

Memorandum



Date: (Public Hearing 10-6-15)
September 16, 2015

To: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

From: Carlos A. Gimenez 
Mayor

Subject: Proposed Zoning Ordinance Amending the North Central Urban Area Zoning
District as Requested by Sussie Smith and Alisworth F. Smith

Agenda Item No. 5(L)

Ordinance No. 15-104

Attached please find the material related to a zoning application filed in accordance with Section 33-284.89.3 of the County Code (Amendments to Urban Center District Land Use Plan Category or Other Regulating Plan). The material consists of a proposed ordinance containing the applicant's proposed revisions to the North Central Urban Area District regulating plans and related text as well as the Department of Regulatory and Economic Resources' staff report. This item is quasi-judicial.

The proposed ordinance creates no fiscal impact on Miami-Dade County.



Jack Osterholt, Deputy Mayor

**Miami-Dade County Department of Regulatory and Economic Resources
Staff Report to the Board of County Commissioners**

Z15-031

Recommendation Summary for North Central Urban Area District (NCUAD)	
Commission District	2
Applicant	Sussie Smith and Ainsworth F. Smith
Summary of Requests	This application is to update the land use regulating plan of the NCUAD in order to change the designation of the subject parcel from Mixed-Use Corridor to Mixed-Use Special.
Location	Lying west of NW 7 Avenue along NW 95 Street, Miami-Dade County, Florida
Property Size	±1.1-acres
Existing Zoning	North Central Urban Area District
Existing Land Use	Commercial, single-family residence & bungalows
2020 - 2030 CDMP Land Use Designation	Urban Center
Comprehensive Plan Consistency	Consistent with interpretative text, goals, objectives and policies of the CDMP
Applicable Zoning Code Section(s)	Section 33-284.89.3 Amendments to Urban Center District Land Use Plan Category or Other Regulating Plan
Recommendation	Approval

REQUEST:

MODIFICATION of the land use regulating plan of the North Central Urban Area District in order to change the designation of the subject parcel from Mixed-Use Corridor to Mixed-Use Special.

PROPERTY HISTORY & DESCRIPTION:

On August 2, 2011, the Board of County Commissioners (BCC) adopted Ordinance No. 11-65 establishing the **North Central Urban Area District (NCUAD)**. The properties within NCUAD boundaries were rezoned to NCUAD on July 19, 2012 pursuant to Resolution No. Z-14-12. At the time of the rezoning, the subject properties were designated as MC, Mixed-Use Corridor on the land use regulating plan of the NCUAD. The approval of this application would permit the modification of the land use regulating plan to change the designation of the subject properties from MC, Mixed-Use Corridor to MCS, Mixed-Use Corridor Special, which permits automotive-related and other commercial uses not permitted under the MC designation.

RECOMMENDATION:

In staff's opinion, the modification of the NCUAD land use regulating plan for the subject properties would provide uses similar to those permitted on the properties to the east, northeast, and southeast which are designated as MCS on the NCUAD land use regulating plan. Staff notes that the existing MC designation does not permit automotive related uses nor certain BU-3 uses unless they are explicitly listed in the Standard Urban Center Land Use Group table under MC. Uses that are permitted in the MCS category include residential, civic, office and commercial, including automotive-related. The location of the properties along NW 95 Street at State Road 441 (NW 7 Avenue), both well-travelled major roadways, is appropriate for the type of uses permitted in the MCS category, including automotive related. Additionally, staff notes that the properties are approximately 750' from the I-95 exit ramp at NW 95 Street. The extension of the MCS to the northwestern corner of NW 95 Street and NW 7 Avenue provides for a transition for higher intensity uses. Staff opines that those uses permitted in the MCS category are **compatible** with existing uses in the area, and the intensification of uses will be in harmony with the surrounding area.

The proposed amendment to this ordinance would permit the redevelopment of the subject properties with uses which are **compatible** with those found in the area and **consistent** with the intensification policies provided by the CDMP urban center text. Therefore, staff recommends approval of the modification to the land use regulating plan of the NCUAD.



Nathan Kogon, AICP, Assistant Director
Development Services Division
Miami-Dade County
Department of Regulatory and Economic Resources

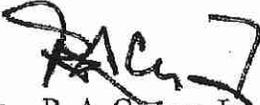


MEMORANDUM

(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: October 6, 2015

FROM: 
R. A. Cuevas, Jr.
County Attorney

SUBJECT: Agenda Item No. 5(L)

Please note any items checked.

- "3-Day Rule" for committees applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Ordinance creating a new board requires detailed County Mayor's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous ____) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 5(L)
10-6-15

ORDINANCE NO. 15-104

ORDINANCE RELATING TO ZONING; REVISING LAND USE PLAN MAP FOR THE NORTH CENTRAL URBAN AREA DISTRICT AS REQUESTED BY SUSSIE SMITH AND AINSWORTH F. SMITH FOR REAL PROPERTY LOCATED WEST OF NW 7TH AVENUE ALONG NW 95TH STREET; AMENDING SECTION 33-284.99.51, CODE OF MIAMI-DADE COUNTY, FLORIDA; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

WHEREAS, in Ordinance No. 13-119, this Board created a procedure to amend Urban Center District regulating plans codified in Chapter 33 of the Code of Miami-Dade County; and

WHEREAS, 'Sussie Smith and Ainsworth F. Smith' have applied to change the land use category of a parcel located west of NW 7 Avenue along NW 95 Street from Mixed-Use Corridor to Mixed-Use Corridor Special, which requires amending one of the regulating plans codified in the NCUAD regulations,

NOW, THEREFORE BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:

Section 1. Sec. 33-284.99.51 of the Code of Miami-Dade County, Florida, is hereby amended as follows:¹

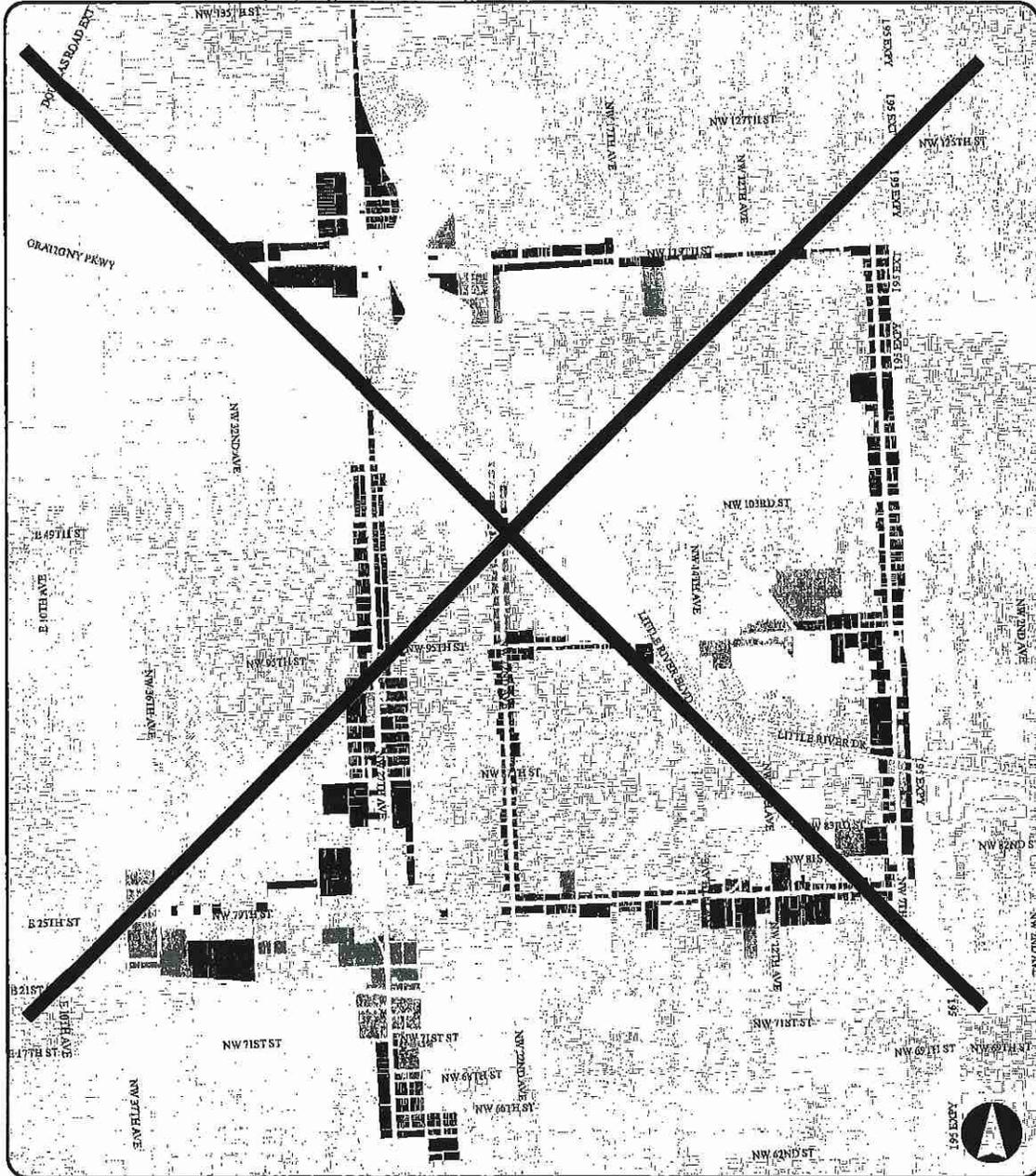
Sec. 33-284.99.51. Regulating Plans.

The Regulating Plans shall consist of the following controlling plans as defined and graphically depicted in this section:

* * *

¹ Words stricken through and/or [[double bracketed]] shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.

A. Land Use Plan



Land Use

- MM: Mixed Use Main Street
- MCS: Mixed-Use Corridor Special
- MC: Mixed-Use Corridor
- RM: Residential Modified
- R: Residential
- ID: Industrial District
- I: Institutional





Land Use

- | | | | |
|--|---------------------------------|---|-------------------------|
|  | MM: Mixed Use Main Street |  | R: Residential |
|  | MCS: Mixed-Use Corridor Special |  | ID: Industrial District |
|  | MC: Mixed-Use Corridor |  | I: Institutional |
|  | RM: Residential Modified | | |



Section 2. If any section, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 3. It is the intention of this Board of County Commissioners, and is hereby ordained that the provisions of this ordinance shall become and made part of the Code of Miami-Dade County, Florida. The section of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section", "article", or other appropriate word.

Section 4. This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

PASSED AND ADOPTED: October 6, 2015

Approved by County Attorney as
to form and legal sufficiency:



Prepared by:

Dennis A. Kerbel