

MEMORANDUM

Agenda Item No. 11(A)(16)

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: November 8, 2012

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

SUBJECT: Resolution directing the Mayor
to research and consider the
feasibility of adding
a new land use category to the
Miami-Dade County
Comprehensive Development
Master Plan or modifying an
existing land use category
Resolution No. R-944-12

This item was amended at the Infrastructure and Land Use Committee on 10-17-12. This amendment allows the Mayor or Mayor's designee to submit an explanatory report to the Board of County Commissioners if the Mayor deems that the Comprehensive Development Master Plan amendment, as contemplated by this resolution, would not be feasible.

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Jean Monestime.



R. A. Cuevas, Jr.
County Attorney

RAC/cp

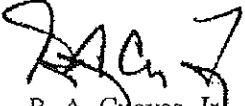


MEMORANDUM

(Revised)

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: November 8, 2012

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R. A. Cuevas, Jr.
County Attorney

SUBJECT: Agenda Item No. 11(A)(16)

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
- Ordinance creating a new board requires detailed County Manager'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. 11(A)(16)
11-8-12

RESOLUTION NO. R-944-12

RESOLUTION DIRECTING THE MAYOR OR DESIGNEE TO RESEARCH AND CONSIDER THE FEASIBILITY OF ADDING A NEW LAND USE CATEGORY TO THE MIAMI-DADE COUNTY COMPREHENSIVE DEVELOPMENT MASTER PLAN OR MODIFYING AN EXISTING LAND USE CATEGORY

WHEREAS, the Miami-Dade County Comprehensive Development Master Plan governs land use development in the County; and

WHEREAS, the County's Comprehensive Development Master Plan includes land use categories such as Business and Office and Industrial and Office; and

WHEREAS, the Industrial and Office land use category limits the retail uses which may exist within industrial areas, and the Business and Office category restricts industrial uses in retail business areas; and

WHEREAS, the County's Comprehensive Development Master Plan has no other land use category which generally allows retail uses together with light industrial uses such as warehouses; and

WHEREAS, the creation of a new land use category or the modification of an existing land use category to accommodate both general retail and light industrial uses could promote mixed use development, open up new avenues for development in the County, and allow for greater creativity in land uses,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that the Mayor or Mayor's designee is directed to research and consider the feasibility of adding a new land use category to the County's Comprehensive Development Master Plan, or modifying an existing land use category, to better accommodate both retail and light industrial uses. After such research and consideration, the Mayor or Mayor's designee is directed to develop standards to govern the proposed land use category or modified land use category and prepare the appropriate application for consideration as an amendment to the Comprehensive Development Master Plan. Such application shall be filed in the October 2012 Comprehensive Development Master Plan amendment cycle. >>If, however, the Mayor or Mayor's designee deems that such an application for amendment to the Comprehensive Development Master Plan would not be feasible, the Mayor or Mayor's designee shall submit an explanatory report to this Board no later than 60 days from the date of adoption of this resolution.<<¹

¹ Committee amendments are indicated as follows: Words stricken through and/or [[double bracketed]] are deleted, words underscored and/or >>double arrowed<< are added.

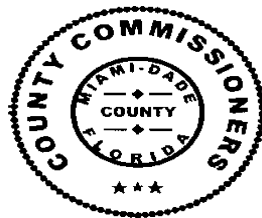
The Prime Sponsor of the foregoing resolution is Commissioner Jean Monestime. It was offered by Commissioner **Rebeca Sosa**, who moved its adoption. The motion was seconded by Commissioner **Lynda Bell** and upon being put to a vote, the vote was as follows:

	Joe A. Martinez, Chairman	aye
	Audrey M. Edmonson, Vice Chairwoman	absent
Bruno A. Barreiro	aye	Lynda Bell aye
Esteban L. Bovo, Jr.	aye	Jose "Pepe" Diaz absent
Sally A. Heyman	aye	Barbara J. Jordan aye
Jean Monestime	aye	Dennis C. Moss aye
Rebeca Sosa	aye	Sen. Javier D. Souto aye
Xavier L. Suarez	aye	

The Chairperson thereupon declared the resolution duly passed and adopted this 8th day of November, 2012. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK



By: **Christopher Agrippa**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Abbie Schwaderer-Raurell