

# CODE of MIAMI-DADE COUNTY, FLORIDA

Codified through Ordinance No. 09-27, enacted April 7, 2009.

## Chapter 2 ADMINISTRATION

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### **Sec. 2-116. Evaluation and appraisal report on Comprehensive Development Master Plan.**

(a) On or before the date required by Sections 163.3191(5) and (8), Florida Statutes (F.S.), and any administrative rules adopted pursuant thereto, and periodically thereafter as required pursuant to Section 163.3191(1) and (5), F.S., the Board of County Commissioners shall adopt a comprehensive plan evaluation and appraisal report (EAR). Adoption shall be by resolution unless otherwise required by state law. All references in Section 2-116 of this Code to Florida Statutes or the Florida Administrative Code (F.A.C.) shall also refer to any amendments thereto and successor legislation or rules.

(b) The evaluation and appraisal report process shall be the principal process for updating the Comprehensive Development Master Plan (CDMP) to reflect changes in state policy on planning and growth management. The evaluation and appraisal report shall present an assessment and evaluation of the success or failure of the comprehensive plan or element or portion thereof, and shall contain appropriate statements (using words, maps, illustrations, or other forms) related to the matters required pursuant to Section 163.3191, F.S. and any administrative rules adopted pursuant thereto. The report shall also recommend changes needed to update the comprehensive plan, or elements or portions thereof, including reformulated objectives, policies, and standards and shall contain a schedule for reviewing and taking final action on the proposed amendments within the time frame required by Section 163.3191(4), F.S.

(c) The Director of Planning and Zoning shall prepare the EAR pursuant to Section 2-105.1, Code of Miami-Dade County, for finalization by the Planning Advisory Board acting in its capacity as the Miami-Dade County local planning agency (LPA) pursuant to Section 2-108.1, Code of Miami-Dade County, and for adoption by the Board of County Commissioners as provided in this section. Not less than three (3) months prior to the deadline established by Sections 163.3191(1) and (5), F.S., or any administrative rules adopted pursuant thereto, for adoption of an EAR by the county, the Director of Planning and Zoning shall deliver the proposed EAR to the Planning Advisory Board acting in its capacity as the LPA.

Upon receipt of the proposed plan evaluation and appraisal report, the Planning Advisory Board acting as the LPA shall conduct one (1) or more public hearings duly noticed in accordance with Section 163.3164(17), F.S.

Following the public hearing(s), the Planning Advisory Board acting as the LPA, shall complete preparation of the report, including their recommendations, and submit it to the Board of County Commissioners not less than two (2) months prior to the deadline established by sections 163.3191(1) and (5), F.S., or administrative rules adopted pursuant thereto. The Department of Planning and Zoning may issue recommendations regarding the report as finalized by the LPA.

The Board of County Commissioners shall adopt, or adopt with changes, the report or portions thereof on or before the date established by Chapters 163.3191(1) and (5), F.S., or any administrative rules adopted pursuant thereto, for adoption of an EAR by Miami-Dade County.

Not less than six (6) months prior to the deadlines established by Section 163.3191(1) and (5), F.S. the Department of Planning and Zoning shall publish in a newspaper of general circulation in Miami-Dade County a schedule of all activities required by law for the adoption of the EAR. Any changes in the schedule shall be published in the same manner. The published schedule and changes thereto shall be delivered to the Board of County Commissioners and the Planning Advisory Board.

The adopted EAR shall be transmitted to the state land planning agency or its designee, and any other required parties on the dates required by Sections 163.3191(5) and (8), F.S. The EAR shall also be transmitted, pursuant to Section 163.3184(3)(b), F.S., when the amendments proposed in the report are transmitted to the state land planning agency or its designee.

(d) At any time prior to or during preparation or review of the proposed or recommended EAR, the Board of County Commissioners, Planning Advisory Board or Department of Planning and Zoning may conduct public meetings or public workshops in addition to the public hearing specified herein to address the matters set forth in Section 163.3191(4), F.S. Any such public workshop shall be advertised in a newspaper of general circulation in Miami-Dade County, at least once seven (7) to fourteen (14) days prior to the date of said workshop.

(Ord. No. 75-22, § 7, 3-31-75; Ord. No. 76-4, § 1, 1-20-76; Ord. No. 76-95, § 1, 10-19-76; Ord. No. 78-48, § 1, 7-18-78; Ord. No. 79-80, § 1, 10-2-79; Ord. No. 88-18, § 1, 4-5-88; Ord. No. 90-2, § 1, 1-16-90; Ord. No. 92-17, § 3, 3-17-92; Ord. No. 92-120, § 1, 10-13-92; Ord. No. 93-23, § 1, 3-30-93; Ord. No. 93-131, § 1, 11-16-93; Ord. No. 95-215, § 1, 12-5-95; Ord. No. 98-125, § 1, 9-3-98)

Annotations--AO's 4-49, 4-81.

Source: Municode (Municipal Code Corporation), June 2009.