MEMORANDUM

Agenda Item No. 8(G)(1)

TO:	Honorable Chairman Jean Monestime and Members, Board of County Commissioners	**DATE:**	September 7, 2016
FROM:	Abigail Price-Williams County Attorney	**SUBJECT:**	Resolution relating to annexation request of the City of Florida City; 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

MIAMI-DADE COUNTY

Date: September 7, 2016

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

From: Carlos A. Gimenez
Mayor

Subject: Annexation to the City of Florida City

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

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

Recommendation
It is recommended that the Board consider the annexation by the City.

Scope
The proposed annexation area is approximately 775 acres or 1.21 square miles and is generally bounded on the north by SW 352 Street, on the south by SW 382 Street, on the east by SW 180 Avenue and on the west by SW 192 Avenue. The annexation consists of an odd shaped area, of which the majority lies outside the Urban Development Boundary (Exhibit 1). The annexation area lies within County Commission District 9, represented by Commissioner Dennis C. Moss.

Fiscal Impact/Funding Source
Exhibit 2 is the Impact to the Unincorporated Municipal Service Area. The Preliminary 2015 Roll taxable value of the annexation area is $6,256,316. The area generates an estimated $109,831 in revenue. The County spends an estimated $434,350 per year providing services to the area. Therefore, the net revenue gain to the Unincorporated Municipal Service Area (UMSA) budget is an estimated $324,519.

At the FY 2015-16 City millage rate of 7.1858 mills, the ad valorem revenue attributable to the area is $42,709. At the FY 2015-16 UMSA millage rate of 1.9283 mills, the ad valorem revenue attributable to the area is $11,461. The expected tax increase for annexation area is $31,248. Based on the City's millage rate of 7.1858 mills, the average property owner would pay an additional $135 in property taxes should the annexation be approved, which is calculated by dividing the total tax increase by the number of properties.

Pursuant to Section 20-8.1 and 20-8.2 of the 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 $9,973 and utility taxes of an estimated $34,809 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 area.

Background
On September 6, 2011, the City submitted a boundary change application to the Miami-Dade County Clerk of the Board. The application was referred to and accepted by the Board at the September 20, 2011 meeting and was forwarded to the Office of Management and Budget (OMB) for review and further

processing, as required by the Code. The Planning Advisory Board (PAB) held a public hearing on February 22, 2012, where the City presented the application and amended the boundaries at the meeting. The PAB recommended approval of the application. After the amended boundaries were studied by staff, the annexation included areas that were not contiguous. Staff requested that the City amend the application to have contiguous boundaries. As a result, the City amended the boundaries to comply, through City Resolution No. 12-61, and the application with the amended boundaries was reviewed by the PAB, which recommended approval of the annexation.

The amended boundaries resulted in the annexation area having more than 250 resident electors, therefore, the City was required to obtain petitions from 20 percent of the 326 resident electors indicating consent of the resident electors to the annexation. On March 19, 2015 the Elections Department certified 74 petitions for the area satisfying the 20 percent petition requirement. Should the Board approve the annexation a vote of the resident 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 comprised of 188 real property folios: 52 agricultural parcels; one (1) commercial parcel; one (1) governmental parcel; one (1) institutional parcel; one multi-family parcel; 103 single-family parcels; and 29 vacant parcels. The City owns a large parcel on the southernmost boundary of the annexation.

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

1. The suitability of the proposed annexation boundaries, in conjunction with the existing municipality, to provide for a municipal community that is both cohesive and inclusive.

    a) Does the area divide a Census Designated Place (an officially or historically recognized traditional community)?

    The proposed annexation area is not within and 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 in the annexation areas.

    c) Is the area, or does it create, an unincorporated enclave area (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)?

As shown in the attached map, the boundaries are mostly logical and generally follow City limits or rights-of-way. The proposed annexation area is generally bounded on the north by SW 352 Street, on the west by SW 192 Avenue, on the south by theoretical SW 384 Street, and on the east by theoretical SW 180 Avenue.

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 Taxable Value within the annexation area is $6,256,316. At the current Florida City millage rate (7.1858 mills), the ad valorem revenues attributable to the annexation area would be $42,709. At the current UMSA millage rate (1.9283 mills), the ad valorem revenues attributable to the annexation area would be $11,461. The expected tax increase to the area if the annexation is approved would be $31,248. The average property owner would pay an additional $135 if this annexation is approved.

Existing and Projected Property Tax Cost City of Florida City Annexation FY 2015-16		
	Millage Rate	Millage times Taxable Value
City of Florida City	7.1858	$42,709
Unincorporated Area	1.9283	$11,461
Increase	**5.2576**	**$31,248**

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

The 2015 UDB of the County's Comprehensive Development Master Plan runs along Lucille Drive, traversing the northern portion of the proposed annexation area. Consequently, approximately 95 percent (733 acres) of the proposed annexation area is located outside the UDB.

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 Preliminary 2015 Taxable Value of the annexation area is $6,256,316. The area generates an estimated $109,831 in revenue. The County spends an estimated $434,350 per year providing services to the area. Therefore, the net revenue gain to the UMSA budget is an estimated $324,519 (Exhibit 2).

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 $9,973 and utility taxes of an estimated $34,809 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 760 residents in the proposed annexation area. The per capita taxable value is $8,232.

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

   Yes, the annexation is consistent with the Land Use Plan of the County's Comprehensive Development Master Plan. It is important to note that the majority of the annexation lies outside the Urban Development Boundary and the area will be governed by the County's Comprehensive Development Master Plan. Any amendments to the Urban Development Boundary or uses outside the Urban Development Boundary will require County approval. All municipal decisions outside the Urban Development Boundary shall be consistent with the County's Comprehensive Development Master Plan.

The staff report as reviewed by the Planning Advisory Board is attached for the Board's reference (Exhibit 3).

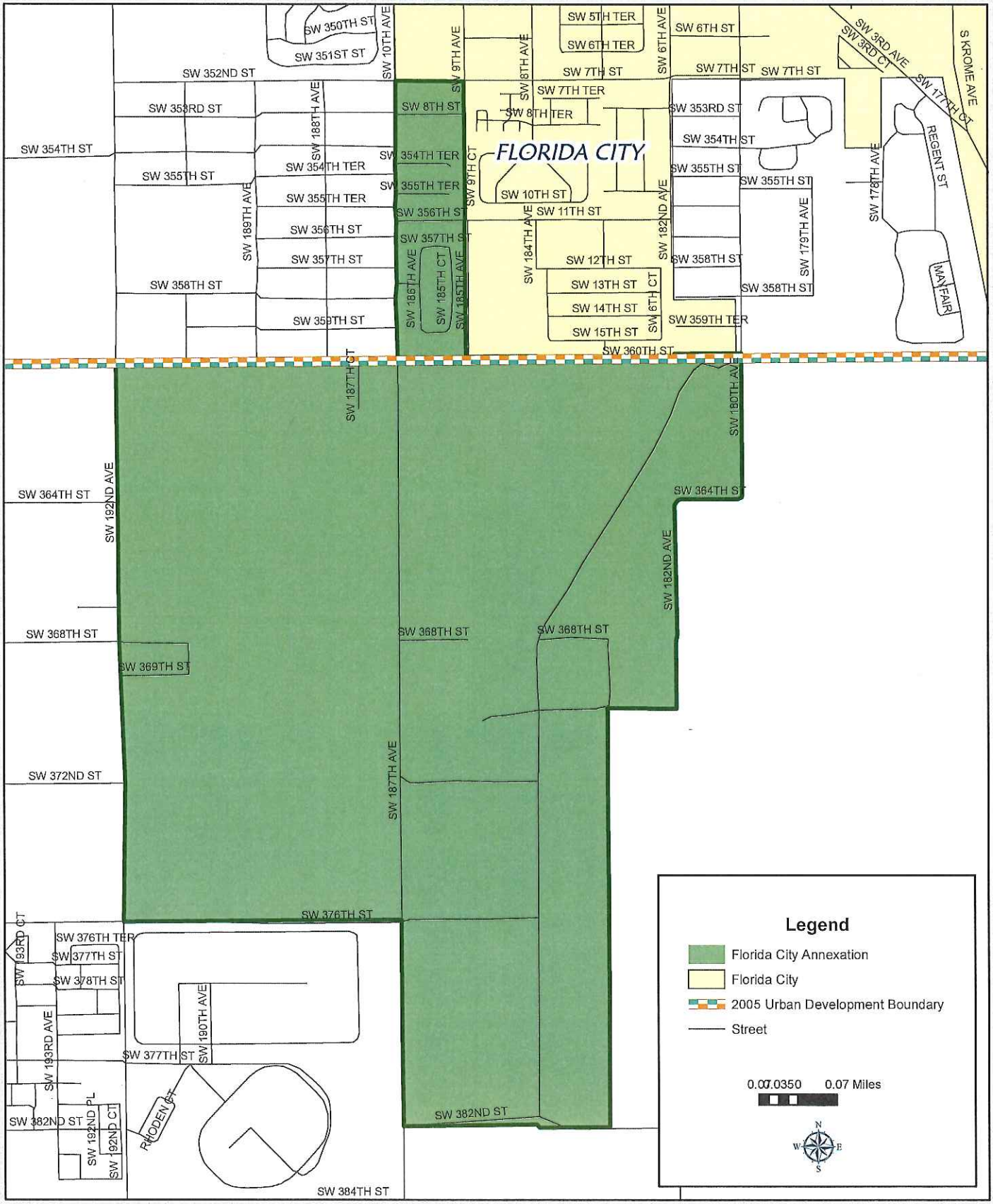
Edward Marquez
Deputy Mayor

Attachments:
Exhibit 1 – Map of Annexation Area
Exhibit 2 – Impact to UMSA
Exhibit 3 – Staff Report to the Planning Advisory Board
Exhibit 4 – Planning Advisory Board Resolution
Exhibit 5 - Florida City Annexation Application

Mayor01616

MIAMI-DADE COUNTY

FLORIDA CITY ANNEXATION



This map was prepared by the Miami Dade County Information Technology Department Geographic Information Systems (GIS) Division
February, 2013

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Florida City Annexation
Area H

EXHIBIT 2

Based on FY 2015-16 Budget	*Annexation Assumptions*	
Property Tax Revenue	*Allocation based on tax roll & millage*	$11,451
Franchise Fees	*N/A*	
Sales Tax	*Allocation based on $73.47 per person*	$55,834
Utility Taxes	*N/A*	
Communications Tax	*Allocated based on tax roll/population*	$13,886
Alcoholic Beverage License	*Allocation based on $0.23 per person*	$177
Occupational License	*Allocation based on $1.45 per person*	$1,119
Interest	*Allocation based on .079% of total revenue*	$67
Sheriff and Police Fees	*Allocation based on population*	$881
Miscellaneous Revenues	*Allocation based on $0.86 per person*	$2,248
Administrative Reimbursement	*Allocated based on expenditures*	$13,433
Carryover	*Allocated based on tax roll/population*	$10,726
Revenue to UMSA		$109,831
Cost of Providing UMSA Services		
Police Department *UMSA Police Budget (without specialized)*		$373,470
Parks, Recreation and Open Spaces Dept.	*Based on cost of parks*	$0
Right-of-Way Maintenance *Centerline Miles*	*Centerline miles times cost per lane mile*	$1,035
Policy Formulation Commission, Mayor, County Attorney	*Direct Cost multiplied by 5.62%*	$13,183
Internal Support Information Technology, Internal Services, Human Resources Communications, Audit and Management, Management and Budget	*Direct Cost multiplied by 9.36%*	$35,054
Planning and Non-Departmental Regulatory and Economic Resources, Rec. and Culture, Economic Development, Neighborhood Infrastructure	*Direct Cost multiplied by 3.1%*	$11,610
QNIP Debt Service Payment	*Utility Taxes as a % of debt service 13.7%*	$ -
Cost of Providing UMSA Services		$ 434,350
Impact to UMSA		**($324,519)**

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.

2015 Taxable Property Rolls		$6,256,316
2015 Area Population		760
2015 UMSA Population		1,139,366
2015-16 UMSA Millage		1.9283
Patrollable Sq. Miles - UMSA		207.90
Total Calls For Service - UMSA CY 2014		626,825
Part 1 Crimes - UMSA 2014		51,497
Part 2 Crimes - UMSA 2014		22,932
Patrollable Sq. Miles - Study Area		1.21
Total Calls for Service - Study Area		172
Part 1 Crimes - Study Area		6
Part 2 Crimes - Study Area		4
Cost per Centerline Mile		$2,069
Number of Centerline Miles		0.5
Per Capita Taxable Value		$8,231.99

Memorandum

MIAMI-DADE COUNTY

Date: June 2, 2013

To: Chairperson and Members
Planning Advisory Board

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

Subject: Staff Report for Proposed Boundary Change to Florida City – Area H

Background

On September 6, 2011, the City of Florida City submitted a boundary change application to the Miami-Dade County Clerk of the Board. The application was referred to and accepted by the Miami-Dade County Board of County Commissioners (Board) at the September 20, 2011 meeting and was forwarded to the Office of Management and Budget (OMB) for review and further processing, as required by the Miami-Dade County Code (Code). The Planning Advisory Board (PAB) held a public hearing on February 22, 2012, where the City presented the application and amended the boundaries at the meeting. The PAB recommended approval of the application. After the amended boundaries were studied by staff, one of the parcels being requested was not contiguous to the remaining annexation. Staff requested that the City amend the application to have contiguous boundaries. As a result, this application must be reviewed again by the PAB.

Analysis

The proposed annexation area is approximately 775 acres or 1.21 square miles bounded on the north by SW 352 Street, on the south by SW 382 Street, on the east by SW 180 Avenue and on the west by SW 192 Avenue. The annexation consists of an odd shaped area of which the majority lies outside the Urban Development Boundary (UDB).

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

Police

According to the application, Florida City will provide police services to the annexation area at an improved level of service, both in terms of patrol frequency and response time. Florida City's police headquarters is reported to be located within one (1) mile of the proposed annexation area.

The following Miami-Dade Police Department (MDPD) tables represent all calls for uniform and non-uniform police calls within the proposed area for calendar year 2010, 2011 and 2012.

Year	Criteria	All Calls	Emergency Calls (Code 3)	Priority Calls (Code 2)	Routine Calls
2010	Total Calls	236	22	4	210
2011	Total Calls	254	22	10	222
2012	Total Calls	218	28	6	184

Year	Part I Crimes	Part II Crimes	Total
2010	10	8	18
2011	18	13	31
2012	9	6	15

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 and arson. The UCR is a standard method of reporting crime, administered by the Federal Bureau of Investigations (FBI) through the UCR Program. The classification for the offense is based on a police investigation, as opposed to determinations made by a court, medical examiner, jury, or other judicial body.

Part II Crimes: All crimes not covered under Part I Crimes.

Fire and Rescue

The City of Florida City is within the Miami-Dade County Fire Rescue District. If this annexation is approved, the area will continue to receive fire and rescue services from the Miami-Dade Fire Rescue Department (MDFR) from the same stations and resources. This annexation will not impact MDFR service delivery and/or response time inside the UDB.

Existing and Planned Fire Rescue Stations

The proposed Florida City annexation area H is currently serviced by Station 65 located at 1350 SE 24 Street and Station 16 located at 325 NW 2 Street in Homestead. Station 65 is equipped with a rescue and Station 16 is equipped with a rescue, pumper, aerial, and a specialized brush fire suppression vehicle. These stations are located approximately three miles from the annexation area.

Planned Station:

Currently the Miami-Dade Fire Department (MDFR) is in the process of identifying potential land in the vicinity of SW 344 Street and SW 187 Avenue for the construction of a new station.

Service Delivery

The majority of the proposed annexation area is outside the UDB and consists of mostly active agricultural land and has 105 single family home structures.

Miami-Dade Fire Rescue Department - Service Delivery to Annexation Area H Florida City - Calendar Years 10-11-12							
		Travel Time Averages			Call Volume		
		2010	2011	2012	2010	2011	2012
Life Threatening Emergencies		09:09	08:42	09:03	44	52	37
Structure Fires			08:52			2	

Water and Sewer

The proposed annexation area is within the Miami-Dade Water and Sewer Department's (WASD) water and sewer service area. Requests for future water and sewer service in the annexation area within the UDB should be directed to WASD. WASD will not provide water or sewer services or release the water and/or sewer service area to another utility to provide service for any area outside the UDB. There are no proposed capital projects, including General Obligation Bond (GOB) projects in the area at this time. The annexation will have no impact on WASD's ability to provide services to the remaining UMSA area in the vicinity.

WASD's Everglades Wellfield is a Facility of Countywide significance as defined by Ordinance No. 05-141 located at 19500 SW 376th Street. Should the proposed annexation be approved, this facility shall remain under the jurisdiction of the County.

Public Works and Waste Management

Waste Management Services

According to the application, garbage and refuse collection for residents and businesses in the City is provided by Florida City through a long-term franchise agreement with Waste Management, Inc. (WMI). Residential collection service is provided twice-a-week, and collection service to commercial and institutional uses is supplied once-a-week. The garbage and refuse collected in the City is hauled to the South Miami-Dade County Landfill, which is owned and operated by the County, under an agreement between WMI and the County.

Per County Code Sections 20-8.4, Retention of garbage and refuse collection and disposal; and Section 15-13 of the Code, County collection of solid waste, the Public Works and Waste Management Department (PWWM) is permitted to delegate the authority to collect the 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 will be required to enter into 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.

Florida City maintains the position that solid waste service costs generated in the annexation area will be borne by residents and property owners who will continue to pay service fees to Miami-Dade County and/or licensed franchise haulers. The City also states that developed portions of the annexation area are currently served by Miami-Dade County for garbage and recycling collection and with the annexation this service would remain unchanged.

The annexation request is not expected to have any impacts on the ability of the PWWM to provide services to the remaining unincorporated area in the vicinity. Conditions regarding long-term collection and disposal of waste may be revised if the City elects to enter into a twenty (20) year interlocal agreement, per County Code Sections 20-8.4 and Section 15-13 of the Code. Additionally the PWWM will continue to provide maintenance services to County designated roads. The PWWM has no objections to the proposed application.

Annexation Area Roads
There are approximately 5.9 lane miles in the Florida City Annexation Area H. Approximately 1.8 miles will be transferred to Florida City. The County is proposing to keep the following roads (approximately 4.1 lane miles):

- SW 187 Avenue from SW 382 Street to SW 352 Street
- SW 182 Avenue from SW 370 Street to SW 360 Street
- SW 376 Street from SW 192 Avenue to SW 184 Avenue
- SW 368 Street from SW 192 Avenue to SW 182 Avenue
- SW 360 Street from SW 192 Avenue to SW 180 Avenue
- SW 352 Street (SW 7 Street) from SW 187 Avenue to SW 9 Avenue
- SW 352 Street (SW 7 Street) from SW 9 Avenue to SW 3 Avenue/SW 177 Court (*)

*: SW 352 Street (from SW 9 Avenue to SW 3 Avenue/SW 177 Court) is outside the limits of Annexation Area H, however, it is requested that this half-section line road be transferred from Florida City to the County as part of this process.

Department of Regulatory and Economic Resources (RER)

A description of the services provided by this department, information relating to the Code and assessment of environmental issues with the proposed annexation are included 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 this department 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 CO2 reduction and environmental education in general. You may contact this office at 305-372-6784 for additional information regarding these services.

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

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

The following information is based on City of Florida City Annexation Application Area "H" prepared by the City of Florida City and ILER Planning dated June 29, 2011 and the subsequent amended application adopted by Florida City on January 22, 2013 (Resolution 12-61). The application states the intent of the proposed annexation is to provide municipal services more efficiently to the annexation area, including "police, general government, water/sewer facilities, stormwater management and local road maintenance".

Water Supply and Distribution
The area proposed for annexation is located within the WASD franchised service area. Most of the area to be annexed is located outside the UDB where generally public water service lines cannot be extended. However, there is water service within this area for the state prison and the Everglades Labor Camp; an 8-inch main runs along S. W. 376th Street and another 8-inch main runs along 187th Avenue.

The source of water for this area is the Alexander Orr Water Treatment Plant, which may be supplemented by the Everglades Labor Camp Water Treatment Plant; these plants are owned and operated by WASD. Furthermore, at this time the plants have sufficient capacity to provide current water demand. Water produced by these plants meet the required Drinking Water Standards.

Facilities for the Collection and Treatment of Sewage
The proposed annexation area is located within the WASD franchised service area. Most of the area to be annexed is located outside the UDB where generally sanitary sewer service lines cannot be extended. However, there is sanitary sewer service within this area for the state prison and the Everglades Labor Camp. An 8-inch force main and a 20-inch force main run along S. W. 192nd Avenue; a 12-inch force main runs along S.W. 376th Street; an 8-inch force main and an 8-inch gravity main run along S.W. 187th Avenue north of S.W. 360 St., a 24-inch and an 8-inch force main run along S.W. 260th St.

The sewage flows are directed to the South District Wastewater Treatment Plant. All pump stations serving the area to be annexed as well as the wastewater treatment plant are owned and operated by WASD. All mentioned pump stations are operating within the mandated criteria set forth in the First Partial Consent Decree. At this time the South District Wastewater Treatment Plant does have sufficient capacity to treat current discharge.

The development of those properties outside the UDB would require septic tank systems as a means of sewage disposal. The Miami-Dade County Comprehensive Development Master Plan (CDMP) recommends septic tanks should be avoided in wellfield protection areas or where private wells are in use. The proposed annexation area includes areas within the Florida Keys Aqueduct Authority wellfield protection as well as areas where the only source of potable water would be private wells.

> *CDMP Water and Sewer Element WS-4C*: Within the Urban Development Boundary, Miami-Dade County shall strongly discourage the use of septic tanks. Throughout the County, additional septic tanks should not be permitted for the disposal or discharge of industrial or other non-domestic waste nor should they be permitted where seasonally high water table will impair proper functioning. Septic tanks should be avoided in wellfield protection areas or where private wells are in uses. Under the regulations and procedures established by the Board of County Commissioners, septic tanks may be permitted outside of the Urban Development Boundary and where connection to a public sewer is not feasible.

Building Inspection

The application states the City's Building Division would be closer to property owners and residents in Area H, however it should be noted that those property owners and residents would still be required to submit building permits to the Permitting, Environment and Regulatory Affairs office for review and approval prior to the City approving and issuing building permits as required by Code.

Zoning Administration

The application states that all site plans for proposed development are reviewed by a Site Plan Review Committee. As required by Code and currently implemented in the Miami-Dade County zoning appeals or site plan review process as well as within other municipal zoning reviews, all zoning actions are required to be reviewed and approved for compliance with Chapter 24 of the Code. Currently, the City of Florida City does not require site plans to be reviewed and approved for compliance with Chapter 24 of the Code. The City of Florida City needs to demonstrate that they will comply with this Code requirement to ensure that proposed site plans are not approved that could be in direct conflict with the Code.

Local Planning Services

The application states that the objective of the department is to conserve environmental resources. The Environmental Code of Miami-Dade County specifically designates the enforcement of that chapter to this department. Area H owners and residents would need to consult with this department regarding environmental planning within Florida City.

Additional Environmental Services Comments:

Wellfield Protection Areas

A portion of the area to be annexed is located within the wellfield protection area of the Florida Keys Aqueduct Authority (FKAA) wellfield protection area. Specifically, the area within Section 35, Township 57, Range 38 between SW 187 Avenue to SW 192 Avenue and SW 360 Street and SW 376 Street is southeast of the wellheads within the 210, 100 and outer most of the 30 day travel time contours of said wellfield. Protection of groundwater quality and prevention of further salt intrusion in the general vicinity is of great importance and is the responsibility of the County subject to a Miami-Dade County Cooperative Agreement between the Florida Keys Aqueduct Authority and DERM to

protect the wellfield that is the primary source of drinking water for the Florida Keys. The intent of this agreement is to maintain the pristine groundwater quality for the residents of the Florida Keys. Annexation could affect the County's direct role in regulating activities that could affect ground water quality and salt intrusion, a potential threat to potable water supply. Salt intrusion is an issue in this area since the salt front at the base of the aquifer currently extends more than six miles inland in south Miami-Dade under the Florida City Canal and nine miles inland under the Card Sound Road borrow canal. Excavation through the overlying freshwater layer can result in the creation of saltwater contaminated surface water bodies, aggravate landward movement of salty groundwater, and increase risk to potable water supply. A lake excavation feature is currently present within the proposed annexation area. The County's unusual use permitting process is utilized to insure that water quality is protected. Once the area incorporates, the County's unusual use authority (at least within the UDB) is lost, thereby constraining the County's ability to protect water quality for these types of projects.

Proposed development in the annexation area would be subject to land use restrictions, sewage loading restrictions and stormwater disposal restrictions are regulated by Code within this area of the wellfield. In addition, hazardous materials and hazardous waste shall not be used, generated, handled, disposed of, discharged or stored within this portion of the wellfield.

Furthermore, the CDMP specifically states:

> • *CDMP Land Use Element LU-3B*: all significant natural resources and systems including adopted wellfield protection plans shall be protected from incompatible land use.
>
> • *CDMP Water and Sewer Sub-element WS-1D*: the County shall protect the integrity of groundwater within wellfield protection areas by strict adherence to the Wellfield Protection Ordinances, by rigorous enforcement of sanitary sewer requirements, hazardous waste prohibitions, land use restrictions, and all other applicable regulations.
>
> • *CDMP Water and Sewer Sub-element WS-1F*: the County shall use all practical means to assure that land in the vicinity of water treatment facilities is developed for a use that is compatible with the operation of said facilities. The County shall discourage changes to the Land Use Plan map or land development regulations, which would permit land uses that are incompatible with the continued operation or planned expansion of these facilities. Residential uses shall be considered incompatible with these public facilities where spillovers, particularly noise and odor, can be reasonably be expected.

The interlocal agreement for Area "H" should prohibit the municipality from issuing any land use, zoning or building department approvals for new or deepening of existing lake excavations, rock mines or borrow pits prior to a written determination from DERM that the requested approval(s) is/are consistent with applicable water quality protection requirements including but not limited to maximum depth limitations to prevent chloride contamination of surface waters due to salt intrusion.

The interlocal agreement for Area "H" should prohibit the municipality from issuing any land use, zoning, or building department approvals for projects that would not be able to connect to the sewer system, that otherwise require connection under the County Code, unless the project was determined by DERM to be approvable under the agreement with

FKAA and all appropriate variances have been obtained from the Miami-Dade County Environmental Quality Control Board pursuant to the Code and this agreement.

Stormwater Utility (SWU) Program and Fees

At the time of approval of the proposed annexation, all improved properties in the proposed annexation area will be paying a stormwater utility fee to Miami-Dade County (County). This fee is used to administer stormwater management programs throughout the Unincorporated Municipal Service Area (UMSA). It is expected that these stormwater accounts would immediately become part of the Florida City service area when the annexation is formally approved. The County will discontinue its billing of these accounts.

Florida City must also pay its pro-rata share of the debt service on the 1999 and 2004 Stormwater Utility Revenue Bonds for the proposed annexation area. Payment to the County for the Florida City debt service on these bonds will initiate immediately upon annexation. Actual costs for the debt service payments will be provided through the interlocal agreement with the City of Florida City.

Drainage Repair and Maintenance

A review of the County's Water Control Plan reveals that no secondary canal(s) provide a direct drainage service to the proposed annexation area. However, costs for maintenance of drainage ditches that provide drainage services in the area may be included in the Stormwater Management Interlocal Agreement between Florida City and Miami-Dade County Stormwater Utility.

A cost-share for the Federal Emergency Management Agency (FEMA) or other federally funded projects may also be necessary, if such projects have been constructed, are under construction, or are planned for the proposed annexation area.

Drainage Permitting

All new development requires that drainage systems be provided as part of the project. The objective of these systems is to reduce pollution in stormwater runoff, and reduce flooding impacts to area residents.

RER has received delegated authority to issue permits for the South Florida Water Management District, through issuance of the Environmental Resources Permit (ERP). Jurisdiction to require an ERP is countywide, and is dependent upon the size of the development. Authority and attendant permits to allow construction of an overflow outfall to a body of water is also countywide, as is performing drainage works in County rights-of-way. Any properties developed outside of the urban development boundary must provide onsite drainage retention for flood protection for the 100-year, 3-day storm, in the absence of FEMA Flood Insurance Rate Map. Any proposed drainage in a contaminated site shall also require DERM review and approval prior to the City issuing building permits.

The Miami-Dade County Water Control Plan shows a Flood Control/agriculture ditch within the proposed annexation area. DERM will not allow any drainage overflow connection to the agriculture ditch. These agricultural ditches must be preserved to maintain existing drainage flow rights of adjacent properties or natural resources. However, the City can remove or replace these ditches if it can be shown that it is no longer being used by adjacent or upstream or downstream properties for drainage and irrigation purposes and also it will not impact nearby wetland areas.

The County Flood Criteria for Area H ranges between Elevations +6.0 feet and 6.5 feet N.G.V.D. was intended for agricultural use and may not be appropriate for urban development. Ideal elevation for adequate drainage in urban setting is 3.5 to 4.0 feet above the mean high water level, 7.0 to 8.0 feet NGVD. Design ground water level (October Water Level) for this area ranges between +4.0 and 5.0 feet N.G.V.D.

The above requirements and authority would exist in the annexed area as it currently does in Florida City.

National Flood Insurance Program (NFIP)
The NFIP is a program wherein 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. Since Florida City is a NFIP community (Community No. 120641), it must report to FEMA, as part of its FEMA Biennial Report, that the new annexed area has changed Florida City's Municipal boundaries.

Stormwater Management Master Plan
Miami-Dade County is undertaking a comprehensive effort to map the entire unincorporated area of the County to assess its drainage needs. The County is divided into drainage basins, which are then modeled to determine what drainage is needed for each area now and in the future. By planning for future drainage needs, the County can ensure that the level of flood protection service provided to residents is maintained. The proposed annexation area is located within the C-111 Basin.

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 the Florida City staff any data that would assist in modeling these areas. Cooperation between the Florida City and the County to share this data is critical. The data and models created have other uses besides the County's master plan, such as the periodic updates of the Flood Insurance Rate Maps (FIRM) that benefit the Florida City as well as County residents.

National Pollutant Discharge Elimination System (NPDES)
NPDES is a nationwide permit program that has an objective of controlling pollution that is inherent in stormwater runoff. NPDES started as a federal program, and has now been delegated to the State of Florida. Municipalities must apply to and receive from the state a permit that outlines best management programs designed to reduce the pollution in stormwater runoff. These stormwater management programs can consist of sampling programs, educational programs, street sweeping and drainage maintenance, and various other best management programs.

Miami-Dade County's NPDES permit is a joint permit with 32 co-permittees (including municipalities) with Miami-Dade County as the lead agency. Because sampling of stormwater runoff is required, the County performs the sampling and all the parties to the permit cost-share the monitoring costs.

A review of permit records reveals that the Florida City is currently a co-permittee in the County's joint permit. Therefore, the presence of any outfalls within the annexed area would change the Florida City cost-share percentage contribution. There is also a permit fee that Florida City pays annually to the State of Florida for the NPDES permit. The amount of this permit fee may increase if the annexation is approved.

Additionally, as part of the new permit, the Environmental Protection Agency (EPA) requires that all activities performed by the County on behalf of the City, must be included in an interlocal agreement.

Transfer of Roads

Certain County roads located within the proposed annexation area may need to be transferred to Florida City. This can be accomplished through an Interlocal Agreement. This Agreement would outline the subject roads, various road-related services, and the responsibilities of Florida City and the County for these services. Because County Stormwater Utility funds are used to maintain drainage systems in the County rights-of-way and roads, during preparation of the Agreement, the Stormwater Management Division must be consulted for its comments and approval.

Pollution Control

There are no records of current contamination assessment/remediation or historical records of contamination assessment/remediation issues regarding non-permitted sites within Annexation Area H. Additionally, there are no historical records of contamination assessment/remediation issues regarding non-permitted sites within the annexation Area.

Environmentally Endangered Lands

The annexation boundaries have been modified to exclude lands on Environmentally Endangered Lands (EEL) acquisition lists or lands owned or managed by the EEL Program. It also appears the new annexation boundaries exclude most of the lands within the CDMP-designated Environmental Protection Subarea D. DERM recommends:

1. The interlocal agreement should preserve the County's ability to enforce existing covenants (including zoning and other land use approval covenants) and management plans currently running with the land in favor of Miami-Dade County that relate at least in part to the following: tree, forest or other vegetation protection requirements; pollution control, surface or groundwater protection, wellfield protection; the Florida Keys Aqueduct Authority; and wetland or other environmental mitigation.

2. The Interlocal Agreement for Area H should include a provision that approval of land use changes and site development should be coordinated with the County for sites that involve a designated Natural Forest Community (NFC). Section 24-49.3(2) of the Code states in pertinent part that if it is determined that the proposed development site is within a NFC the standards set forth in Section 24-49.2 of the Code shall apply. No County or municipal officer, agent, employee or Board shall approve, grant or issue any building permit, certificate of use and occupancy, platting action, or zoning action for any land use involving division of property into parcels less than five (5) acres within NFCs without obtaining the prior written approval from DERM.

Tree Preservation
Portions of the annexation area "H" contain tree resources, also portions of the area contains jurisdictional wetlands. Any non-wetland tree resources within the area will require a Miami-Dade County Tree Removal Permit prior to removal or relocation.

Coastal Wetlands Resources
The majority of the subject annexation area is outside the UDB, is included in the area governed by the East Everglades Resource Management program, and includes lands designated as Agriculture, Open Land, or designated as Environmental Protection Subarea D (C-111 Wetlands) by Miami-Dade County's CDMP.

Portions of the proposed annexation area contain jurisdictional wetlands. Uses permitted within these areas must be compatible with the adopted goals, objectives and policies of the CDMP, with the objectives of the Comprehensive Everglades Restoration Plan and the East Everglades Resource Management Program, must conform to the prevailing environmental regulations and shall not adversely affect the long term viability, form or function of these ecosystems.

The applicant should also note that prior to development of area H, approvals or permits from Miami-Dade County, United States Army Corps of Engineers, the Florida Department of Environmental Protection and the South Florida Water Management District may be required. It is the applicant's responsibility to contact these agencies.

Parks, Recreation and Open Spaces

There are no Miami-Dade County parks within the proposed Florida City annexation area. The annexation has no impact on the Parks, Recreation and Open Spaces Department.

Annexation Guidelines:

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

1. Divide a historically recognized community:

   The proposed annexation area does not divide a Census Designated Place (CDP)

2. Will if approved result in an annexation area that is compatible with existing planned land uses and zoning of the municipality to which the area is proposed to be annexed:

   The table below outlines the 2013 land use profile for the proposed annexation area. Of the 775 acres within the proposed annexation area, approximately 67 percent of the land is in agriculture use; 14 percent is undeveloped; five percent in institutional use; and four percent in residential use.

   As provided below, 67 percent of the proposed annexation area is in agricultural use, while approximately 30 percent of the land within the City of Florida City is in agricultural use. Approximately 14 percent of the land within the proposed annexation area is undeveloped, while 26 percent of the land within the City is undeveloped. Within the proposed annexation area approximately four percent of the lands are in residential use, while in the City, 12 percent of the land is in

residential use. Only 0.1 percent of the proposed annexation area is in commercial and office use, while approximately five percent of the land within the City is in commercial and office use. Finally, none of the proposed annexation area is in industrial use, while approximately four percent of the land within the City is in industrial use. This is evident of different character and development patterns between the proposed annexation area and the City.

Florida City Annexation Area
2013 Existing Land Use

Land Use	Annexation Area (Acres)	Annexation Area (Percent Of Total)	Florida City Area (Acres)	Florida City (Percent of Total)	Miami-Dade County (Acres)	Miami-Dade County (Percent of Total)
Residential	29.5	3.8	451.2	11.6	111,060.1	8.8
Commercial & Office &Transient Residential	1.0	0.1	201.0	5.2	14,423.3	1.1
Industrial	0.0	0.0	145.6	3.8	17,757.0	1.4
Institutional	41.9	5.4	89.9	2.3	14,650.3	1.2
Parks/Recreation	0.2	0.0	223.9	5.8	833,377.5	65.8
Transportation, Communication, Utilities	46.8	6.0	480.4	12.4	87,486.0	6.9
Agriculture	518.4	66.9	1,154.6	29.7	63,531.9	5.0
Undeveloped	111.7	14.4	1,023.3	26.4	87,090.3	6.9
Inland Waters	25.5	3.3	112.1	2.9	36,933.5	2.9
Total:	**775.0**	**100.0**	**3,882.0**	**100.0**	**1,266,309.9**	**100.0**

The portion of the annexation area inside the UDB is designated for and is significantly developed with residential use (the northernmost ±8.5 acres are undeveloped). The existing zoning for this portion of the proposed annexation area is RU-1 (Single-Family Residential District) and AU (Agriculture). Abutting lands within the City are designated and predominantly zoned for residential uses (an abutting ±20-acre property is zoned AU).

The portion of the proposed annexation area that is located outside the UBD is designated predominantly "Agriculture", is zoned GU (Interim District), and is primarily used for agriculture. Lands within the City that abut this portion of the annexation area are located inside the UDB and include residentially developed land and the abovementioned ±20-acre AU zoned property, which is currently in agricultural use.

In its application, the City states that upon annexation it would apply the same or similar future land use categories fully-consistent with the designations contained in the CDMP and shown on the adopted LUP map. In addition the City states that it would apply the same or similar zoning districts fully-consistent with the districts shown on the County's Zoning Map and in the Code of Ordinances. If this is done by the City, compatibility of existing and planned land uses and zoning would be ensured.

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 Florida City annexation area would continue to be eligible for any benefits derived from inclusion and assistance from the federal government through the State's Small Cities Program.

4. Impact public safety response times?

   Fire and Rescue: The City of Florida City is within the Miami-Dade County Fire Rescue District. If this annexation is approved, the area will continue to receive fire and rescue services from the Miami-Dade Fire Rescue Department from the same stations and resources. This annexation will not impact MDFR service delivery and/or response time inside the Urban Development Boundary.

   Police: In the event the annexation application is successful, the total service area within the UMSA will be reduced by only a small amount resulting in little difference in the services provided by MDPD. However, due to continual incorporation and annexation endeavors, the full impact upon the UMSA is yet to be determined.

5. Introduce barriers to municipal traffic circulation due to existing security taxing districts, walled communities, and/or private roads?

   The PWWMD has determined that the proposed Florida City annexation does not introduce any barriers to municipal traffic circulation. There is however a street lighting district located within the annexation area. Should the annexation be approved, Florida City should take over the district. A letter from the City requesting to dissolve the district and the City continuing the billing would be required.

6. Result, to the degree possible, in an annexation area 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 new State law effective July 1, 2007, Miami-Dade County's will no longer have the ability license new cable television companies and enforcement activities will be limited to Rights-of-Way issues only. Therefore the proposed annexation will not have an impact on our ability to enforce Rights-of-Way issues as per the Miami-Dade County Code should they arise. A list of new Cable Franchise Certificates that may affect Miami-Dade County's Rights-of-Way can be found at 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 requesting annexations will be responsible for managing its 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?

   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 also located within the County's designated Hurricane Evacuation Zones "B" and "C", therefore residents of the area are obligated to evacuate when hurricane warnings are issued.
   In its original application, the City states it is prepared to address any extraordinary evacuation needs of the proposed annexation area.

8. Result in an annexation area connected to municipal government offices and commercial centers by public transportation?

   MDT Route 344, a circulator route in Florida City and Homestead, provides weekday service along the north edge (SW 352 St) of the annexation area. In addition, three Route 344 trips a day operate south though the annexation via Redland Rd (SW 187 Ave), Lucille Dr (SW 360 St), and Tower Rd (SW 192 Ave) to SW 376 St. The route provides service to several U.S. Post Offices, Florida City City Hall and Police Department, the Building and Zoning Department, the Florida Keys Outlet Center, Homestead High School, Wal-Mart, the commercial area along Krome Ave in downtown Homestead, South Florida Workforce One Stop Center, Miami-Dade College Homestead campus, and other commercial shopping areas along the entire route. Route 344 provides connections with the following bus routes: 35, 70, 34 Busway Flyer, 38 Busway MAX, and the Dade-Monroe Express.

9. To the degree possible, would the proposed annexation area be contained in one or more school district boundaries governing admission to elementary, middle and high school as the adjoining municipality?

   The proposed annexation area is contained within the same school district boundaries as the adjoining unincorporated area and the City of Florida City. The schools serving the proposed annexation area are: Florida City Elementary, Neva King Cooper Educational Center, Campbell Drive Middle, Medical Academy for Science and Technology, and Homestead Senior High School.

The following analysis addresses the factors required for consideration by the Board of County Commissioners and the Planning Advisory Board pursuant to Chapter 20-7 of the County Code.

1. The suitability of the proposed annexation boundaries, in conjunction with the existing municipality, to provide for a municipal community that is both cohesive and inclusive.

   a) The area does not divide a Census Designated Place, (an officially or historically recognized traditional community).

The proposed annexation area does not divide a Census Designated Place.

b) In no adjacent unincorporated area have a majority of ethnic minority or lower income residents petitioned to be in the annexation area.

No adjacent unincorporated areas have a majority of ethnic minority or lower income residents that have petitioned to be in the annexation area.

c) The area is not, nor does not 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) The boundaries are logical, consisting of natural, built, or existing features or city limits.

As shown in the attached map, the boundaries are mostly logical and generally follow City limits or rights-of-way. The proposed annexation area is generally bounded on the north by SW 352nd Street, on the west by SW 192nd Avenue, on the south by theoretical SW 384th Street, and on the east by theoretical SW 180th Avenue.

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 $7,266,498. At the current Florida City millage rate (7.75 mills), the ad valorem revenues attributable to the annexation area would be $53,500. At the current UMSA millage rate (1.9283 mills), the ad valorem revenues attributable to the annexation area would be $13,311. The expected tax increase to the area if the annexation is approved would be $40,188.

Existing and Projected Property Tax Cost City of Florida City FY 2012-13		
	Millage Rate	Millage x Taxable Value
Florida City		
Municipal Millage	7.75	$53,500
Unincorporated Area		
UMSA Millage	1.9283	$13,311
Increase	**5.8217**	**$40,188**

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

   The 2015 UDB of the County's Comprehensive Development Master Plan runs along Lucille Drive, traversing the northern portion of the proposed annexation area. Consequently, approximately 95 percent (733 acres) of the proposed annexation area is located outside the UDB.

4. 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 $7,266,498. The area generates an estimated $83,123 in revenue. The County spends an estimated $219,344 per year providing services to the area. Therefore, the net revenue gain to the UMSA budget is an estimated $136,212 (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 $21,053 and utility taxes of an estimated $26,287 will be retained by the County.

5. 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?

   According to the 2010 Census, the population within the proposed annexation area is 760 persons. The taxable value within the annexation area is $7,266,498, therefore the per capita taxable value is $9,561. Because most of the proposed annexation area is in agricultural use, this measure is not an accurate assessment of the annexation area residents.

6. Be consistent with the land Use Plan of the County's Comprehensive Development Master Plan (CDMP)?

The County's Comprehensive Development Master Plan (CDMP) Adopted 2015-2025 Land Use Plan (LUP) map designates the portion of the proposed annexation area that is within the UDB as "Low Density Residential". The remaining portion of the proposed annexation area is outside the UDB and is designated primarily "Agricultural", ±40-acre portion is designated "Institutional, Utilities and Communications", and ±30-acre designated "Environmental Protection". A brief description of these CDMP land use categories follows:

The "Low Density Residential" land use designation allows a range in density from a minimum of 2.5 to a maximum of six (6) dwelling units per gross acre. This density category is generally characterized by single-family housing, e.g., single-family detached, cluster, and townhouses. It could include low-rise apartments with extensive surrounding open space or a mixture of housing types provided that the maximum gross density is not exceeded.

The "Institutional, Utilities and Communications" land use designation accommodates such uses as major hospitals, medical complexes, colleges, universities, regional water-supply, antenna fields, radio and television broadcast towers, wastewater and solid waste utility facilities such as the resources recovery plant, major government office centers and military installations.

The area designated as "Agriculture" contains the best agricultural land remaining in Miami-Dade County. The principal uses in this area should be agriculture, uses ancillary to and directly supportive of agriculture such as packing houses, and farm residences. Uses ancillary to and necessary to support the rural residential community of agricultural area may also be approved. In order to protect the agricultural industry, uses incompatible with agriculture, and uses and facilities that support or encourage urban development are not allowed in this area.

The "Environmental Protection" designation applies to those areas in the County most environmentally significant, most susceptible to environmental degradation and where such degradation would adversely affect the supply of potable fresh water or environmental systems of the County, regional, State or national importance. These lands are characteristically high-quality marshes, swamps and wet prairies, and are not suited for urban or agricultural development. Uses permitted within these areas must be compatible with the area's environment and the objectives of the Comprehensive Everglades Restoration Plan, and shall not adversely affect the long-term viability, form or function of these ecosystems. Residential development could be considered for approval in this area and shall be limited to a maximum density of one unit per five acres.

In its application, the City states that upon annexation it would apply the same or similar future land use categories fully-consistent with the designations contained in the CDMP and shown on the adopted LUP; however, the City has not indicated how it would address subsequent changes or amendments to the future land use within the proposed annexation area, in order to ensure continued consistency with the CDMP. The CDMP's Statement of Legislative Intent provides that:

"The CDMP shall not supersede authority of incorporated municipalities to exercise all powers relating solely to their local affairs as provided by the Miami-Dade County Charter, provided that the following fundamental growth management components of the CDMP that are necessary to carry on a central metropolitan government in Miami-Dade County shall serve as minimum standards for zoning, service and regulation to be implemented through all municipal comprehensive plans and land development regulations: 1. The Urban Development Boundary (UDB), Urban Expansion Area (UEA) Boundaries, and the CDMP provisions which prescribe allowable land uses and public services and facilities outside the UDB..."

In addition, Section 2-116.1.2 of the Miami-Dade County Code of Ordinances, Applicability of Comprehensive Master Plan to Municipalities, provides that:

"(a) The location of the Urban Development Boundary (UDB) and permitted land uses outside the UDB shall be governed by the Miami-Dade County Comprehensive Development Master Plan (CDMP) notwithstanding the fact that the UDB may lie within a municipality.

(b) Any amendments to the UDB line or land uses permitted by the CDMP shall be filed and processed in accordance with procedures for applications located within the unincorporated area.

(c) All municipal land use decisions outside the UDB line shall be consistent with the CDMP."

Therefore, if the annexation is approved, the Interlocal Agreement (or other instrument) governing the proposed annexation should include provisions requiring changes or amendments to the future land use of any annexed land located outside the UDB to be consistent with the CDMP and to recognize that the County retains control over the movement of the UDB and proposed uses within proposed expansions of the UDB.

Demographic Profile of the Area

As shown in the table below, the estimated 2010 Census population of the proposed annexation area is 760 persons while the City of Florida City's population is 11,245 persons. The table also shows that approximately 83 percent of the population within the proposed annexation area is Hispanic with approximately 42 percent of the population within the municipal boundaries being of Hispanic origin.

Florida City Proposed Annexation Area "H"
Demographic and Economic Characteristics
Florida City Area and Miami-Dade County

	Study Area Estimates	Florida City	Miami-Dade
Population Characteristics, 2010	760	11,245	2,496,435
Percent White, Not Hispanic	4.6	5.6	15.4
Percent Black, Not Hispanic	11.7	50.5	17.1
Percent Other, Not Hispanic	0.8	1.6	2.5
Percent Hispanic Origin	82.9	42.4	65.0
Income			
Median Household Income	$27,429	$25,351	$42,969
Per-capita Income	$8,965	$9,433	$22,619
Housing			
Total Housing Units	108	3,792	989,435

PREVIOUS FLORIDA CITY ANNEXATIONS

- Ordinance 08-118 adopted 10/7/08 – Area G1, G2 and G3 approximately 32.8 Acres
- Ordinance 08-25 adopted 3/4/08 – Area F approximately 23.1 Acres
- Ordinance 05-111 adopted 6/21/05 – Area C1 approximately 4,284.2 Acres
- Ordinance 02-146 adopted 9/12/02 – Area E approximately 10 Acres

SUMMARY OF ISSUES FOR CONSIDERATION

- Approximately 95 percent (736.4 acres) of the proposed annexation area is located outside the 2015 UDB.
- If the annexation is approved, the Interlocal Agreement (or other instrument) governing the proposed annexation should include provisions requiring changes or amendments to the future land use of any annexed land located outside the UDB to be consistent with the CDMP and to recognize that the County retains control over the movement of the UDB and proposed uses within proposed expansions of the UDB.
- The City has not indicated how it would address subsequent changes or amendments to the future land use within the proposed annexation area, in order to ensure continued consistency with the CDMP. The CDMP's Statement of Legislative Intent provides that:

  "The CDMP shall not supersede authority of incorporated municipalities to exercise all powers relating solely to their local affairs as provided by the Miami-Dade County Charter, provided that the following fundamental growth management components of the CDMP that are necessary to carry on a central metropolitan government in Miami-Dade County shall serve as minimum standards for zoning, service and regulation to be implemented through all municipal comprehensive plans and land development regulations: 1. The Urban Development Boundary (UDB), Urban Expansion Area (UEA) Boundaries, and the CDMP provisions which prescribe allowable land uses and public services and facilities outside the UDB..."

  In addition, Section 2-116.1.2 of the Miami-Dade County Code of Ordinances, Applicability of Comprehensive Master Plan to Municipalities, provides that: *"(a) The location of the Urban Development Boundary (UDB) and permitted land uses outside the UDB shall be governed by the Miami-*

Dade County Comprehensive Development Master Plan (CDMP) notwithstanding the fact that the UDB may lie within a municipality.
(b) Any amendments to the UDB line or land uses permitted by the CDMP shall be filled and processed in accordance with procedures for applications located within the unincorporated area.
(c) All municipal land use decisions outside the UDB line shall be consistent with the CDMP."

- Approximately four percent of the lands within the proposed annexation area are in residential use, while in the City, 12 percent of the land is in residential use.
- The City's Zoning Map and Legend do not include an "Interim District (GU)".
- The interlocal agreement should preserve the County's ability to enforce existing covenants and jurisdiction to approve any amendments to covenants (including zoning and other land use approval covenants) and management plans currently running with the land in favor of Miami-Dade County that relate at least in part to the following: tree, forest or other vegetation protection requirements; pollution control, surface or groundwater protection, wellfield protection; the Florida Keys Aqueduct Authority; and wetland or other environmental mitigation.
- Should the annexation be approved, the Interlocal Agreement should be consistent with Section 2-116.1.2 of the Miami-Dade County Code of Ordinances, Applicability of Comprehensive Master Plan to Municipalities, provides that:

  "(a) The location of the Urban Development Boundary (UDB) and permitted land uses outside the UDB shall be governed by the Miami-Dade County Comprehensive Development Master Plan (CDMP) notwithstanding the fact that the UDB may lie within a municipality.
  (b) Any amendments to the UDB line or land uses permitted by the CDMP shall be filled and processed in accordance with procedures for applications located within the unincorporated area.
  (c) All municipal land use decisions outside the UDB line shall be consistent with the CDMP."

- The Interlocal Agreement for Area H should include a provision that approval of land use changes and site development should be coordinated with the County for sites that either involve or occur within 1000 feet of EEL Project Areas and Preserves. Approval of land use changes and site development plans must be contingent upon receiving a written determination form RER that proposed changes and site development plans are consistent with the protection and management of EEL resources.
- The sensitive surroundings and the lack of infrastructure will likely increase the need for environmental monitoring, compliance and enforcement services even in connection with low density residential, agricultural or rural development, or uses allowed under current land use designations. It is recommended that the application be modified to clarify the required reviews and approvals by RER to ensure compliance with the Code.

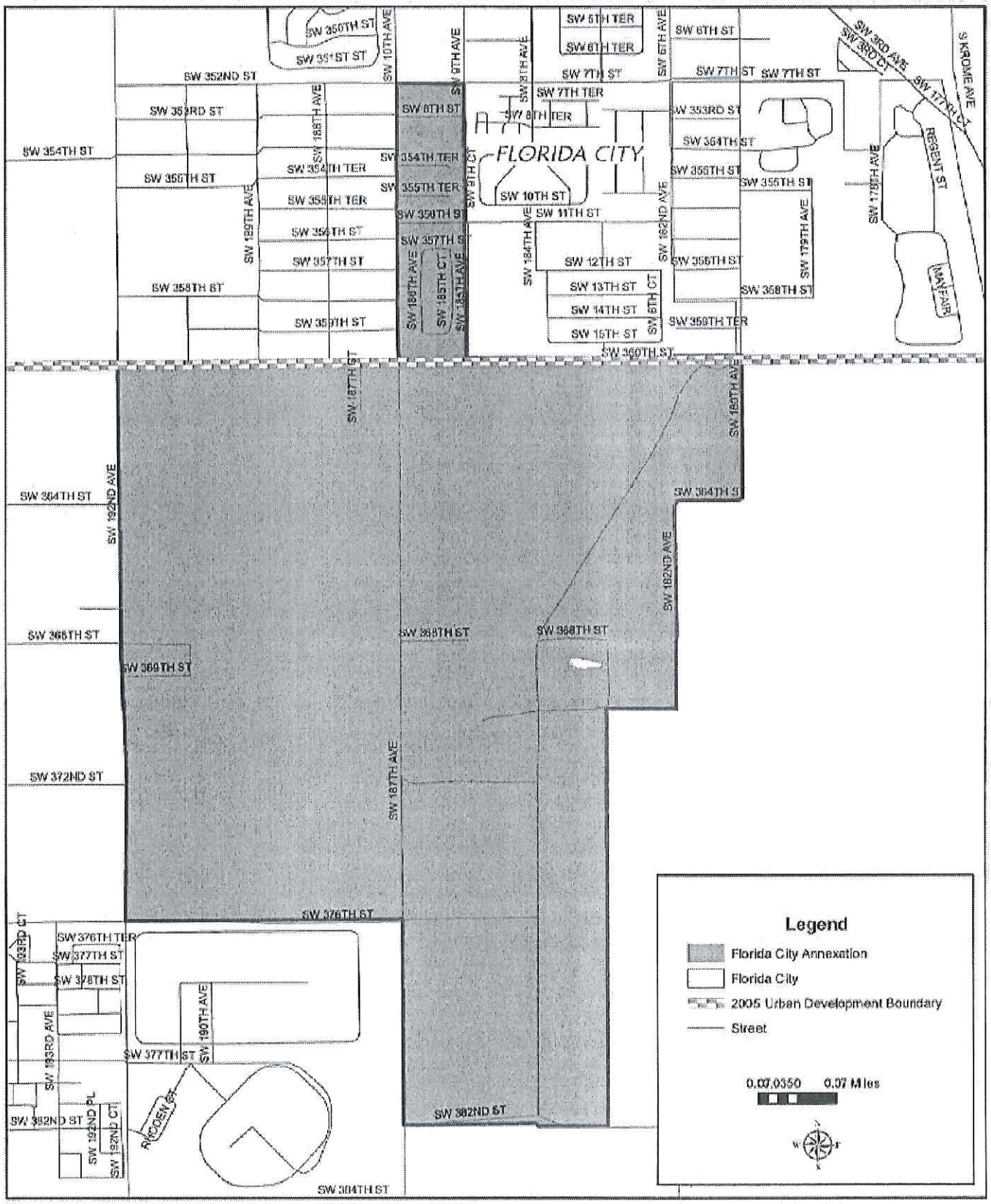
Attachments:

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

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

MIAMI-DADE COUNTY

FLORIDA CITY ANNEXATION



This map was prepared by the Miami-Dade County Information Technology Department Geographic Information Systems (GIS) Division
February, 2013

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Estimated Impact on UMSA Budget

Based on FY 12-13 Budget	Annexation Assumptions	
Property Tax Revenue	*Allocation based on tax roll & millage*	$14,000
Franchise Fees	*County Retains Revenues*	
Sales Tax	*Allocation based on $61.79 per person*	$46,951
Utility Taxes	*County Retains Revenues*	
Communications Tax	*Allocated based on tax roll/population*	$19,474
Alcoholic Beverage License	*Allocation based on $0.24 per person*	$187
Occupational License	*Allocation based on $1.72 per person*	$1,384
Interest	*Allocation based on 1.31% of total revenue*	$777
Miscellaneous Revenues	*Allocation based on $0.45 per person*	$341
Revenue to UMSA		$83,123
Cost of Providing UMSA Services		
Police Department		$178,786
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*	$0
Planning, Code Compliance and others	*Direct cost times 11.3%*	$20,274
QNIP (pay-as you-go)	*Utility Taxes as a % of debt service 23%*	$0
Policy Formulation/Internal Support	*Direct cost times 11.3%*	$20,274
Cost of Providing UMSA Services		$219,334
Net to UMSA		($136,2[illegible])

1. Does not include ges 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.

2011 Taxable Property Rolls		$7,266,498
2010 Area Census Population		760
2010 UMSA Population		1,073,747
2011-12 UMSA Millage		2.0083
Patrollable Sq. Miles - UMSA (post Cutler Bay)		443.53
Total Calls For Service - UMSA 2012		615,684
Part 1 Crimes - UMSA 2012		51,222
Part 2 Crimes - UMSA 2012		22,689
Patrollable Sq. Miles - Study Area		1.21
Total Calls for Service - Study Area		94
Part 1 Crimes - Study Area		6
Part 2 Crimes - Study Area		2
Cost per Centerline Mile		$952
Number of Centerline Miles		0
Per Capita Taxable Value		$9,561.18

EXHIBIT 4

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

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

Boundaries: On the north SW 352nd Street, on the south SW 382nd Street, on the east SW 180th Avenue and on the west SW 192nd

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

WHEREAS, the Planning Advisory Board's Incorporation and Annexation Committee reviewed staff's report dated June 2, 2013; and

WHEREAS, on July 1, 2013, the Planning Advisory Board's Incorporation and Annexation Committee held an advertised public meeting, concerning this application for annexation by the City of Florida City; and

WHEREAS, the Planning Advisory Board's Incorporation and Annexation Committee recommended approval of the proposed annexation; and

WHEREAS, on July 1, 2013, the Planning Advisory Board held an advertised public hearing, concerning this application by the City of Florida City;

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 City of Florida City.

The forgoing resolution was offered by Board Member Aida Bao-Garciga, who moved its adoption and was seconded by Board Member Georgina Santiago, and upon being put to a vote the vote was as follows:

Carla Ascencio-Savola	Absent	Raymond Marin	Yes
Aida Bao-Garciga	Yes	Robert Meador	Absent
Jose Bared	Absent	Javier Munoz	Yes
Peter DiPace	Yes	William Riley	Absent
Horacio Huembes	Absent	Georgina Santiago	Yes
Joseph James	Yes	Jesus Vazquez	Absent
Serafin Leal	Yes	Paul Wilson	Absent

Wayne Rinehart, Chair Yes

The Chair thereupon declared the resolution duly passed and adopted this 1st day of July 2013.

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

Eric Silva - Assistant Director
Regulatory and Economic Resources

EXHIBIT 5

City of Florida City

Annexation Area "H" Application

Submittal to: Miami-Dade County

Prepared By:

City of Florida City

&

ILER PLANNING

June 29, 2011

Table of Contents

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I. Area Description 2
II. Land Use Plan and Zoning 3
III. Grounds for the Proposed Boundary Change 8
IV. Service Provision 15
V. Timetable for Supplying Services 19
VI. Financing of Services 20
VII. Tax Load 22
VIII. Conclusion 23

Exhibits

A: Florida City Commission Resolution No. 11-19

B: Legal Description of Area H

C: Certificate of Publication of Public Hearing Notice

D: Affidavit Certifying Mailing of Public Hearing Notices to Affected Property Owners

E: Certificate of County Supervisor of Registration

F: Applicable County Future Land Use Designations

G: Applicable County Zoning Districts

H: Assessed Value of Area H Properties

I: Florida City's Water and Sewer Service Area

J: City-owned Parcels Map

K: Residential Development Certificate of MDC Planning and Zoning Director

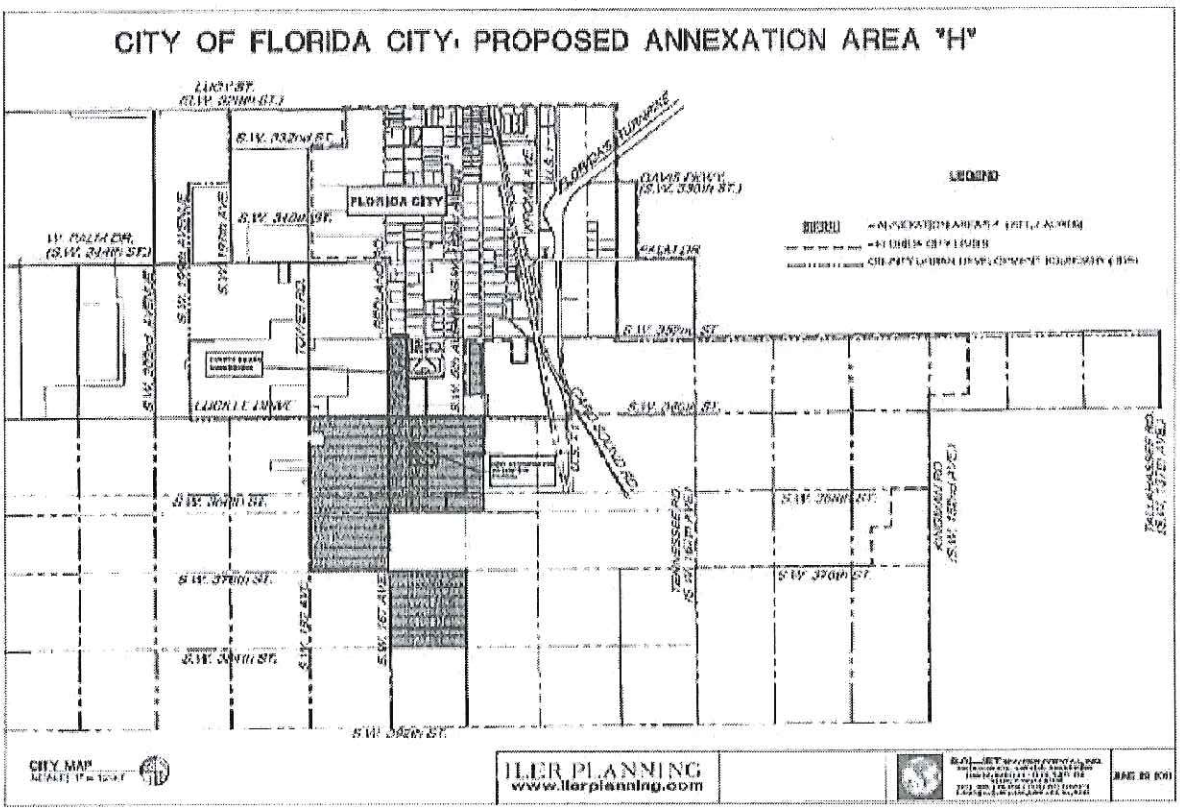
Introduction

On June 29th of this year, the Florida City Commission adopted Resolution No. 11-19 (Exhibit A) approving the submittal of an application to Miami-Dade County for the annexation of a 812 acre unincorporated area on the City's southwestern limits, designated as Area H (the "Area") and depicted in Figure 1 below. Exhibit B contains the legal description for Area H.

The Resolution was adopted at an advertised public hearing in accordance with County Code. The hearing notice was published in a local newspaper (Exhibit C) and, all property owners within Area H and within 600 feet outside its boundary were notified via direct mailing. The affidavit certifying the mailing is in Exhibit D. In addition, a certificate from the County Supervisor of Registration documenting that the Area contains a total of 213 registered voters is provided in Exhibit E.

The subsequent sections of this application provide the additional information required by Section 20-3 of the County Code of Ordinances.

Figure 1: Proposed Annexation Area H



I. Area Description

Area H is comprised of 811.7 acres, and is generally bounded on the north by SW 352nd Street, on the west by SW 192nd Avenue, on the south by (theoretical) SW 384th Street, and on the east by (theoretical) SW 180th Avenue. The County's Urban Development Boundary (UDB) lies along Lucille Drive (SW 360th Street), thus most of Area H is located outside of the County's UDB.

Based on current County Property Appraisal information, there are 105 housing units in Area H; all are single-family structures. Using the County's 2010 average household size of 2.88 persons/household and vacancy rate of 12.3% (U.S. Census), the estimated population is 268 persons. There are a total of 213 registered voters in the Area. The large majority of these residents live in the Centro Campesino single-family residential neighborhood located adjacent to the City's current boundary on Redland Road (SW 187th Avenue), north of SW 360th Street. The neighborhood is served with central water and sewer service by Miami-Dade County. All other developed lots and agricultural uses in the Area utilize on-site water wells and septic tanks. A large majority of land in Area H is either vacant or in active agriculture at this time. The South Florida Evaluation and Treatment Center, a mental health facility operated by the State of Florida, is situated just outside of Area H on the east side of (theoretical) SW 187th Avenue and south of (theoretical) SW 368th Street, and the Miami-Dade County Detention Facility is also located outside the southwest boundary.

The paved road network in Area H is very limited due to the small amount of urban development. The only two significant north-south roads are Tower and Redland Roads; both are 2-lanes in width. Tower Road is paved along the entire western boundary of the Area and is the main access route to Everglades National Park. Redland Road is a major County section line road that extends south into the northern part of the Area, but dead-ends at SW 360th Street. East-west roads serving Area H include SW 352nd Street, SW 360th Street and SW 376th Street.

Environmental Protection Subarea D (Canal-111 Wetlands), designated in the County's CDMP, is located south and east of the proposed annexation area. This environmental protection subarea is primarily owned by public environmental agencies.

A proposed federal detention facility is planned on a 40 acre tract of land located southeast of SW 376th Street and SW 187th Avenue (See Exhibit J) in the southeast corner of Area H. This site is owned by Florida City, and the City is under an agreement with The Geo Group to build and operate the detention complex. The Federal grant application to provide funding for the project is still under review, thus construction of the facility is uncertain at this time. Additionally, there is a 10 acre City-owned stormwater parcel located just beyond the City's southern boundary to accept flood water from the Friedland Manor residential subdivision in Florida City.

II. Land Use Plan and Zoning

Land use in the annexation area is currently under the jurisdiction of Miami-Dade County and its adopted Comprehensive Development Master Plan (CDMP). The current County future land use designations in Area H are:

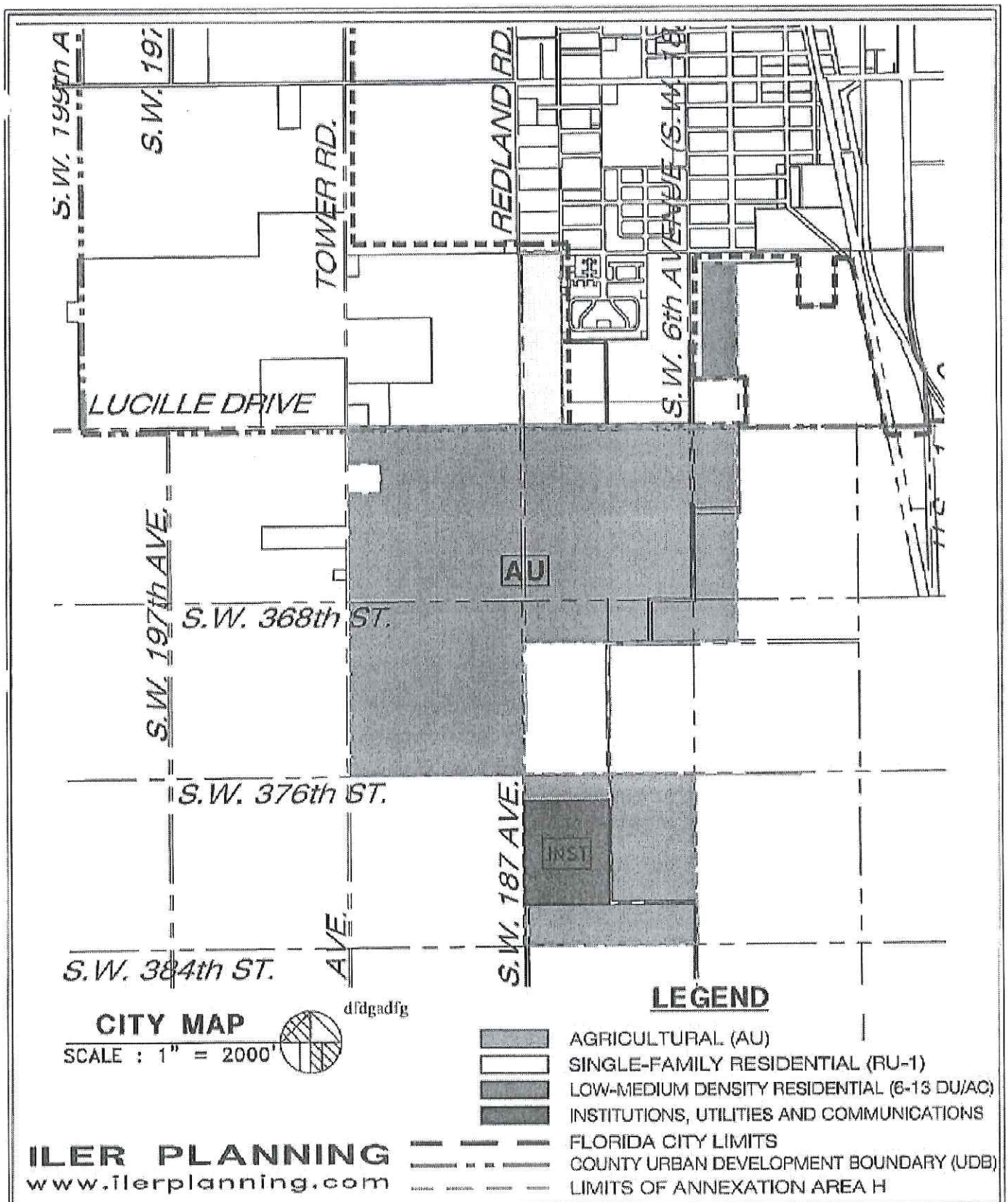
- Agricultural Use (AU);
- Low Density Residential;
- Low to Medium Density Residential; and
- Institutional, Utilities and Communications.

The descriptions of these designations are contained in Exhibit F. Figure 2 shows the location of the designations in Area H according to the County's adopted Land Use Plan. The future land use allocation within Area H is approximately: 85% Agricultural Use; 5% Low Density Residential; 4% Low-Medium Density Residential; and 6% Institutional, Utilities and Communications. Most of the land within Area H is vacant or in active agriculture at this time. According to the County's CDMP, land designated AU contains the best agricultural land remaining in Miami-Dade County and the protection of such viable land is a priority. The principal use in the AU land use category is agriculture, and ancillary to and directly supportive of agriculture and farm residences are also allowed. Single-family homes may be built on 5 acres or larger parcels. If the annexation is approved, the City will apply the same or similar future land use categories fully-consistent with the designations contained in the CDMP and shown on the adopted Land Use Plan. The City would also adopt the UDB requirements currently contained in the County's CDMP. Figure 3 shows the proposed City land use designations.

Figure 4 depicts the existing zoning categories applicable to Area H from the County's approved Zoning Map. The zoning in the Area is a mix of the zoning districts listed below; the permitted uses and land development regulations for these zoning districts are provided in Exhibit G.

- Agricultural Use (AU) District;
- Single Family Residential (RU-1) District;
- Zero Lot Line Development Single Family (RU-1Z) District; and
- Interim (GU) District.

If the annexation is approved, the City will apply the same or similar zoning districts fully-consistent with the categories shown on the County's Zoning Map and in the Code of Ordinances. Figure 5 presents the proposed City zoning categories that would be applied to Area H.



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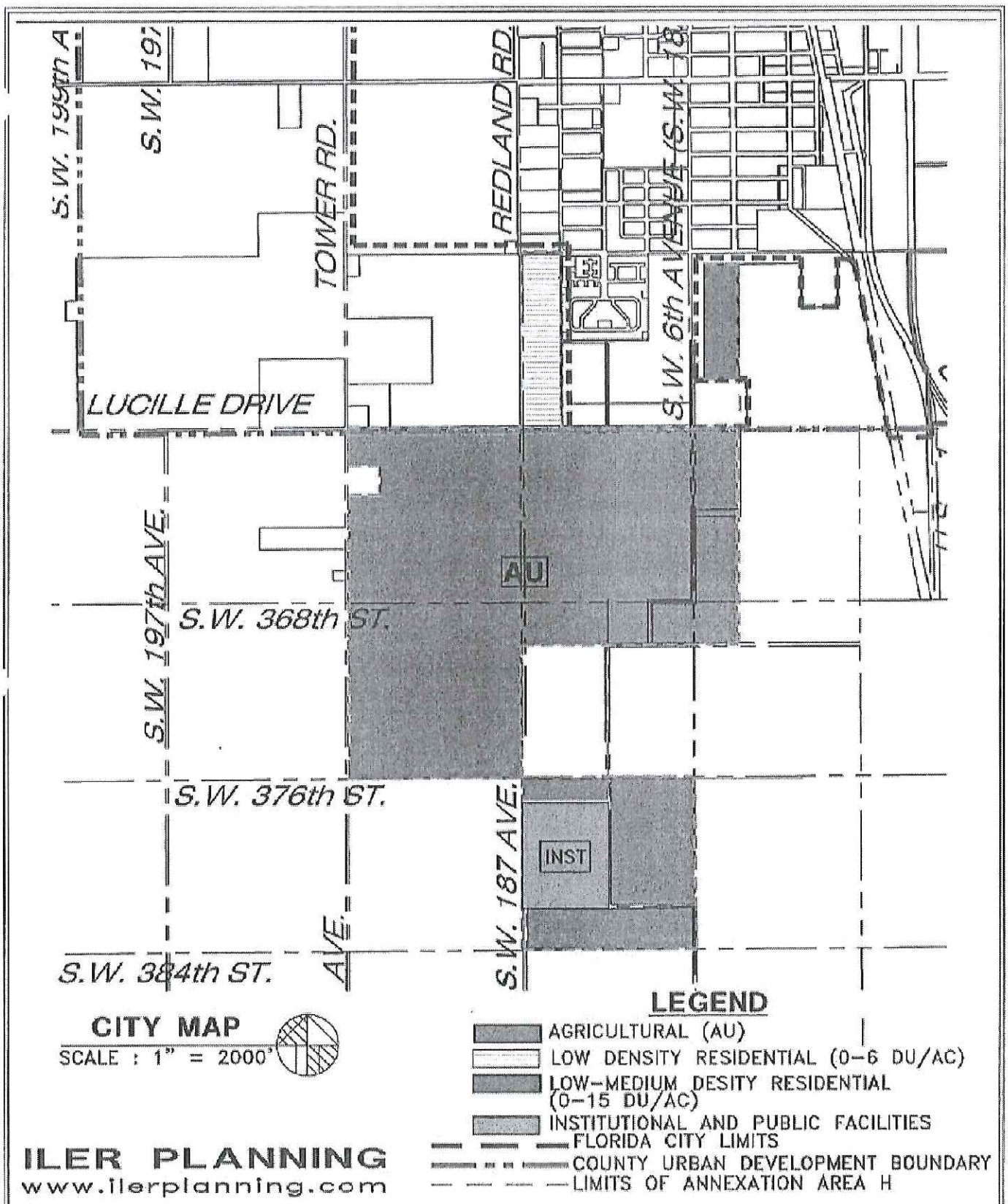
EXISTING COUNTY FUTURE LAND USE MAP OF ANNEXATION AREA "H"

BALJET ENVIRONMENTAL, INC.
ENVIRONMENTAL AND CIVIL ENGINEERING
9300 SO. DADELAND BLVD, SUITE 309
MIAMI, FLORIDA 33156
TEL.: (305) 670-3086 - FAX: (305) 670-8017
E-MAIL: info@baljet.com - CA No. 5388

FIGURE 2

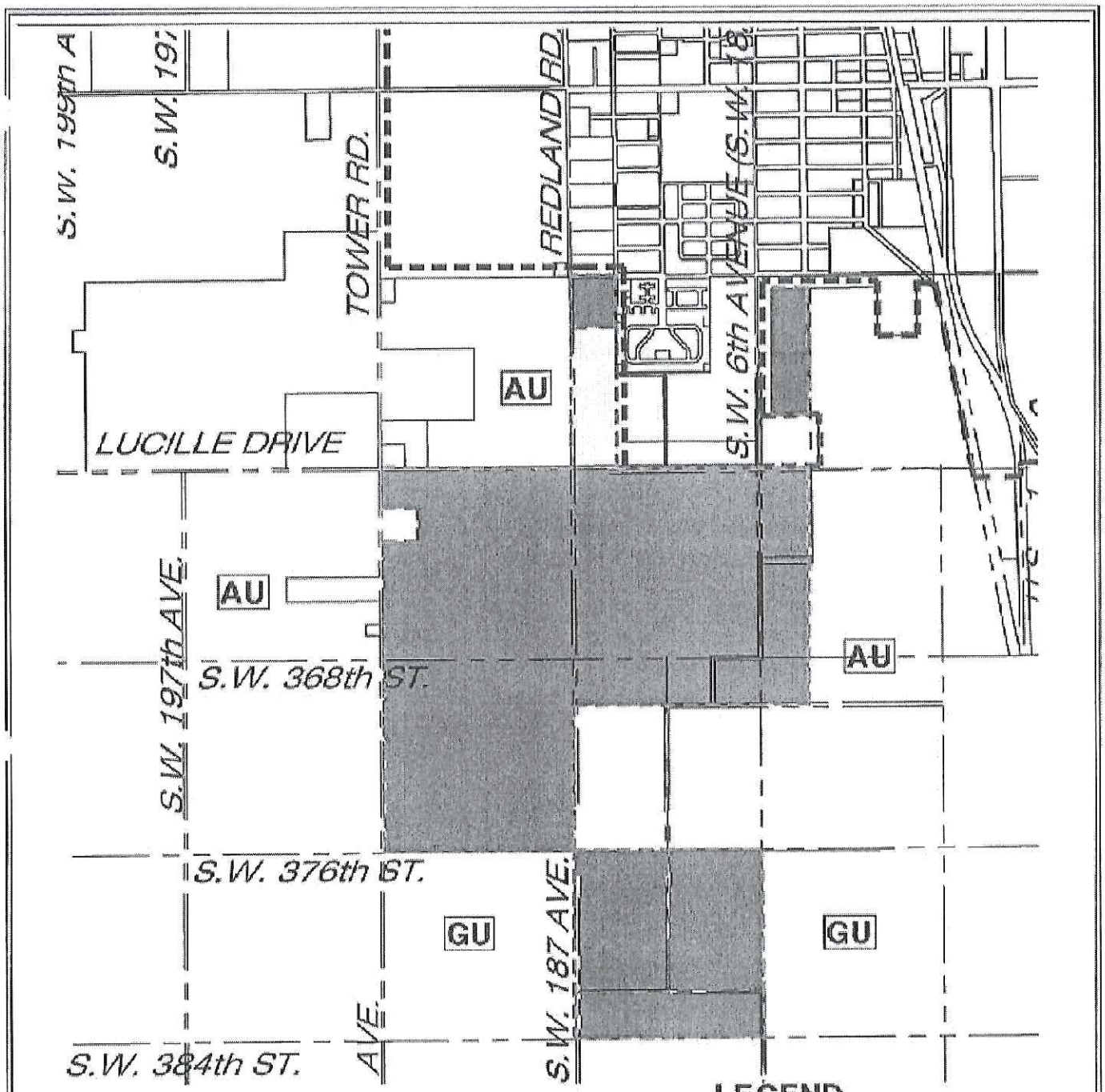


PROPOSED CITY FUTURE LAND USE MAP OF ANNEXATION AREA "H"

BALJET ENVIRONMENTAL, INC.
ENVIRONMENTAL AND CIVIL ENGINEERING
9300 SO. DADELAND BLVD, SUITE 309
MIAMI, FLORIDA 33156
TEL.: (305) 670-3986 - FAX: (305) 670-8017
E-MAIL: info@baljet.com - CA No. 5388

FIGURE 3

\\192.168.1.1\...\Future Land Use Maps\2011-Future Land Use Map\Annexation Area H-1 5-25-2011\Annexation Area H Prop. City FLU Map 0/1011.dwg



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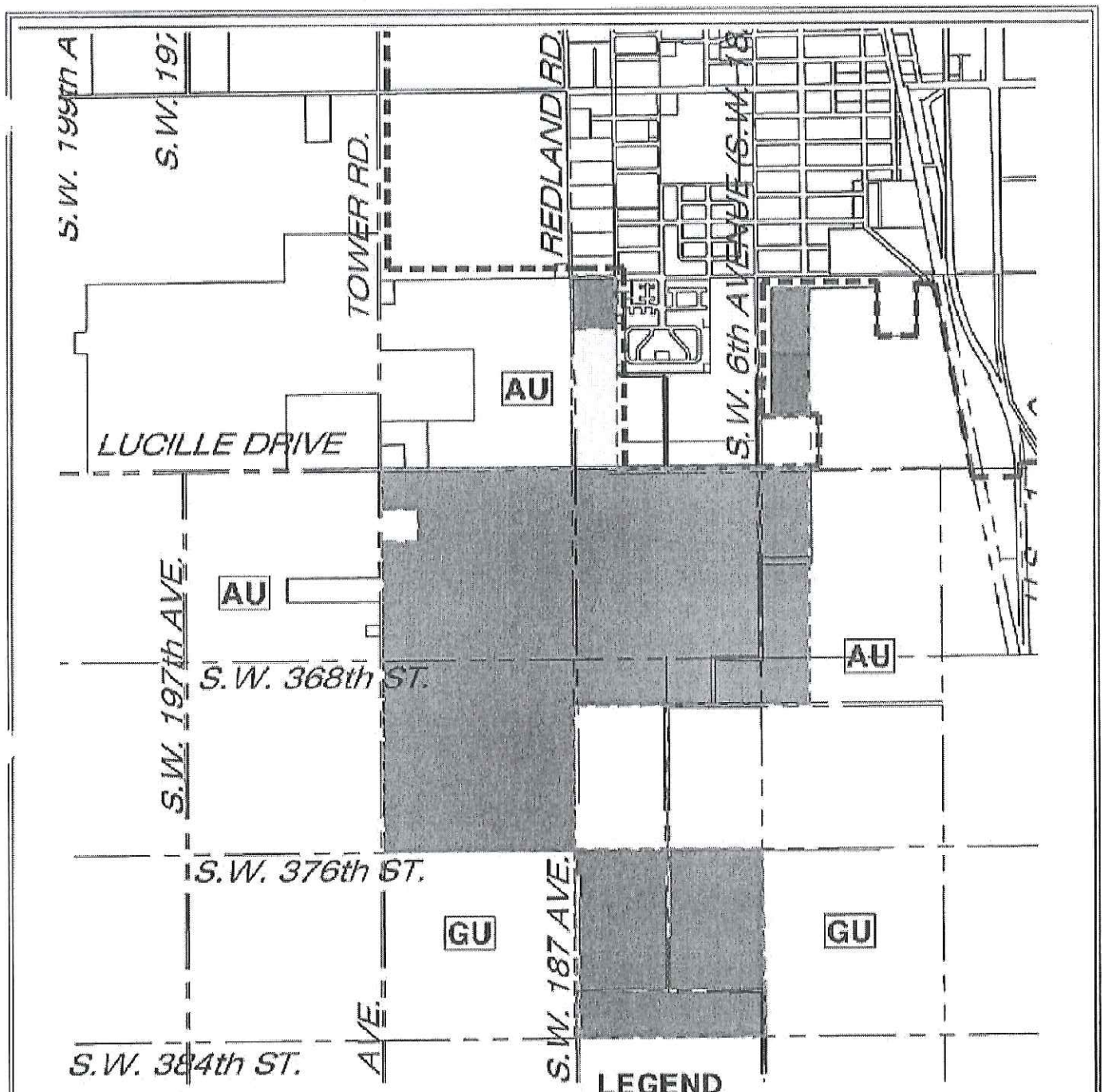
EXISTING COUNTY ZONING OF ANNEXATION AREA "H"

BALJET ENVIRONMENTAL, INC.
ENVIRONMENTAL AND CIVIL ENGINEERING
9300 SO. DADELAND BLVD, SUITE 309
MIAMI, FLORIDA 33156
TEL.: (305) 670-3886 - FAX: (305) 670-0017
E-MAIL: info@baljet.com - CA No. 5388

FIGURE 4

\\192.168.1.11\c$\PROJECTS\Florida City\Zoning Maps\2011\Annexation Area H Exist. County Z Map 071811.dwg



CITY MAP
SCALE : 1" = 2000'

LEGEND
ZONING DISTRICTS

- AGRICULTURAL (AU)
- RESIDENTIAL ESTATE (RS-1)
- RESIDENTIAL ZERO LOT LINE AND CLUSTER HOUSING (RS-5)
- INTERIM DISTRICT (GU)(COUNTY ZONING)
- FLORIDA CITY LIMITS
- LIMITS OF ANNEXATION AREA H

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PROPOSED CITY ZONING OF ANNEXATION AREA "H"

BALJET ENVIRONMENTAL, INC.
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MIAMI, FLORIDA 33156
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E-MAIL: info@baljet.com - CA No. 5388

FIGURE
5

\\192.168.1.1\c$\PROJECTS\Florida City\Zoning Map\2011\Annexation Area H Prop. City Z Map 071811.dwg

III. Grounds for the Proposed Boundary Change

There are a number of very valid grounds supporting the annexation of Area H into the boundaries of the City of Florida City. In order to fully appreciate their importance to, and impact on, the future of the City, it is helpful to highlight a few facts about local history and geographic context.

Incorporated in 1914, Florida City is one of the oldest cities in Miami-Dade County and for most of its history has been located a significant distance from Miami and the center of County government. With the creation of the County's Comprehensive Development Master Plan (CDMP) and county-wide Urban Development Boundary (UDB) in the 1960s and 70s, the City found itself on the southern periphery of the new UDB line which encircled it on 3 sides (east, south and west) and imposed a severe and wholly-unanticipated development constraint on its future growth potential. Of course, the City of Homestead is located adjacent to the north and thus boundary expansion in that direction is not possible. Combine these circumstances with the many thousands of acres of environmentally-sensitive wetlands located directly east and south of Florida City, much of which has been purchased by the South Florida Water Management District and Miami-Dade County over the past 30 years, and you have a City that is forced to use every option available to grow and expand like many healthy cities in Miami-Dade County, especially those on the urban fringe. Expansion to the north, east and southeast are no longer feasible due to the reasons cited above. Florida City can now only look southwest and west for significant boundary opportunities, as it has done with this annexation application. Area H, located southwest of the current City boundary, represents one of the few options left to Florida City for future jurisdictional growth and development, and thus must be pursued on a community preservation basis, as any other forward-thinking community in Miami-Dade County would certainly do. In addition, it's clear this annexation proposal itself makes good public fiscal and efficiency sense for the City and Miami-Dade County, and saves businesses and residents significant time and money by bringing local government much closer to them. The specific grounds for this annexation are presented below.

More Cost-Effective and Accessible Governmental Services

Given the close proximity of Florida City's existing governmental facilities to the residents and property owners of Area H, the City can provide those services much more cost-efficiently than Miami-Dade County. The primary services involved would be police, general government, water/sewer facilities, stormwater management and local road maintenance.

Police. The City's Police Headquarters is located at 404 West Palm Drive, less than 1 mile from the northern boundary of Area H. This gives City Police an average response time of 3 minutes. The City force has a total of 33 full-time sworn officers and 31 vehicles, 18 of which are patrol cars. The

Department includes a fully-trained SWAT Team, detective bureau, vice squad, criminal investigations unit and undercover operations. City Police are also experienced in addressing agricultural crime and have ready-access to full laboratory analysis capabilities.

The closest Miami-Dade County Police substation is the Cutler Ridge District Station 4 located at 10800 SW 211th Street, approximately 14 miles from the Area with an estimated 16-19 minute response time. Thus with annexation, police response times would be greatly reduced, patrol coverage enhanced and improved public safety service made available to Area H residents, property owners and local growers.

General Government Services. Florida City's City Hall is also located at 404 West Palm Drive, very close to Area H. The City is a full-service municipal government with a Mayor/Commission form of government; the Mayor is also the City Manager. It has 95 full-time employees with City Hall administrative offices containing Finance, Community Development, Building and Zoning, Water and Sewer, Personnel, Public Works and Information Technology departments. The FY 2011 General Fund budget for the City is $12.2 million. The City operates a 4.0 MGD water plant and tower, and associated water main system throughout its utility service area (see Exhibit I). It also maintains an extensive sewer line system as well. Total water and sewer revenues in FY 2011 are estimated to be $2.6 million. The Community Development Department maintains the City's Comprehensive Plan, and handles all zoning and site plan approval requests. The Building and Zoning Department reviews building plans, issues permits and conducts all types of building inspections, except County Fire Department and DERM review.

The County's nearest administrative facility is the South Miami-Dade County Government Center located at 10800 SW 211th Street, 14 miles north of Area H. Of course, the County services available in the South Miami-Dade Center are limited, and many times residents and owners must go to the County's Main Government Center in Miami to conduct their business, especially on zoning and development matters. Thus, it's clear that Area residents and property owners will have much easier and quicker access to all forms of local government services with annexation. In a time of substantial economic hardship like we have today, much faster access and processing of citizen requests will save significant time and money for them and local government; a sizeable short and long term benefit of this annexation.

Water and Sewer Facilities. Florida City's 2010 population, as documented by the U.S. Census, was 11,245 and those residents are served by the City's extensive water and sewer utility system. Water is extracted from the Biscayne Aquifer at the Florida City Wellfield located in the City, which is comprised of four (4) wells. The City's water treatment plant (WTP) is located at the Wellfield and has a capacity of 4 million gallons per day. It serves all developed parcels within the City's utility service area shown in Exhibit I. The treatment provided by the Florida City WTP is chlorination and corrosion control via free chlorine and polyphosphate. The City also maintains the sewer system within the service area and purchases wastewater treatment capacity from Miami-Dade County via a master meter system. The City

also has a strong track record of obtaining State and Federal grants for water and sewer facilities; last year it secured over $2.5 million in utility grant dollars.

While most of the annexation area is outside the UDB line and thus will not require central water and sewer services due to the 1 unit/5 acre density limit, there are some vacant parcels north of SW 360th Street (within the UDB) with higher density zoning which might be feasible for such services. If so, the City is ready, willing and capable of providing them at less cost and at a level-of-service equal to, or higher than, Miami-Dade County WASAD.

Stormwater Management. The City maintains the local drainage system within its boundaries and its Public Works Department has documented experience in handling the most difficult stormwater problems. Case in point is the $6 million Friedland Manor Drainage Project recently completed by the City using primarily State grant dollars matched by a small amount of City funds. It provided a state-of-the-art positive drainage system to this historic Florida City neighborhood which had experienced flooding problems for many years. The project involved purchase of a 5 acre parcel located in Area H immediately south of current City boundaries which is utilized as a retention pond for Friedland Manor run-off. If annexation occurs, this proven expertise could greatly assist the Centro Campensino neighborhood located north of SW 360th Street along Redland Road in addressing persistent drainage issues.

Local Road Maintenance. Area H has few paved roads and all of those are 2-lane. In addition, a number are in below average-to-poor condition. One notable example is Redland Road (SW 187th Avenue) between SW 352nd and 360th Streets which has numerous potholes and floods easily during rainstorms in many parts. The City places a major focus on road maintenance and beautification, and annually devotes approximately $2.8 million to repaving, roadway drainage, sidewalks and street trees. Last year, over 3 miles of local streets were repaved, improved and landscaped. If annexation occurs, the City plans to expand this program to Area H and immediately begin to upgrade the poorest area roadways which the County has not been able to address over many years.

2 City-owned Parcels

The annexation will bring 2 City-owned parcels into Florida City jurisdiction: the 5-acre stormwater management tract mentioned above and 40-acre Geo Group Detention Facility parcel. These properties are shown in Exhibit J. The City's considerable investment in these key parcels can be much better protected and enhanced with annexation. It makes economic and service efficiency sense. In addition, the eventual development of the Geo Group site into a large detention facility will bring much needed jobs, income and economic development to the Florida City area.

Expanded Residential/Agricultural Diversity

Annexation Area H also represents an opportunity to add large lot rural residential areas to the residential living options available in Florida City. Today, the largest residential lots in the City are zoned for ½ acre development. Over 90% of Annex H is located outside of the UDB and thus the minimum lot size is 1 dwelling unit per 5 acres. The City will to adhere to the UDB line and its requirements, and maintain current land use designations outside the UDB unless approved by the County. If annexed, this new inventory of much larger lot residential areas will give existing and future City residents more living options. It will also make the City a more attractive place to live and inject an important component of residential living which Florida City has never had before. It is indeed an oddity that while the City's 90+ year history is closely linked to agriculture, it does not have available large rural/agricultural areas today within its boundaries. Area H also contains a wide range of agricultural uses such as plant nurseries, greenhouses, tree groves and row crops. Thus the annexation would add valuable rural-living and agricultural sectors to the City's economy and land use pattern, which have not been present for a long time.

A Good Residential Neighbor

The Centro Campesino neighborhood is located adjacent to the City's southwest boundary north of SW 360th Street. The City has always had a unique relationship with this working class neighborhood, and provided emergency and other special services when ever requested or needed. The opportunity to bring this residential asset and long-time neighbor into Florida City was a major reason for undertaking this annexation initiative. If given the opportunity, the City will use it experience and resources to work with community leaders to upgrade the area as needed. One example is Redland Road which runs along the western boundary of Centro Campensino and is in very poor condition.

No Fiscal Impact on Miami-Dade County

This annexation will have a very, very negligible impact on the County's budget; costing it $16,700 annually. In exchange for that relatively small amount of revenue loss, the County will be able to forego the cost of providing police, general government, local road maintenance and stormwater management services to a 1.3 square mile area very distant from its district service centers. The total taxable value of Area H is $7.2 million which is "invisible" in the massive Miami-Dade County tax base but represents a substantial addition to the City's property tax role. In addition the financial impact on area residents would be modest, costing only an additional $136/year or 12/month for the 'typical' Area H homeowner in return for greatly improved and more accessible local government services.

County Land Use Plan and UDB Policies Will Be Enforced

If the annexation is approved, Florida City will maintain the current future land use designations depicted on the CDMP Future Land Use Map and enforce UDB policies. The City has a proven track record in this area, having adopted and enforced County land use and UDB regulations in a prior annexation in 2007 approved by the County southeast of the City.

Meets Code Guidelines for PAB Review

The annexation of Area H is consistent, and complies, with all of the 9 guidelines for Planning Advisory Board review contained in Section 20-6(b) of the County Code as shown below.

1. It does not divide a historically-recognized community.
2. Area H is compatible with the existing planned land uses and zoning of the City.
3. The Area is not part of any federal/state enterprise zones, or targeted area by public agencies.
4. Public safety responses times will be significantly improved with annexation.
5. Annexation will not introduce any barriers to municipal traffic circulation.
6. Area H will be served by the same public service franchises as the City, to the degree possible.
7. City is prepared to address any extraordinary emergency evacuation needs of the Area.
8. There is no public transportation in Area H so this guideline does not apply.
9. Area H will be in the same school district as current City residents to the degree possible.

Complies with County Commission Review Guidelines

The City's annexation application is also consistent with the 9 guidelines for review by the Board of County Commissioners found in Section 20-7(A) of County Code. The analysis below provides the documentation for this finding.

(1) Cohesive and Inclusive Boundaries. (a) The annexation does not divide a US Census Designated Place; (b) no ethnic minority and/or lower income residents have petitioned the City to be included that are not already in Area H; (c) the Area is contiguous to Florida City in many locations and does not create any unincorporated enclave areas as defined in the Code; (d) natural and/or built barriers, such as existing roadways and section lines, were used to the extent feasible in planning the proposed boundary.

(2) Property Tax Cost. Based on a complete analysis of County Property Appraisal records in Exhibit H, the taxable value of the "average" single-family home is $34,500 and that home is currently assessed $80/year in property taxes as part of the County's Urban Municipal Service Area (UMSA) for municipal-level services. With annexation the same home would be billed $268/year for Florida City services. Thus

with annexation, the incremental cost increase to the average homeowner in Area H for greatly improved and more accessible local government services would be $188 annually or $16/month.

However, it should be noted that these "average" figures do not accurately depict the cost to "typical" homeowners in Area H. County records indicate that 66% of the housing stock has a taxable value of exactly $25,000 and for that reason those homes represent the "typical" homeowner situation in reality. Thus, the "typical" Area H homeowner now pays $58 in UMSA taxes and would be assessed $194 for City services; a much smaller tax differential of $136/year or $12/month in additional cost.

(3) Urban Development Boundary. Most of Area H is situated outside the County's established UDB and, for that reason, Florida City will maintain the current future land use designations depicted on the Miami-Dade County CDMP Future Land Use Plan and enforce UDB policies. The City has a proven track record in this area, having adopted and enforced County land use and UDB regulations in a prior annexation in 2007 approved by the Board of County Commissioners which included substantial land outside the UDB.

(4) Impact on UMSA. This annexation will have a very negligible impact on the UMSA revenue base; reducing it by $16,700 annually. In exchange for that relatively small revenue reduction, the County will be able to terminate police, general government, local road maintenance and stormwater management services to a 1.3 square mile area very distant from its district service centers. The annexation will not adversely impact the County's ability to efficiently and effectively service to adjacent remaining unincorporated areas, and in fact should increase overall efficiency by allowing the County to refocus resources to service areas closer to its Administrative Center downtown and outlying district service centers.

(5) Per Capita Taxable Value. The preliminary 2011 taxable property value of all Area H properties is $7,267,075 and its estimated population is 268. Using these figures, the per capita taxable value of the Area is $27,116. This value is at the low end of the $20,000-$48,000 range in County Code needed to "assure fiscal viability is maintained in the unincorporated area," and thus Area H is fully consistent with the intent of this guideline.

(6) Other Factors. This guideline is not applicable.

(7) Special or Unique Circumstances. As mentioned previously, there are several such circumstances with respect to this application. The annexation gives the City the very special opportunity to include the Centro Campensino neighborhood into its jurisdiction. Florida City has always had a unique relationship with this working class neighborhood, and provided emergency and other special services when ever requested or needed. The opportunity to bring this valuable residential asset and long-time neighbor into Florida City was a major reason for undertaking this annexation initiative. In addition, the annexation will bring 2 City-owned parcels into Florida City jurisdiction: a 5-acre stormwater management tract and 40-

acre Geo Group Detention Facility parcel. These properties are shown in Exhibit J. The City's considerable investment in these key parcels can be much better protected and enhanced with annexation. It makes economic and service efficiency sense. In addition, the eventual development of the Geo Group Detention Facility will bring much needed jobs, income and economic development to the Florida City area.

(8) Designated Terminals. Area H contains no areas designated as terminals on the County's Adopted Land Use Plan Map.

(9) Regulatory Authority over Designated Terminals. Area H contains no areas designated as terminals on the County's Adopted Land Use Plan Map.

IV. Service Provision

Over 90% of Area H is located outside of the County's Urban Development Boundary (UDB) and thus will not require central water and sewer services. However, the entire Area will utilize a number of municipal-level services which Florida City will provide to Area H in most cases if annexation is approved. The service provision plan is outlined below.

Police Protection

Police protection will be provided to Area H by the Florida City Police Department. The City's Police Department currently has 33 sworn officers, 31 vehicles, fully-trained SWAT team, detective bureau, and vice squad. Police Headquarters is located at 404 West Palm Drive, less than 1 mile from the annexation area. The response time to Area H from the City's Police Department is approximately 3 minutes. The daily manpower and facilities of the Department would provide more frequent patrols and faster police response to the Area than by the Miami-Dade Police Department. Currently, the Miami-Dade County Police Station serving Florida City is the Cutler Ridge District Station 4, which is located at 108000 SW 211th Street, and about 14 miles away from Area H. The estimated response time for County Police to Area H is 16-19 minutes.

Fire Protection

Florida City is part of the Miami-Dade County Fire Rescue District. If the annexation is approved, Area H will continue to receive fire and rescue services from the same stations and resources of Miami-Dade County Fire Rescue.

Water Supply and Distribution

The Centro Campensino neighborhood receives central water services from Miami-Dade County WASAD and there would be no change in that service with annexation. Over 90% of Area H is outside the UDB line, so central water will not be required for the large majority of the Area. When the planned Federal Detention Facility is built at the southern end of Area H, it will be served by Miami-Dade County from existing nearby lines. There are some vacant parcels north of SW 360th Street (within the UDB) with higher density zoning which might be feasible for central water. If so, the City is ready, willing and capable of providing it at a level-of-service equal to, or higher than, Miami-Dade County.

Facilities for the Collection and Treatment of Sewage

The Centro Campensino neighborhood receives central wastewater collection and treatment services from Miami-Dade County WASAD and there would be no change in that service with annexation. Over 90% of Area H is outside the UDB line, so central wastewater services will not be required for the large majority of the Area. When the planned Federal Detention Facility is built at the southern end of Area H, it will be served by Miami-Dade County from existing nearby lines. There are some vacant parcels north of

SW 360th Street (within the UDB) with higher density zoning which might be feasible for central wastewater collection. If so, the City is fully capable of providing the service.

Garbage and Refuse Collection and Disposal

Garbage and refuse collection for residents and businesses in the City is provided by Florida City through a long-term franchise agreement with Waste Management, Inc. Residential collection service is provided twice a week, and collection service to commercial and institutional uses is supplied once a week. The garbage and refuse collected in the City is hauled to the South Miami-Dade County Landfill, which is owned and operated by the County. Developed portions of Area H are currently served by Miami-Dade County for garbage collection and with annexation that service would remain unchanged.

Electric Service and Street Lighting

Electric service and the street lighting system in Florida City are provided by Florida Power and Light (FPL). It is expected that FPL will provide these services to the proposed annexation area as development occurs. The standards for street lighting in the proposed areas would be fully consistent with the Florida Building Code and State Energy Code.

Street Construction and Maintenance

Florida City maintains all local streets within its jurisdiction. Section-line roads, arterial roadways and expressways in and around the City are maintained either by FDOT or Miami-Dade County. Area H has few paved roads and all of those are 2-lane roads. In addition, a number are in below average-to-poor condition. One notable example is Redland Road (SW 187th Avenue) between SW 352nd and 360th Streets which has numerous potholes and floods easily during rainstorms in many parts. The City puts a major focus on road maintenance and beautification, and annually devotes approximately $2.8 million to repaving, roadway drainage, sidewalks and street trees. Last year, over 3 miles of local streets were repaved, improved and landscaped. If annexation occurs, the City plans to expand this program to Area H and immediately begin to upgrade the poorest area roadways which the County has not been able to address over many years. Within the UDB, any future minor arterials and collector streets will be constructed by the private sector as development occurs with maintenance responsibility transferring to the City once improvements are completed.

Park and Recreation Facilities and Services

Florida City currently has 31.2 acres of parks with onsite facilities and recreational programs for youths and adults. These facilities would be open to residents and visitors of the proposed annexation area. Recreational services for existing and future residents of Area H will be provided as future development occurs.

Building Inspection

The City maintains a full-service Building Division which processes building permits, conducts building inspections, and issues citations for Building Code violations. These City services would be much closer to the property owners and residents of Area H than similar services now provided by Miami-Dade County at the South Miami-Dade Government Center or downtown Administrative Center. All applicable federal, state, regional and county stormwater management and environmental permits are required to be obtained prior to the issuance of any City building permit.

Zoning Administration

Florida City maintains a Zoning Code that is consistent with its adopted Comprehensive Development Master Plan (CDMP). All site plans for proposed development are reviewed for consistency with the CDMP and Zoning Code by a Site Plan Review Committee. The Committee is comprised of the City Manager, Community Development Director, City Planner, City Engineer, and City Building Official. Requests for rezoning, variances, and special use permits and exceptions are also reviewed by the Committee for recommendation to the Planning and Zoning Board, and City Commission. Site plans that meet all planning and zoning requirements are approved administratively by the Site Plan Review Committee.

If the annexation is approved, the Area would be required to comply with the requirements of Florida City's Zoning Code. All County zoning would be "grandfathered" into the City and the pre-existing development rights of all Area H property owners would be preserved. In addition, the City will enforce all County land use and zoning outside the UDB line in Area H, unless any future amendments or changes are approved by the County. Area H owners and residents would come to City Hall, 3-5 minutes away, to utilize City zoning services. This is considerably closer and more accessible than similar County services which for zoning matters can mean a long trip to downtown Miami, easily costing residents and property owners 2 hours in travel time alone today.

Local Planning Services

Comprehensive planning services in the City are provided by Florida City's Community Development Department. The department is responsible for growth management in Florida City, and ensures that all development applications are consistent with the goals, objectives and policies of the City's CDMP. Additionally, the department oversees annexation applications, CDMP amendments, and the planning of capital projects needed to maintain level-of-service standards. The objective of the department is to prevent inefficient and costly urban sprawl, and conserve environmental resources.

As the dominant municipal government currently influencing the future development of Area H, Florida City is in the best position to provide effective and coordinated growth management for the Area. This is due to the fact that Area H will become an integral component of a planned future land use pattern emanating outward from the nearby Florida City town center rather than remaining as a forgotten

"outparcel" on the distant periphery of Miami-Dade County's future development boundary. Similar to zoning services discussed above, Area H owners and residents would come to City Hall, 3-5 minutes away, to utilize City planning services. This is considerably closer and more accessible than similar County services which for planning matters can mean a long trip to downtown Miami, easily costing residents and property owners 2 hours in travel time alone today.

Special Services Not Listed Above

The following special services are provided in Florida City. If the annexation is approved, these services would also be made available for the residents and landowners of Area H.

a.) Housing and Economic Development Programs

Florida City offers a wide array of affordable housing and economic development programs including: HOME funding, disaster relief monies, and commercial façade grants. These programs are available at City Hall, much closer to Area H than the County's downtown Administrative Center.

b.) Stormwater Management

The City maintains the local drainage system within its boundaries and its Public Works Department has documented experience in handling the most difficult stormwater problems. Case in point is the $6 million Friedland Manor Drainage Project recently completed by the City using primarily State grant dollars matched by a small amount of City funds. It provided a state-of-the-art positive drainage system to this historic Florida City neighborhood which had experienced flooding problems for many years. The project involved purchase of a 5 acre parcel located in Area H immediately south of current City boundaries which is utilized as a retention pond for Friedland Manor run-off. If annexation occurs, this proven expertise could greatly assist the Centro Campensino neighborhood located north of SW 360th Street along Redland Road in addressing persistent drainage issues. Regional stormwater management standards in Florida City are implemented by the South Florida Water Management District and Miami-Dade County Department of Environmental Resource Management. All proposed development projects must obtain the required regional and County stormwater management permits prior to the issuance of a City building permit. The same requirement will apply to Area H if the annexation is approved.

General Government

Florida City is a municipal corporation established under Florida Statues and the Miami-Dade County Charter, and governed by an elected Mayor and four (4) City Commissioners. The Mayor is also the City Manager and is responsible for the direction and supervision of all departments within the City structure. Annexation approval will provide Area H property owners much closer access to their local government and political leaders compared to the current situation where residents must either travel to Cutler Ridge or Downtown Miami to participate in many Miami-Dade governmental activities and meet with their elected representatives.

V. Timetable for Supplying Services

Pursuant to Section 20-3(F) (3) of the Miami-Dade County Code, a timetable for City services to be available to Annexation Area H is required and is provided in Table 1 below.

Table 1: Timetable for Supplying Services in Annexation Area H

Service	Timetable
Police Protection	Immediate
Fire Protection	(County)
Water Supply and Distribution	As required by future development
Facilities for the Collection and Treatment of Sewage	As required by future development
Garbage and Refuse Collection and Disposal	(County)
Street Lighting	(FPL)
Street Construction and Maintenance	Immediate
Park and Recreation Facilities and Services	Immediate
Building Inspection	Immediate
Zoning Administration	Immediate
Local Planning Services	Immediate
Housing and Economic Development Program	Immediate
General Government	Immediate

City services to be provided immediately to Area H include: police protection and general government services. Fire protection will continue to be provided by Miami-Dade County through an interlocal agreement with the City. All other services will be provided as needed as future development occurs.

VI. Financing of Services

Financing of the services noted in Section V are detailed below.

Police Protection

The Florida City Police Department is funded through the City's General Fund. If Area H is annexed into the City, increased property tax collections from the Area will pay for police services needed in the near term. As development occurs in the Area, it is anticipated that increased property values will generate greater revenues which will offset additional police service costs over the longer term.

Fire Protection

Fire protection and emergency medical services will continue to be provided by Miami-Dade County using existing tax revenue sources.

Water Supply and Distribution

Future costs associated with water treatment, main extensions and building connections will be paid for by private developers as development occurs within the UDB in Area H.

Facilities for the Collection and Treatment of Sewage

Future costs associated with sanitary sewer line extensions and connections in Area H will be paid for by private developers as development occurs. Treatment plant capital costs, if needed, will be funded by Miami-Dade County from impact fees and other existing sources. Monthly sewer usage charges provide revenues for the operation and maintenance of the wastewater treatment plant, pump stations, and lines.

Garbage and Refuse Collection and Disposal

Solid waste disposal costs generated in Area H will be borne by residents and property owners who will continue to pay monthly service fees to Miami-Dade County and/or licensed franchise haulers.

Street Lighting

Electric service and street lighting will be funded by Florida Power and Light (FPL) through user fees as future development occurs.

Street Construction and Maintenance

New roadway construction and expansion of existing streets may be necessary to accommodate future development within the UDB. New roadway construction will be funded by the private development sector through direct construction and payment of impact fees. The State, County and Florida City will use gas taxes, grants and impact fees to improve and maintain the portion of the limited Area road system they are responsible for.

Parks and Recreation Facilities and Services

Parks and recreation facilities and services are funded by the City's General Fund and impact fees. It's anticipated that Area H will not impose any significant burdens on the City's existing facilities. Expansion of parks and recreational facilities will be made as needed to adequately address long-term recreational needs as limited development occurs in the Area.

Building Inspection

Building permitting and inspections are paid for by fees collected from private developers, owners, and residents as project applications are submitted. This method of financing would be used to pay for building permitting and inspections as future development occurs in Area H.

Zoning Administration

Zoning administration services will be funded by fees collected from private developers, owners and residents as they submit project applications within Area H.

Local Planning Services

Local planning services in Area H will be funded by fees from private developers, owners and residents as they submit project applications.

Special Services Not Listed Above

a.) Housing and Economic Development

These programs are funded from federal, state and county sources. These programs would be made available to Area H property owners if the annexation is approved.

b.) Stormwater Management

Local drainage improvements in Area H will be funded by private developers as future development occurs. Regional stormwater management improvements, if necessary to serve future development in Area H, will be funded by the South Florida Water Management District through property tax revenues and other sources.

General Government

General government services in Florida City are funded by the General Fund. For Area H, these services will be funded from increased property tax revenues.

VII. Tax Load

The total preliminary 2011 property value of Area H is $28,359,687 according to the Miami-Dade County Property Appraiser's Office (See Exhibit H). The Area's total taxable value is $7,267,075. The primary reason for the large decrease in Area property value for tax purposes is the prevalence of agricultural, governmental, and homestead tax exemptions; many more parcels within the Area have agricultural exemptions.

The current adopted millage rate for the City of Florida City is 7.75 mills. The current Urban Municipal Service Area (UMSA) tax rate for Area H property owners is 2.298 mills. If Area H is annexed into Florida City, the property owners of the Area would pay the City's millage rate of 7.75 mills and the UMSA rate would be removed, leaving a difference of 5.452 mills. Using the information provided above, the potential property tax revenue from Area H for Florida City would be approximately $56,300 annually; the annual property tax loss for Miami-Dade County is estimated to be $16,700.

Based on a complete analysis of County Property Appraisal records in Exhibit H, the taxable value of the "average" single-family home is $34,500 and that home is currently assessed $80/year in property taxes as part of the County's Urban Municipal Service Area (UMSA) for municipal-level services. With annexation the same home would be billed $268/year for Florida City services. Thus with annexation, the incremental cost increase to the average homeowner in Area H for greatly improved and more accessible local government services would be $188 annually or $16/month.

However, it should be noted that these "average" figures do not accurately depict the cost to "typical" homeowners in Area H. County records indicate that 66% of the housing stock has a taxable value of exactly $25,000 and for that reason those homes represent the "typical" homeowner situation in reality. Thus, the typical Area H homeowner now pays $58 in UMSA taxes and would be assessed $194 for City services; a much smaller tax differential of $136/year or $12/month in additional cost.

VIII. Conclusion

Florida City is in the best position and has the proven ability to immediately provide a high level of cost-effective and very accessible municipal services to Area H as shown in the prior sections. The City is a full-service local government with a 90+ year agricultural tradition which matches well with the rural lifestyle of Area H residents and property owners. The points below summarize the reasons why this annexation proposal is not only good for Florida City but also a solid deal for Miami-Dade County.

- Florida City has few remaining boundary growth options and Area H is the most feasible.
- Annexation will provide significantly more cost efficient and effective municipal-level services for Area H property owners and residents.
- Police response times will be cut by 80%.
- City Hall is within 1 mile of Area H; much closer and accessible to residents than the County Center at Cutler Ridge (14 miles) and downtown Government Center (35 miles).
- The City will be able to help residents improve local roads now in poor/marginal condition, and address persistent drainage problems; 2 areas Florida City has proven expertise and available resources.
- Annexation will bring 45 acres of City-owned parcels into local jurisdiction including the proposed Geo Group Detention Center site, generating significant jobs and income for South Miami-Dade.
- The fiscal impact on the County's budget will be negligible; $16,700 in revenue loss annually.
- Miami-Dade County will save much more than it loses due to reduced service costs.
- Florida City will adopt all County land use designations and UDB line for Area H, and provide the BOCC approval authority over any proposed land use amendments.
- The Area H annexation proposal is fully consistent, and in compliance, with all applicable PAB and BOCC annexation review guidelines contained in County Code Sections 20-6 and 20-7.

For the reasons listed above and other supporting information presented in this Application, the City of Florida City formally requests that the Miami-Dade County Board of County Commissioners approve the annexation of Area H into the jurisdiction of the City of Florida City.

EXHIBIT A

City of Florida City

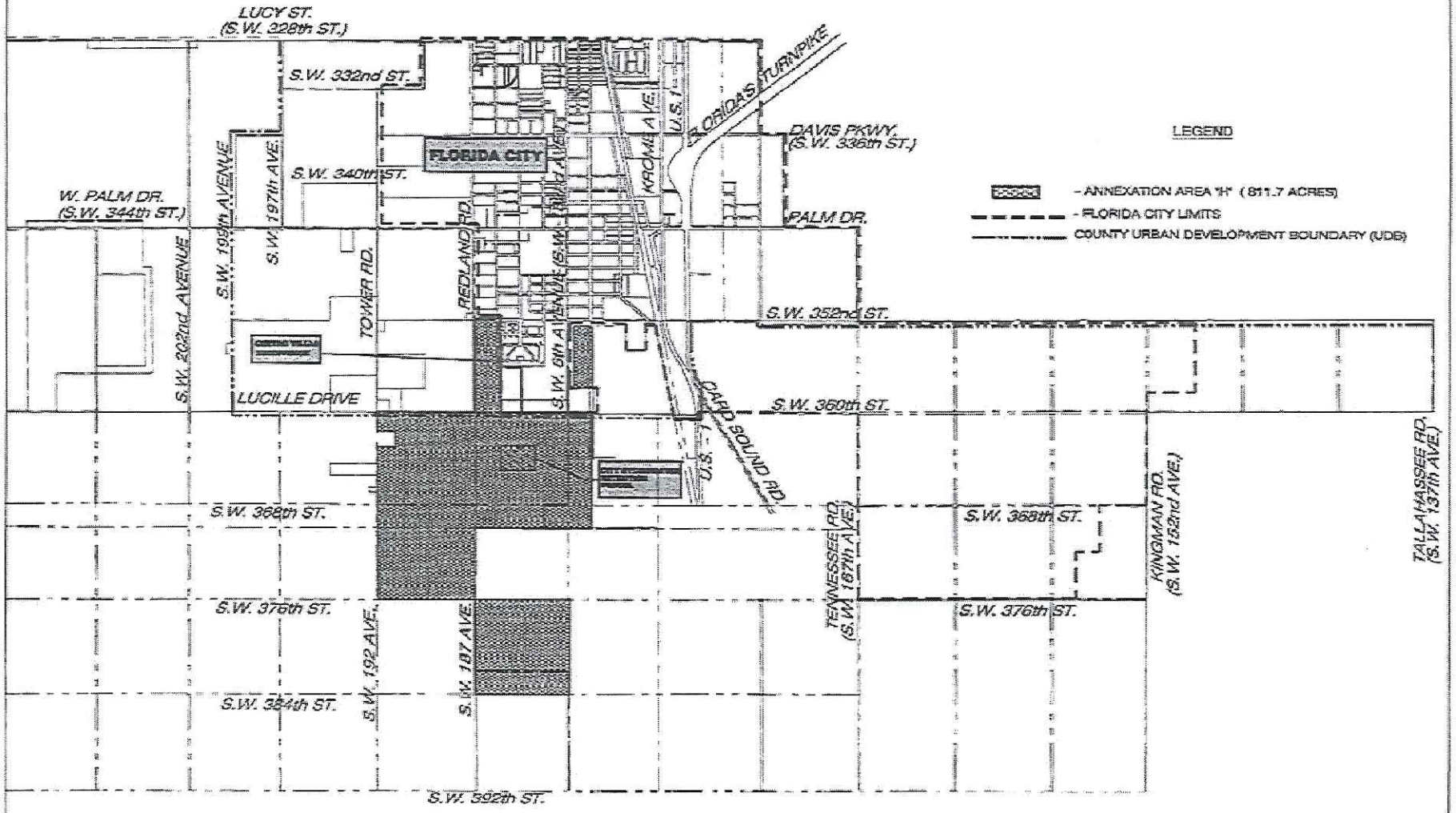
Annexation Area "H"

Legal Description

(6-29-11)

The West ½ of the West ½ of the SE ¼ of Section 25, Township 57 South, Range 38 East, less Lots 1 through 50 of Block 8 and Lots 1 through 50 of Block 9, of the Florida City Realty Company's Subdivision, according to the plat thereof as recorded in Plat Book 14 Page 50 of the public records of Miami-Dade County, Florida; and the West ½ of the West ½ of the Southwest ¼ of Section 25, Township 57 South, Range 38 East; and the West ½ of the West ½ of the East ½ of Section 36, Township 57 South, Range 38 East, less the South 1,980 feet thereof; and the West ½ of Section 36 Township 57 South, Range 38 East, less the South 1,980 feet thereof; and the East ½ of Section 35 Township 57 South, Range 38 East less the West 528 feet of the South 124 feet of the West ½ of the NW ¼ of the NW ¼ of the NE ¼ thereof and less the West 528 feet of the North ½ of the SW ¼ of the NW ¼ of the NE ¼ thereof; and the NW ¼ of Section 1, Township 58 South, Range 38 East of the Public Records of Miami-Dade County, Florida.

CITY OF FLORIDA CITY: PROPOSED ANNEXATION AREA "H"



58

Exhibit A

FLORIDA CITY COMMISSION RESOLUTION NO. 11-19

RESOLUTION NO. 11-19

A RESOLUTION OF THE CITY OF FLORIDA CITY, FLORIDA, APPROVING THE FILING OF AN APPLICATION WITH MIAMI-DADE COUNTY FOR THE ANNEXATION OF AREA "H" CONSISTING OF 812 ACRES AND GENERALLY LOCATED SOUTH OF THE CURRENT CITY BOUNDARY INTO THE CORPORATE LIMITS OF THE CITY OF FLORIDA CITY PURSUANT TO CHAPTER 20 OF THE MIAMI-DADE COUNTY CODE OF ORDINANCES

WHEREAS, the subject Annexation Area H is 812 acres in size and generally bounded on the north by SW 352nd Street, on the west by SW 192nd Avenue, on the south by SW 384th Street, and on the east by SW 180th Avenue; and

WHEREAS, Area H is legally described in Exhibit A and delineated in Exhibit B; and

WHEREAS, the City Commission has determined that the annexation of Area H into the City limits is in the long-term best interest of Florida City; and

WHEREAS, Section 20-3 of the Miami-Dade County Code of Ordinances requires a local government resolution, considered at an advertised public hearing, approving submittal of any application for the annexation of unincorporated property into the jurisdictional limits of a City; and

WHEREAS, notice of the public hearing was sent to all Area H property owners, and owners within 600 feet of the Area, and published in a newspaper of general circulation prior to the hearing, consistent with Chapter 20 of the County Code; and

WHEREAS, City staff has prepared an Annexation Report for Area H, dated 6-29-2011, addressing the requirements of Section 20-3 of the Miami-Dade County Code of Ordinances which is incorporated herein by reference; and

WHEREAS, the City Commission finds that the proposed annexation is consistent with the goals and objectives of the adopted City's Comprehensive Development Master Plan.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISION OF THE CITY OF FLORIDA CITY, THAT:

Section 1. All of the foregoing recitals are true and correct, and adopted as an integral part of this resolution.

Section 2. Based on a property owner request, the Commission finds that two (2) parcels totaling approximately 5.4 acres in size should be removed from within the boundary of proposed Annexation Area "H." The subject parcels are located on the east side of SW 192nd Avenue (Tower Road) approximately 600 feet south of SW 360th Street and were identified by County parcel folio number during the hearing. Prior to final execution, staff is directed to amend this Resolution to describe and depict the revised Area "H" boundary with the subject parcels deleted.

Section 3. The Mayor is given full authority to execute and submit the annexation application for Area H, legally described in Exhibit "A" on behalf of Florida City to the Board of County Commissioners of Miami-Dade County, Florida, pursuant to Section 20-3 of the Miami-Dade County Code, and request formal County approval of the annexation of Area H into the corporate limits of the City.

Section 4. This Resolution shall become effective immediately upon its adoption

PASSED AND ADOPTED by the Mayor and City Commission of the City of Florida City, Florida this 29th day of June, 2011.

Otis T. Wallace

Otis T. Wallace, Mayor

ATTEST:

Jennifer Evelyn, City Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

Regina Modeste, City Attorney

Offered by: Mayor

Motion to adopt by Comm. Dorsett seconded by Comm. Butler

FINAL VOTE AT ADOPTION

Mayor Otis T. Wallace	Yes
Vice Mayor Eugene D. Berry	Absent
Commissioner Sharon Butler	Yes
Commissioner R.S. Shiver	Yes
Commissioner Deuroll Dorsett	Yes

Exhibit B

LEGAL DESCRIPTION OF AREA H

Annexation Area "H"

Legal Description

(6-29-11)

The West ½ of the West ½ of the SE ¼ of Section 25, Township 57 South, Range 38 East, less Lots 1 through 50 of Block 8 and Lots 1 through 50 of Block 9, of the Florida City Realty Company's Subdivision, according to the plat thereof as recorded in Plat Book 14 Page 50 of the public records of Miami-Dade County, Florida; and the West ½ of the West ½ of the Southwest ¼ of Section 25, Township 57 South, Range 38 East; and the West ½ of the West ½ of the East ½ of Section 36, Township 57 South, Range 38 East, less the South 1,980 feet thereof; and the West ½ of Section 36 Township 57 South, Range 38 East, less the South 1,980 feet thereof; and the East ½ of Section 35 Township 57 South, Range 38 East less the West 528 feet of the South 124 feet of the West ½ of the NW ¼ of the NW ¼ of the NE ¼ thereof and less the West 528 feet of the North ½ of the SW ¼ of the NW ¼ of the NE ¼ thereof; and the NW ¼ of Section 1, Township 58 South, Range 38 East of the Public Records of Miami-Dade County, Florida.

Exhibit C

CERTIFICATE OF PUBLICATION OF PUBLIC HEARING NOTICE

NOTICE OF PUBLIC MEETING
CITY OF FLORIDA CITY

All residents, property owners and other interested parties are hereby notified of a City Commission meeting on **Wednesday, June 29, 2011** at **7:30 PM** to consider the Resolution described below. The meeting will be held in the City Commission Chambers at City Hall, 404 West Palm Drive, Florida City, Florida.

RESOLUTION NO: 11-19

A RESOLUTION OF THE CITY OF FLORIDA CITY, FLORIDA, APPROVING THE FILING OF AN APPLICATION WITH MIAMI-DADE COUNTY FOR THE ANNEXATION OF AREA "H" CONSISTING OF 817 ACRES AND GENERALLY LOCATED SOUTH OF THE CURRENT CITY BOUNDARY INTO THE CORPORATE LIMITS OF THE CITY OF FLORIDA CITY PURSUANT TO CHAPTER 20 OF THE MIAMI-DADE COUNTY CODE OF ORDINANCES.

Annexation Area "H" is generally bounded on the north by SW 352nd Street, on the west by SW 192nd Avenue, on the south by SW 384th Street, and on the east by SW 180th Avenue. If approved, Resolution No. 11-19 will rescind a prior City resolution which approved a larger annexation area designated as "H1." The proposed Area "H" is within the same boundaries as that previous area but is smaller in size. The subject Area "H" includes no new properties for annexation.

Anyone desiring to appeal any decision of the City Commission must arrange for a verbatim record of the proceedings, including testimony and evidence upon which any appeal may be issued (F.S. 286.0105). The Resolution may be inspected by the public at the Community Development Department, City Hall, 404 West Palm Drive, during regular business hours. The Department may also be contacted for information regarding these proceedings at 305-242-8178. In accordance with the Americans with Disabilities Act of 1990, all disabled persons desiring to participate in these proceedings and needing special accommodations to do so because of that disability should contact the City Clerk at 305-242-8221.

Jennifer A. Evelyn
City Clerk
Date: June 24th, 2011

STATE OF FLORIDA,

COUNTY OF MIAMI DADE,

Personally appeared before me the undersigned authority, Dale Machesic, to me well known who being duly sworn deposes and says that he is the Publisher of The South Dade News Leader, a newspaper of general circulation, published at Homestead, Miami Dade County, Florida. Affiant further says that the above named newspaper continuously published in Miami Dade County, Florida, for more than one year immediately preceding the first publication of said Legal Notice or Advertisement and was during all such time and now is entered as second class mail matter in the United States Post Office in Homestead, Miami Dade County, Florida, and that the Legal Notice or Advertisements, a true copy of which is hereto attached, was published in the

SOUTH DADE NEWS LEADER

On the following days:

JUNE 24, 2011

Signed _____

Sworn to and subscribed before me this 15th

Day of July 2011 **A.D.**

Notary Public State of Florida at Large

_____

My commission expires

NOTARY PUBLIC-STATE OF FLORIDA
M. C. Marzouca
Commission #DD983898
Expires: APR. 20, 2014
BONDED THRU ATLANTIC BONDING CO, INC.

Exhibit D

AFFIDAVIT CERTIFYING MAILING OF PUBLIC HEARING NOTICES TO AFFECTED PROPERTY OWNERS

AFFIDAVIT CERTIFYING THE
MAILING OF NOTICES OF ANNEXATION

STATE OF FLORIDA)
ss

COUNTY OF MIAMI-DADE)

BEFORE ME, the undersigned authority, appeared Cindy Lyle, personally known to me, being over the age of 18 years, and under oath, deposes and says:

1) That she is the Planning and Zoning Assistant of the City of Florida City.
2) That under the direction of your Affiant the attached written notice (Exhibit "A" hereto) regarding the proposed Annexation known as "Annexation Area H" into the City of Florida City, was sent to all owners of property within the annexation area "Annexation Area H" and within 600 feet of the annexation area.
3) That the written notices were mailed individually by Cindy Lyle, Planning and Zoning Assistant of the City of Florida City, to such property owners on the date of such notice letters.
4) That the names and addresses of each and everyone of the property owners to which the notices were mailed are set forth on the attached list (Exhibit "B" hereto)

FURTHER AFFIANT SAYETH NAUGHT.

Dated at Florida City, Miami-Dade County, Florida this 21st day of June, 2011.

Cindy Lyle
Planning and Zoning Assistant

SWORN TO AND SUBSCRIBED
BEFORE ME THIS 21st DAY OF
JUNE 2011

NOTARY PUBLIC AT LARGE

My commission expires:
12/29/14

DUANE E. SCHULTZ
Notary Public - State of Florida
My Comm. Expires Dec 29, 2014
Commission # EE 47170
Bonded Through National Notary Assn.

NOTICE OF PUBLIC MEETING
CITY OF FLORIDA CITY

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Jennifer A. Evelyn
City Clerk
Date: June 24th, 2011

Exhibit E

CERTIFICATE OF COUNTY SUPERVISOR OF REGISTRATION

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

miamidade.gov

CERTIFICATION

STATE OF FLORIDA)

COUNTY OF MIAMI-DADE)

I, Lester Sola, Supervisor of Elections of Miami-Dade County, Florida, do hereby certify that **Florida City Annexation Area "H"** has **213** voters. See description below:

Area H: The West ½ of the West ½ of the SE ¼ of Section 25, Township 57 South, Range 38 East, less Lots 1 through 50 of Block 8 and Lots 1 through 50 of Block 9, of the Florida City Realty Company's Subdivision, according to the plat thereof as recorded in Plat Book 14 Page 50 of the public records of Miami-Dade County, Florida; and the West ½ of the West ½ of the Southwest ¼ of Section 25, Township 57 South, Range 38 East; and the West ½ of the West ½ of the East ½ of Section 36, Township 57 South, Range 38 East, less the South 1,980 feet thereof; and the West ½ of Section 36 Township 57 South, Range 38 East, less the South 1,980 feet thereof; and the East ½ of Section 35 Township 57 South, Range 38 East less the West 528 feet of the South 124 feet of the West ½ of the NW ¼ of the NW ¼ of the NE ¼ thereof and less the West 528 feet of the North ½ of the SW ¼ of the NW ¼ of the NE ¼ thereof; and the NW ¼ of Section 1, Township 58 South, Range 38 East of the Public Records of Miami-Dade County, Florida.

WITNESS MY HAND
AND OFFICIAL SEAL,
AT MIAMI, MIAMI-DADE
COUNTY, FLORIDA,
ON THIS 1st DAY OF
SEPTEMBER, 2011

Lester Sola
Supervisor of Elections
Miami-Dade County

Please submit a check for $270.00 to our office payable to the "Board of County Commissioners" for the cost of research and labor.

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Exhibit F

APPLICABLE COUNTY FUTURE LAND USE DESIGNATIONS

(Applicable excerpts from the Miami-Dade County Comprehensive Development Master Plan)

Interpretation of the Land Use Plan Map: Policy of the Land Use Element

This text, which is adopted as County policy, describes each land use category shown on the Land Use Plan (LUP) map, and explains how each category and the Map are to be interpreted and used. Adherence to the LUP map and this text is a principal, but not the sole, vehicle through which many of the goals, objectives and policies of all elements of the CDMP are implemented. The LUP map illustrates where development of various types and densities, including agriculture, is encouraged and areas where natural resource-based development and environmental protection are encouraged.

The LUP map provides six Residential Communities categories organized by gross density ranges. The non-residential land use categories, notably industrial, office, business, institutional, public facilities and transportation terminals, are organized by the types of predominant uses allowed or encouraged on land so designated, and relative intensities of development authorized in these categories are expressed as allowable land uses, as contrasted with land uses allowed in other LUP map categories. The specific intensity of development which may be approved on a particular parcel designated in a non-residential category on the LUP map will be dependent on the particular land use, design, urban service, environmental, and social conditions on and around the subject parcel at the time of approval including consideration of applicable CDMP goals, objectives and policies, including provisions of this text chapter, and provisions of applicable land development regulations which serve to implement the comprehensive plan. At a maximum, unless otherwise provided in this Plan, as provided for example for Urban Centers, the following shall be the maximum intensities at which land designated on the LUP map in one or more non-residential categories may be developed. Actual intensities approvable on a given site may be significantly lower than the maximum where necessary to conform with an overriding Plan policy, or to ensure compatibility of the development with its surroundings. Moreover, notwithstanding adoption of these intensity ceilings in the CDMP, estimations of prospective urban service demands or impacts of proposed developments will be based on the actual approved uses and/or intensity of a particular development when applicable, and for purposes of long-range areawide service facility planning purposes, such estimations may be based on averages or trends of development types and intensities in localized areas when consistent with sound service/facility planning practice. The following allowable maximum intensities are expressed as the floor area ratio (FAR) of building square footage (not counting parking structures) divided by the net lot area of the development parcel.

Maximum Allowable Non-Residential Development Intensity

Inside the UIA 2.0 FAR
Urbanizing Area, UIA to UDB 1.25 FAR
Outside UDB 0.5 FAR
[See Also Urban Centers]

Consistent with the foregoing, certain land uses are subject to further intensity restrictions, as expressed by FAR. For the area bounded by NW 154 Street on the south, NW 97 Avenue on the east, and the Homestead Extension of the Florida Turnpike (HEFT) on the northwest, the maximum allowable intensity under the CDMP shall be a FAR of 0.45.

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

Low-Medium Density. This category allows a range in density from a minimum of 6.0 to a maximum of 13 dwelling units per gross acre. The types of housing typically found in areas designated low-medium density include single-family homes, townhouses and low-rise apartments. Zero-lot-line single-family developments in this category shall not exceed a density of 7.0 dwelling units per gross acre.

Institutions, Utilities and Communications

The Plan map illustrates, for information purposes, only the location of major institutional uses, communication facilities and utilities of metropolitan significance. Depicted are such uses as major hospitals, medical complexes, colleges, universities, regional water-supply, antenna fields, radio and television broadcast towers, wastewater and solid waste utility facilities such as the resources recovery plant, major government office centers and military installations. The full range of institutions, communications and utilities may be allowed under this land use category. Offices are also allowed in this map category. Internally integrated business areas smaller than 5 acres in size or up to 10 percent of the total floor area of an institutional, public facility or office use may also be approved in this map category. If the owner of land designated as Institutions, Utilities and Communications chooses to develop the land for a different use and no public agency intends to use the site for a public facility, the land may be developed for a use or a density comparable to and compatible with surrounding development providing that such development is consistent with the goals, objectives and policies of the CDMP especially Policies LU-4A and LU-4B.

The Homestead Air Reserve Base is also included in this category on the Land Use Plan map. The range of uses that may occur on the Base as it is redeveloped shall emphasize military aviation and related uses, national security, recreation uses, educational and other institutional uses. All future uses on the former Base will be consistent with the Record of Decision issued by the Secretary of the Air Force as it pertains to County use of the Base property.

Neighborhood or community-serving institutional uses, cell towers and utilities including schools, libraries, sanitary sewer pump stations and fire and rescue facilities in particular, and cemeteries may be approved where compatible in all urban land use categories, in keeping with

any conditions specified in the applicable category, and where provided in certain Open Land subareas. Compatibility shall be determined in accordance to Policy LU-4A. Co-location of communication and utility facilities are encouraged. Major utility and communication facilities should generally be guided away from residential areas; however, when considering such approvals, the County shall consider such factors as the type of function involved, the public need, existing land use patterns in the area and alternative locations for the facility. All approvals must be consistent with the goals, objectives and policies of the Comprehensive Development Master Plan.

Electric power transmission line corridors are permitted in every land use category when located in established right-of-ways or certified under the Florida Electrical Power Plant Siting Act (Sections 403.501-403.518, F.S.) as an ancillary use to a new power plant, or the Transmission Line Siting Act (Sections 403.52-403.5365 F.S.) for individual electrical transmission lines. If an electric power transmission line corridor does not meet either of the above conditions, it shall be situated in an area designated as Institutions, Utilities and Communications; Industrial and Office; Business and Office; or Parks and Recreation on the adopted Land Use Plan map. When compatible with adjacent uses and permitted by County and State regulations, non-utility ancillary uses that may be located in transmission line corridors include agriculture, parking lots, open space, golf courses, bikeways and paths for walking and exercising.

Agriculture

The area designated as "Agriculture" contains the best agricultural land remaining in Miami-Dade County. As stated in the Miami-Dade County Strategic Plan, approved in 2003 by the Board of County Commissioners, protection of viable agriculture is a priority. The principal uses in this area should be agriculture, uses ancillary to and directly supportive of agriculture and farm residences. Uses ancillary to and directly supportive of agriculture are defined as those uses related to preserving, processing, packaging or selling of agricultural products from Florida, and farm supplies, as well as sale and service of farm machinery and implements, subject to the requirements of Chapter 24 of the County Code. Uses ancillary to, and necessary to support the rural residential community of the agricultural area may also be approved, including houses of worship. However, schools shall not be approved in Agriculture areas but should be located inside the UDB in accordance with Policy EDU-2.A.

In order to protect the agricultural industry, uses incompatible with agriculture, and uses and facilities that support or encourage urban development are not allowed in this area. Residential development that occurs in this area is allowed at a density of no more than one unit per five acres. Creation of new parcels smaller than five acres for residential use may be approved in the Agriculture area only if the immediate area surrounding the subject parcel on three or more contiguous sides is predominantly and lawfully parcelized in a similar manner, and if a division of the subject parcel would not precipitate additional land division in the area. No business or industrial use should be approved in the area designated Agriculture unless the use is directly supportive of local agricultural production, and is located on an existing arterial roadway, and has adequate water supply and sewage disposal in accordance with Chapter 24 of the County Code, and the development order specifies the approved use(s); however, agricultural processing facilities for produce grown in Florida are not restricted to locating on an existing arterial roadway. Other uses, including utility uses compatible with agriculture and with the rural

residential character may be approved in the agriculture area only if deemed to be a public necessity, or if deemed to be in the public interest and the applicant demonstrates that no suitable site for the use exists outside the Agriculture area.

Existing quarrying and ancillary uses in the Agriculture area may continue operation and be considered for approval of expansion.

A Bed and Breakfast establishment that is owner-occupied, owner-operated, and located on a parcel with a current agricultural classification, as determined by the Property Appraiser's Office, may be allowed. A designated historic structure that is owner-occupied and owner-operated may be converted to a Bed and Breakfast use. An agricultural classification is not needed for a Bed and Breakfast use designated as a historic structure.

In an effort to enable compatible diversification of the economy of Agriculture areas and provide additional land use options for owners of properties that surround structures having historical significance, after such time as the County adopts procedures for the establishment of Thematic Resource Districts (TRDs) pursuant to Policy LU-6L, and a TRD including architectural and landscape design guidelines is established in an area designated Agriculture, additional uses may be authorized in such TRDs established in Agriculture areas. Such additional uses must be designed and developed in accordance with TRD standards, must promote ecotourism activities in the Agriculture area, and must not be incompatible with nearby agricultural activities.

Also included in the Agriculture area are enclaves of estate density residential use approved and grandfathered by zoning, ownership patterns and platting activities which predate this Plan. The grandfather provisions of the Miami-Dade County Zoning Code shall continue to apply in this area except that lots smaller than 15,000 square feet in area are not grandfathered hereby. Moreover, all existing lawful uses and zoning are deemed to be consistent with this Plan unless such a use or zoning: (a) is found through a subsequent planning study, as provided in Policy LU-4E, to be inconsistent with the foregoing grandfather provisions or with the CDMP as provided in the section of this chapter titled "Concepts and Limitations of the Land Use Plan Map". This paragraph does not, however, authorize the approval or expansion of any use inconsistent with this plan. To the contrary, it is the intent of this Plan to contain and prevent the expansion of inconsistent development in the Agriculture area.

Exhibit G

APPLICABLE COUNTY ZONING DISTRICTS

ARTICLE XIII. - GU, INTERIM DISTRICT

Sec. 33-194. - Boundary.
Sec. 33-195. - Reserved.
Sec. 33-196. - Standards for determining zoning regulations to be applied to GU property.
Sec. 33-196.1. - Group homes.
Sec. 33-196.2. - Reserved.
Sec. 33-197. - New district classifications.
Sec. 33-198. - Public hearing on refusal to issue permit.

Sec. 33-194. - Boundary.

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

(Ord. No. 57-19, § 6(A), 10-22-57)

Sec. 33-195. - Reserved.

Editor's note—

Section 33-195, derived from Ord. No. 57-19, § 43, adopted 10-22-57 and Ord. No. 58-17, § 1, 5-20-58, zoning the Town of Pennsuco GU, was repealed by Ord. No. 66-19, § 1, enacted April 26, 1966, effective 10 days thereafter. The section number has been reserved to maintain continuity.

Sec. 33-196. - Standards for determining zoning regulations to be applied to GU property.

(A) All properties in the GU District, which are inside the Urban Development Boundary, as shown on the Land Use Plan Map of the Comprehensive Development Master Plan, and which have not been previously trended or otherwise approved through the public hearing process for a specific use, shall be subject to the following trend determination process:

If a neighborhood in the GU District is predominantly one (1) classification of usage, the Director shall be governed by the regulations for that class of usage in determining the standard zoning regulations to be applied, including setbacks, yard areas, type of structures, height, limitations, use, etc. For the purposes of this section, "trend of development" shall mean the use or uses which predominate in adjoining properties within the GU District which because of their geographic proximity to the subject parcel make for a compatible use. The Director shall be guided in determining what constitutes a neighborhood by limiting the evaluation to separate geographic areas, which may be designated by natural boundaries (rivers, canals, etc.) and/or man-made boundaries (roads, full-and half-section lines, etc.). The Director's decision shall be subject to appeal pursuant to the provisions of Section 33-311 of the Code. If no trend of development has been established in the GU neighborhood, minimum standards of the EU-2 District shall be applied. All lots subject to compliance with the standards of the EU-2 District shall contain a minimum land area of five (5) acres gross, unless a larger minimum lot size is required by the Comprehensive Development Master Plan.

Notwithstanding the foregoing, certain platting activity occurring prior to April 12, 1974, which created lots meeting the minimum requirements of the EU-1 District on April 12, 1974, shall qualify such lots for those uses permitted in the EU-1 District. Those lots shall include only those lots indicated on:

(1) Plats recorded prior to April 12, 1974; and
(2) Tentative plats approved as of April 12, 1974, and finally approved and recorded within ninety (90) days after such approval; and
(3) A tentative plat for single-family residential lots approved prior to April 12, 1974, if each lot in the approved tentative plat met the minimum standards of the EU-1 District, provided that no final

plat or other tentative plat for the subject property was approved after April 12, 1974, and that as of December 31, 2003, a majority of the lots indicated on the tentative plat had been improved with residences pursuant to building permit in accordance with the tentative plat's provisions; and

(4) Waivers of plat approved prior to April 12, 1974; and

Parcels, other than the aforementioned platted lots or tentatively approved plat lots, that prior to April 12, 1974 were purchased under a contract for deed or deeded and met the minimum requirements of the EU-1 District shall be qualified for those uses permitted in the EU-1 District. However, if such deeded parcels were contiguous to and under the same ownership on April 12, 1974, and such deeded contiguous parcels are less than the five-acre minimum site size of the EU-2 District, but exceed the minimum standards of the EU-1 District, such property shall be considered as one parcel of land and cannot be divided or used except as one lot.

(B) All properties in the GU District, which are outside of the Urban Development Boundary as shown on the Land Use Plan Map of the Comprehensive Development Master Plan and which have not been previously trended by the Department or otherwise approved through the public hearing process for a specific use, shall be governed by the following regulations:

(1) All properties designated Agriculture on the Land Use Plan Map of the Comprehensive Development Master Plan shall comply with the regulations of the AU (Agricultural) District. Exceptions to this requirement are those properties designated Agriculture on the Land Use Plan Map of the Comprehensive Development Master Plan lying within the Areas of Critical Environmental Concern pursuant to Chapter 33B of this Code. Such properties shall comply with the regulations applicable under Chapter 33B.

(2) All properties designated Open Land or Environmental Protection on the Land Use Plan Map of the Comprehensive Development Master Plan shall be subject to the trend determination process outlined in Section 33-196(A). Exceptions to this requirement are those areas lying within the East Everglades Area Boundaries pursuant to Section 33B-13, which shall comply with the regulations applicable under the East Everglades Zoning Ordinance pursuant to Chapter 33B, and those areas within the Rockmining Overlay Zoning Area, which shall comply with the regulations contained in Article XLI of this code.

(Ord. No. 57-19, § 6(B), 10-22-57; Ord. No. 74-17, § 1, 4-2-74; Ord. No. 77-65, § 1, 9-20-77; Ord. No. 04-63, § 1, 3-16-04; Ord. No. 08-57, § 1, 5-6-08)

Sec. 33-196.1. - Group homes.

A group home shall be permitted in a dwelling unit provided:

(a) That the total number of resident clients on the premises not exceed six (6) in number.

(b) That the operation of the facility be licensed by the State of Florida Department of Health and Rehabilitative Services and that said Department or sponsoring agency promptly notify the Director of said licensure no later than the time of home occupancy.

(c) That the structure used for a group home shall be located at least one thousand (1,000) feet from another existing, unabandoned legally established group home. The 1,000-foot distance requirement shall be measured by following a straight line from the nearest portion of the structure of the proposed use to the nearest portion of the structure of the existing use.

(Ord. No. 81-26, § 10, 3-17-81; Ord. No. 91-51, § 2, 3-7-91; Ord. No. 95-215, § 1, 12-5-95)

Sec. 33-196.2. - Reserved.

Editor's note—

Ord. No. 91-51, § 3, adopted May 7, 1991, repealed former § 33-196.2, relative to elderly adult congregate living facilities in a GU District, which derived from Ord. No. 81-25, § 1, adopted March 17, 1981; and Ord. No. 81-60, § 1, adopted June 2, 1981.

Sec. 33-197. - New district classifications.

Subdivisions in GU Districts shall be governed by the provisions of Chapter 28 of the Miami-Dade County Code. Where applications for building permits indicate the need for reclassification of an area in GU District, the Director may initiate an application for a change of zoning.

(Ord. No. 57-19, § 6(C), 10-22-57; Ord. No. 77-16, § 1, 7-5-77)

Sec. 33-198. - Public hearing on refusal to issue permit.

Whenever a permit to construct, alter, move or use a building or premises in a GU District is refused because the proposed use would conflict with regulations contained herein, the person desiring a permit may apply for a public hearing.

(Ord. No. 57-19, § 6(D), 10-22-57)

FOOTNOTE(S):

(Top) *Cross reference— Circuses and carnivals in GU Districts without public hearing, § 33-13(I); public hearing required for establishing cemeteries, mausoleums or crematories, § 33-23; height and type of fences in GU Districts, § 33-11(b); variances granted in GU Districts, § 33-36(D).* (Back)

ARTICLE XIV. - RU-1, SINGLE-FAMILY RESIDENTIAL DISTRICT [3027]

Sec. 33-199. - Uses—Permitted.
Sec. 33-200. - Same—Prohibited.

Sec. 33-199. - Uses—Permitted.

No land, body of water and/or structure shall be used or permitted to be used and no structure shall be hereafter erected, constructed, moved, reconstructed, structurally altered or maintained for any purpose in a RU-1 District which is designed, arranged or intended to be used or occupied for any purpose other than the following, unless otherwise specifically provided herein:

(1) Every use as a one-family residence, including every customary use not inconsistent therewith, including a private garage.

(1.1) Workforce housing units in compliance with the provisions of Article XIIA of this code.

(2) Municipal recreation building, playgrounds, parks or reservations owned and operated by a municipality, County, State or the United States Government.

(2.1) Private recreation area, private recreation building or playground owned and maintained by a homeowner's or tenant association, provided same is approved in conjunction with approval of the subdivision at time of site plan approval or plat.

(3) Golf courses.

(4) Business telephone will be permitted in a residence provided no truck, heavy equipment, or similar vehicle is kept on the property and no storage or any other business activity is carried on.

(5) Noncommercial boat piers or slips for docking of private watercraft incidental to an existing residential use, except houseboats without power.

(6) Reserved.

(7) Servants' quarters, only upon approval after public hearing.

(8) Noncommercial pigeon lofts, provided the pigeons shall be housed in a structure meeting the requirements of the building code and the requirements of these regulations for accessory buildings; the activity shall be conducted in a manner meeting the requirements of the Health Department, provided birds shall not be exercised later than two (2) hours after sunrise and more than two (2) hours before sunset.

(9) Notwithstanding anything to the contrary in this Code, family day care and after-school care for children is permitted upon compliance with the following conditions:

- (a) That the total number of children on the premises does not exceed five (5) in number, including in the count only preschool children of the resident family. Preschool children shall consist of children five (5) years of age or younger.
- (b) That the age of the children, excluding those of the resident family, shall not exceed eleven (11) years of age.
- (c) That the applicant secure a license from the Florida Department of Health and Rehabilitative Service to operate a family day care home at the subject property.
- (d) Where applicable, compliance with the requirements of this Code pertaining to educational and child care facilities.
- (e) Upon compliance with all conditions enumerated, a certificate of use and occupancy is secured from the Department.
- (f) That the facility shall comply with the safety barrier requirements and restrictions enumerated in Section 33-151.18(j).

(10) A group home shall be permitted in a dwelling unit provided:

- (a) That the total number of resident clients on the premises not exceed six (6) in number.
- (b) That the operation of the facility be licensed by the State of Florida Department of Health and Rehabilitative Services and that said Department or sponsoring agency promptly notify the Director of the Building and Zoning Department of said licensure no later than the time of home occupancy.

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(c) That the structure used for a group home shall be located at least one thousand (1,000) feet from another existing, unabandoned legally established group home. The 1,000-foot distance requirement shall be measured by following a straight line from the nearest portion of the structure of the proposed use to the nearest portion of the structure of the existing use.

(11) Reserved.

(Ord. No. 57-19, § 8(A), 10-22-57; Ord. No. 58-41, § 2, 10-21-58; Ord. No. 63-16, § 3, 5-7-63; Ord. No. 68-1, § 3, 1-9-68; Ord. No. 78-78, § 1, 10-2-78; Ord. No. 80-28, § 1, 4-15-80; Ord. No. 81-25, § 1, 3-17-81; Ord. No. 81-26, § 3, 3-17-81; Ord. No. 81-60, § 1, 6-2-81; Ord. No. 90-115, § 2, 10-16-90; Ord. No. 90-117, § 1, 10-16-90; Ord. No. 91-51, §§ 2, 3, 5-7-91; Ord. No. 95-215, § 1, 12-5-95; Ord. No. 99-122, § 2, 9-21-99; Ord. No. 07-05, § 2, 1-25-07; Ord. No. 08-51, § 1, 5-6-08)

Sec. 33-200. - Same—Prohibited.

The following uses shall be prohibited in any RU-1 District, Single-family Residential District:

(1) Bee hives or the breeding or raising of any insects, reptiles or animals other than customary pets.

(2) The keeping, breeding, or maintaining of horses, cattle or goats.

(3) The raising of poultry or fowl.

(Ord. No. 57-19, § 8(B), 10-22-57)

FOOTNOTE(S):

(1) Cross reference— Height of fences, walls and hedges in RU District, § 33-11, location of swimming pools in RU-1 Districts, § 33-20(c); maximum setback of principal residential building in RU-1 Districts, § 33-45 (Back)

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Miami - Dade County, Florida, Code of Ordinances >> PART III - CODE OF ORDINANCES >> Chapter 33 - ZONING >> ARTICLE XIVA. - RU-1Z, ZERO LOT LINE DEVELOPMENT SINGLE-FAMILY RESIDENTIAL DISTRICT >>

ARTICLE XIVA. - RU-1Z, ZERO LOT LINE DEVELOPMENT SINGLE-FAMILY RESIDENTIAL DISTRICT [300]

Sec. 33-200.1. - Uses permitted.
Sec. 33-200.2. - Reserved.

Sec. 33-200.1. - Uses permitted.

No land, body of water and/or structure shall be used or permitted to be used and no structure shall be hereafter erected, constructed, moved, reconstructed or structurally altered for any purpose in an RU-1Z District which is designed, arranged, or intended to be used or occupied for any purpose other than otherwise specifically provided herein.

(1) Every use permitted in the RU-1, RU-1M(a) and RU-1M(b) Districts.
(2) Detached one-family zero lot line dwellings on individually platted lots, as provided herein. Zero lot line developments shall comply with the following requirements:
  (a) That the maximum number of units shall not exceed the number of units as permitted in the Comprehensive Development Master Plan.
  (b) Lot sizes shall be in accordance with Article XXXIIIF, Zero Lot Line Development (ZLL).
  (c) All development parameters and site plan review criteria in Article XXXIIIF, Zero Lot Line Developments (ZLL) shall be complied with.

(Ord. No. 88-8, § 1, 2-16-88; Ord. No. 94-154, § 1, 9-13-94; Ord. No. 95-135, § 8, 7-25-95)

Sec. 33-200.2. - Reserved.

FOOTNOTE(S):

[300] *Cross reference— Zero lot line developments, § 33-284 et seq.* (Back)

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Miami - Dade County, Florida, Code of Ordinances >> PART III - CODE OF ORDINANCES >> Chapter 33 - ZONING >> ARTICLE XXXIII. - AU, AGRICULTURAL DISTRICT >>

ARTICLE XXXIII. - AU, AGRICULTURAL DISTRICT [2316]

Sec. 33-279. - Uses permitted.
Sec. 33-280. - Lot area and width.
Sec. 33-280.1. - Vested rights; property rezoned to AU.
Sec. 33-281. - Lot coverage.
Sec. 33-282. - Setbacks and spacing.
Sec. 33-283. - Cubic content of buildings; height; construction.
Sec. 33-283.1. - Site plan review for commercial vehicle storage.
Sec. 33-284. - Fees and permits.
Sec. 33-284.1. - Agricultural disclosure.
Secs. 33-284.2—33-284.5. - Reserved.

Sec. 33-279. - Uses permitted.

No land, body of water and/or structure shall be maintained, used or permitted to be used, and no structure shall be hereafter maintained, erected, constructed, moved, reconstructed or structurally altered or be permitted to be erected, constructed, moved, reconstructed or structurally altered for any purpose in an AU District which is designed, arranged, or intended to be used or occupied for any purpose other than the following:

(1) All uses, except golf courses, permitted in the RU-1, EU-M or EU-1 Districts and subject to the restrictions thereof not inconsistent with this article.

(1.1) A bed and breakfast establishment shall be permitted subject to the following limitations:

- (a) The facility shall be owner-occupied and located in property that is subject to a lawful agricultural property tax classification and designated in the Comprehensive Development Master Plan for Agriculture, except as provided in (k) below.
- (b) No more than six (6) bedrooms shall be allocated for rental and no more than six (6) bedrooms shall be rented out per 24-hour period.
- (c) The bed and breakfast establishment use may be conducted from both a principal residence and a legally established accessory guest house detached from the principal residence.
- (d) The maximum length of total stay for any bed and breakfast guest shall be 30 days per consecutive 12-month period.
- (e) No cooking facilities shall be permitted in any of the bedrooms available for rent.
- (f) Meals will be served only for overnight guests.
- (g) The property owner shall obtain a certificate of use from the Department and promptly renew the same annually.
- (h) Regarding compliance with the applicable provisions of Chapter 24 of this Code only, bed and breakfast establishments shall be considered residential establishments.
- (i) The property owner shall obtain and maintain the appropriate licenses for operating a bed and breakfast establishment from the State of Florida, including the Department of Business and Professional Regulation, Division of Hotels and Restaurants, or successor agency, if applicable.
- (j) The property owner will maintain the single-family residential appearance of the bed and breakfast establishment.
- (k) If designated historic by the Miami-Dade County Historic Preservation Board, structures located on a property designated Agriculture and situated outside the Urban Development Boundary of the Comprehensive Development Master Plan Land Use Plan Map shall be exempt from the requirement of (a) above, except that the establishment shall be owner-occupied.

(2) (a) Barns and sheds used for cattle or stock and ancillary feed storage; provided such barns and sheds shall not be used for hogs and shall not be permitted unless approved after

public hearing if located within two hundred fifty (250) feet of a residence under different ownership or if located within two hundred fifty (250) feet of an RU, or EU District.

(b) Barns, sheds or other buildings used for the storage of equipment, feed, fertilizer, produce or other items ancillary with the use permitted in this section. Such use shall be accessory to the agricultural use conducted on the property upon which the barns, sheds, or other buildings are located unless approved after public hearing and shall be fifty (50) feet from any residence under different ownership and any RU or EU zoned property unless approved after public hearing.

(c) 1. Small packing facilities used for the packing of fruit and vegetables upon compliance with the following conditions:
   a. Such use shall be accessory to an agricultural use conducted on the property upon which the packing facility is located and said agricultural use must encompass fifty-one (51) percent or more of the property.
   b. The packing facility shall be located at least one hundred (100) feet from any property line.
   c. The small packing facility shall not exceed three thousand five hundred (3,500) square feet.

2. Large packing facilities used for the packing of fruit and vegetables upon compliance with all of the following conditions:
   a. Such use shall be accessory to an agricultural use conducted on the entire property upon which the packing facility is located, and said agricultural use must encompass fifty-one (51) percent or more of the property.
   b. The lot upon which the packing facility is located shall not be less than ten (10) acres.
   c. Packing operations shall be discontinued if the farm or grove use is abandoned.
   d. Incidental cleaning, storage and shipping of the fruit and vegetables is permitted.
   e. Outside storage of refrigerated containers is prohibited unless the refrigeration system is powered by electricity. The parking of trucks with refrigeration powered by means other than electricity is permitted on a temporary basis only until the truck is loaded for delivery.
   f. The packing facility shall be one hundred (100) feet from any property line.
   g. Site plan approval is secured from the Department.
   h. Upon compliance with all conditions enumerated, a certificate of use and occupancy is secured from the Building and Zoning Department.

3. The term packing facility shall include any building, lean-to, pole barn or open area utilized by the farmer or grove owner in the course of packing fruit or vegetables as well as any areas whether or not within a building used for the cleaning of produce, storing of trucks, equipment, coolers, refrigerated containers, packing crates or other items used in the packing operation and parking of any vehicles including employee cars and trucks used by the farmer or grove owner to transport the produce to or from the site as well as any trucks on the property being loaded for the purpose of transporting the produce onto or off the property.

(d) Outdoor storage of vehicles and equipment associated with agricultural, aquacultural or horticultural production occurring on property(ies) other than the property on which the storage is located, provided the storage is not a principal use but is ancillary to a use permitted in this section other than residential, subject to all of the following conditions:

1. The storage of refrigerated containers is prohibited, unless such refrigeration is electrically powered. Storage within the containers or within other types of equipment is permitted only on a recurrent basis with each occurrence limited to a maximum of thirty (30) days.
2. Such equipment, vehicles and the area of storage shall be maintained in compliance with Section 33-4 of this chapter. The vehicles and equipment shall be maintained in operable condition at all times, except as otherwise provided herein.
3. Major repairs or overhaul shall be permitted on equipment or vehicles associated with agricultural, aquacultural or horticultural production.
4. The equipment and vehicles shall be located on the property with the following setbacks:
   a. From front property line, fifty (50) feet;
   b. From rear property line, twenty-five (25) feet;
   c. From interior side property line, fifteen (15) feet; and
   d. From side street property line, twenty-five (25) feet.

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(e) Outdoor storage of vehicles and equipment associated with agricultural, aquacultural or horticultural production occurring on property(ies) other than the property on which the storage is located, provided the storage is not a principal use but is ancillary to a residential use permitted in this section subject to all of the following conditions:

1. Such storage shall be limited to equipment and/or vehicles owned or leased by the occupant-owner or occupant-lessee of the site where the storage is located.
2. The location for such parked equipment and vehicles shall be in the rear yard or in the side yard to the rear of a line established by the front building line farthest from the street and set back to at least the rear building line. Such equipment and vehicles shall be set back from side property lines a distance at least equivalent to the required side setback for the principal building and shall be set back from the rear property line at least ten (10) feet.
3. Such equipment, vehicles and the area of storage shall be maintained in compliance with Section 33-4 of this chapter. The vehicles and equipment shall be maintained in operable condition at all times, except as otherwise provided herein.
4. Major repairs or overhaul shall be permitted on equipment or vehicles associated with agricultural, aquacultural or horticultural production.
5. The number of vehicles and amount of equipment stored on a residential site is limited by Section 33-4 of this chapter. The storage of refrigerated containers is prohibited, unless such refrigeration is electrically powered. Storage within commercial vehicles or within other types of equipment is permitted only on a recurrent basis with each occurrence limited to a maximum of thirty (30) days.

(3) Cattle or stock grazing (not including hog raising).

(3.1) *Commercial Vehicle Storage* as defined in Section 33-1 of this code, subject to the following conditions:

(a) Commercial vehicle storage is limited to that portion of Open Land Subarea 1, as defined under the County's CDMP, that is located within the area of an arc no more than 7,000 lineal feet from the intersection of Okeechobee Road and Homestead Extension of the Florida Turnpike. Storage of agricultural equipment in connection with a bona fide agricultural use shall be permitted as provided in this Section.

(b) Minimum site size shall be 20 gross acres.

(c) The site shall be under one ownership.

(d) An annual operating permit from the Department of Environmental Resources Management and quarterly groundwater quality monitoring shall be required. A ground water mo[illegible]ring plan and well locations shall be approved by DERM prior to installation of the wells.

(e) Mechanical repair or maintenance of any kind, including truck washing, shall be prohibited.

(f) Notwithstanding any provisions of section 33-282, the following minimum setbacks shall apply to the paved area utilized for the storage and the parking area of commercial vehicles:

1. 50 feet from front and side street property line.
2. 25 feet from interior side and rear property line.

The setback area shall be landscaped in accordance with section 33-283.1(C)(6).

(g) A guard house and office may be permitted as an ancillary use to the commercial vehicle storage and parking facility provided that said guard house and office is set back at least 50 feet from the front property line and does not exceed 350 square feet of floor space.

(h) An annual certificate of use shall be obtained from the Department of Planning and Zoning.

(i) Landscaping shall comply with Section 33-283.1(C)(6).

(j) Administrative site plan review shall be required in accordance with section 33-283.1

(k) Building permits shall be obtained for the construction of any structures and other improvements as required under the Florida Building Code.

(l) Discharge and handling of waste and hazardous material: The storage, handling, use, discharge and disposal of liquid or hazardous wastes or hazardous materials shall be prohibited.

(4) Hog farms and hog raising shall be permitted only upon approval after public hearing.

(5) Dairy barns shall be subject to approval by public hearing, if to be located within fifty (50) feet of a residence under separate and different ownership or if to be located within five hundred (500) feet of an RU, EU-M, or EU District boundary.

(6) Farms.

(6.1)

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Fruit and vegetable stands may be permitted in the area designated agriculture on the Adopted Land Use Plan Map of the Comprehensive Development Master Plan upon compliance with the following conditions:

(a) The property upon which the fruit and vegetable stand is located shall be not less than five (5) acres gross.

(b) Such fruit and vegetable stand shall be accessory to a bonafide, actively farmed and harvested agricultural crop, and said agricultural crop must encompass 51 percent or more of the property. The fruit and vegetable stand shall be operated only by the party engaged in the production of the crop on that property. The stand shall be operated only during the period of time that the crop is being produced on the site, and the fruit and vegetable stand use shall be discontinued when farming on the property is abandoned. Farming on the property shall not be deemed abandoned if the property is fallow between seasonal growing periods. Fruit and vegetables sold shall not be limited to products grown on the property.

(c) Refrigerated storage area(s) are prohibited unless the refrigeration system is powered by electricity.

(d) A minimum of six (6) parking spaces shall be provided; said spaces shall be located a minimum of thirty-five (35) feet from right-of-way pavement.

(e) The stand shall be located on the property with the following setbacks:

1. From right-of-way pavement sixty (60) feet;
2. From rear property line, twenty-five (25) feet;
3. From side street property line, twenty-five (25) feet; and
4. From interior side property line, one hundred (100) feet.

(f) The stand shall be on open-sided, non-self propelled vehicle or conveyance permanently equipped to travel upon the public highways; however, a mobile home shall not be utilized as a fruit and vegetable stand.

(g) The maximum size of the stand shall not exceed one thousand (1,000) square feet. Refrigerated storage area(s) shall be included in computing the size of the stand.

(h) Food products offered for retail sale shall be derived from the agricultural crop on the property where the fruit and vegetable stand is located and such food products shall be manufactured by the fruit stand operator.

(i) The hours of operation of the fruit and vegetable stand shall be limited to between 6:30 a.m. and 9:00 p.m.

(7) Groves.

(8) Greenhouses, nurseries—commercial.

(9) Dude ranches and riding academies shall be permitted only upon approval after public hearing.

(10) Horticultural farming—commercial.

(11) Hydroponics or other chemical farming.

(12) Nurseries—horticultural.

(13) The raising of one hundred (100) poultry, or more, shall be considered as commercial poultry raising. Buildings housing poultry must be at least five hundred (500) feet from any EU or RU District boundary, and at least fifty (50) feet from any residence under separate ownership on any adjacent property.

(13.1) Recreational vehicles as temporary watchman's quarters in accordance with Section 33-20(g) of this chapter.

(14) Truck gardens.

(15) One single-family permanent or temporary structure to house farm labor personnel will be permitted on a farm site for the first ten (10) acres (or less, if smaller, but not less than five (5) acres) and an additional one-family structure for each five (5) acres of additional land in said farm site will be permitted under the following conditions:

(a) Providing the structures are located a minimum of one hundred (100) feet from any property under separate and different ownership.

(16) Except as permitted under item (15), temporary or permanent barracks or structures to house farm labor may be erected only upon approval after public hearing.

(17) Fish pools shall conform to setbacks for accessory buildings, as provided in Section 33-282(b).

(18) Schools, including institutions of higher learning and primary and secondary schools only shall be permitted; provided, the school structures, buildings or improvements, as well as all incidental school uses, are at least two hundred fifty (250) feet from the boundary, property or lot line and further provided that such uses comply with the regulations of sections 33-151.11 through 33-151.22 of this code.

(19) A group home shall be permitted in a dwelling unit provided:

(a) That the total number of resident clients on the premises not exceed six (6) in number.

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(b) That the operation of the facility be licensed by the State of Florida Department of Health and Rehabilitative Services and that said Department or sponsoring agency promptly notify the Director of said licensure no later than the time of home occupancy.

(c) That the structure used for a group home shall be located at least one thousand (1,000) feet from another existing, unabandoned legally established group home. The 1,000-foot distance requirement shall be measured by following a straight line from the nearest portion of the structure of the proposed use to the nearest portion of the structure of the existing use.

(20) Seed drying facility on a parcel of land not less than ten (10) acres gross shall be permitted as a special exception upon approval after public hearing.

(21) Wineries, breweries and distilleries (farm related) as defined in Section 33-1, subject to the following conditions:

(a) The principal use of the property shall be a working farm producing products utilized in the winery, brewery, or distillation process.

(b) The farm winery, brewery, or distillery shall be ancillary to the principal use of said farm.

(c) The property upon which the farm and ancillary farm winery, brewery, or distillery is located shall not be less than ten (10) acres gross.

(d) No more than 250,000 gallons of wine, and 250,000 gallons of malted beverage/beer, and 125,000 gallons of distilled spirits shall be produced in any one calendar year.

(e) Such a farm winery, brewery, or distillery may be open to the public for events and activities related to the preserving, processing, packaging or selling of agricultural products from Florida including tours, product tasting, festivals, parties and other similar events.

(f) Off-street parking requirements for the tasting and sales areas shall be calculated at one parking space for every 250 square feet of gross floor area or fractional part thereof. Office and other use areas shall have off-street parking spaces provided for such areas as otherwise provided in this code. In addition to the aforementioned parking requirements, at the time of application for ZIP, parking for indoor or outdoor farm-related festivals shall be determined by the Director and such requirements shall be based on the number of people that can reasonably be assumed to be on such premises at one (1) time. Said determination shall be calculated on a basis of one (1) parking space for each four (4) persons.

(g) Food service, preparation and consumption shall be accessory to the production of wine, beer or distilled spirits.

(h) The hours of retail sales operation for the farm-related winery, brewery, or distillery shall not extend beyond 11:00 p.m.

(i) Outdoor farm-related festivals shall be allowable on properties having a current Certificate of Use for a farm-related winery, brewery, or distillery provided:

a. No such outdoor farm-related festival shall be more than three (3) days long.

b. A Zoning Improvement Permit (ZIP) for outdoor farm-related festivals shall be obtained for each festival. No more than a total of six (6) outdoor farm-related festivals shall be held per calendar year per farm. Such outdoor farm-related festivals shall be restricted to daylight hours only.

(j) The use of mechanically amplified outdoor entertainment shall be prohibited from 11:00 p.m. to 9:00 a.m.

(k) The winery, brewery, or distillery shall not be located in the East Everglades Area of Environmental Concern as that area is described in Chapter 33B, Code of Miami-Dade County.

(22) Uses ancillary to and directly supportive of agriculture.

(a) The following uses shall be permitted on property meeting the requirements of this section when ancillary to an ongoing agricultural use:

(1) The packing, processing and sale of agricultural goods or products from the State of Florida.

(2) Farm tours, farm meals, cooking classes, agricultural workshops, agricultural education and agri-tourism.

(3) Farmers' markets, restricted to the sale of fruits, vegetables, live farm animals, and plants, as well as products derived directly therefrom.

(4) Uses determined by the Director to be similar to those enumerated above. In determining similarity between a proposed use and the uses enumerated above, the Director shall be guided by whether the proposed use is ancillary to and directly supportive of agriculture.

(b)

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The following uses that are directly supportive of agriculture shall be permitted on property meeting the requirements of this section and subject to the provisions of Chapter 24 of this code:

(1) The sale of farm supplies.

(2) The sale and service of farm machinery and implements.

(c) All uses permitted in (a) and (b) above shall be subject to the following requirements:

(1) The property shall be designated Agriculture in the Comprehensive Development Master Plan Land Use Plan Map and shall be utilized for a bona fide agricultural use as evidenced by an agricultural property classification approved by the Miami-Dade County Property Appraiser's Office.

(2) The property or business owner shall obtain a certificate of use for the ancillary agricultural use from the Department and promptly renew the same annually.

(Ord. No. 57-19, § 26(A), 10-22-57; Ord. No. 59-9, § 1, 4-28-59; Ord. No. 61-33, § 2, 7-10-61; Ord. No. 69-21, § 1, 4-1-69; Ord. No. 69-52, § 1, 9-3-69; Ord. No. 74-16, § 1, 4-2-74; Ord. No. 81-26, § 9, 3-17-81; Ord. No. 81-35, § 1, 3-17-81; Ord. No. 81-60, § 1, 6-2-81; Ord. No. 87-68, § 1, 10-6-87; Ord. No. 91-51, §§ 2, 3, 5-7-91; Ord. No. 91-91, § 1, 9-19-91; Ord. No. 92-18, § 2, 6-2-92; Ord. No. 94-159, § 1, 9-13-94; Ord. No. 94-160, § 1, 9-13-94; Ord. No. 95-215, § 1, 12-5-95; Ord. No. 95-219, § 1, 12-5-95; Ord. No. 96-2, § 2, 1-9-96; Ord. No. 02-46, § 7, 4-9-02; Ord. No. 01-215, § 2, 12-2-01; Ord. No. 10-19, § 2, 3-2-10; Ord. No. 10-20, § 3, 3-2-10; Ord. No. 10-21, § 1, 3-2-10; Ord. No. 10-73, § 2, 11-4-10)

Sec. 33-280. - Lot area and width.

Lots for any use in AU District shall contain a minimum of five (5) acres, and have a minimum street frontage of two hundred (200) feet. Credit shall be given towards lot area requirements for right-of-way dedication from the site.

Exceptions to be foregoing requirements shall be as follows:

(1) Lots platted prior to April 12, 1974, or lots for which tentative plats have been approved as of April 12, 1974, and finally approved and recorded within ninety (90) days from April 12, 1974, or lots purchased under a contract for deed or deeded prior to April 12, 1974, and which lots contain a minimum of one (1) acre in lot area and have a minimum street frontage of one hundred fifty (150) feet for any use provided for in this section except poultry raising; or lots for the raising of one hundred (100) poultry or more containing a minimum lot area of two and one-half (2½) acres. Credit shall be given for right-of-way dedication from the site for both frontage and area computations. If contiguous property of more than the minimum area and frontage indicated herein, but less than the five (5) acres required by this section is already under one (1) ownership on April 12, 1974, such property shall be considered as one (1) parcel of land and cannot be divided or used except as one (1) lot.

(2) Lots platted or purchased under a contract for a deed or deeded prior to February 13, 1951, containing a minimum lot area of ten thousand (10,000) square feet and having a minimum street frontage of one hundred (100) feet may be used as a building site for residential use.

(3) A lot rezoned to AU pursuant to application of the Director, which does not meet the five-acre area or the minimum frontage requirements of this section may be used for any use permitted in the AU District where:

(a) The zoning immediately prior to such rezoning would have allowed the issuance of a building permit on said lot; and either

(b) Said lot was platted or a waiver of plat was approved prior to the effective date of the rezoning; or

(c) Said lot was the subject of an approval of tentative plat prior to the date of the rezoning and the plat was finally approved within one hundred twenty (120) days of the tentative plat approval as provided in Section 28-7(e); or

(d) Said lot was purchased under a contract for deed or deeded prior to the effective date of the rezoning, provided that if contiguous property is already under one (1) ownership at the effective date of the rezoning, such property shall be considered as one (1) parcel of land and cannot be divided or used pursuant to this subsection except as one (1) lot.

Subsections 33-280(1) and (2) shall not apply to any lot which was rezoned to AU from another zoning district pursuant to application of the Director, subsequent to December 28, 1984.

(Ord. No. 57-19, § 26(B), 10-22-57; Ord. No. 59-9, § 1, 4-28-59; Ord. No. 74-16, § 2, 4-2-74; Ord. No. 81-60, § 1, 6-2-81; Ord. No. 95-215, § 1, 12-5-95)

Sec. 33-280.1. - Vested rights; property rezoned to AU.

(a) Any landowner whose property was rezoned to AU subsequent to December 28, 1984, as the result of an application by the Director and who claims a vested right to develop or use his property contrary to

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Section 33-280, may submit an application for a determination of vested rights to the Department within ninety (90) days after the later of: (1) the date that the official resolution of the zoning action by the Board of County Commissioners was transmitted to the owner; or, (2) the date of final judicial action.

(b) Any person filing an application for a determination of vested rights with the Department shall attach an affidavit setting forth the facts upon which the applicant bases his claim for vested rights. The applicant shall include copies of any contracts, letters and other documents upon which a claim of vested rights is based. The mere existence of zoning prior to the effective date of said resolution transmittal or final judicial action shall not vest rights.

(c) The Department shall review the application and determine whether the applicant has demonstrated:
- (1) An act of development approval by an agency of Miami-Dade County,
- (2) Upon which the developer has in good faith relied to his detriment,
- (3) Such that it would be highly inequitable to deny the landowner the right to complete the previously approved development.

(d) A determination that a landowner is entitled to a vested right to develop or use property contrary to Section 33-280 shall entitle development or use in accord with said determination. However, the development or use shall not be excepted from compliance with other standards set forth in this Code.

(Ord. No. 84-86, § 2, 12-18-84; Ord. No. 95-215, § 1, 12-5-95)

Sec. 33-281. - Lot coverage.

The maximum lot coverage for one-acre lots or larger shall be fifteen (15) percent of the total lot area, and for the smaller lots (excepted under Section 33-280) shall be twenty-five (25) percent of the total lot area. There shall be no minimum or maximum lot coverage requirements on buildings housing poultry; nor on nursery buildings housing plants where the same are of glass, slats, saran, or of a similar type construction.

(Ord. No. 57-19, § 26(C), 10-22-57; Ord. No. 59-9, § 1, 4-28-59)

Sec. 33-282. - Setbacks and spacing.

(a) (1) Minimum setback requirements for the one-acre lots or larger shall be as follows:

From front property line, fifty (50) feet.

From rear property line, twenty-five (25) feet.

From interior side property line, fifteen (15) feet.

From side street property line, twenty-five (25) feet.

(2) Minimum setback requirements for the smaller lots (ten thousand (10,000) square foot lots to one (1) acre) shall be as follows:

From front property line, twenty-five (25) feet.

From rear property line, twenty-five (25) feet.

From interior side property line, fifteen (15) feet.

From side street property line, twenty-five (25) feet.

(b) Minimum setbacks for accessory buildings are:

From front property line, seventy-five (75) feet.

From rear property line, seven and one-half (7½) feet.

Between buildings on same lot, parcel or tract of land, twenty (20) feet.

From interior side property line, twenty (20) feet.

From side street property line, thirty (30) feet.

(c) Minimum setbacks for horticultural nursery buildings, without a solid roof, consisting of but not limited to vertical poles or slats and cables draped with plastic screening or other similar materials, that are used for the production of plant material:

From front property line, thirty (30) feet.

From rear property line, seven and one-half (7½) feet.

From interior side property line, seven and one-half (7½) feet.

From side street property line, fifteen (15) feet.

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There shall be no minimum spacing requirement.

(d) Horticultural nursery buildings with a solid roof shall comply with accessory building setbacks, except that no minimum spacing need be provided between such structures on the same property and such structures may be constructed to within thirty (30) feet of the front property line.

(e) Buildings housing poultry shall comply with accessory building setbacks (except as otherwise provided in Section 33-279, item (13) above), except that no minimum spacing need be provided between such buildings on the same property. Fence enclosures for poultry shall be the same as other fence requirements in this district.

(f) Hogs, cattle and other stock shall not be placed closer than two hundred fifty (250) feet to a residential district and no enclosure for hogs shall be closer than five hundred (500) feet to a residence under separate and different ownership. No hogs, cattle or other stock shall be permitted closer than ten (10) feet to any highway right-of-way.

(Ord. No. 57-19, § 26, 10-22-57; Ord. No. 59-9, § 1, 4-28-59; Ord. No. 74-16, §§ 3, 4, 4-2-74; Ord. No. 84-69, § 1, 9-4-84; Ord. No. 05-113, § 1, 6-7-05)

Sec. 33-283. - Cubic content of buildings; height; construction.

(a) The minimum cubic content of any principal residential structure shall be seven thousand five hundred (7,500) cubic feet, except where a higher minimum cubic content may be established in a particular district, area or neighborhood. There shall be no minimum cubic content requirement for agricultural support structures including, but not limited to, barns, horse stalls, shade houses, or sheds.

(b) The maximum height of any building in this district shall be thirty-five (35) feet, two (2) stories.

(c) All structures in the AU (Agricultural) District shall comply with all technical code requirements for the unincorporated area of the County, as the same may be provided for in this or other ordinances.

(Ord. No. 57-19, § 26, 10-22-57; Ord. No. 59-9, § 1, 4-28-59; Ord. No. 92-10, § 1, 3-17-92)

Sec. 33-283.1. - Site plan review for commercial vehicle storage.

(a) *Procedures.* The Department shall review plans for compliance with zoning regulations and for compliance with the site plan review criteria. The purpose of the site plan criteria is to insure compatibility and adequate buffering of the uses with the surrounding area. All plans submitted to the Department shall be reviewed and approved or denied by the Department within fifteen (15) days from the date of submission. The applicant shall have the right to extend the fifteen-day period by an additional fifteen (15) days upon timely request made in writing to the Department. The Department shall have the right to extend the fifteen-day period by written notice to the applicant that additional information is needed to process the site plan. Denials should be in writing and shall specifically set forth the grounds for denial.

The written decisions of the Department in relation to the site plan review criteria may be appealed by the party(ies) which filed the application for the project to the appropriate Community Zoning Appeals Board within thirty (30) days of the date the project was denied approval in writing. Appeals will be heard as expeditiously as possible. All final plans submitted for building permits shall be substantially in compliance with plans approved under the plan review procedure herein established.

(b) *Required Exhibits.* Exhibits prepared by design professionals such as architects and landscape architects shall be submitted to the Department of Planning and Zoning and shall include, but not be limited to, the following:

(1) Schematic site plan at a scale of not less than one (1) inch equals one hundred (100) feet containing the following information:

a. Proposed commercial vehicle and equipment storage area.
b. Location of proposed paved area and driveway connections.
c. Parking and driveway layouts.
d. Proposed grades.
e. Existing and proposed fences, signs, architectural accents, guard house (if provided) and location of advertising or graphic features.
f. Landscaping and trees.
g. Plans showing the location, height, lights, shades, deflectors and beam directions.
h. Stormwater management improvements.
i. Other information and plans as deemed necessary by the Director to evaluate compliance with the CDMP and Chapters 33 and 24 of the Code of Miami-Dade County.

(c) *Criteria.* The following criteria shall be considered in the review process:

(1) *Parking and storage:* All vehicles and equipment shall be stored or parked only on paved impervious surfaces. The drainage system shall be approved by the Department of Environmental Resources Management.

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(2) *Emergency access:* Unobstructed access for on-site access for emergency equipment shall be considered.

(3) *Site enclosure:* The subject site shall be enclosed by an eight (8) foot high masonry wall, vinyl coated chain link fence, or a chain link fence with visual screening. Said wall/fence shall be located on all property lines.

(4) *Lighting:* All outdoor lighting, or outdoor signs or identification features shall be designed as an integral part of the surrounding landscape. Light fixtures shall be designed with a maximum height of 35 feet. Shielding shall be provided to prevent light from projecting upward. Any overspill of lighting onto adjacent properties shall not exceed one-half (½) foot-candle (vertical) and shall not exceed one-half (½) foot-candle (horizontal) illumination on adjacent properties or structures. Lighting shall comply with the standards in Section 8C-3 of this Code.

(5) *Visual screening:* Buffer and visual screening shall be provided to make the use compatible with rural and agricultural land uses and to prevent negative visual impact to surrounding areas. The following minimum landscaping shall be provided along all property lines within the required setback area:

a. A continuous extensively landscaped buffer which shall be maintained in a good healthy condition by the property owner. The required buffer shall be located on the interior side of the required fence or wall along rights-of-way within required setback areas. The landscape buffer shall contain the following plant materials:

1. *Ground Cover.* Ground cover shall consist of grass or plants. Plants used in lieu of grass, in whole or in part, shall be planted in such a manner as to present a finished appearance and reasonably complete coverage within one (1) year after planting.

2. *Continuous Hedge.* Hedges shall be a minimum of three (3) feet in height when measured immediately after planting, shall be planted at a maximum average spacing of 48 inches on center and shall be planted and maintained to form a continuous, unbroken, solid, visual screen within one (1) year after time of planting. Of the provided hedge at least:
   (i) Thirty (30) percent shall be native species; and
   (ii) Fifty (50) percent shall be low maintenance and drought tolerant; and
   (iii) Eighty (80) percent shall be listed in the Miami-Dade Landscape Manual, the Miami-Dade Street Tree Master Plan and/or the University of Florida's Low-Maintenance Landscape Plants for South Florida list.

3. *Trees.* Trees shall be of a species typically grown in Miami-Dade County which normally mature to a height of at least twenty (20) feet. Trees shall have a clear trunk of four (4) feet, an overall height of twelve (12) feet and a minimum caliper of two (2) inches at time of planting, and shall be provided within the buffer area along all property lines at a maximum average spacing of thirty-five (35) feet on center. Of the required trees at least:
   (i) Thirty (30) percent shall be native species; and
   (ii) Fifty (50) percent shall be low maintenance and drought tolerant; and
   (iii) No more than thirty (30) percent shall be palms.
   (iv) Eighty (80) percent of the trees shall be listed in the Miami-Dade Landscape Manual, the Miami-Dade Street Tree Master Plan and/or the University of Florida's Low-Maintenance Landscape Plants for South Florida list.

b. A stormwater management plan shall be approved by the Department of Environmental Resources Management.

c. Stormwater retention/detention facilities may be located within the required setback provided all landscaping requirements are met.

(Ord. No. 10-73, § 3, 11-4-10)

Sec. 33-284. - Fees and permits.

Permits shall be required and must be obtained for all structures erected, constructed, moved, reconstructed or structurally altered in this district.

Fees shall be paid for all permits on all residential structures. For all nonresidential structures, fees shall be paid on all structures in excess of two hundred (200) square feet in area. All fees shall be paid in accordance with the fee schedule as otherwise provided for.

(Ord. No. 57-19, § 28, 10-22-57; Ord. No. 59-9, § 1, 4-28-59)

Sec. 33-284.1. - Agricultural disclosure.

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(a) *Definitions.*

(1) *Affected land* for the purpose of this section means:

a. Any parcel of land that is located outside of the Urban Development Boundary (UDB) delineated on the Comprehensive Development Master Plan Land Use Plan Map and either designated Agriculture, zoned AU or zoned Interim (GU) and determined by the director to be subject to an agricultural (AU) trend of development pursuant to Section 33-196, Code of Miami-Dade County, Florida; or

b. Any parcel of land that is located inside the UDB and designated Agriculture, or zoned AU, or abutting any AU zoned parcel.

(2) *Interest in real property* means a nonleasehold, legal or equitable estate in land or any severable part thereof created by deed, contract, mortgage, easement, covenant or other instrument.

(3) *Purchaser* means a buyer, transferee, grantee, donee or other party acquiring an interest in real property.

(4) *Real property transaction* means the sale, grant, conveyance, mortgage or transfer of an interest in real property.

(5) *Seller* means a transferor, grantor, donor [or] other party conveying an interest in real property.

(b) *Disclosure statement for real property transactions involving Affected land.* The seller shall provide the purchaser with the following statement, which shall be set forth on a separate sheet of paper and shall be signed by the prospective purchaser prior to the execution of any other instrument committing the purchaser to acquire title to such real property or any other interest in any Affected land, as follows:

(1) For all Affected land, the statement shall include the following language:

LAND INVOLVED IN THIS TRANSACTION IS ZONED AGRICULTURAL (AU) OR LIES ADJACENT TO LAND THAT IS ZONED AU, OR IS DESIGNATED FOR AGRICULTURAL USE BY THE MIAMI-DADE COUNTY COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP), OR IS SUBJECT TO AU REGULATIONS.

AGRICULTURAL ACTIVITIES WHICH MAY BE LAWFULLY CONDUCTED WITHIN THIS AREA INCLUDE BUT MAY NOT BE LIMITED TO CULTIVATION AND HARVESTING OF CROPS; PROCESSING AND PACKING OF FRUIT AND VEGETABLES; BREEDING OF LIVESTOCK AND POULTRY; OPERATION OF IRRIGATION PUMPS AND OTHER MACHINERY; GROUND OR AERIAL SEEDING OR SPRAYING; APPLICATION OF CHEMICAL FERTILIZERS, CONDITIONERS, PESTICIDES AND HERBICIDES; GENERATION OF TRACTOR AND TRUCK TRAFFIC AND OF NOISE, ODORS, DUST AND FUMES ASSOCIATED WITH THE CONDUCT OF THE FOREGOING ACTIVITIES; AND THE EMPLOYMENT AND USE OF AGRICULTURAL LABOR. SUCH AGRICULTURAL ACTIVITIES MAY BE PROTECTED FROM NUISANCE SUITS BY THE "FLORIDA RIGHT TO FARM ACT," SECTION 823.14, FLORIDA STATUTES.

(2) In addition to the language set forth in Section 33-284.1(b)(1) the statement for all AU land not in the East Everglades Area of Critical Environmental Concern shall include the following language:

Miami-Dade COUNTY ZONING REGULATIONS REQUIRE A MINIMUM OF TWO HUNDRED (200) FEET OF STREET FRONTAGE AND A MINIMUM OF FIVE (5) ACRES OF LAND AREA (INCLUDING RIGHT-OF-WAY DEDICATIONS) AS PREREQUISITES TO ANY USE OF AU LAND, INCLUDING DEVELOPMENT OF ANY SINGLE-FAMILY RESIDENCE THEREON.

(3) In addition to the language set forth in Section 33-284.1(b)(1) the statement for all AU land in the East Everglades Area of Critical Environmental Concern shall include the following language:

AU LAND IN THE EAST EVERGLADES AREA OF CRITICAL ENVIRONMENTAL CONCERN IS SUBJECT TO RESTRICTIONS LIMITING DENSITY TO NO GREATER THAN ONE (1) DWELLING UNIT PER FORTY (40) ACRES, OR UNDER CERTAIN CONDITIONS TO ONE (1) DWELLING UNIT PER TWENTY (20) ACRES, AS PROVIDED BY SECTION 33B-25, CODE OF MIAMI-DADE COUNTY, FLORIDA.

(4) In addition to the language set forth in Section 33-284.1(b)(1) the statement for all nonresidential AU land served or to be served by a septic tank shall include the following language:

ALL NONRESIDENTIAL AU LAND SERVED OR TO BE SERVED BY A SEPTIC TANK SHALL BE SUBJECT TO THE FOLLOWING PROVISIONS:

THE ONLY LIQUID WASTE (EXCLUDING LIQUID WASTES ASSOCIATED WITH THE PROCESSING OF AGRICULTURAL PRODUCE IN AGRICULTURAL PACKING HOUSES AND LIQUID WASTES ASSOCIATED WITH AGRICULTURAL VEHICLE OR AGRICULTURAL EQUIPMENT MAINTENANCE FACILITIES WHICH REPAIR OR MAINTAIN VEHICLES OR EQUIPMENT ANCILLARY TO AND DIRECTLY SUPPORTIVE OF A BONA FIDE AGRICULTURAL PURPOSE AND WHICH VEHICLE OR EQUIPMENT ARE OWNED OR OPERATED BY THE OWNER OR LESSEE OF THE AGRICULTURAL VEHICLE OR AGRICULTURAL EQUIPMENT MAINTENANCE FACILITY) WHICH SHALL BE GENERATED, DISPOSED OF, DISCHARGED, OR STORED ON THE PROPERTY SHALL BE DOMESTIC SEWAGE DISCHARGED INTO A SEPTIC TANK.

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NON DOMESTIC WASTE, INCLUDING WASTE RESULTING FROM AN AGRICULTURAL VEHICLE OR AGRICULTURAL EQUIPMENT MAINTENANCE FACILITY SHALL NOT BE DISCHARGED TO A SEPTIC TANK AND MUST BE DISPOSED OF IN ACCORDANCE WITH APPLICABLE REGULATIONS.

(5) For all AU land, the statement shall conclude with the following language:

THE ZONING CODE OF Miami-Dade COUNTY ENUMERATES CERTAIN EXCEPTIONS WHERE SMALLER COUNTY LOT SIZES ARE PERMITTED. IF THE LAND WHICH IS THE SUBJECT OF THIS TRANSACTION DOES NOT QUALIFY FOR AN EXCEPTION, AND DOES NOT MEET BOTH THE LOT FRONTAGE AND AREA REQUIREMENTS NOTED ABOVE, NO SINGLE-FAMILY RESIDENTIAL USE OR ANY OTHER USE OF THE PROPERTY MAY BE PERMITTED UNLESS FIRST APPROVED AFTER PUBLIC HEARING.

I HEREBY CERTIFY THAT I HAVE READ AND UNDERSTAND THE FOREGOING STATEMENT.

_____ _____

Signature of Purchaser Date

(c) *Acknowledgment of agricultural disclosure statement on instrument of conveyance.* It shall be the seller's responsibility that the following statement shall appear in a prominent location on the face of any instrument conveying title to or any other interest in Affected land. The seller shall record the notarized statement with the Clerk of the Court:

I HEREBY CERTIFY THAT I HAVE READ, UNDERSTAND AND HAVE SIGNED THE AGRICULTURAL DISCLOSURE STATEMENT FOR THE SALE OF OR OTHER TRANSACTION INVOLVING THIS PARCEL OF AFFECTED LAND AS REQUIRED BY SECTION 33-284.1, CODE OF Miami-Dade COUNTY, FLORIDA.

_____ _____

Signature of Purchaser Date

(d) *Penalties.* Any seller who violates any provision of this section, or fails to comply therewith, or with any lawful rule, regulation or written order promulgated under this section, shall be subject to the penalties, civil liability, attorney's fees and enforcement proceedings set forth in Sections 33-39 through 33-39.3, Code of Miami-Dade County, Florida, and to such other penalties, sanctions and proceedings as may be provided by law. Miami-Dade County shall not be held liable for any damages or claims resulting from the seller's failure to comply with provisions of this section.

(e) *Exceptions.* Notwithstanding any other provision of the Code of Miami-Dade County, real property that is zoned AU (agriculture) or that is zoned GU (interim) and determined by the Director to be subject to an agricultural trend of development, and which property or property interest is being transferred to the South Florida Water Management District, shall be exempt from all disclosure requirements pertaining to AU land.

(Ord. No. 94-162, § 2, 9-13-94; Ord. No. 97-89, § 1, 7-17-97; Ord. No. 98-29, § 3, 2-19-98; Ord. No. 00-162, § 1, 12-7-00)

Secs. 33-284.2—33-284.5. - Reserved.

FOOTNOTE(S):

(1) **Cross reference**— Height and type of fences in AU Districts, § 33-11(b); circuses and carnivals in AU Districts without public hearing, § 33-13(f); public hearing required for establishing cemeteries, mausoleums or crematories, § 33-23; permit to use metal buildings in AU Districts, § 33-32.* (Back)

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Exhibit H

ASSESSED VALUE OF AREA H PROPERTIES

Henry Iler

From: Rubert, Veronica (PA) [VRUBERT@miamidade.gov]
Sent: Wednesday, July 20, 2011 4:19 PM
To: Henry Iler
Cc: Solis, Lazaro (PA)
Subject: FW: FL City's Proposed Annexation Area "H" - Property Value Information
Attachments: Florida City Annexatin Values (Area H).xlsx

This e-mail is sent on behalf of Lazaro Solis, Deputy Property Appraiser.

Attached are folio lists with 2010 and 2011 Preliminary values for the given area. However, there is an issue: four of the properties will need separations as the annexation boundary cuts through those parcels. Fortunately, three of the four are government owned properties and are fully exempt. The folios are noted in the file. The non-exempt folio has a taxable value of 126,990 in both years.

2010 Preliminary Values of Florida City Annexation Area H:

Just Value:	36,906,567	(Including 391,414 on 4 folios that will need separations)
Taxable Val:	8,471,582	(Including 126,990 on 1 folio that requires a separation)

2011 Preliminary Values (Folios requiring separations have the value in 2011 as 2010):

Just Value:	28,359,687
Taxable Val:	7,267,075

If you have any questions, please contact me.
Thank you,

Veronica Rubert
vrubert@miamidade.gov
Office of the Property Appraiser
111 N.W. First Street, Ste. 710
Miami, Florida 33128
Phone: (305) 375-4004

From: Henry Iler [mailto:Henry@ilerplanning.com]
Sent: Wednesday, July 06, 2011 3:27 PM
To: Solis, Lazaro (PA)
Cc: Rubert, Veronica (PA)
Subject: FL City's Proposed Annexation Area "H" - Property Value Information

Mr. Solis: In April, Ms. Rubert in your office sent us value information for a proposed 929 acre annexation area (designated as H1) which we had requested Many thanks for that data and very prompt response.

However, last week the City Commission adopted Resolution No. 11-19 which reduced the boundary of that prior Area . Attached are a map and legal description of Annexation Area "H." This reduced Area is 811.7 acres in size. Per County Code, we are required to include in our application to the County the total and taxable property value of all Area H lands. The information needs to be on a parcel-by-parcel basis with area-wide totals.

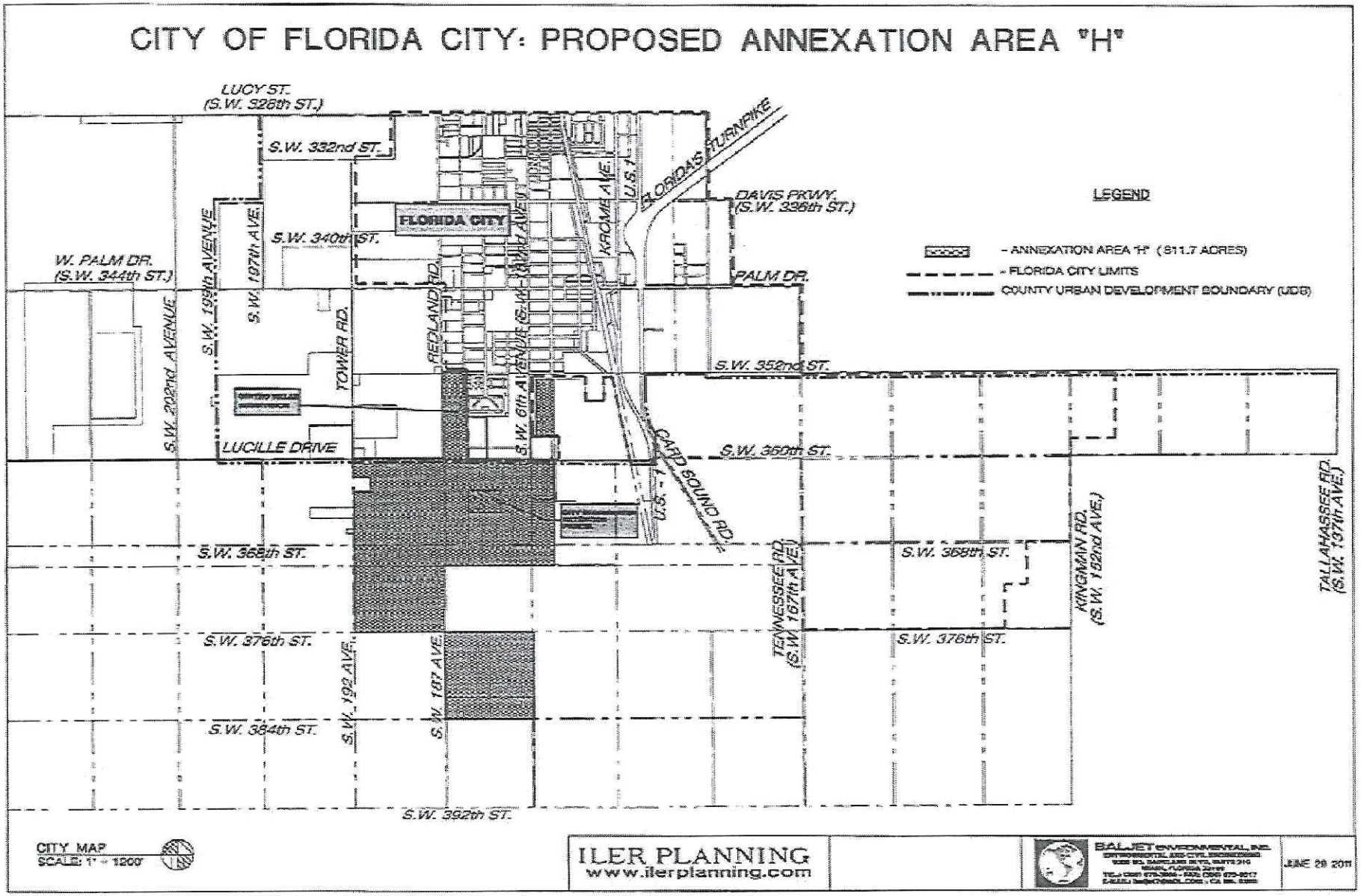
If you have any questions or comments, don't hesitate to contact me. Your help is appreciated very much.

Thank you.

HENRY ILER, AICP | Principal
ILER PLANNING

2074 West Indiantown Road, Suite 202
Jupiter, Florida 33458
561 626 7067 x101 | 561 972 6075 fax
ilerplanning.com

CITY OF FLORIDA CITY: PROPOSED ANNEXATION AREA "H"



CITY MAP
SCALE: 1" = 1200'

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BALJET ENVIRONMENTAL, INC.

JUNE 29 20[illegible]

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City of Florida City

Annexation Area "H"

Legal Description

(6-29-11)

The West ½ of the West ½ of the SE ¼ of Section 25, Township 57 South, Range 38 East, less Lots 1 through 50 of Block 8 and Lots 1 through 50 of Block 9, of the Florida City Realty Company's Subdivision, according to the plat thereof as recorded In Plat Book 14 Page 50 of the public records of Miami-Dade County, Florida; and the West ½ of the West ½ of the Southwest ¼ of Section 25, Township 57 South, Range 38 East; and the West ½ of the West ½ of the East ½ of Section 36, Township 57 South, Range 38 East, less the South 1,980 feet thereof; and the West ½ of Section 36 Township 57 South, Range 38 East, less the South 1,980 feet thereof; and the East ½ of Section 35 Township 57 South, Range 38 East less the West 528 feet of the South 124 feet of the West ½ of the NW ¼ of the NW ¼ of the NE ¼ thereof and less the West 528 feet of the North ½ of the SW ¼ of the NW ¼ of the NE ¼ thereof; and the NW ¼ of Section 1, Township 58 South, Range 38 East of the Public Records of Miami-Dade County, Florida.

FOLIO	DOR_CD	PROPERTY USE	PROPADDR	JUST	TAXABLE
30-7825-000-0030	9981	VACANT LAND		600,000	10,000
30-7825-000-0040	9981	VACANT LAND		57,000	57,000
30-7825-001-0010	5381	AGRICULTURE		621,000	10,350
30-7825-002-0010	9981	VACANT LAND		3,600	3,600
30-7825-002-0020	9981	VACANT LAND		3,600	3,600
30-7825-002-0030	9981	VACANT LAND		3,600	3,600
30-7825-002-0031	8780	GOVERNMENTAL		238,875	0
30-7825-002-0090	9981	VACANT LAND		27,300	27,300
30-7825-002-0130	9981	VACANT LAND		8,400	8,400
30-7825-002-0230	0101	SINGLE FAMILY	18030 SW 352 ST	107,306	27,287
30-7825-002-0280	8780	GOVERNMENTAL		259,350	0
30-7825-002-0320	9981	VACANT LAND		3,600	3,600
30-7825-002-0340	8680	GOVERNMENTAL		7,200	0
30-7825-002-0450	9981	VACANT LAND		4,200	4,200
30-7825-002-0460	9981	VACANT LAND		8,400	8,400
30-7825-002-0540	9981	VACANT LAND		4,200	4,200
30-7825-002-0580	9981	VACANT LAND		4,200	4,200
30-7825-002-0630	8680	GOVERNMENTAL		12,600	0
30-7825-002-0640	8780	GOVERNMENTAL		302,250	0
30-7825-002-0660	9981	VACANT LAND		3,600	3,600
30-7825-002-0680	8780	GOVERNMENTAL		3,600	0
30-7825-002-0690	9981	VACANT LAND		3,600	3,600
30-7825-002-0700	9981	VACANT LAND		3,600	3,600
30-7825-002-0740	8680	GOVERNMENTAL		4,200	0
30-7825-002-0920	0101	SINGLE FAMILY	18050 SW 355 ST	212,202	25,000
30-7825-002-0991	8780	GOVERNMENTAL		170,625	0
30-7825-002-1000	9981	VACANT LAND		4,200	4,200
30-7825-002-1150	8780	GOVERNMENTAL		317,850	0
30-7825-002-1240	8780	GOVERNMENTAL		13,650	0
30-7825-002-1520	8780	GOVERNMENTAL		317,850	0
30-7825-002-1780	8680	GOVERNMENTAL		8,400	0
30-7825-002-1890	8780	GOVERNMENTAL		242,775	0
30-7825-002-1920	8680	GOVERNMENTAL		7,200	0
30-7825-002-1930	8780	GOVERNMENTAL		5,850	0
30-7825-002-1940	8780	GOVERNMENTAL		5,850	0
30-7825-002-1950	8780	GOVERNMENTAL		5,850	0
30-7825-002-1960	8780	GOVERNMENTAL		5,850	0
30-7825-002-1970	8780	GOVERNMENTAL		5,850	0
30-7825-002-1980	9981	VACANT LAND		4,200	4,200
30-7825-002-2030	8680	GOVERNMENTAL		8,400	0
30-7825-002-2070	9981	VACANT LAND		4,200	4,200
30-7825-002-2080	9981	VACANT LAND		4,200	4,200
30-7825-002-2210	9981	VACANT LAND		4,200	4,200
30-7825-002-2220	9981	VACANT LAND		4,200	4,200
30-7825-015-0010	0101	SINGLE FAMILY	18515 SW 360 ST	92,301	25,000
30-7825-015-0020	0101	SINGLE FAMILY	18525 SW 360 ST	79,051	25,000

30-7825-015-0030	0101	SINGLE FAMILY	18535 SW 360 ST	83,754	25,000
30-7825-015-0040	0101	SINGLE FAMILY	18545 SW 360 ST	86,442	26,930
30-7825-015-0050	0101	SINGLE FAMILY	18585 SW 360 ST	80,445	80,445
30-7825-015-0060	0101	SINGLE FAMILY	18605 SW 360 ST	80,594	80,594
30-7825-015-0070	0101	SINGLE FAMILY	18665 SW 360 ST	81,362	25,000
30-7825-015-0080	0101	SINGLE FAMILY	35991 SW 187 AVE	76,147	25,000
30-7825-015-0090	0101	SINGLE FAMILY	35951 SW 187 AVE	83,098	25,000
30-7825-015-0100	0101	SINGLE FAMILY	35901 SW 187 AVE	78,726	28,726
30-7825-015-0110	0101	SINGLE FAMILY	35891 SW 187 AVE	78,318	28,318
30-7825-015-0120	0101	SINGLE FAMILY	35871 SW 187 AVE	85,673	25,000
30-7825-015-0130	0101	SINGLE FAMILY	35841 SW 187 AVE	89,161	25,000
30-7825-015-0140	0101	SINGLE FAMILY	35831 SW 187 AVE	78,794	25,000
30-7825-015-0150	0101	SINGLE FAMILY	35801 SW 187 AVE	91,567	25,000
30-7825-015-0160	0101	SINGLE FAMILY	35800 SW 186 AVE	81,669	25,000
30-7825-015-0170	0101	SINGLE FAMILY	35830 SW 186 AVE	83,257	33,257
30-7825-015-0180	0101	SINGLE FAMILY	35840 SW 186 AVE	79,160	25,000
30-7825-015-0190	0101	SINGLE FAMILY	35870 SW 186 AVE	81,624	31,624
30-7825-015-0200	0101	SINGLE FAMILY	35890 SW 186 AVE	83,946	25,000
30-7825-015-0210	0101	SINGLE FAMILY	18604 SW 359 ST	79,139	29,139
30-7825-015-0220	0101	SINGLE FAMILY	18584 SW 359 ST	79,250	25,000
30-7825-015-0230	0101	SINGLE FAMILY	18534 SW 359 ST	90,498	25,000
30-7825-015-0240	0101	SINGLE FAMILY	18524 SW 359 ST	79,893	25,000
30-7825-015-0250	0101	SINGLE FAMILY	35895 SW 185 CT	87,311	25,000
30-7825-015-0260	0101	SINGLE FAMILY	35875 SW 185 CT	78,277	25,000
30-7825-015-0270	0101	SINGLE FAMILY	35845 SW 185 CT	82,562	25,000
30-7825-015-0280	0101	SINGLE FAMILY	35835 SW 185 CT	80,950	25,000
30-7825-015-0290	0101	SINGLE FAMILY	35825 SW 185 CT	80,978	30,978
30-7825-015-0300	0101	SINGLE FAMILY	35815 SW 185 CT	81,260	25,000
30-7825-015-0310	0101	SINGLE FAMILY	35801 SW 185 CT	73,285	25,000
30-7825-015-0320	0101	SINGLE FAMILY	35795 SW 185 CT	72,729	25,000
30-7825-015-0330	0101	SINGLE FAMILY	35765 SW 185 CT	78,547	25,000
30-7825-015-0340	0101	SINGLE FAMILY	35735 SW 185 CT	91,881	25,000
30-7825-015-0350	0101	SINGLE FAMILY	35715 SW 185 CT	82,855	25,000
30-7825-015-0360	0101	SINGLE FAMILY	18521 SW 357 ST	86,968	86,968
30-7825-015-0370	0101	SINGLE FAMILY	18531 SW 357 ST	88,061	25,000
30-7825-015-0380	0101	SINGLE FAMILY	18541 SW 357 ST	73,803	73,803
30-7825-015-0390	0101	SINGLE FAMILY	18581 SW 357 ST	74,626	25,000
30-7825-015-0400	0101	SINGLE FAMILY	18601 SW 357 ST	85,190	25,000
30-7825-015-0410	0101	SINGLE FAMILY	35700 SW 186 AVE	76,925	26,925
30-7825-015-0420	0101	SINGLE FAMILY	35730 SW 186 AVE	86,566	25,000
30-7825-015-0430	0101	SINGLE FAMILY	35760 SW 186 AVE	71,549	0
30-7825-015-0440	0101	SINGLE FAMILY	35790 SW 186 AVE	83,098	25,000
30-7825-015-0450	0101	SINGLE FAMILY	35791 SW 187 AVE	66,193	25,000
30-7825-015-0460	0101	SINGLE FAMILY	35761 SW 187 AVE	66,240	25,000
30-7825-015-0470	0101	SINGLE FAMILY	35731 SW 187 AVE	76,081	76,081
30-7825-015-0480	0101	SINGLE FAMILY	35701 SW 187 AVE	74,249	74,249
30-7825-015-0490	0101	SINGLE FAMILY	35651 SW 187 AVE	71,269	25,000

30-7825-015-0500	0101	SINGLE FAMILY	35601 SW 187 AVE	77,329	27,329
30-7825-015-0510	0101	SINGLE FAMILY	18640 SW 356 ST	74,619	25,000
30-7825-015-0520	0101	SINGLE FAMILY	18600 SW 356 ST	71,640	25,000
30-7825-015-0530	0101	SINGLE FAMILY	18580 SW 356 ST	91,131	25,000
30-7825-015-0540	0101	SINGLE FAMILY	18540 SW 356 ST	86,033	25,000
30-7825-015-0550	0101	SINGLE FAMILY	18530 SW 356 ST	116,186	66,186
30-7825-015-0560	0101	SINGLE FAMILY	18520 SW 356 ST	76,042	26,042
30-7825-015-0570	0101	SINGLE FAMILY	35794 SW 185 CT	73,632	25,000
30-7825-015-0580	0101	SINGLE FAMILY	35764 SW 185 CT	71,138	71,138
30-7825-015-0590	0101	SINGLE FAMILY	35734 SW 185 CT	78,497	78,497
30-7825-015-0600	0101	SINGLE FAMILY	18542 SW 357 ST	76,712	25,000
30-7825-015-0610	0101	SINGLE FAMILY	35733 SW 186 AVE	84,273	34,273
30-7825-015-0620	0101	SINGLE FAMILY	35763 SW 186 AVE	80,649	25,000
30-7825-015-0630	0101	SINGLE FAMILY	35791 SW 186 AVE	83,189	0
30-7825-015-0640	1713	COMMERCIAL	35801 SW 186 AVE	1,180,015	0
30-7825-015-0650	0081	VACANT LAND		18,760	0
30-7825-015-0660	0101	SINGLE FAMILY	35833 SW 186 AVE	83,986	25,000
30-7825-015-0670	0101	SINGLE FAMILY	35843 SW 186 AVE	81,754	25,000
30-7825-015-0680	0101	SINGLE FAMILY	18583 SW 359 ST	81,131	81,131
30-7825-015-0690	0101	SINGLE FAMILY	18533 SW 359 ST	87,024	25,383
30-7825-015-0700	0101	SINGLE FAMILY	35844 SW 185 CT	84,150	25,000
30-7825-015-0710	0101	SINGLE FAMILY	35834 SW 185 CT	73,060	25,000
30-7825-015-0720	0081	VACANT LAND		19,058	0
30-7825-015-0730	8680	GOVERNMENTAL	18500 SW 356 ST	1,500	0
30-7825-017-0010	0101	SINGLE FAMILY	18515 SW 356 ST	83,582	33,582
30-7825-017-0020	0101	SINGLE FAMILY	18535 SW 356 ST	84,724	0
30-7825-017-0030	0101	SINGLE FAMILY	18555 SW 356 ST	83,029	25,000
30-7825-017-0040	0101	SINGLE FAMILY	18575 SW 356 ST	81,717	25,000
30-7825-017-0050	0101	SINGLE FAMILY	18605 SW 356 ST	82,426	82,426
30-7825-017-0060	0101	SINGLE FAMILY	18635 SW 356 ST	82,777	25,000
30-7825-017-0070	0101	SINGLE FAMILY	18665 SW 356 ST	82,076	25,000
30-7825-017-0080	0101	SINGLE FAMILY	18695 SW 356 ST	84,154	25,000
30-7825-017-0090	0101	SINGLE FAMILY	18694 SW 355 TER	83,232	25,136
30-7825-017-0100	0101	SINGLE FAMILY	18664 SW 355 TER	79,100	25,000
30-7825-017-0110	0101	SINGLE FAMILY	18634 SW 355 TER	82,426	0
30-7825-017-0120	0101	SINGLE FAMILY	18604 SW 355 TER	82,426	25,000
30-7825-017-0130	0101	SINGLE FAMILY	18564 SW 355 TER	82,426	25,000
30-7825-017-0140	0101	SINGLE FAMILY	18534 SW 355 TER	85,372	35,372
30-7825-017-0150	0101	SINGLE FAMILY	18504 SW 355 TER	86,402	25,000
30-7825-017-0160	0101	SINGLE FAMILY	18503 SW 355 TER	99,617	31,815
30-7825-017-0170	0101	SINGLE FAMILY	18533 SW 355 TER	81,474	25,000
30-7825-017-0180	0101	SINGLE FAMILY	18563 SW 355 TER	101,277	38,437
30-7825-017-0190	0101	SINGLE FAMILY	18593 SW 355 TER	91,989	28,834
30-7825-017-0200	0101	SINGLE FAMILY	18613 SW 355 TER	84,976	25,000
30-7825-017-0210	7241	INSTITUTIONAL	35501 SW 187 AVE	883,699	0
30-7825-017-0260	0101	SINGLE FAMILY	18612 SW 354 TER	84,256	25,000
30-7825-017-0270	0101	SINGLE FAMILY	18592 SW 354 TER	83,603	25,000

30-7825-017-0280	0101	SINGLE FAMILY	18562 SW 354 TER	84,581	25,000
30-7825-017-0290	0101	SINGLE FAMILY	18532 SW 354 TER	84,487	25,000
30-7825-017-0300	0101	SINGLE FAMILY	18502 SW 354 TER	87,871	87,871
30-7825-017-0310	0101	SINGLE FAMILY	18501 SW 354 TER	83,629	25,000
30-7825-017-0320	0101	SINGLE FAMILY	18531 SW 354 TER	88,050	25,000
30-7825-017-0330	0101	SINGLE FAMILY	18561 SW 354 TER	83,065	25,000
30-7825-017-0340	0101	SINGLE FAMILY	18591 SW 354 TER	83,462	83,462
30-7825-017-0350	0101	SINGLE FAMILY	18601 SW 354 TER	83,464	25,000
30-7825-017-0360	0101	SINGLE FAMILY	18631 SW 354 TER	106,430	56,430
30-7825-017-0370	0101	SINGLE FAMILY	18661 SW 354 TER	83,073	25,000
30-7825-017-0380	0101	SINGLE FAMILY	18691 SW 354 TER	83,664	33,664
30-7835-000-0010	5381	AGRICULTURE		501,050	22,775
30-7835-000-0020	9981	VACANT LAND		229,840	229,840
30-7835-000-0030	5001	AGRICULTURE	18850 SW 360 ST	899,613	569,020
30-7835-000-0032	6681	AGRICULTURE		549,230	26,962
30-7835-000-0035	9981	VACANT LAND		1,035,980	47,090
30-7835-000-0040	5381	AGRICULTURE		826,100	47,804
30-7835-000-0070	5381	AGRICULTURE		240,000	10,000
30-7835-000-0091	0101	SINGLE FAMILY	36105 SW 192 AVE	201,320	0
30-7835-000-0110	5381	AGRICULTURE		390,800	24,425
30-7835-000-0140	5381	AGRICULTURE		400,000	25,000
30-7835-000-0150	5381	AGRICULTURE		400,000	25,000
30-7835-000-0160	6681	AGRICULTURE		400,000	29,000
30-7835-000-0290	5381	AGRICULTURE		350,000	25,000
30-7835-000-0310	9981	VACANT LAND		200,000	200,000
30-7835-000-0320	5381	AGRICULTURE		292,200	24,350
30-7835-000-0330	5381	AGRICULTURE		350,000	25,000
30-7835-000-0331	5381	AGRICULTURE		200,000	12,500
30-7835-000-0340	5381	AGRICULTURE		262,500	18,750
30-7835-000-0350	5381	AGRICULTURE		262,500	18,750
30-7835-000-0360	5381	AGRICULTURE		299,100	36,475
30-7835-000-0370	5381	AGRICULTURE		299,100	24,925
30-7835-000-0380	9981	VACANT LAND		200,000	200,000
30-7835-000-0390	5381	AGRICULTURE		547,500	75,279
30-7835-000-0391	9981	VACANT LAND		1,168,200	45,960
30-7835-000-0400	6681	AGRICULTURE		559,250	29,100
30-7835-000-0401	5381	AGRICULTURE		190,800	11,925
30-7835-000-0410	2865	PARKING		601,557	39,057
30-7835-000-0411	5381	AGRICULTURE		308,800	109,030
30-7835-000-0420	5381	AGRICULTURE		400,000	25,000
30-7835-001-0010	7241	INSTITUTIONAL		3,630	3,630
30-7835-001-0020	9981	VACANT LAND		3,850	3,850
30-7835-002-0010	9966	VACANT LAND	36701 SW 192 AVE	193,657	193,657
30-7836-000-0012	6981	AGRICULTURE	17900 SW 360 ST	1,090,000	226,956
30-7836-000-0013	6981	AGRICULTURE		420,800	130,692
30-7836-000-0014	9981	VACANT LAND		126,990	126,990
30-7836-000-0080	8980	GOVERNMENTAL	S 1/2	250,000	0

30-7836-000-0081	9981	VACANT LAND	N 1/2	227,250	227,250
30-7836-000-0090	5381	AGRICULTURE		262,350	11,925
30-7836-000-0091	9981	VACANT LAND		162,500	162,500
30-7836-000-0093	8980	GOVERNMENTAL		250,000	0
30-7836-000-0095	5381	AGRICULTURE		262,350	11,925
30-7836-000-0100	5381	AGRICULTURE		1,123,400	116,150
30-7836-000-0110	6981	AGRICULTURE		382,000	34,380
30-7836-000-0120	5001	AGRICULTURE	18690 SW 360 ST	545,270	321,981
30-7836-000-0140	6681	AGRICULTURE		150,000	6,750
30-7836-000-0150	5381	AGRICULTURE		275,000	25,000
30-7836-000-0151	5066	AGRICULTURE		414,847	17,347
30-7836-000-0160	6981	AGRICULTURE		954,000	411,120
30-7836-000-0290	5381	AGRICULTURE		625,000	37,500
30-7836-000-0590	5381	AGRICULTURE		225,000	12,500
30-8801-000-0020	6981	AGRICULTURE		240,000	36,000
30-8801-000-0040	8780	GOVERNMENTAL		700,000	0
30-8801-000-0050	9981	VACANT LAND		152,800	152,800
30-8801-000-0060	9981	VACANT LAND		152,800	152,800
30-8801-000-0070	9981	VACANT LAND		19,080	19,080
30-8801-000-0075	9981	VACANT LAND		19,080	19,080
30-8801-000-0080	9981	VACANT LAND		298,560	298,560
30-8801-000-0090	9981	VACANT LAND		36,360	36,360
30-8801-000-0100	9981	VACANT LAND		100,000	100,000
30-8801-000-0110	9981	VACANT LAND		20,000	20,000
30-8801-000-0111	9981	VACANT LAND		20,000	20,000
30-8801-000-0150	8780	GOVERNMENTAL		74,544	0
30-8801-000-0170	8780	GOVERNMENTAL		39,080	0
30-8801-000-0190	8780	GOVERNMENTAL		150,800	0
30-8801-000-0250	8780	GOVERNMENTAL		160,000	0
30-8801-000-0310	9981	VACANT LAND		20,000	20,000
30-8801-000-0320	9981	VACANT LAND		20,000	20,000
30-8801-000-1460	8680	GOVERNMENTAL		6,080	0
				36,906,567	8,471,582

Exhibit I

FLORIDA CITY'S WATER AND SEWER SERVICE AREA

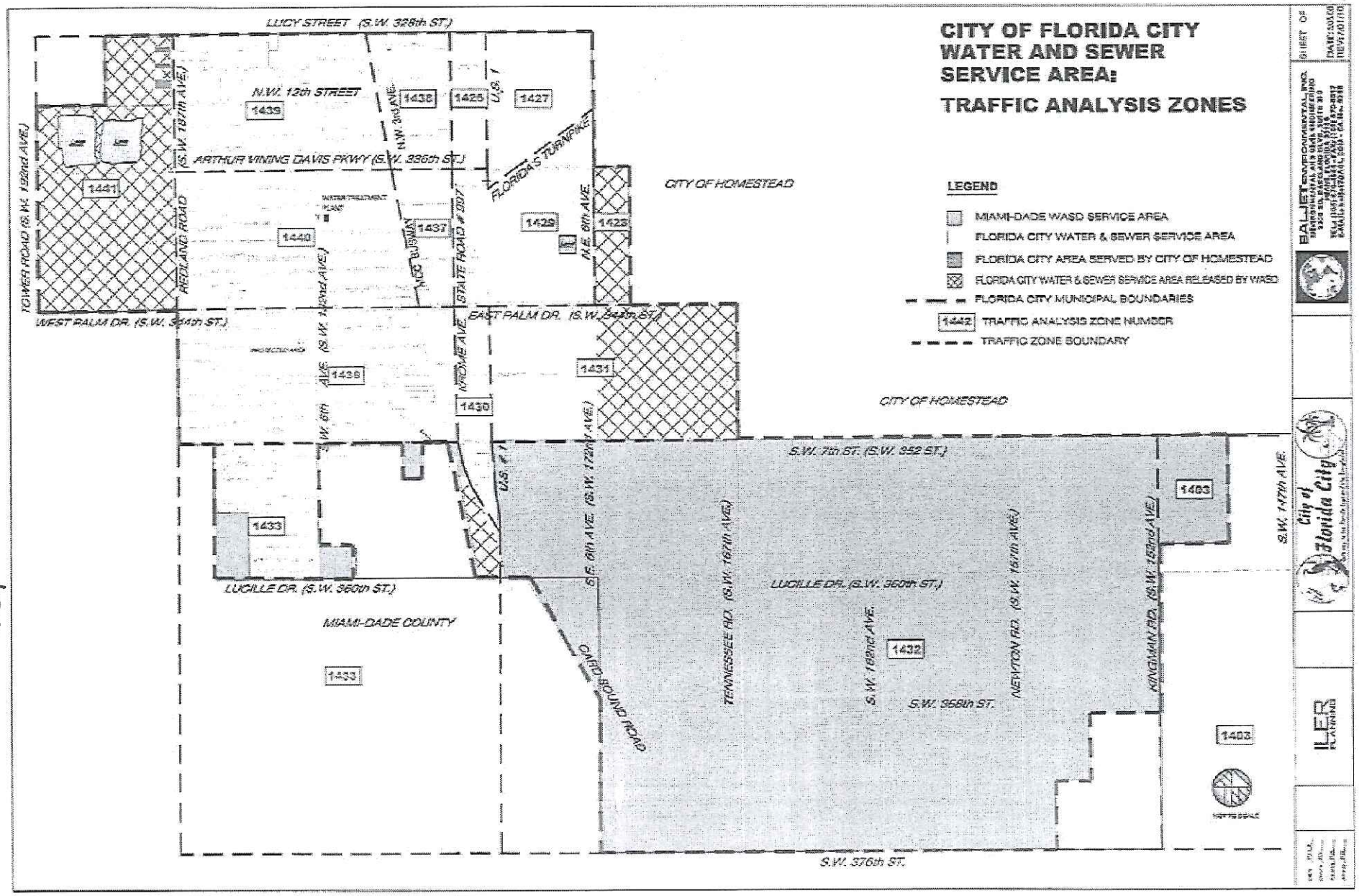
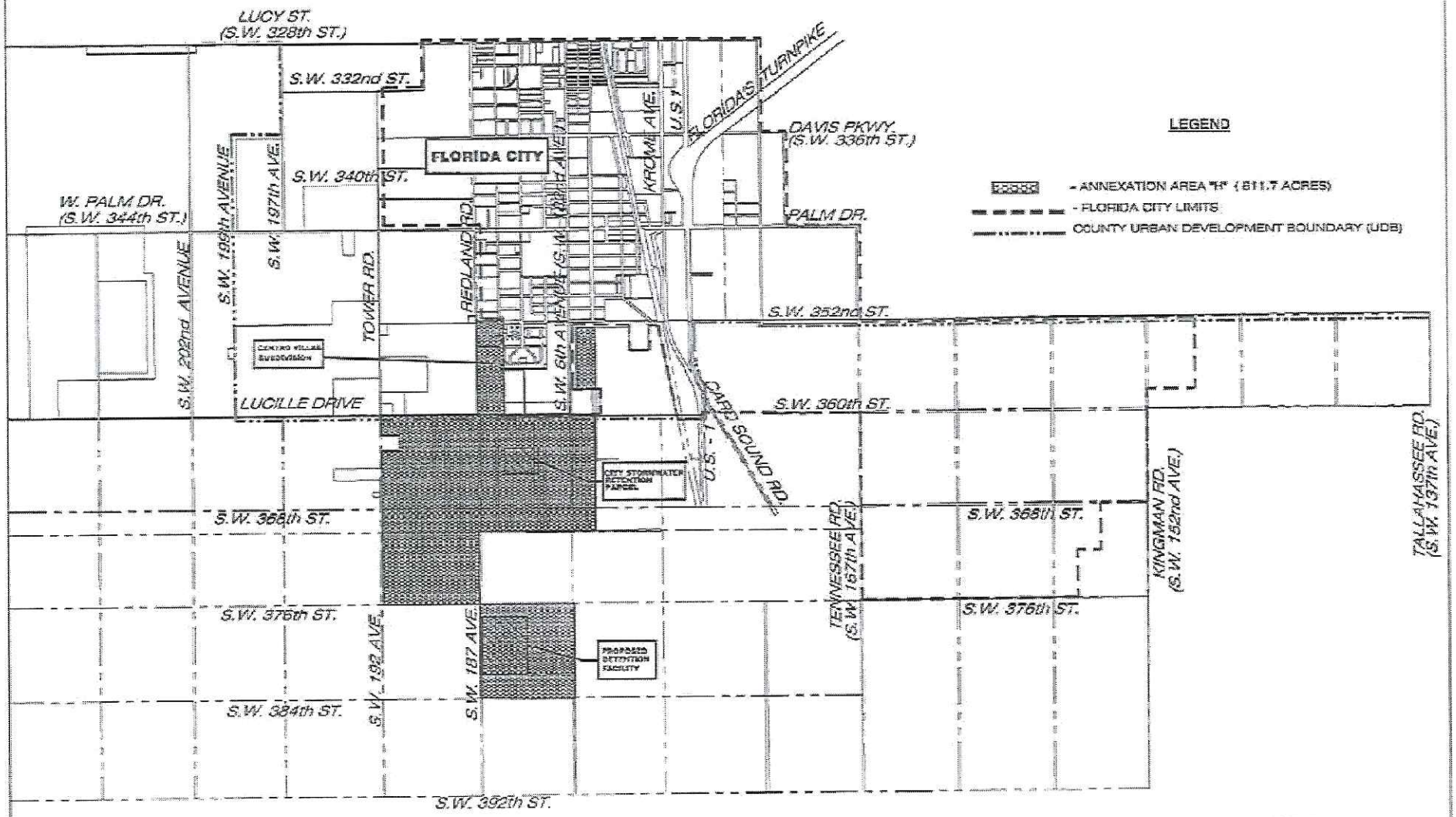

CITY OF FLORIDA CITY
WATER AND SEWER
SERVICE AREA:
TRAFFIC ANALYSIS ZONES
LEGEND
MIAMI-DADE WASD SERVICE AREA
FLORIDA CITY WATER & SEWER SERVICE AREA
FLORIDA CITY AREA SERVED BY CITY OF HOMESTEAD
FLORIDA CITY WATER & SEWER SERVICE AREA RELEASED BY WASD
FLORIDA CITY MUNICIPAL BOUNDARIES
1442 TRAFFIC ANALYSIS ZONE NUMBER
TRAFFIC ZONE BOUNDARY
LUCY STREET (S.W. 328th ST.)
N.W. 12th STREET
ARTHUR VINING DAVIS PKWY (S.W. 336th ST.)
TOWER ROAD (S.W. 192nd AVE.)
REDLAND ROAD
(S.W. 187th AVE.)
N.W. 3rd AVE.
U.S. 1
FLORIDA'S TURNPIKE
CITY OF HOMESTEAD
N.E. 6th AVE.
MCC BUSWAY
STATE ROAD # 997
WEST PALM DR. (S.W. 344th ST.)
EAST PALM DR. (S.W. 344th ST.)
S.W. 6th AVE. (S.W. 142nd AVE.)
KROME AVE.
S.W. 7th ST. (S.W. 352 ST.)
S.E. 6th AVE. (S.W. 172nd AVE.)
TENNESSEE RD. (S.W. 167th AVE.)
NEWTON RD. (S.W. 157th AVE.)
KINGMAN RD. (S.W. 152nd AVE.)
S.W. 147th AVE.
LUCILLE DR. (S.W. 360th ST.)
MIAMI-DADE COUNTY
CARD SOUND ROAD
S.W. 162nd AVE.
S.W. 358th ST.
S.W. 376th ST.
1439
1438
1425
1427
1441
1440
1437
1429
1423
1436
1431
1430
1433
1432
1403
City of Florida City
ILER PLANNING
BALJET ENVIRONMENTAL, INC.

Exhibit J

CITY-OWNED PARCELS MAP

CITY OF FLORIDA CITY: PROPOSED ANNEXATION AREA "H"



CITY MAP
SCALE: 1" = 1200'

ILER PLANNING
www.ilerplanning.com

BAUJET ENVIRONMENTAL, INC.
ENVIRONMENTAL AND CIVIL ENGINEERING

JUNE 28 2011

101

Exhibit K

RESIDENTIAL DEVELOPMENT CERTIFICATE OF MDC PLANNING AND ZONING DIRECTOR

(Applied for: 9-2-2011)

City of Florida City

Gateway to the Florida Keys and the Everglades

Community Development Department

September 2, 2011

Marc LaFerrier, AICP, Director
Miami-Dade County Department of Planning and Zoning
111 NW 1st Street, 11th Floor
Miami, Florida 33128

Re: Florida City Annexation Application – Residential Certificate

Dear Mr. LaFerrier:

Attached is Resolution No. 11-19 recently adopted by the Florida City Commission approving the submittal of an application to the County for the annexation of an 812-acre area southwest of Florida City designated as "Area H." The resolution also contains the legal description and a map of the Area. In addition, the voter certification from the Elections Department is included herein indicating that 213 registered voters reside there.

County Code Section 20-3 (G) requires that we obtain a certification from your office certifying the percentage of residential development in Area H. We would be most appreciative if you could provide this document as soon as workload permits.

Please contact the City's Planner, Henry Iler at (866) 626-7067 x. 101 or henry@ilerplanning.com should you have any questions or comments regarding this request.

Sincerely,

William Kiriloff
Community Development Director

C.c. Mayor Otis Wallace
Henry Iler, AICP, ILER PLANNING

RESOLUTION NO. 11-19

A RESOLUTION OF THE CITY OF FLORIDA CITY, FLORIDA, APPROVING THE FILING OF AN APPLICATION WITH MIAMI-DADE COUNTY FOR THE ANNEXATION OF AREA "H" CONSISTING OF 812 ACRES AND GENERALLY LOCATED SOUTH OF THE CURRENT CITY BOUNDARY INTO THE CORPORATE LIMITS OF THE CITY OF FLORIDA CITY PURSUANT TO CHAPTER 20 OF THE MIAMI-DADE COUNTY CODE OF ORDINANCES

WHEREAS, the subject Annexation Area H is 812 acres in size and generally bounded on the north by SW 352nd Street, on the west by SW 192nd Avenue, on the south by SW 384th Street, and on the east by SW 180th Avenue; and

WHEREAS, Area H is legally described in Exhibit A and delineated in Exhibit B; and

WHEREAS, the City Commission has determined that the annexation of Area H into the City limits is in the long-term best interest of Florida City; and

WHEREAS, Section 20-3 of the Miami-Dade County Code of Ordinances requires a local government resolution, considered at an advertised public hearing, approving submittal of any application for the annexation of unincorporated property into the jurisdictional limits of a City; and

WHEREAS, notice of the public hearing was sent to all Area H property owners, and owners within 600 feet of the Area, and published in a newspaper of general circulation prior to the hearing, consistent with Chapter 20 of the County Code; and

WHEREAS, City staff has prepared an Annexation Report for Area X, dated 6-29-2011, addressing the requirements of Section 20-3 of the Miami-Dade County Code of Ordinances which is incorporated herein by reference; and

WHEREAS, the City Commission finds that the proposed annexation is consistent with the goals and objectives of the adopted City's Comprehensive Development Master Plan.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISION OF THE CITY OF FLORIDA CITY, THAT:

Section 1. All of the foregoing recitals are true and correct, and adopted as an integral part of this resolution.

Section 2. Based on a property owner request, the Commission finds that two (2) parcels totaling approximately 5.4 acres in size should be removed from within the boundary of proposed Annexation Area "H." The subject parcels are located on the east side of SW 192nd Avenue (Bowe Road) approximately 500 feet south of SW 360th Street and were identified by County parcel folio number during the hearing. Prior to final execution, staff is directed to amend this Resolution to describe and depict the revised Area "H" boundary with the subject parcels deleted.

Section 3. The Mayor is given full authority to execute and submit the annexation application for Area H, legally described in Exhibit "A," on behalf of Florida City to the Board of County Commissioners of Miami-Dade County, Florida, pursuant to Section 20-3 of the Miami-Dade County Code, and request formal County approval of the annexation of Area H into the corporate limits of the City.

Section 4. This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED by the Mayor and City Commission of the City of Florida City, Florida this 29th day of June, 2011.

Otis T. Wallace, Mayor

ATTEST:

Jennifer Evelyn, City Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

Regina Monestime, City Attorney

Offered by: Mayor

Motion to adopt by Comm. Dorsett seconded by Comm. Butler

FINAL VOTE AT ADOPTION

Mayor Otis T. Wallace	Yes
Vice Mayor Eugene D. Berry	Absent
Commissioner Sharon Butler	Yes
Commissioner R.S. Shiver	Yes
Commissioner Daurell Dorsett	Yes

///

City of Florida City

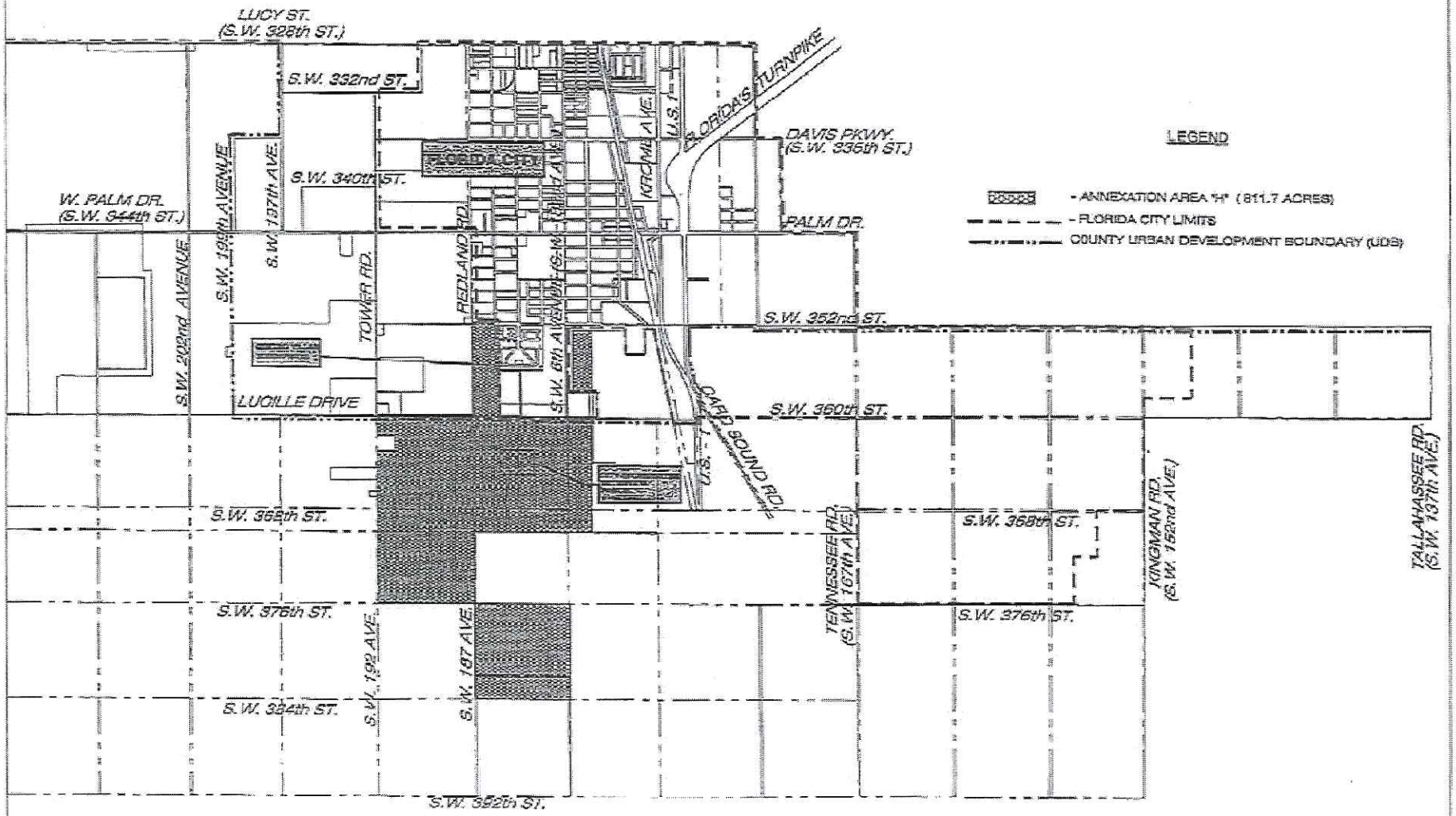
Annexation Area "H"

Legal Description

(6-29-11)

The West ½ of the West ½ of the SE ¼ of Section 25, Township 57 South, Range 38 East, less Lots 1 through 50 of Block 8 and Lots 1 through 50 of Block 9, of the Florida City Realty Company's Subdivision, according to the plat thereof as recorded in Plat Book 14 Page 50 of the public records of Miami-Dade County, Florida; and the West ½ of the West ½ of the Southwest ¼ of Section 25, Township 57 South, Range 38 East; and the West ½ of the West ½ of the East ½ of Section 36, Township 57 South, Range 38 East, less the South 1,980 feet thereof; and the West ½ of Section 36 Township 57 South, Range 38 East, less the South 1,980 feet thereof; and the East ½ of Section 35 Township 57 South, Range 38 East less the West 528 feet of the South 124 feet of the West ½ of the NW ¼ of the NW ¼ of the NE ¼ thereof and less the West 528 feet of the North ½ of the SW ¼ of the NW ¼ of the NE ¼ thereof; and the NW ¼ of Section 1, Township 58 South, Range 38 East of the Public Records of Miami-Dade County, Florida.

CITY OF FLORIDA CITY: PROPOSED ANNEXATION AREA "H"



CITY MAP
SCALE: 1" = 1200'

ILER PLANNING
www.ilerplanning.com

EXHIBIT B

BALLJET ENVIRONMENTAL, INC.

JUNE 29 2011

113

MIAMI-DADE COUNTY

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

miamidade.gov

CERTIFICATION

STATE OF FLORIDA)

COUNTY OF MIAMI-DADE)

I, Lester Sola, Supervisor of Elections of Miami-Dade County, Florida, do hereby certify that **Florida City Annexation Area "H"** has **213** voters. See description below:

Area H: The West ½ of the West ½ of the SE ¼ of Section 25, Township 57 South, Range 38 East, less Lots 1 through 50 of Block 8 and Lots 1 through 50 of Block 9, of the Florida City Realty Company's Subdivision, according to the plat thereof as recorded in Plat Book 14 Page 50 of the public records of Miami-Dade County, Florida; and the West ½ of the West ½ of the Southwest ¼ of Section 25, Township 57 South, Range 38 East; and the West ½ of the West ½ of the East ½ of Section 36, Township 57 South, Range 38 East, less the South 1,980 feet thereof; and the West ½ of Section 36 Township 57 South, Range 38 East, less the South 1,980 feet thereof; and the East ½ of Section 35 Township 57 South, Range 38 East less the West 528 feet of the South 124 feet of the West ½ of the NW ¼ of the NW ¼ of the NE ¼ thereof and less the West 528 feet of the North ½ of the SW ¼ of the NW ¼ of the NE ¼ thereof; and the NW ¼ of Section 1, Township 58 South, Range 38 East of the Public Records of Miami-Dade County, Florida.

WITNESS MY HAND AND OFFICIAL SEAL, AT MIAMI, MIAMI-DADE COUNTY, FLORIDA, ON THIS 1st DAY OF SEPTEMBER, 2011

Lester Sola
Supervisor of Elections
Miami-Dade County

Delivering Excellence Every Day

Please submit a check for $270.00 to our office payable to the "Board of County Commissioners" for the cost of research and labor.

114

RESOLUTION NO. 12-61

A RESOLUTION OF THE CITY OF FLORIDA CITY, FLORIDA, APPROVING AN AMENDMENT TO ITS APPLICATION PREVIOUSLY-FILED WITH MIAMI-DADE COUNTY FOR THE ANNEXATION OF AREA "H" TO REVISE THE BOUNDARY OF THE AREA GENERALLY LOCATED SOUTH OF THE CURRENT CITY BOUNDARY PURSUANT TO CHAPTER 20 OF THE MIAMI-DADE COUNTY CODE OF ORDINANCES

WHEREAS, Annexation Area "H" is legally-described in Exhibit A and a map of the Area is contained in Exhibit B; and

WHEREAS, during the required Miami-Dade County review process, County staff initially requested that certain parcels be deleted from Area "H" primarily for environmental reasons and Resolution #12-10 was approved earlier this year by the City Commission revising the original Area H boundary from 812 acres to 685 acres to accommodate this request; and

WHEREAS, upon further review County staff requested that an additional 21 parcel on the eastern boundary of Annexation Area H be removed and Resolution #12-15 was approved in May of this year by the City Commission revising the Area H boundary from 685 acres to 664 acres to accommodate this second County request;

WHEREAS, upon additional review County staff has requested that the Area "H" boundary be made more uniform and that additional lands be added;

WHEREAS, the revised boundary ("Revised Annexation Area H") is 742 acres in size and generally bounded on the north by SW 352nd Street, on the west by SW 192nd Avenue, on the south by (theoretical) SW 384th Street, and on the east by (theoretical) SW 180th Avenue; and

WHEREAS, Revised Annexation Area H is legally-described in Exhibit C and graphically-depicted in Exhibit D; and

WHEREAS, City staff has reviewed the most recent County request to add 78 acres to Area "H" and recommends approval;

WHEREAS, notice of this hearing was sent to all Revised Annexation Area H property owners, and owners within 600 feet of the Area, and published in a newspaper of general circulation prior to the hearing, consistent with Chapter 20 of the County Code; and

WHEREAS, the City Commission finds that the proposed annexation and revised boundary is consistent with the goals, objectives and policies of the Florida City Comprehensive Development Master Plan.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISION OF THE CITY OF FLORIDA CITY, THAT:

Section 1. All of the foregoing recitals are true and correct, and adopted as an integral part of this resolution.

Section 2. The Mayor is given full authority to amend the City's annexation application now under review by Miami-Dade County by submitting this adopted Resolution to the Board of County Commissioners of Miami-Dade County, Florida.

Section 3. All resolutions and parts of resolutions in conflict with the provisions of this Resolution, including City Resolution Nos. 11-12, 11-19, 12-10 and 12-15, shall be repealed, rescinded, superseded and replaced by this Resolution to the extent of such conflict.

Section 4. This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED by the Mayor and City Commission of the City of Florida City, Florida this 22nd day of ~~XXXXXXXXXXXXX~~ **JANUARY, 2013.**

Otis T. Wallace, Mayor

ATTEST:

Jennifer Evelyn, City Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

Jeff P.H. Cazeau, City Attorney

Offered by: Mayor

Motion to adopt by Comm. Butler seconded by Comm. Berry

RESOLUTION NO: 12-61

FINAL VOTE AT ADOPTION

Mayor Otis T. Wallace Yes

Vice Mayor Avis Brown Absent

Commissioner Sharon Butler Yes

Commissioner R.S. Shiver Yes

Commissioner Eugene D. Berry Yes

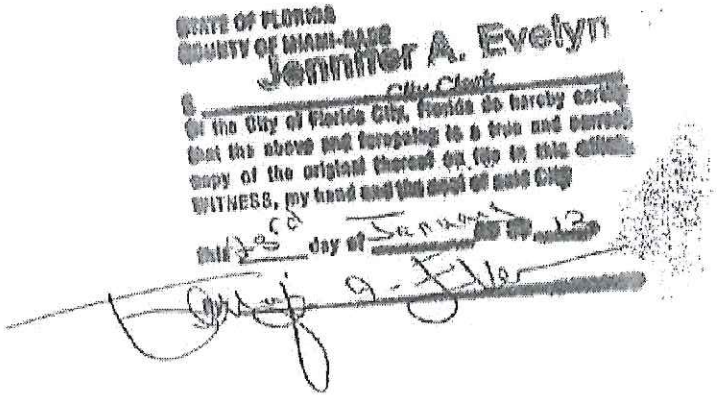


EXHIBIT A

ANNEXATION AREA "H"

LEGAL DESCRIPTION

(6-29-11)

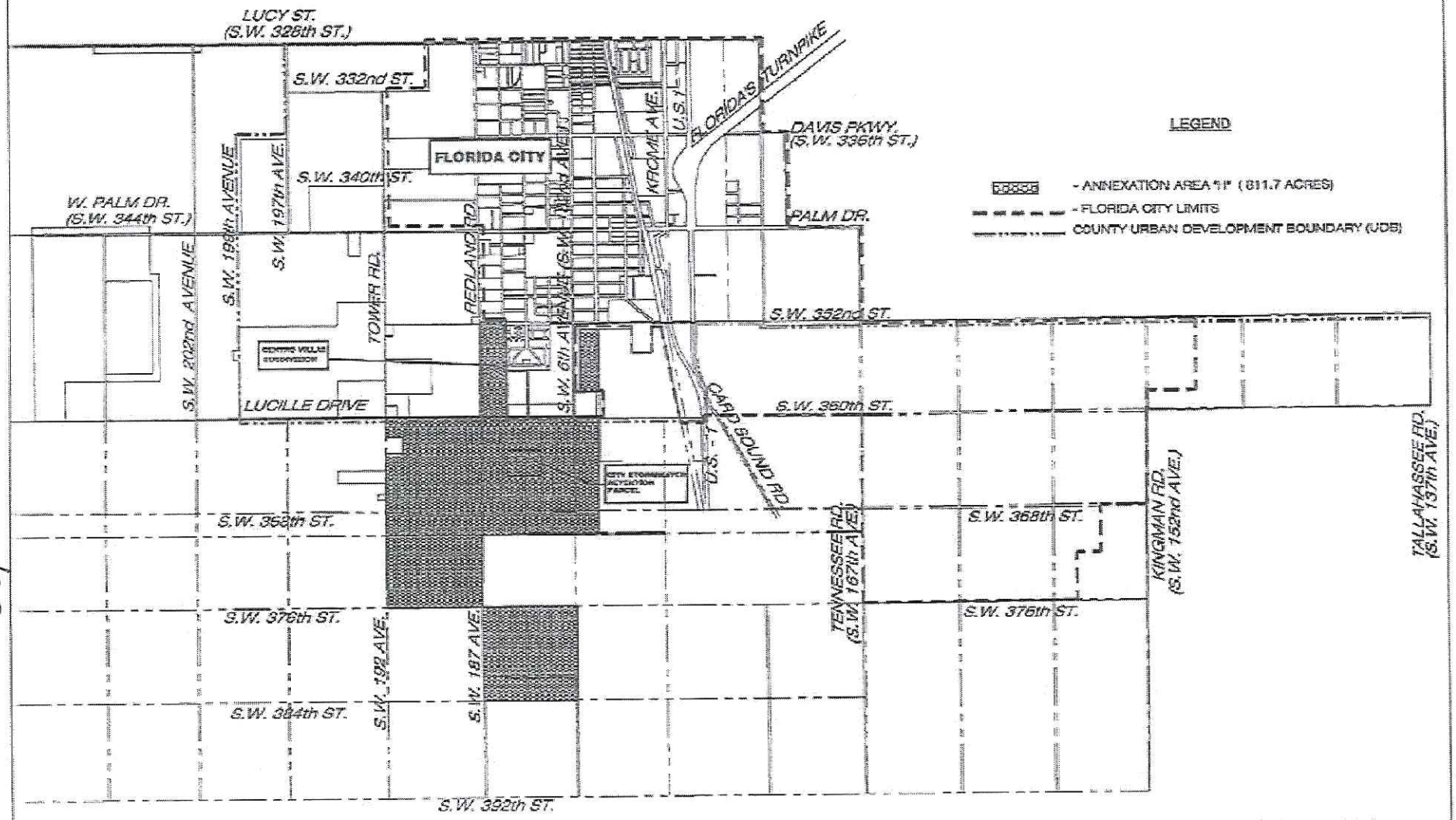
The West ½ of the West ½ of the SE ¼ of Section 25, Township 57 South, Range 38 East, less Lots 1 through 50 of Block 8 and Lots 1 through 50 of Block 9, of the Florida City Realty Company's Subdivision, according to the plat thereof as recorded in Plat Book 14 Page 50 of the public records of Miami-Dade County, Florida; and the West ½ of the West ½ of the Southwest ¼ of Section 25, Township 57 South, Range 38 East; and the West ½ of the West ½ of the East ½ of Section 36, Township 57 South, Range 38 East, less the South 1,980 feet thereof; and the West ½ of Section 36 Township 57 South, Range 38 East, less the South 1,980 feet thereof; and the East ½ of Section 35 Township 57 South, Range 38 East less the West 528 feet of the South 124 feet of the West ½ of the NW ¼ of the NW ¼ of the NE ¼ thereof and less the West 528 feet of the North ½ of the SW ¼ of the NW ¼ of the NE ¼ thereof; and the NW ¼ of Section 1, Township 58 South, Range 38 East of the Public Records of Miami-Dade County, Florida.

EXHIBIT B

ANNEXATION AREA "H" MAP

(6-29-11)

CITY OF FLORIDA CITY: PROPOSED ANNEXATION AREA "H"



CITY MAP
SCALE: 1" = 1200'

ILER PLANNING
www.ilerplanning.com

JUNE 29 2011

0e/

EXHIBIT C

LEGAL DESCRIPTION

REVISED ANNEXATION AREA "H"

(11-5-12)

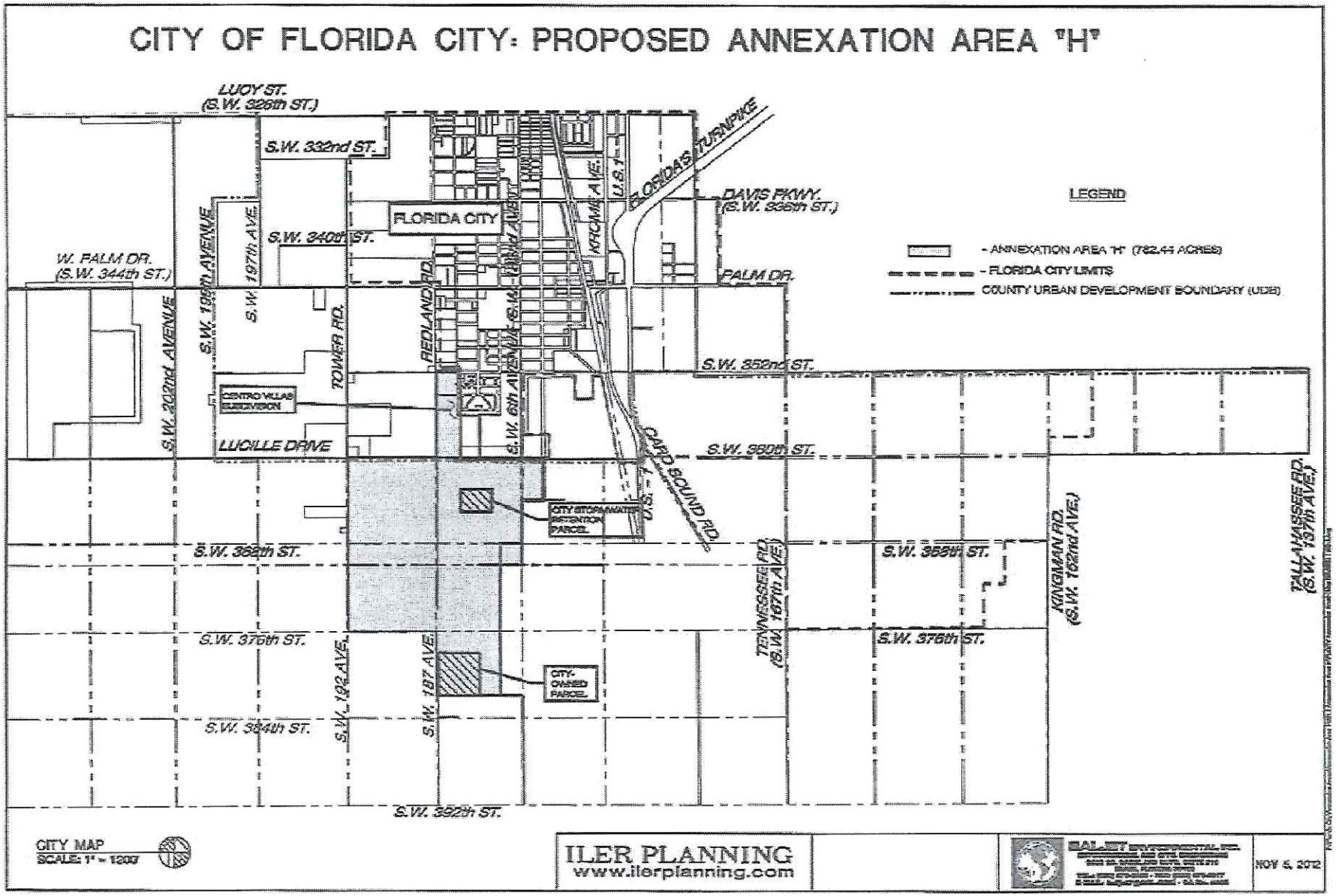
The West ½ of the West ½ of the SW ¼ of Section 25, Township 57 South, Range 38 East; and the East ½ of Section 35 Township 57 South, Range 38 East; and the NW ¼ of Section 36, Township 57 South, Range 38 East; and the NW ¼ of Section 36, Township 57 South, Range 38 East; and the West ½ of the NW ¼ of the NE ¼ of Section 36, Township 57 South, Range 38 East; and the West ½ of the SW ¼ of Section 36, Township 57 South, Range 38 East; and the West ½ of the East ½ of the SW ¼ of Section 36, Township 57 South, Range 38 East and the NE ¼ of the NE ¼ of the SW ¼ of Section 36, Township 57 South, Range 38 East; and the Northwest ¼ of Section 1, Township 58 South, Range 38 East less the East and South 660 feet thereof, of the Public Records of Miami-Dade County, Florida.

EXHIBIT D

REVISED ANNEXATION AREA "H" MAP

(11-5-12)

CITY OF FLORIDA CITY: PROPOSED ANNEXATION AREA "H"



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MIAMI-DADE COUNTY
miamidade.gov

Elections
2700 NW 87th Avenue
Miami, Florida 33172
T 305-499-8683 F 305-499-8547
TTY 305-499-8480

March 19, 2015

Henry Iler, AICP
ILER PLANNINIG
50 East Ocean Blvd.
Suite 101
Stuart, FL 34994

Dear Mr. Iler:

The Miami-Dade Elections Department has completed the verification of the petitions for the Florida City Annexation Area H. A total of 111 petitions were reviewed for verification; of which 74 were certified.

Please find the certification for the petition enclosed. Should you have any questions or concerns, please feel free to contact Rosy Pastrana, Deputy Supervisor of Elections for Voter Services at 305-499-8548.

Sincerely,

Christina White
Chief Deputy Supervisor of Elections

Enclosure (1)

MIAMI-DADE COUNTY
miamidade.gov

Elections
2700 NW 87th Avenue
Miami, Florida 33172
T 305-499-8683 F 305-499-8547
TTY 305-499-8480

CERTIFICATION

STATE OF FLORIDA)

COUNTY OF MIAMI-DADE)

I, Christina White, Chief Deputy Supervisor of Elections of Miami-Dade County, Florida, do hereby certify that 74 signatures submitted by petition for the **City of Florida City Annexation Area "H"** matched the signatures on the voter files.

WITNESS MY HAND
AND OFFICIAL SEAL,
AT MIAMI, MIAMI-DADE
COUNTY, FLORIDA,
ON THIS 19th DAY OF
MARCH, 2015

Christina White
Chief Deputy Supervisor of Elections

MEMORANDUM

(Revised)

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

DATE: September 7, 2016

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 8(G)(1)

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. 8(G)(1)
9-7-16

RESOLUTION NO. _____

RESOLUTION RELATING TO ANNEXATION REQUEST OF THE CITY OF FLORIDA CITY; 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, BALLOT LANGUAGE AND INTERLOCAL AGREEMENT TO EFFECTUATE THE ANNEXATION REQUEST, DENY THE ANNEXATION REQUEST OR TO DEFER THE ANNEXATION REQUEST

WHEREAS, on September 6, 2011, the City of Florida City 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 September 20, 2011; 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 City of Florida City's annexation request attached hereto and incorporated herein by reference as Exhibit 4; and

WHEREAS, County staff has prepared a staff report attached hereto and incorporated herein by reference as Exhibit 3; and

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

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

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

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

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

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 7th day of September, 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