MEMORANDUM

BPS -- October 13, 2009
Agenda Item No. 2E

TO: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

DATE:

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Ordinance pertaining to zoning; amending section 33-151.13 of the Code; permitting horses for use with therapy in conjunction with certain private schools

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

R. A. Cuevas, Jr.
County Attorney

RAC/jls

Memorandum

MIAMI-DADE COUNTY

Date:

To: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

From: George M. Burgess
County Manager

Subject: Ordinance pertaining to zoning; amending section 33-151.13 of the Code; permitting horses for use with therapy in conjunction with certain private schools

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The proposed ordinance permitting horses for use with therapy in conjunction with certain private schools will not have a fiscal impact to Miami-Dade County.

Assistant County Manager

fis05509

MEMORANDUM
(Revised)

TO: Honorable Chairman Dennis C. Moss and Members, Board of County Commissioners

DATE: July 21, 2009

FROM: R. A. Cuevas, Jr. County Attorney

SUBJECT: Agenda Item No. 4(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 Mayor'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. 4(C)

7-21-09

ORDINANCE NO. _____

ORDINANCE PERTAINING TO ZONING; AMENDING SECTION 33-151.13 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; PERMITTING HORSES FOR USE WITH THERAPY IN CONJUNCTION WITH CERTAIN PRIVATE SCHOOLS; 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 33-151.13 of the Code of Miami-Dade County is hereby amended as follows:[1]

Sec. 33-151.13. Zoning district requirements.

(a) All day nurseries, after-school centers, kindergartens and private schools shall meet the requirements included herein and the requirements of the particular zoning district in which they are located if that district is one (1) in which the facility is a permitted use; facilities in other districts shall meet RU-3 requirements.

* * *

>>(c) Notwithstanding any other provisions of this chapter or code to the contrary, horses used to provide therapy as a part of the curriculum of private schools primarily dedicated to the education of developmentally disabled children as specified in Section 393.063, Fla. Statutes, shall be permitted in conjunction with school use that has been approved in the EU-1, EU-2, GU and AU zoning districts. The number of horses and the location of the accessory structure(s) to house them shall comply with the underlying zoning district regulations. <<

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.

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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.

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: RAC

Prepared by: ABB

Andrew B. Boese

Prime Sponsor: Senator Javier D. Souto