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

Memorandum

MIAMI-DADE COUNTY

(Public Hearing 7-14-15)

Agenda Item No. 5(F)

Date: June 30, 2015

To: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

Subject: Proposed Zoning Ordinance Amending the Downtown Kendall Urban Center Zoning District

Ordinance No. 15-64

Attached please find materials related to a zoning application filed in accordance with Section 33-284.89.3 of the Code of Miami-Dade County (Amendments to Urban Center District Land Use Plan Category or Other Regulating Plan). The material consists of a proposed ordinance containing the applicant's proposed revisions to the Downtown Kendall Urban Center District regulating plans and related text as well as the Department of Regulatory and Economic Resources staff report. This item is quasi-judicial.

The proposed ordinance creates no fiscal impact on Miami-Dade County.

Jack Osterholt, Deputy Mayor

Miami-Dade County Department of Regulatory and Economic Resources
Staff Report to the Board of County Commissioners

PH: 15-043

Recommendation Summary for Downtown Kendall Urban Center (DKUC) District	
Commission District	7
Applicant	FDG Rail Holdings 32, LLC
Summary of Requests	This application is to amend the Street Frontage and Designated Open Space regulating plans of the Downtown Kendall Urban Center District to modify the development parameters of the subject property
Location	Southwest corner of SW 85 Street and SW 70 Avenue Miami-Dade County, Florida
Property Size	1.7 Acres
Existing Zoning	Downtown Kendall Urban Center District
Existing Land Use	Core
2020 - 2030 CDMP Land Use Designation	Metropolitan Urban Center
Comprehensive Plan Consistency	Consistent with interpretative text, goals, objectives and policies of the CDMP
Applicable Zoning Code Section(s)	Section 33-284.89.3 Amendments to Urban Center District Land Use Plan Category or Other Regulating Plan
Recommendation	**Approval**

REQUESTS:

1. MODIFICATION of the Street Frontage plan of the Downtown Kendall Urban Center District to re-designate the streets abutting the subject property from "A" to "C" and "F" and deletion of the "A" street that bisects the subject property
2. MODIFICATION of the Designated Open Space plan to remove certain required colonnades along streets abutting the subject property

The applicant, FDG Rail Holdings 32, LLC has requested to amend the DKUC District Street Frontage and Designated Open Space regulating plans to change the designated street types and requirement for a colonnade on the portions of SW 85th Street and SW 70th Street that adjoin the subject property. The applicant has also requested that the portion of the "A" street located approximately 300 feet south and parallel to SW 85th Street on the subject property be removed from the Street Type regulating plan. The proposed change to street types "C" and "F" would allow for better development accommodation of the subject property which is an irregularly shaped lot bisected by SW 85th Street. The requests would not result in a change of uses permitted or an increase of the intensity of development permitted.

PROPERTY HISTORY & DESCRIPTION:

The subject property is within the boundaries of the Downtown Kendall Urban Center (DKUC) District and is generally located west of SW 70th Avenue, south of the Snapper Creek Canal, east of SW 72nd Avenue, and north of Kendall Drive. On January 1, 2000, the Board of County Commissioners (BCC) adopted Ordinance No. 99-166 establishing the DKUC. Since its adoption, the DKUC District has been periodically amended by ordinance to provide flexibility in development consistent with the Comprehensive Development Master Plan (CDMP) Urban Center policies. The private applicant's present request to modify the Street Frontage and Designated Open Space regulating plans would allow the property to be developed under the Core Subdistrict "C" and "F" Street parameters where "A" street parameters are currently required. These requests are being processed pursuant to the requirements of Section 33-284.89.3 of the Code

of Miami-Dade County, which provides for the amendment of Urban Center District regulating plans.

RECOMMENDATION:

The entire subject property is located within the Core Sub-district which permits the highest development intensity in the DKUC district. The portion of the subject property south of SW 85th Street is currently bounded by "A" streets on three sides and a lesser part along SW 72nd Avenue by a "B" street; this portion is also bisected by an "A" street located approximately 300 feet south of SW 85th Street. The portion of the subject property north of SW 85th Street is currently bounded by "A" streets on two sides. Setbacks and other development standards in the DKUC district are derived mainly from the street type designation of existing and future streets as established by the Street Frontage regulating plan. The "A" and "B" Street standards require that any portion of a building above seven floors in height set back 20 feet from the "build-to" line. Due to the long and narrow shape of the subject property, the Core Sub-district "A" and "B" Street requirements would limit the width of buildings above the seventh floor, restrict the development potential of this property to achieve the intensity permitted by the DKUC District, make it difficult to provide the necessary building components such as parking garages, and limit the accommodation of permitted land uses.

Amending the Street Frontage plan from its current Core Sub-district "A" street designation to the requested Core Sub-district "C" designation along SW 70th Avenue between the Snapper Creek Canal and U.S. 1 would allow buildings on the subject property to be built without setbacks for the full height of the building along the requested "C" street frontage. Amending the Street Frontage plan from its current Core Sub-district "A" street designation to the requested Core Sub-district "F" designation along SW 85th Street between SW 70th and 72nd Avenues would allow buildings on the subject property to be connected across SW 85th Street above the first floor with structures including roofs, upper story terraces, pedestrian bridges, habitable space, garages and automobile bridges between garages for 50 percent of the length of the "F" street. Staff notes that building above streets is typical in the DKUC district in limited areas. Amending the Street Frontage plan to remove the "A" street located between SW 70th and 72nd Avenues approximately 300 feet south and parallel to SW 85th Street on the subject property would allow for additional design flexibility at the ground floor for proposed buildings. Amending the Designated Open Space plan to remove the requirement for colonnades along the south side of SW 85th Street between SW 70th and 72nd Avenues and along SW 70th Avenue between SW 85th Street and U.S. 1 would allow for more efficient and larger habitable spaces and wider sidewalks at the street level. In place of colonnades, sidewalks with a minimum width of 10 feet as required by the DKUC district will have to be constructed as part of any future development.

Miami-Dade County's adopted 2020-2030 Comprehensive Development Master Plan (CDMP) urban center policies provide that design of developments and roadways within the centers emphasize pedestrian activity, safety and comfort, as well as pedestrian movement. Emphasis in design and development of centers and all of their individual components shall be to create active pedestrian environments through high quality design of public spaces (streets) as well as private buildings; human scale appointments, activities and amenities at street level; and connectivity of places through creation of a system of pedestrian linkages. The street system shall be designed for pedestrian mobility, interest, safety and comfort as well as vehicular mobility. The request to change the Street Frontage regulating plan as it applies to the subject property

from Core Sub-district "A" Street to the proposed Core Sub-district "C" and "F" Streets and the deletion of the "A" street bisecting the subject property would be **compatible** with the street network requirements for properties located in immediate area. The requested "C" and "F" street types are **consistent** with the CDMP urban center text policies addressing pedestrian scale environments. The request to remove certain colonnades from the Designated Open Space regulating plan would be **compatible** with requirements for pedestrian accommodation in the area and the minimum requirements for sidewalks to be provided in place of colonnades would be **consistent** with the CDMP urban center text policies addressing streets and public spaces.

Therefore, staff is supportive of the application and recommends approval.

Nathan Kogon, AICP, Assistant Director
Development Services Division
Miami-Dade County
Department of Regulatory and Economic Resources

ZONING RECOMMENDATION ADDENDUM

Miami-Dade Department of Regulatory and Economic Resources

15-043

NEIGHBORHOOD SERVICES PROVIDER COMMENTS*	
Division of Environmental Resources Management (RER)	No objection
Public Works & Waste Management	No objection
Parks, Recreation and Open Space	No objection
Fire Rescue	No objection
Police	No objection
*Subject to conditions in the Department's attached memorandum.	

COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP) OBJECTIVES, POLICIES AND INTERPRETATIVE TEXT

Land Use Element Goal	*Provide the best possible distribution of land use and services to meet the physical, social, cultural, and economic needs of the present and future populations in a timely and efficient manner that will maintain or improve the quality of the natural and the man-made environment and amenities, and preserve Miami-Dade County's unique agricultural lands.*
Land Use Element Objective LU-1	*The location and configuration of Miami-Dade County's urban growth through the year 2030 shall emphasize concentration and intensification of development around centers of activity, development of well-designed communities containing a variety of uses, housing types and public services, renewal and rehabilitation of blighted areas, and contiguous urban expansion when warranted, rather than sprawl.*
Land Use Element Policy LU-1A	*High intensity, well-designed urban centers shall be facilitated by Miami-Dade County at locations having high countywide multimodal accessibility.*
Land Use Element Policy LU-1C	*Miami-Dade County shall give priority to infill development on vacant sites in currently urbanized areas, and redevelopment of substandard or underdeveloped environmentally suitable urban areas contiguous to existing urban development where all necessary urban services and facilities are projected to have capacity to accommodate additional demand.*
Land Use Element Policy LU-1F	*To promote housing diversity and to avoid creation of monotonous developments, Miami-Dade County shall vigorously promote the inclusion of a variety of housing types in all residential communities through its area planning, zoning, subdivision, site planning and housing finance activities, among others. In particular, Miami-Dade County shall review its zoning and subdivision practices and regulations and shall amend them, as practical, to promote this policy.*
Land Use Element Policy LU-1G	*Business developments shall preferably be placed in clusters or nodes in the vicinity of major roadway intersections, and not in continuous strips or as isolated spots, with the exception of small neighborhood nodes. Business developments shall be designed to relate to adjacent development, and large uses should be planned and designed to serve as an anchor for adjoining smaller businesses or the adjacent business district. Granting of commercial or other non-residential zoning by the County is not necessarily warranted on a given property by virtue of nearby or adjacent roadway construction or expansion, or by its location at the intersection of two roadways.*
Land Use Element Objective LU-5	*All public and private activities regarding the use, development and redevelopment of land and the provision of urban services and infrastructure shall be consistent with the goal, objectives and policies of this Element, with the adopted Population Estimates and Projections, and with the future uses provided by the adopted Land Use Plan (LUP) map and accompanying text titled "Interpretation of the Land Use Plan Map", as balanced with the Goals, Objectives and Policies of all Elements of the Comprehensive Development Master Plan.*
Land Use Element Objective LU-7	*Miami-Dade County shall require all new development and redevelopment in existing and planned transit corridors and urban centers to be planned and designed to promote transit-oriented development (TOD), and transit use, which mixes residential, retail, office, open space and public uses in a pedestrian and bicycle friendly environment that promotes the use of rapid transit services.*
Land Use Element Policy LU-7D	*Redevelopment of property within one-half mile of existing or planned mass transit stations and bus routes shall not cause an increase in walking distances from nearby areas to the transit services and shall, wherever practical, be done by establishing blocks of walkable scale that form an interconnected network of streets, maximizing connectivity with existing streets and promoting a comfortable and attractive environment for pedestrians.*
Land Use Element Policy LU-8A	*Miami-Dade County shall strive to accommodate residential development in suitable locations and densities which reflect such factors as recent trends in location and design of residential*

	units; a variety of affordable housing options; projected availability of service and infrastructure capacity; proximity and accessibility to employment, commercial and cultural centers; character of existing adjacent or surrounding neighborhoods; avoidance of natural resource degradation; maintenance of quality of life and creation of amenities. Density patterns should reflect the Guidelines for Urban Form contained in this Element.
Land Use Element Objective LU-9	*Miami-Dade County shall continue to maintain, update and enhance the Code of Miami-Dade County, administrative regulations and procedures, and special area planning program to ensure that future land use and development in Miami-Dade County is consistent with the CDMP, and to promote better planned neighborhoods and communities and well-designed buildings.*
Land Use Element Policy LU-9F	*Miami-Dade County shall formulate and adopt zoning or other regulations to implement the policies for development and design of Metropolitan and Community Urban Centers established in the CDMP through individual ordinances for each urban center.*
Land Use Element Policy LU-9G	*Miami-Dade County shall review and revise its development regulations to promote building designs in multi-family residential zoning districts which are more compatible with, and sensitive to, surrounding neighborhoods, and to establish minimum densities for development in multifamily residential zoning districts.*
Land Use Element Policy LU-9H	*Miami-Dade County shall continue its special area planning program with emphasis on the preparation of physical land use and urban design plans for strategic and high-growth locations, such as urban centers and certain transportation corridors as defined in the CDMP.*
Land Use Element Policy LU-9I	*Miami-Dade County shall continue to update and enhance its land development regulations and area planning program to facilitate development of better planned neighborhoods and communities, and well-designed buildings, and shall encourage and assist municipalities to do the same.*
Land Use Element Policy LU-9P	*Miami-Dade County shall revise land development regulations to allow work-live units in the Business and Office and Industrial and Office land use categories. The term work-live means that the needs of the work component takes precedence over the quiet expectations of residents, in that there may be noise, odors, or other impacts of the business, as well as employees, walk-in trade or sales. The predominant use of a work-live unit is industrial or commercial work activity and residential activity is secondary.*
Land Use Element Policy LU-9Q	*The County shall coordinate with affected municipalities to prepare plans for areas designated as "urban centers" on the Land Use Plan Map, and other small area and neighborhood plans as needed and appropriate. These plans shall formulate a vision for the development and redevelopment of these areas in order to identify appropriate locations for higher density development, recommend area specific design requirements, and produce working and living environments that reflect community goals.*
Land Use Element Policy LU-10	*Energy efficient development shall be accomplished through metropolitan land use patterns, site planning, landscaping, building design, and development of multimodal transportation systems.*
Land Use Element Policy LU-10A	*Miami-Dade County shall facilitate contiguous urban development, infill, redevelopment of substandard or underdeveloped urban areas, moderate to high intensity activity centers, mass transit supportive development, and mixed-use projects to promote energy conservation. To facilitate and promote such development Miami-Dade County shall orient its public facilities and infrastructure planning efforts to minimize and reduce deficiencies and establish the service capacities needed to support such development.*
Land Use Element Objective LU-12	*Miami-Dade County shall take specific measures to promote infill development that are located in the Urban Infill Area (UIA) as defined in Policy TC-1B or in an built-up area with urban services that is situated in a Community Development Block Grant (CDBG)-eligible area, a Targeted Urban Area identified in the Urban Economic Revitalization Plan for Targeted Urban Areas, an Enterprise Zone established pursuant to state law.*
Land Use Element Policy LU-12D	*The County shall consider developing strategies that promote infill development in specific areas.*
Mass Transit Subelement Goal	*Maintain, operate and develop a mass transit system in Miami-Dade County that provides efficient, convenient, accessible, and affordable service to all residents and visitors.*
Mass Transit Subelement Objective MT-2	*Coordinate the provision of efficient transit service and facilities with the location and intensity of designated future land use patterns as identified on the Land Use Plan Map, and the goal, objectives and policies of the Land Use Element.*
Mass Transit Subelement	*Transit system improvements shall be coordinated with, and support the staging and shaping of development as planned in the Land Use Element, through Miami-Dade County's transportation*

ZONING RECOMMENDATION ADDENDUM

Miami-Dade Department of Regulatory and Economic Resources

15-043

Policy MT-2A	*planning process.*
Mass Transit Subelement Policy MT-2B	*The area surrounding future rapid transit stations not yet sited or depicted on the Land Use Plan map shall be designed and developed, at a minimum, as community urban centers, containing land use and development designs that promote transit use as defined in the Land Use Element.*
Mass Transit Subelement Objective MT-4	*Provide convenient, accessible, affordable, and safe mass transit services and facilities.*
Mass Transit Subelement Policy MT-4A	*Miami-Dade County, with appropriate private sector contributions shall provide a network of regular mass transit and special services to facilitate access to major centers of employment, commercial, medical, educational, governmental, and recreational activity, and planned urban centers identified in the Land Use Element.*
Land Use Element Urban Centers	*Urban Centers* *Diversified urban centers are encouraged to become hubs for future urban development intensification in Miami-Dade County, around which a more compact and efficient urban structure will evolve. These Urban Centers are intended to be moderate- to high-intensity design-unified areas which will contain a concentration of different urban functions integrated both horizontally and vertically. Three scales of centers are planned: Regional, the largest, notably the downtown Miami central business district; Metropolitan Centers such as the evolving Dadeland area; and Community Centers which will serve localized areas. Such centers shall be characterized by physical cohesiveness, direct accessibility by mass transit service, and high quality urban design. Regional and Metropolitan Centers, as described below, should also have convenient, preferably direct, connections to a nearby expressway or major roadways to ensure a high level of countywide accessibility.* *The locations of urban centers and the mix and configuration of land uses within them are designed to encourage convenient alternatives to travel by automobile, to provide more efficient land use than recent suburban development forms, and to create identifiable "town centers" for Miami-Dade's diverse communities. These centers shall be designed to create an identity and a distinctive sense of place through unity of design and distinctively urban architectural character of new developments within them.* *The core of the centers should contain business, employment, civic, and/or high-or moderate-density residential uses, with a variety of moderate-density housing types within walking distance from the centers. Both large and small businesses are encouraged in these centers, but the Community Centers shall contain primarily moderate and smaller sized businesses which serve, and draw from, the nearby community. Design of developments and roadways within the centers will emphasize pedestrian activity, safety and comfort, as well as vehicular movement. Transit and pedestrian mobility will be increased and areawide traffic will be reduced in several ways: proximity of housing and retail uses will allow residents to walk or bike for some daily trips; provision of jobs, personal services and retailing within walking distance of transit will encourage transit use for commuting; and conveniently located retail areas will accommodate necessary shopping during the morning or evening commute or lunch hour.* *Urban Centers are identified on the LUP map by circular symbols noting the three scales of planned centers. The Plan map indicates both emerging and proposed centers. The designation of an area as an urban center indicates that governmental agencies encourage and support such development. The County will give special emphasis to providing a high level of public mass transit service to all planned urban centers. Given the high degree of accessibility as well as other urban services, the provisions of this section encourage the intensification of development at these centers over time. In addition to the Urban Center locations depicted on the Land Use Plan Map, all future rapid transit station sites and their surroundings shall, at a minimum, be developed in accordance with the Community Center policies established below.* ***Policies for Development of Urban Centers*** *Following are policies for development of Urban Centers designated on the Land Use Plan (LUP) map. Where the provisions of this section authorize land uses or development intensities or densities different or greater than the underlying land use designation on the LUP map, the more liberal provisions of this section shall govern. All development and redevelopment in Urban Centers shall conform to the guidelines provided below.*

	Uses and Activities. *Regional and Metropolitan Centers shall accommodate a concentration and variety of uses and activities which will attract large numbers of both residents and visitors while Community-scale Urban Centers will be planned and designed to serve a more localized community. Uses in Urban Centers may include retail trade, business, professional and financial services, restaurants, hotels, institutional, recreational, cultural and entertainment uses, moderate to high density residential uses, and well planned public spaces. Incorporation of residential uses is encouraged, and may be approved, in all centers, except where incompatible with airport or heavy industrial activities. Residential uses may be required in areas of the County and along rapid transit lines where there exists much more commercial development than residential development, and creation of employment opportunities will be emphasized in areas of the County and along rapid transit lines where there is much more residential development than employment opportunity. Emphasis in design and development of all centers and all of their individual components shall be to create active pedestrian environments through high-quality design of public spaces as well as private buildings; human scale appointments, activities and amenities at street level; and connectivity of places through creation of a system of pedestrian linkages. Existing public water bodies shall also be incorporated by design into the public spaces within the center.* ***Radius.*** *The area developed as an urban center shall extend to a one-mile radius around the core or central transit station of a Regional Urban Center designated on the LUP map. Designated Metropolitan Urban Centers shall extend not less than one-quarter mile walking distance from the core of the center or central transit stop(s) and may extend up to one-half mile from such core or transit stops along major roads and pedestrian linkages. Community Centers shall have a radius of 700 to 1,800 feet but may be extended to a radius of one-half mile where recommended in a professional area plan for the center, consistent with the guidelines herein, which plan is approved by the Board of County Commissioners after an advertised public hearing. Urban Center development shall not extend beyond the UDB.* *Streets and Public Spaces. Urban Centers shall be developed in an urban form with a street system having open, accessible and continuous qualities of the surrounding grid system, with variation, to create community focal points and termination of vistas. The street system should have frequent connections with surrounding streets and create blocks sized and shaped to facilitate incremental building over time, buildings fronting on streets and pedestrian pathways, and squares, parks and plazas defined by the buildings around them. The street system shall be planned and designed to create public space that knits the site into the surrounding urban fabric, connecting streets and creating rational, efficient pedestrian linkages. Streets shall be designed for pedestrian mobility, interest, safety and comfort as well as vehicular mobility. The size of blocks and network of streets and pedestrian accessways shall be designed so that walking routes through the center and between destinations in the center are direct, and distances are short. Emphasis shall be placed on sidewalks, with width and street-edge landscaping increased where necessary to accommodate pedestrian volumes or to enhance safety or comfort of pedestrians on sidewalks along any high-speed roadways. Crosswalks will be provided, and all multi-lane roadways shall be fitted with protected pedestrian refuges in the center median at all significant pedestrian crossings. In addition, streets shall be provided with desirable street furniture including benches, light fixtures and bus shelters. Open spaces such as public squares and greens shall be established in urban centers to provide visual orientation and a focus of social activity. They should be located next to public streets, residential areas, and commercial uses, and should be established in these places during development and redevelopment of streets and large parcels, particularly parcels 10 acres or larger. The percentage of site area for public open spaces, including squares, greens and pedestrian promenades, shall be a minimum of 15 percent of gross development area. This public area provided outdoor, at grade will be counted toward satisfaction of requirements for other common open space. Some or all of this required open space may be provided off-site but elsewhere within the subject urban center to the extent that it would better serve the quality and functionality of the center.* ***Parking.*** *Shared parking is encouraged. Reductions from standard parking requirements shall be authorized where there is a complementary mix of uses on proximate development sites, and near transit stations. Parking areas should occur predominantly in mid-block, block rear*

and on-street locations, and not between the street and main building entrances. Parking structures should incorporate other uses at street level such as shops, galleries, offices and public uses.

Buildings. *Buildings and their landscapes shall be built to the sidewalk edge in a manner that frames the adjacent street to create a public space in the street corridor that is comfortable and interesting, as well as safe for pedestrians. Architectural elements at street level shall have a human scale, abundant windows and doors, and design variations at short intervals to create interest for the passing pedestrian. Continuous blank walls at street level are prohibited. In areas of significant pedestrian activity, weather protection should be provided by awnings, canopies, arcades and colonnades.*

Density and Intensity. *The range of average floor area ratios (FARs) and the maximum allowed residential densities of development within the Regional, Metropolitan and Community Urban Centers are shown in the table below.*
Average Floor Area Ratios (FAR)

	Average Floor Area Ratios (FAR)	*Max. Densities Dwellings per Gross Acre*
Regional Activity Centers	*greater than 4.0 in the core not less than 2.0 in the edge*	*500*
Metropolitan Activity Centers	*greater than 3.0 in the core not less than 0.75 in the edge*	*250*
Community Urban Centers	*greater than 1.5 in the core not less than 0.5 in the edge*	*125*

In addition, the densities and intensities of developments located within designated Community Urban Centers and around rail rapid transit stations should not be lower than those provided in Policy LU-7F. Height of buildings at the edge of Metropolitan Urban Centers adjoining stable residential neighborhoods should taper to a height no more than 2 stories higher than the adjacent residences, and one story higher at the edge of Community Urban Centers. However, where the adjacent area is undergoing transition, heights at the edge of the Center may be based on adopted comprehensive plans and zoning of the surrounding area. Densities of residential uses shall be authorized as necessary for residential or mixed-use developments in Urban Centers to conform to these intensity and height policies.

As noted previously in this section, urban centers are encouraged to intensify incrementally over time. Accordingly, in planned future rapid transit corridors, these intensities may be implemented in phases as necessary to conform with provisions of the Transportation Element, and the concurrency management program in the Capital Improvement Element, while ensuring achievement of the other land use and design requirements of this section and Policy LU-7F.

PERTINENT ZONING REQUIREMENTS/STANDARDS

33-284.89.3 Amendments to Urban Center District Land Use Plan Category or Other Regulating Plan	*Notwithstanding any other provision of this Code, for properties that have a zoning classification of urban center district, the following procedures shall govern (i) any amendment to an urban center district land use plan to change the land use category to which a specific property is designated; or (ii) any amendment to other urban center regulating plan as applicable to the particular property:* *(A) Application. The amendment process shall be initiated by filing with the Department an application, on forms prescribed by the Director.*

	(i) The application form shall be executed and sworn to by the owner or owners of at least seventy-five (75) percent of the property described in the application, or by tenant or tenants, with owner's written sworn-to consent, or by duly authorized agents, evidenced by a written power of attorney, if not a member of the Florida Bar, or by the Director. *(ii) All properties described in one application must be contiguous and immediately adjacent to one another, and the Director may require more than one application if the property concerned contains more than forty (40) acres, or the fee paid for one application would not equal the cost of processing the same.* *(iii) The amendment shall be presented as an ordinance amending the applicable urban center district regulations.* *(B) Notice.* *(i) Notice of the amendment ordinance shall be provided in accordance with the standard procedures for consideration of legislative ordinances.* *(ii) In addition, notice of the public hearing date on the amendment ordinance shall be provided in accordance with the requirements of Section 33-310 of this Code applicable to an application for district boundary change to an urban center district. The first reading of the ordinance shall not be subject to this additional notice requirement.* *(C) Hearings. The amendment ordinance shall be introduced on first reading at a regular meeting of the Board of County Commissioners. The ordinance shall thereafter be set for public hearing and second reading at a regular meeting of the Board of County Commissioners. The ordinance shall be considered as a quasi-judicial item and shall be accompanied by the written recommendation of the Director, prepared in accordance with Section 33-310 of this chapter. The hearing shall be conducted in accordance with the procedures for direct zoning applications to the Board of County Commissioners, as set forth in Sections 33-314 and 33-311 of this chapter.* *(D) Exhaustion of remedies; judicial review.* *(i) No person aggrieved by any zoning ordinance, resolution, order, requirement, decision, or determination of an administrative official or by any decision of the Board of County Commissioners may apply to the Court for relief unless such person has first exhausted the remedies provided for herein and taken all available steps provided in this section and complied with all other requirements concerning exhaustion of remedies and court review set forth in Section 33-316 of this chapter. Judicial review of any decision pursuant to this section shall be governed by the procedures set forth in Section 33-316 of this chapter.* *(ii) Any person or entity claiming a particular action under this section constitutes or would constitute a temporary or permanent taking of private property or an abrogation of vested rights must affirmatively demonstrate the legal requisites of the claim by exhausting the administrative remedy provided in Section 2-114.1 of this code.*

MEMORANDUM
(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: July 14, 2015

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

SUBJECT: Agenda Item No. 5(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 _____

Agenda Item No. 5(F)
7-14-15

ORDINANCE NO. 15-64

ORDINANCE RELATING TO ZONING; AMENDING THE DOWNTOWN KENDALL URBAN CENTER DISTRICT REGULATING PLANS; REDESIGNATING STREETS ABUTTING THE SUBJECT PROPERTY FROM "A" TO "C" AND "F"; AMENDING SECTION 33-284.61 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; 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 33-284.61 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:[1]

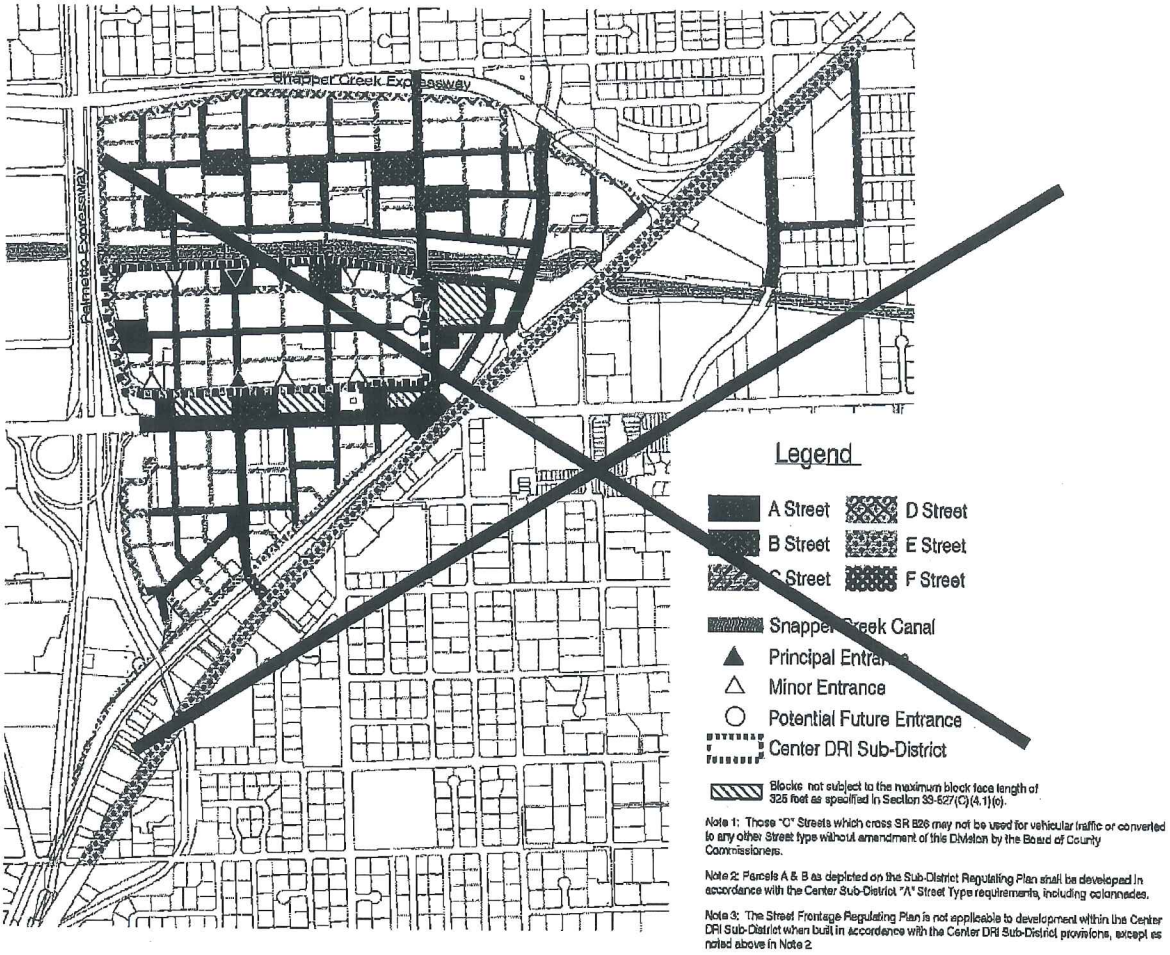
Sec. 33-284.61. Regulating Plans.

* * *

[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.

(B) Street Frontage Plan.

[[



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(C) Designated Open Space Plan.

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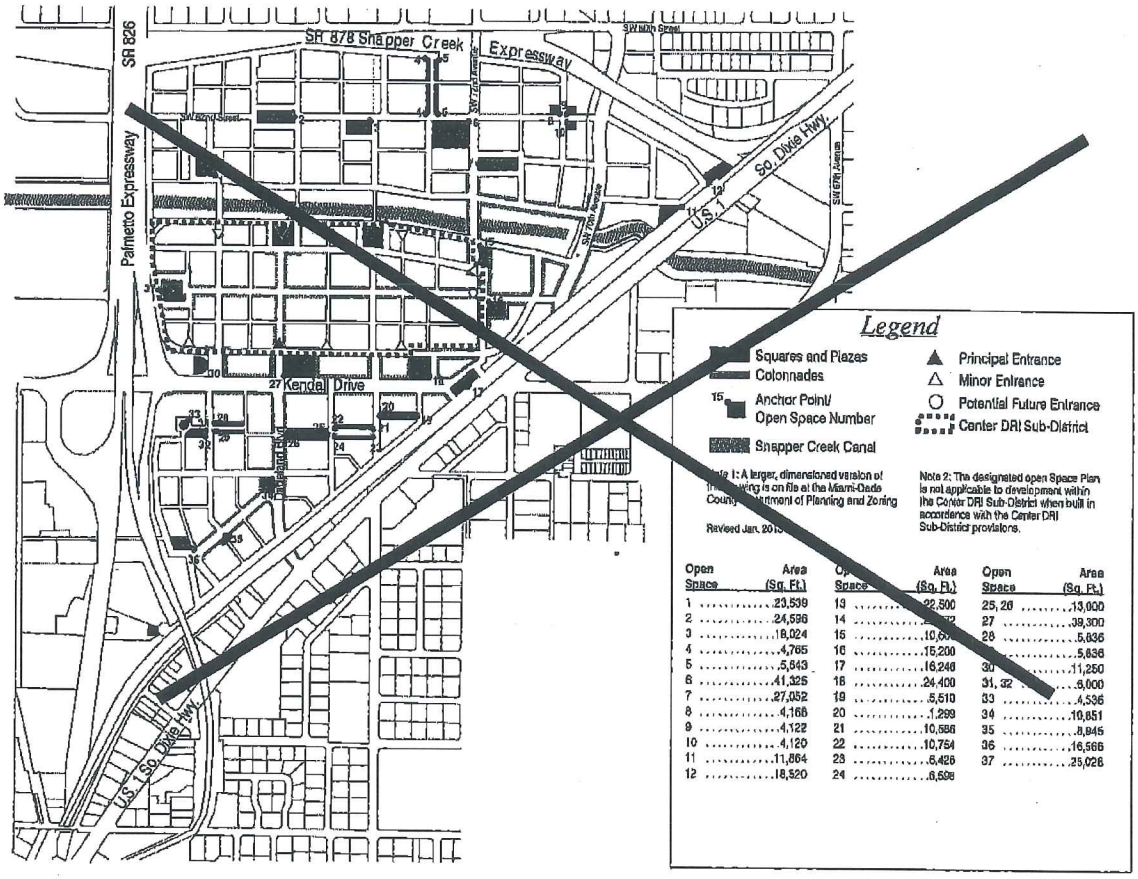

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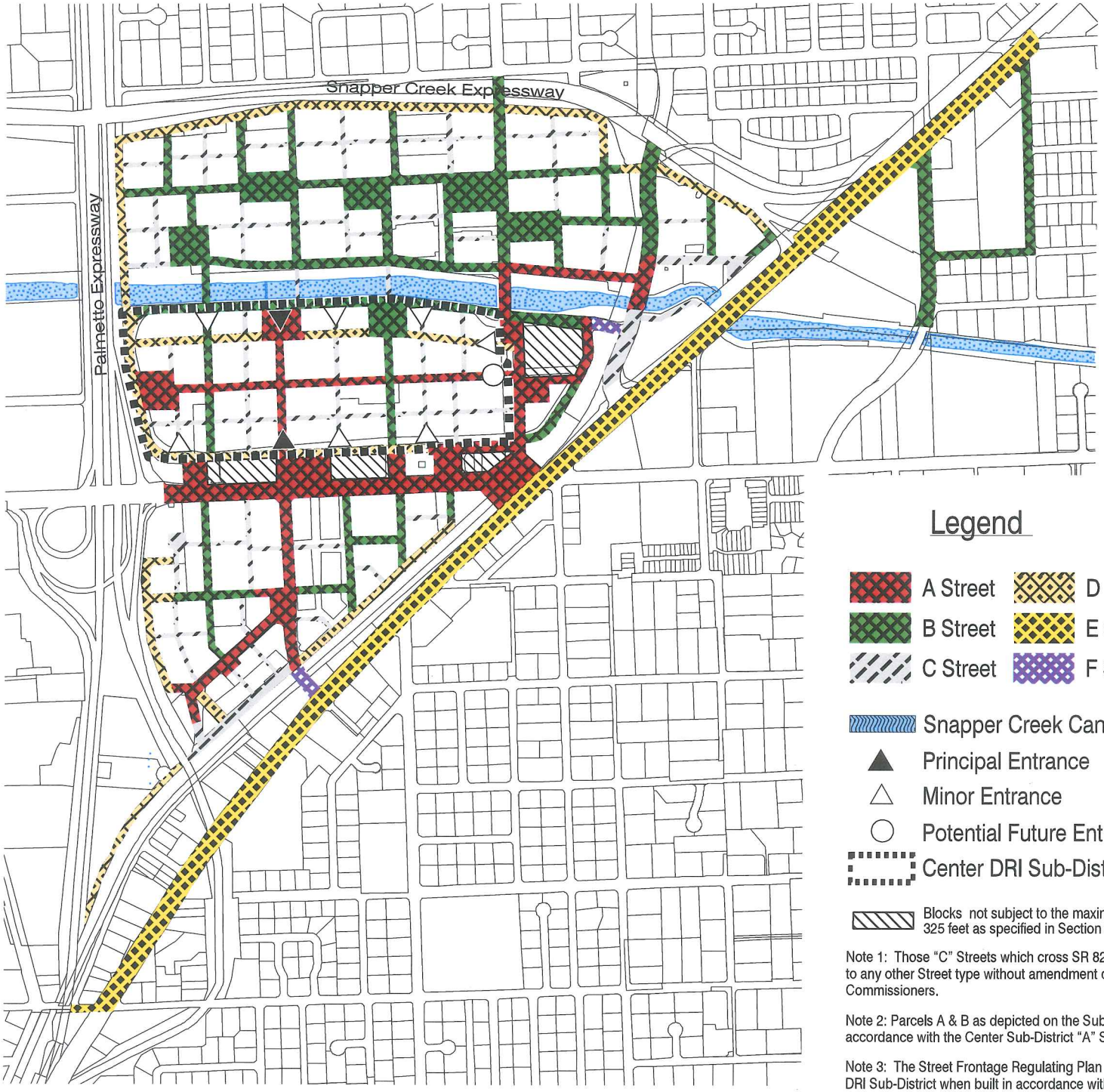
Section 4. This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

PASSED AND ADOPTED: July 14, 2015

Approved by County Attorney as
to form and legal sufficiency: APW

Prepared by: for DAK

Dennis A. Kerbel



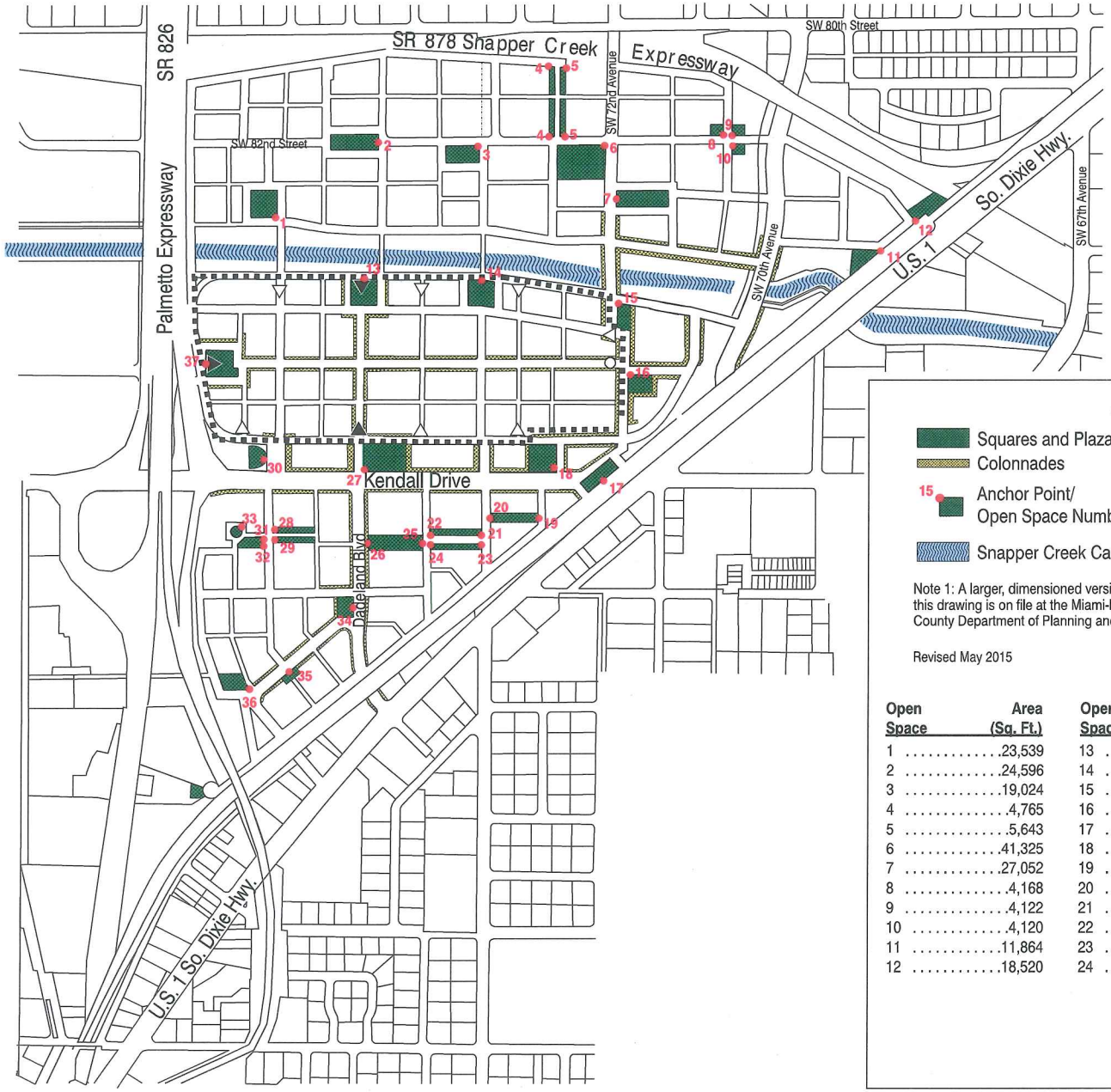
Legend

- A Street
- B Street
- C Street
- D Street
- E Street
- F Street
- Snapper Creek Canal
- Principal Entrance
- Minor Entrance
- Potential Future Entrance
- Center DRI Sub-District
- Blocks not subject to the maximum block face length of 325 feet as specified in Section 33-527(C)(4.1)(c).

Note 1: Those "C" Streets which cross SR 826 may not be used for vehicular traffic or converted to any other Street type without amendment of this Division by the Board of County Commissioners.

Note 2: Parcels A & B as depicted on the Sub-District Regulating Plan shall be developed in accordance with the Center Sub-District "A" Street Type requirements, including colonnades.

Note 3: The Street Frontage Regulating Plan is not applicable to development within the Center DRI Sub-District when built in accordance with the Center DRI Sub-District provisions, except as noted above in Note 2.



Legend

- Squares and Plazas
- Colonnades
- Anchor Point/ Open Space Number
- Snapper Creek Canal
- Principal Entrance
- Minor Entrance
- Potential Future Entrance
- Center DRI Sub-District

Note 1: A larger, dimensioned version of this drawing is on file at the Miami-Dade County Department of Planning and Zoning

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Note 2: The designated open Space Plan is not applicable to development within the Center DRI Sub-District when built in accordance with the Center DRI Sub-District provisions.

Open Space	Area (Sq. Ft.)	Open Space	Area (Sq. Ft.)	Open Space	Area (Sq. Ft.)
1	23,539	13	22,500	25, 26	13,000
2	24,596	14	22,572	27	39,300
3	19,024	15	10,600	28	5,836
4	4,765	16	15,200	29	5,836
5	5,643	17	16,246	30	11,250
6	41,325	18	24,400	31, 32	6,000
7	27,052	19	5,510	33	4,536
8	4,168	20	1,299	34	10,851
9	4,122	21	10,586	35	8,945
10	4,120	22	10,754	36	16,568
11	11,864	23	6,426	37	25,028
12	18,520	24	6,598		