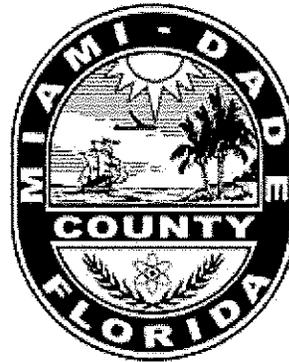


**COMPREHENSIVE
DEVELOPMENT MASTER PLAN
MAY 2014 AMENDMENT CYCLE**



February 4, 2015

9:30 A.M.

BOARD OF COUNTY COMMISSIONERS

Jean Monestime
Chairman

Esteban L. Bovo, Jr.
Vice Chairman

Barbara J. Jordan
District 1

Daniella Levine Cava
District 8

Jean Monestime
District 2

Dennis C. Moss
District 9

Audrey M. Edmonson
District 3

Senator Javier D. Souto
District 10

Sally A. Heyman
District 4

Juan C. Zapata
District 11

Bruno A. Barreiro
District 5

Jose "Pepe" Diaz
District 12

Rebeca Sosa
District 6

Esteban L. Bovo, Jr.
District 13

Xavier L. Suarez
District 7

Carlos A. Gimenez
Mayor

**111 NW 1st Street
Miami, FL 33128**

**Commission Chambers
2nd Floor**

County Commission Rules**Rule 6.05 DECORUM**

Any person making impertinent or slanderous remarks or who becomes boisterous while addressing the commission, shall be barred from further audience before the commission by the presiding officer, unless permission to continue or again address the commission be granted by the majority vote of the commission members present. No clapping, applauding, heckling or verbal outbursts in support or opposition to a speaker or his or her remarks shall be permitted. No signs or placards shall be allowed in the commission chambers. Persons exiting the commission chamber shall do so quietly.

The use of cell phones in the commission chambers is not permitted. Ringers must be set to silent mode to avoid disruption of proceedings. Individuals, including those on the dais, must exit the chambers to answer incoming cell phone calls. County employees may not use cell phone cameras or take digital pictures from their positions on the dais.

Miami-Dade County provides equal access and equal opportunity and does not discriminate on the basis of disability in its programs or services. If you need a sign language interpreter or materials in accessible format for this event, please contact the Miami-Dade County Agenda Coordinator's Office at 305-375-2035 or agendco@miamidade.gov at least five days in advance.

Rule 5.06(h) PRIME SPONSORSHIP AND CO-SPONSORSHIP

When a resolution or ordinance is placed on the agenda at the request of a commissioner, the commissioner who requested the preparation of the item shall be designated as the prime sponsor. Any other commissioner who wishes to sponsor the resolution or ordinance shall be designated as a co-sponsor.

Pursuant to Rule 5.06(h), where a commissioner is listed as a sponsor, the first named commissioner is the prime sponsor and all other named commissioners are co-sponsors.

1A INVOCATION AS PROVIDED IN RULE 5.05(H)

1B PLEDGE OF ALLEGIANCE

1C ROLL CALL

1D REASONABLE OPPORTUNITY FOR THE PUBLIC TO BE HEARD AS PROVIDED IN RILE 6.06

2B MAYORAL REPORTS

2B1

150139 Report

REPORT ON PENDING MAY 2014 CYCLE APPLICATIONS TO AMEND THE COMPREHENSIVE DEVELOPMENT MASTER PLAN (Mayor)

3 (These sections are not in use on this agenda.)
thru 6

7 STANDARD AMENDMENTS AT ADOPTION

7A

142492 Ordinance

ORDINANCE RELATING TO MIAMI-DADE COUNTY COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP); PROVIDING DISPOSITION OF APPLICATION NO. 4, LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF SW 4 STREET AND SW 92 AVENUE, FILED IN MAY 2014 CYCLE TO AMEND THE COUNTY'S COMPREHENSIVE DEVELOPMENT MASTER PLAN; PROVIDING SEVERABILITY, EXCLUSION FROM THE CODE, AND AN EFFECTIVE DATE (Regulatory and Economic Resources)

CDMP Public Hearing

11/19/2014 4B1 Adopted on first reading by BCC Passed 9 - 0

7B

142494 Ordinance

ORDINANCE RELATING TO MIAMI-DADE COUNTY
COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP);
PROVIDING DISPOSITION OF APPLICATION NO. 5, LOCATED AT
THE SOUTHEAST CORNER OF THE INTERSECTION OF SW 286
STREET AND SW 132 AVENUE, FILED IN MAY 2014 CYCLE TO
AMEND THE COUNTY'S COMPREHENSIVE DEVELOPMENT
MASTER PLAN; PROVIDING SEVERABILITY, EXCLUSION FROM
THE CODE, AND AN EFFECTIVE DATE (Regulatory and Economic
Resources)

*CDMP Public
Hearing*

11/19/2014 4C1 Adopted on first reading by BCC Passed 10 - 0

7C

142496 Ordinance

**Rebeca Sosa Prime Sponsor,
Esteban L. Bovo, Jr. Co-Sponsor,
Daniella Levine Cava Co-Sponsor**

ORDINANCE RELATING TO MIAMI-DADE COUNTY
COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP);
PROVIDING DISPOSITION OF APPLICATION NO. 6, AMENDING THE
TEXT OF THE LAND USE ELEMENT, TRANSPORTATION ELEMENT,
AND COMMUNITY HEALTH AND DESIGN ELEMENT OF THE CDMP
FILED IN MAY 2014 CYCLE TO AMEND THE COUNTY'S
COMPREHENSIVE DEVELOPMENT MASTER PLAN; PROVIDING
SEVERABILITY, EXCLUSION FROM THE CODE, AND AN EFFECTIVE
DATE (Regulatory and Economic Resources)

*CDMP Public
Hearing*

11/19/2014 4D1 Adopted on first reading by BCC Passed 10 - 0

7D

142498

Ordinance

Rebeca Sosa Prime Sponsor,
Esteban L. Bovo, Jr. Co-Sponsor,
Jose "Pepe" Diaz Co-Sponsor,
Barbara J. Jordan Co-Sponsor,
Daniella Levine Cava Co-Sponsor,
Jean Monestime Co-Sponsor,
Dennis C. Moss Co-Sponsor,
Sen. Javier D. Souto Co-Sponsor,
Juan C. Zapata Co-Sponsor

ORDINANCE RELATING TO MIAMI-DADE COUNTY
COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP);
PROVIDING DISPOSITION OF APPLICATION NO. 7, AMENDING THE
TEXT OF THE WATER, SEWER AND SOLID WASTE ELEMENT OF
THE CDMP, FILED IN MAY 2014 CYCLE TO AMEND THE COUNTY'S
COMPREHENSIVE DEVELOPMENT MASTER PLAN; PROVIDING
SEVERABILITY, EXCLUSION FROM THE CODE, AND AN EFFECTIVE
DATE (Regulatory and Economic Resources)

*CDMP Public
Hearing*

11/19/2014 4E1 Adopted on first reading by BCC Passed 10 - 0

7E

142501

Ordinance

Rebeca Sosa Co-Prime Sponsor,
Barbara J. Jordan Co-Prime Sponsor,
Esteban L. Bovo, Jr. Co-Sponsor,
Daniella Levine Cava Co-Sponsor,
Dennis C. Moss Co-Sponsor

ORDINANCE RELATING TO MIAMI-DADE COUNTY
COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP);
PROVIDING DISPOSITION OF APPLICATION NO. 8, AMENDING THE
TEXT OF THE LAND USE ELEMENT OF THE CDMP, FILED IN MAY
2014 CYCLE TO AMEND THE COUNTY'S COMPREHENSIVE
DEVELOPMENT MASTER PLAN; PROVIDING SEVERABILITY,
EXCLUSION FROM THE CODE, AND AN EFFECTIVE DATE
(Regulatory and Economic Resources)

*CDMP Public
Hearing*

11/19/2014 4F1 Adopted on first reading by BCC Passed 10 - 0

ADJOURNMENT

Memorandum



Date: February 4, 2015

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

From: Carlos A. Gimenez
Mayor 

Subject: Report on Pending May 2014 Cycle Applications to Amend the Comprehensive Development Master Plan

Agenda Item No. 2(B)(1)

Recommendation

It is recommended that the Board of County Commissioners (Board) take final actions on the pending Application Nos. 4, 5, 6, 7 and 8 filed in the May 2014 Cycle of amendments to the Comprehensive Development Master Plan (CDMP). The pending applications are identified in the table with the corresponding ordinances with which final action is to be taken. The ordinances were adopted on first reading at the Board's November 19, 2014 transmittal public hearing for the May 2014 CDMP Amendment Cycle.

APPLICATION NUMBER	ITEMS FOR CONSIDERATION BY THE BOARD
Application No. 4 (Standard Application)	Item No. 7A – Ordinance (Final Action)
Application No. 5 (Standard Application)	Item No. 7B – Ordinance (Final Action)
Application No. 6 (Standard Application)	Item No. 7C – Ordinance (Final Action)
Application No. 7 (Standard Application)	Item No. 7D – Ordinance (Final Action)
Application No. 8 (Standard Application)	Item No. 7E – Ordinance (Final Action)

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 or more Commission Districts. Application No. 4, a Land Use Plan map amendment, is located within District 6 (Commissioner Rebeca Sosa); and Application No. 5, also a Land Use Plan amendment, is located within District 9 (Commissioner Dennis C. Moss). Application Nos. 6, 7 and 8 are CDMP text amendments and generally apply countywide.

Fiscal Impact

There is no direct fiscal impact associated with Application Nos. 4, 5, 6, 7 and 8. However, the development allowed by CDMP amendment Application Nos. 4 and 5 may have varying impacts to County services. The impacts associated with each application are discussed in the "Initial Recommendations, May 2014 Applications to Amend the Comprehensive Development Master Plan" report, dated August 2014.

Track Record/Monitor

Amendments to the CDMP do not involve contracts so a Track Record/Monitor is not applicable.

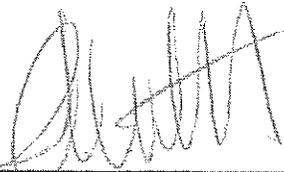
Background

A total of eight (8) applications were filed in the May 2014 CDMP Amendment Cycle. Of the applications filed, Application Nos. 1 and 2 were filed as small-scale amendments and were thereby adopted as small-scale amendments by the Board at the November 19, 2014 CDMP transmittal public hearing pursuant to Section 163.3187, Florida Statutes. Application No. 3 was continued for public hearing on December 4, 2014 and was subsequently withdrawn from the Cycle by the Board. The pending five (5) applications are Standard amendments that were transmitted by letter dated December 10, 2014 to the State Land Planning Agency and other state and regional agencies (reviewing agencies) for review and comment, pursuant to the Board's November 19, 2014 transmittal instructions and in accordance with Section 163.3184, Florida Statutes.

The reviewing agencies reviewed the transmitted applications and by correspondence issued in January 2015 provided comments on projected impacts, if any, to relevant state or regional facilities and resources from the transmitted applications. The correspondence from the reviewing agencies are included as "Additional Items" to the Board's February 4, 2015 public hearing agenda package.

Final Recommendations

A summary description for each of the pending May 2014 Cycle CDMP Application Nos. 4, 5, 6, 7 and 8 and the final recommendations of the Department of Regulatory and Economic Resources on the pending applications are contained in the "Summary of Recommendations" matrix (Attachment A) of this report. The matrix also includes the prior recommendations of the Board, the affected Community Councils and the Planning Advisory Board as the Local Planning Agency.



Jack Osterholt
Deputy Mayor

Attachment A

Summary of Recommendations to Amend the Comprehensive Development Master Plan for Miami-Dade County, Florida
 May 2014 Cycle Applications
 January 2015

Application Number/Type (Item No.)	Location/Acreage/Requested Amendment	BCC District/Commissioner	Department's Initial Recommendation	Community Council (CC) Recommendation, Resolution # and Date	Planning Advisory Board (acting as the LPA) Recommendation	BCC Action/Recommendation	Department's Revised Recommendation	BCC Final Action
4/ Standard	OROT Flagler, LLC/Juan J. Mayol, Jr., Esq. & Hugo P. Arza, Esq. Southeast corner of the intersection of SW 4 Street and SW 92 Avenue. (10.14 gross acres; 9.58 net acres) Requested CDMP Amendment Redesignate application site on the LUP map From: "Low-Medium Density Residential (6 to 13 dwelling units per gross acre)" To: "Low-Medium Density Residential with One Density Increase (DI-1)"	6/ Sosa	Transmit and Adopt with Acceptance of the Proffered Covenant	Deny and Do Not Transmit CC 10-02-14 (September 30, 2014)	Transmit and Adopt with Acceptance of the Proffered Covenant	Transmit with directive to the Applicant to work with the neighbors and consider reducing the density being requested in the application	Adopt as Transmitted	BCC Final Action February 4, 2015

Application Number/Type (Item No.)	Location/Acreage/ Requested Amendment	BCC District/ Commissioner	Department's Initial Recommendation 2014	Community Council (CC) Recommendation # and Date	Planning Advisory Board (acting as the LPA) Recommendation October 20, 2014	BCC Action/ Recommendation November 19, 2014	Department's Revised Recommendation January 2015	BCC Final Action February 4, 2015
5/ Standard	George C. Busher and Rosemary Busher / Juan J. Mayol, Jr., Esq. & Hugo P. Arza, Esq. Southeast corner of the intersection of SW 286 Street and SW 132 Avenue. (10.01 gross acres; 9.06 net acres) <u>Requested CDMP Amendment</u> Redesignate 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)"	9/ Moss	Transmit and Adopt	Transmit and Adopt CC15-02-14 (September 18, 2014)	Transmit and Adopt with the condition that, per the Applicant's representation, the Applicant commits to disclose requirements and noise level reduction standards for development on the property	Transmit and Adopt with the condition that the Applicant Declaration(s) of Restrictions committing to the incorporation of noise level reduction into the construction of dwelling units on the property and committing to requirements for providing disclosure notification to buyers/occupants of homes on the property regarding impacts due to the proximity to and the operations of the Homestead Air Reserve Base	Adopt as Transmitted with Acceptance of the Offered Declaration of Restrictions	
6/ Standard	Miami-Dade County/Jack Osterholt, Deputy Mayor/Director Department of Regulatory and Economic Resources. <u>Requested CDMP Amendment</u> Amend the Land Use Element, Transportation Element, and Community Health and Design Element of the Comprehensive Development Master Plan (CDMP) to support and enhance the Miami-Dade County Age-Friendly Initiative	Countywide	Transmit and Adopt	Not Applicable	Transmit and Adopt	Transmit and Adopt	Adopt as Transmitted	

Application Number/Type (Item No.)	Location/Acreage/Requested Amendment	BCC District/Commissioner	Department's Initial Recommendation	Community Council (CC) Recommendation, Resolution # and Date	Planning Advisory Board (acting as the LPA) Recommendation	BCC Action/Recommendation	Department's Revised Recommendation	BCC Final Action
7/ Standard	Miami-Dade County/Bill Johnson/Director Water and Sewer Department <u>Requested CDMP Amendments</u> Amend CDMP Water, Sewer and Solid Waste Element, Introductory Text, Policy WS-7A and Table 1 to update Miami-Dade's Water Facilities Work Plan and to require that the Water Facilities Work Plan address climate change and sea level rise that may impact potable water infrastructure and sources.	Countywide	Transmit with Change and Adopt	Not Applicable	Transmit with Change and Adopt	Transmit with Change and Adopt	Adopt as Transmitted	BCC Final Action February 4, 2015
8/ Standard	Miami-Dade County/Jack Osterholt, Deputy Mayor/Director Department of Regulatory and Economic Resources. <u>Requested CDMP Amendments</u> Amend the Comprehensive Development Master Plan (CDMP) Land Use Element text related to affordable/workforce housing density bonuses to further encourage the development of affordable/workforce housing, remove redundant provisions, and clarify implementation procedures.	Countywide	Transmit and Adopt	Not Applicable	Transmit and Adopt	Transmit and Adopt	Adopt as Transmitted	

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

Notes:

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

CC (8): North Central Community Council; CC (10): Westchester Community Council; CC (12): Kendal Community Council;

CC (14): Redland Community Council; CC (15): South Bay Community Council

Memorandum



Date: November 19, 2014

To: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

A handwritten signature in black ink, appearing to read "Carlos A. Gimenez".

Agenda Item No. 4(B)(1)

Subject: Application No. 4 In the May 2014 Cycle Applications to Amend the
Comprehensive Development Master Plan

The attached ordinance addresses a Comprehensive Development Master Plan private application that under Rule 5.05(b)(1) of the Board is exempt from Commission sponsorship. 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.

A handwritten signature in black ink, appearing to read "Jack Osterholt".

Jack Osterholt
Deputy Mayor

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 4(B)(1)
11-19-14

ORDINANCE NO. _____

ORDINANCE RELATING TO MIAMI-DADE COUNTY COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP); PROVIDING DISPOSITION OF APPLICATION NO. 4, LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF SW 4 STREET AND SW 92 AVENUE, FILED IN MAY 2014 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, Application No. 4 was filed by a private party in the May 2014 cycle of applications to amend the CDMP ("May 2014 CDMP Amendment Cycle") and is contained in the document titled "May 2014 Applications to Amend the Comprehensive Development Master Plan," dated June 23, 2014, and kept on file with the Department; and

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. 4, filed for review during the May 2014 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
4	OROT Flagler, L.L.C./Juan J. Mayol, Jr., Esq. & Hugo P. Arza, Esq. Southeast corner of the intersection of SW 4 Street and SW 92 Avenue. (10.14 gross acres; 9.58 net acres) <u>Requested CDMP Amendment</u> Redesignate application site on the LUP map: From: "Low-Medium Density Residential (6 to 13 dwelling units per gross acre)" To: "Low-Medium Density Residential with One Density Increase (DI-1; 13 to 25 dwelling units per gross acre)" Standard Amendment	

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

Memorandum



Date: November 19, 2014

To: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

A handwritten signature in black ink, appearing to read "Carlos A. Gimenez", written over the printed name.

Agenda Item No. 4(C)(1)

Subject: Application No. 5 In the May 2014 Cycle Applications to Amend the
Comprehensive Development Master Plan

The attached ordinance addresses a Comprehensive Development Master Plan private application that under Rule 5.05(b)(1) of the Board is exempt from Commission sponsorship. 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.

A handwritten signature in black ink, appearing to read "Jack Osterhoit", written over a horizontal line.

Jack Osterhoit
Deputy Mayor

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 4(C)(1)
11-19-14

ORDINANCE NO. _____

ORDINANCE RELATING TO MIAMI-DADE COUNTY COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP); PROVIDING DISPOSITION OF APPLICATION NO. 5, LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF SW 286 STREET AND SW 132 AVENUE, FILED IN MAY 2014 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, Application No. 5 was filed by a private party in the May 2014 cycle of applications to amend the CDMP ("May 2014 CDMP Amendment Cycle") and is contained in the document titled "May 2014 Applications to Amend the Comprehensive Development Master Plan," dated June 23, 2014, and kept on file with the Department; and

3

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. 5, filed for review during the May 2014 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
5	<p>George C. Busher and Rosemary Busher / Juan J. Mayol, Jr., Esq. & Hugo P. Arza, Esq.</p> <p><u>Requested CDMP Amendment</u> Redesignate application site on the LUP map</p> <p>From: "Low Density Residential (2.5 to 6 dwelling units per gross acre)"</p> <p>To: "Low-Medium Density Residential (6 to 13 dwelling units per gross acre)"</p> <p>Standard Amendment</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

Memorandum



Date: November 19, 2014

To: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

Subject: Application No. 6 in the May 2014 Cycle Applications to Amend the Comprehensive Development Master Plan

Item No. 4D1

The attached ordinance addresses a Comprehensive Development Master Plan staff application that appears on the agenda under Prime-Sponsor Chairwoman Rebeca Sosa and Co-Sponsors Commissioner Esteban L. Bovo, Jr., and Commissioner Daniella Levine Cava. 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.

A handwritten signature in black ink, appearing to read "Jack Osterholt", written over a horizontal line.

Jack Osterholt
Deputy Mayor

WHEREAS, as required by Section 2-116.1, the Department issued its initial recommendations addressing the May 2014 CDMP Amendment Cycle in a report titled "Initial Recommendations May 2014 Applications to Amend the Comprehensive Development Master Plan", dated August 2014 and kept on file with the Department; and

WHEREAS, the Planning Advisory Board, acting as the Local Planning Agency, has acted in accordance with the applicable State and County procedures and has conducted a public hearing and issued recommendation for the disposition of Application No. 6; and

WHEREAS, at the public hearing conducted to address transmittal of the May 2014 CDMP Amendment Cycle to the State Land Planning Agency and other state and regional agencies ("reviewing agencies"), the Board by resolution, transmitted Application No. 6 to the reviewing agencies; and

WHEREAS, the Board must take final action to adopt, adopt with change, or not adopt Application No. 6 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:

4

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:

Approved by County Attorney as
to form and legal sufficiency;

Prepared by:

Dennis A. Kerbel

Two handwritten signatures are present. The first signature is written above a horizontal line, and the second signature is written below it. Both appear to be initials or a stylized name.

Memorandum



Date: November 19, 2014

To: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

Subject: Application No. 7 in the May 2014 Cycle Applications to Amend the Comprehensive Development Master Plan

Item No. 4E1

The attached ordinance addresses a Comprehensive Development Master Plan staff application that appears on the agenda under Prime Sponsor Chairwoman Rebeca Sosa and Co-Sponsors Commissioner Esteban L. Bovo, Jr., Commissioner Daniella Levine Cava, Commissioner Jose "Pepe" Diaz, Commissioner Barbara J. Jordan, Commissioner Jean Monestime, Commissioner Dennis C. Moss, Senator Javier D. Souto, and Commissioner Juan C. Zapata. 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.

A handwritten signature in black ink, appearing to read "Jack Osterholt".

Jack Osterholt
Deputy Mayor

the Comprehensive Development Master Plan," dated June 23, 2014, and kept on file with the Department; and

WHEREAS, as required by Section 2-116.1, the Department issued its initial recommendations addressing the May 2014 CDMP Amendment Cycle in a report titled "Initial Recommendations May 2014 Applications to Amend the Comprehensive Development Master Plan", dated August 2014 and kept on file with the Department; and

WHEREAS, the Planning Advisory Board, acting as the Local Planning Agency, has acted in accordance with the applicable State and County procedures and has conducted a public hearing and issued recommendation for the disposition of Application No. 7; and

WHEREAS, at the public hearing conducted to address transmittal of the May 2014 CDMP Amendment Cycle to the State Land Planning Agency and other state and regional agencies ("reviewing agencies"), the Board by resolution, transmitted Application No. 7 to the reviewing agencies; and

WHEREAS, the Board must take final action to adopt, adopt with change, or not adopt Application No. 7 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,

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:

Approved by County Attorney as
to form and legal sufficiency.



Prepared by:



Dennis A. Kerbel

Memorandum



Date: November 19, 2014

To: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

A handwritten signature in cursive script, likely belonging to Carlos A. Gimenez.

Subject: Application No. 8 in the May 2014 Cycle Applications to Amend the Comprehensive Development Master Plan

Item No. 4F1

The attached ordinance addresses a Comprehensive Development Master Plan staff application that appears on the agenda under Co-Prime Sponsors Chairwoman Rebeca Sosa and Commissioner Barbara J. Jordan and Co-Sponsors Commissioner Esteban L. Bovo, Jr., Commissioner Daniella Levine Cava, and Commissioner Dennis C. Moss. 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.

A handwritten signature in cursive script, likely belonging to Jack Osterholt.

Jack Osterholt
Deputy Mayor

Recommendations May 2014 Applications to Amend the Comprehensive Development Master Plan", dated August 2014 and kept on file with the Department; and

WHEREAS, the Planning Advisory Board, acting as the Local Planning Agency, has acted in accordance with the applicable State and County procedures and has conducted a public hearing and issued recommendation for the disposition of Application No. 8; and

WHEREAS, at the public hearing conducted to address transmittal of the May 2014 CDMP Amendment Cycle to the State Land Planning Agency and other state and regional agencies ("reviewing agencies"), the Board by resolution, transmitted Application No. 8 to the reviewing agencies; and

WHEREAS, the Board must take final action to adopt, adopt with change, or not adopt Application No. 8 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.

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:

Approved by County Attorney as
to form and legal sufficiency.



Prepared by:



Dennis A. Kerbel

Memorandum



Date: (Public Hearing 2-4-15)
November 19, 2014

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

From: Carlos A. Gimenez
Mayor

A handwritten signature in black ink, appearing to read "Carlos A. Gimenez".

Agenda Item No. 7(A)

Subject: Application No. 4 in the May, 2014 Cycle Applications to Amend the
Comprehensive Development Master Plan

The attached ordinance addresses a Comprehensive Development Master Plan private application that under Rule 5.05(b)(1) of the Board is exempt from Commission sponsorship. 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.

A handwritten signature in black ink, appearing to read "Jack Osterholt".

Jack Osterholt
Deputy Mayor



MEMORANDUM

(Revised)

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

DATE: February 4, 2015

FROM: 
R. A. Cuevas, Jr.
County Attorney

SUBJECT: Agenda Item No. 7(A)

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
- 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

Agenda Item No. 7(A)

Veto _____

2-4-15

Override _____

ORDINANCE NO. _____

ORDINANCE RELATING TO MIAMI-DADE COUNTY COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP); PROVIDING DISPOSITION OF APPLICATION NO. 4, LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF SW 4 STREET AND SW 92 AVENUE, FILED IN MAY 2014 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, Application No. 4 was filed by a private party in the May 2014 cycle of applications to amend the CDMP ("May 2014 CDMP Amendment Cycle") and is contained in the document titled "May 2014 Applications to Amend the Comprehensive Development Master Plan," dated June 23, 2014, and kept on file with the Department; and

WHEREAS, as required by Section 2-116.1, the Department issued its initial recommendations addressing the May 2014 CDMP Amendment Cycle in a report titled "Initial Recommendations May 2014 Applications to Amend the Comprehensive Development Master Plan", dated August 2014 and kept on file with 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. 4; and

WHEREAS, at the public hearing conducted to address transmittal of the May 2014 CDMP Amendment Cycle to the State Land Planning Agency and other state and regional agencies ("reviewing agencies"), the Board by resolution, transmitted Application No. 4 to the reviewing agencies; and

WHEREAS, the Board must take final action to adopt, adopt with change, or not adopt Application No. 4 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. 4, filed for review during the May 2014 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
4	<p>OROT Flagler, LLC./Juan J. Mayol, Jr., Esq. & Hugo P. Arza, Esq.</p> <p>Southeast corner of the intersection of SW 4 Street and SW 92 Avenue. (10.14 gross acres; 9.58 net acres)</p> <p><u>Requested CDMP Amendment</u> Redesignate application site on the LUP map:</p> <p>From: "Low-Medium Density Residential (6 to 13 dwelling units per gross acre)"</p> <p>To: "Low-Medium Density Residential with One Density Increase (DI-1; 13 to 25 dwelling units per gross acre)"</p> <p>Standard Amendment</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:

Approved by County Attorney as
to form and legal sufficiency:



Prepared by:



Dennis A. Kerbel

Memorandum



Date: (Public Hearing 2-4-15)
November 19, 2014

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

From: Carlos A. Gimenez
Mayor

A handwritten signature in black ink, appearing to read "Carlos A. Gimenez", written over the printed name.

Agenda Item No. 7(B)

Subject: Application No. 5 in the May 2014 Cycle Applications to Amend the
Comprehensive Development Master Plan

The attached ordinance addresses a Comprehensive Development Master Plan private application that under Rule 5.05(b)(1) of the Board is exempt from Commission sponsorship. 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.

A handwritten signature in black ink, appearing to read "Jack Osterholt", written over a horizontal line.

Jack Osterholt
Deputy Mayor



MEMORANDUM

(Revised)

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

DATE: February 4, 2015

FROM: 
R. A. Cuevas, Jr.
County Attorney

SUBJECT: Agenda Item No. 7(B)

Please note any items checked.

- "3-Day Rule" for committees applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- 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(B)
2-4-15

ORDINANCE NO. _____

ORDINANCE RELATING TO MIAMI-DADE COUNTY COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP); PROVIDING DISPOSITION OF APPLICATION NO. 5, LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF SW 286 STREET AND SW 132 AVENUE, FILED IN MAY 2014 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, Application No. 5 was filed by a private party in the May 2014 cycle of applications to amend the CDMP ("May 2014 CDMP Amendment Cycle") and is contained in the document titled "May 2014 Applications to Amend the Comprehensive Development Master Plan," dated June 23, 2014, and kept on file with the Department; and

WHEREAS, as required by Section 2-116.1, the Department issued its initial recommendations addressing the May 2014 CDMP Amendment Cycle in a report titled "Initial Recommendations May 2014 Applications to Amend the Comprehensive Development Master Plan", dated August 2014 and kept on file with 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. 5; and

WHEREAS, at the public hearing conducted to address transmittal of the May 2014 CDMP Amendment Cycle to the State Land Planning Agency and other state and regional agencies ("reviewing agencies"), the Board by resolution, transmitted Application No. 5 to the reviewing agencies; and

WHEREAS, the Board must take final action to adopt, adopt with change, or not adopt Application No. 5 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. 5, filed for review during the May 2014 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
5	George C. Busher and Rosemary Busher / Juan J. Mayol, Jr., Esq. & Hugo P. Arza, Esq. <u>Requested CDMP Amendment</u> Redesignate 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)" Standard Amendment	

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:

Approved by County Attorney as
to form and legal sufficiency:

Prepared by:

Dennis A. Kerbel

The image shows two handwritten signatures. The top signature is in dark ink and appears to be 'DAK'. The bottom signature is in blue ink and appears to be 'DK'. Both signatures are written over horizontal lines, likely representing the signature lines on a form.

Memorandum



Date: Public Hearing 2-4-15
November 19, 2014

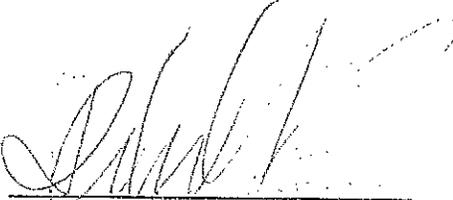
To: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

Agenda Item No. 7(C)

From: Carlos A. Gimenez
Mayor

Subject: Application No. 6 in the May 2014 Cycle Applications to Amend the Comprehensive Development Master Plan

The attached ordinance addresses a Comprehensive Development Master Plan staff application that appears on the agenda under Prime-Sponsor Commissioner Rebeca Sosa and Co-Sponsors Vice-Chairman Esteban L. Bovo, Jr., and Commissioner Daniella Levine Cava. 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 Jean Monestime
and Members, Board of County Commissioners

DATE: February 4, 2015

FROM: 
R. A. Cuevas, Jr.
County Attorney

SUBJECT: 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
- 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)
2-4-15

ORDINANCE NO. _____

ORDINANCE RELATING TO MIAMI-DADE COUNTY COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP); PROVIDING DISPOSITION OF APPLICATION NO. 6, AMENDING THE TEXT OF THE LAND USE ELEMENT, TRANSPORTATION ELEMENT, AND COMMUNITY HEALTH AND DESIGN ELEMENT OF THE CDMP FILED IN MAY 2014 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, Application No. 6 was filed by the Department in the May 2014 cycle of applications to amend the CDMP ("May 2014 CDMP Amendment Cycle") and is contained in the document titled "May 2014 Applications to Amend the Comprehensive Development Master Plan," dated June 23, 2014, and kept on file with the Department; and

WHEREAS, as required by Section 2-116.1, the Department issued its initial recommendations addressing the May 2014 CDMP Amendment Cycle in a report titled "Initial Recommendations May 2014 Applications to Amend the Comprehensive Development Master Plan", dated August 2014 and kept on file with the Department; and

WHEREAS, the Planning Advisory Board, acting as the Local Planning Agency, has acted in accordance with the applicable State and County procedures and has conducted a public hearing and issued recommendation for the disposition of Application No. 6; and

WHEREAS, at the public hearing conducted to address transmittal of the May 2014 CDMP Amendment Cycle to the State Land Planning Agency and other state and regional agencies ("reviewing agencies"), the Board by resolution, transmitted Application No. 6 to the reviewing agencies; and

WHEREAS, the Board must take final action to adopt, adopt with change, or not adopt Application No. 6 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. 6, filed for review during the May 2014 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
6	Miami-Dade County/Jack Osterholt, Deputy Mayor/Director, Department of Regulatory and Economic Resources Countywide <u>Requested CDMP Amendments</u> Amend the Land Use Element, Transportation Element, and Community Health and Design Element of the Comprehensive Development Master Plan (CDMP) to support and enhance the Miami-Dade County Age-Friendly Initiative. Standard Amendment	

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:

Approved by County Attorney as
to form and legal sufficiency:



Prepared by:



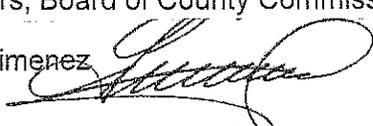
Craig H. Coller

Memorandum



Date: (Public Hearing 2-4-15)
November 19, 2014

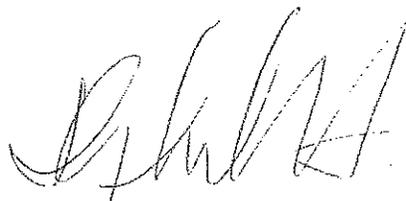
To: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

From: Carlos A. Gimenez 
Mayor

Subject: Application No. 7 in the May 2014 Cycle Applications to Amend the Comprehensive
Development Master Plan

Agenda Item No. 7(D)

The attached ordinance addresses a Comprehensive Development Master Plan staff application that appears on the agenda under Prime-Sponsor Commissioner Rebeca Sosa and Co-Sponsors Vice-Chairman Esteban L. Bovo, Jr., Commissioner Daniella Levine Cava, Commissioner Jose "Pepe" Diaz, Commissioner Barbara J. Jordan, Chairman Jean Monestime, Commissioner Dennis C. Moss, Senator Javier D. Souto, and Commissioner Juan C. Zapata. 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.

A handwritten signature in cursive script, likely belonging to Jack Osterholt.

Jack Osterholt
Deputy Mayor



MEMORANDUM

(Revised)

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

DATE: February 4, 2015

FROM: 
R. A. Cuevas, Jr.
County Attorney

SUBJECT: Agenda Item No. 7(D)

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
- 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(D)
2-4-15

ORDINANCE NO. _____

ORDINANCE RELATING TO MIAMI-DADE COUNTY COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP); PROVIDING DISPOSITION OF APPLICATION NO. 7, AMENDING THE TEXT OF THE WATER, SEWER AND SOLID WASTE ELEMENT OF THE CDMP, FILED IN MAY 2014 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, Application No. 7 was filed by the Miami-Dade County Water and Sewer Department in the May 2014 cycle of applications to amend the CDMP ("May 2014 CDMP Amendment Cycle") and is contained in the document titled "May 2014 Applications to Amend

the Comprehensive Development Master Plan," dated June 23, 2014, and kept on file with the Department; and

WHEREAS, as required by Section 2-116.1, the Department issued its initial recommendations addressing the May 2014 CDMP Amendment Cycle in a report titled "Initial Recommendations May 2014 Applications to Amend the Comprehensive Development Master Plan", dated August 2014 and kept on file with the Department; and

WHEREAS, the Planning Advisory Board, acting as the Local Planning Agency, has acted in accordance with the applicable State and County procedures and has conducted a public hearing and issued recommendation for the disposition of Application No. 7; and

WHEREAS, at the public hearing conducted to address transmittal of the May 2014 CDMP Amendment Cycle to the State Land Planning Agency and other state and regional agencies ("reviewing agencies"), the Board by resolution, transmitted Application No. 7 to the reviewing agencies; and

WHEREAS, the Board must take final action to adopt, adopt with change, or not adopt Application No. 7 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. 7, filed for review during the May 2014 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
7	Miami-Dade County/Bill Johnson, Director, Water and Sewer Department Countywide <u>Requested CDMP Amendments</u> Amend CDMP Policy WS-7A of the Water, Sewer and Solid Waste Element to update Miami-Dade's Water Facilities Work Plan and to require that the Water Facilities Work Plan address climate change and sea level rise that may impact potable water infrastructure and sources. Standard Amendment	

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:

Approved by County Attorney as
to form and legal sufficiency:



Prepared by:



Craig H. Coller

Memorandum



Date: (Public Hearing 2-4-15)
November 19, 2014

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

Agenda Item No. 7(E)

From: Carlos A. Gimenez
Mayor

Subject: Application No. 8 in the May 2014 Cycle Applications to Amend the Comprehensive
Development Master Plan

The attached ordinance addresses a Comprehensive Development Master Plan staff application that appears on the agenda under Co-Prime Sponsors Commissioner Rebeca Sosa and Commissioner Barbara J. Jordan, and Co-Sponsors Vice-Chairman Esteban L. Bovo, Jr., Commissioner Daniella Levine Cava and Commissioner Dennis C. Moss. 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.

A handwritten signature in black ink, appearing to read "Jack Osterholt", written over a horizontal line.

Jack Osterholt
Deputy Mayor



MEMORANDUM

(Revised)

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

DATE: February 4, 2015

FROM: 
R. A. Cuevas, Jr.
County Attorney

SUBJECT: Agenda Item No. 7(E)

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
- 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(E)
2-4-15

ORDINANCE NO. _____

ORDINANCE RELATING TO MIAMI-DADE COUNTY COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP); PROVIDING DISPOSITION OF APPLICATION NO. 8, AMENDING THE TEXT OF THE LAND USE ELEMENT OF THE CDMP, FILED IN MAY 2014 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, Application No. 8 was filed by the Department and included in the May 2014 cycle of applications to amend the CDMP ("May 2014 CDMP Amendment Cycle") pursuant to 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 2014 CDMP Amendment Cycle in a report titled "Initial

Recommendations May 2014 Applications to Amend the Comprehensive Development Master Plan", dated August 2014 and kept on file with the Department; and

WHEREAS, the Planning Advisory Board, acting as the Local Planning Agency, has acted in accordance with the applicable State and County procedures and has conducted a public hearing and issued recommendation for the disposition of Application No. 8; and

WHEREAS, at the public hearing conducted to address transmittal of the May 2014 CDMP Amendment Cycle to the State Land Planning Agency and other state and regional agencies ("reviewing agencies"), the Board by resolution, transmitted Application No. 8 to the reviewing agencies; and

WHEREAS, the Board must take final action to adopt, adopt with change, or not adopt Application No. 8 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. 8, filed for review during the May 2014 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
8	Miami-Dade County/Jack Osterholt, Deputy Mayor/Director Department of Regulatory and Economic Resources. <u>Requested CDMP Amendments</u> Amend the CDMP Land Use Element text related to affordable/workforce housing density bonuses to further encourage the development of affordable/workforce housing, remove redundant provisions, and clarify implementation procedures. Standard Amendment	

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.

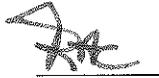
Section 4. It is the intention of the Board, and it is hereby ordained that the provisions of this ordinance shall be excluded from the Code of Miami-Dade County, Florida.

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:

Approved by County Attorney as
to form and legal sufficiency:



Prepared by:



Craig H. Coller

ADDITIONAL ITEMS
RECEIVED SUBSEQUENT TO THE BCC NOVEMBER 19, 2014 CDMP PUBLIC HEARING
DEPARTMENT OF REGULATORY AND ECONOMIC RESOURCES (DEPARTMENT)
PENDING MAY 2014 CYCLE APPLICATIONS TO AMEND THE
COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP)
February 4, 2015

<u>ITEM</u>	<u>PAGE NO.</u>
<u>Application No. 4</u> <ul style="list-style-type: none"> • Proffered Declaration of Restrictions executed on January 20, 2015 and submitted by the applicant in support of Application No. 4 	A-3
<u>Application No. 5</u> <ul style="list-style-type: none"> • Proffered Declaration of Restrictions executed on January 26, 2015 and submitted by the applicant in support of Application No. 5 • Proffered Declaration of Restrictive Covenants In Favor of Homestead Air Force Base executed on January 26, 2015 and submitted by the applicant in support of Application No. 5 	A-17 A-25
<u>Department's Final Recommendations</u> <ul style="list-style-type: none"> • Final Recommendations May 2014 Cycle Applications To Amend the CDMP dated January 2015. 	A-33
<u>Comments From State and Regional Reviewing Agencies</u> <ul style="list-style-type: none"> • Florida Fish and Wildlife Conservation Commission correspondence dated January 5, 2015 • South Florida Regional Planning Council correspondence dated January 5, 2015 • Florida Department of Education letter dated January 13, 2015 • Florida Department of Environmental Protection correspondence dated January 14, 2015 • Florida Department of Transportation, District Six letter dated January 15, 2015 • South Florida Water Management District letter dated January 20, 2015 • Florida Department of Agriculture and Consumer Services letter dated January 21, 2015, and • Florida Department of Economic Opportunity letter dated January 27, 2015. 	A-63 A-64 A-69 A-70 A-71 A-72 A-74 A-75

Holland & Knight

701 Brickell Avenue, Suite 3300 | Miami, FL 33131 | T 305.374.8500 | F 305.789.7799
Holland & Knight LLP | www.hklaw.com

2015 JAN 23 P 1:50
Alejandro J. Arias, Esq.
305.789.7446
alejandro.arias@hklaw.com

PLANNING & ZONING
METROPOLITAN PLANNING SECT

VIA HAND DELIVERY

January 23, 2015

Mr. Garrett Rowe, CDMP Administration Supervisor
Miami-Dade County Planning
Miami-Dade County Department of Regulatory and Economic Resources
111 NW 1st Street, 12th Floor
Miami, Florida 33128

**Re: OROT Flagler, LLC / CDMP Amendment Application No. 4 May 2014
Amendment Cycle / Declaration of Restrictions / Opinion of Title**

Dear Garrett:

Enclosed please find the proffered Declaration of Restrictions and Opinion of Title in preparation for the February 4, 2015 Comprehensive Development Master Plan "CDMP" meeting before the Board of County Commissioners, for Amendment Application No. 4 of the May 2014 Amendment Cycle, filed by OROT Flagler, LLC ("Applicant"). The Property is located at the SE corner of SW 92 Avenue and SW 4 Street, and is further identified by Miami-Dade County Property Appraiser Folio No. 30-4004-000-0283. Thank you for your help and should you have any questions or comments please feel free to contact me at (305) 789-7446.

Sincerely,

HOLLAND & KNIGHT LLP



Alejandro J. Arias, Esq.

Enclosures

This instrument was prepared by:

Name: Hugo P. Arza, Esq.
Address: Holland & Knight LLP
701 Brickell Avenue, Suite 3300
Miami, FL 33131

(Space reserved for Clerk)

DECLARATION OF RESTRICTIONS

WHEREAS, the undersigned Owner holds the fee simple title to land in Miami-Dade County, Florida, described in Exhibit "A," attached hereto, and hereinafter called the "Property," which is supported by the submitted attorney's opinion; and

WHEREAS, the Property is the Application Area of Comprehensive Development Master Plan ("CDMP") Amendment Application No. 4 of the May 2014 Amendment Cycle; and

WHEREAS, the Owner has sought to change the designation of the Application Area from "Low-Medium Density Residential" to "Low-Medium Density Residential with a DI-1 Overlay."

NOW THEREFORE, in order to assure Miami-Dade County (the "County") that the representations made by the Owner during the consideration of the Application will be abided by, the Owner, its successors and assigns, freely, voluntarily, and without duress, makes the following Declaration of Restrictions covering and running with the Property:

1. **Project Design**. Any development application seeking to use the density increase provided by the "DI-1 Overlay" shall utilize the Miami-Dade County's Urban Design Manual endorsed by Resolution R-1360-98 as a guideline for the Property's development, and at a minimum, shall incorporate the following design principles:

- a. Buildings shall be compatible with surrounding development or made compatible through the use of, among other methods: landscaping; buffers such as walls

and fences; architectural styles that complement surrounding development; and building height transitions.

b. Buildings shall be built close to the sidewalk to create a public space in the street corridor that is comfortable, interesting, and safe for pedestrians. The Owner shall seek, if necessary, variances of the County's zoning regulations to accommodate this requirement. If any variances necessary to meet this requirement are not approved by the County at the time the Property or any portion thereof is subject to a district boundary change to accommodate the density increase provided by the "DI-1 Overlay," the Owner shall develop buildings as reasonably close as possible to the minimum setback permitted by the County's zoning standards.

c. Buildings shall have abundant windows and doors at street level and incorporate a variety of architectural features and treatments on all facades such as, but not limited to: balconies; a variety of materials such as stone, metal, stucco, concrete and brick; modulation and articulation of building surfaces; and changes in roof levels. Large expanses of opaque or blank building walls shall be avoided.

d. Uniform street furniture and lighting standards shall be provided throughout the Property.

e. All on-site parking shall be to the rear or side of the buildings. No on-site parking shall be allowed between the street frontage and the front building line of any building(s). This shall not prevent parking within the right-of-way, if approved by the County.

2. **Miscellaneous.**

A. **Covenant Running with the Land.** This Declaration on the part of the Owner shall constitute a covenant running with the land and shall be recorded, at the Owner's expense, in the public records of Miami-Dade County, Florida and shall remain in full force and effect and be binding upon the undersigned Owners and their heirs, successors and assigns until such time as the same is modified or released. These restrictions during their lifetime shall be for the benefit of, and limitation upon, all present and future owners of the real property and for the benefit of Miami-Dade County and the public welfare. The Owners, and their heirs, successors and assigns, acknowledge that acceptance of this.

B. **Term.** This Declaration of Restrictions is to run with the land and shall be binding on all parties and all persons claiming under it for a period of thirty (30) years from the date this Declaration of Restrictions is recorded, after which time it shall be extended automatically for successive periods of ten (10) years each, unless an instrument signed by the, then, owner(s) of the Property has been recorded in the public records agreeing to change the Declaration of Restrictions in whole, or in part, provided that the Declaration of Restrictions has first been modified or released by Miami-Dade County.

C. **Modification, Amendment, Release.** This Declaration of Restrictions may be modified, amended or released as to the land herein described, or any portion thereof, by a written instrument executed by the then owner(s) of the Property, provided that the same is also approved by the Board of County Commissioners of Miami-Dade County, Florida. Any such modification, amendment or release shall be subject to the provisions governing amendments to Comprehensive Plans, as set forth in Chapter 163,

Part II , Florida Statutes or successor legislation which may, from time to time, govern amendments to comprehensive plans (hereinafter "Chapter 163"). Such modification, amendment or release shall also be subject to the provisions governing amendments to comprehensive plans as set forth in Section 2-116.1 of the Code of Miami Dade County, or successor regulation governing amendments to the CDMP. In the event that the Property is incorporated within a new municipality or annexed into an existing municipality, and the successor municipality amends, modifies, or declines to adopt the provisions of Section 2-116.1 of the Code of Miami-Dade County, then modifications, amendments or releases of this Declaration shall be subject to Chapter 163 and the provisions of such ordinances as may be adopted by such successor municipality for the adoption of amendments to its comprehensive plan; or, in the event that the successor municipality does not adopt such ordinances, subject to Chapter 163 and by the provisions for the adoption of zoning district boundary changes. It is provided, however, that in the event that the successor municipality approves a modification or deletion of this Declaration of Restrictions, such modification or deletion shall not be effective until approved by the Board of County Commissioners, in accordance with applicable procedures. Should this Declaration be so modified, amended, or released, the Director of the Department of Regulatory and Economic Resources or the executive officer of a successor department, or, in the absence of such Director or executive officer, by his/her assistant in charge of the office in his/her absence, shall execute a written instrument effectuating and acknowledging such modification, amendment, or release.

D. Enforcement. Enforcement shall be by action against any parties or person violating, or attempting to violate, the covenants. The prevailing party in any

action or suit pertaining to or arising out of this Declaration of Restrictions shall be entitled to recover, in addition to costs and disbursements allowed by law, such sum as the Court may adjudge to be reasonable for the services of his attorney. This enforcement provision shall be in addition to any other remedies available at law, in equity, or both.

E. Authorization of Miami-Dade County (or successor municipality) to Withhold Permits and Inspections. In the event the terms of this Declaration of Restrictions are not being complied with, in addition to any other remedies available, the County (or any successor municipality) is hereby authorized to withhold any further permits, and refuse to make any inspections or grant any approvals, until such time as his Declaration of Restrictions is complied with.

F. Election of Remedies. All rights, remedies, and privileges granted herein shall be deemed to be cumulative and the exercise of any one or more shall neither be deemed to constitute an election of remedies, nor shall it preclude the party exercising the same from exercising such other additional rights, remedies, or privileges.

G. Presumption of Compliance. Where construction has occurred on the Property or any portion thereof, pursuant to a lawful permit issued by the County (or any successor municipality), and inspections made and approval of occupancy given by the County (or any successor municipality), then such construction, inspection, and approval shall create a rebuttable presumption that the buildings or structures thus constructed comply with the intent and spirit of this Declaration of Restrictions.

H. County Inspection. As further part of this Declaration of Restrictions, it is hereby understood and agreed that any official inspector of Miami-Dade County, or its

agents duly authorized, may have the privilege at any time during normal working hours of entering and inspecting the use of the premises to determine whether the requirements of the building and zoning regulations and the conditions herein agreed to are being complied with.

I. Severability. Invalidation of any one of these covenants by judgment of Court shall not affect any of the other provisions which shall remain in full force and effect. However, if any material portion is invalidated, the County shall be entitled to revoke any approval predicated upon the invalidated portion.

J. Recordation and Effective Date. This Declaration of Restrictions shall be filed of record in the public records of Miami-Dade County, Florida at the cost of the Owners following the approval of the Application by the Board of County Commissioners. This Declaration of Restrictions shall become effective immediately upon recordation. Notwithstanding the previous sentence, if any appeal is filed, and the disposition of such appeal results in the denial of the application, in its entirety, then this Declaration of Restrictions shall be null and void and of no further effect. Upon the disposition of an appeal that results in the denial of the Application, in its entirety, and upon written request, the Director of the Department of Regulatory and Economic Resources or the executive officer of the successor of said department, or in the absence of such director or executive officer by his/her assistant in charge of the office in his/her absence, shall forthwith execute a written instrument, in recordable form, acknowledging that this Declaration of Restrictions is null and void and of no further effect.

K. Acceptance of Declaration. Acceptance of this Declaration of Restrictions does not obligate the County in any manner, nor does it entitle the Owners to

a favorable recommendation or approval of any application, zoning or otherwise, and the County retains its full power and authority to, with respect to the Property, deny each such application in whole or in part and to decline to accept any conveyance.

L. Owners. The term "Owners" shall include the Owners and their successors and assigns.

[Signature Page Follow]



Bergman & Jacobs, P.A.
a Professional Association

RICHARD H. BERGMAN, ESQ.
Rbergman@bj-law.com

MARK A. JACOBS, ESQ.
Mjacobs@bj-law.com

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Hbergman@bj-law.com

KEVIN Z. JACOBS, ESQ.
Kjacobs@bj-law.com

January 21, 2015

OPINION OF TITLE

To: Miami-Dade County, Florida

With the understanding that this Opinion of title is furnished to Miami-Dade County, as inducement for acceptance of a Declaration of Use (increased density) pursuant to Application No. 4 of the May 2014 Amendment Cycle, it is hereby certified that I have examined a current title update, (including hard copies of any document which affects title) prepared by First American Title Insurance Company, and a previously executed Owner’s Title Insurance Policy, issued by Chicago Title Insurance Company, which **together** represents and covers the period from the beginning to the 6th day of January, 2015 at the hour of 8:00 A.M., inclusive, of the following described property:

SEE EXHIBIT “A” ATTACHED HERETO FOR LEGAL DESCRIPTION

I am of the opinion that on the last mentioned date, the fee simple title to the above-described real property was vested in:

OROT FLAGLER, LLC, a Florida limited liability company. **Manuel Grosskopf** is the manager of such limited liability company and is authorized to execute all documents on its behalf.

Subject to the following encumbrances, liens, and other exceptions:

1. **RECORDED MORTGAGES:** NONE
2. **RECORDED CONSTRUCTION LIENS, CONTRACT LIENS AND JUDGMENTS:** NONE
3. **GENERAL EXCEPTIONS:**

a. Restrictions, covenants, conditions, easements and other matters as contained on the Plat of FP&L CENTER, recorded in Plat Book 102, Page 10, of the Public Records of Miami-Dade County, Florida.

b. Declaration of Restrictions recorded in Official Records Book 27582, Page 2617 of the Public Records of Miami-Dade County, Florida.

4: **SPECIAL EXCEPTIONS:**

a. 30 foot road and drainage canal, right of way as contained on the Plat of RICHARDSON KELLETT COMPANY, recorded in Plat Book 4, Page 100, of the Public Records of Miami-Dade County, Florida.

b. Traffic Signal Easement in favor of Miami-Dade County, recorded June 25, 1987, in Official Records Book 13326, Page 54.

c. Traffic Signal Easement in favor of Miami-Dade County, recorded June 25, 1987, in Official Records Book 13326, Page 57.

d. Easement in favor of Florida Power & Light Company, recorded April 29, 2011 in Official Records Book 27671, Page 2927 of the Public Records of Miami-Dade County, Florida.

e. Easement in favor of FPL Fibernet, LLC, recorded April 29, 2011 in Official Records Book 27671, page 2945 of the Public Records of Miami-Dade County, Florida.

f. Terms and conditions of that certain Agreement to Connect to and Pay a Contribution Temporary Well or Septic Tand recorded July 12, 1977, in Official Records Book 9738, Page 925, of the Public Records of Miami-Dade County, Florida.

g. Canal reservations in favor of the Trustees of the Internal Improvement Fund of the State of Florida as contained in Deed Book 27, Page 302; as partially released by that certain Quit Claim Deed recorded in Official Records Book 5135, Page 636, and in Quit Claim Deed recorded in Official Records Book 6773, Page 690, all of the Public Records of Miami-Dade County, Florida.

I HEREBY CERTIFY, that I have reviewed all of the aforementioned evidence of title and there are no encumbrances and/or exceptions which would hinder or affect the recording of any document declaring the use of the subject property as requested by Orot Flagler LLC.

In my opinion, the only party who must join in any agreement with Miami-Dade County, Florida is Orot Flagler LLC.

The following is a description of the aforementioned Owner's Title Insurance Policy and the title update:

Number	Company Certifying	Period Covered
7230609-83667971	Chicago Title Insurance Company	Beginning to 4/29/11 @ 3:56 p.m.
5011612-1062-3292178	First American Title Insurance Co.	4/29/11 to 1/6/15 @ 8:00 a.m.

I HEREBY CERTIFY that the legal description contained in this Opinion of title coincides with, and is the same as, the legal description in the proffered recordable agreement.

I, THE UNDERSIGNED, further certify that I am an attorney-at-law duly admitted to practice in the State of Florida and a member in good standing of the Florida Bar.

Respectfully submitted this 21st day of January, 2015.

BERGMAN & JACOBS, P.A.

By 
 Richard H. Bergman
 Florida Bar No. 160552

STATE OF FLORIDA)

COUNTY OF BROWARD)

The foregoing instrument was acknowledged before me on this 21st day of January, 2015, by Richard H. Bergman who is personally known to me.



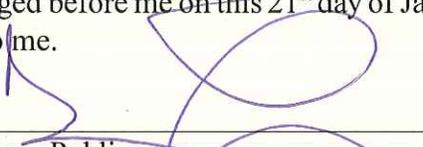

 Notary Public
 Print Name:
 Commission.

EXHIBIT "A"

The Northwest 1/4, of the Southwest 1/4, of the Southeast 1/4, of Section 4, Township 54 South, Range 40 East, Miami-Dade County, Florida, less the West 35.00 feet thereof; Subject to 30 foot road and drainage canal, right of way as shown on plat of Richardson-Kellet Company's Plat, Section 4, Township 54 South, Range 40 East, according to the plat thereof, as recorded in Plat Book 4, at Page 100, of the Public Recorder of Miami-Dade County, Florida.

Holland & Knight

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Alejandro J. Arias, Esq.
305.789.7446

alejand.arias@hklaw.com

2015 JAN 26 P 3:10

PLANNING & ZONING
METROPOLITAN PLANNING SECT

VIA HAND DELIVERY

January 26, 2015

Mr. Garrett Rowe, CDMP Administration Supervisor
Miami-Dade County Planning
Miami-Dade County Department of Regulatory and Economic Resources
111 NW 1st Street, 12th Floor
Miami, Florida 33128

**Re: The George C. Busher Living Trust, Dated July 8, 1999 / CDMP Amendment
Application No. 5 May 2014 Amendment Cycle / Declaration of Restrictions**

Dear Garrett:

Enclosed please find the proffered Declaration of Restrictions to Miami-Dade County in preparation for the February 4, 2015 Comprehensive Development Master Plan "CDMP" meeting before the Board of County Commissioners, for Amendment Application No. 5 of the May 2014 Amendment Cycle, filed by The George C. Busher Living Trust, Dated July 8, 1999 ("Applicant"). The Property contains approximately +/- 10.1 gross acres (+/- 9.06 net acres) and is located at the SE corner of SW 286 Street and SW 132 Avenue. Thank you for your help and should you have any questions or comments please feel free to contact me at (305) 789-7446.

Sincerely,

HOLLAND & KNIGHT LLP



Alejandro J. Arias, Esq.

Enclosures

This instrument was prepared by:

Name: Hugo P. Arza, Esq.
Address: Holland & Knight LLP
701 Brickell Avenue, Suite 3300
Miami, FL 33131

(Space reserved for Clerk)

DECLARATION OF RESTRICTIONS

WHEREAS, the undersigned Owner holds the fee simple title to land in Miami-Dade County, Florida, described in Exhibit "A," attached hereto, and hereinafter called the "Property," which is supported by the submitted attorney's opinion; and

WHEREAS, the Property is the Application Area of Comprehensive Development Master Plan ("CDMP") Amendment Application No. 5 of the May 2014 Amendment Cycle; and

WHEREAS, the Owner has sought to change the designation of the Application Area from "Low Density Residential" to "Low-Medium Density Residential"; and

NOW THEREFORE, in order to assure Miami-Dade County (the "County") that the representations made by the Owner during the consideration of the Application will be abided by, the Owner, its successors and assigns, freely, voluntarily, and without duress, makes the following Declaration of Restrictions covering and running with the Property:

1. **Noise Level Reduction.** The Owner shall incorporate at least a 25 decibel (db) Noise Level Reduction (NLR) into the design and construction of any dwelling unit within the Property.

2. **Miscellaneous.**

A. **Covenant Running with the Land.** This Declaration on the part of the Owner shall constitute a covenant running with the land and shall be recorded, at the Owner's expense, in the public records of Miami-Dade County, Florida and shall

remain in full force and effect and be binding upon the undersigned Owners and their heirs, successors and assigns until such time as the same is modified or released. These restrictions during their lifetime shall be for the benefit of, and limitation upon, all present and future owners of the real property and for the benefit of Miami-Dade County and the public welfare. The Owners, and their heirs, successors and assigns, acknowledge that acceptance of this.

B. Term. This Declaration of Restrictions is to run with the land and shall be binding on all parties and all persons claiming under it for a period of thirty (30) years from the date this Declaration of Restrictions is recorded, after which time it shall be extended automatically for successive periods of ten (10) years each, unless an instrument signed by the, then, owner(s) of the Property has been recorded in the public records agreeing to change the Declaration of Restrictions in whole, or in part, provided that the Declaration of Restrictions has first been modified or released by Miami-Dade County.

C. Modification, Amendment, Release. This Declaration of Restrictions may be modified, amended or released as to the land herein described, or any portion thereof, by a written instrument executed by the then owner(s) of the Property, provided that the same is also approved by the Board of County Commissioners of Miami-Dade County, Florida. Any such modification, amendment or release shall be subject to the provisions governing amendments to Comprehensive Plans, as set forth in Chapter 163, Part II , Florida Statutes or successor legislation which may, from time to time, govern amendments to comprehensive plans (hereinafter "Chapter 163"). Such modification, amendment or release shall also be subject to the provisions governing amendments to

comprehensive plans as set forth in Section 2-116.1 of the Code of Miami Dade County, or successor regulation governing amendments to the CDMP. In the event that the Property is incorporated within a new municipality or annexed into an existing municipality, and the successor municipality amends, modifies, or declines to adopt the provisions of Section 2-116.1 of the Code of Miami-Dade County, then modifications, amendments or releases of this Declaration shall be subject to Chapter 163 and the provisions of such ordinances as may be adopted by such successor municipality for the adoption of amendments to its comprehensive plan; or, in the event that the successor municipality does not adopt such ordinances, subject to Chapter 163 and by the provisions for the adoption of zoning district boundary changes. It is provided, however, that in the event that the successor municipality approves a modification or deletion of this Declaration of Restrictions, such modification or deletion shall not be effective until approved by the Board of County Commissioners, in accordance with applicable procedures. Should this Declaration be so modified, amended, or released, the Director of the Department of Regulatory and Economic Resources or the executive officer of a successor department, or, in the absence of such Director or executive officer, by his/her assistant in charge of the office in his/her absence, shall execute a written instrument effectuating and acknowledging such modification, amendment, or release.

D. Enforcement. Enforcement shall be by action against any parties or person violating, or attempting to violate, the covenants. The prevailing party in any action or suit pertaining to or arising out of this Declaration of Restrictions shall be entitled to recover, in addition to costs and disbursements allowed by law, such sum as the Court may adjudge to be reasonable for the services of his attorney. This

enforcement provision shall be in addition to any other remedies available at law, in equity, or both.

E. Authorization of Miami-Dade County (or successor municipality) to Withhold Permits and Inspections. In the event the terms of this Declaration of Restrictions are not being complied with, in addition to any other remedies available, the County (or any successor municipality) is hereby authorized to withhold any further permits, and refuse to make any inspections or grant any approvals, until such time as his Declaration of Restrictions is complied with.

F. Election of Remedies. All rights, remedies, and privileges granted herein shall be deemed to be cumulative and the exercise of any one or more shall neither be deemed to constitute an election of remedies, nor shall it preclude the party exercising the same from exercising such other additional rights, remedies, or privileges.

G. Presumption of Compliance. Where construction has occurred on the Property or any portion thereof, pursuant to a lawful permit issued by the County (or any successor municipality), and inspections made and approval of occupancy given by the County (or any successor municipality), then such construction, inspection, and approval shall create a rebuttable presumption that the buildings or structures thus constructed comply with the intent and spirit of this Declaration of Restrictions.

H. County Inspection. As further part of this Declaration of Restrictions, it is hereby understood and agreed that any official inspector of Miami-Dade County, or its agents duly authorized, may have the privilege at any time during normal working hours of entering and inspecting the use of the premises to determine whether the requirements

of the building and zoning regulations and the conditions herein agreed to are being complied with.

I. **Severability.** Invalidation of any one of these covenants by judgment of Court shall not affect any of the other provisions which shall remain in full force and effect. However, if any material portion is invalidated, the County shall be entitled to revoke any approval predicated upon the invalidated portion.

J. **Recordation and Effective Date.** This Declaration of Restrictions shall be filed of record in the public records of Miami-Dade County, Florida at the cost of the Owners following the approval of the Application by the Board of County Commissioners. This Declaration of Restrictions shall become effective immediately upon recordation. Notwithstanding the previous sentence, if any appeal is filed, and the disposition of such appeal results in the denial of the application, in its entirety, then this Declaration of Restrictions shall be null and void and of no further effect. Upon the disposition of an appeal that results in the denial of the Application, in its entirety, and upon written request, the Director of the Department of Regulatory and Economic Resources or the executive officer of the successor of said department, or in the absence of such director or executive officer by his/her assistant in charge of the office in his/her absence, shall forthwith execute a written instrument, in recordable form, acknowledging that this Declaration of Restrictions is null and void and of no further effect.

K. **Acceptance of Declaration.** Acceptance of this Declaration of Restrictions does not obligate the County in any manner, nor does it entitle the Owners to a favorable recommendation or approval of any application, zoning or otherwise, and the County retains its full power and authority to, with respect to the Property, deny each

such application in whole or in part and to decline to accept any conveyance.

L. **Owners.** The term "Owners" shall include the Owners and their successors and assigns.

[Signature Page Follow]

EXHIBIT "A"

LEGAL DESCRIPTION OF PROPERTY

The North 1/2 of the South 1/2 of the SW 1/4 of the NE 1/4 of Section 2, Township 57 South, Range 39 East, of the Public Records of Miami-Dade County, Florida, less the South 17.5 feet thereof.

#34348764_v2

This instrument was prepared by:

Name: Hugo P. Arza, Esq.
Address: Holland & Knight LLP
701 Brickell Avenue, Suite 3300
Miami, FL 33131

(Space Reserved for Clerk of Court)

DECLARATION OF RESTRICTIVE COVENANTS IN FAVOR OF HOMESTEAD AIR RESERVE BASE

THIS DECLARATION OF RESTRICTIVE COVENANTS ("Declaration") is made and entered into as of this 26 day of January, 2015, by George C. Busher, Jr., and Rosemary C. Busher, as Co-Trustees of The George C. Busher Living Trust, Dated July 8, 1999 ("collectively the "Owners") for the benefit of the United States Department of the Air Force, Homestead Air Reserve Base ("HARB").

WHEREAS, Owners hold the fee simple title to land in Miami-Dade County, Florida described in **Exhibit "A"**, attached hereto, and hereinafter called the "Property"; and

WHEREAS, the Property is the Application Area of Comprehensive Development Master Plan ("CDMP") Amendment Application No. 5 of the May 2014 Amendment Cycle ("CDMP Amendment Application") in Miami-Dade County; and

WHEREAS, the Owners have sought to change the designation of the Application Area from "Low Density Residential" to "Low-Medium Density Residential"; and

WHEREAS, the HARB has expressed certain concerns regarding this proposed re-designation; and

WHEREAS, the Owners desire to address HARB's concerns regarding the CDMP Amendment Application, which relates to the future use of the Property, by agreeing, among other things, to certain restrictions, conditions and obligations of the Owners on the Property if

the Application is approved and the Property is used as set forth in the CDMP Amendment Application, as set forth in this Declaration; and

NOW, THEREFORE, in order to assure HARB that the representations made by the Owners during the consideration of the CDMP Amendment Application will be abided by, the Owners, their successors and assigns, freely, voluntarily, and without duress, makes the following Declaration of Restrictions covering and running with the Property;

1. **Recitals.** The foregoing Recitals are true and correct and are incorporated herein by this reference.
2. **The Owner hereby acknowledges and agrees to the following:**

THIS PROPERTY IS LOCATED IN CLOSE PROXIMITY TO THE HOMESTEAD AIR RESERVE BASE ("HARB"). AS SUCH, THE PROPERTY AND THE FUTURE RESIDENTS MAY EXPERIENCE AVIATION AND EXPLOSIVES RELATED NOISE DURING DAYTIME AND NIGHTTIME HOURS.

THE UNDERSIGNED, ON BEHALF OF ITSELF AND ITS SUCCESSORS, LESSEES AND/OR ASSIGNS, AGREES BY TAKING TITLE TO SAID PROPERTY, THAT THEY DO NOT AND WILL NOT OBJECT TO THE PRESENCE OF HARB OR THE TWENTY-FOUR HOUR PER DAY OPERATION OF AIRCRAFT FROM ITS RUNWAYS OR EXPLOSIVE DETONATIONS AND HEREBY WAIVES ANY RIGHT TO OBJECT TO OR CHALLENGE IN ANY FORUM THE CURRENT OR FUTURE 24 HOUR PER DAY OPERATION OF THE HARB AND ANY IMPROVEMENTS OR EXPANSION OF HARB'S OPERATIONS.

IT IS FURTHER AGREED THAT THE UNDERSIGNED, ITS SUCCESSORS, LESSEES AND/OR ASSIGNS, WILL NEVER REQUEST, SUPPORT OR PARTICIPATE IN ANY EFFORT TO IMPOSE MANDATORY NOISE ABATEMENT PROCEDURES AT HARB.

IT IS EXPRESSLY UNDERSTOOD THAT THIS COVENANT IS ALSO BINDING UPON ALL FUTURE OWNERS, LESSEES, AND RESIDENTS HERE AND FOREVER THEREAFTER AND

THAT NOTIFICATION OF SUCH IS REQUIRED PRIOR TO THE SALE OR LEASE OF THE PROPERTY.

3. Notice to Future Owners.

A. The Owners shall include the following notice (the "Notice") in every contract for the sale of any dwelling unit within the Property:

THIS PROPERTY IS LOCATED IN CLOSE PROXIMITY TO THE HOMESTEAD AIR FORCE RESERVE BASE ("HARB"). AS SUCH, THE PROPERTY AND THE FUTURE RESIDENTS MAY EXPERIENCE AVIATION AND EXPLOSIVES RELATED NOISE DURING DAYTIME AND NIGHTTIME HOURS.

THE UNDERSIGNED, ON BEHALF OF ITSELF AND ITS SUCCESSORS, LESSEES AND/OR ASSIGNS, AGREES BY TAKING TITLE TO SAID PROPERTY, THAT THEY DO NOT AND WILL NOT OBJECT TO THE PRESENCE OF HARB OR THE TWENTY-FOUR HOUR PER DAY OPERATION OF AIRCRAFT FROM ITS RUNWAYS OR EXPLOSIVE DETONATIONS AND HEREBY WAIVES ANY RIGHT TO OBJECT TO OR CHALLENGE IN ANY FORUM THE CURRENT OR FUTURE 24 HOUR PER DAY OPERATION OF HARB AND ANY IMPROVEMENTS OR EXPANSION OF THE HARB'S OPERATIONS.

IT IS FURTHER AGREED THAT THE UNDERSIGNED, ITS SUCCESSORS, LESSEES AND/OR ASSIGNS, WILL NEVER REQUEST, SUPPORT OR PARTICIPATE IN ANY EFFORT TO IMPOSE MANDATORY NOISE ABATEMENT PROCEDURES AT HARB.

PURCHASER AGREES THAT THESE CONDITIONS ARE ALSO BINDING UPON ALL FUTURE OWNERS, LESSEES AND RESIDENTS HERE AND FOREVER THEREAFTER AND THAT NOTIFICATION OF SUCH IS REQUIRED PRIOR TO THE SALE OR LEASE OF THE PROPERTY.

B. The Owners shall cause every prospective purchaser to acknowledge in writing receipt of the Notice, which acknowledgement may be included in the contract for sale and purchase for each dwelling unit or may be provided by separate instrument

prior to or simultaneously with the execution of any such contract. The Notice shall also be prominently displayed in any sales office for units in the Property.

4. **Miscellaneous.**

A. Covenant Running with the Land. This Declaration on the part of the Owners shall constitute a covenant running with the land and shall be recorded, at the Owners expense, in the public records of Miami-Dade County, Florida, if the designation change from “Low-Density Residential” to “Low-Medium Density Residential” is approved and shall remain in full force and effect and be binding upon the undersigned Owners and their successors and assigns unless and until the same is modified or released by HARB.. These restrictions during their lifetime shall be for the benefit of HARB, and the limitation upon, the then Owner(s) of the Property and for the public welfare. This Declaration may be may be modified, amended, or released as to the Property, or any portion thereof, by a written instrument executed by the then owner(s) of the Property and by the HARB.

B. Recordation and Effective Date. This Declaration of Restrictions shall be filed in the public records of Miami-Dade County, Florida, at the cost of the Owners following the approval of the CDMP Application. This Declaration shall become effective immediately upon recordation. Notwithstanding the previous sentence, if any appeal is filed, and the disposition of such appeal results in the denial of the application, in its entirety, then this Declaration of Restrictions shall be null and void and of no further effect.

C. Term. This Declaration of Restrictions is to run with the land and shall be binding on all parties and all persons claiming under it for a period of thirty (30) years

from the date this Declaration of Restrictions is recorded, after which time it shall be extended automatically for successive periods of ten (10) years each, unless an instrument signed by the, then, owner(s) of the Property has been recorded in the public records agreeing to change the Declaration of Restrictions in whole, or in part, provided that the Declaration of Restrictions has first been modified or released by HARB.

D. Enforcement. Enforcement shall be by action against any parties or person violating, or attempting to violate, the covenants. The prevailing party in any action or suit pertaining to or arising out of this Declaration of Restrictions shall be entitled to recover, in addition to costs and disbursements allowed by law, such sum as the Court may adjudge to be reasonable for the services of his attorney. This enforcement provision shall be in addition to any other remedies available at law, in equity or both.

E. Election of Remedies. All rights, remedies and privileges granted herein shall be deemed to be cumulative and the exercise of any one or more shall neither be deemed to constitute an election of remedies, nor shall it preclude the party exercising the same from exercising such other additional rights, remedies or privileges.

F. Severability. Invalidation of any one of these covenants, by judgment of Court, shall not affect any of the other provisions that shall remain in full force and effect. However, if any material portion is invalidated, the County shall be entitled to revoke any approval predicated upon the invalidated portion.

H. Owners. The term "Owners" shall include the Owners and their heirs, successors, and assigns.

[EXECUTION PAGES FOLLOW]

EXHIBIT "A"

LEGAL DESCRIPTION OF PROPERTY

The North 1/2 of the South 1/2 of the SW 1/4 of the NE 1/4 of Section 2, Township 57 South, Range 39 East, of the Public Records of Miami-Dade County, Florida, less the South 17.5 feet thereof.

FINAL RECOMMENDATIONS

MAY 2014 APPLICATIONS TO AMEND THE COMPREHENSIVE DEVELOPMENT MASTER PLAN

FOR MIAMI-DADE COUNTY, FLORIDA



Carlos A. Gimenez
Mayor

MIAMI-DADE BOARD OF COUNTY COMMISSIONERS

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Chairman

Esteban Bovo, Jr.
Vice Chairman

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Eduardo Suarez
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Paul Wilson

Ivan Rodriguez, School Board Representative, *Non-Voting Member*
Larry Ventura, Homestead Air Reserve Base Representative, *Non-Voting Member*

Jack Osterholt, Deputy Mayor/Director
Executive Secretary

Miami-Dade County provides equal access and equal opportunity in employment and services and does not discriminate on the basis of disability. "It is the policy of Miami-Dade County to comply with all of the requirements of the Americans with Disabilities Act."

FINAL
RECOMMENDATIONS
MAY 2014 APPLICATIONS TO AMEND THE
COMPREHENSIVE DEVELOPMENT MASTER PLAN

January 2015

Miami-Dade County
Department of Regulatory and Economic Resources
Stephen P. Clark Center
111 NW 1 Street
Miami, Florida 33128-1972
(305) 375-2835

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INTRODUCTION

This report contains the final recommendations of the Miami-Dade County Department of Regulatory and Economic Resources (Department) on the pending May 2014 Cycle Application Nos. 4, 5, 6, 7 and 8 requesting amendments to the Miami-Dade County Comprehensive Development Master Plan (CDMP). The Department's final recommendations for the pending applications are included in the "Summary of Recommendations" matrix on page v in addition to a presentation of Application No. 7 and the Principal Reasons for the further changes made to the application. The further changes made to Application No. 7 are in response to "technical guidance comments" offered by the South Florida Water Management District (SFWMD) on the application.

Previous Actions

The pending May 2014 Cycle Application Nos. 4, 5, 6, 7 and 8 were the subject of CDMP public hearings held by the Planning Advisory Board on October 20, 2014 and the Board on November 19, 2014. Additionally, the Land Use Plan map amendment Application Nos. 4 and 5 were also the subject of CDMP public hearings held by the affected Community Councils in September 2015. At the Board's November 19, 2014 public hearing the pending May 2014 Cycle Application Nos. 4, 5, 6, 7 and 8 were transmitted to the State Land Planning Agencies and other reviewing agencies for their review and comment pursuant to Chapter 163.3184, Florida Statute. Technical guidance comments were received from the SFWMD on application No. 7, mentioned above, and no comments were made on any of the other pending applications.

The "Summary of Recommendations" matrix presented on page v summarizes the recommendations of the Department, the affected Community Councils and the Planning Advisory Board (PAB), as well as the previous actions taken by the Board on the pending May 2014 Cycle Applications. Following the matrix is a presentation of Application No. 7 with the further changes discussed above.

**TABLE 1
SCHEDULE OF ACTIVITIES
MAY 2014-2015 CDMP AMENDMENT CYCLE**

Pre-application Conference	Prior to Filing Application
Application Filing Period	May 1 to June 2, 2014
Deadline to withdraw Application and obtain Return of Full Fee. Notify applicant of deficiencies.	June 9, 2014
Deadline for resubmittal of unclear or incomplete Applications	Seventh business day after Notice of deficiency
Applications Report published by Department	June 23, 2014
Deadline for submitting Technical Reports	July 1, 2014
Deadline for submitting Declarations of Restrictions to be considered in the Initial Recommendations Report	July 29, 2014
Initial Recommendations Report released by the Department	August 25, 2014
Community Councils (CC) Hearings: South Bay (CC15): Application No. 5 Redland (CC14): Application No. 2 Kendall (CC12): Application No. 3 North Central (CC8): Application Nos. 1 and 3 Westchester (CC10): Application Nos. 3 and 4	September 18, 2014 September 22, 2014 September 23, 2014 September 29, 2014 September 30, 2014
Planning Advisory Board (PAB), acting as Local Planning Agency (LPA), Public Hearing to formulate Recommendations regarding Adoption of Small-Scale Amendments and Transmittal of Standard Amendment requests to State Land Planning Agency (SLPA)	October 20, 2014 County Commission Chamber 111 NW 1 Street Miami, Florida 33128
Board of County Commissioners (Board) Hearing and Action on Adoption of Small-Scale Amendments and Transmittal of Standard Amendment requests to SLPA	November 19, 2014 County Commission Chamber 111 NW 1 Street Miami, Florida 33128
Transmittal to SLPA and other Reviewing Agencies	December 10, 2014
Deadline for Filing Supplementary Reports by the Public	December 19, 2014 Thirty (30) days after Board's transmittal hearing
Receipt of Comment Letters from Reviewing Agencies	January 28, 2015 (Approximately 30 days after Transmittal)
Public Hearing and Final Action on Applications: Board	February 4, 2015 (No later than 45 days after receipt of Comment Letters from reviewing agencies)

Notes

All hearings were noticed by newspaper advertisement.

Summary of Recommendations
Pending May 2014 Applications to Amend the Comprehensive Development Master Plan for Miami-Dade County, Florida
January 2015

Application Number/ Type	Location/Acreage/ Requested Amendment	BCC District/ Commissioner	Department's Initial Recommendation September 2014	Community Council Recommendation, Resolution # and Date	PAB/LPA Recommendation October 20, 2014	BCC Recommendation November 19, 2014	Department's Final Recommendation January 2015	BCC Final Action February 4, 2015
4/ Standard	<p>OROT Flagler, LLC./Juan J. Mayol, Jr., Esq. & Hugo P. Arza, Esq.</p> <p>Southeast corner of the intersection of SW 4 Street and SW 92 Avenue. (10.14 gross acres; 9.58 net acres)</p> <p><u>Requested CDMP Amendment</u> Redesignate application site on the LUP map</p> <p>From: "Low-Medium Density Residential (6 to 13 dwelling units per gross acre)"</p> <p>To: "Low-Medium Density Residential with One Density Increase (DI-1)"</p>	6/ Sosa	Transmit and Adopt with Acceptance of the Proffered Declaration of Restrictions	Deny and Do Not Transmit CC 10-02-14 (September 30, 2014)	Transmit and Adopt with Acceptance of the Proffered Covenant	Transmit with directive to the Applicant to consider reducing the density and work with the neighbors	Adopt As Transmitted and with Acceptance of the Proffered Declaration of Restrictions	
5/ Standard	<p>George C. Busher and Rosemary Busher/Juan J. Mayol, Jr., Esq. & Hugo P. Arza, Esq.</p> <p>Southeast corner of the intersection of SW 286 Street and SW 132 Avenue. (10.01 gross acres; 9.06 net acres)</p> <p><u>Requested CDMP Amendment</u> Redesignate application site on the LUP map</p> <p>From: "Low Density Residential (2.5 to 6 dwelling units per gross acre)"</p> <p>To: "Low-Medium Density Residential (6 to 13 dwelling units per gross acre)"</p>	9/ Moss	Transmit and Adopt	Transmit and Adopt CC15-02-14 (September 18, 2014)	Transmit and Adopt with the condition that, per the Applicant's representation, the Applicant commits to disclosure requirements and noise level reduction standards for development on the property	Transmit and Adopt with the condition that the Applicant's proposed Declaration(s) of Restrictions addressing the noise level associated with the air force aircraft and/or explosive operations of the Homestead Air Reserve Base, include a noise level disclosure notification to potential buyers of homes on the application site, to be ready before the next scheduled CDMP	Adopt As Transmitted and with Acceptance of the two (2) Proffered Declarations of Restrictions	

Application Number/ Type	Location/Acreage/ Requested Amendment	BCC District/ Commissioner	Department's Initial Recommendation September 2014	Community Council Recommendation, Resolution # and Date	PAB/LPA Recommendation October 20, 2014	BCC Recommendation November 19, 2014	Department's Final Recommendation January 2015	BCC Final Action February 4, 2015
6/ Standard	Miami-Dade County/Jack Osterholt, Deputy Mayor/Director Department of Regulatory and Economic Resources. <u>Requested CDMP Amendment</u> Amend the Land Use Element, Transportation Element, and Community Health and Design Element of the Comprehensive Development Master Plan (CDMP) to support and enhance the Miami-Dade County Age-Friendly Initiative	Countywide	Transmit and Adopt	Not Applicable	Transmit and Adopt	Transmit and Adopt	Adopt As Transmitted	
7/ Standard	Miami-Dade County/Bill Johnson/Director Water and Sewer Department <u>Requested CDMP Amendments</u> Amend the Comprehensive Development Master Plan (CDMP) Water and Sewer Subelement of the Water, Sewer, & Solid Waste Element as follows: 1. Revise introductory text to reflect changes to the County's Water Use Permit. 2. Revise CDMP Policy WS-7A to reflect an update to the County's Water Supply Facilities Work Plan and add a requirement that the Work Plan address climate change and sea level rise that may impact potable water infrastructure and sources. 3. Revise Table 1: Alternative Water Supply Projects (2014-2033) to reflect changes to the alternative water supply projects and modifications to the County's Water Use Permit.	Countywide	Transmit with Change and Adopt	Not Applicable	Transmit with Change and Adopt	Transmit with Change and Adopt	Adopt as Transmitted with Further Change	

Application Number/ Type	Location/Acreage/ Requested Amendment	BCC District/ Commissioner	Department's Initial Recommendation September 2014	Community Council Recommendation, Resolution # and Date	PAB/LPA Recommendation October 20, 2014	BCC Recommendation November 19, 2014	Department's Final Recommendation January 2015	BCC Final Action February 4, 2015
8/ Standard	Miami-Dade County/Jack Osterholt, Deputy Mayor/Director Department of Regulatory and Economic Resources. <u>Requested CDMP Amendments</u> Amend the Comprehensive Development Master Plan (CDMP) Land Use Element text related to affordable/workforce housing density bonuses to further encourage the development of affordable/workforce housing, remove redundant provisions, and clarify implementation procedures.	Countywide	Transmit and Adopt	Not Applicable	Transmit and Adopt	Transmit and Adopt	Adopt As Transmitted	

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

Notes

BCC: Miami-Dade Board of County Commissioners

PAB/LPA: Planning Advisory Board acting as the Local Planning Agency

Application No. 7

Countywide

APPLICATION SUMMARY

Applicant/Representative:	Bill Johnson, Director Miami-Dade County Water and Sewer Department 3071 SW 38th Avenue, Suite 547 Miami, Florida 33146
Location:	Countywide
Requested Text Changes:	Amend the Comprehensive Development Master Plan (CDMP) Water and Sewer Subelement of the Water, Sewer, & Solid Waste Element as follows: <ol style="list-style-type: none">1. Revise introductory text to reflect changes to the County's Water Use Permit.2. Revise CDMP Policy WS-7A to reflect an update to the County's Water Supply Facilities Work Plan and add a requirement that the Work Plan address climate change and sea level rise that may impact potable water infrastructure and sources.3. Revise Table 1: Alternative Water Supply Projects (2014-2033) to reflect changes to the alternative water supply projects and modifications to the County's Water Use Permit.
Amendment Type:	Standard Text Amendment

RECOMMENDATIONS

Staff (Final):	ADOPT AS TRANSMITTED WITH FURTHER CHANGES (January 2015)
Staff (Initial):	TRANSMIT WITH CHANGE AND ADOPT (August 2014)
Community Councils:	NOT APPLICABLE
Planning Advisory Board (PAB) acting as the Local Planning Agency:	TRANSMIT WITH CHANGE AND ADOPT (October 20, 2014)
Board of County Commissioners:	TRANSMIT WITH CHANGE AND ADOPT (November 19, 2014)
Final Action of Board of County Commissioners:	TO BE DETERMINED (February/March, 2015)

Staff recommends: **ADOPT AS TRANSMITTED WITH FURTHER CHANGES** the application to amend the Comprehensive Development Master Plan (CDMP) Water, Sewer, & Solid Waste Element text based on the following reasons:

Principal Reasons for Recommendation:

1. On November 19, 2014, the Miami-Dade Board of County Commissioners adopted Resolution No. R-1024-14 transmitting Application No. 7, along with other applications each by separate resolution, to the State Land Planning Agency and other state and regional agencies for review and comment. The agencies reviewed the transmitted applications and identified no significant impact to state or regional resources and facilities. However, in its letter dated January 20, 2015, the South Florida Water Management District (SFWMD) offered technical guidance comments on Application No. 7. Technical guidance comments are provided as suggestions that may be considered to strengthen an application and will not be used to form the basis of a challenge. The specific technical guidance comments offered by the SFWMD are as follows:
 - Existing Policy WS-7A incorporates by reference the County's Work Plan into the CDMP. The policy should be revised to specifically include the date of the adoption of the Work Plan and not references to "subsequent approvals" of the Work Plan.
 - Exhibit 9, 20-Year Water Supply Facilities Work Plan, Table 5-3 MDWASD Water/Alternative Water Supply CIE Projects (page 5-7), should be revised to include a five year timeframe after the adoption of the Work Plan. The Table currently only extends out to Fiscal Year 2017/2018.

As recommended by SFWMD, further changes are proposed to Policy WS-7A of the CDMP Water, Sewer, & Solid Waste Element to include the adoption date for the Water Supply Facilities Work Plan and remove the reference to subsequent approvals of the Work Plan.

Also, as recommended by SFWMD, Table 5-3 of the Water Supply Facilities Work Plan was amended to include a five-year timeframe following adoption of the Water Facilities Work Plan based on the County's adopted FY 2014-2015 Budget. Changes to the Water Supply Facilities Work Plan are contained in Appendix A of this report. Further to the changes to Table 5-3, Table 1: Alternative Water Supply Projects of the Water, Sewer and Solid Waste Element was also amended to reference the County's adopted FY 2014-2015 Budget to ensure consistency with the Work Plan.

2. The Principal Reasons for staff's recommendation on the application as presented in the Initial Recommendations Report dated August 2014 are maintained, while the requested text amendment with the proposed changes are outlined below.

REQUESTED TEXT AMENDMENT¹

1. Amend the Comprehensive Development Master Plan (CDMP) Water, Sewer, & Solid Waste Element as follows:

The Water, Sewer, and Solid Waste Element is composed of two subelements. The Water and Sewer Subelement contains a goal, objectives, policies, and monitoring measures for the County's water services. The Miami-Dade Water and Sewer Department (WASD) is one of the largest public utilities in the United States providing direct water and wastewater service to more than 440,000 customers ~~to~~in the unincorporated areas of Miami-Dade County, wholesale water service to 14 municipalities and wholesale wastewater service to 13 municipalities. In November 2007, WASD received a historic 20-year Water-Use Permit (WUP) from the South Florida Water Management District (SFWMD). On November 1, 2010, the SFWMD District approved an extension to Miami-Dade County's WUP because of a reduction in water demands, with the permit now extended until 2030. The permit is a plan for meeting the present and future water needs of the County while protecting natural resources such as the Everglades. The permit requires WASD to develop alternative water supply sources and continue with its Water-Use Efficiency Program. It ensures water will be available for Miami-Dade County's needs and lays the groundwork for ~~very ambitious~~ capital improvements programmed or planned for the next ~~two~~ decades. ~~Some of t~~The alternative water supply sources include reclaimed water projects using the Floridan Aquifer as an alternative water supply, a comprehensive water use efficiencyconservation program and a water loss reduction program.

WS-7A. The Miami-Dade County Water Supply Facilities Work Plan (Work Plan), as prepared by the Miami-Dade County Water and Sewer Department and adopted by the Miami-Dade County Board of County Commissioners in ~~February 2015~~April 2008 and subsequent approvals, is incorporated by reference into the CDMP. This document is designed to: assess current and projected potable water demands; evaluate the sources and capacities of available water supplies; and, identify those water supply projects, using all available technologies, necessary to meet the County's water demands for a 20-year period. The Work Plan shall remain consistent with the County's Water Use Permit renewals and with the goals of the South Florida Water Management District's *Lower East Coast Regional Water Supply Plan*. The Work Plan will be updated, at a minimum, every 5-years and within 18 months after the South Florida Water Management District's approval of an updated *Lower East Coast Regional Water Supply Plan*. Updates to the water supply facilities necessary to satisfy projected water demands shall be provided to the South Florida Water Management District in the Annual Lower East Coast Progress Report. The Work Plan shall address climate change and sea level rise that may impact the potable water infrastructure and sources. The potable water supply facilities necessary to satisfy projected water demands during the ~~2010-2030~~ 2014-2033 period are shown in Table 1, below.

¹ Words stricken through shall be deleted. Words underscored constitute the amendment proposed. Words double-underlined or double-stricken constitute the further changes proposed since the Board of County Commissioners' CDMP transmittal hearing of November 2014. All other words exist in the Plan and will remain unchanged.

Table 1 Alternative Water Supply and Wastewater Reuse Projects 2012-2030 2014-2033				
Project No./CIE Table ¹	Project Name ²	Project Description	Construction Completion Date	Estimated Cost (\$million) ³
Alternative Water Supply Projects				
46, Table 12 1077	South Miami Heights WTP and Wellfield (20 mgd)	Reverse osmosis and ultra-filtration membranes provide treatment of 20 mgd of finished water from the of Biscayne/Floridan aquifers <u>water</u> from 13 wells.	2015 2018 <u>2020</u>	194.7 212.78 169.13
19B30, Table 12 1080	Hialeah Floridan Aquifer R.O. WTP Phase 1 (10 MGD)	A new upper Floridan aquifer reverse osmosis water treatment plant is to be constructed in the northern part of the County (i.e., Hialeah). The WTP will directly utilize the Floridan Aquifer as the alternative water supply using the RO treatment to remove salt. The City and the County will be equal partners in funding the project. Estimated cost is based on total project cost. MDWASD's share of the total cost is \$46.17. The Hialeah RO WTP has a capacity to produce 7.5 MGD of finished water. An additional 2.5 MGD will be available in 2015 upon construction completion of 4 additional wells.	2013 <u>2014 (7.5 MGD)</u> <u>2015 (2.5 MGD)</u>	92.4
19C, Table 12	—Phase 2 (5 MGD)		2026	25.6
19D, Table 12	—Phase 3 (2.5 MGD)		2026	42.2
Wastewater Reclamation Projects				
26, Table 8	North District WWTP Reuse Projects (7.0 MGD)	The scope of these projects will be determined as part of the Ocean Outfall legislation implementation plan due to the Secretary of FDEP by July 1, 2013.	2025	43.5
27, Table 8	Central District WWTP Reuse Project (27.1 MGD)	The scope of this project will be determined as part of the Ocean Outfall legislation implementation plan due to the Secretary of FDEP by July 1, 2013.	2025	26.3
29, Table 8 See note	West District W.R.P. Canal Recharge Phase 1 (21 mgd)	This water reclamation plant project includes the construction of a new wastewater plant incorporating technologies capable of achieving these treatment levels required for canal recharge or any other alternative discharge that may be approved. This plant will be expanded for Phase 3.	2024	665
	West District W.R.P. Canal Recharge Phase 2 (16 mgd)		2024	593
32, Table 8	72-inch Reclaimed Water Pipeline — SDWWP to FPL	90-MGD of reclaimed water to meet FPL's cooling water needs for Units 5 & 6	2023	95

¹ ~~CIE Table References are per CIE adopted on November 18, 2010 October 2, 2013 by Ordinance No 10-80-13-96.~~ Project Numbers based on adopted FY 2014-2015 budget.

² Alternative Water Supply projects and construction completion dates based on ~~a~~ the June 2014 proposed modification to the current Water Use Permit issued by SFWMD on July 16, 2012.

³ Estimated cost based on adopted FY ~~2012-2013~~ 2014-2015 budget. The estimated cost for the Hialeah RO WTP is based on total project cost. The City and the County will be equal partners in funding the project. MDWASD's share of the total cost is \$46.17 million. The estimated cost for West District W.R.P. Phase 1 and Phase 2 is based on a Planning construction cost and not included in the adopted FY 2012-2013 budget and is included in the County's Water Use Permit issues by SFWMD on July 16, 2012.

APPENDIX A

Water Supply Facilities Work Plan Replacement Pages

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Miami Dade Water and Sewer Department

20-year Water Supply Facilities Work Plan (2014 - 2033)

Support Data

November 2014
(Revised January 2015)

Report

Appendices

Appendix A Wellfield Data Tables

Appendix B ~~Miami-Dade County Capital Improvement Element Tables 8 and 12~~
MDWASD FY 2014-2020 Capital Budget and Multi-Year Capital Plan

Appendix C Water Supply for Municipalities

Appendix D Water Use Efficiency

Appendix E Table 5 Countywide BMP Implementation Schedule, Costs, and Savings
Projections from the Water Use Efficiency 5-Year Plan

Appendix F Reuse Project and Deadlines

Appendix G List of Large and Small Public Water Supply Systems

Appendix H MDWASD 20-Year Water Use, Permit, July 16, 2012 Modification

Appendix I MDWASD June 2014 Modification request to the 20-year Water Use
Permit

Section 5

Planned Water Supply Facilities

This section details the water supply facilities that are planned in order to meet MDWASD’s water demands through 2033. The County’s projected finished water demands are now markedly lower than anticipated when the first 20-year water use permit application was submitted to South Florida Water Management District (SFWMD) in 2007. This demand reduction has eliminated the anticipated supply shortages which were the basis for an ambitious schedule of several costly alternative water supply projects which are no longer required or needed. Reuse projects to address water supply have been eliminated. The decrease in water demands is a result of successful implementation of the County’s Water Conservation Plan and new population projections based on the 2010 Census. For ease of reference, the project start and finish dates have been provided below the title of the following subsections. ~~The Capital Improvement Elements Tables 8 and 12 located in Appendix B.~~ The adopted FY 2014-2015 Capital Plan for the two alternative water supply projects is included in Appendix B.

5.1 Alternative Water Supply Projects

The following proposed alternative water supply (AWS) projects are to meet MDWASD’s water demands through 2033, which encompasses the proposed modification to the 20-year Consumptive Use Permit period. AWS projects have been identified to meet water demands in the MDWASD service area and are presented in Table 5-1, Table 5-2 and Figure 5-1.

The plan described herein demonstrates that the proposed projects, by their location, volume of water produced, and timing of implementation, will be sufficient to meet the water demand increases. These projects will undergo further refinement and development over the next few months. The flow (Q MGD) shown in parentheses below represents the corresponding amount of finished water annual average daily demand (AADD) provided by the projects in terms of million gallons per day (MGD). These AWS projects and AADD assume that all current wholesalers will remain on the MDWASD system through 2033.

Table 5-1: MDWASD) Proposed Alternative Water Supply Projects From Alternative Water Supply Project Development Submitted to SFWMD June 2014

Year	Annual Average Finished Water Quantity in MGD and Source		
2013	7.5	Hialeah Floridan Aquifer RO WTP-Phase 1-a, 10 MGD & 6 Floridan Aquifer supply wells	AWS
2015	2.5	Hialeah Floridan Aquifer RO WTP-Phase 1-b, 4 Floridan Aquifer supply wells	AWS
2018	12.45	South Miami Heights WTP Phase 1(RO portion)	AWS
2030	5.0	South Miami Heights WTP Phase 2(RO portion)	AWS
Total	27.45		

WTP. Everglades Labor Camp and Newton WTPs will remain on stand-by service.

5.2 Miscellaneous Projects

5.2.1 Water Conservation/Non-Revenue Potential Water Loss Reduction Program (Up to 19.62 MGD)

Start 2006

Finish 2027

These projects serve to reduce the demand for water through demand management. They include, but are not limited to, various water conservation projects currently being implemented by MDWASD. The County's Water Use Efficiency Five-Year Plan was approved by the Board and has been expanded to cover the next 20 years with a projected reduction in demand of 19.62 MGD over that time period. Examples of ongoing conservation projects include the bathroom and kitchen retrofits program, Miami-Dade green lodging and restaurant program, rebates for high efficiency toilets, and landscaping irrigation evaluations for residential, commercial and governmental uses. Similarly, the Non-Revenue Real Water Loss Program identified potential reductions in water demand of as much as 14.25 MGD by 2030 through demand management activities.

5.3 20-Year Work Plan and Capital Improvement Plan

As mentioned in the previous sections, the latest lower population projections based on the 2010 Census results and historically lower per capita daily finish water use have reduced the projected finish water demands which have eliminated the need for other alternative water supply projects by several years. The Alternative Water Supply projects to address water demands through 2033 include the Hialeah RO and South Miami Heights WTP.

The projects for the 20-Year Work Plan have been included in the County's adopted FY 2014-2015 Budget Capital Improvement Element. An update to the County's Capital Improvement Element to reflect the adopted FY 2014-2015 Budget will be processed in 2015. A copy of Table 12 from the County's adopted FY 2014-2015 Budget Capital Improvement Element is contained within Appendix DB and summarized in Table 5-3 for the next 5 years (2014-2018); (2015-2020).

Table 5-3 MDWASD Water/Alternative Water Supply ~~CIE~~ Projects

Project Name	Expenditure ^(a)						Six Year Totals
	20124/ 20135	20135/ 20146	20146/ 20157	20157/ 20168	20168/ 20179	20179/ 201820	
Water Facilities							
South Miami Heights W.T.P. & Wellfield	<u>4.90</u> 17.11	<u>30.44</u> 46.20	<u>36.48</u> 43.80	<u>5.73</u> 5.19	<u>15.73</u> 0.00	<u>0.00</u> 0.00	<u>93.28</u> 112.31
Hialeah Floridan Aquifer R.O.W.T.P. Phase 1 (10.0 mgd)	<u>0.00</u> 23.79	<u>0.00</u> -4.77	<u>0.00</u> -1.34	<u>0.00</u> 7.383	<u>0.00</u> 4.08	<u>0.00</u> 6.09	<u>0.00</u> 47.48

Source: MDWASD Adopted ~~FY 2012-2013~~ 2014-2015 budget, (a) Millions of Dollars
Note: Full Payment of the Hialeah R.O. was provided in FY 2013-2014

5.4 Other Water Suppliers Future Plans

5.4.1 City of North Miami

The City of North Miami's plans for a two-phase expansion of the Winson WTP have been put on hold. The plans entailed a Phase I, to be concluded by 2010, to add an additional 8.5 MGD capacity from a Reverse Osmosis (RO) system. Phase II to add additional membrane treatment to the RO facility, which would create an additional 4.0 MGD capacity. The proposed improvements would total an increase of 12.5 MGD to the capacity of the WTP.

The City also identified that the Floridan aquifer would be the only water resource alternative for the increase in demand. Therefore, the City planned to construct an additional ten Floridan wells to supply the RO Facility. The City planned to add a raw water transmission main from the wells to the WTP.

On hold is also the third expansion plan for the addition of a 5 MG storage tank, to be located on a vacant parcel owned by the City's new Biscayne Landing development. The City may decide to forgo with the construction of the tank and utilize the parcel for another smaller RO Treatment facility or a reuse facility.

These water supply system improvements planned by the City of North Miami will provide water supply for those portions of unincorporated Miami-Dade County which are currently served by the City of North Miami.

The City is currently designing upgrades to the existing facility to maximize its efficiencies.

APPENDIX B

~~Miami Dade County Capital
Improvements Element
Tables 8 and 12~~

MDWASD FY 2014-2020 Capital Budget
And Multi-Year Capital Plan



Delivering Excellence Every Day

MIAMI-DADE WATER AND SEWER DEPARTMENT

ADOPTED FY 2014-2020 CAPITAL BUDGET AND MULTI-YEAR CAPITAL PLAN



SEPTEMBER 18, 2014



**MIAMI-DADE WATER AND SEWER DEPARTMENT
2014-2020 CAPITAL BUDGET AND MULTI-YEAR CAPITAL PLAN**

**Projection by Project Sub-project by Year - Water
As of: 9/30/2013**

Version 4

Proj Sub-Proj Sub-Proj Description	Current Bond/Fund Allocation	Expenditures Remaining As of 9/30/2013	Bond/Fund Allocation	PROJECTIONS											Total		
				2013-2014	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019	2019-2020	2020-2021	2021-2022	2022-2023	Future			
101546 WATER TREATMENT MODIFICATIONS TO COMPLY WITH SURFACE WATER TREATMENT AND DISINFECTANT/DISINFECTION BY PRODUCT REGULATIONS	532,824,088	13,200,885	519,623,203	300,000	1,000,000	7,500,000	20,000,000	20,000,000	176,682,053	180,710,573	133,430,577	0	0	0	0	0	519,623,203
101891 NEW NWWF HIGH SERVICE PUMP STATION	43,250,000	0	43,250,000	0	0	1,500,000	10,000,000	15,000,000	14,500,000	2,250,000	0	0	0	0	0	0	43,250,000
TOTAL - 1075	585,954,088	13,200,885	572,753,203	300,000	1,300,000	12,200,000	33,300,000	194,762,053	195,210,573	135,680,577	0	0	0	0	0	0	572,753,203
101564 SOUTH MIAMI HEIGHTS WTP AND WF - NEW WATER TREATMENT PLANT	75,456,139	5,389,891	70,066,248	200,000	1,500,000	20,000,000	26,913,097	5,727,131	15,726,020	0	0	0	0	0	0	0	70,066,248
101565 SOUTH MIAMI HEIGHTS WTP AND WF - NEW WELLFIELD	20,878,062	2,836,758	18,041,304	100,000	1,500,000	7,500,000	8,941,305	0	0	0	0	0	0	0	0	0	18,041,305
101575 CONSTRUCTION MANAGEMENT AT SOUTH MIAMI HEIGHTS WTP	4,700,000	1,993,567	2,706,433	123,356	500,000	1,460,764	622,313	0	0	0	0	0	0	0	0	0	2,706,433
101778 DESIGN AND CONSTRUCTION OF PROPOSED 16 INCH WATER MAIN	4,500,000	1,477,596	3,022,404	144,249	1,400,000	1,478,155	0	0	0	0	0	0	0	0	0	0	3,022,404
102020 SOUTH MIAMI HEIGHTS FA MEMBRANES WTP	42,000,000	0	42,000,000	0	0	0	0	0	0	42,000,000	0	0	0	0	0	0	42,000,000
102021 SOUTH MIAMI HEIGHTS - FA WELLS AND PIPING	21,600,000	0	21,600,000	0	0	0	0	0	0	21,600,000	0	0	0	0	0	0	21,600,000
TOTAL - 1077	169,134,201	11,697,812	157,436,389	567,605	4,900,000	30,438,919	36,476,715	5,727,131	15,726,020	0	63,600,000	0	0	0	0	0	157,436,390
1078 TELEMETERING SYSTEM - WATER	17,297,263	2,650,110	14,647,153	2,214,885	1,133,067	2,433,067	2,433,067	2,433,067	2,000,000	2,000,000	2,000,000	0	0	0	0	0	14,647,153

Prepared by Capital Planning and Coordination Section
Page 9 of 10



**MIAMI-DADE WATER AND SEWER DEPARTMENT
2014-2020 CAPITAL BUDGET AND MULTI-YEAR CAPITAL PLAN**

**Projection by Project Sub-project by Year - Water
As of: 9/30/2013**

Version 4

Proj Sub-Proj	Sub-Proj Description	Current Bond/Fund Allocation	Expenditures Remaining As of 9/30/2013	Bond/Fund Allocation	PROJECTIONS											Total		
					2013-2014	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019	2019-2020	2020-2021	2021-2022	2022-2023	Future			
TOTAL - 1078		17,297,263	2,650,110	14,647,153	2,214,885	1,133,067	2,433,067	2,433,067	2,433,067	2,433,067	2,000,000	2,000,000	0	0	0	0	0	14,647,153
1080 101679	HIALEAH FLORIDAN AQUIFER R.O. W.T.P. PHASE 1 (10 MGD) - COB IN 1065.101956	45,608,637	44,756,307	851,730	851,730	0	0	0	0	0	0	0	0	0	0	0	0	851,730
101737	HIALEAH FLORIDAN AQUIFER R.O. W.T.P. PHASE 2 (5 MGD)	12,816,075	0	12,816,075	0	0	0	0	0	0	0	0	0	12,816,075	0	0	0	12,816,075
101738	HIALEAH FLORIDAN AQUIFER R.O. W.T.P. PHASE 3 (2.5 MGD)	6,099,000	0	6,099,000	0	0	0	0	0	0	0	0	0	6,099,000	0	0	0	6,099,000
TOTAL - 1080		64,523,712	44,756,307	19,766,805	851,730	0	0	0	0	0	0	0	0	18,915,075	0	0	0	19,766,805
1081 101966	INSTALLATION OF 12-INCH DIWM ON EAST DRIVE FROM NW 36 ST. TO LABARON DR.	687,042	602,944	84,098	50,000	34,098	0	0	0	0	0	0	0	0	0	0	0	84,098
TOTAL - 1081		687,042	602,944	84,098	50,000	34,098	0	0	0	0	0	0	0	0	0	0	0	84,098
1082 101969	WATER - PIPES AND INFRASTRUCTURE PROJECTS	83,608,444	29,122,567	54,485,877	10,775,476	8,000,000	14,906,409	6,201,688	5,547,738	4,874,170	4,180,396	4,180,396	0	0	0	0	0	54,485,877
TOTAL - 1082		83,608,444	29,122,567	54,485,877	10,775,476	8,000,000	14,906,409	6,201,688	5,547,738	4,874,170	4,180,396	4,180,396	0	0	0	0	0	54,485,877
TOTAL - Water		4,067,616,612	410,768,117	3,656,848,495	83,880,760	119,010,688	214,146,080	255,797,526	418,171,885	403,102,053	305,885,696	1,852,270,268	2,583,540	2,000,000	0	0	0	3,656,848,496

COMMENTS FROM THE STATE LAND PLANNING AGENCY AND OTHER STATE AND REGIONAL AGENCIES SUBMITTED BETWEEN JANUARY 5, AND JANUARY 27, 2015.

- Florida Fish and Wildlife Conservation Commission correspondence dated January 5, 2015
- South Florida Regional Planning Council correspondence dated January 5, 2015
- Florida Department of Education letter dated January 13, 2015
- Florida Department of Environmental Protection correspondence dated January 14, 2015
- Florida Department of Transportation, District Six letter dated January 15, 2015
- South Florida Water Management District letter dated January 20, 2015
- Florida Department of Agriculture and Consumer Services letter dated January 21, 2015, and
- Florida Department of Economic Opportunity letter dated January 27, 2015.

Rowe, Garrett A. (RER)

Subject: FW: Miami-Dade 15-1ESR (Applications 4, 5, 6, 7, & 8)

Importance: High

From: Hight, Jason [<mailto:Jason.Hight@MyFWC.com>]
Sent: Monday, January 05, 2015 7:19 AM
To: DCPexternalagencycomments; Woerner, Mark (RER)
Cc: Wallace, Traci; Chabre, Jane; Krueger, Marissa
Subject: Miami-Dade 15-1ESR (Applications 4, 5, 6, 7, & 8)

Mr. Woerner,

Florida Fish and Wildlife Conservation Commission (FWC) staff has reviewed the proposed comprehensive plan in accordance with Chapter 163-3184(3), Florida Statutes. We have no comments, recommendations, or objections related to fish and wildlife or listed species and their habitat to offer on this amendment.

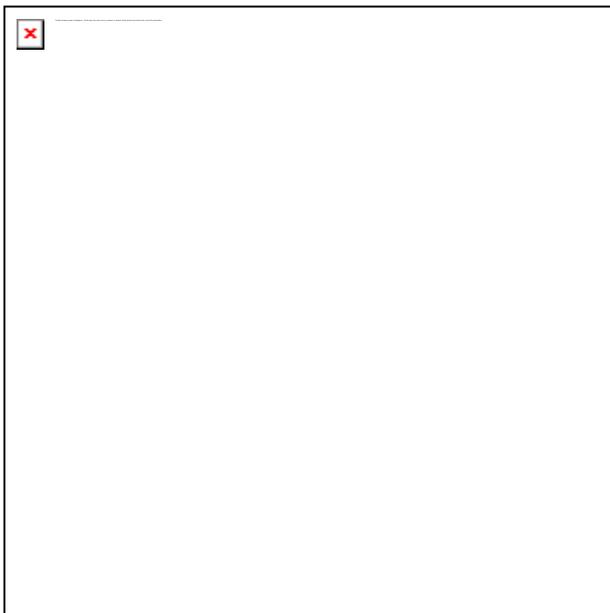
If you need any further assistance, please do not hesitate to contact Jane Chabre either by phone at (850) 410-5367 or by email at FWCConservationPlanningServices@MyFWC.com. If you have specific technical questions, please contact Marissa Krueger at (561) 882-5711 or by email at Marissa.Krueger@myfwc.com.

Sincerely,

Jason Hight
Biological Administrator II
Office of Conservation Planning Services
Division of Habitat and Species Conservation
620 S. Meridian Street, MS 5B5
Tallahassee, FL 32399-1600
(850) 228-2055

Rowe, Garrett A. (RER)

From: Kathe Lerch <klerch@sfrpc.com>
Sent: Monday, January 05, 2015 4:40 PM
To: Kathe Lerch; Cindy Lerner; solmsted@pincrest-fl.gov; judy_paul@davie-fl.gov; david_quigley@davie-fl.gov; david_abramson@davie-fl.gov; boccdis5@monroecounty-fl.gov; dlove@ksfla.com; hurley-christine@monroecounty-fl.gov; Mayor; Osterholt, Jack (Office of the Mayor); Rowe, Garrett A. (RER); Woerner, Mark (RER); dstermer@westonfl.org; Jflint@westonfl.org; ltappen@calvin-giordano.com; mryan@sunrisefl.gov; jsodia@sunrisefl.gov; dbendekovic@plantation.org; lleeds@plantation.org; PhilipLevine@miamibeachfl.gov; thomasmooney@miamibeachfl.gov; luigi.boria@cityofdoral.com; Julian.Perez@cityofdoral.com; Mayor_Ross@CooperCityFL.org; mwood@coopercityfl.org; HSNIEZEK@broward.org; mfeliciano@broward.org; tryan@broward.org; dvonstetina@broward.org; bblakeboy@broward.org; cchambers@broward.org
Cc: 'lawrence.venture@homestead.af.mil'; 'tmanning@sfwmd.gov'; 'Lois.bush@dot.state.fl.us'; 'gerry.oreilly@dot.state.fl.us'; 'tracy.suber@fldoe.org'; 'tracy.suber@fldoe.org'; 'Deena.Woodward@DOS.MyFlorida.com'; 'FWCConservationPlanningServices@myfwc.com'; 'compplans@freshfromflorida.com'
Subject: SFRPC Mtg Jan 5, 2015 Agenda #III.D Adopt/Proposed SLPA#:14-8ESR Broward Cnty;14-4ESR Doral;15-1ESR Weston;15-1ESR Cooper Cty;14-1ESR Miami Bch;15-1ESR Plantation;15-1ESR Miami-Dade Cnty;14-3ACSC Monroe Cnty;15-1ESR Davie;15-1ESR Pinecrest;15-CIE1 Sun
Attachments: AgendaJan15_IIID.pdf



At the January 5, 2015 meeting, the South Florida Regional Planning Council approved the attached report, finding the proposed and adopted amendments to be generally consistent with the Strategic Regional Policy Plan for South Florida.

Should you have any questions, contact James F. Murley, Executive Director, at (954) 985-4416 or jmurley@sfrpc.com.

SFRPC Agenda #III.D, SLPA #14-8, Broward County

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SFRPC Agenda #III.D SLPA #15-1ESR; Village of Pinecrest

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MEMORANDUM

AGENDA ITEM # III.D

DATE: JANUARY 5, 2015

TO: COUNCIL MEMBERS

FROM: STAFF

SUBJECT: LOCAL GOVERNMENT COMPREHENSIVE PLAN PROPOSED AND ADOPTED
AMENDMENT CONSENT AGENDA - UPDATE

Pursuant to Section 163.3184, Florida Statutes, Council review of amendments to local government comprehensive plans is limited to 1) adverse effects on regional resources and facilities identified in the *Strategic Regional Policy Plan for South Florida (SRPP)* and 2) extrajurisdictional impacts that would be inconsistent with the comprehensive plan of any affected local government within the Region.

A written report containing an evaluation of these impacts, pursuant to Section 163.3184, Florida Statutes, is to be provided to the local government and the State Land Planning Agency within 30 calendar days of receipt of the amendment.

Council staff has not identified adverse effects to regional resources and facilities or extrajurisdictional impacts that would result from the following map and text amendments:

Local Government and Plan Amendment Number	Proposed	Adopted	Proposed Council Review Date and Consistency Finding	Local Government Transmittal or Adoption Public Hearing and Meeting	Governing Body Adoption Vote
Broward County 14-8ESR (received 12-15-14)	N/A	√	01/05/2015	12/09/2014	Unanimous
This adopted amendment amended the Broward County Comprehensive Plan (BCCP). It adopted one (1) amendment to the Broward County Land Use Plan (BCLUP) map, one (1) amendment to the BCLUP text and two (2) amendments to the Broward County Natural Resource Map series. The map amendment was transmitted with a proposed land use of "Medium-High (25) Residential," but was adopted as "Irregular (19) Residential."					
Miami-Dade County 15-1ESR (received 12-30-14)	√	N/A	01/05/2015	11/19/2014	9-0
Miami Dade County has proposed several land use changes that will adjust densities on subject properties. They have also proposed text changes to require consideration of the County's Age-Friendly Initiatives and to require that climate change and sea level rise be considered as part of the County's Water Improvement Program.					

Monroe County 14-3ACSC (received 12-22-14)	√	N/A	01/05/2015		TBP
This proposed amendment includes text amendments to the Comprehensive Plan to allow the implementation of canal restoration projects to improve the water quality in artificial canals. Florida Department of Economic Development identified an objection to the wording of the canal dredging provision. Council staff will offer to assist with resolving the objection.					
City of Cooper City 15-1ESR (received 12-23-14)	√	N/A	01/05/2015	11/03/2014	TBP
This proposed text amendment recommends approval of the Water Supply Facilities Work Plan with a minimum planning horizon of 10 years and amend their Comprehensive Plan within 18 months after the water management district approves a regional water supply plan or its update.					
Town of Davie 15-1ESR (received 12-22-14)	√	N/A	01/05/2015	12/02/2014	TBP
This amendment will modify current language within the Town's adopted Comprehensive Plan with respect to its implementation of the Future Land Use Element specific to the Commercial Future Land Use Category.					
City of Doral 14-4ESR (received 12-10-14)	N/A	√	01/05/2015	12/03/2014	Unanimous
This adopted large scale development amendment changes the City's Comprehensive Development Master Plan (CDMP), Future Land Use Map from Moderate Density Residential and Low Density Residential to Public Parks and Recreation in order to apply the correct land use and zoning designations. The three parks are (1) NW 114 Avenue Park, (2) Trails and Tails Park; and (3) Veterans Park					
City of Miami Beach 14-1ESR (received 12-23-14)	N/A	√	01/05/2015	12/17/2014	TBP
This amendment was adopted with two minor modifications as a result of comments from the review agencies. The first (1) modification is in response to a technical comment from the Florida Department of Economic Opportunity, in which the Faena District Overlay will be identified on the Future Land Use Map of the Comprehensive Plan. The second (2) modification is in response to traffic concerns from the Florida Department of Transportation, District 6, where the City has decided not to modify the permitted uses for parcels designated RM-3 within the Faena District Overlay in order to minimize potential traffic impacts.					
Village of Pinecrest 15-1ESR (received 12-24-14)	√	N/A	01/05/2015	12/09/2014	TBP
The purpose of the proposed Climate Change element is to provide a planning framework for the identification and resolution of the impacts of global climate change on the Village of Pinecrest. This also includes identification of Adaptation Action Areas and specific strategies for the protection, accommodation and avoidance of the impacts of global climate change within the most vulnerable, lower lying areas of the Village of Pinecrest.					

City of Plantation 15-1ESR (received 12-29-14)	√	N/A	01/05/2015	11/04/2014	TBP
The City of Plantation Water Supply Facilities Work Plan identified the future water supply needs for the City and developed a framework for meeting these projected water needs working with Hazen and Sawyer, P.C. to address future water supply needs for the City. The City expects that water demands by 2040 will not exceed the City's water supply capacity and therefore there is no need to develop alternative water supplies.					
City of Sunrise 15-CIE1 (received 12-29-14)	N/A	√	01/05/2015	12/09/2014	Unanimous
The City of Sunrise adopted a five-year schedule of Capital Improvements and updated the Capital Improvements Element (CIE) of the Comprehensive Plan.					
City of Weston 15-1ESR (received 12-09-14)	√	N/A	01/05/2015	12/01/2014	TBP
This proposed text amendment recommends approval of the Water Supply Facilities Work Plan with a minimum planning horizon of 10 years.					

TBP: To Be Provided

Recommendation

Find the proposed and adopted plan amendments from the local governments listed in the table above generally consistent with the *Strategic Regional Policy Plan for South Florida*.

Approve this report for transmittal to the local governments with a copy to the State Land Planning Agency.



State Board of Education

Gary Chartrand, *Chair*
John R. Padget, *Vice Chair*
Members
Ada G. Armas, M.D.
John A. Colon
Marva Johnson
Rebecca Fishman Lipsey
Andy Tuck

Pam Stewart
Commissioner of Education

2015 JAN 14 P 5:17

PLANNING & ZONING
METROPOLITAN PLANNING SECT

January 13, 2015

Mr. Mark Woerner, AICP, Assistant Director for Planning
Miami-Dade County Regulatory
and Environmental Resources Department
111 NW 1st Street, 12th Floor
Miami, Florida 33128
Via E-mail: mwoerner@miamidade.gov

Re: Miami-Dade County 15-1 (Expedited State Review)

Dear Mr. Woerner:

Thank you for the opportunity to review the Miami-Dade County 15-1 ESR proposed amendment package, which the Florida Department of Education received on January 5, 2015. According to the department's responsibilities under section 163.3184(3), Florida Statutes, I reviewed the amendment considering the provisions of chapter 163, part II, F.S., and to determine whether the proposal, if adopted, would have the potential to create adverse effects on public school facilities.

The package includes applications 4 through 8, of which, only applications 4 and 5 have the potential to increase demands on public school facilities. According to the data and analysis provided, the affected or adjacent schools can reasonably be expected to have sufficient capacity to support those applications. The text amendments proposed in applications 6 through 8 relate to the county's age friendly initiative, annual update to the water supply facilities work plan and affordable/workforce housing density bonuses; those applications would not affect public school facilities. Because the amendment does not appear to have the potential to adversely affect public school facilities, I offer no comment.

Again, thank you for the opportunity to review the proposed amendment. If I may be of assistance, please contact me at 850-245-9312 or Tracy.Suber@fldoe.org.

Sincerely,

Tracy D. Suber
Growth Management and Facilities Policy Liaison

TDS/

cc: Mr. Ivan Rodriguez, Miami-Dade County School District
Mr. James Stansbury, DEO/State Land Planning Agency

Thomas H. Inserra
Director, Office of Educational Facilities

Rowe, Garrett A. (RER)

Subject: FW: Miami-Dade County 15-1ESR – Proposed

From: Stahl, Chris [<mailto:Chris.Stahl@dep.state.fl.us>]

Sent: Wednesday, January 14, 2015 10:06 AM

To: Woerner, Mark (RER)

Cc: Craig, Kae; DEO Agency Comments

Subject: Miami-Dade County 15-1ESR – Proposed

To: Mark Woerner, Assistant Planning Director

Re: Miami-Dade County 15-1ESR – Review of Proposed Comprehensive Plan Amendment

The Office of Intergovernmental Programs of the Florida Department of Environmental Protection (Department) has reviewed the above-referenced amendment package under the provisions of Chapter 163, Florida Statutes. The Department conducted a detailed review that focused on potential adverse impacts to important state resources and facilities, specifically: air and water pollution; wetlands and other surface waters of the state; federal and state-owned lands and interest in lands, including state parks, greenways and trails, conservation easements; solid waste; and water and wastewater treatment.

Based on our review of the submitted amendment package, the Department has found no provision that, if adopted, would result in adverse impacts to important state resources subject to the Department's jurisdiction.

Please feel free to contact me with any questions.

Chris Stahl
Office of Intergovernmental Programs
Florida Department of Environmental Protection
3900 Commonwealth Blvd., MS 47
Tallahassee, FL 32399-3000
(850) 245-2169





Florida Department of Transportation 2015 JAN 23 A 10: 21

RICK SCOTT
GOVERNOR

1000 NW 111 Avenue
Miami, Florida 33172-5800

JIM BOXOLD
SECRETARY

January 15, 2015

Mark Woerner, AICP
Assistant Director for Planning
Miami-Dade County Regulatory and Resources Department
Stephen P. Clark Center
111 NW 1st Street, 12th Floor
Miami, FL 33128

**Subject: Comments for the Proposed Comprehensive Plan Amendment,
Miami-Dade County #15-1ESR**

Dear Mr. Woerner:

The Florida Department of Transportation, District Six, completed a review of the *Proposed Comprehensive Plan Amendment, Miami-Dade County #15-1ESR*. The District has reviewed the amendment package per *Chapter 163 Florida Statutes* and has found no impacts to transportation resources and facilities of state importance.

Please contact Ken Jeffries at 305-470-5445 if you have any questions concerning our response.

Sincerely,

A handwritten signature in blue ink, appearing to read "Ken Jeffries".

Ken Jeffries
Transportation Planner

Cc: Harold Desdunes, PE, Florida Department of Transportation, District 6
Aileen Boucle, AICP, Florida Department of Transportation, District 6
Lisa Colmenares, AICP, Florida Department of Transportation, District 6
Ray Eubanks, Department of Economic Opportunity



SOUTH FLORIDA WATER MANAGEMENT DISTRICT

January 20, 2015

2015 JAN 21 P 5:25

PLANNING & ZONING
METROPOLITAN PLANNING SECT

Mr. Jack Osterholt, Deputy Mayor/Director
Miami-Dade County
Regulatory and Economic Resources Department
111 N.W. First Street, 12th Floor
Miami, FL 33128-1930

**Subject: Miami-Dade County, DEO #15-1ESR
Comments on Proposed Comprehensive Plan Amendment Package**

Dear Mr. Osterholt:

The South Florida Water Management District (District) has completed its review of the proposed amendment package submitted by Miami-Dade County (County). The amendment package consists of five map and text amendments to the County's Comprehensive Development Master Plan (CDMP). The amendment also includes the County's Water Supply Facilities Work Plan (Work Plan) update. There appear to be no regionally significant water resource issues; therefore, the District forwards no comments on the proposed amendment package. However, District offers the following technical guidance regarding the County's Work Plan:

- Existing Policy WS-7A incorporates by reference the County's Work Plan into the CDMP. The policy should be revised to specifically include the date of the adoption of the Work Plan and not references to "subsequent approvals" of the Work Plan.
- Exhibit 9, 20-Year Water Supply Facilities Work Plan, Table 5-3 MDWASD Water/Alternative Water Supply CIE Projects (page 5-7), should be revised to include a five year timeframe after the adoption of the Work Plan. The Table currently only extends out to Fiscal Year 2017/2018.

The District offers its technical assistance to the County and the Department of Economic Opportunity in developing sound, sustainable solutions to meet the County's future water supply needs and to protect the region's water resources.

Please forward a copy of adopted amendments to the District.

Mr. Jack Osterholt, Deputy Mayor/Director
January 20, 2015
Page 2

For assistance or additional information, please contact Terry Manning, Planning and Policy Analyst, at (561) 682-6779 or tmanning@sfwmd.gov.

Sincerely,



Dean Powell
Water Supply Bureau Chief
DP/tm

c: Ray Eubanks, DEO
Terry Manning, SFWMD
Jim Murley, SFRPC
Suzanne Ray, DEP
James Stansbury, DEO
Maria Valdes, Miami-Dade County
Mark Woerner, Miami-Dade County

OFFICE OF THE COMMISSIONER
(850) 617-7700



THE CAPITOL
400 SOUTH MONROE STREET
TALLAHASSEE, FLORIDA 32399-0800

FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES
COMMISSIONER ADAM H. PUTNAM

2015 JAN 23 A 10:12
PLANNING & ZONING
METROPOLITAN PLANNING SECT

January 21, 2015

VIA EMAIL (mwoemer@miamidade.gov)

Miami-Dade County Regulatory
And Economic Resources Department
Attn: Mark R. Woerner
Stephen P. Clark Center
111 NW 1st Street, 12th Floor
Miami Florida 33128

Re: DACS Docket # -- 20141229-502
Miami-Dade County 2014 CDMP
Submission dated December 18, 2014

Dear Mr. Woerner:

The Florida Department of Agriculture and Consumer Services (the "Department") received the above-referenced proposed comprehensive plan amendment on December 29, 2014 and has reviewed it pursuant to the provisions of Chapter 163, Florida Statutes to address any potential adverse impacts to important state resources or facilities related to agricultural, aquacultural, or forestry resources in Florida if the proposed amendment(s) are adopted. Based on our review of your county's submission, the Department has no comment on the proposal.

If we may be of further assistance, please do not hesitate to contact me at 850-410-2289.

Sincerely,

A handwritten signature in black ink that reads "Stormie Knight".

Stormie Knight
Sr. Management Analyst
Office of Policy and Budget

cc: Florida Department of Economic Opportunity
(SLPA #: Miami-Dade County 15-1 ESR)

Rick Scott
GOVERNOR



271253
Jesse Panuccio
EXECUTIVE DIRECTOR

2015 JAN -8 A 10: 13

PLANNING & ZONING
METROPOLITAN PLANNING SECT

December 30, 2014

Mr. Jack Osterholt, Deputy Mayor/Director
Miami-Dade County Dept. of Regulatory and
Economic Resources
111 N.W. First Street, 29th Floor
Miami, Florida 33128-1930

Dear Mr. Osterholt:

Thank you for submitting Miami-Dade County's proposed comprehensive plan amendment for our review pursuant to the Expedited State Review process. The reference number for the amendment package is **Miami-Dade County 15-1ESR**.

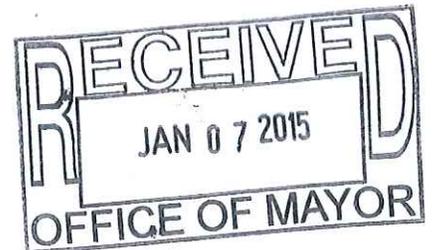
The proposed submission package will be reviewed pursuant to Section 163.3184(3), Florida Statutes. Once the review is underway, you may be asked to provide additional supporting documentation by the review team to ensure a thorough review. You will receive the State Land Planning Agency's Comment Letter no later than **January 28, 2015**.

If you have any questions please contact Anita Franklin of my staff at (850) 717-8486 or James Stansbury, Regional Planning Administrator, who will be overseeing the review of the amendments, at (850) 717-8512.

Sincerely,

D. Ray Eubanks, Administrator
Plan Review and Processing

DRE/af



Rick Scott
GOVERNOR



Jesse Panuccio
EXECUTIVE DIRECTOR

January 27, 2015

The Honorable Carlos A. Gimenez
Mayor, Miami-Dade County
Stephen P. Clark Center,
111 N.W. 1st Street, Suite 2910,
Miami, Florida 33128

Dear Mayor Gimenez:

The Department of Economic Opportunity has completed its review of the proposed comprehensive plan amendment for the Miami-Dade County (Amendment No. 15-1ESR), which was received on December 29, 2014. We have reviewed the proposed amendment pursuant to Sections 163.3184(2) and (3), Florida Statutes (F.S.), and identified no comment related to important state resources and facilities within the Department's authorized scope of review that will be adversely impacted by the amendment if adopted.

We are, however, providing a technical assistance comment consistent with Section 163.3168(3), F.S. The Agency's technical assistance comment will not form the basis of a challenge but is offered to strengthen the County's comprehensive plan or ensure compliance with the provisions of the Community Planning Act.

The technical assistance comment pertains to the process used to adopt the County's updated Water Supply Facilities Work Plan. The amendment, as presently drafted, does not propose to adopt The Water Supply Facilities Work Plan in its entirety as a component of the comprehensive plan nor to adopt it by reference, such as through a goal, objective, or policy. To rectify this oversight, the County could adopt a policy explicitly acknowledging the adoption of this Water Supply Facilities Work Plan through reference.

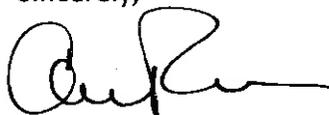
The County is reminded that pursuant to Section 163.3184(3)(b), F.S., other reviewing agencies have the authority to provide comments directly to the County. If other reviewing agencies provide comments, we recommend the County consider appropriate changes to the amendment based on those comments. If unresolved, such comments could form the basis for a challenge to the amendment after adoption.

The County should act by choosing to adopt, adopt with changes, or not adopt the proposed amendment. Also, please note that Section 163.3184(3)(c)1, F.S., provides that if the

second public hearing is not held and the amendment adopted within 180 days of your receipt of agency comments, the amendment shall be deemed withdrawn unless extended by agreement with notice to the state land planning agency and any affected party that provided comment on the amendment. For your assistance, we have enclosed the procedures for adoption and transmittal of the comprehensive plan amendment.

We appreciate the opportunity to work with the Miami-Dade County on planning and community development issues. If you have any questions concerning this review, please contact Adam Antony Biblo, at (850) 717-8503, or by email at Adam.Biblo@deo.myFlorida.com.

Sincerely,



Ana Richmond, Chief
Bureau of Community Planning

AR/aab

Enclosure: Procedures for adoption of comprehensive plan amendments

cc: Mark R. Woerner, AICP, Assistant Director for Planning, Miami Dade County
James F. Murley, Executive Director, South Florida Regional Planning Council

**SUBMITTAL OF ADOPTED COMPREHENSIVE PLAN AMENDMENTS
FOR EXPEDITED STATE REVIEW**

Section 163.3184(3), Florida Statutes

NUMBER OF COPIES TO BE SUBMITTED: Please submit three complete copies of all comprehensive plan materials, of which one complete paper copy and two complete electronic copies on CD ROM in Portable Document Format (PDF) to the State Land Planning Agency and one copy to each entity below that provided timely comments to the local government: the appropriate Regional Planning Council; Water Management District; Department of Transportation; Department of Environmental Protection; Department of State; the appropriate county (municipal amendments only); the Florida Fish and Wildlife Conservation Commission and the Department of Agriculture and Consumer Services (county plan amendments only); and the Department of Education (amendments relating to public schools); and for certain local governments, the appropriate military installation and any other local government or governmental agency that has filed a written request.

SUBMITTAL LETTER: Please include the following information in the cover letter transmitting the adopted amendment:

_____ State Land Planning Agency identification number for adopted amendment package;

_____ Summary description of the adoption package, including any amendments proposed but not adopted;

_____ Identify if concurrency has been rescinded and indicate for which public facilities. (Transportation, schools, recreation and open space).

_____ Ordinance number and adoption date;

_____ Certification that the adopted amendment(s) has been submitted to all parties that provided timely comments to the local government;

_____ Name, title, address, telephone, FAX number and e-mail address of local government contact;

_____ Letter signed by the chief elected official or the person designated by the local government.

ADOPTION AMENDMENT PACKAGE: Please include the following information in the amendment package:

_____ In the case of text amendments, changes should be shown in strike-through/underline format.

_____ In the case of future land use map amendments, an adopted future land use map, **in color format**, clearly depicting the parcel, its future land use designation, and its adopted designation.

_____ A copy of any data and analyses the local government deems appropriate.

Note: If the local government is relying on previously submitted data and analysis, no additional data and analysis is required;

_____ Copy of the executed ordinance adopting the comprehensive plan amendment(s);

Suggested effective date language for the adoption ordinance for expedited review:

The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the state land planning agency notifies the local government that the plan amendment package is complete. If timely challenged, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the state land planning agency.

_____ List of additional changes made in the adopted amendment that the State Land Planning Agency did not previously review;

_____ List of findings of the local governing body, if any, that were not included in the ordinance and which provided the basis of the adoption or determination not to adopt the proposed amendment;

_____ Statement indicating the relationship of the additional changes not previously reviewed by the State Land Planning Agency in response to the comment letter from the State Land Planning Agency.