

INITIAL RECOMMENDATIONS

APRIL 2008 APPLICATIONS TO AMEND THE COMPREHENSIVE DEVELOPMENT MASTER PLAN

FOR MIAMI-DADE COUNTY, FLORIDA



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RECOMMENDATIONS

APRIL 2008 APPLICATIONS TO AMEND THE
COMPREHENSIVE DEVELOPMENT MASTER PLAN

August 25, 2008

Miami-Dade County Department of Planning and Zoning
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INTRODUCTION

This report contains the Department of Planning and Zoning's initial recommendations addressing applications to amend the Comprehensive Development Master Plan (CDMP), which were filed for consideration during the April 2008 Plan Amendment Review Cycle. A total of 20 applications were filed during this amendment cycle, seven by private parties (Application Nos. 2, 3, 4, 8, 9, 10 and 11), three by the Aviation Department (Application Nos. 5-7) and ten (10) by the Miami-Dade County Department of Planning and Zoning (DP&Z) (Application Nos. 1, 12-20). The report contains the recommendations for these 20 applications and the necessary background information and analyses on which the recommendations are based. The DP&Z withdrew Application Nos. 14 and 16 before the publication of this report.

Application Review Process and Schedule of Activities

Following is a summary of the Plan review, amendment activities and schedule that will be followed by this cycle to comply with the CDMP procedural requirements contained in Section 2-116.1, Code of Miami-Dade County and State law. The Schedule of Activities on page v lists the principal activities that will occur under this process and indicates the timeframes for those activities in accordance with the State requirements and the County Code.

For this amendment cycle, the application filing period extended from April 1 through April 30, 2008. Miami-Dade County's adopted procedures allow for the filing of requests to amend all provisions of the CDMP and changes to the Urban Development Boundary (UDB) at this time.

The CDMP amendment process involves two phases. The first phase occurs between the time applications are filed and the time the Board of County Commissioners (Board) conducts its first hearing and takes action to transmit standard applications to the Florida Department of Community Affairs (DCA) and other associated State agencies for possible review and comment, and/or adopt eligible small-scale Land Use Plan (LUP) map amendments on an expedited schedule. During the first phase, affected and neighboring property owners are notified of the nearby LUP map amendment requests. Section 2-116.1 authorizes Community Councils to conduct public hearings and issue recommendations on applications that directly affect their areas. These hearings must be held before the Planning Advisory Board (PAB), acting as the County's "Local Planning Agency", and the Board.

The DP&Z will submit its initial recommendations to the PAB regarding each requested change, no later than August 25, 2008. Each Community Council in which a proposed amendment to the LUP map is located is scheduled to hold a public hearing to discuss the LUP map application(s) and may formulate recommendation(s) regarding the request(s) in September 2008. The PAB is scheduled to hold a public hearing on October 6, 2008 to receive comments and recommendations on the proposed amendments, formulate recommendations to the Board regarding adoption of any requested small-scale amendments, transmit recommendations to the DCA of all other requested amendments and any small-scale requests that the PAB recommends to be considered further through the regular procedure. The Board is currently scheduled to hold a public hearing on November 6, 2008 to consider taking final action on the requested "small-scale" amendments, and to consider transmittal of the other requested amendments to DCA as well as any of the requested "small-scale" amendments that the Board

elects to consider further through the regular procedure. DCA does not review adopted small-scale Land Use Plan map amendments for policy conformance or issue a Notice of Intent addressing compliance. Unless there is a petition from an effected party, adopted small-scale amendments will become effective 31 days after adoption.

"Transmittal" of a proposed amendment to the State for initial review does not constitute adoption of requested amendments. A second phase of the review, addressing the standard applications not adopted as small-scale amendments, begins after transmittal of the applications to the DCA and associated State agencies. The CDMP amendment procedures in Section 2-116.1 of the County Code provide that the DCA will be requested by the County to review and comment on all transmitted amendment proposals. The DCA is expected to return comments addressing all transmitted amendment proposals in February 2009, approximately within 75 days of the transmittal date. The PAB will then conduct its final public hearing(s) within 30 days after receiving comments from the DCA. No later than after 60 days of receiving comments from the DCA, the Board could conduct a public hearing and take final action on the applications. During the DCA review period, the DP&Z will also review comments received at the transmittal hearings and any additional submitted material and may issue a "Revised Recommendations" report reflecting any new information prior to the final public hearings. Final action by the Board will be to adopt, adopt with change, or not adopt each of the transmitted applications.

Outside this regular CDMP amendment process, requests to amend the CDMP can be made by the Board under a special amendment process, or by a party having an application undergoing the Development of Regional Impact (DRI) process requesting a concurrent amendment to the CDMP. Procedures for processing such special or DRI-related amendments are established in Section 2-116.1 of the Miami-Dade County Code.

Small-Scale Amendments

A procedure is provided for the expedited processing of "Small-Scale" amendments as defined in Section 163.3187(1)(c), F.S. This procedure authorizes the Board to take final action on small-scale requests to amend the Land Use Plan Map at its November 6, 2008 public hearing. An amendment application is eligible for expedited processing as "small-scale" amendment under the following conditions:

1. The proposed amendment involves a land use of 10 acres or less and;
2. The cumulative effect of all adopted small-scale amendments shall not exceed a total of 120 acres annually in designated urban areas such as redevelopment and downtown revitalization areas, urban infill areas, transportation concurrency exception areas, and regional and urban activity centers, however a 60 acre annual limitation applies to areas outside these specifically designated urban areas.
3. If the proposed amendment involves a residential land use, the use has a density limitation of 10 units per acre or less, unless the amendment is in a specifically designated urban area listed above;
4. The proposed amendment does not involve the same property more than once a year;
5. The proposed amendment does not involve the same owner's property within 200 feet of property granted a change within the prior 12 months;
6. The proposed amendment does not involve a text change to the plan, but only the future land use map;
7. The proposed amendment is not in an area of critical state concern; and

8. The proposal involves the construction of affordable housing units, meeting the affordability criteria of Section 420.0004(3), Florida Statutes, on property which will be the subject of a restricted land use agreement or extended use agreement recorded in conjunction with the issuance of tax exempt bond financing or allocation of federal tax credits through the Florida Housing Finance Corporation or a local housing finance authority authorized by the Division of Bond Finance of the State Board of Administration.

At the November 2008 public hearing, the Board could elect to adopt or not adopt small-scale amendments; if it does not adopt a small-scale amendment, the Board may elect to transmit it to DCA for review along with the other non-small-scale amendment requests and take final action in April 2009, after State-agency review. Of course, failure to adopt as a small-scale amendment or to transmit effectively denies approval of the application.

Capital Improvements Element (CIE) Amendment

The CIE annual update amendment may be adopted by a local government with only one public hearing. Thus, the Board of County Commissioners may be able to adopt this amendment at the public hearing in November. Under this expedited process, the local government does not transmit the annual update as a proposed amendment and the Department of Community Affairs (Department) does not issue an Objections, Recommendations and Comments Report. Instead, the local government simply adopts the CIE annual update amendment at a duly noticed public hearing, sends the adopted amendment to the Department, and the Department publishes a Notice of Intent after conducting a compliance review. However, the County Code will need to be revised to allow adoption with only one public hearing.

Additional Information

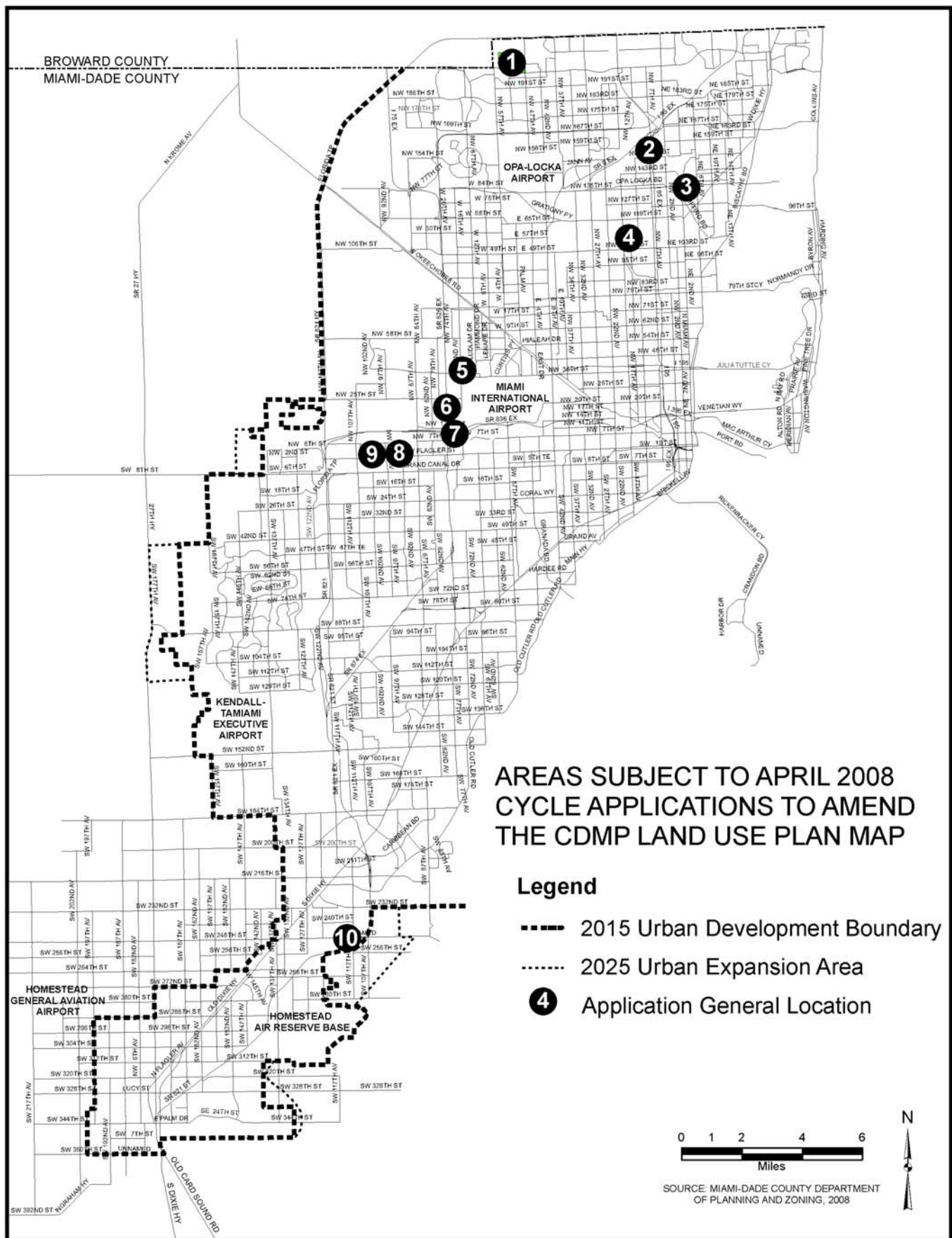
Anyone having questions regarding any aspect of the CDMP review and amendment process should visit or call the Metropolitan Planning Section of the Miami-Dade County Department of Planning and Zoning at 111 NW 1st Street, Suite 1220; Miami, Florida 33128-1972; telephone 305/375-2835.

**SCHEDULE OF ACTIVITIES
APRIL 2008-2009 CDMP AMENDMENT CYCLE**

Application Filing Period	April 1- April 30, 2008
Deadline to withdraw Application and obtain Return of Full Fee.	May 7, 2008
Applications Report published by DP&Z	June 5, 2008
Deadline for submitting Covenants to be considered in the Initial Recommendations Report	July 27, 2008
Initial Recommendations Report released by DP&Z	August 25, 2008
Community Council(s) Public Hearing(s)	
Country Club of Miami Community Council (5) Application No. 1	7:00 pm, Wednesday, September 17, 2008 Lawton Chiles Middle School 8190 NW 197 Street
North Central Community Council (8) Application Nos. 2-7	6:00 p.m., Wednesday, September 17, 2008 Henry E. S. Reeves Elementary School 2005 NW 111 Street
Westchester Community Council (10) Application Nos. 8 and 9	6:30 p.m., Tuesday, September 23, 2008 Rubén Darío Middle School 350 NW 97 Avenue
South Bay Community Council (15) Application No. 10	7:00 p.m., Thursday, September 18, 2008 South Dade Government Center 10710 SW 211 Street
Planning Advisory Board (PAB), acting as Local Planning Agency (LPA), Hearing to formulate Recommendations regarding Adoption of Small-Scale Amendments and Transmittal of Standard Amendment requests to Florida Department of Community Affairs (DCA)	9:30 a.m., Monday, October 6, 2008* County Commission Chamber 111 NW 1 Street
Board of County Commissioners, Hearing and Action on Adoption of Small-Scale Amendments and Transmittal of Standard Amendment requests to DCA	9:30 a.m., November 6, 2008* County Commission Chamber 111 NW 1 Street
Transmittal to DCA for comment	November, 2007**
Deadline for Filing Supplementary Reports by the Public	Forty-five (45) days after Commission transmittal hearing
Receipt of DCA Comments	February, 2009** (Approximately 75 days after transmittal)
Public Hearing and Final Recommendations: Planning Advisory Board (Local Planning Agency)	Specific date(s) to be set in March, 2009* (Within 30 days after DCA comments received)
Public Hearing and Final Action on Applications: Board of County Commissioners	Specific date(s) to be set in April, 2009* (No later than 60 days after receipt of DCA comments)

Note: * Date is subject to change. All hearings will be noticed by newspaper advertisement.

 ** Estimated Date



Summary of Initial Recommendations
 April 2008 Applications to Amend the Comprehensive Development Master Plan for Miami-Dade County, Florida
 August 25, 2008

Application Number/ Type	Location/Acreage/ Requested Amendment	BCC District/ Commissioner	DP&Z Initial Recommendation August 25, 2008	Community Council Recommendation and Date	Local Planning Agency Recommendation October 6, 2008	BCC Recommendation November 6, 2008
Land Use Plan Map Amendments						
1/ Standard	NW 47 Avenue to 660' east of NW 57 Avenue and between NW 199 Street and Snake Creek Canal (165 gross acres) From: Institutions, Utilities, and Communications To: A. Industrial and Office (25 gross acres) B. Business and Office (60 gross acres) C. Low-Medium Density Residential (6 to 13 DU/ac.) (80 gross acres)	3/ Jordan	Adopt with Change and Transmit	Country Club of Miami Community Council September 17, 2008		
2/ Small-Scale	West side of NW 7 Avenue between NW 155 Lane and Biscayne Canal (0.84 gross acres) From: Medium-High Density (25 to 60 DU/ac.) To: Business and Office	3/ Jordan	Adopt with Acceptance of Proffered Covenant	North Central Community Council September 17, 2008		
3/ Small-Scale	Southwest corner of NE 135 Street and NE 3 Ct. (2.5 gross acres) From: Low-Medium Density Residential (6 to 13 DU/ac.) To: Business and Office	2/ Rolle	Deny	North Central Community Council September 17, 2008		
4/ Small-Scale	10940 NW 14 Avenue (4.81 gross acres) From: Low-Medium Density Residential (6 to 13 DU/ac.) To: Medium Density Residential with Density Increase 1	2/ Rolle	Adopt with Change and with Acceptance of Proffered Covenant	North Central Community Council September 17, 2008		
5/ Small-Scale	Northeast corner of Milam Dairy Road/NW 72 Avenue and NW 36 Street (±3.4 gross acres) From: Institutions, Utilities, and Communications To: Business and Office	12/ Diaz	Adopt with Acceptance of Proffered Covenant	North Central Community Council September 17, 2008		
6/ Standard	West side of Milam Dairy Road/NW 72 Avenue and between NW 14 and NW 19 Streets (±31 gross acres) From: Transportation Terminals (15 Acres) & Industrial and Office (16 Acres) To: Business and Office	12/ Diaz	Adopt with Acceptance of Proffered Covenant and Transmit	North Central Community Council September 17, 2008		

Application Number/ Type	Location/Acreage/ Requested Amendment	BCC District/ Commissioner	DP&Z Initial Recommendation August 25, 2008	Community Council Recommendation and Date	Local Planning Agency Recommendation October 6, 2008	BCC Recommendation November 6, 2008
7/ Standard	Northeast corner of Milam Dairy Road/NW 72 Avenue and NW 12 Street (±16.9 gross acres) From: Industrial and Office To: Business and Office	12/ Diaz	Adopt with Acceptance of Proffered Covenant and Transmit	North Central Community Council September 17, 2008		
8/ Standard	North side of West Flagler Street between theoretical NW 90 and 94 Avenues (41 gross acres) From: Medium Density Residential (13 to 25 DU/Ac) (23 gross acres) & Parks and Recreation (18 gross acres) To: Business and Office	10/ Souto	Deny, Do Not Transmit	Westchester Community Council September 23, 2008		
9/ Standard	Northeast corner of West Flagler Street and NW 102 Avenue (41 gross acres) From: Low-Medium Density Residential (6 to 13 DU/ac.) To: Business and Office	10/ Souto	Deny And Transmit	Westchester Community Council September 23, 2008		
10/ Standard	Southwest corner of SW 112 Avenue and SW 248 Street (35 gross acres) 1. From: Office/Residential To: Business and Office 2. Replace existing covenant with new covenant	8/ Sorenson	Adopt with Acceptance of Proffered Covenant and Transmit	South Bay Community Council September 18, 2008		
<i>Text Amendments</i>						
11/ Standard	Educational Element Add textual reference for Charter Schools into Element	Countywide	Deny, Do Not Transmit	NA		
12/ Standard	Capital Improvements Element Tables of Proposed Projects. Modify the following currently adopted tables as indicated in the application and related information: Table 2, Aviation; Table 3, Coastal Management; Table 4, Conservation; Table 5, Drainage; Table 6, Park and Recreation; Table 7, Seaport; Table 8, Sewer Facilities; Table 9, Solid Waste Management; Table 10, Traffic Circulation; Table 11, Mass Transit; and Table 12, Water Facilities.	Countywide	Adopt and Transmit	NA		
13/ Standard	Land Use Element Revise Agriculture Section text	Countywide	Adopt and Transmit	NA		

Application Number/ Type	Location/Acreage/ Requested Amendment	BCC District/ Commissioner	DP&Z Initial Recommendation August 25, 2008	Community Council Recommendation and Date	Local Planning Agency Recommendation October 6, 2008	BCC Recommendation November 6, 2008
14/ Standard	Land Use Element To provide density bonuses for modular, manufactured or panel constructed homes	Countywide	Withdrawn by DP&Z			
15/ Standard	Land Use Element Provide density bonuses for affordable housing	Countywide	Adopt and Transmit	NA		
16/ Standard	Land Use Element To revise text of Urban Centers	Countywide	Withdrawn by DP&Z			
17/ Standard	Land Use Element Revise text in Industrial and Office land use category	Countywide	Adopt and Transmit	NA		
18/ Standard	Housing Element Provide for adoption by reference of the Workforce Housing Plan	Countywide	Adopt With Change and Transmit	NA		
19/ Standard	Conservation Element Revise Policy CON-8I	Countywide	Adopt and Transmit	NA		
20/ Standard	Land Use Element and Aviation Subelement Revise text on non-aviation related uses for land- side areas at airports	Countywide	Adopt and Transmit	NA		

Source: Miami-Dade County Department of Planning and Zoning

Notes:

**Asterisk with italics indicates adjacent commission district boundary in close proximity to the application site*

NA: Not Applicable

DU/ac: Dwelling units per gross acre

DP&Z: Department of Planning and Zoning

BCC: Board of County Commissioners