

MEMORANDUM

Agenda Item No. 14(A)(4)

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

DATE: October 17, 2023

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution directing the County Mayor to conduct a charrette for the agricultural community in the Redland and around Krome Avenue to consider (1) allowing for expanded agritourism activities and other appropriate uses and (2) defining the boundaries of the Redland; directing the County Mayor to provide a report

Resolution No. R-939-23

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Danielle Cohen Higgins.



Geri Bonzon-Keenan
County Attorney

GBK/uw



MEMORANDUM

(Revised)

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

DATE: October 17, 2023

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 14(A)(4)

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. 14(A)(4)
10-17-23

RESOLUTION NO. R-939-23

RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO CONDUCT A CHARRETTE FOR THE AGRICULTURAL COMMUNITY IN THE REDLAND AND AROUND KROME AVENUE TO CONSIDER (1) ALLOWING FOR EXPANDED AGRITOURISM ACTIVITIES AND OTHER APPROPRIATE USES AND (2) DEFINING THE BOUNDARIES OF THE REDLAND; DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO PROVIDE A REPORT

WHEREAS, Miami-Dade County's Comprehensive Development Master Plan ("CDMP") contains numerous policies regarding the preservation of agriculture, including:

- Policy LU-1P, which provides that, "while continuing to protect and promote agriculture as a viable economic activity, Miami-Dade County shall explore and may authorize alternative land uses in the South Dade agricultural area which would be compatible with agricultural activities and associated rural residential uses, and which would promote ecotourism and agritourism related to the area's agricultural and natural resource base . . .";
- Policy LU-8C, which requires the County, "[t]hrough its planning, . . . regulatory and [other] activities, . . . [to] continue to protect and promote agriculture as a viable economic use of land in Miami-Dade County"; and
- the Interpretation of the Land Use Plan Map policy providing, in the areas with a CDMP designation of "Agriculture," that: "[t]he principal uses in this area should be agriculture, uses ancillary to and directly supportive of agriculture and farm residences"; that "[u]ses ancillary to and directly supportive of agriculture are defined as those uses related to preserving, processing, packaging or selling of agricultural

products from Florida (except that wineries may utilize imported products for winemaking), and farm supplies, as well as sale and service of farm machinery and implements”; that “[u]ses that are directly supportive of agriculture but not ancillary to an on-site agricultural use may occur in this area where it can be demonstrated that the use is primarily addressing a need of the local agricultural industry or that the use significantly furthers agritourism to the agricultural area”; and that, “to protect the agricultural industry, uses incompatible with agriculture, and uses and facilities that support or encourage urban development are not allowed in this area”; and

WHEREAS, section 570.85, Florida Statutes, defines “agritourism activity” as “any agricultural related activity consistent with a bona fide farm, livestock operation, or ranch or in a working forest which allows members of the general public, for recreational, entertainment, or educational purposes, to view or enjoy activities, including farming, ranching, historical, cultural, civic, ceremonial, training and exhibition, or harvest-your-own activities and attractions ... [and] [a]n activity is an agritourism activity regardless of whether the participant paid to participate in the activity”; and

WHEREAS, section 570.85, Florida Statutes, expressly provides that it “does not limit the powers and duties of a local government to address substantial offsite impacts of agritourism activities or an emergency as provided in chapter 252”; and

WHEREAS, section 570.86, Florida Statutes, further specifies that an agritourism activity does not include “the construction of new or additional structures or facilities intended primarily to house, shelter, transport, or otherwise accommodate members of the general public,” and thus such structures and facilities are not subject to the statutory exemptions provided for nonresidential farm buildings, farm fences, or farm signs; and

WHEREAS, pursuant to Resolution No. R-423-22, this Board approved an Agricultural Lands Study to determine the amount of land necessary to maintain an economically viable agricultural industry, and that study is anticipated to be completed this fall; and

WHEREAS, in addition, southern Miami-Dade County has experienced significant residential growth; and

WHEREAS, the Redland has long been known for its quiet and simple way of life; and

WHEREAS, while supporting agritourism and residential development in southern Miami-Dade County, this Board also wishes to help preserve the Redland; and

WHEREAS, having an official boundary of the Redland could aid this Board in future planning and development decisions; and

WHEREAS, to further support the Redland and the County's agricultural community while also recognizing the significant increase in new residents in the area, this Board wishes to engage the agricultural community in the Redland and around Krome Avenue for a charrette, to consider allowing for expanded agritourism activities that would include the ability to construct new structures and uses that provide for a form of agritourism but that are not ancillary to an agricultural use on the same property and to consider such other uses as the community may consider appropriate; and

WHEREAS, this Board also wishes for the charrette to use the results of the Agricultural Lands Study to consider defining the boundaries of the Redland, which shall be based on a consideration of the appropriate balance of agriculture, agritourism, and residential housing for the Redland; and

WHEREAS, holding a charrette and preparing a charrette report would provide interested persons with an opportunity to contribute to a vision for this area; and

WHEREAS, the charrette report would make recommendations to influence the form and character of future development in this area, and may lead to further action, such as the preparation of an area planning report pursuant to sections 2-116.2 through 2-116.11 of the Code of Miami-Dade County, Florida, an amendment to the CDMP, or changes to the zoning regulations for the area,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:

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

Section 2. This Board directs the County Mayor or County Mayor's designee to conduct a charrette for the agricultural community in the Redland and around Krome Avenue. The charrette shall be concluded within 90 days of the effective date of this resolution and shall consider the following matters:

- allowing for expanded agritourism activities that would include the ability to construct new structures and uses that provide for a form of agritourism but that are not ancillary to an agricultural use on the same property, as well as allowing for such other uses as the community may consider appropriate; and
- defining the boundaries of the Redland, which shall be based on the results of the Agricultural Lands Study and on a consideration of the appropriate balance of agriculture, agritourism, and residential housing for the Redland.

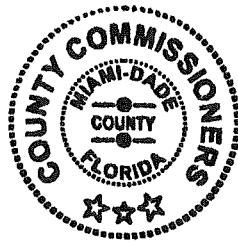
Section 3. This Board directs the County Mayor or County Mayor's designee to prepare a written report regarding the charrette required by section 2 of this resolution. The report shall summarize the discussions held during the charrette and identify the key take-aways of those discussions. The report shall also make recommendations to influence the form and character of future development in this area and shall identify any recommended further action, such as the

preparation of an area planning report pursuant to sections 2-116.2 through 2-116.11 of the Code of Miami-Dade County, Florida, an amendment to the CDMP, or changes to the zoning regulations for the area. The County Mayor or County Mayor's designee shall provide the report to this Board within 180 days of the conclusion of the charrette, and place the completed report on an agenda of the full Board without committee review pursuant to Rule 5.06(j) of the Board's Rules of Procedure.

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

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

The Chairperson thereupon declared the resolution duly passed and adopted this 17th day of October, 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.

Dennis A. Kerbel
Christopher J. Wahl