

MEMORANDUM

Agenda Item No. 7(D)

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

DATE: July 6, 2023

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

Ordinance No. 23 - 50

A substitute was presented and forwarded to the BCC with a favorable recommendation at the 6-14-23 Transportation, Mobility and Planning Committee.

This substitute differs from the original version in that it adds an additional property to the Metromover RTZ, as shown on the revised exhibit and sixth whereas clause.

Rule 5.06(h) of the Board's Rules of Procedure provides that where double underlining and double strikethrough would not clearly show the differences between an original item and the substitute, comments may instead be provided. Pursuant to this rule, the preceding description of the differences between the original item and the substitute is provided in lieu of double underlining and double strike-through for this item.

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/jp

MDC001

Memorandum



Date: July 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 the Expanding the Metromover Subzone

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

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

Jimmy Morales
Chief Operations Officer

Memorandum



Date: July 6, 2023

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

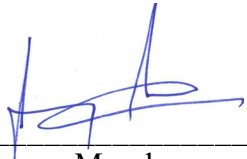
From: Daniella Levine Cava 
Mayor

Subject: Social Equity Statement for Ordinance Relating to the Rapid Transit System-
Development Zone – Adding property to 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 properties located at 128, 250, and 296 SW 7 Street, 201 SW 8 Street, 720 SW 2 Avenue, 74, 78, 84, and 88 SW 10 Street, 221, 229, and 231 SW 11 Street, 1013, 1015, and 1021 SW 1 Avenue, 848 Brickell Avenue, 2150 and 1260 Brickell Bay Drive.

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 downtown urban core. No other specific social equity or 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: July 6, 2023

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 7(D)

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(D)
7-6-23

ORDINANCE NO. 23 - 50

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; 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 Exhibit A attached hereto, there are certain private properties that are less than a ten-minute walk from the Metromover Subzone; and

WHEREAS, the private owners of properties located at 128 SW 7 Street, 250 SW 7 Street, 296 SW 7 Street, 201 SW 8 Street, 720 SW 2 Avenue, 74 SW 10 Street, 78 SW 10 Street, 84 SW 10 Street, 88 SW 10 Street, 221 SW 11 Street, 229 SW 11 Street, 231 SW 11 Street, 1013 SW 1 Avenue, 1015 SW 1 Avenue, 1021 SW 1 Avenue, 1250 Brickell Bay Drive, 848 Brickell Avenue, and 1260 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.

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(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; and Exhibit 22(A), October 16, 2022; Exhibit 22(B), ~~[[October 16, 2022]]~~ >>insert effective date<<; Exhibit 23, December 11, 2021; and Exhibits 24-31 and 33, September 1, 2022.

- (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.
- (3) 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.

* * *

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:

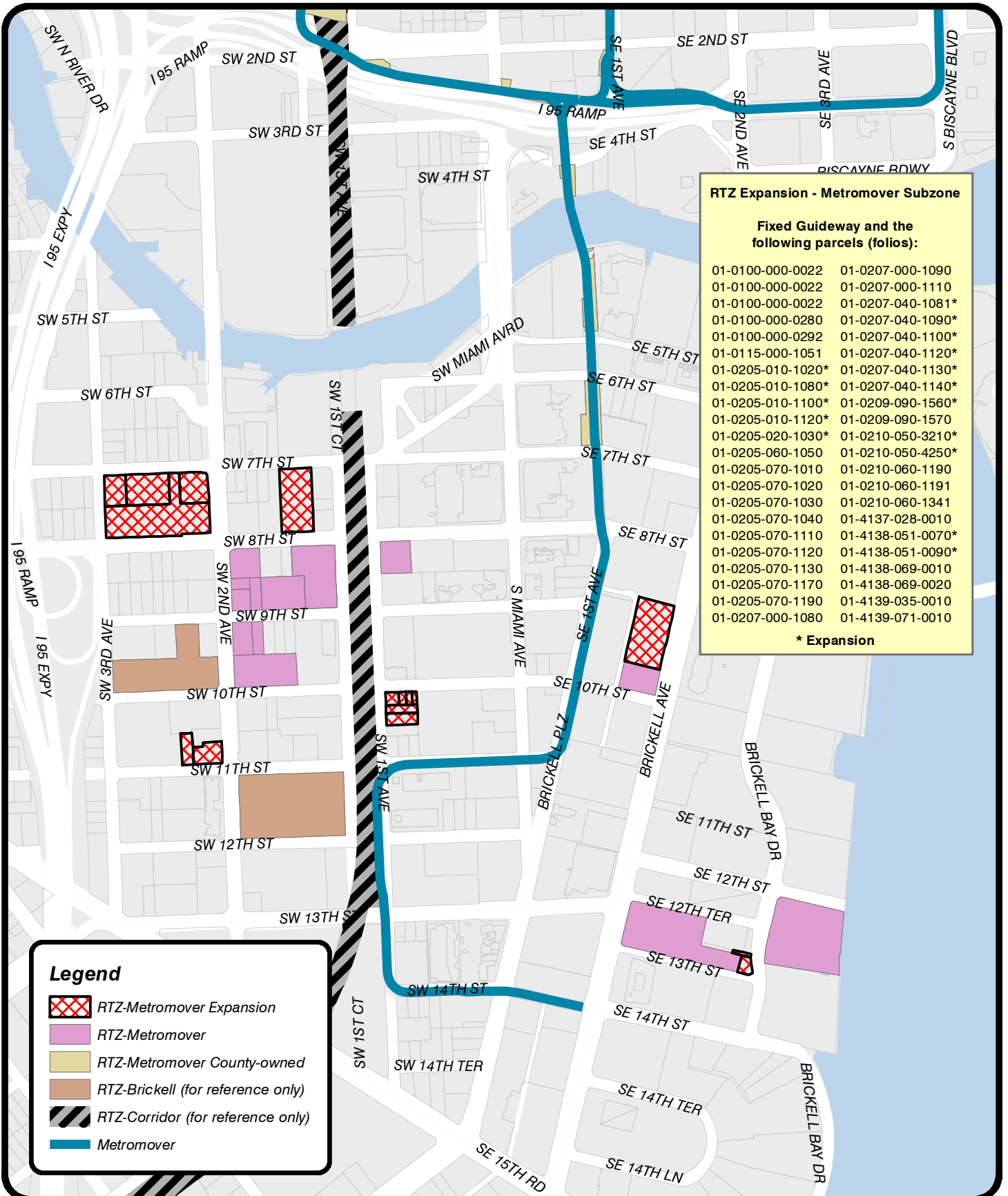
Lauren E. Morse



Prime Sponsor: Commissioner Eileen Higgins

EXHIBIT A

EXHIBIT 22 (B)



※Full scale maps are on file with the department