

MEMORANDUM

Agenda Item No. 5(D)

TO: Honorable Chairman Anthony Rodriguez
and Members, Board of County Commissioners

DATE: (Public Hearing: 2-4-25)
January 22, 2025

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Ordinance relating to the Rapid
Transit System-Development
Zone; amending section 33C-2 of
the Code; amending the
Metromover Subzone of the
Rapid Transit Zone to remove
property located at
approximately Brickell Bay
Drive and Southeast 14th Street

Ordinance No. 25-8

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/uw



MEMORANDUM

(Revised)

TO: Honorable Chairman Anthony Rodriguez
and Members, Board of County Commissioners

DATE: February 4, 2025

FROM: 
Glen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 5(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 ____, 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. 5(D)
2-4-25

ORDINANCE NO. 25-8

ORDINANCE RELATING TO THE RAPID TRANSIT SYSTEM-
DEVELOPMENT ZONE; AMENDING SECTION 33C-2 OF THE
CODE OF MIAMI-DADE COUNTY, FLORIDA; AMENDING
THE METROMOVER SUBZONE OF THE RAPID TRANSIT
ZONE TO REMOVE PROPERTY LOCATED AT
APPROXIMATELY BRICKELL BAY DRIVE AND
SOUTHEAST 14TH STREET; PROVIDING SEVERABILITY,
INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

WHEREAS, on February 21, 2024, Miami-Dade County exercised its legislative discretion to adopt Ordinance No. 24-16 adding 15 parcels to the Metromover Subzone of the Rapid Transit Zone (RTZ); and

WHEREAS, the County wishes to exercise its legislative discretion to remove folio number 01-0210-050-2240 from the Metromover Subzone and the RTZ; and

WHEREAS, Section 33C-3.1 of the Code provides the standard procedures for RTZ subzones and the rezoning of properties that had previously been legislatively added to an RTZ subzone; and

WHEREAS, property owners must submit an application for a special exception for a general development plan for the RTZ standards to be applicable to their property, which begins with a pre-application conference with the Regulatory and Economic Resources Department (RER); and

WHEREAS, after the pre-application conference with RER, property owners must next apply for the special exception, which requires a public hearing before this Board, and various technical reviews and recommendations of such applications by various County departments; and

WHEREAS, section 33C-5(B) of the Code provides that until a property owner has received a special exception zoning approval after public hearing, properties remain subject to the applicable County or municipal zoning district regulations that existed prior to the inclusion of the property into the RTZ; and

WHEREAS, while the property owners have participated in a pre-application conference with RER, the property has not yet received a special exception from County; and

WHEREAS, even if the property owners submit an application for a special exception in the near future, the public hearing for a special exception to apply the Metromover RTZ standards has not yet occurred on folio number 01-0210-050-2240 nor has the County received an application for such public hearing as of January 9, 2025; and

WHEREAS, accordingly, the standards that apply currently to this property are the City of Miami's applicable zoning standards; and

WHEREAS, if removed from the Metromover RTZ, the property will continue to be governed by the City of Miami's applicable zoning standards; and

WHEREAS, Exhibit 22(B), which is referenced in the Code, depicts the parcels that are included in the Metromover RTZ; and

WHEREAS, the revised Exhibit 22(B) attached as an exhibit hereto reflects the removal of folio number 01-0210-050-2240 from the map,

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; Exhibit 22(A), October 13, 2023, Exhibit 22(B), [~~March 2, 2024~~] >>insert effective date<<, Exhibit 23, December 11, 2021; and Exhibits 24-26, 28-31, and 34, September 11, 2022, Exhibit 27, September 16, 2023; Exhibit 35, May 17, 2024, Exhibit 33, July 12, 2024; >>and<< Exhibit 36, October 11, 2024.

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.

- (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. 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:

February 4, 2025

Approved by County Attorney as
to form and legal sufficiency:

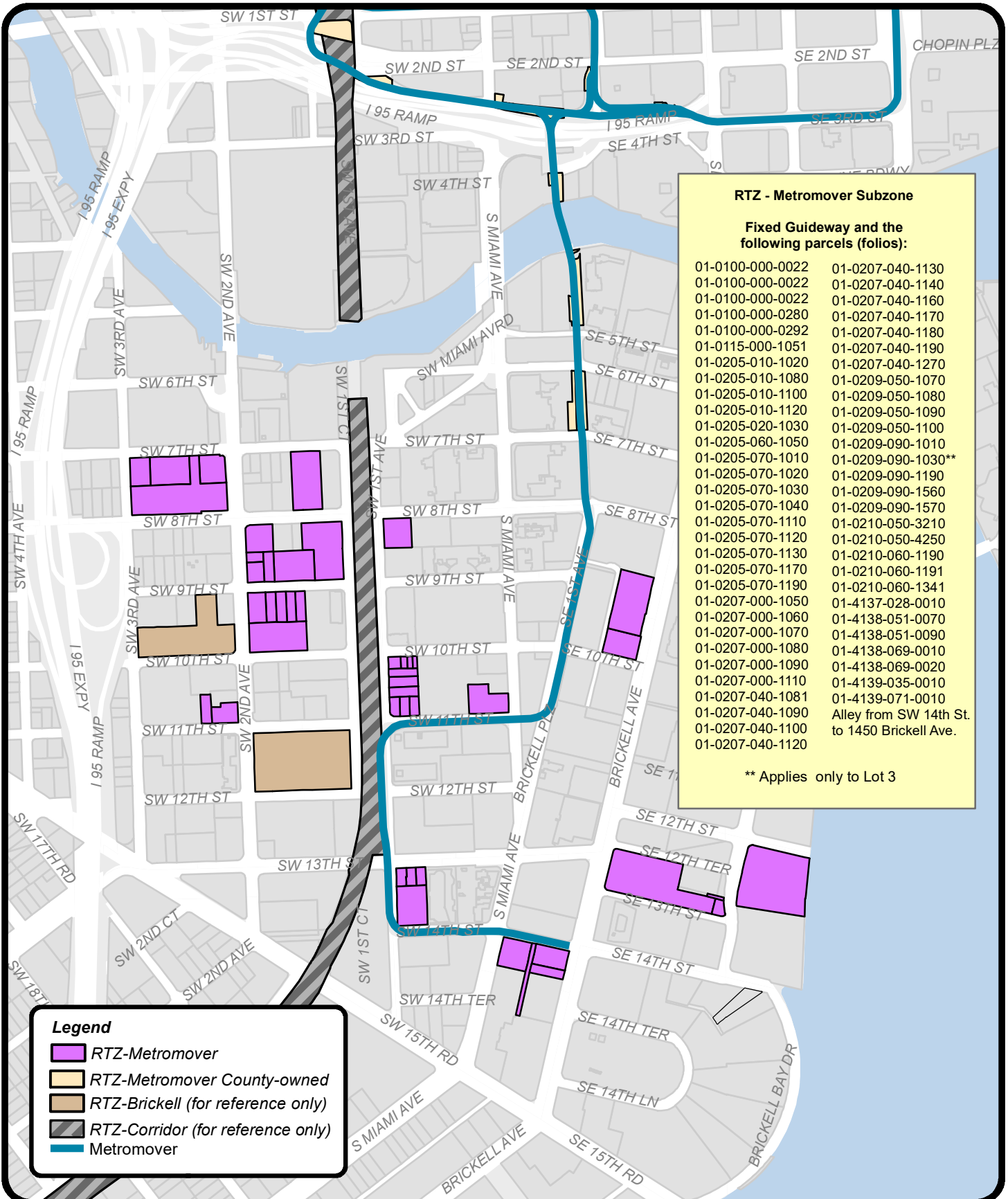
Prepared by:

Lauren E. Morse
Abbie Schwaderer-Raurell

MAG for GBK
JEM

Prime Sponsor: Commissioner Eileen Higgins

EXHIBIT 22 (B)



Full scale maps are on file with the department

MDC007

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MIAMI-DADE
COUNTY
DEVELOPMENT
SERVICES

08.01.2025