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CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

Memorandum

MIAMI-DADE COUNTY

(Second Reading 07-10-07)

Date: May 22, 2007

Agenda Item No. 7(D)

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

From: George M. Burgess
County Manager

Subject: Ordinance Revising Zoning and other Land Development Regulations Pertaining to the Ojus Urban Area District

O#07-94

Recommendation
It is recommended that the Board of County Commissioners adopt the attached ordinance updating the Ojus Urban Area District Regulations.

Scope
This ordinance impacts the area of the Ojus Urban Area located in Commission District 4.

Fiscal Impact/Funding Source
The proposed ordinance creates no fiscal impact on Miami-Dade County.

Track Record/Monitor
Not applicable.

Background
Ordinance 06-86 was adopted on June 6, 2006 and created article XXXIII(O) of the Code of Miami-Dade County – Ojus Urban Area District Regulations (OUAD). These regulations implement the land use recommendations included in the Ojus Charrette Report that was accepted by the Board of County Commissioners (BCC) in 2004. The purpose of this ordinance is to update certain regulatory criteria that guide development within the OUAD to address issues resulting from the ongoing processing of site plan applications and to accommodate certain existing conditions that were unanticipated at the time the regulations were originally adopted.

Specifically, this ordinance proposes to update the OUAD Regulations to (1) revise the Land Use Regulating Plan in order to provide for the *urban villa*, an infill single-family residential dwelling unit, reduce the minimum single-family residential density from 8 units per acre to 6 units per acre in order to encourage infill development on existing platted lots, and provide for retail and office uses in the second floor of buildings located in Mixed-Use Main Street (MM) designated areas; (2) delete the definition of *lofts* - standards for residential lofts are being comprehensively addressed by a proposed, concurrent amendment to the Standard Urban Center District Regulations; (3) revise the Street Types Plan and the Designated Open Space Plan as per request of the Board of County Commissioners at the Ojus Urban Area rezoning hearing of March 8, 2007; and (4) revise

the building placement and street type development parameters to clarify setback requirements for mixed-use areas.

Assistant County Manager

MEMORANDUM

(Revised)

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

DATE: July 10, 2007

FROM: R.A. Cuevas, Jr. Acting County Attorney

SUBJECT: Agenda Item No. 7(D)

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(D)

07-10-07

ORDINANCE NO. 07-94

ORDINANCE REVISING ZONING AND OTHER LAND DEVELOPMENT REGULATIONS PERTAINING TO THE OJUS COMMUNITY URBAN AREA DISTRICT ("OJUS REGULATIONS"), AMENDING SECTIONS 33-284.99.16, 33-284.99.18 THROUGH 33-284.99.19, AND DELETING SECTION 33-284.99.16, CODE OF MIAMI-DADE COUNTY, FLORIDA ("CODE"), 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. Sec. 33-284.99.16 of the Code of Miami-Dade County, Florida, is hereby deleted as follows[1]:

[[~~**Sec. 33-284.99.16 Definitions.**~~

~~In addition to the definitions in Sec. 33-284.82 of this code, the following term shall be defined as follows:~~

~~*Loft:* a single-family unit with a mezzanine area that shall not exceed 80 percent of the floor area below. In the Core and Center Sub-districts, the height of a loft shall count as one story. In the Edge Sub-district, the additional height provided by the inclusion of a loft shall count as an additional story.~~]]

[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.

Section 2. Sec. 33-284.99.17 of the Code of Miami-Dade County, Florida, is hereby amended as follows:

Sec. 33-284.99.17. Uses

Except as provided herein, all permitted, conditionally permitted, and temporary uses within the OUAD shall comply with Section 33-284.83 of this Code.

* * *

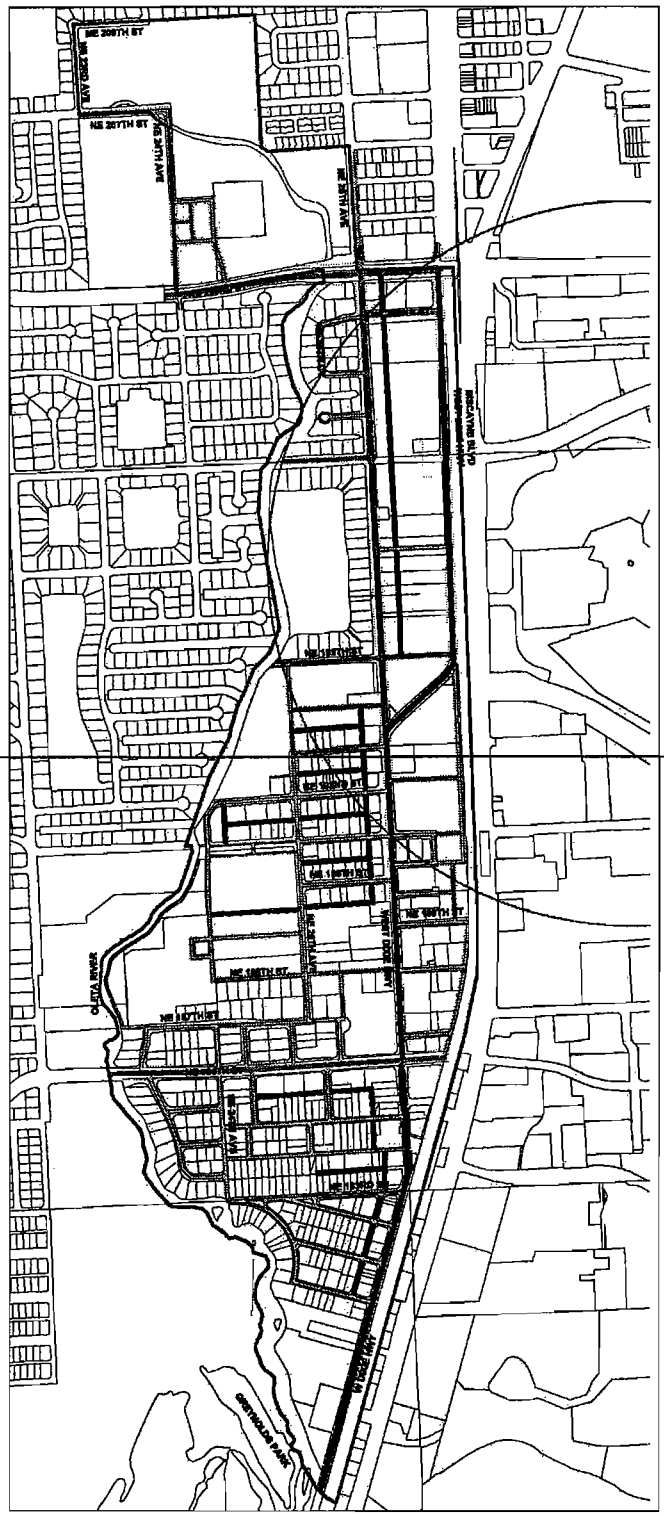
3. No civic uses shall be permitted in areas designated R on the Land Use Regulating Plan >>, except for educational facilities on properties not to exceed 5 acres<<.

* * *

Section 3. Sec. 33-284.99.18 of the Code of Miami-Dade County, Florida, is hereby amended by replacing the Street Types, Land Use and Designated Open Space Plans as follows:

Sec. 33-284.99.18. The Regulating Plans

[[~~A. Street Types Plan~~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NE 207TH ST
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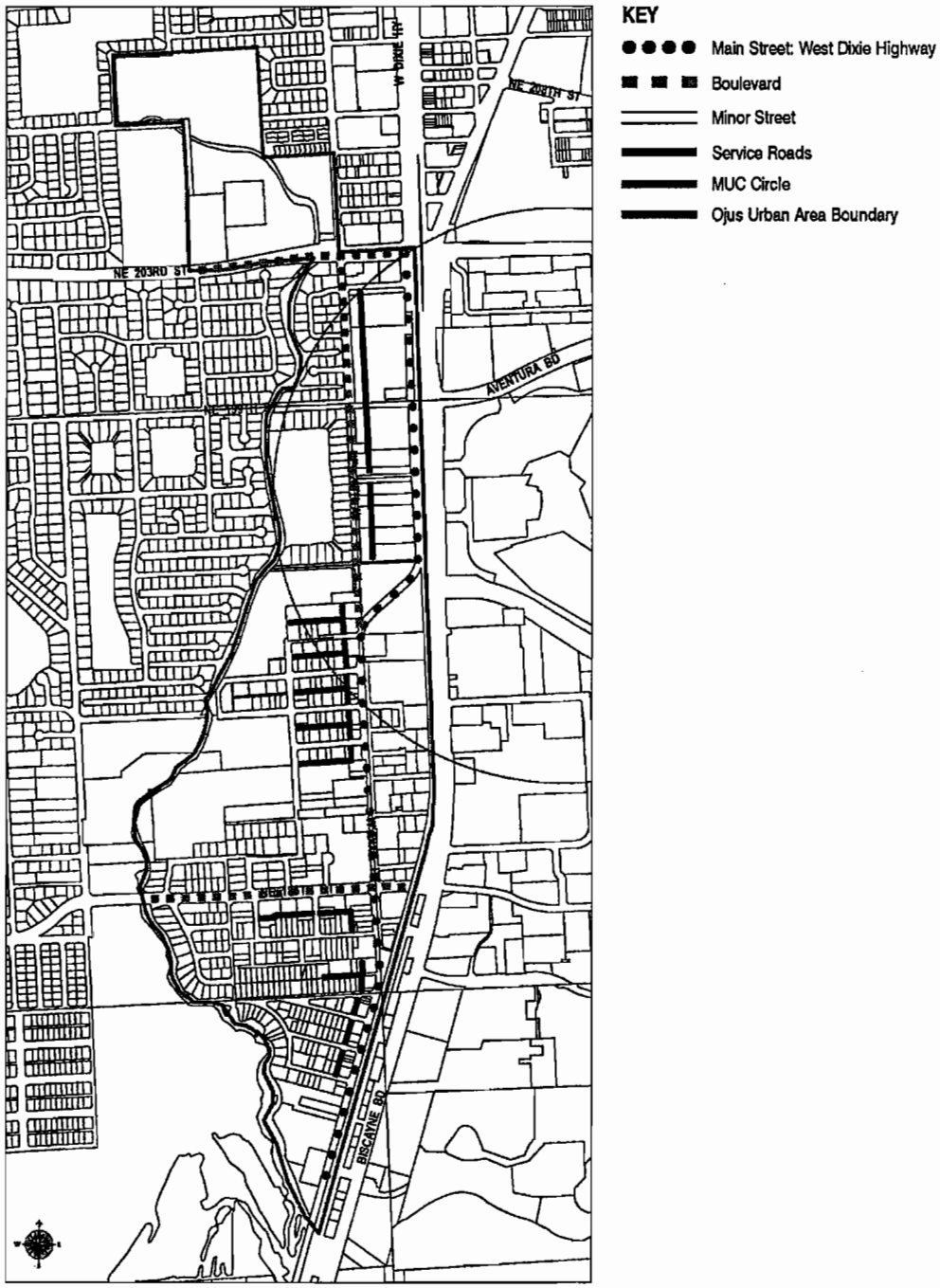
>>A. Street Types Plan



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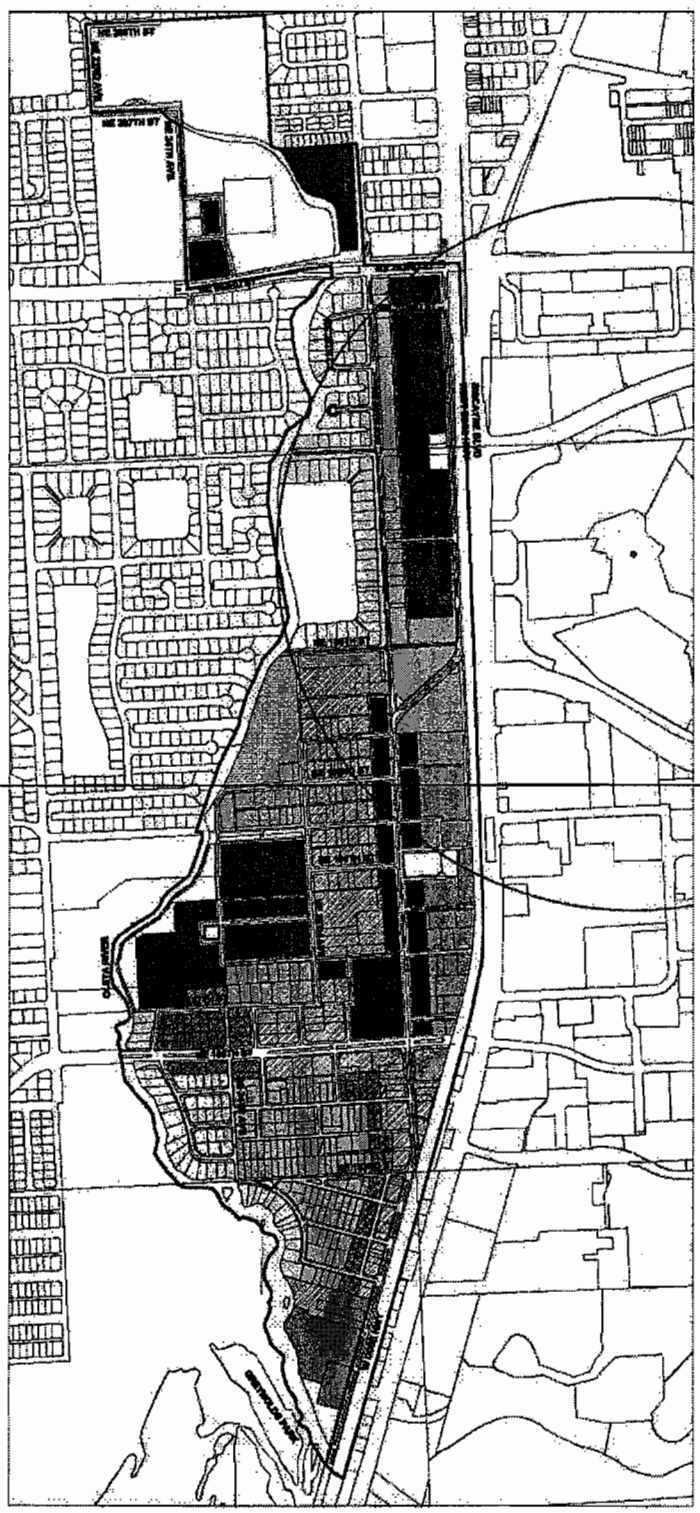
[[~~C. Land Use Plan~~



Land Uses

KEY

MM: Mixed-use Main Street: *1st floor* - businesses, professional offices, civic, education and government offices; *2nd floor and above* - residential (Min. 12 units/acre net, Max. 52 units/acre net or Max. 60 units/acre net with the use of SUR*)

MM: Mixed-use Main Street: *1st floor* - businesses, professional offices, civic, education and government offices; *2nd floor and above* - residential (Min. 12 units/acre net, Max. 36 units/acre net)

MC: Mixed-use Corridor: residential, businesses, professional offices, civic, education and government offices (Max. 52 units/acre net or Max. 60 units/acre net with the use of SUR*)

MC: Mixed-use Corridor: residential, businesses, professional offices, civic, education and government offices (Max. 82 units/acre net or Max. 90 units/acre net with the use of SUR*)

MC: Mixed-use Corridor: residential, businesses, professional offices, civic, education and government offices (Max. 36 units/acre net)

RM: Residential Modified: Rowhouse, and apartments (Min. 12 units/acre net, Max. 52 units/acre net or Max. 60 units/acre net with the use of SUR*)

RM: Residential Modified: Rowhouse, and small apartments (Min. 12 units/acre net, Max. 36 units/acre net)

RM: Residential Modified: Duplex, rowhouse, and live-work (Min. 8 units/acre net, Max. 18 units/acre net)

R: Residential: Single family detached dwellings (Max. 6 units/acre net)

R: Residential: Single family detached, duplex and rowhouse dwellings (Min. 6 units/acre net, Max. 13 units/acre net)

ID: Industrial District: *In all floors and all Sub-districts:* IU1 uses are permitted and IU-2 uses after public hearing. In addition:
1. MC (Max. 52 units/acre net or Max. 60 units/acre net with the use of SUR*)
2. Live-work units
3. South of NE 195 St: MM along West Dixie Highway only (Min. 12 units/acre net, Max. 52 units/acre net or Max. 60 units/acre net with the use of SUR*)
4. RM along NE 26th Avenue only (Min. 12 units/acre net, Max. 36 units/acre net)

I: Institutional: Civic, education and government offices and residential as per Sec 33-284.99.16 A 5 of this Code.

MUC Circle

Ojus Urban Area Boundary

See Section 33-284.99.16 on this Code for specific permitted uses in each land use area.
* SUR: Severable Use Right as provided in Sections 33B-41 to 33B-47 of this code.

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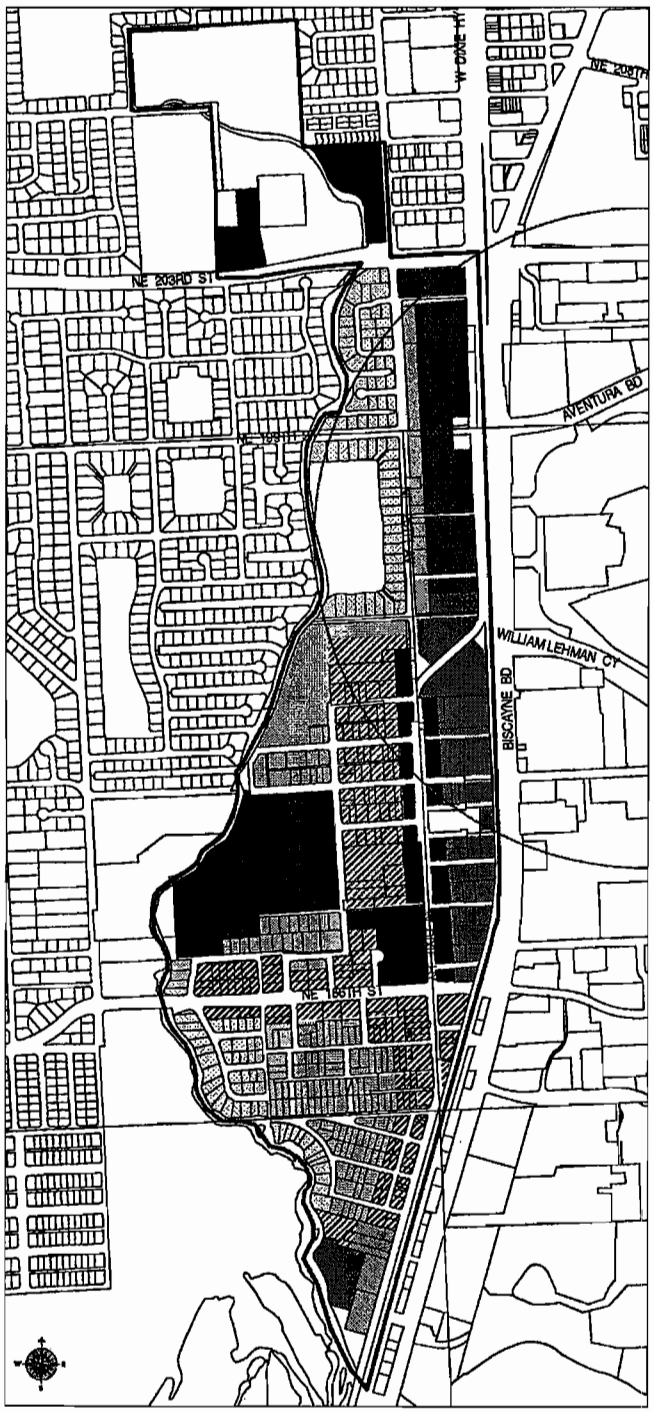
>>C. Land Use Plan



KEY

MM: Mixed-use Main Street: First and second floors - businesses, professional offices, civic, education and government offices; second floor and above - residential (Min. 12 units/acre net, Max. 52* units/acre net)

MM: Mixed-use Main Street: First and second floors - businesses, professional offices, civic, education and government offices; second floor and above - residential (Min. 12 units/acre net, Max. 36 units/acre net)

MC: Mixed-use Corridor: residential, businesses, professional offices, civic, education and government offices (Max. 52* units/acre net)

MC: Mixed-use Corridor: residential, businesses, professional offices, civic, education and government offices (Max. 82* units/acre net)

MC: Mixed-use Corridor: residential, businesses, professional offices, civic, education and government offices (Max. 36 units/acre net)

RM: Residential Modified: Rowhouse, urban villa, apartment dwellings (Min. 12 units/acre net, Max. 52* units/acre net)

RM: Residential Modified: Rowhouse, urban villa, apartment dwellings (Min. 12 units/acre net, Max. 36 units/acre net)

RM: Residential Modified: Duplex, urban villa, rowhouse, and live-work dwellings (Min. 8 units/acre net, Max. 18 units/acre net)

R: Residential: Single family detached dwellings (Max. 6 units/acre net)

R: Residential: Single family detached, duplex, urban villa, rowhouse dwellings (Min. 6 units/acre net, Max. 13 units/acre net)

ID: Industrial District: In all floors and all Sub-districts: IU-1 uses are permitted and IU-2 uses after public hearing. In addition:
1. MC (Max. 52* units/acre net)
2. Live-work units
3. South of NE 195 St: MM along West Dixie Highway only (Min. 12 units/acre net, Max. 52* units/acre net)
4. RM along NE 26th Avenue only (Min. 12 units/acre net, Max. 36 units/acre net)

I: Institutional: Civic, education and government offices and residential as per Sec 33-284.99.16(A)(5) of this Code.

MUC Circle

Ojus Urban Area Boundary

See Sections 33-284.83 and 33-284.99.16 of this code for specific permitted uses in each land use area.

*Residential density may be increased through the use of Severable Use Rights (SURs). See Sec. 33B-45(g)(15) of this code for applicability.

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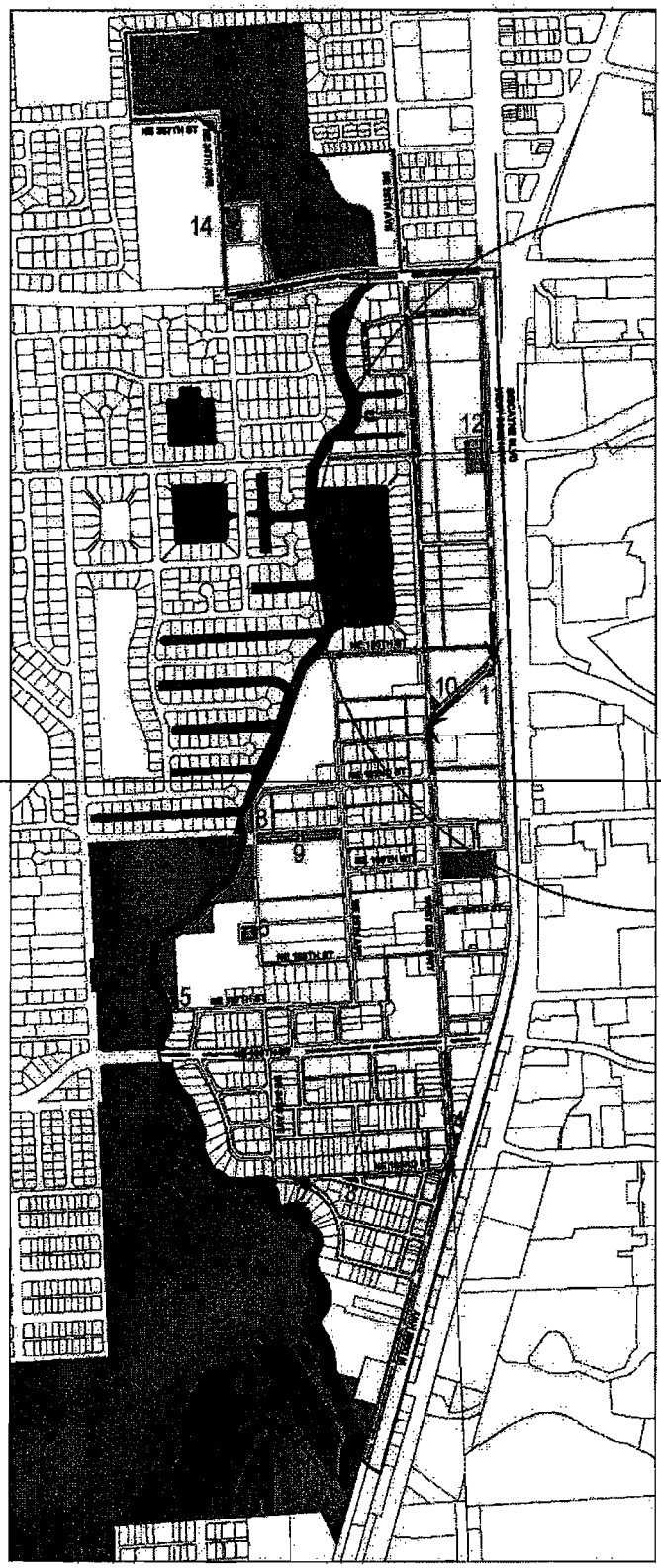
* * *

[[~~E. Designated Open Space Plan~~



Designated Open Space

KEY

- Existing Parks
- Designated Open Space: G: Green; S: Square; P: Plaza
- Preservation Area
- Existing Water Bodies
- Street Vista
- Anchor Point
- MUC Circle
- Ojus Urban Area Boundary

No	Type	Area
1.	G	Existing
2.	G	N/A
3.	G	N/A
4.	P	9,600 sqft
5.	G	Existing
6.	G	8,960 sqft
7.	S	Existing
8.	G	10,580 sqft
9.	G	39,500 sqft
10.	G	9,000 sqft
11.	G	9,000 sqft
12.	G	28,000 sqft
13.	G	Existing
14.	G	19,250 sqft

The open space shall provide the general square footage shown in this Designated Open Space Plan.

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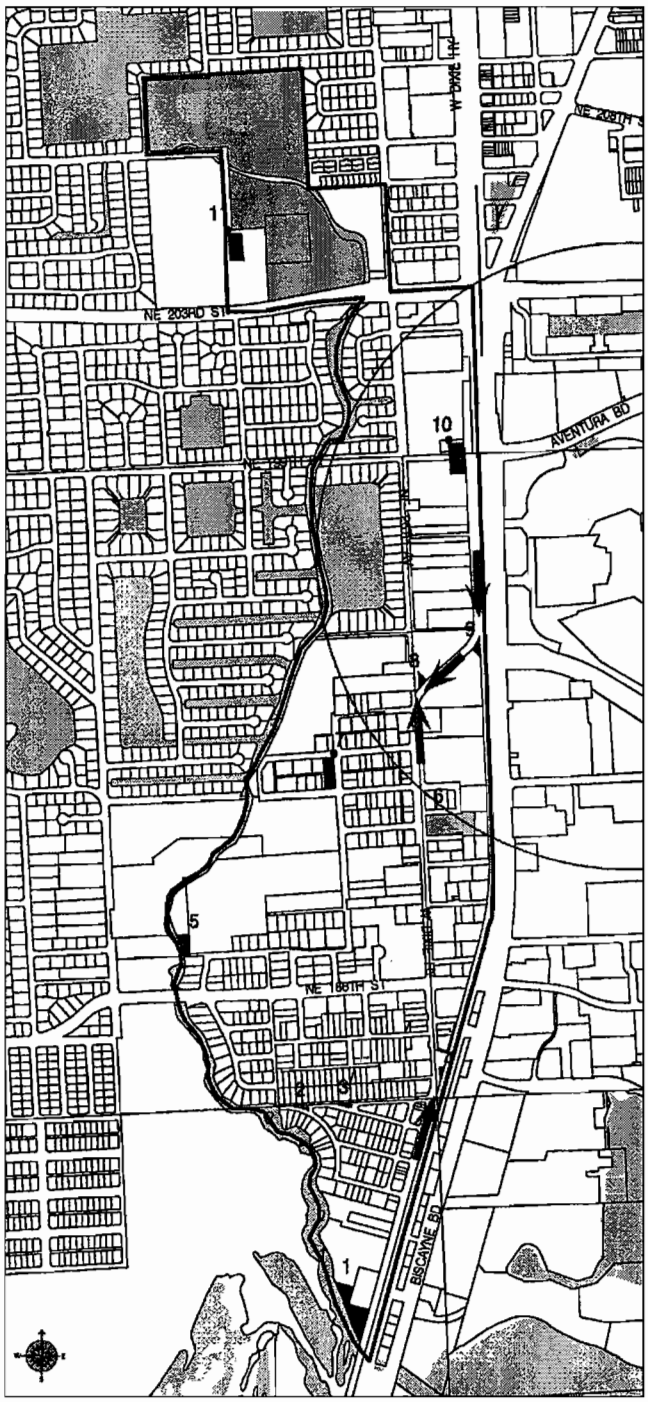
>> E. Designated Open Space Plan



KEY

- Designated Open Space: G: Green; S: Square; P: Plaza
- Existing Park
- Existing Water Bodies
- Street Vista
- Anchor Point
- MUC Circle
- Ojus Urban Area Boundary

Number	Type	Area
1.	G	48,600 sq. ft.
2.	G	N/A
3.	G	N/A
4.	P	2,500 sq. ft.
5.	G	14,500 sq. ft.
6.	S	Existing Park
7.	G	23,500 sq. ft.
8.	G	5,500 sq. ft.
9.	G	4,000 sq. ft.
10.	G	35,500 sq. ft.
11.	G	26,000 sq. ft.

The open space shall provide the general square footage shown in this Designated Open Space Plan.

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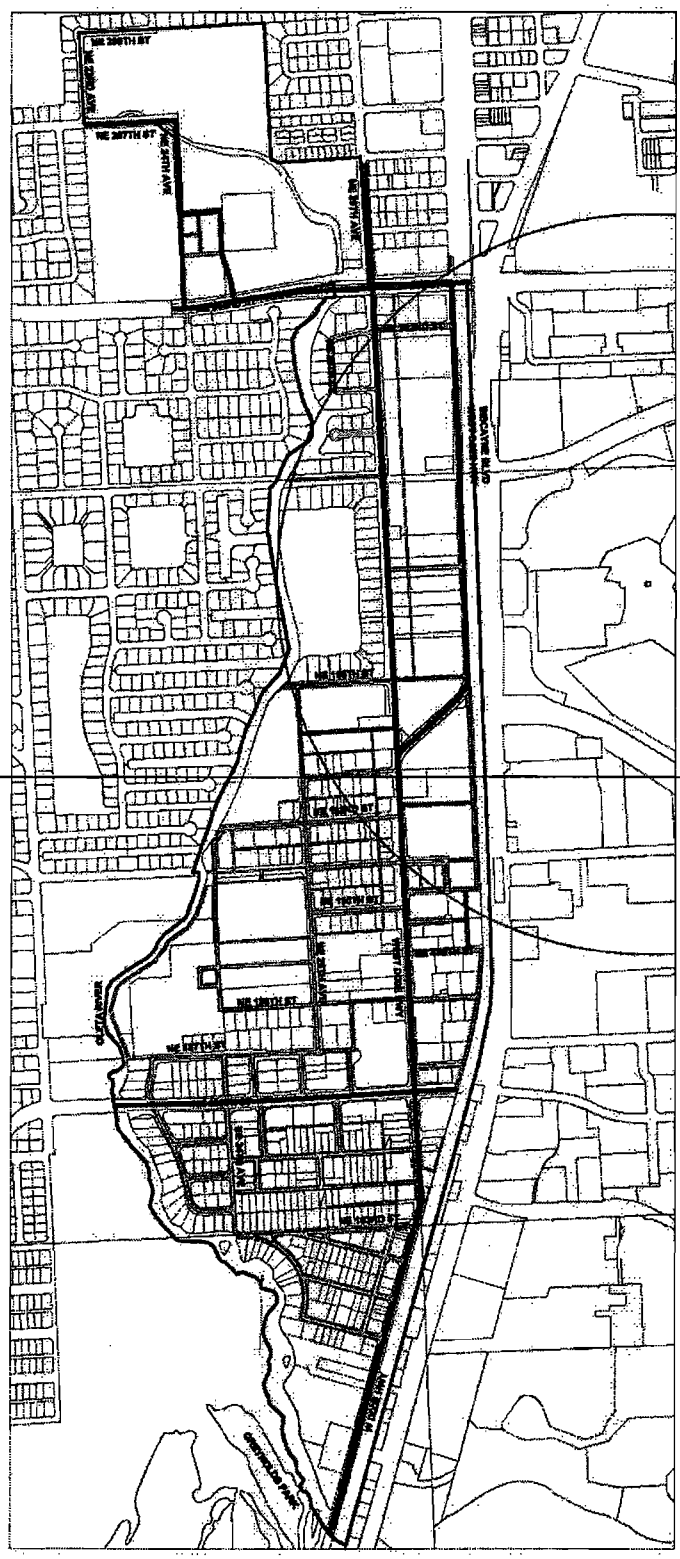
[[~~F.New Streets Plan~~



New Streets

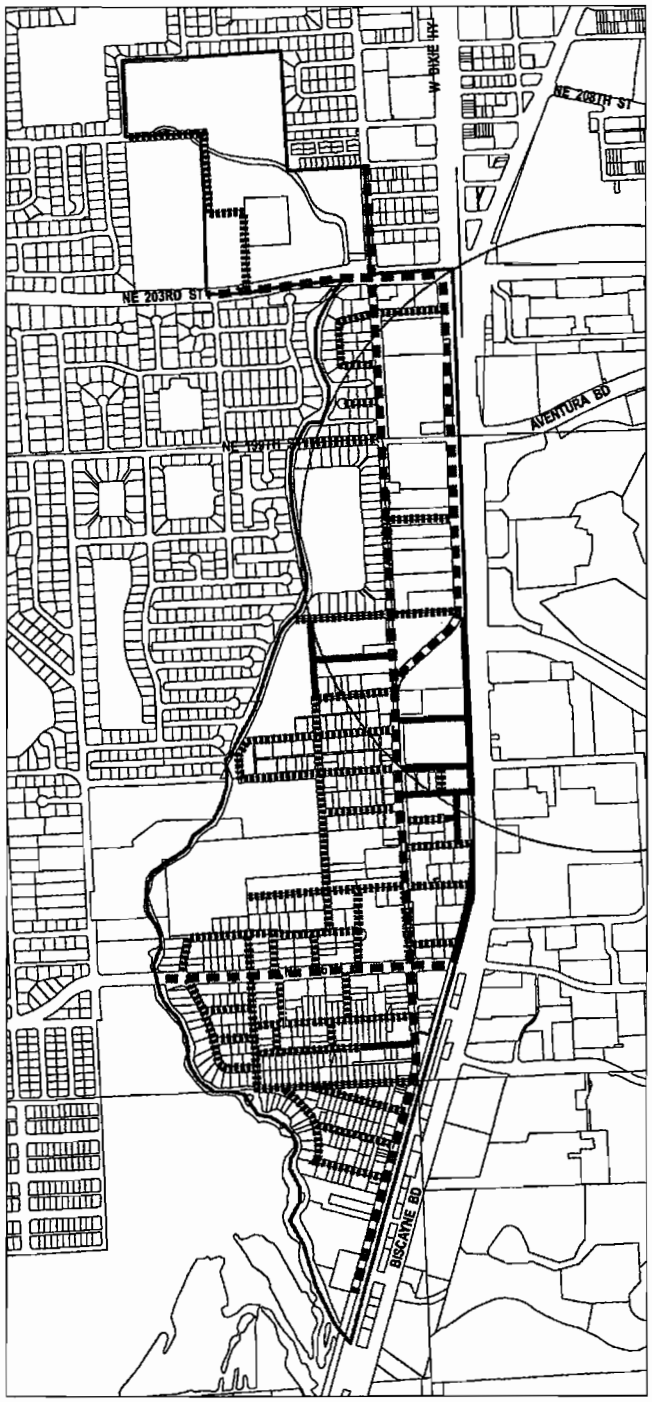
KEY

- New "A" Streets
- Existing "A" Streets
- New "B" Streets
- Existing "B" Streets
- Property Ownership Pattern
- MUC Circle
- Ojus Urban Area Boundary

Note: New street allocations are based on the Illustrative Plan and are approximate.

]]

>>F. New Streets Plan



KEY

- Existing 'A' Street
- New 'A' Street
- Existing 'B' Street
- New 'B' Street
- MUC Circle
- Ojus Urban Area Boundary
- Property Ownership Pattern

Note: New street allocations are based on the Illustrative Plan and are approximate.

<<

* * *

Section 4. Sec. 33-284.99.19 of the Code of Miami-Dade County, Florida, is hereby amended as follows:

Sec. 33-284.99.19 Building Placement and Street Type Development Parameters

* * *

C. Unless otherwise provided by the Building Placement and Design Parameters in section 33-284.85 of this code, the following [[~~front and side~~]] street setbacks shall be required >> for mixed-use/industrial buildings located in areas designated as MM, MC and ID << within the OUAD:

[[~~Street type~~	~~Required Setback~~					
	~~Core~~		~~Center~~		~~Edge~~	
	~~Front~~	~~Side~~	~~Front~~	~~Side~~	~~Front~~	~~Side~~
~~Main Street~~	~~0' * or 12'~~	~~0'~~	~~N/A~~	~~N/A~~	~~N/A~~	~~N/A~~
~~Boulevard (NE 26 Ave)~~	~~***~~	~~0'~~	~~***~~	~~0'~~	~~10' or 15'~~	~~**~~
~~Boulevard (Other)~~	~~0'~~	~~0' or 6'~~	~~0' or 10'~~	~~0' or 6'~~	~~10' or 15'~~	~~**~~
~~Minor Street~~	~~0' or 10'~~	~~0'~~	~~**~~	~~**~~	~~**~~	~~**~~
~~Service Road~~	~~**~~	~~**~~	~~**~~	~~**~~	~~**~~	~~**~~
~~Pedestrian Passage~~	~~**~~	~~**~~	~~**~~	~~**~~	~~**~~	~~**~~
~~Note: * 12' colonnade required when setback is 0'~~ ~~** as provided in Section 33-284.85 of this code~~ ~~*** as provided in Section 33-284.99.19 of this code~~]]						

>>Street Type	Required Setback		
	Core	Center	Edge
Main Street	0' * or 12'	N/A	N/A
Boulevard (NE 26 Avenue)	N/A	0' or 10'	10' or 15'
Boulevard (Other)	0'	0' or 10'	10' or 15'
Minor Street	0' or 10'	0' or 10'	10' 0r 15'
Note: * 12' colonnade required when setback is 0' ** as provided in Section 33-284.99.19 of this code N/A not applicable<<			

* * *

Section 5. 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. 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 7. 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: July 10, 2007

Approved by County Attorney as
to form and legal sufficiency:

Prepared by:

Dennis A. Kerbel