

MEMORANDUM

Agenda Item No. 7(A)

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

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

FROM: Geri Bonzon-Keenan
Successor County Attorney

SUBJECT: Ordinance relating to zoning in
the unincorporated area;
amending section 33-279
of the Code; revising list of
allowable uses in the Agricultural
(AU) zoning district to include
sale of farm supplies and farm
machinery and implements,
together with sale of general
retail goods, subject to
administrative site plan review
and certain requirements and
limitations

Ordinance No. 20-122

The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor
Commissioner Daniella Levine Cava.



Geri Bonzon-Keenan
Successor County Attorney

GBK/uw

Memorandum



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", written over a light blue circular stamp.

Subject: Fiscal Impact Statement for Ordinance Relating to Zoning in the Unincorporated Area;
Agricultural Zoning District

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", written over a light blue circular stamp.

Jack Osterholt
Deputy Mayor

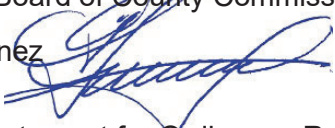
201695

Memorandum



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 in the Unincorporated Area—
Revising List of Allowable Uses in the Agricultural Zoning District

The proposed ordinance relating to Zoning amends Section 33-279 of the Code of Miami-Dade County (Code) to allow retail establishments, under certain conditions, to sell farm supplies, farm machinery/implements and general goods, subject to administrative site plan review, within the Agricultural (AU) Zoning District in the unincorporated area of Miami-Dade County.

The proposed ordinance is part of a series of updates to the County's Agriculture Zoning District that seek to provide additional uses that the agricultural/rural community may benefit from to diversify or supplement their business. Allowing this additional, expanded retail use will bring certain goods and services establishments closer to the agricultural community while maintaining the character of the agricultural area.

A handwritten signature in blue ink, appearing to read "Jack Osterholt", positioned above a horizontal line.

Jack Osterholt
Deputy Mayor

201695



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(A)

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(A)
11-19-20

ORDINANCE NO. 20-122

ORDINANCE RELATING TO ZONING IN THE UNINCORPORATED AREA; AMENDING SECTION 33-279 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; REVISING LIST OF ALLOWABLE USES IN THE AGRICULTURAL (AU) ZONING DISTRICT TO INCLUDE SALE OF FARM SUPPLIES AND FARM MACHINERY AND IMPLEMENTS, TOGETHER WITH SALE OF GENERAL RETAIL GOODS, SUBJECT TO ADMINISTRATIVE SITE PLAN REVIEW AND CERTAIN REQUIREMENTS AND LIMITATIONS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE

WHEREAS, the Agricultural (AU) zoning district in the unincorporated area of Miami-Dade County includes large and small farms, farm residences and homesteads, certain limited retail establishments which serve the agricultural community, and related uses; and

WHEREAS, the retail uses allowed in the Agricultural zoning district are limited to preserve the agricultural and rural character of the area, and the sale of general retail goods is usually not permitted; and

WHEREAS, this ordinance would allow a retail establishment to sell, under certain conditions, farm supplies and farm machinery and implements, together with a small amount of general retail goods to serve the residents of the agricultural area; and

WHEREAS, for example, such uses would only be permitted at or within one-quarter mile of the business nodes depicted on the Miami-Dade County Comprehensive Development Master Plan (CDMP) Land Use Plan Map along Krome Avenue, and only one such use would be allowed per business node; and

WHEREAS, in addition to these location restrictions, this ordinance also provides for: the maximum size of any such establishment; an allowance for outdoor display areas; certain required architectural elements; a minimum percentage of floor space that must be devoted to farm related products; and administrative site plan review and approval; and

WHEREAS, these requirements are designed to maintain the character of the agricultural area, while allowing this additional, expanded retail use to serve the residents of that area,

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

Section 1. The above recitals are incorporated in this ordinance and are approved.

Section 2. Section 33-279 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:¹

Sec. 33-279.- Uses permitted.

No land, body of water and/or structure shall be maintained, used or permitted to be used, and no structure shall be hereafter maintained, erected, constructed, moved, reconstructed or structurally altered or be permitted to be erected, constructed, moved, reconstructed or structurally altered for any purpose in an AU District which is designed, arranged, or intended to be used or occupied for any purpose other than the following:

* * *

>>(23) The sale of farm supplies and farm machinery and implements, together with general retail items, subject to the following requirements:

- (a) Administrative site plan review and approval pursuant to section 33-310.4 is required.
- (b) This use shall only be located:

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.

- (1) Along Krome Avenue;
 - (2) Within one-quarter mile of a business node depicted on the Comprehensive Development Master Plan Land Use Plan Map along Krome Avenue, as measured from the centerline of Krome Avenue and that of the intersecting streets at the core of such business node; and
 - (3) Contiguous with or inclusive of property identified as Business and Office on the Land Use Plan Map.
- (c) Only one such use, established as provided herein, shall be allowed per business node.
- (d) The use shall not exceed 22,000 square feet in an enclosed building, in addition to an outdoor display area as permitted herein, and 15,000 square feet of outdoor storage and sales, which shall be screened by a wall, metal picket fence or equivalent fence not to exceed eight feet in height.
- (e) An outdoor display area may be established subject to the following requirements:
 - (1) The outdoor display area is located under a roof overhang of an enclosed building;
 - (2) The display area shall abut one of the building's walls;
 - (3) The display area is limited to no greater than 30 percent of the lineal building frontage where the display area is located;
 - (4) Display items are within 10 feet of the building; and
 - (5) All accessible pedestrian circulation is maintained.
- (f) The sale of farm supplies, farm and garden equipment, animal feed, and farm machinery and implements shall account for at least 75 percent of the floor space of the sales area, including indoor and outdoor sales areas. The sale of general retail items, such as clothing, footwear, and other accessories, may account for the balance.
- (g) To retain the character of the initial development of the Redland, at least one architectural element from each of the following three categories of architectural elements typical of the "Frame Vernacular" style, which historically prevailed in the area, shall be required:

- (1) Roof or roof facade
 - a. Gable roof with standing seam metal;
 - b. Gable roof with wood or metal shingles; or
 - c. Shed roof with corrugated metal.
- (2) Exterior wall treatment
 - a. Stucco;
 - b. Corrugated metal; or
 - c. Wood clapboard.
- (3) Front porch under a minimum 6-foot roof overhang.<<

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:

November 19, 2020

Approved by County Attorney as
to form and legal sufficiency:



Prepared by:



Abbie Schwaderer-Raurell

Prime Sponsor: Commissioner Daniella Levine Cava