

MEMORANDUM

Amended
Agenda Item No. 7(A)

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

DATE: (Second Reading: 5-6-25)
January 22, 2025

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Ordinance relating to the Rapid
Transit System-Development
Zone; amending chapter 33C-2
and 33C-3.3 of the Code;
expanding the SMART Corridor
Subzone of the Rapid Transit
Zone to encompass certain
private property in the vicinity of
NW 37 Avenue and NW 36
Street located within a half mile
of a public transit station

Ordinance No. 25-47

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



Geri Bonzon-Keenan
County Attorney

GBK/smm

Memorandum



Date: May 6, 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 Expansion of SMART Corridor Subzone

The implementation of this Ordinance will not have a fiscal impact to Miami-Dade County. Through the coordination of land uses for increased density and transit-oriented development adjacent to existing mass transit systems, more transit ridership and expansion of transportation revenue could potentially be realized.

A handwritten signature in black ink that reads "Roy Coley". The signature is written in a cursive, flowing style.

Roy Coley
Chief Utilities and Regulatory Services Officer

Date: May 6, 2025

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

From: Daniella Levine Cava *Daniella Levine Cava*
Mayor

Subject: Social Equity Statement for Ordinance Relating to the Rapid Transit System-
Development Zone - Revising Regulations to Encompass Certain Private
Property in the Vicinity of NW 37 Avenue and NW 36 Street

The proposed ordinance amends chapters 33C-2 and 33C-3.3 of the Code of Miami-Dade County (Code) to amend the SMART Corridor Subzone of the Rapid Transit Zone (RTZ) to encompass certain private property in the vicinity of NW 37 Avenue and NW 36 Street located within half mile of a public transit station.

On September 1, 2022, the Board adopted Ordinance No. 22-106 creating the SMART Corridor Subzone of the Rapid Transit Zone (RTZ). The proposed ordinance to expand the SMART Corridor Subzone of the RTZ emphasizes Miami-Dade County's commitment to equitable development and enhanced public transportation accessibility. By including private properties in the vicinity of NW 37 Avenue and NW 36 Street within the SMART Corridor Subzone, the County seeks to facilitate transit-oriented development (TOD) that aligns with the Comprehensive Development Master Plan (CDMP). This action promotes higher density near transit hubs, thereby increasing transit ridership and offering residents greater access to employment, housing, and essential services.

It is anticipated that the subject site's proximity to the East-West SMART Plan Corridor and the Hialeah Market Tri-Rail Station will provide several transit options to residents and workers on the site. In addition, the site is partially within the jurisdictional boundaries of the City of Miami and Unincorporated Miami-Dade County which creates an obstacle for efficient land development. Expanding the RTZ will provide for the application of consistent zoning regulations on the entire site.

The ordinance addresses the CDMP's objective of integrating land use with transportation to attract transit ridership, produce shorter trips, and minimize transfers. By promoting TOD, this initiative is expected to benefit both local and regional transit systems. This Code amendment will facilitate the development of additional residential density and commercial development adjacent to the mass transit system.



Roy Coley
Chief Utilities and Regulatory Services Officer



MEMORANDUM
(Revised)

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

DATE: May 6, 2025

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Amended
Agenda Item No. 7(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 Amended
Veto _____ Agenda Item No. 7(A)
Override _____ 5-6-25

ORDINANCE NO. 25-47

ORDINANCE RELATING TO THE RAPID TRANSIT SYSTEM-DEVELOPMENT ZONE; AMENDING CHAPTER 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 PROPERTY IN THE VICINITY OF NW 37 AVENUE AND NW 36 STREET LOCATED WITHIN A HALF MILE OF A PUBLIC TRANSIT 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 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, located at 3685 NW 36 Street, 3647 NW 36 Street, 3701 NW 36 Street, and 3711 NW 36 Street, that are less than a half mile from the East-West SMART Plan Corridor and the Hialeah Market Tri-Rail Station; and

WHEREAS, increased density and transit-oriented development in this location is anticipated to increase both Tri-Rail ridership and ridership on the County's mass transit system, and to further the health, safety, order, convenience, prosperity of residents of the County; and

WHEREAS, the City of Miami, the City of Hialeah and Miami-Dade County all provide density bonuses in the general area for transit-oriented development; and

WHEREAS, several linkages between the County's mass transit system and the Tri-Rail system, which serves the tri-county area of Miami-Dade, Broward, and Palm Beach, exist, including transfer stations at the Miami Intermodal Center and downtown near Government Center Station; and

WHEREAS, County staff has opined that ridership increases in Tri-Rail result in ridership increases in the County's mass transit system; and

WHEREAS, increasing ridership for mass transit trains, both for the County's mass transit system and the regional Tri-Rail system, is expected to make it easier and more convenient for more individuals to use mass transit trains, thus magnifying the benefits of mass transit for our community; and

WHEREAS, the private property owners of properties located at 3685 NW 36 Street, 3647 NW 36 Street, and other contiguous properties identified by folio numbers 01-3121-000-1491 and 30-3121-000-1505, and 3701 NW 36 Street, 3711 NW 36 Street, 3715 NW 36 Street, and other contiguous properties identified by folio numbers 01-3120-018-0522, 30-3120-018-0562, 30-

3120-018-0572, and 30-3120-018-0602, have requested to be included within the SMART Corridor Subzone and under the County's exclusive regulatory jurisdiction pursuant to section 33C-3.3(H)(1); and

WHEREAS, for the properties at 3685 NW 36 Street, which is in the unincorporated municipal area, and 3647 NW 36 Street, which is in the City of Miami, the private property owner has represented that it may wish to develop the adjacent properties under a single, unified site plan; and

WHEREAS, this Board seeks to expand the SMART Corridor Subzone to include the above identified private properties and to designate such properties as under the County's exclusive regulatory jurisdiction,

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. Chapter 33C of the Code of Miami-Dade County, Florida is hereby amended to read as follows:¹

**Chapter 33C - RAPID TRANSIT SYSTEM—
DEVELOPMENT ZONE**

* * *

Sec. 33C-2. Rapid Transit Zone: definitions; designation of lands included; County jurisdiction; municipal services; occupational license taxes; municipal impact fees.

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.

* * *

(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), [~~March 2, 2024~~] >>February 14, 2025<<, Exhibit 23, December 11, 2021; Exhibits 24-26, and 28-31 and 33 >>and 34<<, September 11, 2022, Exhibit 27, September 16, 2023, [~~Exhibit 34, July 12, 2024~~]; [~~and~~] Exhibit 35, May 17, 2024 [~~, and~~] Exhibit 36, October 11, 2024>>; and Exhibit 37, 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.

* * *

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 35>>, and Exhibit 37<<; and

(c) The real properties shown on Exhibits 33 and 34.

* * *

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:

Lauren E. Morse
Narinah P. Jean-Baptiste

Prime Sponsor: Commissioner Marleine Bastien

EXHIBIT 37

RTZ Expansion - SMART Corridor Subzone

Fixed Guideway and the following parcels (folios):

- 01-3121-000-1491*
- 01-3121-048-0010*
- 30-3121-000-1490*
- 30-3121-000-1505*
- 01-3120-018-0550*
- 01-3120-018-0540*
- 01-3120-018-0522*
- 30-3120-018-0562*
- 30-3120-018-0572*
- 30-3120-018-0602*
- 01-3120-018-0530*

* Expansion

SR 112 RAMP
SR 112



NW 37TH AVE

NW 36TH ST

NW 35TH ST

NW 34TH ST

Legend

-  SMART Corridor Subzone Expansion
-  RTZ-Corridor (for reference only)

☐ Full scale maps are on file with the department

