MEMORANDUM

Agenda Item No. 7(F)

TO:	Honorable Chairman Jose "Pepe" Diaz and Members, Board of County Commissioners	**DATE:**	March 1, 2022
FROM:	Geri Bonzon-Keenan County Attorney	**SUBJECT:**	Ordinance relating to zoning in the unincorporated area; amending section 33-259 of the Code; expanding permitted uses for properties in the IU-1, Industrial, Light Manufacturing District that are designated institutions, utilities and communications on the Comprehensive Development Master Plan Land Use Plan map

This item was amended at the 2-10-22 County Infrastructure, Operations and Innovations Committee to specify that the additional uses are only allowed within the Urban Development Boundary.

The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Kionne L. McGhee.

Geri Bonzon-Keenan
County Attorney

GBK/uw

Memorandum

MIAMI-DADE COUNTY

Date: March 1, 2022

To: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

From: Daniella Levine Cava
Mayor

Subject: Fiscal Impact Statement for Ordinance Expanding Permitted Uses for Properties in the IU-1

Approval of this item is not anticipated to create a fiscal impact to Miami-Dade County, as the proposed changes will not require additional staffing nor generate additional operational expenses.

Jimmy Morales
Chief Operations Officer

Memorandum

MIAMI-DADE COUNTY

Date: March 1, 2022

To: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

From: Daniella Levine Cava
Mayor

Daniella Levine Cava

Subject: Social Equity Statement for Ordinance Relating to Zoning- IU-1 Industrial, Light Manufacturing District

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The proposed ordinance relating to Zoning amends Section 33-259 of the Code of Miami-Dade County (Code) expanding permitted uses for properties within the Urban Development Boundary, in the IU-1 Industrial, Light Manufacturing District in order to allow certain commercial and entertainment uses for properties that are designated Institutions, Utilities and Communications on the Comprehensive Development Master Plan Land Use Plan.

Implementation of the proposed ordinance may result in increased business opportunities which may provide more jobs for the residents of the area. No other specific social equity or benefit can be determined at this time.

Jimmy Morales
Chief Operations Officer

212636

MEMORANDUM
(Revised)

TO: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

DATE: March 1, 2022

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 7(F)

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(F)
3-1-22

ORDINANCE NO. _____

ORDINANCE RELATING TO ZONING IN THE UNINCORPORATED AREA; AMENDING SECTION 33-259 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; EXPANDING PERMITTED USES FOR PROPERTIES IN THE IU-1, INDUSTRIAL, LIGHT MANUFACTURING DISTRICT THAT ARE DESIGNATED INSTITUTIONS, UTILITIES AND COMMUNICATIONS ON THE COMPREHENSIVE DEVELOPMENT MASTER PLAN LAND USE PLAN MAP; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

WHEREAS, the County's Industrial, Light Manufacturing Zoning District, referred to as the IU-1 District, currently provides for light industrial uses as well as certain limited commercial uses; and

WHEREAS, in appropriate locations, the light industrial district could serve as a catalyst for economic development and community improvement by mixing industrial uses with commercial and entertainment uses to create a unique employment and recreation destination for the residents of the surrounding areas, similar to the mix of uses permitted in the Retail Entertainment District Planned Area Development District pursuant to article XXXIIID.2. of chapter 33 of the County Code; and

WHEREAS, in certain areas designated as Institutions, Utilities and Communications on the Land Use Plan map of the County's Comprehensive Development Master Plan (CDMP), the CDMP authorizes such a mix of uses to promote economic development; and

WHEREAS, this Board wishes to implement the CDMP's policies to enable the development of such mixed industrial, commercial, and entertainment uses by amending the IU-1 zoning district to authorize such uses as of right in appropriate locations as identified in the CDMP, subject to the existing requirement that all development in the IU-1 district is subject to administrative site plan review,

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

Section 1. The foregoing recitals are incorporated into this ordinance and are approved.

Section 2. Section 33-259 of the Code of Miami-Dade County, Florida is hereby amended to read as follows:[1]

Sec. 33-259. - Uses permitted.

No land, body of water, or structure shall be used or permitted to be used, and no structure shall be hereafter erected, constructed, moved, reconstructed, structurally altered, or maintained, in any IU-1 District, which is designed, arranged, or intended to be used or occupied for any purpose, except for one or more of the following uses:

* * *

>>(92) *Uses Permitted on lands designated Institutions, Utilities and Communications*. Notwithstanding any other provisions to the contrary, on lands zoned IU-1 that are located within an area designated Institutions, Utilities and Communications<< >>and are within the Urban Development Boundary<<[2] >>on the CDMP Land Use Plan map, the uses enumerated in section 33-284.28.10, except residential uses, are permitted subject to the following:

(a) Such uses shall only be permitted to the extent allowed by the CDMP.

(b) Such uses shall require administrative site plan review pursuant to section 33-310.4, regardless of size or any other exceptions set forth in section 33-310.4.

(c) When the CDMP requires consideration of compatibility with the Homestead Air Reserve Base (HARB), the Director shall transmit all applications for such uses authorized by this subsection to HARB

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[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.

[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.

for review and comment. To allow for timely processing of applications, HARB shall have 21 days following the transmittal of such applications to submit comments to the Director, unless the Director authorizes a greater review period. Failure to receive comments from HARB staff within the prescribed time period shall not preclude the Director from taking action on the application.<<

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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.

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

Prime Sponsor: Commissioner Kionne L. McGhee