

Memorandum



(Second Reading 10-18-05)

Date: May 17, 2005

To: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

Agenda Item No. 7(F)

From: George N. Burgess
County Manager

Subject: Ordinance Amending Section 33-133. Pertaining to Right-Of-Way Plan and Minimum Width of Streets and Ways

RECOMMENDATION

It is recommended that the Board approve the attached ordinance amending Section 33-133 of the Code of Miami-Dade County to adjust the zoned right-of-way width for NW 74th Street between the Palmetto Expressway (State Road No. 826) and the Homestead Extension of Florida's Turnpike (H.E.F.T.) due to the 126' wide construction of aforesaid NW 74th Street.

BACKGROUND

NW 74th Street is a vital link connecting the Hialeah area to the Turnpike through the northern Doral area. Adjacent lands are currently being developed at an increasingly fast pace. NW 74th Street is currently designated as a standard 80-foot wide section line right-of-way. However, the State of Florida Department of Transportation is planning to construct this arterial corridor as a six-lane roadway, which will require a right-of-way width of 126 feet. The Comprehensive Development Master Plan and the long range plan of the Metropolitan Planning Organization already indicate that this roadway is to be six lanes. Therefore it is necessary to amend Chapter 33-133, the Right-of-Way Plan, to regulate the location of future development growth in regard to its proximity with NW 74th Street.

FISCAL IMPACT

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

A large, stylized handwritten signature in black ink, appearing to read "George N. Burgess".

Assistant County Manager



MEMORANDUM

(Revised)

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: October 18, 2005

FROM: Murray A. Greenberg
County Attorney

SUBJECT: Agenda Item No. 7(F)

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. 7(F)

Veto _____

10-18-05

Override _____

ORDINANCE NO. _____

ORDINANCE PERTAINING TO ZONING; AMENDING SECTION 33-133 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA PERTAINING TO RIGHT-OF-WAY PLAN AND MINIMUM WIDTH OF STREETS AND WAYS; 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 33-133 of the Code of Miami-Dade County, Florida is hereby amended as follows:¹

Sec. 33-133. Right-of-way plan and minimum width of streets and ways.

The minimum right-of-way widths for streets, roads and public ways for the unincorporated area of the County shall be as follows:

* * *

(B) EAST AND WEST STREETS

East-West North Streets *Feet*

* * *

>>(6.1) NW 74 Street from Palmetto Expressway (State Road No. 826) to Homestead Extension of Florida's Turnpike (H.E.F.T. State Road No. 821)

126 <<

* * *

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.

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 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:

[Handwritten Signature]

Prepared by:

JM

John McInnis