

# MEMORANDUM

Agenda Item No. 7(B)

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**TO:** Honorable Chairwoman Audrey M. Edmonson  
and Members, Board of County Commissioners

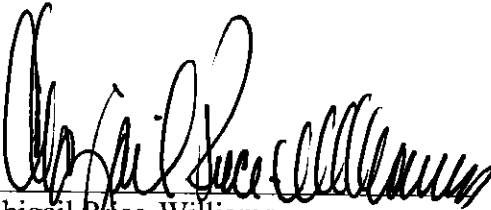
**DATE:** (Second Reading 11-19-19)  
July 23, 2019

**FROM:** Abigail Price-Williams  
County Attorney

**SUBJECT:** Ordinance relating to zoning  
in the unincorporated area;  
amending section 33-196 of the  
Code; allowing for recreational  
uses on lakes in the GU, Interim  
Zoning District

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The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Jose "Pepe" Diaz.

  
Abigail Price-Williams  
County Attorney

APW/smm

# Memorandum



**Date:** November 19, 2019

**To:** Honorable Chairwoman Audrey M. Edmonson  
and Members, Board of County Commissioners

**From:** Carlos A. Gimenez  
Mayor

A handwritten signature in black ink, appearing to read "Carlos A. Gimenez". The signature is written in a cursive style and is positioned to the right of the "From:" field.

**Subject:** Fiscal Impact Statement for Ordinance Relating to Zoning in the Unincorporated Area;  
allowing for Recreational Uses on Lakes

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The implementation of this ordinance will not have a fiscal impact to Miami-Dade County as no additional staffing or resources would be needed to implement the updated regulations.

A handwritten signature in black ink, appearing to read "Jack Osterholt". The signature is written in a cursive style and is positioned above the name "Jack Osterholt".

Jack Osterholt  
Deputy Mayor

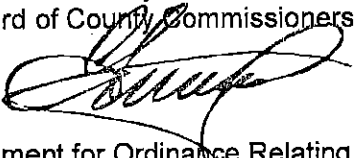
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# Memorandum



**Date:** November 19, 2019

**To:** Honorable Chairwoman Audrey M. Edmonson  
and Members, Board of County Commissioners

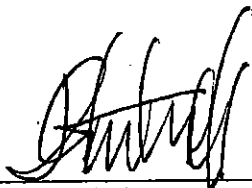
**From:** Carlos A. Gimenez   
Mayor

**Subject:** Social Equity Statement for Ordinance Relating to Zoning - Amending Section 33-196  
of the Code of Miami-Dade County

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The proposed ordinance relating to Zoning amends Section 33-196 of the Code of Miami-Dade County (Code) allowing for recreational uses on lakes in the GU, Interim Zoning District.

The Comprehensive Development Master Plan (CDMP) generally allows properties outside the Urban Development Boundary (UDB) that are designated as "Open Land," or located in certain "Environmental Protection" subareas, to be developed with recreational uses. The CDMP also permits the continuation of existing quarrying activities and ancillary uses which often results in the development of a lake. Implementation of the proposed ordinance may promote recreational uses on lakes located outside the UDB, if permitted under applicable Land Use Plan Map designation on the CDMP and subject to administrative site plan review.

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

Jack Osterholt  
Deputy Mayor

191028



**MEMORANDUM**  
(Revised)

**TO:** Honorable Chairwoman Audrey M. Edmonson  
and Members, Board of County Commissioners

**DATE:** November 19, 2019

**FROM:** Abigail Price-Williams  
County Attorney

**SUBJECT:** Agenda Item No. 7(B)

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 present \_\_\_\_, 2/3 membership \_\_\_\_, 3/5's \_\_\_\_, unanimous \_\_\_\_, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) \_\_\_\_, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) \_\_\_\_, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) \_\_\_\_) 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(B)  
11-19-19

ORDINANCE NO. \_\_\_\_\_

ORDINANCE RELATING TO ZONING IN THE UNINCORPORATED AREA; AMENDING SECTION 33-196 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; ALLOWING FOR RECREATIONAL USES ON LAKES IN THE GU, INTERIM ZONING DISTRICT; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

**WHEREAS**, providing for the recreational needs of County residents is an important public policy; and

**WHEREAS**, many properties that are zoned GU, Interim Zoning District, and located outside of the Urban Development Boundary (“UDB”) are developed with lakes; and

**WHEREAS**, the County’s Comprehensive Development Master Plan (“CDMP”) generally allows properties outside the UDB that are designated as “Open Land” or as certain “Environmental Protection” subareas to be developed with recreational uses, and also permits the continuation of existing quarrying activities and ancillary uses, which often results in the development of a lake, on properties designated “Agriculture”; and

**WHEREAS**, allowing properties that are developed with lakes outside of the UDB to be used for recreational purposes would provide the public with more recreational opportunities that are compatible with the non-urban character of these areas,

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

**Section 1.** The foregoing recitals are incorporated as if set forth herein and are approved.

**Section 2.** Section 33-196 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:<sup>1</sup>

**Sec. 33-196. - Standards for determining zoning regulations to be applied to GU property.**

\* \* \*

(D) *Park and Recreation Facilities.*

>>(1)<< Notwithstanding any other provision to the contrary, municipal recreation buildings, playgrounds, parks, or reservations owned or operated by a municipality, county, state, or the United States Government shall be permitted in the GU District inside the Urban Development Boundary.

>>(2) On properties in the GU District and outside of the Urban Development Boundary, recreational uses and facilities on lakes may be permitted, if permitted under the applicable Land Use Plan Map designation on the CDMP, and subject to administrative site plan review.<<

**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 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.

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<sup>1</sup> 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 5.** This ordinance shall become effective 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

Prime Sponsor: Commissioner Jose "Pepe" Diaz