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

# MEMORANDUM

Amended
Agenda Item No. 7(F)

**TO:** Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

**DATE:** March 4, 2014

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

**SUBJECT:** Ordinance amending Section 2-116.1 of the Code; amending procedure for amending Comprehensive Development Master Plan; relating to Urban Development Boundary
Ordinance No. 14-27

The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Chairwoman Rebeca Sosa, and Co-Sponsors Vice Chair Lynda Bell and Commissioner Audrey M. Edmonson.

R. A. Cuevas, Jr.
County Attorney

RAC/smm

# Memorandum

MIAMI-DADE COUNTY

**Date:** March 4, 2014

**To:** Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

**From:** Carlos A. Gimenez
Mayor

**Subject:** Ordinance Amending Section 2-116.1 of the Code; Amending Procedure for Amending Comprehensive Development Master Plan; Relating to Urban Development Boundary

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The proposed ordinance amends Section 2-116.1 of the Code relating to procedures for amending the Comprehensive Development Master Plan, and provides that no application to expand the area within the Urban Development Boundary (UDB) shall be filed where such application would result in an area of land outside of the UDB being more than seventy-five percent (75%) surrounded by land that is within the UDB.

Implementation of this ordinance will not have a fiscal impact to the County.

Jack Osterholt
Deputy Mayor

Fis3514

# MEMORANDUM

**(Revised)**

**TO:** Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

**DATE:** March 4, 2014

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

**SUBJECT:** Amended 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**

_____ **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 ____, 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 _____

Amended
Agenda Item No. 7(F)
3-4-14

ORDINANCE NO. 14-27

ORDINANCE AMENDING SECTION 2-116.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; AMENDING PROCEDURE FOR AMENDING COMPREHENSIVE DEVELOPMENT MASTER PLAN; RELATING TO URBAN DEVELOPMENT BOUNDARY; 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 2-116.1 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:[1]

Sec. 2-116.1. Amendment Procedure for Comprehensive Development Master Plan.

(2) *Application.* Except as specifically provided below for applications pursuant to a compliance agreement, pursuant to a State statutory requirement, or pursuant to a concurrently requested development of regional impact (DRI) development order or change to an existing DRI development order, or for applications relating to reuse of military bases pursuant to Chapter 288, F.S., any request for amendments, modifications, additions or changes to the Comprehensive Development Master Plan shall be submitted to the Miami-Dade County Department of Regulatory and Economic Resources or successor agency (hereinafter referred to as "the Department") during the period between May 1 and May 31 inclusive (hereinafter "May period"), and during the period between November 1 and November 30 inclusive (hereinafter "November period"), in each year only in accordance with the following provisions:

(a) Applications requesting amendment to the Urban Development Boundary (UDB) or to the Urban Expansion Area (UEA) boundary depicted on the Land Use Plan map, or to the land use classification of land located outside of

[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.

said Urban Development Boundary may be filed only during the May period in odd-numbered years. The Director of the Department may also file applications requesting amendments to the UDB, UEA or to the land use classification of land located outside of said UDB for processing during either the May or November period following the adoption of an evaluation and appraisal report, provided that the amendments proposed in said applications are suggested in the adopted evaluation and appraisal report. >>It is provided, however, that no application to expand the area within the UDB shall be filed where such application would result in an area of land located outside of the UDB being more than seventy-five percent (75%) surrounded by land that is within the UDB. If two or more applications to expand the area within the UDB would cumulatively result in an area of land located outside the UDB being more than seventy-five percent (75%) surrounded by land that is within the UDB, then the later-submitted application or applications shall not be filed.<<

**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.

**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.

PASSED AND ADOPTED: March 4, 2014

Approved by County Attorney as
to form and legal sufficiency:

Prepared by:

Abbie N. Schwaderer

Prime Sponsor: Chairwoman Rebeca Sosa
Co-Sponsors: Vice Chair Lynda Bell
Commissioner Audrey M. Edmonson