

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:	The following are the proposed text changes for the Land Use Element of the CDMP. <ol style="list-style-type: none">1. Revise the Agriculture text in the Land Use Element to provide that uses in the South Dade agricultural area that promote ecotourism and agritourism are not restricted to locating on an existing arterial roadway; and2. Revise the Agriculture text in the Land Use Element to allow wineries to utilize imported products for winemaking.
Amendment Type:	Standard Text Amendment

RECOMMENDATIONS

Staff:	TRANSMIT AND ADOPT (February 25, 2014)
Community Councils:	NOT APPLICABLE
Planning Advisory Board (PAB) acting as the Local Planning Agency:	TRANSMIT AND ADOPT (April 14, 2014)
Board of County Commissioners:	TO BE DETERMINED (May 21, 2014)
Final Action of Board of County Commissioners:	TO BE DETERMINED (October 1, 2014)

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

Principal Reasons for Recommendation:

1. Encouraging agriculture as a viable economic use of suitable lands is a long-standing concept embodied in the CDMP. Wineries, agritourism and ecotourism operations can help to support the agricultural economy and encourage the preservation of agricultural land. Land Use Policy LU-1P in the CDMP states “*While continuing to protect and promote agriculture as a viable economic activity in the County, Miami-Dade County shall explore and may authorize alternative land uses in the South Dade agricultural area which would be compatible with agricultural activities and associated rural residential uses, and which would promote ecotourism and agritourism related to the area's agricultural and natural resource base including Everglades and Biscayne National Parks.*” In addition, the Land Use Element text for the Agriculture land use category allows for value-added agricultural products by providing for uses that are ancillary to and directly supportive of agriculture. This application builds on the current CDMP text by further enhancing the ability of the agriculture industry to complement its core business through wineries, ecotourism and agritourism.
2. Recognizing the importance of wineries to the local agricultural economy, the proposed text change provides an exception to the limitation that agricultural products be from Florida, allowing wineries to utilize imported products for winemaking. The CDMP currently permits uses that are ancillary to and directly supportive of agriculture, including wineries, in the Agriculture land use category. Ancillary uses are defined in the CDMP as those that are related to preserving, processing, packaging or selling of agricultural products from Florida. The Schnebly Redland's Winery provides an example of a winery that has had significant success creating wines from local exotic fruits, however, the ability to produce wines solely from locally-grown products can be limiting. Conventional wine production relies on the use of bunch grapes, an agricultural crop that is not well-suited to the growing conditions of Miami-Dade County.¹

Consistent with the long-standing principle of the CDMP to protect local agricultural production, the CDMP text that restricts agricultural products to those from Florida seeks to minimize the impacts of import competition on locally-grown agricultural products. The importing of agricultural products, such as bunch grapes, that are not otherwise viable for cultivation in Miami-Dade County is generally consistent with the CDMP principles that seek to protect local production of agriculture.

3. Approval of the application would allow agricultural operations that are not located on an existing arterial roadway to operate an ancillary ecotourism or agritourism business which could enhance their economic viability. Areas where agritourism and ecotourism uses can occur is currently limited by the Agriculture land use category text in the CDMP which provides that “*No business or industrial use should be approved in the area designated*

¹ Anderson, P.C., T.E. Crocker, and J.A. Mortenson. 2011. The bunch grape. EDIS Publication HS17A, <http://edis.ifas.ufl.edu/mg105>, 4pp. Department of Horticultural Sciences, University of Florida, Gainesville, FL.

Agriculture unless the use ... is located on an existing arterial roadway, ... however, agricultural processing facilities for produce grown in Florida are not restricted to locating on an existing arterial roadway". The proposed text change will provide an exception to the current CDMP text that restricts business uses in the Agriculture land use category to locating on existing arterial roadways for ecotourism and agritourism businesses.

REQUESTED TEXT AMENDMENT²

1. Amend the Comprehensive Development Master Plan (CDMP) Land Use Element text for the Agriculture land use category as follows:

Agriculture

The area designated as "Agriculture" contains the best agricultural land remaining in Miami-Dade County. As stated in the Miami-Dade County Strategic Plan, approved by the Board of County Commissioners, protection of viable agriculture is a priority. The principal uses in this area should be agriculture, uses ancillary to and directly supportive of agriculture and farm residences. Uses ancillary to and directly supportive of agriculture are defined as those uses related to preserving, processing, packaging or selling of agricultural products from Florida (except that wineries may utilize imported products for winemaking), and farm supplies, as well as sale and service of farm machinery and implements, subject to the requirements of Chapter 24 of the County Code. Uses ancillary to, and necessary to support the rural residential community of the agricultural area may also be approved, including houses of worship. However, schools shall not be approved in Agriculture areas but should be located inside the UDB in accordance with Policy EDU-3A.

In order to protect the agricultural industry, uses incompatible with agriculture, and uses and facilities that support or encourage urban development are not allowed in this area. Residential development that occurs in this area is allowed at a density of no more than one unit per five acres. Creation of new parcels smaller than five acres for residential use may be approved in the Agriculture area only if the immediate area surrounding the subject parcel on three or more contiguous sides is predominantly and lawfully parcelized in a similar manner, and if a division of the subject parcel would not precipitate additional land division in the area. No business or industrial use should be approved in the area designated Agriculture unless the use is directly supportive of local agricultural production, and is located on an existing arterial roadway, and has adequate water supply and sewage disposal in accordance with Chapter 24 of the County Code, and the development order specifies the approved use(s); however, agricultural processing facilities for produce grown in Florida and uses that promote ecotourism and agritourism consistent with Policy LU-1P are not restricted to locating on an existing arterial roadway. Other uses, including utility uses compatible with agriculture and with the rural residential character may be approved in the Agriculture area only if deemed to be a public necessity, or if deemed to be in the public interest and the applicant demonstrates that no suitable site for the use exists outside the Agriculture area.

* * *

² Words stricken through and/or [[double bracketed]] shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.

STAFF ANALYSIS

Background

Millions of domestic and foreign tourists visit Miami-Dade County annually, many looking for unique tourist experiences. Miami-Dade County's unique agricultural area provides an opportunity to capitalize on the influx of visitors through agritourism and ecotourism. Additional revenue provided by agritourism and ecotourism activities can help to support the agricultural economy and encourage the preservation of agricultural land.

The CDMP includes several policies aimed at promoting agritourism including Land Use Element Policy LU-1P which states that *"While continuing to protect and promote agriculture as a viable economic activity in the County, Miami-Dade County shall explore and may authorize alternative land uses in the South Dade agricultural area which would be compatible with agricultural activities and associated rural residential uses, and which would promote ecotourism and agritourism related to the area's agricultural and natural resource base including Everglades and Biscayne National Parks."* In addition, the Land Use Element text for the Agriculture land use category allows for value-added agricultural products by providing for uses that are ancillary to and directly supportive of agriculture. The Board of County Commissioners ("Board") has considered several initiatives to promote agritourism and ecotourism as summarized below:

Redland Preservation and Tourism Plan. The Redland Preservation and Tourism Plan ("Plan") was completed by the Historic Preservation Division together with the University of Miami School of Architecture in 1993. In 1994, the Board adopted Resolution No. R-965-94 supporting the Plan. The South Dade agricultural area is unique in the continental United States as the only subtropical farming area with the ability to produce a wide variety of exotic fruits. However, the area has experienced extensive pressure to convert agricultural land to non-agricultural uses. The intent of the Plan was to evaluate the physical and cultural assets of the South Dade farming community known as the Redland and to recommend a proposal that would protect and enhance the area and make it marketable to tourists. Key recommendations of the Plan include:

- 1) The creation of an eco-tourism program for South Dade involving natural features, compatible recreational opportunities, agricultural activities, and historic sites.
- 2) The improvement of the aesthetic character of the area through the development of architectural and landscape design guidelines, which would enhance the visual and operational linkages between the aforementioned features.
- 3) The conservation and compatible use of historic sites and natural areas.
- 4) The creation of a Community Development project along the US1 corridor to function as an agricultural gateway, market, educational and tourist center, which would create jobs in the South Dade target areas, and beautify the US1 corridor.

Agritourism Strategies Report. On April 24, 2007, the Board adopted Resolution No. R-436-07 which directed County staff to conduct a fact finding mission and develop strategies to promote agritourism and diversify agriculture, including, but not limited to creating farmers markets, promoting the sale of locally-grown produce and by-products in local retail outlets, promoting

wineries and wine-related retail outlets, organizing food and wine festivals featuring local food, wine and chefs, developing ordinances to encourage ancillary uses that increase tourism opportunities related to agriculture such as bed and breakfast-type lodging establishments. On January 22, 2008, County staff submitted a report to the Board summarizing the findings of the fact finding mission and an update on the preparation of strategies to promote agritourism and diversify agriculture in the County. The report included a series of short term and long term strategies to promote, enhance and expand agritourism opportunities in the County, as follows:

Short term Strategies:

- Allow for the added value of agricultural products by expanding the interpretation of the ancillary to agriculture use restrictions in the Comprehensive Development Master Plan.
- Implement the Regional Branding Program and promote the use and availability of local products with a concentrated marketing campaign.
- Increase participation in and promotion of the Redland Tropical Trail.

Long term Strategies:

- Identify impediments to agritourism in the zoning code and present to the Board recommended changes that allow for agritourism uses.
- Present the bed and breakfast ordinance to the Board for consideration.
- Submit a directional signage program to the Board for consideration.
- Present the Board an expanded list of ancillary uses to be allowed under the winery ordinance.
- Provide Agriculture with representation on the Tourism Development Council.
- Obtain partnerships, funding and a location for an agricultural-technology research park and agri-business incubator.
- Request assistance from the Florida Department of Agriculture and Consumer Services Division of Marketing and Development for the development of a state supported retail farmers market.
- Seek interested parties for the development and operation of a culinary institute in the South Miami-Dade area that focuses on the use of local products.

In the November 1995-96 CDMP Amendment Cycle, several amendments were incorporated into the CDMP to implement the recommendations of the Redland Preservation and Tourism Plan including text authorizing ecotourism uses in the South Dade agricultural area (CDMP Policy LU-1P). The CDMP was later amended in the April 2008-09 CDMP Amendment Cycle based on the recommendations of the Agritourism Strategies Report to allow for value-added agricultural products by providing for uses that are ancillary to and directly supportive of agriculture which are defined as those uses related to preserving, processing, packaging or selling of agricultural products from Florida. Building on these prior initiatives, this application seeks to enhance the ability of the agriculture industry to complement its core business through wineries, ecotourism and agritourism.

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-1P. While continuing to protect and promote agriculture as a viable economic activity in the County, Miami-Dade County shall explore and may authorize alternative land uses in the South Dade agricultural area which would be compatible with agricultural activities and associated rural residential uses, and which would promote ecotourism and agritourism related to the area's agricultural and natural resource base including Everglades and Biscayne National Parks.
- LU-1S. The Miami-Dade County Strategic Plan shall be consistent with the Comprehensive Development Master Plan (CDMP). The Miami-Dade County Strategic Plan includes Countywide community goals, strategies and key outcomes for Miami-Dade County government. Key outcomes of the Strategic Plan that are relevant to the Land Use element of the CDMP include increased urban infill development and urban center development, protection of viable agriculture and environmentally-sensitive land, reduced flooding, improved infrastructure and redevelopment to attract businesses, availability of high quality green space throughout the County, and development of mixed-use, multi-modal, well designed, and sustainable communities.
- LU-8C. Through its planning, capital improvements, cooperative extension, economic development, regulatory and intergovernmental coordination activities, Miami-Dade County shall continue to protect and promote agriculture as a viable economic use of land in Miami-Dade County.
- CON-6E. Miami-Dade County shall continue to pursue programs and mechanisms to support the local agriculture industry, and the preservation of land suitable for agriculture.
- CHD-4B. Promote the local sale and consumption of agricultural goods and other food products produced in Florida and specifically Miami-Dade County.
- CHD-4E. Encourage the establishment of farm-to-school initiatives and community supported agriculture programs.

THIS PAGE INTENTIONALLY LEFT BLANK

APPENDICES

Appendices
Page

Appendix A: Amendment Application

3

.....

THIS PAGE INTENTIONALLY LEFT BLANK

APPLICATION NO. 5

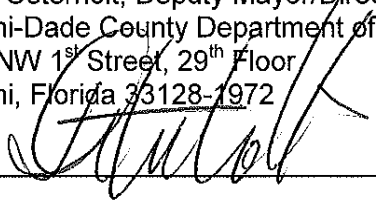
APPLICATION REQUESTING AMENDMENT TO THE COMPREHENSIVE DEVELOPMENT MASTER PLAN

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:  December 2, 2013

3. DESCRIPTION OF REQUESTED CHANGES

The following are the proposed text changes for the Land Use Element of the CDMP.

1. Revise the Agriculture text in the Land Use Element to provide that uses in the South Dade Agricultural Area that promote ecotourism and agritourism are not restricted to locating on an existing arterial roadway; and
2. Revise the Agriculture text in the Land Use Element to allow wineries to utilize imported products for winemaking.

Agriculture

The area designated as "Agriculture" contains the best agricultural land remaining in Miami-Dade County. As stated in the Miami-Dade County Strategic Plan, approved by the Board of County Commissioners, protection of viable agriculture is a priority. The principal uses in this area should be agriculture, uses ancillary to and directly supportive of agriculture and farm residences. Uses ancillary to and directly supportive of agriculture are defined as those uses related to preserving, processing, packaging or selling of agricultural products from Florida (except that wineries may utilize imported products for winemaking), and farm supplies, as well as sale and service of farm machinery and implements, subject to the requirements of Chapter 24 of the County Code. Uses ancillary to, and necessary to support the rural residential community of the agricultural area may also be approved, including houses of worship. However, schools

shall not be approved in Agriculture areas but should be located inside the UDB in accordance with Policy EDU-3A.

In order to protect the agricultural industry, uses incompatible with agriculture, and uses and facilities that support or encourage urban development are not allowed in this area. Residential development that occurs in this area is allowed at a density of no more than one unit per five acres. Creation of new parcels smaller than five acres for residential use may be approved in the Agriculture area only if the immediate area surrounding the subject parcel on three or more contiguous sides is predominantly and lawfully parcelized in a similar manner, and if a division of the subject parcel would not precipitate additional land division in the area. No business or industrial use should be approved in the area designated Agriculture unless the use is directly supportive of local agricultural production, and is located on an existing arterial roadway, and has adequate water supply and sewage disposal in accordance with Chapter 24 of the County Code, and the development order specifies the approved use(s); however, agricultural processing facilities for produce grown in Florida and uses that promote ecotourism and agritourism consistent with Policy LU-1P are not restricted to locating on an existing arterial roadway. Other uses, including utility uses compatible with agriculture and with the rural residential character may be approved in the Agriculture area only if deemed to be a public necessity, or if deemed to be in the public interest and the applicant demonstrates that no suitable site for the use exists outside the Agriculture area.

* * *

4. REASONS FOR CHANGE

Two amendments are proposed to the Land Use Element to further promote agriculture-based tourism for areas within the Agriculture land use category.

CDMP Policy LU-1P authorizes alternative land uses in the South Dade agricultural area ("the Redland") where such uses would be compatible with agricultural activities and associated rural residential uses, and which would promote ecotourism and agritourism related to the area's agricultural and natural resource base including Everglades and Biscayne National Parks. The current CDMP text that limits business uses in the Agriculture land use category to being located along arterial roadways inhibits the development of ecotourism- and agritourism-supportive businesses as authorized in Policy LU-1P. These businesses may be best located along roadways that have local significance and reflect the rural character of the area. The proposed amendment provides an exception for ecotourism and agritourism businesses, allowing these businesses to locate on roadways that are not designated as arterial roadways.

The CDMP currently permits uses that are ancillary to and directly supportive of agriculture, including wineries, in the Agriculture land use category. These uses are defined in the CDMP as those that are related to preserving, processing, packaging or selling of agricultural products from Florida. Wineries complement the agricultural economy and support the preservation of agricultural land in Miami-Dade County. However, local winemaking may require the use of imported products from outside of Florida. The proposed amendment provides an exception to the limitation that

agricultural products be from Florida to allow wineries to utilize imported products for winemaking.

5. ADDITIONAL MATERIALS SUBMITTED

None

THIS PAGE INTENTIONALLY LEFT BLANK