

MEMORANDUM

Agenda Item No. 11(A)(14)

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

DATE: July 6, 2023

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution directing the
County Mayor to file an
application to amend the
Comprehensive
Development Master Plan
("CDMP") on an expedited
basis to authorize additional
development bonuses for
voluntary conveyances of
land for right-of-way for
public transportation projects

Resolution No. R-662-23

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


Geri Bonzon-Keenan
County Attorney

GBK/ks



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. 11(A)(14)

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. 11(A)(14)
7-6-23

RESOLUTION NO. _____ R-662-23

RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO FILE AN APPLICATION TO AMEND THE COMPREHENSIVE DEVELOPMENT MASTER PLAN ("CDMP") ON AN EXPEDITED BASIS TO AUTHORIZE ADDITIONAL DEVELOPMENT BONUSES FOR VOLUNTARY CONVEYANCES OF LAND FOR RIGHT-OF-WAY FOR PUBLIC TRANSPORTATION PROJECTS

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, to that end, the CDMP and the County's land development regulations provide for increased density and transit-oriented development adjacent to the County's existing mass transit system, to 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, certain projects to implement the public transportation system, such as the SMART Plan's Kendall Corridor and other corridors, require acquisition of rights-of-way, whether through conveyances of fee simple title or easements, by the County or other local, state, or federal agencies; and

WHEREAS, such public projects frequently rely on willing sellers agreeing to convey the required land rather than resorting to potentially more costly eminent domain procedures; and

WHEREAS, to facilitate voluntary conveyances of rights-of-way necessary for public transportation projects, this Board wishes to provide additional development bonuses beyond those already provided for transit-oriented developments; and

WHEREAS, such bonuses may include, without limitation, allowing for additional residential density and floor area ratio (“FAR”) by providing that any land beyond the already required minimum right-of-way dedications that is voluntarily conveyed can continue to be included in maximum density and FAR calculations and can also be included in calculations of required open space; and

WHEREAS, authorizing additional development bonuses requires an amendment to the CDMP; and

WHEREAS, section 2-116.1 of the Code authorizes this Board to direct the filing of an application to amend the CDMP; and

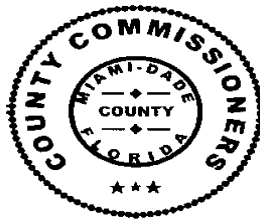
WHEREAS, this Board wishes to consider an amendment to the CDMP to effectuate the above-referenced changes,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that the County Mayor or County Mayor’s designee is directed to file an application, on an expedited basis, to amend the CDMP to authorize additional development bonuses for properties that voluntarily convey additional right-of-way for projects related to the public transportation system.

The Prime Sponsor of the foregoing resolution is Commissioner Raquel A. Regalado. It was offered by Commissioner **Eileen Higgins**, who moved its adoption. The motion was seconded by Commissioner **Anthony Rodriguez** and upon being put to a vote, the vote was as follows:

Oliver G. Gilbert, III, Chairman	aye		
Anthony Rodríguez, Vice Chairman	aye		
Marleine Bastien	aye	Juan Carlos Bermudez	aye
Kevin Marino Cabrera	aye	Sen. René García	absent
Roberto J. Gonzalez	aye	Keon Hardemon	aye
Danielle Cohen Higgins	aye	Eileen Higgins	aye
Kionne L. McGhee	aye	Raquel A. Regalado	absent
Micky Steinberg	aye		

The Chairperson thereupon declared the resolution duly passed and adopted this 6th day of July, 2023. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the Board.



MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

JUAN FERNANDEZ-BARQUIN, CLERK

By: Basia Pruna
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

A handwritten signature in dark ink, appearing to be "DK", written over a horizontal line.

Dennis A. Kerbel