

**MEMORANDUM**

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Agenda Item No. 1(F)3

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

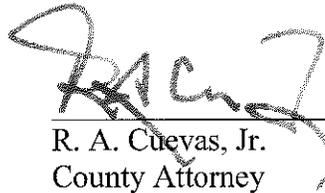
**DATE:** March 14, 2012

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

**SUBJECT:** Ordinance relating to the  
CDMP; amending Section  
2-116.1 of the Code, providing  
certain applications to amend  
the Urban Development  
Boundary or Urban Expansion  
Area boundary may not be filed  
until 2015

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The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Xavier L. Suarez.

  
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R. A. Cuevas, Jr.  
County Attorney

RAC/jls

# Memorandum



**Date:**

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

**From:** Carlos A. Gimenez  
Mayor

A handwritten signature in black ink, appearing to read "Carlos A. Gimenez". The signature is written in a cursive, flowing style.

**Subject:** Ordinance relating to the Comprehensive Development Master Plan

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The proposed ordinance relating to the Comprehensive Development Master Plan (CDMP) provides that no application can be filed to amend the Urban Development Boundary (UDB) or Urban Expansion Area (UEA) boundary until April 2015. The implementation of this ordinance will not have a fiscal impact to the County.

A handwritten signature in black ink, appearing to read "Carlos A. Gimenez". The signature is written in a cursive, flowing style.  

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Office of the Mayor

Fis4312



# MEMORANDUM

(Revised)

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

**DATE:** February 7, 2012

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

**SUBJECT:** Agenda Item No. 4(C)

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

Approved \_\_\_\_\_ Mayor  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Agenda Item No. 4(C)  
2-7-12

ORDINANCE NO. \_\_\_\_\_

ORDINANCE RELATING TO THE COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP); AMENDING SECTION 2-116.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; PROVIDING CERTAIN APPLICATIONS TO AMEND THE URBAN DEVELOPMENT BOUNDARY OR URBAN EXPANSION AREA BOUNDARY MAY NOT BE FILED UNTIL 2015; PROVIDING SEVERABILITY, INCLUSION IN AND EXCLUSION FROM THE CODE, AND AN EFFECTIVE DATE

**BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:**

Section 1. Section 2-116.1 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:<sup>1</sup>

**Sec 2-116.1. Amendment procedure for Comprehensive Development Master Plan.**

\* \* \*

(2) *Application.* Except as specifically provided below for applications pursuant to an emergency, pursuant to a compliance agreement, pursuant to a State statutory requirement, or pursuant to a concurrently requested development of regional impact (DRI) development order or change to an existing DRI development order, or for applications relating to reuse of military bases pursuant to Chapter 288, F.S., any request for amendments, modifications, additions or changes to the Comprehensive Development Master Plan shall be submitted to the Miami-Dade County Department of Planning and Zoning during the period between April 1 and April 30 inclusive (hereinafter April period), and during the period between October 1 and October 31 inclusive (hereinafter October period), in each year only in accordance with the following provisions:

<sup>1</sup> 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.

- (a) Applications requesting amendment to the Urban Development Boundary (UDB) or to the Urban Expansion Area (UEA) boundary depicted on the Land Use Plan map, or to the land use classification of land located outside of said Urban Development Boundary may be filed only during the April period in odd numbered years. >>It is provided, however, that no application shall be filed to amend either the UDB or UEA boundary until the April period of 2015. Notwithstanding the forgoing,<< [[F]] >>t<<he Director of >>Sustainability,<< Planning and [[Zoning]] >>Economic Enhancement Department<< may [[also]] file applications requesting amendments to the UDB, UEA or to the land use classification of land located outside of said UDB for processing during either or both the April or October period during those years that an evaluation and appraisal report is adopted pursuant to Section 2-116, Code of Miami-Dade County, provided that the amendments proposed in said applications are suggested in the adopted evaluation and appraisal report. If a filing period is in effect on the date of adoption of an EAR, it shall be extended as necessary to provide a fifteen-business day filing opportunity. The >>Sustainability,<< Planning and >>Economic Enhancement Department<< Director may also file applications requesting amendments to the UDB, UEA or to the land use classification of land located outside of said UDB during the April or October filing period immediately preceding and immediately following adoption of an Evaluation and Appraisal Report.

\* \* \*

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 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.

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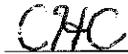
Section 4. This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this

PASSED AND ADOPTED:

Approved by County Attorney as  
to form and legal sufficiency:



Prepared by:



Craig H. Coller

Prime Sponsor: Commissioner Xavier L. Suarez