

MEMORANDUM

Agenda Item No. 7(B)
(Second Reading: 10-1-24)
May 7, 2024

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

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Ordinance relating to the Rapid
Transit System-Development
Zone; amending sections 33C-2
and 33C-3.3 of the Code;
expanding the Smart Corridor
Subzone of the Rapid Transit
Zone to encompass certain
private properties within a
quarter mile of the Culmer
Metrorail Station

Ordinance No. 24-109

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


Geri Bonzon-Keenan
County Attorney

GBK/gh

Memorandum



Date: October 1, 2024

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 Rapid Transit Zone in the area of the Culmer Metrorail Station

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 Operating Officer

Memorandum



Date: October 1, 2024

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

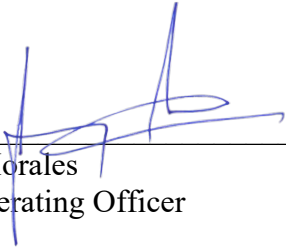
From: Daniella Levine Cava 
Mayor

Subject: Social Equity Statement for Ordinance Relating to the Rapid Transit System-
Development Zone – Adding property to the SMART Corridor Subzone (Culmer
Metrorail Station)

The proposed ordinance relating to the Rapid Transit System-Development Zone (RTZ) amends Chapter 33C-2 of the Code of Miami-Dade County (Code) to include the private properties located at 1136 NW 8 Avenue and 1157 NW 11 Street Road. The subject properties are located approximately 250 feet from the Culmer Metrorail Station, which is designated as a Community Urban Center on the Land Use Plan.

This type of development implements the Comprehensive Development Master Plan (CDMP), which calls for the coordination of land uses and transportation facilities to increase transit ridership and reduce traffic congestion. Furthermore, the expansion of the RTZ supports the County's goals, objectives, and policies, to 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.

When included as part of the SMART Corridor RTZ, land use, zoning, and permitting authority will be under the County's jurisdiction. 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 stations in the downtown urban core.


Jimmy Morales
Chief Operating Officer



MEMORANDUM

(Revised)

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

DATE: October 1, 2024

FROM: 
Glen 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 ____, majority plus one ____, 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) ____, 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)
10-1-24

ORDINANCE NO. 24-109

ORDINANCE RELATING TO THE RAPID TRANSIT SYSTEM-DEVELOPMENT ZONE; AMENDING SECTIONS 33C-2 AND 33C-3.3 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; EXPANDING THE SMART CORRIDOR SUBZONE OF THE RAPID TRANSIT ZONE TO ENCOMPASS CERTAIN PRIVATE PROPERTIES WITHIN A QUARTER MILE OF THE CULMER METRORAIL STATION; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

WHEREAS, among other objectives, Ordinance No. 22-106 created the SMART Corridor Subzone of the Rapid Transit Zone (RTZ), which consisted of properties within the SMART Corridor rights-of-way and certain delineated County-owned real properties, provided for the County to exercise land use regulatory jurisdiction over properties within the SMART Corridor Subzone, and provided procedures for zoning approval within the SMART Corridor 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, as described in Exhibit A attached hereto, there are certain private properties that are within a quarter mile of the RTZ Corridor and the Culmer Metrorail Station; and

WHEREAS, the private property owner of properties located at 1136 NW 8 Avenue and 1157 NW 11 Street Road, has requested to be included within the SMART Corridor Subzone; and

WHEREAS, this Board seeks to expand the SMART Corridor 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: definitions; designation of lands included; County jurisdiction; municipal services; occupational license taxes; municipal impact fees.

* * *

(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 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 13, 2023, and Exhibit 22(B), July 16, 2023, Exhibit 23, December

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.

11, 2021; Exhibits 24-26, 28-31, 33, and 34, September 11, 2022, ~~[[and]]~~ Exhibit 27, September 16, 2023 >>and Exhibit 36, insert effective date<<.

- (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.

* * *

Section 3. Section 33C-3.3 of the Code of Miami-Dade County, Florida is hereby amended to read as follows:

Sec. 33C-3.3. SMART Corridor Subzone; additional permitted uses; development standards; review and approval procedures.

* * *

(H) *Jurisdiction over rights-of-way and County-owned and certain other properties within the SMART Corridor Subzone in incorporated and unincorporated areas.*

- (1) Notwithstanding any provision to the contrary, the following shall be under the County's exclusive regulatory jurisdiction pursuant to subsection 33C-2(C):
 - (a) SMART Corridor rights-of-way; and
 - (b) County-owned real properties in the incorporated and unincorporated areas meeting the qualifications set forth in this subsection (H) and designated private properties delineated in subsection (H) and shown on Exhibit 27 >>and Exhibit 36<<; and
 - (c) The real properties shown on Exhibits 33 and 34.

* * *

(4) Subject properties.

* * *

(b) Notwithstanding any provision to the contrary, this subsection (H) shall also apply to the selected properties identified on Exhibit 27, which are further identified by the following folio numbers: 01-4109-048-0010, 01-4120-045-0010, 01-4121-000-0010, 01-4121-005-0010, 01-4121-005-0030, 01-4121-006-0330, 01-4121-007-0610, 01-4121-007-0740, 01-4121-007-0860, 01-4121-007-0870, 01-4121-007-0880, 01-4121-007-0890, 09-4025-063-0010, 01-4121-004-0040, ~~[[and]]~~ 09-4025-063-0040, >>, and Exhibit 36<<.

* * *

Section 4. 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 5. 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 6. 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 1, 2024

Approved by County Attorney as
to form and legal sufficiency:

GKS for GBK

Prepared by:

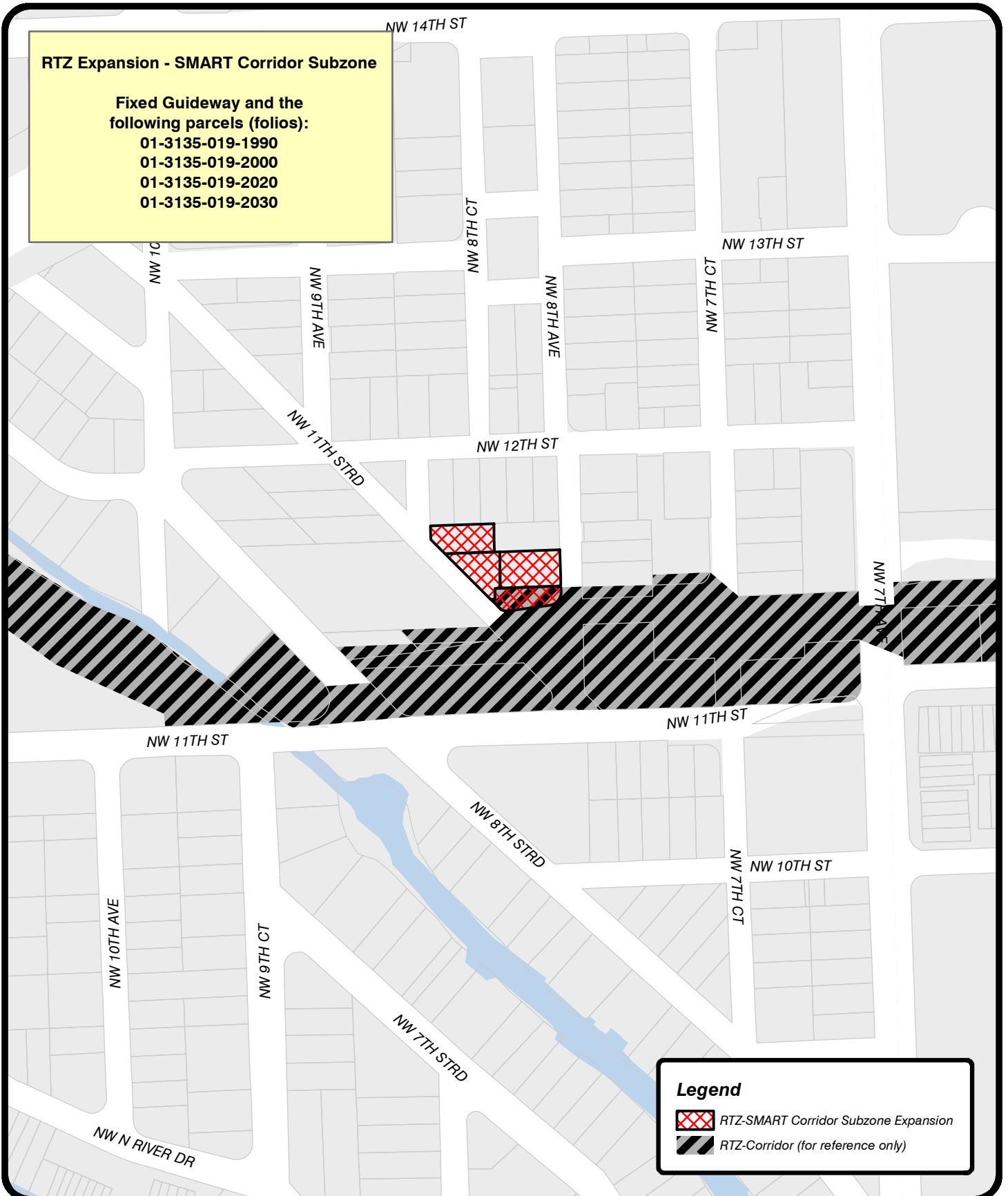
JEM

Lauren E. Morse

Prime Sponsor: Commissioner Keon Hardemon

EXHIBIT A

EXHIBIT 36



※Full scale maps are on file with the department

