MEMORANDUM

Agenda Item No. 7(A)

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

DATE: June 20, 2006

FROM: Murray A. Greenberg
County Attorney

SUBJECT: Ordinance providing for RU-RH, Rowhouse Zoning District

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The accompanying ordinance was prepared and placed on the agenda at the request of Commissioner Barbara J. Jordan.

Murray A. Greenberg
County Attorney

MAG/bw

MEMORANDUM
(Revised)

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

DATE: June 20, 2006

FROM: Murray A. Greenberg
County Attorney

SUBJECT: Agenda Item No. 7(A)

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. 7(A)
6-20-06

ORDINANCE NO. _____

ORDINANCE PROVIDING FOR RU-RH, ROWHOUSE ZONING DISTRICT; PROVIDING PURPOSE AND INTENT, DEFINITIONS, PERMITTED USES, DEVELOPMENT STANDARDS, DESIGN STANDARDS, OWNERSHIP AND MAINTENANCE OF COMMON OPEN SPACE, SITE PLAN REVIEW, AND SITE PLAN CHANGES; CREATING ARTICLE XVB AND SECTIONS 33-202.4 THROUGH 33-202.11 OF THE CODE OF MIAMI-DADE COUNTY ("CODE"), FLORIDA; AMENDING SECTIONS 33-2, 33-25.1, 33-133, 33-203.6, 33-207.2, 33-208, 33-217, AND 33-223.1 PERTAINING TO DISTRICTS ENUMERATED AND PERMITTED USES, AND STREETS; 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. Article XVB, Sections 33-202.4 through 33-202.11 of the Code of Miami-Dade County, Florida, are hereby created as follows:[1]

>>**ARTICLE XVB. RU-RH, ROWHOUSE DISTRICT**

Sec. 33-202.4. Purpose and intent.

It is the intent of these regulations to create a Rowhouse District to be applied in unincorporated Miami-Dade County. Further, it is the purpose and intent of these regulations to create developments at a pedestrian scale; to create a streetscape which is convenient and comfortable for walking; to form a clear edge of public and private buildings, spatially delineating the public street space from private block interiors; to encourage pedestrian interaction between the development site and public areas; to provide a range of building elevations; to provide an identity, visual interest and diversity, and to provide opportunities for citizens to know their neighbors and watch over their collective security.

Sec. 33-202.5. Definitions.

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[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.

As used herein, a "rowhouse" is a one-family dwelling unit of a group of three (3) or more such units, each separated from the next by a common party fire wall; provided, however, that up to ten (10) percent of the total number of units on any individual site plan may be developed in two-unit groupings. Each common party fire wall shall extend to the roof line or above the roof of the units it serves and shall have no openings therein. Where units are offset from one another and a common party wall is used, the wall may be placed equidistant on each side of the lot line not exceeding the length of the offset. Each rowhouse unit shall be constructed upon a separate platted lot; provided, however, that the roof eaves may overhang onto adjacent lots or common areas a maximum of twenty-four (24) inches, subject to the approval of and determination by the Director that the roof or drainage system is designed so that runoff of water from the roof does not adversely affect adjacent units or lots. Each rowhouse unit shall be serviced with separate utilities and other facilities and shall otherwise be independent of one another.

Sec. 33-202.6. Permitted uses.

No land, body of water or structure shall be used or permitted to be used, and no structure shall be hereafter erected, constructed, moved, or reconstructed, structurally altered or maintained for any purpose in a rowhouse district (RU-RH) which is designed, arranged or intended to be used or occupied for any reason or purpose, except for one (1) of the following uses:

(1) Those uses permitted in the RU-1, RU-1M(a), RU-1M(b), RU-2, RU-TH, and RU-3 Districts, subject only to the applicable physical requirements, limitations and restrictions of said districts, including, but not limited to, lot width, areas, setbacks, heights and coverage.

(2) Rowhouses shall be permitted in accordance with the criteria contained in this article, provided however, that a rowhouse development without common open space shall not be approved within one thousand (1,000) feet of another rowhouse development in which common open space has not been provided.

Sec. 33-202.7. Development standards.

A rowhouse development shall be designed in accordance with the following standards, and in accordance with the design standards contained in Section 33-202.8:

(1) *Lot size.* The minimum lot size of a rowhouse lot shall be one thousand two hundred and fifty (1,250) square feet.

(2) *Density.* The maximum number of dwelling units shall be twelve (12) units per net acre.

(3) *Common open space.* Open space in the form of green(s) shall be provided in accordance with the following:

Project size (net acres)	Percentage of common open space to be developed as green(s)
Less than one net acre	0%
One net acre and more	12%

As used in this subsection, a rowhouse green(s) shall be a common open space placed to create focal point(s) in the neighborhood and shall be easily accessible. A rowhouse green shall include amenities such as landscaping, benches, pedestrian paths, gazebos, band shells, swimming pools, tennis courts, shuffleboards, community buildings, recreation buildings, maintenance buildings for common areas, lakes, canals and lagoons, other recreational uses, or entrance features. Entrance features that were not included or approved in the original site plan are permissible but shall require entrance feature review and approval by the Department and by a homeowners association or similar entity. Greens shall front on roads and/or residential development on at least three sides. Greens shall have a minimum width of thirty-five (35) feet and a maximum length of two hundred and seventy (270) feet, except a green may be up to four hundred and eighty (480) feet in length when rowhouse lots directly front the green along the lateral sides. Buildings shall not cover more than twenty (20) percent of a green. No parking shall be permitted on the green. Greens may be enclosed with wrought iron or electroplated aluminum picket fencing not exceeding forty-two (42) inches in height, which shall be seventy five (75) percent opaque.

Common open space, other than greens, may include, without limitation, recreational areas, sidewalks, water bodies, and tree preservation zones as defined by Section 24-5 of this code

(4) *Grouping length.* A grouping of rowhouses shall not exceed two hundred forty (240) feet in length.

(5) *Frontage on Roads or Greens.* Each rowhouse lot shall have a clear, direct frontage on public streets, private streets or to accessways complying with private street requirements, or on a green as defined in Section 33-202.7. No more than two rowhouse groupings may front on a green without an intersecting roadway. All rowhouse groupings fronting on a green shall be developed with a rear alley, public street or private street conforming to private street requirements. Greens that immediately abut the front of rowhouse groupings shall be designed to provide access for emergency

vehicles. The design and surface material of such emergency accessways shall meet with the approval of the Miami-Dade County Fire Department.

(6) *Building height.* The maximum height for any rowhouse unit shall be and forty (40) feet and the maximum number of stories shall be three (3) stories.

(7) *Setbacks.*

(a) Front. The front setback shall be a minimum of ten (10) feet, provided, however, that a front porch, bay window, awning, balcony, roof overhang, or handicap ramp may encroach into the front setback at varying dimensions up to eight (8) feet, as provided in Section 33-202.8(1) for optional setbacks and in Section 33-202.8(2)(a) for encroachments. No garages shall front on, nor shall parking spaces be located in, the front setback.

(b) Rear. The rear setback shall be a minimum of five (5) feet. No structures including walls or fences shall be permitted within this setback area, except that an additional twenty four (24) inch roof overhang or stoop and utility equipment may encroach into the rear setback.

(c) Side street. The minimum side street setback shall be ten (10) feet, of which half (50%) of the width shall be unencumbered by walls, fences or other structures or buildings. An additional twenty four (24) inch roof overhang, stoop or handicap ramp may encroach into the side street setback.

(d) Spacing between buildings. A fifteen (15) foot unencumbered space shall be provided between groupings of rowhouses.

(8) *Accessory buildings.*

Accessory buildings shall not be permitted, except for detached private garages.

(9) *Private garages.*

(a) All private garages shall be accessed from the rear of the unit. Garages may be credited toward required parking if, at the time of zoning or administrative site plan approval, a restrictive covenant approved in form and legal sufficiency by Miami-Dade County is recorded that permanently prohibits the enclosure of vehicular storage space on the first floor to create habitable living space.

(b) Detached private garages shall be limited to two (2) stories in height. Within this height limit, habitable space for occupants of the unit may occur above the vehicular storage space on the first floor; no kitchen facilities shall be permitted.

(10) *Private open space.* There shall be provided on each platted rowhouse lot at least three hundred (300) square feet of outdoor open space exclusive of parking and service area. Open roofed areas, balconies designed and planned for outdoor space, screened enclosures with a screened roof, patio slabs, swimming pools, decks, garden features, hot tubs, porches and stoops may be credited toward this open space requirement.

(11) *Parking.* Parking requirements shall be in accordance with Section 33-124 of this code, provided that a minimum of two (2) spaces shall be provided for each rowhouse unit plus an additional one-quarter (.25) space per unit for guest parking. On-street parallel parking may be used for guest parking. Parking shall be prohibited in the front setback area. No perpendicular parking shall be permitted on roadways. Garages shall be credited toward required parking and garages shall be accessed from the rear of the lot.

(12) *Landscaping.* Landscaping shall be provided in accordance with Chapter 18A of this code.

(13) *Utilities and services.* Each rowhouse shall be independently served by separate heating, air conditioning, water, sewer, electricity, gas, or other utility services, and no rowhouse unit shall be in any way dependent upon such services or utility lines located within another unit or on or in another rowhouse site, except as may be installed in public easements. All water and sewer lines and all electrical and telephone lines in a rowhouse development site shall be placed underground. Proper and adequate access for fire fighting purposes, and access to service areas to provide garbage and waste collection, and for other necessary services shall be provided.

(14) *Additions.* A homeowners' association shall review and approve, or deny, additions and exterior modifications to a rowhouse unit.

Sec. 33-202.8. Design Standards.

(1) *Front Elevation.* The front elevation of rowhouse units shall face a street or green and shall contain the front door and windows covering at least fifteen (15) percent of the front elevation, not including the roof.

The front elevation of rowhouse units shall be differentiated and articulated by at least two (2) of the following design variations; (a) varying front elevations; (b) varying roof pitches and/or directions; (c) articulating front elevations with fenestration, bay windows and/or balconies; (d) varying building heights; (e) staggering of the front elevation(s) so that fifty (50) percent of the elevation(s) are setback a minimum of ten (10) feet from the front property line and the remaining fifty (50) percent of the elevation(s) are setback a minimum of fifteen (15) feet.

(2) *Front porch and stoop.* Front porches shall be required for a minimum of fifty (50) percent of all rowhouse units. A front porch shall consist of a roofed structure attached to the front of the unit. The porch shall be open on three (3) sides except for structural columns or low walls or railings not exceeding forty-two (42) inches in height from the porch floor. The front porch openings may be covered with insect screening but not with glazing. Front porches shall have a minimum width of twelve (12) feet and a minimum depth of six (6) feet, except that side and rear porches shall not be subject to these requirements. A stoop may be a covered landing placed at the side or rear entrance to a dwelling unit with a maximum area of thirty-six (36) square feet. All or a portion of a porch or stoop may encompass a handicap ramp providing access.

(a) *Encroachments into front setback area*: Front porches may encroach a maximum of six (6) feet into the front setback. Roof eaves of such front porches may encroach another two (2) feet but not within four (4) feet of the front roadway pavement. Awnings, second story balconies and handicap ramps may encroach up to six (6) feet into the front setback; bay windows may encroach up to four (4) feet into the front setback.

When rowhouse units front on a green or other common open space, front porches may encroach a maximum of eight (8) feet into the front setback. Roof eaves of such front porches may encroach another two (2) feet. Awnings, second story balconies and handicap ramps may encroach up to six (6) feet into the front setback; bay windows may encroach up to four (4) feet into the front setback.

(3) *Street system, right-of-way width, and improvements.* The right-of-way width of public streets and private streets and alleyways serving a group of rowhouses and the improvements therein shall conform to all applicable minimum Miami-Dade County standards and requirements for such streets. Cul-de-sacs and T- turnarounds should be avoided. The street system of a rowhouse development shall be designed to connect directly to adjacent street systems.

(4) *Street edge.* Sidewalks with a minimum width of five (5) feet and curbs and gutters shall be provided along all roadways and shall be in accordance with the *Public Works Manual.* Street lamps of a maximum height of ten (10) feet shall be provided at an average spacing of twenty-five (25) feet on center along the roadway edge.

(5) *Alleys.* Alleys are permitted and shall be a minimum of fifteen (15) feet in width, with a minimum twelve (12) feet of paved surface and a twenty-two (22) foot clear opening at the throat.

(6) *Pedestrian path.* Pedestrian pathways are intersecting paved walkways that provide pedestrian passage from street to street and from a green to a street. A pedestrian pathway between streets or from a green to a street shall be provided every two hundred forty (240) feet when there is no intervening street between building groups. A pedestrian path shall be a minimum of fifteen (15) feet in width that shall contain a minimum pavement width of six (6) feet. The balance of the pedestrian path shall be landscaped open space, except where interrupted by alleyways.

Sec. 33-202.9. Ownership and maintenance of common open space.

All land designated on approved plans as common open space, except public rights-of-way, including green(s) and all structures, roads and permitted drives devoted to the common use of the inhabitants of this district shall be owned and maintained as follows:

(1) Any such common open space shall either be owned by a property homeowners' association, a special taxing district or a similar entity. In the case of a homeowners' association, the ownership shall be subject to covenants providing for the maintenance of the common facilities in a manner that assures its continuing use for its intended purpose and provided that a homeowners' association shall comply with the following requirements:

(a) A homeowner's association shall be established before the units or individual building lots are sold.

(b) Membership shall be mandatory for each property owner and said association shall have the authority to adjust the assessment to meet the needs of maintaining the open space.

(c) Any assessments levied by the homeowner's association shall be a lien superior to all other liens, except tax liens and mortgage liens are first liens against the property encumbered thereby.

(d) The homeowner's association shall be responsible for maintenance of common elements and local taxes on such common elements.

(e) No amendment(s) shall be permitted to the homeowner's association documents which would have the effect of modifying or eliminating requirements for the common areas without the prior written consent of Miami-Dade County

Sec. 33-202.10. Site plan review.

The Department shall review plans for compliance with zoning regulations and for compliance with the site plan review criteria. Requirements shall include conformance with the standards contained in regulations, herein. Substantial conformance with the Urban Design Guidelines and Policies of the Comprehensive Development Master Plan shall be incorporated. The purpose of the site plan review is to encourage logic, imagination, innovation and variety in the design process and thereby insure the congruity of the proposed development and its compatibility with the surrounding area. All plans submitted to the Department shall be reviewed and approved or denied by the Department within twenty-one (21) days from the date of submission. The applicant shall have the right to extend the twenty-one (21) day period by an additional twenty-one (21) days upon timely request made in writing to the Department. The Department shall have the right to extend the twenty-one (21) day period by written notice to the applicant that additional information is needed to process the site plan. Denials shall be in writing and shall specifically set forth the grounds for denial. If the plan is disapproved the applicant may appeal to the appropriate Community Zoning Appeals Board in accordance with procedure established for appeals of administrative decisions.

(1) *Exhibits* Exhibits prepared by design professionals such as architects and landscape architects shall be submitted to the Department of Planning and Zoning and shall include, but not be limited to the following:

(a) Site plan(s) and architectural drawings at a scale of not less than one (1) inch equals one hundred (100) feet shall contain the following information:
  (1) Location, shape, size and height of existing and proposed buildings, green(s) and open spaces, fencing and walls;
  (2) Location of existing and planned streets and curbs;
  (3) Location of lot lines and setbacks including typical dimensions;
  (4) Location of on-street and off-street parking;
  (5) Development phase lines.
(b) Architectural elevations and floor plans of typical buildings.
(c) Landscape plans including specifications of plant material, location and size and quality in accordance with Chapter 18-A.

(d) Isometrics or perspectives of the proposed development, or model(s).
(e) Street cross section(s).
(f) Elevation of any wrought iron fencing enclosing a green.
(g) Figures indicating the following:
  (1) Gross and net acreage, and area to be dedicated for public right-of-ways.
  (2) Total number of dwelling units.
  (3) Amount of open space provided in the form of green(s) required and provided.
  (4) Number of parking spaces required and provided, both on-street and off-street.
  (5) Such other design data as may be needed to evaluate the project.

(2) *Site plan review criteria.* The following criteria shall be utilized in the plan review process:

(a) Purpose and intent: The proposed development fulfills the objectives of this article.

(b) Planning studies: Design, planning studies or neighborhood area studies approved by the Board of County Commissioners that include development patterns or environmental design criteria which would apply to the development proposal under review shall be utilized in the plan review process.

(c) Landscape: Landscape shall be reserved in its natural state insofar as is practicable by minimizing tree removal. Landscape shall be used to shade and cool, direct wind movements, enhance architectural features, relate structure design to site, visually screen noncompatible uses and block noise generated by the major roadways and intense use areas.

(d) Buffers: Buffering elements in the form of architectural design and landscape design that provide a logical transition to adjoining existing or permitted uses shall be provided.

(e) Scale: Scale of proposed structures shall be compatible with surrounding proposed or existing uses or shall be made compatible by the use of buffering elements.

(f) Street system: A well-defined system shall be designed to allow free movement throughout the development while discouraging excessive speeds, and shall structure the development in clearly defined clusters and/or groups of townhouses. All dwelling units should be located on residential service streets or courts designed to discourage all traffic

except that of owner/occupants, their guests, and their services. Pedestrian and auto circulation shall be separated insofar as is practicable.

(g) Visibility: No obstruction to visibility at street intersections shall be permitted, and such visibility clearances shall be as required by the Department of Public Works.

(h) Energy consideration: Site design methods to reduce energy consumption shall be encouraged. Energy site conservation methods may include siting of structures in relation to prevailing breezes and sun angles and use of landscape materials for shade and transpiration.

(i) Parking: Private parking shall be in adjacent groups of not more than four (4) spaces, said groups to be separated by the use of landscape elements. Where parking is provided in a group arrangement, planting, berms or other innovative methods shall be used as a means of minimizing the adverse effect of the visual impact of parked cars. This requirement is in addition to the requirements of the landscape regulations of Chapter 18A of the Code of Miami-Dade County.

(j) Open spaces: Open spaces shall relate to any natural characteristics in such a way as to preserve and enhance their scenic and functional qualities to the fullest extent possible.

(k) Privacy: Due consideration of aural and visual privacy shall be evidenced in the design of the overall development and in the design of the individual units.

(l) Graphics: Graphics, as required, shall be designated as an integral part of the overall design of the project.

(m) Art display: Permanent exterior art displays and water features should be encouraged in the overall design of the project.

(n) Emergency access: Access to emergency equipment shall be provided.

(o) Visual screening for decorative walls: In an effort to prevent graffiti vandalism the following options shall be utilized for walls abutting zoned or dedicated rights-of-way:

(1) *Wall with landscaping.* Walls shall be setback two and one-half (2 1/2) feet from the rights-of-way lines and the resulting setback

areas shall contain a continuous extensively landscaped buffer which shall be maintained in a good healthy condition by the property owner, or where applicable, by the condominium, homeowners' association or similar entity. The landscape buffer shall contain one (1) or more of the following planting materials:

(a) *Shrubs.* Shrubs shall be a minimum of three (3) feet in height when measured immediately after planting and shall be planted and maintained to form a continuous, unbroken, solid, visual screen within one (1) year after time of planting.

(b) *Hedges.* Hedges shall be a minimum of three (3) feet in height when measured immediately after planting and shall be planted and maintained to form a continuous, unbroken, solid, visual screen within one (1) year after time of planting.

(c) *Vines.* Climbing vines shall be a minimum of thirty-six (36) inches in height immediately after planting.

(2) *Metal picket fence.* Where a metal picket fence abutting a zoned or dedicated right-of-way is constructed in lieu of a decorative wall, landscaping shall not be required.

Sec. 33-202.11. RU-RH site plan changes.

The Director may authorize certain changes in a site plan for an individual rowhouse unit after an internal site plan review provided the changes meet the requirements of this code; such changes are limited to screen enclosures, patio slabs, new fascia or trim work, open porch additions with or without wood or metal roofs, trellis or garden amenities, such as awnings, Jacuzzis, swimming pools, decks and hot tubs, provided that:

(1) Written approval is obtained from the official, authorized body designated in the rowhouse development to approve architectural changes in the rowhouse community; and

(2) Written approval of the immediate adjacent rowhouse owner(s) is obtained. If the applicant is unable to contact an adjacent property owner for such approval, the applicant may present proof that he or she has mailed the request for approval to each adjacent unit owner, by certified mail, return receipt requested, at each adjacent property owner's mailing address as listed

in the most current Miami-Dade County tax roll, and that the notice has been returned undeliverable; and

(3) No additional variances are necessary to accomplish the proposed changes.

(4) *Exceptions.* The installation of temporary storm panels approved under the Florida Building Code shall be permitted as a matter of right and shall not be subject to homeowners' association approval, nor shall such installation be subject to adjacent rowhouse owners' approval. However, homeowners' association approval shall be required for the installation of permanent storm shutters. For the purposes of this subsection, temporary storm panels shall be defined as detachable protection devices that are installed temporarily over building openings in the event of an approaching hurricane or tropical storm.

The Director shall approve the change if it is determined that the change will be in harmony with and compatible with existing development in the area, and will not destroy the theme or character of the development in the area.

All adverse decisions of the official, authorized body designated in the rowhouse development to approve architectural changes in the rowhouse community shall be appealed solely pursuant to the provisions of the official documents of the rowhouse community. The official authorized body is required to afford the applicant, within sixty (60) days of receipt of the request, (1) written notice of the time and place of the hearing, (2) a full hearing, and (3) a decision in writing which is furnished to the applicant. Relief from this section shall be permitted only pursuant to the standards and requirements of section 33-311(A)(4)(a) of this code. <<

Section 2. Section 33-2 of the Code of Miami-Dade County, Florida is hereby amended as follows:

Section 33-2. Districts enumerated.

For the purpose of this chapter, all the unincorporated area of the County is hereby divided into the following districts:

* * *

RU-TH – Townhouse District

>>RU-RH – Rowhouse District<<

EU-M – Estate modified, single-family, minimum lot area 15,000 square feet.

* * *

Section 3. Section 33-25.1 of the Code of Miami-Dade County, Florida, is hereby amended as follows:

Sec. 33-25.1. Home office.

(A) A home office shall be permitted as an ancillary use to all lawful residential uses subject to the following limitations:

1. The area of the dwelling unit devoted to a home office shall not exceed two hundred (200) square feet of the living area of the dwelling unit, including garages.

2. The home office shall not be conducted in any accessory building or other structure detached from the residence >>except that a home office may be allowed in the habitable space on the second floor of a detached garage on a rowhouse lot in the RU-RH district<<.

* * *

Section 4. Section 33-133 of the Code of Miami-Dade County, Florida, is hereby amended as follows:

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:

* * *

(D) On all interior subdivision streets, [[~~fifty (50)~~]] >>forty-seven (47)<< feet shall be the official minimum right-of-way width, except as further modified by Chapter 28 of this Code.

* * *

Section 5. Section 33-203.6 of the Code of Miami-Dade County, Florida, is hereby amended as follows:

Sec. 33-203.6. Uses permitted; requirements generally.

No land, body of water or structure shall be used or permitted to be used, and no structure shall be hereafter erected, constructed, moved or reconstructed, structurally altered or maintained for any purpose in an RU-3M District which is designed, arranged or intended to be used or occupied for any purpose, except for one (1) of the following uses:

(A) Those uses permitted in the RU-1, RU-1M(a), RU-1M(b), RU-2, RU-3 [[~~and~~]] RU-TH >>, and RU-RH<< Districts subject only to the requirements, limitations and restrictions applicable therefor in said districts, including but not limited to, lot width, area, yard areas, height and coverage.

* * *

Section 6. Section 33-207.2 of the Code of Miami-Dade County, Florida, is hereby amended as follows:

Sec. 33-207.2. Uses permitted; requirements generally.

No land, body of water or structure shall be used or permitted to be used, and no structure shall be hereafter erected, constructed, moved or reconstructed, structurally altered or maintained for any purpose in an RU-4L District which is designed, arranged or intended to be used or occupied for any purpose, except for one (1) of the following uses:

(A) Those uses permitted in the RU-1, RU-1M(a), RU-1M(b), RU-2, RU-3, [[~~and~~]] RU-TH >>, and RU-RH<< Districts subject only to the requirements, limitations and restrictions applicable therefor in said districts, including but not limited to, lot width, area, yard areas, height and coverage.

* * *

Section 7. Section 33-208 of the Code of Miami-Dade County, Florida, is hereby amended as follows:

Sec. 33-208. Uses Permitted.

No land, body of water or structure shall be used, or permitted to be used and no structure shall be hereafter erected, constructed, moved or reconstructed, structurally altered or maintained for any purpose in an RU-4, High Density Residential District, which is designed, arranged or intended to be used or occupied for any purpose, except for one (1) of the following uses:

(1) Those uses permitted in the RU-1, RU-1M(a), RU-1M(b), RU-2, RU-3 >>,<< [[~~and~~]] RU-TH >>and RU-RH<< Districts subject only to the requirements, limitations, and restrictions applicable thereto in said districts, including but not limited to lot width, area, setbacks, yard areas, height and coverage.

* * *

Section 8. Section 33-217 of the Code of Miami-Dade County, Florida, is hereby amended as follows:

Sec. 33-217. Uses permitted.

No land, body of water or structure shall be used, or permitted to be used and no structure shall be hereafter erected, constructed, moved or reconstructed, structurally altered or maintained for any purpose in an RU-4A District which is designed, arranged, or intended to be used or occupied for any purpose, except for one (1) of the following uses:

(1) Those uses permitted in the RU-1, RU-2, RU-1M(a), RU-1M(b), RU-3 >>,<< [[~~and~~]] RU-TH >>and RU-RH<< Districts subject only to the requirements, limitations and restrictions applicable thereto in said districts, including but not limited to, lot width, area, setbacks, yard areas, height and coverage.

* * *

Section 9. Section 33-223.1 of the Code of Miami-Dade County, Florida, is hereby amended as follows:

Sec. 33-223.1. Uses permitted.

No land, body of water or structure shall be used, or permitted to be used, and no structure shall be hereafter erected, constructed, reconstructed, moved or structurally altered or maintained for any purpose in an RU-5 District which is designed, arranged, or intended to be used or occupied for any purpose, except for one (1) or more of the following uses, and all other uses are hereby prohibited:

(1) Duplex use--those uses permitted in the RU-2 District subject only to the requirements, limitations and restrictions specified in said district, and except that it shall be permissible to use a fifty- by one hundred-foot lot for two-family use in an old subdivision.

>>(1.1) Rowhouse development, subject only to the requirements, limitations and restrictions specified for the RU-RH district.<<

* * *

Section 10. 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 11. 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 12. 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: _____

Prepared by: JM

John McInnis

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