


MEMORANDUM

Agenda Item No. 7(C)

TO:	Honorable Chairwoman Audrey M. Edmonson and Members, Board of County Commissioners	DATE:	(Second Reading 1-22-20) October 3, 2019
FROM:	Abigail Price-Williams County Attorney	SUBJECT:	Ordinance relating to the fixed- guideway Rapid Transit System- Development Zone; amending Section 33C-2 of the Code; expanding the Brickell Subzone of the Rapid Transit Zone to encompass County property between SW 1st Avenue and SW 3rd Avenue and between SW 9th Street and SW 12th Street

The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Eileen Higgins.



Abigail Price-Williams
County Attorney

APW/lmp

Memorandum



Date: January 22, 2020

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

From: Carlos A. Gimenez
Mayor

A handwritten signature in black ink, appearing to read "Carlos A. Gimenez". The signature is written in a cursive style with a large, sweeping flourish at the end.

Subject: Fiscal Impact Statement for Ordinance Relating to the Fixed Guideway Rapid Transit System-Development Zone; Brickell Subzone

The implementation of this ordinance will not have a fiscal impact to Miami-Dade County as the proposed changes would not require additional staffing resources or operational costs.

A handwritten signature in black ink, appearing to read "Jack Osterholt". The signature is written in a cursive style with a large, sweeping flourish at the end.

for

Jack Osterholt
Deputy Mayor


FIS02020 192382

Memorandum



Date: January 22, 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 the Fixed-Guideway Rapid Transit System-Development Zone

The proposed ordinance relating to the Fixed-Guideway Rapid Transit System-Development Zone (RTZ) amends Section 33C-2 of the Code of Miami-Dade County (Code) expanding the Brickell Subzone of the RTZ to include County-owned property located between SW 1st Avenue and SW 3rd Avenue and between SW 9th Street and SW 12th Street.

On June 5, 2018, the Board adopted Ordinance No. 18-66 creating the Brickell Subzone of the RTZ, consisting of properties adjacent to the Brickell Metrorail Station and provided for the County to exercise land use regulatory jurisdiction over properties and procedures for zoning approval within the Brickell Subzone.

The proposed ordinance expands the Brickell Subzone of the RTZ to include additional County-owned properties located between SW 1st Avenue and SW 3rd Avenue and between SW 9th Street and SW 12th Street.

The proposed expansion aligns with the County's effort of intensifying land uses surrounding mass transit stations and corridors which in turn could result in additional housing and business opportunities. No other specific social equity or benefit can be determined at this time.



Jack Osterholt
Deputy Mayor

192382



MEMORANDUM
(Revised)

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

DATE: January 22, 2020

FROM: Abigail Price-Williams
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)
1-22-20

ORDINANCE NO. _____

ORDINANCE RELATING TO THE FIXED-GUIDEWAY RAPID TRANSIT SYSTEM-DEVELOPMENT ZONE; AMENDING SECTION 33C-2 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; EXPANDING THE BRICKELL SUBZONE OF THE RAPID TRANSIT ZONE TO ENCOMPASS COUNTY PROPERTY BETWEEN SW 1ST AVENUE AND SW 3RD AVENUE AND BETWEEN SW 9TH STREET AND SW 12TH STREET; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

WHEREAS, Ordinance No. 18-66 created the Brickell Subzone of the Rapid Transit Zone (RTZ), which consisted of properties adjacent to the Brickell Metrorail Station, provided for the County to exercise land use regulatory jurisdiction over properties within the Brickell Subzone, and provided procedures for zoning approval within the Brickell Subzone; and

WHEREAS, the County's Comprehensive Development Master Plan (CDMP) calls for the coordination of land uses and transportation facilities to, among other things, attract transit ridership, produce short trips, and minimize transfers; and

WHEREAS, providing for increased density and transit-oriented development adjacent to the County's existing mass transit system will increase ridership on the County's public transportation system and further the health, safety, order, convenience, prosperity and welfare of the present and future citizens of the County; and

WHEREAS, the CDMP calls for the highest level of development density and intensity within the urban area that includes the Brickell Metrorail Station; and

WHEREAS, Ordinance No. 18-66 created the boundaries of the Brickell Subzone, which included properties adjacent to the Brickell Metrorail Station; and

WHEREAS, as described in Exhibit A attached hereto, the County owns additional properties that are less than a 5-minute walk of the Brickell Subzone, separated from the Brickell Subzone by a single city block; and

WHEREAS, those County-owned properties, located at 201 SW 10 Street, 240 SW 9 Street, 945 SW 3 Avenue, and 929 SW 3 Avenue are currently subject to the City of Miami's land use regulations; and

WHEREAS, this Board seeks to expand the Brickell Subzone to include the County-owned properties,

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

Section 1. The foregoing recitals are incorporated into this ordinance and are approved.

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

Sec. 33C-2. Rapid Transit Zone.

* * *

(B) *Designation of lands included.* The Board of County Commissioners hereby designates all land areas (including surface, subsurface, and appurtenant airspace) shown on Exhibits 1 through 16, bearing the following effective dates: Exhibit 1, July 31, 1998, Exhibits 2 through 9 and Exhibits 11 through 16, July 13, 1979, Exhibit 10, May 26, 1983, Exhibit 17, February 13, 2014, Exhibit 18, ~~[[June 15, 2018]]~~ >>[insert effective date]<<, and Exhibit 19, August 3, 2018, certified by the Clerk of the Board as a portion of this

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.

chapter, incorporated hereby by reference, and transmitted to the custody of the Department of Regulatory and Economic Resources or its successor Department, as the Rapid Transit Zone for the Stage I Fixed - Guideway Rapid Transit System. The Director shall submit to each affected municipality an official map or maps designating the Rapid Transit Zone which may from time to time be altered, enlarged, added to, amended or deleted by ordinance, after a public hearing within each municipality affected.

* * *

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:

Approved by County Attorney as
to form and legal sufficiency:

APW

Prepared by:

JEM

Lauren E. Morse

Prime Sponsor: Commissioner Eileen Higgins

EXHIBIT A



Exhibit 18

RTZ - Brickell Subzone