

MEMORANDUM

Agenda Item No. 11(A)(25)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: April 21, 2015

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

SUBJECT: Resolution directing the Mayor
to file the application to amend
the Comprehensive Development
Master Plan for the Ludlam Trail
Corridor as a County application

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Board of County Commissioners.



R. A. Cuevas, Jr.
County Attorney

RAC/smm



MEMORANDUM
(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

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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(A)(25)
4-21-15

RESOLUTION NO. _____

RESOLUTION DIRECTING THE MAYOR OR MAYOR'S DESIGNEE TO FILE THE APPLICATION TO AMEND THE COMPREHENSIVE DEVELOPMENT MASTER PLAN FOR THE LUDLAM TRAIL CORRIDOR AS A COUNTY APPLICATION; DIRECTING THE MAYOR OR MAYOR'S DESIGNEE TO REVISE THIS APPLICATION TO REFLECT THE RESULTS OF THE CHARRETTES TO BE CONDUCTED FOR THE AREA

WHEREAS, in the May 2014 cycle of applications to amend the Comprehensive Development Master Plan ("May 2014 CDMP Amendment Cycle"), filed pursuant to Section 2-116.1 of the County Code, Application No. 3 consisted of a private application requesting that a new land use category, entitled "Ludlam Trail Corridor," be created for the area between NW 7 Street and SW 88 Street, (± 6.2 miles long and ± 100 feet wide former FEC railroad corridor) generally along theoretical NW/SW 69 Avenue (the "Ludlam Trail Corridor Application"); and

WHEREAS, this Board first considered the Ludlam Trail Corridor Application on November 19, 2014, and then continued the hearing to December 4, 2014; and

WHEREAS, this Board determined that more time was needed for the consideration of the Ludlam Trail Corridor Application and that it would be appropriate to consider the application in another CDMP amendment cycle; and

WHEREAS, Section 2-116.1 permits this Board, by resolution, to direct the Mayor or Mayor's designee to file an application to amend the CDMP; and

WHEREAS, at the December 4, 2014 CDMP hearing, the Board expressed its desire that the County take over the Ludlam Trail Corridor Application, and the original applicant, Florida East Coast Industries, offered to pay the actual costs of advertising such application; and

WHEREAS, the Board expressed its desire that the Ludlam Trail Corridor Application be part of the May 2015 CDMP amendment cycle; and

WHEREAS, applications to amend the CDMP filed in the May 2015 CDMP amendment cycle would come before the Board in November 2015 for transmittal and may come before the Board in early 2016 for adoption; and

WHEREAS, the property that is the subject of the Ludlam Trail Corridor Application is located in County Commission District 6 and District 7; and

WHEREAS, the Board directed that two charrettes for the Ludlam Trail Corridor property be conducted in the affected area, with one charrette being conducted in District 6 and one charrette being conducted in District 7; and

WHEREAS, it is the desire of this Board that the Ludlam Trail Corridor Application be updated in the May 2015 CDMP amendment cycle to reflect the results of such charrettes,

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

Section 1. All matters set forth in the preamble are found to be true and are hereby incorporated by reference as if set forth verbatim and adopted.

Section 2. This Board hereby directs the Mayor or the Mayor's designee to file, as a County application in the May 2015 cycle of applications to amend the CDMP, the Ludlam Trail Corridor Application, which had been originally been filed as Application No. 3 in the May 2014 CDMP Amendment Cycle.

Section 3. This Board hereby directs the Mayor or Mayor's designee to revise the Ludlam Trail Corridor Application to reflect the results of the charrettes to be undertaken in the area, as discussed above.

The Prime Sponsor of the foregoing resolution is the Board of County Commissioners.

It was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

- | | |
|-------------------------------------|----------------------|
| Jean Monestime, Chairman | |
| Esteban L. Bovo, Jr., Vice Chairman | |
| Bruno A. Barreiro | Daniella Levine Cava |
| Jose "Pepe" Diaz | Audrey M. Edmonson |
| Sally A. Heyman | Barbara J. Jordan |
| Dennis C. Moss | Rebeca Sosa |
| Sen. Javier D. Souto | Xavier L. Suarez |
| Juan C. Zapata | |

The Chairperson thereupon declared the resolution duly passed and adopted this 21st day of April, 2015. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the 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.



Abbie Schwaderer-Raurell