

MEMORANDUM

Agenda Item No. 5(E)

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

DATE: (Public Hearing: 6-26-25)
May 6, 2025

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Ordinance relating to the Rapid
Transit Zone (RTZ) Zoning
District; amending section 33C-2
of the Code; providing for
procedures and processes related
to the payment and collection of
impact fees within municipalities

Ordinance No. 25-56

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



Geri Bonzon-Keenan
County Attorney

GBK/jp

Memorandum



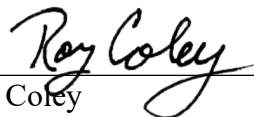
Date: June 26, 2025

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

From: Daniella Levine Cava 
Mayor

Subject: Fiscal Impact Statement for Ordinance Relating to the Rapid Transit Zone
(RTZ) Zoning District – Payment and Collection of Impact Fees within
Municipalities

The implementation of this ordinance is not anticipated to have a fiscal impact on the County.



Roy Coley
Chief Utilities and Regulatory Services Officer

Memorandum



Date: June 26, 2025

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

From: Daniella Levine Cava 
Mayor

Subject: Social Equity Statement for Ordinance Relating to the Rapid Transit Zone (RTZ) Zoning District – Payment and Collection of Impact Fees within Municipalities

The proposed ordinance amends section 33C-2 of the Code of Miami-Dade County (Code) to provide for procedures and processes related to payment and collection of impact fees for new developments in municipalities. The ordinance establishes formal procedures for the verification, receipt, and transfer of municipal impact fees applicable to development within the Rapid Transit Zone (RTZ) when located inside municipal boundaries.

Miami-Dade County exercises regulatory jurisdiction over the RTZ, including properties located within municipalities. While the County has the authority to review development applications within the RTZ, municipal governments may also impose non-duplicative impact fees to mitigate infrastructure and service demands generated by new development.

Section 33C-2 of the County Code currently acknowledges that municipal impact fees may apply within municipalities, provided they are not duplicative of County-imposed impact fees. The proposed ordinance authorizes the RER Director to either verify that municipal impact fees have been paid upon receipt of written confirmation or documentation from the respective municipality or, at the Director's discretion, receive the applicant's payment and hold it in escrow or another approved method for the benefit of the respective municipality.

The proposed ordinance provides for the efficient review of development applications by clarifying the options available to both the County and municipal governments in collecting impact fees, resulting in a positive social impact.

A handwritten signature in black ink, reading "Roy Coley", written over a horizontal line.

Roy Coley
Chief Utilities and Regulatory Services Officer



MEMORANDUM

(Revised)

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

DATE: June 26, 2025

FROM: 
Glen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 5(E)

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(E)
6-26-25

ORDINANCE NO. 25-56

ORDINANCE RELATING TO THE RAPID TRANSIT ZONE (RTZ) ZONING DISTRICT; AMENDING SECTION 33C-2 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; PROVIDING FOR PROCEDURES AND PROCESSES RELATED TO THE PAYMENT AND COLLECTION OF IMPACT FEES WITHIN MUNICIPALITIES; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

WHEREAS, pursuant to the County’s power to carry on a central metropolitan government and to, among other things, provide for and operate rail and bus terminals and public transportation systems and prepare and enforce comprehensive plans for the development of the County, and in furtherance of the purposes of better coordinating land uses and transportation facilities and other purposes set forth in chapter 33C of the Code of Miami-Dade County (County Code), the County exercises regulatory and other jurisdiction over the Rapid Transit Zone (RTZ) Zoning District including within incorporated areas; and

WHEREAS, section 33C-2 of the County Code related to the RTZ Zoning District currently provides that, “[t]he uses provided in this chapter shall, where established within a municipality, be subject to payment of impact fees established by municipal ordinance and collected by a municipality for such uses, to the extent such municipal impact fees are not duplicative of impact fees collected by Miami-Dade County, as may be amended”; and

WHEREAS, thus, it is currently contemplated that within a municipality, where the County exercises regulatory jurisdiction over RTZ zoned properties, the payment of a municipality's impact fees is required, provided that such fees are non-duplicative; and

WHEREAS, municipalities, like the County, calculate the dollar amounts of impact fees that are owed for a particular development, through application of the respective local government's code, which may include formulas and mathematical calculations, based on the particular development; and

WHEREAS, this ordinance is intended to clarify processes and procedures related to the payment of municipal impact fees,

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

Section 1. The foregoing recitals are hereby incorporated as if fully set forth herein.

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.

(A) *Definitions.* Terms used throughout this article shall take their commonly accepted meaning unless otherwise defined in Chapters 18A, 28, or 33. Terms requiring interpretation specific to this article are as follows:

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.

- (1) “Rapid Transit Zone” consists of all land area, including surface, subsurface, and appurtenant airspace, designated in this section as necessary for the construction, operation, maintenance and support of the County's Rapid Transit System.
- (2) “Rapid Transit Corridor Station Areas” or “RTCSAs” consist of County-owned land areas within the Rapid Transit Zone that are used for bus lanes, station sites, parking areas for public transit system, or maintenance shop facilities.
- (3) “Rapid Transit Corridor Bicycle and Pedestrian Area” or “RTCBPA” consists of County-owned land areas within the Rapid Transit Zone that are located underneath the fixed guideway structures and within the Metrorail corridor right-of-way, excluding lands within the Rapid Transit Corridor Station Areas.
- (4) “Department” shall be as defined in Section 33-1.
- (5) “DERM” means the “Department” defined in Section 24-5.
- (6) “Director” shall be as defined in Section 33-1.

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(F) *Reservation of municipal impact fees.*

The uses provided in this chapter shall, where established within a municipality, be subject to payment of impact fees established by municipal ordinance and collected by a municipality for such uses, to the extent such municipal impact fees are not duplicative of impact fees collected by Miami-Dade County, as may be amended.

>>(1) The Director may verify that such municipal impact fees have been paid, upon receipt of written confirmation or documentation from the respective municipality that all such municipal impact fees have been paid.

- (2) In the alternative, the Director may, in the Director's discretion, receive an applicant's proffered payment of municipal impact fees, to be held in escrow, in trust, or through another method or means acceptable to the Director, to be held for the benefit of the respective municipality. These provisions shall be deemed to authorize, but not obligate, the Director to receive an applicant's proffered payment of municipal impact fees, in the Director's discretion, and any receipt of municipal impact fees pursuant to this subsection shall be in a form acceptable to the Director. In addition, any receipt by the County of municipal impact fees pursuant to this subsection shall also be contingent upon the applicant executing a hold harmless and indemnification agreement in favor of Miami-Dade County, in a form prescribed by the Director. After receipt of such municipal impact fees, the Director shall advise the respective municipality, and at the municipality's request, the Director shall transfer the collected municipal impact fees to the municipality. In the event that a municipality declines or refuses to accept such transfer, the Director may seek to deposit such funds with an appropriate third party entity, including, but not limited to, a court of competent jurisdiction, and in the event that the Director determines that a full or partial refund is required pursuant to all applicable law, the Director may effectuate such required refund.<<

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.

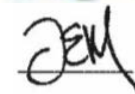
Section 4. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any sunset provision, shall become and be made a part of the Code of Miami-Dade County, Florida. The sections of this ordinance may be renumbered or relettered 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:

June 26, 2025

Approved by County Attorney as
to form and legal sufficiency:

Prepared by:

Lauren E. Morse
Abbie Schwaderer Raurell

Prime Sponsor: Commissioner Raquel A. Regalado