

# MEMORANDUM

Agenda Item No. 5(E)

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


**DATE:** (Public Hearing: 11-6-24)  
October 16, 2024

**FROM:** Geri Bonzon-Keenan  
County Attorney

**SUBJECT:** Ordinance relating to the Rapid  
Transit System-Development  
Zone; amending sections 33C-3.3  
and 33C-8 of the Code;  
authorizing properties within the  
SMART Corridor Subzone, in  
proximity to the Culmer Metrorail  
Station, to be developed pursuant  
to certain development parameters  
set forth in section 33C-8 of the  
Code; making technical and  
conforming changes

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

  
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Geri Bonzon-Keenan  
County Attorney

GBK/uw


MDC001

# Memorandum



**Date:** November 6, 2024

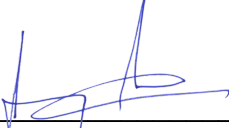
**To:** Honorable Chairman Oliver G. Gilbert, III  
and Members, Board of County Commissioners

**From:** Daniella Levine Cava  
Mayor 

**Subject:** Fiscal Impact Statement for Ordinance Relating to the Rapid Transit System-Development Zone - Revising Regulations to Authorize Properties within the Culmer Metrorail Station to be Developed Pursuant to Alternative Development Parameters

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The implementation of this Ordinance will potentially have a positive fiscal impact by providing additional density near the Culmer Metrorail Station. It is anticipated that increased residential density will generate more transit ridership, expand the transportation revenue for the Transportation Infrastructure Improvement District, and align the County with more competitive Federal transit solicitations.




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Jimmy Morales  
Chief Operating Officer

**Date:** November 6, 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 - Revising Regulations to Authorize Properties within the  
Culmer Metrorail Station to be Developed Pursuant to Alternative  
Development Parameters

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The proposed ordinance amends Sections 33C-3.3 and 33C-8 of the Code of Miami-Dade County (Code) to authorize properties within the Strategic Miami Area Rapid Transit (SMART) Corridor Subzone, specifically in proximity to the Culmer Metrorail Station, to be developed pursuant to alternative development parameters.

Section 33C-8 of the Code provides alternative development parameters such as mixed-use development, workforce housing, and additional density and height allowances for Leadership in Energy and Environmental Design (LEED) certified developments. LEED is a certification that is a globally recognized standard for rating the sustainability, energy efficiency, and environmental impact of buildings and communities. LEED certification is awarded by the U.S. Green Building Council based on specific criteria for environmentally friendly construction practices.

On September 6, 2023, the Board of County Commissioners adopted Ordinance No. 23-71 amending Chapter 33C of the Code to expand the SMART Corridor Subzone and apply the alternative standards contained in Section 33C-8 to properties near the Douglas Road, Coconut Grove, and Vizcaya Metrorail Stations. Similar to these properties, the proposed Code amendment will provide alternative development standards and additional density for LEED certified developments within 500 feet of the Culmer Station. New developments in this area will also benefit from the close proximity to NW 7 Ave/US 441, which is a significant transportation and business corridor. This code amendment aligns with the county's broader goals of promoting sustainable urban growth, enhancing accessibility, and reducing dependence on personal vehicles by placing housing closer to public transit options.

Both the Comprehensive Development Master Plan (CDMP) and Code call for the intensification of development along the rail corridor. The proposed ordinance 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. This ordinance will further the implementation of the following CDMP objectives and policies pertaining to efficient development practices in close proximity to rapid transit stations.

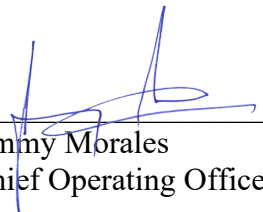
*Objective LU-7: Miami-Dade County shall require all new development and redevelopment in existing and planned transit corridors and urban centers to be planned and designed to*

*promote transit-oriented development (TOD), and transit use, which mixes residential, retail, office, open space and public uses in a safe, pedestrian and bicycle friendly environment that promotes mobility for people of all ages and abilities through the use of rapid transit services.*

*Objective LU-10B: Number of County-owned and privately-owned energy efficient or green buildings certified by Energy Star, Florida Green Building Coalition, US Green Building Council Leadership in Energy, environmental Design (LEED) or other acceptable sustainability building standards reported by Department of Regulatory and Economic Resources.*

*Policy LU-7A: Through its various planning, regulatory and development activities, Miami-Dade County shall encourage development of a wide variety of residential and non-residential land uses and activities in nodes around rapid transit stations to promote mobility, produce short trips, minimize transfers, attract transit ridership, and promote travel patterns on the transit line that are balanced directionally and temporally to promote transit operational and financial efficiencies. Land uses that may be approved around transit stations shall include housing, shopping and offices in moderate to high densities and intensities, complemented by compatible entertainment, cultural uses and human services in varying mixes. The particular uses that are approved in a given station area should, a) respect the character of the nearby community, b) strive to serve the needs of the community for housing and services, and, c) promote a balance in the range of existing and planned land uses along the subject transit line. Rapid transit station sites and their vicinity shall be developed as "urban centers" as provided in this plan element under the heading Urban Centers.*

*Policy LU-7I: Miami-Dade County will continue to review development incentives to encourage higher density, mixed use and transit-oriented development at near existing and future transit stations and corridors, and continue to update its land development regulations to remove impediments and promote transit-oriented development.*



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Jimmy Morales  
Chief Operating Officer



**MEMORANDUM**  
(Revised)

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

**DATE:** November 6, 2024

**FROM:**   
Gen 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)  
11-6-24

ORDINANCE NO. \_\_\_\_\_

ORDINANCE RELATING TO THE RAPID TRANSIT SYSTEM-DEVELOPMENT ZONE; AMENDING SECTIONS 33C-3.3 AND 33C-8 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; AUTHORIZING PROPERTIES WITHIN THE SMART CORRIDOR SUBZONE, IN PROXIMITY TO THE CULMER METRORAIL STATION, TO BE DEVELOPED PURSUANT TO CERTAIN DEVELOPMENT PARAMETERS SET FORTH IN SECTION 33C-8 OF THE CODE; MAKING TECHNICAL AND CONFORMING CHANGES; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

**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**, on September 1, 2022, this Board adopted Ordinance No. 22-106, which, among other objectives: created the SMART Corridor Subzone of the Rapid Transit Zone (RTZ), consisting of properties around 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 subzone; and provided zoning procedures for the subzone; and

**WHEREAS**, section 33C-3.3 provides for optional alternative development standards for certain properties located within close proximity to certain Metrorail Stations; and

**WHEREAS**, specifically, section 33C-3.3(D)(1), provides that, “a property that is adjacent to, or that is part of a unified development plan of which the closest property line is within 500 feet of the Douglas Road, Coconut Grove, or Vizcaya Metrorail Stations, may be developed in accordance with the development parameters set for in subsection 33C-8(C) but pursuant to the procedures set forth in this subsection”; and

**WHEREAS**, this Board wishes to expand this allowance for alternative development standards in section 33C-3.3(D) to also include the Culmer Metrorail Station; and

**WHEREAS**, this change would allow RTZ properties within the SMART Corridor Subzone that are located adjacent to, or that are part of a unified development of which the closest property line is within 500 feet of, the Culmer Metrorail Station the option to be developed in accordance with the alternative development standards set forth in subsection 33C-8(C), rather than the SMART Corridor Subzone standards, while still following the SMART Corridor Subzone procedures for approval,

**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-3.3 of the Code of Miami-Dade County, Florida is hereby amended to read as follows:<sup>1</sup>

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

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<sup>1</sup> 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.

\* \* \*

(D) *Building Placement Standards and General Requirements.*

- (1) The building placement standards and general requirements applicable to the MCD, as set forth in subsections 33-493(3) and (4), shall govern, except that a property that is adjacent to, or that is part of a unified development plan of which the closest property line is within 500 feet of the Douglas Road, Coconut Grove, >>Culmer<<, or Vizcaya Metrorail Stations, may >>, in the alternative, << be developed in accordance with the development parameters set forth in subsection 33C-8(C) >>, which are otherwise applicable to Rapid Transit Zone Station development, << but pursuant to the procedures set forth in this section.

\* \* \*

**Section 3.** Section 33C-8 of the Code of Miami-Dade County, Florida is hereby amended to read as follows:

**Sec. 33C-8. Rapid transit zone district regulations for non-Metrorail development around certain stations within the City of Miami.**

\* \* \*

- (A) *Purpose and intent.* The purpose of these development standard is to provide guidelines governing the use, site design, building mass, parking, and circulation for all non-Metrorail >>Station<< development in the Rapid Transit Zone within the City of Miami around the Allapattah, Civic Center, Culmer, Vizcaya, Coconut Grove, and Douglas Road Metrorail Stations, with the intent of fulfilling the goals, objections and policies of the County's Comprehensive Development Master Plan urban center text.

\* \* \*

- (C) *Development Parameters.* The following parameters shall apply to Rapid Transit Zone Station development, provided



such uses are compatible with transit uses and operations as determined by DTPW:

\* \* \*

**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:

Approved by County Attorney as to form and legal sufficiency:

Prepared by:

Lauren E. Morse

Prime Sponsor: Commissioner Keon Hardemon