

MEMORANDUM

Agenda Item No. 7(B)

TO: Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

DATE:

(Second Reading: 9-6-23)
June 21, 2023

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT:

Ordinance relating to zoning
in the unincorporated area;
amending section 33-196 of
the Code; revising
regulations and permitted
uses for properties located
outside the Urban
Development Boundary that
are zoned GU, Interim
District; providing zoning
regulations to implement
provisions in the
Comprehensive Development
Master Plan (CDMP) for
properties designated
terminals on the CDMP Land
Use Plan Map

Ordinance No. 23-64

The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor
Commissioner Juan Carlos Bermudez.



Geri Bonzon-Keenan
County Attorney

GBK/ks

Memorandum



Date: September 6, 2023

To: Honorable Chairman Oliver G. Gilbert III
and Members, Board of County Commissioners

From: Daniella Levine Cava
Mayor

A handwritten signature in blue ink that reads "Daniella Levine Cava".

Subject: Fiscal Impact Statement for Ordinance Relating to Revising Permitted Uses for Properties Outside UDB

The implementation of this Ordinance will not have a fiscal impact to Miami-Dade County.

A handwritten signature in blue ink, appearing to read "Jimmy Morales".

Jimmy Morales
Chief Operations Officer

Date: September 6, 2023

To: Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

From: Daniella Levine Cava
Mayor 

Subject: Social Equity Statement for Ordinance Relating to the Permitted Uses for Properties Designated as Terminals Located Outside of the UDB Within GU Districts

The proposed ordinance relating to permitted uses for properties designated as terminals located outside of the Urban Development Boundary (UDB) within GU Districts amends section 33-196 of the Code of Miami-Dade County Code and provides zoning regulations to implement provisions of the Comprehensive Development Master Plan (CDMP).

On March 16, 2023, the Board of County Commissioners adopted an amendment to the CDMP to redesignate certain lands from “Open Land” to “Terminals” and revised the CDMP Land Use Element to create the MIA Transport Hub as a freight trucking support and commercial vehicle storage facility. This CDMP amendment also required the codification of land development regulations for the contemplated uses by 2024. The proposed ordinance provides the required land development regulations consistent with the CDMP requirements.

The proposed regulations follow the requirements of the CDMP and require any contemplated uses to remain consistent with the CDMP; it also defines permissible ancillary uses, such as: shipping container storage, cargo transloading, truck repair and supportive services, personal service uses to support the truckers and workers and other similar uses. Additional provisions relating to landscaping, fencing, and buffering are also provided.

No other specific social equity benefit can be determined at this time.



Jimmy Morales
Chief Operations Officer



MEMORANDUM

(Revised)

TO: Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

DATE: September 6, 2023

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 7(B)

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(B)

9-6-23

ORDINANCE NO. 23-64

ORDINANCE RELATING TO ZONING IN THE UNINCORPORATED AREA; AMENDING SECTION 33-196 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; REVISING REGULATIONS AND PERMITTED USES FOR PROPERTIES LOCATED OUTSIDE THE URBAN DEVELOPMENT BOUNDARY THAT ARE ZONED GU, INTERIM DISTRICT; PROVIDING ZONING REGULATIONS TO IMPLEMENT PROVISIONS IN THE COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP) FOR PROPERTIES DESIGNATED TERMINALS ON THE CDMP LAND USE PLAN MAP; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

WHEREAS, trucks and other commercial vehicles play a vital role in the economy of Miami-Dade County, the State of Florida, and the entire nation by ensuring the expeditious transport of goods needed for everyday life, as well as business and industrial needs; and

WHEREAS, these commercial vehicles traverse the expressways and major roadways in Miami-Dade County, including Krome Avenue, which is located in the western part of the County outside the Urban Development Boundary (UDB); and

WHEREAS, Miami-Dade County continues to have a need for more parking and storage areas for such commercial vehicles in appropriate areas; and

WHEREAS, to help meet this need, on March 16, 2023, the Board adopted an amendment to the County's Comprehensive Development Master Plan (CDMP) to redesignate certain lands from "Open Land" to "Terminals" and revise the CDMP Land Use Element to create the MIA Transport Hub, a freight trucking support and commercial motor vehicle storage facility located outside the UDB and within a designated Urban Expansion Area (UEA); and

WHEREAS, as provided in the CDMP amendment, the MIA Transport Hub will provide a much-needed truck terminal consisting of uses directly supportive of the distribution and trans-shipment industry; and

WHEREAS, as provided in the referenced CDMP amendment, by 2024, Miami-Dade County is required to codify land development regulations to permit the uses contemplated and authorized in the amendment; and

WHEREAS, section 33-196 of the County Code provides for certain permitted uses on properties zoned GU, Interim District, depending on whether the property is located inside or outside of the UDB; and

WHEREAS, outside the UDB, section 33-196 currently provides that GU-zoned properties designated Agriculture on the CDMP Land Use Plan Map shall comply with the zoning requirements of the AU, Agricultural District, subject to certain exceptions, while properties designated Open Land or Environmental Protection shall be subject to trending, as provided in section 33-196(A), subject to certain exceptions; and

WHEREAS, this Board wishes to amend section 33-196 relating to permitted uses on GU-zoned properties located outside the UDB to implement the above-referenced CDMP amendment and provide additional allowances for commercial vehicle storage, and ancillary uses on such properties; and

WHEREAS, these regulations will apply to all properties designated Terminals on the Land Use Plan Map and located outside the UDB and within a UEA, including any such properties so designated in the future,

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

Section 1. Section 33-196 of the Code of Miami-Dade County, Florida is hereby amended to read as follows:¹

Sec. 33-196. Standards for determining zoning regulations to be applied to GU property.

* * *

- (C) *Outside the Urban Development Boundary.* All properties in the GU District, which are outside of the Urban Development Boundary >>(UDB)<< as shown on the Land Use Plan Map of the Comprehensive Development Master Plan >>(CDMP)<< and which have not been previously trended by the Department or otherwise approved through the public hearing process for a specific use, shall be governed by the following regulations:

* * *

>>(3) All properties designated Terminals on the Land Use Plan Map of the CDMP that are located outside of the UDB and within an Urban Expansion Area (UEA) may be developed in accordance with the following.

(a) Permitted uses shall be as follows:

(i) Truck parking and other commercial vehicle storage, as provided in the CDMP.

(ii) Subsequent to the establishment of truck parking and commercial vehicle storage, the following ancillary uses shall be permitted only in conjunction with such parking and storage:

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.

- (1) Vertical shipping container storage, as provided in the CDMP but no more than 65 feet in height;
 - (2) Cargo transloading, as provided in the CDMP;
 - (3) Ancillary truck services and support, as provided in the CDMP;
 - (4) Ancillary commercial and personal service uses that serve the needs of the truckers or workers, as provided in the CDMP; and
 - (5) Other similar ancillary uses, as determined by the Director.
- (b) Each property shall be connected to public water and public sanitary sewer facilities and, where applicable, development shall comply with wellfield protection and wetland basin plans and chapter 24, as provided in the CDMP.
- (c) Each property shall be developed with landscaped open space, as provided in the CDMP.
 - (1) Water bodies may be counted as part of the required landscaped open space, but such water areas shall not be credited for more than 20 percent of the required open space.
 - (2) Irrigation shall not be required so long as the designated open space is adequately maintained.
- (d) Notwithstanding any provision of this code to the contrary, a combination of landscaping and fencing, which may be wire or metallic, shall be permitted as a perimeter buffer when the adjacent property is vacant or developed with an industrial use.

- (e) Except as provided herein, each property to be developed with the uses provided in this paragraph (C)(3) shall apply the development standards applicable to properties zoned IU-1, as set forth in this chapter and chapter 18A.
- (f) All development permitted by this paragraph (C)(3) shall be subject to administrative site plan review pursuant to section 33-310.4.<<

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Section 2. 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 3. 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 4. 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:

September 6, 2023

Approved by County Attorney as
to form and legal sufficiency:

Prepared by:

James Eddie Kirtley
Dennis A. Kerbel

Prime Sponsor: Commissioner Juan Carlos Bermudez