



MEMORANDUM

GOE

Agenda Item No. 2(JJ) Sub No 1

TO: Hon. Chairperson Barbara Carey-Shuler, Ed. D. DATE: November 14, 2003
and Members
Board of County Commissioners

FROM: George M. Burgess
County Manager

SUBJECT: Ordinance Approving and
Adopting Airport Height Zoning
Map for Miami International
Airport

RECOMMENDATION

It is recommended that the Board adopt, approve, and ratify the Miami-Dade County Aviation Department drawing entitled "Airport Height Zoning Area Map for Miami International Airport", dated June 11, 2003, pursuant to the provisions of Section 33-335 of the Code of Miami-Dade County. This map should be considered as an exhibit that corresponds with the Land Use Zoning Ordinance for Miami International Airport.

BACKGROUND

Pursuant to Section 33-335 of the Code of Miami-Dade County, the Board shall adopt, approve, and ratify a drawing that truly and faithfully depicts the height limitations for Miami International Airport (MIA), the original of which will be on file with the Clerk of the Board with copies kept on file in the office of the Miami-Dade County Department of Planning and Zoning. The attached referenced drawing locates and identifies MIA and the affected surrounding area and contains topographic data pertinent to the purpose of MIA, and the several zone classification districts established thereon and shows the height limitations established for the airport zoning area.

It is therefore recommended that the Board adopt the attached Ordinance declaring the attached "Airport Height Zoning Area Map for Miami International Airport" as the official height zoning map for Miami International Airport.

Assistant County Manager



MEMORANDUM

(Revised)

TO: Hon. Chairperson Barbara Carey-Shuler, Ed.D. and Members, Board of County Commissioners **DATE:** December 4, 2003

FROM: 
Robert A. Ginsburg
County Attorney

SUBJECT: Agenda Item No.

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

Agenda Item No

Veto _____

Override _____

ORDINANCE NO. _____

ORDINANCE RELATING TO MIAMI INTERNATIONAL AIRPORT AND SURROUNDING AREA; AMENDING SECTION 33-335 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, TO INCORPORATE AIRPORT HEIGHT ZONING AREA MAP

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

Section 1. Section 33-335 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:¹

Sec. 33-335. Establishment of height limitations for zone classification districts in the airport zoning area.

Except as otherwise provided elsewhere in this article, no structure shall be erected or altered and no tree shall be allowed to grow or be maintained in any district created and established by this article to a height in excess of the height limits herein established for such district. Such height limitations will, in applying the provisions of this article, be corrected to elevations referred to the heretofore established mean sea level datum plane, by adding such height limitations to the mean sea level elevation of the point, line or plane to which such height limitation is referenced, or to the airport elevation, as the context of this article requires. An area, a structure or a tree located in more than one (1) of the described districts is considered to be only in the district with the more restrictive height limitation. Such limitations are hereby established for the districts as follows:

* * *

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.

>>The Miami-Dade Aviation Department drawing entitled "Airport Height Zoning Area Map for Miami International Airport", dated June 11, 2003, reflecting the above-defined height limitations, the original which will be on file with the Clerk of the Board with copies kept on file in the Office of the Miami-Dade County Department of Planning and Zoning, shall be the official height zoning map for Miami International Airport, shall be prima facie evidence of the height of the structures and shall be applicable to and controlling of such height limitations established herein.<<

* * *

Section 2. This ordinance does not contain a sunset provision.

Section 3. 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 4. 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 5. 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 the County Attorney as
to form and legal sufficiency.

RA6

Prepared by:

APW

Abigail Price-Williams

