



## MEMORANDUM

Agenda Item No. 11(A)(3)


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<b>TO:</b>	Honorable Chairman Joe A. Martinez and Members, Board of County Commissioners	<b>DATE:</b>	May 1, 2012
<b>FROM:</b>	R. A. Cuevas, Jr. County Attorney	<b>SUBJECT:</b>	Resolution creating a Working Group to make recommendations to the Board of County Commissioners on a permanent Urban Development Boundary (UDB) and on restrictive procedures should future UDB amendments become necessary

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**This item was amended at the 3-14-12 Infrastructure and Land Use Committee. Amendments require the Working Group to consult with owners of property outside of the Urban Development Boundary and add the Chair of the Agricultural Practices Advisory Board or designee to the Working Group.**

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Jose "Pepe" Diaz and Co-Sponsors Commissioner Bruno A. Barreiro and Commissioner Esteban L. Bovo, Jr.

  
\_\_\_\_\_  
R. A. Cuevas, Jr.  
County Attorney

RAC/cp

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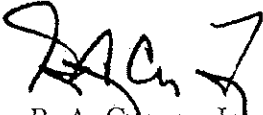


# MEMORANDUM

(Revised)

**TO:** Honorable Chairman Joe A. Martinez  
and Members, Board of County Commissioners

**DATE:** May 1, 2012

**FROM:**   
R. A. Cuevas, Jr.  
County Attorney

**SUBJECT:** Agenda Item No. 11(A)(3)

Please note any items checked.

- ☐ "3-Day Rule" for committees applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Ordinance creating a new board requires detailed County Manager's report for public hearing
- ☐ No committee review
- ☐ Applicable legislation requires more than a majority vote (i.e., 2/3's \_\_\_\_, 3/5's \_\_\_\_, unanimous \_\_\_\_ ) to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved \_\_\_\_\_ Mayor  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Agenda Item No. 11(A)(3)  
5-1-12

RESOLUTION NO. \_\_\_\_\_

RESOLUTION CREATING A WORKING GROUP TO MAKE  
RECOMMENDATIONS TO THE BOARD OF COUNTY  
COMMISSIONERS ON A PERMANENT URBAN  
DEVELOPMENT BOUNDARY (UDB) AND ON  
RESTRICTIVE PROCEDURES SHOULD FUTURE UDB  
AMENDMENTS BECOME NECESSARY

**WHEREAS**, as set forth in Miami-Dade County's Comprehensive Development Master Plan (CDMP), Miami-Dade County values excellence in urban planning and the preservation of the County's agricultural lands and natural resources; and

**WHEREAS**, one of the most essential components of the CDMP is the Urban Development Boundary, which separates the areas where urban development should occur from areas where it should not occur, provides for the orderly and efficient construction of infrastructure, encourages urban infill and redevelopment, discourages urban sprawl, and helps to conserve agricultural and environmentally-sensitive lands; and

**WHEREAS**, the Miami-Dade County Code currently provides for amendments to expand the UDB to be filed every two years; and

**WHEREAS**, since 1991, amendments to the UDB have generally been considered in a piecemeal fashion based on individual private applications, often resulting in numerous contentious public hearings; and

**WHEREAS**, this Board wishes to undertake a comprehensive review of the UDB and to consider establishing a permanent UDB that can only be amended in very restrictive circumstances, to provide greater certainty in the County's comprehensive plan and its vision to balance the County's urban development with its preservation efforts; and

**WHEREAS**, a small working group of stakeholders from the environmental and development communities could make recommendations to the Board as to how to best create a permanent Urban Development Boundary with restrictive procedures should future UDB amendments become necessary,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA**, that the County Mayor or designee is directed to create a Working Group to make recommendations to the Board >>, after input from owners of property outside of the UDB,<<<sup>1</sup> relating to (1) the establishment of a permanent Urban Development Boundary and (2) the establishment of very restrictive procedures for future amendments to the UDB, including a requirement that further UDB expansions shall require the unanimous approval of this Board. The Working Group shall consist of the following nine members: the Director of the Environmental & Land Use Law Clinic at the Nova Southeastern Shepard Broad Law Center or designee; the Executive Director of the Tropical Audobon Society or designee; the President of the Urban Environment League of Greater Miami or designee; the President of the Latin Builders Association or designee; the President of the South Florida Builders Association or designee; the President of the Florida East Coast Chapter of Associated Builders and Contractors, Inc., or designee; the President of the Greater Miami Chamber of Commerce or designee; the President of the Beacon Council or designee; >>the Chair of the Agricultural Practices Advisory Board or designee;<< and the Miami-Dade County Deputy Mayor with responsibility over the Department of Sustainability, Planning and Economic Enhancement or designee. Miami-Dade County staff, including the

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<sup>1</sup> Committee amendments are indicated as follows: Words stricken through and/or [[double bracketed]] are deleted, words underscored and/or >>double arrowed<< are added.

Chief of Metropolitan Planning of the Department of Sustainability, Planning and Economic Enhancement, shall provide support to the Working Group. Within 90 days of the effective date of this resolution, the working group shall prepare a report and recommendation for the Board. Under no circumstances shall this task force exist for one year or more after the effective date of this Resolution.

The Prime Sponsor of the foregoing resolution is Commissioner Jose "Pepe" Diaz and the Co-Sponsors are Commissioner Bruno A. Barreiro and Commissioner Esteban L. Bovo, Jr. It was offered by Commissioner \_\_\_\_\_, who moved its adoption. The motion was seconded by Commissioner \_\_\_\_\_ and upon being put to a vote, the vote was as follows:

Joe A. Martinez, Chairman	
Audrey M. Edmonson, Vice Chairwoman	
Bruno A. Barreiro	Lynda Bell
Esteban L. Bovo, Jr.	Jose "Pepe" Diaz
Sally A. Heyman	Barbara J. Jordan
Jean Monestime	Dennis C. Moss
Rebeca Sosa	Sen. Javier D. Souto
Xavier L. Suarez	

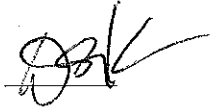
The Chairperson thereupon declared the resolution duly passed and adopted this 1<sup>st</sup> day of May, 2012. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA  
BY ITS BOARD OF  
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: \_\_\_\_\_  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.



Dennis A. Kerbel

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