

MEMORANDUM

Agenda Item No. 7(E)

TO: Honorable Chairman Esteban L. Bovo, Jr.
and Members, Board of County Commissioners

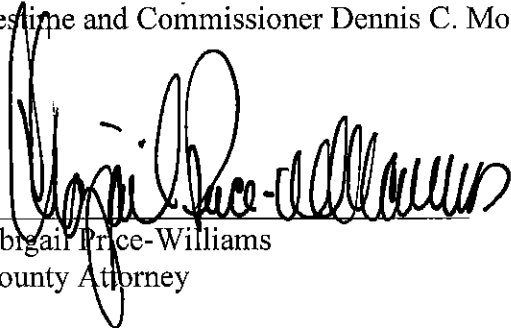
DATE: October 2, 2018

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Ordinance relating to zoning;
amending section 33-284.84
and creating section 33-284.84.1
of the Code; revising the
Standard Urban Center District
Regulations to establish density
and height standards for urban
center and urban area zoning
districts; deleting density and
building height regulating plans
for the Naranja Community
Urban Center, Goulds
Community Urban Center,
Princeton Community Urban
Center, Perrine Community
Urban Center, Ojus Urban
Area District, Cutler Ridge
Metropolitan Urban Center,
Leisure City Community Urban
Center, Model City Urban
Center, North Central Urban
Area, Bird Road Corridor Urban
Area, and Country Club Urban
Area Districts

This item was amended from the original version as stated in the County Mayor's memorandum.

The accompanying resolution was prepared by the Regulatory and Economic Resources Department and placed on the agenda at the request of Prime Sponsor Chairman Esteban L. Bovo, Jr., and Co-Sponsors Commissioner Jean Monestime and Commissioner Dennis C. Moss.



Abigail Price-Williams
County Attorney

APW/smm

Memorandum



Date: October 2, 2018

To: Honorable Chairman Esteban L. Bovo, Jr.
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

A handwritten signature in black ink, appearing to read "Carlos A. Gimenez", written over the name in the "From:" field.

Subject: Update to the Standard Urban Center District Regulations Update Addressing Densities and Intensities Allowed in Accordance with the Comprehensive Development Master Plan

This item was amended at the September 12, 2018 Chairman's Policy Council meeting to (1) exclude the Model City Urban Center District, (2) provide for compatibility with residential single family areas, and (3) clarify standing on ongoing applications.

Recommendation

It is recommended that the Board of County Commissioners (Board) adopt the attached ordinance updating the County's Standard Urban Center District Regulations (SUCO) in order to establish a section addressing the densities and heights allowed in the individual urban center or urban area districts in accordance with the Comprehensive Development Master Plan (CDMP). The ordinance also deletes the density and heights regulating plans of the individual urban centers as the new SUCO section is to address those for ease and convenience.

Scope

Urban Center and Urban Area Districts in unincorporated Miami-Dade County.

Fiscal Impact/Funding Source

Approval of this item is not anticipated to create a fiscal impact to the County as the proposed expansion of the proposed update will not require additional staffing resources nor generate additional operational expenses.

Social Equity

The proposed ordinance furthers the County's policy of enabling more density and mix of uses within the CDMP-designated urban centers and urban area districts and along the County's Strategic Miami Area Rapid Transit (SMART) corridors. In addition to being transit-supportive, the additional densities and intensities are designed to encourage the efficient use of resources and infrastructure as well as housing options for our residents.

Track Record/Monitor

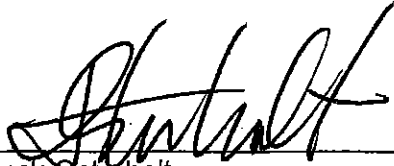
Nathan Kogon, Assistant Director, Development Services Division, Department of Regulatory and Economic Resources.

Background

The Comprehensive Development Master Plan (CDMP) calls for a more compact and efficient urban form, consisting of mixed-use, vertical growth, urban centers and mixed-use corridors along rapid transit corridors and major roadways. Implementation of this policy began in 1999 with the establishment of the Downtown Kendall Urban Center Districts in the Dadeland area and it has been ongoing since then. In 2012 the Board of County Commissioners adopted revisions to the CDMP policies and text aimed at, among other things, establishing transit-supportive densities for County's urban centers and mixed-use corridors. Since most of the urban centers and urban area districts were established prior to said CDMP updates, the maximum allowed densities in most of these districts are below that authorized by the CDMP. This ordinance increases the densities in the applicable urban center and urban area districts to meet the requirements of the CDMP,

Honorable Chairman Esteban L. Bovo, Jr.
and Members, Board of County Commissioners
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establishes the density, intensity, and building height standards applicable to each urban center and urban area district, and repeals previously approved density and building heights regulating plans accordingly.

A handwritten signature in black ink, appearing to read "J. Osterholt", written over a horizontal line.

Jack Osterholt
Deputy Mayor

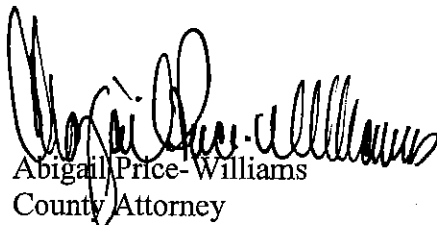


MEMORANDUM

(Revised)

TO: Honorable Chairman Esteban L. Bovo, Jr.
and Members, Board of County Commissioners

DATE: October 2, 2018

FROM: 
Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 7(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
- ☐ 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 _____

Agenda Item No. 7(E)

10-2-18

ORDINANCE NO. _____

ORDINANCE RELATING TO ZONING; AMENDING SECTION 33-284.84 AND CREATING SECTION 33-284.84.1 OF THE CODE OF MIAMI-DADE COUNTY; REVISING THE STANDARD URBAN CENTER DISTRICT REGULATIONS TO ESTABLISH DENSITY AND HEIGHT STANDARDS FOR URBAN CENTER AND URBAN AREA ZONING DISTRICTS; DELETING DENSITY AND BUILDING HEIGHT REGULATING PLANS FOR THE NARANJA COMMUNITY URBAN CENTER, GOULDS COMMUNITY URBAN CENTER, PRINCETON COMMUNITY URBAN CENTER, PERRINE COMMUNITY URBAN CENTER, OJUS URBAN AREA DISTRICT, CUTLER RIDGE METROPOLITAN URBAN CENTER, LEISURE CITY COMMUNITY URBAN CENTER, MODEL CITY URBAN CENTER, NORTH CENTRAL URBAN AREA, BIRD ROAD CORRIDOR URBAN AREA, AND COUNTRY CLUB URBAN AREA DISTRICTS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

WHEREAS, this Board desires to accomplish the purposes set forth in the accompanying memorandum, a copy of which is incorporated herein by reference; and

WHEREAS, CDMP Land Use Element Policy LU-1A states that “high intensity, well-designed urban centers shall be facilitated by Miami-Dade County at locations having high countywide multimodal accessibility”; and

WHEREAS, Objective LU-1 of the Land Use Element of the Comprehensive Development Master Plan (CDMP) states that “the configuration of Miami-Dade County’s urban growth through the year 2030 shall emphasize concentration and intensification of development around centers of activity, development of well-designed communities containing a variety of uses, housing types and public services, renewal and rehabilitation of blighted areas”; and

WHEREAS, CDMP Land Use Element Policy LU-1A states that “high intensity, well-designed urban centers shall be facilitated by Miami-Dade County at locations having high countywide multimodal accessibility”; and

WHEREAS, CDMP Land Use Element Objective LU-7 states that “Miami-Dade County shall require all new development and redevelopment in existing and planned transit corridors and urban centers to be planned and designed to promote transit-oriented development (TOD), and transit use, which mixes residential, retail, office, open space and public uses in a pedestrian and bicycle friendly environment that promotes the use of rapid transit services”; and

WHEREAS, since 1999, this Board has been implementing the urban center and mixed-use strategies of the CDMP through area plans/charrettes and subsequent land development regulations for areas located along the CDMP’s existing and future rapid transit corridors, now known as the Strategic Miami Area Rapid Transit (SMART) Corridors; and

WHEREAS, the majority of urban center regulations pre-date a 2012 CDMP amendment that reassessed and authorized additional transit-supportive densities; and

WHEREAS, on June 7, 2016, in Resolution No. R-523-16, this Board endorsed the SMART Plan as approved by the Transportation Planning Organization (TPO), which calls for expanding the central metropolitan transit system with six rapid transit corridors: Beach Corridor, East-West Corridor, Kendall Corridor, North Corridor, Northeast Corridor, and South Dade Transitway; and

WHEREAS, in February 2018, this Board adopted Ordinance No. 18-8, which created the Miami-Dade County Transportation Infrastructure Improvement District (the “TIID” or the “District”) and a corresponding trust fund, to use tax increment financing for the development, construction, maintenance, and operation of the SMART Plan rapid transit corridor projects; and

WHEREAS, pursuant to Ordinance No. 18-8, the District shall include all real properties wholly or partially located within ½ mile of the existing or proposed SMART corridors, except that the distance of included properties along the East-West corridor shall be within 1 mile of the proposed alignment; and

WHEREAS, consistent with the CDMP and the SMART Plan implementation efforts, this Board wishes to ensure that all urban center and urban area districts meet the current CDMP densities and intensities and to repeal previously approved density and building heights regulating plans accordingly,

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

Section 1. The Board ratifies and adopts the matters set forth in the accompanying justification memorandum as if fully set forth herein.

Section 2. Section 33-284.84 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:¹

Sec. 33-284.84. - Regulating Plans.

>>1.<< A set of Regulating Plans shall be provided with each adopted Urban Center or Urban Area District. As provided in Section 33-305 of this chapter, the Regulating Plan maps for each district shall thereafter be maintained by the Director and kept on file with the Department and shall be amended, modified, and changed by resolution of the County Commission. The Regulating Plans shall consist of a series of controlling plans that include the following:

* * *

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 Building Heights Plan, which establishes the minimum and maximum allowable number of stories and permits developments to reach CDMP Urban Center intensity ranges.~~

1. ~~Developments in Community Urban Center or Urban Area Districts shall meet the intensity range by:~~

a. ~~Providing the required minimum/maximum number of stories; or~~

b. ~~Providing a minimum of one (1) story and the following applicable minimum floor-area ratio:~~

i. ~~In the Edge Sub-district, a minimum floor-area ratio of one-half (0.5);~~

ii. ~~In the Center Sub-district, a minimum floor-area ratio of one (1); and~~

iii. ~~In the Core Sub-district a minimum of floor-area ratio of one and one-half (1.5).~~

2. ~~Developments in Metropolitan Urban Center Districts shall meet the intensity range by:~~

a. ~~Providing the required minimum/maximum number of stories; or~~

b. ~~Providing a minimum of one (1) story and the applicable minimum floor-area ratio:~~

i. ~~In the Edge Sub-district, a minimum floor-area ratio of one and one-half (1.5);~~

ii. ~~In the Center Sub-district, a minimum floor-area ratio of one and three-quarters (1.75); and~~

iii. ~~In the Core Sub-district, a minimum floor-area ratio of three (3).~~

E.]] The Designated Open Space Plan, which designates open spaces, which shall be shown in all development plans. The designated open spaces shall be controlled by anchor points.

~~[[F]]~~>>E<<. The New Streets Plan, which shows the location and the number of new streets needed to create the prescribed network of streets within each Urban Center or Area 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(C) of this article.

~~[[G]]~~>>F<<. The Bike Route Plan, which depicts the designated bike routes, including the bike facility requirements if any, which shall be shown in all development plans.

>>2. Repeal of previously approved density and building height regulating plans. For the following urban center and urban area districts, all previously approved Density and Building Heights regulating plans, and any provisions of Land Use regulating plans that specify residential density, are hereby repealed: Naranja Community Urban Center (article XXXIII(J)); Goulds Community Urban Center (article XXXIII(L)); Princeton Community Urban Center (article XXXIII(M)); Perrine Community Urban Center (article XXXIII(N)); Ojus Urban Area District (article XXXIII(O)); Cutler Ridge Metropolitan Urban Center, (article XXXIII(P)); Leisure City Community Urban Center (article XXXIII(Q));<< ~~[[Model City Urban Center (article XXXIII(R))]]~~² >>North Central Urban Area (article XXXIII(S));; Bird Road Corridor Urban Area (article XXXIII(U)); and Country Club Urban Area (article XXXIII(V)).<<

Section 3. Section 33-284.84.1 of the Code of Miami-Dade County, Florida, is hereby created to read as follows:

>>**Sec. 33-284.84.1. - Density, Building Height, and Intensity.**

A. Maximum Density and Building Height Tables. Notwithstanding any other provision to the contrary, the following tables set forth the maximum residential densities and building heights for developments in each urban center or urban area district:

² Committee amendments are indicated as follows: Words double stricken through and/or [[double bracketed]] are deleted, words double underlined and/or >>double arrowed<< are added.

1. For Land Use Categories RM, RML, MO, MC, MM, MCS, MCI, SD (Marketplace), SD (Storeporch), AD, MD (Market), ID, and I.

<u>Maximum Density and Building Heights for Land Use Categories RM, RML, MO, MC, MM, MCS, MCI, SD (Marketplace), SD (Storeporch), AD, MD (Market), ID, and I</u>			
<u>Urban Center or Urban Area District</u>	<u>SUB-DISTRICT</u>		
	<u>CORE</u>	<u>CENTER</u>	<u>EDGE</u>
<u>Community Urban Centers along South Dade Transitway</u>	<u>125 units per acre/ 15 stories</u>	<u>90 units per acre/ 12 stories</u>	<u>45 units per acre/ 6 stories</u>
<u>Metropolitan Urban Centers along the South Dade Transitway</u>	<u>250 units per acre/ 25 stories</u>	<u>150 units per acre/ 15 stories</u>	<u>60 units per acre/ 8 stories</u>
<u>Ojus Urban Area District</u>	<u>150 units per acre/ 15 stories</u>	<u>90 units per acre/ 12 stories</u>	<u>45 units per acre/ 6 stories</u>
<u>North Central Urban Area District (See Note 1)</u>	<u>125 units per acre/ 15 stories</u>	<u>Within ½ mile of the SMART Corridor, 90 units per acre/ 12 stories; otherwise 36 units per acre/ 6 stories</u>	<u>36 units per acre/ 6 stories; except, for certain segments along NW 7th Avenue, 60 units per acre/12 stories (See Note 2)<<</u>

[[Model City Urban Center District (See Note 1)	125 units per acre/ 15 stories	Within 1/2 mile of the SMART Corridor, 90 units per acre/ 12 stories; otherwise 36 units per acre/ 6 stories	36 units per acre/ 6 stories]]
>>Bird Road Corridor Urban Area	90 units per acre/ 12 stories; except, for properties east of SW 87th Avenue, 36 units per acre/6 stories	60 units per acre/ 8 stories	36 units per acre/ 6 stories
Country Club Urban Area	90 units per acre/ 12 stories	60 units per acre/ 8 stories	36 units per acre/ 6 stories

Note 1: For properties comprising a rapid transit station, maximum density and building height shall be in accordance with the Core Sub-District.

Note 2: 60 units per acre/12 stories applies to all properties along NW 7th Avenue between NW 79th and NW 81st Streets and to properties on the east side of NW 7th Avenue between NW 81st and NW 95th Streets.

2. For Land Use Category R.

<u>Maximum Density and Building Height for Land Use Category R</u>			
<u>Urban Center or Urban Area District</u>	<u>SUB-DISTRICT</u>		
	<u>CORE</u>	<u>CENTER</u>	<u>EDGE</u>
<u>Community Urban Centers along South Dade Transitway</u>	N/A	N/A	18 units per acre/ 2 stories
<u>Metropolitan Urban Centers along the South Dade Transitway</u>	N/A	N/A	18 units per acre/ 2 stories

<u>Ojus Urban Area District</u>	<u>N/A</u>	<u>N/A</u>	<u>18 units per acre/ 2 stories; except, for certain properties along the Oleta River, 6 units per acre/ 2 stories (See Note 1)</u>
<u>North Central Urban Area District</u> << [[<u>and Model City Urban Center District</u>]]	>> <u>N/A</u>	<u>36 units per acre/ 4 stories</u>	<u>18 units per acre/ 2 stories;</u>
<p><u>Note 1: 6 units per acre/2 stories applies to properties that are located:</u> <u>(a) along the Oleta River;</u> <u>(b) west of NE 26th Avenue and north of NE 195th Street; and</u> <u>(c) south of Miami Gardens Drive and west of NE 24th Avenue.</u></p>			

B. Intensity Standard. Notwithstanding any other provision to the contrary, to ensure consistency with CDMP policies requiring high intensity, well-designed urban centers and promotion of transit-oriented development, each property in an urban center or urban area district shall be developed in accordance with the following minimum intensity standards:

1. The development shall provide the maximum number of stories set forth in the table above; or
2. The development shall provide the applicable minimum floor-area ratio:
 - a. In community urban center or urban area districts, except the Ojus Urban Area District:
 - i. In the Edge Sub-district, a minimum floor area ratio of 0.5;
 - ii. In the Center Sub-district, a minimum floor area ratio of 1; and
 - iii. In the Core Sub-district a minimum of floor area ratio of 1.5.
 - b. In metropolitan urban center districts and in the Ojus Urban Area District:
 - i. In the Edge Sub-district, a minimum floor area ratio of 1.5;

- ii. In the Center Sub-district, a minimum floor area ratio of 1.75; and
- iii. In the Core Sub-district, a minimum floor area ratio of 3.

3. Properties designated R shall not be subject to these minimum intensity requirements.<<

>>C. Compatibility with single-family residential areas. At the time of administrative site plan review, in addition to any other applicable criteria, the Department shall review applications to mitigate impacts of the proposed development on single-family residential areas.

Section 4. Applicability. Any property that is the subject of an active application seeking amendments to the regulating plans, administrative site plan review approval, or with an active pre-application number filed before the effective date of this ordinance may obtain site plan approval based on the code provisions in effect at the time of filing of the application or pre-application, or may proceed as provided in this ordinance.<<

Section >>5<< [[4]]. 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 >>6<< [[5]]. 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.

Section >>7<< [[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:

Prepared by:

Dennis A. Kerbel



FM DAK