

MEMORANDUM

Agenda Item No. 7(B)

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

DATE:

(Second Reading 5-7-13)
March 5, 2013

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

SUBJECT:

Ordinance relating to zoning;
amending Section 33-253 of the
Code to permit parking lots in the
Special Business (BU-2) zone
Ordinance No. 13-40

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



R. A. Cuevas, Jr.
County Attorney

RAC/jls

Memorandum



Date: May 7, 2013

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

From: Carlos A. Gimenez
Mayor

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

Subject: Ordinance Relating to Zoning; Amending Section 33-253 of the Code to Permit
Parking Lots in the Special Business (BU-2) Zone

The proposed ordinance amends Section 33-253 of the code and permits automobile parking lots in the Special Business (BU-2) zone. Implementation of this ordinance will not have a fiscal impact to the County.

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

Jack Osterholt
Deputy Mayor

Fis4413



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(B)

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(B)
5-7-13

ORDINANCE NO. 13-40

ORDINANCE RELATING TO ZONING; AMENDING SECTION 33-253 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA TO PERMIT PARKING LOTS IN THE SPECIAL BUSINESS (BU-2) ZONE; PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE

WHEREAS, automobile parking garages are a permitted use within Miami-Dade County's Special Business (BU-2) zone; and

WHEREAS, this Board recognizes that automobile parking lots serve the same benefit as parking garages and will not have a negative impact on the health, safety, or welfare of the citizens of the County,

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

Section 1. Section 33-253 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:¹

Sec. 33-253. - Uses permitted.

No land, body of water and/or structure shall be used or permitted to be used, and no structure shall be hereafter erected, constructed, reconstructed, moved, occupied or maintained for any purpose in any BU-2 District except for one (1) or more of the following uses:

* * * *

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.

(2) >>Automobile parking lots and garages as a primary use.<< Automobile parking garages, not over six (6) stories in height, shall be permitted provided they are not located closer than two hundred (200) feet to an RU-1, RU-2, RU-TH or EU District or to a hospital, church or building used for public assemblage. Automobile parking garages shall meet all open space, lot coverage and other applicable requirements of this article. >>Parking lots shall comply with all applicable off-street parking requirements as set forth in Article VII of this chapter and all applicable landscaping requirements as set forth in Chapter 18A of this code.<<

* * * *

Section 2. 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 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: May 7, 2013

Approved by County Attorney as to form and legal sufficiency:



Prepared by:

Dennis A. Kerbel

Prime Sponsor: Senator Javier D. Souto