

Memorandum



Date: November 18, 2015

Agenda Item No. 4(C)

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

From: Carlos A. Gimenez
Mayor

Subject: Resolution for Application No. 9 in the May 2015 Cycle Applications to Amend the
Comprehensive Development Master Plan

Resolution No. R-1052-15

The attached resolution addresses a Comprehensive Development Master Plan (CDMP) application that appears on the agenda pursuant to the Board of County Commissioners Resolution No. R-350-15, which directed the Mayor or Mayor's designee to file a CDMP amendment application to implement the results of the Ludlam Trail Corridor charrettes that were conducted in February and March of 2015. 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 resolution, were prepared by the Department of Regulatory and Economic Resources.



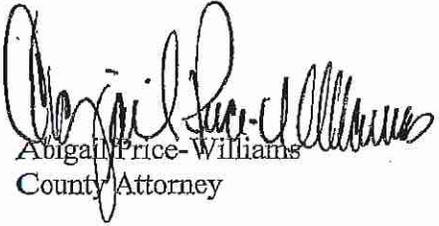
Jack Osterholt
Deputy Mayor



MEMORANDUM
(Revised)

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

DATE: November 18, 2015

FROM: 
Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 4(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
- Statement of social equity 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. 4(C)
11-18-15

RESOLUTION NO. R-1052-15

RESOLUTION PERTAINING TO MAY 2015 CYCLE APPLICATIONS REQUESTING AMENDMENTS TO THE COMPREHENSIVE DEVELOPMENT MASTER PLAN; DIRECTING THE MAYOR OR DESIGNEE TO ACT IN ACCORDANCE WITH THE TRANSMITTAL INSTRUCTIONS INCLUDED IN THIS RESOLUTION RELATED TO APPLICATION NO. 9, A CORRIDOR GENERALLY 100 FEET WIDE ALONG SW/NW 69 AVENUE FROM SW 80 STREET TO ±400 FEET NORTH OF NW 7 STREET; REQUESTING STATE LAND PLANNING AGENCY TO REVIEW APPLICATION NO. 9; RESERVING THE RIGHT TO TAKE FINAL ACTION AT A LATER DATE; AND DECLARING INTENT TO CONDUCT ONE OR MORE SUBSEQUENT PUBLIC HEARINGS

WHEREAS, pursuant to Chapter 163, Part II, Florida Statutes, the Miami-Dade County 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, the Board directed that two charrettes be conducted for the ±6-mile long and ±100 feet wide former Florida East Coast Industries railroad corridor between SW 80 Street and NW 7 Street generally along SW/NW 69 Avenue (the Ludlam Trail Corridor); and

WHEREAS, the said charrettes were conducted in County Commission Districts 6 and 7 in February and March of 2015, respectively, and the results are expressed in the Ludlam Trail Corridor Charrette Report; and

WHEREAS, on April 21, 2015 the Board adopted Resolution No. R-350-15 directing the Mayor or the Mayor's designee to file a CDMP amendment application to implement the results of the Ludlam Trail Corridor charrettes; and

WHEREAS, Application No. 9 was filed by the Department and included in the May 2015 Cycle of Applications to amend the CDMP ("May 2015 CDMP Amendment Cycle") pursuant to Resolution R-350-15 and in accordance with 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 2015 CDMP Amendment Cycle in a report titled "Initial Recommendations May 2015 Applications to Amend the Comprehensive Development Master Plan", dated August 2015, 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. 9; and

WHEREAS, the Department may issue final recommendations addressing the May 2015 CDMP Amendment Cycle Applications that are transmitted to the reviewing agencies; and

WHEREAS, this Board desires to further evaluate, without prejudice, Application No. 9 filed for review and action during the May 2015 CDMP Amendment Cycle, if hereby transmitted,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:

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. The Board, having considered the following application requesting amendments to the CDMP, hereby directs the Mayor or designee to act in accordance with the transmittal instructions set forth in this section for such application. Where the instruction is to transmit, pursuant to Section 2-116.1(3)(g), Miami-Dade County Code, the Board directs the Mayor or designee to transmit the application to the reviewing agencies, along with all other materials required pursuant to Section 163.3184, Florida Statutes.

Application Number	Applicant/Representative Location and Size Requested Amendments to the CDMP Land Use Plan Map or Text	Transmittal Instruction and/or Recommended Action
9	<p>Miami-Dade County/Jack Osterholt, Deputy Mayor/Director Department of Regulatory and Economic Resources.</p> <p>A corridor generally 100 feet wide along SW/NW 69 Avenue extending from SW 80 Street to ±400 feet north of NW 7 Street.</p> <p><u>Requested Amendment to CDMP Text and LUP Map:</u></p> <ol style="list-style-type: none"> 1. Add text within the Land Use Element to create a new CDMP Land Use category titled ‘Special District’; 2. Create a subcategory under the Special District text titled “Ludlam Trail Corridor District” including the addition of Figure 3.1 to the map series; 3. Apply the new “Special District” designation to the former FEC railroad corridor on the CDMP Land Use Plan Map: From: “Transportation (ROW, Rail, Metrorail, Etc.)” To: “Special District” 4. Add a new policy within the Intergovernmental Coordination Element to coordinate with the City of Miami for those portions of the corridor that are located within the municipal boundaries of the City; and 5. Add a new policy within the Recreation and Open Space Element to encourage developers of residential uses within the Ludlam Trail Corridor District to dedicate park land, improvements, and maintenance or some combination that adequately meets the developer’s obligation to provide local recreation open space. <p>Standard Amendment</p>	<p>Transmit with Changes and Adopt <i>[changes include recommended language from Florida East Coast Industries and the Department of Regulatory and Economic Resources as presented in hearing Exhibit 9-A attached]</i></p>

Section 3. The Board hereby requests the reviewing agencies to review the transmitted application pursuant to Section 163.3184(3), Florida Statutes.

Section 4. The Board hereby reserves the right to take final action without prejudice at a later date to adopt, adopt with changes, or not adopt the pending application and proposals following receipt of comments by the reviewing agencies, and following one or more public hearings by this Board, all as authorized by Section 163.3184, Florida Statutes, and Section 2-116.1, Code of Miami-Dade County, Florida.

Section 5. The Board declares its intention to advertise and conduct one or more public hearings in calendar year 2016 to address the pending May 2015 CDMP Amendment Cycle Applications.

The foregoing resolution was offered by Commissioner **Rebeca Sosa**, who moved its adoption. The motion was seconded by Commissioner **Xavier L. Suarez** and upon being put to a vote, the vote was as follows:

	Jean Monestime, Chairman	absent	
	Esteban L. Bovo, Jr., Vice Chairman	aye	
Bruno A. Barreiro	aye	Daniella Levine Cava	aye
Jose "Pepe" Diaz	aye	Audrey M. Edmonson	aye
Sally A. Heyman	absent	Barbara J. Jordan	aye
Dennis C. Moss	aye	Rebeca Sosa	aye
Sen. Javier D. Souto	aye	Xavier L. Suarez	aye
Juan C. Zapata	aye		

The Chairperson thereupon declared the resolution duly passed and adopted this 18th day of November, 2015. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the Board.



MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: **Christopher Agrippa**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

A handwritten signature in black ink, appearing to be "D.K.", written over a horizontal line.

Dennis A. Kerbel