

Memorandum



(Public Hearing 3-17-15)

Date: February 3, 2015

Agenda Item No. 5(D)

To: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

A handwritten signature in cursive script, appearing to read "Carlos A. Gimenez".

Subject: Proposed Zoning Ordinance Amending the North Central Urban Area Zoning District

Attached please find the material related to a zoning application filed in accordance with Section 33-284.89.3 of the County Code (Amendments to Urban Center District Land Use Plan Category or Other Regulating Plan). The material consists of a proposed ordinance containing the applicant's proposed revisions to the North Central Urban Area District regulating plans and related text as well as the Department of Regulatory and Economic Resources' staff report. This item is quasi-judicial.

The proposed ordinance creates no fiscal impact on Miami-Dade County.

A handwritten signature in cursive script, appearing to read "Jaek Osterholt".

Jaek Osterholt, Deputy Mayor



MEMORANDUM

(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: March 17, 2015


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

SUBJECT: Agenda Item No. 5(D)

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 Mayor'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. 5(D)

3-17-15

ORDINANCE NO. _____

ORDINANCE RELATING TO ZONING; REVISING LAND USE PLAN MAP FOR THE NORTH CENTRAL URBAN AREA DISTRICT; AMENDING SECTION 33-284.99.51, CODE OF MIAMI-DADE COUNTY, FLORIDA, PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE

WHEREAS, in Ordinance No. 13-119, adopted on December 3, 2013, the Board of County Commissioners created a procedure to amend Urban Center District regulating plans; and

WHEREAS, 'I-95 Frontage LLC' has applied for an amendment to the North Central Urban Area (NCUA) District Land Use Regulating Plan to change the land use designation of a parcel from Mixed-Use Corridor to Mixed-Use Corridor Special; and

WHEREAS, it is necessary to amend the NCUA district to effectuate the requested amendment,

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

Section 1. Sec. 33-284.99.51 of the Code of Miami-Dade County, Florida, is hereby amended as follows¹:

Sec. 33-284.99.51. Regulating Plans.

The Regulating Plans shall consist of the following controlling plans as defined and graphically depicted in this section:

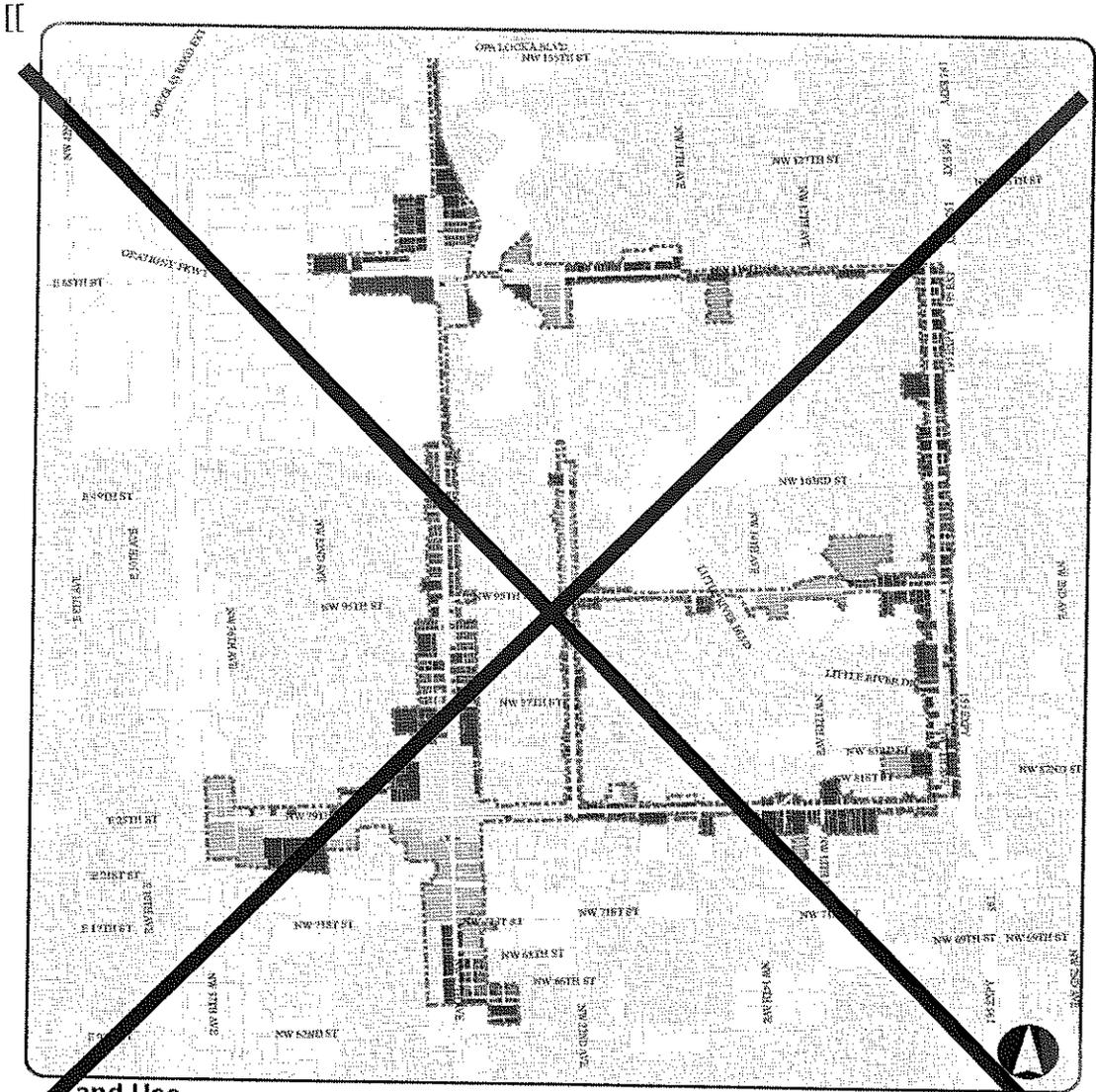
* * *

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.

plans as defined and graphically depicted in this section:

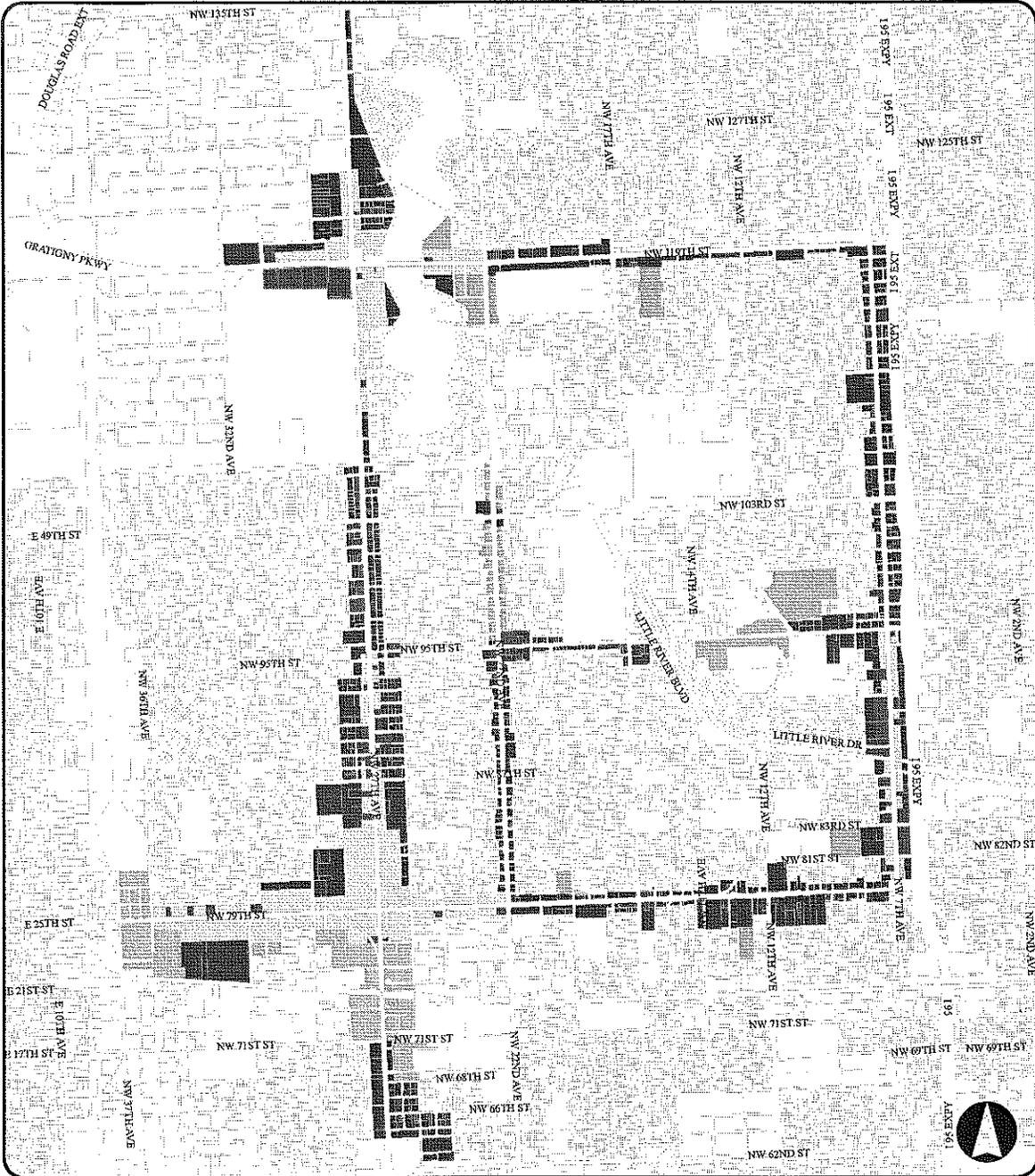
* * *

A. Land Use Plan



- Land Use**
- MM: Mixed Use Main Street
 - MCS: Mixed-Use Corridor Special
 - MC: Mixed-Use Corridor
 - RM: Residential Modified
 - R: Residential
 - ID: Industrial District
 - I: Institutional





Land Use

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Section 2. If any section, 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 this Board of County Commissioners, and is hereby ordained that the provisions of this ordinance shall become and made part of the Code of Miami-Dade County, Florida. The section 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:



Prepared by:



Dennis A. Kerbel

**Miami-Dade County Department of Regulatory and Economic Resources
Staff Report to the Board of County Commissioners**

PH: 14-084

| Recommendation Summary for North Central Urban Area District (NCUAD) | |
|---|---|
| Commission District | 2 |
| Applicant | I-95 Frontage, LLC |
| Summary of Requests | This application is to update the regulating plan of the NCUAD in order to change the designation of the subject parcel from Mixed-Use Corridor to Mixed-Use Special. |
| Location | Lying west of I-95, between NW 114 Street & NW 115 Street |
| Property Size | ±1.81-acres |
| Existing Zoning | North Central Urban Area District |
| Existing Land Use | Office building |
| 2020 - 2030 CDMP Land Use Designation | Urban Center |
| Comprehensive Plan Consistency | Consistent with interpretative text, goals, objectives and policies of the CDMP |
| Applicable Zoning Code Section(s) | Section 33-284.89.3 Amendments to Urban Center District Land Use Plan Category or Other Regulating Plan |
| Recommendation | Approval |

REQUEST:

MODIFICATION of the land use regulating plan of the North Central Urban Area District in order to change the designation of the subject parcel from Mixed-Use Corridor to Mixed-Use Special.

PROPERTY HISTORY & DESCRIPTION:

The property that is subject of this application is located west of I-95 between NW 114 and NW 115 Streets along NW 7 Avenue. The property has been the subject of several public hearings. One of the hearings included a rezoning from BU-2, Special Business District to BU-3, Liberal Business District pursuant to Resolution No. CZAB 8-19-00; however, the uses were limited to BU-2 uses and those shown on the submitted site plan, which were an office building with a billboard on its roof. The property was subsequently approved to remove said restrictions limiting the uses on the property, pursuant to Resolution No. CZAB 8-18-03. This resolution allowed all BU-3, Liberal Business District, uses. On August 2, 2011, the Board of County Commissioners (BCC) adopted Ordinance No. 11-65 establishing the **North Central Urban Area District (NCUAD)**. The properties within NCUAD boundaries were rezoned to NCUAD on July 19, 2012 pursuant to Resolution No. Z-14-12. At the time of the rezoning, the subject property was designated as MC, Mixed-Use Corridor on the land use regulating plan of the NCUAD. The approval of this application would permit the modification of the land use regulating plan to change the designation of the subject property from MC, Mixed-Use Corridor to MCS, Mixed-Use Corridor Special, which permits automotive-related and other commercial uses not permitted under the MC designation.

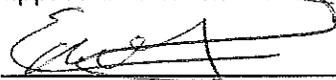
RECOMMENDATION:

In staff's opinion, the modification of the NCUAD land use regulating plan for the subject property would provide uses similar to those permitted on the properties to the south and west, which are designated as MCS on the NCUAD land use regulating plan. Uses that are permitted in the MCS category include residential, civic, office and automotive-related. Staff notes that the proposed MCS category also permits BU-3 uses, as was previously permitted on the property prior to the rezoning to NCUAD. Further, the existing MC designation does not allow those uses permitted in the BU-3 zoning district. The location of the property along State Road 441 (NW 7 Avenue), a well-travelled 6-lane major roadway, is appropriate for the type of uses permitted in

the MCS category. Staff opines that those uses permitted in the MCS category are **compatible** with existing uses in the area, and the intensification of uses will be in harmony with the surrounding area.

Staff notes that the applicant intends to submit an Administrative Site Plan Review application in order to redevelop the subject site in accordance with the NCUAD regulating plans. Said proposed redevelopment will be designed to be consistent with the Miami-Dade County adopted 2020-2030 Comprehensive Development Master Plan (CDMP) urban center policies and the North Central Urban Area District regulating plans.

The proposed amendment to this ordinance would permit the redevelopment of the subject property with uses which are **compatible** with those found in the area and **consistent** with the intensification policies provided by the CDMP urban center text. Therefore, staff recommends approval of the modification to the land use regulating plan of the NCUAD.



Eric Silva, AICP, Senior Division Chief
Development Services Division
Miami-Dade County
Department of Regulatory and Economic Resources