

MEMORANDUM

Agenda Item No. 11(A)(9)

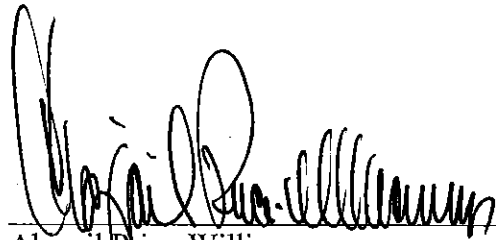
TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: November 15, 2016

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution directing the Mayor to create a special certificate of use category for Portable Mini-Storage Units in unincorporated Miami-Dade County and directing the Mayor to implement associated procedures; amending Implementing Order No. 4-111 to provide for a special portable mini-storage unit category and associated fee for said certificate of use applications

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Senator Javier D. Souto.



Abigail Price-Williams
County Attorney

APW/smm



MEMORANDUM

(Revised)

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

DATE: November 15, 2016

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SUBJECT: Agenda Item No. 11(A)(9)

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. 11(A)(9)
11-15-16

RESOLUTION NO. _____

RESOLUTION DIRECTING THE MAYOR OR MAYOR'S DESIGNEE TO CREATE A SPECIAL CERTIFICATE OF USE CATEGORY FOR PORTABLE MINI-STORAGE UNITS IN UNINCORPORATED MIAMI-DADE COUNTY AND DIRECTING THE MAYOR OR MAYOR'S DESIGNEE TO IMPLEMENT ASSOCIATED PROCEDURES; AMENDING IMPLEMENTING ORDER NO. 4-111 TO PROVIDE FOR A SPECIAL PORTABLE MINI-STORAGE UNIT CATEGORY AND ASSOCIATED FEE FOR SAID CERTIFICATE OF USE APPLICATIONS

WHEREAS, this Board has enacted policy measures related to portable mini-storage units to ensure the health, safety, and welfare of Miami-Dade County residents; and

WHEREAS, this Board recognizes that a certificate of use requirement prior to the placement of a portable mini-storage unit on a residential property will facilitate the County's enforcement of its regulations relating to the size, condition, and time limitations on portable mini-storage units; and

WHEREAS, on _____, 2016, this Board adopted Ordinance No. 16-__, which amends Miami-Dade County Code Section 33-20(i), to require, among other things, property owners to obtain a certificate of use rather than a zoning improvement permit from the County before placing a portable mini-storage unit on residential properties within unincorporated Miami-Dade County,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:

Section 1. Incorporates and adopts the foregoing recitals as if fully set forth herein.

Section 2. Directs the Mayor or Mayor's designee to create a special certificate of use category for "Portable Mini-Storage Units," located within unincorporated Miami-Dade County, to implement the associated procedures and to give effect to the intent of this resolution within 120 days from its enactment.

Section 3. Amends Implementing Order No. 4-111 to include a new special certificate of use category and \$36.70 fee for "Portable Mini-Storage Units," located within unincorporated Miami-Dade County. The special certificate of use category services include the resources expended for intake of the certificate of use application, processing of the application, and record keeping.

Section 4. Adopts and approves the amendments to Implementing Order No. 4-111 in substantially the form attached hereto as Exhibit A.

The Prime Sponsor of the foregoing resolution is Senator Javier D. Souto. It was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

Jean Monestime, Chairman	
Esteban L. Bovo, Jr., Vice Chairman	
Bruno A. Barreiro	Daniella Levine Cava
Jose "Pepe" Diaz	Audrey M. Edmonson
Sally A. Heyman	Barbara J. Jordan
Dennis C. Moss	Rebeca Sosa
Sen. Javier D. Souto	Xavier L. Suarez
Juan C. Zapata	

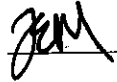
The Chairperson thereupon declared the resolution duly passed and adopted this 15th day of November, 2016. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.



Lauren E. Morse

I.O. No.: 4-111
Adopted: ~~[[9/22/16]]~~
Effective: ~~[[10/1/16]]~~

**MIAMI-DADE COUNTY
IMPLEMENTING ORDER**

**FEE SCHEDULE FOR REGULATORY AND ECONOMIC RESOURCES
(PLANNING, ZONING, AND PLATTING SERVICES)**

AUTHORITY:

Ordinance No. 76-60; the Miami-Dade County Home Rule Charter including, among others, Sections 1.01 and 2.02A; Sections, 2-113, 2-114.1, 2-114.2, 2-114.3, 2-114.4, 2-116.1, 8-5, 33-19.1, 33-285, 33-303.1, 33E-15, 33G-6, 33H-16, 33I-13, 33J-14, 33K-14, and Chapters 16A, 18A and 28 of the Code of Miami-Dade County.

SUPERSEDES:

This Implementing Order (IO) supersedes IO 4-111, ordered September 22, 2016 and effective October 1, 2016.

POLICY:

A schedule of fees covering the cost of providing planning, zoning, and platting services shall be established and no application, permit, certificate or receipt shall be issued until the appropriate fee is paid. Additionally, no special study shall be prepared until a memorandum of agreement has been entered into or payment made.

PROCEDURE:

The responsibility for this Implementing Order is assigned to the Director of the Department of Regulatory and Economic Resources, who shall be responsible for the collection of fees and the delivery of required services pursuant to Chapters 8, 16A, 28 and 33 and Section 2-104 of the Code of Miami-Dade County. Each two years or earlier, if need be, the Director shall review all fees in terms of their cost and recommend necessary changes to the County Mayor.

FEE SCHEDULE:

The fee schedule >>amended<< ~~[[adopted]]~~ by this Implementing Order has been presented and is considered a part hereof. In accordance with Section 2-3 of the Code of Miami-Dade County, this >>amended<< official Fee Schedule is also filed with the Clerk of the Board of County Commissioners. Fees which are charged by the planning, zoning, and platting services shall be the same as those listed in the Official Fee Schedule on file with the Clerk of the County Commission.

This Implementing Order is hereby submitted to the Board of County Commissioners of Miami-Dade County, Florida.

Approved by the County Attorney as
to form and legal sufficiency _____

**Planning, Zoning, and Platting Services
Fee Schedule**

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**Planning, Zoning, and Platting Services
Fee Schedule**

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Planning, Zoning, and Platting Services Fee Schedule

The following schedule details the charges and fees associated with planning and zoning services:

I. GENERAL INFORMATION

A. CONCURRENCY REVIEW

* * *

V. CERTIFICATE OF USE (C.U.) AND TEMPORARY CERTIFICATE OF USE (T.C.U.)

The following original fees shall be paid for all uses. The indicated renewal fee applies to those uses, which are required to be renewed annually by Code or by Resolution. All non-renewable uses are issued permanent use certificates which shall remain valid for an unlimited time, unless revoked for cause, or abandoned, provided there is no change of use, ownership, or name, or that there is no enlargement, alteration or addition in the use or structure. An "up front" processing fee equal to 50% of the total C.U. fee shall be assessed at the time of filing an application. The processing fee is non-refundable but shall be credited towards the final C.U. fee.

A. RESIDENTIAL

	<u>Fee</u>	<u>Renewal Fee</u>
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* * *

D. UNUSUAL USES, SPECIAL PERMITS, BUSINESS AND INDUSTRIAL USE VARIANCES

All unusual uses, except the following:	324.38	246.58
Churches	139.44	73.39
Airports, racetracks, stadiums	647.28	234.84
Cabaret, nightclub, liquor package store	428.58	388.96
Rock quarries, lake excavation and/or filling thereof	509.31	246.58
Minimum	509.59	
Circus or carnival (per week) and special events	271.54	271.54
Open lot uses	193.74	154.12
Lot clearing, sub-soil preparation	161.45	146.78
Residential sale display of vehicle/watercraft	36.70	36.70
>> <u>Placement of temporary mini-storage unit</u>	<u>36.70</u>	<u>36.70<<</u>

E. AGRICULTURAL

All uses, except as otherwise listed herein

	193.74	183.47
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* * *