

Application No. 5

Countywide

APPLICATION SUMMARY

Applicant/Representative: Jack Osterholt, Deputy Mayor/Director
Miami-Dade County Department of Regulatory and
Economic Resources
111 NW 1st Street, 29th Floor
Miami, Florida 33128-1972

Location: Countywide

Requested Text Changes: Amend the Comprehensive Development Master Plan
(CDMP) Land Use Element interpretive text related to
the Ludlam Trail Corridor District to include interim rails
to trails agreement approval as an alternative to the
required US Surface Transportation Board final
abandonment approval.

Amendment Type: Standard Text Amendment

RECOMMENDATIONS

Staff Initial: **TRANSMIT AND ADOPT** (June 2018)

Community Councils: **NOT APPLICABLE**

Planning Advisory Board (PAB)
acting as the Local Planning Agency: **TO BE DETERMINED** (July 11, 2018)

Board of County Commissioners: **TO BE DETERMINED** (July 25, 2018)

Final Action of Board of County
Commissioners: **TO BE DETERMINED** (September 27, 2018)

Staff recommends: **TRANSMIT AND ADOPT** the application to amend the Comprehensive Development Master Plan (CDMP) Land Use Element text of the Ludlam Trail Corridor District based on the following reasons:

Principal Reasons for Recommendation:

1. The application seeks to fulfill the directive of the Board of County Commissioners (Commission) issued by Resolution R-663-18 adopted on June 5, 2018, directing the Mayor or the Mayor's designee to file an application to amend CDMP Land Use Element text for the Ludlam Trail Corridor District land use subcategory. The subcategory text currently requires all portions of the Ludlam Trail Corridor to have received final abandonment approval from the US Surface Transportation Board before the first building permit for vertical construction is issued. Resolution R-663-18 directs that this requirement be amended to include an interim trails use agreement approval from the US Surface Transportation Board as an alternative to final abandonment approval, and the application proposes to add language within the Ludlam Trail Corridor District text to fulfill this directive (see Proposed Text Amendment on page 5-3 herein).

Resolution R-663-18 also directs the application to be heard by the Planning Advisory Board on July 11, 2018, then considered for transmittal by the Commission on July 25, 2018, and if transmitted, to be considered for final adoption on September 27, 2018. Accordingly, the application was included within the January 2018 cycle and is being processed in keeping with the reference schedule.

2. The application, if approved, would facilitate the accelerated implementation of the recreational trail component of the Ludlam Trail Corridor and the permitting of authorized development within certain of the Development Areas within the corridor. The Ludlam Trail Corridor text, applies to an approximate 100 foot wide and 5.8-mile segment of the former Florida East Coast (FEC) railway, requires a recreational trail along the full length of the corridor and allows development at four Development Areas within the corridor. One condition of development is the above mentioned requirement that all portions of the Corridor receive final abandonment approval. The portions of the corridor south of SW 12 Street received final abandonment approval from the US Surface Transportation Board in August 2005. The portion of the corridor north of SW 12 Street has not been abandoned.

PROPOSED TEXT AMENDMENT

Amend the Comprehensive Development Master Plan (CDMP) Land Use Element text on page ____ for the “Special District-Ludlam Trail Corridor” as follows:

Ludlam Trail Corridor District¹

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

* * *

The land use provisions of the Ludlam Trail Corridor District shall be implemented through the adoption of Land Development Regulations (“LDRs”). LDRs shall be adopted for all portions of the District within unincorporated Miami-Dade County prior to the issuance of the first building permit for vertical construction within the Development Areas defined below. The LDRs shall define the urban form of development within the Corridor including flexible design standards and appropriate transitions to adjacent uses, as well as the configuration and design parameters of the recreational trail. Access to the Development Areas shall be provided in a manner that minimize negative impacts to adjacent residential neighborhoods. In addition, the Downtown Kendall Urban Center District regulations shall be amended to require the continuation of the trail to the M-Path/Underline. All portions of the Corridor shall have received final abandonment approval, an interim trails use agreement approval, or a combination thereof, from the U.S. Surface Transportation Board prior to the issuance of the first building permit for vertical construction within the Development Areas. However, nothing herein shall be deemed to authorize vertical construction within areas covered by an interim trails use agreement approved by the U.S. Surface Transportation Board to the extent that such vertical construction is not authorized by or is otherwise inconsistent with federal law.

¹ Words single underlined are proposed additions and words single ~~stricken through~~ are proposed deletions. All other words are adopted text of the CDMP and remain unchanged.

STAFF ANALYSIS

Background

On July 19, 2017, the Miami-Dade Board of County Commissioners (Commission) adopted Ordinance No. 17-54 taking final action on Application No. 9 amending the Comprehensive Development Master Plan (CDMP). The adopted amendment established a new CDMP land use category entitled “Special District” and the new “Ludlam Trail Corridor District” subcategory. The Ludlam Trail Corridor District (“District”) applies to an approximate 5.8-mile segment of the former Florida East Coast (FEC) railway (the South Little River Branch spur-line) that is generally 100 feet wide and extends from SW 80 Street to approximately 400 feet north of NW 7 Street and generally along theoretical NW/SW 69 Avenue (“Corridor”). Approximately 0.6 miles of the Corridor between SW 8 Street and the Tamiami Canal is located within the boundaries of the City of Miami (“Miami Segment”).

The amendment provides for the conversion of the former Florida East Coast railroad corridor into a continuous, publicly-accessible pedestrian and bicycle trail with development authorized to occur at appropriate locations within the corridor in a manner that is sensitive to and compatible with adjacent uses, subject to the applicable land development regulations, including Article XLIV: Corridor District of the Miami-Dade County Code (Ordinance 17-91 adopted November 21, 2017). Development is restricted to a combined ± 15 acres within four Development Areas, identified on Figure 3.1: Ludlam Trail Corridor District Map within the CDMP Land Use Element (page I-50.5) and the recreational trail shall be a minimum 15-foot wide within the Development Areas. The four Development Areas include Blue Lagoon (± 4.41 acres), Tamiami Trail (± 2.88 acres), Coral Way (± 1.09 acres) and Bird Road (± 6.62 acres). The development allowed within each Development Area includes residential at densities from 60 up to 125 dwelling units per acre, depending on the Development Area, and certain non-residential uses including retail, offices, and hotels.

The “Ludlam Trail Corridor District” subcategory text limits development within the Corridor to less than the maximum allowed until such time as the recreational trail is developed and publicly accessible or a legally binding instrument or recordable agreement is executed, by the owners of property in the Corridor, demonstrating that the trail will be accomplished. The subcategory text also provides that all portions of the Ludlam Trail Corridor receive final abandonment approval from the US Surface Transportation Board prior to the issuance of the first building permit.

The Florida East Coast Industries (FECI) filed an application for abandonment of an approximate 5-mile segment of the corridor south of SW 12 Street in April 2005, which was approved by the US Surface Transportation Board in August 2005, while the portion of the corridor north of SW 12 Street has not been abandoned.

Consistency Review with CDMP Goals, Objectives, Policies, Concepts and Guidelines

Approval of the proposed Application No. 5 would further the implementation of the following CDMP objectives and policies:

- LU-1D: In conducting its planning, regulatory, capital improvements and intergovernmental coordination activities, Miami-Dade County shall seek to facilitate the planning of communities which include recreational, educational and other public facilities, houses of worship, places of employment, and safe and convenient circulation of automotive, pedestrian and bicycle traffic throughout the communities.
- LU-1H: The County should identify sites having good potential to serve as greenbelts, and should recommend retention and enhancement strategies, where warranted. Such greenbelts should be suggested on the basis of their ability to provide aesthetically pleasing urban spaces, recreational opportunities, or wildlife benefits. Considered sites should include canal, road or powerline rights-of-way, or portions thereof, particularly where they could link other parklands, wildlife habitats, or other open spaces.
- LU-1T: Miami-Dade County through its land development regulations shall encourage developments that promote and enhance bicycling and pedestrianism through the provision of bicycle and pedestrian facilities and other measures such as building design and orientation, and shall discourage walled and gated communities.
- TE-2A: The County shall continue to promote and assist in the creation of a Countywide system of interconnected designated bicycle ways, and promote the implementation of the Miami-Dade Bicycle Facilities Plan.
- TE-2B: The County shall continue to develop a comprehensive countywide greenways network providing continuous corridors for travel by pedestrians and non-motorized vehicles incorporating elements of the adopted South Dade Greenway Network Master Plan and the North Dade Greenways Plan.
- TE-2F: The County shall consider the use of utility easements and transit or railroad rights-of-way as locations for bicycle ways linking existing and planned major urban activity centers.
- TE-2G: The County shall encourage inclusion in, and review, all plans and development proposals for provisions to accommodate safe movement of bicycle and pedestrian traffic, and facilities for securing non-motorized vehicles in all new development and redevelopment and shall address this as a consideration in development and site plan review.
- ROS-1: Provide a comprehensive system of public and private sites for recreation, including but limited to public spaces, natural preserve and cultural areas, greenways, trails, playgrounds, parkways, beaches and public access to beaches, open space, waterways, and other recreational facilities and programs serving the entire County; and local parks and recreation programs adequately meeting the needs of Miami-Dade County's unincorporated population, through 2017.
- ROS-3B: The County shall improve and promote non-motorized access to existing park and recreation open spaces by implementing the North Miami-Dade Greenways Master

Plan and South Miami-Dade Greenway Network Master Plan, as well as improved sidewalks and trails, to improve connectivity between parks and residences, schools, activity centers, and transportation nodes.

ROS-5F: Continue to implement and consider expansion of segments of the North Miami-Dade Greenways Master Plan and South Miami-Dade Greenway Network Master Plan that provide recreation and environmental benefits while improving connectivity to parks, natural areas, and other recreational facilities.

ROS-8: The Miami-Dade County Parks and Open Space System Master Plan (OSMP), through a 50-year planning horizon, shall guide the creation of an interconnected framework of parks, public spaces, natural and cultural areas, greenways, trails, and streets that promote sustainable communities, the health and wellness of County residents, and that serve the diverse local, national, and international communities.

ROS-8E: By 2014, Miami-Dade County shall develop a greenways prioritization plan to prioritize areas to be designated for greenways, trails, and bicycle lanes, and update the North Miami-Dade Greenway Master Plan and South Miami-Dade Greenway Network Master Plan and the CDMP to include such greenways. The update shall include the designation of the Western Greenway and implementation of the Miami-Dade County Trail Design Guidelines and Standards. On an on-going basis, Miami-Dade County shall coordinate with State, regional, federal, and local government agencies to establish a countywide interconnected system of non-motorized pathways that link neighborhoods, parks, natural areas, civic centers, schools, and commercial areas to achieve goals and objectives through a diverse combination of financing methods, partnerships, and interagency coordination.

CHD-1A: Miami-Dade County shall create a network of sidewalks, trails, accessible parks and recreation facilities that establishes a pedestrian-friendly environment, which encourages physical activity and links destinations, such as restaurants, shops, work places and neighborhood-based retail to each other and residential areas.

CHD-2A: Miami-Dade County will encourage land development to incorporate community design principles that encourage physical activity through the promotion of strategies, when appropriate, but not limited to:

1. Utilization of non-motorized transportation modes;
2. Location of public facilities accessible by multiple transportation modes;
3. Availability and maintenance of quality pedestrian paths or sidewalks;
4. Provision of street furniture and lighting enhancements;
5. Provision of civic and recreational facilities;
6. Establishment of interconnectivity between similar development projects through vehicular and/or pedestrian/bicycle cross access; and
7. Provision of pedestrian and bicycle linkages between existing residential and non-residential land uses.

CHD-3B: Encourage walking and bicycle riding as a means of transportation to and from school, by implementing capital projects that support the development of safe routes to school.

THIS PAGE INTENTIONALLY LEFT BLANK

APPENDICES

	Appendices Page
Appendix A: Amendment Application	3
Appendix B: Resolution R-663-18	7

THIS PAGE INTENTIONALLY LEFT BLANK

Appendix A

Amendment Application

THIS PAGE INTENTIONALLY LEFT BLANK

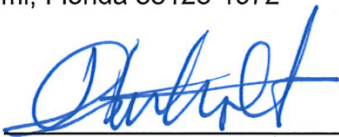
**APPLICATION REQUESTING AMENDMENT TO THE
COMPREHENSIVE DEVELOPMENT MASTER PLAN**

1. APPLICANT

Miami-Dade County Department of Regulatory and Economic Resources
111 NW 1st Street, 12th Floor
Miami, Florida 33128-1972
(305) 375-2835

2. APPLICANT'S REPRESENTATIVE

Jack Osterholt, Deputy Mayor/Director
Miami-Dade County Department of Regulatory and Economic Resources
111 NW 1st Street, 29th Floor
Miami, Florida 33128-1972

By: 

June 22, 2018

3. DESCRIPTION OF REQUESTED CHANGES

Amend the Comprehensive Development Master Plan (CDMP) Land Use Element text for the "Special District-Ludlam Trail Corridor" as follows:

Ludlam Trail Corridor District ¹

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

* * *

The land use provisions of the Ludlam Trail Corridor District shall be implemented through the adoption of Land Development Regulations ("LDRs"). LDRs shall be adopted for all portions of the District within unincorporated Miami-Dade County prior to the issuance of the first building permit for vertical construction within the Development Areas defined below. The LDRs shall define the urban form of development within the Corridor including flexible design standards and appropriate transitions to adjacent uses, as well as the configuration and design parameters of the recreational trail. Access to the Development Areas shall be

¹ Words single underlined are proposed additions and words single ~~stricken through~~ are proposed deletions. All other words are adopted text of the CDMP and remain unchanged.

provided in a manner that minimize negative impacts to adjacent residential neighborhoods. In addition, the Downtown Kendall Urban Center District regulations shall be amended to require the continuation of the trail to the M-Path/Underline. All portions of the Corridor shall have received final abandonment approval, an interim trails use agreement approval, or a combination thereof, from the U.S. Surface Transportation Board prior to the issuance of the first building permit for vertical construction within the Development Areas. However, nothing herein shall be deemed to authorize vertical construction within areas covered by an interim trails use agreement approved by the U.S. Surface Transportation Board to the extent that such vertical construction is not authorized by or is otherwise inconsistent with federal law.

4. REASON FOR CHANGE

On June 5, 2018, the Miami-Dade Board of County Commissioners (Commission) adopted Resolution R-663-18 directing the Mayor or the Mayor's designee to file an application to amend CDMP Land Use Element text for the Special District - Ludlam Trail Corridor District land use category. The application is to amend the requirement that all portions of the Ludlam Trail Corridor receive final abandonment approval from the US Surface Transportation Board, so that the requirement could also be satisfied through an interim rails to trails use agreement approval. This proposed amendment would not approve or authorize development on property within the Ludlam Trail Corridor at any density or intensity of development higher than that already authorized under the provisions of the Ludlam Trail Corridor District land use subcategory text. The application is to be heard by the Planning Advisory Board on July 11, 2018, to be considered for transmittal by the Commission on July 25, 2018, and, if it is transmitted, to be considered for final adoption on September 27, 2018.

Appendix A

Resolution R-663-18

THIS PAGE INTENTIONALLY LEFT BLANK



Miami-Dade Legislative Item File Number: 181462

File Number: 181462 **File Type:** Resolution **Status:** Adopted
Version: 0 **Reference:** R-663-18 **Control:** Board of County Commissioners
File Name: MOTION RELATING THE LUDLAM TRAIL CORRIDOR DISTRICT **Introduced:** 6/11/2018
Requester: NONE **Cost:** **Final Action:** 6/5/2018
Agenda Date: 6/5/2018 **Agenda Item Number:** 15F5
Notes: **Title:** RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO FILE AN APPLICATION TO AMEND THE COMPREHENSIVE DEVELOPMENT MASTER PLAN ON A SPECIAL SCHEDULE TO AMEND THE POLICY OF THE LUDLAM TRAIL CORRIDOR DISTRICT REQUIRING FINAL ABANDONMENT APPROVAL PRIOR TO VERTICAL CONSTRUCTION
Indexes: LUDLAM TRAIL **Sponsors:** Rebeca Sosa, Prime Sponsor
Sunset Provision: No **Effective Date:** **Expiration Date:**
Registered Lobbyist: None Listed

Legislative History

Acting Body	Date	Agenda Item	Action	Sent To	Due Date	Returned	Pass/Fail
County Attorney	6/26/2018		Assigned	Dennis A. Kerbel		6/26/2018	
Board of County Commissioners	6/5/2018	15F5	Adopted				P

REPORT: Assistant County Attorney Dennis Kerbel read the following statement into the record: Commissioner Sosa would like to make a motion to direct the Mayor or the Mayor's designee to file an application to amend a requirement relating to the Ludlam Trail Corridor District. The application is to amend the requirement that all portions of the Ludlam Trail Corridor receive final abandonment approval from the U.S. Surface Transportation Board so that the requirement could also be satisfied through an Interim Trails Use agreement or other Rails to Trails approval. The application is to be prepared on an expedited basis to be heard by the Planning Advisory Board on July 11, 2018 to be considered for transmittal by this Board on June 25, 2018 and if it is transmitted to be considered for final adoption on September 27, 2018

<http://www.miamidade.gov/govaction/matter.asp?matter=181462&file=false&fileAnalysis...> 6/29/2018

and the application is subject to the property owners paying the applicable application fees and notice fees.

Legislative Text

TITLE

RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO FILE AN APPLICATION TO AMEND THE COMPREHENSIVE DEVELOPMENT MASTER PLAN ON A SPECIAL SCHEDULE TO AMEND THE POLICY OF THE LUDLAM TRAIL CORRIDOR DISTRICT REQUIRING FINAL ABANDONMENT APPROVAL PRIOR TO VERTICAL CONSTRUCTION

BODY

WHEREAS, this Board wishes to consider an amendment to the Ludlam Trail Corridor District policy requiring that "[a]ll portions of the Corridor shall have received final abandonment approval from the U.S. Surface Transportation Board prior to the issuance of the first building permit for vertical construction within the Development Areas"; and

WHEREAS, this Board wishes this amendment to be considered on a special schedule,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board directs the Mayor or the Mayor's designee to file an application to amend the requirement of the Ludlam Trail Corridor District that all portions of the Ludlam Trail Corridor receive final abandonment approval from the US Surface Transportation Board, so that the requirement could also be satisfied through an interim trails use agreement or other rails-to-trails approval. The application is to be prepared on an expedited basis, to be heard by the Planning Advisory Board on July 11, 2018, to be considered for transmittal by this Board on July 25, 2018, and, if it is transmitted, to be considered for final adoption on September 27, 2018, and the application is subject to the property owner paying the applicable application fees and notice fees.

[Home](#) | [Agendas](#) | [Minutes](#) | [Legislative Search](#) | [Lobbyist Registration](#) | [Legislative Reports](#)
[2018 BCC Meeting Calendar](#) | [Miami-Dade County Code of Ordinances](#) | [ADA Notice](#) |

[Home](#) | [Using Our Site](#) | [About](#) | [Phone Directory](#) | [Privacy](#) | [Disclaimer](#)

E-mail your comments, questions and suggestions to [Webmaster](#)

Web Site © 2018 Miami-Dade County.
All rights reserved.

<http://www.miamidade.gov/govaction/matter.asp?matter=181462&file=false&fileAnalysis...> 6/29/2018