

# MEMORANDUM

Agenda Item No. 5(B)

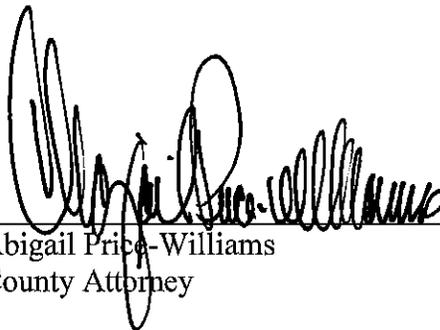
**TO:** Honorable Chairman Jean Monestime  
and Members, Board of County Commissioners

**DATE:** July 19, 2016

**FROM:** Abigail Price-Williams  
County Attorney

**SUBJECT:** Resolution relating to annexation request of the Village of Biscayne Park annexation application; 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, interlocal agreement and ballot language to effectuate the annexation request, deny the annexation request or to defer the annexation request

The accompanying resolution was prepared by the Office of Management and Budget and placed on the agenda at the request of Prime Sponsor Unincorporated Municipal Service Area Committee.

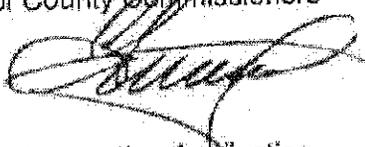


Abigail Price-Williams  
County Attorney

APW/cp

# Memorandum



**Date:** July 19, 2016  
**To:** Honorable Chairman Jean Monestime  
and Members, Board of County Commissioners  
**From:** Carlos A. Gimenez  
Mayor   
**Subject:** Village of Biscayne Park Annexation Application

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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 Village of Biscayne Park (Village);
- Approve the boundary change and direct the County Attorney to prepare an appropriate ordinance and any additional agreements accomplishing the proposed boundary change and place the items on the appropriate agenda; or
- Defer such requested boundary change for further consideration at a subsequent meeting.

### Recommendation

It is recommended that the Board, pursuant to Chapter 20 of the Code, consider the boundary change requested by the Village. The Village is proposing to annex an area of land (Area) adjacent to the Village's boundaries (see Exhibit 1).

It is important to note that the City of North Miami (City) filed an annexation application with the Clerk of the Board on October 16, 2013. This application is in conflict with the Village's annexation application. Exhibit 2 depicts Villages annexation area with the City's annexation area and the conflict area crosshatched. The Board may take action on this application, however the Miami-Dade Home Rule Charter requires that the City consent to the annexation prior to the annexation becoming effective.

### Scope

The proposed annexation is approximately 43.5 acres or 0.07 square miles of the Unincorporated Municipal Service Area (UMSA).

The proposed annexation area is generally bounded on the north by NE 121 Street, on the east by Biscayne Boulevard, on the south by NE 119 Street (between NE 16 Avenue and Biscayne Boulevard, the south border shall extent to the point where NE 16 Avenue and Biscayne Boulevard intersect near NE 116 Street), and on the west by the Florida East Coast Railway FEC. The area consists of approximately 18.7 acres of residential; 11.0 acres of commercial, office, and transient residential; 6.7 acres of industrial; 6.5 acres of transportation, communication, and utilities; 0.4 acres of inland waters; and 0.2 acres of parks/recreation/conservation.

The proposed annexation area is within County Commission District 4, represented by Commissioner Sally A. Heyman.

### Fiscal Impact/Funding Source

Exhibit 3 is the updated Impact to the Unincorporated Area. The 2015 Preliminary Roll taxable value for the annexation area is \$67,127,067. The area generates an estimated \$228,977 in revenue. The County spends an estimated \$181,485 per year providing services to the area. Therefore, the net revenue loss to the UMSA budget is an estimated \$47,492.

At the FY 2015-16 Village millage rate of 9.700 mills, the ad valorem revenue attributable to the area is \$618,576. At the FY 2015-16 UMSA millage rate of 1.9283 mills, the ad valorem revenues attributable to the area is \$122,969. The expected tax increase for the annexation Area is \$495,607. Based on the

Village's millage rate of 9.7 mills, the average property owner would pay an additional \$29,153 in property taxes should the annexation be approved.

If the annexation is approved pursuant to Section 20-8.1 and 20-8.2 of the Code, the County retains all of the area's franchise fees and utility tax revenues upon annexation. For the proposed annexation, estimated franchise fees of \$20,957 and estimated utility taxes of \$73,140 will be retained by the County.

#### **Track Record/Monitor**

If the annexation is approved, Jorge M. Fernandez, Jr. in the Office of Management and Budget will monitor the interlocal agreement governing the annexation areas.

#### **Background**

On March 5, 2014, the Village submitted a boundary change application to the Miami-Dade County Clerk of the Board. The Board referred the application to the Planning Advisory Board (PAB) at the March 18, 2014 Board meeting, as required by the Code. Upon staff review of the application, it was discovered that the application did not contain the consent of 20 percent of the registered voters in the annexation area. On March 24, 2015, upon receipt of the additional petitions sufficient to meet the 20 percent requirement of the registered voters in the area, the Elections Department certified the petitions provided by the Village, thereby completing the application.

The PAB held a public hearing on June 1, 2015. At the meeting, the City objected to the Village's application claiming that the Village did not meet all the guidelines of the Code. The PAB, after reviewing the staff report, Code considerations, and taking the City's objection into consideration, recommended that the Board approve the Village's annexation application.

The Code requires a vote of the resident electors if the area has 250 resident electors or fewer or is more than 50 percent developed as residential property. The Village's annexation area has more than 250 resident electors. Therefore, should the Board approve the annexation, a vote of the electors in the annexation area will be required.

#### **Charter Considerations**

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

The proposed annexation area is a mix of residential; commercial, office, and transient residential; industrial; parks, recreation, and conservation; transportation, communication, and utilities; and inland waters. There are 17 real estate folios, of which 11 are commercial, three (3) are industrial, two (2) are multi-family, and one (1) is vacant land.

#### **Summary of Issues for Consideration**

1. The Department of Public Works and Waste Management (PWWM) plans to retain residential waste collection authority in the proposed annexation area. The Village maintains an interlocal agreement for the disposal of waste.
2. The area should remain within the Miami-Dade Fire Rescue (MDFR) District in perpetuity.
3. A preliminary search of County records indicates that the zoning covenants listed below are in effect on properties within the proposed annexation area. Under section 28-8.8 of the Code, the Board retain jurisdiction to modify or delete these covenants. If additional zoning covenants are in effect, the Village of Biscayne Park must still comply with Section 20-8.8 of the Code of Miami-Dade County.
  - Folio No. 30-2229-003-0070: Easement and Operating Agreement, Declaration of restrictive Covenants and Special Warranty Deed

- Folio No. 30-2229-103-0010: Declaration of Restrictions, Declaration of Restrictions Providing Access, Entrance Feature Maintenance Agreement, Covenant Running with the Land with Unity of Title and Declaration of Restrictions
- Folio No. 30-2229-081-0010: Easement Agreement

**Code Considerations**

Pursuant to Section 20-7 of the Code, after the public hearing, the Board in evaluating the boundary change shall consider the following guidelines:

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)?

*The proposed annexation area does divide a 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 having a majority of ethnic minority or lower income residents have petitioned to be included in the annexation area.*

c) Is the area, or does it create, an unincorporated enclave (an 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 generally logical and follow City limits 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 2015 Preliminary Roll taxable value within the annexation area is \$67,127,067. At the current Village of Biscayne Park millage rate (9.700 mills), the ad valorem revenues attributable to the annexation area would be \$618,576. At the current UMMSA millage rate (1.9283 mills), the ad valorem revenues attributable to the annexation area would be \$122,969, as noted in the following table. The expected tax increase to the entire annexation area would be an additional 7.7717 mills, and approximately \$495,607. There are 17 folios in the area, and the average property owner would pay an additional \$29,153 if this annexation is approved.*

Existing and Projected Property Tax Cost		
Village of Biscayne Park		
FY 2015-16		
	Millage Rate	Annexation Area - Millage times Taxable Value
Village of Biscayne Park	9.700	\$618,576
Unincorporated Area	1.9283	\$122,969
<b>Increase</b>	<b>7.7717</b>	<b>\$495,607</b>

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

*The proposed annexation area is located inside the 2020 Urban Development Boundary (UDB) of the Adopted 2020 and 2030 Land Use Plan (LUP) map of the County's CDMP.*

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 remaining adjacent unincorporated areas?

*The total taxable value of the annexation areas is \$67,127,067. The area generates an estimated \$228,977 in revenue. The County spends an estimated \$181,485 per year providing services to the area. Therefore, the net revenue loss to the UMMA budget is an estimated \$47,492 (Exhibit 3).*

*Pursuant to Section 20-8.1 and 20-8.2 of the Code, the County retains all of the area's franchise fees and utility tax revenues upon annexation. For the proposed annexation, estimated franchise fees of \$20,957 and estimated utility taxes of \$73,140 will be retained by the County.*

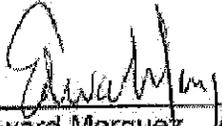
5. What is the fiscal impact of the proposed annexation on the remaining unincorporated areas of Miami-Dade County? Specifically, does the per capita taxable value of the area fall within the range of \$20,000 to \$48,000?

*There are 612 residents in the annexation area and the per capita is \$109,684. It is important to note that the majority of the land in the annexation area is commercial.*

6. Is the annexation consistent with the Land Use Plan of the County's Comprehensive Development Master Plan?

*The proposed annexation would be generally consistent with the CDMP if the Village amends its Comprehensive Plan as stated and appropriately applies the new land use categories to the proposed annexation area properties.*

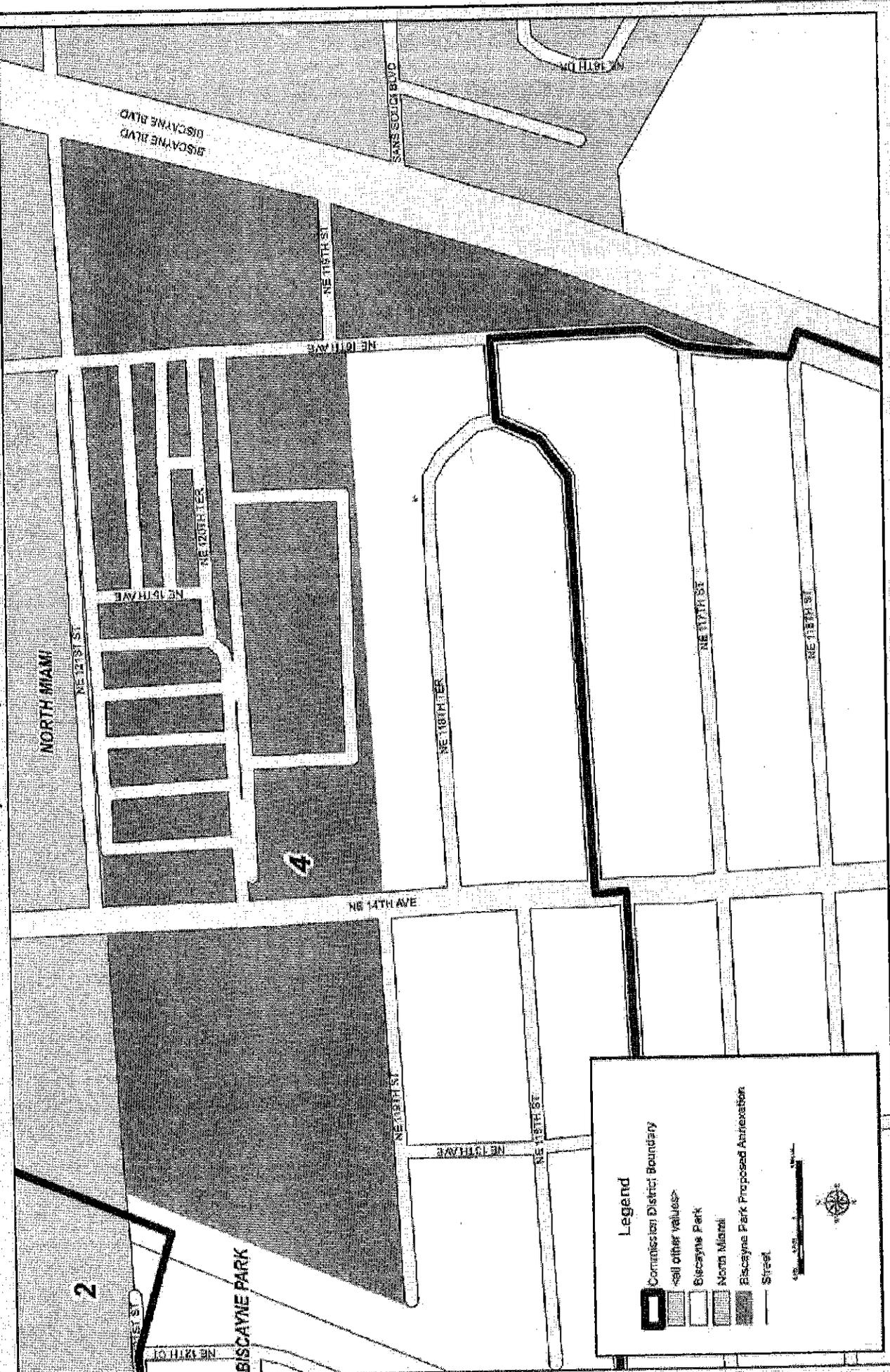
The staff report as reviewed by the Planning Advisory Board is attached (Exhibit 4) for the Board's reference.

  
Edward Marquez  
Deputy Mayor

- Exhibit 1 – Map of Annexation Area
- Exhibit 2 – Map of Biscayne Park and North Miami Annexations
- Exhibit 3 – Impact to the Unincorporated Area
- Exhibit 4 – Staff Report/Biscayne Park Annexation Application
- Exhibit 5 – PAB Resolution

# MIAMI-DADE COUNTY

## Biscayne Park Proposed Annexation



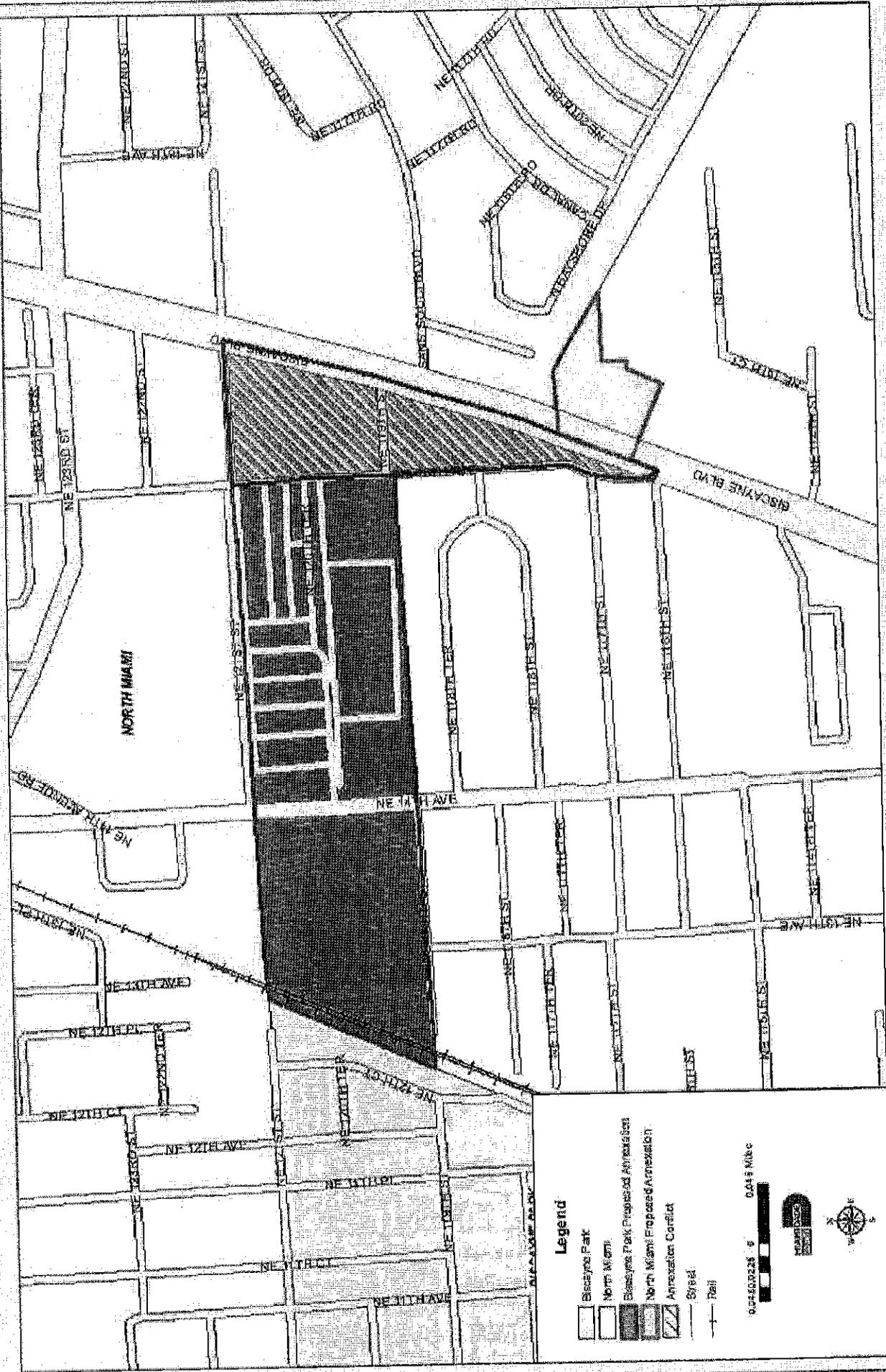
**Legend**

- Commission District Boundary
- All other values
- Biscayne Park
- North Miami
- Biscayne Park Proposed Annexation
- Street

0 100 200 300 400 500 Feet

This map was prepared by the Miami-Dade County Information Technology Department Computer Information Systems (CIS) Division. For the Office of Management and Budget. This map and associated information is to be used only for public information and is not intended to be used for any other purpose. No representation is made for commercial use or sale is permitted. This map and associated information is provided for informational purposes only. The user is advised that the information contained herein is provided "as is". No expressed or implied warranties, including but not limited to the implied warranty of merchantability or fitness for a particular purpose, are provided by the County.

**MIAMI-DADE COUNTY  
BISCAYNE PARK AND NORTH MIAMI ANNEXATIONS**



**Legend**

- Biscayne Park
- North Miami
- Biscayne Park Proposed Annexation
- North Miami Proposed Annexation
- Annexation Conflict
- Street
- Rail

0 0.25 0.5 0.75 1 Mile

This map was prepared by the Miami-Dade County Information Technology Department and Geographic Information Systems (GIS) Division, Public Office of Management and Budget, November 2014. It is intended for informational purposes only and should not be used for any legal or financial purposes. The information on this map is provided for informational purposes only and should not be used for any legal or financial purposes. The information on this map is provided for informational purposes only and should not be used for any legal or financial purposes.

Biscayne Park Annexation

EXHIBIT 3

Based on FY 2015-16 Budget	Annexation Assumptions	
<b>Property Tax Revenue</b>	Allocation based on tax roll & millage	\$122,969
<b>Franchise Fees</b>	N/A	
<b>Sales Tax</b>	Allocation based on \$73.47 per person	\$44,961
<b>Utility Taxes</b>	N/A	
<b>Communications Tax</b>	Allocated based on tax roll/population	\$29,176
<b>Alcoholic Beverage License</b>	Allocation based on \$0.23 per person	\$143
<b>Occupational License</b>	Allocation based on \$1.46 per person	\$901
<b>Interest</b>	Allocation based on .079% of total revenue	\$158
<b>Sheriff and Police Fees</b>	Allocation based on population	\$710
<b>Miscellaneous Revenues</b>	Allocation based on \$0.88 per person	\$1,810
<b>Administrative Reimbursement</b>	Allocated based on expenditures	\$5,613
<b>Carryover</b>	Allocated based on tax roll/population	\$22,537
<b>Revenue to UMSA</b>		\$228,977
<b>Cost of Providing UMSA Services</b>		
<b>Police Department</b>		\$154,410
UMSA Police Budget (without specialized)		
<b>Parks, Recreation and Open Spaces Dept.</b>	Based on cost of parks	\$0
<b>Right-of-Way Maintenance</b>	Centerline Miles      Centerline miles times cost per lane mile	\$2,069
<b>Policy Formulation</b>	Commission, Mayor, County Attorney      Direct Cost multiplied by 3.52%	\$5,808.07
<b>Internal Support</b>	Information Technology, Internal Services, Human Resources Communications, Audit and Management, Management and Budget      Direct Cost multiplied by 0.20%	\$14,646.46
<b>Planning and Non-Departmental</b>	Regulatory and Economic Resources, Tax and Culture, Economic Development, Neighborhood Initiatives      Direct Cost multiplied by 3.1%	\$4,850.86
<b>GNP Debt Service Payment</b>	Utility Taxes as a % of debt service 13.7%	\$
<b>Cost of Providing UMSA Services</b>		\$ 181,485
<b>Impact to UMSA</b>		\$47,492
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.		
<b>2016 Taxable Property Rolls</b>		\$67,127,067
<b>2016 Area Population</b>		612
<b>2016 UMSA Population</b>		1,139,366
<b>2015-16 UMSA Millage</b>		1.9283
<b>Patrollable Sq. Miles - UMSA</b>		207.90
<b>Total Calls For Service - UMSA QY 2014</b>		626,825
<b>Part 1 Crimes - UMSA 2014</b>		51,497
<b>Part 2 Crimes - UMSA 2014</b>		22,992
<b>Patrollable Sq. Miles - Study Area</b>		0.57
<b>Total Calls for Service - Study Area</b>		158
<b>Part 1 Crimes - Study Area</b>		54
<b>Part 2 Crimes - Study Area</b>		17
<b>Cost per Centerline Mile</b>		\$2,068
<b>Number of Centerline Miles</b>		1
<b>Per Capita Taxable Value</b>		\$109,684.75

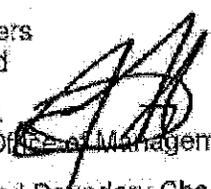
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## Memorandum



**Date:** June 1, 2015

**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 Village of Biscayne Park

**Background**

On March 5, 2014, the Village of Biscayne Park (Village) submitted a boundary change application to the Miami-Dade County Clerk of the Board. The Miami-Dade Board of County Commissioners (Board) referred the application to the Planning Advisory Board (PAB) at the March 18, 2014 Board meeting. Upon staff review of the application, it was discovered that the application did not contain the consent of 20 percent of the registered voters in the annexation area. On March 24, 2015, the Elections Department certified the petitions provided by the Village, thereby completing the application. As required by the Code, the Office of Management and Budget (OMB) has reviewed and processed the application for PAB consideration.

The proposed annexation is approximately 43.5 acres or 0.07 square miles of the Unincorporated Municipal Service Area (UMSA).

The proposed annexation area is bounded on the north by NE 121<sup>st</sup> Street, on the east by Biscayne Boulevard, on the south by NE 119<sup>th</sup> Street (except that between NE 16<sup>th</sup> Avenue and Biscayne Boulevard the south border shall extend to the point where NE 16<sup>th</sup> Avenue and Biscayne Boulevard intersect near NE 116<sup>th</sup> Street in Miami-Dade County), and on the west by the Florida East Coast Railway (FEC) railway as depicted in Attachment A.

The Annexation Area is within County Commission District 4, represented by Commissioner Sally A. Heyman.

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

**Summary of Issues for Consideration**

1. The City of North Miami has filed an annexation application where the boundaries conflict with this application.
2. The Village of Biscayne Park must amend its Comprehensive Plan and Land Development Regulations, as stated in its annexation application, and apply the appropriate land use and zoning to the proposed annexation area properties to ensure consistency with the Comprehensive Development Master Plan (CDMP).
3. The annexation area has more than 250 resident electors. Therefore, should the Board approve the annexation; a vote of the electors in the annexation area will be required.
4. The Department of Public Works and Waste Management (PWWM) plans to retain residential waste collection authority in the proposed annexation area. The Village maintains an interlocal agreement for the disposal of waste.

5. 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 Village roads via an interlocal agreement transferring responsibility.
6. The area should remain within the Miami-Dade Fire Rescue (MDFR) District in perpetuity.
7. A preliminary search of County records indicates that the zoning covenants listed below are in effect on properties within the proposed annexation area. If additional zoning covenants are in effect, the Village of Biscayne Park must still comply with Section 20-8.8 of the Code of Miami-Dade County.
  - Folio No. 30-2229-003-0070: Easement and Operating Agreement, Declaration of restrictive Covenants and Special Warranty Deed
  - Folio No. 30-2229-103-0010: Declaration of Restrictions, Declaration of Restrictions Providing Access, Entrance Feature Maintenance Agreement, Covenant Running with the Land with Unity of Title and Declaration of Restrictions
  - Folio No. 30-2229-081-0010: Easement Agreement

**Annexation Guidelines:**

The following analysis addresses the factors required for consideration by the Planning Advisory Board pursuant to Chapter 20-6 of the Code.

1. Does the annexation divide a historically recognized community?

The proposed annexation area is not within and does not divide a Census Designated Place (CDP).

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 currently developed with residential, industrial, retail and office uses. Adjacent to the western border of the proposed annexation area is the FEC Railway Corridor, which serves as a buffer to the residential areas located further west and within the Village of Biscayne Park.

The existing underlying zoning in the proposed annexation area is RU-4M (Modified Apartment House District), BU-2 (Special Business District) and IU-1 (Industrial, Light Manufacturing District). The Village of Biscayne Park Land Development Regulations do not contain zoning districts that are equivalent to the Miami-Dade County residential, business and industrial zoning districts of the properties within the proposed annexation area. However, the Village states in its annexation application that upon annexation, it will amend its Land Development Regulations to incorporate the zoning districts of the properties within the proposed annexation area.

If the annexation is approved and the Village amends its Comprehensive Plan and Land Development Regulations, as stated in its annexation application, the proposed annexation area would be compatible with existing and planned land uses and zoning of the Village.

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 annexation will not impact the federal/state entitlement funding administered by the Miami-Dade Department of Public Housing and Community Development (PHCD).

4. Will the annexation impact public safety response times?

Fire and Rescue:

The proposed annexation will not impact the MDR 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 station and resources within the Fire District in an efficient and effective manner.

Police:

In the event the annexation application is approved, the total service area within UMSA will be 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?

Upon review of the provided material, PWWM does not have any traffic related comments for the subject annexation. However, NE 16<sup>th</sup> Avenue is providing important accesses to the area and should be kept with such accessibility for through movements. Furthermore, Biscayne Boulevard/SR 5 is a state road and therefore, an FDOT review is needed.

Additionally, there are no security guard or multipurpose maintenance Special Taxing Districts adjacent to the annexation area that will impede traffic.

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 to 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 the 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. If 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?

Most of the proposed annexation area is located within the federally designated 100-year floodplain. This area will flood under sustained rains and property owners within it are required to obtain flood insurance.

The proposed annexation area is located within any County designated hurricane evacuation zones C and D. Residents of the area are 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 major educational facilities, parks, government offices, commercial centers, Metromover/Metrorail stations and tourist attractions.

The closest Miami-Dade Transit (MDT) service is located along Biscayne Boulevard, the eastern boundary of the annexation area, and is provided by Metrobus Routes 3 and 93 MAX. Route 3 provides local service along Biscayne Boulevard from Downtown Miami to Aventura Mall. Route 93 MAX provides limited stop weekday service only along Biscayne Boulevard from Downtown Miami to Aventura Mall.

Routes 3 and 93 MAX provide connections to the Government Center Metrorail Station, the Adrienne Arsht Center Metromover Station, and the Downtown Bus Terminal as well as convenient access to Aventura Mall, The Mall at 163<sup>rd</sup> Street, Bayside Market Place, North Dade Justice Center, Stephen P. Clark Center, Main Library, Miami Art Museum, Historical Museum, The Cloisters of the Ancient Spanish Monastery, Adrienne Arsht Center, American Airlines Arena, FIU Biscayne Campus, Brown Mackie College, International Fine Arts College, Johnson & Wales University, MDC – Wolfson Campus, New World School of the Arts, East Greynolds Park, and Greynolds Park. These routes also provide direct connections to the cities of Miami, Miami Shores, North Miami, Village of El Portal, North Miami Beach, and City of Aventura.

MDT is pursuing incremental transit improvements along Biscayne Boulevard/US-1. The existing Metrobus Route 93 MAX will be transformed to the Biscayne Enhanced Bus Service (EBS). This route will provide premium limited-stop transit service along Biscayne Boulevard/US-1 from Downtown Miami to Aventura Mall. Service headways will be 10 minutes during the AM/PM peak-hour and 20 minutes during the mid-day using 15 new 60-foot alternative fuel buses. This Enhanced Bus Service route will feature robust stations, Wi-Fi, real-time "Where is the Bus"? arrival times via the internet or on web-enabled mobile devices, real-time "Next Bus" arrival information via electronic signs, transit signal priority and park-and-rides. Revenue service is anticipated to begin in 2021.

The proposed Biscayne EBS route has a proposed station on the west side of Biscayne Boulevard directly across from San Souci Boulevard. MDT requests that in the event that any development occurs in the vicinity of that area, that the Village coordinate with MDT to reserve a footprint of 15'x45' for a future station.

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 within the same public school district boundaries as the neighboring areas of the Village of Biscayne Park and unincorporated Miami-Dade County. The public schools serving the proposed annexation area are: W.J. Bryan Elementary, David Lawrence Jr. K-8 Center, North Miami Middle, North Miami Senior High and Alonzo and Tracy Mourning Senior High Biscayne Bay Campus.

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 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)?

The proposed annexation area does not divide a 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 having a majority of ethnic minority or lower income residents have petitioned to be included 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 of the proposed annexation areas are generally logical and follow City limits 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 \$64,014,792. At the current Village of Biscayne Park millage rate (9.700 mills), the ad valorem revenues attributable to the annexation area would be \$589,896. At the current UMSA millage rate (1.9283 mills), the ad valorem revenues attributable to the annexation area would be \$117,268 as noted in the table below. The expected tax increase to the entire annexation area would be an additional 7.7717 mills and \$472,629. There are 17 folios in annexation Area 1, and the average property owner would pay an additional \$27,802 if this annexation is approved.

Existing and Projected Property Tax Cost		
Village of Biscayne Park		
FY 2014-15		
	Millage Rate	Millage x Taxable Value
<b>Village of Biscayne Park</b>		
Municipal Millage	9.700	\$589,896
<b>Unincorporated Area</b>		
UMSA Millage	1.9283	\$117,268
<b>Increase</b>	<b>7.7717</b>	<b>\$472,629</b>

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

The proposed annexation area is located inside the 2020 Urban Development Boundary (UDB) of the Adopted 2020 and 2030 Land Use Plan (LUP) map of the County's CDMP.

- 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 \$64,014,792. The area generates an estimated \$193,760 in revenue. The County spends an estimated \$160,495 per year providing services to the area. Therefore, the net revenue loss to the UMSA budget is an estimated \$33,265 (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 \$22,836 and utility taxes of an estimated \$64,157 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 612 residents in the annexation area. The per capita taxable value is \$104,599. It is important to note that the majority of the land in the annexation area is commercial.

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

The CDMP Adopted 2020 and 2030 Land Use Plan (LUP) map designates the proposed annexation area as "Medium Density Residential Communities", "Industrial and Office" and "Business and Office." The "Medium Density Residential Communities" CDMP land use category allows residential development at densities between 13 and 25 dwelling units per gross acre. The "Business and Office" CDMP land use category allows the full range of sales and service activities that includes retail, wholesale, personal and professional services, commercial and professional offices, hotels, motels, hospitals, entertainment and cultural facilities, and residences. Uses permitted in areas designated "Industrial and Office" include manufacturing operations, maintenance and repair facilities, warehouses, mini-warehouses, office buildings, wholesale showrooms, distribution centers, and similar uses.

On page 19 of its application, the Village of Biscayne Park recognizes the current CDMP Adopted 2020 and 2030 Land Use Plan map designations of the properties in the proposed annexation area and states that its Comprehensive Plan does not contain equivalent land use categories. However, the Village of Biscayne Park states on page 22 of its application that upon annexation, the municipality will incorporate industrial, business and office and medium density residential land use categories into its Comprehensive Plan.

The proposed annexation would be generally consistent with the CDMP if the Village amends its Comprehensive Plan as stated and appropriately applies the new land use categories to the proposed annexation area properties.

### Departmental Analysis

#### Police

The Miami-Dade Police Department (MDPD) currently provides police services to the proposed annexation areas. However, if annexed, the Village has a full service law enforcement agency that will be providing police protection to the proposed area. The Village currently has eleven (11) sworn full-time officers and fourteen (14) sworn reserve officers that serve the Village a minimum of twenty-four hours a month. The current 2013-14 budget is \$997,989.

Approximately two (2) additional officers will be needed to service the annexed area. Additional first year costs associated with the annexation would be \$134,713.

The following Miami-Dade Police Department (MDPD) tables represent all calls for uniform and non-uniform police calls within the proposed area the for calendar year 2013.

**Calls For Service – Village of Biscayne Park**

Year	Criteria	All Calls	Routine Calls
2014	Total Calls	158	87

**Part I and Part II Crimes – Village of Biscayne Park**

Year	Part I Crimes	Part II Crimes	Total
2014	54	17	71

**Definition of Part I Crimes:** 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. The UCR is a standard method of reporting crime, administered by the Federal Bureau of Investigation (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.

**Definition of Part II Crimes:** All crimes not covered under Part I Crimes.

**Fire and Rescue**

The proposed annexation will not impact the Miami-Dade Fire Rescue Department service delivery and/or response time. Currently, the area is served as part of UMMA. 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 station and resources within the Fire District in an efficient and effective manner.

**Existing Stations:**

The annexation area is presently served by Station 20 located at 13000 NE 16<sup>th</sup> Avenue in the City of North Miami. The station is equipped with an Advanced Life Support Engine, a Rescue Battalion Chief and totaling eight (8) firefighters/paramedics, 24 hours a day, seven days a week. The station is located approximately one (1) mile from the annexation area.

**Planned Stations:**

In an effort to minimize impact to existing service and maintain adequate travel time to the annexation area, the Miami-Dade Fire Rescue Department is exploring the possibility of constructing a fire station in the vicinity of NE 5<sup>th</sup> Avenue and NE 138<sup>th</sup> Street.

Service Delivery – Last Three Calendar Years:

	2011	2012	2013
<b>Life Threatening Emergencies</b>			
Number of Alarms	70	72	75
Average Response Time	6:36	6:41	6:43
<b>Structure Fires</b>			
Number of Alarms	2	1	3
Average Response Time	3:31	3:18	4:24

As a condition of annexation, the City through an interlocal agreement with the County shall agree that the proposed annexation areas remain within the Miami-Dade Fire Rescue District in perpetuity.

Water and Sewer

The proposed annexation of the Village of Biscayne Park is within the City of North Miami's Water and Sewer service area. The water for the annexation area is within the area supplied by the Miami-Dade Water and Sewer Department (MDWASD). The City of North Miami purchases approximately 35% of its total water needs from MDWASD.

Page 26 of the annexation application incorrectly notes that the annexation area is within the MDWASD's sewer service area. As mentioned above, the area is within the city of North Miami's sewer service area. The annexation is mostly on septic as stated in the annexation application. In the future, if any properties are connected to the City of North Miami's sewer system, the wastewater within the annexation area will be transmitted to the North District Wastewater Treatment Plant for the treatment and disposal. The City of North Miami is a Volume Sewer Customer of MDWASD.

Request for future water and sewer service within the annexation area shall be determined at the time the proposed development occurs based on the adequacy and capacity of the County's water and sewer systems at the time of the proposed development. At this time, there are no GOB projects under construction. There are no facilities of countywide significance in the annexation area. The annexation will have no impact on MDWASD's ability to provide services to the remaining areas in the vicinity.

Public Works and Waste Management (PWWM)

The proposed annexation area contains no active residential waste service accounts for garbage, trash and recycling collection. The application states that the East Area annexation is approximately 43.5 acres (11.0 Commercial, 18.7 Residential and 13.2 Industrial & Utility). According to the application, the Village will serve residential customers with the same level of service provided to Village residents; and multi-family and commercial areas will continue to contract with private providers.

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.

Waste Collection, Disposal and Recycling

The Village currently has a long-term disposal agreement with PWWM for use of the County Solid Waste Management System through October 1, 2015. According to the agreement, the

City shall deliver any and all municipal solid waste (MSW) it collects for disposal, or cause delivery of the MSW which is collected for it by third parties for disposal; excluding source separated recyclable materials, to a County Solid Waste Management System facility at a prevailing disposal fee rate.

According to the application, if annexed, the Village proposes to serve residential customers with the same level of service provided to Village residents. However, PWWM plans to retain residential waste collection authority in the proposed annexation area.

Per County Code Sections 20-8.4, Retention of garbage and refuse collection and disposal; and 15-13, County collection of solid waste, the PWWM is permitted to delegate the authority to collect residential waste to the governing body of the municipality in those geographic areas comprising the Waste Collection Service Area (WCSA) as of February 1996. As such, if the City desires to collect waste in the newly annexed areas, the City may request an interlocal agreement with Miami-Dade County for delegation of solid waste collection authority. A separate delegation agreement is required for each annexation request. Any municipality that requests delegation of waste collection authority in a proposed annexation area must have an existing 20-year waste disposal agreement with the County. The City has an existing waste disposal agreement with the County which extends to the year 2015.

#### Effect on Ability to Provide Services to UMSA

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. The City maintains an interlocal agreement for the disposal of waste.

#### Street Maintenance

The application discloses that 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 Village roads via an interlocal agreement transferring responsibility.

There is approximately 1.7 lane miles in the proposed Biscayne Park East Annexation Area. Approximately 1.0 lane mile will be transferred to the Village of Biscayne Park.

Street construction and maintenance will be handled as described in the application with the exception of NE 16<sup>th</sup> Avenue from Biscayne Boulevard to NE 121<sup>st</sup> Street which will be kept and maintained by the County.

#### 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 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<sub>2</sub> reduction and environmental education in general. The office can be contacted at (305) 372-6784 for additional information regarding these services.

#### Enforcement Activities

These include regular inspections of permitted facilities as well as of any potential source of pollution, responses to complaints and general enforcement operations.

DERM's regulatory activities are enforceable under the Code in both incorporated and unincorporated areas. DERM currently provides the above services to the subject area. Annexation of the parcels will not affect the ability to provide adequate levels of service to the area being annexed or to the areas adjacent to the annexation.

The following information is based on the Village of Biscayne Park East Area Annexation Report.

#### Water Supply and Distribution

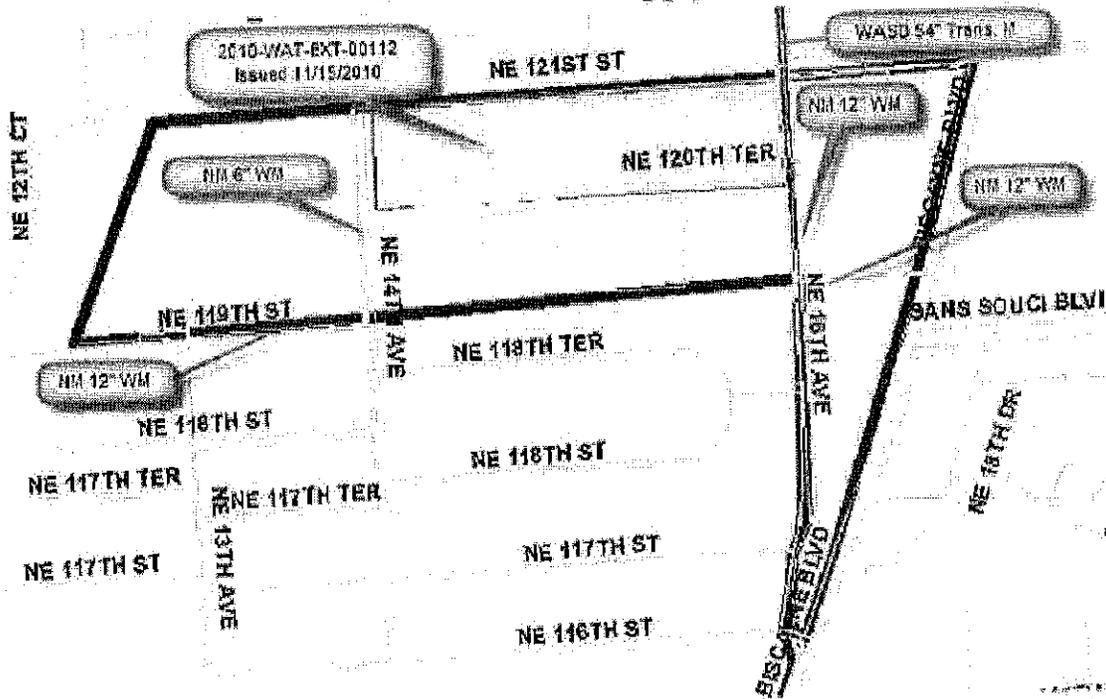
The proposed area for the annexation is located within the North Miami Water and Sewer Department franchised service area. Potable water serves the area as follows:

- North Miami 12-inch water main along NE 119<sup>th</sup> Street
- North Miami 6-inch water main runs along NE 14<sup>th</sup> Avenue
- North Miami 6-inch and 12-inch water mains runs along NE 18<sup>th</sup> Avenue
- WASD 54-inch Transmittal water running along NE 16<sup>th</sup> Avenue

Additionally, the water extension permit 2010-WAT-EXT-00112 was issued by DERM on November 15, 2010, for the construction of water mains for a multi-family residential development.

The source of water for this area is the Winston Water Treatment Plant, which is owned and operated by the City of North Miami Water and Sewer Department. Furthermore, at this time the plant has sufficient capacity to provide current water demand. Water produced by this plant meets the required Drinking Water Standards.

**-- Potable Water Supply --**



**Facilities for the Collection and Treatment of Sewage**

The area proposed for annexation is located within the North Miami Sewer franchised service area. Sanitary sewers are located in the area as follows:

- North Miami 8-inch gravity sewer along a segment of NE 16<sup>th</sup> Avenue
- North Miami 8-inch gravity sewer along a segment of NE 119<sup>th</sup> Street
- North Miami 12-inch force main along NE 16<sup>th</sup> Avenue
- North Miami 8-inch force main along a segment of NE 119<sup>th</sup> Street
- North Miami 6-inch force main along NE 14<sup>th</sup> Avenue
- North Miami 8-inch force main along the east side of Biscayne Boulevard

In addition, there are three sewer extensions permits issued by DERM within the annexation area:

- 2010-SEW-EXT-00113, completed on April 11, 2013.
- 2002-SEW-EXT-00001, certified on January 4, 2002.

- 2005-SEW-EXT-00111, issued on September 30, 2005 for the upgrade of North Miami's pump station 06-KADELL.

The sewage flow generated in the western portion of the annexation area is directed to North Miami's 8-inch and 6-inch force mains and 8-inch gravity sewer. The flow is directed to pump station 06- KADELL, then to pump station 06-WOODS, then the flow goes to pump station 30-0347, and finally the flows go into the North District Wastewater Treatment Plant.

The sewage flow generated in the east portion of the addition is collected by North Miami's 12-in force main and 8-in gravity sewer, then directed to pump station 06-IVAN TR, then to pump station 30-347, and finally to the North District Wastewater Treatment Plant.

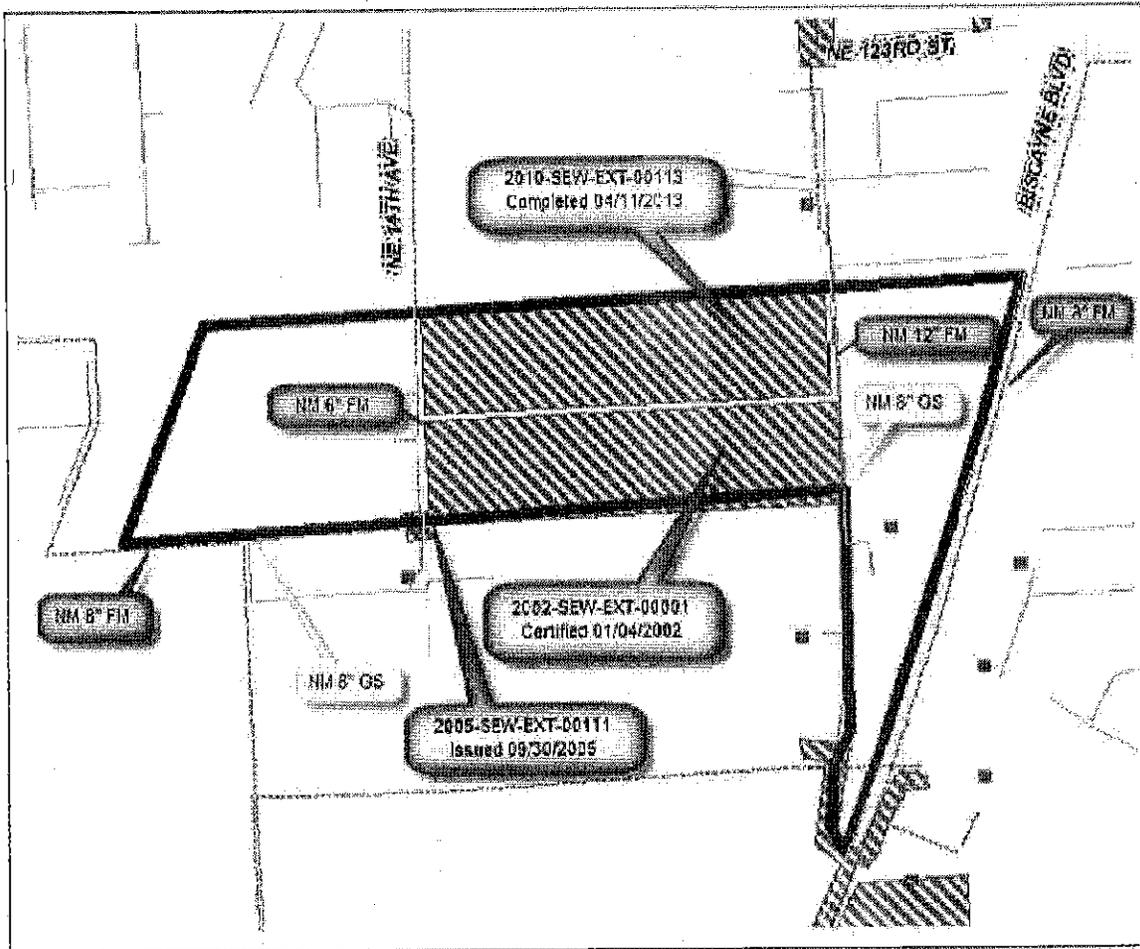
The sewage flow from the North Miami 8-in force main along Biscayne Boulevard is directed to pump station 06- I, then to pump station 30-0347, and finally to the North District Wastewater Treatment Plant.

Pump stations 06- KADELL, 06-WOOD, 06-IVAN TR, and 06- I are owned and operated by the City of North Miami Water and Wastewater utility.

Pump stations 30-0347 and the North District Wastewater Treatment Plant are owned and operated by MDWASD.

The aforementioned pump stations and North District Wastewater Treatment Plant are currently within the mandated criteria set forth in the new USEPA/FDEP Consent Decree. At this time the North District Wastewater Treatment Plant has sufficient capacity to treat current discharge.

--Sanitary Sewer --



Drainage and Flood Protection

Any new development within the proposed annexation area may require stormwater drainage systems in order to reduce potential flooding and to improve the water quality of the storm water runoff. DERM has the jurisdiction to require a Surface Water Management Permits countywide for developments with impervious areas greater than 2 acres.

One Miami-Dade County canal exists in the proposed annexation area. The Little Arch Creek Canal runs within the proposed annexation area along NE 14<sup>th</sup> Avenue. This canal will remain under the jurisdiction of Miami-Dade County.

Any development within the proposed annexation area may require a Class II permit for any drainage outfall into the existing canal; a Class III permit for construction within the Little Arch Creek Canal right of way, reservation, or easement; and Class VI for any installation of drainage systems in contaminated sites.

The entire annexation area is located within the Flood Zone AE, elevation 8.0, which is a flood plain, as per FEMA's definition of the 100 year flood event. County Flood Criteria is at Elevation +8.00 feet National Geodetic Vertical Datum (NGVD). Any development in the annexation area

will have to comply with the requirements of Chapter 11C of Code and the current Florida Building Code for flood protection.

#### Stormwater Utility (SWU) Program and Fees

At the time of approval of the proposed annexation, improved properties in the proposed annexation areas will be paying a stormwater utility fee to Miami-Dade County (County). This fee is used to administer stormwater management programs throughout UMMA. County and state laws mandate that the Village include the annexed area in its general budget for stormwater management programs. It is expected that these stormwater utility accounts would immediately become part of the Village's service area when the annexation is approved. Therefore, all fees collected in the proposed annexation area after approval of the annexation will become Village fees.

If stormwater utility accounts in the annexed area are billed through MDWASD, it will be the responsibility of the Village to communicate with MDWASD to continue or modify their stormwater billing Agreement.

At the time of annexation, three conditions will be required as part of this annexation:

1. The Village must execute or modify (if applicable) a stormwater billing agreement with MDWASD to continue billing in the MDWASD service area.
2. The Village must execute or modify a cost-share Interlocal Agreement with the County for canal and/or drainage system maintenance activities.
3. The Village must pay its pro-rata share of the debt service on the County's Stormwater Utility Revenue Refunding Bonds, Series 2013, for the area currently proposed for annexation. Payment to the County for the Village debt service on these bonds and secondary canal maintenance 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) via an Interlocal Agreement with the County, or collected through a MDWASD Agreement if one exists.

#### Drainage Repair and Maintenance

A review of the County's Water Control Plan reveals that the proposed annexation area and its surroundings contain drainage infrastructure that is critical to the area's drainage needs including: drainage piping, trenches, ditches, salinity control structures, pump stations, drainage wells, etc.

An Interlocal Agreement shall be required for the cost-sharing of the maintenance of the above-mentioned drainage related structures that provide drainage services to 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 General Permit (SWMSGP) on behalf of the South Florida Water Management District. Jurisdiction to require a SWMSGP is countywide, and is dependent upon the size of the development. In addition, DERM has authority under Section 24.48.1 of the Code, for the issuance of a number of drainage permits, which include: Class II (for drainage overflows), Class III (works within County canals), Class V (dewatering permits), and Class VI (drainage systems within industrial land use). The above requirements and authority would exist in the annexed area as it currently does in the Village.

#### National Flood Insurance Program (NFIP)

The NFIP is a program wherein the Federal Emergency Management Agency (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. A later annexation would add the annexed area to the existing community.

The Village would need to report to FEMA, as part of its FEMA Biennial Report, that the new annexed area has changed the Village's Municipal boundaries.

A voluntary program associated with the NFIP is called the Community Rating System (CRS). This program rewards communities that improve their flood protection activities with flood insurance discounts for its residents. Residents of the unincorporated area of the County currently enjoy a 25% discount on their flood insurance policies if they live in a flood zone, and a 10% discount if they are outside the flood zone.

When the Village annexes the area, those residents would lose the current County CRS discount. If the Village participates in the CRS, the residents will enjoy the Village's current CRS rating and attendant discount.

#### 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. Therefore, 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 Village staff any data that would assist in modeling these areas. Cooperation between the Village 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 Village 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. Co-permittees also cost share NPDES required modeling and results.

A review of permit records reveals that the Village is not currently a co-permittee in the County's joint permit, but maintains its own permit.

Transfer of Roads

Certain County roads located within the proposed annexation area may need to be transferred to the Village. This is accomplished through an Interlocal Agreement. This Agreement would outline the subject roads, various road-related services, and the responsibilities of the Village 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

The proposed annexation area contains one site with records of current contamination issues at Alta Mira Apartments, 12000 NE 16<sup>th</sup> Avenue, DERM file HWR-759, identified as an industrial waste contaminated site.

Natural Resources

The proposed annexation area does not contain wetlands as defined by Section 24-5 of the Code. However, the annexation area contains tree resources. Section 24-49 of the Code provides for the preservation and protection of tree resources. 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. DERM Tree Permitting Program (305) 372-6574 may be contacted for additional information regarding permitting procedures and requirements.

In addition, Section 24-49.9(1) of the Code requires all prohibited species on the Prohibited Plant list that are present on the properties within the annexation area to be removed prior to development or redevelopment. Furthermore, the sale, propagation, planting, importation or transportation of prohibited species is prohibited. Since the Village will be issuing the building permits for all development or redevelopment within the annexation if it is approved, it is recommended that the Village advise applicants of this requirement upon the submittal of all building permit applications.

**Parks, Recreation and Open Spaces**

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

**Demographic Profile of the Areas**

As shown on Table 1, the estimated 2010 Census population of the proposed annexation area is 612 persons, while the Village of Biscayne Park's population is 3,055 persons.

Table 1

Village of Biscayne Park Proposed Annexation Area  
Demographic and Economic Characteristics  
Village of Biscayne Park and Miami-Dade County, 2010

	Annex Area Estimates	Village of Biscayne Park	Miami-Dade
<b><u>Population Characteristics, 2010</u></b>	612	3,055	2,496,435
Percent White, Not Hispanic	3.6%	43.4%	15.4%
Percent Black, Not Hispanic	73.2%	16.2%	17.1%
Percent Other, Not Hispanic	4.1%	6.2%	2.5%
Percent Hispanic	19.1%	35.2%	65.0%
<b><u>Income*</u></b>			
	\$		
Median Household Income	27,448	\$ 63,750	\$ 43,464
	\$		
Per-capita Income	12,669	\$ 32,139	\$ 23,304
<b><u>Housing</u></b>			
Total Housing Units	210	1,324	989,435

Source: U.S. Census Bureau, Census 2010 Summary File 1; U.S. Census Bureau, 2008-2012 American Community Survey, 5-Year Estimates; and Miami-Dade County, Regulatory and Economic Resources Department, Planning Research Section, April 2014.

\* Estimates for median household income and per-capita income are based on the U.S. Census Block Groups that the proposed annexation area is contained within using the U.S. Census American Community Survey, 5-Year Estimates.

**Development Profile of the Areas**

Table 2 shows the 2013 land use profile for the proposed annexation area, the Village of Biscayne Park and Miami-Dade County. Of the approximate 44 acres within the proposed annexation area, roughly 43 percent of the land is in residential use, 25 percent is in commercial and office and transient residential use and 16 percent is in industrial use.

Table 2 also shows that approximately 43 percent of the proposed annexation area is in residential use, while 70 percent of the land within the Village of Biscayne Park is in that use. Within the proposed annexation area roughly 25 percent of the land is in commercial and office and transient residential use, while 0.1 percent of the land within the Village is in commercial and office and transient residential use. In addition, approximately 16 percent of the land within the proposed annexation area is in industrial use, while none of the Village's land is in industrial use.

Table 2  
Village of Biscayne Park East Proposed Annexation Analysis  
2013 Existing Land Use

Land Use	Annexation Area (Acres)	Annexation Area (Percent of Total)	Village of Biscayne Park (Acres)	Village of Biscayne Park (Percent of Total)	Miami-Dade County (Acres)	Miami-Dade County (Percent of Total)
Residential	18.7	42.9	283.7	69.7	111,421.1	8.8
Commercial & Office & Transient Residential	11.0	25.2	0.2	0.1	14,581.1	1.2
Industrial	6.7	15.5	0.0	0.0	17,751.8	1.4
Institutional	0.0	0.0	3.0	0.7	14,588.5	1.2
Parks/Recreation/Conservation	0.2	0.5	4.1	1.0	833,103.8	65.8
Transportation, Communication, Utilities	6.6	14.9	105.0	25.8	87,431.4	6.9
Agriculture	0.0	0.0	0.0	0.0	63,563.3	5.0
Undeveloped	0.0	0.0	1.9	0.5	88,919.6	6.9
Inland Waters	0.4	1.0	9.2	2.2	36,982.2	2.9
<b>Total:</b>	<b>43.5</b>	<b>100.0</b>	<b>407.2</b>	<b>100.0</b>	<b>1,266,292.6</b>	<b>100.0</b>

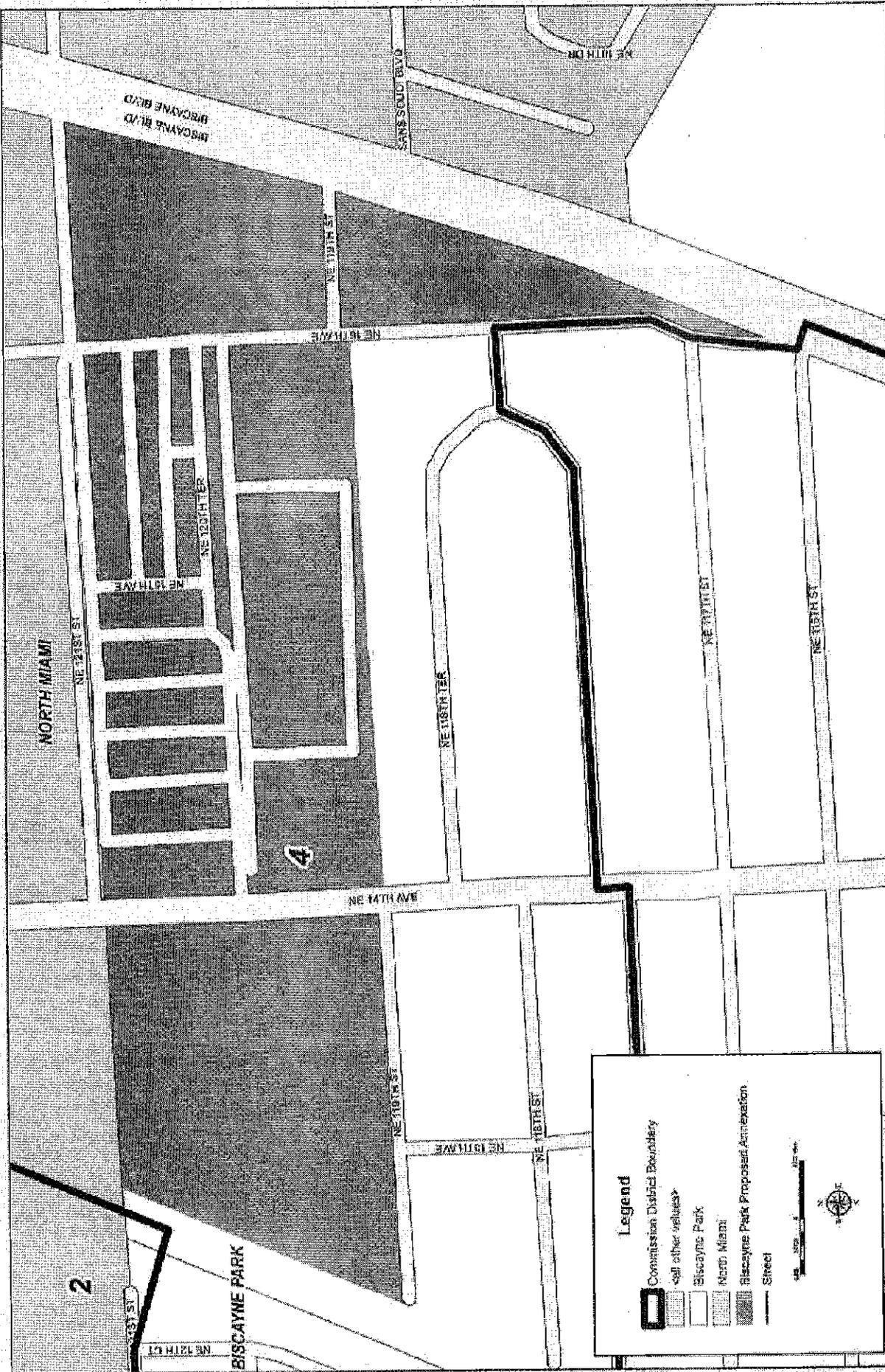
Source: Miami-Dade County Department of Regulatory and Economic Resources (RER), Planning Research Section - January 23, 2014

Attachments:

- A. Map of proposed annexation
- B. Estimated Impact on UMSA Budget Statement
- C. Village of Biscayne Park Annexation Application
- D. Village of Biscayne Park Statement on Enclave

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

**M I A M I - D A D E C O U N T Y**  
 Biscayne Park Proposed Annexation



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Village of Biscayne Park  
Annexation

Attachment B

Based on FY 2014-15 Budget	Annexation Assumptions	
Property Tax Revenue	Allocation based on tax roll & millage	\$117,268
Franchise Fees	N/A	
Sales Tax	Allocation based on \$66.04 per person	\$40,967
Utility Taxes	N/A	
Communications Tax	Allocated based on tax roll/population	\$32,518.63
Alcoholic Beverage License	Allocation based on \$0.23 per person	\$143
Occupational License	Allocation based on \$1.47 per person	\$991
Interest	Allocation based on .079% of total revenue	\$152
Miscellaneous Revenues	Allocation based on \$2.95 per person	\$0
<b>Revenue to UMSA</b>		<b>\$191,048</b>
<b>Cost of Providing UMSA Services</b>		
Police Department		\$141,298
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	\$1,745
Phoning, Code Compliance and Non-Departmental	Direct cost times 7.0%	\$ 10,013
QWP (pay-as-you-go)	Utility Taxes as a % of debt service 14.7%	\$ -
Poetry Foreclosure/Internet Support	Direct cost times 8.2%	\$ 7,438
Cost of Providing UMSA Services		\$ 160,495
<b>Net to UMSA</b>		<b>\$31,453</b>
<p>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 projection or suggested municipal budget. They indicate only the fiscal impact of this area's incorporation on the remaining UMSA.</p>		
2014 Taxable Property Rolls		\$64,014,792
2014 Area Population		612
2014 UMSA Population		1,130,543
2014-15 UMSA Millage		1.9283
Patrollable Sq. Miles - UMSA		297.90
Total Calls For Service - UMSA GY 2014		625,625
Part 1 Crimes - UMSA 2014		49,362
Part 2 Crimes - UMSA 2014		22,736
Patrollable Sq. Miles - Study Area		0.070
Total Calls for Service - Study Area		158
Part 1 Crimes - Study Area		84
Part 2 Crimes - Study Area		17
Cost per Centerline Mile		\$1,745
Number of Centerline Miles		1
Per Capita Taxable Value		\$104,599.33



## MEMORANDUM

---

**TO:** Jennifer Moon, Director  
Office of Strategic Business Management

**DATE:** February 26, 2014

**FROM:** Christopher Agrippa, Division Chief  
Clerk of the Board

**SUBJECT:** Proposed Boundary Change  
by the Village of Biscayne  
Park

A handwritten signature in black ink, appearing to read "Chris Agrippa", is written over a horizontal line.

The Clerk of the Board's office has received the attached application requesting the annexation of presently unincorporated area outlined in the request into the jurisdiction of the Village of Biscayne Park. This proposed municipal boundary change will be placed on the March 18, 2014 Board of County Commissioners' agenda, under Agenda Item 15B, the Clerk of the Board's Report.

If you have any questions or concerns, please contact me at 375-5126 or Keith Knowles at 375-3841.

Attachment  
CA/kk

**Cc:** Jack Osterholt, Director  
Regulatory and Economic Resources Department



*The Village of Biscayne Park*

630 NE 111<sup>th</sup> St., Biscayne Park, FL 33161  
Telephone: (305) 899-8000 Fax: (305) 899-2311

David Cavella  
Mayor

Commissioners  
Robert "Bob" Anderson  
Fred Jones  
Racuna Ross  
Barbara Winters

Heidi Shafran  
Village Manager

John J. Heary  
Village Attorney

Maria C. Camara  
Village Clerk

February 11, 2014

Honorable Harvey Ruvin  
Clerk of the Board  
111 NW 1<sup>st</sup> Street, Suite 17-202  
Miami, FL 33126

**RE: Submittal of Annexation Report for an area bordered on the West-Side by the FEC Railway, on North-Side by Northeast 121 Street, on the East-Side by Biscayne Boulevard, on the South-Side by Northeast 119 Street, except that between Northeast 16 Avenue and Biscayne Boulevard the South border shall extend to the point where Northeast 16 Avenue and Biscayne Boulevard intersect near Northeast 118 Street – Village of Biscayne Park.**

Dear Mr. Ruvin:

Please accept this correspondence as the formal submittal of the Village of Biscayne Park's intent to initiate the above referenced annexation request.

This request is made pursuant to Section 20-3, Code of Miami-Dade County whereby procedures are set forth to initiate a proposed boundary change by a municipal governing body.

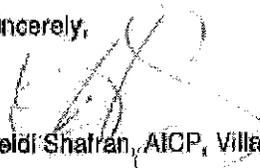
Attached to this letter are three (3) of the report. Each detailed report includes the following:

- 1) A Resolution of the City Commission reaffirming its intentions
- 2) A legal description and map of the area proposed to be annexed
- 3) Proof of Public Hearing notice
- 4) Certificates from the Supervisor of Elections and the Director of the Planning and Zoning Department
- 5) Certified list of noticed property owners

An additional report will be submitted to the Office of Management and Budget. It is requested that this item be placed expeditiously on the Miami-Dade Commission agenda for acceptance.

If you have any questions or require further information or clarification please call my office at (305) 899-8000 or the project consultant, Alex A. David, Bell David Planning Group at (786) 514-0121.

Sincerely,

  
Heidi Shafran, AICP, Village Manager

Attachments

cc: Mayor and Commission  
Maria C. Camara, Village Clerk  
Alex A. David, AICP, Bell David Planning Group

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2  
3 RESOLUTION NO. 2014-09  
4

5 A RESOLUTION OF THE MAYOR AND VILLAGE COMMISSION OF  
6 THE VILLAGE OF BISCAYNE PARK, FLORIDA, INFLATING AND  
7 REQUESTING PROPOSED BOUNDARY CHANGES TO THE  
8 VILLAGE OF BISCAYNE PARK IN ORDER TO ANNEX PROPERTY  
9 DESCRIBED AS AN AREA BORDERED ON THE WEST SIDE BY THE  
10 FEC RAILWAY, ON THE NORTH SIDE BY NORTHEAST 121  
11 STREET, ON THE EAST SIDE BY BISCAYNE BOULEVARD, AND ON  
12 THE SOUTH SIDE BY NORTHEAST 119 STREET, EXCEPT THAT  
13 BETWEEN NORTHEAST 16 AVENUE AND BISCAYNE BOULEVARD  
14 THE SOUTH BORDER SHALL EXTEND TO THE POINT WHERE  
15 NORTHEAST 16 AVENUE AND BISCAYNE BOULEVARD  
16 INTERSECT NEAR NORTHEAST 116 STREET IN MIAMI-DADE  
17 COUNTY, FLORIDA; REQUESTING APPROVAL FOR ANNEXATION  
18 FROM THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-  
19 DADE COUNTY, FLORIDA; AUTHORIZING THE APPROPRIATE  
20 VILLAGE OFFICIALS TO TAKE ANY AND ALL ACTIONS  
21 NECESSARY TO SUBMIT A REQUEST FOR THE PROPOSED  
22 BOUNDARY CHANGES TO THE BOARD OF COUNTY  
23 COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA;  
24 AUTHORIZING TRANSMITTAL OF THIS RESOLUTION AND  
25 ACCOMPANYING DOCUMENTS; AND PROVIDING FOR AN  
26 EFFECTIVE DATE.  
27

28 WHEREAS, pursuant to Section 6.04 of the Miami-Dade County Home Rule Charter  
29 and Section 20-3 of the Code of Miami-Dade County, the Village of Biscayne Park (the  
30 "Village") wishes to initiate a proposed boundary change by Resolution after public hearing,  
31 upon mailed notice provided to all affected property owners within 600 feet of the proposed  
32 boundaries and notice provided by publication; and

33 WHEREAS, on this date, the Village Commission conducted a public hearing that was  
34 properly noticed in accordance with the requirements of Section 20-3 of the Code of Miami-  
35 Dade County; and

36 WHEREAS, the Village Commission has determined that the annexation of the area  
37 described as an area bordered on the West side by the FEC Railway, on North side by  
38 Northeast 121 Street, on the East side by Biscayne Boulevard, and on the South side by

1 Northeast 119 Street, except that between Northeast 16 Avenue and Biscayne Boulevard the  
2 South border shall extend to the point where Northeast 16 Avenue and Biscayne Boulevard  
3 intersect near Northeast 116 Street in Miami-Dade County, Florida, more particularly  
4 described in Exhibit "A", is necessary, appropriate, and in the best interests of the Village and  
5 its citizens;

6 **NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND VILLAGE**  
7 **COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, AS**  
8 **FOLLOWS:**

9 **Section 1.** The above recitals are true and correct and are incorporated herein by  
10 this reference.

11 **Section 2.** The Village Commission hereby approves the enlargement of the  
12 Village's boundaries to the areas described as an area bordered on the West side by the FEC  
13 Railway, on the North side by Northeast 121 Street, on the East side by Biscayne Boulevard,  
14 and on the South side by Northeast 119 Street, except that between Northeast 16 Avenue and  
15 Biscayne Boulevard the South border shall extend to the point where Northeast 16 Avenue and  
16 Biscayne Boulevard intersect near Northeast 116 Street in Miami-Dade County, Florida, and  
17 authorizes the initiation of municipal boundary change procedures pursuant to Section 6.04 of  
18 the Miami-Dade County Home Rule Charter and Chapter 20 of the Code of Miami-Dade  
19 County.

20 **Section 3.** The Village Commission hereby requests that the Board of County  
21 Commissioners of Miami-Dade County, Florida adopt an appropriate ordinance approving the  
22 request of the Village for the annexation of the lands described as an area bordered on the West  
23 side by the FEC Railway, on North side by Northeast 121 Street, on the East side by Biscayne  
24 Boulevard, and on the South side by Northeast 119 Street, except that between Northeast 16  
25 Avenue and Biscayne Boulevard the South border shall extend to the point where Northeast 16

1 Avenue and Biscayne Boulevard intersect near Northeast 116 Street in Miami-Dade County,  
2 Florida, more particularly described in Exhibit "A", attached hereto and incorporated herein.

3 Section 4. The appropriate Village officials are hereby authorized and directed to  
4 perform any and all actions as may be deemed necessary or desirable to initiate and continue  
5 the boundary change procedure in accordance with Chapter 20 of the Code of Miami-Dade  
6 County and submit the annexation proposed herein to the Board of County Commissioners of  
7 Miami-Dade County for their consideration.

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

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

13  
14 PASSED AND ADOPTED this 4<sup>th</sup> day of February, 2014.

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20 \_\_\_\_\_  
21 David Coviello, Mayor

22 Attest:

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25 \_\_\_\_\_  
26 Maria C. Camara, Village Clerk

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28  
29 Approved as to form:

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31  
32 \_\_\_\_\_  
33 Village Attorney

The foregoing resolution upon being  
put to a vote, the vote was as follows:

Mayor Coviello: Yes  
Vice Mayor Watts: No  
Commissioner Anderson: No  
Commissioner Jonas: Yes  
Commissioner Ross: Yes



## VILLAGE OF BISCAYNE PARK

*Celebrating 80 Years*

*1933-2013*

*Transparency, Integrity & Professionalism*

### *East Area Annexation Report*

February 4, 2014



Village Commission

David Coviello, Mayor

Barbara Watts, Vice Mayor

Bob Anderson, Commissioner

Fred Jonas, Commissioner

Roxanna Ross, Commissioner

Village Administration

Heidi Shafran, AICP, Village Manager

Maria C. Camara, Village Clerk

Prepared by:



DALE DAVID PLANNING GROUP, INC.  
Budgeting | Land Use Planning | Transportation

774 NE 126<sup>th</sup> Street, Suite 1  
North Miami, FL 33161

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## INTRODUCTION

An excerpt from *"Miami's Historic Neighborhoods: A History of Community"* edited by Becky Roper Matkov.:

"In 1921, when Miami was preparing for the soon to arrive flood of land speculators, the area that was to become Biscayne Park was unincorporated, undeveloped and for the most part, fields of tomatoes belonging to Arthur Mortlow Griffing. Mr. Griffing was originally from Norwich, New York and had settled in Florida in 1903 to manage the Little River nursery. He built a large home and established Griffing Tropical Nurseries and Groves in and around a seven acre site that today is the Colonial Shopping Center along Dixie Highway and 125th Street in North Miami. Mr. Griffing was a landscaper for Carl Fisher's Miami Beach projects. By 1917, the horticulturalist changed hats to become a developer.

By the 1920's, Mr. Griffing had acquired and begun developing land along Dixie Highway north of Miami. The nursery was sold and the land subdivided and named Griffing Biscayne Park Estates. Mr. Griffing continued his love of landscaping by carefully planting the area with shrubs and trees so that Biscayne Park Estates resembled a huge botanical garden.

Early in January 1923, Mr. Griffing began advertising in the Miami Daily Metropolis and set up a miniature of the Park on the grounds of the Halcyon Hotel on Flagler Street. Prospective buyers were shuttled from downtown Miami to the new "Gateway to Miami". Mr. Griffing combined his land sales with his nursery promotions by offering a free strawberry shortcake to potential buyers, particularly young families to live in his new development. In addition he produced safe environments for children to play near their homes by creating many cul-de-sacs. The well-landscaped streets, medians and park areas laid out by Mr. Griffing set the stage for the first homes erected in the development which cost between \$4,000 and \$4,500. The shortcake incentive was later upgraded to a mixed box of grapefruits and oranges.

By a vote of its 113 citizens, the Town of Biscayne Park was incorporated on December 31, 1931, and on June 16th, 1933, a state charter was granted changing the name to the Village of Biscayne Park. The Works Progress Administration built a log cabin, a clear and distinct reference to the Depression as well as to the simplicity of the American frontier days. On February 1, 1933, at the height of the Depression, the Federal Emergency Relief Program provided the labor for the Dade County pine construction. William Green, a resident of the Park, as well as a Councilperson, was a regional administrator for the Federal program and was certainly instrumental in the creation of the Park's singular and distinctive building. The actual expenses incurred were a grand total of \$247, met by individual donations of \$5 to \$20 and gifts from the Card Club that ranged from \$10 to \$22. In light of today's multiple million dollar projects, these modest sums seem very quaint, but when held in light of the circumstances in which they occurred during the national depression, they reflect generous and caring residents and a community that was conscientious of their town. At a special ceremony on January 24th, 1935, the finished Log Cabin was officially turned over to the Village, and to this day has been the center for the daily operations of the Park. Since its creation in the thirties, it has been the prized symbol of the Village of Biscayne Park."

Although founded in 1933, the Village of Biscayne Park retains its heritage through tree-lined medians, original homes and historic log cabin/Village Hall. Located on the northeast Miami-Dade County, Biscayne Park prides itself on its quality of life enjoyed by over 3,000 residents.

And although the demographics of the Village have changed the quality of life and the desire to maintain the small town atmosphere has not.

What has changed is that the Village 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 Village's East is an area that has future development potential and a residential area that has been developed to a high standard and will allow a greater mix of housing types within the Village. The Village 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 Village of Biscayne Park (Village) wishes to initiate the annexation process in order to annex approximately 43.5 acres (11.0 Commercial, 18.7 Residential and 13.2 Industrial and Utilities) which are contiguous to the Village's current Eastern municipal boundary (See Location Aerial).

The Annexation Area is described as area bordered on the West-Side by the FEC Railway, on North-Side by Northeast 121 Street, on the East-Side by Biscayne Boulevard, on the South-Side by Northeast 119 Street, except that between Northeast 16 Avenue and Biscayne Boulevard the South border shall extend to the point where Northeast 16 Avenue and Biscayne Boulevard intersect near Northeast 116 Street. This area is accessible through the existing street network.

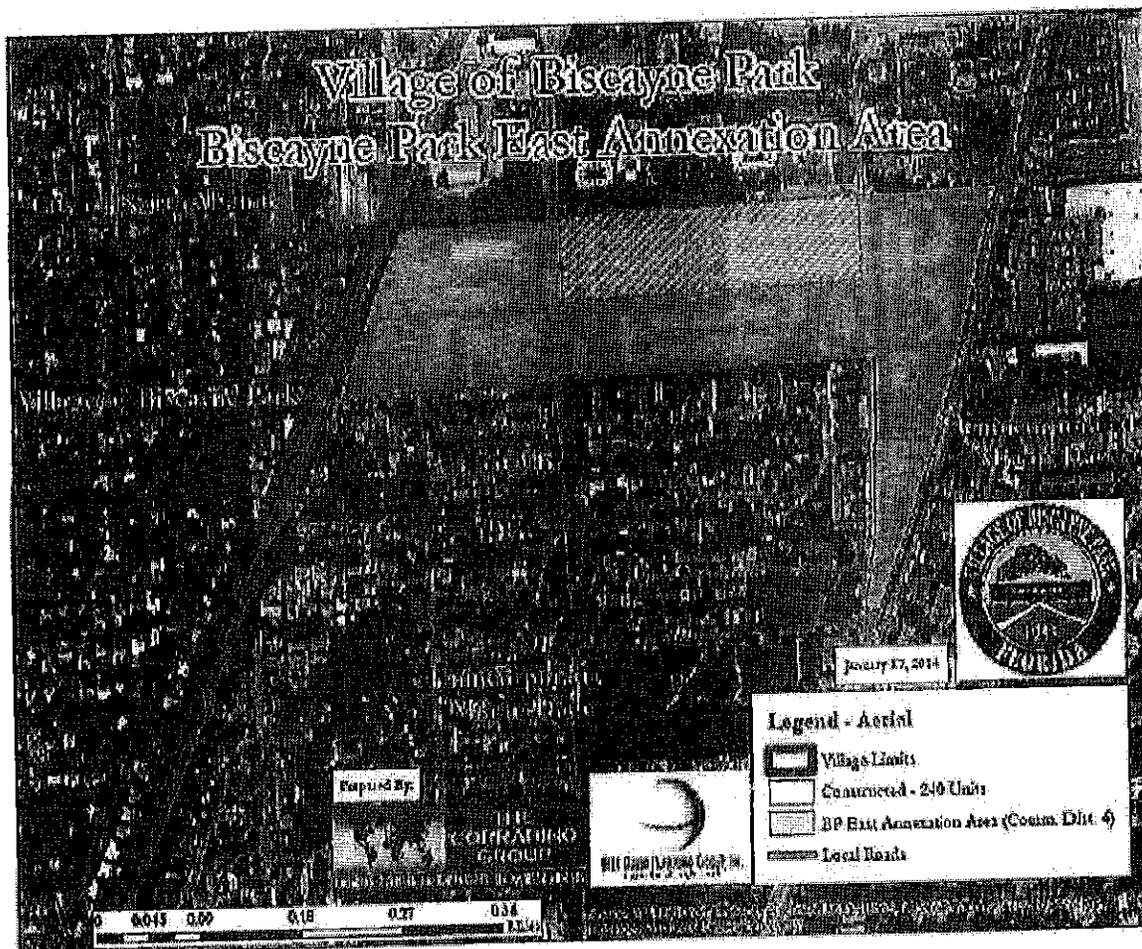
The 2012 population figures showed that approximately 3,099 persons reside in the Village. At this time, the addition of the Annexation Area would increase the Village's population by more than 800 and would also add numerous new businesses.

With its current successes the Village 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;

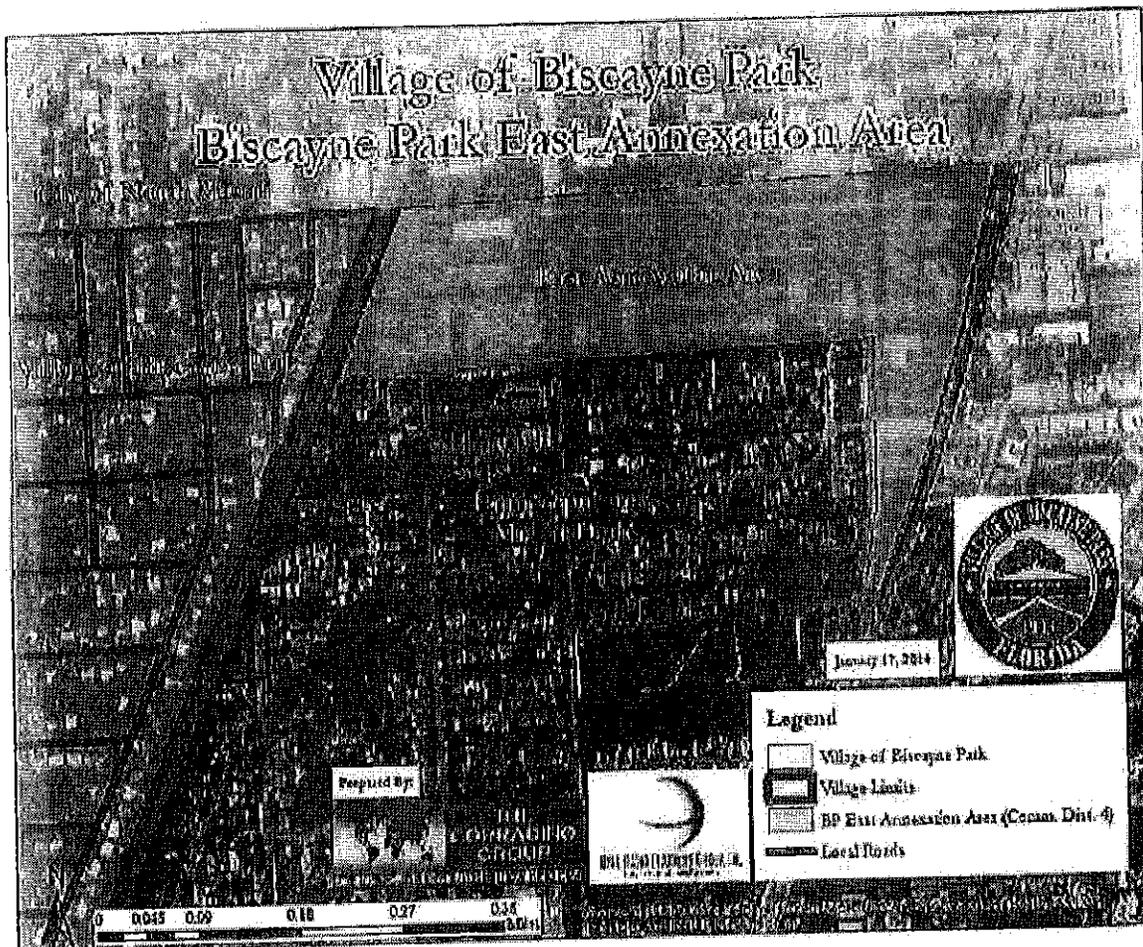
In summary, the Annexation Area will further provide for the fiscal strength of the Village by diversifying and increasing its tax base and allowing for significant job creation opportunities. Through more localized planning and review and enforcement of regulations the needs of this very important employment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

**Figure 1. Location Aerial**





**Figure 3. Biscayne Park East Annexation Area**



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**RESOLUTION**

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**RESOLUTION NO. 2014-09**

A RESOLUTION OF THE MAYOR AND VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, INITIATING AND REQUESTING PROPOSED BOUNDARY CHANGES TO THE VILLAGE OF BISCAYNE PARK IN ORDER TO ANNEX PROPERTY DESCRIBED AS AN AREA BORDERED ON THE WEST SIDE BY THE FEC RAILWAY, ON THE NORTH SIDE BY NORTHEAST 121 STREET, ON THE EAST SIDE BY BISCAYNE BOULEVARD, AND ON THE SOUTH SIDE BY NORTHEAST 119 STREET, EXCEPT THAT BETWEEN NORTHEAST 16 AVENUE AND BISCAYNE BOULEVARD THE SOUTH BORDER SHALL EXTEND TO THE POINT WHERE NORTHEAST 16 AVENUE AND BISCAYNE BOULEVARD INTERSECT NEAR NORTHEAST 116 STREET IN MIAMI-DADE COUNTY, FLORIDA; REQUESTING APPROVAL FOR ANNEXATION FROM THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA; AUTHORIZING THE APPROPRIATE VILLAGE OFFICIALS TO TAKE ANY AND ALL ACTIONS NECESSARY TO SUBMIT A REQUEST FOR THE PROPOSED BOUNDARY CHANGES 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.

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WHEREAS, pursuant to Section 6.04 of the Miami-Dade County Home Rule Charter and Section 20-3 of the Code of Miami-Dade County, the Village of Biscayne Park (the "Village") 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

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WHEREAS, on this date, the Village Commission 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

36  
37  
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WHEREAS, the Village Commission has determined that the annexation of the area described as an area bordered on the West side by the FEC Railway, on North side by Northeast 121 Street, on the East side by Biscayne Boulevard, and on the South side by

43

1 Northeast 119 Street, except that between Northeast 16 Avenue and Biscayne Boulevard the  
2 South border shall extend to the point where Northeast 16 Avenue and Biscayne Boulevard  
3 intersect near Northeast 116 Street in Miami-Dade County, Florida, more particularly  
4 described in Exhibit "A", is necessary, appropriate, and in the best interests of the Village and  
5 its citizens;

6 NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND VILLAGE  
7 COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, AS  
8 FOLLOWS:

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

11 Section 2. The Village Commission hereby approves the enlargement of the  
12 Village's boundaries to the areas described as an area bordered on the West side by the FEC  
13 Railway, on the North side by Northeast 121 Street, on the East side by Biscayne Boulevard,  
14 and on the South side by Northeast 119 Street, except that between Northeast 16 Avenue and  
15 Biscayne Boulevard the South border shall extend to the point where Northeast 16 Avenue and  
16 Biscayne Boulevard intersect near Northeast 116 Street in Miami-Dade County, Florida, and  
17 authorizes the initiation of municipal boundary change procedures pursuant to Section 6.04 of  
18 the Miami-Dade County Home Rule Charter and Chapter 20 of the Code of Miami-Dade  
19 County.

20 Section 3. The Village Commission hereby requests that the Board of County  
21 Commissioners of Miami-Dade County, Florida adopt an appropriate ordinance approving the  
22 request of the Village for the annexation of the lands described as an area bordered on the West  
23 side by the FEC Railway, on North side by Northeast 121 Street, on the East side by Biscayne  
24 Boulevard, and on the South side by Northeast 119 Street, except that between Northeast 16  
25 Avenue and Biscayne Boulevard the South border shall extend to the point where Northeast 16

Resolution No. 2010-09  
Page 2 of 3

1 Avenue and Biscayne Boulevard intersect near Northeast 116 Street in Miami-Dade County,  
2 Florida, more particularly described in Exhibit "A", attached hereto and incorporated herein.

3 Section 4. The appropriate Village officials are hereby authorized and directed to  
4 perform any and all actions as may be deemed necessary or desirable to institute and continue  
5 the boundary change procedure in accordance with Chapter 201 of the Code of Miami-Dade  
6 County and submit the annexation proposed herein to the Board of County Commissioners of  
7 Miami-Dade County for their consideration.

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

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

13  
14 PASSED AND ADOPTED this 4<sup>th</sup> day of February, 2014.

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19 \_\_\_\_\_  
20 David Cavallaro, Mayor

21 Attest:  
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24 \_\_\_\_\_  
25 Maria C. Cumari, Village Clerk

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29 Approved as to form:  
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32 \_\_\_\_\_  
33 Village Attorney

The foregoing resolution upon being  
put to a vote, the vote was as follows:

- Mayor Cavallaro: Yes
- Vice Mayor Watts: No
- Commissioner Anderson: No
- Commissioner Jones: Yes
- Commissioner Ross: Yes

45

EXHIBIT "A"

Legal Description:

An area bordered on the West-Side by the FEC Railway, on North-Side by Northeast 121 Street, on the East-Side by Biscayne Boulevard, on the South-Side by Northeast 119 Street, except that between Northeast 16 Avenue and Biscayne Boulevard the South border shall extend to the point where Northeast 16 Avenue and Biscayne Boulevard intersect near Northeast 116 Street in Miami-Dade County, Florida.

**HEARING AND COURTESY NOTICES**

**Hearing Notice Ad Tuesday January 21, 2014**

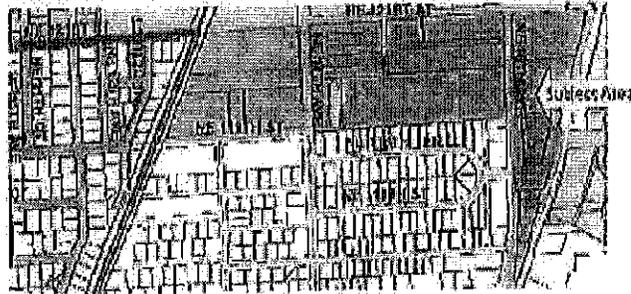


**NOTICE OF PUBLIC HEARING**

A public hearing will be held at the regular meeting of the Village Commission of the Village of Biscayne Park on Tuesday, February 4, 2014, at 7:00pm at the Ed Burke Recreation Center, 11400 NE 58 Court, Biscayne Park, FL, on the following:

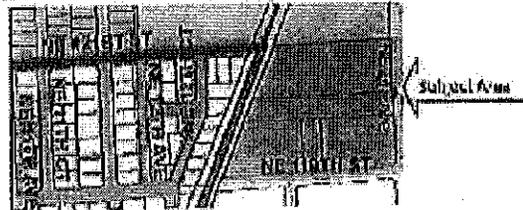
**RESOLUTION 2014-01**

A RESOLUTION OF THE MAYOR AND VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, INITIATING AND REQUESTING PROPOSED BOUNDARY CHANGES TO THE VILLAGE OF BISCAYNE PARK IN ORDER TO ANNEX PROPERTY DESCRIBED AS AN AREA BORDERED ON THE WEST-SIDE BY THE FEC RAILWAY, ON NORTH-SIDE BY NORTHEAST 121 STREET, ON THE EAST-SIDE BY BISCAYNE BOULEVARD, ON THE SOUTH-SIDE BY NORTHEAST 119 STREET, EXCEPT THAT BETWEEN NORTHEAST 12 AVENUE AND BISCAYNE BOULEVARD THE SOUTH BORDER SHALL EXTEND TO THE POINT WHERE NORTHEAST 12 AVENUE AND BISCAYNE BOULEVARD INTERSECT NEAR NORTHEAST 116 STREET IN MIAMI-DADE COUNTY, FLORIDA; REQUESTING APPROVAL FOR ANNEXATION FROM THE BOARD OF COUNTY COMMISSIONERS; AUTHORIZING THE MAYOR, VILLAGE MANAGER, VILLAGE CLERK AND VILLAGE ATTORNEY TO TAKE ANY AND ALL ACTIONS NECESSARY TO SUBMIT A REQUEST FOR THE PROPOSED BOUNDARY CHANGES 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.



**RESOLUTION 2014-02**

A RESOLUTION OF THE MAYOR AND VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, INITIATING AND REQUESTING PROPOSED BOUNDARY CHANGES TO THE VILLAGE OF BISCAYNE PARK IN ORDER TO ANNEX PROPERTY DESCRIBED AS AN AREA BORDERED ON THE WEST-SIDE BY THE FEC RAILWAY, ON NORTH-SIDE BY NORTHEAST 121 STREET, ON THE EAST-SIDE BY NORTHEAST 12 AVENUE, AND ON THE SOUTH-SIDE BY NORTHEAST 119 STREET IN MIAMI-DADE COUNTY, FLORIDA; REQUESTING APPROVAL FOR ANNEXATION FROM THE BOARD OF COUNTY COMMISSIONERS; AUTHORIZING THE MAYOR, VILLAGE MANAGER, VILLAGE CLERK AND VILLAGE ATTORNEY TO TAKE ANY AND ALL ACTIONS NECESSARY TO SUBMIT A REQUEST FOR THE PROPOSED BOUNDARY CHANGES 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.



All documentation pertaining to this notice may be reviewed by the public at the Office of the Village Clerk, Village Hall, 640 NE 119 Street. Interested parties may appear and be heard at the meeting at the written notice of approval or objection with the Village Clerk given in the meeting. In accordance with the provision of F.S. Section 216.24(6), should any person want to appeal any decision made by the Board with respect to any matter considered at the meeting, such person will need to ensure that a verbal record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities Act of 1990, persons who require special accommodation to participate in the proceedings should call the Village Clerk's office at (305) 639-6200 no later than four (4) days prior to the proceeding for assistance. On day of meeting, if called in by 11:00am, we will do our best to accommodate your request.

47



## *The Village of Biscayne Park*

640 NE 114<sup>th</sup> St., Biscayne Park, FL 33161  
Telephone: 305-899-0060 Facsimile: 305-893-7241

### NOTICE OF PUBLIC HEARING

A public hearing will be held at the regular meeting of the Village Commission of the Village of Biscayne Park on Tuesday, February 4, 2014, at 7:00pm at the Ed Burke Recreation Center, 11400 NE 9<sup>th</sup> Court, Biscayne Park, FL, on the following:

#### RESOLUTION 2014-09

A RESOLUTION OF THE MAYOR AND VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, INITIATING AND REQUESTING PROPOSED BOUNDARY CHANGES TO THE VILLAGE OF BISCAYNE PARK IN ORDER TO ANNEX PROPERTY DESCRIBED AS AN AREA BORDERED ON THE WEST-SIDE BY THE FEC RAILWAY, ON NORTH-SIDE BY NORTHEAST 121 STREET, ON THE EAST-SIDE BY BISCAYNE BOULEVARD, ON THE SOUTH-SIDE BY NORTHEAST 119 STREET, EXCEPT THAT BETWEEN NORTHEAST 16 AVENUE AND BISCAYNE BOULEVARD THE SOUTH BORDER SHALL EXTEND TO THE POINT WHERE NORTHEAST 16 AVENUE AND BISCAYNE BOULEVARD INTERSECT NEAR NORTHEAST 116 STREET IN MIAMI-DADE COUNTY, FLORIDA; REQUESTING APPROVAL FOR ANNEXATION FROM THE BOARD OF COUNTY COMMISSIONERS; AUTHORIZING THE MAYOR, VILLAGE MANAGER, VILLAGE CLERK AND VILLAGE ATTORNEY TO TAKE ANY AND ALL ACTIONS NECESSARY TO SUBMIT A REQUEST FOR THE PROPOSED BOUNDARY CHANGES 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.

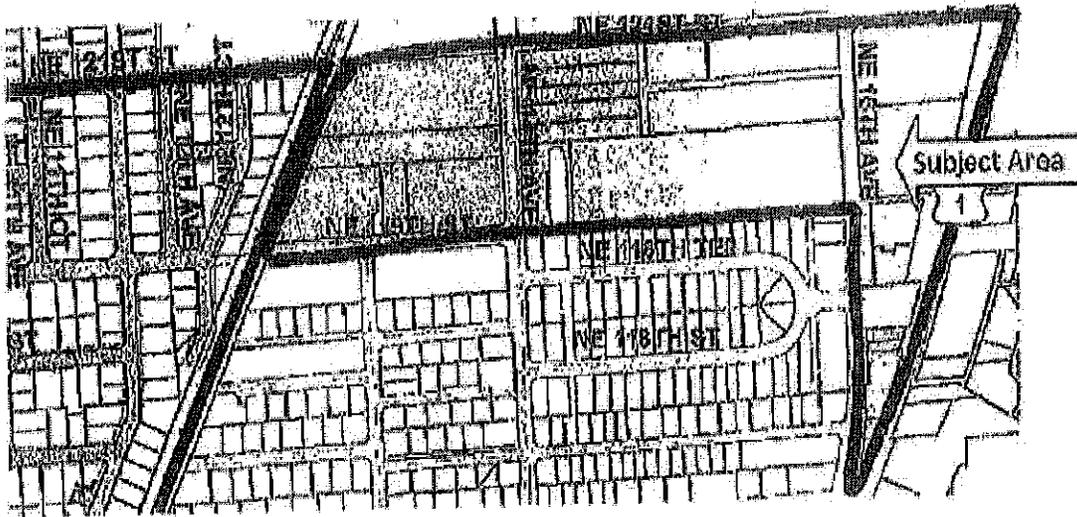
#### RESOLUTION 2014-30

A RESOLUTION OF THE MAYOR AND VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, INITIATING AND REQUESTING PROPOSED BOUNDARY CHANGES TO THE VILLAGE OF BISCAYNE PARK IN ORDER TO ANNEX PROPERTY DESCRIBED AS AN AREA BORDERED ON THE WEST-SIDE BY THE FEC RAILWAY, ON NORTH-SIDE BY NORTHEAST 121 STREET, ON THE EAST-SIDE BY NORTHEAST 14 AVENUE, AND ON THE SOUTH-SIDE BY NORTHEAST 119 STREET IN MIAMI-DADE COUNTY, FLORIDA; REQUESTING APPROVAL FOR ANNEXATION FROM THE BOARD OF COUNTY COMMISSIONERS; AUTHORIZING THE MAYOR, VILLAGE MANAGER, VILLAGE CLERK AND VILLAGE ATTORNEY TO TAKE ANY AND ALL ACTIONS NECESSARY TO SUBMIT A REQUEST FOR THE PROPOSED BOUNDARY CHANGES 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.

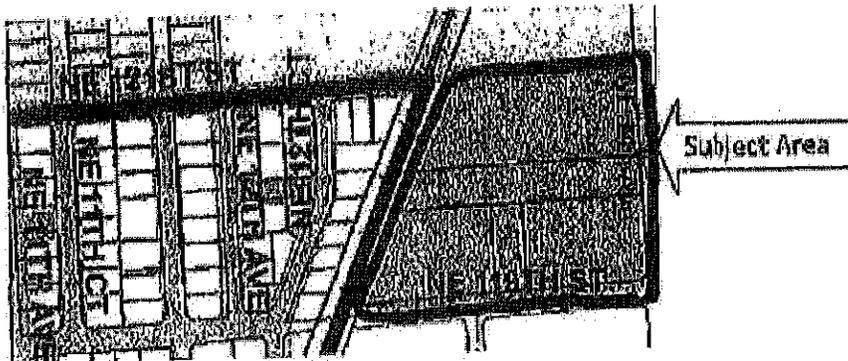
All documentation pertaining to this notice may be inspected by the public at the Office of the Village Clerk in Village Hall, 640 NE 114<sup>th</sup> Street. Interested parties may appear and be heard at the meeting or file written notice of approval or objection with the Village Clerk prior to the meeting. In accordance with the provision of F.S. Section 286.0105, should any person seek to appeal any decision made by the Board with respect to any matter considered at this meeting, such person will 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.

In accordance with the Americans with Disabilities Act of 1990, persons who require special accommodation to participate in the proceedings should call the Village Clerk's office at (305) 899-0000 no later than four (4) days prior to the proceeding for assistance. On day of meeting, if called in by 11:00am, we will do our best to accommodate your request.

**Subject Area for Resolution 2014-09**



**Subject Area for Resolution 2014-10**



**MAP AND LEGAL DESCRIPTION**

See Figures 1-3. above for location

**Legal Description:**

An area bordered on the West-Side by the FEC Railway, on North-Side by Northeast 121 Street, on the East-Side by Biscayne Boulevard, on the South-Side by Northeast 119 Street, except that between Northeast 16 Avenue and Biscayne Boulevard the South border shall extend to the point where Northeast 16 Avenue and Biscayne Boulevard intersect near Northeast 116 Street in Miami-Dade County, Florida.

Total Number of Acres: 43.5

**CERTIFICATION OF COUNTY SUPERVISOR OF REGISTRATION (ELECTIONS) AND  
DEPARTMENT OF REGULATORY AND ECONOMIC RESOURCES – RESPONSES**



miamidade.gov

Elections  
2700 NW 87th Avenue  
Miami, Florida 33172  
T: 305-499-0607 F: 305-499-0547  
TTY: 305-499-0880

**CERTIFICATION**

STATE OF FLORIDA)

COUNTY OF MIAMI-DADE)

I, Penelope Townsley, Supervisor of Elections of Miami-Dade County, Florida, do hereby certify that the Village of Biscayne Park East Annexation Area, as described below, has 283 voters.

The annexation area is described as: "bounded by NE 121<sup>st</sup> Street to the North; FEC Railway to the West; 119<sup>th</sup> Street to the South; and Biscayne Blvd. to the East. Additionally, the triangular area created by NE 18<sup>th</sup> Avenue and Biscayne Blvd. and south of the above is also included."

WITNESS MY HAND  
AND OFFICIAL SEAL,  
AT MIAMI, MIAMI-DADE  
COUNTY, FLORIDA,  
ON THIS 16<sup>th</sup> DAY OF  
JANUARY, 2014

  
\_\_\_\_\_  
Penelope Townsley  
Supervisor of Elections

*Please submit a check for \$70.00 to our office payable to "Miami-Dade County" for the cost of research and labor.*

**REF RESPONSE**

<b>Table 1. Village of Biscayne Park Proposed East Annexation Area</b>				
From the West-Side by the FEC Railway, on North-Side by Northeast 121 Street, on the East-Side by Biscayne Boulevard, on the South-Side by Northeast 119 Street, except that between Northeast 16 Avenue and Biscayne Boulevard the South border shall extend to the point where Northeast 16 Avenue and Biscayne Boulevard intersect near Northeast 116 Street				
<b>2014 Existing Land Use - Annexation Area and Village of Biscayne Park</b>				
<b>Land Use</b>	<b>Annexation Area (Acres)</b>	<b>Annexation Area (Percent of Total)</b>	<b>Biscayne Park (Area Acres)</b>	<b>Biscayne Park (Percent of Total)</b>
Residential	18.7	42.9	283.7	69.7
Commercial & Office & Transient Residential	11.0	25.2	0.2	0.1
Industrial	6.7	15.5	0.0	0.0
Institutional	0.0	0.0	3.0	0.7
Parks/Recreation	0.2	0.5	4.1	1.0
Transportation, Communication, Utilities	6.5	14.9	105.0	25.8
Agriculture	0.0	0.0	0.0	0.0
Undeveloped	0.0	0.0	1.9	0.5
Inland Waters	0.4	1.0	9.2	2.2
<b>Total:</b>	<b>43.5</b>	<b>100.0</b>	<b>407.20</b>	<b>100.0</b>
<b>Source: Miami-Dade County Department of Regulatory and Economic Resources, Planning Research Section, January 2014</b>				

See Attachment "A" – Existing Land Use Map

## STATEMENT OF REASON FOR BOUNDARY CHANGES

The proposed annexation area as shown abuts the Village of Biscayne Park at its Eastern limit. Policy 1.9 (Intergovernmental Coordination Element) of the Village's Comprehensive Plan has identified the annexation of this general area to be a priority. Annexing the approximately 43.5 acre area will also insure that the quality of life for businesses and residents will remain through continued proper planning and development practices. The Village believes the annexation area is complementary to development already existing in the Village.

The Village intends to:

- Protect and maintain the character of the Village while infusing that character into its current eastern edge by annexation;
- Grow and diversify the Village's tax base through annexation to include more non-residential uses; such as light industrial and commercial (currently, 100% of Village tax burden is on residents);
- Decrease the overall millage rate for current Village residents;
- Bring in additional revenue as current revenue stream has decreased;
- Enable the Village to enhance its current eastern boundary through annexation with policing and code compliance initiatives – a win win for Village and annexation area; and,
- Allow for greater control of area surrounding our boundaries.

The Village now believes that the timing for annexation efforts is right due to present annexation and incorporation efforts throughout Miami-Dade County. The County Commission is now more involved in the annexation and incorporation process and wishes to focus on more "regional services", hence, greater support from County. And finally, smaller municipalities in the County with similar challenges have already submitted applications for annexation and are in process.

As stated previously, proper planning and development practices and compatibility are extremely important to the Village. Through more localized planning, review and enforcement of regulations the needs of this neighborhood residential area, employment and economic center will be fully realized.

Finally, property owners within the proposed annexation area will benefit from more localized government.

**NOTIFICATION OF PROPERTY OWNERS OF VILLAGE INTENT**

Formal notice of the public hearing (See Hearing and Courtesy Notices) by the Village 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 "B")

**- CERTIFIED LIST OF PROPERTY OWNERS)**

## LAND USE PLAN AND ZONING

The land use and zoning consists of a mix of residential, office and commercial, industrial and office, 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 43.5 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 in Attachment "A".

**Table 2. Inventory of Land Uses**

Land Use	Number of Acres	Percent of Total
Residential	18.7	42.9
Commercial & Office	11.0	25.2
Industrial	6.7	15.5
Institutional	0.0	0.0
Parks & Recreation Open Space	0.2	0.5
Transportation, Communications, Utilities	6.5	14.9
Agriculture	0.0	
Undeveloped	0.0	0.0
Inland Water	0.4	1.0
<b>TOTAL</b>	<b>43.5</b>	<b>100.0</b>

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

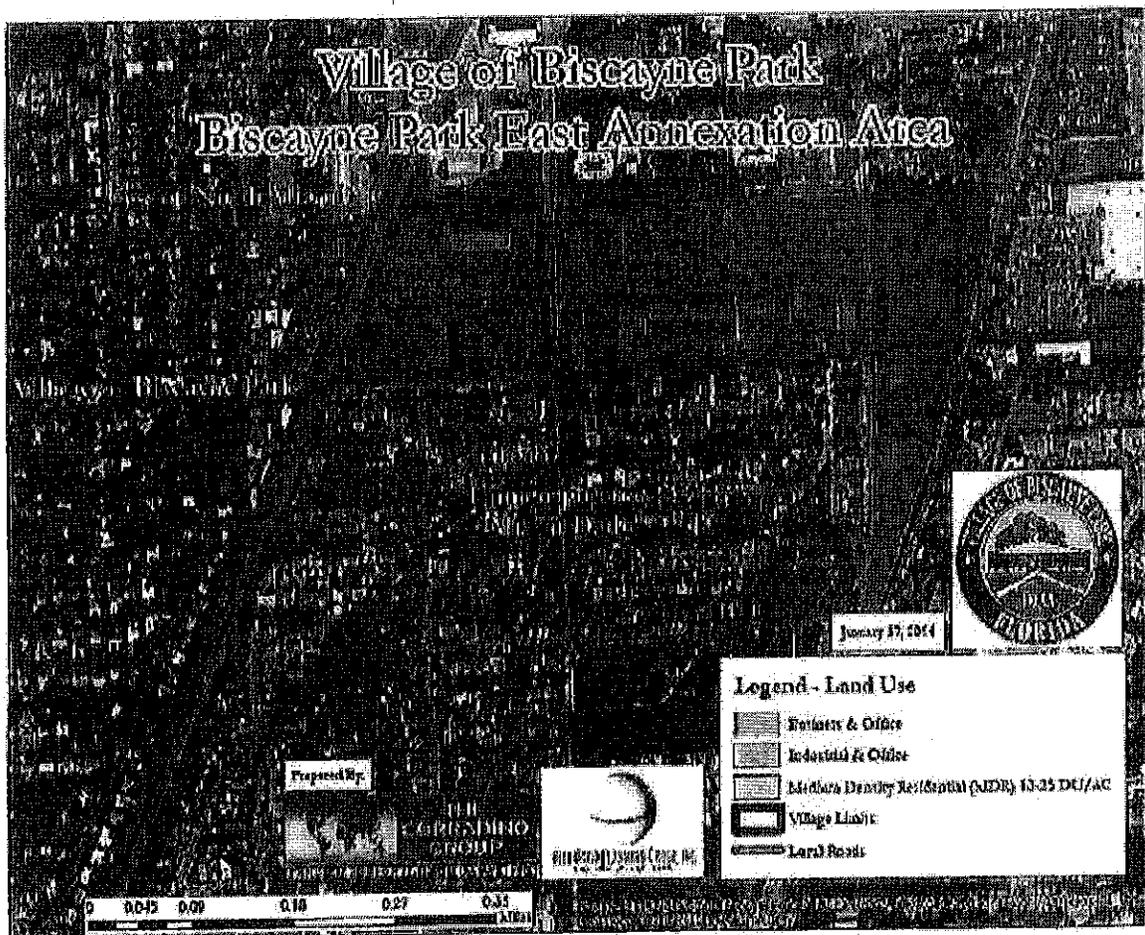
Future Land Use Designations for Annexation Area

The Annexation Area is designated *Business and Office, Medium Density Residential and Industrial and Office* on the Miami-Dade County Future Land Use Plan Map. Upon annexation, the Village will incorporate these Land Uses into its Comprehensive Plan.

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 Village of Biscayne Park Comprehensive Plan.

**Figure 4. Miami-Dade County East Annexation Area Future Land Use Map**



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

### Medium-High Density

This category authorizes apartment buildings ranging from 25 to 60 dwelling units per gross acre. In this category, the height of buildings and, therefore, the attainment of densities approaching the maximum, depends to a great extent on the dimensions of the site, conditions such as location and availability of services, ability to provide sufficient off-street parking, and the compatibility with and impact of the development on surrounding areas.

\* \* \*

### 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.

\* \* \*

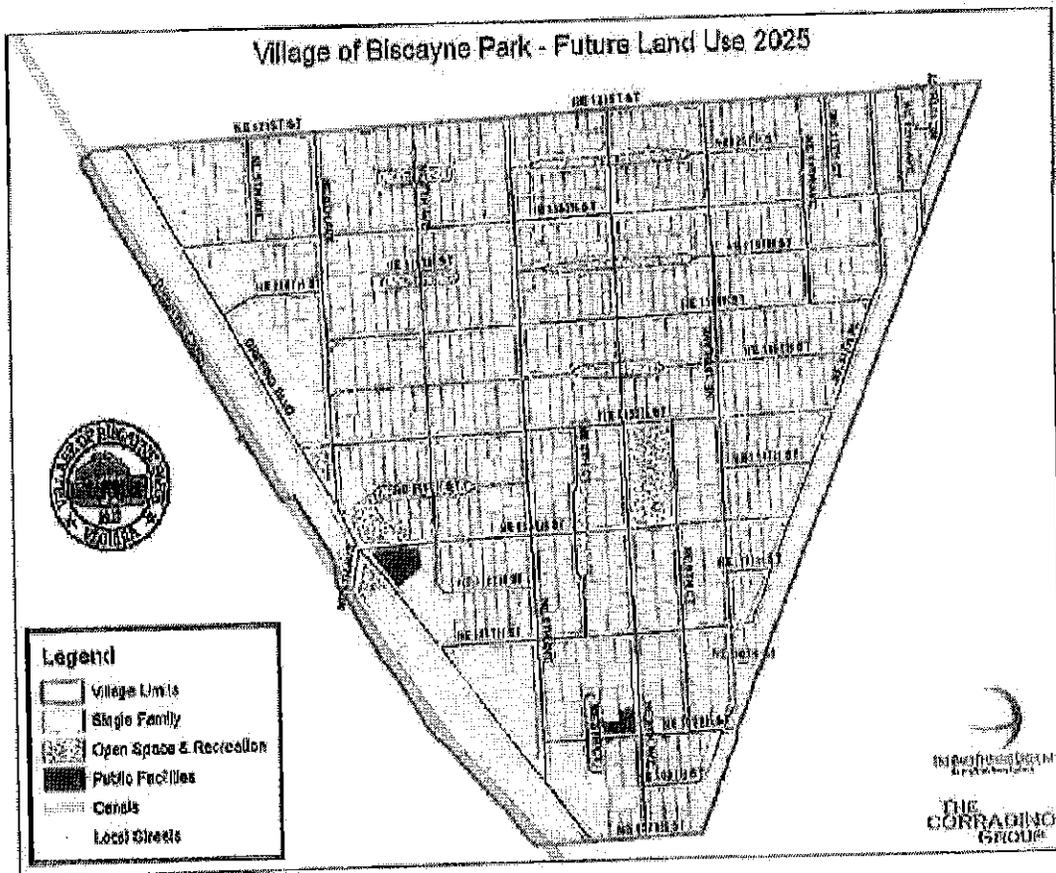
### Industrial and Office

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.

\* \* \*

**Figure 5. Village of Biscayne Park Future Land Use Map**



## Equivalent Village of Biscayne Park Future Land Use Designations

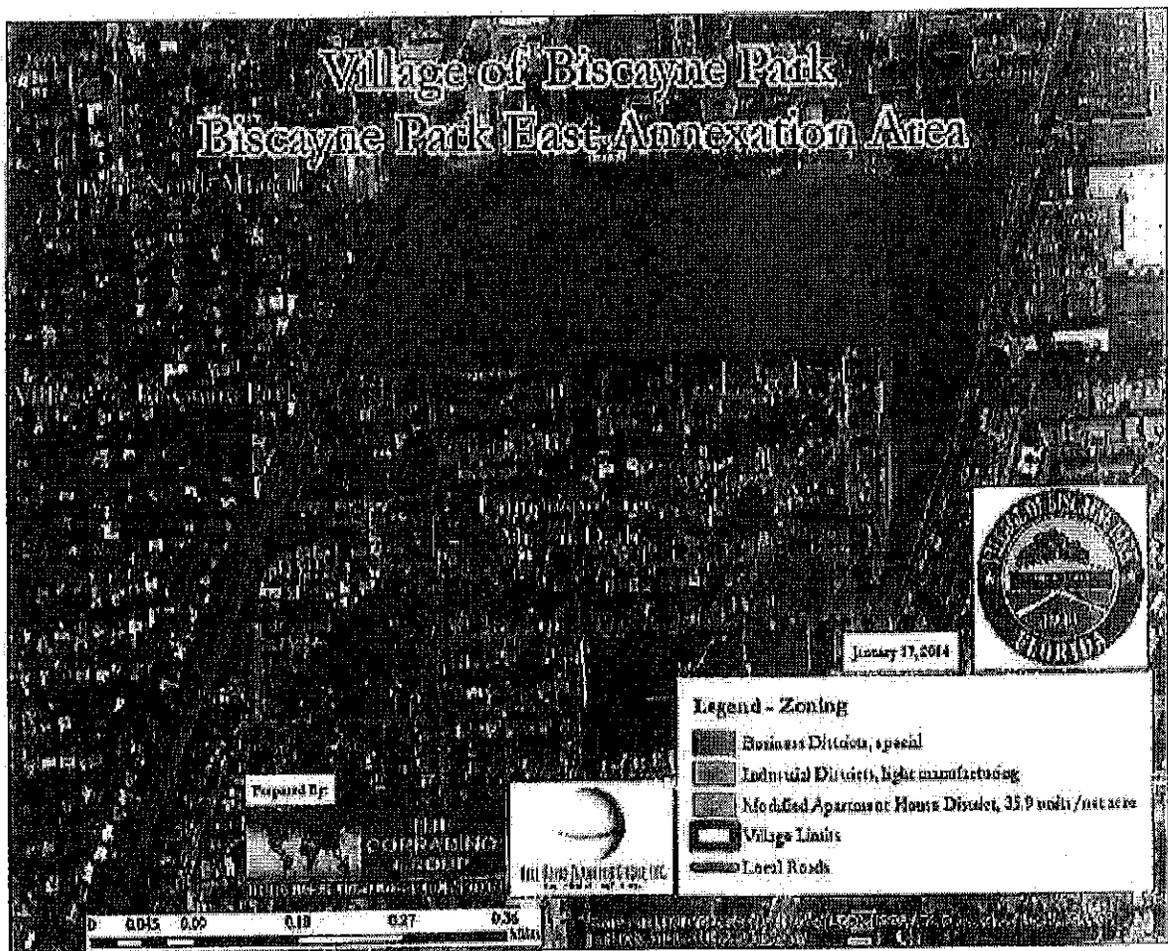
None - Upon annexation the Village will incorporate these Land Uses into its Comprehensive Plan.

### Zoning

The East Annexation Area consists of lands zoned Business (BU-2), Industrial (IU-1) and Residential (RU-4M) as shown on the Miami-Dade County Zoning Map. Upon annexation, the Village will amend its Land Development Regulations to incorporate those zoning districts

Please see the Zoning 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.

**Figure 6. Miami-Dade County East Annexation Area Zoning Map**



Zoning Districts (Miami-Dade County)

Article XVIB. RU-4M. Modified Apartment House District  
(Condensed)

Sec. 33-207.3 - Uses Permitted

(A) Those uses permitted in the RU-1, RU-1M(a), RU-1M(b), RU-2, RU-3 and RU-TH Districts

- (A-1) Workforce housing units
- (B) Multiple family apartment house use
- (C) Multiple-family housing developments
- (D) Housing projects
- (E) Community residential facility

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.

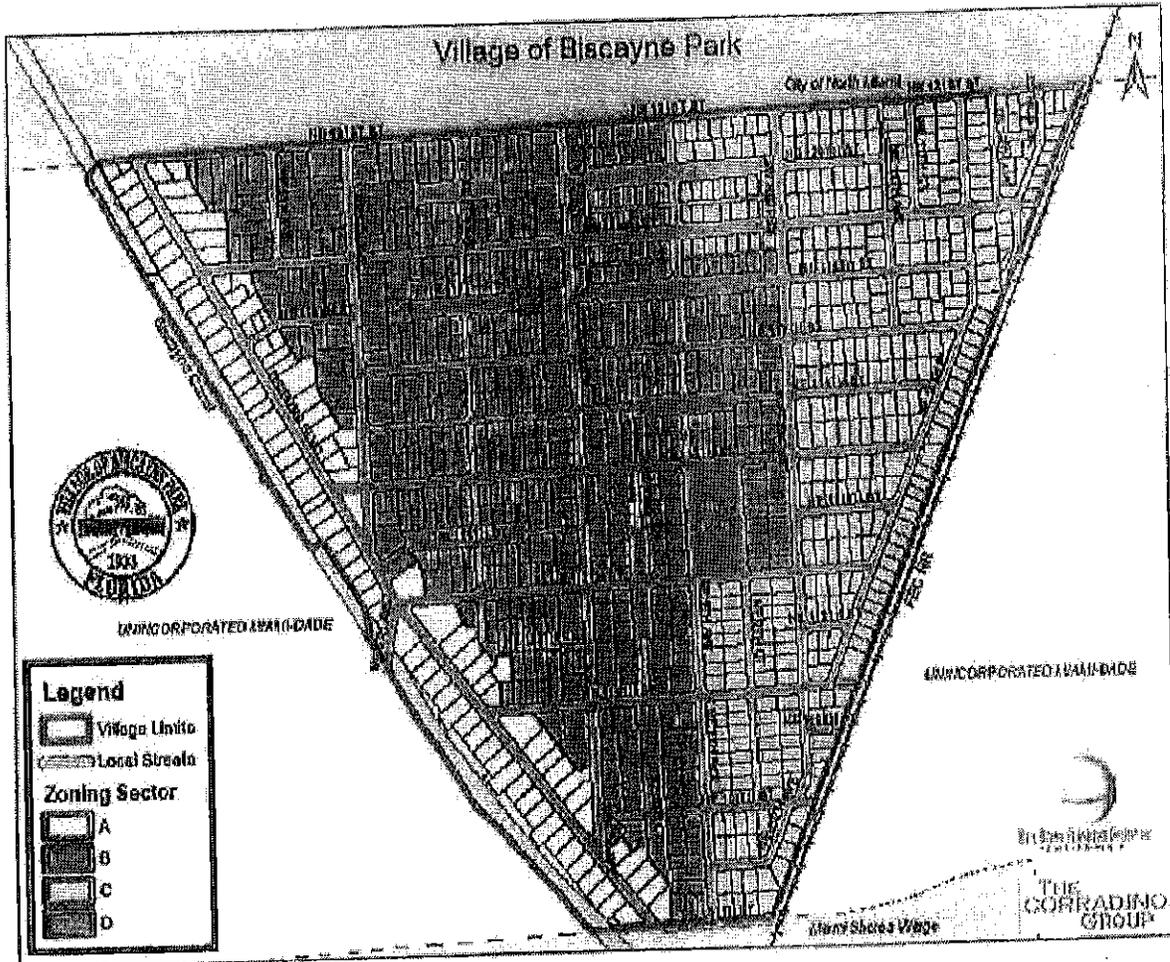
Article XXIX. IU-1, Industrial, Light Manufacturing District  
(Condensed)

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 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,  
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,

**Figure 7. Village of Biscayne Zoning Map**



**Village of Biscayne Park Equivalent Zoning Districts**

None - Upon annexation the Village will incorporate these Zoning Districts into its Land Development Regulations.

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## LIST OF SERVICES TO BE PROVIDED

### a. Police

The Biscayne Park Police Department currently comprises 11 sworn full-time officers and 14 sworn reserve officers that serve the Village a minimum 24 hours a month. The current 2013-14 budget is \$997,989. The Department is the recipient of numerous State and regional awards.

Approximately 2 additional officers will be needed to service the annexed area. Additional first year costs associated with the annexation would be \$134,713

### b. Fire Protection

Fire Protection is provided by Miami-Dade County fire services.

### c. Water Supply and Distribution

The Village of Biscayne Park is currently served by the City of North Miami. The City of North Miami currently services the annexation area through its water supply and distribution system. To meet the demands of North Miami's Water Service Area the City purchases additional capacity from the Miami-Dade Water and Sewer Department (MDWASD).

### d. Facilities for Collection and Treatment of Sewage

The Village's properties are currently utilizing septic systems. The Miami-Dade County Water and Sewer Department currently services the annexation area through its collection and treatment system and will continue to do so. Should the Village convert to a sewage system, the capacity needed for the annexation area will be considered in the future plan.

### e. Garbage and Refuse Collection and Disposal

The Village will serve residential customers with the same level of service provided to Village residents. Multi-family and commercial areas will continue to contract with private service providers.

### 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, per an Interlocal agreement transferring responsibility, will become Village roads.

### h. Park and Recreation Facilities and Services

The annexation area will benefit from the existing Village of Biscayne Park parks and recreation facilities and services that are provided to residents.

### i. Building Inspection and Code Compliance

The Village is responsible for all building inspections through the Building Official. If the annexation proposal is approved, it is anticipated that approximately one part-time code compliance officer will be needed to service this area. Additional first year costs associated with the annexation will be \$25,000.

j. Zoning Administration

The Village will be responsible for all zoning related matters.

k. Local Planning Services

The Village will be responsible for all planning related matters.

l. Special Services Not Listed Above

None

m. General Government

The Village has a Mayor-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 Village. The Commission's powers include establishing public policy and law. The Village Manager is responsible for the day to day administration of the Village.

The approximate increase in staff is from 31.0 FTE to 33.0 FTE with an additional associated cost of \$186,347 for Police and Code Compliance. The Village must determine the level of roadway maintenance and associated costs.

CPD

## TIMETABLE FOR SUPPLYING SERVICES

- a. Police  
Immediate with additional personnel added within 6 months.
- 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. The City of North Miami will continue to service this area and meet any future additional demands through additional capacity purchases from Miami-Dade County Water and Sewer Department.
- d. Facilities for Collection and Treatment of Sewage  
Immediate/No Change. Miami-Dade County Water and Sewer Department will continue to service the annexation area through its wastewater collection and treatment system.
- e. Garbage and Refuse Collection and Disposal  
Immediate/No Change. The Village will serve residential customers with the same level of service provided to Village residents. Multi-family and commercial areas will continue to contract with private service providers.
- 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 Village will maintain roadways designated municipal streets per the Interlocal agreement.
- h. Park and Recreation Facilities and Services  
Immediate/No Change. In the future, there may be opportunities to acquire lands for recreation through outright purchase, using grant funding or dedications.
- i. Building Inspection and Code Compliance  
Immediate with additional personnel added within 6 months.
- j. Zoning Administration  
Immediate.
- k. Local Planning Services  
Immediate.
- l. Special Services Not Listed Above  
Immediate/No Change.
- m. General Government

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Immediate/No Change After the annexation process is completed the Village will be responsible for all general government services.

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## FINANCING OF SERVICES

### a. Police

The City will fund this service through its General Fund via tax collections, citations and arrests and intergovernmental revenue sharing.

### 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 the City of North Miami with additional capacity purchased from 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 Village will serve residential customers with the same level of service provided to Village residents. Multi-family and commercial areas will continue to contract with private service providers. Services provided by the Village are financed through a special assessment.

### 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 of streets will be funded through the Village's General Fund.

### h. Park and Recreation Facilities and Services

The operation and maintenance of these facilities will continue to be funded through the General Fund.

### i. Building Inspection and Code Compliance

Building Inspections and Code Compliance are financed through user fees and other sources (fines).

### j. Zoning Administration

Zoning Administration services are financed through user fees and general funds.

### k. Local Planning Services

Local Planning Services are financed through user fees and general funds.

l. Special Services Not Listed Above  
None

m. General Government  
General Government Services are provided and funded through tax collections and additional revenue sources such as: Utility taxes, franchise fees and intergovernmental revenue sharing.

**TAX LOAD ON ANNEXATION AREA**

Gross Revenue is based on the 2013 Taxable Property Rolls and other revenues. The cost of providing services (expenditures) is based on expected costs the Village believes it will incur. Since the proposed annexation area may undergo redevelopment, revenues and expenditures will be constantly changing as new development is added to the tax rolls and more services are required.

Below is a comparison table showing various Property Tax Revenue scenarios for the annexation area.

The Village's 2013 millage rate is 9.7000. The 2013 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

	MILLAGE RATE	2012 TAXABLE PROPERTY ROLLS	PROPERTY TAX REVENUE	COST OF PROVIDING SERVICES^	NET BUDGET GAIN/LOSS
Biscayne Park East Annexation Area	9.7000	\$46,585,511	\$429,285	\$159,713	+\$269,572
Miami-Dade County	1.9283		\$85,339 (UMSA)	\$159,713	-\$74,374

^ For Village Police and Code Compliance Only

Additional fiscal goals of this endeavor are to build Village reserves as well as reduce the tax burden (decrease millage rate) on all Village residents.

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**CERTIFICATION OF DIRECTOR OF PLANNING & ZONING (NOW RER)**

See Certification of County Supervisor of Registration (Elections) and Department of Regulatory and Economic Resources – Responses Section

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PETITION WITH CLERK OF COUNTY COMMISSION

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

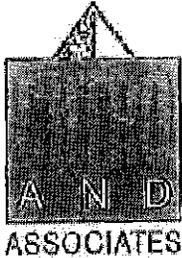
END

ATTACHMENTS



Attachment "B" – Certified List of Property Owners

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## CERTIFICATION LETTER

**Village of Biscayne Park**

**Date:** January 15, 2014

**Applicant:** Village of Biscayne Park

**Subject Property:** See Attached Map

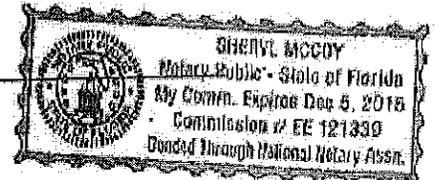
This is to certify that the attached mailing labels are a complete and accurate representation of the property owners within the annexation area (green boarder) and a 600 foot radius from the subject property listed above. This reflects the records on file in the Miami-Dade County Property Appraiser's office as of January 14, 2014.

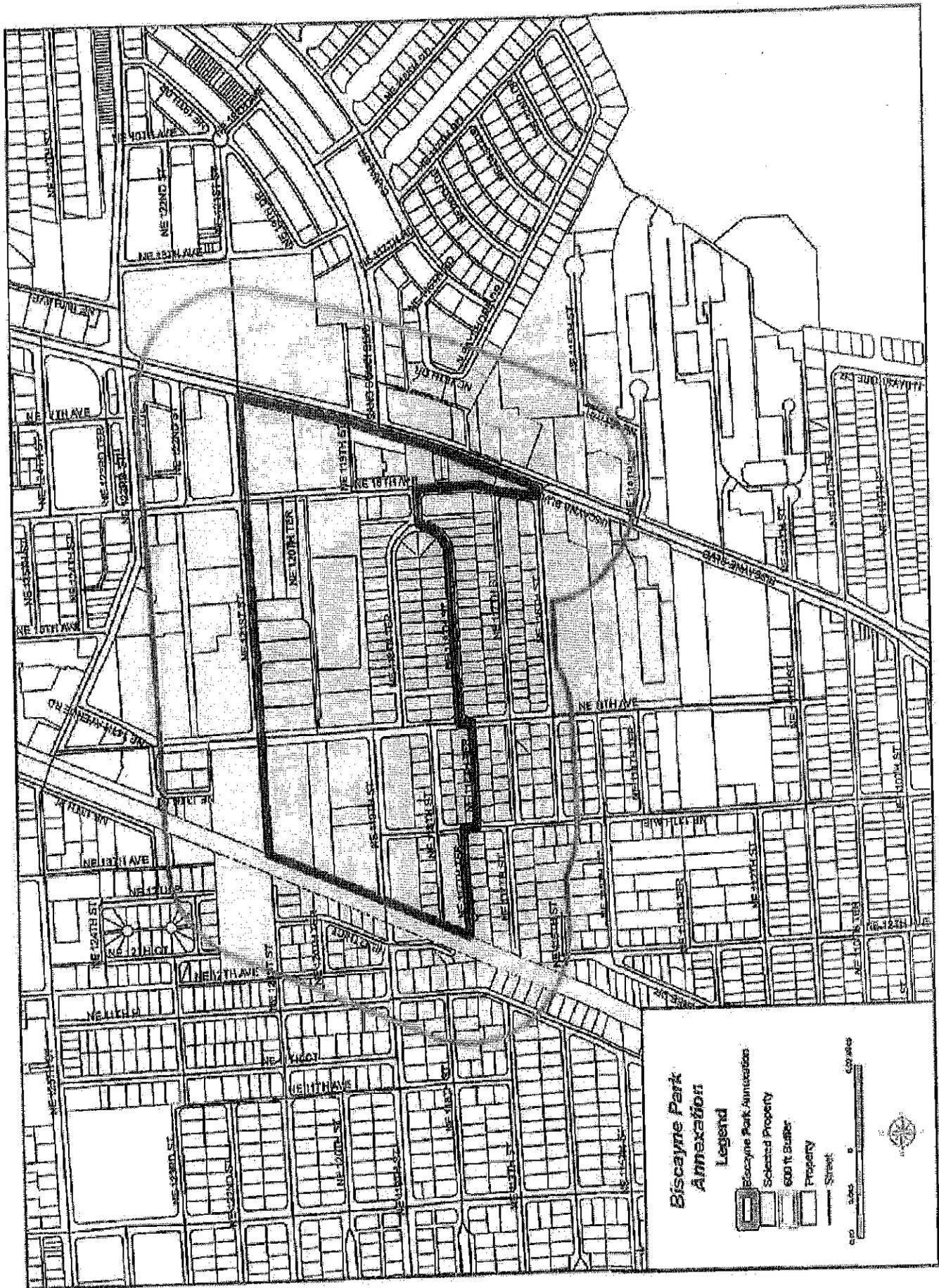
Sincerely,

Christina Mathews

Sworn and subscribed before me this 15<sup>th</sup>  
day of January, 2014.

\_\_\_\_\_  
Signature of Notary





RESOLUTION NO. 2015-30

A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAIYNE PARK, FLORIDA, APPROVING THE AMENDED LEGAL DESCRIPTION OF THE PROPOSED ANNEXATION AREA TO BE INCORPORATED IN THE ANNEXATION APPLICATION; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Village Commission of the Village of Biscayne Park adopted Resolution 2014-09 on February 4, 2014, to initiate and request proposed boundary changes to the Village of Biscayne Park in order to annex property; and,

WHEREAS, the Village Administration has been working with representatives from Miami Dade County Office of Management and Budget Community Redevelopment and Municipal Services Division in the preparation of all required documents and applications; and,

WHEREAS, the Village was notified that the legal description of the proposed area needs to be amended and was provided a more detailed description.

NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAIYNE PARK, FLORIDA.

Section 1. The foregoing "Whereas" clauses are hereby ratified and confirmed as being true and correct and hereby made a specific part of this Resolution upon adoption hereof.

Section 2. The Village Commission of the Village of Biscayne Park approves the amended legal description of the proposed annexation area to be incorporated in the annexation application. The amended legal description is attached and incorporated by reference into this resolution as exhibit 1.

Section 3. This Resolution shall become effective upon adoption.

PASSED AND ADOPTED this 5<sup>th</sup> day of May, 2015.

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The foregoing resolution upon being put to a vote, the vote was as follows:

Mayor Coviello: Yes  
Vice Mayor Jonas: Yes  
Commissioner Anderson: Yes  
Commissioner Ross: Yes  
Commissioner Watts: Yes



David Coviello, Mayor

Attest:



Maria C. Camara, Village Clerk

Approved as to form:



John J. Hearns, Village Attorney



*The Village of Biscayne Park*

640 NE 114<sup>th</sup> St., Biscayne Park, FL 33161

Telephone: 305-899-8000 Facsimile: 305 891 7241

March 26, 2015

David Coviello  
Mayor

Commissioners  
Robert "Bob" Anderson  
Fred Jones  
Roxanna Ross  
Barbara Walls

Heidi Siegel  
Village Manager

John J. Henry  
Village Attorney

Maria C. Camara  
Village Clerk

Jorge M. Fernandez, Coordinator  
Community Redevelopment and Municipal Services  
Office of Management and Budget  
111 NW 1<sup>st</sup> Street – 22<sup>nd</sup> Floor  
Miami, Florida 33128-1926

*RE: Statement regarding whether the proposed boundary change includes an enclave*

Dear Mr. Fernandez,

In response to your letter dated May 1, 2014, the Village of Biscayne Park submits the following:

The Miami Dade County Code of Ordinances defines an unincorporated enclave area as an area that would be 1) surrounded on more than eighty (80) percent of its boundary by one (1) or more municipalities and 2) of a size that could not be serviced efficiently or effectively.

The proposed annexation area, Biscayne Corridor East, will have contiguity and not create any unincorporated enclave area(s).

Should you require any further information, please do not hesitate to contact me.

Respectfully,

Heidi Siegel  
Village Manager

- C: Mayor David J. Coviello
- Jeff Cazeau, Becker & Pollakoff, PA
- Jose Fuentes, Becker & Pollakoff, PA

RESOLUTION OF THE MIAMI-DADE COUNTY PLANNING ADVISORY BOARD RECOMMENDING THAT THE BOARD OF COUNTY COMMISSIONERS APPROVE THE PROPOSED ANNEXATION TO THE VILLAGE OF BISCAYNE PARK

WHEREAS, the Village of Biscayne Park has petitioned for the annexation of the area generally described below:

Boundaries: On the north by NE 121th Street, on the east by Biscayne Boulevard, on the south by NE 119th Street and on the west by the Florida East Coast Railway (FEC) railway.

WHEREAS, the Board of County Commissioners referred the application to the Planning Advisory Board; and

WHEREAS, on June 1, 2015, the Planning Advisory Board held an advertised public hearing, concerning this application by the Village of Biscayne Park;

NOW THEREFORE BE IT RESOLVED BY THE MIAMI-DADE COUNTY PLANNING ADVISORY BOARD, that it recommends the Board of County Commissioners approve the proposed annexation by the Village of Biscayne Park.

The forgoing resolution was offered by Board Member Raymond Marin, who moved its adoption and was seconded by Board Member Richard Tapia, and upon being put to a vote the vote was as follows:

Carla Ascencio-Savola	Absent	Javier Munoz	Yes
Aida Bao-Garciga	Yes	Robert Ruano	Absent
Jose Bared	Absent	Georgina Santiago	Absent
Reginald Clyne	Absent	Richard Tapia	Yes
Peter DiPace	Absent	Jesus Vazquez	Yes
Horacio Huembes	Absent	Paul Wilson	Absent
Joseph James	Absent		
Raymond Marin	Yes		

William Riley, Chair Yes

The Chair thereupon declared the resolution duly passed and adopted this 1<sup>st</sup> day of June 2015.

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

  
 \_\_\_\_\_  
 Nathan Kogon, Assistant Director  
 Regulatory and Economic Resources



# MEMORANDUM

(Revised)

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

**DATE:** July 19, 2016

**FROM:** Abigail Price-Williams  
County Attorney

**SUBJECT:** Agenda Item No. 5(B)

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**
- Statement of social equity 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. 5(B)  
7-19-16

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

RESOLUTION RELATING TO ANNEXATION REQUEST OF THE VILLAGE OF BISCAYNE PARK ANNEXATION APPLICATION; 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, INTERLOCAL AGREEMENT AND BALLOT LANGUAGE TO EFFECTUATE THE ANNEXATION REQUEST, DENY THE ANNEXATION REQUEST OR TO DEFER THE ANNEXATION REQUEST

**WHEREAS**, on March 5, 2014, the Village of Biscayne Park 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 March 18, 2014; 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 recommending approval of the Village of Biscayne Park's annexation request attached hereto and incorporated herein by reference as Exhibit 5; and

**WHEREAS**, County staff has prepared a staff report attached hereto and incorporated herein by reference as Exhibit 4; and

**WHEREAS**, the County Mayor has prepared his recommendation on the Village of Biscayne Park'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 items 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 Village of Biscayne Park:

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 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 19<sup>th</sup> day of July, 2016. 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.



Cynthia Johnson-Stacks