

INITIAL RECOMMENDATIONS

APRIL 2009 APPLICATIONS TO AMEND THE COMPREHENSIVE DEVELOPMENT MASTER PLAN

FOR MIAMI-DADE COUNTY, FLORIDA



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RECOMMENDATIONS

APRIL 2009 APPLICATIONS TO AMEND THE
COMPREHENSIVE DEVELOPMENT MASTER PLAN

August 25, 2009

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TABLE OF CONTENTS

	<u>Page</u>
Introduction -----	iii
Schedule of Activities -----	v
Recommendations Summary Chart-----	vii
Land Use Plan Map Amendments and Private Text Amendments	
Application No. 3 Baptist Hospital of Miami, Inc. -----	3-1
Application No. 4 Ferro Investment Group II, LLC -----	4-1
Application No. 5 FIR Investments, Corp.; Open Land text of the Land Use Element -----	5-1
Application No. 6 Florida Power & Light Company; Land Use Plan Map and Traffic Circulation Subelement of the Transportation Element -----	6-1
Staff Initiated Text Amendments	
Application No. 7 Capital Improvements Element -----	7-1
Application No. 8 Open Space Master Plan text of the Recreation and Open Space Element -----	8-1
Application No. 9 Mobile Homes text of the Housing Element -----	9-1

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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 2009 Plan Amendment Review Cycle. A total of 9 applications were filed during this amendment cycle, six by private parties (Application Nos. 1, 2, 3, 4, 5 and 6), and three (Application Nos. 7, 8 and 9) by the Miami-Dade County Department of Planning and Zoning (DP&Z). The DP&Z and the Park and Recreation Department jointly filed Application No. 8. Application Nos. 1 and 2 were withdrawn by the applicants prior to the issuance of this report. The report contains the recommendations for the remaining 7 applications and the necessary background information and analyses on which the recommendations are based.

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, 2009. 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, 2009. 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 2009. The PAB is scheduled to hold a public hearing on October 5, 2009 to receive comments and recommendations on the proposed amendments, and to formulate recommendations to the Board regarding adoption of the Capital Improvements Element (CIE) Annual Update and transmittal to DCA. The Board is currently scheduled to hold a public hearing on November 4, 2009 taking final action on the CIE Annual Update, and to consider transmittal of the other requested amendments to DCA. "Transmittal" of a proposed amendment to the State for initial review does not constitute adoption of requested amendments.

The second phase of the review, addressing the standard applications, 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 2010, 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 60 days after 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.

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 (Application No. 7) 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 DCA 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 DCA, and the DCA publishes a Notice of Intent after conducting a compliance review.

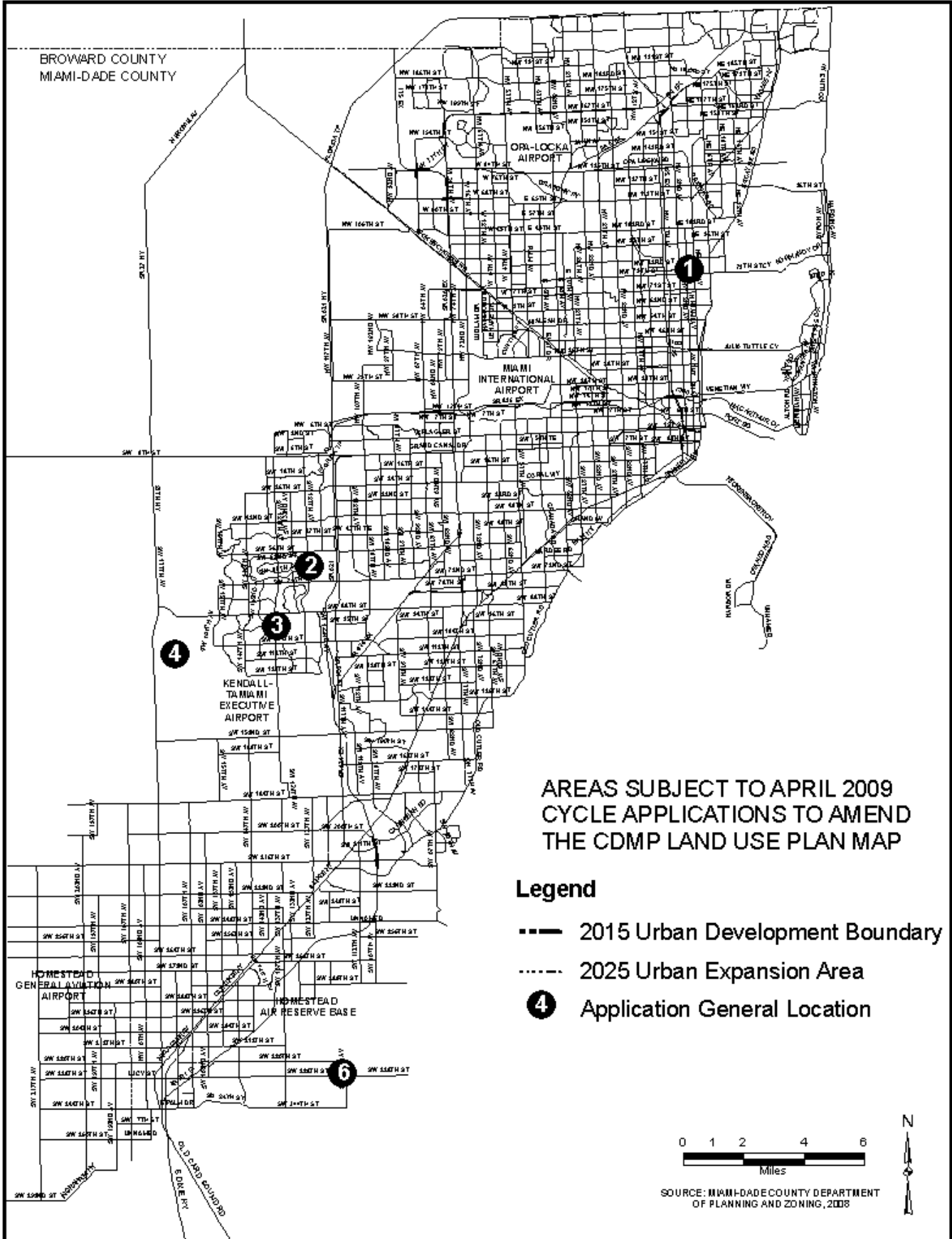
Additional Information

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.

**TABLE 1
SCHEDULE OF ACTIVITIES
APRIL 2009-2009 CDMP AMENDMENT CYCLE**

Pre-application Conference for the Private Sector	March 1- March 31, 2009
Application Filing Period	April 1- April 30, 2009
Deadline to withdraw Application and obtain Return of Full Fee. Notify applicant of deficiencies.	May 7, 2009
Deadline for resubmittal of unclear or incomplete Applications	Seventh business day after Notice of Deficiency
Applications Report published by DP&Z	June 5, 2009
Deadline for submitting Technical Reports	June 29, 2009
Deadline for submitting Declarations of Restrictions to be considered in the Initial Recommendations Report	July 28, 2009
Initial Recommendations Report released by DP&Z	August 25, 2009
Community Council(s) Public Hearing(s)	
West Kendall Community Council (CC-11) Hammocks Middle School, 9889 Hammocks Boulevard	September 22, 2009, 7:00 pm
South Bay Community Council (15) South Dade Gov't Center, 10710 SW 211th Street	September 24, 2009, 6:30 pm
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 DCA	October 5, 2009* County Commission Chamber 111 NW 1st Street Miami, Florida 33128
Board Hearing and Action on Adoption of Small-Scale Amendments and Transmittal of Standard Amendment requests to DCA	November 4, 2009* County Commission Chamber 111 NW 1 Street Miami, Florida 33128
Transmittal to DCA for State review	November, 2009**
Deadline for Filing Supplementary Reports by the Public	Forty-five (45) days after Commission transmittal hearing
Receipt of DCA Objections, Recommendations and Comments (ORC) report	February, 2010** (Approximately 75 days after transmittal)
Public Hearing and Final Recommendations: Planning Advisory Board (Local Planning Agency)	Specific date(s) to be set in March, 2010* (Within 30 days after receipt of DCA ORC report)
Public Hearing and Final Action on Applications: Board	Specific date(s) to be set in April, 2010* (No later than 60 days after receipt of DCA ORC report)

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



Summary of Initial Recommendations
 April 2009 Applications to Amend the Comprehensive Development Master Plan for Miami-Dade County, Florida
 August 25, 2009

Application Number/ Type	Location/Acreage/ Requested Amendment	BCC District/ Commissioner	DP&Z Initial Recommendation August 25, 2009	Community Council* Recommendation, Resolution # and Date	Local Planning Agency Recommendation October 5, 2009	BCC Recommendation November 4, 2009
1/ Small-Scale	Biscayne Park, LLC/Ben Fernandez, Esq. and Matthew Amster, Esq. 150 Feet West of Biscayne Blvd and north of NE 83 Street (3.32 Gross Ac. / 3.15 Net Ac.) 1. From: Medium-High Density Residential (25 to 60 DU/Ac) To: Business and Office 2. Add the Declaration of Restrictions to the Restrictions Table in the Land Use Element	3/ Edmonson	WITHDRAWN BY APPLICANT'S LETTER DATED AUGUST 5, 2009			
2/ Standard	Archimedean Properties, LLC/Ryan D. Bailine, Esq. and Ethan B. Wasserman, Esq. Northeast and northwest corners of Theo. SW 124 th Ave. and SW 72 nd St. (12.8 Gross Ac. / 12.5 Net Ac.) From: Agriculture (inside the Urban Development Boundary) To: Low Density Residential (2.5 to 6.0 DU/Ac)	10/ Souto	WITHDRAWN BY APPLICANT'S LETTER DATED AUGUST 31, 2009			
3/ Standard	Baptist Hospital of Miami, Inc./Joseph G. Goldstein, Esq. and Tracy R. Slavens, Esq. Northeast corner of SW 137 Avenue and SW 96 Street (19.55 Gross Ac. / 16.02 Net Ac.) From: Office/Residential To: Business and Office	10/ Souto	Adopt and Transmit			

Application Number/ Type	Location/Acreage/ Requested Amendment	BCC District/ Commissioner	DP&Z Initial Recommendation August 25, 2009	Community Council* Recommendation, Resolution # and Date	Local Planning Agency Recommendation October 5, 2009	BCC Recommendation November 4, 2009
4/ Standard	<p>Ferro Investment Group II, LLC/ Miguel Diaz De la Portilla, Esq. Southeast corner of SW 167 Ave. and SW 104th St. (9.9 Gross Ac. / 8.38 Net Ac.)</p> <p>1. From: Agriculture To: Business and Office 2. Include within the Urban Development Boundary 3. Add the Declaration of Restrictions to the Restrictions Table in the Land Use Element</p>	11/ Martinez	Deny and Do Not Transmit			
5/ Standard	<p>F I R Investments, Corp./ Felix Rodriguez Land Use Element</p> <p>Revise text for new ancillary uses to be allowed in the OPEN LAND land use category as well as a more detailed list of allowable uses in the OPEN LAND Subarea 1.</p>	Countywide	Deny and Do Not Transmit	NA		
6/ Standard	<p>Florida Power & Light Company / Jeffrey Bercow, Esq. and Michael A. Gil, Esq.</p> <p>Requested Amendments</p> <p>1) Amend the Roadway network on the Adopted 2015-2025 Land Use Plan (LUP) map</p> <p>2) Amend the Transportation Circulation Subelement:</p> <p>a) Add two new paragraphs of text for the definition of Temporary Roadways; and</p> <p>b) Planned 2025 Future Roadway Network map of the Future Traffic Circulation Map Series</p> <p>c) Add New Transportation map locating these Temporary Roadways.</p>	9/ Moss	Deny and Transmit			

Application Number/ Type	Location/Acreage/ Requested Amendment	BCC District/ Commissioner	DP&Z Initial Recommendation August 25, 2009	Community Council* Recommendation, Resolution # and Date	Local Planning Agency Recommendation October 5, 2009	BCC Recommendation November 4, 2009
7 Standard	<p>Department of Planning and Zoning/ Marc LaFerrier, AICP, Director</p> <p>Requested Amendment</p> <p>Annual update to the projects found on the Table of future Capital Improvements.</p> <p>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.</p>	Countywide	Adopt	NA		
8	<p>Department of Planning and Zoning/ Marc LaFerrier, AICP, Director; Park and Recreation Department/ Jack Kardys, Director</p> <p>Requested Amendment</p> <p>A. Revise the text in the Recreation and Open Space Element to reflect the 2007 <i>Miami-Dade County Parks and Open Space Master Plan (OSPM)</i>.</p> <p>B. Revise the Recreation and Open Space Element to reflect other updates and policy changes not related to OSMP, including revisions to Policy ROS-4E, allowing new mechanisms for accepting open space conservation areas; and revisions to Policy ROS-5C iii, allowing greater protection of park sites with natural, historical, or archeological resources.</p>	Countywide	Adopt and Transmit	NA		

Application Number/ Type	Location/Acreage/ Requested Amendment	BCC District/ Commissioner	DP&Z Initial Recommendation August 25, 2009	Community Council* Recommendation, Resolution # and Date	Local Planning Agency Recommendation October 5, 2009	BCC Recommendation November 4, 2009
9	Department of Planning and Zoning/ Marc LaFerrier, AICP, Director Requested Amendment Revise the text of the Housing Element to provide language that allows Miami-Dade County to enhance and preserve mobile home parks as viable options for affordable housing.	Countywide	Adopt and Transmit	NA		

Source: Miami-Dade County Department of Planning and Zoning

Notes:

NA: Not Applicable

DU/ac: Dwelling units per gross acre

DP&Z: Department of Planning and Zoning

BCC: Board of County Commissioners

* West Kendall Community Council (CC11); South Bay Community Council (CC15)