Memorandum

MIAMI-DADE COUNTY

(Public Hearing 11-17-15)

Date: November 3, 2015

Agenda Item No. 5(C)

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

From: Carlos A. Gimenez
Mayor

Subject: Proposed Zoning Ordinance Amending the Model City Urban Center Zoning District – Zoning Hearing Application No. Z15-024

Attached please find material related to a zoning application filed in accordance with Section 33-284.89.3 of the Code of Miami-Dade County (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 is not anticipated to have a fiscal impact on Miami-Dade County as described by Ordinance No. 15-59 and would not result in additional staffing needs or future operational costs for County administration. The ordinance is required as part of the quasi-judicial process associated with these types of zoning-related applications. Activities related to this application are absorbed by the administering department through fees assessed to the applicant.

The accompanying recommendation of the Director, which was prepared in accordance with Section 33-284.89.3 of the Code of Miami-Dade County, includes, among other things, a compatibility analysis and conclusion that satisfies the requirements of Ordinance No. 15-83, regarding social equity, to the extent applicable to this item.

Jack Osterholt, Deputy Mayor

Z15-024

Recommendation Summary for Model City Urban Center District (MCUCD)	
Commission District	2
Applicant	3000 NW 62 Street, Inc.
Summary of Requests	This application is to update the land use regulating plan of the Model City Urban Center District (MCUCD) to change the designation of the subject property from MC, Mixed-Use Corridor to MCS, Mixed-Use Corridor Special.
Location	West side of NW 27th Avenue, between NW 60th and NW 61st Streets, Miami-Dade County, Florida.
Property Size	±0.74-acres
Existing Zoning	Model City Urban Center District
Existing Land Use	Car wash on one parcel, remainder vacant.
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 **Model City Urban Center District (MCUCD)** to change the designation of the subject property from MC, Mixed-Use Corridor to MCS, Mixed-Use Corridor Special.

PROPERTY HISTORY & DESCRIPTION:
The subject property consists of three parcels located south of NW 61st Street, west of NW 27th Avenue and north of NW 60th Street. The respective folios are 30-3116-009-7420, 30-3116-009-7430 and 30-3116-009-7440. Two of the parcels are currently vacant while the third is improved with a hand car wash facility.

On February 2, 2010, the Board of County Commissioners (BCC) adopted Ordinance No. 10-13 establishing the MCUCD. The properties within MCUCD boundaries were rezoned to MCUCD on October 20, 2011 pursuant to Resolution No. Z-12-11. At the time of the rezoning, the land use regulating plan classified the subject property as MC, Mixed-Use Corridor, which did not permit automotive uses as of right; however, the automotive use being conducted in one of the parcels was allowed to continue as a non-conforming use. 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. Approval of this application would also enable the unified development/redevelopment of the subject property with an MCS authorized use.

RECOMMENDATION:
In staff's opinion, the modification of the MCUCD land use regulating plan for the subject property would provide uses similar to those permitted on the properties to the north and south, which are designated as MCS on the MCUCD land use regulating plan. Staff notes that the existing MC designation does not permit automotive related uses nor certain BU-3 uses unless they are explicitly listed in the Standard Urban Center Land Use Group table under MC. Uses

that are permitted in the MCS category include residential, civic, office and commercial, including automotive-related. Staff notes that the proposed MCS category also permits automotive uses, as was previously permitted on the property prior to the rezoning to MCUCD. The location of the property along NW 27th Avenue, a well-travelled 4-lane divided 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.

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 MCUCD.

Nathan Kogon, AICP, Assistant Director
Development Services Division
Miami-Dade County
Department of Regulatory and Economic Resources

MEMORANDUM
(Revised)

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

DATE: November 17, 2015

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 5(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**

_____ **Statement of social equity 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 _____

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11-17-15

ORDINANCE NO. _____

ORDINANCE RELATING TO ZONING; REVISING LAND USE PLAN MAP FOR THE MODEL CITY URBAN CENTER DISTRICT AS REQUESTED BY 3000 NW 62 STREET, INC., FOR REAL PROPERTY LOCATED AT WEST SIDE OF NW 27 AVENUE BETWEEN NW 60 AND NW 61 STREETS; AMENDING SECTION 33-284.99.43, 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, '3000 NW 62 Street, Inc.' has applied for an amendment to the Model City Urban Center (MCUC) District Land Use Regulating Plan to change the land use designation of a parcel located at the west side of NW 27 Avenue between NW 60 and NW 61 Streets from Mixed-Use Corridor to Mixed-Use Corridor Special; and

WHEREAS, it is necessary to amend the MCUC 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. 33-284.99.43 of the Code of Miami-Dade County, Florida, is hereby amended as follows[1]:

[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.

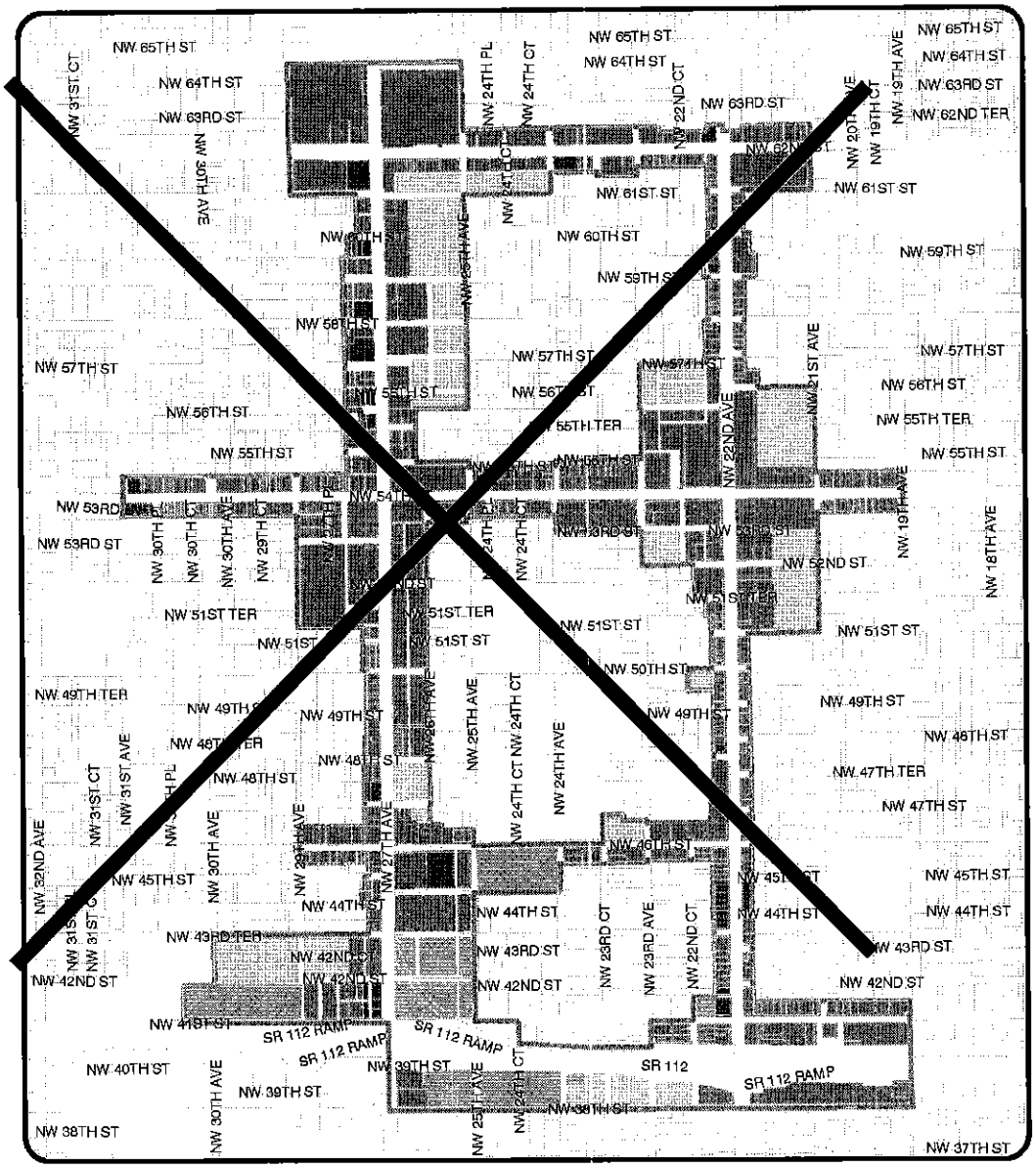
Sec. 33-284.99.43. Regulating Plans.

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

* * *

A. Land Use Plan

[[



N

Legend

Land Uses

- MCS: Mixed-Use Corridor Special
- MC: Mixed-use Corridor
- RM: Residential Modified
- ID: Industrial District

Refer to Sec. 33-284.99.42 for specific permitted uses in each land use area

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NW 64TH ST
NW 62ND ST
NW 61ST ST
NW 23RD AVE
NW 25TH AVE
NW 59TH ST
NW 57TH ST
NW 56TH ST
NW 27TH AVE
NW 31ST AVE
NW 54TH ST
NW 52ND ST
NW 51ST ST
NW 47TH TER
NW 47TH ST
NW 46TH ST
NW 24TH AVE
NW 44TH ST
NW 43RD TER
NW 41ST ST
NW 22ND AVE
NW 39TH ST
SR 112 AIRPORT EXPY
NW 38TH ST
Land Use
MC Mixed-Use Corridor
MCS Mixed-Use Special
RM Residential Modified
ID Industrial
0 375 750 1,500 2,250 3,000 Feet

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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