

# Memorandum



(Public Hearing 7-19-17)

**Date:** November 18, 2015

**To:** Honorable Chairman Esteban L. Bovo, Jr.  
and Members, Board of County Commissioners

**From:** Carlos A. Gimenez  
Mayor

**Subject:** Ordinance for Application No. 9 in the May 2015 Cycle Applications to Amend the  
Comprehensive Development Master Plan

Amended  
Agenda Item No. 7(C)

Ordinance No: 17-54

The attached ordinance addresses a Comprehensive Development Master Plan staff application that appears on the agenda pursuant to the Board of County Commissioners Resolution No. R-350-15, which directed the Mayor or Mayor's designee to file a CDMP amendment application to implement the results of the Ludlam Trail Corridor charrettes that were conducted in February and March of 2015. The staff analysis and fiscal impact statement for this application are discussed in a separate memorandum that appears on this agenda which, together with this ordinance, were prepared by the Department of Regulatory and Economic Resources.

  
\_\_\_\_\_  
Jack Osterholt  
Deputy Mayor

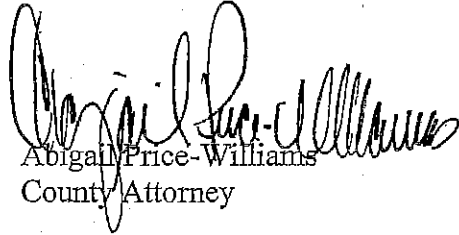


# MEMORANDUM

(Revised)

**TO:** Honorable Chairman Esteban L. Bovo, Jr.  
and Members, Board of County Commissioners

**DATE:** July 19, 2017

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

**SUBJECT:** Amended  
Agenda Item No. 7(C)

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. 7(C)  
7-19-17

ORDINANCE NO. 17-54

ORDINANCE RELATING TO MIAMI-DADE COUNTY COMPREHENSIVE DEVELOPMENT MASTER PLAN; PROVIDING DISPOSITION OF APPLICATION NO. 9, A CORRIDOR GENERALLY 100 FEET WIDE ALONG SW/NW 69 AVENUE FROM SW 80 STREET TO ±400 FEET NORTH OF NW 7 STREET, FILED IN MAY 2015 CYCLE TO AMEND THE COUNTY'S COMPREHENSIVE DEVELOPMENT MASTER PLAN; PROVIDING SEVERABILITY, EXCLUSION FROM THE CODE, AND AN EFFECTIVE DATE

**WHEREAS**, pursuant to Chapter 163, Part II, Florida Statutes, the Miami-Dade Board of County Commissioners ("Board") adopted the Miami-Dade County Comprehensive Development Master Plan ("CDMP") in 1988; and

**WHEREAS**, the Board has provided a procedure, codified as Section 2-116.1 of the Code of Miami-Dade County, Florida, to amend, modify, add to, or change the CDMP; and

**WHEREAS**, Miami-Dade County's procedures reflect and comply with the procedures for adopting or amending local comprehensive plans as set forth in Chapter 163, Part II, Florida Statutes; and

**WHEREAS**, applications to amend the CDMP may be filed with the Planning Division of the Department of Regulatory and Economic Resources ("Department") by private parties or by the County; and

**WHEREAS**, the Board directed that two charrettes be conducted for the ±6-mile long and ±100 feet wide former Florida East Coast Industries railroad corridor between SW 80 Street and NW 7 Street generally along SW/NW 69 Avenue (the Ludlam Trail Corridor); and

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**WHEREAS**, the said charrettes were conducted in County Commission Districts 6 and 7 in February and March of 2015, respectively, and the results are expressed in the Ludlam Trail Corridor Charrette Report; and

**WHEREAS**, on April 21, 2015 the Board adopted Resolution No. R-350-15 directing the Mayor or the Mayor's designee to file a CDMP amendment application to implement the results of the Ludlam Trail Corridor charrettes; and

**WHEREAS**, Application No. 9 was filed by the Department and included in the May 2015 Cycle of Applications to amend the CDMP ("May 2015 CDMP Amendment Cycle") pursuant to Resolution R-350-15 and in accordance with Section 2-116.1(3)(b), Code of Miami-Dade County; and

**WHEREAS**, as required by Section 2-116.1, the Department issued its initial recommendations addressing the May 2015 CDMP Amendment Cycle in a report titled "Initial Recommendations May 2015 Applications to Amend the Comprehensive Development Master Plan", dated August 2015, and kept on file with and available upon request from the Department; and

**WHEREAS**, the directly impacted Community Councils and the Planning Advisory Board, acting as the Local Planning Agency, have acted in accordance with the applicable State and County procedures and have conducted public hearings and issued recommendations for the disposition of Application No. 9; and

**WHEREAS**, at the public hearing conducted to address transmittal of the May 2015 CDMP Amendment Cycle to the State Land Planning Agency and other state and regional agencies ("reviewing agencies"), the Board by resolution, transmitted Application No. 9 to the reviewing agencies; and

**WHEREAS**, the Board must take final action to adopt, adopt with change, or not adopt Application No. 9 to amend the CDMP no later than forty five (45) days after receipt of written comments from the reviewing agencies addressing transmitted applications, unless a greater time period is deemed necessary by the Director of the Department, pursuant to Section 2-116.1(4)(a) of the Code of Miami-Dade County, Florida; and

**WHEREAS**, the approval of an amendment to the CDMP does not assure favorable action upon any application for zoning or other land use approval but is part of the overall land use policies of the County; and

**WHEREAS**, this Board has conducted the public hearings required by the referenced procedures preparatory to enactment of this ordinance,

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

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

**Section 2.** This Board hereby takes action on Application No. 9, filed for review during the May 2015 CDMP Amendment Cycle, as follows:

Application Number	Applicant/Representative Location and Size Requested Amendments to the CDMP Land Use Plan Map or Text	Final Action
9	<p>Miami-Dade County/Jack Osterholt, Deputy Mayor/Director, Department of Regulatory and Economic Resources.</p> <p>A corridor generally 100 feet wide along SW/NW 69 Avenue extending from SW 80 Street to ±400 feet north of NW 7 Street.</p> <p>Requested Amendment to CDMP Text and LUP Map:</p> <ol style="list-style-type: none"> <li>1. Add text within the Land Use Element to create a new CDMP Land Use category titled 'Special District';</li> <li>2. Create a subcategory under the Special District text titled "Ludlam Trail Corridor District" including the addition of Figure 3.1 to the map series;</li> <li>3. Apply the new "Special District" designation to the former FEC railroad corridor on the CDMP Land Use Plan Map:            From: "Transportation (ROW, Rail, Metrorail, Etc.)"            To: "Special District"</li> <li>4. Add a new policy within the Intergovernmental Coordination Element to coordinate with the City of Miami for those portions of the corridor that are located within the municipal boundaries of the City; and</li> <li>5. Add a new policy within the Recreation and Open Space Element to encourage developers of residential uses within the Ludlam Trail Corridor District to dedicate park land, improvements, and maintenance or some combination that adequately meets the developer's obligation to provide local recreation open space.</li> </ol> <p>Standard Amendment</p>	<p>Adopt as Transmitted with Changes and with the condition that the property owners shall have thirty (30) days in which to execute and submit a revised consent on behalf of themselves, successors, and assigns as to the amendment as adopted, otherwise, the application shall be deemed withdrawn.</p> <p><i>[changes include revised texts as shown in attached Exhibit 1; and revised consent executed August 14, 2017, and submitted to the County August 15, 2017, attached hereto as Exhibit 2]</i></p>

**Section 3.** If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected thereby.

**Section 4.** It is the intention of the Board, and it is hereby ordained that the provisions of this ordinance shall be excluded from the Code of Miami-Dade County, Florida.

**Section 5.** This ordinance shall become effective ten (10) days after the date of enactment, unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board; however, pursuant to Section 163.3184(3)(c)4, Florida Statutes, the effective date of the plan amendment adopted in this ordinance shall be 31 days after the State Land Planning Agency notifies the local government that the plan amendment package is complete, if the amendment is not timely challenged. If timely challenged, the amendment shall become effective on the date the State Land Planning Agency or the Administration Commission enters a final order determining the adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on the adopted amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, the adopted amendment may nevertheless be made effective, subject to the imposition of sanctions pursuant to Section 163.3184(8), Florida Statutes, by adoption of a resolution affirming its effective status, a copy of which resolution shall be filed with the Clerk of the Board and sent to the State Land Planning Agency.

PASSED AND ADOPTED: July 19, 2017

Approved by County Attorney as  
to form and legal sufficiency:



Prepared by:

Dennis A. Kerbel

# EXHIBIT 1

## APPLICATION NUMBER 9

### APPLICATION REQUESTING AMENDMENT TO THE COMPREHENSIVE DEVELOPMENT MASTER PLAN

#### 1. DESCRIPTION OF REQUESTED CHANGES<sup>1</sup>

- A. Revise the interpretive text of the CDMP Land Use Element to create a new Land Use Plan map category entitled "Special District" and create a new subcategory under the Special District text titled "Ludlam Trail Corridor District" and add new Figure 3.1 to the Land Use Element map series following Figure 3 on page I-50 as follows:

>>Special Districts. Land designated as "Special District" on the CDMP Land Use Plan Map comprises areas with unique characteristics where special land use provisions are warranted. Special Districts may be approved on properties that are located inside the UDB, and contain a minimum of 10 acres. The specific land use provisions for each Special District are defined herein.

#### Ludlam Trail Corridor District

The Ludlam Trail Corridor District ("District") applies to an approximately 5.8-mile segment of the former Florida East Coast Railway South Little River Branch spur-line that is generally 100 feet wide and extends from SW 80 Street to approximately 400 feet north of NW 7 Street and generally along theoretical NW/SW 69 Avenue ("Corridor") as depicted on Figure 3.1. Approximately 0.6 miles of the Corridor between SW 8 Street and the Tamiami Canal is located within the boundaries of the City of Miami ("Miami Segment").

The purpose of the Ludlam Trail Corridor District is to enhance regional mobility, provide opportunities for physical activity, and improve the economic vitality of the area by facilitating the conversion of this former railway corridor into a continuous publicly-accessible primarily pedestrian and bicycle trail while ensuring that development along the Corridor occurs at appropriate locations, and in a manner that is sensitive to and compatible with adjacent uses. Several regional and local studies have identified an opportunity for a regionally significant trail and greenway along the Corridor that will connect to the County's greenway and trail

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<sup>1</sup> Words underscored and/or >>double arrowed<< constitute the amendment proposed. Words shown with double underline or double strikethrough constitute further changes made following the Board of County Commissioners' CDMP transmittal hearing of November 18, 2015. All other words exist in the CDMP and remain unchanged



network, link the surrounding communities, and provide vital neighborhood connections.

The portion of the Ludlam Trail Corridor District within unincorporated Miami-Dade County, as indicated in Figure 3.1, is hereby designated as an Area or Facility of Countywide Significance, and for those portions located within the City of Miami, Miami-Dade County shall work collaboratively with the City of Miami to similarly designate those portions of the District.

The land use provisions of the Ludlam Trail Corridor District shall be implemented through the adoption of ~~land development regulations addressing~~ Land Development Regulations (“LDRs”). LDRs shall be adopted for all portions of the District within unincorporated Miami-Dade County prior to the issuance of the first building permit for vertical construction within the Development Areas defined below (~~“LDRs”~~). The LDRs shall define the urban form of development within the Corridor including flexible design standards and appropriate transitions to adjacent uses, as well as the configuration and design parameters of the recreational trail. Access to the Development Areas shall be provided in a manner that minimize negative impacts to adjacent residential neighborhoods. In addition, the Downtown Kendall Urban Center District regulations shall be amended to require the continuation of the trail to the M-Path/Underline. All portions of the Corridor shall have received final abandonment approval from the U.S. Surface Transportation Board prior to the issuance of the first building permit for vertical construction within the Development Areas.

Development and trail standards shall be coordinated with Miami-Dade Department of Regulatory and Economic Resources, Parks, Recreation and Open Spaces Department and ~~Miami-Dade Transit~~ Department of Transportation and Public Works (or their successor departments) and shall emphasize convenient pedestrian and bicycle access to public transportation. The trail standards should incorporate Crime Prevention Through Environmental Design (CPTED) principles to enhance trail safety and security. Canal crossings shall conform to the Miami-Dade County Manatee Protection Plan.

Development Areas and Recreational Trail Segments are identified on Figure 3.1 and described below. ~~The formal boundaries of the Development Areas and Recreational Trail Segments shall be established in the LDRs adopted to implement this section. Following adoption of the LDRs, the Director of the Department of Regulatory and Economic Resources shall be responsible for interpreting and implementation of the precise boundaries of the Development Areas and Recreational Trail Segments.~~ The precise boundaries between the Development Areas and Recreational Trail Segments within the District shall be established in the LDRs in approximately the locations identified on Figure 3.1. Miami-Dade County shall work cooperatively with the City of Miami to ensure consistent application of development regulations that provide for the seamless continuation of a recreational trail along the length of the Corridor. The specific location,

density/intensity, and configuration of development within the Miami Segment of the Corridor shall be governed by the City of Miami.

**Recreational Trail Segments.** The Recreational Trail Segments shall generally include the following portions of the Corridor:

- ±400 feet north of the centerline of NW 7 Street to NW 7 Street
- SW 12 Street to ±270 feet north of the centerline of Coral Way
- ±240 feet south of the centerline of Coral Way to ±248 feet north of the centerline of Bird Road
- ±2,600 feet south of the centerline of Bird Road to SW 80 Street

Those portions of the Corridor that are designated for Recreational Trail use shall be developed solely with recreational uses, including but not limited to a pedestrian and bicycle trail, parks and associated amenities. Associated amenities may include but not be limited to above-grade pedestrian crossings, parking, restroom facilities, signage, benches, information and vending kiosks, recreational equipment and bicycle rental stations, and shelters, where appropriate. Recreational Trail Segments and associated amenities shall be designed in a manner sensitive to adjacent uses. Buffering should be considered in the design of the Recreational Trail Segments where adjacent to single-family residential.

Access roads may also be provided within the Recreational Trail Segments in the following circumstances: 1) to provide access to public recreational space; or 2) to provide limited ingress and egress to a Development Area for official vehicles providing emergency, municipal, or utility services; or 3) where necessary for access to development areas and where such access does not directly and detrimentally impact residential neighborhoods. Where provided, such access roadway(s) shall be the minimum reasonably necessary to meet the need.

**Development Areas.** Development Areas in unincorporated Miami-Dade County shall be limited to Blue Lagoon, Tamiami Trail, Coral Way and Bird Road as defined herein.

Development Areas shall be developed in a manner that is compatible with adjacent uses. Open space shall be provided in the form of a minimum 15-foot wide continuous trail within each Development Area. Building features oriented toward the recreational trail shall have a human scale, and design variations at short intervals to create interest for users of the trail. The maximum development allowed without a publicly accessible trail component, is a total of: (i) 582 residential units and 256,132 square feet of industrial uses, or (ii) a combination of 281 residential units, 256,132 square feet of industrial uses, 103,572 square feet of office uses, and 39,377 square feet of retail uses. If a publicly-accessible trail is developed along the length of the Corridor, or a legally binding instrument or recordable agreement running with the land is executed by the property owner(s) of the Corridor, demonstrating to the satisfaction of the County ~~Director of RER~~ Mayor or Mayor's

designee when and how the publicly-accessible trail will be accomplished, then development shall be permitted up to the maximum allowable density and/or floor area ratio and building heights specified for each Development Area below. ~~Building height limitations assume a combination of habitable and non-habitable stories. A habitable story is defined as a level of a level of the building that dedicates seventy percent (70%) or more of the space on that level to common operational uses (such as trash rooms, maintenance closets), parking areas and trail amenities associated with the establishment and operation of a continuous trail. Habitable stories shall be those levels of structures that are not deemed non-habitable. There shall be no more than two (2) non-habitable stories per building in order to accommodate the design of a Recreational Trail overpass.~~

If a building or site within a Development Area is designed to accommodate a grade-separated Recreational Trail connection, then, in addition to the number of stories permitted in the paragraphs below in each Development Area, there may be permitted up to two (2) additional stories above the maximum height allowed for the building or site in the applicable Development Area, where each such additional story has dedicated at least seventy percent (70%) of its square footage to trail, associated trail amenities as defined above, or to non-habitable areas such as common operational uses (such as trash rooms, maintenance closets) or parking areas.

Land use provisions for each Development Area are:

**Blue Lagoon Development Area:** The Blue Lagoon Development Area includes those portions of the Corridor located between NW 7 Street and the Tamiami Canal. Uses permitted in the Blue Lagoon Development Area shall include the full range of sales and service activities. Residential uses, and mixing of residential use with commercial, office and hotels are also permitted. Development shall be limited as follows:

- Maximum Density: 125 dwelling units per gross acre
- Maximum Floor Area Ratio: 5.0
- Maximum Building Height: Twelve (12) ~~or fewer habitable~~ stories

**Tamiami Trail Development Area:** The Tamiami Trail Development Area includes those portions of the corridor located between SW 8th Street and SW 12th Street. Uses permitted in the Tamiami Trail Development Area shall include the full range of sales and service activities. Light industrial uses are also permitted where compatible with existing residential uses. Residential uses and mixing of residential use with commercial, office and hotels are also permitted. The LDRs shall provide for a notification process to inform prospective purchasers of residential units located in close proximity to an active industrial use that such industrial use may generate significant noise, dust, odor, vibration, or truck traffic. Development shall be limited as follows:

- Maximum Density: 125 dwelling units per gross acre

- Maximum Floor Area Ratio: 5.0
- Maximum Building Height: Twelve (12) ~~or fewer habitable~~ stories

**Coral Way Development Area.** The Coral Way Development Area includes those portions of the corridor located between 270 feet north of the centerline of Coral Way and 240 feet south of the centerline of Coral Way. Uses permitted in the Coral Way Development Area shall include the full range of sales and service activities, residential uses, and the mixing of residential use with commercial, office and hotels are also permitted. Development shall be limited as follows:

- Maximum Density: 60 dwelling units per gross acre
- Maximum Floor Area Ratio: 2.5
- Maximum Building Height: Six (6) ~~or fewer habitable~~ stories

**Bird Road Development Area.** The Bird Road Development Area includes those portions of the corridor located between ±248 feet north of the centerline of Bird Road to ±2,600 feet south of the centerline of Bird Road. Uses permitted in the Bird Road Development Area shall include the full range of sales and service activities, residential uses, and the mixing of residential use with commercial, office and hotels are also permitted. Development shall be limited as follows:

- Maximum Density: 90 dwelling units per gross acre
- Maximum Floor Area Ratio: 2.5
- Maximum Building Height: Six (6) ~~or fewer habitable~~ stories

**Development of Properties Adjacent to Development Areas, Density Bonuses, and Mixing of Uses**

The LDRs that are adopted to implement this District may encourage flexible and creative development on adjacent properties along the Development Areas.

The LDRs may increase the residential densities or intensities in the Development Areas in accordance with bonuses provided for affordable or workforce housing. The averaging of densities among a Development Area and different parcels to the east or west of a Development Area may be allowed in accordance with the density averaging policies set forth in the CDMP Land Use Element

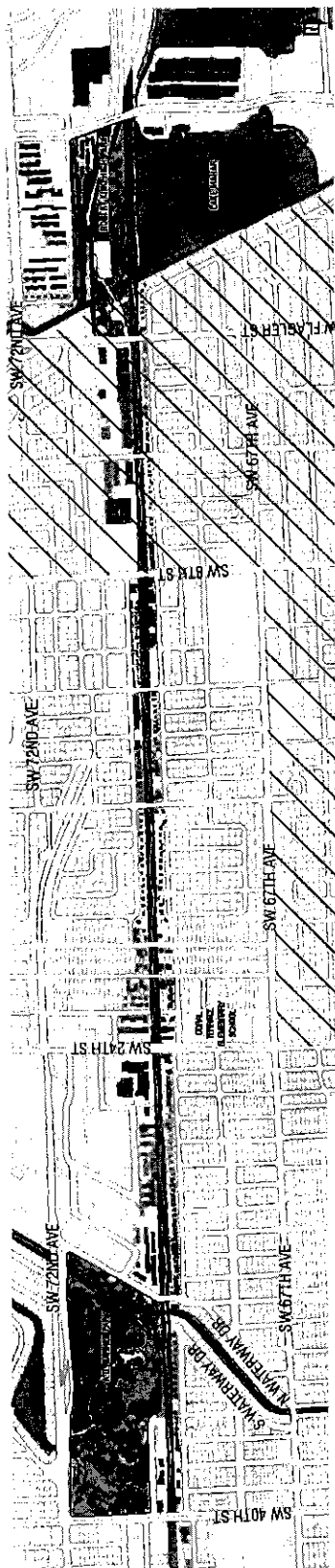
The mix of residential and non-residential uses allowed in each Development Area may be modified in the respective Development Area in accordance with a land use equivalency conversion matrix adopted as part of the LDRs. The LDRs may also provide for the transfer of density or intensity to the Bird Road Development Area from other Development Areas, so long as the transfer does not result in an exceedance of the maximum number of vehicle trips calculated for the development program described above, as of July 19, 2017, based on standards established by the Institute of Transportation Engineers.

Notwithstanding the foregoing allowances regarding density and intensity, in no event shall the height of any building exceed the maximum height established above for the applicable Development Area.

**Amendments to Ludlam Trail Corridor District Recreational Trail Segment Policies**

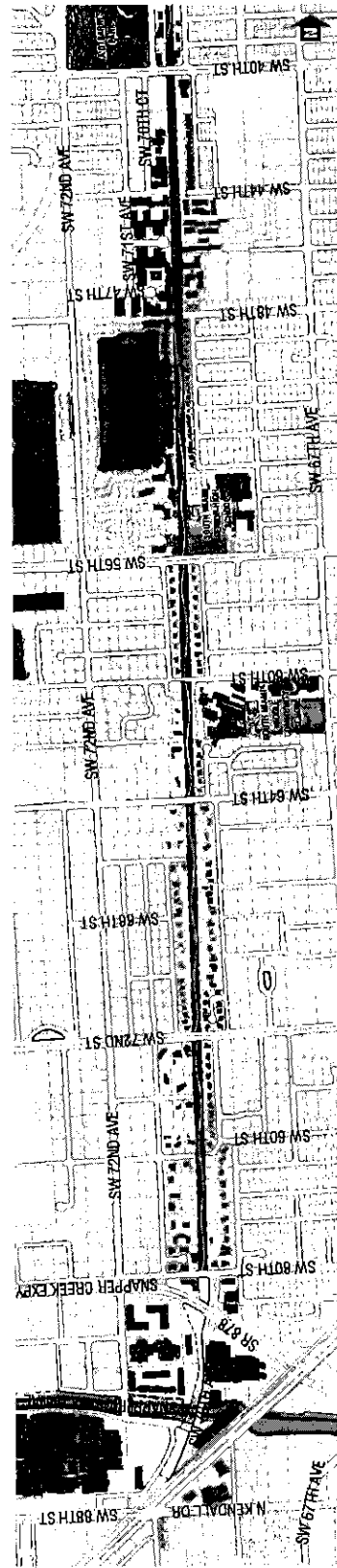
Any amendment to the Recreational Trail Segment policies in this Special District category shall require an affirmative vote of not less than two-thirds of the total membership of the Board of County Commissioners then in office.<<

FIGURE 3.1: LUDLAM TRAIL CORRIDOR DISTRICT MAP



North Segment

- Recreational Trail
- Development Area (w/Trail)
- City of Miami



South Segment

- Recreational Trail
- Development Area (w/Trail)

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B. Amend the Land Use Element, Future Land Use Plan map to add the new "Special District" land use category and redesignate the ±68 gross acre subject property from "Transportation (ROW, Rail, Metrorail, Etc.)" to Ludlam Trail Corridor District "Special District".

C. Add a new policy to the CDMP Recreation and Open Space Element as follows:

>>ROS-2F. The County will work with developers of residential land uses within the Ludlam Trail Corridor District to encourage the dedication of park land, improvements, maintenance, or some combination thereof that adequately meets the developer's obligation to provide local recreation open space.<<

D. Add a new policy to the CDMP Intergovernmental Coordination Element as follows:

>>ICE-1U. Miami-Dade County shall work cooperatively with the City of Miami to ensure consistent application of development regulations that provide for the seamless continuation of a recreational trail along the length of the Ludlam Trail Corridor for those portions of the corridor located within the boundary of the City of Miami.<<

E. Amend Policy ICE-3G. as follows:

ICE-3G. Maintain and utilize the authority provided in the Miami-Dade County Home Rule Charter for the County to maintain, site, construct and/or operate public facilities in incorporated and unincorporated areas of the County. Furthermore, in order to protect and promote the health, safety, order, convenience, and welfare of the residents, the County shall retain regulatory control over land use, development and service delivery for all facilities of countywide significance as listed in Table 3. While the County reserves all rights provided by the Miami-Dade County Home Rule Charter, when siting facilities of countywide significance within the boundaries of an incorporated municipality, the County will consider the municipal comprehensive plan and development regulations, as well as the need for the public facility and suitable alternative locations. The County shall at a minimum retain the authority to enforce covenants accepted in connection with Comprehensive Development Master Plan (CDMP) or Zoning approvals to provide facilities of countywide significance in areas subsequently incorporated, or annexed into existing municipalities.

**Table 3  
Facilities of Countywide Significance**

<b>Department/Facility</b>	<b>Address</b>	<b>Municipality If Applicable</b>
<b>Miami-Dade Water and Sewer Department (WASD)</b>		
Hialeah/Preston WTP	1100 West 2 Ave	Hialeah
Alexander Orr WTP	6800 SW 87 Ave	Miami-Dade
North District WWTP	2575 NE 151 St	North Miami
Central District WWTP	3989 Rickenbacker Cswy	Miami
South District WWTP	8950 SW 232 St	Miami-Dade
Hialeah Reverse Osmosis WTP	NW 166 St & 102 Av (under construction completion June 2013)	Hialeah
South Miami Heights WTP	11800 SW 208 Street (Proposed)	Miami-Dade
Existing and Proposed wellfields and elevated tanks under the authority of WASD Regional Pump Stations as may be identified by WASD		
<b>Parks, Recreation and Open Spaces Department (PROS)</b>		
Metropolitan Parks – As located by PROS		Various
Natural Area Preserves – As located by PROS		Various
Greenways – As located by PROS		Various
Special Activity Areas – As located by PROS		Various
District Parks – As located by PROS		Various
<b>Corrections</b>		
Pre-Trial Detention Center	1321 NW 13 St	Miami
Women's Detention Center	1401 NW 7 Ave	Miami
Turner Guilford Knight Correctional Center	7000 NW 41 St	Miami
Training and Treatment Center	6950 NW 41 St	Miami



Department/Facility	Address	Municipality If Applicable
Metro West Detention Center	13850 NW 41 St	Miami
<b>Public Health Trust</b>		
Jackson Memorial Hospital	1611 NW 12 Ave	Miami
Jackson South Community Hospital	9333 SW 152 St	Miami-Dade
Jackson North Medical Center	160 NW 170 Street	North Miami Beach
<b>Ports and Airports</b>		
Seaport	1015 North America Way	Miami
Miami International Airport	4200 NW 21 Street	Miami-Dade
Opa Locka Airport	4051 NW 145 Street	Miami-Dade/Opa-Locka
Kendall-Tamiami Executive Airport	12800 SW 145 Avenue	Miami-Dade
Homestead General Aviation Airport	28700 SW 217 Avenue	Miami-Dade
Homestead Air Reserve Base	29050 Coral Sea Blvd	Miami-Dade
Other facilities as may be identified by the Aviation or Seaport Departments		
<b>Vizcaya Museum and Gardens</b>	3251 South Miami Ave	Miami
<b>Deering Estate</b>	16701 SW 72 Avenue	Palmetto Bay Miami-Dade
<b><u>Ludlam Trail Corridor District</u></b>		
<b>Miami-Dade Zoological Park and Gardens (aka Zoo Miami)</b>	12400 SW 152 Street	Miami, Miami-Dade Miami-Dade
<b>Zoo Miami Entertainment Area I</b>	12400 SW 152 Street	
<b>Zoo Miami Entertainment Area II</b>	12300 SW 152 Street	
<b>Miami-Dade Police Department</b>		
Training Bureau Metro Training Center	9601 NW 58 Street	Doral
MDPD Headquarters Complex	9105 NW 25 Street	Doral
Other facilities as may be identified by the Police Department		
<b>Miami-Dade Fire Rescue Department</b>		
Headquarters, Emergency Operations Center, & Training Complex	9300 NW 41 Street	Doral
Other facilities as may be identified by the Fire Rescue Department		
<b>Florida Power and Light</b>		
Cutler Plant	14925 SW 67 Avenue	Palmetto Bay
Turkey Point Plant (Fossil)	9700 SW 344 Street	Miami-Dade
Turkey Point Plant Nuclear	9760 SW 344 Street	Miami-Dade
<b>Department of Public Works and Waste Management</b>		
Resources Recovery	6990 NW 97 Avenue	Doral
North Dade Landfill	21300 NW 47 Avenue	Miami-Dade
South Dade Landfill	24000 SW 97 Avenue	Miami-Dade
Old South Dade Landfill (Closed)	24800 SW 97 Avenue	Miami-Dade
58 Street Landfill / Household Hazardous Waste Facility	8831 NW 58 Street	Miami-Dade
Northeast Transfer Station	18701 NE 6 Avenue	Miami-Dade
West Transfer Station Areas	2900 SW 72 Avenue	Miami-Dade
Central Transfer Station Areas	1150 NW 20 St	Miami

Department/Facility	Address	Municipality If Applicable
Trash and Recycling Stations as may be identified by the Department of Public Works and Waste Management		
<b>Miami-Dade Transit</b>		
Miami Intermodal Center		Miami
Current and future Metrorail station facilities as identified by Miami-Dade Transit Miami-Dade County bus depots, Transit Centers, rail terminals, and transportation maintenance facilities as may be identified by Miami-Dade Transit		

## EXHIBIT 2

### LR 13-18, LLC's and FECI LT1 LLC's Consent to, Joinder In, and Waiver of Claims Relating to Miami-Dade County's Application for Amendment to Comprehensive Development Master Plan

**WHEREAS**, LR 13-18, LLC, a Delaware limited liability company, and FECI LT1 LLC, a Delaware limited liability company ("Owners") are aware that Miami-Dade County ("County") has adopted an Amendment to the County's Comprehensive Development Master Plan ("CDMP"), attached hereto as Exhibit "A" ("Amendment"), which changes the comprehensive land use plan map designation ("Land Use Changes") for certain Property described therein ("Property"); and

**WHEREAS**, the Owners are the sole owners of the Property which is the subject of the Amendment; and

**WHEREAS**, the Owners are aware that the Property will henceforth be governed by the new land use designations, which may alter existing rights on different sections of the Property; and

**WHEREAS**, the Owners have participated in the process of adopting the Amendment, including but not limited to: first filing their own application for an amendment to the CDMP, which they voluntarily withdrew to instead participate in the preparation of this Amendment; attending public hearings; reviewing the Application; requesting changes to the Amendment, which have been incorporated; and being represented by counsel throughout this process; and

**WHEREAS**, the Owners concur with the Land Use Changes set forth in the Amendment.

**Now therefore**, Kolleen Cobb, as the Vice President of LR 13-18, LLC and Kolleen Cobb, as the Vice President of FECI LT1 LLC and on behalf of same, being duly sworn, and with full authorization to bind the Owners, attest that:

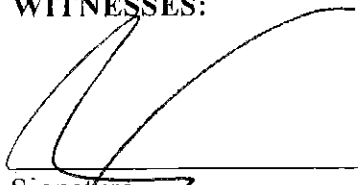
1. The Owners adopt the foregoing recitals and attest that they are true and correct.
2. The Owners consented to and joined in the Application for the Amendment, and support and have no objection to the Amendment as adopted.
3. The Owners, on behalf of themselves and their heirs, successors, and assigns, disclaim and waive any and all claims arising from any impact or changes to the Property arising from the adoption or implementation of the Amendment and the Land Use Changes, including but not limited to any claims that the adoption or implementation of the Amendment and the Land Use Changes have reduced any development rights in the Property, or any portion thereof, but solely excluding future disputes over administrative interpretations of the Amendment and Land Use Changes.

(Signature Page Follows)

IN WITNESS WHEREOF, we have executed this Declaration of Restrictions as of this

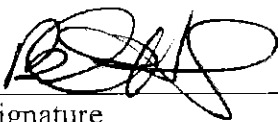
14<sup>th</sup> day of August, 2017.

WITNESSES:

  
\_\_\_\_\_  
Signature  
ALEX VARGAS VILA  
Printed Name

LR 13-18, LLC,  
a Delaware limited liability company

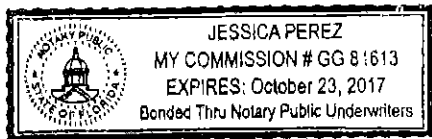
By: KPCobb  
Name: Kolleen Cobb  
Title: Vice President

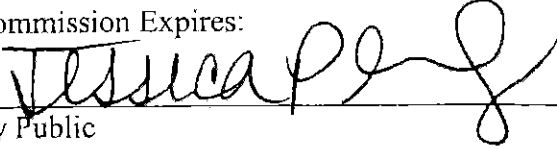
  
\_\_\_\_\_  
Signature  
Belanna Hernandez  
Printed Name

STATE OF FLORIDA                    )  
  ) SS  
COUNTY OF MIAMI-DADE        )

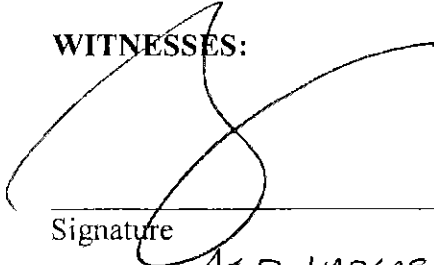
The foregoing instrument was acknowledged before me by Kolleen Cobb, as Vice President of LR 13-18, LLC, a Delaware limited liability company, and for the purposes stated herein on behalf of the corporation. She is personally known to me or has produced as identification.


Witness my signature and official seal this 14<sup>th</sup> day of August, 2017, in the County and State aforesaid.



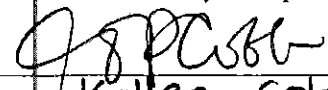
My Commission Expires:  
  
\_\_\_\_\_  
Notary Public  
\_\_\_\_\_  
Print Name

**WITNESSES:**

  
\_\_\_\_\_  
Signature  
ALEX VARGAS VILA  
Printed Name

  
\_\_\_\_\_  
Signature  
Brianna Hernandez  
Printed Name

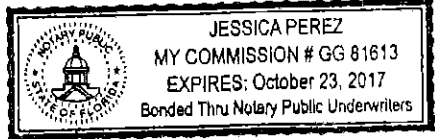
**FECI LT1 LLC,**  
a Delaware limited liability company

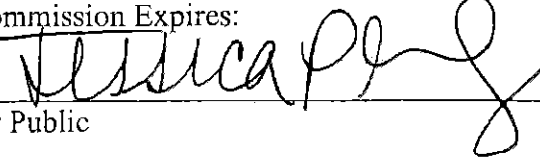
By:   
\_\_\_\_\_  
Name: Kolleen Cobb  
\_\_\_\_\_  
Title: Vice President

STATE OF FLORIDA                    )  
  ) SS  
COUNTY OF MIAMI-DADE        )

The foregoing instrument was acknowledged before me by Kolleen Cobb, as Vice President of FECI LT1 LLC, a Delaware limited liability company, and for the purposes stated herein on behalf of the corporation. She is personally known to me or has produced \_\_\_\_\_ as identification.

Witness my signature and official seal this 14<sup>th</sup> day of August, 2017, in the County and State aforesaid.



My Commission Expires:  
  
\_\_\_\_\_  
Notary Public  
\_\_\_\_\_  
Print Name

**APPLICATION NUMBER 9**  
**APPLICATION REQUESTING AMENDMENT TO THE**  
**COMPREHENSIVE DEVELOPMENT MASTER PLAN**

1. DESCRIPTION OF REQUESTED CHANGES<sup>1</sup>

- A. Revise the interpretive text of the CDMP Land Use Element to create a new Land Use Plan map category entitled "Special District" and create a new subcategory under the Special District text titled "Ludlam Trail Corridor District" and add new Figure 3.1 to the Land Use Element map series following Figure 3 on page I-50 as follows:

**>>Special Districts. Land designated as "Special District" on the CDMP Land Use Plan Map comprises areas with unique characteristics where special land use provisions are warranted. Special Districts may be approved on properties that are located inside the UDB, and contain a minimum of 10 acres. The specific land use provisions for each Special District are defined herein.**

**Ludlam Trail Corridor District**

The Ludlam Trail Corridor District ("District") applies to an approximately 5.8-mile segment of the former Florida East Coast Railway South Little River Branch spur-line that is generally 100 feet wide and extends from SW 80 Street to approximately 400 feet north of NW 7 Street and generally along theoretical NW/SW 69 Avenue ("Corridor") as depicted on Figure 3.1. Approximately 0.6 miles of the Corridor between SW 8 Street and the Tamiami Canal is located within the boundaries of the City of Miami ("Miami Segment").

The purpose of the Ludlam Trail Corridor District is to enhance regional mobility, provide opportunities for physical activity, and improve the economic vitality of the area by facilitating the conversion of this former railway corridor into a continuous publicly-accessible primarily pedestrian and bicycle trail while ensuring that development along the Corridor occurs at appropriate locations and in a manner that is sensitive to and compatible with adjacent uses. Several regional and local studies have identified an opportunity for a regionally significant trail and greenway

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<sup>1</sup> Words underscored and/or >>double arrowed<< constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged. Words shown with double underline or double strikethrough constitute further changes following transmittal of the application to the State of Florida Department of Economic Opportunity.

along the Corridor that will connect to the County's greenway and trail network, link the surrounding communities, and provide vital neighborhood connections.

The portion of the Ludlam Trail Corridor District within unincorporated Miami-Dade County, as indicated in Figure 3.1, is hereby designated as an Area or Facility of Countywide Significance, and for those portions located within the City of Miami, Miami-Dade County shall work collaboratively with the City of Miami to similarly designate those portions of the District.

The land use provisions of the Ludlam Trail Corridor District shall be implemented through the adoption of Land Development Regulations (“LDRs”). LDRs shall be adopted for all portions of the District within unincorporated Miami-Dade County prior to the issuance of the first building permit for vertical construction within the Development Areas defined below. The LDRs shall define the urban form of development within the Corridor including flexible design standards and appropriate transitions to adjacent uses, as well as the configuration and design parameters of the recreational trail. Access to the Development Areas shall be provided in a manner that minimizes negative impacts to adjacent residential neighborhoods. In addition, the Downtown Kendall Urban Center District regulations shall be amended to require the continuation of the trail to the M-Path/Underline. All portions of the Corridor shall have received final abandonment approval from the U.S. Surface Transportation Board prior to the issuance of the first building permit for vertical construction within the Development Areas.

Development and trail standards shall be coordinated with Miami-Dade Department of Regulatory and Economic Resources, Parks, Recreation and Open Spaces Department and Department of Transportation and Public Works (or their successor departments) and shall emphasize convenient pedestrian and bicycle access to public transportation. The trail standards should incorporate Crime Prevention Through Environmental Design (CPTED) principles to enhance trail safety and security. Canal crossings shall conform to the Miami-Dade County Manatee Protection Plan.

Development Areas and Recreational Trail Segments are identified on Figure 3.1 and described below. The precise boundaries between the Development Areas and Recreational Trail Segments within the District shall be established in the LDRs in approximately the locations identified on Figure 3.1. Miami-Dade County shall work cooperatively with the City of Miami to ensure consistent application of development regulations that provide for the seamless continuation of a recreational trail along the length of the Corridor.

**Recreational Trail Segments.** The Recreational Trail Segments shall generally include the following portions of the Corridor:

- ±400 feet north of the centerline of NW 7 Street to NW 7 Street
- SW 12 Street to ±270 feet north of the centerline of Coral Way

- ±240 feet south of the centerline of Coral Way to ±248 feet north of the centerline of Bird Road
- ±2,600 feet south of the centerline of Bird Road to SW 80 Street

Those portions of the Corridor that are designated for Recreational Trail use shall be developed solely with recreational uses, including but not limited to a pedestrian and bicycle trail, parks and associated amenities. Associated amenities may include but not be limited to above-grade pedestrian crossings, parking, restroom facilities, signage, benches, information and vending kiosks, recreational equipment and bicycle rental stations, and shelters, where appropriate. Recreational Trail Segments and associated amenities shall be designed in a manner sensitive to adjacent uses. Buffering should be considered in the design of the Recreational Trail Segments where adjacent to single-family residential.

Access roads may also be provided within the Recreational Trail Segments in the following circumstances: 1) to provide access to public recreational space; or 2) to provide limited ingress and egress to a Development Area for official vehicles providing emergency, municipal, or utility services; or 3) where necessary for access to development areas and where such access does not directly and detrimentally impact residential neighborhoods. Where provided, such access roadway(s) shall be the minimum reasonably necessary to meet the need.

**Development Areas.** Development Areas in unincorporated Miami-Dade County shall be limited to Blue Lagoon, Tamiami Trail, Coral Way and Bird Road as defined herein.

Development Areas shall be developed in a manner that is compatible with adjacent uses. Open space shall be provided in the form of a minimum 15-foot wide continuous trail within each Development Area. Building features oriented toward the recreational trail shall have a human scale, and design variations at short intervals to create interest for users of the trail. The maximum development allowed within the Ludlam Trail Corridor District, without a publicly accessible trail component, is a total of: (i) 582 residential units and 256,132 square feet of industrial uses, or (ii) a combination of 281 residential units, 256,132 square feet of industrial uses, 103,572 square feet of office uses, and 39,377 square feet of retail uses. If a publicly-accessible trail is developed along the length of the Corridor, or a legally binding instrument or recordable agreement running with the land is executed by the property owner(s) of the Corridor, demonstrating to the satisfaction of the County Mayor or Mayor's designee(s) when and how the publicly-accessible trail will be accomplished, then development shall be permitted up to the maximum allowable density and/or floor area ratio and building heights specified for each Development Area below.

If a building or site within a Development Area is designed to accommodate a grade-separated Recreational Trail connection, then, in addition to the number of stories permitted in the paragraphs below in each Development Area, there may be permitted up to two (2) additional stories above the maximum height allowed for



the building or site in the applicable Development Area, where each such additional story has dedicated at least seventy percent (70%) of its square footage to trail, associated trail amenities as defined above, or to non-habitable areas such as common operational uses (such as trash rooms, maintenance closets) or parking areas.

Land use provisions for each Development Area are:

**Blue Lagoon Development Area:** The Blue Lagoon Development Area includes those portions of the Corridor located between NW 7 Street and the Tamiami Canal. Uses permitted in the Blue Lagoon Development Area shall include the full range of sales and service activities. Residential uses, and mixing of residential use with commercial, office and hotels are also permitted. Development shall be limited as follows:

- Maximum Density: 125 dwelling units per gross acre
- Maximum Floor Area Ratio: 5.0
- Maximum Building Height: Twelve (12) stories

**Tamiami Trail Development Area:** The Tamiami Trail Development Area includes those portions of the corridor located between SW 8th Street and SW 12th Street. Uses permitted in the Tamiami Trail Development Area shall include the full range of sales and service activities. Light industrial uses are also permitted where compatible with existing residential uses. Residential uses and mixing of residential use with commercial, office and hotels are also permitted. The LDRs shall provide for a notification process to inform prospective purchasers of residential units located in close proximity to an active industrial use that such industrial use may generate significant noise, dust, odor, vibration, or truck traffic. Development shall be limited as follows:

- Maximum Density: 125 dwelling units per gross acre
- Maximum Floor Area Ratio: 5.0
- Maximum Building Height: Twelve (12) stories

**Coral Way Development Area.** The Coral Way Development Area includes those portions of the corridor located between 270 feet north of the centerline of Coral Way and 240 feet south of the centerline of Coral Way. Uses permitted in the Coral Way Development Area shall include the full range of sales and service activities, residential uses, and the mixing of residential use with commercial, office and hotels are also permitted. Development shall be limited as follows:

- Maximum Density: 60 dwelling units per gross acre
- Maximum Floor Area Ratio: 2.5
- Maximum Building Height: Six (6) stories

**Bird Road Development Area.** The Bird Road Development Area includes those portions of the corridor located between ±248 feet north of the centerline of Bird

Road to ±2,600 feet south of the centerline of Bird Road. Uses permitted in the Bird Road Development Area shall include the full range of sales and service activities, residential uses, and the mixing of residential use with commercial, office and hotels are also permitted. Development shall be limited as follows:

- Maximum Density: 90 dwelling units per gross acre
- Maximum Floor Area Ratio: 2.5
- Maximum Building Height: Six (6) stories

**Development of Properties Adjacent to Development Areas, Density Bonuses, and Mixing of Uses**

The LDRs that are adopted to implement this District may encourage flexible and creative development on adjacent properties along the Development Areas.

The LDRs may increase the residential densities or intensities in the Development Areas in accordance with bonuses provided for affordable or workforce housing. The averaging of densities among a Development Area and different parcels to the east or west of a Development Area may be allowed in accordance with the density averaging policies set forth in the CDMP Land Use Element

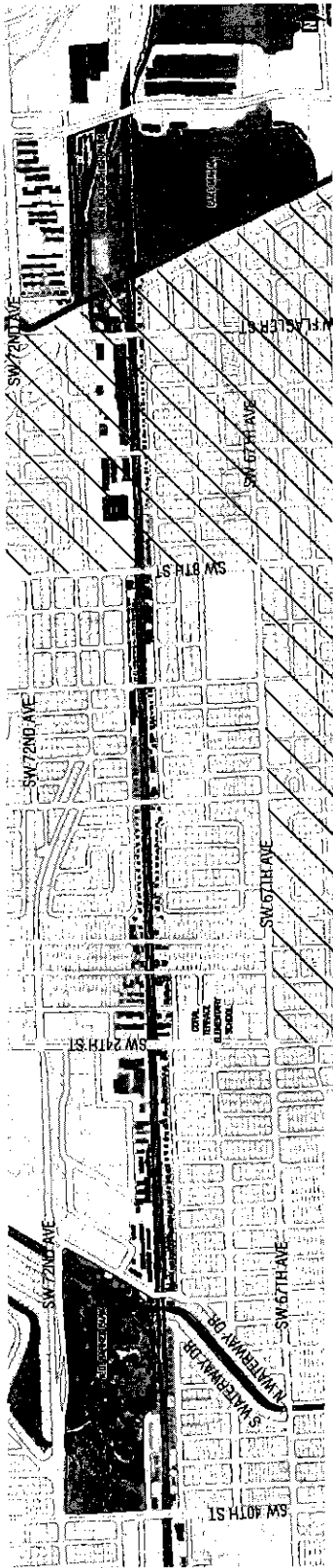
The mix of residential and non-residential uses allowed in each Development Area may be modified in the respective Development Area in accordance with a land use equivalency conversion matrix adopted as part of the LDRs. The LDRs may also provide for the transfer of density or intensity to the Bird Road Development Area from other Development Areas, so long as the transfer does not result in an exceedance of the maximum number of vehicle trips calculated for the development program described above, as of July 19, 2017, based on standards established by the Institute of Transportation Engineers.

Notwithstanding the foregoing allowances regarding density and intensity, in no event shall the height of any building exceed the maximum height established above for the applicable Development Area.

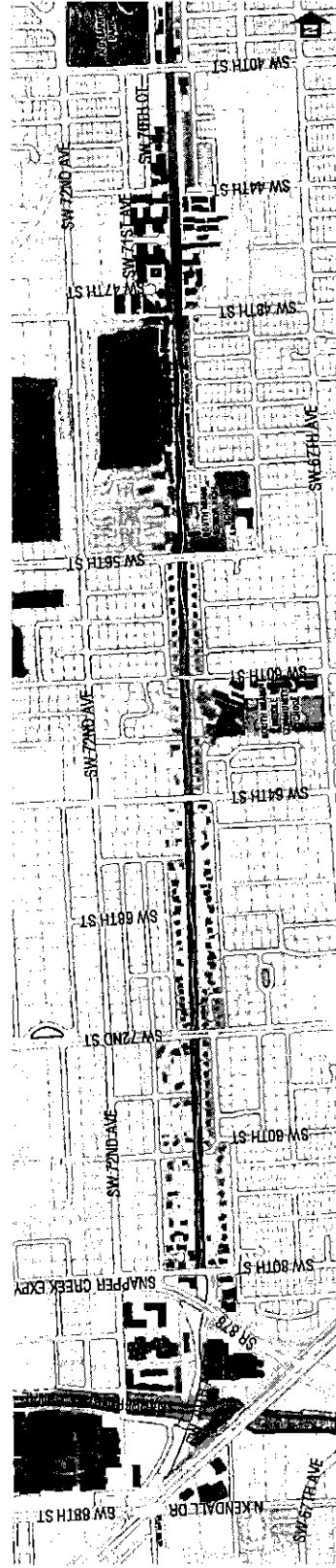
**Amendments to Ludlam Trail Corridor District Recreational Trail Segment Policies**

Any amendment to the Recreational Trail Segment policies in this Special District category shall require an affirmative vote of not less than two-thirds of the total membership of the Board of County Commissioners then in office.<<

FIGURE 3.1: LUDLAM TRAIL CORRIDOR DISTRICT MAP



North Segment



South Segment

B. Amend the Land Use Element, Future Land Use Plan map to add the new "Special District" land use category and redesignate the ±68 gross acre subject property from "Transportation (ROW, Rail, Metrorail, Etc.)" to Ludlam Trail Corridor District "Special District".

C. Add a new policy to the CDMP Recreation and Open Space Element as follows:

>>ROS-2F. The County will work with developers of residential land uses within the Ludlam Trail Corridor District to encourage the dedication of park land, improvements, maintenance, or some combination thereof that adequately meets the developer's obligation to provide local recreation open space.<<

D. Add a new policy to the CDMP Intergovernmental Coordination Element as follows:

>>ICE-1U. Miami-Dade County shall work cooperatively with the City of Miami to ensure consistent application of development regulations that provide for the seamless continuation of a recreational trail along the length of the Ludlam Trail Corridor for those portions of the corridor located within the boundary of the City of Miami.<<

E. Amend Policy ICE-3G. as follows:

ICE-3G. Maintain and utilize the authority provided in the Miami-Dade County Home Rule Charter for the County to maintain, site, construct and/or operate public facilities in incorporated and unincorporated areas of the County. Furthermore, in order to protect and promote the health, safety, order, convenience, and welfare of the residents, the County shall retain regulatory control over land use, development and service delivery for all facilities of countywide significance as listed in Table 3. While the County reserves all rights provided by the Miami-Dade County Home Rule Charter, when siting facilities of countywide significance within the boundaries of an incorporated municipality, the County will consider the municipal comprehensive plan and development regulations, as well as the need for the public facility and suitable alternative locations. The County shall at a minimum retain the authority to enforce covenants accepted in connection with Comprehensive Development Master Plan (CDMP) or Zoning approvals to provide facilities of countywide significance in areas subsequently incorporated, or annexed into existing municipalities.

**Table 3  
Facilities of Countywide Significance**

Department/Facility	Address	Municipality If Applicable
<b>Miami-Dade Water and Sewer Department (WASD)</b>		
Hialeah/Preston WTP	1100 West 2 Ave	Hialeah
Alexander Orr WTP	6800 SW 87 Ave	Miami-Dade
North District WWTP	2575 NE 151 St	North Miami
Central District WWTP	3989 Rickenbacker Cswy	Miami
South District WWTP	8950 SW 232 St	Miami-Dade
Hialeah Reverse Osmosis WTP	NW 166 St & 102 Av (under construction completion June 2013)	Hialeah
South Miami Heights WTP	11800 SW 208 Street (Proposed)	Miami-Dade
Existing and Proposed wellfields and elevated tanks under the authority of WASD Regional Pump Stations as may be identified by WASD		
<b>Parks, Recreation and Open Spaces Department (PROS)</b>		
Metropolitan Parks – As located by PROS		Various
Natural Area Preserves – As located by PROS		Various
Greenways – As located by PROS		Various
Special Activity Areas – As located by PROS		Various
District Parks – As located by PROS		Various
<b>Corrections</b>		
Pre-Trial Detention Center	1321 NW 13 St	Miami
Women's Detention Center	1401 NW 7 Ave	Miami
Turner Guilford Knight Correctional Center	7000 NW 41 St	Miami
Training and Treatment Center	6950 NW 41 St	Miami

Department/Facility	Address	Municipality If Applicable
Metro West Detention Center	13850 NW 41 St	Miami
<b>Public Health Trust</b>		
Jackson Memorial Hospital	1611 NW 12 Ave	Miami
Jackson South Community Hospital	9333 SW 152 St	Miami-Dade
Jackson North Medical Center	160 NW 170 Street	North Miami Beach
<b>Ports and Airports</b>		
Seaport	1015 North America Way	Miami
Miami International Airport	4200 NW 21 Street	Miami-Dade
Opa Locka Airport	4051 NW 145 Street	Miami-Dade/Opa-Locka
Kendall-Tamiami Executive Airport	12800 SW 145 Avenue	Miami-Dade
Homestead General Aviation Airport	28700 SW 217 Avenue	Miami-Dade
Homestead Air Reserve Base	29050 Coral Sea Blvd	Miami-Dade
Other facilities as may be identified by the Aviation or Seaport Departments		
<b>Vizcaya Museum and Gardens</b>	3251 South Miami Ave	Miami
<b>Deering Estate</b>	16701 SW 72 Avenue	Palmetto Bay Miami-Dade
<b><u>Ludlam Trail Corridor District</u></b>		
<b>Miami-Dade Zoological Park and Gardens (aka Zoo Miami)</b>	12400 SW 152 Street	Miami-Dade
<b>Zoo Miami Entertainment Area I</b>	12400 SW 152 Street	Miami-Dade
<b>Zoo Miami Entertainment Area II</b>	12300 SW 152 Street	
<b>Miami-Dade Police Department</b>		
Training Bureau Metro Training Center	9601 NW 58 Street	Doral
MDPD Headquarters Complex	9105 NW 25 Street	Doral
Other facilities as may be identified by the Police Department		
<b>Miami-Dade Fire Rescue Department</b>		
Headquarters, Emergency Operations Center, & Training Complex	9300 NW 41 Street	Doral
Other facilities as may be identified by the Fire Rescue Department		
<b>Florida Power and Light</b>		
Cutler Plant	14925 SW 67 Avenue	Palmetto Bay
Turkey Point Plant (Fossil)	9700 SW 344 Street	Miami-Dade
Turkey Point Plant Nuclear	9760 SW 344 Street	Miami-Dade
<b>Department of Public Works and Waste Management</b>		
Resources Recovery	6990 NW 97 Avenue	Doral
North Dade Landfill	21300 NW 47 Avenue	Miami-Dade
South Dade Landfill	24000 SW 97 Avenue	Miami-Dade
Old South Dade Landfill (Closed)	24800 SW 97 Avenue	Miami-Dade
58 Street Landfill / Household Hazardous Waste Facility	8831 NW 58 Street	Miami-Dade
Northeast Transfer Station	18701 NE 6 Avenue	Miami-Dade
West Transfer Station Areas	2900 SW 72 Avenue	Miami-Dade
Central Transfer Station Areas	1150 NW 20 St	Miami

Department/Facility	Address	Municipality If Applicable
Trash and Recycling Stations as may be identified by the Department of Public Works and Waste Management		
<b>Miami-Dade Transit</b>		
Miami Intermodal Center		Miami
Current and future Metrorail station facilities as identified by Miami-Dade Transit Miami-Dade County bus depots, Transit Centers, rail terminals, and transportation maintenance facilities as may be identified by Miami-Dade Transit		