

**OFFICIAL FILE COPY  
CLERK OF THE BOARD  
OF COUNTY COMMISSIONERS  
MIAMI-DADE COUNTY, FLORIDA**

**MEMORANDUM**

Agenda Item No. 5(A)

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**TO:** Honorable Chairman Esteban L. Bovo, Jr.  
and Members, Board of County Commissioners

**DATE:** (Public Hearing 6-20-17)  
June 6, 2017

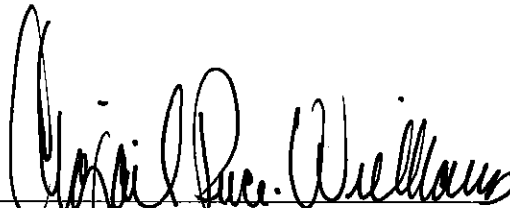
**FROM:** Abigail Price-Williams  
County Attorney

**SUBJECT:** Ordinance relating to zoning;  
amending section 33-284.86  
of the Code; authorizing certain  
walls, fences and hedges at a  
height taller than is currently  
allowed by the County's  
Standard Urban Center District  
Regulations on certain residential  
properties located in both  
Targeted Urban Areas and Urban  
Center districts

Ordinance No. 17-36

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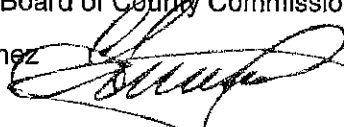
The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Dennis C. Moss.

  
Abigail Price-Williams  
County Attorney

APW/smm

# Memorandum

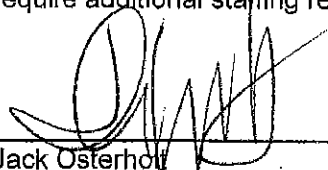


**Date:** June 20, 2017  
**To:** Honorable Chairman Esteban L. Bovo, Jr.  
and Members, Board of County Commissioners  
**From:** Carlos A. Gimenez   
Mayor  
**Subject:** Fiscal Impact for Ordinance Authorizing Certain Walls, Fences, and Hedges at Height  
Taller Than Allowed in County's Standard Urban Center District Regulations in Both  
Targeted Urban Areas and Urban Center Districts

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The proposed ordinance adds language to Section 33-284.86 of the Code of Miami-Dade County, which regulates the County's Standard Urban Center District Regulations, to allow for walls, fences, and hedges associated with residential, single-family homes legally established prior to December 12, 2014 in Targeted Urban Areas to be permitted to a maximum height of 72 inches.

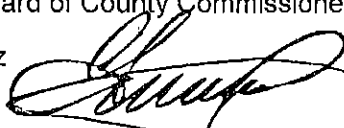
Implementation of the proposed ordinance will not create a fiscal impact to the County, as it will not require additional staffing resources or lead to higher operating costs.

  
\_\_\_\_\_  
Jack Osterhoff  
Deputy Mayor

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# Memorandum

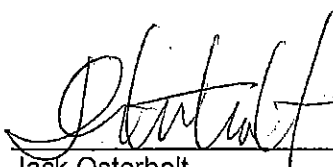


**Date:** June 20, 2017  
**To:** Honorable Chairman Esteban L. Bovo, Jr.  
and Members, Board of County Commissioners  
**From:** Carlos A. Gimenez   
Mayor  
**Subject:** Social Equity for Ordinance Authorizing Certain Walls, Fences, and Hedges at Height  
Taller Than Allowed in County's Standard Urban Center District Regulations in Both  
Targeted Urban Areas and Urban Center Districts

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The proposed ordinance amends the Code to allow for taller walls, hedges and fences on residential single-family home properties that are governed by the County's Standard Urban Center District Regulations and in a Targeted Urban Area, if such property was legally established prior to a certain date.

The intent of the proposed ordinance is to provide owners of the aforementioned properties with greater security alternatives. No other particular social equity benefit or burden can be determined.

  
\_\_\_\_\_  
Jack Osterholt  
Deputy Mayor

171314

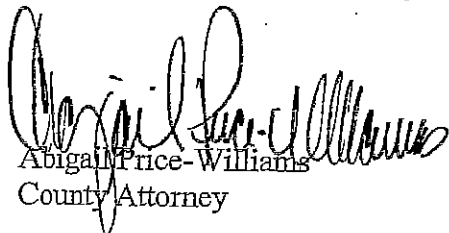


# MEMORANDUM

(Revised)

**TO:** Honorable Chairman Esteban L. Bovo, Jr.  
and Members, Board of County Commissioners

**DATE:** June 20, 2017

**FROM:**   
Abigail Price-Williams  
County Attorney

**SUBJECT:** Agenda Item No. 5(A)

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
- Statement of social equity 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(A)  
6-20-17

ORDINANCE NO. \_\_\_\_\_ 17-36

ORDINANCE RELATING TO ZONING; AMENDING SECTION 33-284.86 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; AUTHORIZING CERTAIN WALLS, FENCES AND HEDGES AT A HEIGHT TALLER THAN IS CURRENTLY ALLOWED BY THE COUNTY'S STANDARD URBAN CENTER DISTRICT REGULATIONS ON CERTAIN RESIDENTIAL PROPERTIES LOCATED IN BOTH TARGETED URBAN AREAS AND URBAN CENTER DISTRICTS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

**WHEREAS**, in Chapter 30A, Article VI of the County Code, this Board identified certain "Targeted Urban Areas" for which the County should take measures for urban economic revitalization to create jobs, increase the tax base, and promote business activity; and

**WHEREAS**, several of these Targeted Urban Areas – namely Model City/Brownsville, Goulds, Princeton/Naranja, Leisure City, and Perrine – are also areas where the County has established "Urban Center" zoning districts; and

**WHEREAS**, as set forth in the County's Comprehensive Development Master Plan, Urban Centers are intended to be developed in "a more compact and efficient urban structure" and "are intended to be moderate-to high-intensity design-unified areas that will contain a concentration of different urban functions integrated both horizontally and vertically"; and

**WHEREAS**, some Urban Center districts that are also Targeted Urban Areas contain previously developed single-family residential areas; and

**WHEREAS**, although redevelopment of these areas is important to their economic revitalization, preserving the security of the residential areas is also important; and

WHEREAS, to promote security in these areas, this Board wishes to authorize walls, fences, and hedges taller than are currently allowed by the County's Standard Urban Center District Regulations, as set forth in Section 33, Article XXXIII(K) of the County Code, regardless of location, on certain residential properties located in both Targeted Urban Areas and Urban Center districts,

**BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:**

**Section 1.** Section 33-284.86 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:<sup>1</sup>

**Sec. 33-284.86. - General Requirements.**

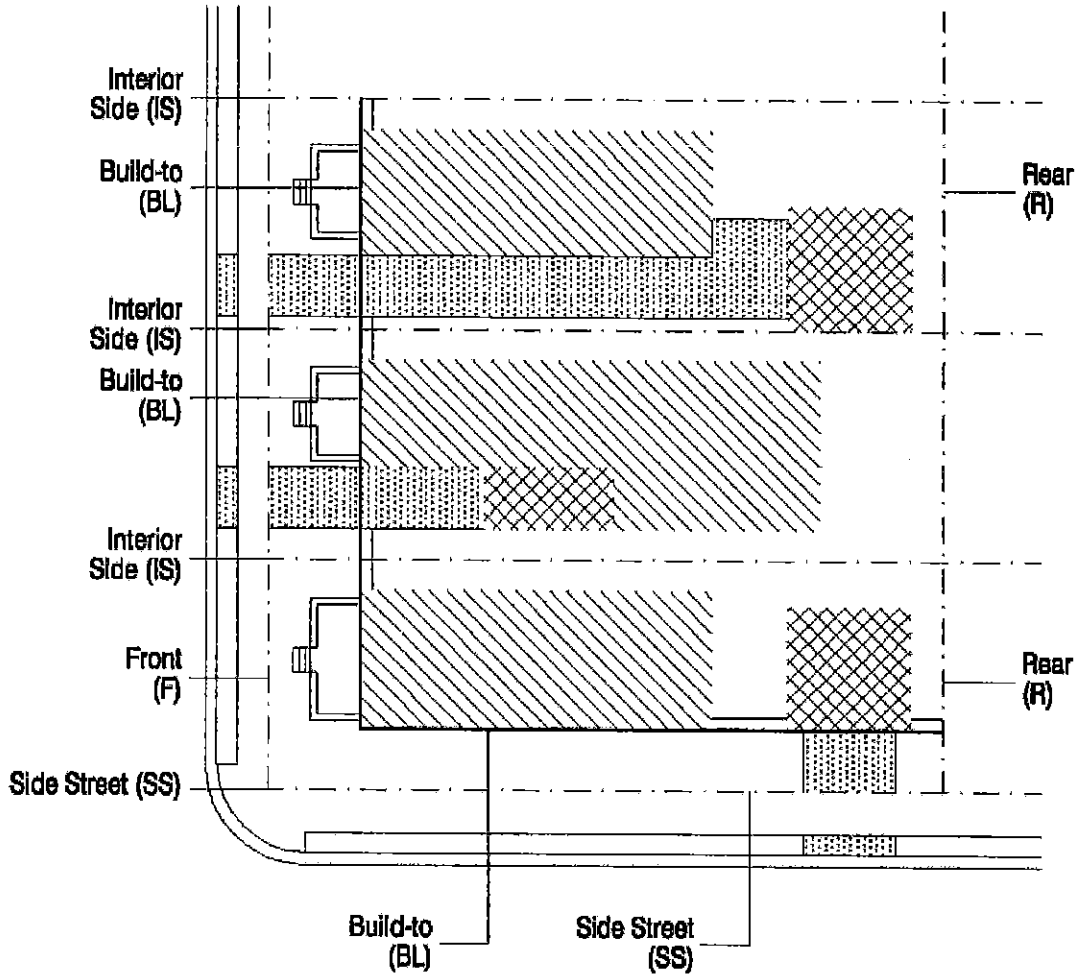
\* \* \*

H. *Walls, fences, and hedges.* The following shall be permitted:

Location	Type and Material	Spacing	Height
Around perimeter of designated open space	Walls: masonry. Fences: wood, electrostatic plated aluminum, or wrought iron.	N/A	Max. 3'—6"
	Hedges and shrubs	Max. 48" O.C.	At time of planting Min. 18"
			Max. 3'—6"
In front of the build-to line (BL): Along front (F), side street (SS), and interior side (IS)	Walls: masonry. Fences: wood, electrostatic plated aluminum, or wrought iron.	N/A	Max. 3'—6"
	Hedges and shrubs	Max. 48" O.C.	At time of planting Min. 18"
			Max. 3'—6"

<sup>1</sup> 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.

Behind the build-to line (BL): Along interior side (IS) and rear (R) property lines	Walls: masonry. Fences: wood, electrostatic plated aluminum, or wrought iron	N/A	Max. 72"
	Hedges and Shrubs		At time of planting Min. 18"
		Max. 48" O.C.	Max. 96"
Chain Link	N/A		
Along the build-to line (BL)	Walls: masonry. Fences: wood, electrostatic plated aluminum, or wrought iron	N/A	Max. 72"
	Hedges and shrubs	Max. 48" O.C.	Max. 72"
Parking Areas Along Streets	Walls: masonry. Fences: wood, electrostatic plated aluminum, or wrought iron	N/A	Min. 3'—6"
	Hedges and shrubs	Max. 48" O.C.	
Service Areas	Walls: masonry. Fences: wood, electrostatic plated aluminum, or wrought iron	N/A	Height required to mitigate the visual impact of service area features
Construction Areas	Chain Link	N/A	
Min.: Minimum Max.: Maximum N/A: Not Applicable O.C.: On Center			



*Note:*

Hedges and shrubs shall be subject to Chapter 18A of this Code.

Additional requirements for walls, fences and hedges may be included in the Building Placement Standards set forth in Section 33-284.85 of this article, and in the event of a conflict, the Building Placement Standards shall govern.

>>Notwithstanding any other provision of this chapter to the contrary, in Targeted Urban Areas defined pursuant to chapter 30A, article VI, walls, fences, and hedges associated with residential, single-family homes that were legally established prior to December 12, 2004, shall be permitted to a maximum height of 72 inches, regardless of location.<<

\* \* \*



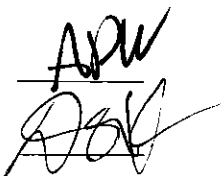
**Section 2.** If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

**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: June 20, 2017

Approved by County Attorney as to form and legal sufficiency:



Prepared by:

Dennis A. Kerbel

Prime Sponsor: Commissioner Dennis C. Moss