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OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

MEMORANDUM

Agenda Item No. 7(F)

(Second Reading 12-2-14)

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

DATE: October 7, 2014

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

SUBJECT: Ordinance pertaining to zoning; amending Downtown Kendall Urban Center Zoning District regulations; modifying habitable space requirements for certain parcels containing parking garages; amending Section 33-284.62 of the Code
Ordinance No. 14-121

The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Xavier L. Suarez.

for

R. A. Cuevas, Jr.
County Attorney

RAC/smm

Memorandum

MIAMI-DADE COUNTY

Date: December 2, 2014

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

From: Carlos A. Gimenez
Mayor

Subject: Ordinance pertaining to zoning; amending Downtown Kendall Urban Center Zoning District regulations

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The proposed ordinance amends Section 33-284.62 of the Code of Miami-Dade County relating to development parameters amending the Downtown Kendall Urban Center zoning district regulations, specifically modifying habitable space requirements for certain parcels containing parking garages. Implementation of this ordinance will not have a fiscal impact to the County.

Jack Osterholt
Deputy Mayor

Fis00515

MEMORANDUM
(Revised)

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

DATE: December 2, 2014

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

SUBJECT: 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 _____

Agenda Item No. 7(F)
12-2-14

ORDINANCE NO. 14-121

ORDINANCE PERTAINING TO ZONING; AMENDING DOWNTOWN KENDALL URBAN CENTER ZONING DISTRICT REGULATIONS; MODIFYING HABITABLE SPACE REQUIREMENTS FOR CERTAIN PARCELS CONTAINING PARKING GARAGES; AMENDING SECTION 33-284.62 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 33-284.62 of the Code of Miami-Dade County is hereby amended as follows: [1]

Sec. 33-284.62. Development parameters.

* * *

(B) General Requirements. All new development and redevelopment shall comply with the following parameters irrespective of Sub-District and frontage categories:

* * *

(6) Parking.

(a) Parking shall be provided as per Section 33-124 of this Code, except as follows:

(1) In the Core Sub-District, for all single use projects, the minimum parking permitted shall be:

i. Residential—One (1) parking space per dwelling unit.

[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.

ii. Office—One (1) parking space per four-hundred (400) square feet of gross floor area.

iii. Hotel—One (1) parking space for every two (2) guest rooms.

iv. Other uses—Use parking standard as specified in Section 33-124 of this Code.

(2) In the Core Sub-District, required parking for mixed-use projects shall be calculated by applying the Urban Land Institute (ULI) Shared Parking Methodology, on file with the Director, to the parking standards above. Required parking shall fulfill between ninety (90) percent and one hundred ten (110) percent of the calculated requirement.

(3) In the Center and Edge Sub-Districts, parking requirements for mixed-use projects shall be calculated by applying the (ULI) Shared Parking Methodology to the parking standards as specified in Section 33-124 of this Code. Parking shall fulfill between ninety (90) percent and one hundred ten (110) percent of the ULI calculated requirement.

(4) Off-street parking areas shall be located on the same lot, parcel or premises as the use to be served; or may be on a lot or parcel of land that is in the Downtown Kendall Urban Center District and is within three hundred (300) feet from the site of such use(s) to be served; provided such use(s) shall immediately terminate in the event such parking area therefor is not available and all those having any right, title or interest in and to such property site shall execute and place on the public records of this County a covenant approved by the Director that such use(s) shall cease and terminate upon the elimination of such parking area, and that no use shall be made of such property until the required parking area is available and provided.

(5) On-street parking spaces directly abutting a lot shall count toward the parking requirement for development of that lot, except that such spaces shall not count toward parking requirements for disabled persons or persons transporting baby strollers. All such on-street spaces shall be designed in accordance with the requirements of Section 33-284.62(C) of this Code.

(b) Surface parking lots shall be located a minimum of twenty (20) feet from the front property line along "A" and "B" Streets. Streetwalls and/or habitable space shall be built at the frontage line or at the build-to line to screen parking from view.

(c) Parking garages shall be screened at all frontages except "D" streets by a minimum setback of twenty (20) feet of habitable space.

(d) Parking garages on parcels [[~~of record as of the date of approval of this Article~~]] facing "A" streets that have a lot depth at any one (1) point of less than one hundred fifty (150) feet are required to provide habitable space only at the colonnade levels. However, architectural expression shall remain required as per this article.

>>(e) Parking garages on parcels facing "B" streets that have a lot depth at any one (1) point of less than one hundred fifty (150) feet are required to provide habitable space only at the ground story. However, architectural expression shall remain required as per this article.<<

[[~~(e)~~]]>>(f)<< Drop off drives and porte-cocheres fronting onto "A" or "B" street frontages may only occur behind habitable space, in courtyard gardens, on "C" and "D" streets, and alleys.

* * *

Section 2. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall 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: December 2, 2014

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

Prepared by:

James Eddie Kirtley

Prime Sponsor: Commissioner Xavier L. Suarez