

# Application No. 4

## Countywide

### APPLICATION SUMMARY

Applicant/Representative: Miami-Dade County  
Department of Regulatory and Economic Resources  
111 NW 1 Street, 12 Floor  
Miami, Florida 33128-1972

Location: Countywide

Requested Text Changes: Amend the Land Use Element text to allow  
Employment Centers in the Business and Office  
land use category

Amendment Type: Standard Text Amendment

### RECOMMENDATIONS

Staff: **TRANSMIT AND ADOPT** (February 25, 2013)

Community Councils: **NOT APPLICABLE**

Planning Advisory Board (PAB) acting  
as the Local Planning Agency: **TO BE DETERMINED** (April 15, 2013)

Board of County Commissioners: **TO BE DETERMINED** (May 22, 2013)

Final Recommendation of PAB acting  
as the Local Planning Agency: **TO BE DETERMINED** (September 3, 2013)

Final Action of Board of County  
Commissioners: **TO BE DETERMINED** (October 2, 2013)

Staff recommends: **TRANSMIT AND ADOPT** the proposed amendment based on the Staff conclusions summarized below:

1. The Business and Office category of the adopted 2015 and 2025 Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP) accommodates a full range of sales and service activities. Residential uses, and mixing of residential use with commercial, office and hotels are also permitted in Business and Office areas provided that the scale and intensity, including height and floor area ratio of the residential or mixed use development, is not out of character with that of adjacent or adjoining development and zoning, and it does not detrimentally impact, and it provides a sensitive well designed transition to any adjacent or adjoining residentially developed or designated areas of different development intensity.
2. Currently, the Comprehensive Development Master Plan (CDMP) restricts the areas where business and industrial uses can be integrated. The Industrial and Office category of the adopted 2015 and 2025 Land Use Plan (LUP) map of the CDMP only allows for limited commercial uses that are primarily intended to serve the industrial workers. Larger freestanding retail and personal service uses and shopping centers are prohibited since they would deplete the industrial land supply. The Business and Office category of the adopted 2015 and 2025 Land Use Plan (LUP) map of the CDMP does not currently provide for industrial uses.
3. On November 8, 2012, the Board of County Commissioners adopted Resolution No. R-944-12 (Appendix B) which directs staff from the Department of Regulatory and Economic Resources to consider the feasibility of adding a new land use category or modifying an existing land use category to better accommodate both retail and light industrial uses.
4. The proposed text amendment would allow for the integration of compatible light industrial uses with other uses permitted in the Business and Office category through the creation of Employment Centers. Consistent with the CDMP interpretive text for mixed-use developments in the 'Interpretation of The Land Use Plan Map: Policy of the Land Use Element', the proposed amendment incorporates design standards to ensure that the uses are compatible with one another as well as adjacent properties and contribute to the character of the street and the surrounding community. The uses will be further restricted by standards and compatibility criteria to be adopted in the Miami-Dade County Zoning Code (Chapter 33).
5. Employment centers are intended to create a synergistic relationship between industries that rely on one another for the exchange of goods, ideas and services and allow for the efficient use of shared resources and infrastructure. It is also intended to create an environment that connects industries with customers and the local workforce.
6. The proposed amendment furthers the long-standing concepts embodied in the CDMP by 1) promoting development of concentrated activity centers of different sizes and character to provide economies of scale and efficiencies of transportation and other services for both the public and private sectors; 2) allocating suitable and sufficient sites for industrial and business districts to accommodate future employment needs; and 3) avoiding excessive scattering of industrial or commercial employment locations.

## Requested Text Amendment

The following is the proposed text change for the Land Use Element of the CDMP.

- 1. Revise the Business and Office text in the Land Use Element to add employment center criteria as follows:**

### **Business and Office**

This category accommodates the full range of sales and service activities. Included are retail, wholesale, personal and professional services, call centers, commercial and professional offices, hotels, motels, hospitals, medical buildings, nursing homes (also allowed in the institutional category), entertainment and cultural facilities, amusements and commercial recreation establishments such as private commercial marinas. Light industrial uses are also permitted in the Business and Office category within an approved Employment Center. Also allowed are telecommunication facilities such as cell towers and satellite telecommunication facilities (earth stations for satellite communication carriers, satellite terminal stations, communications telemetry facilities and satellite tracking stations). These uses may occur in self-contained centers, high-rise structures, campus parks, municipal central business districts or strips along highways. In reviewing zoning requests or site plans, the specific intensity and range of uses, and dimensions, configuration and design considered to be appropriate will depend on locational factors, particularly compatibility with both adjacent and adjoining uses, and availability of highway capacity, ease of access and availability of other public services and facilities. Uses should be limited when necessary to protect both adjacent and adjoining residential use from such impacts as noise or traffic, and in most wellfield protection areas uses are prohibited that involved the use, handling, storage, generation or disposal of hazardous material or waste, and may have limitations as to the maximum buildable area, as defined in Chapter 24 of the County Code. When the land development regulations are amended pursuant Policies LU-9P and LU-9Q, live-work and work-live developments shall be permitted on land designated as Business and Office, as transitional uses between commercial and residential areas.

Residential uses, and mixing of residential use with commercial, light industrial, office and hotels are also permitted in Business and Office areas provided that the scale and intensity, including height and floor area ratio of the residential or mixed use development, is not out of character with that of adjacent or adjoining development and zoning, and it does not detrimentally impact, and it provides a sensitive well designed transition to any adjacent or adjoining residentially developed or designated areas of different development intensity. Where these conditions are met residential development may be authorized to occur in the Business and Office category at a density up to one density category higher than the LUP-designated density of the adjacent or adjoining residentially designated area on the same side of the abutting principal roadway, or up to the density of any such existing residential development, or zoning if the adjacent or adjoining land is undeveloped, whichever is higher. If there is no adjacent or adjoining residential use existing, zoned or designated on the same side of the roadway, the maximum allowable residential density will be that which exists or which this plan allows across the roadway. Where there is no residential use, zoning or designation on either side of the roadway, the intensity of residential development, including height, bulk and floor area ratio shall be no greater than that which would be permitted for an exclusively commercial use of the site. Where SURs or TDRs are transferred to Business-designated parcels which are zoned or to be used for residential development, or when a residential project utilizes the inclusionary zoning program the

allowances of the Residential communities section may be used within the limits provided in this paragraph.

**Employment Centers.** Within the Business and Office category, the integration of business, office, light industrial and limited residential uses is permitted through the development of employment centers. Employment centers are intended to create a synergistic relationship between industries that rely on one another for the exchange of goods, ideas and services and allow for the efficient use of shared resources and infrastructure. It is also intended to create an environment that connects industries with customers and the local workforce. Employment centers may be approved on properties designated as Business and Office on the CDMP Land Use Plan Map that meet the following: 1) are located inside the UDB, 2) contain a minimum of 10 acres, and 3) have direct access to a Major Roadway, as identified on the CDMP Land Use Plan Map.

In addition to uses otherwise permitted in the Business and Office category, light industrial uses are also permitted provided such uses do not detrimentally impact adjacent or adjoining development and zoning. Residential uses are also permitted where not otherwise incompatible. Uses should be limited when necessary to provide compatibility with other uses within the employment center and protect adjacent and adjoining residential uses from impacts such as noise, vibrations, fumes or traffic. Light industrial uses shall generally include small-scale warehousing, wholesaling, manufacturing, packaging and distribution of products for personal or household consumption including food products. Light industrial uses shall also include specialized medical, technology and biotechnology research and manufacturing.

Employment centers shall be reviewed through the Planned Area Development zoning process or other similar process to allow for the implementation of design standards to ensure that uses are compatible with each other and adjacent properties and contribute to the character of the surrounding community. The standards for employment centers should remain flexible enough to allow for varying mixes of residential, business and industrial uses while providing an environment that is accommodating to consumers, residents and employees.

Land use areas shall be designated within the Employment Center, as follows:

**Commerce-Oriented (required):** The commerce-oriented land use area shall comprise a minimum of 50 percent up to a maximum of 100 percent of the total employment center area. The commerce-oriented land use area may contain professional offices, commercial, light industrial and live-work residential units. The commerce oriented land use area may also contain residential uses only when vertically-integrated with other permitted uses and only when located along a pedestrian-friendly street. Business uses are permitted up to a floor area ratio of 2.0 inside the urban infill area and 1.25 outside of the urban infill area. When provided, residential uses shall not exceed the density otherwise permitted in the Business and Office category. Development density and intensity should be further limited when necessary to provide compatibility with other uses within the employment center and to ensure compatibility with adjacent uses. The regulations should provide for disclosure of neighboring industrial and commercial activities to prospective residential tenants and purchasers.

A minimum of 50 percent of the linear roadway length within the commerce-oriented land use area shall be designed to emphasize pedestrian mobility, interest, safety and

comfort. Buildings located along these pedestrian-friendly streets shall be oriented in a manner that frames the street and provides sufficient fenestration to ensure pedestrian safety and interest. 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. The length of blocks and network of streets shall be designed so that walking routes through the center and between destinations in the center are direct, and distances are short. The ground floor use along pedestrian-friendly streets shall be limited to lobbies, neighborhood-serving business uses and light industrial storefronts. A minimum of 10 percent of the commerce-oriented land use area shall be devoted to public open spaces such as squares or parks which are directly accessible by a pedestrian-friendly street.

***Community-Oriented (optional):*** The community-oriented land use area is an optional component of the employment center. When provided, it shall comprise no more than 50 percent of the total employment center area. Such area shall contain a mix of residential and neighborhood-serving business uses with an emphasis on the residents and/or consumers. Neighborhood-serving business uses shall include professional office, general retail, restaurants, personal service establishments, and the like. Business uses are permitted up to a floor area ratio of 2.0 inside the urban infill area and 1.25 outside of the urban infill area. Residential uses are permitted up to the density otherwise permitted in the Business and Office category. Development density and intensity should be further limited when necessary to provide compatibility with other uses within the employment center and to ensure compatibility with adjacent uses.

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## **Consistency Review with CDMP Goals, Objectives, Policies, Concepts and Guidelines**

Approval of the proposed Application No. 4 would further the implementation of the following CDMP objectives and policies:

- Policy LU-1B. Major centers of activity, industrial complexes, regional shopping centers, large-scale office centers and other concentrations of significant employment shall be the structuring elements of the metropolitan area and shall be sited on the basis of metropolitan-scale considerations at locations with good countywide, multi-modal accessibility.
- Policy LU-4D. Uses which are supportive but potentially incompatible shall be permitted on sites within functional neighborhoods, communities or districts only where

proper design solutions can and will be used to integrate the compatible and complementary elements and buffer any potentially incompatible elements.

- Policy LU-9D. Miami-Dade County shall continue to investigate, maintain and enhance methods, standards and regulatory approaches which facilitate sound, compatible mixing of uses in projects and communities.
- Policy LU-9E. Miami-Dade County shall enhance and formalize its standards for defining and ensuring compatibility among proximate uses, and requirements for buffering.
- Policy LU-9J. Miami-Dade County shall continue to use, but not be limited exclusively to design guidelines established in its urban design manual as additional criteria for use in the review of all applications for new residential, commercial and industrial development in unincorporated Miami-Dade County.
- Policy LU-9P. Miami-Dade County shall revise land development regulations to allow live-work units and structures in urban centers and all land use categories that permit the mixture of residential and non-residential uses. Live-work refers to one or more individuals living in the same building where they earn their livelihood usually in professional, artisanal or light industrial activities. The quiet enjoyment expectations of the residential neighbors take precedence over the work needs in a live-work unit or building. Toward this end, the occupational use of the unit shall not include non-resident employees or walk-in trade. No outdoor activity; noise, vibration, odor, electric interference or other effect of the occupation shall be detectable outside the work-live unit. The regulations should provide for disclosure of neighboring industrial and commercial activities to prospective residential tenants and purchasers.
- Policy LU-9Q. 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.
- Policy LU-9U. The County shall consider provisions to allow horizontal mixed-use developments, defined as the horizontal integration of parcels with different primary uses within the same site or block, in appropriate future land use categories in the Urban Development Boundary.
- Policy LU-10A. Miami-Dade County shall facilitate contiguous urban development, infill, redevelopment of substandard or underdeveloped urban areas, high intensity activity centers, mass transit supportive development, and mixed-use projects to promote energy conservation.
- Policy ECO-7A. Miami-Dade County's strategy for meeting countywide employment needs for the next several years should be to emphasize its strengths in international commerce, health services, the visitor industry, and aviation-related activities, and endeavor to expand in the areas of biomedical, film and entertainment,

financial services, information technology and telecommunications, while simultaneously promoting the creation and development of small and medium-sized, labor intensive enterprises geared to the socio-economic needs and opportunities of specific neighborhoods and locations meant to serve a diversity of markets.

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# APPENDICES

	Appendices Page
Appendix A:   Amendment Application .....	3
Appendix B:   Resolution No R-944-12 .....	9

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## **APPENDIX A**

### **Amendment Application**

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## APPLICATION NO. 4

### APPLICATION REQUESTING AMENDMENT TO THE COMPREHENSIVE DEVELOPMENT MASTER PLAN

#### 1. APPLICANT

Miami-Dade County Department of Regulatory and Economic Resources  
111 NW 1 Street, 12 Floor  
Miami, Florida 33128-1972  
(305) 375-2835

#### 2. APPLICANT'S REPRESENTATIVE

Jack Osterholt, Deputy Mayor/Director  
Miami-Dade County Department of Regulatory and Economic Resources  
111 NW 1 Street, 29 Floor  
Miami, Florida 33128-1972

By:  February 25, 2013

#### 3. DESCRIPTION OF REQUESTED CHANGES

The following is the proposed text change for the Land Use Element of the CDMP.

1. **Revise the Business and Office text in the Land Use Element to add employment center criteria as follows:**

##### **Business and Office**

This category accommodates the full range of sales and service activities. Included are retail, wholesale, personal and professional services, call centers, commercial and professional offices, hotels, motels, hospitals, medical buildings, nursing homes (also allowed in the institutional category), entertainment and cultural facilities, amusements and commercial recreation establishments such as private commercial marinas. Light industrial uses are also permitted in the Business and Office category within an approved Employment Center. Also allowed are telecommunication facilities such as cell towers and satellite telecommunication facilities (earth stations for satellite communication carriers, satellite terminal stations, communications telemetry facilities and satellite tracking stations). These uses may occur in self-contained centers, high-rise structures, campus parks, municipal central business districts or strips along highways. In reviewing zoning requests or site plans, the specific intensity and range of uses, and dimensions, configuration and design considered to be appropriate will depend on locational factors, particularly compatibility with both adjacent and adjoining uses, and availability of highway capacity, ease of access and availability of other public services and facilities. Uses should be limited when necessary to protect both adjacent and adjoining residential use from such impacts as noise or traffic, and in most wellfield protection areas uses are prohibited that involved the

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#### **4. REASONS FOR CHANGE**

On November 8, 2012, the Board of County Commissioners (BCC) adopted Resolution No. R-944-12 directing staff from the Department of Regulatory and Economic Resources to consider the feasibility of adding a new land use category to the Comprehensive Development Master Plan or modifying an existing land use category to better accommodate both retail and light industrial uses. The purpose of the proposed text amendment is to allow for the integration of compatible light industrial uses with other uses permitted in the Business and Office category through the creation of Employment Centers. The proposed amendment permits employment centers following public hearing and incorporates design standards to ensure that the uses are compatible with one another as well as adjacent properties and contribute to the character of the street and the surrounding community. The uses will be further restricted by standards and compatibility criteria to be adopted into the Miami-Dade County Zoning Code (Chapter 33).

#### **5. ADDITIONAL MATERIALS SUBMITTED**

Appendix 1: BCC Resolution No. R-944-12



## **APPENDIX B**

**Resolution No. R-944-12**

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## MEMORANDUM

Agenda Item No. 11(A)(16)

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

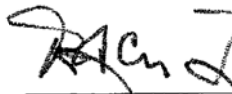
**DATE:** November 8, 2012

**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

**FROM:** R. A. Clevas, 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

2

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.<<<sup>1</sup>

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<sup>1</sup> 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 8<sup>th</sup> 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

5

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