

MEMORANDUM

Agenda Item No. 7(C)

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

DATE: (Second Reading: 10-6-22)
July 19, 2022

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Ordinance relating to the fixed-guideway Rapid Transit System-Development Zone; amending section 33C-2 of the Code; expanding the Metromover Subzone of the Rapid Transit Zone to encompass certain private property located between: (1) NE 2 Street and NE 1 Street and NE 3 Avenue and Biscayne Boulevard, (2) SW 9 Street and SW 10 Street and SW 1 Avenue and SW 2 Avenue, and (3) Brickell Avenue and Biscayne Bay and SE 12 Street and SE 13 Street

Ordinance No. 22-126

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


Geri Bonzon-Keenan
County Attorney

GBK/gh

Memorandum



Date: October 6, 2022

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

From: Daniella Levine Cava
Mayor

A handwritten signature in blue ink, reading "Daniella Levine Cava".

Subject: Fiscal Impact Statement for Ordinance Relating to the Fixed-Guideway Rapid Transit

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 "Jimmy Morales".

Jimmy Morales
Chief Operations Officer

Date: October 6, 2022

To: Honorable Chairman Jose “Pepe” Diaz
and Members, Board of County Commissioners

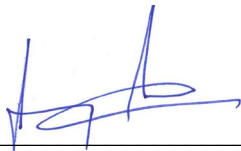
From: Daniella Levine Cava 
Mayor

Subject: Social Equity Statement for Ordinance Relating to the Rapid Transit System-
Development Zone - Establishing the Metromover Subzone

The proposed ordinance relating to the Rapid Transit System-Development Zone (RTZ) amends Chapter 33C-2 of the Code of Miami-Dade County (Code) and provides for more uniform coordination of the land use adjacent to existing and future transit facilities surrounding the Metromover Subzone of the Rapid Transit Zone (RTZ) to include three private properties (10 unique folio numbers).

When included as part of the Metromover RTZ, the land use, zoning, and permitting authority will be under the County’s jurisdiction. The expansion of the RTZ supports the County’s goals, objectives, and policies, for the coordination of land uses and transportation facilities to attract transit ridership, establish a more compact and efficient urban form and to promote the redevelopment of properties along existing and planned transit corridors and designated urban centers.

The proposed ordinance aligns with the County’s effort of establishing consistent land uses surrounding mass transit stations and corridors which in turn could result in additional housing and business opportunities in the vicinity of Metrorail and Metromover stations in the Brickell and West Brickell area. No other specific social equity or benefit can be determined at this time.



Jimmy Morales
Chief Operations Officer



MEMORANDUM

(Revised)

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

DATE: October 6, 2022

FROM: 
Gen Bonzon-Keenan
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)
10-6-22

ORDINANCE NO. 22-126

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 METROMOVER SUBZONE OF THE RAPID TRANSIT ZONE TO ENCOMPASS CERTAIN PRIVATE PROPERTY LOCATED BETWEEN: (1) NE 2 STREET AND NE 1 STREET AND NE 3 AVENUE AND BISCAYNE BOULEVARD, (2) SW 9 STREET AND SW 10 STREET AND SW 1 AVENUE AND SW 2 AVENUE, AND (3) BRICKELL AVENUE AND BISCAYNE BAY AND SE 12 STREET AND SE 13 STREET; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

WHEREAS, Ordinance No. 21-33 created the Metromover Subzone of the Rapid Transit Zone (RTZ), which consisted of properties adjacent to the Metromover rail line, provided for the County to exercise land use regulatory jurisdiction over properties within the Metromover Subzone, and provided procedures for zoning approval within the Metromover 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 Metromover Subzone; and

WHEREAS, as described in Exhibits 22(A) and 22(B) attached hereto, there are certain private properties that are less than a five-minute walk from a Metromover station; and

WHEREAS, the owners of private properties located at 100 Biscayne Boulevard, 130 Biscayne Boulevard, 136 Biscayne Boulevard, 316 NE 2 Street, 141 NE 3 Avenue, 180 SW 9 Street, 160 SW 9 Street, 955 SW 2 Ave, 1221 Brickell Avenue, and 1201 Brickell Bay Drive, have requested to be included within the Metromover Subzone; and

WHEREAS, this Board seeks to expand the Metromover Subzone to include the above identified private 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 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

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.

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; Exhibit 22(A), >>[insert effective date]<< ~~[[April 30, 2021, and]]~~ Exhibit 22(B), >>[insert effective date]<< ~~[[March 11, 2022]]~~; and Exhibit 23, December 11, 2021.

- (2) 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 of the Board of County Commissioners.

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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:

October 6, 2022

Approved by County Attorney as
to form and legal sufficiency:

GKS for GBK

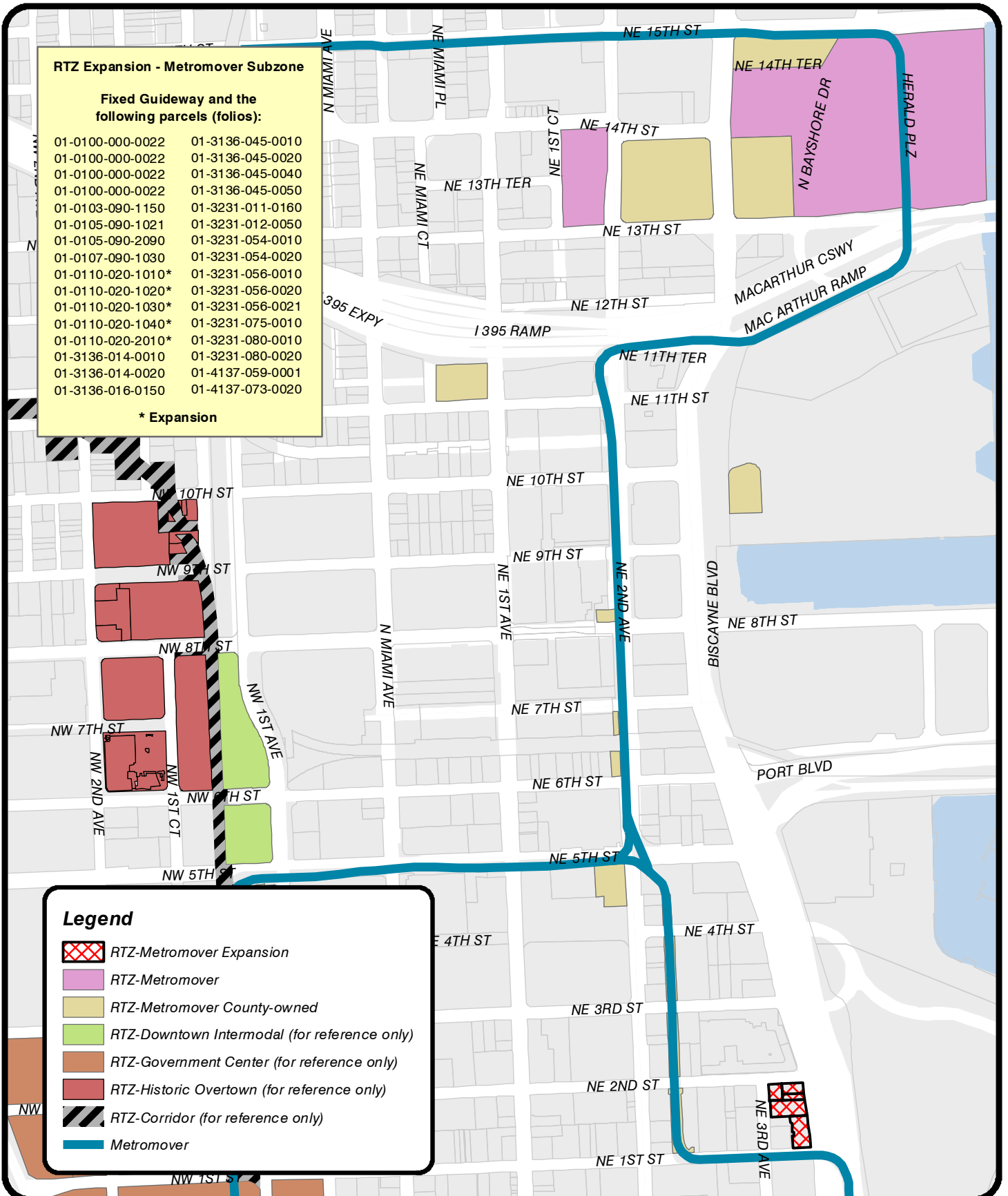
Prepared by:

JEM

Lauren E. Morse

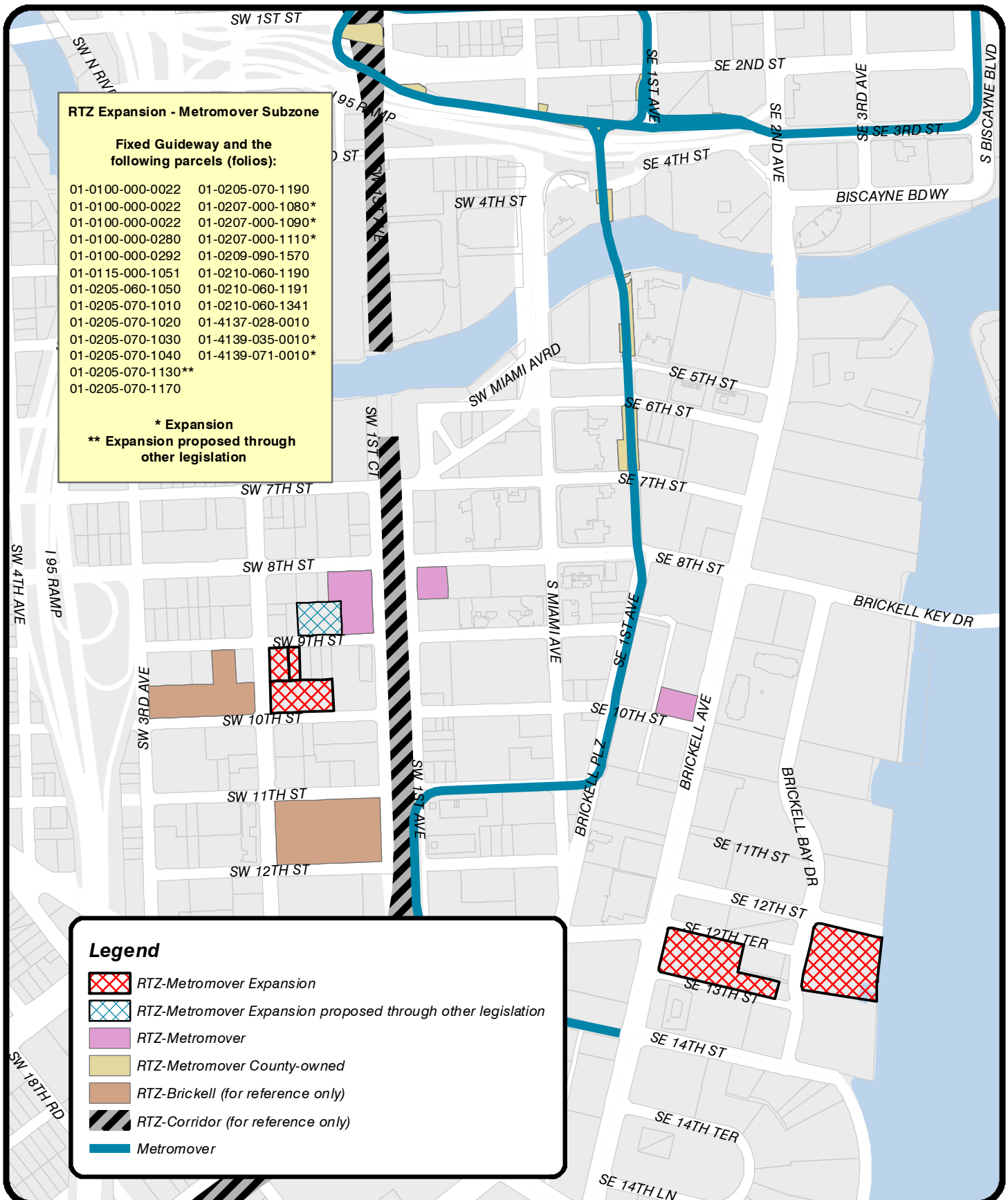
Prime Sponsor: Commissioner Eileen Higgins

EXHIBIT 22 (A)



✂ Full scale maps are on file with the department

EXHIBIT 22 (B)



✕Full scale maps are on file with the department

