

Memorandum



(Public Hearing 6-30-15)

Date: February 3, 2015

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

Agenda Item No. 5(T)

From: Carlos A. Gimenez
Mayor

A handwritten signature in black ink, appearing to read "Carlos A. Gimenez".

Subject: Proposed Zoning Ordinance Amending the Model City Urban Center 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 Model City Urban Center 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 black ink, appearing to read "Jack Osterholt".

Jack Osterholt, Deputy Mayor




MEMORANDUM

(Revised)

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

DATE: June 30, 2015

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

SUBJECT: Agenda Item No. 5(T)

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(T)
6-30-15

ORDINANCE NO. _____

ORDINANCE REVISING ZONING AND OTHER LAND DEVELOPMENT REGULATIONS; UPDATING THE REGULATING PLANS, DEVELOPMENT PARAMETERS, AND NON-CONFORMING USE PROVISIONS FOR THE MODEL CITY URBAN CENTER DISTRICT; AMENDING SECTIONS 33-284.99.43, 33-284.99.44 AND 33-284.99.46, CODE OF MIAMI-DADE COUNTY, FLORIDA, 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. Sec. 33-284.99.43 of the Code of Miami-Dade County, Florida, is hereby

amended to read as follows¹:

Sec. 33-284.99.43. Regulating Plans.

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

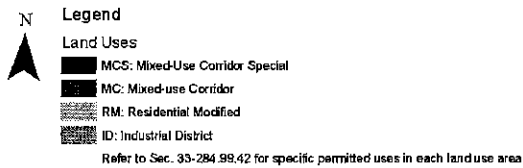
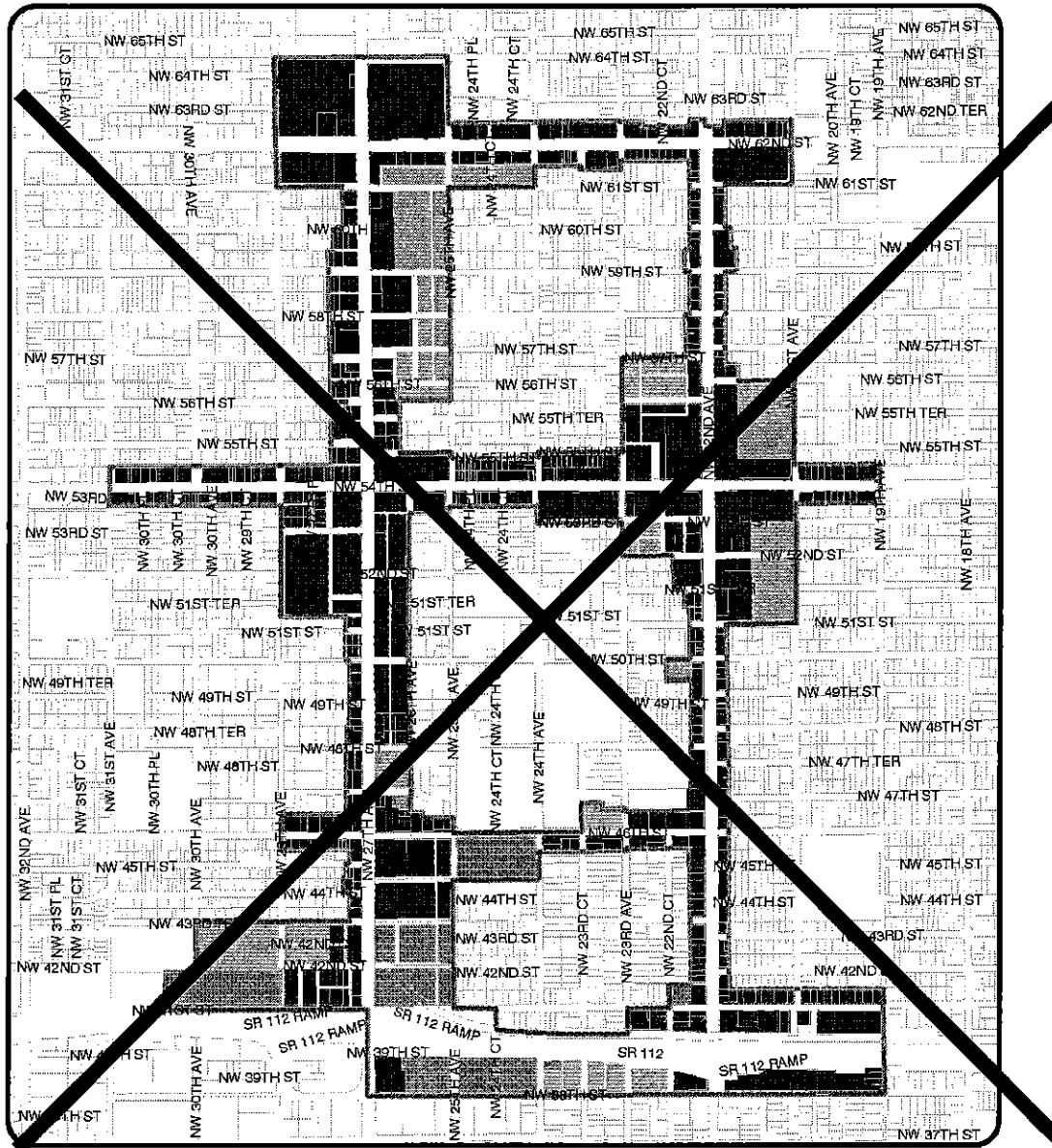
- A. The Land Use Plan, which delineates the areas where specified land uses and development of various types and intensities is permitted.
- B. The Density Plan, which delineates areas where specified minimum and maximum residential densities shall be permitted.
- C. The Building Heights Plan, which establishes the minimum and maximum allowable number of stories.

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.

- D. The Sub-districts Plan, which delineates three (3) sub-districts: the Core, Center and Edge. These sub-districts regulate the allowable intensity of development in accordance with the Comprehensive Development Master Plan and this article.
- E. The Designated Open Space Plan, which designates open spaces, which shall be shown in all development plans. The designated open spaces are controlled by anchor points.
- F. The New Streets Plan, which shows the location and the number of new streets needed to create the prescribed network of streets within the MCUCD District. All new A streets shall be required in the same general location as shown on the New Streets Plan. All B streets shall be located as provided in Section 33-284.86(F) of this code.
- >>G. The Street Types Plan establishes a hierarchy of street types in existing and future locations that shall be provided and shown in all development plans. The three (3) Street Types and the hierarchy of streets (from most important to least important in accommodating pedestrian traffic) are Boulevard, Minor Street, and Service Road.<<

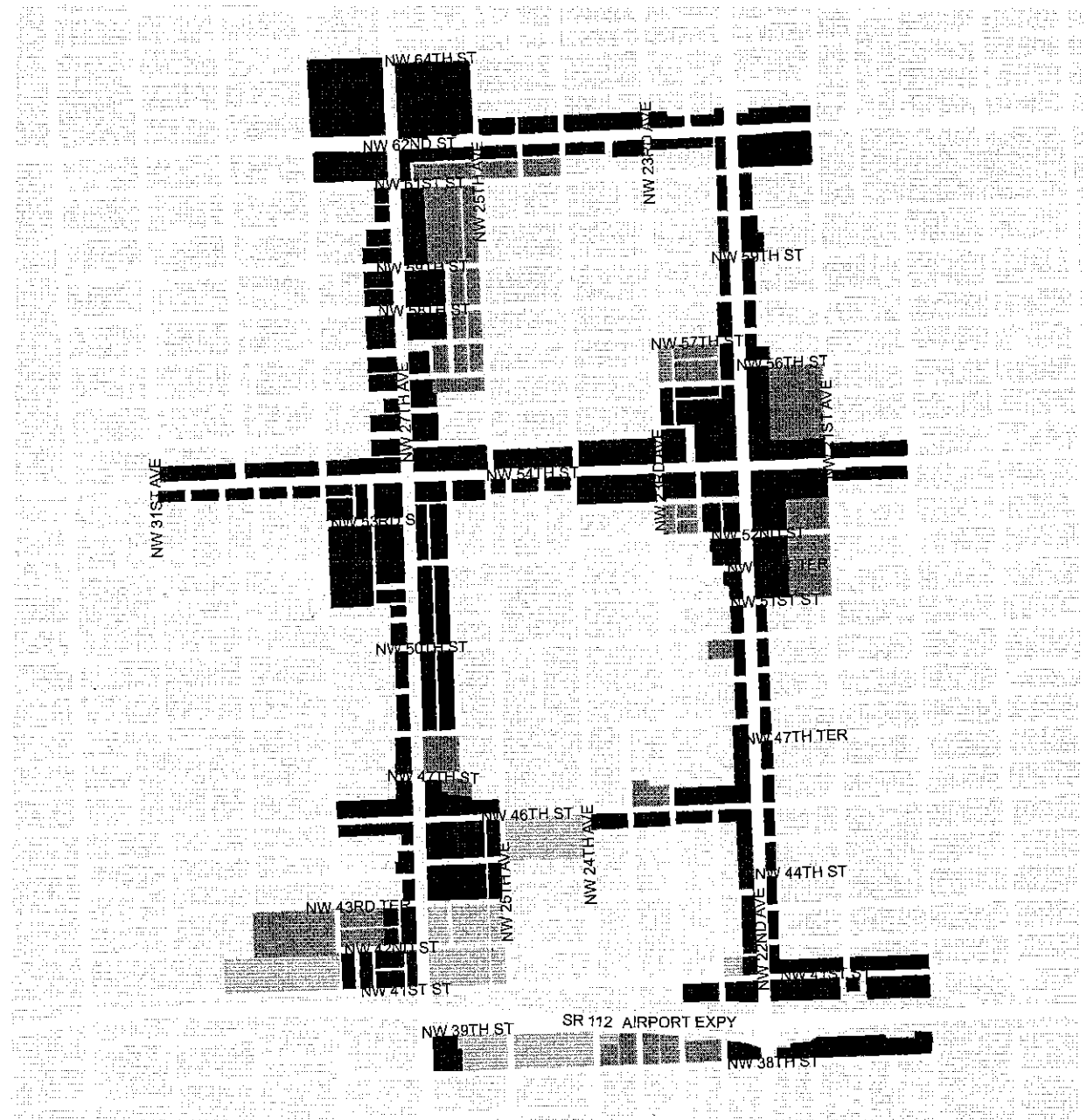
A. Land Use Plan





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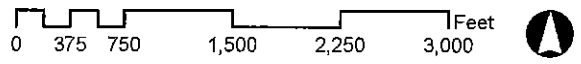


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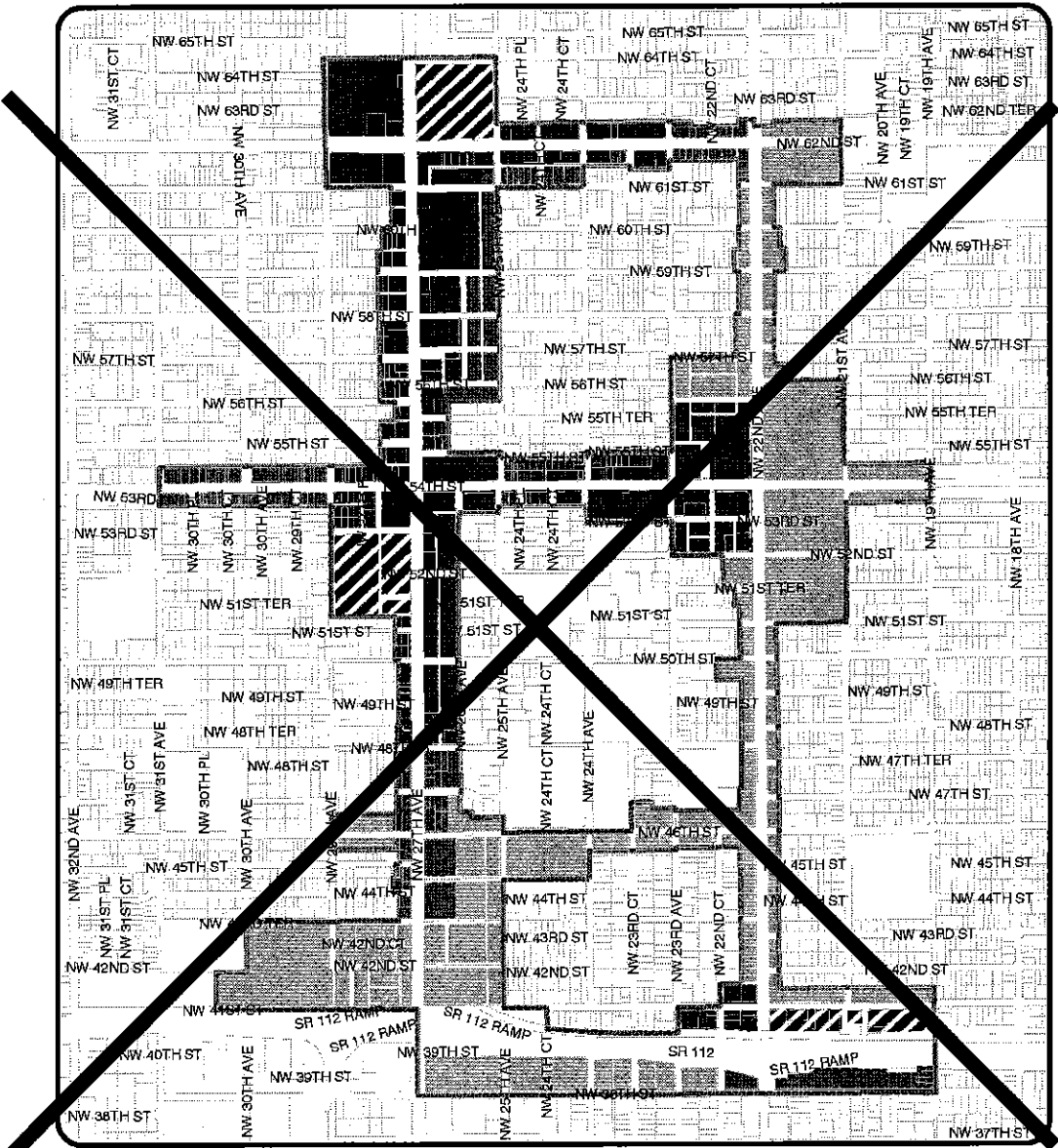
- Land Use**
-  MC Mixed-Use Corridor
 -  MCS Mixed-Use Special
 -  RM Residential Modified
 -  ID Industrial



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B. Density Plan

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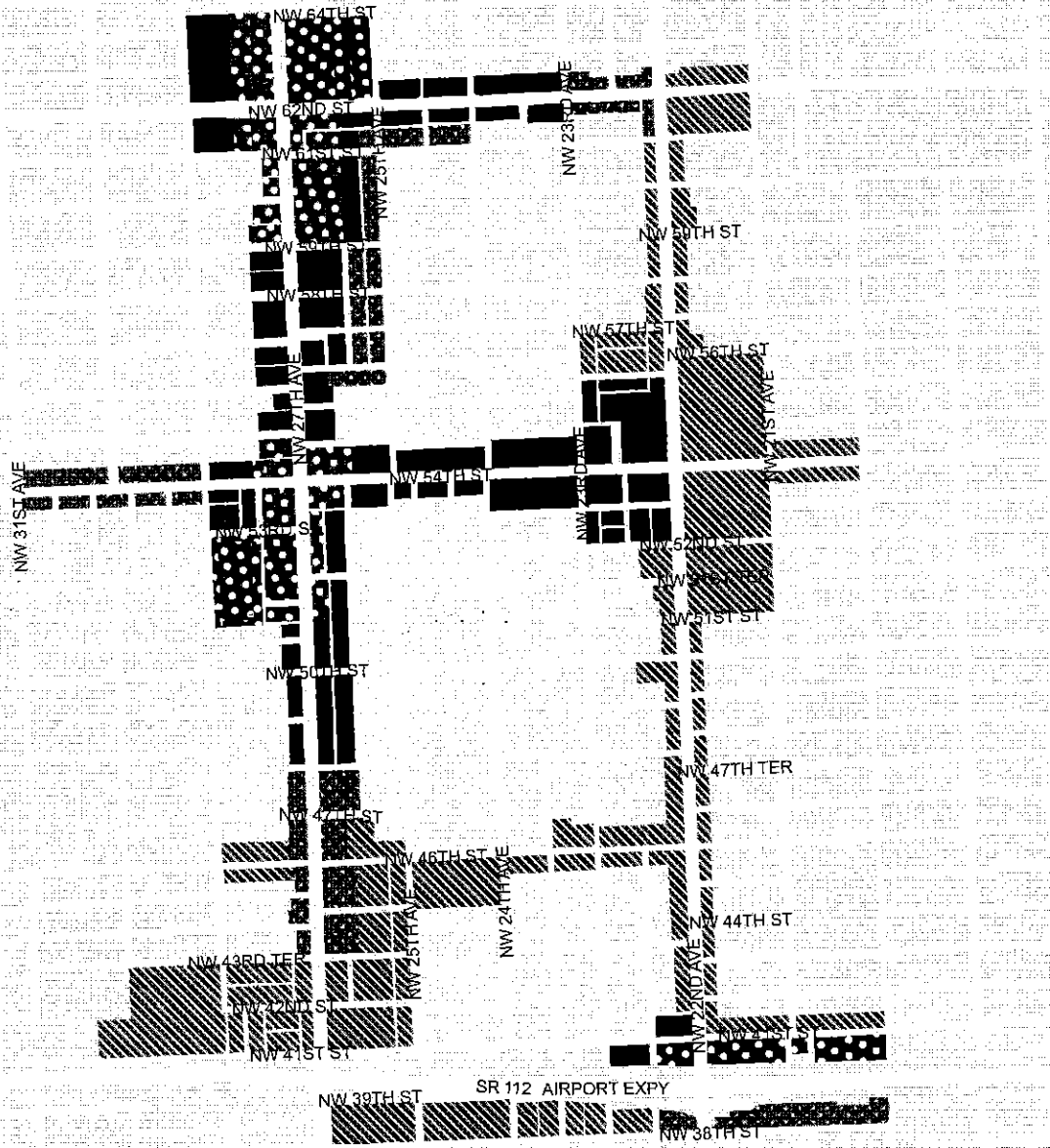


N
▲ Residential Density






Diagonal hatching	Max 125 units/acre net
Solid black	Max 90 units/acre net
Horizontal hatching	Max 60 units/acre net
Vertical hatching	Max 41 units/acre net
Stippled	Max 36 units/acre net

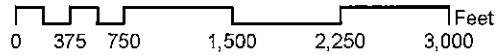
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Density

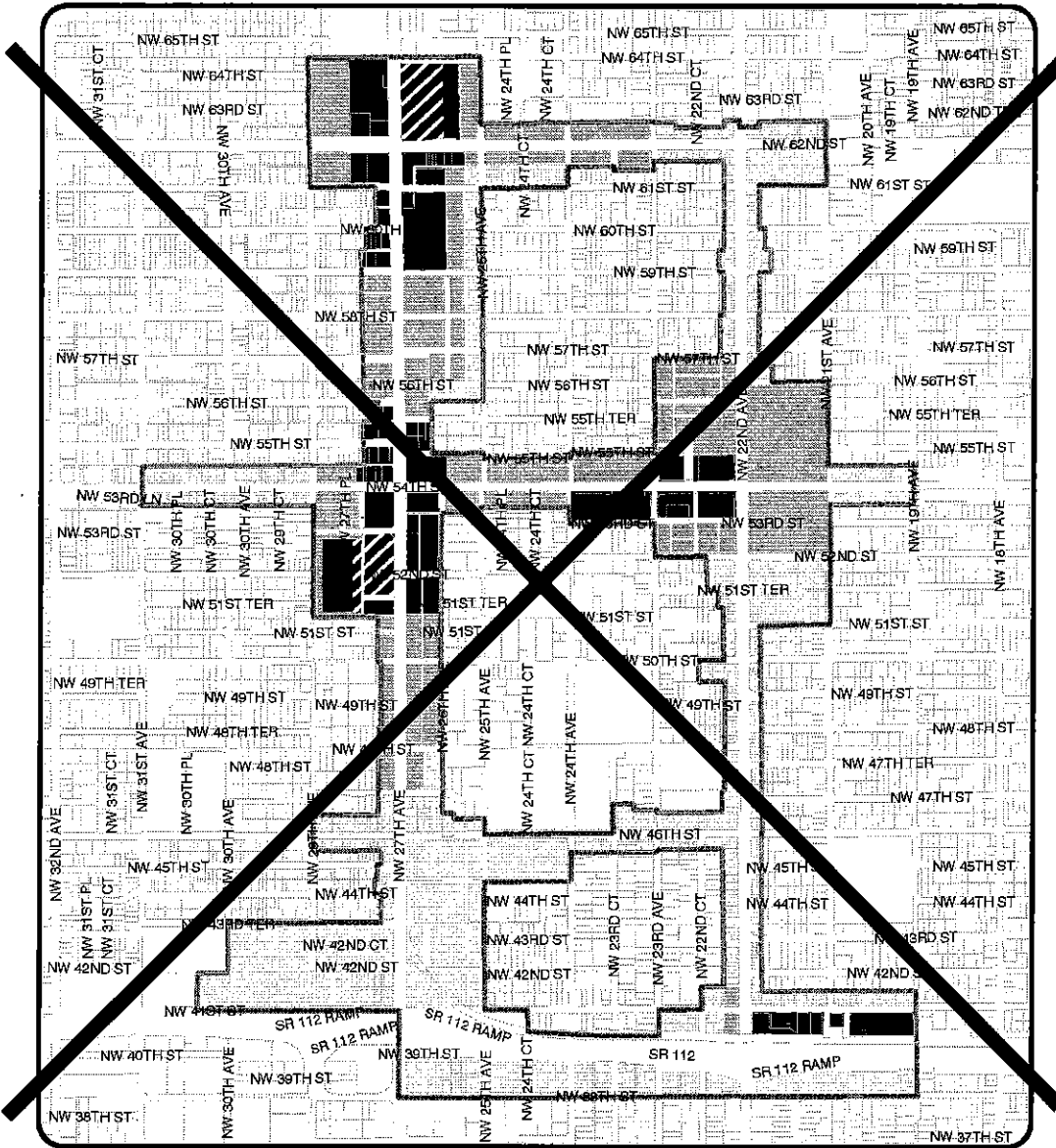
-  Max 125 Units/acre
-  Max 90 Units/acre
-  Max 60 Units/acre
-  Max 41 Units/acre
-  Max 36 Units/acre



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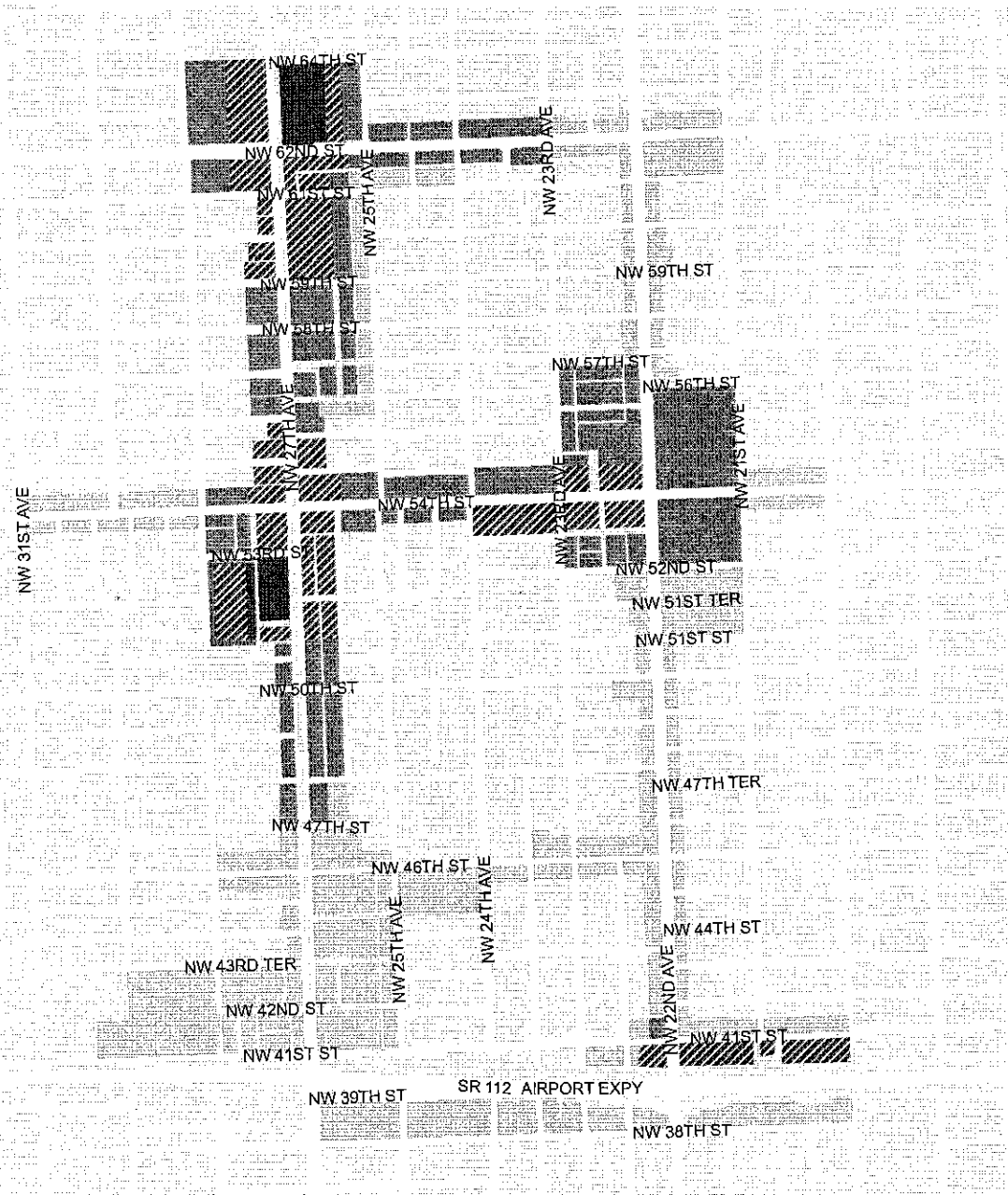
C: Building Heights Plan

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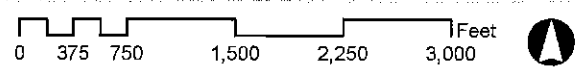


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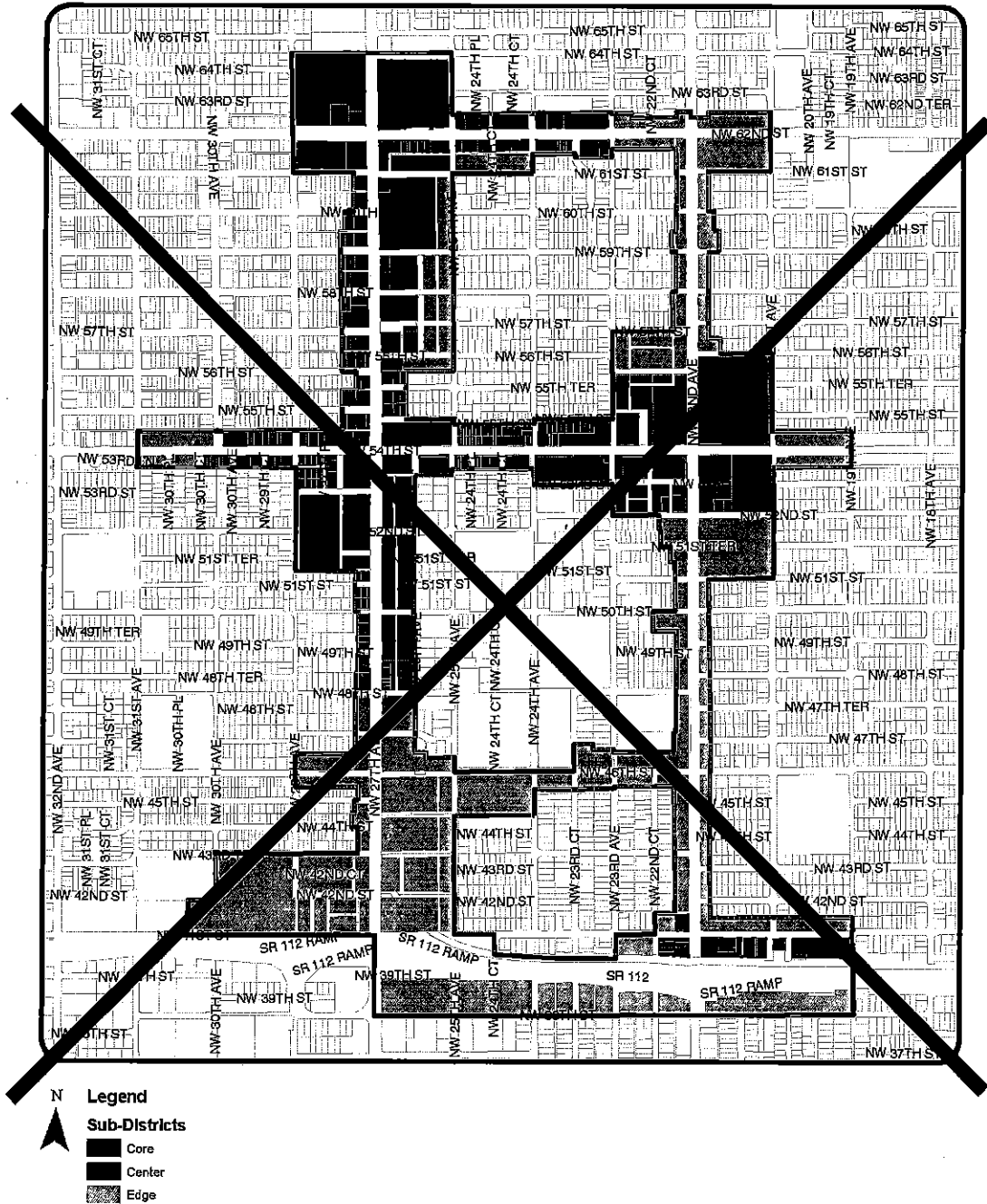


- Building Height**
-  Min 6 - Max 15 Stories
 -  Min 4 - Max 12 Stories
 -  Max 6 Stories
 -  Max 4 Stories

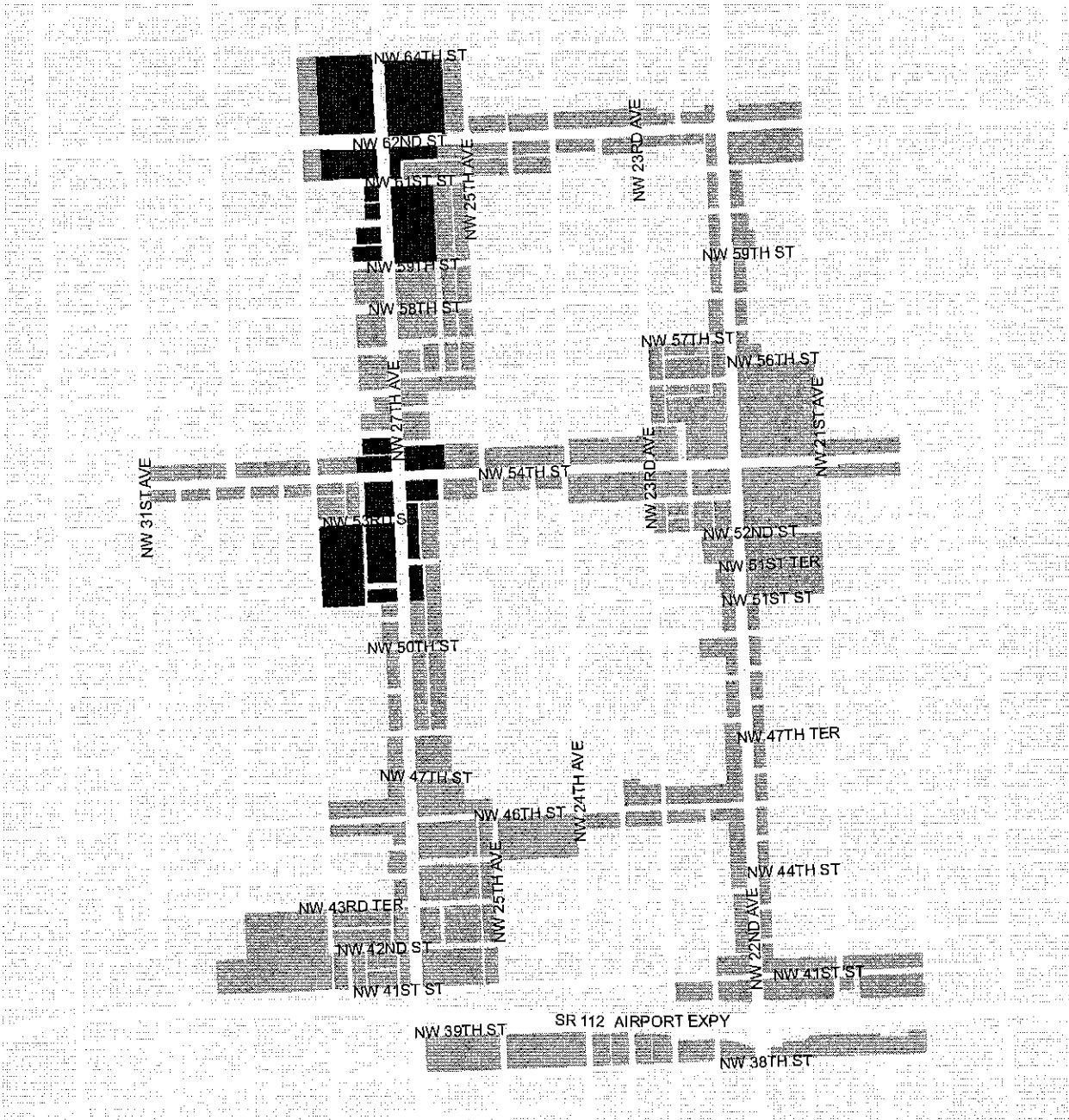


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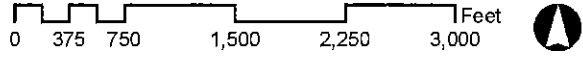
D. Sub-districts Plan



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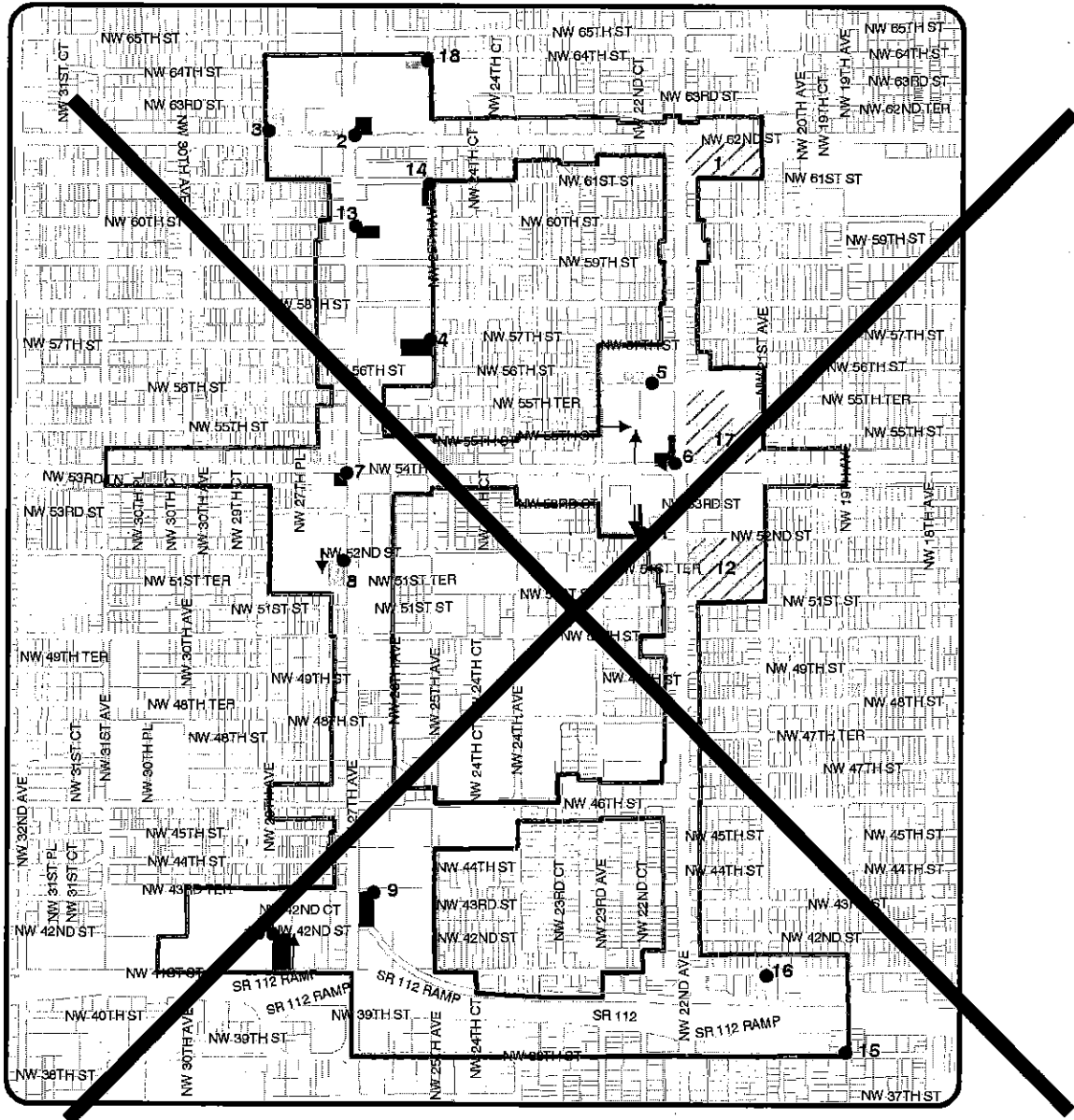
Sub-Districts
Core Sub-District
Center Sub-District



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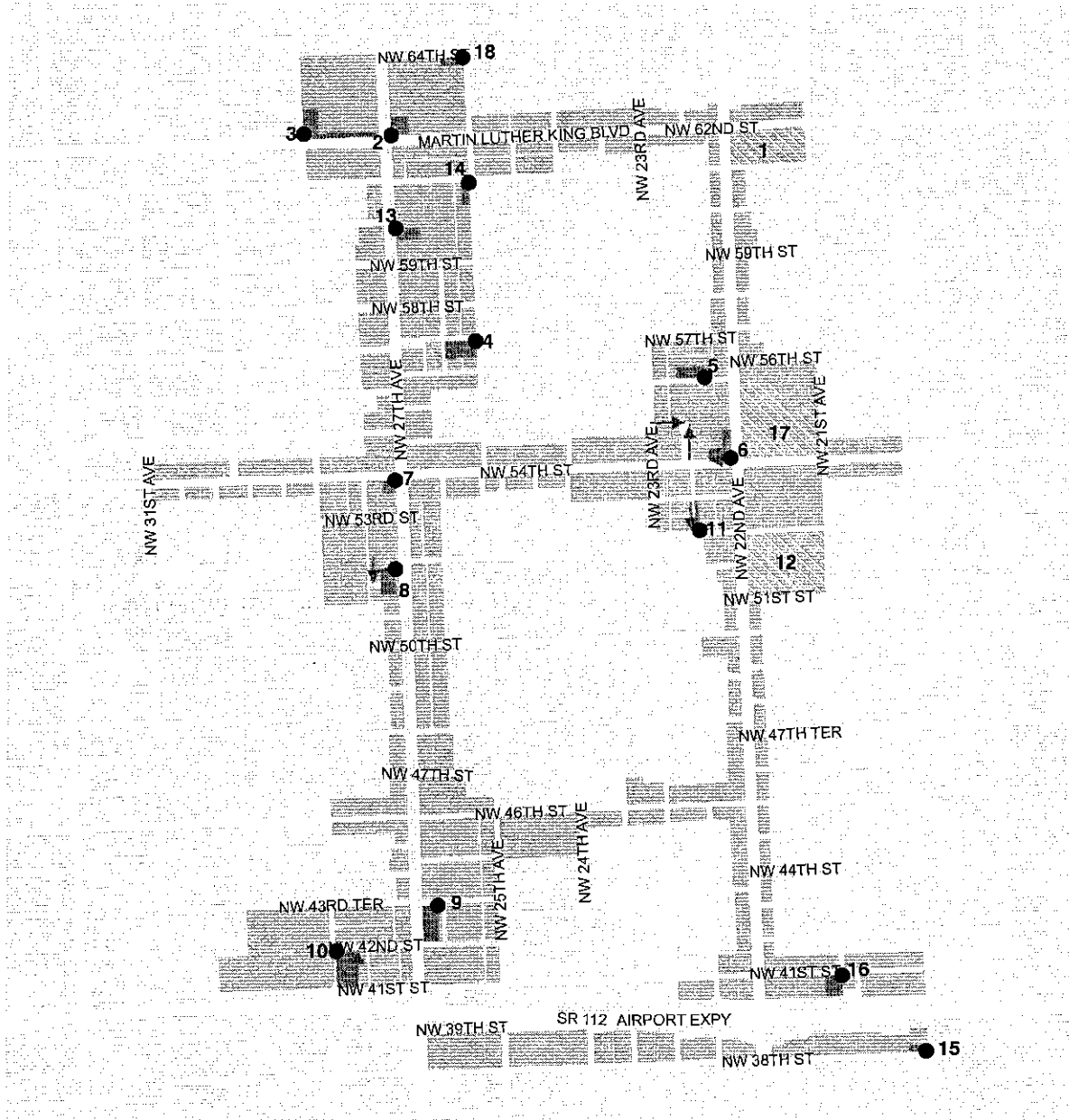
E. Designated Open Space Plan

EE



Legend		Open Space		Open Space Type		Size (Sq. Ft.)	
●	Anchor Point	▨	Existing	1	Existing	154,000	
→	Street Vista	▨	Green	2	Plaza	19,800	
		▨	Plaza	3	Green	43,600	
		▨	Square	4	Square	33,100	
				5	Green	18,300	
				6	Plaza	22,800	
				7	Plaza	10,200	
				8	Square	25,100	
				9	Square	35,800	
				10	Square	43,000	
				11	Square	6,800	
				12	Existing	284,000	
				13	Square	18,000	
				14	Plaza	9,700	
				15	Green	6,400	
				16	Green	21,600	
				17	Existing	295,600	
				18	Green	10,200	

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Designated Open Spaces



Designated Open Space



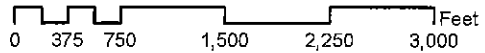
Existing Open Space - Miami-Dade County Park



Open Space Anchor Point



StreetVista



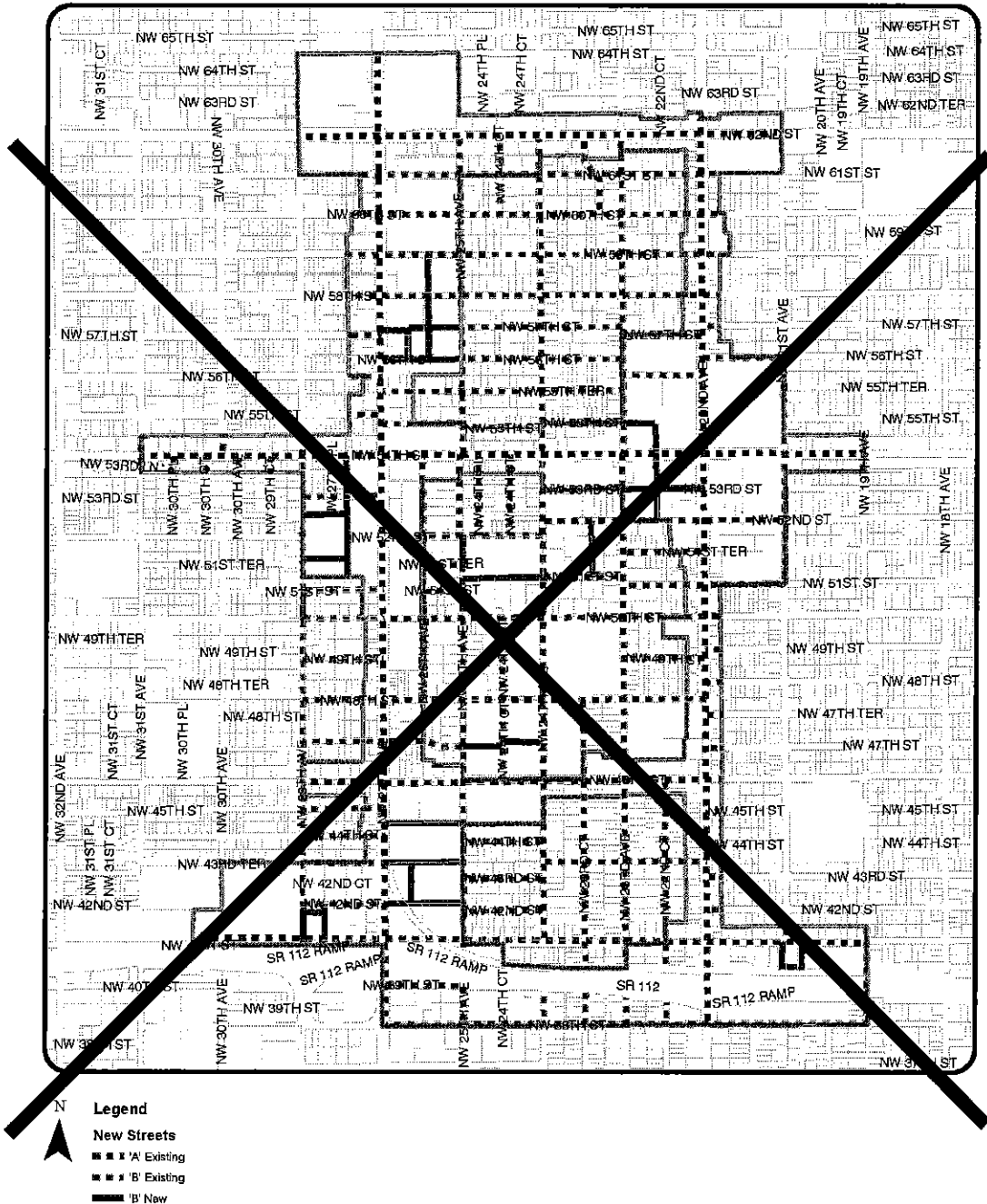
G: Green, S: Square, P: Plaza, E: Existing
N/A: Not applicable

Number	Type	Area (sq. ft.)	Number	Type	Area (sq. ft.)
1	E	-	10	S	43,000
2	P	19,800	11	S	6,900
3	G	45,500	12	E	-
4	S	33,100	13	S	18,000
5	G	18,300	14	P	9,700
6	P	22,800	15	G	6,400
7	P	10,200	16	G	21,600
8	S	25,100	17	E	-
9	S	35,800	18	G	10,200

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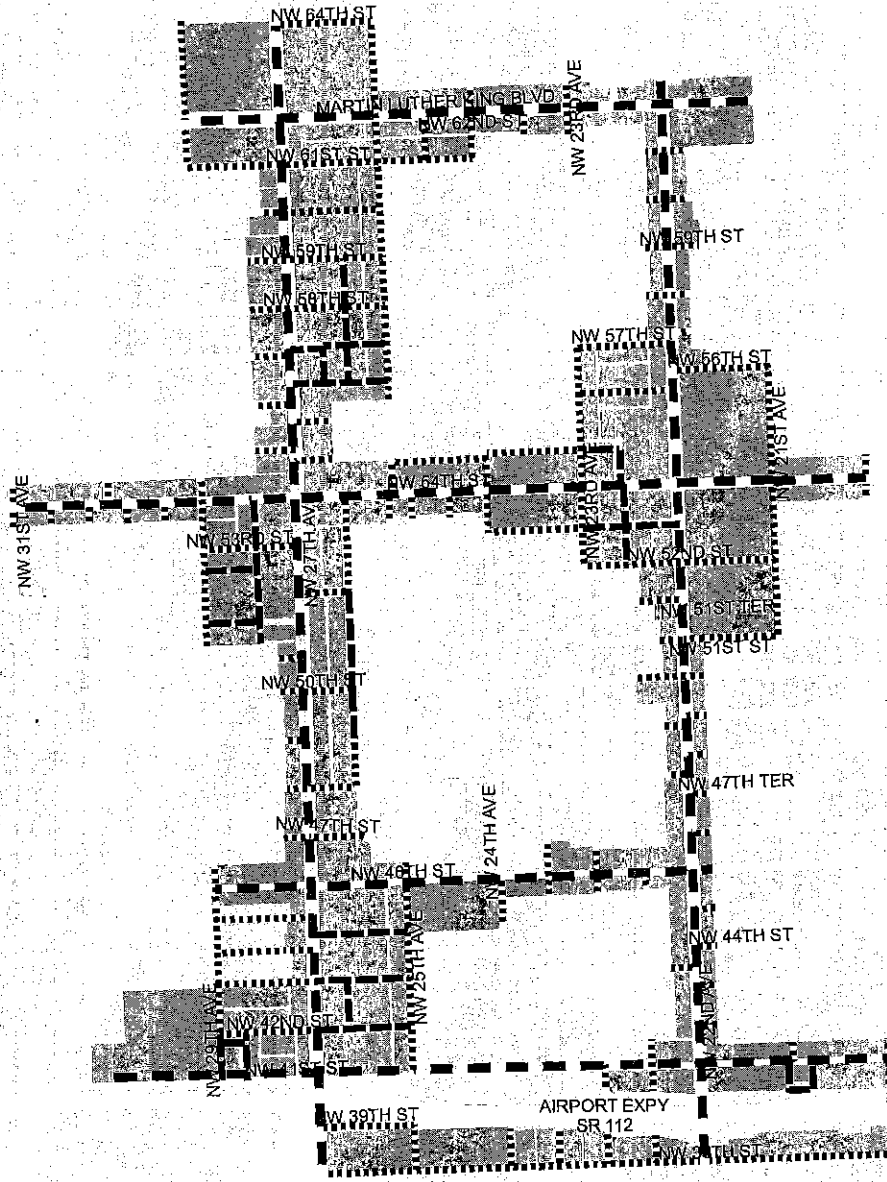
F: New Streets Plan

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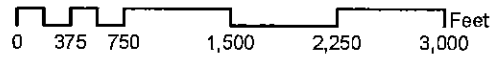


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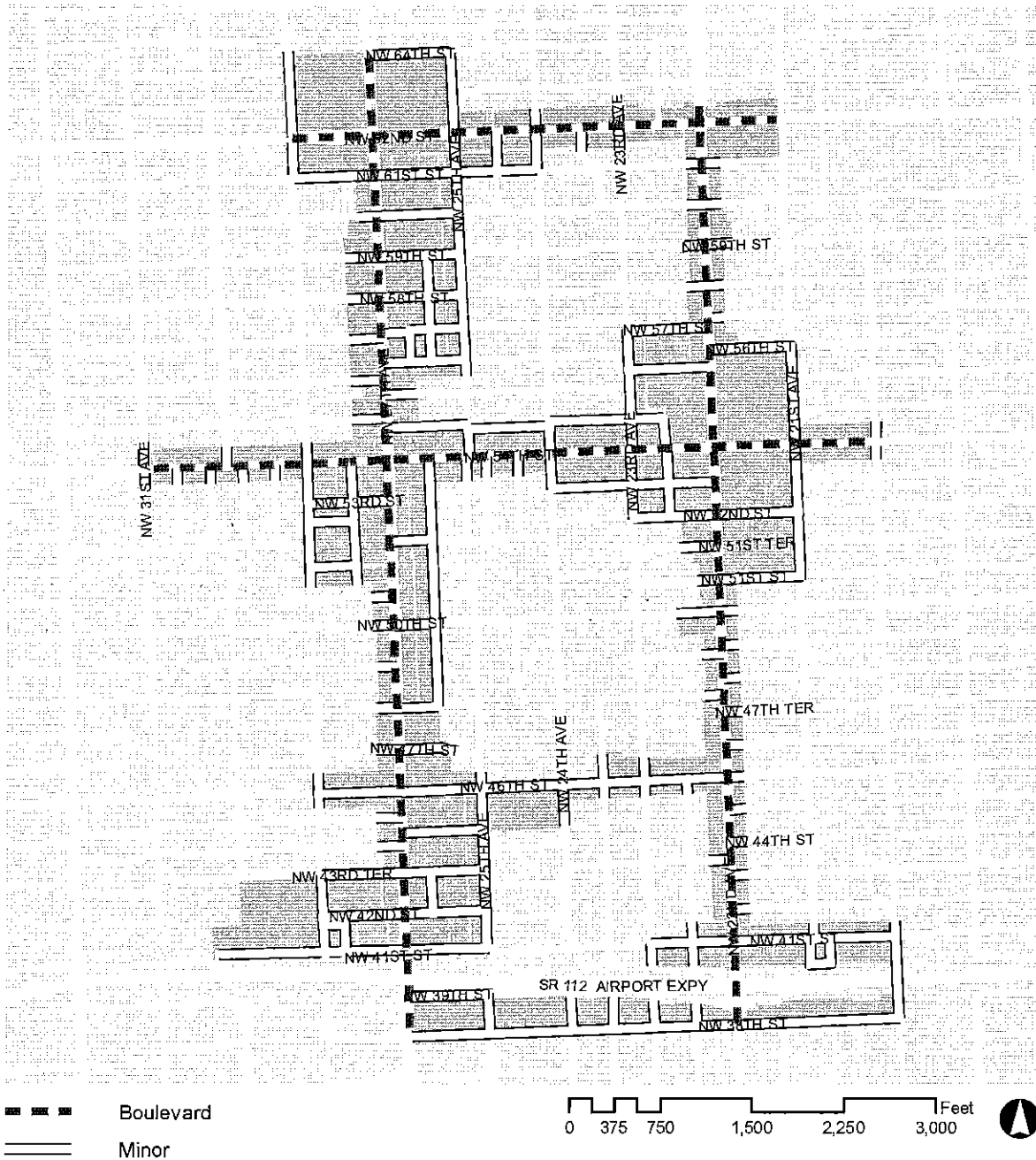
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- A/B Streets**
- A Existing
 - B Existing
 - B New



G: Street Types Plan



Section 2. Sec. 33-284.99.44 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:

Sec. 33-284.99.44. Development parameters.

- A. Except as otherwise provided in this section, all new development and redevelopment within the MCUCD shall comply with the development parameters as set forth in Article XXXIII(K) of this code.
- B. All new development and redevelopment in areas designated MCS shall comply with the development parameters for the MC area as set forth in Article XXXIII(K) of this code, except that self-service gas stations shall comply with the development parameters applicable to the BU-1A district.
- C. At a minimum, streets within the MCUCD shall comply with the ~~[[Street Type Parameters for Type 5, Minor Street, as provided in Section 33-284.85 of this code]]~~ >> Streets, Service Roads and Utilities standards in Article XXXIII(K) of this code or as provided herein.

<u>Street type</u>	<u>Minimum Required Configuration</u>	
	<u>Core/Center</u>	<u>Edge</u>
<u>Boulevard</u>	<u>As provided in this section</u>	
<u>Minor Street</u>	<u>Street type 3, 4, or 5</u>	

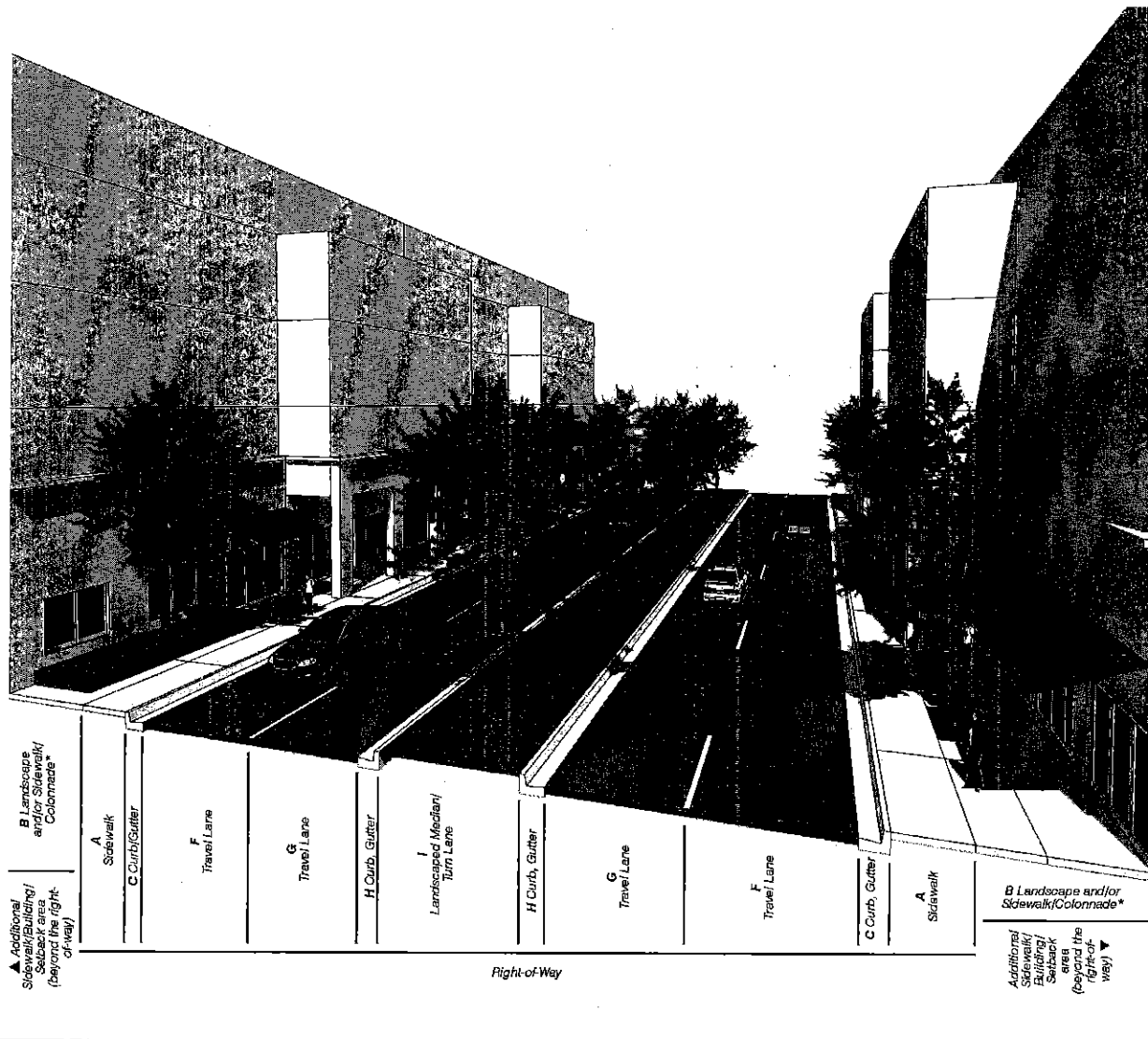
- D. The following setbacks shall be required where a Building Placement Standard in Article XXXIII(K) of this code refers to a Frontage Table:

<u>Street Type</u>	<u>Required Setback</u>		
	<u>Core</u>	<u>Center</u>	<u>Edge</u>
<u>Boulevard</u>	0' * 10' **	0' * 10' **	10' or 15'
<u>Minor Street</u>	0' * 10' **	0' * 10' **	10' or 15'
<u>Note: * Colonnade required</u>			

**** Setback adjoining ground-story residential uses shall be landscaped and/or hard surfaced**

E. Street Types Development Parameters.

Boulevard



* Refer to column B in Street Types Table for required landscape elements.

<u>Street Type</u>	<u>Required Elements</u>					
	<u>A.</u> <u>Sidewalk</u> <u>(Min.)</u>	<u>B.</u> <u>Landscape</u> <u>[b, c, d]</u>	<u>C.</u> <u>Curb/</u> <u>Gutter [e]</u>	<u>F, G.</u> <u>Travel</u> <u>Lanes [h]</u>	<u>H.</u> <u>Curb/</u> <u>Gutter [f]</u>	<u>I.</u> <u>Median/T</u> <u>urn Lane</u> <u>(Min.)</u>
<u>Boulevard</u> <u>Core/Center/</u> <u>Edge</u>	<u>5'</u>	<u>Tree</u> <u>grates; tree</u> <u>planters;</u> <u>landscape</u> <u>strip</u>	<u>2'</u>	<u>11'</u>	<u>2'</u>	<u>6'</u> <u>(Median)</u> <u>10' (Turn</u> <u>Lane)</u>
<u>N/A: Not Applicable</u>						
<u>[#] Footnote (as provided below)</u>						

Footnotes:

- a. Landscape area is exclusive of the minimum sidewalk width.
- b. Street trees shall have a minimum caliper of six (6) inches at time of planting.
- c. Permanent irrigation is required.
- d. Tree grates shall have a minimum area of twenty-four (24) square feet; tree planters shall have a minimum area of thirty-two (32) square feet; continuous landscape strips shall have a minimum width of six (6) feet in the Core and Center Sub-districts, eight (8) feet in the Edge Sub-district.
- e. In all Sub-districts, curbs and gutters shall be provided at all intersections and roadway edges of arterials and boulevards; in Core and Center Sub-districts, curbs and gutters shall be provided at all intersections and roadway edges of minor streets.
- f. The minimum required width of one-lane/one-way travel lanes shall be determined by the Department of Public Works and Waste Management and Fire Rescue

Department on a case-by-case basis during the Administrative Site Plan Review process (ASPR).<<

Section 3. Sec. 33-284.99.46 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:

Sec. 33-284.99.46. Nonconforming structures, uses, and occupancies.

~~[[Nothing contained in this article shall be deemed or construed to prohibit a continuation of a legal nonconforming structure, use, or occupancy in the MCUCD that either: (1) was existing as of the date of the district boundary change on the property to MCUCD; or (2) on or before said date, had received final site plan approval through a public hearing pursuant to this chapter or through administrative site plan review or had a valid building permit. However, any structure, use, or occupancy in the MCUCD that is discontinued for a period of at least six months, or is superseded by a lawful structure, use, or occupancy permitted under this chapter, or that incurs damage to an extent of 50 percent or more of its market value, shall be subject to Section 33 35(e) of this code. However, a lawfully existing single family home use that is discontinued for a period of at least six months or that incurs damage to the roof or structure to an extent of 50 percent or more of its market value, shall not be subject to Section 33 35(e) of this code.]]~~

>>Non-conforming Structures, Uses, and Occupancies shall be governed by the provisions of section 33-284.89.2.<<

Section 4. 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 5. 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.

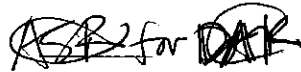
Section 6. This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

PASSED AND ADOPTED:

Approved by County Attorney as
to form and legal sufficiency:

A handwritten signature in black ink, appearing to be "DAK", written over a horizontal line.

Prepared by:

A handwritten signature in black ink, appearing to be "DAK for DAK", written over a horizontal line.

Dennis A. Kerbel

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

PH – 14-122

Recommendation Summary for Model City Urban Center District (MCUCD)	
Commission District	3
Applicant	Miami-Dade County Department of Regulatory and Economic Resources
Summary of Requests	This application seeks to amend the Model City Urban Center District (MCUCD) regulations in order to (1) update the land use, density and building heights regulating plans of the Model City Urban Center District (MCUCD) regulations; (2) add a "street types" regulating plan; and (3) update the Development Parameters and the Non-conforming use sections.
Location	Generally located south of NW 65th Street, east of NW 31st Avenue, west of NW 19th Avenue and north of NW 38th Street, Miami-Dade County.
Property Size	±386 acres
Existing Zoning	Model City Urban Center District (MCUCD)
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 <i>(see attached Zoning Recommendation Addendum)</i>
Recommendation	Approval

REQUEST:

This application seeks to amend the Model City Urban Center District (MCUCD) regulations in order to (1) update the land use, density and building heights regulating plans of the Model City Urban Center District (MCUCD) regulations; (2) add a "street types" regulating plan; and (3) update the Development Parameters and the Non-conforming use sections, to conform to the County's Standard Urban Center District regulations, Ordinance No. 12-86.

The updated regulating plans also provide for increased density and height for certain parcels located immediately west of the Earlington Heights Metrorail Station on the north side of State Road 112. More specifically, the request is to increase the density of these five parcels from 90 to 125 dwelling units per acre and to increase the maximum allowable height from 4 and 6 stories to 12 stories.

PURPOSE, PROPERTY HISTORY & DESCRIPTION:

This application has two purposes. The main purpose is to bring the Model City Urban Center District Regulations -- one of the County's Urban Center Districts (UCDs) -- in conformance with recent updates to the County's Standard Urban Center District Regulations (SUCO). The second purpose is to provide for additional intensification immediately west of the Earlington Heights Metrorail Station.

On October 2, 2012, the Board of County Commissioners (BCC) adopted Ordinance No. 12-86, which was a comprehensive overhaul to the County's Standard Urban Center District Regulations (SUCO). This comprehensive update, among other things, standardized a series of regulations that were included in the individual Urban Center Districts (UCDs), including the permitted uses, building placement and street type development parameters and the various nonconforming sections. As a result, all individual UCDs need to be amended to conform to Ordinance No. 12-86. However, no formal process existed in order to effectuate the required updates. On December 3, 2013, the BCC adopted Ordinance No. 13-119, establishing a formal process to change land use categories or regulating plans in urban center or urban area districts. The proposed amendments included in this application will bring the Model City Urban Center District Regulations into conformity with the updated SUCO.

Regarding the intensification of properties near the Earlington Heights Metrorail Station, the proposed amendment seeks to authorize additional density and height for five parcels, wholly comprising a block, located directly across the street from the Station and bounded by NW 22 Avenue to the east, NW 41 Street to the north, NW 22 Court to the west and State Road 112 (Airport Expressway) to the south. In summary, the density increase is from a maximum of 90 dwelling units per acre to a maximum of 125 dwelling units per acre. The proposed height increase is from a maximum of 6 stories to a maximum of 12 stories.

RECOMMENDATION:

Staff notes that the proposed updates to the Model City Urban Center District (MCUCD) regulations are primarily designed to bring MCUCD into conformance with the SUCO update and are technical in nature.

Staff notes that the proposed intensification of the parcels previously described is **consistent** with the adopted 2020-2030 Comprehensive Development Master Plan (CDMP). Specifically, the Land Use Plan Map of the CDMP designates the Earlington Heights Metrorail Station as a Community Urban Center. The CDMP's Land Use Plan Map interpretative text states that the area developed as an urban center shall extend to a radius of 700 to 1,800 feet from the transit station and it authorizes a maximum density of 125 dwelling units per acre. The block containing the subject parcels is located within 100 feet of the Earlington Heights Station site and the block is buffered by commercial properties and rights-of-way from any residential, single-family properties. Thus, staff finds the proposed intensification **compatible** with the surrounding area and recommends approval of the updates to the MCUCD.



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