

MEMORANDUM

Agenda Item No. 11(A)(31)

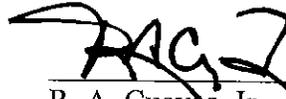
TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: October 6, 2015

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

SUBJECT: Resolution directing the Mayor to study and make recommendations on the consideration of sea level rise for zoning applications and applications to amend the Comprehensive Development Master Plan

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Rebeca Sosa, and Co-Sponsors Commissioner Daniella Levine Cava, Commissioner Sally A. Heyman and Commissioner Barbara J. Jordan.



R. A. Cuevas, Jr.
County Attorney

RAC/smm



MEMORANDUM
(Revised)

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

DATE: October 6, 2015

FROM: 
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County Attorney

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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)(31)
10-6-15

RESOLUTION NO. _____

RESOLUTION DIRECTING THE MAYOR OR MAYOR'S DESIGNEE TO STUDY AND MAKE RECOMMENDATIONS ON THE CONSIDERATION OF SEA LEVEL RISE FOR ZONING APPLICATIONS AND APPLICATIONS TO AMEND THE COMPREHENSIVE DEVELOPMENT MASTER PLAN; DIRECTING THE MAYOR OR MAYOR'S DESIGNEE TO PLACE A STATUS REPORT ON THE AGENDA OF THIS BOARD

WHEREAS, the Miami-Dade County Comprehensive Development Master Plan (CDMP) contains certain policies related to sea level rise; and

WHEREAS, Policy LU-3K provides that “[b]y 2017, Miami-Dade County shall determine the feasibility of designating areas in the unincorporated area of the County as Adaptation Action Areas as provided by Section 163.3177(6)(g)(10), Florida Statute, in order to determine those areas vulnerable to coastal storm surge and sea level rise impacts for the purpose of developing policies for adaptation and enhance the funding potential of infrastructure adaptation projects”; and

WHEREAS, Policy LU-3E of the CDMP also provides, in part, that by 2017, the County shall initiate certain evaluations and analyses related to sea level rise, and that “[r]ecommendations from the analysis shall address appropriate changes to land use designations and zoning of impacted properties, and development standards, among other relevant considerations”; and

WHEREAS, in addition to these policies in the CDMP, and in conjunction with the analyses provided for therein, it may be important to also study how future zoning applications and future applications to amend the CDMP, as well as their review, may include consideration of sea level rise; and

WHEREAS, such an analysis should include recommendations on how County staff should address sea level rise in their review and recommendations; what additional staff, expertise, or data may be needed to accomplish this; how the Board of County Commissioners, or other applicable boards such as the Planning Advisory Board and Community Zoning Appeals Boards, should consider sea level rise in their decision making; and whether any changes to the Miami-Dade County Code are needed or advisable,

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

Section 1. The Mayor or Mayor's designee shall, in conjunction with the analyses referenced in Policies LU-3E and LU-3K of the CDMP, also study how future zoning applications and future applications to amend the CDMP, as well as their review, may include consideration of sea level rise. This shall include, at a minimum: recommendations on how County staff should address sea level rise in their review and recommendations; what additional staff, expertise, or data may be needed to accomplish this; how the Board of County Commissioners, or other applicable boards such as the Planning Advisory Board and Community Zoning Appeals Boards, should consider sea level rise in their decision making; and whether any changes to the Miami-Dade County Code are needed or advisable.

Section 2. The Mayor or Mayor's designee shall provide a report to this Board within 12 months on the status of these efforts and shall place the completed report on an agenda of the Board pursuant to Ordinance No. 14-65.

The Prime Sponsor of the foregoing resolution is Commissioner Rebeca Sosa, and the Co-Sponsors are Commissioner Daniella Levine Cava, Commissioner Sally A. Heyman and Commissioner Barbara J. Jordan. 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 6th day of October, 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