

# Memorandum



**Date:** June 7, 2010

**To:** Chairperson and Members  
Planning Advisory Board

**From:** Jorge M. Fernandez, Jr.  
Program Coordinator, Office of Strategic Business Management

**Subject:** Staff Report for Proposed Boundary Change to the City of Miami Springs



## Background

On August 21, 2003, the Village of Virginia Gardens submitted a boundary change application to the Miami-Dade County Clerk of the Board. The application was referred to and accepted by the Miami-Dade County Board of County Commissioners (BCC) at the September 23, 2003 BCC meeting and was forwarded to the Office of Strategic Business Management (OSBM) for review and further processing, as required by the Miami-Dade County Code (Code). Between November of 2003 and 2004, the municipalities of Miami Springs, Medley and Doral filed annexation applications, the proposed boundaries of which conflicted with those of Virginia Gardens and each other. The BCC deferred the applications of Miami Springs, Medley and Doral asking that the four municipalities negotiate non-conflicting boundaries. In 2009, the municipalities reached an agreement and subsequently began to file new annexation applications with the Clerk of the Board. The applications for Miami Springs, Medley and Doral were accepted by the BCC from June through March of 2010. The Virginia Gardens application was forwarded to OSBM.

## Analysis

The proposed annexation area is approximately 1,331 acres or 2.08 square miles. The proposed annexation area is generally bound on the north by NW 74<sup>th</sup> Street Connector, on the south by NW 36<sup>th</sup> Street, on the east by SR 826 (Palmetto Expressway) and on the west by the City of Miami Springs boundary (NW 67<sup>th</sup> Avenue).

Pursuant to Section 20-6 of the Code, the OSBM submits this report for your review and recommendation.

## Police

According to the application, the City of Miami Springs Police Department is comprised of 41 sworn officers and is prepared to absorb any additional required police services by adding personnel as necessary. If the annexation is successful, the City would increase officers in the following fiscal year.

The following Miami-Dade Police Department (MDPD) tables represent all calls for uniform and non-uniform police within the proposed area for calendar year 2009.

Year	Criteria	All Calls	Emergency Calls (Code 3)	Priority Calls (Code 2)	Routine Calls
2009	Total Calls	3934	125	102	3707

Code 3: Emergency call with actual threat or actual danger, responding unit is authorized to drive 20 MPH over the posted speed limit.

Code 2: Priority call with potential threat or potential danger, responding unit is authorized to drive 10 MPH over the posted speed limit.

Year	Part I Crimes	Part II Crimes	Total
2009	320	71	391

Part I Crimes: Uniform Crime Report (UCR) Part I Offenses are those crimes reported to MDPD in the following classifications; murder and non-negligent manslaughter, robbery, aggravated assault, forcible rape, motor vehicle theft, larceny, burglary and arson. The UCR is a standard method of reporting crime, administered by the Federal Bureau of Investigations (FBI) through the UCR Program. The classification for the offense is based on a police investigation, as opposed to determinations made by a court, medical examiner, jury, or other judicial body.

Part II Crimes: All crimes not covered under Part I Crimes.

## **Fire and Rescue**

### **Existing and Planned Fire Rescue Stations**

The proposed Miami Springs annexation area is within the territory of **Station 17, Virginia Gardens**, located at 7050 NW 36<sup>th</sup> Street. The station is equipped with an Advanced Life Support Aerial, a Hazardous Materials Unit, and a Battalion; totaling seven (7) firefighter/paramedics, 24 hours a day, seven days a week.

### **Fire Rescue stations within a three (3) mile radius include:**

**Station 59, Airport North MIA**, located at 5680 NW 36<sup>th</sup> Street. The station is equipped with an Advanced Life Support Aerial with Hazardous Material capabilities and a Quick Response Foam Vehicle; totaling six (6) firefighter/paramedics, 24 hours a day, seven days a week.

**Station 35, Miami Springs**, located at 201 Westward Drive. The station is equipped with a Rescue and an Advanced Life Support Engine; totaling seven (7) firefighters/paramedics, 24 hours a day, seven days a week.

**Station 45, Doral**, located at 9710 NW 58<sup>th</sup> Street. The station is equipped with an Advanced Life Support Engine and a temporary Rescue; totaling seven (7) firefighter/paramedics, 24 hours a day, seven days a week.

### **Planned Stations:**

In an effort to reduce the travel time to incidents in the area, the Miami-Dade Fire Rescue Department (MDFR) plans to build the following stations:

**Station 69 – Doral North**, located at 11151 NW 74 Street.

**Station 68 – Dolphin**, located at NW 112 Avenue and 17 Street.

**Station 75 – Beacon Lakes**, located at NW 17 Street and 129 Avenue.

**Service Delivery**

In calendar year 2009, there were a total of 708 alarms within the proposed annexation area with an average travel time of 5:41 minutes. There were a total of 400 Life Threatening calls with an average travel time of 5:11 minutes.

The proposed annexation will not impact MDRF service delivery and/or response time. Currently, the area is served as part of the Unincorporated Municipal Service Area (UMSA). If the annexation is approved, this area would be served by the same stations and resources within the Fire District.

As a condition of annexation, the Municipality of Miami Springs, through an interlocal agreement with the County, shall agree that the proposed annexation area remain within the Miami-Dade Fire Rescue District in perpetuity.

<b>Miami-Dade Fire Rescue Department Proposed Annexation Area - Calendar Years 2007-2008-2009</b>						
	Travel Time Averages			Call Volume		
	2007	2008	2009	2007	2008	2009
Total Alarms	06:22	06:31	05:41	751	764	708
Life Threatening Emergencies	05:45	05:33	05:11	334	366	400
Non Life Threatening Emergencies	06:24	07:07	05:44	130	127	91
Other Miscellaneous	06:23	07:19	06:17	137	144	116
Other Fires	08:01	07:11	07:15	138	116	92
Structure Fire	05:00	03:51	04:48	12	11	9

**Water and Sewer**

The proposed annexation area is within the Miami-Dade Water and Sewer Department's (WASD) water and sewer service area. Future WASD customers within the annexation area will receive service from WASD. WASD will own, operate and maintain any future facilities whether constructed by the City or by private developers. Adequacy and capacity of the County's water and sewer systems are dependent upon the type and timing of the development or redevelopment proposed to occur within the City. The annexation would have no impact on WASD's ability to provide services to the remaining unincorporated areas in the vicinity.

There are no proposed capital projects, including General Obligation Bond (GOB) projects in the area at this time. There are no water and sewer Facilities of Countywide Significance in the area.

**Solid Waste**

The City of Miami Springs proposed annexation area includes industrial and commercial land uses. The proposed annexation area is within the Department of Solid Waste Management's (DSWM) collection service area and in accord with Ordinance 96-30 the Department would continue to provide collection service to residential units to the extent that such development exists or takes place in the future. In the event the City develops any of the annexation area as residential, the County would

retain the responsibility for the provision of waste collection service or may consider delegation of the residential waste collection to the City, as the City and County have entered into the standard twenty-year interlocal agreement for waste disposal. Should the annexation be approved, it is not expected to have any impacts on the ability of DSWM to provide services to the remaining unincorporated area. Additionally, The City does not provide waste collection services to industrial users, the property owners are responsible for contracting with a licensed waste hauler to provide this service.

### **Department of Environmental Resources Management (DERM)**

#### **Potable Water**

The proposed annexation area is within the franchised service area of WASD. The source of water supply for this area is the Hialeah/Preston Water Treatment Plant. This plant is owned and operated by WASD and currently has sufficient capacity to provide current water demand. Water produced by this plant meets the required Primary Drinking Water Standards.

#### **Sanitary Sewer**

The proposed annexation area is within the franchised service area of WASD and currently served by a sewer collection of gravity and force mains and pump stations. The flows from all the pump stations are directed to the Central District Wastewater Treatment Plant. The pump stations and the wastewater treatment plant are owned and operated by WASD. The pump stations in the proposed annexed area are operating within the mandated criteria set forth in the First Partial Consent Decree. At this time the Central District Wastewater Treatment Plant does have sufficient capacity to treat current discharge.

#### **Wellfield Protection Areas**

The proposed annexation area is within the basic, average and maximum travel time of the Hialeah-Preston Wellfield Protection Area.

#### **Stormwater Management**

Portion of the proposed annexation area is located within Flood Zone AE-6, which is a flood plain, as per FEMA's definition of the 100 year flood event. Flooding may occur in this area up to an elevation of 6.0 feet above mean sea level. Therefore, all new construction in this Zone shall have a minimum floor elevation as required by FEMA.

The following secondary canals (County Canals) and/or canal interests are within the proposed Incorporation Area:

- The 58 Street Canal in Section 14-53-40.
- The FEC Canal in Section 14-53-40, 23 & Section 26-53-40.
- Dressels Canal in Section 26-53-40.

It is the responsibility of the City to prohibit any construction within any of the canal reservations, canal easement or canal right-of-ways without obtaining DERM written approval. Furthermore, all secondary canals within the service area of the City shall require a canal maintenance agreement between the City and the County. This allows the Miami-Dade County's Public Works Department to continue the maintenance activities within the above mentioned canals.

A permit from the Water Control Section of DERM is required prior to the City issuing any permits or allowing work within any canal limits, or storm discharge to an open body of water, i.e. canal, lakes etc.

For all new developments within the limits of the City, a stormwater drainage system referred to as an Environmental Resources Permit may be required to reduce potential flooding and to improve the water quality of the stormwater runoff. DERM has the jurisdiction to require an Environmental Resources Permit countywide.

Any proposed drainage in a contaminated site shall also require DERM review and approval prior to the City issuing building permits

#### Stormwater Utility (SWU) Program and Fees

At the time of approval of the proposed annexation, all improved properties in the proposed annexation area will be paying a stormwater utility fee to Miami-Dade County (County). This fee is used to administer stormwater management programs throughout the Unincorporated Municipal Service Area (UMSA). It is expected that these stormwater accounts would immediately become part of the Miami Springs service area when the annexation is formally approved.

If stormwater utility accounts in the annexed area are billed through WASD, it will be the responsibility of Miami Springs to negotiate with WASD to continue or modify an existing agreement.

Miami Springs must also pay its pro-rata share of the debt service on the 1999 and 2004 Stormwater Utility Revenue Bonds for the proposed annexation area. Payment to the County for the Miami Springs debt service on these bonds will initiate immediately upon annexation. Actual costs for the above will be determined at the time of annexation and billed independently or collected through a WASD agreement.

#### Drainage Repair and Maintenance

A review of the County's Water Control Plan reveals secondary canal(s) that provide a drainage service to the proposed annexation area including, but not limited to the Dressels Dairy Canal, the FEC Canal, the FEC Borrow Ditch, and the N.W. 58 Street Canal. A new interlocal agreement for Stormwater Management between Miami Springs and the County may be required.

A cost-share for FEMA or other federally funded projects may also be necessary, if such projects have been constructed, are under construction, or are planned for the proposed annexation area.

#### Drainage Permitting

All new development requires that drainage systems be provided as part of the project. The objective of these systems is to reduce pollution in stormwater runoff, and reduce flooding impacts to area residents.

DERM has received delegated authority to issue permits for the South Florida Water Management District, through issuance of the Environmental Resources Permit (ERP). Jurisdiction to require an ERP is countywide, and is dependent upon the size of the development. Authority and attendant permits to allow construction of an overflow outfall to a body of water is also countywide, as is performing drainage works in County rights-of-way.

The above requirements and authority would exist in the annexed area as it currently does in Miami Springs.

#### National Flood Insurance Program (NFIP)

The NFIP is a program wherein the Federal Emergency Management Agency (FEMA) agrees to subsidize flood insurance policies for residents of a community, if the community agrees to enforce minimum flood protection standards.

In 1993, FEMA mandated that all incorporated areas in Miami-Dade County regulate their own floodplain management ordinance and conduct separate programs. Therefore, when a municipality is incorporated, FEMA requires the municipality to apply to become an NFIP community within six months of incorporation. A later annexation would add the annexed area to the existing community.

Miami Springs would need to report to FEMA, as part of its FEMA Biennial Report, that the new annexed area has changed from UMSA to Miami Springs.

#### Stormwater Management Master Plan

Miami-Dade County is undertaking a comprehensive effort to map the entire unincorporated area of the County to assess its drainage needs. The County is divided into drainage basins, which are then modeled to determine what drainage is needed for each area now and in the future. By planning for future drainage needs, the County can ensure that the level of flood protection service provided to residents is maintained.

Although the County cannot map and propose drainage projects in incorporated areas, County roads lie within incorporated boundaries. In these areas, the County will model the basins where these roads exist, using the best available data provided by the municipalities. Therefore, the quality of the modeling for these County roads may be limited, depending on the information provided by the municipalities. County engineers will request from the Miami Springs staff any data that would assist in modeling these areas. Cooperation between the Miami Springs and the County to share this data is critical. The data and models created have other uses besides the County's master plan, such as the periodic updates of the Flood Insurance Rate Maps (FIRM) that benefit Miami Springs, as well as County residents.

#### National Pollutant Discharge Elimination System (NPDES)

NPDES is a nationwide permit program that has an objective of controlling pollution that is inherent in stormwater runoff. NPDES started as a federal program and has now been delegated to the State of Florida. Municipalities must apply to and receive from the state a permit that outlines best management programs designed to reduce the pollution in stormwater runoff. These stormwater management programs can consist of sampling programs, educational programs, street sweeping and drainage maintenance, and various other best-management programs.

Miami-Dade County's NPDES permit is a joint permit with 32 co-permittees (including municipalities) with Miami-Dade County as the lead agency. Because sampling of stormwater runoff is required, the County performs the sampling and all the parties to the permit cost-share the monitoring costs.

A review of permit records reveals that the Miami Springs is currently a co-permittee in the County's joint permit. Therefore, the presence of any outfalls within the annexed area would change the Miami Springs cost-share percentage contribution. There is also a permit fee that Miami Springs pays annually to the State of Florida for the NPDES permit. The amount of this permit fee may increase if the annexation is approved.

### Transfer of Roads

Certain County roads located within the proposed annexation area may need to be transferred to Miami Springs. This can be accomplished through an interlocal agreement. This agreement would outline the subject roads, various road-related services, and the responsibilities of Miami Springs and the County for these services. Because County Stormwater Utility funds are used to maintain drainage systems in the County rights-of-way and roads, during preparation of the agreement, the Water Management Division must be consulted for its comments and approval.

### Hazardous Waste

A review of the DERM files indicates that there are records of current contamination assessment or remediation issues within the area proposed for annexation as follows:

1. Rechten International Trucks (Tropic Oil CO), 7227 NW 74 Ave., UT-2508/F-1195, has records of petroleum contamination. This contaminated site is in a state funded program awaiting allocation of funds for cleanup.
2. Nextran Truck Center Miami (Mack Sales of S. Fla., L.C.), 6801 NW 74 Ave., UT-1280/F-7758, has records of petroleum contamination. This contaminated site is in a state funded program awaiting allocation of funds for cleanup.
3. Ricky's Oil Service, Inc., 7209 NW 66 St., UT-4474/F-10030, has records of petroleum/waste oil contamination. This contaminated site is in a monitoring only program.
4. MDT - William Lehman Center, 6601 NW 72 Ave., UT-1992/F-4208, has records of petroleum, heavy metal and non-petroleum chemical contamination. This contaminated site is in a monitoring only program.
5. Cyclo Chemical Company, 7500 NW 66 St., IW-98/F-10044, has records of surfactant (cleaning compounds) contamination. This contaminated site is in a monitoring only program.
6. ABF Freight System, Inc. (Carolina Freight Carriers Corp.), 6402 NW 74 Ave., UT-761/F-2997, has records of petroleum contamination. This contaminated site is in a state funded program awaiting allocation of funds for cleanup.
7. Seaside Transport, Inc. (Miami Service Express), 7555 NW 63 St., UT-1456/F-7881, has records of petroleum contamination. This contaminated site is in a state funded program awaiting allocation of funds for cleanup.
8. Modern Aluminum Coating, Inc., 7295 NW 64 St., UT-2805/F-8825, has records of petroleum contamination. This contaminated site is in a state funded program awaiting allocation of funds for cleanup.
9. Turbo Power, Inc., 6321 NW 74 Ave., IW-359/F-10063, has records of synthetic organic contamination. This contaminated site is undergoing active remediation under the jurisdiction of the Florida Department of Environmental Protection.
10. Florida East Coast Railway, L.L.C., 6875 NW 58 St., (IW-42/F-7597, UT-1019/ F-7597), has records of contamination related to potential multiple source of contamination in various locations on the site. The various areas of contamination are either under assessment, remediation or under a monitoring only program.
11. Federal Aviation Administration, 7500 NW 58 St., (UT-1290/F-1820 & IW5-1962/F-1820) has records of petroleum contamination. This contaminated site is under assessment.

12. Refricenter of Miami, 7360 NW 58 St., (UT-2204/F-5326 & IW5-5729/F-5326) has records of petroleum and solvent contamination. The contaminated site is under a monitoring only program.
13. Surrey's Men's Wear, 5125 NW 77 Ave., UT-4028/F-9794 has records of petroleum contamination. This contaminated site is in a state funded program awaiting allocation of funds for cleanup.
14. E.J.H. Cleaning Corp., 7379 NW 36 ST, IW5-3889/F-3594, has records of dry cleaning solvent contamination. This contaminated site is in a state funded program awaiting allocation of funds for cleanup.
15. Blue Line Equipment Sales Corp. (Ronlee Facility), 4952 NW 72 Ave., SW-1413/F-16520 has records of contamination related to solid waste disposal. This contaminated site is currently under a monitoring only plan.
16. Palmetto Ford Truck Sales, Inc., 7245 NW 36 ST, IW5-1484/F-1383 has records of petroleum contamination. This contaminated site is in a monitoring only program.

There are historical records of contamination assessment or remediation issues associated with non-permitted sites within the area proposed for annexation as follows:

1. Miami Drum Superfund Site, 7049 NW 70 St., HWR-43/F-14722 has historical records of contamination of solvents and other types of contaminants.
2. FDOT-Hialeah Expressway Petroleum Discovery site, NW 74 St./NW 70 Ave., UT-6558/F-22311 has historical records of petroleum contamination.
3. FPL-Dade Substation, 6301 NW 72 Ave., HWR-463/F-16644, has historical records of petroleum and PCB contamination.
4. Miami Elevator Company, 7481 NW 66 ST, UT-1371/F-7815, has historical records of petroleum contamination.
5. M.R.S.J. Industrial Warehouse, 7301/21 NW 61 St., HWR-93/F-14755, has historical records of petroleum contamination.
6. Fieldstone Industrial Warehouse, 7331/51 NW 61 St., HWR-138/F-14789, has historical records of contamination that include petroleum, synthetic organic chemical and heavy metals.
7. Padron Warehouse, 6100-86 NW 74 Ave., HWR-45/F-14723, has historical records of synthetic organic chemical contamination.
8. H. E. Nason, 7670 NW 55 St., UT-1491/F-7899, has historical records of petroleum contamination.
9. Southern Bell-Miami BSC-M6103, 7710-80 NW 50 St., UT-4225/F-9952, has historical records of petroleum contamination.
10. Seven Seas Chemical, 6950 NW 53 TER, HWR-85/F-14750, has historical records of chlorinated solvents contamination.
11. FAM Warehouse, 4400-88 NW 74 AVE, UT-5449/F-14819, has historical records of petroleum contamination.

None of the area proposed for annexation is known to be saltwater intruded based on the 1995 USGS 1,000 ppm isochlor line, which approximates the inland extent of saltwater intrusion at the base of the aquifer.

The information included in this review is based on the available information at the time of the review.

#### Tree Preservation

##### Area -portions of 53-40-11, 12, 13, 14, 23, 24 and 26

The properties within this area may contain specimen-sized (trunk diameter 18 inches or greater) trees. Section 24-49.2(II) of Chapter 24 of the Miami-Dade County Code (the Code) requires that specimen trees be preserved whenever reasonably possible. A Miami-Dade County Tree Removal Permit is required prior to the removal or relocation of any tree that is subject to the Tree Preservation and Protection provisions of the Code. Said Tree Removal Permit shall meet the requirements of Sections 24-49.2 and 24-49.4 of the Code.

#### Natural Forest Community

The subject area does not contain properties that are designated Natural Forest Communities by Miami-Dade County.

#### Wetlands Resources

The Wetlands Resources Section has no records of properties containing Jurisdictional wetlands within the subject area as defined by Section 24-5 of the Code. However, such determinations are made on a site by site basis, and any properties found to contain jurisdictional wetlands after a review by this Section will require a Class IV Wetland Permit for any work proposed as per the requirements of Section 24-48 of the Code.

Permits from the Army Corps of Engineers, the Florida Department of Environmental Protection and the South Florida Water Management District may also be required.

#### Review and approval or disapproval of development orders

DERM will continue to provide approval or disapproval of development orders as required by Chapter 24 of the Code. This includes the following:

- Building Permits
- Zoning Actions
- Platting Actions (Land Subdivision)
- Building Occupancies (Residential and Nonresidential)
- Municipal Occupational Licenses

DERM reviews applications for consistency with the requirements of the Code. The review includes but is not limited to the following:

- Protection of public potable water supply wellfields
- Potable water supply
- Liquid waste disposal
- Stormwater management and disposal
- Tree resources preservation and protection
- Wetland preservation and protection
- Coastal resources preservation and protection
- Air quality requirements
- Flood protection

### Operating Permits

Section 24-18 of the Code authorizes DERM to require permits for any facility that could be a source of pollution. This includes a wide variety of nonresidential activities or facilities and some ancillary operations to residential land uses.

### Pollution Prevention and Educational Programs

The DERM Office of Environmental Education and Communication (EECO) is responsible for promoting and coordinating pollution prevention programs, waste minimization programs, urban CO2 reduction and environmental education in general.

### Enforcement Activities

These include regular inspections of permitted facilities as well as of any potential source of pollution, responses to complaints and general enforcement operations.

DERM's regulatory activities are enforceable under County Code in both incorporated and unincorporated areas and DERM currently provides the above services to the subject area. Annexation of the parcels in question will not affect DERM's ability to provide adequate levels of service to the areas being annexed or to the areas adjacent to the annexation.

### Public Works

The County has identified approximately 25.5 lane miles within the City of Miami Springs Annexation Application Area. The County is proposing to keep the following corridors:

- NW 72 Avenue from SR 934 to NW 74 Street
- NW 58 Street from SR 826 East ramps to NW 72 Avenue
- NW South River Drive from Medley City limits to Miami Springs City limits
- NW 74 Street from NW 72 Avenue to NW South River Drive

Of the 25.5 lane miles in the annexation area, the corridors listed above represent 3.6 lane miles. In conjunction with the annexation, an interlocal agreement between the City and the County will be negotiated to turn over the local roads within the annexation area and detail the roads that will remain with the County.

### Park and Recreation

There is no Miami-Dade Park and Recreation Department (MDPR) property within the City of Miami Springs Annexation Application Area. This annexation will have no impact on MDPR.

### Annexation Guidelines:

The following analysis addresses the factors required for consideration by the Planning Advisory Board pursuant to Chapter 20-6 of the County Code. Will the annexation:

1. Divide a historically recognized community:

The proposed annexation area does not divide a Census Designated Place.

2. Will, if approved, result in an annexation area that is compatible with existing planned land uses and zoning of the municipality to which the area is proposed to be annexed:

Approximately 45 percent of the lands within the City of Miami Springs are currently in residential use while there is relatively no residential within the proposed annexation area. In addition, within the proposed annexation area almost 90 percent of the lands are in industrial and transportation\communications\utilities use while only 29 percent of the lands within the City are in those uses.

The existing underlying zoning in the proposed annexation area is: GU - Interim, IU-1 – Light Industrial, IU-2 Heavy Industrial, IU-3 – Unlimited Industrial and BU-3 Liberal Business. These are very intense and specialized zoning districts and in some instances, not compatible with residential development.

The City's zoning, reflective of its comprehensive plan, is a combination of single-family districts, duplex district, multiple-family districts, townhouse district, business districts, office district, public property district, and telecommunication towers and antennas district, with the residential zoning districts prevailing.

Thus, the City and the proposed annexation area are different in character and developed accordingly. This is also reflected in the City's comprehensive plan and land development regulations. Both the City's comprehensive plan and zoning code lack an industrial land use designation and respective zoning regulations.

3. Preserve, if currently qualified, eligibility for any benefits derived from inclusion in federal or state enterprise zones, or targeted area assistance provided by federal, state, and local government agencies:

The annexation area will have no effect on the State Enterprise Zone or on the entitlements since these areas are not in the EZ or in CDBG eligible block groups.

4. Impact public safety response times:

Fire and Rescue: The proposed annexation will not impact MDRF service delivery and/or response time. Currently, the area is served as part of the Unincorporated Municipal Service Area (UMSA). If the annexation is approved, this area would be served by the same stations and resources within the Fire District.

Police: In the event the annexation application is successful, the total service area within the UMSA will be reduced. Conversely, departmental resources would then be reallocated from the annexed area to the remaining portions of UMSA. As a result of this reallocation, response times within UMSA would be reduced accordingly. However, due to continual incorporation and annexation endeavors, the full impact upon UMSA is yet to be determined.

5. Introduce barriers to municipal traffic circulation due to existing security taxing districts, walled communities, and/or private roads:

The Miami-Dade County Public Works Department (PWD) has determined that the proposed annexation does not introduce any barriers to municipal traffic circulation.

PWD policies dictate retention of full and half section line roadways and other principal highways as County-maintained facilities. Additionally, bicycle trails may be proposed within the annexation area, which would be County bicycle facilities. The Metropolitan Planning Organization Bicycle-Pedestrian Coordinator and the Miami-Dade Public Works Traffic Engineering Division should be contacted for additional information.

PWD will retain Traffic Engineering jurisdiction over all streets within the annexation area, with the exception of state roads.

6. Result, to the degree possible, in an annexation area served by the same public service franchises, such as cable and communications services, as the existing municipality, or with full access to all available municipal programming through its franchise provider(s):

The proposed annexation will continue to be served by the same cable television and telecommunication operators as before but may be subject to change as a result of competition. Pursuant to state law which became effective July 1, 2007, Miami-Dade County no longer has the ability license new cable television companies and enforcement activities will be limited to Rights-of-Way issues only. Therefore the proposed annexation will not have an impact on our ability to enforce Rights-of-Way issues as per the Miami-Dade County Code should they arise. A list of new Cable Franchise Certificates that may affect Miami-Dade County's Rights-of-Way can be found at <http://sunbiz.org/scripts/cable.exe>.

Telecommunications Service Providers are required to register with the County only if they have facilities located within the unincorporated areas. The purpose of the registration process is to determine users of the County's Rights-of-Way. Therefore, companies that have facilities within the proposed annexation area will no longer be required to register with the County. Municipalities requesting annexations will be responsible for managing its public thoroughfares.

Municipal programming is accomplished through separate agreements between municipalities and the cable operators providing services within their respective municipality. The cable operator's obligation to broadcast municipal meetings is outlined in these agreements. Technically, cable operators have the ability to add municipal programming to the proposed annexed areas if required.

7. If the area has been identified by the Federal Government as a flood zone or by emergency planners as an evacuation zone, has the existing municipality indicated its preparedness to address any extraordinary needs that may arise:

There are portions of the proposed annexation area located within the federally designated, 100-year floodplain. This area will flood under sustained rains and property owners within it are required to obtain flood insurance.

The proposed annexation area is not located within any County designated hurricane evacuation zone and residents of the area are not obligated to evacuate when hurricane warnings are issued.

8. Result in an annexation area connected to municipal government offices and commercial centers by public transportation:

Routes 36 and 73 serve the Miami Springs annexation area. Route 36 operates along NW 36 Street and serves the Miami Springs City Hall, Executive Doral Center, the Dolphin Mall, International Mall, Social Security Office on NW 36 Street, and the Allapattah Metrorail Station. Route 73 runs along Ludlam Road and Milam Rd/NW 72nd Avenue. This route provides service from Dadeland Mall and Dadeland to the Okeechobee Metrorail Station and the U.S. Postal Annex, as well as the Palmetto Metrorail station about 0.5 miles from NW 74th St.

9. To the degree possible, would the proposed annexation area be contained in one or more school district boundaries governing admission to elementary, middle and high school as the adjoining municipality:

The proposed annexation area is contained within the same school district boundaries as the adjoining unincorporated area and the City of Miami Springs. The schools serving the proposed annexation area are Springview Elementary, Miami Springs Middle, and Miami Springs Senior High.

The following analysis addresses the factors required for consideration by the Board of County Commissioners and the Planning Advisory Board pursuant to Chapter 20-7 of the County Code.

1. The suitability of the proposed annexation boundaries, in conjunction with the existing municipality, to provide for a municipal community that is both cohesive and inclusive.

- a) Does the area divide a Census Designated Place (an officially or historically recognized traditional community)?

The proposed annexation area does not divide a Census Designated Place.

- b) Have any adjacent unincorporated areas with a majority of ethnic minority or lower income residents petitioned to be in the annexation area?

No adjacent unincorporated areas have a majority of ethnic minority or lower income residents that have petitioned to be in the annexation area.

- c) The area is not, nor does not create, an unincorporated enclave area (surrounded on 80 percent or more of its boundary by municipalities) that cannot be efficiently or effectively served by the County.

The proposed annexation area is not an enclave. Approval of the proposed annexation would result in the creation of an enclave; if recently submitted annexation applications by the Town of Medley and the City of Doral are not approved.

- d) The boundaries are logical, consisting of natural, built, or existing features or city limits.

As shown in the attached map, the boundaries are logical and follow major roadways. The proposed annexation area is generally bounded on the north by

NW 74 Street Connector, on the east by the municipal boundary of the City of Miami Springs and NW 67 Avenue (Ludlam Drive), on the south by NW 36 Street and on the west by SR 826/Palmetto Expressway.

- The existing and projected property tax cost for the municipal-level service to the average homeowners in the area currently as unincorporated and as included as part of the annexing municipality.

The taxable value within the annexation area is \$895,908,126. At the current City of Miami Springs millage rate (6.1698 mills), the ad valorem revenues attributable to the annexation area would be \$5,251,195. At the current UMSA millage rate (2.0083 mills), the ad valorem revenues attributable to the annexation area would be \$1,709,290. The expected tax increase to the area if the annexation is approved would be \$3,541,906. The average property owner would pay an additional \$4,234 in municipal taxes.

<b>Existing and Projected Property Tax Cost</b>		
<b>Miami Springs</b>		
<b>FY 2009-10</b>		
	Millage Rate	Millage x Taxable Value
<b>Miami Springs</b>		
Municipal Millage	6.1698	\$5,251,195
<b>Unincorporated Area</b>		
UMSA Millage	2.0083	\$1,709,290
<b>Increase</b>	<b>4.1615</b>	<b>\$3,541,906</b>

- Relationship of the proposed annexation area to the Urban Development Boundary (UDB) of the County's Comprehensive Development Master Plan.

As shown in the attached map, the entire annexation area is located inside the 2015 UDB of the County's Comprehensive Development Master Plan (CDMP).

- The impact of the proposal on the revenue base of the unincorporated area and on the ability of the County to efficiently and effectively provide services to the adjacent remaining unincorporated areas?

The total taxable value of the annexation area is \$895,908,126. The area generates an estimated \$2,034,652 in revenue. The County spends an estimated \$1,403,725 per year providing services to the area. Therefore, the net revenue loss of the annexation to the UMSA budget is an estimated \$630,928 (Attachment B).

Pursuant to Section 20-8.1 and 20-8.2 of the County Code, the County retains all franchise fees and utility tax revenues generated in the area. For the proposed annexation, franchise fees of an estimated \$306,579 and utility taxes of an estimated \$386,326 will be retained by the County.

The proposed annexation area is entirely within the Miami Industrial Commercial, Business, Industrial (CBI) area as defined by Ordinance 05-73. Section 20-8 of the

Miami-Dade County Code requires that as a condition of annexation, a municipality annexing any CBI area pay to the County 100% of the net excess of revenues minus expenditures attributable to the CBI area through an interlocal agreement. As noted above, the area produces \$630,928 above the expenditures attributable to the area, therefore, if the annexation is approved the City should at a minimum mitigate the millage equivalent of the \$630,928 each year.

Additionally, it is important to note that there are several parcels within the annexation area that are not developed. If the remaining vacant land is developed in similar fashion to the existing developed land, it is estimated that the taxable value within this area may increase over \$70 million, which at today's UMSA millage rate would generate approximately \$134,000, creating a greater revenue loss to UMSA.

5. The fiscal impact of the proposed annexation on the remaining unincorporated areas of Miami-Dade County: specifically, does the per capita taxable value of the area fall within the range of \$20,000 to \$48,000?

There are seven residents in the annexation area, therefore the per capita taxable value is not a valid measure.

6. Be consistent with the land Use Plan of the County's Comprehensive Development Master Plan (CDMP)?

According to the Adopted 2015-2025 Land Use Plan (LUP) map of the County's Comprehensive Development Master Plan (CDMP), the planned land use designations within the proposed annexation area are "Industrial and Office", "Restricted Industrial and Office", "Business and Office", "Transportation", and "Terminals". A brief description of these CDMP land uses follows:

The "Industrial and Office" land use designation allows manufacturing operations, maintenance and repair facilities, warehouses, mini-warehouses, office buildings, wholesale showrooms, distribution centers and similar uses. Also included are construction and utility-equipment maintenance yards, utility plants, public facilities, hospitals and medical buildings. The full range of telecommunication facilities, including switching and transmission facilities, satellite telecommunications facilities, microwave towers, radar stations and cell towers are also allowed. Very limited commercial uses to serve the firms and workers in the industrial and office area are allowed dispersed as small business districts and centers throughout the industrial areas. Hotels and motels are also authorized.

Uses allowed in the "Restricted Industrial and Office" category are restricted and the design of facilities is governed by special ground water protection regulations. The CDMP indicates that development in Restricted Industrial and Office areas should generally be limited to office uses, but certain business, warehousing, and manufacturing uses may be permitted, provided that the use employs best management practices, and the use does not involve the on-site use, handling, storage, manufacture or disposal of hazardous materials or waste as defined in Chapter 25 of the County Code. Provisions of the "Industrial and Office" category which allow and limit residential and business uses, TNDs and hotels may also apply to the Restricted category. Quarrying and environmentally compatible ancillary uses may also be approved in these areas.

The “Business and Office” land use designation accommodates the full range of sales and service activities. Included are retail, wholesale, personal and professional services, commercial and professional offices, hotels, motels, hospitals, medical buildings, nursing homes, entertainment and cultural facilities, amusement and commercial recreation establishments. Residential uses, and mixing of residential use with commercial, office and hotels are also permitted in Business and Office areas provided that the scale and the intensity including height and floor area ratio of residential or mixed use development is not out of character with that of adjacent or adjoining development and zoning.

The “Transportation” land use designation includes all major components of the Miami-Dade County’s existing and future transportation network including roadways and transit corridors. Also within the “Transportation” land use designation; however depicted in a different color on the 2015-2025 LUP map are “Terminals”. All proposed uses on lands owned by Miami-Dade County at the Opa-locka Executive Airport, Kendall-Tamiami Executive Airport, Homestead General Aviation Airport and Miami International Airport are designated as Terminal on the LUP map. All uses on such lands shall comply with the requirements of the Future Aviation Facilities Section of the Aviation Subelement, shall be compatible with, and not disruptive of, airport operations occurring on such lands, and shall comply with all applicable regulations of the Federal Aviation Administration and other applicable law.

As previously stated, the Miami-Dade Transit’s William Lehman Operations and Maintenance Center is located within the proposed annexation areas. This facility is also listed in Table 3 of the CDMP’s Intergovernmental Coordination Element (ICE) as being a facility of countywide significance. Policies 3G and 3H of the ICE state:

***ICE-3G.*** *Maintain and utilize the authority provided in the Miami-Dade Charter for the County to maintain, site, construct and/or operate public facilities in incorporated and unincorporated areas of the County. Furthermore, in order to protect and promote the health, safety, order, convenience, and welfare of the residents, the County should retain regulatory control over land use, development and service delivery for all facilities of countywide significance as listed in Table 3. While the County reserves all rights provided by the Miami-Dade County Charter, when siting facilities of countywide significance within the boundaries of an incorporated municipality, the County will consider the municipal comprehensive plan and development regulations, as well as the need for the public facility and suitable alternative locations.*

***ICE-3H.*** *Miami-Dade County will maintain, as a particular area of attention in this planning program, the systematic review of the aesthetics and physical conditions along boundaries between incorporated municipalities and unincorporated areas in an effort to improve the appearance of these areas and the compatibility and transition between the adjoining communities. Miami-Dade County will similarly review and approve changes to the land use, development and zoning of properties that surround facilities of countywide significance, as listed in the Table 3, in an effort to maintain or improve the compatibility and transition between the adjoining properties and the facilities. Formal agreement to conduct these reviews or to implement the resulting recommendations will be proposed as warranted.*

7. Does the proposed annexation area include areas designated as terminals on the County's Adopted Land Use Plan Map?

The proposed annexation area does include portions of a terminal as identified in the CDMP. The terminals include the rail yard just east of Miami Springs and north of NW 36<sup>th</sup> Street. The annexation includes the Florida East Coast rail yard which is designated as a terminal. Section 20-7 (A)(8) requires that Miami-Dade County retain regulatory authority over any area and ½ mile surrounding any area designated as a terminal, should the annexation be approved.

Demographic Profile of the Area

As shown on the table below, the estimated 2000 Census population of the proposed annexation area is 7 persons while the City of Miami Spring's population is 13,712 persons. Table 1 also shows that approximately 29 percent of the population within the proposed annexation area is Hispanic with approximately 60 percent of the population within the municipal boundaries being of Hispanic origin.

**Miami Springs Proposed Annexation Area  
Social and Economic Characteristics  
Miami Springs Area and Miami-Dade County**

	Study Area	City of Miami Springs	of Miami-Dade
<u>Population Characteristics, 2000*</u>	7	13,712	2,253,362
Percent White, Not Hispanic	42.9	37.0	20.7
Percent Black, Not Hispanic	28.6	1.2	19.0
Percent Other, Not Hispanic	0.0	2.2	3.0
Percent Hispanic Origin	28.6	59.6	57.3
<u>Income**</u>			
Median Household Income	--	\$50,000	\$35,966
Per-capita Income	--	\$22,963	\$18,497
<u>Housing</u>			
Percent Owner Occupied	--	64.3	57.8
Percent Single Unit detached	--	68.8	42.7

Source: U.S. Census Bureau, Census 2000 Summary File 1 and Summary File 3. Miami-Dade County, Department of Planning & Zoning, Research Section, 2010.  
\*Note: Tract 91.00, block 6003 has an inmate population of 1079 from the Miami North Work Release Center and the Turner Guilford Knight Detention Center.  
\*\*Note: Income and some specific housing data for an area as small as the Miami Springs Annexation Area is not available through the U.S. Census.

Development Profile of the Area

The table below shows the 2010 land use profile for the proposed annexation area. Of the 1,346.3 acres within the proposed annexation area, approximately 48 percent of the land is in transportation, communication and utilities use; 40 percent in industrial use; and four percent in commercial, office and transient residential use. Table 2 also shows that there is relatively no residential development within the proposed annexation area while close to half of the land within the City of Miami Springs is in residential use. Additionally, approximately 41 percent of the lands within the proposed annexation area are in industrial use while in the City only 0.1

percent of the land is in industrial use. Thus, within the proposed annexation area approximately 89 percent of the lands are in industrial and transportation\communications\utilities use while only 29 percent of the lands within the City are in those uses. This evidences the different character and development pattern between the proposed annexation area and the City.

Within the proposed annexation area, considerable amount of the acreage in transportation\communication\utilities use consists of the Florida East Coast (FEC) Railroad Yards, also known as “Miami Ramp,” and the Miami-Dade Transit’s (MDT) William Lehman Operations and Maintenance Center. The FEC’s Miami Ramp constitutes the largest and busiest ramp terminal facility within the FEC system with over 256,000 lifts in 2007. At the Lehman Center, MDT staff performs heavy maintenance, preventive maintenance, running maintenance, and cleaning of railcars. This is also the only rail yard for the Metrorail System. The County’s Comprehensive Development Master Plan (CDMP) identifies the Miami-Dade Transit Rail Yard as a facility of countywide significance.

**Miami Springs Annexation Area  
2010 Existing Land Use**

<b>Land Use</b>	<b>Annexation Area (Acres)</b>	<b>Annexation Area (Percent Of Total)</b>	<b>Miami Springs (Area Acres)</b>	<b>Miami Springs (Percent of Total)</b>	<b>Miami-Dade County (Acres)</b>	<b>Miami-Dade County (Percent of Total)</b>
Residential	0.3	0.0	865.0	45.0	109,394.9	7.0
Commercial & Office & Transient Residential	55.6	4.1	98.2	5.1	14,686.6	0.9
Industrial	549.9	40.8	2.6	0.1	17,533.5	1.1
Institutional	40.7	3.0	99.0	5.2	14,204.8	0.9
Parks/Recreation	0.5	0.0	221.0	11.5	802,757.0	51.3
Transportation, Communication, Utilities	648.0	48.1	560.7	29.2	87,457.4	5.6
Agriculture	0.0	0.0	0.0	0.0	61,444.9	3.9
Undeveloped	4.8	0.4	7.0	0.4	137,172.6	8.8
Inland Waters & Coastal Water Bays and Oceans	46.5	3.5	66.9	3.5	318,963.4	20.4
<b>Total:</b>	<b>1,346.3</b>	<b>100.0</b>	<b>1,920.4</b>	<b>100.0</b>	<b>1,548,712.6</b>	<b>100.0</b>

Source: Miami-Dade County Department of Planning and Zoning, Research Section January, 2010

**SUMMARY OF ISSUES FOR CONSIDERATION**

The proposed annexation area is approximately 2/3 of the current size of the City.

The annexation area is entirely within the Miami Industrial Commercial, Business, Industrial (CBI) area as defined by Ordinance 05-73. Section 20-8 of the Miami-Dade County Code requires that as a condition of annexation, a municipality annexing any CBI area pay to the County 100% of the net excess of revenues minus expenditures attributable to the CBI area through an interlocal agreement. As noted above, the area produces \$630,928 above the expenditures attributable to the area, therefore, if the annexation is approved the City should at a minimum mitigate the millage equivalent of the \$630,928 each year.

There are several parcels within the annexation area that are not developed. If the remaining vacant land is developed in similar fashion to the existing developed land, it is estimated that the

taxable value within this area may increase over \$70 million, which at today's UMSA millage rate would generate approximately \$134,000, creating a greater revenue loss to UMSA.

The Turner Guilford Knight Correction Center is within the proposed annexation boundaries, MDPD will continue to respond to any calls within the facility.

FDG Hialeah, LLC, the owners of the Hialeah Rail Yard included within the annexation boundaries, has requested that the annexation be denied based on the fact the applicant failed to comply with the procedures of the County Code for annexing land designated as Terminals and due to the critical importance of the Hialeah Rail Yard to the local economy.

In general, the City and the proposed annexation area are different in character and developed accordingly.

Approximately 45 percent of the lands within the City are currently in residential use while there is almost no residential (only 0.3 acres) within the proposed annexation area.

Approximately 89 percent of the proposed annexation area is in industrial and transportation/communications/utilities use while only 29 percent of the lands within the City are in those use categories.

Both, the City's comprehensive plan and zoning code lack an industrial land use designation and respective zoning regulations.

The proposed annexation area does include portions of a terminal as identified in the CDMP. The terminals include the rail yard just east of Miami Springs and north of NW 36<sup>th</sup> Street. The annexation includes the Florida East Coast rail yard which is designated as a terminal. Section 20-7 (A)(8) requires that Miami-Dade County retain regulatory authority over any area and ½ mile surrounding any area designated as a terminal, should the annexation be approved.

Within the proposed annexation area, considerable amount of the acreage in transportation\communication\utilities use consists of the Florida East Coast (FEC) Railroad Yards, also known as "Miami Ramp," and the Miami-Dade Transit's (MDT) William Lehman Operations and Maintenance Center (Rail Yard). The County's Comprehensive Development Master Plan (CDMP) identifies the Miami-Dade Transit Rail Yard as a facility of countywide significance.

CDMP Policy ICE 3G states that in the event of annexation or incorporation, the County "should retain regulatory control over land use, development and service delivery for all facilities of countywide significance."

Section 20-8.6 of the County Code also provides for areas or facilities of countywide significance. In addition to providing definition for these areas and facilities, the Code states that:

- *Regulatory Jurisdiction Over Areas or Facilities of Countywide Significance Reserved to the County. Jurisdiction for purposes of comprehensive planning, zoning and building and other development approvals (including but not limited to land use, site plan approvals, issuance of building permits, building inspections, issuance of certificates of occupancy, zoning applications, special exceptions, variances, building*

*or zoning moratoria, and all other types of functions typically performed by the departments responsible for building, planning and/or zoning), water and sewer installations, compliance with environmental regulations, and utility regulation shall be and are hereby vested in Miami-Dade County regardless of any municipal code, charter, or ordinance provision to the contrary. If an "Area or Facility of Countywide Significance" is located in an area which is sought to be annexed to a municipality or incorporated, the County shall not transfer operation, maintenance, or regulatory jurisdiction of such Area or Facility to a municipality, unless expressly permitted herein.*

- o *Condition of Annexation. The provisions of this section shall be considered a condition of annexation for any area annexed after the effective date of this ordinance and shall be the subject of an interlocal agreement between the County and the annexing municipality. This interlocal agreement shall be adopted by the annexing municipality prior to the County Commission's adoption of any ordinance authorizing a boundary change.*

There are two parcels, (folios 30-3014-010-0510 and 30-3014-010-0520) owned by Miami-Dade Water and Sewer Department that are partially located in both the Town of Medley proposed annexation area, as well as the City of Miami Springs proposed annexation area.

Approval of the proposed annexation would result in the creation of an enclave; if recently submitted annexation applications by the Town of Medley and the City of Doral are not approved.

As a condition of annexation, the Municipality of Miami Springs, through an interlocal agreement with the County, shall agree that the proposed annexation area remain within the Miami-Dade Fire Rescue District in perpetuity.

Attachments:

- A. Map of proposed annexation
- B. Estimated Impact on UMSA Budget Statement

c: Jennifer Glazer-Moon, Director, Office of Strategic Business Management



