAP Area, and other public benefits.

2.2. APPLICABILITY

The ECORESILIENCY SAP Regulating Plan establishes standards, requirements and restrictions applicable to guide appropriate use and development within the ECORESILIENCY SAP Area. The ECORESILIENCY SAP Concept Book is intended to provide contextual and illustrative concepts as well as examples of permitted, encouraged, and compatible development types and opportunities for the ECORESILIENCY SAP Area, subject to the standards, requirements, and restrictions applicable through the ECORESILIENCY SAP Regulating Plan.

2.2.2 CONFLICTS

A. Conflicts with Miami 21

The ECORESILIENCY SAP and regulations provided herein are based on Zoning Ordinance 13114 (“Miami 21”), as amended, through the adoption date of this ECORESILIENCY SAP, as modifying the Jungle Island SAP, adopted pursuant to Ordinance No. 13973, and shall serve to supersede and supplant Miami 21 and the Jungle Island SAP as stated herein. Ordinance No 13973 made various amendments to the underlying regulations of Miami 21 which are either amended or maintained herein as further described in this Regulating Plan.

Where standards set forth in the ECORESILIENCY SAP Regulating Plan, Concept Book and/or Development Agreement conflict with standards set forth in Miami 21 or in the Jungle Island SAP, the standards in this SAP Regulating Plan, Concept Book and/or Development Agreement shall govern. Where the standards in the ECORESILIENCY SAP Regulating Plan, Concept Book and/or Development Agreement are silent, the underlying Miami 21 standards and requirements in effect as of the adoption date of the ECORESILIENCY SAP shall apply, except where those underlying regulations were previously amended by the Jungle Island SAP. Where both the ECORESILIENCY SAP Regulating Plan, Concept Book, Development Agreement and the Jungle Island SAP are silent, the underlying Miami 21 standards and requirements in effect as of the adoption date of the ECORESILIENCY SAP shall apply.



3.3 LOTS AND FRONTAGES

3.3.1

In CS Transect Zones, buildable sites enfronting a vehicular Thoroughfare shall be designed as a Secondary Frontage. Buildable sites enfronting the Waterfront shall be designed as a Primary Frontage.

3.3.2

In T6 Transect Zones, buildable sites enfronting a vehicular Thoroughfare shall be designed as a Secondary Frontage. Buildable sites enfronting the CS Transect Zone shall be designed as Primary Frontages.

3.3.3

The T6 Transect Zone in this Regulating Plan has two (2) Secondary Frontages; first on the East enfronting an existing Miami Parking Authority surface parking lot (“East Secondary Frontage”) and second on the West enfronting the MacArthur Causeway (“West Secondary Frontage”).



3.4 DENSITY AND INTENSITY CALCULATIONS

3.4.6

The permitted Density for Condo Hotels shall be calculated per the maximum allowed by the T6 Transect Zone as specified in Article 4, Tables 3 and 4 of this Regulating Plan.



3.5 MEASUREMENT OF HEIGHT

3.5.1

Unless otherwise specified herein, the Height of Buildings shall be measured in Stories. The height of Podium, Fences, walls and Structures shall be measured in feet. The height of Buildings, Podium, Structures, Fences and walls shall be measured from the Base Flood Elevation, as established by FEMA, plus Freeboard.

3.5.2

- a. For the T6 Transect Zone located in a Special Flood Hazard Area:
 - i. A Story is a Habitable level within a Building with a maximum Height of fourteen (14) feet finished floor to finished floor.
 - ii. Basements are not considered Stories for the purposes of determining Building Height.
 - iii. A ground-level Story may be up to a total Height of thirty (30) feet.
 - iv. A single floor level exceeding fourteen (14) feet may count as one (1) story if the Building Height does not exceed the maximum height as regulated by the FAA.
 - v. Intermediate Levels may not exceed thirty-three percent (33%) of the Floor Area. Intermediate Levels extending beyond thirty-three percent (33%) of the Floor Area, shall be counted as an additional floor.
 - vi. The Height of a Parking Structure concealed by a Liner may be equal to the Height of the Liner; this may result in a Liner Story concealing more than one level of Parking.



3.11 WATERFRONT STANDARDS

~~In addition to the Miami City Charter requirements, the following Setback, walkways and Waterfront standards shall apply to the Jungle Island SAP, except as modifications to these standards for the Jungle Island SAP may be approved by the City Commission pursuant to the procedures established in the City Charter.~~

~~a. Waterfront Setbacks~~

- ~~1. For properties fronting a Waterway, the Setback shall be a minimum of fifty (50) feet measured from the mean high water line provided along any Waterfront, except where the depth of the Lot is less than two-hundred (200) feet the Setback shall be a minimum of twenty five percent (25%) of the Lot depth; and except for T3, T4-R, D1, D2 and D3 Transect Zones where a minimum Setback of twenty (20) feet shall be provided, except where the depth of the Lot is less than eighty (80) feet the Setback shall be a minimum of twenty five percent (25%) of the Lot depth. These requirements shall not apply to Structures with open sides (including but not limited to cabanas, palapas, food and beverage service and seating areas, and animal exhibits), nor Attractions that are not a Building (including but not limited to swimming pools, a lazy river, or an action river). Notwithstanding anything herein, Section 3(mm)(ii) of the Miami City Charter applies within the SAP.~~
- ~~2. All Buildings, Structures, Attractions and other improvements existing on the date of adoption of the Jungle Island SAP shall be considered in compliance with the Waterfront Setback requirements for the SAP.~~
- ~~3. For properties fronting a Waterbody, the Setback shall be a minimum of twenty five (25) feet measured from the mean high water line provided along any Waterfront, except for the following:
 - ~~1. Where the depth of the Lot is less than one hundred (100) feet, the Setback shall be a minimum of twenty five percent (25%) of the Lot depth; and~~
 - ~~2. For T3, T4-R, D1, D2, and D3 Transect Zones, a minimum Setback of twenty (20) feet shall be provided, except where the depth of the Lot is less than eighty (80) feet, the Setback shall be a minimum of twenty five percent (25%) of the Lot depth.~~~~



For other Lot configuration conflicts, the Setback may be reduced a maximum of fifty percent (50%) by process of Waiver.

4. ~~Side Setbacks shall be twenty five (25) feet, to allow View Corridors open from ground to sky and to allow public access to the Waterfront; except for T3, T4 R, D1, D2 and D3 Transect Zones.~~

b. ~~Waterfront Walkways Design Standards:~~

1. ~~Waterfront walkways shall be designed and constructed within the Waterfront Setbacks in accordance with these Waterfront Walkway Design Standards and shall remain open to guests of the Jungle Island Theme Park during regular park hours.~~
2. ~~Waterfront walkways shall feel public, meet all Americans with Disabilities Act (A.D.A.) requirements throughout the entire length of the Waterfront walkway and provide unobstructed visual access to the water.~~
3. ~~Waterfront walkways shall connect to abutting public walkways, neighboring walkways, and Open Space at a consistent A.D.A. compliant width and grade to allow clear pedestrian circulation along the water's edge within the boundaries of the Jungle Island Theme Park. Waterfront walkways within the Jungle Island Theme Park shall not be required to connect or coordinate with other properties outside the Jungle Island SAP boundaries.~~
4. ~~The Waterfront walkway surface shall remain at a constant elevation and be accessible to handicapped persons throughout the entire length of the Waterfront walkway. Walkways should have a slight grade away from the bulkhead edge for stormwater retention within the transition zone.~~
5. ~~All Waterfront walkways shall be built to the standards and guidelines outlined within the Miami River Greenway Regulatory Design Standards, Miami River Greenway Action Plan, and Waterfront Design Guidelines, Appendix B of this Code when feasible and subject to the modified size requirements for Waterfront Setbacks and walkways for the Jungle Island SAP. Waterfront walkways within the Jungle Island Theme Park may also include reasonable deviations from the Waterfront Design Guidelines when consistent with the themes and intent of the Jungle Island Theme Park and as may be required by state or federal requirements for the security of live animals which are kept at the Jungle Island Theme Park.~~



6. ~~The total width of a Waterfront walkway shall be a minimum of ten (10) feet, unless the Setback is reduced when the depth of the Attraction Lot requires it. Waterfront walkways shall be setback at least five (5) feet from the mean high water line. Waterfront walkway Design Standards shall apply in the entirety of the Setback when properties are set back less than ten (10) feet. Standards may be adjusted by process of SAP Permit, but shall not diminish the Circulation Zone identified within Appendix B, with a clear path no less than five (5) feet in total width provided.~~

7. ~~Waterfront Properties that do not provide a Waterfront walkway within the Waterfront Setback area shall remain unimproved by any permanent Structure or other Structures permitted under Section 62-528 or Section 62-535 of the City Code, unless considered part of the Beachfront Recreation Area Attraction in the Jungle Island SAP. Because it provides direct waterfront access and views as part of the theme park experience, Structures within the Beachfront Recreation Area Attraction are not subject to the Waterfront Setbacks and do not require a Waterfront walkway.~~



3.14 PUBLIC BENEFITS PROGRAM

The intent of the Public Benefits Program established in this section is to allow the flexible zoning regulations set forth in this Regulating Plan regarding Building Height and FLR in T6 Zones in exchange for the developer's specified contributions and programs that provide benefits to the public.

The public benefits associated with the ECORESILIENCY SAP are deemed satisfied in accordance with those public benefits listed in City Commission Resolution No. R-25-0297 and the corresponding ECORESILIENCY SAP Development Agreement. As such, the proposed development for the T6 Zone within the SAP Area shall be allowed to develop pursuant to the regulations of the T6-36A Transect Zone as established in this Regulating Plan.

3.14.1

~~The flexible zoning regulations set forth in this Regulating Plan shall be permitted if the operator of the Jungle Island Theme Park makes the specified public benefits in the amount and in the manner as set forth herein.~~

- ~~1. Make repairs to stabilize the riprap portion of seawall, install new perimeter fence, and engage in beach re-nourishment following hurricane damage.~~
- ~~2. If and only if the Master Permit for the hotel is issued and the applicant commence construction of the hotel, provide \$700,000 for the Ichimura Miami Japanese Gardens, which includes hard and soft costs of building a connector from the hotel to the Japanese Gardens plus annual repairs and maintenance to the Japanese Gardens for 10 years starting from the date of issuance of the Master Permit for the hotel.~~
- ~~3. If and only if the Master Permit for the hotel is issued and applicant executes and delivers the documents required for applicant to obtain funding from PACE or a similar green energy program, then applicant shall develop and green energy educational facility focusing on wind and solar energy at Jungle Island.~~
- ~~4. Upon approval of the Referendum, pay \$100,000 to the City for affordable housing and contribute annually to the City the sum of \$35,000 per year commencing on January 1, 2021 to the Liberty City Community Revitalization Trust for the duration of the term of the Lease. The term of the Lease is 70 years so the total contribution would equal \$2,450,000.~~
- ~~5. Upon issuance of any building permit for the hotel, applicant shall pay an additional \$300,000 to the City for affordable housing.~~



6. — Upon issuance of a TCO for the hotel, applicant shall pay an additional \$350,000 to the City for affordable housing.

7. — Upon approval of the Referendum, pay up to \$250,000 to City for purchase of a trolley on or before January 1, 2020, provided that the trolley has a scheduled stop at Jungle Island and the City provides applicant with the right to paint or wrap the trolley with advertising displays (interior and exterior) for marketing of Jungle Island.

8. — Provide free training scholarship at Jungle Island to at least 6 students for a 6 week summer program related to horticulture, tourism, and the environment.

9. — Provide 20% discount to City of Miami for any functions held at Jungle Island, including food and gifts.

10. — Discounted tickets as follows:

a. — Schools, \$12.00

b. — First responders, 50% discount

c. — Family of First Responders, 15% discount

d. — Military, 50% discount

e. — Family of active Military, 15% discount

f. — Veterans, 15% discount

g. — Miami Dade County School teachers, complimentary calendar year annual pass with School ID

h. — Memorial Day, Veterans complimentary admission

i. — Senior citizens, 15% discount

T6 bonus Height

Development of the properties in the T6 Zone within the SAP Area shall be in accordance with the following:



1. T6-36a: No minimum and forty-eight (48) Stories maximum, FLR 10, bonus of twenty percent (20%).



Article 4, Table 2 MIAMI 21 SUMMARY

Lot Occupation	T6-12 (Jungle Island SAP)
Lot Area	5,000 sf. min. No max.
Lot Width	50 ft. min.
Lot Coverage	No max.
Floor Lot Ratio	8 / 30% additional Public Benefit
Frontage at Front Setback	Not applicable
Green/Open Space Requirements	10% Lot Area min.
Density	150 du acre
Building Setback	
Principal Front	0 ft. min.
Secondary Front	0 ft. min.
Side	0 ft. min.
Rear	0 ft. min.
Building Height (Stories)	
Principal Building	No min. 12 stories max. (130 feet)
Outbuilding	
Benefit Height Abutting T6, T5 & T4 only	8 max.
Thoroughfares	
None are applicable	None are applicable



ARTICLE 4, TABLE 3 BUILDING FUNCTION: USES

<u>ECORESILIENCY SAP</u>		
<u>TRANSECT ZONE</u>	T6-36A Urban Core O	C Civic CS – Jungle Island SAP
<u>DENSITY (UNITS/ACRE)</u>	<u>150</u>	<u>N/A</u>
RESIDENTIAL		
Single Family Residence		
Community Residence		
Ancillary Unit		
Two Family Residence		
Multi Family Housing	<u>R</u>	
Dormitory		
Home Office	<u>R</u>	
Live-Work	<u>R</u>	
Work-Live		
LODGING		
Bed & Breakfast	SAPP	
Inn	SAPP	
Hotel	R	
CONDO HOTEL		
Condo Hotel	<u>R</u>	
OFFICE		
Office	SAPP	
COMMERCIAL		
Attractions	R*	R*
Auto-Related Commercial Est.		
Entertainment Est.	SAPP	
Entertainment Est. – Adult		
Food Service Est.	<u>R*</u> <u>R</u>	<u>R*</u> <u>R</u>
Alcohol Beverage Commercial Est.	<u>R*</u> <u>R</u>	R*
General Commercial	<u>R*</u> <u>R</u>	<u>R*</u> <u>R</u>
Marine Related Commercial Est.		<u>SAPP</u>
Open Air Retail	SAPP	<u>R*</u> <u>R</u>
Place of Assembly	SAPP	<u>R</u>
Recreational Est.	<u>SAPP</u> <u>R</u>	<u>R*</u> <u>R</u>
CIVIC		
Community Facility	SAPP	<u>SAPP</u> <u>R</u>
Recreational Facility	SAPP	<u>R</u>

MIAMI 21 APPENDIX R: ECORESILIENCY SAP



Religious Facility		<u>SAPP</u>
Regional Activity Complex	<u>SAPP</u>	
CIVIL SUPPORT		
Community Support Facility	<u>SAPP</u>	<u>SAPP</u>
Infrastructure and Utilities	<u>SAPP</u>	<u>SAPP</u>
Major Facility		
Marina	<u>SAPP</u>	<u>SAPP</u>
Public Parking	<u>SAPP</u>	<u>SAPP</u>
Rescue Mission		
Transit Facilities	<u>SAPP</u>	
EDUCATIONAL		
Childcare	<u>SAPP R</u>	<u>SAPP R</u>
College/University	<u>SAPP</u>	<u>SAPP</u>
Elementary School	<u>SAPP</u>	
Learning Center	<u>SAPP</u>	<u>SAPP R</u>
Middle/High School	<u>SAPP</u>	
Pre-School	<u>SAPP R</u>	<u>SAPP</u>
Research Facility	<u>SAPP</u>	<u>R</u>
Special Training/Vocational	<u>SAPP</u>	<u>SAPP</u>
INDUSTRIAL		
Auto-Related Industrial Est.		
Manufacturing and Processing		
Marine Related Industrial Est.		
Products and Services		
Storage Distribution Facility		

R Allowed By Right

SAPP Allowed by SAP Permit

* or as modified by Section 6.3.7.b.1 of the Regulating Plan

* Subject to Section 6.3.7 of this Regulating Plan



ARTICLE 4, TABLE 4 DENSITY, INTENSITY AND PARKING

	CS – Civic Space, Jungle Island SAP
Jungle Island Theme Park	500 parking spaces

	<u>T6-36-O</u>
<u>DENSITY (UPA)</u>	<u>150 UNITS PER ACRE</u>
<u>RESIDENTIAL AND CONDO HOTEL</u>	<p><u>Residential and Condo Hotel Uses are permissible as listed in Table 3 of this Regulating Plan, limited by compliance with:</u></p> <ul style="list-style-type: none"> • <u>Minimum of 1.5 parking spaces per Dwelling Unit.</u> • <u>Minimum of 1 parking space per Dwelling Unit less than 650 square feet.</u> • <u>Minimum of 1 additional visitor parking space for every 10 Dwelling Units.</u> • <u>Parking requirement may be reduced according to the shared parking standard, Article 4, Table 5 of this Regulating Plan.</u> • <u>Loading - See Article 4, Table 5 of this Regulating Plan.</u> • <u>An Accessory Use to a Principal Use does not require additional parking or loading.</u>
<u>LODGING, OFFICE, EDUCATIONAL, CIVIC, AND CIVIL SUPPORT</u>	<p><u>Refer to Article 4, Table 4 of Miami 21 for parking requirements; however, an Accessory Use to a Principal Use does not require additional parking or loading</u></p>
<u>COMMERCIAL</u>	<p><u>Commercial Uses are permissible as listed in Table 3 of this Regulating Plan, limited by compliance with:</u></p> <ul style="list-style-type: none"> • <u>Minimum of 1 parking space for every 1,000 square feet of Commercial Use.</u> • <u>Parking requirements may be reduced according to the shared parking standard, Article 4, Table 5 of this Regulating Plan.</u> • <u>Loading - See Article 4, Table 5 of this Regulating Plan.</u> • <u>An Accessory Use to a Principal Use does not require additional parking or loading.</u>



	CS
<u>DENSITY (UPA)</u>	N/A
<u>COMMERCIAL</u> <u>OFFICE</u> <u>CIVIC</u> <u>CIVIL SUPPORT</u> <u>EDUCATIONAL</u>	<p><u>Commercial, Office, Civic, Civil Support and Educational Uses are permissible as listed in Table 3 of this Regulating Plan.</u></p> <ul style="list-style-type: none"> • <u>Fifty (50) parking spaces required for all permissible Uses within the CS Transect Zone.</u> • <u>The parking ratio may be reduced by up to thirty percent (30%) by SAP Permit approval if the property is within 500 feet of a City owned Parking Garage or parking lot.</u> • <u>Parking may be provided offsite within 1000 feet. Offsite parking shall not result in a deficiency of parking at the receiving site and shall be subject to a covenant recorded against the sending and receiving site.</u> • <u>Loading - See Article 4, Table 5 of this Regulating Plan.</u> • <u>An Accessory Use to a Principal Use does not require additional parking or loading.</u>



ARTICLE 4, TABLE 5 BUILDING FUNCTION: PARKING AND LOADING

LOADING BERTH STANDARDS	T5, T6, CS, CI-HD & CI
Jungle Island Theme Park	as per existing conditions
Lodging	3 residential loading berths (10' x 20' x 12')

SHARED PARKING STANDARDS

SHARING FACTOR

Function	with	Function
RESIDENTIAL		RESIDENTIAL
LODGING		LODGING
OFFICE		OFFICE
COMMERCIAL		COMMERCIAL

The shared Parking Standards Table provides the method for calculating shared parking for buildings with more than one Use type. It refers to the parking requirements that appear in Table 4.

The parking required for any two Functions on a Lot is calculated by dividing the number of spaces required by the lesser of the two uses by the appropriate factor from this Table and adding the result to the greater use parking requirement.

For instance: for a building with a Residential Use requiring 100 spaces and a Commercial Use requiring 20 spaces, the 20 spaces divided by the sharing factor of 1.2 would reduce the total requirement to 100 plus 17 spaces. For uses not indicated in this chart on a mixed use lot a sharing factor of 1.1 shall be allowed. Additional sharing is allowed by ~~warrant~~ **SAP Permit**.

OFF-STREET PARKING STANDARDS

ANGLE PARKING	ACCESS AISLE WIDTH			
	ONE WAY TRAFFIC SINGLE LOADED	ONE WAY TRAFFIC DOUBLE LOADED	TWO WAY TRAFFIC DOUBLE LOADED	
90	22 ft	22 ft	22 ft	<ul style="list-style-type: none"> • Driveways shall have a minimum of 10 feet of paved width of a one-way drive and 20 feet for a two-way drive for parking area providing 10 or more stalls. • Access Aisles shall provide a clear vehicular path of the specified dimensions that is unobstructed by columns, mechanical equipment, parking spaces, and any other encroachments. • Pedestrian Entrances shall be at least 3 feet from stall, driveway or access aisle. • Allowable slopes, paving, and drainage as per Florida Building Code. • Off-street Parking facilities shall have a minimum vertical clearance of 7 feet. Where such a facility is to be used by trucks or loading Uses, the minimum clearance shall be 12 feet Residential and 15 feet Commercial and Industrial. • Ingress vehicular control devices shall be located so as to provide a minimum driveway of 20 feet in length between the Base Building Line and dispenser. • For requirements of parking lots, refer to Article 9 and the City of Miami Off-street Parking Guides and Standards. Deviations from may • No Waiver from required Access Aisle Widths shall be granted by SAP Permit
60	12.8 ft	11.8 ft	19.3 ft	
45	10.8 ft	9.5 ft	18.5 ft	
Parallel	10 ft	10 ft	20 ft	
Standard stall: 8.5 ft x 18 ft minimum				

MIAMI 21 APPENDIX R: ECORESILIENCY SAP



LOADING BERTH STANDARDS	TRANSECT ZONES: T5, T6, CS, CI, HD, & CI	
RESIDENTIAL*	Over From 25,000 sf to 500,000 sf of Habitable Space	
	Berth Type	Loading Berths
	Medium	1 per first 100 300 units
	Small	1 per each additional 100 units or fraction of 100.
	Greater than 500,000 sf of Habitable Space	
	Berth Type	Loading Berths
	Large	1 per first 100 units
	Small	1 per each additional 100 units or fraction of 100.

NOTES

Berth Types Dimensions
 Small: Minimum 10 ft wide, 20 ft long, & 12 ft high
 Medium: Minimum 12 ft wide, 35 ft long, & 15 ft high
 Large: Minimum 12 ft wide, 55 ft long, & 15 ft high
 No Waiver from Loading dimensional standards shall be granted.

Substitutions
 For all Buildings: 1 Medium berth may be substituted by 2 Small berths By Right.
 For all Buildings: 1 Large berth may be substituted by 2 Medium berths By Right.

For all Buildings: 1 Medium berth may be substituted by 1 Small berth By ~~Warrant~~ **SAP Permit**
For all Buildings: 1 Large berth may be substituted by 1 Medium berth By ~~Warrant~~ **SAP Permit**

~~The above substitutions requiring a Warrant shall only be allowed if the size, character, and operation of the Use is demonstrated by the applicant to not require the dimensions specified.~~

OFFICE COMMERCIAL** INDUSTRIAL***	From 25,000 sf to 500,000 sf of Habitable Space			From 25,000 sf to 500,000 sf of Habitable Space		
	Berth Type	Loading Berths	Area	Berth Type	Loading Berths	Area
	Medium	1st	25K sf-50K sf	Medium	1st	25K sf-50K sf
	Medium	2nd	50K sf-100K sf	Medium	2nd	50K sf-100K sf
	Medium	3rd	100K sf-250K sf	Medium	3rd	100K sf-250K sf
	Medium	4th	250K sf-500K sf	Medium	4th	250K sf-500K sf
	Greater than 500,000 sf of Habitable Space			Greater than 500,000 sf of Habitable Space		
	Berth Type	Loading Berths	Area	Berth Type	Loading Berths	Area
	Large	1/per each additional	500K sf	Large	1/per each additional	500K sf



ARTICLE 4, TABLE 12 DESIGN REVIEW CRITERIA

DESIGN REVIEW CRITERIA	
1. BUILDING DISPOSITION	
1.	<u>Locate Buildings to respond to the Lot and Neighborhood context taking into consideration Natural Features, existing Urban Form, the New Public Park, the ECORESILIENCY SAP’s intent and SAP Transect Zone requirements.</u>
2.	<u>Reinforce and enhance the Neighborhood pattern and scale of Lots, Blocks, and Open Spaces.</u>
3.	<u>Reinforce and enhance pedestrian and vehicular connectivity between Neighborhood amenities including Public Open Spaces, the Waterfront, and Community Facilities.</u>
4.	<u>Ensure development is contextually sensitive to historical and cultural assets that contribute to the Neighborhood character.</u>
5.	<u>Within the CS Transect Zone, locate Buildings to reinforce and enhance significant locations and conditions such as Terminated Vistas and View Corridors that contribute to the Neighborhood character.</u>
2. BUILDING CONFIGURATION	
1.	<u>Ensure the scale and mass of Buildings and Building additions reinforce and enhance the existing streetscape and Neighborhood character.</u>
2.	<u>Create transitions with Abutting properties that reinforce and enhance the Neighborhood context.</u>
3.	<u>Articulate the roof to define the top of the Building, create a transition between Building and sky, and complement the Neighborhood context.</u>
4.	<u>Orient and articulate the Building mass and architectural elements to reflect the local climate.</u>
5.	<u>Provide usable and inviting Open Space, including the New Public Park, that has visible and convenient pedestrian access from the public realm.</u>
3. BUILDING FUNCTION & DENSITY	
1.	<u>Ensure transitions of Density, Intensity, and Height that complement the Neighborhood context, ECORESILIENCY SAP Area and SAP Transect Zone.</u>
2.	<u>Calibrate Density, Intensity, and Uses to facilitate walkability and promote transit use.</u>
4. PODIUM AND PARKING STANDARDS	
1.	<u>Minimize the impact of Parking and Loading on the public realm and adjacent properties.</u>
2.	<u>Minimize the number of driveways and Curb cuts to reduce conflicts between pedestrian and vehicular circulation.</u>
3.	<u>Screen Parking Structures and surface Parking with Architectural Screening that conceals and mitigates the negative impacts of Parking Elements both day and night.</u>



4.	<u>Screen Parking Structures so that the use of the Building for parking is not readily apparent.</u>
5.	<u>Design Podiums and Parking Structures that incorporate Architectural Features and/or Art that complement the overall architectural intent of the Building, mitigate the Height and bulkiness on the Streetscape and Abutting properties, and contribute positively to the character of the Neighborhood.</u>
5.	<u>ARCHITECTURAL STANDARDS</u>
1.	<u>Design all Building Elevations visible from the public realm with architectural elements and materials that complement the Principal Building Façade to create a cohesive architectural composition.</u>
2.	<u>Select high-quality, durable Building materials that respond to the urban context and local climate.</u>
3.	<u>Incorporate architectural elements and Building materials at the ground level that enhance the pedestrian experience through variation in scale, texture, and color.</u>
4.	<u>Incorporate Façade treatments such as changes in material and articulation to accentuate primary Building entries, prominent architectural features, Art, and significant locations within a Neighborhood.</u>
5.	<u>Articulate Building Facades to activate the public realm and enhance pedestrian continuity, and at the upper levels to acknowledge long views of Buildings.</u>
6.	<u>Establish a pattern of windows and openings that are intrinsic to the Building design and respectful of the Neighborhood context; when not possible due to site circumstances, embellish walls with architectural design treatment and/or Art.</u>
6.	<u>LANDSCAPE STANDARDS</u>
1.	<u>Preserve existing Natural and Geologic Features whenever possible.</u>
2.	<u>Apply Florida Friendly Landscaping to conserve water, preserve Native plant species, enhance the City’s Tree canopy, and promote best management practices.</u>
3.	<u>Incorporate landscaping and hardscape that enhance Building design, create inviting Open Spaces, contribute to a high-quality, pedestrian-friendly Streetscape within the Neighborhood.</u>
7.	<u>SIGN STANDARDS</u>
1.	<u>Provide Signs appropriate for the scale and character of the Building, establishment, and immediate Neighborhood.</u>
2.	<u>Design and integrate Signs that complement the Building architecture and Neighborhood character.</u>
3.	<u>Place and design Signs so as not to create a nuisance to Abutting properties, disrupt pedestrian circulation, or cause a traffic hazard.</u>
8.	<u>AMBIENT STANDARDS</u>
1.	<u>Provide on-site lighting appropriate to the Building, streetscape design, and Neighborhood character in a manner that coordinates with signage, street lighting, and landscape.</u>



- | |
|--|
| 2. <u>Orient lighting to minimize glare to the public realm and Abutting properties.</u> |
| 3. <u>Apply mitigation measures to protect Abutting properties, Neighborhoods, and the public realm from excessive noise, fumes, odors, commercial vehicle intrusion, traffic conflicts and light spillover.</u> |



5.6 URBAN CORE TRANSECT ZONES (T6)

5.6.1 Building Disposition (T6)

- b. ~~There shall be no maximum Lot Coverage by for any Building shall not exceed that, as shown in Illustration 5.6 of this Regulating Plan.~~
- c. Buildings shall be disposed in relation to the boundaries of their Lots according to Illustration 5.6 of this Regulating Plan.
- d. Buildings ~~may shall~~ have their ~~principal pedestrian entrances~~ Pedestrian Entrances on a Secondary Frontage as shown on the Jungle Island SAP Concept Plans.
- e. On Principal Frontage(s), for the minimum Height, Facades shall be placed in the Build-to Zone for a minimum of sixty percent (60%) of the length of the Principal Frontage as shown in Illustration 5.6 of this Regulating Plan. Where a portion of the Principal Frontage includes an Open Space Type, the length of the Principal Frontage shall be lined with Habitable Space or Rooms located directly behind such Open Space Type. In the absence of a Building along the remaining forty percent (40%) of the Principal Frontage Line in the event parking and services are proposed, a Streetscreen shall be built co-planar with the Façade. For the length of the Building Façade along a Principal Frontage, 100% shall be designed with Habitable Space or Rooms, unless a reduction is approved by SAP Permit.

On East Secondary Frontage(s), for the minimum Height, Facades shall be placed enfronting the East Thoroughfare for a minimum of fifty percent (50%) of the length of the East Secondary Frontage or at the edge of an Open Space Type for a minimum of fifty percent (50%) of the length of the East Secondary Frontage; or utilizing a combination of the options above. In the absence of a Building along the remaining fifty percent (50%) of the Secondary Frontage Line in the event parking and services are proposed, a Streetscreen shall be built co-planar with the Façade. For the length of the Building Facades, a minimum of 50% shall be designed with Habitable Space or Rooms unless a reduction is approved by SAP Permit. On the West Secondary Frontage, there shall be no minimum requirements.

On the East Secondary Frontage, the following conditions are required:

- Building articulation that incorporates breaks in the Façade;
- Enhanced hardscape design, landscape elements, furnishing elements, or lighting; and
- Compliance with the Design Review Criteria shown in Article 4 Table 12 of this Regulating Plan.

On the West Secondary Frontage, the following conditions are required:

- Building articulation that incorporates breaks in the Façade; and



- Compliance with the Design Review Criteria shown in Article 4 Table 12 of this Regulating Plan.
- g. Setbacks for Buildings shall be as shown in Illustration 5.6 of this Regulating Plan.
- h. Above the Podium, minimum Building spacing of sixty (60) feet is required.
- i. No cross Block-Passage is required.
- j. There is no maximum Lot size in the ~~Jungle Island~~ SAP.

5.6.2 Building Configuration (T6)

- a. Development within Private Frontages shall comply with ~~the Jungle Island SAP Concept Plans~~ Article 4, Tables 2 and 6 and Illustration 5.6 of this Regulating Plan.
- b. Above the Podium, the Building Floorplate dimensions shall be limited as follows:
 1. 25,000 square feet maximum for Residential, Condo Hotel & Lodging Uses.
 3. 250 feet maximum length for Residential, Condo Hotel, & Lodging Uses.
 4. Balconies or any other exterior projections shall not project by a distance greater than twelve (12) feet beyond the Building Floorplate maximum length in any direction.
 5. Balconies shall not encroach more than ten (10) feet into the minimum required Building spacing dimensions as required by Section 5.6.1.h of this Regulating Plan.
- c. Encroachments shall be as follows:
 1. At the first Story in the First Layer, stairs, ramps, and other elements used for vertical circulation shall be permitted.
 2. At the first Story, cantilevered Awnings and cantilevered entry canopies may encroach up to one hundred percent (100%) of the depth of the Setback; except as may be further allowed by Chapter 54 of the City Code.
 4. Awnings, balconies, bay windows, chimneys, roofs, stairs, Architectural Screening elements, and Façade components promoting energy efficiency, such as shading and Screening devices may encroach up to five (5) feet into the Setback, except as may be further allowed by Chapter 54 of the City Code.
- ~~f. Loading and service entries shall be as shown on the Jungle Island SAP Concept Plans.~~
- f. Vehicular Entries for loading and service shall be accessed from any Frontage.
- g. Building Heights shall be measured in accordance with Section 3.5.2 of this Regulating Plan and be allocated as required in Illustration 5.6 of this Regulating Plan. First-floor



elevation shall be at Base Flood Elevation plus Freeboard. A first level Residential Function, Condo Hotel Function, or Lodging Function should be raised a minimum of two (2) feet and a maximum of three and a half (3.5) feet for privacy reasons from Base Flood Elevation with a minimum of one (1) foot to a maximum of five (5) feet of Freeboard, whichever is higher.

h. Roof elements shall be permitted as follows:

5. There shall be no Height limitation for ornamental elements, stair and elevator enclosures, mechanical equipment, or cooling towers on a roof for T6-36.
6. Trellises and fabric shade structures on a roof may extend up to eighteen (18) feet in Height.
7. Non-Habitable void space on a roof accommodating the depth of swimming pools; landscaping; decks; Extensive, Semi-Intensive, and Intensive Green Roof systems; transfer beams and other structural elements; and/or mechanical systems may extend up to six (6) feet in Height. For the purposes of this subsection only, other permitted roof elements may extend above the vertical extent of the void space for the additional Height specified. Non-Habitable void space may cover one hundred percent (100%) of the roof and shall not be counted as Public Benefit Floor Area.
8. Habitable Spaces above the top Story shall comply with the following requirements:
 - a. may extend up to fourteen (14) feet in Height and shall have a minimum setback of ten (10) feet from Building Facades;
 - b. may be used as amenity or Commercial Uses identified within Article 4, Table 3 Building Function Uses of this Regulating Plan and shall provide associated outdoor roof programming; and
 - c. shall not be used as Residential Units, Condo Hotel Units, Lodging Units, or Office space.
9. Habitable Spaces, cooling towers and other non-Habitable Rooms, mechanical equipment, and stair and elevator enclosures on a roof may:
 - a. cover up to twenty-five percent (25%) of the roof area; and
 - b. cover an additional twenty-five percent (25%) of the roof area, not to exceed a total of fifty percent (50%), when an Intensive Green Roof of an equivalent size of the additional area is provided and maintained.
10. All roof elements shall be designed to:
 - a. harmonize with the overall architectural intent of the Building;
 - b. mitigate any negative visual impacts of the additional Height and massing on the roof; and
 - c. comply with Article 4, Table 12 Design Review Criteria of this Regulating Plan.
11. All roof elements shall be designed and maintained to comply with Florida Building Code including, where possible, the use of Notice of Acceptance (NOA) products and any vegetated roof system shall be independent of the roof structure, to be verified by the Building Department.



- j. Streetscreens shall be between three and a half (3.5) and eight (8) feet in Height. Streetscreens shall have openings no larger than necessary to allow automobile and pedestrian access. Streetscreens shall be located coplanar with the Building Facade Line. Streetscreens over three (3) feet high shall be fifty percent (50%) permeable or articulated to avoid blank walls.

- k. Within the Second and Third Layers, fences and walls shall not exceed a Height of twelve (12) feet. Notwithstanding the above, walls and fences enclosing outdoor Game Courts may extend up to a maximum Height of fifteen feet (15') and shall:
 - 1. comply with the underlying Principal Building Setbacks; and
 - 2. be transparent; and
 - 3. be screened by a perimeter landscape Buffer along the sides and rear of the minimum Height, length and depth necessary to conceal them and mitigate any ambient impacts.

5.6.3 Building Function & Density (T6)

- a. Buildings in T6 shall conform to the Functions, Densities, and Intensities described in Section 3.14.1 and Illustration 5.6 of this Regulating Plan. Certain Functions as shown in Article 4, Table 3 of this Regulating Plan shall require approval By Right or by SAP Permit. Consult Article 6 of this Regulating Plan for any supplemental regulations.

5.6.4 Parking Standards (T6)

- a. Vehicular parking and loading shall be required as shown in Article 4, Tables 4 and 5 of this Regulating Plan.

- c. Parking may be accessed by any Thoroughfare.

- d. Primary Frontage. All Parking, including drop-off drives and porte-cocheres, open parking areas, covered parking, Parking Garages, Loading Spaces and service areas shall may be as shown on the ~~Jungle Island SAP Concept Plans~~ located within the Second and Third Layers and shall be masked from the Frontage by a Liner Building or Streetscreen. ~~The screening of the parking garage shall be of a design to be approved by the Planning Director, with the recommendation of the Urban Development Review Board.~~

- e. Secondary Frontage. All Parking, open parking areas, covered parking, Parking Garages, Loading Spaces, and service areas may be located within the Second and Third Layers and shall be masked by a Liner Building, Streetscreen or Architectural Screening or any combination thereof.



- ~~g. The vehicular entrance of a parking Lot or garage on a Frontage shall be as shown on the Jungle Island SAP Concept Plans no wider than thirty (30) feet and the minimum distance between vehicular entrances shall be sixty (60) feet, unless approved by SAP Permit Waiver.~~
- ~~j. A Vehicular Entry on a Frontage shall be no wider than fifty (50) feet and the minimum distance between Vehicular Entries shall be forty (40) feet, unless approved by SAP Permit. Site ingress and egress will be generally consistent with the “Site Access – Proposed Ingress/Egress” sheet, as provided in the Concept Book.~~
- ~~k. Buildings mixing uses shall provide parking for each Use. Shared Parking shall be calculated according to Article 4, Table 5 of this Regulating Plan.~~

5.6.6 Landscape Standards (T6)

- a. The First Layer shall be paved and landscaped as per Illustration 8.1 of this Regulating Plan.
- b. Open Space shall be a minimum ten percent (10%) of the total Lot Area.

MIAMI 21
AS ADOPTED - JANUARY 2018

ARTICLE 5. SPECIFIC TO ZONES
ILLUSTRATION 5.6 URBAN CORE TRANSECT ZONES

~~BUILDING DISPOSITION~~

~~LOT OCCUPATION~~

1. Lot Area	5,000 ± ft. min.; no max.
2. Lot Width	50 ft. min.
3. Lot Coverage	no max.
- 1st Stories	no max.
- Above 8th Story	no max.
4. Floor Lot Ratio (FLR)	750% maximum PERL permit
5. Percentage of front setback	not applicable
6. Open Space	10% lot area min.
7. Density	150-200 units

~~BUILDING SETBACK~~

1. Principal Front	0 ft. min.
2. Second Front	0 ft. min.
3. Side	0 ft. min.
4. Rear	0 ft. min.

1. 1st Floor	10 ft. min. 1st through 8th story
2. 2nd Floor	20 ft. min. above 8th story
3. 3rd Floor	4 ft. min. 1st through 8th story
4. 4th Floor	20 ft. min. 1st through 8th story
5. 5th Floor	10 ft. min. above 8th story
6. 6th Floor	10% of lot depth** 1st through 2nd story
7. 7th Floor	20 ft. min. 1st through 8th story
8. 8th Floor	40 ft. min. above 2nd story

~~BUILDING CONFIGURATION~~

~~FRONTAGE~~

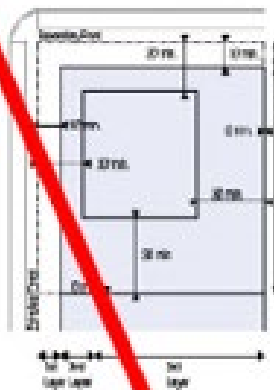
Common Lawn	prohibited
Fence & Wall	prohibited
Terrace or L.O.	prohibited
Firecourt	permitted
Deck	permitted
Staircase	permitted (15-12 L and 15-12 O)
Signage	permitted by Special Area Plan

~~BUILDING HEIGHT~~

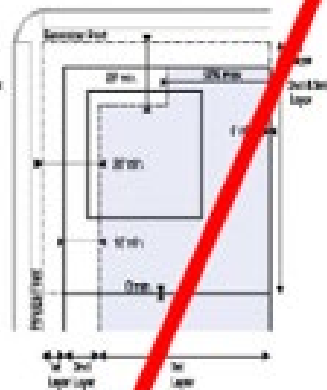
1. Min. Height	no min.
2. Max. Height	no max. (170 feet)

~~** or as modified in diagram 4~~

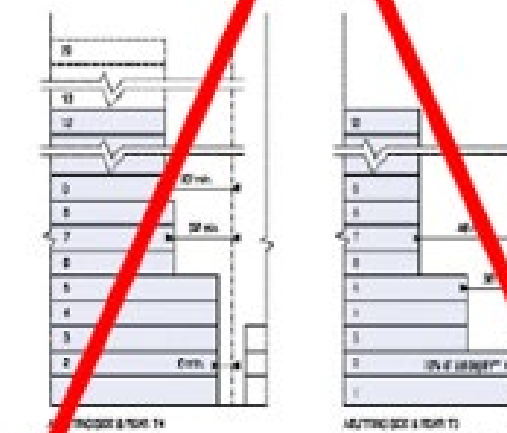
~~BUILDING PLACEMENT~~



~~PARKING PLACEMENT~~



~~BUILDING HEIGHT~~



~~** (10% of lot depth for lots more than 125 ft wide for lots less than 100 feet~~



**ILLUSTRATION 5.6 URBAN CORE TRANSECT ZONES
T6-36-A-O ZONING INFO.**

LOT OCCUPATION	
LOT AREA	5,000 SF MIN
LOT WIDTH	50' ft. Min.
LOT COVERAGE	No Max.
FLOOR LOT RATIO (FLR)	10 / 20% ADDITIONAL PUBLIC BENEFIT
FRONTAGE AT FRONT SETBACK	50% MIN
OPEN SPACE	10% LOT AREA MIN
DENSITY	150 DU / ACRE / 500 UNITS MAX.

PODIUM SETBACKS	
PRIMARY ABUTTING CS	10'-0"
SECONDARY	0'-0"
SIDE / REAR	0'-0"

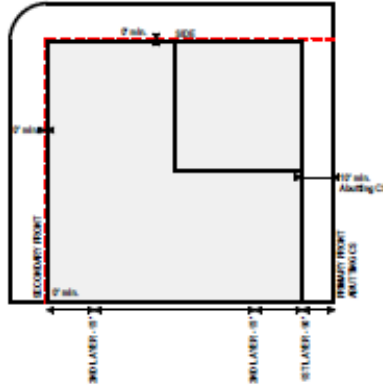
TOWER SETBACKS (ABOVE PODIUM) T6-36-A-O SAP	
PRIMARY ABUTTING CS	10'-0"
SECONDARY	0'-0"
SIDE / REAR	0'-0"

PRIVATE FRONTAGES	
COMMON LAWN	PERMITTED
PORCH & FENCE	PERMITTED
TERRACE OR L.C	PERMITTED
FORECOURT	PERMITTED
STOOP	PERMITTED
SHOPFRONT	PERMITTED
GALLERY	PERMITTED**
ARCADE	PERMITTED**
LOGGIA	PERMITTED**

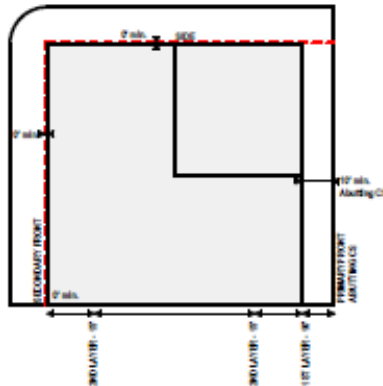
**Note: Refer to Article 4, Table 6 of Miami 21

BUILDING HEIGHT	
PRINCIPAL BUILDING	NO MIN.
OUTBUILDING	NO MIN.
HEIGHT ALLOWED	48 STORIES

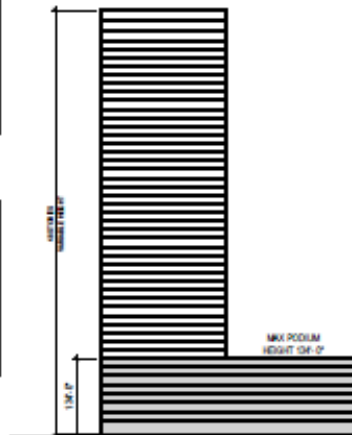
BUILDING PLACEMENT



PARKING PLACEMENT



BUILDING HEIGHT





5.7.1 Civic Space Zones (CS)

5.7.1.1

Civic Space sites shall be entered directly from a Thoroughfare or from land designated T6.

5.7.1.2

Development in Civic Space Zones shall be consistent with the standards in Article 4, Tables 3 and 4 of this Regulating Plan.

5.7.1.3

One or more Buildings may be built in ~~each~~ the Civic Space up to four (4) Stories. ~~Building floor area shall be regulated by 6.3.7.b.7.i of the Regulating Plan~~ Building footprint (i.e. Lot Coverage) shall not exceed twenty-five percent (25%) of the Lot Area of the Civic Space, and shall support the principal Uses within of the Civic Space and/or surrounding areas on Watson Island.

5.7.1.4

In Civic Spaces, Buildings, Fences and walls shall conform to regulations of the ~~Jungle Island SAP Concept Plans~~ T6 Transect Zone. Any adjustments to the regulations shall be approved by SAP Permit.

5.7.1.5

All Community Facility and Recreational Facility Uses shall be government owned or operated only, and shall be permitted By Right.



ARTICLE 6 SUPPLEMENTAL REGULATIONS

6.1 INTENT AND EXCLUSIONS

Table 13: T6 - URBAN CORE ZONE

<u>T6</u>	<u>OPEN</u>
<u>DENSITY (UPA)</u>	<u>150 UNITS PER ACRE</u>
<u>CONDO HOTEL</u>	<p><u>Condo Hotel may be permitted By Right subject to the following requirements:</u></p> <p><u>Unit Size:</u></p> <ul style="list-style-type: none"> • <u>Efficiency Dwelling Unit: 400 square feet min.</u> • <u>One bedroom Dwelling Unit: 550 square feet min.</u> • <u>Two bedroom Dwelling Unit: 650 square feet min.</u> <p><u>Parking shall be calculated in accordance with Residential Use as provided in Article 4, Table 4 of this Regulating Plan.</u></p> <p><u>Shall be operated and managed by a centralized operator. A dedicated employee of the operating entity shall be available 24 hours a day to respond to guest needs or other issues that may arise. Said employee must be available to respond in person, if necessary. The Building shall contain a registration desk and a lobby. Any transient guest or occupant of a Condo Hotel unit must register at the registration desk and are prohibited from accessing the unit without registration.</u></p>



<p><u>HELICOPTER LANDING SITE</u></p>	<p><u>Helicopter landing sites as regulated by federal and state law may be permitted by SAP Permit subject to the following additional requirements:</u></p> <p><u>May only be used for the landing and takeoff of helicopters dropping off and picking up passengers and cargo, and may not include fueling, repair, or long term parking or storage of helicopters.</u></p> <p><u>Ground level sites shall be located away from Buildings, trees, or significant terrain features to avoid possible air turbulence.</u></p> <p><u>Rooftop sites shall be given priority over ground level sites in congested areas.</u></p>
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Table 13: C - CIVIC

<u>C</u>	<u>CS – CIVIC SPACE</u>
<u>DENSITY (UPA)</u>	<u>N/A</u>
<p><u>DOCKS</u></p> <p><u>PIERS</u></p>	<p><u>Extension of docks and Piers into Biscayne Bay are limited to 50 feet By Right. However, by SAP Permit a 500 feet maximum extension of docks and Piers into Biscayne Bay may be allowed.</u></p>



6.2 FORMER JUNGLE ISLAND SAP REGULATIONS

In addition to other Supplemental Regulations, the former Jungle Island SAP Regulations have been collectively included herein to govern the Buildings and Uses within the SAP Area, until such time that the site is redeveloped pursuant to this Regulating Plan.

6.3 COMMERCIAL USES

6.3.1 Jungle Island Attractions and other Uses

The purpose and intent of this section is to provide supplemental regulations for Attraction and Hotel Uses, associated with the previously approved Jungle Island SAP and Jungle Island Regulating Plan governing the SAP Area, in the event the existing Jungle Island Lease (defined in this Section) is modified and/or terminated. These regulations supplement other standards listed elsewhere in this Regulating Plan and are limited to the Uses provided herein and approved under the previous version of the Jungle Island SAP.

a. Jungle Island SAP Definitions

Jungle Island Theme Park: A commercially-operated park including Attractions, restaurants, bars, banquet and conference facilities, ballrooms, and retail shops established by the City of Miami via the Jungle Island MUSP, the Jungle Island Lease, and the Jungle Island Referendum. The Jungle Island Theme Park has a predominance of outdoor activities and shows for entertainment, and also includes structures and buildings which comply with the underlying zoning regulations or as modified in the Regulating Plan, where there are various devices for entertainment, including the sale of food and drink, which are typical of any theme park.

Jungle Island Lease: That certain Lease and Development Agreement between the City of Miami, Florida and Parrot Jungle and Gardens, Inc., originally dated September 2, 1997, as amended via five subsequent modifications, entered into on April 14, 2000, April 13, 2002, October 29, 2008, June 24, 2009, and March 6, 2019; and as assigned to ESJ JI Leasehold, LLC via that certain Assignment and Assumption Agreement and Termination of Sublease, entered into April 4, 2017, and recorded at Official Records Book 30486, Page 2539 of the Public Records of Miami-Dade County, Florida.

Jungle Island MUSP: The zoning entitlements, plans, drawings and diagrams approved by the City of Miami through City Commission Resolutions R-98-0375, R-98-0376, and R-00-1032.

Jungle Island Master Plan: A diagram provided in the SAP Concept Book, as modified, that depicts the general proposed location of different Attractions and Hotel Uses permitted



in the Jungle Island Theme Park. The actual location of Attractions and Hotel Uses may differ from what is depicted on the Master Plan. The Jungle Island SAP Master Plan may be modified by SAP Permit. This Jungle Island Master Plan and permitted Attractions and Hotel Uses depicted therein shall only apply in the event the existing Jungle Island Lease is modified or terminated.

Jungle Island Referendum: Public referendum of the voters of the City of Miami, authorized by the City Commission under Resolution R-18-0232, and held on August 28, 2018, in which City voters approved a City Charter amendment that waived competitive bidding and approved a fifth modification to the Jungle Island Lease that permits development of a new hotel and attractions, with a maximum one hundred thirty (130) foot height.

6.3.2.2 Outdoor Dining

- a. Outdoor Dining is permitted By Right within the SAP Area subject to meeting the following conditions:
 - 1. The property requesting the Outdoor Dining is located within the SAP Area.
 - 2. The property requesting the Outdoor Dining does not abut T3-R, T3-L, T3-O, T4-R, T5-R, or T6-R parcels pursuant to the Miami 21 Zoning Atlas.
 - 3. The Outdoor Dining is located on a property of no less than five thousand (5,000) square feet of lot area.
 - 4. The Outdoor Dining is located wholly within the private property.
 - 5. If the Outdoor Dining area is located between the Building and Frontage Line, a minimum five-foot wide clear pedestrian path must be maintained at all times.
 - 6. The Outdoor Dining does not contain seating in an amount greater than 50% of the overall establishment's seating capacity.
 - 7. The Outdoor Dining is not located on a Roof Terrace or above the first retail floor level.
- b. Outdoor Dining may be permitted by SAP Permit in the event that one (1) or more of the By Right conditions above are not met.

6.3.7 Attractions and other Uses

The purpose and intent of these regulations is to establish parameters for Attractions and other Uses in the Jungle Island Theme Park.

- a. Jungle Island Types of Permitted Attractions and other Uses



There are four classifications of Attractions and Hotel Uses permitted, as shown in the Jungle Island SAP Master Plan: Hotel Area, Passive Attractions, Active Attractions, and Action Attractions. Below is a list of the types of Attractions and Hotel Uses allowed throughout the Jungle Island Theme Park, with each Attractions and Hotel Use placed into one of the four corresponding classifications on the Jungle Island Master Plan.

The A list of Attractions and Hotel Uses classifications and permitted types of Uses thereunder includes, but is not limited to the following:

Hotel Area

1. Hotel and associated improvements
2. Parking garage and roof garden
3. Banquet facility and meeting rooms
4. Outdoor event space above banquet facility and meeting rooms

Passive Attractions

1. Trails and Gardens
2. Jungle River
3. Aviaries and Bird Exhibits
4. Bird Nursery and Hatchery
5. Monkey Exhibits
6. Infant Ape Care Facility
7. Flamingo Lake
8. Everglades Lake
9. Posing and Photography Areas
10. Terrarium Theater and Education Center
11. Reptile Exhibits
12. Aquatic Exhibits



13. Beachfront Recreation Area, inclusive of a chickee hut, food trucks (as defined by Section 31-51 of the City Code), furniture and moveable fixtures, storage trailer(s), restroom trailer(s), accessory moveable bar counter(s), disc jockey stand/booth, towel stand(s), food and alcoholic beverage services, and any other similar uses, structures, or objects.

14. Picnic Pavilions

15. Picnic Area

16. Boat Landings and Docks

17. Serpentarium

18. Escape Rooms

19. Kangaroo Walkabout

20. Capybara Encounter

21. Lemur Interactions

22. Sloth Encounters

23. Petting Zoo and education

24. Resort Pool

25. Virtual Reality Machines

26. Virtual Reality Theater

27. Arcade games

28. Movie theater

29. Bowling alley

30. Laser tag

31. Pop up activations

32. Food Service Establishments

33. Alcohol Service Establishments



34. Retail Service Facilities

35. Zip Lines

36. Lazy River/Action River

37. Night activations and light shows (e.g. Luminosa)

38. Artistic stair connecting hotel site to Japanese Garden

Active Attractions

1. Children's Adventure Park

2. Treewalk Village

3. Rock Wall

4. Playground

5. Trampoline Park

6. Water playground

7. Ropes course

8. Miniature golf

9. Inflatables

10. Floating inflatables slides

11. Music and dancing

12. Ice skating rink (indoor)

13. Parrot Bowl Theater

14. Jungle Theater

Action Attractions

1. Wind Tunnel



2. Bungee Jump
3. Water rides
4. Water slides
5. Water surfing simulator
6. Action pool
7. Action beach
8. Kart racing

c. Disposition and Configuration

1. The actual location of Attractions and Hotel Uses may differ from what is generally depicted on the Jungle Island Master Plan, subject to the following regulations on locations of Attractions and Hotel Uses:
 - i. Notwithstanding the regulations in this section below, any Building (as that term is defined in Miami 21) whose floor area is greater than 5,000 square feet shall require review and approval through the SAP Permit process regardless of what category of Attraction or Hotel Use it is and where it is located.
 - ii. Uses listed under the Hotel Area are allowed By Right in the areas with the corresponding Hotel Area classification on the Jungle Island Master Plan.
 - iii. Attractions listed under a classification in 6.3.7.a that are located in the corresponding designated area on the Jungle Island Master Plan are allowed By Right.
 - iv. Passive Attractions are also allowed By Right in the Active Attraction and Action Attraction designated areas, as depicted on the Jungle Island Master Plan.
 - v. Active Attractions are also allowed By Right in Action Attraction designated areas, as depicted on the Jungle Island Master Plan. Active Attractions are only allowed in Passive Attraction designated areas by SAP Permit.
 - vi. Action Attractions are only allowed in Passive Attraction and Active Attraction areas by SAP Permit.
 - vii. Attractions that are similar in nature and scope to the Attractions listed in 6.3.7.a and comply with the location regulations in Section 6.3.7.a are also allowed By Right in



the Jungle Island Theme Park. The Planning Director shall make a finding on whether an Attraction that is not listed in 6.3.7.a is similar in nature and scope to the corresponding classification, based on the totality of the existing Attractions and approvals in the Jungle Island Lease and the Jungle Island Master Plan.

viii. The Jungle Island Master Plan may be modified by SAP Permit.

ix. The Jungle Island Concept Plans may be modified by process of SAP Permit, including for the purpose of utilizing all development rights permissible under the Regulating Plan and Development Agreement, and including for the purpose of changing the allocation of civic space so long as the minimum required amount of civic space (five (5) percent of the total SAP lot area) is provided.

2. Design all site lighting to avoid significant adverse impacts to the north of the Jungle Island Theme Park (see also Section 7.2(a)(i) of the Jungle Island Lease). Light shows shall be arranged and performed such that lights are directed away from the north property line.
3. Amplified sound emanating from anywhere in the Jungle Island Theme Park shall be directed so that the sound shall not exceed 65 dba between the hours of 7:00 AM to 10:00 PM and shall not exceed 60 dba between the hours of 10:00 PM and 7:00 AM, as measured from the adjacent residential neighborhood boundary located north of the Jungle Island Theme Park (see also Section 7.2(a)(ii) of the Jungle Island Lease).
4. All spectator bowls and amphitheaters shall be designed and oriented to minimize sound impact to the north of the Jungle Island Theme Park (see also Section 7.2(a)(iii) of the Jungle Island Lease).
5. Public parking on the Jungle Island Theme Park shall be screened from view and minimize the impact of headlights from automobiles on the islands north and east of the Jungle Island Theme Park (see also Section 7.2(a)(v) of the Jungle Island Lease).
6. Height (see also Section 7.2(b)(i) of the Jungle Island Lease).
 - i. The maximum height for Attractions is 55 feet above flood criteria.
 - ii. Notwithstanding the above, the following are not subject to the 55-foot height limit:
 - a. Trees and vegetation.
 - b. Two non-habitable towers (subject to City Manager’s review and subject to approval by SAP Permit).



- c. Two icons (subject to approval by SAP Permit). Location, dimensions, intent and material may be considered by the Planning Director in his or her determination on the SAP Permit.
 - d. Structures associated with the Zip Line attraction.
 - e. Structures associated with the Water Slides Attraction if located within the Action Attraction area as depicted on the Jungle Island Master Plan
 - iii. The maximum height for the Hotel is 130 feet and 12 stories.
- 7. Landscaping (see also Section 7.2(b)(ii) and (iv) of the Jungle Island Lease).
 - i. At least two-thirds of the lot area of the Jungle Island Theme Park shall be landscaped as open gardens, water, trails, exhibits, posing areas, parks and walkways.
 - ii. Additional landscaping and earth berms may be added to the north shoreline and east boundaries of the Jungle Island Theme Park in order to further buffer the Jungle Island Theme Park from the islands north and east of the Jungle Island Theme Park.
 - iii. Additional sand and beach-related materials may be added to the Beachfront Recreation Area attraction in order to stabilize and shore up the Beachfront Recreation Area attraction.
- 8. Mechanical Equipment (see also Section 7.2(b)(iii) of the Jungle Island Lease). Mechanical equipment and major utility structures are to be screened from views from upper level apartments in high rise structures located north of the Jungle Island Theme Park.
- 9. Signs (see also Section 7.2(b)(v) and Section 7.5 of the Jungle Island Lease).
 - i. Master Sign Package
 - a. A Master Sign Package for the Jungle Island SAP may be submitted to the City for approval by SAP Permit. A Master Sign Package shall include a plan view indicating the location of every sign and specifications for each sign and sign type.
 - b. If a Master Sign Package is approved by SAP Permit, all signs which conform to the standards set forth therein shall not require an individual SAP Permit, and shall be permitted if in compliance with the Florida Building Code. If a master sign package is not adopted, or if an individual



sign does not conform to the standards set forth in adopted Master Sign Package, such signage may only be approved by SAP Permit.

- ii. Signage Standards
 - a. The signs in place at the time of the adoption of the Jungle Island SAP, including signs for attractions and third party vendors operating in the Jungle Island Theme Park are deemed in compliance with the established sign regulations of the Jungle Island Lease.
 - b. Directional and informational signs pertaining to the Jungle Island Theme Park can be installed throughout Watson Island.
 - c. One icon sign located off-site on the south side of Watson Island (subject to approval by SAP Permit). Location, dimensions, intent and material may be considered by the Planning Director in his or her determination on the SAP Permit.
 - d. Directional and information signs in the FDOT right of way, subject to approval by FDOT.
 - e. Signs related to the Jungle Island Theme Park shall not be oriented to the north of the Jungle Island Theme Park.

10. The development for Hotel Uses per the Jungle Island Master Plan shall be permitted subject to the following supplemental regulations:

DENSITY, INTENSITY AND PARKING

	<u>CS – Civic Space, Jungle Island SAP</u>
<u>Jungle Island Theme Park</u>	<u>500 existing parking spaces</u>

BUILDING FUNCTION: PARKING AND LOADING

<u>LOADING BERTH STANDARDS</u>	<u>T5, T6, CS, CI-HD & CI</u>
<u>Jungle Island Theme Park</u>	<u>as per existing conditions</u>
<u>Lodging</u>	<u>3 residential loading berths (10' x 20' x 12')</u>



ARTICLE 7. PROCEDURES AND NONCONFORMITIES

7.1 PROCEDURES

7.1.2 ~~Permits~~

~~The permits that may be necessary to develop the Jungle Island SAP property under the Miami 21 Code include the following: SAP Permit; and amendment to the Code (including text amendments, rezoning, future land use map amendment and Special Area Plans). In addition, certain approvals may be necessary to confirm that uses are permitted uses under the Code, which are zoning approval (by right), certificate of use, planning determination, or zoning interpretation. Permits issued in error shall convey no rights to any party. The Planning Director shall require corrections to be made unless construction has commenced on that portion of the construction that was permitted in error.~~

7.1.2.1 ~~Jungle Island SAP Development Review Process~~

~~The Jungle Island SAP development review process is set forth below.~~

a. ~~SAP Permit.~~

~~Except where Uses are specifically allowed By Right, all Development within the Project shall be approved by SAP Permit. In addition, all other permits necessary to develop Property within the Project, such as Warrants, Waivers, Variances, and Exceptions, shall be approved by SAP Permit and subject to the equivalent fee to those established in the Miami 21 Code and Chapter 62 of the City Code. The process and criteria for review and approval of an SAP Permit application is set forth below.~~

1. ~~Review and approval process.~~

- i. ~~The Planning Director shall review each submitted application for a SAP Permit for completeness within seven (7) business days of receipt, and the Planning Director shall issue an intended decision within fourteen (14) calendar days of a determination that the application is complete. The Planning Director shall review each application for an SAP Permit for consistency with the Jungle Island SAP Regulating Plan, Concept Plans, Development Agreement, Miami 21 and the Miami Comprehensive Neighborhood Plan.~~



~~The applicant shall have seven (7) calendar days from receipt of the notice of the intended decision to request a conference with the Planning Director to discuss revisions or additional information regarding the application. Within ten (10) calendar days of the conference, or if no conference is requested, the Planning Director shall issue written findings and determinations regarding the applicable criteria set forth in this section and any other applicable regulations. The applicant and the Planning Director may mutually consent to an extension of the time for issuance of the final decision. The findings and determinations shall be used to approve, approve with conditions or deny the SAP Permit application.~~

- ~~ii. The Planning Director shall approve, approve with conditions or deny the SAP Permit application. Approvals shall be granted when the application is consistent with the SAP, inclusive of its Regulating Plan, Concept Plans, Development Agreement, the Miami 21 Code and the Miami Comprehensive Neighborhood Plan, as applicable. Conditional approvals shall be issued when the application requires conditions in order to be found consistent with the SAP. Denials of applications shall be issued if, after conditions and safeguards have been considered, the application still is inconsistent with the SAP. The decision of the Director shall include an explanation of the Code requirements for an appeal of the decision. The Director shall include a detailed basis for denial of an SAP Permit.~~
- ~~iii. An SAP Permit shall be valid for a period of two (2) years during which a building permit or Certificate of Use must be obtained. This excludes a demolition or landscape permit. A one (1) time extension, for a period not to exceed an additional year, may be obtained if approved by the Planning Director upon written request by the Applicant and subject to the equivalent fee to those established in the Miami 21 Code and Chapter 62 of the City Code.~~

~~2. Appeal of an SAP Permit to the Planning, Zoning and Appeals Board.~~

~~Applicant may file an appeal of the determination of the Planning Director which shall be *de novo* and taken to the Planning, Zoning and Appeals Board. An appeal shall be filed with the Hearing Boards Office within fifteen (15) calendar days of the posting of decision by the Planning Director on the City’s website. The Board shall determine whether the Permit is upheld or rescinded.~~



~~The ruling of the Planning, Zoning and Appeals Board may be further appealed to the City Commission, de novo and must be filed with the Office of Hearing Boards within fifteen (15) calendar days of the Board’s issuance of its ruling. The filing of the appeal shall state the specific reasons for such appeal, together with payment of any required fee.~~

~~3. Modifications to a previously approved SAP Permit~~

~~All applications for modifications of an approved SAP Permit shall be submitted in writing to the Planning Director explaining the need for corrections and accompanied by payment of the fee established by the adopted fee schedule. Except for minor modifications, the permit may be amended only pursuant to the procedures and standards established for its original approval. The Planning Director shall determine the degree of the modification based on the criteria in Section 7.1.3.5(c) of the Miami 21 Code.~~

~~All minor modifications shall be reviewed for compliance with the Regulating Plan, Concept Plans, Development Order, the Miami 21 Code and the Miami Comprehensive Neighborhood Plan, as applicable. If found to be in compliance, the Planning Director shall grant the application for minor modification.~~

7.1.2.11 Permits and Approvals

A building permit for those permitted Uses as set forth in Article 4, Table 3 of this Regulating Plan shall be approved By Right when the Use meets all of the applicable standards of this Regulating Plan, and the other specific requirements that may be enumerated elsewhere in the ECORESILIENCY SAP or City Code. Any building permits for landscaping, infrastructure, utilities, drainage, lighting, temporary structures, roadway improvements, and temporary parking shall be permitted by SAP Permit. In addition, certain approvals may be necessary to confirm that Uses are permitted Uses under this Regulating Plan, which are zoning approval (By Right), Certificate of Use, planning determination, or zoning interpretation pursuant to Section 7.1.2.1 of Miami 21.

7.1.2.12 ECORESILIENCY SAP Permit & Development Review Process

The ECORESILIENCY SAP Permit development review process is set forth below.



a. SAP Permit.

Except where Uses are specifically allowed By Right, New Development of Building Structures with 5,000 square feet or more of Habitable Area within the ECORESILIENCY SAP Area shall be approved by SAP Permit. All other development consistent with the regulations of this Appendix shall be permitted By Right as provided in Section 7.1.2.11 of this Regulating Plan and Section 7.1.2.1 of Miami 21.

In addition, all Warrant, Waiver, Variance and Exception permits necessary to develop property within the ECORESILIENCY SAP Area, shall be approved by SAP Permit and subject to the equivalent fee to those established in the Miami 21 Code and Chapter 62 of the City of Miami's Code of Ordinances. The process and criteria for review and approval of an SAP Permit application is set forth below.

Design conditions or Uses requiring approval by SAP Permit are described in the various articles of the ECORESILIENCY SAP and are referenced here only for convenience. The specific parameters of each SAP Permit are further described in the articles in which each SAP Permit appears in this Regulating Plan.

1. As appropriate to the nature of the SAP Permit involved and the particular circumstances of the case, SAP Permits for a deviation of up to ten percent (10%) of any particular applicable standard of Miami 21 and/or this Regulating Plan except Density, Intensity and Height, may be granted when doing so promotes the intent of the ECORESILIENCY SAP or particular Transect Zone where the proposal is located; is consistent with the guiding principles of the ECORESILIENCY SAP and/or Miami 21; and there is practical difficulty in otherwise meeting the standards of the ECORESILIENCY SAP, or when doing so promotes energy conservation, enhancement of public and open spaces, and/or Building sustainability. The inability to achieve maximum Density, Height, or floor plate for the Transect shall not be considered grounds for the granting of a SAP Permit. This SAP Permit cannot be combined with any other specified SAP Permit of the same standard.

b. SAP Permit review and approval process.

1. The Planning Director or designee shall review each submitted application for a SAP Permit for completeness within seven (7) business days of receipt, and the Planning Director shall issue an intended decision within fourteen (14) calendar days of a determination that the application is complete. The Planning Director shall review each application for a SAP Permit for consistency with



the Regulating Plan, Concept Book, Development Agreement, Miami 21 and the Miami Comprehensive Neighborhood Plan.

If the SAP Permit application involves a project in excess of two hundred thousand (200,000) square feet of Habitable Rooms or Habitable Space, it shall be referred to the Coordinated Review Committee (CRC), and it may be referred to the Urban Development Review Board (UDRB). If the SAP Permit application involves a project equal to or less than two hundred thousand (200,000) square feet of Habitable Space Floor Area, it shall be reviewed by the Planning Director and the Zoning Administrator without need for review by the Coordinated Review Committee, unless the Planning Director determines that such review is necessary. If the application is referred, the committee or board shall review the application and provide its comments and recommendations to the Planning Director.

Where there is no referral to the Coordinated Review Committee, the Planning Director shall issue an intended decision within ninety (90) calendar days of a determination that the application is complete. Where there is referral to the Coordinated Review Committee, the Planning Director shall issue an intended decision within thirty (30) calendar days of the meeting of the Coordinated Review Committee. The applicant shall have seven (7) calendar days from receipt of the notice of the intended decision to request a conference with the Planning Director to discuss revisions or additional information regarding the application. Within ten (10) calendar days of the conference, or if no conference is requested, the Planning Director shall issue written findings and determinations regarding the applicable criteria set forth in this section and any other applicable regulations. The applicant and the Planning Director may mutually consent to an extension of the time for issuance of the final decision. The findings and determinations shall be used to approve, approve with conditions or deny the SAP Permit application.

2. The Planning Director shall approve, approve with conditions or deny the SAP Permit application. Approvals shall be granted when the application is consistent with the SAP, inclusive of its Regulating Plan, Concept Plans, Development Agreement, the Miami 21 Code and the Miami Comprehensive Neighborhood Plan, as applicable. Conditional approvals shall be issued when the application requires conditions in order to be found consistent with the SAP. Denials of applications shall be issued if, after conditions and safeguards have been considered, the application still is inconsistent with the SAP. The decision of the Director shall include an explanation of the Code requirements for an appeal of the decision. The Director shall include a detailed basis for denial of an SAP Permit.



3. SAP Permits shall be valid for a period of three (3) years during which a building permit or Certificate of Use must be obtained. This excludes a demolition or landscape permit. A one (1) time extension, for a period not to exceed an additional year, may be obtained if approved by the Planning Director upon written request by the Applicant and subject to the equivalent fee to those established in the Miami 21 Code and Chapter 62 of the City Code.

c. SAP Permit Review Criteria

As appropriate to the nature of the SAP Permit involved and the particular circumstances of the case, the following criteria shall apply to a SAP Permit application. The application shall be reviewed for consistency with the Regulating Plan, Concept Book, Development Agreement, Miami 21 and the Miami Comprehensive Neighborhood Plan. The review shall consider the intent of the SAP, the guiding principles of the Miami 21 Code, and the manner in which the proposed Use will operate given its specific location and proximity to less intense Uses. The review shall also apply Article 4, Table 12, Design Review Criteria of the Regulating Plan, as applicable.

d. Appeal of SAP Permit to the Planning, Zoning and Appeals Board.

Applicant may file an appeal of the determination of the Planning Director which shall be *de novo* and taken to the Planning, Zoning and Appeals Board (PZAB). An appeal shall be filed with the Hearing Boards Office within fifteen (15) calendar days of the posting of decision by the Planning Director on the City's website. The appeal may be filed only by the applicant or any person who is aggrieved by the action of the PZAB. The PZAB shall determine whether the SAP Permit is upheld or rescinded.

The ruling of the PZAB may be further appealed to the City Commission, *de novo* and must be filed with the Office of Hearing Boards within fifteen (15) calendar days of the Board's issuance of its ruling. The filing of the appeal shall state the specific reasons for such appeal, together with payment of any required fee.

e. Modifications to a previously approved SAP Permit

An applicant may modify a previously approved Building and/or SAP Permit approved under this Appendix, as a minor modification through substantial compliance review approved by the Planning Director. Minor Modifications include, but are not limited to:



- i. Changes that conform with the Regulating Plan and Concept Book; or
- ii. Changes in the project phasing.

In the event that the modification is determined to be “not minor” a new SAP Permit shall be required.

7.1.3.5 Modifications to Approved SAP Applications

- c. Modification to a plan approved under the Miami 21 Code and this SAP.

Minor modifications may be made to a plan approved by Special Area Plan, Warrant, Variance, Exception, or SAP Permit upon the applicant’s submission of building permit plans depicting the minor modifications or a letter explaining the need for modifications, payment of the fee established by the adopted fee schedule, and written approval of the Planning Director. Minor modifications include but are not limited to:

- 1. Those changes that meet Transect regulations and do not change the majority of the manner of operation of the approved site; or
- 2. Those changes that can be approved by SAP Permit; or
- 3. Changes in the project phasing; or
- 4. An increase in Height not exceeding 5% of the approved Height, whichever is greater.

Except for minor modifications, the permit may be amended only pursuant to the procedures and standards established for its original approval. The Planning Director shall determine the degree of the modification based on the criteria in Section 7.1.3.5 (c) of tis Regulating Plan. If found to be in compliance, the Planning Director shall grant the application for minor modification.



7.2 NONCONFORMITIES: STRUCTURES; USES; LOTS; SITE IMPROVEMENTS; AND SIGNS

7.2.10 Existing Jungle Island Special Area Plan Uses and Structures

Existing Uses and Buildings currently permitted within the boundaries of the SAP Area, as allowed under the previously approved Jungle Island SAP, shall be deemed nonconforming and may continue operating under this SAP. Such Uses and Buildings may be maintained and expanded, provided that any modifications comply with the standards established in Article 6 (Supplemental Regulations) of this Regulating Plan.



ARTICLE 8. THOROUGHFARES

8.1 GENERAL DESCRIPTION

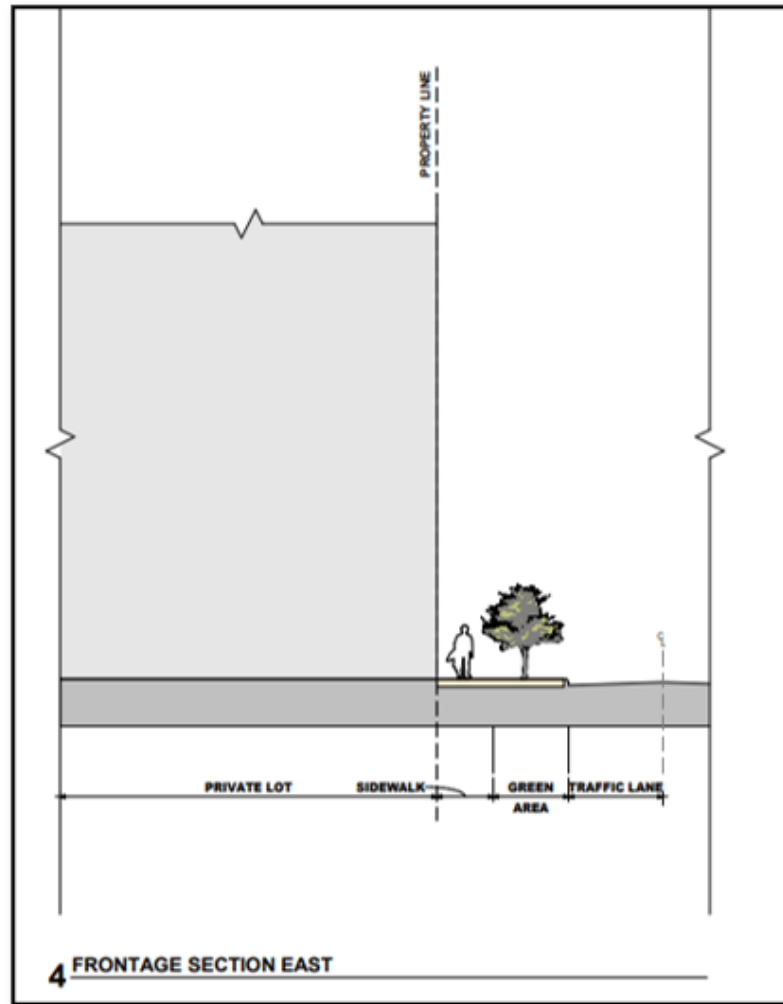
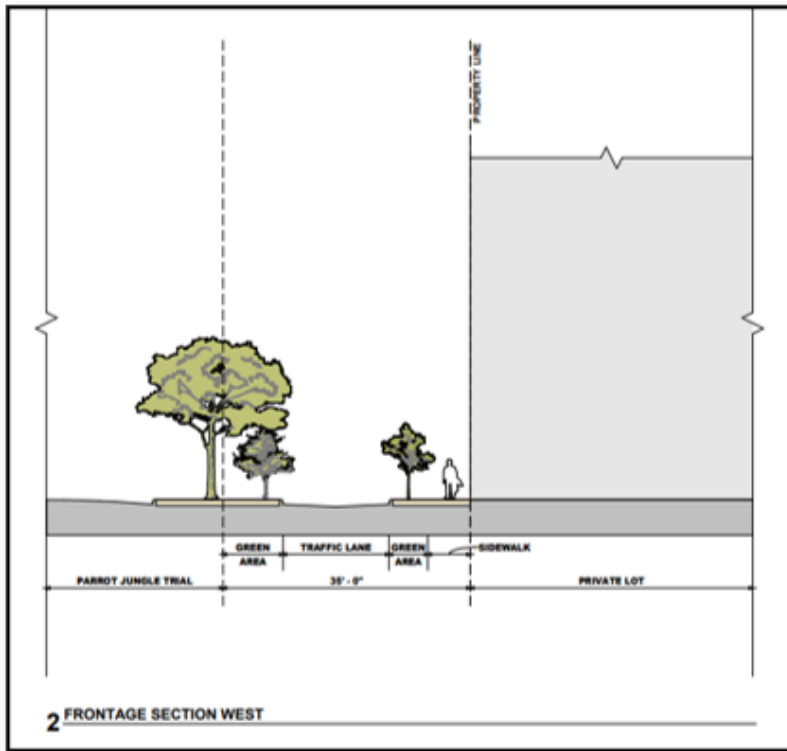
This Article of this Regulating Plan describes the guidelines for development of Thoroughfares throughout the SAP Area and abutting rights of way and supersedes the underlying Miami 21 Article 8 in its entirety. It supplements the design standards adopted in the City of Miami Manual of Engineering Standards for Design and Construction, maintained in its most current form at the City of Miami Department of Public Works or in Florida Department of Transportation Manual of Uniform Minimum Standards, commonly known as the Florida Greenbook (collectively “Manuals”). Where these guidelines conflict with the Manuals, the standards of the Manuals shall apply as applicable.

The urban landscape of Watson Island is characterized by a set of interdependent elements that create a sense of place and an inviting destination which are unique to Watson Island, located between the cities of Miami and Miami Beach and bisected by the MacArthur Causeway, a State of Florida highway. These include Thoroughfare types, Building types, Frontage types, and the form and disposition of landscape and lighting within Watson Island. Thoroughfares provide the City with both the majority of public Open Space as well as moving lanes for vehicles, bicycles and transit. A Thoroughfare is associated with a particular type of movement and is endowed with two attributes: movement type and character. The movement type of the Thoroughfare refers to the number of vehicles that can move safely through a segment within a given time period. This is physically manifested by the number of lanes and their width, by the centerline radius, the curb radius, and the super-elevation of the pavement. The character of the Thoroughfare refers to its suitability as a setting for pedestrian activities and is physically established by the associated Frontage types as determined by location within the Transect.

Thoroughfares can be assigned appropriately to Transect Zones, with calibrated Right-of-Way widths, movement types, design speed, number of travel lanes, pavement width, curb radius and Verge type.

8.1 ILLUSTRATIONS: The Private-Public Frontages

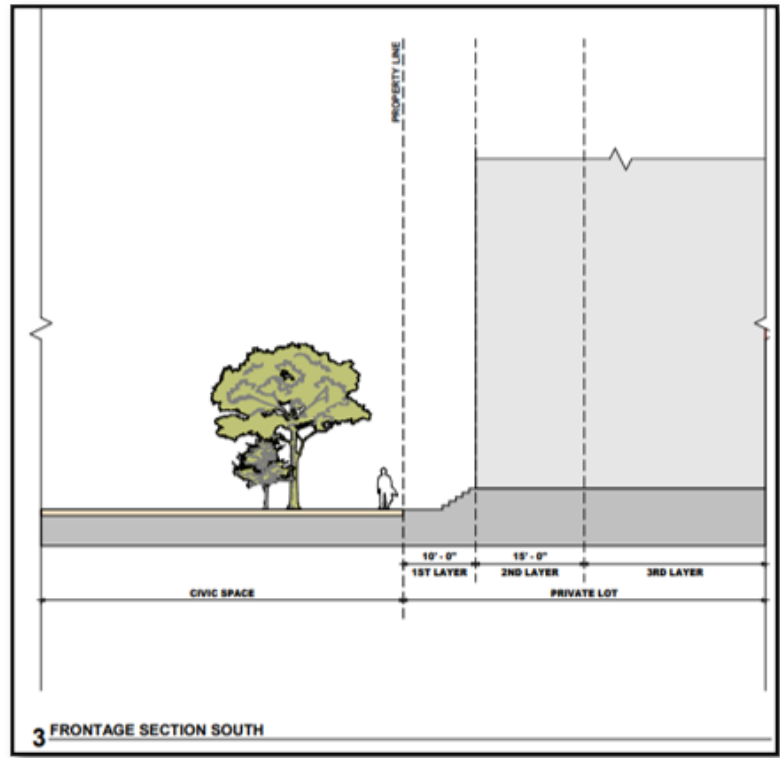
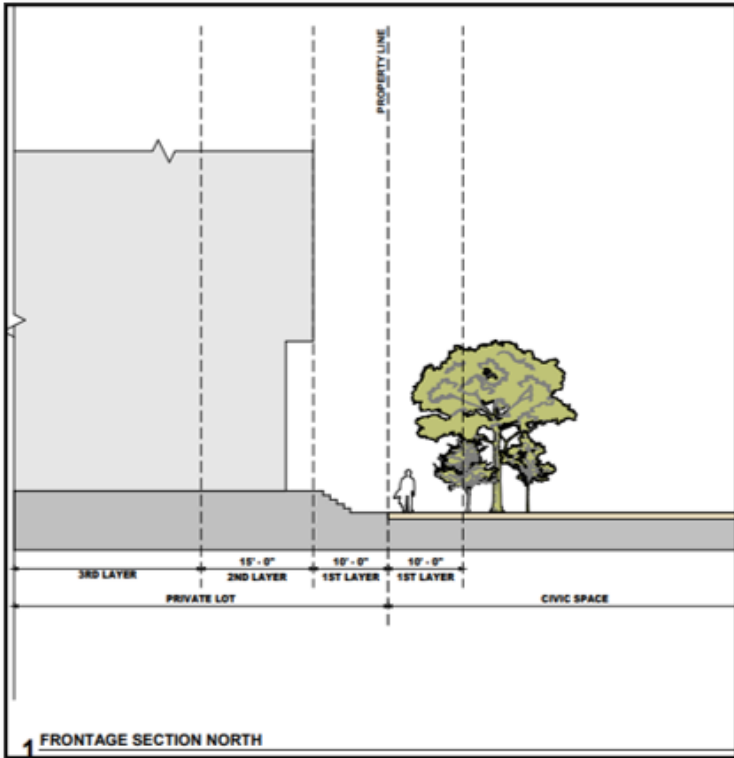
First Layer Design Adjacent to Thoroughfares



Access easements designated as Thoroughfares, and all improvements therein, are subject to City Public Works review and approval.



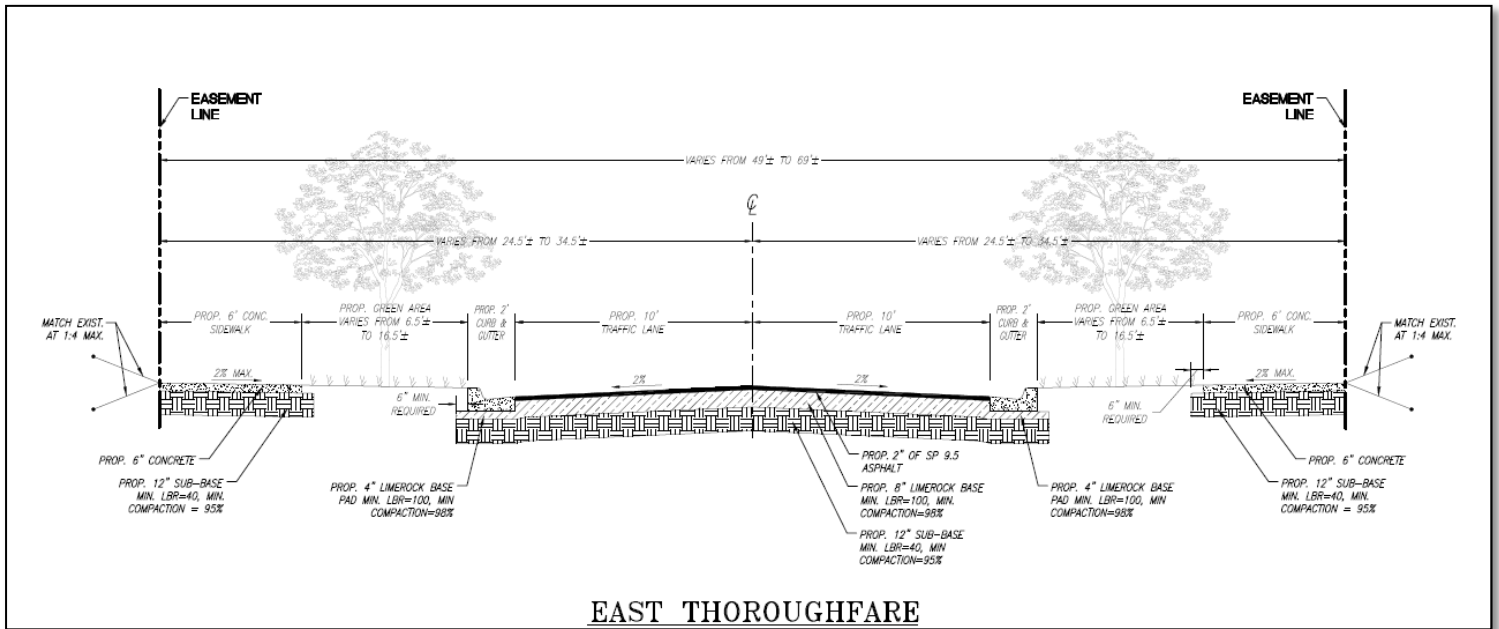
First Layer Design Adjacent to CS Parks





8.2 ILLUSTRATIONS: The Abutting Thoroughfares

Thoroughfare Right of Way East of SAP Area (“East Thoroughfare”)



Thoroughfare Right of Way West of SAP Area (“West Thoroughfare”)

