

MEMORANDUM

Agenda Item No. 7(C)

TO: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

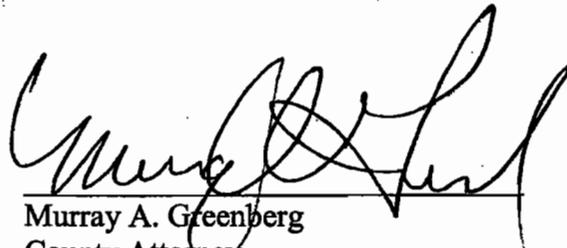
DATE: (Second Reading 06-05-07)
April 24, 2007

FROM: Murray A. Greenberg
County Attorney

SUBJECT: Ordinance amending
Section 33-151.14 of the
Code; pertaining to zoning for
private colleges and
universities

0#07-75

The accompanying ordinance was prepared and placed on the agenda at the request of Commissioner Rebeca Sosa and Commissioner Carlos A. Gimenez.



Murray A. Greenberg
County Attorney

MAG/jls

Memorandum



Date: June 5, 2007

To: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

From: George M. Burgess
County Manager

Subject: Ordinance amending Section 33-151.14 of the Code; pertaining to zoning for private colleges and universities

The ordinance amending Section 33-151.14 of the Code; pertaining to zoning for private colleges and universities will not have a fiscal impact on Miami-Dade County.

A handwritten signature in black ink, appearing to read "Alex Muñoz" with a stylized flourish at the end.

Alex Muñoz
Assistant County Manager

Fiscal00107

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MEMORANDUM

(Revised)

TO: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

DATE: June 5, 2007

FROM: Murray A. Greenberg
County Attorney

SUBJECT: Agenda Item No. 7(C)

Please note any items checked.

- "4-Day Rule" ("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
- Bid waiver requiring County Manager's written recommendation
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- Housekeeping item (no policy decision required)
- No committee review

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 7(C)

06-05-07

ORDINANCE NO. 07-75

ORDINANCE PERTAINING TO ZONING; AMENDING SECTION 33-151.14 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, PERTAINING TO PRIVATE COLLEGES AND UNIVERSITIES; 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. Section 33-151.14 of the Code of Miami-Dade County, Florida is hereby amended as follows: ¹

Sec. 33-151.14. Private colleges and universities.

* * *

- (B) *Exception for Satellite Classroom Facilities.* The requirements set forth in subsection (a) above or any other section of this Article shall not apply to satellite facilities either owned or leased by private colleges or universities located in ~~>>either<<~~ a shopping center in a BU-2 or more liberal BU district, ~~>>or in an industrial park in an IU-1 or more liberal IU district,<<~~ where the shopping center or ~~>>industrial park<<~~ is not less than twenty-five (25) acres under one (1) ownership of title, unity of title, or a declaration in lieu of unity of title, with an approved plan showing at least 200,000 square feet of building area with facilities for parking for not less than three hundred (300) vehicles. A satellite classroom facility is a permitted use within such a shopping center or ~~>>industrial park,<<~~ provided that it satisfies the following requirements: (a) the total cumulative square footage of all satellite classroom facilities located in a shopping center or ~~>>industrial park<<~~ shall be less than fifty (50) percent of the square footage of the shopping center or ~~>>industrial park<<~~; (b) the satellite classroom facility shall be located at least five (5) miles away from the main campus of the private college or university; and (c) the total cumulative square footage of the satellite classroom facilities located in a shopping center shall not exceed ten (10) percent of the

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.

total cumulative classroom square footage located at the main campus of the private college or university. For the purposes of this subsection (B), distance shall be measured by following a straight line from the front door of the proposed satellite classroom facility to the nearest point of the main campus grounds. All satellite classroom facilities must comply with the parking requirements set forth in Section 33-124(1)(3). Applicants for satellite classroom facilities shall submit to the Department an affidavit setting forth the total cumulative classroom square footage located at the main campus of the private college or university. A school bookstore selling both new and used books shall be permitted to operate as an ancillary use in connection with satellite classroom facilities provided that the square footage of such bookstore does not exceed ten (10) percent of the total cumulative classroom square footage located at the shopping center >>or industrial park<<. The square footage of such a bookstore shall be included in the total cumulative classroom square footage at the shopping center for the purposes of this subsection (B).

* * *

Section 2. 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 3. 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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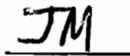
Section 4. This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

ASSESSED AND ADOPTED: June 5, 2007

Approved by County Attorney as
to form and legal sufficiency:



Prepared by:



John D. McInnis

Sponsored by Commissioner Rebeca Sosa and
Commissioner Carlos A. Gimenez