

MEMORANDUM

Substitute
Agenda Item No. 4(K)

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

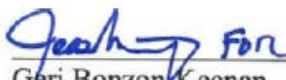
DATE: October 20, 2026

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Ordinance relating to zoning;
creating section 33-193.17 of the
Code; establishing notice
requirements of administrative
decisions on certain applications
relating to Workforce Housing
Development allowances

This substitute differs from the original in that the ordinance, which creates new notice requirements relating to certain applications for workforce housing allowances, has been clarified to only apply to applications for six units or less in the EU, RU-1, and RU-2 zoning districts. The substitute also clarifies that any appeal rights related to administrative approvals, as referenced in the ordinance, are pursuant to certain sections of the Code currently in effect today, and those appeal rights are not being expanded by this legislation. Lastly, the substitute provides that the requirements created by this ordinance shall only apply to applications filed on or after the effective date of the ordinance.

The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Natalie Milian Orbis.



Geri Bonzon-Keenan
County Attorney

GBK/uw



MEMORANDUM

(Revised)

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

DATE: October 20, 2026

FROM: 
Gen Bonzon-Keenan
County Attorney

Substitute
SUBJECT: Agenda Item No. 4(K)

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 _____

Substitute
Agenda Item No. 4(K)
10-20-26

ORDINANCE NO. _____

ORDINANCE RELATING TO ZONING; CREATING SECTION 33-193.17 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; ESTABLISHING NOTICE REQUIREMENTS OF ADMINISTRATIVE DECISIONS ON CERTAIN APPLICATIONS RELATING TO WORKFORCE HOUSING DEVELOPMENT ALLOWANCES; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

WHEREAS, certain zoning or development applications are reviewed administratively and are not brought before a Community Zoning Appeals Board or the Board of County Commissioners for review at a public hearing, absent an appeal; and

WHEREAS, for instance, section 33-193.7.1 of the Code of Miami-Dade County (the “Code”) provides that density bonuses for residential developments that provide workforce housing units may be approved through the Administrative Site Plan Review process under specified circumstances; and

WHEREAS, in addition, applications relating to reduced development standards, such as lot size, setbacks and increased lot coverages for workforce housing developments may also be approved administratively; and

WHEREAS, this type of administrative review process also applies in certain circumstances to requests for increased density or reduced development standards where, through the workforce housing program, a developer provides a payment in lieu to the County, but does not actually build workforce housing units on the property; and

WHEREAS, pursuant to section 33-311(A)(2) of the Code, aggrieved property owners in the area may >>currently<<¹ appeal certain administrative decisions to the appropriate Community Zoning Appeals Board; and

WHEREAS, pursuant to section 33-314 of the Code, certain types of administrative decisions may >>currently<< be appealed to the Board of County Commissioners; and

WHEREAS, it is imperative that property owners be informed of administrative decisions affecting the densities and development standards of proposed developments in their communities and of the right to appeal such decisions; and

>>**WHEREAS**, as explained above, the right to appeal such decisions currently exists in the Code today, and this ordinance would not expand such right to appeal; and<<

WHEREAS, such notice provides neighboring property owners with important information that may facilitate communication with the applicant about the nature of the proposed development in the community and help protect the community character of the neighborhood; and

WHEREAS, it is similarly important that County Commissioners are made aware of such proposed developments in their respective districts; and

WHEREAS, this Board wishes to establish requirements for notices of administrative decisions on certain applications relating to workforce housing allowances >>; and

WHEREAS, such notice requirements shall apply only to applications for six or fewer units in the EU, RU-1, and RU-2 zoning districts<<,

¹ The differences between the substitute and the original item are indicated as follows: Words stricken through and/or [[double bracketed]] are deleted, words underlined and/or >>double arrowed<< are added.

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

Section 1. The foregoing recitals are adopted and incorporated herein.

Section 2. Section 33-193.17 of the Code of Miami-Dade County, Florida, is hereby
created to read as follows:

**Sec. 33-193.17. Workforce Housing Development
Program; Notice of Administrative
Decisions and Appeals.**

The Director shall provide notice relating to Administrative Site Plan Review >>or other administrative zoning or site plan<< approval >>pursuant to this chapter<< of workforce housing applications >>for development of six units or less in any EU, RU-1, or RU-2 zoning district<< made pursuant to this article, including but not limited to any application for a density bonus, in accordance with the following:

- (A) The Director shall provide notice via United States mail to all property owners of record, as reflected on the Miami-Dade County Property Appraiser's tax roll as updated, within a 500-foot radius of the property that is the subject of the application. Such notices shall be mailed at least 15 days prior to the administrative approval.
- (B) The notice shall include the applicant's name, the application number, the property size, the property's location (including street address, if available), a general description of the development and density bonus or other request in the application, a statement explaining where information about the application and approval letter can be obtained electronically, and a statement that the Department intends to administratively approve the application.
- (C) The notice shall additionally state and make clear that, pursuant to >>sections 33-311(A)(2) and 33-314(B)(7)<< the Code, any aggrieved property owner in the area may appeal the decision of the Director approving an application to the appropriate Community Zoning Appeals Board or to the Board of County Commissioners, as applicable. Notwithstanding any provisions of this Code to the contrary,

appeals of Administrative Site Plan Review >>or other
administrative zoning or site plan approvals<< [[~~decisions~~]]
on workforce housing applications in accordance with this
section shall be made within 15 days after the date the
approval letter is posted on the application website.

- (D) The Director shall provide written notice to the County Commissioner in whose district the subject property lies. Such notice shall contain the same information as the notices required to be mailed to area property owners. Such notice shall be provided at least 15 days prior to the administrative approval.
- (E) At least 15 days prior to the administrative approval, the Department shall post on the subject property, in a manner conspicuous to the public, a sign or signs containing the same information as the mailed notices. The failure to provide this courtesy posting shall not affect any action or proceeding taken hereunder. The Director shall have the sole discretion to determine the number of posted signs under this subsection, considering, for example, the size and configuration of the property.
- >>(F) The provisions of this section 33-193.17 shall apply only to applications for Administrative Site Plan Review or other administrative zoning or site plan approval that are filed on or after [EFFECTIVE DATE OF THIS ORDINANCE].<<

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:

Handwritten signature in blue ink, appearing to read "JMM AL".

Prepared by:

Handwritten signature in black ink, appearing to be a stylized "A" or "S".

Cristina M. Rabionet
James Eddie Kirtley
Abbie Schwaderer-Raurell

Prime Sponsor: Commissioner Natalie Milian Orbis