

MEMORANDUM

Agenda Item No. 5(A)

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

DATE: (Public Hearing: 5-6-25)
March 4, 2025

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Ordinance relating to airport
zoning regulations in the
incorporated and unincorporated
areas; amending section 33-333
of the Code; revising prohibited
uses in the Critical Approach
Zone (CAZ) for Miami-Dade
County airports to allow certain
emergency care facilities to be
established within the CAZ;
revising definitions

Ordinance No. 25-37

The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Kevin Marino Cabrera.



Geri Bonzon-Keenan
County Attorney

GBK/gh



MEMORANDUM

(Revised)

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

DATE: May 6, 2025

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 5(A)

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(A)

5-6-25

ORDINANCE NO. 25-37

ORDINANCE RELATING TO AIRPORT ZONING REGULATIONS IN THE INCORPORATED AND UNINCORPORATED AREAS; AMENDING SECTION 33-333 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; REVISING PROHIBITED USES IN THE CRITICAL APPROACH ZONE (CAZ) FOR MIAMI-DADE COUNTY AIRPORTS TO ALLOW CERTAIN EMERGENCY CARE FACILITIES TO BE ESTABLISHED WITHIN THE CAZ; REVISING DEFINITIONS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

WHEREAS, on November 19, 2019, this Board adopted Ordinance No. 19-112, which revised the County’s airport zoning regulations set forth in article XXXVII of chapter 33 of the County Code, including the regulations pertaining to designated restriction zones established for each of the County’s airports and their surrounding areas; and

WHEREAS, the Runway Protection Zone (RPZ), a trapezoidal area centered about the extended runway centerline beginning 200 feet beyond the end, and the Outer Safety Zone (OSZ), a trapezoidal area extending outward from the RPZ to a point that is 5,200 feet from the runway end, are two of the most critical zones where certain uses are restricted or prohibited; and

WHEREAS, a third zone, known as the Critical Approach Zone (CAZ), is a trapezoidal area extending a greater distance outward from the RPZ to a point that is 10,200 feet from the runway end and, thus, farther from the airport than either the RPZ or OSZ; and

WHEREAS, the airport zoning code currently prohibits in these most critical areas certain uses that typically involve the gathering or attendance of large numbers of people for extended

periods of time, including schools, hospitals, religious facilities, auditoriums, and theaters, while permitting certain other uses such as aviation-related schools, hotels, and motels and their ancillary uses; and

WHEREAS, among the uses currently prohibited in the CAZ are stand-alone emergency rooms and urgent care facilities; and

WHEREAS, while these uses may share in common with hospitals the treatment and care of ill and infirm persons, stand-alone emergency rooms and urgent care facilities are not of the same scale as hospitals and do not involve the assemblage of large numbers of people in the same way; and

WHEREAS, there is a need for stand-alone emergency rooms and urgent care facilities in our community and this Board wishes to provide additional flexibility for these facilities to be established without the need for a variance from the airport regulations; and

WHEREAS, providing such additional flexibility is in furtherance of the public interest and will benefit the residents and visitors of Miami-Dade County by allowing for the establishment of additional stand-alone emergency rooms and urgent care facilities to treat ill and infirm persons in proximity to the County's airports; and

WHEREAS, accordingly, this Board wishes to amend the County's airport zoning regulations to accomplish these ends,

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:

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

Section 2. Section 33-333 of the Code of Miami-Dade County is hereby amended to read as follows:¹

Sec. 33-333. Land Use Compatibility and Height/Airspace Regulations; Nonconforming Uses; Disclosures.

(A) *Land Use Compatibility Regulations.* The objective of these land use compatibility regulations is to guide incompatible land uses away from airport environs and to encourage compatible land uses to locate around airport facilities. The land use compatibility regulations contained herein seek to address the impact of aircraft operations on surrounding uses, to safeguard the quality of life in the surrounding communities while increasing the efficiency of airports as economic generators. The following regulations shall apply to land uses occurring within the designated restriction zones established for the respective County airports and surrounding areas, as depicted on each airport's land use and noise compatibility restriction zones map:

(1) *Land use compatibility restriction zones:*

* * *

(c) *Critical Approach Zone (CAZ):* The Critical Approach Zone (CAZ) is a trapezoidal area extending outward from the RPZ to a point that is 10,200 feet from the runway end. The following uses shall be prohibited within this zone:

(i) Hospitals, [~~stand-alone emergency rooms, urgent care facilities~~], skilled nursing facilities, assisted living facilities, adult day care facilities, day nurseries, and educational facilities, excluding aviation-related schools. In no event shall the prohibition on educational facilities be varied.

* * *

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.

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:

May 6, 2025

Approved by County Attorney as
to form and legal sufficiency:



Prepared by:



James Eddie Kirtley

Prime Sponsor: Commissioner Kevin Marino Cabrera