

MEMORANDUM

		Agenda Item No. 7(B)	
		(Second Reading 1-20-21)	
		October 6, 2020	
TO:	Honorable Chairman Jose "Pepe" Diaz and Members, Board of County Commissioners	DATE:	
FROM:	Geri Bonzon-Keenan Successor County Attorney	SUBJECT:	Ordinance relating to zoning in the unincorporated area; amending sections 33-1 and 33- 20 of the Code; defining self- service car air vacuum; authorizing self-service car air vacuums in connection with multi-family residential developments in certain zoning districts under certain conditions; making technical changes

Ordinance No. 21-5

The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Joe A. Martinez and Co-Sponsor Commissioner Audrey M. Edmonson.



Geri Bonzon-Keenan
Successor County Attorney

GBK/uw

Memorandum



Date: October 6, 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 the printed name.

Subject: Fiscal Impact Statement for Ordinance Relating to Zoning; Self-Service Car Air Vacuums

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 horizontal line.

Jack Osterholt
Deputy Mayor

FIS 00521 201958

Memorandum



Date: October 6, 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- Self-Service Car Air Vacuums in
Multi-Family Residential Developments

The proposed ordinance amends Sections 33-1 and 33-2 of the Code of Miami-Dade County (Code) defining and authorizing self-service car air vacuum facilities as an accessory structure/ ancillary use in multi-family residential developments in any district zoned RU-4, RU-4A, RU-4M, RU-5, Urban Center or Urban Ares, or Rapid Transit Zone under certain conditions.

These self-service car air vacuums are commonly found throughout Miami-Dade County, however the Code does not allow them to be installed in residential areas. Approval and implementation of the proposed ordinance will result in a convenient amenity for residents of multi-family developments by providing this service within said developments.

A handwritten signature in blue ink, appearing to read "J. Osterholt", written over a horizontal line.

Jack Osterholt
Deputy Mayor

201958



MEMORANDUM

(Revised)

TO: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

DATE: January 20, 2021

FROM: 
Gen Bonzon-Keenan
Successor 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
- ☐ 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(B)
1-20-21

ORDINANCE NO. 21-5

ORDINANCE RELATING TO ZONING IN THE UNINCORPORATED AREA; AMENDING SECTIONS 33-1 AND 33-20 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; DEFINING SELF-SERVICE CAR AIR VACUUM; AUTHORIZING SELF-SERVICE CAR AIR VACUUMS IN CONNECTION WITH MULTI-FAMILY RESIDENTIAL DEVELOPMENTS IN CERTAIN ZONING DISTRICTS UNDER CERTAIN CONDITIONS; MAKING TECHNICAL CHANGES; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

WHEREAS, self-service car air vacuums are commonly found at gas stations, convenience stores, and car washes throughout Miami-Dade County; and

WHEREAS, in some areas, these self-service car air vacuums are also installed in condominium and apartment building parking areas as an amenity for residents to vacuum the inside of their vehicles and pump air into their tires; and

WHEREAS, while these self-service car air vacuums are permitted in some localities, the County's zoning code applicable to the unincorporated area does not allow them to be installed in residential areas; and

WHEREAS, while self-service car air vacuums may not be appropriate in single-family and other low-density residential areas, they should be allowed in certain multi-family and higher-density districts, if appropriately placed and subject to certain conditions to ensure that they do not supplant required parking, impede traffic flow, or create visual blight in the surrounding area; and

WHEREAS, accordingly, this Board wishes to amend the zoning code to allow self-service car air vacuums in in any district zoned RU-4, RU-4A, RU-4M, RU-5, Urban Center or Urban Area, or Rapid Transit Zone, subject to conditions and limitations relating to the location, placement, use, visibility, and buffering of such vacuums,

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

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

Sec. 33-1. - Definitions.

For the purpose of this chapter, the following definitions for terms used herein shall apply to all sections of this chapter unless the context clearly indicates otherwise:

* * *

>>(92.2) Self-service car air vacuum. A self-service amenity that allows a user to vacuum the interior of a vehicle and that may also include a hose for a user to pump air into tires.<<

* * *

Section 2. Section 33-20 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:

Sec. 33-20. Accessory >>structures and ancillary uses<< [[~~buildings; utility sheds and pergolas; swimming pools; fallout shelters; boat storage; portable mini storage units; cargo container storage units.~~]]

* * *

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.

>>(n) Self-service car air vacuum. A self-service car air vacuum shall be permitted as an ancillary use in a multi-family residential development in any district zoned RU-4, RU-4A, RU-4M, RU-5, Urban Center or Urban Area, or Rapid Transit Zone, subject to the following conditions and limitations:

- (1) Each air vacuum shall be located in a parking lot or garage designated for use by residents of a multi-family building and not the general public.
- (2) Within the parking lot or garage, each air vacuum:
 - (a) shall be located adjacent to spaces designated for surplus or overflow parking only;
 - (b) shall not be placed so as to block access points to the parking lot or garage, impede traffic flow within the parking lot or garage, or block access to any parking spaces within the parking lot or garage required by this code; and
 - (c) shall not be located in or around parking spaces designated for handicapped or disabled persons.
- (3) Each air vacuum shall be located such that it is not visible from the street or from adjacent properties, or shall be appropriately buffered with landscaping, fencing, or a wall to ensure that it is obscured from view.<<

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:

January 21, 2021

Approved by County Attorney as
to form and legal sufficiency:



Prepared by:



James Eddie Kirtley

Prime Sponsor: Commissioner Joe A. Martinez
Co-Sponsor: Commissioner Audrey M. Edmonson