

Memorandum



Date: October 13, 2009

To: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

From: George M. Burgess,
County Manager 

Subject: Village of Pinecrest Annexation Application

BPS

Agenda Item No. 2G

Pursuant to Chapter 20-7 (B) of the Miami-Dade County Code (Code) and following the required public hearing before the Board of County Commissioners (BCC), the BCC shall take one (1) of the following actions:

- Deny the requested boundary change as presented by the Village of Pinecrest.
- Direct the County Attorney to prepare an appropriate ordinance accomplishing the proposed boundary change.
- Defer such requested boundary change for further consideration at a subsequent meeting.

Recommendation

It is recommended that the BCC, pursuant to the Miami-Dade County Code Chapter 20, deny the boundary change as proposed by the Village of Pinecrest. This recommendation, consistent with the recommendation of the Planning Advisory Board, is based upon the area being a commercial area in nature and by incorporating this area, an enclave is created.

Scope

The proposed annexation area is approximately 20 acres or 0.03 square miles bounded on the south by the Snapper Creek Canal, on the east by SW 67th Avenue (Ludlam Road) and on the west by South Dixie Highway (US1). The annexation area is fully developed and is contiguous to the northernmost boundary of the Village within Commission District 7.

Fiscal Impact/Funding Source

There is no fiscal impact to Unincorporated Municipal Service Area (UMSA) should this annexation be denied. However, should the BCC approve the annexation, it will result in a net revenue loss to the UMSA budget. Based upon the revenues generated and services provided to the area as part of UMSA, a net annual budget loss of approximately \$77,000 should be realized if the annexation is approved. Additionally, the proposed annexation area is part of the Dadeland Commercial, Business and Industrial (CBI) Area. The Miami-Dade County Code (Code) Chapter 20-28 states that "any municipality that proposes the annexation of any CBI Area in the area it proposes to annex shall as a condition of incorporation or annexation, pay to the County 100% of the net excess of revenues minus expenses attributable to the CBI Area". Approval of the annexation should be contingent on an interlocal agreement between the County and the Village of Pinecrest requiring 100% mitigation for the CBI area and retention of franchise fees estimated at \$19,325 and utility taxes estimated at \$24,351 as required by the Code Sec. 20-8.1 and 20-8.2 respectively.

**RESOLUTION OF THE MIAMI-DADE COUNTY PLANNING
ADVISORY BOARD RECOMMENDING THAT THE BOARD
OF COUNTY COMMISSIONERS DENY THE PROPOSED
ANNEXATION TO THE VILLAGE OF PINECREST**

WHEREAS, the Village of Pinecrest has petitioned for the annexation of the area generally described below:

Area: On the South: Snapper Creek Canal and Village of Pinecrest;
On the East: SW 67 Avenue;
On the West: South Dixie Highway; and

WHEREAS, the Board of County Commissioners referred the application to the Planning Advisory Board; and

WHEREAS, the Planning Advisory Board's Incorporation and Annexation Committee reviewed staff's report dated April 6, 2009; and

WHEREAS, on April 6, 2009, the Planning Advisory Board's Incorporation and Annexation Committee held an advertised public meeting, concerning this application for annexation by the Village of Pinecrest; and

WHEREAS, the Planning Advisory Board's Incorporation and Annexation Committee recommended denial of the proposed annexation; and

WHEREAS, on April 6, 2009, the Planning Advisory Board held an advertised public hearing, concerning this application by the Village of Pinecrest;

NOW THEREFORE BE IT RESOLVED BY THE MIAMI-DADE COUNTY PLANNING ADVISORY BOARD, that it recommends the Board of County Commissioners deny the proposed annexation.

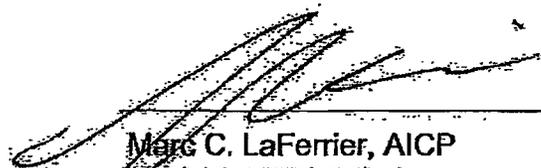
The forgoing resolution was offered by Board Member William Riley, who moved its adoption and was seconded by Board Member Jay Sosna, and upon being put to a vote the vote was as follows:

| | | | |
|------------------------|--------|-------------------|--------|
| Reginald J. Clyne | Yes | Felipe Llanos | Absent |
| Antonio Fraga | Yes | Al Maloof | Yes |
| Horacio Carlos Huembes | No | Ralph Ramirez | No |
| Rolando Iglesias | No | William Riley | Yes |
| Eddy Joachin | Absent | Wayne Rinehart | Absent |
| Daniel Kaplan | Absent | Georgina Santiago | Yes |
| Serafin Leal | Yes | Christi Sherouse | Yes |
| | | Jay Sosna | Yes |

Pamela Gray, Chair Yes

The Chair thereupon declared the resolution duly passed and adopted this 6th day of April 2009.

I hereby certify that the above information reflects the action of the Board.



Marc C. LaFerrier, AICP
Executive Secretary

Memorandum



Date: April 6, 2009

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 Village of Pinecrest – Snapper Creek Canal Triangle

Background

On June 7, 2006 the Village of Pinecrest 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 June 26, 2007 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).

Analysis

The proposed annexation area is approximately 20 acres or 0.03 square miles bounded on the south by the Snapper Creek Canal, on the east by SW 67th Avenue (Ludlam Road) and on the west by South Dixie Highway (US1). The annexation area is fully developed and is contiguous to the northernmost boundary of the Village.

Pursuant to Section 20-6 of the Code, the Office of Strategic Business Management submits this report for your review and recommendation.

Police

According to the application, Pinecrest will provide police services to the annexation area at an improved level of service. Pinecrest's police headquarters is reported to be located within three (3) miles of the proposed annexation area.

The following Miami-Dade Police Department (MDPD) tables represent all calls for uniform and non-uniform police calls within the proposed area for calendar year 2008.

| Year | Criteria | All Calls | Emergency Calls (Code 3) | Priority Calls (Code 2) | Routine Calls |
|------|-------------|-----------|--------------------------|-------------------------|---------------|
| 2008 | Total Calls | 126 | 5 | 7 | 114 |

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 |
|------|---------------|----------------|-------|
| 2008 | 18 | 3 | 21 |

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 Pinecrest annexation area is within the territory of Station 14, South Miami, located at 5860 SW 70 Street. The station is equipped with a Rescue, Advance Life Support (ALS) Engine, and staffed with seven (7) firefighter/paramedics, 24 hours a day, seven days a week.

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

Station 23, Suniland, located at 7825 SW 104 Street. The station is equipped with a Rescue, an Advance Life Support (ALS) 75' Aerial, and staffed with seven (7) firefighter/paramedics, 24 hours a day, seven days a week.

Station 49, Pinecrest, located at 10850 SW 57 Avenue. The station is equipped with a Rescue, and staffed with three (3) firefighter/paramedics, 24 hours a day, seven days a week.

Station 13, East Kendall, located at 6000 SW 87 Avenue. The station is equipped with an Advance Life Support (ALS) 60' Aerial, an Air Truck, and staffed with six (6) firefighter/paramedics, 24 hours a day, seven days a week.

Planned Station(s):

In an effort to reduce the travel time to the incidents in the area, the Miami-Dade Fire Rescue Department (MDFR) plans to build Station 74 in the vicinity of SW 136 Street and SW 67 Avenue.

Service Delivery

In calendar year 2008, there were a total of 76 annual alarms within the proposed annexation area with an average travel time of 7:28 minutes. There were a total of 37 Life Threatening calls with an average travel time of 5:21 minutes. (Refer to Table below).

The proposed annexation will not impact MDFR 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.

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| Miami-Dade Fire Rescue Department Service Delivery to Proposed Pinecrest Annexation Calendar Years 2005 through 2007 Travel Time Average & Call Volume | | | |
|--|-------|-------|-------|
| | 2006 | 2007 | 2008 |
| Total Travel Time Average | 06:59 | 06:24 | 07:28 |
| Life Threatening Emergencies | 07:35 | 05:29 | 05:21 |
| Non-Life Threatening Emergencies | 06:28 | 08:28 | 06:19 |
| Other Miscellaneous | 07:56 | 05:56 | 09:17 |
| Other Fires | 05:44 | 07:26 | 08:16 |
| Structure Fires | 04:36 | 08:14 | 00:00 |
| Total Number of Alarms | 113 | 84 | 76 |
| Life Threatening Emergencies | 47 | 46 | 37 |
| Non-Life Threatening Emergencies | 37 | 14 | 16 |
| Other Miscellaneous | 14 | 11 | 12 |
| Other Fires | 11 | 12 | 11 |
| Structure Fires | 4 | 1 | 0 |

Water and Sewer

The proposed annexation area is within the Miami-Dade Water and Sewer Department's (WASD) water and sewer service area. Requests for future water and sewer service in the annexation area within the UDB should be directed to WASD. There are no proposed capital projects, including General Obligation Bond (GOB) projects in the area at this time. The annexation will have no impact on WASD's ability to provide services to the remaining UMSA area in the vicinity.

Solid Waste

Impact on Collection

The proposed annexation area is commercial. The Miami-Dade Department of Solid Waste Management does not service these commercial accounts. Therefore, there is no immediate or anticipated impact on the County waste collection services.

Impact on Disposal

Since the property is currently commercial and Pinecrest is a part of the County Waste Collection Service area, the annexation is compliant with the terms of ordinance No. 96-30 and is not expected to have any impacts on the services or facilities that the DSWM is currently providing or programmed to provide.

Other Comments:

Pinecrest does not provide commercial waste collection service, it would require that the property owners be responsible for contracting with a licensed waste hauler to provide this service. The County has similar requirements for commercial property within UMSA. Therefore, it is concluded that the service is adequate.

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The proposed annexation is currently within the Miami-Dade Department of Solid Waste Management's service area, and if the annexation is approved, the area will remain part of the Miami-Dade Department of Solid Waste Management's service area. If the area is developed residential, the County would retain the responsibility for provision of waste collection service.

Department of Environmental Resources Management (DERM)

Potable Water

The area proposed to be annexed is presently within the franchised water service area of Miami-Dade Water and Sewer Department (MDWASD.) Existing water mains serve the area. The source for this water supply is MDWASD's Alexander Orr Water Treatment Plant. The plant is presently producing water, which meets Federal, State, and County drinking water standards.

Sanitary Sewer

The area proposed to be annexed is presently within the MDWASD's franchised sanitary sewer service area. A gravity network as well as several force mains and pump stations serve this area. The flow is directed to the South District Sewage Treatment Plant, which at this time has sufficient capacity to treat current sewage discharges. Additionally, the sanitary sewer system has adequate collection/transmission and treatment capacity to convey the flow.

Stormwater Utility (SWU) Program and Fees

At the time of annexation, any improved real estate in the proposed annexation areas will be paying a stormwater utility fee to Miami-Dade County. This fee is used to administer stormwater management programs throughout the County. It is expected that these accounts would revert to Pinecrest when the annexation is approved.

Until such time as the annexation is approved, all SWU fees collected within the area of the annexation to that point are still available for general SWU County use.

If stormwater utility accounts in the annexed area are billed through the County's MDWASD or directly by DERM, it will be up to Pinecrest to negotiate with WASD, DERM, or another service provider to provide stormwater billing services.

As a condition of annexation, Pinecrest must pay its pro-rata share of the debt service on the 1999 and 2004 Stormwater Utility Revenue Bonds for the proposed annexed area. Payment to the County for the annexation area debt service on these bonds will initiate immediately upon annexation.

If the proposed annexation area is approved, the SWU would lose approximately \$11,895 per year in revenue. However, this would be offset by the savings realized by the SWU no longer providing drainage maintenance and improvement responsibilities for the annexed area.

Stormwater Management

A review of the application finds no County owned and maintained secondary canals in or near the proposed area, and one primary canal, is under the maintenance jurisdiction of the South Florida Water Management District.

A cost-share for Federal Emergency Management Agency (FEMA) funded or other Grant funded projects may also be necessary, if such projects are under construction, have been constructed 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 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 continue to exist in the proposed Area as it currently does in Pinecrest.

National Flood Insurance Program (NFIP)

The NFIP is a program where FEMA agrees to subsidize flood insurance policies for residents of a community, if the community agrees to enforce minimum flood protection standards.

Part of the NFIP includes notifying FEMA when corporate boundaries change. Pinecrest would therefore need to report the new annexed area as changed incorporated boundaries to FEMA as part of its Bi-annual report.

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. Cities 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.

In Miami-Dade County's NPDES permit, a joint permit was created with 28 municipalities and Miami-Dade 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 costs.

Permit records reveal that Pinecrest is a participant in the County's joint permit. Therefore, any outfalls contained within the annexed area would change the Pinecrest cost-share percentage contribution; there is also a permit fee Pinecrest pays yearly to the state for the NPDES permit. The amount of this permit fee may increase if the annexation occurs.

Tree Preservation

DERM has no jurisdictional authority over tree related issues within the Village of Pinecrest. Therefore, the applicant should contact the Village of Pinecrest for any information relating to tree preservation requirements.

Natural Forest Community

The subject properties are not designated Natural Forest Communities by Miami-Dade County.

Wetland Resources

The area to be annexed does not contain jurisdictional wetlands, as defined by Section 24-5 of the Code; therefore, a Class IV Wetland Permit will not be required.

Review and approval or disapproval of development orders

This includes the following:

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

The department reviews applications for consistency with the requirements of Chapter 24. 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.

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.

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

Public Works

The County has identified approximately 0.23 center-lane miles within the proposed Pinecrest annexation area. The County is proposing to keep jurisdiction over SW 67th Avenue (Ludlam Road). There are no local roads within the annexation area.

Park and Recreation

There are no Miami-Dade County parks within the proposed Pinecrest annexation area. The

annexation has no impact on the Park and Recreation Department.

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 Pinecrest annexation area is located entirely within the Glenvar Heights Census Designated Place (CDP), thus if approved the annexation would result in a divided CDP.

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

The existing land uses in the proposed annexation area are commercial, office, and transportation/communication/utilities with approximately 74 percent of the area in commercial use. The existing underlying zoning is the Downtown Kendall Urban Center District (DKUCD). The DKUCD zoned area in southeastern Miami-Dade County, corresponds to the area designated as a Regional Activity Center (RAC) in the CDMP, thus the allowed density and intensity of uses within it are generally greater than those of the area surrounding it.

Approximately 72 percent of the land within the Village of Pinecrest is in residential use. This is also reflected in the Village's zoning map which shows that most of the Village is currently zoned for residential estate densities, where the densities range between 1 dwelling unit per net acre to 1 dwelling unit per 15,000 square feet net. Thus the Village is predominantly residential and suburban in nature. Within the Village, higher residential densities occur primarily in the area west of SW 67th avenue and north of SW 90th Street, near US 1. On the other hand, most of the commercial uses within the Village are found in a narrow band along the east side of US 1.

In general, the compact urban form called for by the County's CDMP and zoning of the proposed annexation renders the subject area less compatible with the low density and intensity of the land uses and zoning that prevail in the Village of Pinecrest given its mostly suburban nature.

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 proposed Pinecrest annexation area would continue to be eligible for any benefits derived from inclusion and assistance from the federal government through the State's Small Cities Program.

4. Impact public safety response times?

Fire and Rescue: The Village of Pinecrest is within the Miami-Dade County Fire Rescue District. If this annexation is approved, it will not impact MDFR 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 by only a small amount resulting in little difference in the services provided by MDPD. However, due to continual incorporation and annexation endeavors, the full impact upon the 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 has determined that the proposed Village of Pinecrest annexation does not introduce any barriers to municipal traffic circulation.

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. Pursuant to new State law effective July 1, 2007, Miami-Dade County's will no longer have 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>.

Currently, the proposed annexation area is receiving cable services from Comcast Cable Communications, Inc. There will be no changes in cable services for the proposed annexed area.

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?

The entire proposed annexation area is 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.

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

The proposed annexation area is a shopping center located north of the current Village of Pinecrest boundary, between US-1 and SW 67 Avenue. It is directly served by Metrobus Route 73 which stops less than two tenths of a mile away from the center of the area. Route 73 operates from the Dadeland South Station to Miami Lakes along the SW 67 Avenue/NW 72 Avenue corridor. Approximately ½ mile from the proposed annexation area is Dadeland North Metrorail Station. Besides Metrorail, Metrobus Routes 1, 87, 88, 104, 204, 240, 272, 288 serve the Dadeland North Station. Metrorail and the above mentioned bus routes connect to several major government offices such as the County offices in downtown Miami and the South Dade Government Center. Commercial centers include Dadeland Mall, the Falls, Southland Mall, and those on SW 88 Street west of SR 826. Route 1 serves the Busway Station at SW 124 St. which is within walking distance of the Pinecrest Municipal Center.

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, however the school district boundaries of the Village of Pinecrest are not the same as the proposed annexation area. The schools serving the proposed annexation area are Ludlam Elementary, South Miami Middle, and South Miami Senior High, while the schools serving the Village of Pinecrest are Pinecrest Elementary, Palmetto Middle and Palmetto 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) The area does not divide a Census Designated Place, (an officially or historically recognized traditional community).

The proposed Pinecrest annexation area is located entirely within the Glenvar Heights Census Designated Place (CDP), thus if approved the annexation would result in a divided CDP.

- b) In no adjacent unincorporated area have a majority of ethnic minority or lower income residents petitioned to be in the annexation area.

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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, however if approved it would create an unincorporated enclave. This enclave would be located to the east of the proposed annexation area and it would be surrounded by the City of South Miami and the Village of Pinecrest on approximately 95% of its sides.

- 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 roadways and the Snapper Creek Canal. The proposed annexation area is triangular in shape and bounded by South Dixie Highway (US 1) to the east, SW 67th Avenue (SW Ludlam Road) to the west and to the south by the Snapper Creek Canal and the Village of Pinecrest. Although the boundaries are logical, the Snapper Creek Canal acts as a major barrier between the proposed annexation area and the Village of Pinecrest.

- 2. 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 \$56,503,128. At the current Village of Pinecrest millage rate (1.9809 mills), the ad valorem revenues attributable to the annexation area would be \$106,331. At the current UMSA millage rate (2.0083 mills), the ad valorem revenues attributable to the annexation area would be \$107,801. The expected tax decrease to the area if the annexation is approved would be \$1,471.

| Existing and Projected Property Tax Cost | | |
|---|---------------------|--|
| Village of Pinecrest FY 2008-09 | | |
| | Millage Rate | Millage x Taxable Value |
| Pinecrest | | |
| Municipal Millage | 1.9809 | \$106,331 |
| Unincorporated Area | | |
| UMSA Millage | 2.0083 | \$107,801 |
| Decrease | -0.0274 | (\$1,471) |

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

The entire annexation area is located inside the 2015 Urban Development Boundary (UDB) of the County's Comprehensive Development Master Plan (CDMP).

4. 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 \$56,503,128. The area generates an estimated \$128,238 in revenue. The County spends an estimated \$51,233 per year providing services to the area. Therefore, the net revenue loss to the UMSA budget is an estimated \$77,014 (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 of the area upon annexation. For the proposed annexation, franchise fees of an estimated \$19,325 and utility taxes of an estimated \$24,351 will be retained by the County.

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 no residents in the annexation area. Therefore, the per capita taxable value cannot be calculated.

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 map of the County's Comprehensive Development Master Plan (CDMP), the planned land use designations within the proposed annexation area are "Business and Office" and "Medium Density Residential Communities" (13 to 25 dwelling units per gross acre).

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.

Medium density residential communities are characterized by townhouses, low-rise apartments and medium-rise apartments and allow 13 to 25 dwelling units per gross acre.

In addition, the entire proposed annexation area is also located within the "Dadeland Regional Activity Center" as established in the CDMP and within the Downtown Kendall

Metropolitan Urban Center as designated in the CDMP. Regional Activity Centers (RAC), as provided in Chapter 380.06(2)(e), Florida Statutes, consists of areas "where the local government seeks to encourage higher intensities of development by increasing the threshold of the development size required to undergo State review as a Development of Regional Impact (DRI)." According with the CDMP, Metropolitan Urban Centers are "to become hubs for future urban development intensification in Miami-Dade County, around which a more compact and efficient urban form structure will evolve." The Board of County Commissioners (BCC) through the CDMP amendment process formally established the Dadeland RAC in 1995. In June 1998, County staff in collaboration with area stakeholders conducted a charrette (the Downtown Kendall Charrette) for the unincorporated portion of the Dadeland RAC. The BCC endorsed the plan developed through the Downtown Kendall Charrette in 1998 and in 1999 it established the zoning district that implements the RAC and Charrette (the Downtown Kendall Urban Center District).

In its application for annexation, the Village of Pinecrest states that its proposed land use and zoning designations for the annexation area will be fully consistent with the County's CDMP and future Land Use Plan Map. Although, adherence to the County's land use and zoning would be consistent with the goals, objectives, policies of the CDMP, the integrity of the County's designated Dadeland RAC and Downtown Kendall Metropolitan Urban Center District (DKUCD) are at risk. In essence the proposed annexation would result in a split of the County's DKUCD on the east side of US 1. In addition, DKUCD is a thematic zoning district conceived by the County, updated by the BCC through amendments on an as needed basis and subject to the County's coordinated effort of administrative site plan reviews for new developments or redevelopment.

Development Profile of the Area

The table below reports the 2008 land use profile for the area proposed for annexation. Approximately 74 percent of the 19.8 acres in the proposed annexation area are in commercial or office use while the remaining 26 percent is utilized for communications or utilities.

Table 1
Village of Pinecrest Annexation
2008 Existing Land Use

| Land Use | Annexation Area (Acres) | Annexation Area (Percent Of Total) | Village of Pinecrest (Area Acres) | Village of Pinecrest (Percent of Total) | Miami-Dade County (Acres) | Miami-Dade County (Percent of Total) |
|--|-------------------------|------------------------------------|-----------------------------------|---|---------------------------|--------------------------------------|
| Residential | 0.0 | 0.0 | 3,458.2 | 71.8 | 109,064.6 | 7.0 |
| Commercial & Office | 14.6 | 73.5 | 131.8 | 2.7 | 14,780.0 | 1.0 |
| Industrial | 0.0 | 0.0 | 0.7 | 0.0 | 17,790.8 | 1.1 |
| Institutional | 0.0 | 0.0 | 150.1 | 3.1 | 13,695.7 | 0.9 |
| Parks/Recreation | 0.0 | 0.0 | 74.6 | 1.5 | 788,241.6 | 50.9 |
| Transportation, Communication, Utilities | 4.3 | 21.7 | 863.9 | 17.9 | 87,056.4 | 5.6 |
| Agriculture | 0.0 | 0.0 | 23.2 | 0.5 | 64,786.6 | 4.2 |
| Undeveloped | 0.0 | 0.0 | 48.1 | 1.0 | 134,927.9 | 8.7 |
| Inland Waters | 0.9 | 4.5 | 66.5 | 1.4 | 40,370.8 | 2.6 |
| Coastal Water and Ocean | 0.0 | 0.0 | 0.0 | 0.0 | 277,997.5 | 18.0 |
| Total: | 19.8 | 100.0 | 4,817.2 | 100.0 | 1,548,712.0 | 100.0 |

Source: Miami-Dade County Department of Planning and Zoning, Research Section, January, 2008

Demographic Profile of the Area

According to the Census 2000 population files, there are no residents within the proposed Village of Pinecrest annexation area.

SUMMARY OF ISSUES FOR CONSIDERATION

- The proposed annexation divides the Glenvar Heights Census Designated Place (CDP).
- Annexation of the proposed area would result in the creation of an unincorporated enclave. This enclave would be located to the east of the proposed annexation area and it would be surrounded by the City of South Miami and the Village of Pinecrest on approximately 95% of its sides.
- Although the boundaries are logical, the Snapper Creek Canal acts as a major barrier between the proposed annexation area and the Village of Pinecrest.
- The proposed annexation area is located within the "Dadeland Regional Activity Center" as established in the CDMP and within the Downtown Kendall Metropolitan Urban Center as designated in the CDMP.
- The Board of County Commissioners established the Dadeland Regional Activity Center (RAC) through the CDMP amendment process in 1995 and subsequently,

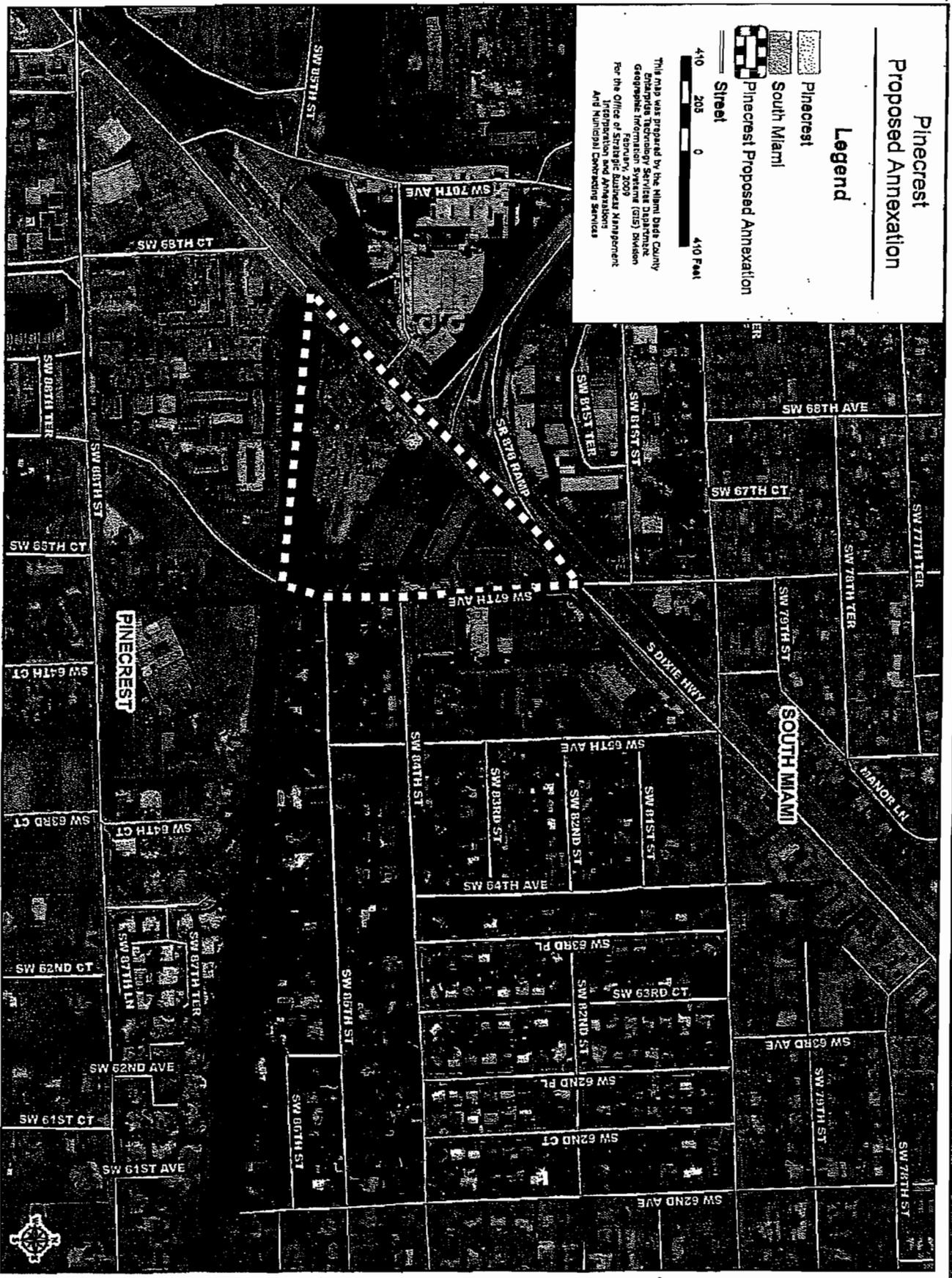
it established the zoning district that implements the RAC and the Metropolitan Urban Center criteria (the Downtown Kendall Urban Center District) in 1999.

- In general, the compact urban form called for by the County's CDMP and zoning of the proposed annexation renders the subject area less compatible with the low density and intensity of the land uses and zoning that prevail in the Village of Pinecrest given its mostly suburban nature.
- In its application for annexation, the Village of Pinecrest states that its proposed land use and zoning designations for the annexation area will be fully consistent with the County's CDMP and future Land Use Plan Map. Although, adherence to the County's land use and zoning would be consistent with the goals, objectives, policies of the CDMP, the integrity of the County's designated Dadeland RAC and Downtown Kendall Metropolitan Urban Center District (DKUCD) are at risk. In essence the proposed annexation would result in a split of the County's DKUCD on the east side of US 1. In addition, DKUCD is a thematic zoning district conceived by the County, updated by the BCC through amendments on an as needed basis and subject to the County's coordinated effort of administrative site plan reviews for new developments or redevelopment.
- In the case of residential development within the proposed annexation area, the school attendance boundaries would be different than that of the Village of Pinecrest.
- The Village of Pinecrest stated in its application that it would maintain the DKUCD zoning district by modifying its own Land Development Regulations upon annexation; thus, if this the application were to be approved, such approval should be conditioned to the Village's amendment of its zoning code/land development regulations to be consistent with the County's zoning code and CDMP.

Attachments:

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

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



Pinecrest Proposed Annexation

Legend

- Pinecrest
- South Miami
- Pinecrest Proposed Annexation
- Street



This map was prepared by the Miami-Dade County
Geographic Information Systems Division
February, 2009
For the Office of Strategic Business Management,
Inspection and Assessments
And Municipal Contracting Services



Estimated Impact on UMSA Budget

| Based on FY 08-09 Budget | Annexation Assumptions | |
|--|--|------------------|
| Property Tax Revenue | Allocation based on tax roll & millage | \$109,000 |
| Franchise Fees | County Retains Revenues | |
| Sales Tax | Allocation based on \$81.79 per person | \$0 |
| Utility Taxes | County Retains Revenues | |
| Communications Tax | Allocated based on tax roll/population | \$18,040 |
| Alcoholic Beverage License | Allocation based on \$0.24 per person | \$0 |
| Occupational License | Allocation based on \$1.72 per person | \$0 |
| Interest | Allocation based on 1.31% of total revenue | \$1,198 |
| Miscellaneous Revenues | Allocation based on \$0.45 per person | \$0 |
| Revenue to UMSA | | \$128,238 |
| Cost of Providing UMSA Services | | |
| Police Department | | \$41,849 |
| UMSA Police Budget (without specialized) | \$298,967,563 | |
| Park and Recreation Dept | Based on cost of parks | \$0 |
| Public Works | | |
| Centerline Miles | Centerline miles times cost per lane mile | \$0 |
| Planning, Team Metro and others | Direct cost times 11.7% | \$4,896 |
| QNIP (pay-as-you-go) | Utility Taxes as a % of debt service 15.5% | \$0 |
| Policy Formulation/Internal Support | Direct cost times 10.7% | \$4,478 |
| Cost of Providing UMSA Services | | \$51,223 |
| Net Loss to UMSA | | \$77,014 |
| <p>1. Does not include gas tax funded projects 2. Does not include canal maintenance revenues or expenses 3. Does not include proprietary activities: Building, Zoning, Solid Waste 4. Does not include Fire and Library Districts 5. Revenues are based on allocations not actuals</p> <p>Disclaimer: These calculations do not represent a projected or suggested municipal budget. They indicate only the fiscal impact of this area's incorporation on the remaining UMSA.</p> | | |
| 2008 Taxable Property Rolls | | \$56,503,128 |
| 2000 Area Census Population | | 0 |
| 2007 UMSA Population | | 1,087,481 |
| 2008-09 UMSA Millage | | 2.0083 |
| Patrollable Sq. Miles - UMSA (post Cutler Bay) | | 443.53 |
| Total Calls For Service - UMSA 2007 | | 654,181 |
| Part 1 Crimes - UMSA 2007 | | 58,638 |
| Part 2 Crimes - UMSA 2007 | | 22,546 |
| Patrollable Sq. Miles - Study Area | | 0.03 |
| Total Calls for Service - Study Area | | 126 |
| Part 1 Crimes - Study Area | | 18 |
| Part 2 Crimes - Study Area | | 3 |
| Cost per Centerline Mile | | \$2,583 |
| Number of Centerline Miles | | 0 |
| Per Capita Taxable Value | | N/A |

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