

Memorandum



(Public Hearing 3-17-15)

Date: February 3, 2015

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

Agenda Item No. 5(E)

From: Carlos A. Gimenez
Mayor

Subject: Proposed Zoning Ordinance Amending the Ojus Urban Area Zoning District

Attached please find 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 Ojus 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.



Jack 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(E)

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(E)
3-17-15

ORDINANCE NO. _____

ORDINANCE RELATING TO ZONING AND OTHER LAND DEVELOPMENT REGULATIONS; UPDATING THE PERMITTED USES AND REGULATING PLANS FOR THE OJUS URBAN AREA DISTRICT; AMENDING SECTIONS 33-284.99.17 AND 33-284.99.18 OF THE CODE OF MIAMI-DADE COUNTY; 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 33-284.99.17 of the Code of Miami-Dade County, Florida, is hereby amended as follows:¹

Sec. 33-284.99.17. Uses.

Except as provided herein, all permitted, conditionally permitted, and temporary uses within the OUAD shall comply with Section 33-284.83 of this Code.

* * *

>>5. Residential Modified Live/Work (RML). The following uses shall be permitted in the Residential Modified Live/Work (RML), in accordance with the Land Use Regulating Plan and the Street Types Development Parameters:

- a. All uses permitted in the Residential Modified (RM);
and
- b. Live/work units.<<

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 33-284.99.18 of the Code of Miami-Dade County, Florida, is hereby amended as follows:

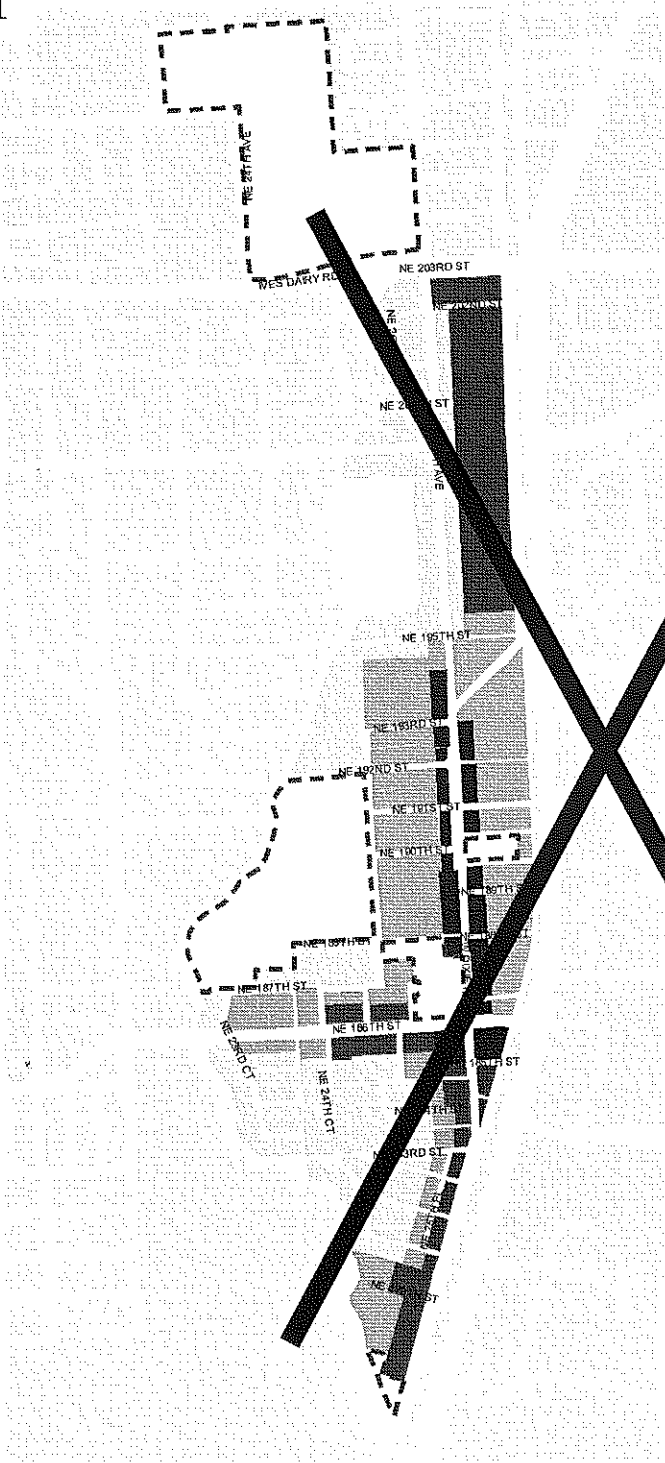
Sec. 33-284.99.18. The Regulating Plans.

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







* * *

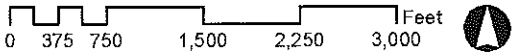
C. Land Use Plan

[[



Land Use

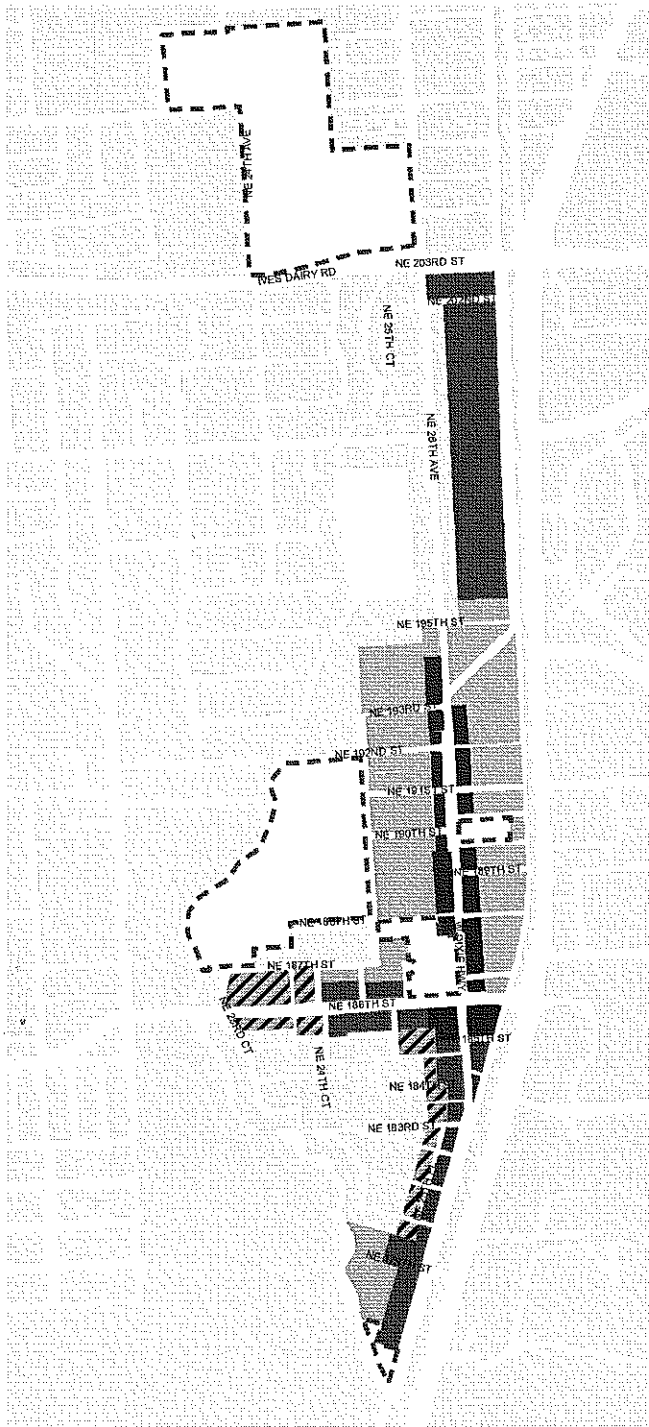
-  MM Mixed-Use Main Street
-  MC Mixed-Use Corridor
-  MCI Mixed-Use Corridor/Industrial
-  RM Residential Modified
-  R Residential
-  Institutional








]]

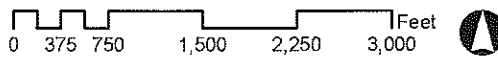
S

>>



Land Use

-  MM Mixed-Use Main Street
-  MC Mixed-Use Corridor
-  MCI Mixed-Use Corridor/Industrial
-  RM Residential Modified
-  RML Residential Modified-Live/Work
-  R Residential
-  I Institutional



<<

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 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 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:

Dennis A. Kerbel




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

PH 14-121

Recommendation Summary for Ojus Urban Area District (OUAD)	
Commission District	4
Applicant	Miami-Dade County Department of Regulatory and Economic Resources
Summary of Requests	This application is to update the Land Use Regulating Plan and the uses section of the OUAD in order to provide for the new Residential Modified Live/Work land use category.
Location	Lying on the south side of theoretical NE 209 Street, west of the Florida East Coast Railroad and east of NE 23 Avenue and the Oleta River, Miami-Dade County, Florida.
Property Size	±337-acres
Existing Zoning	Ojus Urban Area District (OUAD)
Existing Land Use	Mixed-use
2015-2025 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:

To update the Land Use Regulating Plan and the uses section of the Ojus Urban Area District in order to provide for the new Residential Modified Live/Work land use category.

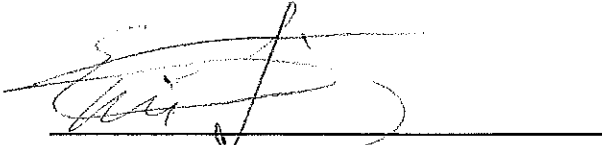
HISTORY & DESCRIPTION:

On June 6, 2006 the Board of County Commissioners adopted Ordinance No. 06-86 establishing the Ojus Urban Area District Regulations (OUAD) – one of the County’s Urban Center Districts. The OUAD provides the regulatory framework for all development within the Ojus area of northeastern Miami-Dade County. Subsequently, the OUAD regulations have been amended in 2007 (Ordinance No. 07-94) and in 2014 (Ordinance No. 14-14). The latter was a comprehensive update of the regulations required to make them consistent with a recent overhaul of the County’s Standard Urban Center District Regulations. OUAD as well as most of the other Urban Center Districts rely on the Standard Urban Center District Regulations for the common, basic regulatory framework.

The OUAD regulations adopted in 2014 inadvertently omitted a live/work unit allowance for properties designated Residential Modified along and south of Miami Gardens Drive. The live/work allowance was included in the original OUAD – see attached regulating plan. The purpose of this application is to correct this omission.

RECOMMENDATION:

Staff recommends approval of the request.

A handwritten signature in black ink, appearing to read "Eric Silva", is written over a horizontal line.

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