

MEMORANDUM

Agenda Item No. 6(E)

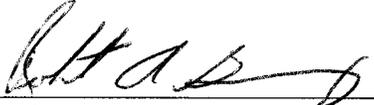
TO: Hon. Chairperson and Members
Board of County Commissioners

(Second Reading 6-3-03)
DATE April 8, 2003

FROM: Robert A. Ginsburg
County Attorney

SUBJECT: Ordinance relating to zoning
applications; modifying
requirement for boundary survey

The accompanying ordinance was prepared and placed on the agenda at the request of
Commissioner Sally A. Heyman.



Robert A. Ginsburg
County Attorney

RAG/bw

1



MEMORANDUM

TO: Honorable Chairperson and Members
Board of County Commissioners

DATE: June 3, 2003

FROM: Steve Shiver
County Manager

A handwritten signature in black ink, appearing to read "Steve Shiver", written over the printed name.

SUBJECT: Ordinance relating to zoning applications; modifying requirement for boundary survey

This proposed ordinance relating to zoning applications will have no fiscal impact on Miami-Dade County.



MEMORANDUM

(Revised)

TO: Honorable Chairperson and Members
Board of County Commissioners

DATE: June 3, 2003

FROM: Robert A. Ginsburg
County Attorney

SUBJECT: Agenda Item No. 6(E)

Please note any items checked.

- "4-Day Rule" ("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
- Bid waiver requiring County Manager's written recommendation
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- Housekeeping item (no policy decision required)
- No committee review

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 6 (E)
6-3-03

ORDINANCE NO. _____

ORDINANCE RELATING TO ZONING APPLICATIONS;
MODIFYING REQUIREMENT FOR BOUNDARY SURVEY;
AMENDING ORDINANCE NO. 02-150 OF MIAMI-DADE
COUNTY; PROVIDING SEVERABILITY, INCLUSION IN THE
CODE, AND AN EFFECTIVE DATE

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

Section 1. Section 1 of Ordinance No. 02-150 of Miami-Dade County, Florida, is
hereby amended to read as follows:¹

Sec. 33-304. Applications.

(a) All requests for a district boundary change, changes in the zoning regulations, appeals of administrative decisions, special exceptions or unusual uses, new uses, variances, approvals of or modifications to developments of regional impact ("DRI"), including substantial deviation determinations, and determinations that a DRI is essentially built out, shall be made by filing an application therefor with the Director on application forms prescribed by the Director or by rule and regulation of the Developmental Impact Committee. Forms shall include, but not be limited to, disclosure forms for corporations, trusts and partnerships, and disclosure of information regarding contract purchasers and their percentage(s) of interest.

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.

Disclosure shall not be required of: 1) any entity, the equity interests in which are regularly traded on an established securities market in the United States or another country; or ii) pension funds or pension trusts of more than five thousand (5,000) ownership interests; or iii) any entity where ownership interests are held in a partnership, corporation or trust consisting of more than five thousand (5,000) separate interests, including all interests at every level of ownership, and where no one (1) person or entity holds more than a total of five (5) percent of the ownership interest in the partnership, corporation or trust. Entities whose ownership interests are held in a partnership, corporation, or trust consisting of more than five thousand separate interests, including all interests at every level of ownership, shall only be required to disclose those ownership interest which exceed five (5) percent of the ownership interest in the partnership, corporation, or trust. Disclosure forms shall be established by administrative order to be approved by the Board of County Commissioners. Such disclosure forms shall be included in the agendas distributed in connection with the public hearing on the application. Where applicable, requests shall specify whether, and the extent to which, the requested change in land use or proposed development conforms to the Comprehensive Development Master Plan for Miami-Dade County, Florida.

All requests which authorizes or permits development filed pursuant to this section shall include a boundary survey of the property which is the subject of the application performed in accordance with Chapter 61G17-6.0031, Florida Administrative Code as may be amended from time to time >>in the event any portion of the property is contiguous to or across the street from a municipal boundary.<< It is further provided that such survey shall depict the location of any municipal boundary on or across the property being surveyed. The boundary survey submitted shall have been updated within one year preceding the date of an application filed pursuant to this section.

Section 2. If any section, subsection, 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 the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any sunset provision, shall become and be made a part of the Code of Miami-Dade County, Florida. The sections 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:

Approved by County Attorney as
to form and legal sufficiency:

RA G
CAC

Prepared by:

Craig H. Coller

Sponsored by Commissioner Sally A. Heyman