

# Memorandum



**Date:** May 21, 2014

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

**From:** Carlos A. Gimenez  
Mayor

**Subject:** Application No. 6 in the November 2013 Cycle Applications to Amend the Comprehensive  
Development Master Plan

Agenda Item No. 4(E)

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The attached resolution addresses a Comprehensive Development Master Plan staff application that appears on the agenda under Chairwoman Rebeca Sosa's sponsorship. The staff analysis and fiscal impact statement for this application are discussed in a separate memorandum that appears on this agenda which, together with this resolution, were prepared by the Department of Regulatory and Economic Resources.

A handwritten signature in black ink, appearing to read "Jack Osterholt", written over a horizontal line.

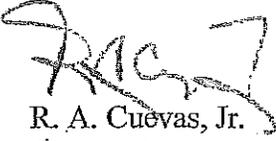
Jack Osterholt  
Deputy Mayor



**MEMORANDUM**  
(Revised)

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

**DATE:** May 21, 2014

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

**SUBJECT:** Agenda Item No. 4(E)

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. 4(E)  
5-21-14

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

RESOLUTION PERTAINING TO NOVEMBER 2013 CYCLE APPLICATIONS REQUESTING AMENDMENTS TO THE COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP); INSTRUCTING THE MAYOR WHETHER OR NOT TO TRANSMIT APPLICATION NO. 6 AMENDING THE TEXT OF THE CONSERVATION, AQUIFER RECHARGE AND DRAINAGE ELEMENT OF THE CDMP TO THE STATE LAND PLANNING AGENCY; REQUESTING STATE LAND PLANNING AGENCY TO REVIEW APPLICATION NO. 6; RESERVING THE RIGHT TO TAKE FINAL ACTION AT A LATER DATE; AND DECLARING INTENT TO CONDUCT ONE OR MORE SUBSEQUENT PUBLIC HEARINGS

**WHEREAS**, pursuant to Section 163, Part 2, Florida Statutes, the Comprehensive Development Master Plan (CDMP) for Miami-Dade County was adopted by the Miami-Dade Board of County Commissioners (Board) in 1988; and

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

**WHEREAS**, Application No. 6 was filed by Miami-Dade County and included in the November 2013 Cycle of Applications to Amend the Comprehensive Development Master Plan; and

**WHEREAS**, the Department of Regulatory and Economic Resources (Department) issued its initial recommendations addressing the November 2013 Cycle Applications in a report titled "Initial Recommendations November 2013 Applications to Amend the Comprehensive Development Master Plan", dated March 10, 2014, as required by Section 2-116.1, Code of

Miami-Dade County, and may issue final recommendations on transmitted applications prior to final action by the Board; and

**WHEREAS**, the Planning Advisory Board and the Department have acted in accordance with the referenced State and County procedures and have accepted this application, conducted public hearings and issued recommendations for the disposition of the CDMP amendment request; and

**WHEREAS**, this Board desires to further evaluate, without prejudice, Applications No. 6 filed for review and action during the November 2013 CDMP Amendment Cycle if hereby transmitted,

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

**Section 1.** The Board, having considered the following application requesting amendments to the CDMP, hereby directs the Mayor to act in accordance with the transmittal instructions set forth in this section for such application. Where the instruction is to transmit, pursuant to Section 2-116.1(3)(g), Miami-Dade County Code, the Board directs the Mayor to transmit the application to the reviewing agencies along with all other materials pursuant to Section 163.3184, Florida Statutes.

Application Number	Applicant/Representative Location and Size Requested Amendments to the CDMP Land Use Plan Map or Text	Transmittal Instruction and/or Recommended Action
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Application Number	Applicant/Representative Location and Size Requested Amendments to the CDMP Land Use Plan Map or Text	Transmittal Instruction and/or Recommended Action
6	Miami-Dade County/Jack Osterholt, Deputy Mayor/Director, Department of Regulatory and Economic Resources  Countywide  <u>Requested CDMP Amendments</u> Amend the CDMP Conservation, Aquifer Recharge and Drainage Element of the CDMP to correct the Miami-Dade County Code reference in Policy CON-8I.  Standard Amendment	

**Section 2.** The Board hereby requests the reviewing agencies to review the transmitted application pursuant to Section 163.3184(3), Florida Statutes.

**Section 3.** The Board hereby reserves its right to take final action without prejudice at a later date to adopt, adopt with changes, or not adopt the pending application and proposals following receipt of comments by the reviewing agencies, and following one or more public hearings by this Board, all as authorized by Section 163.3184, Florida Statutes, and Section 2-116.1, Code of Miami-Dade County, Florida.

**Section 4.** The Board declares its intention to advertise and conduct one or more public hearings in year 2014 to address the pending November 2013 Cycle Application to amend the CDMP.

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  
Jose "Pepe" Diaz  
Sally A. Heyman  
Jean Monestime  
Sen. Javier D. Souto  
Juan C. Zapata

Esteban L. Bovo, Jr.  
Audrey M. Edmonson  
Barbara J. Jordan  
Dennis C. Moss  
Xavier L. Suarez

The Chairperson thereupon declared the resolution duly passed and adopted this 21<sup>st</sup> day of May, 2014. 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. Collier