

MEMORANDUM

Agenda Item No. 7(C)

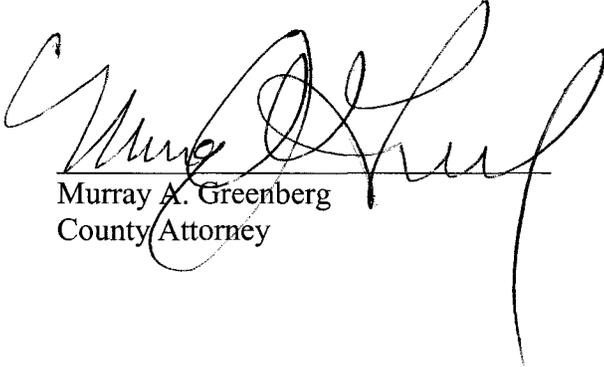
TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

(Second Reading 11-28-06)
DATE: September 12, 2006

FROM: Murray A. Greenberg
County Attorney

SUBJECT: Ordinance pertaining to
CDMP; amending Section
2-114 of the Code relating to
the Urban Development
Boundary Line

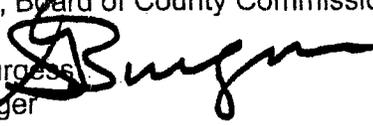
The accompanying ordinance was prepared and placed on the agenda at the request of Senator Javier D. Souto.


Murray A. Greenberg
County Attorney

MAG/jls

Memorandum



Date: November 28, 2006
To: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners
From: George M. Burgess, 
County Manager
Subject: Ordinance Pertaining to CDMP; Amending Section 2-114 of the Code relating to the
Urban Development Boundary Line

The ordinance amending Section 2-114 of the Code of Miami-Dade County relating to the Urban Development Boundary Line (UDB) will not have a fiscal impact to Miami-Dade County.

The ordinance serves to clarify the UDB specifically, indicating a property is only within the UDB if it is actually within the boundary, not on the dotted line.


Assistant County Manager

Fiscal00106

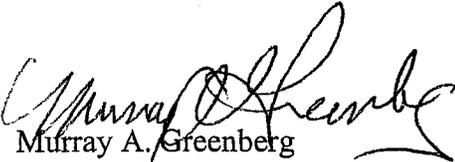


MEMORANDUM

(Revised)

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

DATE: November 28, 2006

FROM: 
Murray A. Greenberg
County Attorney

SUBJECT: Agenda Item No. 7(C)

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(C)

Veto _____

11-28-06

Override _____

ORDINANCE NO. _____

ORDINANCE RELATING TO COMPREHENSIVE DEVELOPMENT MASTER (CDMP); AMENDING SECTION 2-114 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; CLARIFYING THAT ONLY LANDS LYING INSIDE AND NOT ON THE MARKED URBAN DEVELOPMENT BOUNDARY LINE ON THE LAND USE PLAN MAP OF THE CDMP SHALL BE DEEMED INSIDE THE URBAN DEVELOPMENT BOUNDARY; 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 2-114 of the Code of Miami-Dade County is hereby amended to read as follows:¹

Sec. 2-114. Adoption of Comprehensive Development Master Plan-Legal status of plan; relationship to neighborhood area, and functional studies; legislative intent; definitions.

* * *

>>(f) In evaluating or rendering a decision on any application for developmental action or order, all County departments and boards shall deem land to be inside the Urban Development Boundary only if the land is inside and not on the marked Urban Development Boundary Line denoted on the Land Use Plan Map of the Comprehensive Development Master Plan. It is provided, however; that where there is a

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.

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discrepancy between the Urban Development Boundary Line on the Land Use Plan Map versus the legal description of an approved application to expand the Urban Development Boundary, the legal description shall prevail.<<

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 County Attorney as
to form and legal sufficiency:



Prepared by:



Craig H. Coller

Sponsored by Senator Javier D. Souto