



MEMORANDUM

Agenda Item No. 8(M)(1)

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

DATE: September 4, 2012

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

SUBJECT: Resolution pertaining to the
authorization of an October 2012
amendment process for filing
applications requesting amendments
to the Comprehensive Development
Master Plan

The accompanying resolution was prepared by the Regulatory and Economic Resources Department and placed on the agenda at the request of Prime Sponsor Vice Chairwoman Audrey M. Edmonson.

R. A. Cuevas, Jr.
County Attorney

RAC/cp

Memorandum



Date: September 4, 2012

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

From: Carlos A. Gimenez
Mayor 

Subject: Authorization of the October 2012 Period Amendment Process for the
Comprehensive Development Master Plan (CDMP)

Recommendation

It is recommended that the Board of County Commissioners (Board) adopt the attached resolution authorizing the October 2012 period amendment process for the filing of applications to amend Miami-Dade County Comprehensive Development Master Plan (CDMP) based on the Adopted 2010 Evaluation and Appraisal Report.

Scope

The CDMP is a broad-based countywide policy-planning document to guide future growth and development to ensure the adequate provision of facilities and services for existing and future populations in Miami-Dade County and maintain or improve the quality of the natural and man-made environment.

Fiscal Impact

This item does not generate fiscal impacts.

Housing Impact

This item does not generate housing impacts.

Track Record/Monitor

The Countywide Planning Division of the Regulatory and Economic Resources Department will be responsible for implementation.

Background

Section 2-116.1 of the Miami-Dade County Code (the Code) establishes the exclusive procedures for the CDMP to be amended periodically, usually semiannually. During odd-numbered years applications to amend the CDMP are filed during the months of April and October, and in even-number years there is an April filing period and an optional October filing period. Section 2-116.1(2)(b) of the Code provides for an October period amendment process during even numbered years if such a process is authorized by affirmative recommendation of the Mayor and approved by resolution of the Board on or before the sixteenth (16) day of September in that year. Approval is hereby requested for an October 2012 period amendment process for the CDMP.

The purposes of this request for approval are to provide the filing period needed to process and adopt amendments to the CDMP based on recommendations contained in the Adopted 2010 Evaluation and Appraisal Report (adopted by the Board in March 2011), and to fulfill the requirements of Section 163.3191, Florida Statutes. Pursuant to the Florida Statutes, each local government is required to evaluate its comprehensive plan at least once every seven years to

determine if plan amendments are needed to reflect changes in state requirements and to notify the State Land Planning Agency of its determination. The Florida Statutes further requires that the proposed plan amendments be transmitted to the State for review within one year of such determination. December 1, 2012 is the date by which Miami-Dade County is required to notify the State Land Planning Agency of its determination of whether CDMP amendments are needed to reflect changes in state requirements.

The Adopted 2010 Evaluation and Appraisal Report embodies the County's evaluation of the CDMP (Chapters 1, 2 and 3) and recommended amendments to the CDMP (collectively in Chapter 4). Authorization of the October 2012 period amendment process will facilitate the filing, processing and adoption of the needed amendments to the CDMP (based on the Adopted 2010 Evaluation and Appraisal Report) within the state mandated timeframe. The adoption hearing on these amendments would be held in October 2013.



Jack Osterholt
Deputy Mayor



MEMORANDUM

(Revised)

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

DATE: September 4, 2012

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

SUBJECT: Agenda Item No. 8(M)(1)

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.8(M)(1)
9-4-12

RESOLUTION NO. _____

RESOLUTION PERTAINING TO THE AUTHORIZATION OF
AN OCTOBER 2012 AMENDMENT PROCESS FOR FILING
APPLICATIONS REQUESTING AMENDMENTS TO THE
COMPREHENSIVE DEVELOPMENT MASTER PLAN

WHEREAS, pursuant to Chapter 163, Part II, Florida Statutes (F.S.), the Comprehensive Development Master Plan (CDMP) for Miami-Dade County was adopted by the Miami-Dade County Board of County Commissioners (Board) in 1988; and

WHEREAS, Section 2-116.1 of the Code of Miami-Dade County, Florida, provides procedures for amending the CDMP, which comply with the requirements of the foregoing State Statutes; and

WHEREAS, Section 2-116.1(2)(b) of the Code of Miami-Dade County, Florida, provides for an October period amendment process during an even numbered year if such a process is authorized by affirmative recommendation of the Mayor and approved by resolution of the Board of County Commissioners on or before the sixteenth (16) day of September in that year,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that the Board approves the establishment of an October 2012 Amendment process for filing applications to amend the CDMP to accomplish the purposes set forth in the attached Mayor's memorandum.

The foregoing resolution 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

Esteban L. Bovo, Jr.

Sally A. Heyman

Jean Monestime

Rebeca Sosa

Xavier L. Suarez

Lynda Bell

Jose "Pepe" Diaz

Barbara J. Jordan

Dennis C. Moss

Sen. Javier D. Souto

The Chairperson thereupon declared the resolution duly passed and adopted this 4th day of September, 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.



Craig H. Coller