

MEMORANDUM

Agenda Item No. 7(C)

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

DATE: August 31, 2020
(Second Reading scheduled for 11-19-20)

FROM: Geri Bonzon-Keenan
Successor County Attorney

SUBJECT: Ordinance relating to zoning in the unincorporated area of the County; amending sections 33-122 and 33-310.4 of the Code; revising off-street parking regulations to allow for the use of anti-ram fixtures surrounding commercial uses; revising specifications for anti-ram fixtures and landscaping requirements to mitigate visual impacts of anti-ram fixtures for parking spaces at commercial uses; making technical and conforming changes

The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Barbara J. Jordan.



Geri Bonzon-Keenan
Successor County Attorney

GBK/uw

Date: November 12, 2020

To: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

A handwritten signature in blue ink, appearing to read "Carlos A. Gimenez".

Subject: Fiscal Impact Statement for Ordinance Relating to Zoning in the Unincorporated Area;
Revising Off-Street Parking Regulations

The implementation of this ordinance will not have a fiscal impact to Miami-Dade County as the proposed changes will not require additional staffing resources nor generate additional operational expenses.

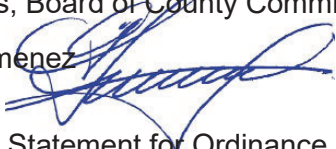
A handwritten signature in blue ink, appearing to read "Jack Osterholt".

Jack Osterholt
Deputy Mayor

201519

Date: November 12, 2020

To: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

From: Carlos A. Gimenez 
Mayor

Subject: Social Equity Statement for Ordinance Relating to Zoning and Off-Street Parking
Regulations in the Unincorporated Area of the County

The proposed ordinance relating to zoning amends Sections 33-122 and 33-310.4 of the Code of Miami-Dade County (Code) revising off-street parking regulations to allow for the use of anti-ram fixtures, such as bollards, along with parking bumpers to visually and physically separate pedestrian and vehicular areas surrounding commercial uses in the unincorporated area of the County. Additionally, the proposed ordinance provides for technical amendments.

The implementation of the proposed ordinance enhances pedestrian safety, by allowing the anti-ram fixture to be used anytime there is a pedestrian path between a parking area and commercial buildings and not only in the storefront. The current regulations require the installation of anti-ram fixtures when head-in parking is provided along storefronts only. The current code also limited the parking bumpers that could be used around commercial facilities away from the storefront to wheel stoppers.

A handwritten signature in blue ink, appearing to read "Jack Osterholt".

Jack Osterholt
Deputy Mayor

201519



MEMORANDUM
(Revised)

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

DATE: November 19, 2020

FROM: 
Geri Bonzon-Keenan
Successor 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
- 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 present ____, 2/3 membership ____, 3/5's ____, unanimous ____, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) ____, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) ____, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) ____) 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)
11-19-20

ORDINANCE NO. _____

ORDINANCE RELATING TO ZONING IN THE UNINCORPORATED AREA OF THE COUNTY; AMENDING SECTIONS 33-122 AND 33-310.4 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; REVISING OFF-STREET PARKING REGULATIONS TO ALLOW FOR THE USE OF ANTI-RAM FIXTURES SURROUNDING COMMERCIAL USES; REVISING SPECIFICATIONS FOR ANTI-RAM FIXTURES AND LANDSCAPING REQUIREMENTS TO MITIGATE VISUAL IMPACTS OF ANTI-RAM FIXTURES FOR PARKING SPACES AT COMMERCIAL USES; MAKING TECHNICAL AND CONFORMING CHANGES; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

WHEREAS, anti-ram fixtures, such as bollards, are typically short and sturdy vertical posts placed at the front end of parking spaces to ensure that cars do not drive onto sidewalks or into storefronts; and

WHEREAS, the Code of Miami-Dade County (“County Code”) currently requires anti-ram fixtures to be installed in front of parking spaces adjacent to commercial storefronts, but does not require or even allow such fixtures to be used for parking spaces located elsewhere around commercial uses; and

WHEREAS, instead, the County Code requires parking bumpers, or wheel stops, to be installed at the front of such parking spaces; and

WHEREAS, parking bumpers tend to be low to the ground and not easily seen by pedestrians walking between parking areas and commercial establishments, and consequently may present a tripping hazard for members of the public; and

WHEREAS, some commercial developers have expressed a preference for using anti-ram fixtures instead of parking bumpers, as such fixtures tend to be more visible to pedestrians and also may better serve the purpose of preventing cars from entering onto sidewalks; and

WHEREAS, accordingly, to allow more flexibility in development and to further pedestrian safety, this Board wishes to amend the County Code to permit the use of anti-ram fixtures for all parking spaces surrounding commercial uses under certain conditions,

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

Section 1. Section 33-122 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:¹

**Sec. 33-122. >>Off-street parking required; specifications<<
[[Required; definitions of parking space.]]**

>>(1) Requirement.<< Permanently maintained off-street parking for vehicles shall be provided in connection with any building or premises used or designed to be used for the purposes set forth in this article.

>>(a)<< Parking spaces on private roadways shall not be credited towards required parking.

>>(b) In all instances, adequate interior driveways and ingress and egress driveways shall be provided to connect all parking spaces with a public right-of-way or alley.

(c) Required and surplus parking shall comply with these provisions, and such parking shall not be placed in dedicated or official rights-of-way.

(2) Dimensions and striping. Off-street parking spaces shall conform to the following dimensions and marking requirements:

(a)<< For the purpose of this article, each parking space shall be a minimum of >>8.5 by 18<< [[~~eight 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.

~~one-half (8.5) by eighteen (18)] feet>>, except that where<< [[with the following exceptions:~~

(1) ~~Where]] parking spaces for the >>disabled<< [[handicapped]] are to be provided, they shall be a minimum of >>18<< [[eighteen (18)]] feet long and the width and quality shall be in accordance with the [[South]] Florida Building Code. >>Such disabled parking spaces shall also be compliant with the Americans with Disabilities Act (ADA), where applicable.~~

(b)<< Parking stall and aisle dimensions shall conform to the >>following<< charts>>:<< [[entitled "Minimum Parking Stall Dimension" and "Striping Detail" hereby incorporated as part of this section.]]

* * *

>>(c)<< For all occupancies other than residential, the parking spaces shall be marked with double striping on each side of the space to identify and facilitate their use.

>>(d)<< All striping shall be of a color (typically white) contrasting with the pavement.

>>(e)<< Dimension requirements, as noted >>herein<< [[elsewhere]], shall be measured to the center point of the double stripe, as shown on the >>chart in paragraph (b) above.<< [[“Striping Detail” hereby incorporated as part of this section.]]

>>(f)<< Notwithstanding the above provisions and striping details, where striping is required for residential users, not less than a single four-inch stripe shall be provided, with parking stall dimensions to be measured to the center line of the strip>>e<<. [[~~In all instances, adequate interior driveways and ingress and egress driveways shall be provided to connect all parking spaces with a public right-of-way or alley.~~]]

>>(3) Anti-ram fixtures and parking bumpers. Anti-ram fixtures and parking bumpers shall be used to visually and physically separate vehicular and pedestrian areas, in accordance with the following:

(a)<< Where a parking space heads into and abuts a walkway >>surrounding a commercial use<<, the paved >>18-<< [[eighteen-]] foot >>parking

space<< length shall be provided a wheel stop or curb at >>16<< ~~[[sixteen (16)]]~~ feet >>, or an anti-ram fixture at 18 feet,<< in order to prevent extension of the vehicle over any portion of the provided walkway width.

>>(b) As provided in section 33-310.4 for commercial uses, when head-in parking is located directly adjacent to a storefront, an anti-ram fixture shall be required.

(c) Anti-ram fixtures shall have a minimum U.S. Department of State rating of K4 and shall be placed along the outer edge of the sidewalk to visually and physically separate the vehicular and pedestrian areas.

(d) Where anti-ram fixtures are used, each parking space shall have two anti-ram fixtures, each at least three feet in height and spaced four feet apart, with each positioned two feet from the centerline of the space. Notwithstanding the foregoing, if the applicant demonstrates that the above spacing requirement would not ensure pedestrian access and compliance with the ADA, where applicable, then the Director may authorize a different spacing configuration.

(e) Where the site configuration permits, landscaping or planting features, such as planter boxes, shall be installed to mitigate the visual impacts of anti-ram fixtures.<< ~~[[Required and surplus parking shall comply with these provisions and such parking shall not be placed in dedicated or official rights-of-way.]]~~

Section 2. Section 33-310.4. of the Code of Miami-Dade County is hereby amended

as follows:

Sec. 33-310.4. Review Procedure/Administrative Site Plan Review (ASPR).

* * *

(C) The following criteria shall be utilized in the plan review process:

* * *

- (10) *Parking areas:* Building wall extensions, planting, berms or other innovative methods shall be used as a means of minimizing the adverse effect of the visual impact of parking areas. This requirement is in addition to the landscape regulations set forth in this code.

* * *

- (b) For commercial uses, when head-in parking is located directly adjacent to a storefront, an anti-ram fixture >> shall be required in accordance with section 33-122.<< ~~[[with a minimum Department of State protection rating of K4 shall be placed along the outer edge of the sidewalk to visually and physically separate the vehicular and pedestrian areas. Installations must include a landscaping/planting component to mitigate the visual impacts of the anti-ram fixture. The anti-ram fixture shall be continuous with reasonable breaks provided to allow for pedestrian access and compliance with the Americans with Disabilities Act, if applicable.]]~~

* * *

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 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:

James Eddie Kirtley



Sponsored by: Commissioner Barbara Jordan