MEMORANDUM

Agenda Item No. 7(C)

(Second Reading 5-7-13)

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

DATE: March 5, 2013

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

SUBJECT: Ordinance pertaining to zoning; providing for Electric Vehicle Retail Showrooms in the Downtown Kendall Urban Center Zoning District

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

R. A. Cuevas, Jr.
County Attorney

RAC/jls

Memorandum

MIAMI-DADE COUNTY

Date: May 7, 2013

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

From: Carlos A. Gimenez
Mayor

Subject: Ordinance Pertaining to Zoning; Providing for Electric Vehicle Retail Showrooms in the Downtown Kendall Urban Center Zoning District

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The proposed ordinance amends Sections 33-284.56 and 33-284.63 of the Code and provides for electric vehicle retail showrooms in the Downtown Kendall Urban Center zoning district. Implementation of this ordinance will not have a fiscal impact to the County.

Jack Osterholt
Deputy Mayor

Fls4513

MEMORANDUM
(Revised)

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

DATE: May 7, 2013

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

SUBJECT: Agenda Item No. 7(C)

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(C)
5-7-13

ORDINANCE NO. _____

ORDINANCE PERTAINING TO ZONING; PROVIDING FOR ELECTRIC VEHICLE RETAIL SHOWROOMS IN THE DOWNTOWN KENDALL URBAN CENTER ZONING DISTRICT; AMENDING SECTIONS 33-284.56 AND 33-284.63 OF THE CODE OF MIAMI-DADE COUNTY; 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 33-284.56 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:[1]

Sec. 33-284.56. Definitions.

* * *

>>(11.5) Electric Vehicle Retail Showroom: retail showroom for electric vehicles provided that:

(a) no on-site vehicle storage/stock beyond the showroom and vehicles for test drives is allowed; and

(b) no more than six (6) electric vehicles, outside of the showroom, to be used for test drive purposes; and

(c) no test drive shall be conducted on residential local streets (fifty-foot wide rights-of-way); and

[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.

(d) vehicles used for test drives and display in the showroom are not permitted to be sold on-site.<<

Section 2. Section 33-284.63.1 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:

Sec. 33-284.63.1. Center DRI Sub-District Alternative Development Parameters.

Notwithstanding the provisions of sections 33-284.62 and 33-284.63, property within the Center DRI Sub-district may be developed in compliance with the following provisions. Development undertaken pursuant to the following provisions shall be subject exclusively to those provisions and not to any of the provision or requirements of sections 33-284.62 or 33-284.63. Development in the Center DRI Sub-district pursuant to sections 33-284.62 and 33-284.63 shall be subject exclusively to the provisions and requirements of those sections and not to the provision contained herein.

(A) *Uses permitted.* No land, body of water or structure in the Center DRI Sub-district shall be used or permitted to be used, and no structure shall be hereafter erected, constructed, arranged or intended to be used, occupied or maintained for any purpose, except for one or more of the following uses:

(1) All uses permitted in the BU-2 District.

>>(2) Electric Vehicle Retail Showroom.<<

* * *

Section 3. 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 4. 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 5. 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:

Approved by County Attorney as
to form and legal sufficiency:

Prepared by:

Craig H. Coller

Prime Sponsor: Commissioner Xavier L. Suarez