MEMORANDUM

LUDC
Agenda Item No. 1(F)5

TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: October 10, 2013

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

SUBJECT: Resolution relating to annexation request of the City of West Miami; providing that action be taken pursuant to Section 20-7(B) of the Code

The accompanying resolution was prepared by the Office of Management and Budget and placed on the agenda at the request of Prime Sponsor Chairwoman Rebeca Sosa.

R. A. Cuevas, Jr.
County Attorney

RAC/smm

Memorandum

MIAMI-DADE COUNTY

Date: November 5, 2013

To: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

Subject: City of West Miami Annexation Application

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

- Deny the requested boundary change as presented by the City of West Miami (City);
- Direct the County Attorney to prepare an appropriate ordinance and any additional agreements accomplishing the proposed boundary change; or
- Defer such requested boundary change for further consideration at a subsequent meeting.

Recommendation

It is recommended that the Board, pursuant to the Miami-Dade County Code Chapter 20, approve the boundary change requested by West Miami. The City is proposing to annex an area of land (Area) that is contiguous to the City's current western municipal boundary. The proposed annexation area is not an enclave, nor does it create an unincorporated enclave.

Scope

The proposed annexation area is approximately 64 acres or 0.1 square miles of the Unincorporated Municipal Service Area (UMSA).

The Area is generally bounded on the north by SW 8 Street, on the south by SW 12 Street, on the east by SW 67 Avenue, and on the west by SW 71 Avenue. The proposed annexation area consists of a mix of residential, commercial, and office use, with several undeveloped parcels. There are 169 housing units in the proposed annexation area with a total of 694 residents, but fewer than 250 resident electors (residential property owners).

The Area is located in County Commission District 6, represented by Chairwoman Rebeca Sosa.

Fiscal Impact/Funding Source

Attachment B to the attached staff report is the "Impact to the Unincorporated Area". The annexation area's taxable value is $71,738,528. The Area generates an estimated $219,947 in revenue. The County spends an estimated $429,252 per year providing services to the Area. Therefore, the net revenue gain to the UMSA budget is an estimated $209,304.

If the annexation is approved, pursuant to Section 20-8.1 and 20-8.2 of the County Code, the County would retain all franchise fees and utility tax revenues of the area. For the proposed annexation, an estimated $38,345 of franchise fees and $77,145 of utility taxes will be retained by the County.

At the FY 2012-13 City millage rate of 6.8858 mills, the ad valorem revenues attributable to the Area would be $469,278. At the FY 2012-13 UMSA millage rate of 1.9283 mills, the ad valorem revenues attributable to the Area would be $131,417. The expected tax increase to the entire Area would be $337,862 given the higher City millage rate, and the average property owner would pay an additional $1,856 in property taxes if this annexation is approved.

Track Record/Monitor
If the annexation is approved, the Office of Management and Budget will monitor the interlocal agreement governing the Area.

Background
On April 19, 2013 the City submitted a boundary change application to the Miami-Dade County Clerk of the Board. The application was placed on the June 4, 2013 Board meeting and was referred to the Planning Advisory Board, as required by the Code.

After reviewing the staff report and code considerations, the Incorporation and Annexation Committee of the Planning Advisory Board and the Planning Advisory Board held a public hearing on September 3, 2013, and recommended the Board deny the annexation.

It is important to note that the annexation area has fewer than 250 resident electors and less than 50 percent is developed residential property. Should the Board approve the annexation; a vote of the electors in the annexation area will not be required.

The staff report, as reviewed by the Planning Advisory Board and the annexation application, is attached for the Board's reference.

Charter Considerations
On November 6, 2012, Section 6.04 B of the Miami-Dade County Charter was amended requiring the Board to consider whether commercial areas are included in the boundaries of the proposed Area to be annexed for the mere benefit of increasing the tax base of the annexing municipality.

The proposed Area consists of a mix of residential, commercial, and office use, with several undeveloped parcels. There are 97 real estate folios; 21 commercial, 19 industrial, one institutional, 20 single family, 11 multi family, eight duplex, and 17 vacant land. The majority of the land use within the Area is commercial and industrial.

Code Considerations
Pursuant to Section 20-7 of the Code, staff is to provide the Board and the Planning Advisory Board with the following information for consideration of the annexation.

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?

    Approval of the proposed annexation would divide the Coral Terrace 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) Is the area or does it 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, nor does it create an unincorporated enclave.

d) Are the boundaries logical, consisting of natural, built, or existing features or Village limits?

The boundaries of the proposed annexation areas are mostly logical and generally follow City limits or rights-of-way.

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 $71,738,528. At the current City of West Miami millage rate (6.8858 mills), the ad valorem revenues attributable to the annexation area would be $469,278. At the current UMSA millage rate (1.9283 mills), the ad valorem revenues attributable to the annexation area would be $131,417 as noted in the table below. The expected tax increase to the entire annexation area would be an additional 4.9575 mills and $337,862. The average property owner would pay an additional $1,856 if this annexation is approved.

Existing and Projected Property Tax Cost		
City of West Miami FY 2012-13		
	Millage Rate	Millage x Taxable Value
City of West Miami		
Municipal Millage	6.8858	$469,278
Unincorporated Area		
UMSA Millage	1.9283	$131,417
Increase	**4.9575**	**$337,862**

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

The proposed annexation area is located inside the 2015 UDB of the Adopted 2015 and 2025 Land Use Plan (LUP) map of the Miami-Dade County Comprehensive Development Master Plan.

4. What is 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 $71,738,528. The area generates an estimated $219,947 in revenue. The County spends an estimated $429,252 per year providing services to the area. Therefore, the net revenue gain to the UMSA budget is an estimated $209,304 (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 $38,345 and utility taxes of an estimated $77,145 will be retained by the County.

5. What is 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 694 residents in the annexation area. The per capita taxable value is $103,369.

6. Is the annexation consistent with the Land Use Plan of the County's CDMP?

   The CDMP Adopted 2015-2025 LUP map designates properties in the proposed annexation area fronting on SW 8th Street (to a depth of ±110 feet) and properties between SW 67th Avenue and SW 68th Avenue as "Business and Office". The properties fronting on SW 71st Avenue are designated "Low Density Residential (2.5 to 5 dwelling units per gross acre). The remainder of the annexation area is designated "Industrial and Office", between SW 68th Avenue to east of SW 71st Avenue.

   The City states in the Annexation Report (page 20) that upon annexation the City will re-designate the properties in the annexation area to a Future Land Use Map designation(s) that is the closest land use equivalent to the current designations of the annexation area lands. The City has not demonstrated that it has a future land use category equivalent to the County's Industrial and Office LUP map Category. Therefore, should the City designate the proposed annexation area lands as stated, the annexation would be generally consistent with the CDMP LUP map, with the exception of the "Industrial and Office" designated area. The City has not demonstrated that the currently allowed industrial type uses would continue to be allowed should the proposed annexation be approved.

The staff report as reviewed by the Planning Advisory Board is attached for your convenience.

Edward Marquez
Deputy Mayor

Exhibit 1 – Map of Annexation Area
Exhibit 2 – Staff Report
Exhibit 3 – PAB Resolution
Exhibit 4 – City of West Miami Annexation Application

Mayor11813

MEMORANDUM

(Revised)

TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: November 5, 2013

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

SUBJECT: Agenda Item No.

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 Mayor'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.
11-5-13

RESOLUTION NO. _____

RESOLUTION RELATING TO ANNEXATION REQUEST OF THE CITY OF WEST MIAMI; PROVIDING THAT ACTION BE TAKEN PURSUANT TO SECTION 20-7(B) OF THE CODE OF MIAMI-DADE COUNTY TO EITHER DIRECT THE COUNTY ATTORNEY TO PREPARE THE APPROPRIATE ORDINANCE TO EFFECTUATE THE ANNEXATION REQUEST, DENY THE ANNEXATION REQUEST OR TO DEFER THE ANNEXATION REQUEST

WHEREAS, on April 19, 2013, the City of West Miami submitted an annexation request to Miami-Dade County; and

WHEREAS, the Clerk of the Board placed the annexation request on the Board of County Commissioner's (Board's) agenda on June 4, 2013; and

WHEREAS, the Board referred the matter to the Planning Advisory Board (PAB) for its review and recommendation; and

WHEREAS, the PAB after reviewing the required staff report and after a public hearing adopted a resolution providing a recommendation on the City of West Miami's annexation request attached hereto and incorporated herein by reference as Exhibit 3; and

WHEREAS, County staff has prepared a staff report attached hereto and incorporated herein by reference as Exhibit 2; and

WHEREAS, the County Mayor has prepared his recommendation on the City of West Miami's annexation request which is attached hereto and incorporated herein by reference; and

WHEREAS, pursuant to Section 20-7(B) the Board after a public hearing either directs that the County Attorney prepare the appropriate annexation request or the Board may deny the request or defer the request,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:

Section 1. The foregoing recitals are incorporated in this resolution.

Section 2. The Board of County Commissioners hereby takes the following action on the annexation request of the City of West Miami:

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:

Rebeca Sosa, Chairwoman
Lynda Bell, Vice Chair

Bruno A. Barreiro	Esteban L. Bovo, Jr.
Jose "Pepe" Diaz	Audrey M. Edmonson
Sally A. Heyman	Barbara J. Jordan
Jean Monestime	Dennis C. Moss
Sen. Javier D. Souto	Xavier L. Suarez
Juan C. Zapata	

The Chairperson thereupon declared the resolution duly passed and adopted this 5th day of November, 2013. 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

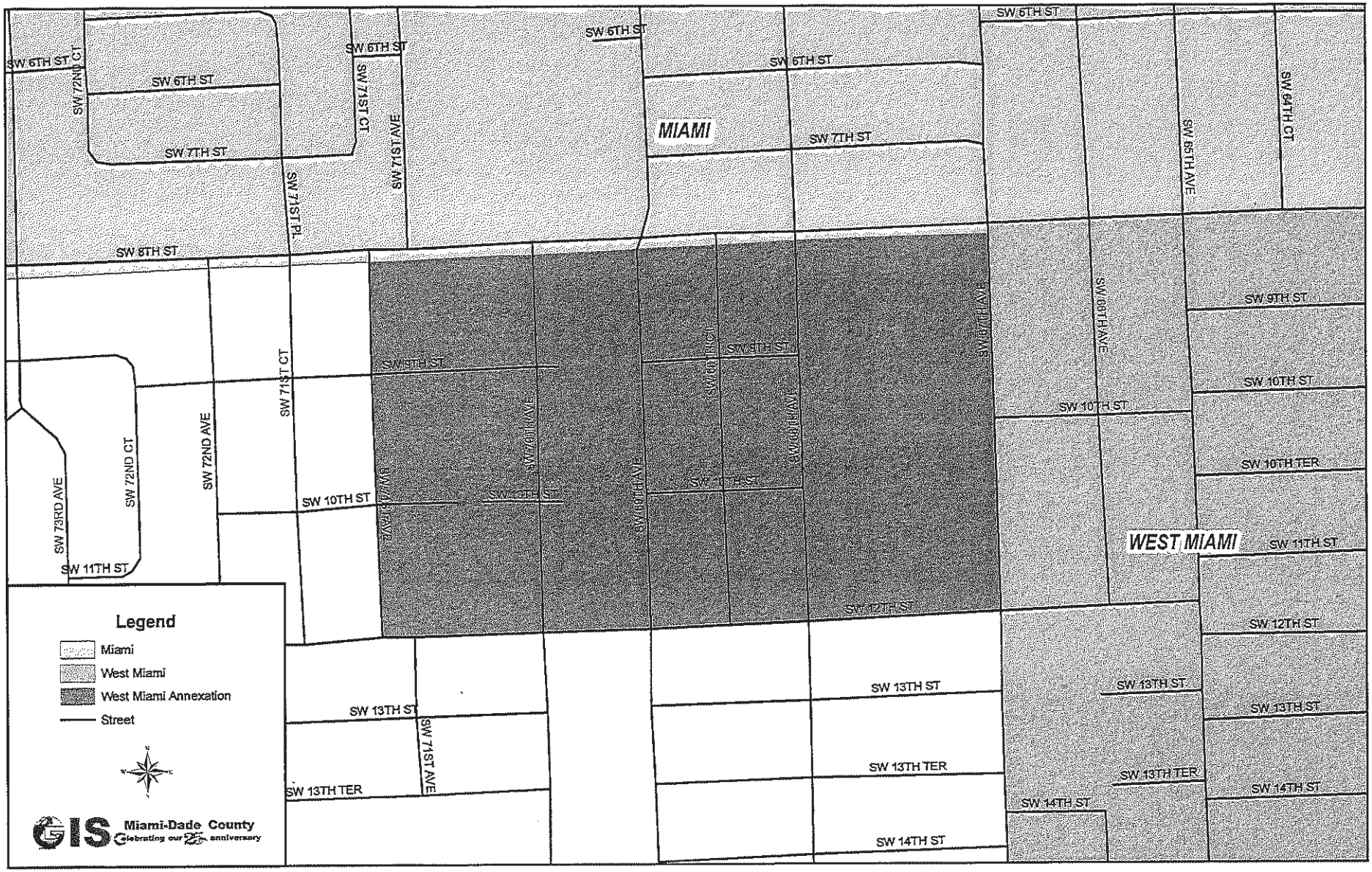
By:_____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Craig H. Coller

MIAMI DADE COUNTY

WEST MIAMI ANNEXATION



This map was prepared by the Miami Dade County Information Technology Department Geographic Information Systems (GIS) Division For the Office of Management and Budget
June 2013

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EXHIBIT 1

Memorandum

MIAMI-DADE COUNTY

Date: September 3, 2013

To: Chairperson and Members
Planning Advisory Board

From: Jorge M. Fernandez, Jr.
Program Coordinator, Office of Management and Budget

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

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Background

On April 19, 2013 the City of West Miami (City) submitted a boundary change application to the Miami-Dade County Clerk of the Board. The application was accepted by the Miami-Dade County Board of County Commissioners (Board) at the June 4, 2013 Board meeting and was referred to the Planning Advisory Board (PAB) for review and further processing, as required by the Miami-Dade County Code (Code).

Analysis

The City of West Miami is proposing to annex 64 acres of land contiguous to the City's current western municipal boundary (Attachment A).

The proposed annexation area is approximately 64 acres or 0.1 square miles of the Unincorporated Municipal Service Area (UMSA).

The proposed annexation area is bounded on the north by SW 8th Street, on the south by SW 12th Street, on the east by SW 67th Avenue, and on the west by SW 71st Avenue. The Area consists of a mix of residential, commercial, and office, with several undeveloped parcels. The following Miami-Dade County Public Schools are within the area: Flagami Elementary, Sylvania Heights Elementary, West Miami Middle, and South Miami Senior High.

The annexation area is within County Commission District 6.

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

Police

According to the application, the City already provides police services to the proposed annexation area. Currently the City employs eighteen (18) full time police officers, one (1) part-time and five (5) reserve officers.

The City's Police Department is recommending a $130,000 increase in their budget in order to add more part-time and reserve officers.

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 2012.

Year	Criteria	All Calls	Emergency Calls (Code 3)	Priority Calls (Code 2)	Routine Calls
2012	Total Calls	1,267	58	32	1,177

Year	Part I Crimes	Part II Crimes	Total
2012	131	34	165

Part I Crimes are 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 are all crimes not covered under Part I Crimes.

Fire and Rescue

The proposed annexation will not impact the Miami-Dade Fire Rescue (MDFR) service delivery and/or response time. Currently, the area is served as part of UMSA. If the annexation is approved, fire protection and emergency medical services will continue to be provided by Miami-Dade County and will continue to be served by the same stations and resources within the Fire District in an efficient and effective manner.

Existing Stations: The annexation area is served by Station 40 located at 975 SW 62nd Avenue in the City of West Miami. Station 40 is equipped with a rescue and an engine which serves the City of West Miami, including the annexation area, 24 hours a day; seven days a week. The station is located less than one (1) mile from the annexation area.

Planned Stations: Presently, there are no planned stations in the area.

Service Delivery – Last Three Calendar Years:

	2010	2011	2012
Life Threatening Emergencies			
Number of Alarms	125	109	116
Average Response Time	5:32	5:25	6:02
Structure Fires			
Number of Alarms	4	2	2
Average Response Time	3:16	4:04	5:07

Based on data retrieved during the last three calendar years, travel time to the vicinity of the proposed annexation area complies with the performance objectives of national industry. Performance objectives of national industry standards require the assembly of 15-17 firefighters on-scene within 8-minutes at 90% of all incidents.

MDFR has no objection to the proposed annexation. As a condition of annexation, the City, through an Interlocal Agreement with the County, shall agree that the proposed annexation area will remain within the Miami-Dade Fire Rescue District in perpetuity.

Water and Sewer

The proposed annexation areas are within the Miami-Dade Water and Sewer Department's (WASD) water and sewer service area and it will remain within the service area should the annexation be approved. Requests for future water and sewer service in the annexation areas shall be determined at the time the proposed development occurs within the City based on the adequacy and capacity of the County's water and sewer systems at that time.

There are no General Obligation Bond (GOB) projects under construction within the proposed annexation areas. The City's proposed annexation will not have an impact on WASD's ability to provide services to the remaining unincorporated area. There are no WASD Facilities of Countywide Significance in the proposed annexation areas.

Public Works and Waste Management (PWWM)

The annexation request is not expected to have any impacts on the ability of PWWM to provide services to the remaining unincorporated area in the vicinity. PWWM will continue to dispose of refuse for the City, subject to a delegation request from the City. Additionally, PWWM will continue to provide maintenance services to County designated roads and canals. PWWM has no objections to the proposed application.

According to the application, the County's PWWM will continue to serve the existing residential customers, but typically commercial and industrial areas will be required to contract for refuse removal services.

Waste Collection, Disposal and Recycling

The City currently provides residential garbage and trash collection service. The City also has an existing waste disposal agreement with the County. Upon annexation, PWWM will continue to provide services for the collection and disposal of refuse and recycling for the City's residential units, unless the County delegates this authority to the City. The proposed annexation area contains 69 residential service accounts.

Effect on Ability to Provide Services to UMSA

There are approximately 69 units in the annexation area, currently served by the County for garbage and recycling collection. These units will continue to be served by PWWM.

Street Maintenance

According to the application, "the State of Florida will be responsible for the maintenance of State roads while Miami-Dade County will be responsible for County roads. The remaining municipal streets will become city roads."

There are approximately 4.6 lane miles in the proposed annexation area. Approximately 4.1 miles will be transferred to the City. The County is proposing to keep the following road (approximately 0.5 lane miles):

- Street name: SW 67th Avenue (from SW 12th Street to SW 8th Street)

There are no road, bridge, canal & mosquito control facilities within the proposed annexation

area. PWWM recommends including the following alleyways within the proposed annexation area:

- From SW 68th Court to SW 69th Avenue (Between SW 8th Street to SW 9th Street – Township, Range, Section 54-40-11, Length 210' Width 16')
- From SW 70th Avenue to SW 70th Court (Between SW 8th Street to SW 9th Street, Township, Range, Section 54-40-11, Length 225' Width 16')

Department of Regulatory and Economic Resources (RER)
A description of the services provided by the Division of Environmental Resource Management (DERM) within RER, information relating to Chapter 24 of the Code of Miami-Dade County, Florida (Code) and assessment of environmental issues with the proposed annexation are listed below. Services provided by this department in the proposed annexation area include but are not limited to:

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 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 and issue 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 Office of Environmental Education and Communication (EECO) is responsible for promoting and coordinating pollution prevention programs, waste minimization programs, urban CO_2 reduction and environmental education in general. You may contact this office at 305-372-6784 for additional information regarding these services.

Enforcement Activities
These include regular inspections of permitted facilities as well as 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. DERM currently provides the above services to the subject area. Accordingly, annexation of the parcels will not affect the ability to provide adequate levels of service to the areas being annexed or to the areas adjacent to the parcels being annexed.

The following information is based on the City of West Miami, Annexation Report prepared by Dell David Planning Group, Inc. dated on April 8, 2013.

Water Supply and Distribution

The area proposed for annexation is located within the WASD's franchised service area. Public water mains are within the site in the form of 6, 8, 12 and 20-inch diameter water mains. Said mains are owned and operated by WASD.

The source of water for this area is the Alexander Orr Water Treatment Plant, which is owned and operated by WASD, has sufficient capacity to provide current water demand. The plant is presently producing water that meets Federal, State, and County drinking water standards.

-- Potable Water Supply –

Facilities for the Collection and Treatment of Sewage

The area proposed for annexation is located within WASD franchised service area. The property located at SW 67th Avenue between SW 12th Street and SW 8th Street (Trail Plaza Shopping Center, folio #30-4011-037-0010) is connected to a 6-inch sanitary force main abutting the property along SW 67th Avenue, through a private pump station (99-00343) and maintains a DERM operating permit PSO 343.

The sewage generated flow is directed to pump station 30-0171, then to pump station 30-0001, and finally to the Central District Wastewater Treatment Plant.

These sanitary sewer pump stations and the Central District Wastewater Treatment Plant are owned and operated by WASD. They are currently working within the mandated criteria set forth in the First Partial Consent Decree. At this time the Central Wastewater Treatment Plants has sufficient capacity to treat current discharge.

--Sanitary Sewer --

Drainage and Flood Protection

The entire annexation area is located with the Flood Zone X or is above the FEMA flood plain. County Flood Criteria ranges between elevation +6.00 feet and +6.50 feet National Geodetic Vertical Datum. Any development in the annexation area will have to comply with the requirements of Chapter 11C of the Code for flood protection.

Storm water drainage systems may be required in new developments within the proposed annexation area to reduce potential flooding and to improve the water quality of the storm water runoff. In some cases, a Surface Water Management Standard Permit may be applicable depending on the size of the development and amount of impervious area.

Stormwater Utility (SWU) Program and Fees

Currently, improved properties in the proposed annexation area are paying a stormwater utility fee to the County. This fee is used to administer stormwater management programs throughout UMSA. It is expected that these stormwater utility accounts would immediately become part of the West Miami 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 the City to communicate with WASD to continue or modify an existing Agreement.

County Resolution R-954-98 (July 21, 1998) exempted the City from the County's Stormwater Utility. Therefore, West Miami must pay its pro-rata share of the debt service on the County's 1999 and 2004 Stormwater Utility Revenue Bonds for the area currently proposed for annexation. Payment to the County for City's 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 (annually, or as a one-time payment), or collected through a WASD Agreement if one exists.

Drainage Repair and Maintenance

A review of the County's Water Control Plan shows that no County secondary canals provide a drainage service to the proposed annexation area.

A cost-share for Federal Emergency Management Agency (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 issues the Surface Water Management Standard Permit (SWMSP) on behalf of the South Florida Water Management District. Jurisdiction to require a SWMSP 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 drainage in County rights-of-way.

National Flood Insurance Program (NFIP)

The NFIP is a program that 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. Any annexation area would be added to the existing community.

West Miami is required to report to FEMA, as part of its FEMA Biennial Report, any changes to its Municipal boundaries.

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. 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 City staff any data that would assist in modeling these areas. Cooperation between the City 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 the City 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 City is currently a co-permittee in the County's joint permit. Therefore, the presence of any outfalls within the annexed area would change the City's cost-share percentage contribution. There is also a permit fee that the City 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 the City. This can be accomplished through an Interlocal Agreement. This Agreement would outline the subject roads, various road-related services, and the responsibilities of the City 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 Stormwater Utility Planning Division must be consulted for its comments and approval.

Pollution Control
There are two records of current contamination assessment/remediation issues within the proposed annexation area:

- Adrien Service Station (UT-166, Folio 30-4011-008-0010):
  Petroleum contaminated site currently in a state administered cleanup program.

- Al Springer Roofing (UT-746, Folio-30 4011-008-0020):
  Petroleum contaminated site currently in a state administered cleanup program.

Tree Preservation
A Miami-Dade County Tree Removal/Relocation Permit is required prior to the removal and/or relocation of any tree that is subject to the Tree Preservation and Protection provisions of the Code. Tree Removal Permits shall meet the requirements of Sections 24-49.2 and 24-49.4 of the Code.

Air Quality
This annexation application does not propose changes to zoning or the Comprehensive Development Master Plan land use designation areas, or to the level of service (LOS) for the annexation area. It is mainly a change of jurisdictional authority from Miami-Dade County to the City of West Miami. Therefore, no inconsistency with applicable federal, state and local air quality regulatory criteria is foreseen for this annexation request at this time.

Parks, Recreation and Open Spaces
There are no County parks within the proposed annexation area. The annexation has no impact on the Parks, Recreation and Open Spaces 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.

1. Does the annexation divide a historically recognized community?

   Approval of the proposed annexation would divide the Coral Terrace census Designated Place.

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

   The proposed annexation area is comprised of a mix of industrial, commercial and residential (including mobile home) uses. Existing land uses in the City, east of the annexation area, are primarily commercial uses along SW 67th Avenue and residential further east. Therefore, the annexation area is generally compatible with the existing land uses in the City.

The existing underlying zoning in the proposed annexation area is: GU (Interim District), RU-1 (Single-Family Residential District), RU-2 (Two-Family residential District), RU-3 (Four Unit Apartment House District), RU-3B (Bungalow Court District), BU-1A (Limited Business District), BU-2 (Special Business District) IU-1 (Industrial, Light Manufacturing District) and IU-2 (Industrial, Heavy Manufacturing District). The City states in its Annexation Application (page 31) that upon annexation the properties will be rezoned to the City's equivalent zoning districts. The City identifies its R1 (R1 Residence or Single Family District), A (Apartment Use Districts), and C (Commercial/Mixed Use District) as the equivalent zoning, which generally permit residential and commercial type developments. However, the City has not demonstrated that it has a zoning district that is equivalent to the existing IU-1 and IU-2 zoning on properties within the proposed annexation area. Therefore, while the proposed annexation area is compatible with the existing and planned uses currently within the City, it is unclear how the City will address the existing industrial uses on the annexation area properties that are designated and zoned for industrial type uses.

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 area is currently not located in or immediately adjacent to the Miami-Dade County Enterprise Zone (EZ), Neighborhood Revitalization Strategy Area (HUD CDBG), or in a census block group that meets the area benefit criteria for Community Development Block Grants (CDBG). It is not in an (state) enterprise or (federal) empowerment zone. Based on the most recent census data, the City does not meet the HUD Entitlement Grantee criteria of having a minimum population of 50,000. The City will continue to be eligible to apply to Miami-Dade County for CDBG funds subject to compliance with all program rules.

   The area is approximately 0.03 miles from a contaminated site; however the area is not currently designated as brownfield and does not receive brownfield incentives.

   The area is inside the Urban Development Area (UDB).

4. Will the annexation impact public safety response times?

   Fire and Rescue:
   The City is within the Miami-Dade County Fire Rescue District and the area will continue to be served by the same stations and resources within the Fire District. If the annexation is approved, it will not impact MDFR service delivery and/or response time.

   Police:
   In the event the annexation application is successful, the total service area within UMSA will be minimally reduced. Conversely, departmental resources may need to 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. Will the annexation introduce barriers to municipal traffic circulation due to existing security taxing districts, walled communities, and/or private roads?

   The Miami-Dade County Public Works and Waste Management Department does not anticipate barriers to municipal traffic circulation or related impacts with this annexation. However, SW 12th Street, SW 69th and SW 70th Avenues provide important access to County services within the proposed annexation area, and should be kept with such accessibility for through movements.

6. Will the annexation area be 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 State law 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 Code. A list of new cable franchise certificates that may affect Miami-Dade County's rights-of-way can be found at the following site: 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 are responsible for managing their 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. Has 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 proposed annexation area is not located within the federally designated 100-year floodplain.

   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. Will the annexation area be connected to municipal government offices and commercial centers by public transportation?

The proposed annexation area will be connected by public transportation to municipal government offices and commercial centers via existing Metrobus service located within the proposed annexation area.

The following Metrobus routes are located within the proposed annexation area:

Route 8: runs along SW 8th Street, which is the northern boundary of the proposed annexation area.

Route 73: runs along SW 67th Avenue, which is the eastern boundary of the proposed annexation area.

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 West Miami. The schools serving the proposed annexation area are Flagami Elementary, Sylvania Heights Elementary, West Miami Middle and South Miami 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?

      Approval of the proposed annexation would divide the Coral Terrace 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) Is the area or does it 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, nor does it create an unincorporated enclave.

   d) Are the boundaries logical, consisting of natural, built, or existing features or City limits?

The boundaries are logical and follow major roadways and municipal boundaries.

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 $71,738,528. At the current City of West Miami millage rate (6.8858 mills), the ad valorem revenues attributable to the annexation area would be $469,278. At the current UMSA millage rate (1.9283 mills), the ad valorem revenues attributable to the annexation area would be $131,417 as noted in the table below. The expected tax increase to the entire annexation area would be an additional 4.9575 mills and $337,862. The average property owner would pay an additional $1,856 if this annexation is approved.

Existing and Projected Property Tax Cost		
City of West Miami FY 2012-13		
	Millage Rate	Millage x Taxable Value
City of West Miami		
Municipal Millage	6.8858	$469,278
Unincorporated Area		
UMSA Millage	1.9283	$131,417
Increase	**4.9575**	**$337,862**

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

   The proposed annexation area is located inside the 2015 UDB of the Adopted 2015 and 2025 Land Use Plan (LUP) map of the Miami-Dade County Comprehensive Development Master Plan.

4. What is 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 $71,738,528. The area generates an estimated $219,947 in revenue. The County spends an estimated $429,252 per year providing services to the area. Therefore, the net revenue gain to the UMSA budget is an estimated $209,304 (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 $38,345 and utility taxes of an estimated $77,145 will be retained by the County.

5. What is 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 694 residents in the annexation area. The per capita taxable value is $103,369.

6. Is the annexation consistent with the Land Use Plan of the County's CDMP?

   The CDMP Adopted 2015-2025 LUP map designates properties in the proposed annexation area fronting on SW 8th Street (to a depth of ±110 feet) and properties between SW 67th Avenue and SW 68th Avenue as "Business and Office". The properties fronting on SW 71st Avenue are designated "Low Density Residential (2.5 to 5 dwelling units per gross acre). The remainder of the annexation area is designated "Industrial and Office", between SW 68th Avenue to east of SW 71st Avenue.

   The following is a brief description of these three CDMP land use categories:

   The "Business and Office" LUP designation allows the full range of sales and service activities, which include "retail, wholesale, personal and professional services, call centers, commercial and professional offices, hotels, motels, hospitals, medical buildings, nursing homes, entertainment and cultural facilities. The category also allows residential uses, and the mixing of residential use with commercial, office and hotels provided that the scale and intensity, including height and floor area ratio of the residential or mixed use development is not out of character with that of adjacent or adjoining development and zoning, and it does not detrimentally impact but provides a sensitive well designed transition to any adjacent or adjoining residentially developed or designated areas of different development intensity".

   The "Low Density Residential" designation allows a residential development ranging from 2.5 to 6 dwelling units per gross acre.

   The "Industrial and Office" land use category 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.

The City identifies its Comprehensive Plan Future Land Use Map categories that it considers to be the closest equivalents to the County's "Low Density Residential", "Business and Office" and "Industrial and Office" land use categories. These future land use categories include "Low Density" (up to 8 units per acre), "Moderate Density" (up to 15 units per acre), "High Density" (up to 49 units per acre) "Commercial Mixed Uses" and "Commercial Office" (City's Annexation Report dated April 8, 2013, pages 26 through 30). The City also states in the Annexation Report (page 20) that upon annexation the City will redesignate the properties in the annexation area to a Future Land Use Map designation(s) that is the closest land use equivalent to the current designations of the annexation area lands. The City has not demonstrated that it has a future land use category equivalent to the County's Industrial and Office LUP map Category. Therefore, should the City designate the proposed annexation area lands as stated, the annexation would be generally consistent with the CDMP LUP map, with the exception of the "Industrial and Office" designated area. The City has not demonstrated that the currently allowed industrial type uses would continue to be allowed should the proposed annexation be approved.

Demographic Profile of the Area

As shown on the table below, the estimated 2010 Census population of the proposed annexation areas is 694, while the City of West Miami's population is 5,965. Table 1 shows that approximately 93 percent of the population within the proposed annexation area is Hispanic with approximately 90 percent of the population within the municipal boundaries are of Hispanic origin.

Table 1

City of West Miami Proposed Annexation Area
Demographic and Economic Characteristics
City of West Miami and Miami-Dade County, 2010

	Study Area Estimates	City of West Miami	Miami-Dade
Population Characteristics, 2010	694	5,965	2,496,435
Percent White, Not Hispanic	6.1%	9.1%	15.4%
Percent Black, Not Hispanic	0.1%	0.1%	17.1%
Percent Other, Not Hispanic	0.4%	0.6%	2.5%
Percent Hispanic	93.4%	90.2%	65.0%
Income*			
Median Household Income	$39,638	$34,754	$43,957
Per-capita Income	$18,506	$18,978	$23,348
Housing			
Total Housing Units	216	2,180	989,435

Source: U.S. Census Bureau, Census 2010, Summary File 1, Table P2; ACS 2007-2011, Tables B19013 and B19301; and Miami-Dade County, Regulatory and Economic Resources Department, Planning Research Section - June 2013.

[1] Estimates for median household income and per-capita income are based on the U.S. Census Block Group that the proposed annexation area is contained within.

[2] The U.S. Census Bureau counted 216 housing units within the blocks that make up this annexation area. The Miami-Dade County Property Appraiser's dataset identified 169 housing units: some housing unit types are not reflected in their files due to property ownership records.

Development Profile of the Area

Shown in Table 2 is the 2013 land use profile for the proposed annexation area. Approximately 17 percent of the land within the proposed annexation area is in residential use, while 59 percent of the land within the City is in residential use. Table 2 also shows that approximately 32 percent of the 61.4 acres of the proposed annexation area is in commercial and office and transient residential use, while eight percent of the land within the City is in that use.

Table 2

City of West Miami Proposed Annexation Area
2013 Existing Land Use

Land Use	Annexation Area (Acres)	Annexation Area (Percent of Total)	West Miami (Acres)	West Miami (Percent of Total)	Miami-Dade County (Acres)	Miami-Dade County (Percent of Total)
Residential	10.6	17.2	268.3	59.1	111,061.0	8.8
Commercial & Office &Transient Residential	19.9	32.4	36.1	8.0	14,426.3	1.1
Industrial	10.0	16.4	2.3	0.5	17,765.3	1.4
Institutional	1.6	2.6	12.1	2.7	14,565.0	1.2
Parks/Recreation	0.0	0.0	7.2	1.6	833,385.1	65.8
Transportation, Communication, Utilities	16.4	26.7	124.6	27.4	87,415.7	6.9
Agriculture	0.0	0.0	0.0	0.0	63,535.9	5.0
Undeveloped	2.9	4.7	3.6	0.8	87,218.5	6.9
Inland Waters	0.0	0.0	0.0	0.0	36,937.2	2.9
Total:	**61.4**	**100.0**	**454.1**	**100.0**	**1,266,309.9**	**100.0**

Source: Miami-Dade County Department of Regulatory and Economic Resources, Planning Research Section - March 2013

Summary of Issues for Consideration

1. The proposed annexation area is not an enclave, nor does it create an unincorporated enclave.
2. Approval of the proposed annexation would divide the Coral Terrace Census Designated Place, however, the annexation area is generally compatible with the existing land uses in the City.
3. The area should remain within the Miami-Dade Fire Rescue District in perpetuity.
4. County Resolution R-954-98 (July 21, 1998) exempted the City from the County's Stormwater Utility. West Miami must pay its pro-rata share of the debt service on the County's 1994 and 2004 Stormwater Utility Revenue Bonds for the area currently proposed for annexation. Payment to the County for the West Miami debt service on these bonds will initiate immediately upon annexation.
5. Certain County roads located within the proposed annexation area may need to be transferred to West Miami. Public Works and Waste Management recommends including the following alleyways within the proposed annexation area:
    - SW 68th Court to SW 69th Avenue (Between SW 8th Street to SW 9th Street)
    - SW 70th Avenue to SW 70th Court (Between SW 8th Street to SW 9th Street)

6. SW 12th Street, SW 69th and SW 70th Avenues provide important access to County Services within the proposed annexed area, and should be kept with such accessibility for through movements.
7. The County is proposing to keep the following road: SW 67th Avenue (from SW 12th Street to SW 8th Street).
8. County records indicate the following zoning covenants on properties within the proposed annexation areas:
    - Folio No. 30-4011-008-0160: Declaration of Restrictions
    - Folios No. 30-4011-008-0160 and 30-4011-008-0170: Declaration of Easements and Operating Agreement
    - Folios No. 30-4011-008-0160 and 30-4011-008-0170: Covenant Running with the Land in Lieu of Unity of Title
    - Folios No. 30-4011-008-0400, 30-4011-008-0410, 30-4011-008-0420, 30-4011-008-0440 and 30-4011-008-0600: Declaration of Restrictions
9. The City has not demonstrated that it has a future land use category equivalent to the County's Industrial and Office LUP map Category. Therefore, should the City designate the proposed annexation area lands as stated, the annexation would be generally consistent with the CDMP LUP map, with the exception of the "Industrial and Office" designated area. The City has not demonstrated that the currently allowed industrial type uses would continue to be allowed should the proposed annexation be approved.
10. The City has not demonstrated that it has a zoning district that is equivalent to the existing IU-1 and IU-2 zoning on properties within the proposed annexation area. Therefore, while the proposed annexation area is compatible with the existing and planned uses currently within the City, it is unclear how the City will address the existing industrial uses on the annexation area properties that are designated and zoned for industrial type uses.

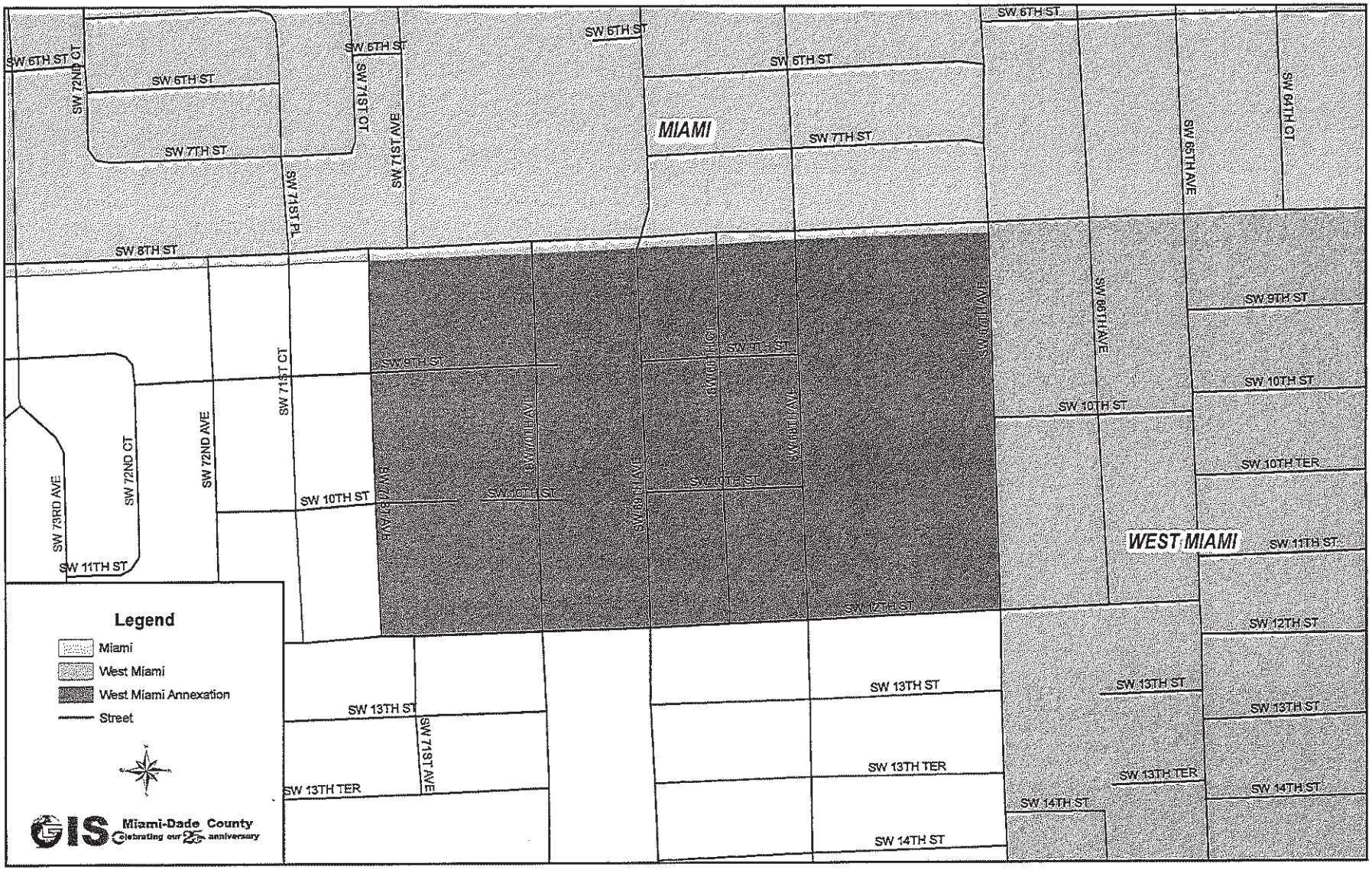
Attachments:

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

Cc: Jennifer Moon, Director, Office of Management and Budget

MIAMI DADE COUNTY

WEST MIAMI ANNEXATION



This map was prepared by the Miami Dade County Information Technology Department Geographic Information Systems (GIS) Division For the Office of Management and Budget
June 2013

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Estimated Impact on UMSA Budget West Miami Annexation

Based on FY 12-13 Budget	Annexation Assumptions	
Property Tax Revenue	Allocation based on tax roll & millage	$133,000
Franchise Fees	County Retains Revenues	
Sales Tax	Allocation based on $58.94 per person	$45,392
Utility Taxes	County Retains Revenues	
Communications Tax	Allocated based on tax roll/population	$38,703.49
Alcoholic Beverage License	Allocation based on $0.23 per person	$163
Occupational License	Allocation based on $1.80 per person	$1,247
Interest	Allocation based on .16% of total revenue	$351
Miscellaneous Revenues	Allocation based on $1.55 per person	$1,091
Revenue to UMSA		$219,947
Cost of Providing UMSA Services		
Police Department		$339,882
UMSA Police Budget (without specialized)		
Park and Recreation Dept	Based on cost of parks	$0
Public Works		
Centerline Miles	Centerline miles times cost per lane mile	$442
Planning, Code Compliance and others	Direct cost times 14.1%	$47,986
QNIP (pay-as you-go)	Utility Taxes as a % of debt service 16%	$0
Policy Formulation/Internal Support	Direct cost times 12%	$40,941
Cost of Providing UMSA Services		$429,252
Net to UMSA		($209,304)

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

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.

2012 Taxable Property Rolls (Area)		$71,738,528
2010 Area Census Population		694
2011 UMSA Population		1,103,125
2012-13 UMSA Millage		1.9283
Patrollable Sq. Miles - UMSA (post Cutler Bay)		207.90
Total Calls For Service - UMSA 2012		615,684
Part 1 Crimes - UMSA 2012		51,222
Part 2 Crimes - UMSA 2012		22,889
Patrollable Sq. Miles - Study Area		0.100
Total Calls for Service - Study Area		1,267
Part 1 Crimes - Study Area		131
Part 2 Crimes - Study Area		34
Cost per Centerline Mile		$96
Number of Centerline Miles		4.6
Per Capita Taxable Value		$103,369.64

RESOLUTION OF THE MIAMI-DADE COUNTY PLANNING ADVISORY BOARD RECOMMENDING THAT THE BOARD OF COUNTY COMMISSIONERS DENY THE PROPOSED ANNEXATION TO THE CITY OF WEST MIAMI

WHEREAS, the City of West Miami has petitioned for the annexation of the area generally described below:

Boundaries: On the north SW 8th Street, on the south SW 12th Street, on the east SW 67th Avenue and on the west SW 71st Avenue

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 September 3, 2013; and

WHEREAS, on September 3, 2013, the Planning Advisory Board's Incorporation and Annexation Committee held an advertised public meeting, concerning this application for annexation by the City of West Miami; and

WHEREAS, the Planning Advisory Board's Incorporation and Annexation Committee recommended deferral for further information of the proposed annexation; and

WHEREAS, on September 3, 2013, the Planning Advisory Board held an advertised public hearing, concerning this application by the City of West Miami;

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 by the City of West Miami.

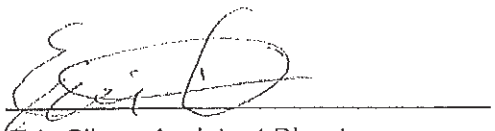
The forgoing resolution was offered by Board Member Carla Ascencio-Savola, who moved its adoption and was seconded by Board Member Javier Munoz, and upon being put to a vote the vote was as follows:

Carla Ascencio-Savola	Yes	Raymond Marin	Absent
Aida Bao-Garciga	Yes	Robert Meador	No
Jose Bared	Yes	Javier Munoz	Yes
Peter DiPace	Absent	William Riley	No
Horacio Huembes	Absent	Georgina Santiago	Absent
Joseph James	Yes	Jesus Vazquez	Absent
Serafin Leal	No	Paul Wilson	Absent

Wayne Rinehart, Chair Absent

The Chair thereupon declared the resolution duly passed and adopted this 3rd day of September 2013.

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



Eric Silva - Assistant Director
Regulatory and Economic Resources

CITY OF WEST MIAMI, FLORIDA

ANNEXATION REPORT

April 8, 2013

Pursuant to Resolution No. 2013-08, the City of West Miami duly authorizes the submittal of this Annexation Report to Miami-Dade County.

Submitted by:

Mayor Eduardo H. Muhiña
Vice-Mayor Luciano L. Suarez
Commissioner Juan M. Blanes
Commissioner Candida Blanca
Commissioner Elsa J. Vazquez

Staff
Yolanda Aguilar, City Manager
Jose A. Villalobos, City Attorney
Annery Gonzalez, City Clerk
Juan Pena, Director of Public Works

Prepared by:

REALM Consulting

And

Bell David Planning Group, Inc.

774 NE 126th Street, Suite 1
North Miami, FL 33161

(786) 514-0121

Table of Contents **Page**

1. Executive Summary 1

2. Location Aerial 3

3. Resolution 5

4. Public Hearing Notice 10

5. Map and Legal Description 11

6. Certifications of County Supervisor of Registration (Elections) and Department of Regulatory and Economic Resources – Request Letters and Responses 12

7. Statement of Reason for Boundary Changes 17

8. Notification of Adjacent Municipalities 18

9. Land Use Plan and Zoning 19

10. List of Services to be Provided 45
    a. Police
    b. Fire Protection
    c. Water Supply and Distribution
    d. Facilities for Collection and Treatment of Sewage
    e. Garbage and Refuse Collection and Disposal
    f. Street Lighting
    g. Street Construction and Maintenance
    h. Park and Recreation Facilities and Services
    i. Building Inspection
    j. Zoning Administration
    k. Local Planning Services
    l. Special Services Not Listed Above
    m. General Government

11. Timetable for Supplying Services 47
a. Police
b. Fire Protection
c. Water Supply and Distribution
d. Facilities for Collection and Treatment of Sewage
e. Garbage and Refuse Collection and Disposal
f. Street Lighting
g. Street Construction and Maintenance
h. Park and Recreation Facilities and Services
i. Building Inspection
j. Zoning Administration
k. Local Planning Services
l. Special Services Not Listed Above
m. General Government

12. Financing of Services 49
a. Police
b. Fire Protection
c. Water Supply and Distribution
d. Facilities for Collection and Treatment of Sewage
e. Garbage and Refuse Collection and Disposal
f. Street Lighting
g. Street Construction and Maintenance
h. Park and Recreation Facilities and Services
i. Building Inspection
j. Zoning Administration
k. Local Planning Services
l. Special Services Not Listed Above
m. General Government

13. Tax Load on Annexation Area 51

14. Certification of Director of Planning & Zoning (RER) 52

15. Petition with Clerk of County Commission 53

Attachment "A" – Certified List of Property Owners

Attachment "B" – Letter of Support

Attachment "C" – Ord. 133 - Levy for Recreation System

Attachment "D" – Ord. 2013-02 – Additional Homestead Exemption for Senior Citizens

1. Executive Summary

"Little Big Town, a Haven of Happy Homes" – the slogan of a City with a unique and rich history that started with the idea to incorporate because, at the time, Dade County wanted to reduce cocktail hours and ban gambling. Area residents would have none of that!

At the time of incorporation in 1947 there were only 700 residents. Within the span of a few short years the population grew to almost 6,000 - where it remains today. Many of the first residents were WW II veterans taking advantage of free lots in the area. Today, a number of original residents or their descendants still call the City of West Miami home. And although the demographics of the City have changed the quality of life and the desire to maintain the small town atmosphere has not.

What has changed is that the City now believes that the timing for annexation efforts is right due to present annexation and incorporation efforts throughout Miami-Dade County. The area to the City's West is an area that has future development potential and a residential area that is comparable to areas existing within the City. The City is in a position to provide the proposed annexation area with high quality municipal services, better access to local government services without extraordinary additional resources.

Therefore, with this submittal, the City of West Miami (City), wishes to initiate the annexation process. The City wishes to annex approximately **64 acres** (0.1 square mile) which are contiguous to the City's current western municipal boundary (See Location Aerial).

The Annexation Area is described as a portion of: Section 11 Township 54, Range 40 in Miami-Dade County, Florida. More particularly, the area being requested for annexation is bounded by SW 8th Street to the North, SW 12th Street to the South, SW 67th Avenue to the East and SW 71st Avenue to the West. This area is completely accessible through the existing street network of West Miami.

The 2012 population figures showed that approximately 5,800 persons reside in the City of West Miami. The City is also home to 300 businesses. The addition of the Annexation Area would increase the City's population by almost 700 and would also add numerous new businesses.

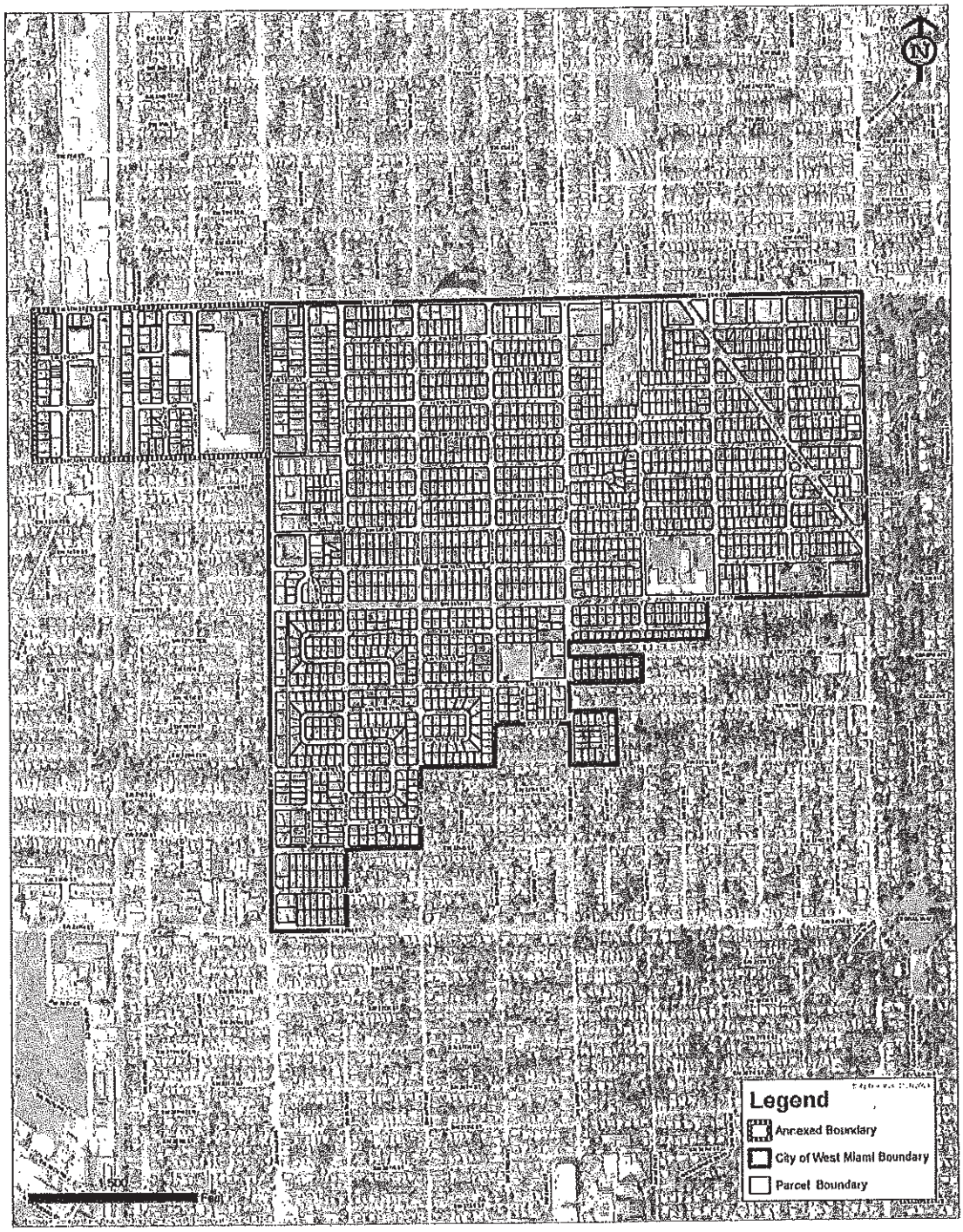
With its current successes the City wishes to expand so that the following goals may also benefit the Annexation Area:

- Improving services and infrastructure;
- Having a local government that is aware of and concerned with the business community's development and the quality of life for local residents and businesses;
- Instilling pride and participation;
- Improving the process of development regulation;
- Providing for a local government that is accountable for how taxes are spent and is willing to participate with all other Miami-Dade municipalities, old and new, in providing financial assistance to some of the less fortunate areas of the County;

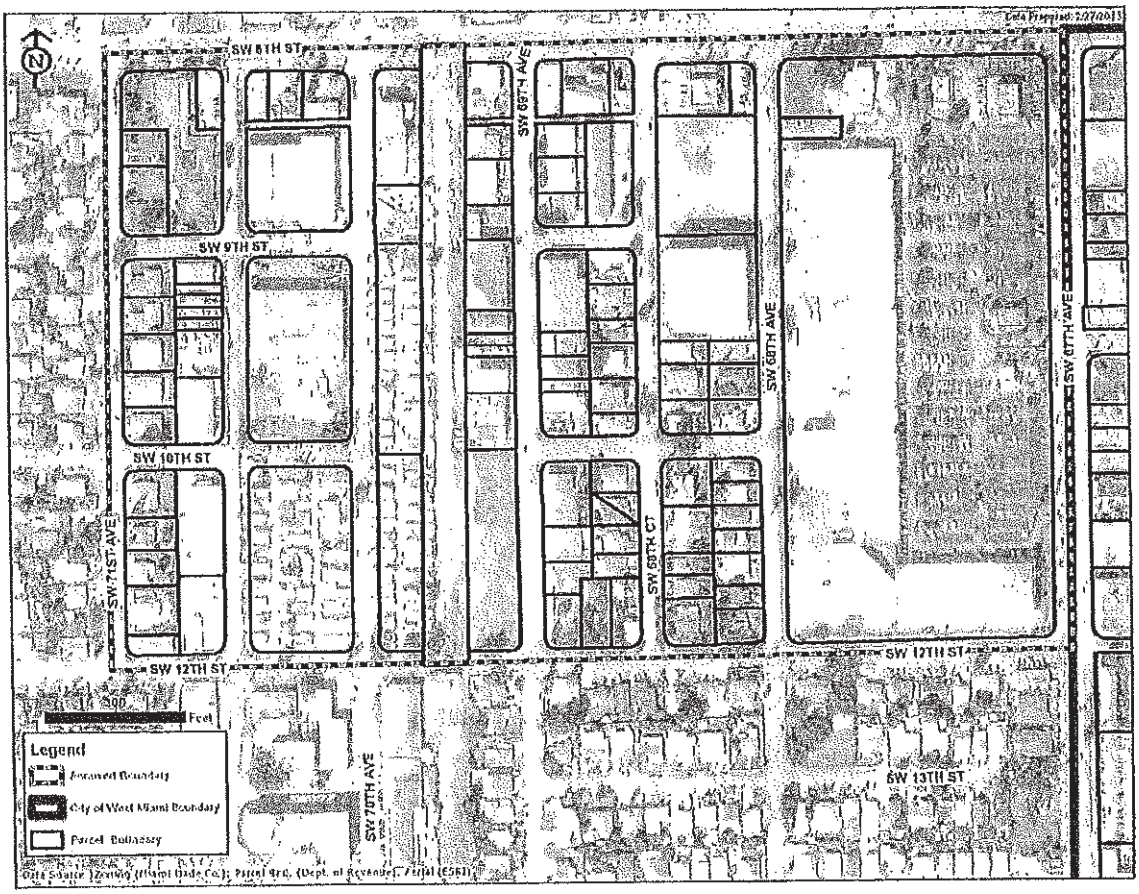
- By providing a dedicated mill of the City's total millage for the City's recreation system and community center; and,
- Granting an additional Homestead Exemption to Qualifying Senior Citizens.

In summary, the Annexation Area will further provide for the fiscal strength of the City by increasing its tax base and allowing for significant job creation opportunities. Through more localized planning and review and enforcement of regulations the needs of this very important employment and economic center will be fully realized.

2. Location Aerial



Proposed Annexation Area



3. **Resolution**

The application for annexation of a 64 acre portion of Section 11 was approved under Resolution No. 2013-08 by the City Commission of the City of West Miami.

RESOLUTION # 2013-08

RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF WEST MIAMI, FLORIDA INITIATING AND REQUESTING PROPOSED BOUNDARY CHANGES TO THE CITY OF WEST MIAMI IN ORDER TO ANNEX ADJACENT UNINCORPORATED AREA BOUNDED BY S.W. 8TH STREET TO THE NORTH, S.W. 12TH STREET TO THE SOUTH, S.W. 67TH AVENUE TO THE EAST AND S.W. 71ST AVENUE TO THE WEST, LEGALLY DESCRIBED MORE SPECIFICALLY IN EXHIBIT "A" OF THIS RESOLUTION; REQUESTING APPROVAL FOR ANNEXATION FROM THE BOARD OF COUNTY COMMISSIONERS; AND FOLLOWING THE TERMS OF ARTICLE I, SECTION 20-3 OF THE CODE OF MIAMI-DADE COUNTY TITLED "INITIATED BY GOVERNING BODY OF MUNICIPALITY"; AUTHORIZING THE MAYOR, MANAGER, CLERK AND ATTORNEY TO TAKE ANY AND ALL ACTIONS NECESSARY TO SUBMIT A REQUEST FOR THE PROPOSED ANNEXATION AND BOUNDARY CHANGE TO THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA; AUTHORIZING TRANSMITTAL OF THIS RESOLUTION AND ACCOMPANYING DOCUMENTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Section 5.04 of the Miami-Dade County Home Rule Charter and Section 20-3 of the Code of Miami-Dade County, the City of West Miami (the "City") wishes to initiate a proposed boundary change by Resolution after public hearing, upon mailed notice provided to all affected property owners within 600 feet of the proposed boundaries and notice provided by publication; and

WHEREAS, the City Commission has conducted a public hearing that was properly noticed in accordance with the requirements of Section 20-3 of the Code of Miami-Dade County; and

WHEREAS, the City Commission has determined that the annexation of the area legally described in Exhibit "A" attached hereto and made a part hereof, is necessary, appropriate and in the best interest of the City and its citizens.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE CITY COMMISSION OF THE CITY OF WEST MIAMI THAT:

Section 1. The above recitals are true and correct and are incorporated herein by reference.

Section 2. The City Commission hereby approves the enlargement of the City's boundaries to the areas legally described in Exhibit A, attached hereto and made a part hereof, in Miami-Dade County, Florida and authorizes the initiation of municipal boundary change procedures pursuant to Section 5.04 of the Miami-Dade County Home Rule Charter and Chapter 20 of the Code of Miami-Dade County.

Section 3. The City Commission hereby requests the Board of County Commissioners of Miami-Dade County, Florida, to adopt an appropriate ordinance approving the request of the City for the annexation of the lands legally described in Exhibit A.

Section 4. The Mayor, Manager, Clerk and Attorney are hereby authorized and directed to perform any and all actions as may be deemed necessary or desirable to initiate and continue the boundary change procedure in accordance with Chapter 20 of the Code of Miami-Dade County and submit the annexation proposed herein to the Board of County Commissioners of Miami-Dade County for their consideration.

Section 5. The Clerk is hereby authorized and directed to transmit three (3) certified copies of this Resolution, together with proof of compliance with the notice procedures and all accompanying documentation as set forth in Section 20-3 of the Code of Miami-Dade County to the Miami-Dade County Board of County Commissioners.

Section 6. This resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED this 20th day of March, 2013.

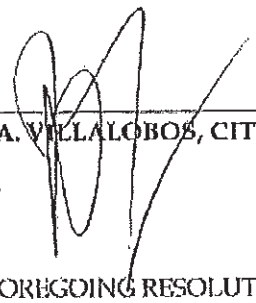
APPROVED:

EDUARDO H. MUHIÑA, MAYOR

ATTEST:

ANNERY GONZALEZ, CITY CLERK

APPROVED AS TO FORM AND SUFFICCIENCY:



JOSE A. VILLALOBOS, CITY ATTORNEY

THE FOREGOING RESOLUTION WAS OPENED BY COMMISSIONER BLANCA WHO MOVED FOR ITS ADOPTION. THE MOTION WAS SECONDED BY COMMISSIONER BLANES AND UPON PASSAGE WAS PUT TO A VOTE AS FOLLOWS:

ROLL CALL VOTE:

MAYOR EDUARDO H. MUHIÑA	Y
VICE-MAYOR LUCIANO L. SUAREZ	Y
COMMISSIONER CANDIDA BLANCA	Y
COMMISSIONER JUAN M. BLANES	Y
COMMISSIONER ELSA J. VAZQUEZ	N

EXHIBIT "A" TO RESOLUTION # 2013- 08

The following are boundaries for the area of the proposed annexation of unincorporated properties by the City of West Miami:

LEGAL DESCRIPTION

A portion of land lying in the Northeast 1/4 of Section 11, Township 54 South, Range 40 East, Miami-Dade County, Florida, being more particularly described as follows:

The North 1/2 of the Northeast 1/4 of Section 11, Township 54 South, Range 40 East, Miami-Dade County, Florida, LESS the following described parcel:

BEGIN at the Northwest Corner of the Northeast 1/4 of Section 11, Township 54 South, Range 40 East, Miami-Dade County, Florida, that is also the intersection of the Centerlines of S.W. 8th Street (Tamiami Trail and State Road 90) and S.W. 72nd Avenue; thence run along the Centerline of said S.W. 8th Street, North 87°26'43" East for a distance of 534.34 feet to a point of intersection with the Centerline of S.W. 71st Avenue; thence run along the Centerline of said S.W. 71st Avenue, South 01°24'22" East for a distance of 1318.81 feet to a point of intersection with the Centerline of S.W. 12th Street; thence run along the Centerline of said S.W. 12th Street, South 87°39'22" West for a distance of 539.32 feet to a point of intersection with the Centerline of S.W. 72nd Avenue; thence run along the Centerline of said S.W. 72nd Avenue, North 01°11'17" West for a distance of 1316.94 feet to the POINT OF BEGINNING; containing an area of 63.2 acres, more or less.

4. Public Hearing Notice – Thursday March 7, 2013

CITY OF WEST MIAMI
NOTICE OF PUBLIC HEARING
ON PROPOSED ANNEXATION

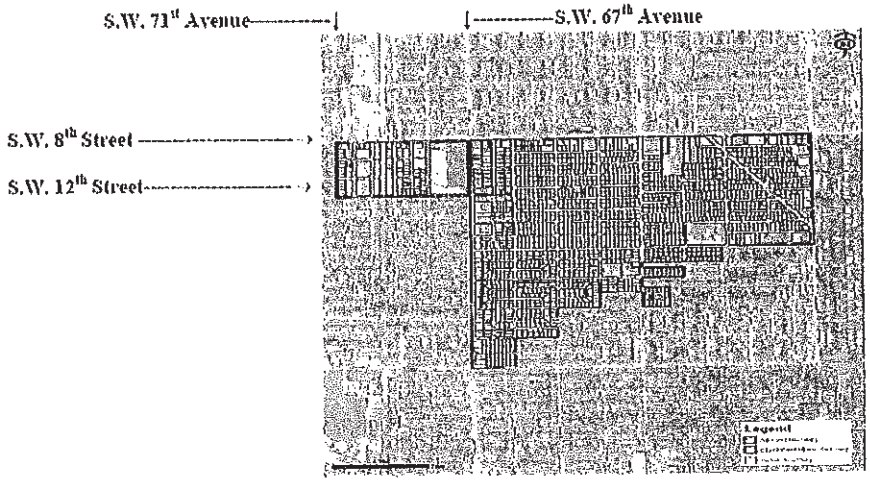
NOTICE IS HEREBY GIVEN that the City Commission of the City of West Miami, Florida will hold a public hearing at 7:30 P.M. on Wednesday, March 20th, 2013 at the Commission Chambers at City Hall located at 901 S.W. 62nd Avenue, Miami, Florida 33144, on a proposal to include within the boundaries of the City of West Miami the shaded area titled "Annexed Boundary" shown on the map below.

The Miami-Dade County Code requires the governing body of a municipality to hold a public hearing prior to adopting a resolution approving annexation. A notice of the public hearing must be sent to all property owners within the annexation area and all property owners within 600 feet of the annexation area. All interested parties are urged to attend.

The Annexation Area is bounded by SW 8th Street to the North, SW 12th Street to the South, SW 67th Avenue to the East and SW 71st Avenue to the West.

Additional information requests and questions may be directed to the Office of the City Manager or the Office of the City Clerk, (305)266-1122.

IF ANY PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE CITY COMMISSION WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETING OR HEARING, SUCH PERSON WILL NEED A RECORD OF THE PROCEEDINGS AND THAT, FOR SUCH PURPOSE, HE MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. PERSONS WHO NEED AN ACCOMMODATION IN ORDER TO PARTICIPATE IN THIS MEETING SHOULD CONTACT CITY CLERK ANNERY GONZALEZ AT (305)266-1122 BY NOON ON THE MONDAY PRIOR TO THE MEETING.



Annery Gonzalez
City Clerk
March 7th, 2013

5. **Map and Legal Description**

See Section 2. above for location

A portion of Section 11, Township 54, Range 40 or as further described: an area bounded by SW 8th Street to the North, SW 12th Street to the South, SW 67th Avenue to the East and SW 71st Avenue to the West.

Total Number of Acres: 61.4

6. Certification of County Supervisor of Registration (Elections) and Department of Regulatory and Economic Resources – Request Letters and Responses

BELL DAVID PLANNING GROUP, INC.
Metropolitan Florida Planning Professionals

March 2, 2013

Ms. Penelope Townsley, Supervisor of Elections
Miami-Dade County Elections Department
2700 NW 87th Avenue
Doral, FL 33172

RE: Certificate of the Supervisor Certifying the Number of Qualified Electors
City of West Miami Annexation Request – A Portion of Section 11, Township 54, Range 40

Dear Ms. Townsley:

My client, the City of West Miami, is initiating the process to have the above referenced land annexed into the City and which is located west of and adjacent to the existing municipal boundaries. More particularly, the area being requested for annexation is bounded by SW 8th Street to the North, SW 12th Street to the South, SW 67th Avenue to the East and SW 71st Avenue to the West.

As referenced in Chapter 20 "Municipalities", Section 3(C), a "Certificate of the County Supervisor of Registration certifying that the area involved in the proposed boundary change contains either more than two hundred fifty (250) residents who are qualified electors, or less than two hundred fifty (250) residents who are qualified electors." is required for the application submittal.

We would appreciate your assistance in this matter and respectfully request the referenced certification letter. If you have any questions, I may be reached at (786) 514-0121.

Very truly yours,

Alex A. David

Alex A. David, AICP

Attachment

cc: Yolanda Aguilar, City Manager, City of West Miami
Jorge Forte, REALM Consultants

774 NE 136 Street, Suite 1 . North Miami, FL 33161 . Office: 786.514.0121 Fax: 305.675.0507
www.belldavid.com alex@belldavid.com

Elections
2700 NW 87th Avenue
Miami, Florida 33172
T 305-499-VOTE F 305-499-8547
TTY: 305-499-8480

miamidade.gov

CERTIFICATION

STATE OF FLORIDA)

COUNTY OF MIAMI-DADE)

I, Tara C. Smith, Chief Deputy Supervisor of Elections of Miami-Dade County, Florida, do hereby certify that the **City of West Miami**, as described on the attached document, has **176** voters.

A Portion of Section 11, Township 54, Range 40:

Bounded by SW 8th Street to the North, SW 12th Street to the South, SW 67th Avenue to the East and SW 71st Avenue to the West.

WITNESS MY HAND AND OFFICIAL SEAL, AT MIAMI, MIAMI-DADE COUNTY, FLORIDA, ON THIS 11th DAY OF MARCH, 2013

Tara C. Smith
Chief Deputy Supervisor of Elections

BELL DAVID PLANNING GROUP, INC.
Helping Funds Hurring Requirements

March 2, 2013

Mr. Jack Osterholt, Director
Miami Dade County
Department of Regulatory and Economic Resources
111 NW 1st Street, 29th Floor
Miami, FL 33128

RE: Certificate of the Director Determining Percent of Residential Development
City of West Miami Annexation Request – A Portion of Section 11, Township 54, Range 40

Dear Mr. Osterholt:

My client, the City of West Miami, is initiating the process to have the above referenced land annexed into the City and which is located west of and adjacent to the existing municipal boundaries. More particularly, the area being requested for annexation is bounded by SW 8th Street to the North, SW 12th Street to the South, SW 67th Avenue to the East and SW 71st Avenue to the West

As referenced in Section 20-3 (G) and pursuant to the Miami-Dade County Code, Chapter 20 "Municipalities", Section 20-9 "Election on proposed boundary changes; required", a determination by the Director of the Department of Planning and Zoning *(now RER)* concerning the percentage of development within the annexed area is required. Section 20-9 states: "... If a boundary change involves the annexation or separation of an area having two hundred fifty (250) or fewer resident electors, and the area is less than fifty (50) percent developed residential, the Commission may by ordinance effect the boundary change in accordance with Section 5.04.G of the Home Rule Charter. The determination of whether an area is more or less than fifty (50) percent developed residential shall be made in the sole discretion of the Director of the Department of Planning and Zoning *(now RER)*."

We would appreciate your assistance in this matter and respectfully request the referenced certification letter. If you have any questions, I may be reached at (786) 514-0121.

Very truly yours,

Alex A. David

Alex A. David, AICP

Attachment
cc: Mark Woerner, AICP, Asst. Director of Planning, RER
Yolanda Aguilar, City Manager, City of West Miami
Jorge Forte, REALM Consultants

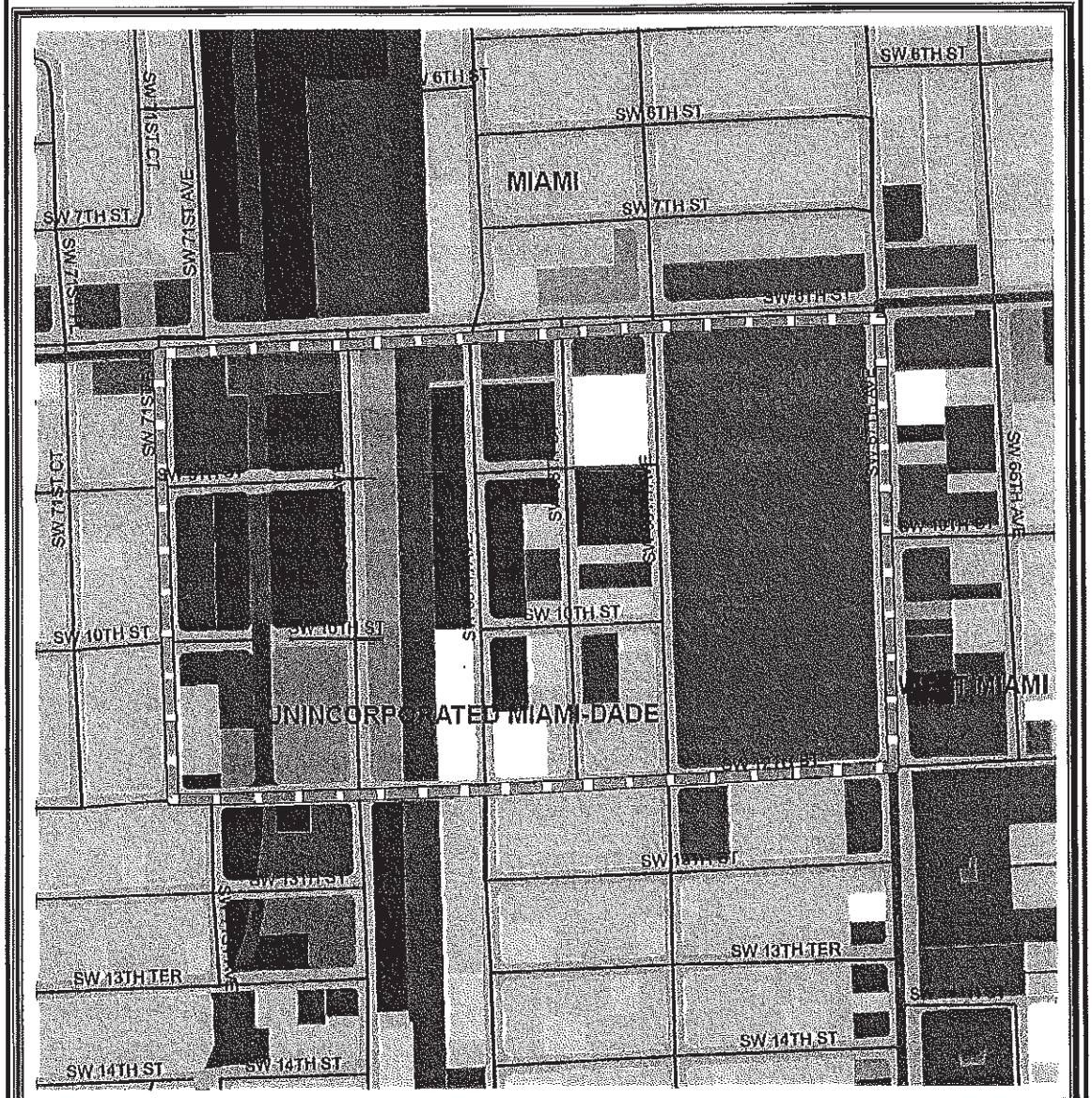
774 NE 126th Street, Suite 1 . North Miami, FL 33161 . Office: 786.514.0121 Fax: 305.675.0507
www.belldavid.com alex@belldavid.com

RER RESPONSE

City of West Miami Proposed Annexation Area				
From North to South (SW 8th St. to SW 12th St.) and From East to West (SW 67th Ave. to SW 71st Ave.)				
2013 Existing Land Use – Annexation Area and City of West Miami				
Land Use	**Annexation Area (Acres)**	**Annexation Area (Percent of Total)**	**West Miami (Area Acres)**	**West Miami (Percent of Total)**
Residential	10.6	17.2	268.3	59.1
Commercial & Office & Transient Residential	19.9	32.4	36.1	8.0
Industrial	10.0	16.4	2.3	0.5
Institutional	1.6	2.6	12.1	2.7
Parks/Recreation	0.0	0.0	7.2	1.6
Transportation, Communication, Utilities	16.4	26.7	124.6	27.4
Agriculture	0.0	0.0	0.0	0.0
Undeveloped	2.9	4.7	3.6	0.8
Inland Waters	0.0	0.0	0.0	0.0
Total:	**61.4**	**100.0**	**454.1**	**100.0**
Source: Miami-Dade County Department of Regulatory and Economic Resources, Planning Research Section, March 2013				

CITY OF WEST MIAMI PROPOSED ANNEXATION AREA

From North to South (SW 8th St. to SW 12th St.) and From East to West (SW 67th Ave. to SW 71st Ave.)



Legend

- SINGLE-FAMILY
- TWO-FAMILY DUPLEXES
- MOBILE HOME PARKS
- TOWNHOUSES
- LOW-DENSITY MULTI-FAMILY
- HIGH-DENSITY MULTI-FAMILY
- TRANSIENT-RESIDENTIAL (MOTEL, HOTEL)
- COMMERCIAL, SHOPPING CENTERS, STADIUMS
- OFFICE
- INSTITUTIONAL
- INDUSTRIAL EXTRACTION
- INDUSTRIAL
- AIRPORTS, PORTS
- COMMUNICATIONS, UTILITIES, TERMINALS
- STREETS, ROADS, EXPRESSWAYS, RAILS
- STREETS, EXPRESSWAYS R/W
- AGRICULTURE
- PARKS, PRESERVES, CONSERVATION AREAS
- WATER CONSERVATION AREAS
- VACANT, GOVERNMENT OWNED
- VACANT, PROTECTED, GOVERNMENT OWNED
- VACANT, PROTECTED, PRIVATELY OWNED
- VACANT, UNPROTECTED
- INLAND WATERS
- PROPOSED ANNEXATION AREA
- MUNICIPAL BOUNDARY

0 0.05 0.1 Miles

MIAMI-DADE COUNTY

Regulatory and Economic Resources Department
Planning Research Section

March 2013

7. **Statement of Reason for Boundary Changes**

The proposed annexation area as shown abuts the City of West Miami at its western limit. Annexing the approximately 64 acre (0.1 square mile) area will also insure that the quality of life for businesses and residents will remain through continued proper planning and development practices. The City believes the annexation area is compatible with and complementary to development already existing in West Miami.

As stated in the previous paragraph, proper planning and development practices and compatibility are extremely important to the City. Again, through more localized planning, review and enforcement of regulations the needs of this neighborhood residential area, employment and economic center will be fully realized.

Additionally, by increasing in size and population the City will be in a more advantageous position to apply for grants and have greater representation at the state and local levels.

Finally, since the City of West Miami is fiscally very sound it will be able to service the area without impact to residents, businesses and other stakeholders within the current municipal boundaries. Also, property owners within the proposed annexation area **will benefit from more localized government.**

8. **Notification of Property Owners of City Intent**

Formal notice of the public hearing by the City proceeding with the annexation has been sent to property owners within the area and within 600 feet thereof. Proof of compliance with this section shall be required. **(See Attachment "A" - CERTIFIED LIST OF PROPERTY OWNERS)**

9. Land Use Plan and Zoning

The land use and zoning consists of a mix of residential, commercial, industrial and office, with several undeveloped parcels, as shown on the Miami-Dade County Comprehensive Development Master Plan Future Land Use Plan Map and the respective Zoning Map.

According to the Inventory of Existing Land Uses provided by the Miami-Dade County Department of Regulatory and Economic Resources the Annexation Area is approximately 64.1 acres in size. The following table details the major land use categories by number of acres and percentage of total. A map of the existing land uses may be found under Section 6 of this report.

Table 1.
Inventory of Land Uses

Land Use	Number of Acres	Percent of Total
Residential	10.6	17.2
Commercial & Office	19.9	32.4
Hotels and Motels	0.0	0.0
Industrial	10.0	16.4
Institutional	1.6	2.6
Parks & Recreation Open Space	0.0	0.0
Transportation, Communications, Utilities	16.4	26.7
Agriculture	0.00.0	
Undeveloped	2.9	4.7
Inland Water	0.0	0.0
Coastal Water	0.0	0.0
TOTAL	61.4	100.0

The City has adopted both a Comprehensive Development Master Plan and Land Development Code.

The Miami-Dade Existing Land Use Map – 2013 is shown above.

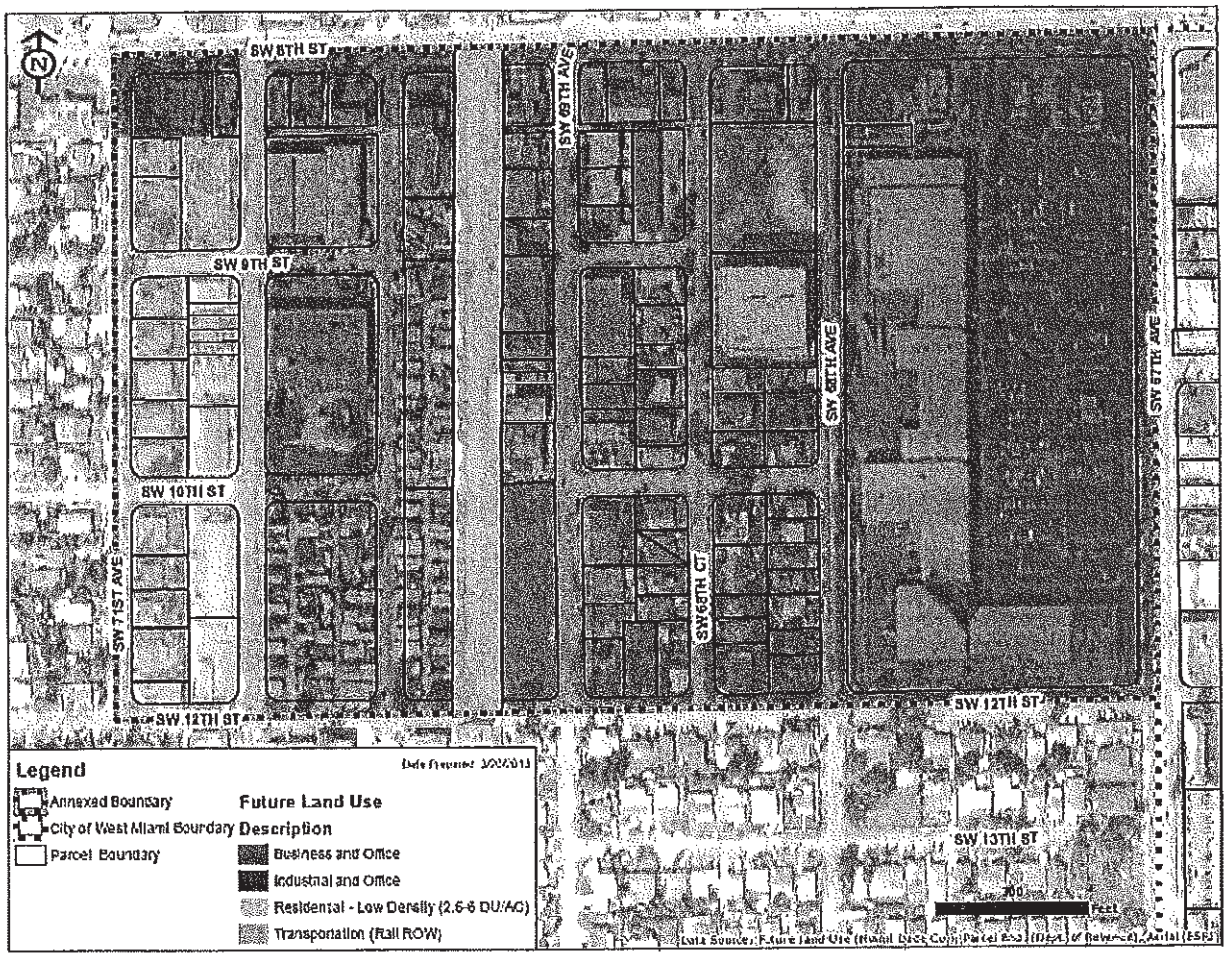
Future Land Use Designation for Annexation Area

Section 11 54 40 is designated *Business and Office* and *Industrial and Office* on the Miami-Dade County Future Land Use Plan Map. Upon annexation, the City will re-designate those properties to the City's closest Land Use equivalent.

Please see Future Land Use Plan Map for more detailed Land Use designation locations.

Also, for reference purposes, the relevant Land Use Designation descriptions are included and were obtained from the Miami-Dade County Comprehensive Development Master Plan 2015-2025 and the City of West Miami Comprehensive Plan.

Miami-Dade County Annexation Area Future Land Use Map



Future Land Use Plan Map Designations (Miami-Dade County)

Business and Office

This category accommodates the full range of sales and service activities. Included are retail, wholesale, personal and professional services, call centers, commercial and professional offices, hotels, motels, hospitals, medical buildings, nursing homes (also allowed in the institutional category), entertainment and cultural facilities, amusements and commercial recreation establishments such as private commercial marinas. Also allowed are telecommunication facilities such as cell towers and satellite telecommunication facilities (earth stations for satellite communication carriers, satellite terminal stations, communications telemetry facilities and satellite tracking stations). These uses may occur in self-contained centers, high-rise structures, campus parks, municipal central business districts or strips along highways. In reviewing zoning requests or site plans, the specific intensity and range of uses, and dimensions, configuration and design considered to be appropriate will depend on locational factors, particularly compatibility with both adjacent and adjoining uses, and availability of highway capacity, ease of access and availability of other public services and facilities. Uses should be limited when necessary to protect both adjacent and adjoining residential use from such impacts as noise or traffic, and in most wellfield protection areas uses are prohibited that involved the use, handling, storage, generation or disposal of hazardous material or waste, and may have limitations as to the maximum buildable area, as defined in Chapter 24 of the County Code. When the land development regulations are amended pursuant Policies LU-9P and LU-9Q, live-work and work-live developments shall be permitted on land designated as Business and Office, as transitional uses between commercial and residential areas.

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 intensity, including height and floor area ratio of the residential or mixed use development, is not out of character with that of adjacent or adjoining development and zoning, and it does not detrimentally impact, and it provides a sensitive well designed transition to any adjacent or adjoining residentially developed or designated areas of different development intensity. Where these conditions are met residential development may be authorized to occur in the Business and Office category at a density up to one density category higher than the LUP-designated density of the adjacent or adjoining residentially designated area on the same side of the abutting principal roadway, or up to the density of any such existing residential development, or zoning if the adjacent or adjoining land is undeveloped, whichever is higher. If there is no adjacent or adjoining residential use existing, zoned or designated on the same side of the roadway, the maximum allowable residential density will be that which exists or which this plan allows across the roadway. Where there is no residential use, zoning or designation on either side of the roadway, the intensity of residential development, including height, bulk and floor area ratio shall be no greater than that which would be permitted for an exclusively commercial use of the site. Where SURs or TDRs are transferred to Business-designated parcels which are zoned or to be used for residential development, or when a residential project utilizes the inclusionary zoning program the allowances of the

Residential communities section may be used within the limits provided in this paragraph.

Industrial and Office

Manufacturing operations, maintenance and repair facilities, warehouses, mini-warehouses, office buildings, wholesale showrooms, distribution centers, and similar uses are permitted in areas designated as "Industrial and Office" on the LUP map. 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 is 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. Freestanding retail and personal service uses and shopping centers larger than 10 acres in size are prohibited in these areas because they would deplete the industrial land supply and they are better located in commercially designated areas and in closer proximity to residential areas. Freestanding retail and personal service uses and shops that are approved in Industrial and Office areas should front on major access roads, particularly near major intersections. In addition, uncommon commercial uses such as amusement uses, and others with unusual siting requirements may also be considered at appropriate locations. Quarrying activities and ancillary uses may also be approved in areas designated Industrial and Office where compatible with the surrounding area and environment. The specific range and intensity of uses appropriate in a particular Industrial and Office area vary by location as a function of the availability of public services and access and, among other factors, compatibility with neighboring development. Through the zoning review process, use of particular sites or areas may be limited to something less than the maximum allowed in this category. Moreover, special limitations may be imposed where necessary to protect environmental resources.

If the land is the subject of an application for rezoning, zoning approval or a plan amendment and is located in an MSA with less than a 15-year supply of industrial land, in order to receive approval for a non-industrial use, the applicant must demonstrate that such use will not have a significant adverse impact on future industrial development.

In general, the typical residential development is incompatible with major industrial concentrations and shall not occur in areas designated as "Industrial and Office" on the LUP map to avoid use conflicts and for health and safety reasons. Exceptions may be granted for the following: (1) the development of live-work or work-live buildings or the adaptive reuse of existing structures for these purposes in areas of light industrial uses such as office, wholesale, distribution and the assembling of pre-manufactured parts; (2) the development of a TND as provided herein; and (3) the residential development of a portion of an industrially designated area where the portion is, a) 10 acres or smaller and is bounded on two or more sides by existing residential development or zoning, or is b) the perimeter of a Plan-designated industrial area which perimeter does not exceed a depth of 150 feet; and c) the subject portion of the industrially designated site immediately adjoins a currently developed or platted residential area and the

Director of the Department of Planning and Zoning determines that the inclusion of a residential component in the Industrially designated area, designed to provide compatible transition along the boundary, is the best means of maintaining the quality of the adjoining residential area. Notwithstanding the foregoing, applications for residential zoning that were properly filed prior to August 25, 2000, can be considered where adjoining land is residentially zoned, designated or developed. Residential developments in this land use category may participate in the inclusionary zoning program. The properties utilized for residential development will be eligible within the limits provided in this paragraph for the density allowances of the inclusionary zoning program in the Residential Communities section.

TNDs may be permitted in Industrial and Office areas where: 1) compatible with nearby development and with the objectives and policies of this Plan, 2) necessary services exist or will be provided by the developer, and 3) adjacent to land designated Residential Communities on the LUP map (including across an abutting major or minor roadway) along 30 percent or more of the total perimeter of the TND, provided that land designated Residential Communities exists along at least some portion of the two or more sides. (Multiple sides created by an out parcel shall count as one side only). TND located within Industrial and Office areas shall be allocated to Workshop Uses a minimum of 15 percent and a maximum of 30 percent of the gross built up area planned for development within a TND, and shall have a residential density no greater than the average of the adjacent Residential Communities designations or ten units per acre, whichever is higher. Workshops Uses shall be oriented to adjacent non-residential areas, while the residential uses shall be oriented to the adjacent Residential Communities designations. All criteria for TNDs enumerated in the Residential Communities section of this Chapter, other than the provisions governing percent of built per area which may be devoted to workshop uses addressed herein and the maximum permitted residential density, shall govern the development of TNDs in areas designated Industrial and Office.

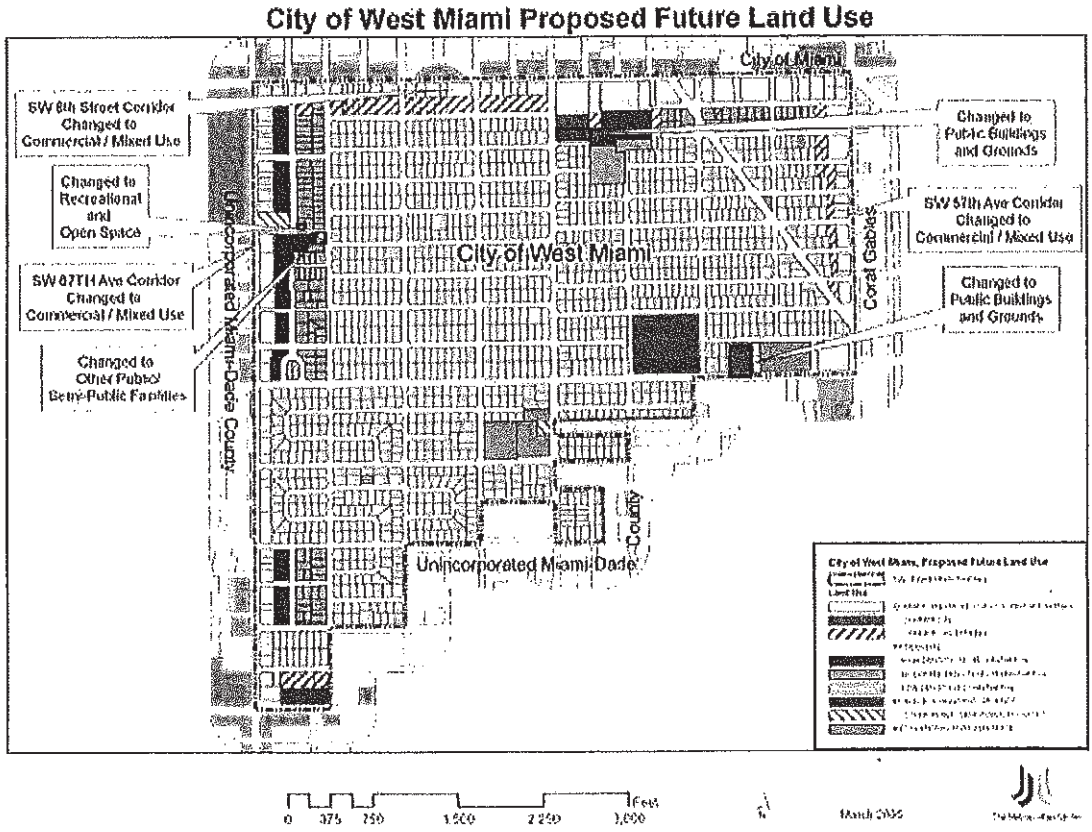
Low Density

The residential densities allowed in this category shall range from a minimum of 2.5 to a maximum of 6.0 dwelling units per gross acre. Residential densities of blocks abutting activity nodes as defined in the Guidelines for Urban Form, or of blocks abutting section line roads between nodes, shall be allowed a maximum residential density of 10.0 dwelling units per gross acre. To promote infill development, residential development exceeding the maximum density of 6.0 dwelling units per acre is permitted for substandard lots that were conveyed or platted prior to August 2nd, 1938. This density category is generally characterized by single family housing, e.g., single family detached, cluster, and townhouses. It could include low-rise apartments with extensive surrounding open space or a mixture of housing types provided that the maximum gross density is not exceeded.

Transportation

The LUP map includes a summarized portrayal of the major components of Miami-Dade County's existing and future transportation network. Included are roadways, rapid transit corridors, railways and major switching yards, and such major terminals as the County airports and the Miami-Dade Seaport.

City of West Miami Future Land Use Map



Equivalent City of West Miami Future Land Use Designations

RESIDENTIAL USES

Low Density – (up to 8 units per acre)
Land shown in this category include all land within the City currently zoned for single-family use.

Moderate Density – (up to 15 units per acre)

* * *

As proposed, it is envisioned that these areas will serve as a transition zone between the adjacent commercial/multi-family areas and the low density residential neighborhood.

High Density – (up to 49 units per acre)

* * *

COMMERCIAL USES

General Retail/Service

* * *

Commercial Parking

* * *

RECREATIONAL AND OPEN SPACE USES

PUBLIC BUILDINGS & GROUNDS:

Public
Those lands shown as public buildings are those which exist today. No additional land needs are anticipated for public building purposes

Semi-Public

Commercial Mixed-Use - (up to 105 units per net acre)
The City of West Miami has determined that, in the interest of encouraging redevelopment within the Commercial Use Districts on the north, east and west municipal boundaries, the City must convert these areas into "Commercial Mixed-Use Corridors." This will require a change in allowed intensity, density, height restrictions and the overall makeup of the districts. In addition to these changes, the City also decided to create design standards as a means of creating a built environment that stimulates redevelopment. To oversee the feasibility, development and implementation of these changes, the City Commission appointed a Revitalization Board. The Board will

assure oversight and accountability. To further facilitate the process, the City commissioned a "traffic study", as part of the Off-Street Parking requirements, to determine whether the proposed land use changes would be able to meet all concurrency issues with traffic, curb cut locations, and other transit related issues of the State and County agencies. The study was positive.

The proposed Commercial Mixed-Use development will be allowed along the SW 67 Avenue, SW 57 Avenue, and SW 8 Street Corridors. The commercial mixed-use corridors comprise 38.5 acres. Allowable uses will include a mix of the following categories: apartments, condominiums, retail and commercial offices/services. Below are the specific requirements:

Density:

- Buildings that have apartments, condominiums or offices will have a **2.5 F.A.R.**
- Buildings that have mixed use of apartments, condominiums, offices with commercial retail stores on the first floor will have a **3.0 F.A.R.**
- 70% of gross floor area for residential
- 20% of gross floor area for office use
- 10% of gross floor area for commercial

Density per Net Acre: Maximum density will be **105 units per net acre**, with a minimum unit size of six hundred and fifty (650) square feet. All areas of commercial property within the City limits have the same standards.

Intensity: Within the Commercial Corridors designated for mixed-use, a total of 50% of the land area shall be allowed to have mixed use projects. No more mixed use development shall be approved once the 50% threshold is achieved.

Building Height: Ninety (90) feet of building height with five (5) foot of parapet including all equipment and ornamental features shall be the established height.

- All "commercial mixed-use" properties shall have a maximum of eight-story structure. This includes the roof system. It excludes a basement located below grade (grade to be established by the height of the existing sidewalk).
- There shall be a maximum of ninety-five (95) feet measured from the sidewalk to the highest point of the structure.

Off-Street Parking:

- One level of underground parking is permitted.
- Off-street Parking shall meet all concurrency requirements and shall abide by the Miami-Dade County Off-Street Parking Ordinance.
- The overall height of a parking garage shall not exceed fifty (50) feet in the areas zoned Commercial or Apartment District and thirty-five (35) feet in an R5 (commercial off-street parking) District.
- The setback for a parking garage in a Commercial or Apartment District shall be twenty-five (25) from the property line abutting any R1, R2, R3 and R4 Districts. The setback for a parking garage in an R5 (commercial off-street parking) district shall be (25) feet from the property line abutting any R1 and R2 Districts.

- A twenty-five (25) feet service alley shall be required on parcels abutting to the rear of R1, R2 and Apartment Districts.
- A fifteen (15) feet landscaped buffer shall be required in the twenty-five feet setback for R-5 District.
-

Building Design: The Commercial Mixed-Use Corridors shall be of Mediterranean "Parisian" style. The ground floor shall be used for commercial uses, in addition to normal lobby and service areas. The building base shall create an arched arcade, which acts as a pedestrian transition from the adjacent sidewalk.

Commercial Office
Intent and scale:
The office category allows 90 percent of a complete development for the use of permanent and transitory residential facilities such as hotels, general office uses, clinics and laboratories and limited commercial activities incidental to principal uses, limited services and supporting facilities such as auditoriums, libraries, convention facilities, places of worship and primary and secondary schools may also be allowed and mixed commercial-office uses.

Intensity:
For residential uses as for "A"
For office uses:
Minimum Lot size: Twenty thousand (20,000) square feet.
Minimum Lot width: One hundred (100) feet.
Building Foot print: Maximum of four-tenths (0.40) times the net lot area.
Open space: Minimum of ten-hundredths (0.10) times the net lot area.
Permitted principal uses:
As for Commercial parcels with 90% office uses:
1. Offices not selling merchandise on the premises.
2. Medical or dental offices.
3. Medical and dental laboratories and doctor operated medical clinics.
4. Financial institutions.
5. Post secondary public or private educational facilities.
6. Federal, state and local government offices
7. Health spa or studio:
a. Health studios or spas under twenty-five thousand (25,000) square feet may be located anywhere within a building.
b. Health studios or spas twenty-five thousand (25,000) square feet in size and larger may be located only on ground level.

Building Height:
Ninety **(90)** feet of building height with five **(5)** foot of parapet including all equipment and ornamental features shall be the maximum established height.
a. All buildings in the "C" Commercial shall have a maximum of **eight-story structure.**
i. This includes roof system. It excludes a basement located completely below grade (grade to be established by the height of the existing sidewalk).
ii. There shall be a maximum height of ninety-five **(95')** feet measured from the public sidewalk to the highest point of the structure. The required arcade and the roof shall have a minimum height of thirteen **(13')** feet; the balance of the ninety-five **(95')** feet

shall be distributed as determined by the Architect, Florida Building Code and the City Design Guide.
b. The roof shall be a Mansard design with a sixty-degree angle or as approve by the Design Guide as meeting the design intent.
c. The roof systems shall include a dormer type of window, which aligns with the vertical alignment of the windows directly below.

2. Bulk and Density;
a. Commercial zoned parcels used for office uses as described above with mixed uses with the 90% office and 10% commercial, located along SW 67 AVE., SW 57 AVE. and SW 8 ST. shall be limited to the following density requirements.
b. Buildings that have commercial retail stores and office condominiums will be calculated **2.0 F.A.R.** by the net land area. The area for parking shall be calculated 25% of the allowed F.A.R. for parking. All elevators and stairways are excluded.

3. Bulk Density per Net Acre:
a. One hundred and five **(105)** units per acre with a minimum unit size of six hundred and fifty **(650)** square feet.
b. All parcel areas of zoned commercial property within city limits have the same standards when used for 90 % office condominium.

4. Off-Street Parking:
a. One level of underground parking is permitted.
b. Off-Street Parking shall meet all concurrency requirements and shall meet the Miami-Dade County Off-Street Parking Ordinance and the City of West Miami off-street parking ordinance in Zoning Ordinance 282 Section 5.
c. All developments shall require a **"traffic study"** as part of the Off-Street Parking requirements. Traffic study must meet all concurrency issues with traffic, curb cut locations and transit related issues of State and County agencies.
d. The overall height of the parking garage shall not exceed Fifty **(50')** feet in a Commercial or Apartment District and thirty five **(35')** feet in an R5 (commercial off-street parking) District.
e. The setback for the parking garage in Commercial and Apartment District shall be twenty-five **(25')** feet from the property line abutting any R1, R2, R3 and R4 Districts.
f. The setback for parking garage in an R5 (commercial off-street parking) district shall be twenty-five **(25')** feet from the property line abutting any R1 and R2 District.
g. A twenty-five **(25')** feet service
e alley shall be required on commercial parcels abutting to the rear of R1, R2 and Apartment Districts.
h. A fifteen **(15')** feet landscape buffer shall be required in the twenty-five feet setback for "R1, R2 and R5" district.
i. All buildings shall not encroach into the vertical plane established by the intersection of the building's vertical wall and a **60**-degree angle beginning at the top of roof elevation of the portion of building facing R1, R2, R3, R4 and A Districts at the corresponding setbacks which dimension shall not exceed thirty five **(35')** feet in height.

5. Building Design:
a. The building shall be of Mediterranean "Parisian" style whose front side and rear facades shall contain the following elements:
i. The building base shall create an arched arcade, which acts as a pedestrian

transition from the adjacent sidewalk. The arcade shall be a minimum of ten **(10')** feet in depth by thirteen **(13')** feet in height.

b. The ground floor shall be used for commercial uses, in addition to normal lobby and service areas. Parking bonuses may apply if the commercial uses are small and community oriented.

c. The window fenestration shall include molding and balconies as part of the design. The window linear alignment shall be consistent with the building style.

d. The roof shall have a pitch that is visible from the street and consistent with the building design, a sixty **(60)** degree angle shall be the minimum.

e. The roof shall be clad with cement slate or clay tile, copper or metal shingles or other materials as permitted by the board shall be used.

f. Signage shall be incorporated into the design elements of the building façade.

g. Where the site is adjacent to a bus or transit stop, arcade seating and outdoor cafes are encouraged and shall receive Parking credits of five percent (5%) reduction.

h. Developments with recommended street closures or partial closures of streets adorn with pavers, bollards, seating and canopies shall receive bonus parking credits of five percent (5%) reduction.

6. Street Closures:

Developments with a traffic study recommending street closures or partial street closures shall be allowed to have "uses" that promote outdoor dining, outdoor art displays or special events.

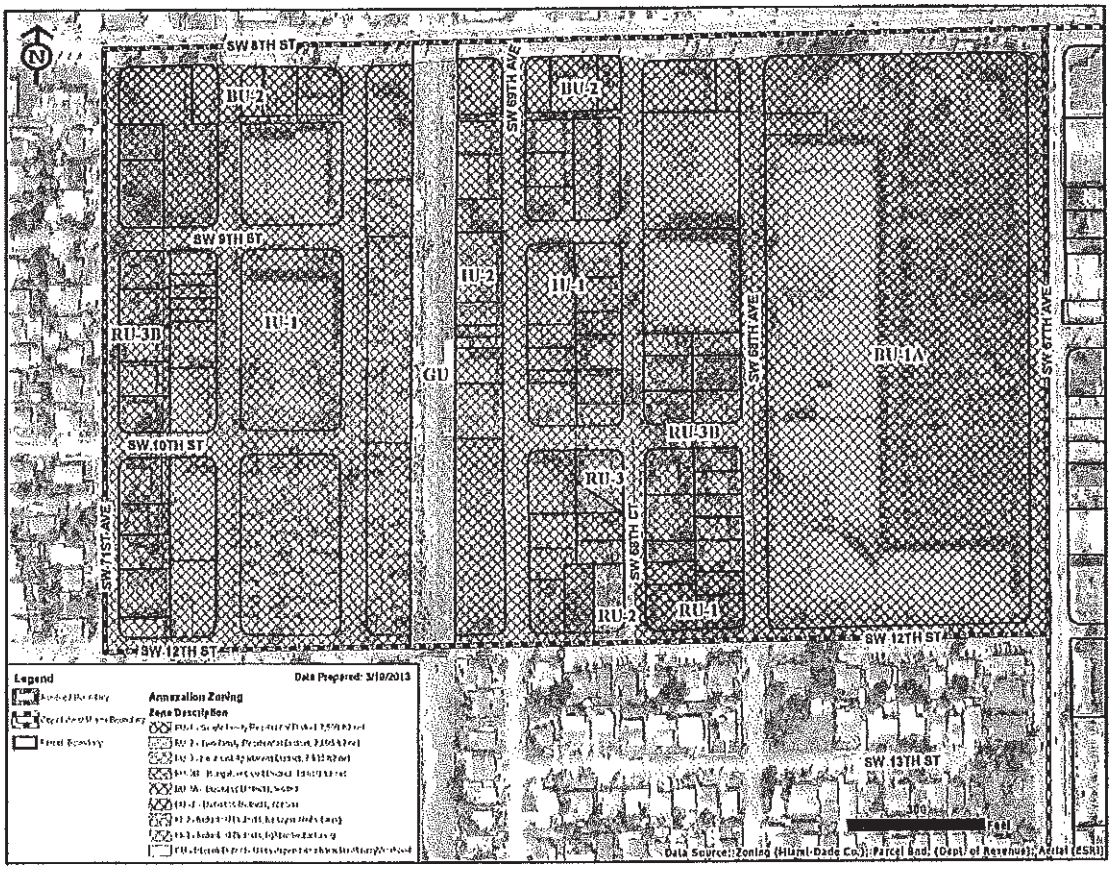
Zoning

The Annexation Area consists of lands zoned Business, Industrial, Residential and Interim as shown on the Miami-Dade County Zoning Map. Upon annexation, the City will rezone those properties to the City's closest equivalent.

The Annexation Area which is located in Section 11 54 40 consists of the following zoning districts: BU-1A, BU-2, IU-1, IU-2, RU-1, RU-2, RU-3, RU-3B and GU.

Please see the Section Map for more detailed zoning district location information. Also, for reference purposes, the relevant Zoning District descriptions are included and were obtained from the Miami-Dade County Zoning Code.

Miami-Dade County Zoning Map



Zoning Districts.(Miami-Dade County)

Article XIII. GU, Interim District

Sec. 33-194. Boundary.
The boundary of GU Interim District shall be the entire unincorporated area of the County, excepting the area specifically covered by another district.

Sec. 33-196. Standards for determining zoning regulations to be applied to GU property.
(A) All properties in the GU District, which are inside the Urban Development Boundary, as shown on the Land Use Plan Map of the Comprehensive Development Master Plan, and which have not been previously trended or otherwise approved through the public hearing process for a specific use, shall be subject to the following trend determination process:
If a neighborhood in the GU District is predominantly one (1) classification of usage, the Director shall be governed by the regulations for that class of usage in determining the standard zoning regulations to be applied, including setbacks, yard areas, type of structures, height, limitations, use, etc. For the purposes of this section, "trend of development" shall mean the use or uses which predominate in adjoining properties within the GU District which because of their geographic proximity to the subject parcel make for a compatible use.

* * *

Article XIV. RU-1, Single-Family Residential District

Sec. 33-199. Uses Permitted.
No land, body of water and/or structure shall be used or permitted to be used and no structure shall be hereafter erected, constructed, moved, reconstructed, structurally altered or maintained for any purpose in a RU-1 District which is designed, arranged or intended to be used or occupied for any purpose other than the following, unless otherwise specifically provided herein:
(1) Every use as a one-family residence, including every customary use not inconsistent therewith, including a private garage.
(1.1) Workforce housing units in compliance with the provisions of Article XIIA of this code.
(2) Municipal recreation building, playgrounds, parks or reservations owned and operated by a municipality, County, State or the United States Government.
(2.1) Private recreation area, private recreation building or playground owned and maintained by a homeowner's or tenant association
(3) Golf courses.

* * *

(7) Servants' quarters, only upon approval after public hearing.
(8) Noncommercial pigeon lofts.

(9) Family day care and after-school care for children is permitted upon compliance with the following conditions:

* * *

(10) Group homes.

Article XV. RU-2, Two-Family Residential District

Sec. 33-201. - Uses permitted.
No land, body of water and/or structure shall be used or permitted to be used and no structure shall be hereafter erected, constructed, moved, reconstructed or structurally altered for any purpose in an RU-2 District which is designed, arranged, or intended to be used or occupied for any purpose, unless otherwise provided for, excepting for one (1) or more of the following uses:
(1) Every use permitted in RU-1, RU-1M(a) and RU-1M(b) Districts.
(1.1) Workforce housing units in compliance with the provisions of Article XIIA of this code.
(2) On lots meeting the requirements for two-family use, every use as a duplex or two-family residence, including two (2) private garages. Where two (2) separate buildings are erected to house separate families on a single lot, one (1) shall be placed to the rear of the other and not side by side within the minimum lot width required herein.
(3) Every use as a secondary or subordinate single-family residence or one-family garage apartment on the rear portion of a lot where there is only one (1) single-family residence on the front portion of said lot.

Article XVI. RU-3, Four Unit Apartment House District

Sec. 33-203. Uses permitted.
No land, body of water and/or structure shall be used or permitted to be used and no structure shall be hereafter erected, constructed, reconstructed, or moved or structurally altered or maintained for any purpose in an RU-3 District, unless otherwise provided herein, excepting for one (1) or more of the following uses:
(1) Every use permitted in RU-1, RU-1M(a), RU-1M(b) and RU-2 Districts.
(1.1) Workforce housing units in compliance with the provisions of Article XIIA of this code.
(2) Rooming houses.
(3) Day nurseries serving the adjacent neighborhood.
(4) Garage apartments.
(5) Churches, schools, colleges and universities, including dormitories.
(6) Not more than four (4) families shall occupy a building in an RU-3 District.
(6.1) Multiple family housing developments. Only after staff review of the site plan.

* * *

(7) Community residential home.

All uses listed above shall conform to all the requirements listed in the applicable sections that apply to the four-unit apartment building, except that RU-1 and RU-2 standards shall apply to RU-1 and RU-2 uses, and except that schools, churches, colleges and universities, including dormitories shall conform to the setback requirements of the section on buildings for public assemblage, and further provided that day nurseries, private schools, private colleges and universities shall comply with the requirements of sections 33-151.11 through 33-151.22 of this code.

Article XVII. RU-3B, Bungalow Court District

Sec. 33-204. - Uses permitted.
No land, body of water and/or structure shall be used or permitted to be used and no structure shall be hereafter erected, constructed, reconstructed, moved, structurally altered or maintained for any purpose in an RU-3B District, unless otherwise provided herein, excepting for one (1) or more of the following uses.
(1) Every use permitted in RU-1, RU-2 and RU-3 Districts.
(2) Bungalow courts, provided the lot so used is at least one hundred (100) feet wide, and contains at least ten thousand (10,000) square feet of lot area.
(3) The special provisions of RU-3B District shall apply to BU District (business) when the BU District adjoins an RU-3B District, i.e., the bungalow court type of use shall be permitted in a business BU-1, BU-2, or BU-3 District only when such business district adjoins an RU-3B District.

* * *

Sec. 33-207.1. Repeal of RU-3B District.
Article XVII of Chapter 33 of the Code of Miami-Dade County, Florida, entitled "RU-3B, Bungalow Court District" is hereby repealed, as it is the finding of County Commission that the use of property within the unincorporated area for bungalow court use, as provided in such article, provokes the overcrowding of property, an undue concentration of population, and is against the public health, morals, safety and welfare of the County; provided that any lots, parcels, tracts or areas heretofore zoned RU-3B shall retain such zoning classification and rights derived thereunder, until the same are rezoned in accordance with law.

Section 33-207.1 was derived from Ord. No. 61-17, which was enacted as an addition to this Code and codified as § 33-207.1. Since the RU-3B classification is still effective for previously zoned areas, Article XVII has been retained.

Article XXV. BU-1A, Limited Business District

Sec. 33-246. Purpose.
The purpose of the BU-1A, General Business District, is to provide for retail and service convenience facilities which satisfy the essential and frequent needs of the adjacent residential neighborhood as well as the more specialized commercial facilities which may serve several neighborhoods.

Sec. 33-247. Uses permitted.

No land, body of water and/or structure shall be used or permitted to be used, and no structure shall be hereafter erected, constructed, reconstructed, moved, maintained or occupied for any purpose in any BU-1A District, except for one (1) or more of the following uses: All uses permitted in the BU-1 District, and such uses as automobile new parts and equipment sales, automobile service stations, banks, including drive-in teller service, dog and pet hospitals in air-conditioned buildings, dry cleaning establishments, furniture and grocery stores and home improvement centers.

Article XXVI. BU-2, Special Business District.

Sec. 33-252. - Purpose.
The purpose of the BU-2, Regional Shopping Center and Office Park District, is to provide for large scale commercial and/or office facilities which service the needs of large urban areas.

Sec. 33-253. - Uses permitted.
No land, body of water and/or structure shall be used or permitted to be used, and no structure shall be hereafter erected, constructed, reconstructed, moved, occupied or maintained for any purpose in any BU-2 District except for one (1) or more of the following uses:
(1) All uses permitted in the BU-1 and BU-1A Districts except that residential uses are subject to approval at a public hearing.
(2) Automobile parking garages, not over six (6) stories in height, shall be permitted provided they are not located closer than two hundred (200) feet to an RU-1, RU-2, RU-TH or EU District or to a hospital, church or building used for public assemblage. Automobile parking garages shall meet all open space, lot coverage and other applicable requirements of this article.
(2.05) Commuter Colleges/Universities.
(2.1) Hospitals (other than animal hospitals), subject to conditions.

* * *

(2.2) Hotel and motel uses, subject to all provisions of the RU-4A District pertaining to such uses.
(3) Liquor package stores.
(4) Major department stores.
(5) Marinas for the following purposes only: Commercial boat piers or slips for docking purposes; yacht or boat storage, for laying up, but not for repairs or overhaul; and boats carrying passengers on excursion, sightseeing, pleasure or fishing trips.
(6) Night clubs located no closer than five hundred (500) feet of any RU or EU District, if approved at a public hearing.
(7) Office parks.
(8) Pubs and bars.
(9) Regional shopping centers.

Article XXIX. IU-1, Industrial, Light Manufacturing District
(Condensed)

Sec. 33-259. Uses permitted.

No land, body of water or structure shall be used or permitted to be used and no structure shall be erected, constructed, moved or reconstructed, structurally altered, or maintained, which is designed, arranged or intended to be used or occupied for any purpose, unless otherwise provided herein, in IU-1 District, excepting for one (1) or more of the following:

Residential uses as a watchman's or caretaker's quarters in connection with an existing industrial use located on the premises concerned,
Adult entertainment uses as defined in Section 33-259.1,
Adult day care center,
Animal hospitals,
Auditoriums,
Auto painting, repair, service stations, sales and rentals,
Bakeries,
Banks,
Commuter colleges/universities,
Day nursery, kindergarten, schools and after school care, technical schools,
Dog kennels,
Furniture manufacturing,
Garages,
Hotel and motel use,
Laboratories,
Lumberyards,
Office buildings,
Parking lots—commercial and noncommercial,
Passenger and freight—stations and terminals,
Police and fire stations,
Post offices,
Radio and television transmitting stations and studios,
Religious facilities,
Restaurants,
Salesrooms and storage show rooms,
Retail uses subject to conditions,
Telecommunications hubs,
Warehouse, including membership, storage and home improvement,

Sec. 33-259.1. Additional uses permitted.

The following additional uses shall be permitted in the IU-1 zone:

(1) Adult bookstore;
(2) Adult theater;
(3) Adult entertainment club;
(4) Adult video store;
(5) Massage establishment;
(6) Adult modelling establishment;
(7) Encounter studio.

Article XXX. IU-2, Industrial, Heavy Manufacturing District

Sec. 33-262. Uses permitted.

No land, body of water or structure shall be used or permitted to be used and no structure shall be hereafter constructed, reconstructed or structurally altered, maintained or moved in any IU-2 District, which is designed, arranged or intended to be used for any purpose, unless otherwise provided herein, except for one (1) of the following uses:

(1) Every use permitted in IU-1 District, except adult entertainment uses as defined in Section 33-259.1, and private schools and nonpublic educational facilities as defined in Section 33-151.11 are prohibited in the IU-2 District.

(2) Asphalt drum mixing plants which produce less than one hundred fifty (150) tons per hour in self-contained drum mixers.

(3) Rock and sand yards.

(4) Cement and clay products, such as concrete blocks, pipe, etc.

(5) Soap manufacturing, vegetable byproducts, only.

(6) Railroad shops.

(7) Sawmills.

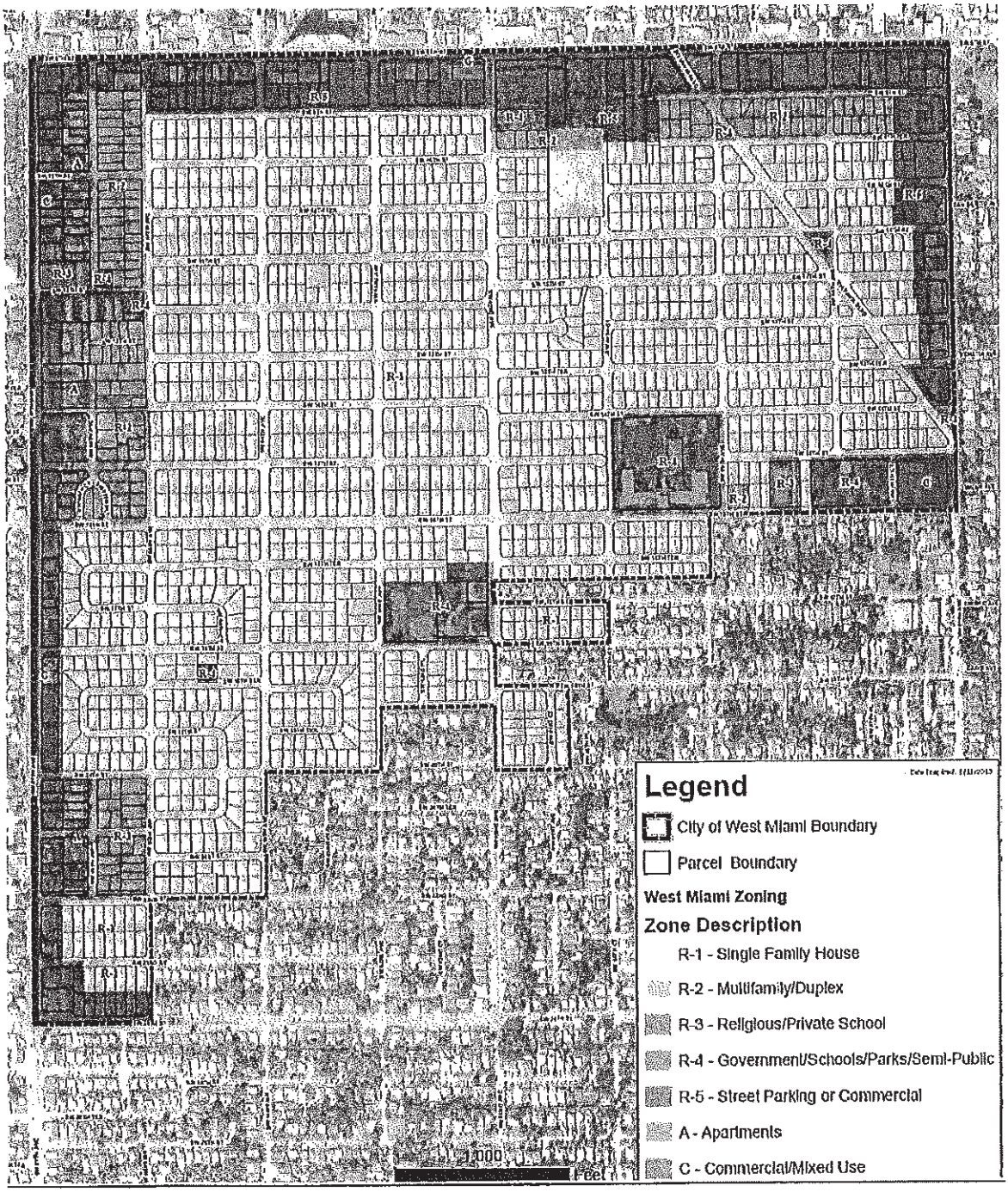
(8) Petroleum products storage tank not exceeding 30,000-gallon capacity or a group of such tanks with an aggregate capacity not in excess of thirty thousand (30,000) gallons.

(9) Petroleum products storage tank with a capacity of over thirty thousand (30,000) gallons or a group of such tanks with an aggregate capacity in excess of thirty thousand (30,000) gallons if approved after public hearing or if placed below the surface of the ground or in a rockpit.

(10) Dynamite storage.

(11) Construction debris materials recovery transfer facility, provided such use shall be conducted entirely within an enclosed building consisting of a minimum of 15,000 square feet. Counted toward this minimum floor area shall be areas set aside for office shop space and equipment storage associated with the construction debris materials recovery transfer facility.

City of West Miami Zoning Map



City of West Miami Equivalent Zoning Districts

Section 4. USE DISTRICT REGULATIONS

4.1. "R1' USE DISTRICTS. (91-02)

4.11 In the "R1' residence or single-family districts no building or land shall be used and no building be hereafter erected, constructed, reconstructed, or structurally altered which is designed or intended to be used or occupied for any purpose except "R1' use, unless otherwise provided for in this ordinance.

4.12 (a) Not more than one principal building shall be erected on a lot in "RI' Use District; except that one utility shed as provided in subsection 4A.4 and one of the following detached buildings may be constructed on a residential lot: garage, carport, gazebo, shade house, playhouse and chickee. Such utility shed and detached accessory building shall not be constructed unless in conjunction with or as an accessory to the principal building. No utility shed, or an allowed detached accessory building described above, shall be used or occupied as living quarters nor shall any commercial use or activity be conducted therein in "R-1' Use District. Except for a utility shed, the area of a accessory building shall be included and become a part of the allowed maximum of 35% lot coverage as set forth in subsection 4.17 of this ordinance. The setback thereof shall be the same as principal building except garages may have 3 foot side yard and 3 foot rear yard setbacks.

(b) A detached garage, gazebo, shade house, playhouse or chickee may contain electrical or plumbing facilities, except there shall be no electrical or plumbing facilities or fixtures for bathroom or kitchen use.

4.13 Every principal building in "R-1" Use District shall contain not less than 1,000 square feet of floor area exclusive of porches, garages or Porte coachers.

4.14 Every principal building in "R-2" Use District shall contain not less than 700 square feet of floor area per dwelling unit exclusive of porches, garages or Porte coachers.

4.15 In "R" Use Districts the front setbacks shall be not less than 25 feet from the zoned street line, 7.5 feet or 10% of lot width, whichever is greater, from the side property lines and 15 feet from the rear property line, except for swimming pools and swimming pool enclosures as set forth in Section 11.3. On corner lots, the front setback shall be 25 feet from the zoned street line and the exterior side setback shall be 15 feet from the zoned street line. The interior side setback shall be 7.5 feet, and the rear setback shall be 15 feet. In "R-3" Use Districts the side setbacks shall be not less than 15 feet or 10% of lot width, whichever is greater. Front and rear setbacks shall be as set forth above.

4.16 In the principal building constructed on a lot in "R" Use District, no individual room shall be completely separated from the remainder of the principal building. Only one kitchen shall be provided on any lot in "R-1" Use Districts and only one kitchen shall be provided per dwelling unit on any lot in "R-2" Use District.

4.17 No R-1 or R-2 USE shall exceed one (1) story, and each residential improvement on an R-1 or R-2 Lot shall comply with the following open space and lot coverage requirements:

(a) Minimum of 35% of the net residential land area shall be maintained in landscaped open space, which space may include recreation areas not paved with asphalt, concrete, or similar impervious materials and swimming pools excluding abutting apron areas; and setback areas.

(b) Maximum of 35% of the net residential land area may be covered with or occupied by the principal residential building, and an accessory building except a utility shed is excluded.

(c) Maximum of 30% of the net residential land area may be covered with open parking areas, vehicular drives, and service structures and devices.

Provided, however, that no paved area shall be closer than three (3) feet to any side or rear lot line except for driveways providing ingress and egress across such side or rear property line.

4.18 Inside lots in "R" Use Districts shall have a depth of not less than one hundred (100) feet, a frontage of not less than sixty (60) feet and an area of not less than six thousand (6,000) square feet. Corner lots in "R" Use Districts shall have a depth of not less than one hundred (100) feet, a frontage of not less than seventy (70) feet, and an area of not less than seven thousand (7,000) square feet.

4.19 (a) No auxiliary use shall be permitted in an "R" Use District which requires manual labor, the storage or transfer of goods or materials, the carrying on of a trade in its ordinary sense or the use of a workshop. This does not prohibit the maintenance of a personal or hobby workshop from which no profit is derived and which does not create a nuisance; nor does it prohibit Home Occupations within the principal dwelling as defined below.

(b) Home Occupation. Any occupation within the principal dwelling and clearly incidental thereto, carried on by the members of the family residing on the premises, provided that no other person is employed, that no stock in trade is kept or commodities sold, no mechanical equipment is used except such that is normally used for family, domestic, or household purposes, and there is no exterior indication other than a sign permitted by the Use District regulations that the building is being used for any purpose other than a dwelling. When within the above requirements, a home occupation includes but is not limited to the following: (a) art studio; (b) dressmaking;(c) professional office of a lawyer, engineer, architect, accountant, salesman, real estate agent, insurance agent, or other similar occupation; however, a home occupation shall not be interpreted to include barber shops, beauty parlor, restaurants, or office of a physician or dentist where mechanical equipment is used, teaching of music, or any other occupation requiring loud and disturbing sounds. (91-02)

4.2 "A" USE DISTRICT.

4.21 In "A" Use Districts no building or land shall be used and no building shall be hereafter erected, constructed, reconstructed or altered, which is designed, arranged or intended to be used for any purpose, unless otherwise provided for in this ordinance, except for the use heretofore permitted in Paragraph 3.3 hereof, for "A" Use Districts.

4.22 Two story apartment buildings shall not exceed a height of 25 feet and three story buildings shall not exceed a height of 35 feet provided, however, that where parking is provided within the building an additional 5 feet height is permitted. In no event shall any building exceed 40 feet.

4.23. Apartment units shall provide a minimum floor area of not less than 550 square feet for units not containing more than one bedroom. Apartment units shall provide floor area of not less than 650 square feet per unit for units containing two bedrooms and an

additional 100 square feet for each additional bedroom contained in each such unit. Living units containing bathroom facilities and kitchen facilities with no separate bedrooms shall be known as efficiency units, and shall provide floor area of not less than 450 square feet per unit. Hotel rooms shall provide a floor area of not less than 300 square feet including closet and bathroom.

4.24 Inside lots in "A" Districts shall have a depth of not less than one hundred (100) feet, a frontage of not less than fifty (50) feet and an area of not less than five thousand (5,000) square feet. Corner lots in "A" Districts shall have a depth of not less than one hundred (100) feet, a frontage of not less than sixty (60) feet and an area of not less than six thousand (6,000) square feet.

4.25 In "A" Districts the setbacks shall not be less than 25 feet from the zoned street line, and the side setback shall be 9 feet or 15% of the width of the lot, whichever is greater. On corner lots the exterior side setback shall be 15 feet from the zoned street line. Rear setbacks shall be 20 feet from the rear lot line plus an additional one foot for each two feet of building height above 25 feet. Where more than one building is erected on a lot, a minimum spacing of 10 feet shall be required between buildings.

4.26 Apartment buildings shall not contain more than one dwelling unit for each 900 square feet of lot area.

4.27 The combined area occupied by all principal and accessory buildings shall not exceed 30% of the lot area for buildings of a height less than 25 feet, and shall not exceed 28% of the lot area for three story structures.

4.3 "C" USE DISTRICTS (87-04)

4.31 In the "C" district no building or land shall be used and no building shall be hereafter erected., constructed, reconstructed, enlarged or altered, which is designed, arranged or intended to be used for any purpose, unless a Special Use Permit is obtained under Section 2A, except one or more of the following uses:

1. Accounting offices
2. Administration offices
3. Advertising agency, detective agency
4. Air conditioning Sales & Service
5. Antique and curio shops
6. Architects offices
7. Art Gallery
8. Attorneys-at-law offices
9. Bakery (retail sales on premise)
10. Banks and stock exchange offices
11. Barber shops and beauty parlors
12. Bicycle sales and repairs, new and used (non-motorized)
13. Bond or investment dealers
14. Cabinet Maker
15. Carpet Cleaning
16. Ceramic Shop
17. Clothiers, Tailors, retail clothing stores
18. Coin Dealer
19. Coffee Bar
20. Collection Agency
21. Confectionery and ice cream and beverage stores (non-alcoholic)

22. Cosmetics
23. Data Processing service
24. Delivery Service (Messenger)
25. Drafting Service
26. Dry Cleaning Agency (no work on premises)
27. Electrical supply store
28. Electronic Sale
29. Engineering offices
30. Ethical pharmacy
31. Fabric Store
32. Financial Planning Consultants
33. Floor, wall & ceiling coverings
34. Florist
35. Food Market (except live animals or poultry)
36. Foreign Currency Exchange offices
37. Furniture sales (retail store)
38. Glass & Mirror Sales including cutting, fitting and framing
39. Gunsmith and repairs (retail sales)
40. Hardware store (retail sales)
41. Home appliance store (retail sales & repair)
42. Insurance offices
43. Interior decorating, costuming, draperies (retail sales)
44. Jewelry and watch repair (retail sales)
45. Locksmith
46. Luggage (retail sales)
47. Marine Hardware (no installation or repairs on premises)
48. Medical and Dental Office
49. Medical Equipment & Supplies Sales-Rental Service
50. Mobile Telephone Sales & Service
51. Mortgage Broker offices
52. Mortgage Company offices
53. Music stores, radio and television (retail sales & repair)
54. Optical Sales
55. Pet Grooming (no overnight boarding or services)
56. Photo processing
57. Printer
58. Real estate broker and sales offices
59. Residential uses may be permitted as a combination of permitted business uses and residential uses housed in the same building: the floor area of the residential use shall not exceed fifty percent (50%) of the floor area of the building.
60. Rug and carpet (retail sales)
61. Savings and Loan Association
62. Secretarial Service
63. Sewing Machine Sales & Service
64. Shoe repair shops
65. Shoe stores (retail sales)

66. Sporting goods (retail sales)
67. Stamp Dealer
68. Stationery and office supplies (retail sales)
69. Telephone Sales & Service
70. Tool repair
71. Toy Store
72. Travel agency
73. Upholsterers (87-04)

4.32 (85-03) It is the intention of this Zoning ordinance that commercial uses within the City of West Miami shall be limited to retail sales and service stores that do not cause obnoxious odors or noises, or which would constitute an eyesore or nuisance, or be detrimental to a residential community. All uses shall comply in every respect with the requirements of the Florida State Board of Health. Any other business not herein specifically listed shall be only permitted in commercial use districts upon the issuance of a Special Use Permit under Section 2A.

10. List of Services to be Provided

a. Police

The City of West Miami Police Department comprises 18 full-time (including the Chief of Police and Police Captain), 1 part-time and 5 reserve officers for the current 2012/2013 budget year. With a $2.2 Million current year budget the Police Department budget would increase slightly in subsequent years following successful annexation.

Upon completion of the annexation process and municipal boundary change the City would provide immediate coverage to the area without degradation of police service. Currently, the City does respond to calls for assistance from M-D County Police Department on an as needed basis. If the annexation is successful an increase of 3 part-time and 3 reserve officers would be contemplated. The additional cost to the City for additional personnel and associated costs is approximately $130,000.00.

b. Fire Protection

Fire Protection is provided by Miami-Dade County fire services for the City of West Miami residents and businesses. Primary Fire Rescue service for the proposed annexation area will be provided by Fire Station 40, as referenced below. The proposed annexation area lies within the following station territory.

Station	Address	Unit
West Miami 40	975 SW 62 Ave.	Rescue Pumper Engine

Miami-Dade Fire Rescue Department provides fire and rescue service to the annexation area. There will be no change in this service if annexation occurs. There is no cost to the City of West for this service. All costs are directed to the property owners in the annexed area.

c. Water Supply and Distribution

The Miami-Dade County Water and Sewer Department currently services the Annexation Area through its water supply and distribution system and will continue to do so. Also, MDWASD has the capacity to handle any future development in this area.

d. Facilities for Collection and Treatment of Sewage

The Miami-Dade County Water and Sewer Department currently services a portion (Trail Plaza Shopping Center) of the Annexation Area through its collection and treatment system and will continue to do so. The Shopping Center is connected to the County system through a City of West Miami force main. Also, MDWASD has the capacity to handle any future development in this area. The City will examine the potential and negotiate for additional sewer extensions.

e. Garbage and Refuse Collection and Disposal

The County's Department of Public Works and Waste Management will continue to serve existing residential customers, unless renegotiated, but typically commercial and industrial areas will be required to contract for refuse removal services utilizing the County's landfills.

f. Street Lighting

Florida Power and Light provides electricity and lighting to the Annexation Area and will continue to do so.

g. Street Construction and Maintenance
The State of Florida will be responsible for the maintenance of State roads while Miami-Dade County will be responsible for County roads. The remaining municipal streets will become City roads.

h. Park and Recreation Facilities and Services
The City has adequate park and recreational facilities to serve the needs of residents and of those employed in the City's municipal boundaries. The City also provides structured summer camps and after school care.

I. Building Inspection
Currently, the City contracts with Miami-Dade County to provide building inspections.

j. Zoning Administration
The City will be responsible for all zoning related matters.

k. Local Planning Services
The City will be responsible for local planning services.

l. Special Services Not Listed Above
The City will be responsible for all applications for plat approval and waivers of plat and other special services as needed.

m. General Government
The City has a Commission-Manager form of government. The Mayor and four Commission members (Members of the Commission) are vested with all legislative powers as set forth in the municipal charter of the City and are elected at-large for two year terms. The Commission's powers include establishing public policy and law and directing the City Manager.

The City Manager serves as the Chief Administrative Officer of the City and is responsible to the Commission for the administration of all City affairs. These duties include responsibility for all City departments and operations. The current number of employees is approximately 60 and may be expanded as the City takes on additional responsibilities. The City's current budget is approximately $4.4 Million.

11. Timetable for Supplying Services

a. Police
Immediate. With the additional police resources proposed, the City would be able to adequately handle any policing needs in the annexation area. The City currently provides service to the area through the Police Mutual Aid Agreement.

b. Fire Protection
Immediate/No Change. Miami-Dade Fire Rescue will continue to provide services in perpetuity.

c. Water Supply and Distribution
Immediate/No Change. Miami-Dade County Water and Sewer Department will continue to supply potable water through its water supply and distribution system.

d. Facilities for Collection and Treatment of Sewage
Immediate/No Change. Miami-Dade County Water and Sewer Department will continue to service a portion (Trail Plaza) of the Annexation Area through its wastewater collection and treatment system.

e. Garbage and Refuse Collection and Disposal
Immediate/No Change. The Annexation Area will continue to be part of the Public Works Waste Management and Collection System, unless renegotiated.

f. Street Lighting
Immediate/No Change. Any new lighting will be paid for through Special Taxing Districts or funded by FPL through user fees.

g. Street Construction and Maintenance
Immediate/No change. The County shall maintain responsibility for section line roadways while the City will maintain roadways designated municipal streets.

h. Park and Recreation Facilities and Services
Immediate/No Change No new recreational facilities will be needed to service the Annexation Area.

i. Building Inspection
Immediate/No Change. The City contracts with Miami-Dade County to provide building inspections.

j. Zoning Administration
Immediate. The City will assume this function.

k. Local Planning Services
Immediate. The City will assume this function.

l. Special Services Not Listed Above
Immediate. Platting functions and other special services will be assumed by the City.

m. General Government

Immediate. After the annexation process is completed, the City of West Miami will be responsible for all general government services.

12. Financing of Services

a. Police

The City will fund this service through its General Fund via tax collections and other revenue sources.

b. Fire Protection

Fire and Rescue services will continue to be provided by Miami-Dade County Fire Rescue Department. Services are financed through the Fire Rescue Special Taxing District.

c. Water Supply and Distribution

Water supply and distribution services will continue to be provided by MDWASD. Costs associated with new development (water main extensions and connections) will be paid by the developers. Residential and commercial water usage charges will provide the revenues for the continued operation and maintenance of the water supply and distribution system.

d. Facilities for Collection and Treatment of Sewage

Wastewater treatment and collection services will continue to be provided by MDWASD. Costs associated with new development (wastewater main extensions and connections) will be paid by the developers. Residential and commercial sewer usage charges will provide the revenues for the continued operation and maintenance of the wastewater treatment and collection system.

e. Garbage and Refuse Collection and Disposal

The County's Department of Public Works and Waste Management will continue to serve existing residential customers (Sec. 20-8.4), unless renegotiated, but typically commercial and industrial areas will be required to contract for refuse removal services utilizing County landfills. Services provided by the County are financed through tax collections.

f. Street Lighting

Street lighting is financed through FP&L or Special Taxing Districts created by new development.

g. Street Construction and Maintenance

The costs of new street construction will be funded by the associated new development. Maintenance will be funded through the City's General Fund and PTP.

h. Park and Recreation Facilities and Services

The operation and maintenance of these facilities will be funded through the General Fund. Pursuant to Ordinance 133 one mill of the City's total millage is dedicated for the City's recreation system and community center. As stated previously, no new parks are required to service the Annexation Area.

i. Building Inspection

Building Inspections are financed through user fees. The City contracts with Miami-Dade County to provide building inspections.

j. Zoning Administration

Zoning Administration services are financed through user fees.

k. Local Planning Services

Local Planning Services are financed through user fees.

l. Special Services Not Listed Above

Platting function costs are financed through user fees.

m. General Government

General Government Services are provided and funded through tax collections.

13. Tax Load on Annexation Area

Gross Revenue is based on the 2012 Taxable Property Rolls and other revenues. The Cost of Providing Services (Expenditures) is based on expected costs the City believes it will incur.

The City of West Miami Budget (FY 12-13) process has been completed and maintains a millage rate of 6.8858 with one mill of the City's total millage dedicated for the City's recreation system and community center. The current Miami-Dade County millage rate is 1.9283.

Property Tax Revenue is determined by the following formula:

Revenue = Taxable Property X Millage X .95/1000

SECTION TOWNSHIP RANGE	2012 TAXABLE PROPERTY ROLLS	PROPERTY TAX REVENUE*	COST OF PROVIDING SERVICES	NET BUDGET GAIN/LOSS
11-54-40	$67,417,862	$441,021	$231,000	**$210,021**

* **Based on City of West Miami millage - Approximate**

14. **Certification of Director of Planning & Zoning *(now RER)***

See Section 6 above.

15. Petition with Clerk of County Commission

Not required for an annexation application initiated by a municipal governing body.

END