

MEMORANDUM

Agenda Item No. 4(N)

TO: Honorable Chairman Anthony Rodriguez
and Members, Board of County Commissioners

DATE: May 5, 2026

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Ordinance relating to the Rapid Transit System-Development Zone; amending sections 33C-2, 33C-3.1, and 33C-3.3 of the Code; expanding the SMART Corridor Subzone of the Rapid Transit Zone to encompass certain private property in the vicinity of SW 30 Avenue and SW 28 Lane located within a quarter mile of a public transit station; providing procedures and criteria related to public benefits proffers to be provided to the County and allowances for certain development bonuses for certain properties; providing severability, inclusion in the code, and an effective date

The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Raquel A. Regalado.



Geri Bonzon-Keenan
County Attorney

GBK/gh

MDC001



MEMORANDUM
(Revised)

TO: Honorable Chairman Anthony Rodriguez
and Members, Board of County Commissioners

DATE: May 5, 2026

FROM: 
Gen Bonzon-Keenan
County Attorney

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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
- Requires more than a majority vote (i.e., 2/3's present ____, 2/3 membership ____, 3/5's ____, unanimous ____, majority plus one ____, CDMP 7 votes (majority of membership) ____, CDMP 2/3 members present but not less than 7 votes (majority of membership) ____, CDMP 9 votes (2/3 membership) _____) 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. 4(N)
5-5-26

ORDINANCE NO. _____

ORDINANCE RELATING TO THE RAPID TRANSIT SYSTEM-DEVELOPMENT ZONE; AMENDING SECTIONS 33C-2, 33C-3.1, AND 33C-3.3 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; EXPANDING THE SMART CORRIDOR SUBZONE OF THE RAPID TRANSIT ZONE TO ENCOMPASS CERTAIN PRIVATE PROPERTY IN THE VICINITY OF SW 30 AVENUE AND SW 28 LANE LOCATED WITHIN A QUARTER MILE OF A PUBLIC TRANSIT STATION; PROVIDING PROCEDURES AND CRITERIA RELATED TO PUBLIC BENEFITS PROFFERS TO BE PROVIDED TO THE COUNTY AND ALLOWANCES FOR CERTAIN DEVELOPMENT BONUSES FOR CERTAIN PROPERTIES; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

WHEREAS, among other objectives, Ordinance No. 22-106 created the SMART Corridor Subzone of the Rapid Transit Zone (RTZ), which consisted of properties within the SMART Corridor rights-of-way and certain delineated County-owned real properties, provided for the County to exercise land use regulatory jurisdiction over certain properties within the SMART Corridor Subzone, and provided procedures for zoning approval within the SMART Corridor 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, as described in Exhibit A attached hereto, there is a certain private property located at 3000 SW 28 Lane, currently identified by Folio Number 01-4116-038-0260, that is less than a quarter mile from the Coconut Grove Metrorail Station; and

WHEREAS, the private property owner of property located at 3000 SW 28 Lane, currently identified by Folio Number 01-4116-038-0260, has requested to be included within the SMART Corridor Subzone and under the County's exclusive regulatory jurisdiction pursuant to section 33C-3.3(H); and

WHEREAS, this Board seeks to expand the SMART Corridor Subzone to include the above identified private property and to designate such property as under the County's exclusive regulatory jurisdiction; and

WHEREAS, Section 33C-2(A)(3) of the County Code defines the "Rapid Transit Corridor Bicycle and Pedestrian Area" or "RTCBPA" as "County-owned land areas within the Rapid Transit Zone that are located underneath the fixed guideway structures and within the Metrorail corridor right-of-way, excluding lands within the Rapid Transit Corridor Station Areas"; and

WHEREAS, the RTCBPA partially includes an urban mobility corridor consisting of trails, greenways, and other amenities to be enjoyed and utilized by County residents and visitors; and

WHEREAS, residents living in properties located in close proximity to the RTCBPA may benefit from opportunities for recreation, exercise, fresh air, and community fellowship in or near their backyards; and

WHEREAS, for properties brought into the RTZ that are adjacent or proximate to the RTCBPA, proposed developments may bring large numbers of additional residents to the area, which may create impacts on the RTCBPA and other public infrastructure, including creating additional demands for maintenance and security of the area; and

WHEREAS, to offset such impacts, developers may wish to provide certain public benefits to the County, including funding for the long-term maintenance and security of the RTCBPA, to ensure that the County-owned land remains in a clean and safe condition for future residents of such developments; and

WHEREAS, this Board wishes to provide procedures and criteria related to public benefit proffers provided to the County related to the RTCBPA for such properties in connection with an application for special exception for a general development plan within the RTZ; and

WHEREAS, this Board wishes to allow for certain density and floor area ratio (FAR) bonuses to be authorized, in certain circumstances and pursuant to certain criteria, where an applicant proffers public benefits related to the RTCBPA; and

WHEREAS, in such circumstances, such proffer may be considered as a factor in whether to allow such properties to receive a bonus and if so, what bonus may be appropriate and proportional,

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

**Chapter 33C - RAPID TRANSIT SYSTEM—
DEVELOPMENT ZONE**

* * *

Sec. 33C-2. Rapid Transit Zone: definitions; designation of lands included; County jurisdiction; municipal services; occupational license taxes; municipal impact fees.

* * *

(B) *Designation of lands included in the Rapid Transit Zone.*

- (1) The Board of County Commissioners hereby designates, as necessary for the construction, operation, maintenance, and support of the County’s Rapid Transit System, and includes within the Rapid Transit Zone, all land areas (including surface, subsurface, and appurtenant airspace) shown on the following exhibits bearing the following effective dates, certified by the Clerk of the Board as a portion of this chapter, incorporated herein by reference, and transmitted to the custody of the Department: : 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, February 1, 2020; Exhibit 19, February 1, 2020; Exhibit 20, December 27, 2019; Exhibit 21, June 12, 2020; and Exhibit 22(A), October 13, 2023, and Exhibit 22(B), December 12, 2025, Exhibit 23, December 11, 2021; Exhibits 24-26, and 28-31 and 33, 34, ~~September 11, 2022~~, Exhibit 27, >>[insert effective date]<< ~~[[September 16, 2023]]~~; Exhibit 35, May 17, 2024; Exhibit 36, October 11, 2024; Exhibit 37, May 16, 2025; and Exhibit 38, September 13, 2025.

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) The Board of County Commissioners hereby designates as, and includes within, the Rapid Transit Zone all land areas (including surface, subsurface, and appurtenant airspace) located wholly or partially within one-half mile of each of the Smart Plan Corridors, or within one mile of the East-West Corridor, identified on Exhibit 32, September 11, 2022, subject to section 33C-3.3.

* * *

Sec. 33C-3.1. Standard procedures for RTZ subzones.

* * *

- (B) *Initial Review.* The first step in obtaining development approval pursuant to this chapter for uses other than those permitted uses allowed as of right pursuant to subsection 33C-3(B)(2) shall be the filing of an application for a special exception for a general development plan, in accordance with the following:

* * *

>>(5) Public benefits proffers for proposed developments in proximity to Rapid Transit Corridor Bicycle and Pedestrian Area. In connection with an application for a special exception for a property that is adjacent to, or within 500 feet of, the “Rapid Transit Corridor Bicycle and Pedestrian Area” or “RTCBPA”, as defined in Section 33C-2(A)(3), the applicant may submit, and the Board may accept, a proffer of public benefits to be provided to the County related to the RTCBPA, in accordance with the following procedures and criteria:

- (a) The proffer of public benefits to be provided to the County (“public benefits proffer”) may include, but is not limited to, funding to the County for the maintenance and security of the RTCBPA. In connection with an application for special exception, the applicant shall provide information related to the nexus and proportionality between its public benefits proffer and the impacts of the proposed development on, among other things, the RTCBPA and other

public infrastructure. Where an applicant is requesting a density or floor area ratio (FAR) bonus, the information provided shall also address the impacts of such bonus.

(b) When such a public benefits proffer is made and accepted, the Board may, in its discretion, authorize a density or FAR bonus for the proposed development in connection with approval of the application for a special exception, subject to the following:

(i) To be eligible, the applicant must request such bonus in writing as part of an application for special exception;

(ii) Where a proffer is made and the applicant has requested that the property be considered for a bonus, the Director shall provide a recommendation to the Board as to whether any such bonus is appropriate and, if so, the recommended amount of such bonus; and

(iii) In determining the appropriateness and amount of any bonus, the following factors, among others, may be considered: compatibility of the proposed development with neighboring uses, taking into account height, scale, size, and type of such neighboring uses; and the proportionate impact of the proposed development on the RTCBPA and other public infrastructure, including any bonus being requested, and how the development has proposed to address or mitigate such impacts, including through its public benefits proffer; and

(iv) In no event shall any bonus exceed the thresholds permitted by the CDMP.

(c) An applicant may proffer, and the Board may accept, such a public benefits proffer regardless of whether a bonus is requested or authorized.

(d) Nothing herein shall be deemed to: (i.) require an applicant to make a public benefits proffer related to the RTCBPA; (ii.) require the Board to accept such a proffer; or (iii.) entitle a proposed development to any density or FAR bonus.<<

* * *

Sec. 33C-3.3. SMART Corridor Subzone; additional permitted uses; development standards; review and approval procedures.

* * *

(H) *Jurisdiction over rights-of-way and County-owned and certain other properties within the SMART Corridor Subzone in incorporated and unincorporated areas.*

(1) Notwithstanding any provision to the contrary, the following shall be under the County’s exclusive regulatory jurisdiction pursuant to subsection 33C-2(C):

- (a) SMART Corridor rights-of-way; and
- (b) County-owned real properties in the incorporated and unincorporated areas meeting the qualifications set forth in this subsection (H) and designated private properties delineated in subsection (H) and shown on Exhibit 27, Exhibit 35, and Exhibit 37; and
- (c) The real properties shown on Exhibits 33 and 34.

* * *

(4) Subject properties.

- (a) This subsection (H) shall apply to a single property, or one or more contiguous or adjacent properties, that meet the following qualifications, regardless of whether such properties are specifically identified on the referenced exhibits or are partially located outside of the applicable boundaries:
 - (i) are owned by Miami-Dade County; and
 - (ii) are individually or collectively 0.5 acres or more in size; and
 - (iii) are located wholly or partially within one-half mile of each of the SMART Plan Corridors, or within one mile of the East-West Corridor, identified on Exhibit 32; and
 - (iv) are not excluded from the SMART Corridor Subzone pursuant to subsection (A) above.

- (b) Notwithstanding any provision to the contrary, this subsection (H) shall also apply to the selected properties identified on Exhibit 27, which are further identified by the following folio numbers: 01-4109-048-0010, 01-4120-045-0010, 01-4121-000-0010, 01-4121-005-0010, 01-4121-005-0030, 01-4121-006-0330, 01-4121-007-0610, 01-4121-007-0740, 01-4121-007-0860, 01-4121-007-0870, 01-4121-007-0880, 01-4121-007-0890, 09-4025-063-0010, 01-4121-004-0040, >>01-4116-038-0260<< and 09-4025-063-0040.

* * *

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:



Prepared by:



Lauren E. M. Alvarez
James Eddie Kirtley

Prime Sponsor: Commissioner Raquel A. Regalado

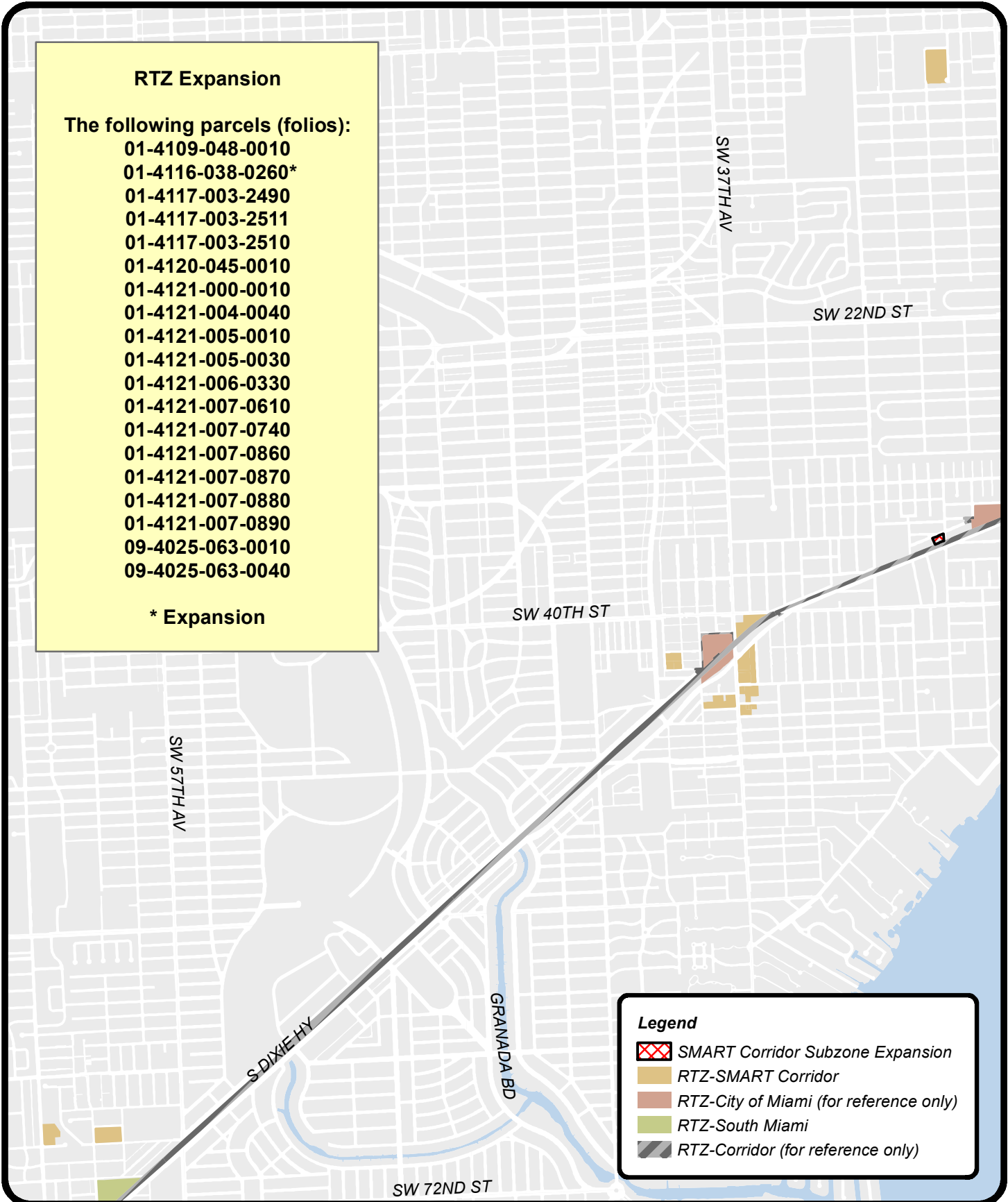
EXHIBIT 27

RTZ Expansion

The following parcels (folios):

- 01-4109-048-0010
- 01-4116-038-0260*
- 01-4117-003-2490
- 01-4117-003-2511
- 01-4117-003-2510
- 01-4120-045-0010
- 01-4121-000-0010
- 01-4121-004-0040
- 01-4121-005-0010
- 01-4121-005-0030
- 01-4121-006-0330
- 01-4121-007-0610
- 01-4121-007-0740
- 01-4121-007-0860
- 01-4121-007-0870
- 01-4121-007-0880
- 01-4121-007-0890
- 09-4025-063-0010
- 09-4025-063-0040

* Expansion



Legend

- SMART Corridor Subzone Expansion
- RTZ-SMART Corridor
- RTZ-City of Miami (for reference only)
- RTZ-South Miami
- RTZ-Corridor (for reference only)

□ Full scale maps are on file with the department

