MEMORANDUM

Agenda Item No. 7(A)

(Second Reading 2-2-10)

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

DATE: December 1, 2009

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

SUBJECT: Ordinance pertaining to zoning; establishing definition of allied health care clinical college/university; establishing regulations and zoning districts where permitted; exempting from the requirements of private colleges and universities

The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Bruno A. Barreiro.

R. A. Cuevas, Jr.
County Attorney

RAC/jls

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Memorandum

MIAMI-DADE COUNTY

Date: February 2, 2010

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

From: George M. Burgess
County Manager

Subject: Ordinance Pertaining to Zoning Establishing the Definition of Allied Health Care Clinical Colleges/Universities

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The proposed legislation establishing a zoning definition for allied health care clinical colleges / universities will not result in a fiscal impact to Miami-Dade County.

Alex Munoz, Assistant County Manager

fis02410

MEMORANDUM

(Revised)

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

DATE: February 2, 2010

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

SUBJECT: Agenda Item No. 7(A)

Please note any items checked.

_____ **"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**

_____ **Ordinance creating a new board requires detailed County Manager's report for public hearing**

_____ **No committee review**

_____ **Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous _____) to approve**

_____ **Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required**

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Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 7(A)
2-2-10

ORDINANCE NO. _____

ORDINANCE PERTAINING TO ZONING; ESTABLISHING DEFINITION OF ALLIED HEALTH CARE CLINICAL COLLEGE/UNIVERSITY; ESTABLISHING REGULATIONS AND ZONING DISTRICTS WHERE PERMITTED; EXEMPTING FROM THE REQUIREMENTS OF PRIVATE COLLEGES AND UNIVERSITIES; 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 33-1 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:[1]

Sec. 33-1. Definitions.

* * *

>>(4.1) Allied health care clinical college/university. Any private college or university whose curriculum is devoted exclusively to subjects in the allied health care fields and which may include an accessory clinic where clinical services are provided by students under the supervision of a licensed health care professional as part of the academic training.<<

* * *

[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. Section 33-151.14 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:

Sec. 33-151.14. Private colleges and universities.

* * *

>>(D) Exception for allied health care clinical colleges/universities. The requirements set forth in subsection (a) above or any other section of this Article shall not apply to allied health care clinical colleges/universities. An allied health care clinical college/university shall be located on a site containing a minimum lot area of not less than 1 gross acre and a maximum of five (5) gross acres and shall front on a major roadway (three (3) lanes or more). No allied health care clinical college/university shall exceed 30,000 gross square feet in size, of which the clinic shall not exceed 20% of the total gross area or a maximum of 3,000 square feet, whichever is less. Prior to building permit issuance, each allied health care clinical college/university shall be subject to an administrative site plan review (ASPR) in accordance with the applicable standards of the district where located, as provided in Sections 33-245.2; 33-251.5; 33-253.9 and 33-256.8 of this code.<<

Section 3. Section 33-238 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:

Sec. 33-238. Uses permitted.

No land, body of water and/or structure shall be used or permitted to be used, and no structure shall be hereafter erected, constructed, reconstructed, moved, occupied or maintained for any purpose in any BU-1 District except for one (1) or more of the following uses:

* * *

>>(1.2) Allied health care clinical colleges/universities.<<

* * *

Section 4. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the reminder of this ordinance shall not be affected by such invalidity.

Section 5. 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 6. 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:

Joni Armstrong Coffey

Prime Sponsor: Commissioner Bruno A. Barreiro