

**Date:** October 26, 2016

Agenda Item No. 2(A)(1)

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

**From:** Carlos A. Gimenez  
Mayor

**Subject:** Report on May 2016 Cycle Small-Scale Applications to Amend the Comprehensive Development Master Plan

**Recommendation**

It is recommended that Miami-Dade Board of County Commissioners (Board) take final action on small-scales Application Nos. 1, 3 and 4 filed in the May 2016 Cycle of Amendments to the Comprehensive Development Master Plan (CDMP), which are identified in the table below and detailed in this memorandum.

APPLICATION NUMBER	ITEMS FOR CONSIDERATION BY THE BOARD
<p><b>Application No. 1</b> (Small-scale Application)</p>	<p><b>Item No. 3A</b> - Ordinance (Final Reading) <b>Item No. 3A1</b> – Resolution for transmittal to the Florida Department of Economic Opportunity/State Land Planning Agency (if converted from a small-scale to a standard application).</p>
<p><b>Application No. 3</b> (Small-scale Application)</p>	<p><b>Item No. 3B</b> - Ordinance (Final Reading) <b>Item No. 3B1</b> – Resolution for transmittal to the Florida Department of Economic Opportunity/State Land Planning Agency (if converted from a small-scale to a standard application).</p>
<p><b>Application No. 4</b> (Small-scale Application)</p>	<p><b>Item No. 3C</b> - Ordinance (Final Reading) <b>Item No. 3C1</b> – Resolution for transmittal to the Florida Department of Economic Opportunity/State Land Planning Agency (if converted from a small-scale to a standard application).</p>

**Background**

Four (4) small-scale applications (Application Nos. 1, 2, 3 and 4) were filed in the May 2016 Cycle of Applications to amend the CDMP; however, at the request of the Applicant, Application No. 2 was transferred to the October 2016 Cycle of Applications to amend the CDMP. A description of the four (4) small-scale applications and the recommendations of the Regulatory and Economic Resources Department, the affected community councils, and the Local Planning Agency are provided in Attachment A.

The attached Ordinances (Agenda Item Nos. 3A, 3B and 3C; approved on first reading on October 5, 2016) provide for the Board's action on small-scale amendment Application Nos. 1, 3, and 4 filed in the May 2016 Cycle of Applications requesting amendments to the CDMP. State law allows the adoption of the referenced small-scale applications at the Board's CDMP public hearing currently scheduled for October 26, 2016. A CDMP amendment application is

eligible, under Section 163.3187, Florida Statutes (F.S.), to be processed as a small-scale amendment to the local comprehensive plan if it involves ten (10) or fewer acres and the maximum total acreage in a calendar year for small-scale amendments does not exceed 120 acres. Since the County has not exceeded the acreage limitations for small-scale amendments to the CDMP for calendar year 2016, the Board has the ability to approve the proposed small-scale amendment Application Nos. 1, 3 and 4 totaling approximately 5.71 gross acres, without prior review by the State Land Planning Agency.

At the October 26, 2016 public hearing, the Board will take final action on the attached ordinances providing for final disposition of the May 2016 Cycle Small-Scale Application Nos. 1, 3, and 4. Such action may be to adopt, adopt with change, or not adopt the referenced small-scale amendment applications. If the Board does not adopt the referenced small-scale amendments, the Board may elect, by separate resolutions (Agenda Item Nos. 3A1, 3B1 and 3C1), to transmit the proposed small-scale amendments to the State Land Planning Agency and other state and regional agencies for review and comments, and then take final action in or about January/February 2017, after State review. Denial or failure to adopt a small scale amendment and failure to transmit a CDMP amendment application to the reviewing agencies for review effectively denies approval of the application for the amendment cycle.

#### **Scope**

The CDMP is a broad-based Countywide policy-planning document created to guide future growth and development, to ensure the adequate provision of public facilities and services for existing and future populations in Miami-Dade County, and to maintain or improve the quality of the natural and man-made environment in the County. While the adopted text of the CDMP generally applies Countywide, some text amendment applications and individual, site-specific Land Use Plan map amendment applications may have localized impact on one (1) or more Commission Districts. For example, Application No. 1 is located within District 4, which is represented by Commissioner Sally A. Heyman; and Application Nos. 3 and 4 are located within District 8, which is represented by Commissioner Daniella Levine Cava.

#### **Fiscal Impact**

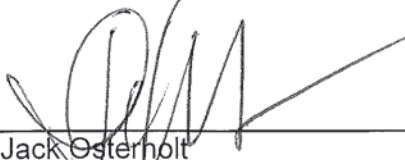
There is no direct fiscal impact associated with Application Nos. 1, 3 and 4. However, CDMP amendment applications may have varying impacts to County services. These impacts are discussed in the document titled, "Initial Recommendations, May 2016 Small-Scale Applications to Amend the Comprehensive Development Master Plan," dated August 2016. This document is kept on file with and available upon request from the Department of Regulatory and Economic Resources.

#### **Social Equity Statement**

The recommendations of the Director on Application Nos. 1, 3 and 4 as contained in the document titled "Initial Recommendations, May 2016 Small-Scale Applications to Amend the Comprehensive Development Master Plan," dated August 2016, which was prepared in accordance with Section 2-116.1 of the Code of Miami-Dade County, includes, among other things, a compatibility analysis and conclusion that satisfies the requirements of Ordinance No. 15-83, regarding social equity, to the extent applicable to these applications.

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

Amendments to the CDMP do not involve the monitoring of contracts.

  
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Jack Osterholt  
Deputy Mayor

# Attachment A

## Summary of Recommendations May 2016 Cycle Small-Scales Applications to Amend the Comprehensive Development Master Plan for Miami-Dade County, Florida September 19, 2016

Application Number/Type	Applicant/Location/Acreage/Requested Amendment	BCC District/Commissioner	Department's Initial Recommendation	Community Council Recommendation # and Date	PAB/LPA Recommendation	BCC Action/Recommendation
1/ small-scales	Paloma Property Holdings, LLC. / Stanley B. Price, Esq., Brian S. Adler, Esq. & Wendy Francois, Esq. Southeast corner of the intersection of NE 110 Street and East Dixie Highway / (±1.33 gross; ±1.33 net) <u>Requested Amendment to the CDMP Land Use Plan (LUP) map</u> 1. Redesignate the application site on the LUP map: From: "Low-Medium Density Residential (6 to 13 dwelling units per gross acre)" and "Business and Office" To: "Business and Office" 2. Add the proffered Declaration of Restrictions in the Restrictions Table in Appendix A of the CDMP Land Use Element, if accepted by the Board.	4/ Heyman	Adopt with Acceptance of the Proffered Declaration of Restrictions (as a Small-Scale Amendment) (08-22-16)	Biscayne Shores CC7 [public hearing not held]	Adopt with Acceptance of the Proffered Declaration of Restrictions (as a Small-Scale Amendment) (09-19-16)	To Be Determined (10-26-16)
2/ small-scales	Kendall 79, LLC. / Jeffrey Berrow, Esq. & Graham Penn, Esq. Northwest corner of the intersection of SW 88 Street and SW 79 Avenue / (±3.89 gross; ±3.89 net) <u>Requested Amendment to the CDMP LUP map and text:</u> 1. Redesignate the application site on the LUP map: From: "Low-Medium Density Residential (6 to 13 dwelling units per gross acre)" To: "Business and Office" 2. Add the proffered Declaration of Restrictions in the Restrictions Table in Appendix A of the CDMP Land Use Element, if accepted by the Board.	7/ Suarez	Transferred to the October 2016 Cycle Pursuant to Section 2-116.1 of Miami-Dade County Code, As Amended by Ordinance No. 16-65			
3/ small-scales	South Florida RE Holdings, LLC. / Jorge L. Navarro, Esq. South side of SW 200 Street and ±212 feet west of SW 127 Avenue / (±1.83 gross; ±1.83 net) <u>Requested Amendment to the CDMP LUP map</u> Redesignate the application site on the LUP map: From: "Low Density Residential (2.5 to 6 dwelling units per gross acre)" To: "Business and Office"	8/ Levine Cava	Adopt as a Small-Scale Amendment (08-22-16)	Adopt as a Small-Scale Amendment Redland CC14: (09-01-16)	Adopt as a Small-Scale Amendment (09-19-16)	To Be Determined (10-26-16)



Application Number/Type	Applicant/Location/Acreage/Requested Amendment	BCC District/Commissioner	Department's Initial Recommendation	Community Council Recommendation, Resolution # and Date	PAB/LPA Recommendation	BCC Action/Recommendation
4/ small-scales	12499 Holding, LLC. / Gilberto Pastoriza, Esq. Southwest corner of the intersection of SW 232 Street and theoretical SW 124 Court / (±2.55 gross; ±2.44 net) <u>Requested Amendment to the CDMP LUP map</u> Redesignate the application site on the LUP map: From: "Low Density Residential (2.5 to 6 dwelling units per gross acre)" To: "Low-Medium Density Residential (6 to 13 dwelling units per gross acre)"	8/ Levine Cava	Adopt with Change [Change is to add two parcels (±2.61 gross acres) adjoining to the west of application site and redesignate the parcels from "Low Density Residential" and "Business and Office" to "Low-Medium Density Residential"] (08-16-16)	Adopt with Change as Recommended by Staff South Bay CC15: (09-06-16)	Adopt with Change as Recommended by Staff (09-19-16)	To Be Determined (10-26-16)

Source: Miami-Dade County Department of Regulatory and Economic Resources (Department)

Notes:

BCC: Board of County Commissioners; LPA: Local Planning Agency