



September 18, 2018

RE: ADVISORY DETERMINATION OF USE – Accessory use photovoltaic systems

Issue

The City of South Miami wishes to encourage the use of accessory photovoltaic systems and confirm for property owners that such systems are allowed in all zoning districts when conforming to certain requirements.

Analysis

The City of South Miami controls the use and placement of buildings and structures on land through the establishment of zoning districts, as identified in the Land Development Code (LDC). Each zoning district, which includes residential, commercial, industrial, and mixed-use districts, has a list of permitted buildings, structures, businesses and activities (please see Section 20-3.3 *Permitted Use Schedule* of the LDC).

Accessory uses, which are subordinate and incidental to the main building or structure on a lot, are not, however, listed in the Schedule. Instead, proposed accessory uses are reviewed by the Planning and Zoning Department staff for compliance with LDC Section 20-3.6(l) *Accessory Structures or Uses*. The proposed use will be approved provided it meets the definition of an accessory use, complies with the requirements of Section 20-3.6(l), and the property is otherwise in compliance with the LDC provisions.

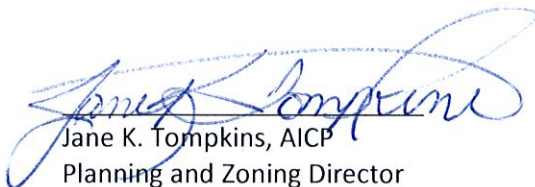
Determination

The Land Development Code does not list photovoltaic systems as either a primary or an accessory use. Systems that are incidental to the main building and in compliance with LDC Section 20-3.6(l) are treated as accessory structures and will be permitted by right in all zoning districts within the City of South Miami.

Authority

Pursuant to Section 20-1.19(B), the interpretation of the LDC and the application of regulations contained within it to any property shall be the responsibility of the Planning and Zoning Director.

Signed:



Jane K. Tompkins, AICP
Planning and Zoning Director