

Memorandum



Date: November 21, 2024

To: Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

From: Daniella Levine Cava
Mayor

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Supplement
Agenda Item No. 7(A)

Subject: Supplemental Information on May 2023 Cycle Application
No. CDMP20230011 to Amend the Comprehensive Development Master Plan

The following supplemental information is provided to the Board of County Commissioners regarding May 2023 Cycle Application No. CDMP20230011 to amend the Comprehensive Development Master Plan (CDMP). The information includes (Exhibit 1) the Final Recommendation report addressing Application No. CDMP20230011.

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Jimmy Morales
Chief Operating Officer

Final Recommendations Report
Application No. CDMP20230011
TMC Naranja 66 Holdings, LLC
Commission District 8 Community Council 14

APPLICATION SUMMARY

Applicant/Representative:	TMC Naranja 66 Holdings, LLC / Javier L. Vasquez, Esq., Berger Singerman LLP
Location:	Between SW 252 Street and SW 256 Street, and between SW 142 Avenue and SW 144 Avenue
Total Acreage:	±21.8 Gross Acres / ±20.0 Net Acres
Current Land Use Plan Map Designation:	"Agriculture"
Requested Land Use Plan Map Designation and other CDMP Changes:	<ol style="list-style-type: none"> 1. Expand the Urban Development Boundary to include the Application Site 2. Redesignate the application site on the Land Use Plan map From: "Agriculture" To: "Special District" 3. Revise the CDMP Land Use Element "Special District" text to create the "Westend at Princeton" District 4. Add the proffered Declaration of Restrictions in the Restrictions Table in Appendix A of the CDMP Land Use Element, if accepted by the Board of County Commissioners.
Amendment Type:	Standard (Being processed concurrently with Zoning Application No. Z2023000179)
Existing Zoning District/Site Condition:	AU (Agriculture) / Row crops

RECOMMENDATIONS

Staff Final Recommendation:	ADOPT WITH CHANGE AND ACCEPTANCE OF THE PROFFERED DECLARATION OF RESTRICTIONS (November 2024)
Staff Initial Recommendation:	TRANSMIT WITH THE PROFFERED DECLARATION OF RESTRICTIONS (October 2023)

Redland Community Council 14:

BOARD CURRENTLY DOES NOT HAVE ENOUGH MEMBERS TO FORM QUORUM

Planning Advisory Board
Acting as the Local Planning Agency:

TRANSMIT AND ADOPT WITH ACCEPTANCE OF THE PROFFERED DECLARATION OF RESTRICTIONS
(November 6, 2023)

Board of County Commissioners
Transmittal Hearing:

TRANSMIT WITH THE PROFFERED DECLARATION OF RESTRICTIONS (January 24, 2024)

Final Action by the Board of County Commissioners:

TO BE DETERMINED (December 2024)

Staff's final recommendation is to **ADOPT WITH CHANGE AND ACCEPTANCE OF THE PROFFERED DECLARATION OF RESTRICTIONS** the proposed standard amendment to the Comprehensive Development Master Plan (CDMP) Land Use Element and Adopted 2030 and 2040 Land Use Plan (LUP) map. The amendment seeks to expand the 2030 Urban Development Boundary to include the ±21.80-gross-acre application site; redesignate the application site from "Agriculture" to "Special District;" revise the CDMP Land Use Element "Special District" text to create the "Westend at Princeton" District; and add the proffered Declaration of Restrictions in the Restrictions Table in Appendix A of the CDMP Land Use Element if accepted by the Board of County Commissioners. The staff recommendation on the application is based on the following reasons:

1. Approval of the application with the recommended changes would support the County's efforts to advance the implementation of the South Dade Transitway project, a Strategic Miami Area Rapid Transit (SMART) Plan corridor, while appropriately addressing a long-standing issue of a parcel being bifurcated by the Urban Development Boundary (UDB). As noted in Staff's Initial Recommendation report of May 2023, the application site is within ½-mile of the Transitway, within the County's Transportation Infrastructure Improvement District (TIID), and is part of a ±66.26-acre parcel bifurcated by the UDB (see Principal Reason No. 1 on page 4 below). The portion of the parcel (±17 acres) that is inside the UDB is also within the Princeton Community Urban Center and is planned for intensified transit supportive development within the Transitway corridor. The 20-mile Transitway has been planned for Bus Rapid Transit (BRT) service at a total estimated capital cost is \$300 million while the TIID, to date, has generated approximately \$89,475,000.00 in funds for the six SMART Plan corridors. The application if approved would facilitate greater tax revenue generation from the site to the TIID and greater intensity of development proximate to and in further support the County's decades long efforts at providing premium Transit service within the South Dade Transitway.

The recommended changes to the application include adding language to Policy LU-8G(i) and (iii) that would together provide a narrow exception to the limitations on properties that may be considered for inclusion within the UDB and thereby allow the application site and other parcels bifurcated by the UDB and similarly located within the TIID and in an urban center to be considered for inclusion within the UDB (see Staff Recommended Changes on page 19 herein). This change addresses the policy direction from the Board of County Commissioners (Board) discussed at the January 24, 2024, CDMP public hearing when the application had its first (transmittal) public hearing before the Board.

2. Upon review of the application, the State Land Planning Agency (SLPA) and the other state and regional reviewing agencies (Reviewing Agencies) provided only technical assistance comments on the application. On January 24, 2024, the Board of County Commissioners (BCC) approved the transmittal of the application with the proffered Declaration of Restrictions (covenant) to the Florida Department of Commerce (FloridaCommerce as the SLPA) and the other Reviewing Agencies as required by FS 163.3184 for their review and comments. No objections were raised against the application by any reviewing agency. However, FloridaCommerce, the South Florida Water Management District (SFWMD), and the South Florida Regional Planning Council (SFRPC) offered technical assistance comments that will not form the basis of any challenge to the application if it is ultimately adopted. The comments from the Reviewing Agencies are presented herein in "State and Regional Reviewing Agency Comments" on page 26.
3. The basis for Staff's Final Recommendation is outlined above and in the original analysis of the application included in the *Initial Recommendation* report, dated October 2023, as

updated herein. The Principal Reasons as published in the Initial Recommendations report are presented below followed by an update in *italicized text* where applicable. The full Initial Recommendations report and other documents related to the application may be accessed through the following link:

https://energov.miamidade.gov/EnerGov_Prod/SelfService/#!/plan/2846032a-1d3d-4f2f-ad88-9d514cb84a61

Principal Reasons for Recommendation stated in Initial Recommendation Report:

1. The application site is within ½-mile of the South Dade Transitway, a Strategic Miami Area Rapid Transit (SMART) Plan corridor, and is a portion of a parcel that is both bifurcated by the UDB and partly in a zoned and CDMP designated Urban Center (the portion of the parcel inside the UDB), raising the question of how CDMP Land Use Element Policy LU-8G that governs when and where to expand the UDB should be applied in this case. Strict implementation of Policy LU-8G dictates the application should be denied, given it does not demonstrate a need that warrants expansion of the UDB, the application site is in the Redland area south of Eureka Drive (SW 184 Street) where UDB expansion should not be considered [LU-8G(i)(d)], and the site is in an area designated “Agriculture” that is outside of an Urban Expansion Area [LU-8G(ii)(2)].

However, among other criteria, Policy LU-8G(iii)(c) gives priority to areas within one mile of a planned urban center or transit service station for inclusion in the UDB, when expansion is warranted. The ±21.80-acre application site is within 0.75 miles of a transit station, is contiguous to but outside the Princeton Community Urban Center and is part of a larger ±66.26-acre parcel that is partly within the Urban Center (±17 acres; see SMART Plan Corridor map on page 16 herein). Furthermore, the Board of County Commissioners (Board) endorsed the SMART Plan corridors in 2016 (Resolution No. R-523-16), established the Miami-Dade County Transportation Infrastructure Improvement District (TIID) in 2018 through Ordinance 18-8, and in 2019 established CDMP policies (Ordinance 19-07) for development of properties inside the UDB within ½-mile of the SMART Plan corridors (up to 1-mile for the EAST-West Corridor). Within the TIID, future ad valorem tax revenue increases are to help fund the SMART Plan rapid transit projects in combination with other local, state, and federal funding sources. Ordinance 18-8, among other things, also outlines that the implementation of the SMART Plan rapid transit corridor projects has countywide significance. Furthermore, on May 1, 2018, the Board adopted Resolution No. R-460-18 designating the unincorporated areas in the TIID as “Areas or Facilities of Countywide Significance”. The application site is within the TIID.

The combination of factors discussed above make it appropriate to evaluate how CDMP Policy LU-8G governing when and where to expand the UDB should be applied in this case. These factors include 1) the site is within ½-mile of the South Dade Transitway SMART Plan corridor and in the TIID, and the countywide significance of implementing the SMART Plan corridor projects; 2) the site abuts the Princeton Community Urban Center and is a portion of a parcel that is partially in the urban center; and 3) the parcel is bifurcated by the UDB. Statement A.6 of the CDMP’s Statement of Legislative Intent contemplates instances where a choice between different priorities and provisions of the CDMP must be made for public health, safety and welfare. Accordingly, Statement A.6 notes, in part, “[t]he Board recognizes that a particular application may bring into conflict and necessitate a choice between, different goals, priorities, objectives, and provisions of the CDMP.” The recommended transmittal of the application would allow time for this policy question to be explored and answered before final action is taken by the Board.

November 2024 Update: Consideration of the application with the recommended changes and its overall impacts to the area identifies that its approval would be beneficial to the TIID and SMART Plan corridor project implementation and it is therefore recommended for adoption.

2. While the need for housing in the application area is for more affordable housing units, this application commits in a proffered Declaration of Restrictions (covenant) to the on-site provision of workforce housing units in a transit-oriented location, generally consistent with Housing Element Objective HO-6 and Policy HO-6A and exceeding the minimum requirement of Land Use Element Policy LU-8H(n). As further detailed below, current market asking rent for residential units within the application area are below the upper thresholds of workforce housing rents. The applicant's proffered covenant commits that a minimum 20% of the proposed dwelling units on the site shall be provided at rents affordable to individuals earning up to 140% of the Area Median Income (AMI). HO-6 and HO-6A require the County to increase affordable housing opportunities, including workforce housing options, within reasonable proximity to places of employment, mass transit, and necessary public services in existing urbanized areas. In addition, Policy LU-8H(n) requires UDB expansion requests for residential development to provide a minimum 12.5% of the proposed residential units as workforce housing units. The application proffers the commitment of a minimum 20% of the units on the site as workforce housing units proximate to the Transitway having enhanced transit service, in keeping with the referenced CDMP objective and policies.

It is noted that according to Costar (a global provider of information, analytics, and marketing services to the commercial property industry) the current average market asking rent for a 3-bedroom apartment within five miles of the application site is \$1,531 per month. This asking rent is below the \$1,652 that would be affordable to a family of four earning 60 percent of AMI for a 3-bedroom apartment under the County's Workforce Housing Development Program and well below the rent that would be affordable to households with incomes at 110 percent of AMI which equates to \$2,952 per month.

3. The applicant has committed in the proffered covenant to mitigate the impact of the proposed development on agriculture, as required by CDMP Land Use Element Policy LU-8H(q). The covenant requires the applicant to: provide \$8,750 per acre of farmable land within the site to mitigate the loss of agricultural land; buffer the development area of the application site from adjacent agricultural lands with 40 feet of landscaping; and protect adjacent agricultural properties from light spillage by committing not to install streets lights along the perimeter of the application site abutting AU zoned land and to provide for light shields or other equipment to minimize light spillage on adjacent property. The covenant also requires notice to all grantees of any home within the property that the site is adjacent to agricultural land and informing them of agricultural activities that may be lawfully conducted in the area.
4. The application is generally not consistent with the criteria set forth in CDMP Land Use Element Policy LU-8E for evaluating Land Use Plan map amendment applications. Policy LU-8E requires LUP map amendment applications to consider factors such as: (i) the proposed amendment's ability to "[s]atisfy a deficiency in the Plan map to accommodate projected population or economic growth of the County;" (ii) whether the proposed amendment would "[e]nhance or impede provision of [public] services [or facilities] at or above adopted LOS Standards;" (iii) whether the proposed amendment would "[b]e compatible with abutting and nearby land uses"; (iv) whether the proposed amendment

would “[e]nhance or degrade environmental or historical resources;” (v) whether the proposed amendment would “[e]nhance or degrade systems important to the County as a whole”; and (vi) whether the proposed amendment would “promote transit ridership and pedestrianism” pursuant to Objective LU-7 and associated policies. Each factor is discussed below:

- i. *Need to Accommodate Population or Economic Growth:* The application does not demonstrate a need for expansion of the UDB, but as discussed in Principal Reason No. 1, raises the question of how the UDB expansion policy should be applied for the site. There is adequate land within the UDB to accommodate residential land needs for more than ten years. The application would add 630 dwelling units and 6,460 square feet of retail space through a Special District. The Supply and Demand Analysis identifies that there is adequate land capacity to accommodate population growth beyond the year 2040, without expanding the UDB. This application, however, provides for housing within one-half mile of the South Dade Transitway SMART Plan corridor and would help to implement the County’s transit-oriented SMART Plan development policies.
- ii. *Public Facilities and Services:* The CDMP application is generally consistent with CDMP Policy LU-8D and Objectives CIE-3 and CIE-5 that require adequate public facilities and infrastructure be provided to support new and approved development. Policy LU-8D states in part, “the LUP map shall not be amended to provide for additional urban expansion unless traffic circulation, mass transit, water, sewer, solid waste, drainage and park and recreation facilities necessary to serve the area are included in the plan and the associated funding programs are demonstrated to be viable.” It is noted that the Miami-Dade Parks and Recreation Department recommends the applicant convey ±3.62 acres of land for local recreation open space to the County, in-lieu of park impact fee payment as there are no existing local parks meeting the ¼ - ½ mile Equity Access Criteria, as well as to provide connectivity to the South Dade Trail.

November 2024 Update: The Parks and Recreation Department has subsequently accepted that the applicant will pay the park impact fee and has noted that position in the related concurrent zoning application.

- iii. *Compatibility:* The proposed development would be generally compatible with the abutting high density residential uses approved at the southeast edge of the Application Site. The proffered covenant includes a commitment to improve compatibility of the site with the agricultural land uses to the west and north, through buffering, lighting controls, and notifications for future residents. The proffered covenant states that future development would comply with the Urban Design Manual but requires additional detail outlining how the development would comply with the manual.
- iv. *Environmental and Historical Resources:* Approval of the application would not impact historical or archaeological resources on the site. However, the site is located in the US Fish & Wildlife Service consultation area for federally endangered Florida bonneted bat. It must be noted that the applicant submitted wildlife surveys, but the Florida bonneted bat was not included. Therefore, new surveys will be required to include the bonneted bat, and based on the findings, mitigation measures, including wildlife best management practices, may be required. In addition, it was found that the site may contain tree resources which will require a permit for removal or relocation.

Furthermore, due to the history of agricultural use on the site, Phase 1 and Phase 2 Environmental Site Assessments for contamination will be required. Finally, the applicant's proffered covenant includes a condition for the submittal of a Stormwater Master Plan prior to the recordation of the Final Plat for the site, but the Miami-Dade County Division of Environmental Resources Management (DERM) notes the master plan must be submitted prior to earlier of approval of a zoning site plan or other DERM reviews and permits for the site.

November 2024 Update: The Applicant committed in the proffered CDMP covenant to incorporate Best Management Practice to protect the bonneted bat.

- v. *Enhance or Degrade Countywide Systems:* The impacts from the proposed development would not cause the *Degradation* of Countywide systems.
 - vi. *Transit Ridership and Pedestrianism:* Approval of the application would support transit ridership and pedestrianism due to the proximity of the application site to the South Dade Transitway and to the SW 264 Street Transit Station. The site is 0.54-miles from the Princeton Circulator bus stop at SW 139 Avenue and US-1. It is also 0.73-miles from the South Dade Transitway Station at SW 264 Street and US-1.
5. The application does not demonstrate full compliance with CDMP Land Use Element Policy LU-8H. Specifically, the application, in its current form, does not comply with subsections (e), (f), (g), (h), (i), (l), and (m), as outlined below. A full assessment of the Policy LU-8H criteria is presented on page 27 herein.

Policy LU-8H(e) requires that the project be served by utility water and sewer service and that adequate public facilities and infrastructure (including water, sewer, roadways, mass transit, solid waste, flood protection, parks, and schools) are available or, where not available, ensure the provision of such improvements through a recordable instrument in favor of the County. The applicant has not fully provided the necessary commitments to ensure compliance with this provision. With respect to parks, the applicant has not addressed the request to convey ±3.62 acres of land for local recreation open space in order to meet the ¼ - ½ mile Equity Access Criteria.

November 2024 Update: The Parks and Recreation Department has subsequently accepted the applicant will pay the park impact fee and has noted that position in the related concurrent zoning application.

Policy LU-8H(f) requires that the project provide for the non-residential needs of the future residents, such as retail, parks, and schools, or that the applicant demonstrate that such uses are within an acceptable distance of the subject site. Though the Applicant proposes 6,460 square feet of retail space to serve a development with 620 dwelling units, additional data and analysis is needed to determine if there are adequate non-residential uses to serve the needs of future residents within an acceptable distance of the subject property.

November 2024 Update: The applicant proposes 6,460 square feet of retail space to serve a development with 620 dwelling units. Staff deems that the proximity of the site to a transit station and a major commercial corridor would allow future residents to access non-residential needs through transit access, walking, bicycling, or short drives.

Policy LU-8H(g) requires that a jobs to housing ratio of a 1.5:1 be provided within five miles of the subject property, or on-site for future residents. The applicant has not provided evidence of a jobs to housing ratio of at least 1.5:1 within five miles of the site, or that the required jobs to housing ratio will be provided on site. The applicant's Economic Report prepared by Miami Economic Associates, Inc., dated May 30, 2023, includes a needs analysis that lists major employers in the vicinity and makes several assumptions about their employees. The applicant does not provide adequate data and analysis regarding the jobs in the mandated five-mile radius area.

November 2024 Update: While applicant's analysis does not adequately assess the jobs to housing ratio criterion, the application's support of the County's efforts to advance the implementation of the South Dade Transitway project while appropriately addressing a long-standing issue of a parcel being bifurcated by the Urban Development Boundary (UDB) leads to a recommendation of approval. Additionally, the application site is within the County's Transportation Infrastructure Improvement District (TIID) in further support the County's decades long efforts at providing premium Transit service within the South Dade Transitway.

Policy LU-8H(h) requires that the proposed development demonstrate compliance with the County's Urban Design Manual or other document approved by action of the Board of County Commissioners. The proffered Declaration of Restrictions does state that development would utilize the design guidelines of the County's Standard Urban Center District Regulations but does not provide details addressing how such development would utilize the regulations.

November 2024 Update: The CDMP Declaration of Restrictions commits to utilize the design guidelines of the County's Standard Urban Center District Regulations. In addition, the zoning site plan demonstrates full compliance with the Standard Urban Center District Regulations and the PCUC regulating plans.

Policy LU-8H(i) requires that the proposed development incorporate bicycle and pedestrian accessibility throughout the development with connections to adjacent areas, where appropriate. Neither the proposed Special District text nor the proffered Declaration of Restrictions contain language demonstrating that bicycle and pedestrian accessibility will be incorporated throughout the development. Additionally, the concurrent zoning application plans do not demonstrate compliance with this requirement.

November 2024 Update: Both the proposed Special District text and the Declaration of Restrictions demonstrate that the bicycle and pedestrian accessibility will be incorporated throughout the development. Additionally, the concurrent zoning application demonstrates compliance through provision of walkways and access points enabling biking or walking to area businesses and transit stops.

Policy LU-8H(l) requires the proposed development to protect environmentally sensitive areas to the maximum extent feasible including consideration of impacts to threatened and endangered species. As noted previously, the applicant will need to conduct wildlife surveys to determine the usage of the Florida bonneted bat. Based on the findings, wildlife best management practices may need to be incorporated into the proposed development.

November 2024 Update: The applicant conducted wildlife surveys to determine the usage of the application site by the Florida bonneted bat. Based on the findings, the applicant committed to incorporate wildlife best management practices into the proposed development.

Policy LU-8H(m) requires that the proposed development demonstrate a net positive fiscal impact to the County. The Applicant's Economic Report includes a fiscal impact analysis that lists potential revenues to the County based on impact fees and property taxes, but only describes service costs anticipated from police services. It does not provide anticipated costs for other key County services, such as schools, roadway infrastructure, transit services, or other public expenses that can be expected from the addition of 630 dwelling units.

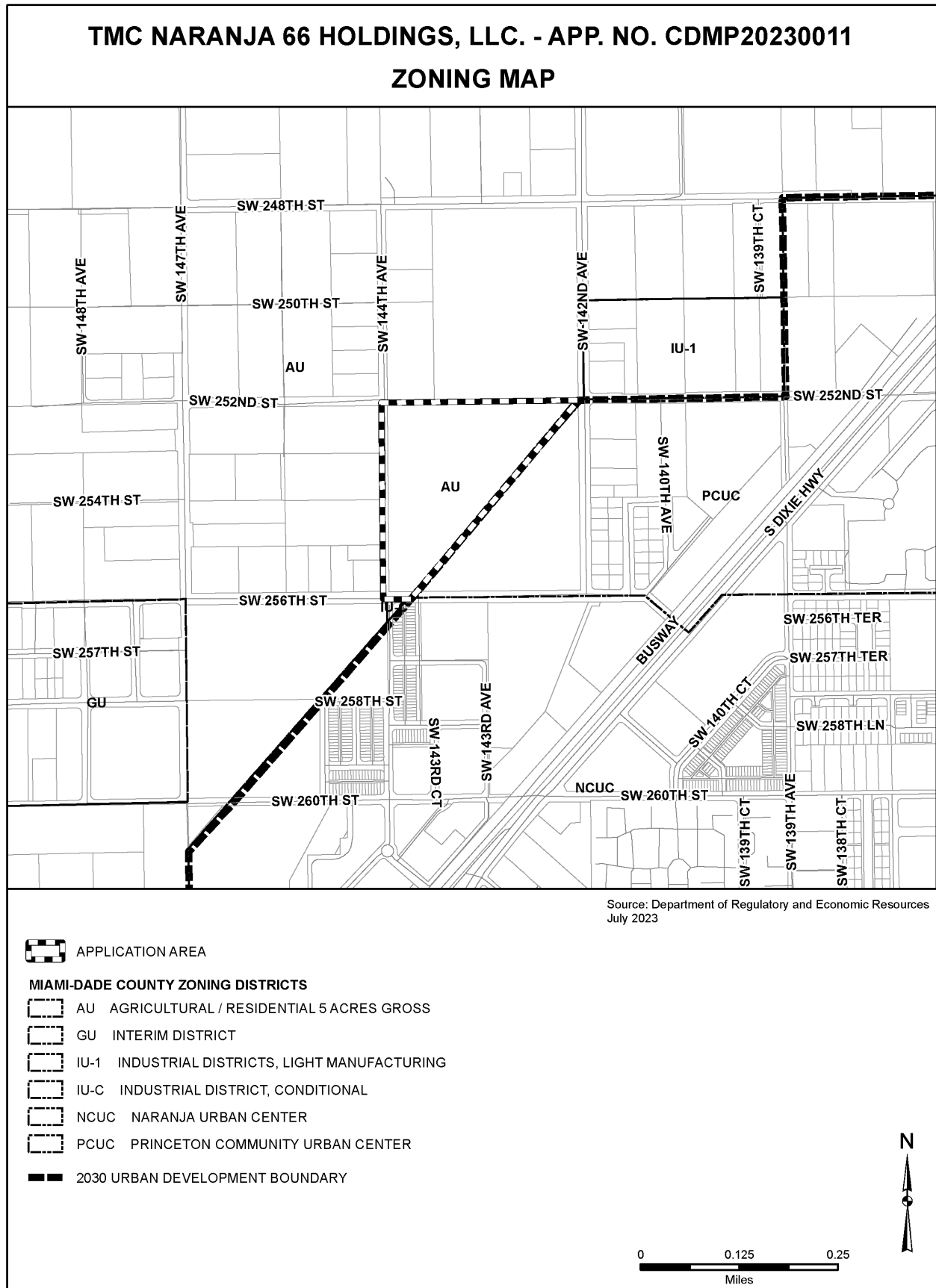
November 2024 Update: The application site is within the County's Transportation Infrastructure Improvement District (TIID) and supports the County's decades long effort to provide premium Transit service within the South Dade Transitway. The planned for Bus Rapid Transit (BRT) service improvements to the South Dade Transitway have a total estimated capital cost is \$300 million while the TIID, to date, has generated approximately \$89,475,000.00 in funds for all six SMART Plan corridors. The application if approved would facilitate greater tax revenue generation from the site to the TIID, and greater intensity of development proximate to the South Dade Transitway supports the County's efforts in providing premium Transit service on that line. Instead of a fiscal impact analysis and in light of the site's location and its anticipated increase in contributions to the TIID, if the site is developed as proposed, it is appropriate to evaluate this application on the basis of its contribution to TIID and the County's efforts to support transit within the South Dade Transitway.

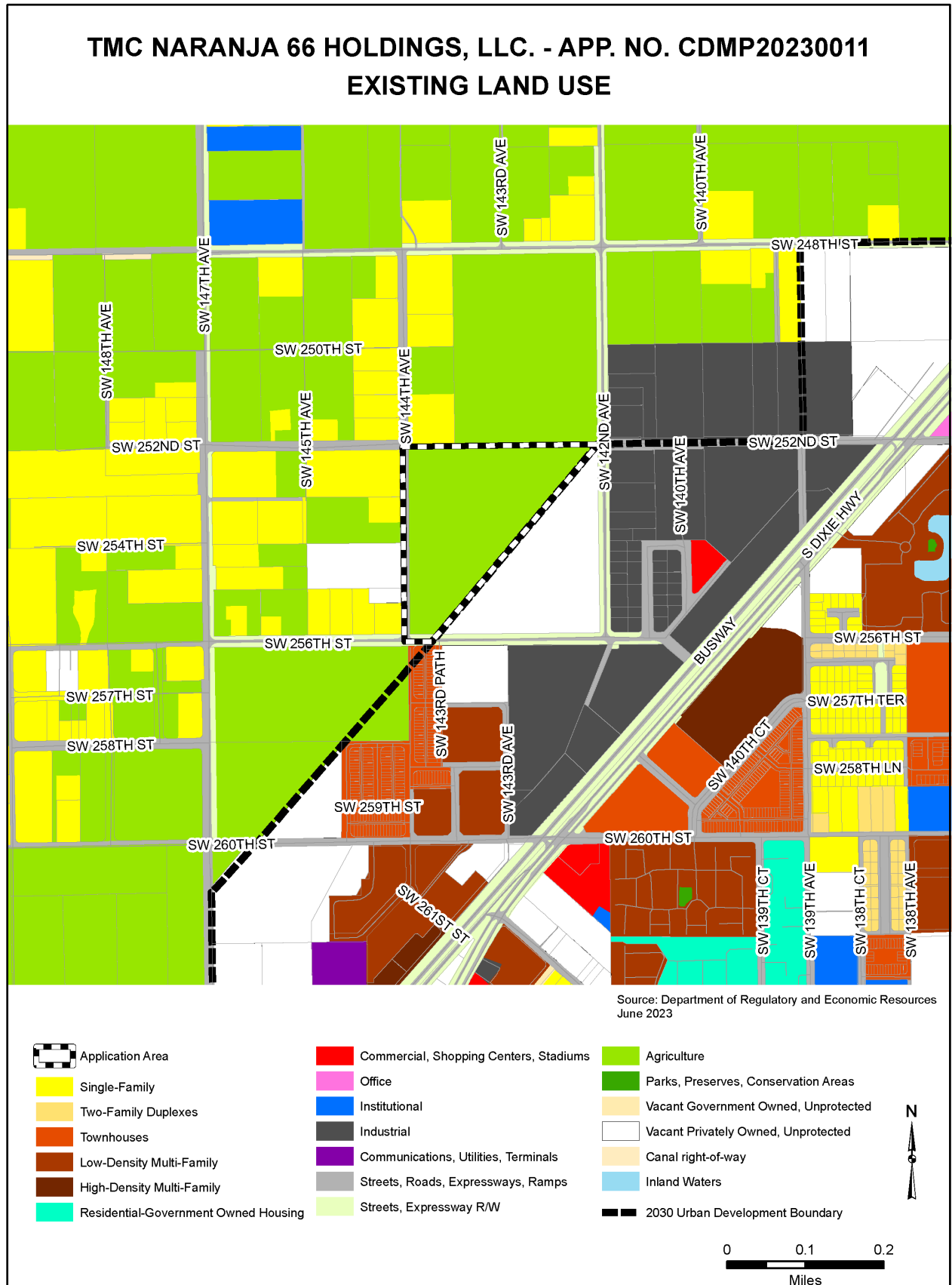
6. Approval of the application would not encourage the proliferation of urban sprawl. Section 163.3177(6)(a)(9) of the Florida Statutes (F.S.) requires land use elements and amendments thereto to discourage urban sprawl. The statute provides 13 indicators that demonstrate that a plan amendment would not discourage the proliferation of urban sprawl (the more indicators the plan amendment meets), and 8 indicators that demonstrate that a plan amendment discourages the proliferation of urban sprawl. The Statute further provides that a Future Land Use Element or plan amendment shall be deemed to discourage the proliferation of urban sprawl if it incorporates a development pattern or urban form that achieves 4 or more of the 8 indicators provided for the discouragement of urban sprawl.

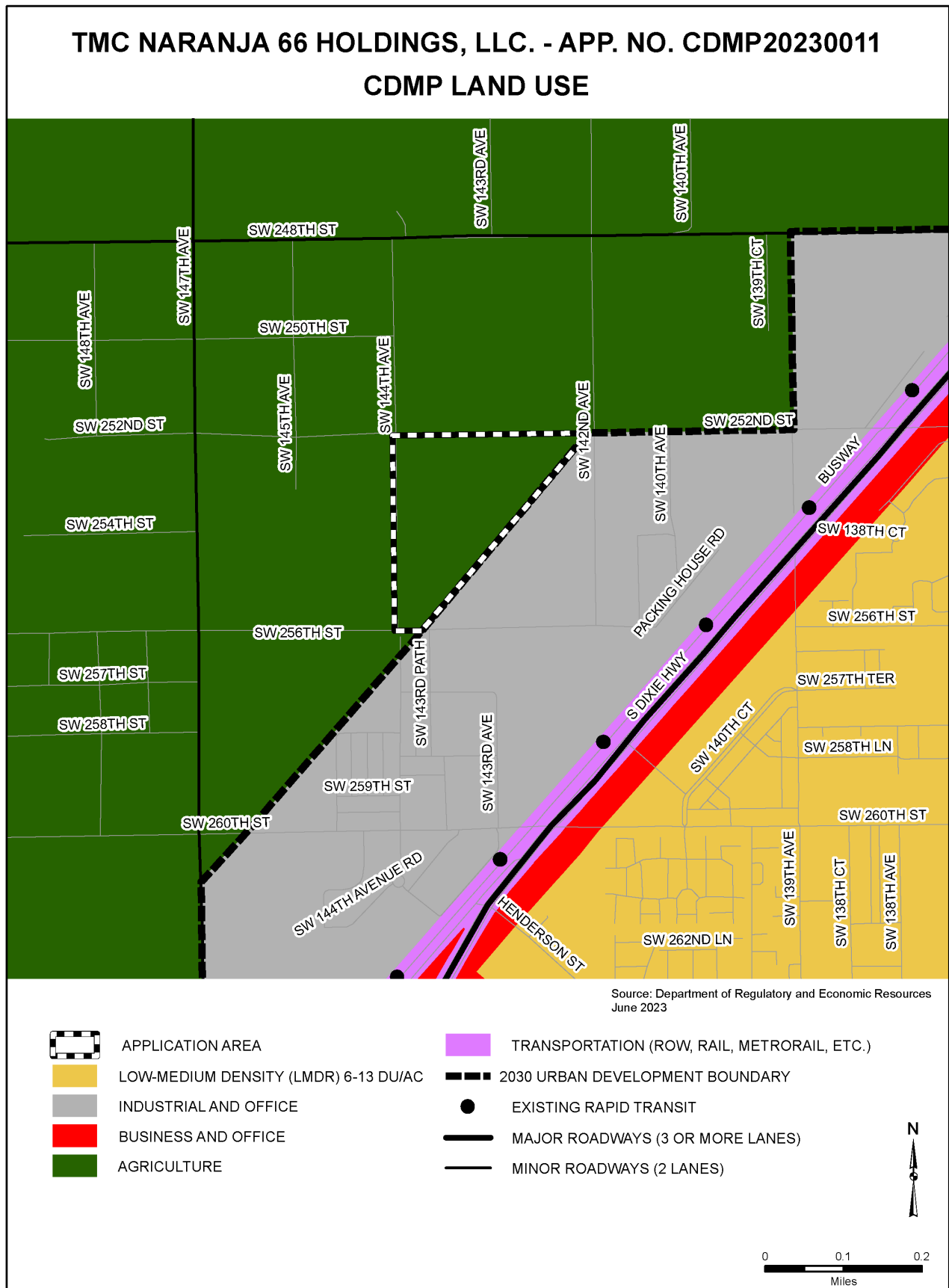
Staff analyzed the 13 indicators that demonstrate that a plan amendment does not discourage the proliferation of urban sprawl and the eight indicators that demonstrate that a plan amendment affirmatively discourages the proliferation of urban sprawl. Staff's findings indicate that the proposed amendment achieves six of the stated eight indicators for the discouragement of urban sprawl. The site facilitates efficient and cost-effective extension of public infrastructure and services given that it abuts the UDB and is adjacent to an urban center and the South Dade Transitway. The applicant commits to providing 15% open space, not including the buffer areas, and to mitigate the loss of agriculture by incorporating measures to protect adjacent agricultural land. The proposed amendment provides housing within a half-mile of a SMART corridor and within a half-mile of a fixed-route transit station and requires densities that promote transit-oriented development. Given that the application meets more than four of the eight indicators, the development proposed in the application would discourage urban sprawl as defined by Chapter 163.3177(6)(a)(9)(a), F.S.

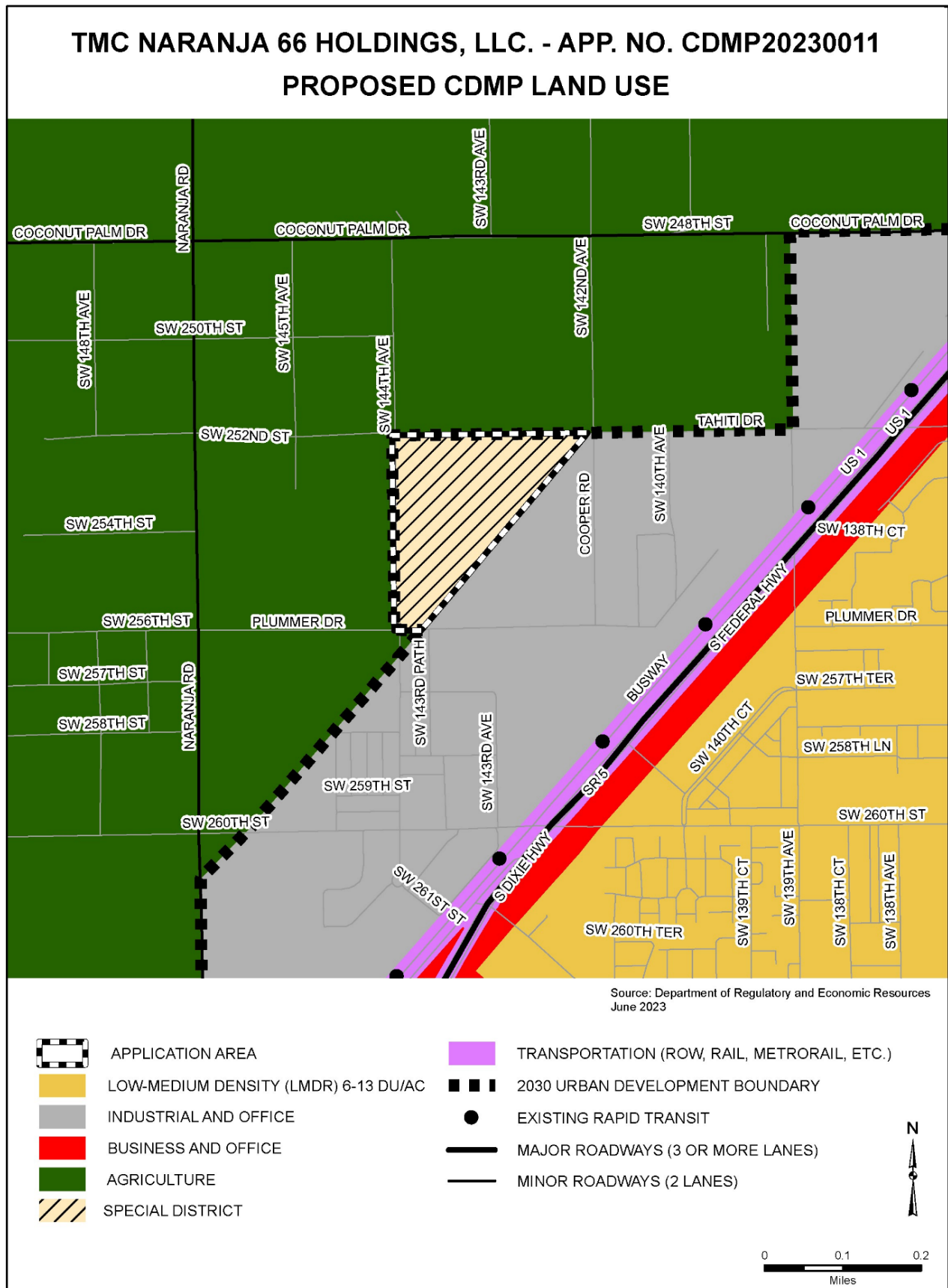
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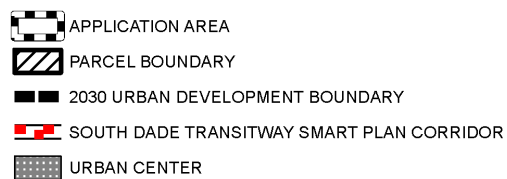




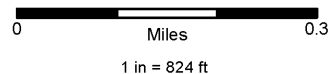


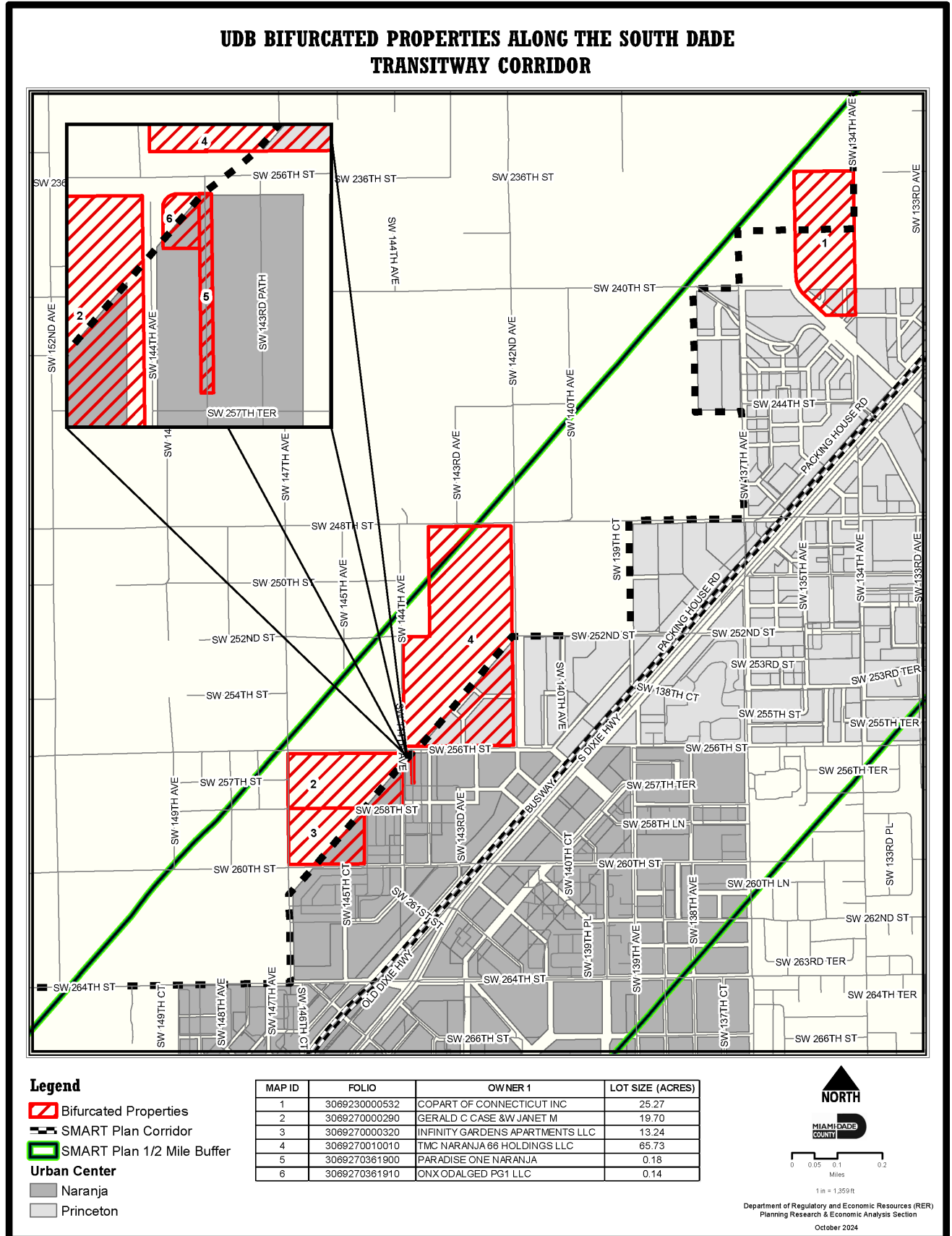


Application No. CDMP20230011



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PROPOSED CDMP TEXT AMENDMENT

The following presents proposed text changes to the CDMP Land Use Element. Single underlined words represent proposed additions, and words stricken through are proposed deletions contained in the application as transmitted to the state by the Board of County Commissioners. Double underlined words and double strikethrough words represent changes submitted or recommended after the transmittal of the application. Remaining unaltered words are those now in effect and that remain unchanged.

1. Revise the CDMP Land Use Element “Special District” text to create the “Westend at Princeton” District

Applicant’s proposed Special District text

Westend at Princeton District

The purpose of the Westend at Princeton District ~~(the “Special District”)~~ is to provide affordable residential, multi-family and townhome housing to meet the needs of the underserved Southwest Miami-Dade County region. A minimum of 15% of the gross area must be retained as open space.

The land within Westend at Princeton ~~may~~ will be developed with limited to 43 residential townhomes and 587 multi-family units at a minimum density of 10 dwelling units/acre to prevent urban sprawl. The maximum residential density permitted is ~~45~~ 29 units/acre. Westend at Princeton will have an FAR of ~~0.79~~ 0.81. Westend at Princeton ~~may~~ will also include 6,460 square feet of retail space to serve the needs of the residential units. The minimum building setbacks from adjacent agricultural land shall be 40 feet and a landscape buffer must be provided. Westend at Princeton will incorporate bicycle and pedestrian accessibility throughout the development with connections to adjacent areas, where appropriate. Agricultural uses of the land within the Westend at Princeton may, but is not required to, continue until such time as an application for administrative site plan review for the property is filed construction of an approved project commences.

Staff recommended Special District text

Westend at Princeton District

The purpose of the Westend at Princeton District is to provide multi-family and townhome housing to help meet the needs of the Southwest Miami-Dade County region. A minimum of 15% of the gross area must be retained as open space.

The land within Westend at Princeton will be limited to 43 residential townhomes and 587 multi-family units at a minimum density of 10 dwelling units/acre. The maximum residential density permitted is 29 units/acre. Westend at Princeton will have a minimum FAR of 0.75 and a maximum an FAR of 1.0. Westend at Princeton will also include 6,460 square feet of retail space to serve the needs of the residential units. The minimum building setbacks from adjacent agricultural land shall be 40 feet and a landscape buffer must be provided. Westend at Princeton will incorporate bicycle and pedestrian accessibility throughout the development with connections to adjacent areas, where appropriate. Agricultural uses of the land within the

Westend at Princeton may, but are not required to, continue until construction of an approved project commences.

2. Proposed Revision to LU-8G(i)(d)

Applicant's proposed changes to Policy LU-8G

LU-8G. When considering land areas to add to the UDB, after demonstrating that a need exists, in accordance with the foregoing Policy LU-8F:

- i) The following areas shall not be considered:
 - a) The Northwest Wellfield Protection Area located west of the Turnpike Extension between Okeechobee Road and NW 25 Street and the West Wellfield Protection Area west of SW 157 Avenue between SW 8 Street and SW 42 Street;
 - b) Water Conservation Areas, Everglades National Park, Biscayne National Park, Pennsuco Wetlands, and Bird Drive Wetlands, as depicted on Figure 14;
 - c) Comprehensive Everglades Restoration Plan project footprints delineated in Tentatively Selected Plans and/or Project Implementation Reports;
 - d) The Redland area south of Eureka Drive (SW 184 Street) unless a parcel proposed for addition to the UDB is bifurcated by the existing UDB boundary.
 - e) Areas within the accident potential zones of the Homestead Air Reserve Base; and
 - f) Applications for residential land uses within the Coastal High Hazard Areas

Staff recommended changes to Policy LU-8G.

LU-8G. When considering land areas to add to the UDB, after demonstrating that a need exists, in accordance with the foregoing Policy LU-8F:

- i) The following areas shall not be considered:

- d) The Redland area south of Eureka Drive (SW 184 Street), except that property bifurcated by the UDB is not restricted hereby if such property meets the following criteria:
 - (i) that the property is partially zoned within a designated Urban Center;
 - (ii) that the property is within one-half mile of the South Dade Transitway and is in the Miami-Dade County Transportation Infrastructure Improvement District (TIID); and
 - (iii) that the property is under a single folio and has not been combined with

any other property as of January 24, 2024.

- iii) The following areas shall be given priority for inclusion, subject to conformance with Policy LU-8F and the foregoing provision of this policy:
 - a) Land within Planning Analysis SubTiers having the earliest projected supply depletion year; and
 - b) Land within the UEAs and contiguous to the UDB; and
 - c) Locations within one mile of a planned urban center or transit service station or bus stop providing peak hour headways of 20 minutes or less; and
 - d) Locations having projected surplus service capacity that is unrestricted by this Plan or where necessary facilities and services can be readily extended; and
 - e) Locations that meet the exception criteria stated in Policy LU-8G(i)(d).

STAFF ANALYSIS

Background

The CDMP application seeks to expand of Urban Development Boundary (UDB) to include the ±21.8-acre site, redesignate the site from “Agriculture” to “Special District”, revise the CDMP Land Use Element “Special District” text to create the “Westend at Princeton” District, and amend CDMP Land Use Element Policy LU-8G(i)(d). The application seeks to enable development of 43 attached single-family townhomes, 587 multi-family apartment units, and 6,460 square feet of retail on the application site. It must be noted that the site is a portion of a larger ±66.26-acre parcel and that a ±17-acre portion of the parcel is currently inside the UDB as well as within the Princeton community Urban Center. While strict consideration of CDMP Policy LU-8G dictates that the application should be denied, as the application parcel is in the Redland area south of Eureka Drive (SW 184 Street), where the policy dictates UDB expansion should not be considered that the parcel is bifurcated by the UDB, is adjacent to the Princeton Community Urban Center, and is within the Transportation Infrastructure Improvement District merits further consideration. The Board of County Commissioners (Board) acknowledged that further consideration of the application was warranted due to the parcel’s unique characteristics and accordingly, at its January 24, 2024, CDMP transmittal public hearing, took action to transmit the application to State Land Planning Agency (SLPA) and other state and regional reviewing agencies (Reviewing Agencies) for their review and comments on the application.

The Reviewing Agencies reviewed the transmitted application and issued comments between February 26, 2024, and March 8, 2024. The Reviewing Agencies identified no adverse impacts to state resources or facilities from the proposed application. Three of the agencies provided technical comments. The Florida Department of Commerce (FloridaCommerce) recommended that the proposed text amendment to allow expansion of the UDB for the subject parcel and other uniquely affected properties bifurcated by the UDB and located within ½ mile of a SMART Plan corridor should provide specific criteria for consideration of UDB expansion to avoid potential piecemeal urbanized growth into the County’s agricultural areas. The South Florida Water Management District (SFWMD) noted that the amendment did not specify if or when there will be sufficient water available to serve the proposed development. The South Florida Regional Planning Council (SFRPC) recommended approval of the transmitted application pending comments from the U.S. Fish & Wildlife Service regarding it being in a consultation area of the Florida bonneted bat. (see “State and Regional Agency Comments” on page 26).

Subsequent to the transmittal hearing, the applicant addressed several of Staff’s concerns with the application. This includes providing commitments in the proffered Declaration of Restrictions to provide a pump station for sanitary sewer service and to incorporate wildlife best management practices (BMPs) into the proposed development to mitigate possible impacts to the federally endangered Florida bonneted bat, if such animals create a habitat at the application site. In response to the Board’s directive at the transmittal hearing, the applicant, as well as Staff, have provided amendments to Policy LU-8G for the Board to Consider. Given these factors, Staff is now recommending the adoption of the application with changes and acceptance of the proffered covenant. The changes include the revisions to the “Special District” text amendment since January 24, 2024, and the Staff’s proposed amendments to LU-8G(i) and (iii), presented on page 19 herein.

Changes to Application Since the Transmittal Hearing

The following provides an overview of how the applicant has addressed the pending issues identified by County and State agencies as well as proposed changes to the text amendment and the proffered Declaration of Restrictions (covenant) since the transmittal hearing.

Proposed Text Amendment to the “Special District” Interpretive Text

As noted previously, the applicant is proposing expansion of Urban Development Boundary (UDB) to include the ±21.8-acre parcel, redesignate the parcel from “Agriculture” to “Special District,” and revise the CDMP Land Use Element “Special District” text to create the “Westend at Princeton” District. The text amendment for the “Westend at Princeton” District establishes the uses and development standards for the ±21.80- acre parcel, including allowable density, FAR, and development program, as shown in the proposed text. It should be noted that subsequent to the transmittal hearing, the applicant revised the proposed text to change the Floor Area Ratio (FAR) from 0.79 to a minimum FAR of 0.75 and a maximum an FAR of 1.0 and included provisions requiring bicycle and pedestrian facilities. In addition, the provision that allowed agricultural uses to continue until an application for a site plan review was revised to allow, but not require, agricultural uses until construction of an approved site commences. Below are the specific development standards as revised.

- Limits residential development to 43 attached single-family dwellings (townhomes) and 587 multi-family units, for a total of 630 units
- Limits the range of density to a minimum of 10 dwelling units per acre and a maximum density of 29 dwelling units per acre;
- Provides a minimum FAR of 0.75 and a maximum an FAR of 1.0;
- Allows a maximum of 6,460 square feet of retail uses;
- Requires 40 feet of building setback from adjacent agricultural land and a landscape buffer; and
- Incorporate bicycle and pedestrian accessibility throughout the development with connections to adjacent areas, where appropriate.
- Agricultural uses may, but is not required to, continue until construction of an approved project commences.

Proposed Text Amendment to CDMP Policy LU-8G(i)(d) and (iii)

CDMP Policy LU-8G(i)(d) currently prohibits considering expansion of the Urban Development Boundary in the Redland Area south of Eureka Drive (SW 184 Street). As noted previously, however, at the January 24, 2024, transmittal hearing, the Board acknowledged that further consideration of the application was warranted due to the parcel’s unique characteristics, namely that it is bifurcated by the UDB. Additionally, it is adjacent to the Princeton Community Urban Center and is within one-half mile of the SMART Plan corridor. The Board recommended that Staff and the applicant explore policy recommendations that would allow the subject parcel and other similarly situated properties to be considered for expansion so that they may developed in a manner consistent for properties located along the South Dade Transitway.

In response to the Board’s directive, the applicant proposed a text amendment to LU-8G(i)(d) that would prohibit consideration of UDB expansion south of Eureka Drive, except where a property is bifurcated by the existing UDB boundary (see “Proposed Revision to LU-8G(i)(d) submitted by the applicant” on page 19). While this amendment would allow the application parcel and other similarly situated parcels divided by the UDB to be considered for expansion, it does not establish additional criteria to limit the scope of other sites that may be considered. Consequently, the

applicant's proposed policy change could create unintended opportunities for UDB expansion in the future.

Staff's recommended amendment to Policy LU-8G(i)(d) establishes specific criteria for considering properties south of Eureka Drive for UDB expansion (see "Proposed Revision to LU-8G(i)(d) submitted by the staff" on page 19). The recommended text amendment stipulates that eligible properties must be partially zoned within a designated Urban Center, located within one-half mile of the South Dade Transitway, and situated in the Miami-Dade County Transportation Infrastructure Improvement District (TIID). Additionally, the criteria specify that properties must consist of a single folio and not have been combined with any other property as of January 24, 2024, the transmittal date of this application. six properties, including the application parcel, meet the criteria specified by Staff (for details on the eligible properties see "UDB Bifurcated Properties Along the South Dade Transitway Corridor" map on page 17). Consequently, Staff's proposed amendment would limit UDB expansion south of Eureka Drive to these six properties, as these properties are positioned in a manner that would allow development that supports transit-oriented growth.

Staff's recommended amendment to Policy LU-8G(iii) adds language that includes bifurcated properties that meet the criteria outlined as discussed above among those areas prioritized for inclusion within the UDB.

Proffered Declarations of Restrictions Summary

In addition to the text amendment, the Applicant proffered a Declaration of Restrictions (covenant) committing to address projected impacts from the proposed development, as well as provisions in Policy LU-8H of the CDMP. The following provides a summary of the commitments in the covenant submitted on November 8, 2024, and indicates how this covenant differs from the covenant, dated September 8, 2023, submitted for the transmittal hearing (see Appendix B: Declaration of Restrictions).

1. **Conceptual Plan:** Substantially comply with a conceptual plan included as Exhibit B in the covenant;
2. **Open Space:** Maintain a minimum of 15% of the gross area as open space;
3. **Residential Density and Floor-Area-Ratio (FAR):** Limit development to 43 townhomes, 587 multi-family units, and 6,460 sq. ft. of retail for a residential density ranging from 10 dwelling units per acre (DU/Ac) to a maximum of 29 DU/Ac and an FAR of a minimum FAR of 0.75 and a maximum an FAR of 1.0 (*The FAR was revised in this condition after the Transmittal hearing from an 0.79 to an FAR range of 0.75 to 1.0*);
4. **Building Setback:** Provide a buffer of 40 feet from adjacent agricultural lands;
5. **Affordable Housing:** Set aside a minimum of 20% of the residential units at rents affordable to households earning up to 140% of Area Median Income (AMI);
6. **Urban Design:** Apply the design guidelines of the County's Standard Urban Center District Regulations to the development;
7. **Special District:** Comply with the CDMP "Special Districts" development regulations for the "Westend at Princeton District";
8. **Compliance with Policy LU-8H of the CDMP:** Ensure consistency with the CDMP by including commitments in the covenant of concurrent Zoning Application No.

- Z2023000179 to mitigate impacts to the County's public services and facilities, pursuant to criteria within Policy LU-8H,
9. **Agricultural Notice:** Require notice and acknowledgement of active agricultural activities adjacent to the application site for grantees and lessees of the property.
 10. **Street Lighting:** Protect adjacent agricultural properties from light spillage by committing not to install streets lights along the perimeter of the property and install light shields or equipment to minimize light spillage on internal street lights;
 11. **Stormwater Management:** Install the stormwater infrastructure to serve the property pursuant the Final Stormwater Plan consistent with the approved to the Conceptual Stormwater Master Plan submitted to DERM, as may be modified by the County. (*This condition was revised after the Transmittal hearing. The original condition required submittal of the Conceptual Stormwater Master Plan*);
 12. **Agricultural Land Mitigation:** Contribute \$8,750 per acre to mitigate the loss of the \pm 21.80 acres of farmable land on the Property impacted by the proposed development;
 13. **Bicycle and Pedestrian Accessibility:** Incorporate bicycle and pedestrian accessibility throughout the development with connections to adjacent areas. (*This condition was added after the Transmittal hearing*);
 14. **Pump Station and Water and Sewer Connection:** Install a public pump station and necessary water and sewer infrastructure required to serve the property. (*This condition was added after the Transmittal hearing*);
 15. **Bonneted Bat Best Management Practices:** Implement U.S. Fish & Wildlife Best Management Practices (BMP's) for protection of the Florida bonneted bat. (*This condition was added after the Transmittal hearing*); and

Response to County Comments Regarding Pending Issues with the Application

Water and Sewer Infrastructure

The Miami-Dade Water and Sewer Department (WASD) prior to the transmittal hearing reviewed the applicant's conceptual Water and Sewer Master Plan, dated July 11, 2023, and noted that a new public pump station to serve the site will be required since the existing gravity sewer system, located within the UDB, in close proximity to the application site, is not available for connection. The Applicant has since revised the proffered covenant to commit to providing a pump station as recommended by WASD and required water and sewer connections.

Endangered Species

The Application Area is located within the U.S. Fish & Wildlife Service consultation area for the federally endangered Florida bonneted bat. Prior to the transmittal hearing, at the request of DERM, the Applicant submitted a survey to determine the usage of the Florida bonneted bat of application area. It was found that the bonneted bat may utilize the site for foraging. Additionally, on November 8, 2023, the U.S. Department of the Interior Fish & Wildlife Service (USFWS) issued technical comments recommending the implementation of Best Management Practices (BMPs) to offset adverse effects that the development may have on the bonneted bat. Based on the information provided in the survey report, as well as the comments from USFWS, DERM recommended the implementation of the approved USFWS Best Management Practices for the application site.

Subsequent to the transmittal hearing, in response to DERM's request, the Applicant committed in the proffered CDMP covenant to incorporate Best Management Practice to protect the bonneted bat. It is also important to note that the covenant for the zoning application being processed concurrently with the CDMP application, specifies the BMPs to be implemented. These include avoiding or limiting widespread application of insecticides where the bonneted bats are expected to forage, installing wildlife friendly lighting, incorporating engineering designs that discourage bats from using buildings or structures, and undertaking specific measures to protect the bats if tree removal activities are contemplated.

Response to State and Regional Reviewing Agency Comments

Pursuant to Chapter 163.3184(3), Florida Statutes, (F.S.), the CDMP application was transmitted to the Florida Department of Commerce (FloridaCommerce) and the other state and regional agencies (Reviewing Agencies) for their review and comments. In accordance with Section 163.3184(3)(b)(2), F.S., the Reviewing Agencies reviewed the application and did not find any potential adverse impacts to important state resources or facilities that would be generated by the application, if approved. However, FloridaCommerce, the South Florida Water Management District (SFWMD), and the South Florida Regional Planning Council (SFRPC) provided technical comments. It should be noted that all of the comments have been addressed through the proposed text amendments, the applicant's Declaration of Restrictions, or compliance with the specific criteria of Policy LU-8. Below is a summary of the comments and the response to the remarks.

Florida Department of Commerce Bureau of Community Planning and Growth (FloridaCommerce)

FloridaCommerce in its capacity as the State Land Planning Agency (SLPA) reviewed the transmitted application and in its letter dated March 8, 2024, made no comments regarding adverse impacts to important state resources and facilities. However, FloridaCommerce offered two technical assistance comments. First, it warned against making the proposed text amendment to Policy LU-8G(i)(d) too broad, as it could inadvertently apply to other properties outside the UDB, potentially leading to unchecked and piecemeal urban growth. To mitigate this risk, FloridaCommerce recommended establishing additional criteria specifically applicable to other parcels in unincorporated Miami-Dade County that are similarly bifurcated by the UDB and located within half a mile of a SMART Plan corridor or a Rapid Transit Station. To protect the integrity of the UDB, FloridaCommerce also suggested requirements for connection to water and sewer, roadway improvements, mitigation of agricultural loss, and the provision of affordable housing. The second comment encouraged the County to coordinate with the SFWMD staff to address the advisory comment outlined regarding water and sewer service. This comment is addressed in the SFWMD section below.

As detailed in the section entitled "Proposed Text Amendment to CDMP Policy LU-8G(i)(d)", Staff's recommended text amendment provides specific criteria that limits the properties that may be eligible for consideration of future expansion of the UDB in the Redland south of SW 184 Street (Eureka Drive) to six properties, including the amendment parcel. Thus, it addresses the risk of unchecked and unintended piecemeal urban expansion. It is also important to note, that Policy LU-8H establishes the guidelines for UDB applications. It calls for adequate infrastructure, affordable housing, and mitigation agricultural loss when to expand the UDB.

South Florida Water Management District (SFWMD)

In its correspondence dated March 6, 2024, the SFWMD commented that the amendment does not include a commitment from the Miami-Dade County Water and Sewer Department (WASD)

that sufficient water will be available to serve the proposed development, or when water would be available.

According to WASD, upon approval of the CDMP amendment to bring the subject application area within the UDB, it will be included within the WASD's water service area. The water supply will be provided by the Alexander-Orr Water Treatment Plant (Plant). Currently, there is adequate treatment and water supply capacity at the WTP, consistent with Policy WS-2 A (1) of the CDMP. Final points of connection and capacity approval to connect to the water system will be provided at the time of the future development when the WASD Developer Agreement is offered.

As for sanitary sewer service, if the application is approved and the subject site is brought within the UDB, the proposed development will be located within the WASD's sewer service area. The wastewater flows for the proposed development will be transmitted to the South District Wastewater Treatment Plant (SDWWTP) for treatment and disposal. The SDWWTP is operating under a permit from the Florida Department of Environmental Protection, and currently has adequate sewer treatment and disposal capacity, consistent with Policy WS-2A(2) of the CDMP. However, the existing gravity sewer system within the UDB, which is in close proximity to the application parcel, is not available for connection. Therefore, a new Public Pump Station will be required to serve the proposed development. As previously noted, the applicant has committed to providing the required pump station in the proffered covenant. Additionally, to provide service to the proposed development, the applicant must extend a minimum of 8-inch minimum gravity sewer mains in public Right-of-Way (R/W) as required. Final points of connections and capacity approval to connect to the sewer system will be provided at the time of the future development when the WASD Developer Agreement is offered.

South Florida Regional Planning Council (SFRPC)

By correspondence dated February 26, 2024, SFRPC recommended approval of the application pending comments from the U.S. Fish & Wildlife Service regarding the consultation area of the Florida bonneted bat. As discussed above, the applicant has committed in the CDMP proffered covenant to implement the Best Management Practices (BMP's) recommended by the U.S. Fish & Wildlife in a letter dated November 8, 2023. The proffered covenant for the zoning application, which is being processed concurrently with the CDMP application, provides specific details regarding the BMPs to be implemented (see the "Endangered Species" section for more details.)

Consistency with CDMP Policy LU-8H

The application was previously reviewed under the standards of Policy LU-8H. Of the 17 criteria required in LU-8H, one of the items is not applicable to the application. The applicant satisfies 15 of the remaining 16 criteria. However, 1 item has not been satisfactorily addressed, namely the demonstration that a jobs to housing ratio of at least 1.5:1 will be available within five miles of the subject property or will be provided on-site. Below is an updated assessment of the CDMP application as it relates to Policy LU-8H.

LU-8H. Applications requesting expansion of the UDB must request designation as a "Special District" on the CDMP Land Use Plan map and include a text amendment under the "Special District" CDMP text to outline the allowable uses, maximum density, maximum floor area ratio, and how the proposed development will satisfy the criteria set forth in this policy. A zoning application must be filed concurrently with the CDMP Land Use Plan map amendment and should meet the following criteria to be approved:

The application satisfies this criterion. A concurrent zoning application was filed and the development standards outlined are included in both the proposed Special District text for the “Westend at Princeton” District and the proffered covenant for the.

- a) Contain a minimum of 10 acres unless the Board of County Commissioners determines a lesser acreage is appropriate;

This application satisfies this criterion. The application site is a total of ± 21.8 gross acres and ± 20 net acres.

- b) Provide a mix of housing types at a minimum density of 10 du/acre for applications that include residential development;

This application satisfies this criterion. The text amendment calls for a minimum density of 10 units per acre and a maximum density of 29 units per acre with a mix of townhomes and multifamily dwelling units.

- c) Provide a minimum FAR of 0.25 for applications that include non-residential development, excluding public uses, public utilities, public institutions, and public facilities, except when such non-residential uses are provided to support residential uses located on the same sites;

The application satisfies this criterion. The application is proposing a minimum FAR of 0.75 and a maximum FAR of 1.0, as noted in the text amendment for Special District and the proffered covenant.

- d) Where multiple project phases are proposed, include a phasing schedule that demonstrates that the minimum density and FAR outlined in subsections (b) and (c) will be accomplished in the first phase of development in a recordable instrument in favor of the County;

This criterion is not applicable. The application does not propose multiple phases.

- e) Demonstrate that the project will be served by utility water and sewer service and that adequate public facilities and infrastructure (including water, sewer, roadways, mass transit, solid waste, flood protection, parks, and schools) are available or, where not available, ensure the provision of such improvements through a recordable instrument in favor of the County;

This application satisfies this criterion. The applicant has provided the necessary commitments to ensure adequate public facilities and infrastructure are available or will be available for the development in compliance with this provision.

- f) Provide for the non-residential needs of the future residents including but not limited to shopping, schools, parks, and necessary public uses or demonstrate that such uses are available within an acceptable distance of the subject property;

This application satisfies this criterion. The applicant proposes 6,460 square feet of retail space to serve a development with 620 dwelling units. The data and analysis provided by the applicant to determine if there are adequate non-residential uses to serve the needs of future residents within an acceptable distance of the subject property was not deemed sufficient. However, Staff deems that the proximity of the site to a transit station and a major commercial corridor would allow future residents

to access non-residential needs through transit access, walking, bicycling, or short drives.

- g) Demonstrate that a jobs to housing ratio of at least 1.5:1 is available within five miles of the subject property or will be provided on-site for future residents;

This criterion has not been met. The applicant's analysis does not adequately assess the jobs to housing ratio criterion. Though an updated analysis was provided, dated May 20, 2024, the revised analysis did not sufficiently demonstrate that the data presented met the jobs to housing ratio in the mandated five-mile radius area. Staff has deemed the application's support of the County's efforts to advance the implementation of the South Dade Transitway project while appropriately addressing a long-standing issue of a parcel being bifurcated by the Urban Development Boundary (UDB) leads to a recommendation of approval. Additionally, the application site is within the County's Transportation Infrastructure Improvement District (TIID) in further support the County's decades long efforts at providing premium Transit service within the South Dade Transitway

- h) Demonstrate that the proposed development will utilize sound urban design principles contained in the County's Urban Design Manual or other document approved by action of the Board of County Commissioners (BCC) and will provide for compatibility and connectivity with adjacent urban land uses;

This application satisfies this criterion. The CDMP Declaration of Restrictions commits to utilize the design guidelines of the County's Standard Urban Center District Regulations. Accordingly, the concurrent zoning application requests to rezone the property from AU to the Princeton Community Urban Center (PCUC). It also requests to modify the PCUC land use regulating plans to add the property to the Edge Sub-District with a MC (Mixed-use Corridor) designation. In addition, the zoning site plan demonstrates full compliance with the Standard Urban Center District Regulations and the PCUC regulating plans.

- i) Incorporate bicycle and pedestrian accessibility throughout the development with connections to adjacent areas, where appropriate;

This application satisfies this criterion. Both the proposed Special District text and the Declaration of Restrictions contain language demonstrating that the bicycle and pedestrian accessibility will be incorporated throughout the development. Additionally, the concurrent zoning application demonstrates compliance through provision of walkways and access points enabling biking or walking to area businesses and transit stops.

- j) Provide adequate buffering to adjacent agricultural land;

This application satisfies this criterion. The text amendment and the Declaration of Restrictions requires a minimum buffer of 40 feet from adjacent agricultural lands, and this buffer is depicted on the proposed conceptual plan and in the zoning site plan.

- k) Provide a minimum of 15% of the gross area as open space;

This application satisfies this criterion through language in the Special District text and the Declaration of Restrictions.

- l) Protect environmentally sensitive areas to the maximum extent feasible including consideration of impacts to threatened and endangered species;

This application satisfies this criterion. The subject Application Site is located in the U.S. Fish & Wildlife Service consultation area for the federally endangered Florida bonneted bat. The applicant conducted wildlife surveys to determine the usage of the application site by the Florida bonneted bat. Based on the findings, the applicant committed to incorporate wildlife best management practices into the proposed development.

- m) Demonstrate that the proposed development will have a positive net fiscal impact to Miami-Dade County;

This application is supportive of the County's transit investments. The application site is within the County's Transportation Infrastructure Improvement District (TIID) and supports the County's decades long effort to provide premium Transit service within the South Dade Transitway. The planned for Bus Rapid Transit (BRT) service improvements to the South Dade Transitway have a total estimated capital cost is \$300 million while the TIID, to date, has generated approximately \$89,475,000.00 in funds for all six SMART Plan corridors. The application if approved would facilitate greater tax revenue generation from the site to the TIID, and greater intensity of development proximate to the South Dade Transitway supports the County's efforts in providing premium Transit service on that line. Instead of a fiscal impact analysis and in light of the site's location and its anticipated increase in contributions to the TIID, if the site is developed as proposed, it is appropriate to evaluate this application on the basis of its contribution to TIID and the County's efforts to support transit within the South Dade Transitway.

- n) At least 12.5% of the proposed residential units must be priced affordably for individuals earning up to 140% of the Area Median Income;

This application satisfies this criterion. The applicant's Declaration of Restrictions commits to set aside a minimum of 20% of the residential units for those earning up to 140 of the Area Median Income.

- o) Include commitments to ensure that the proposed development will be served by mass transit with at least 20-minute peak hour headways or include a plan to provide such service

This application satisfies this criterion. The application site is served by Metrobus Routes 34 and 38 which operates with 10-minute peak hour headways and is a component of the South Dade Transitway.

- p) Include commitments to ensure that the proposed development will not cause a roadway to exceed its adopted level of service standard or further erode the level of service on a failing roadway;

This application satisfies this criterion. Roadways in the vicinity of the application site will operate within the required level of service, except for four roadway segments which will fail even without the proposed project.

- q) Provide for the preservation of agricultural land commensurate with the impacts of the application on agriculturally designated land which may include participation in a Transfer of Development Rights program, Purchase of Development Rights program or other similar effort; however, notwithstanding anything in this paragraph to the contrary, in no event shall properties within the Urban Expansion Area be obligated to preserve agricultural land at a 1-to-1 ratio.

This application satisfies this criterion. The applicant has committed to mitigate the impacts of the application related to the loss of active agricultural land. Specifically, the proffered covenant commits to contribute to Miami-Dade County \$8,750 per acre for the ±21.8 acres of farmable land impacted by the development. It also requires mitigation to prevent light spillage onto adjacent agricultural property and requires future residents to be provided notice regarding abutting agricultural uses. In addition, the text amendment notes that agricultural uses within the property may continue until construction commences.

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APPENDICES

	Appendices Page
Appendix A: Applicant's Proffered Declaration of Restrictions (October 23, 2024)	A-3
Appendix B: Notice to the Florida Department of Commerce of Request for 180-Day Time Extension, dated July 23, 2024, and Response from The Florida Department of Commerce, dated July 31, 2024	A-19
Appendix C: State Comments on May 2023 Cycle Application No. CDMP20230011 to Amend the Comprehensive Development Master Plan	A-25

Documents related to the application, including third party correspondence, are available online at:

- <https://www.miamidade.gov/planning/cdmp-amendment-cycles.asp>, or
- https://energov.miamidade.gov/EnerGov_Prod/SelfService#/plan/263d524a-98bd-4ecb-900b-b99dba06fcb1

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Appendix A

APPLICANT'S PROFERRED DECLARATION OF RESTRICTIONS
DATED OCTOBER 23, 2024

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This instrument was prepared by:

Name: Brooke E. Humphrey
Address: Berger Singerman
313 N. Monroe St. Suite 301
Tallahassee, FL 32301
Folio Number: 30-6927-001-0010

RECEIVED 11/5/24
Planning Division

(Space reserved for Clerk)

DECLARATION OF RESTRICTIONS

WHEREAS, the undersigned TMC Naranja 66 Holdings LLC (hereinafter referred to as the "Owner") holds the fee simple title to the land in Miami-Dade County, Florida, described in Exhibit "A," attached hereto, and hereinafter called the "Property", which is supported by the Opinion of Title; and

WHEREAS, the Owner has applied for an amendment to the Miami-Dade County Comprehensive Development Master Plan (the "CDMP") in the May 2023 Cycle and said amendment is identified as Application No. CDMP20230011 (the "Application"); and

WHEREAS, the Application seeks to re-designate the Property from "Agriculture" to "Special District" on the Miami-Dade County Comprehensive Development Master Plan adopted Land Use Plan ("LUP") map;

NOW, THEREFORE, in order to assure the Miami-Dade County that the representations made by the owner during consideration of the Application will be abided by the Owner freely, voluntarily and without duress makes the following Declaration of Restrictions covering and running with the Property:

(1) **Conceptual Plan.** ~~The development of the Property will Owner's proposed development~~ substantially comply with the conceptual plan attached as Exhibit "B" ~~except as may be modified~~

Revised November 5, 2024

All changes from the October 23, 2024, version are shown in red text.

to comply with requirements of County Code, the Florida Building Code, or other applicable regulations.

(2) Open Space. ~~The development of the Property Owner's proposed development~~ shall maintain a minimum of 15% of the gross area as open space.

(3) Residential Density and Floor-Area-Ratio (FAR). ~~The Property Owner's proposed development~~ will be limited to 43 residential townhomes and 587 multi-family units, along with 6,460 square feet of retail space. The residential density shall be a minimum of 10 dwelling units per acre and a maximum of 29 dwelling units per acre. ~~The Property Owner's proposed development~~ will have a minimum FAR of 0.75 and a maximum ~~an~~ FAR of ~~0.81~~ 1.0.

(4) Building Setback. The proposed development shall maintain a minimum buffer of 40 feet from adjacent agricultural lands to buildings as shown on the conceptual plan attached as Exhibit "B".

(5) Affordable Housing. ~~The Owner's proposed Development of the Property~~ shall provide a minimum of 20% of the residential units at rents affordable to ~~households~~ individuals earning up to 140% of the area median income.

(6) Urban Design Manual. ~~The Owner's proposed d-Development of the Property~~ shall utilize the design guidelines of the County's Standard Urban Center District Regulations.

(7) Special District. ~~The Owner's proposed development~~ Development of the Property shall comply with the CDMP Land Use Element "Special Districts" development regulations requirements for the Westend at Princeton District.

(8) Compliance with Policy LU-8H of the CDMP. In compliance with Policy LU-8H, the Owner has filed a concurrent zoning application covering the Property, which application is identified by Number Z202300179. In connection with the Zoning Application, the Owner has

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executed a covenant which outlines ~~the details of the mitigation measures for measures designed to mitigate~~ the impact of the proposed development of the Property on the County's public services and facilities, and to ensure consistency with the CDMP. The Owner agrees that the development of the Property will be subject to the terms of the zoning covenant, as may be amended.

(9) **Agricultural Notice.** The Owner, its successors, and assigns shall provide to all initial and future ~~grantees purchasers and/or lessees~~ of any home within the Property a written notice, acknowledgement, and waiver acknowledging that the Property is abutting AU zoned land outside of the UDB and shall include the following language:

LAND INVOLVED IN THIS TRANSACTION LIES ADJACENT TO LAND THAT IS ZONE AU, OR IS DESIGNATED FOR AGRICULTURAL USE BY THE MIAMI-DADE COUNTY COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP), OR IS SUBJECT TO AU REGULATIONS.

AGRICULTURAL ACTIVITIES WHICH MAY BE LAWFULLY CONDUCTED WITHIN THIS AREA INCLUDE BUT MAY NOT BE LIMITED TO CULTIVATION AND HARVESTING OF CROPS; PROCESSING AND PACKING OF FRUIT AND VEGETABLES; BREEDING OF LIVESTOCK AND POULTRY; OPERATION OF IRRIGATION PUMPS AND OTHER MACHINERY; GROUND OR AERIAL SEEDING OR SPRAYING; APPLICATION OF CHEMICAL FERTILIZERS, CONDITIONERS, PESTICIDES AND HERBICIDES; GENERATION OF TRACTOR AND TRUCK TRAFFIC AND OF NOISE, ODORS, DUST AND FUMES ASSOCIATED WITH THE CONDUCT OF THE FOREGOING ACTIVITIES;

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AND THE EMPLOYMENT AND USE OF AGRICULTURAL LABOR. SUCH AGRICULTURAL ACTIVITIES MAY BE PROTECTED FROM NUISANCE SUITS BY THE "FLORIDA RIGHT TO FARM ACT," SECTION 823.14, FLORIDA STATUTES.

(10) **Street Lighting.** Subject to the approval of the County, the **Property development** shall not include street lights along the perimeter of the Property abutting AU zoned land. The development may include internal street lights, but shall provide for light shields or other equipment to minimize light spillage on adjacent property.

(11) **Stormwater Management.** **Prior to the earlier of the approval of a final plat, building permit, zoning improvement permit, or lake excavation permit, the Owner or Developer of the relevant parcel shall submit to DERM for review and approval a detailed Environmental Resource Permit ("Final Stormwater Plan") for all the property covered by the relevant application and associated covenant(s) for such property and any off-site areas to be used for stormwater purposes, such as stormwater storage or conveyance. The Final Stormwater Plan shall be signed and sealed by a professional engineer licensed in the State of Florida. The DERM-approved Final Stormwater Plan covenant(s) shall be recorded in the Public Records of Miami-Dade County at the expense of the Owner or Developer of the parcel subject to the final plat.**

Final Stormwater Plans shall be consistent with the approved Conceptual Stormwater Plan and shall be prepared in accordance with the versions in effect at the time the Final Stormwater Plan, or a modification thereof, is submitted of the following: the Miami-Dade County Public Works Manual; the County Water Control Plan; Chapters 24 and 11C of the Code; the South Florida Water Management Regulations; the Florida Building Code; and ASCE 24. A Final Stormwater Plan shall also incorporate findings from environmental site assessments for the

Revised November 5, 2024

All changes from the October 23, 2024, version are shown in red text.

~~relevant parcel prepared in accordance with ASTM Standards and approved by DERM. A Final Stormwater Plan must address, along with any other information deemed necessary by DERM. The Owner shall install the stormwater management infrastructure at the Owner's expense to serve the Property in substantial compliance with the Final Stormwater Plan. The Final Stormwater Plan may be modified to comply with requirements of County Code or other applicable regulations.~~

~~A signed and sealed analysis of stormwater management needs and flooding issues to demonstrate that there will be no adverse off-site impacts and the identification of the stormwater management infrastructure needed for the proposed land use shall be provided for review and approval. The analysis shall show that the post-project conditions are the same or better than the pre-project conditions for managing stormwater, water quantity, and water quality. This analysis must be approved by DERM prior to the recordation of the Final Plat.~~

(12) Agricultural Land Mitigation. The Owner agrees to contribute to Miami-Dade County the sum of \$8,750 per acre ~~for the ± 21.80 acres~~ of farmable land ~~on the Property~~ impacted by development.

(13) Bicycle and Pedestrian Accessibility. ~~All development on the Property~~ ~~The development~~ shall incorporate bicycle and pedestrian accessibility throughout the ~~Property development~~ with connections to adjacent areas, where appropriate in accordance with Policy LU-8H.

(14) Public Sanitary Sewer Pump Station and Water Main Extensions. The Owner will install a public sanitary sewer pump station and install any ~~additional~~ water ~~and/or sewer~~ main extensions ~~at the Owner's expense~~ that may be required to serve the Property, ~~subject to any applicable DERM and/or WASD approval.~~

(15) Florida Bonneted Bat Best Management Practices. The Owner shall implement U.S. Fish & Wildlife Services best management practices for protection of the bonneted bat ~~during~~

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All changes from the October 23, 2024, version are shown in red text.

~~construction of the development.~~

MISCELLANEOUS

Covenant Running with the Land. This Declaration on the part of the Owner shall constitute a covenant running with the land and may be recorded, at Owner's expense, in the public records of Miami-Dade County, Florida and shall remain in full force and effect and be binding upon the undersigned Owner, and their heirs, successors and assigns until such time as the same is modified or released. These restrictions during their lifetime shall be for the benefit of, and limitation upon, all present and future owners of the real property and for the benefit of Miami-Dade County and the public welfare. The Owner, and their heirs, successors and assigns, acknowledge that acceptance of this Declaration does not in any way obligate or provide a limitation on the County.

Term. This Declaration is to run with the land and shall be binding on all parties and all persons claiming under it for a period of thirty (30) years from the date this Declaration is recorded after which time it shall be extended automatically for successive periods often (10) years each, unless at instrument signed by the, then, owner(s) of the Property has been recorded agreeing to change the covenant in whole, or in part, provided that the Declaration has first been modified or released by Miami-Dade County.

Modification. Amendment. Release. This Declaration of Restrictions may be modified, amended or released as to the Property, or any portion thereof, by a written instrument executed by the then owner(s) of the property, including joinders of all mortgagees, provided that the same is also approved by the Board of County Commissioners of Miami-Dade County, Florida. Any such modification, amendment or release shall be subject to the provisions governing amendments to Comprehensive Plans, as set forth in Chapter 163, Part II, Florida Statutes or successor

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legislation that may, from time to time, govern amendments to Comprehensive Plans (hereinafter "Chapter 163"). Such modification, amendment or release shall also be subject to the provisions governing amendments to the CDMP as set forth in Section 2-116.1 of the Code of Miami-Dade County, or successor regulations governing modifications to the CDMP. In the event that the property is incorporated within a new municipality or annexed into an existing municipality, and the successor municipality amends, modifies, or declines to adopt the provisions of Section 2-116.1 of the Miami-Dade County Code, then modifications, amendments or releases of this Declaration shall be subject to Chapter 163 and the provisions of such ordinances as may be adopted by such successor municipality for the adoption of amendments to its comprehensive plan; or, in the event that the successor municipality does not adopt such ordinances, subject to Chapter 163 and by the provisions for the adoption of zoning district boundary changes. It is provided, however, that in the event that the successor municipality approves a modification or deletion of this Declaration of Restrictions, such modification or deletion shall not be effective until approved by the Board of County Commissioners, in accordance with applicable procedures. Should this Declaration be so modified, amended, or released, the Director of the Department of Regulatory and Economic Resources or the executive officer of a successor department, or, in the absence of such Director or executive officer, by his or her assistant in charge of the office in his/her absence, shall execute a written instrument effectuating and acknowledging such modification, amendment, or release.

Enforcement. Enforcement shall be by action against any parties or person violating, or attempting to violate, any covenants. The prevailing party in any action or suit pertaining to or arising out of this declaration shall be entitled to recover, in addition to costs and disbursements allowed by law, such sum as the Court may adjudge to be reasonable for the services of his

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attorney. This enforcement provision shall be in addition to any other remedies available at law, in equity or both.

County Inspections. As further part of this Declaration, it is hereby understood and agreed that any official inspector of Miami-Dade County, or its agents duly authorized, may have the privilege at any time during normal working hours of entering and inspecting the use of the premises to determine whether or not the requirements of the building and zoning regulations and the conditions herein agreed to are being complied with.

Authorization for Miami-Dade County (or successor municipality) to Withhold Permits and Inspections. In the event the terms of this Declaration are not being complied with, in addition to any other remedies available, the County (or successor municipality) is hereby authorized to withhold any further permits, and refuse to make any inspections or grant any approvals, until such time as this declaration is complied with.

Election of Remedies. All rights, remedies and privileges granted herein shall be deemed to be cumulative and the exercise of any one or more shall neither be deemed to constitute an election of remedies, nor shall it preclude the party exercising the same from exercising such other additional rights, remedies or privileges.

Presumption of Compliance. Where construction has occurred on the Property or any portion thereof, pursuant to a lawful permit issued by the County (or successor municipality), and inspections made and approval of occupancy given by the County (or successor municipality), then such construction, inspection and approval shall create a rebuttable presumption that the buildings or structures thus constructed comply with the intent and spirit of this Declaration.

Severability. Invalidation of any one of these covenants, by judgment of Court, shall not affect any of the other provisions which shall remain in full force and effect. However, if any

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material portion is invalidated, the County shall be entitled to revoke any approval predicated upon the invalidated portion.

Recordation and Effective Date. This Declaration shall be filed of record in the public records of Miami-Dade County, Florida at the cost of the Owner following the approval of the Application by the Board of County Commissioners. This Declaration shall become effective immediately upon recordation. Notwithstanding the previous sentence, if any appeal is filed, and the disposition of such appeal results in the denial of the Application, in its entirety, then this Declaration shall be null and void and of no further effect. Upon the disposition of an appeal that results in the denial of the Application, in its entirety, and upon written request, the Director of the Department of Regulatory and Economic Resources or the executive officer of the successor of said department, or in the absence of such director or executive officer by his/her assistant in charge of the office in his/her absence, shall forthwith execute a written instrument, in recordable form, acknowledging that this Declaration is null and void and of no further effect.

Acceptance of Declaration. The Owner acknowledges that acceptance of this Declaration does not obligate the County in any manner, nor does it entitle the Owner to a favorable recommendation or approval of any application, zoning or otherwise, and the Board of County Commissioners retains its full power and authority to deny each such application in whole or in part and decline to accept any conveyance.

Owner. The term Owner shall include all heirs, assigns, and successors in interest.

[Signature Pages to Follow]

Revised November 5, 2024

All changes from the October 23, 2024, version are shown in red text.

IN WITNESS WHEREOF, we have hereunto set out hands and seal this ____ day of
November, 2024.

WITNESSES:

TMC NARANJA HOLDINGS LLC

Signature

Name: _____

Title: _____

Print Name

Signature

Print Name

STATE OF FLORIDA

MIAMI-DADE COUNTY

The foregoing instrument was acknowledged before me by means of ☐ physical presence
or ☐ online notarization, this ____ day of November, 2024 by _____, as
_____ of TMC Naranja Holdings LLC. He/she/they is/are known to me or has
produced _____ as identification and did not take an oath.

NOTARIAL SEAL

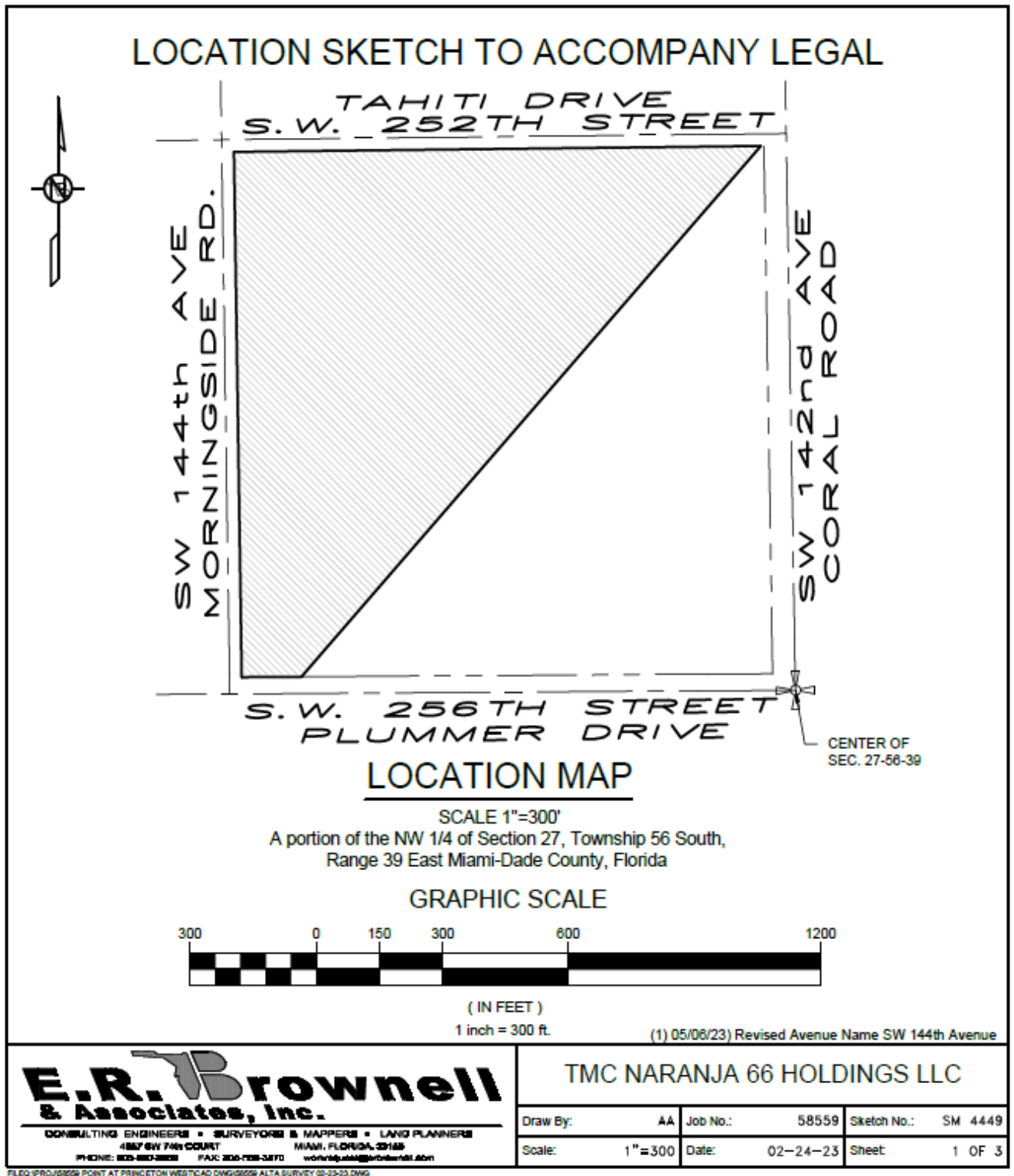
Print Name: _____

NOTARY PUBLIC, STATE OF FLORIDA
My commission expires _____

NOTARY PUBLIC

Revised November 5, 2024

All changes from the October 23, 2024, version are shown in red text.



LEGAL TO ACCOMPANY SKETCH

LEGAL DESCRIPTION:

A portion of LOTS 17,18,19,20,29,30 and 31 of TROPICAL FRUIT GROVES, SECTION 1 IN PLAT BOOK 40, PAGE 2 PUBLIC RECORDS OF DADE-COUNTY, FLORIDA.

Begin at the Center of Section 27, Township 56 South, Range 39 East; thence run South 89°37'04" West, along the South Line of the Northwest 1/4 of said Section 27, for a distance of 1,316.19 feet to a point; thence run North 0°51'24" West for a distance of 35.00 feet to a point on the North Right-of-Way line of SW 256th Street (Plummer Drive) the same being the Southwest corner of Lot 29 of said Plat and the Point of Beginning; thence run North 0°51'24" West along the west line of lots 29 and 20 of said Plat and the East Right-of-Way line of SW 144th Avenue (Fersian Road) for a distance of 1252.90 feet to a point on the South Right-of-Way line of SW 252nd Street (Tahiti Drive) the same being the Northwest corner of lot 20 of said Plat; thence run North 89°21'35" East along the North line of Lots 20,19,18 and 17 and the South right-of-Way line of SW 252nd Street (Tahiti Drive) for a distance of 1253.10 feet to a point of intersection with the Miami-Dade County Urban Development Boundary Line; thence run South 40°54'34" West, along the said Urban Development Boundary Line, for a distance of 1674.96 feet to a point of intersection with the South line of Lot 29 of said Plat; thence run South 89°37'04" West along the south line of said lot 29 and the North Right-of-Way line of SW 256th Street (Plummer Drive) for a distance of 137.42 feet to the Point of Beginning.

GENERAL NOTES:

THIS DESCRIPTION AND SKETCH TO ACCOMPANY LEGAL DESCRIPTION DOES NOT REPRESENT A FIELD BOUNDARY SURVEY.

THE DESCRIPTION AND SKETCH IS BASED ON THE MIAMI-DADE COUNTY PROPERTY APPRAISER'S PROPERTY SEARCH SUMMARY REPORT TAX FOLIO NO. 30-6927-001-0010 AND THE WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 32493 AT PAGE 4806, AS EVIDENCED THEREON. NO TITLE SEARCH HAS BEEN CONDUCTED BY NOR WAS A TITLE REPORT PROVIDED TO THE SURVEYOR. THERE MAY BE EASEMENTS, RIGHTS-OF-WAY AND/OR OTHER ENCUMBRANCES AFFECTING THE DESCRIBED AREA NOT DISCLOSED HEREON THAT A TITLE REPORT WOULD EVIDENCE.

SURVEYOR'S CERTIFICATION:

THIS IS TO CERTIFY THAT THIS LEGAL DESCRIPTION AND THE ACCOMPANYING SKETCH WAS PREPARED UNDER MY DIRECTION AND THAT IN MY PROFESSIONAL OPINION IS TRUE AND CORRECT. I FURTHER CERTIFY THAT THIS SKETCH TO ACCOMPANY LEGAL DESCRIPTION MEETS THE INTENT OF THE APPLICABLE PROVISIONS OF THE STANDARDS OF PRACTICE, ADOPTED BY THE BOARD OF PROFESSIONAL SURVEYOR'S AND MAPPERS, PURSUANT TO CHAPTER 472.027 FLORIDA STATUTES, AS SET FORTH IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE.

DATED: 02-24-2023

E.R. BROWNELL AND ASSOCIATES, INC.



Thomas Brownell, Executive Vice-President
Professional Land Surveyor No. 2891
State of Florida



The survey map and notes and/or report shall not be considered full, valid or complete without the original signature and seal of a Florida Licensed Surveyor and Mapper. Any additions or deletions to the description and accompanying sketch by other than the signing party or parties is prohibited without written consent of the signing party or parties.

(1) 05/06/23) Revised Avenue Name SW 144th Avenue

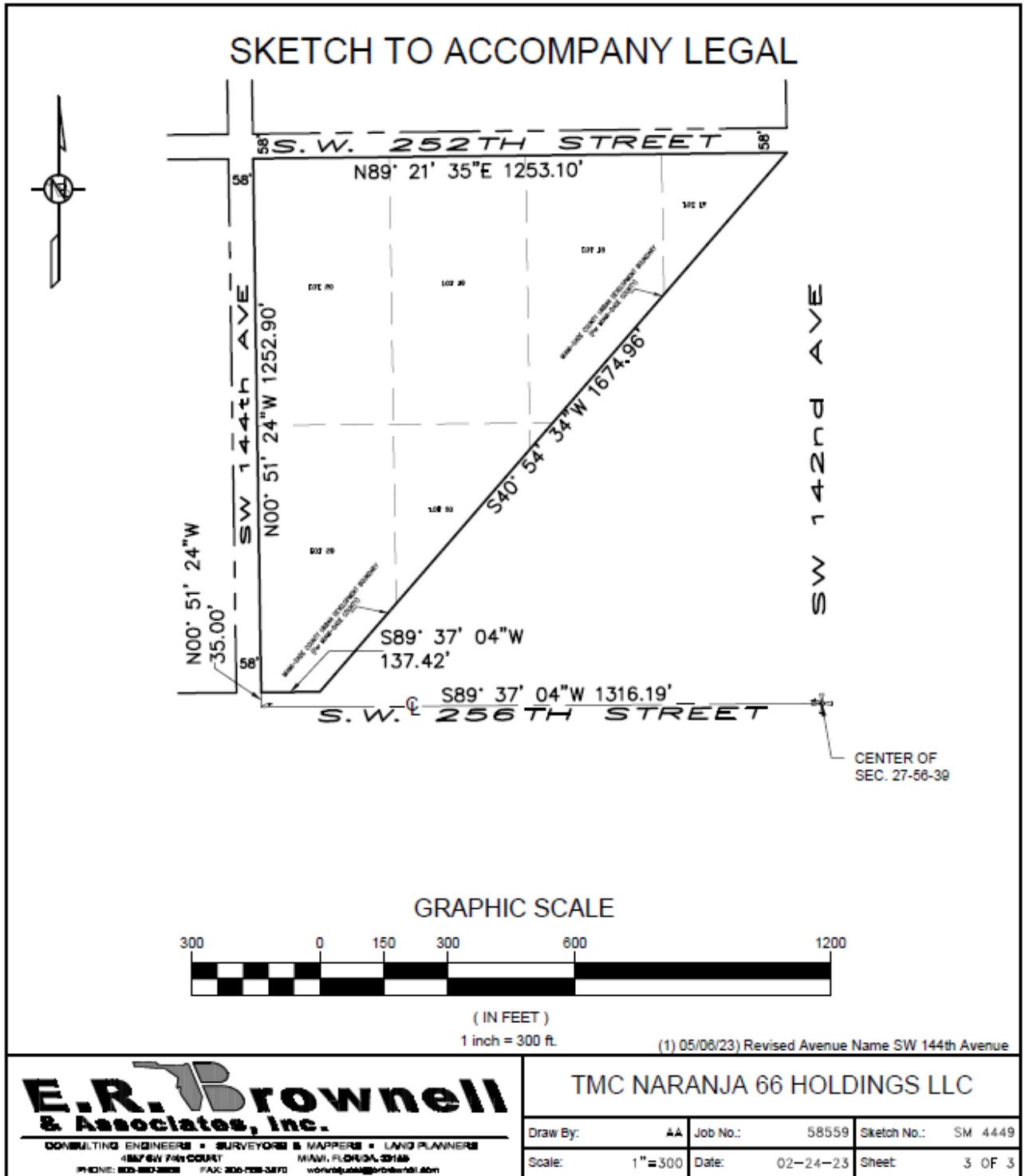
E.R. Brownell & Associates, Inc.

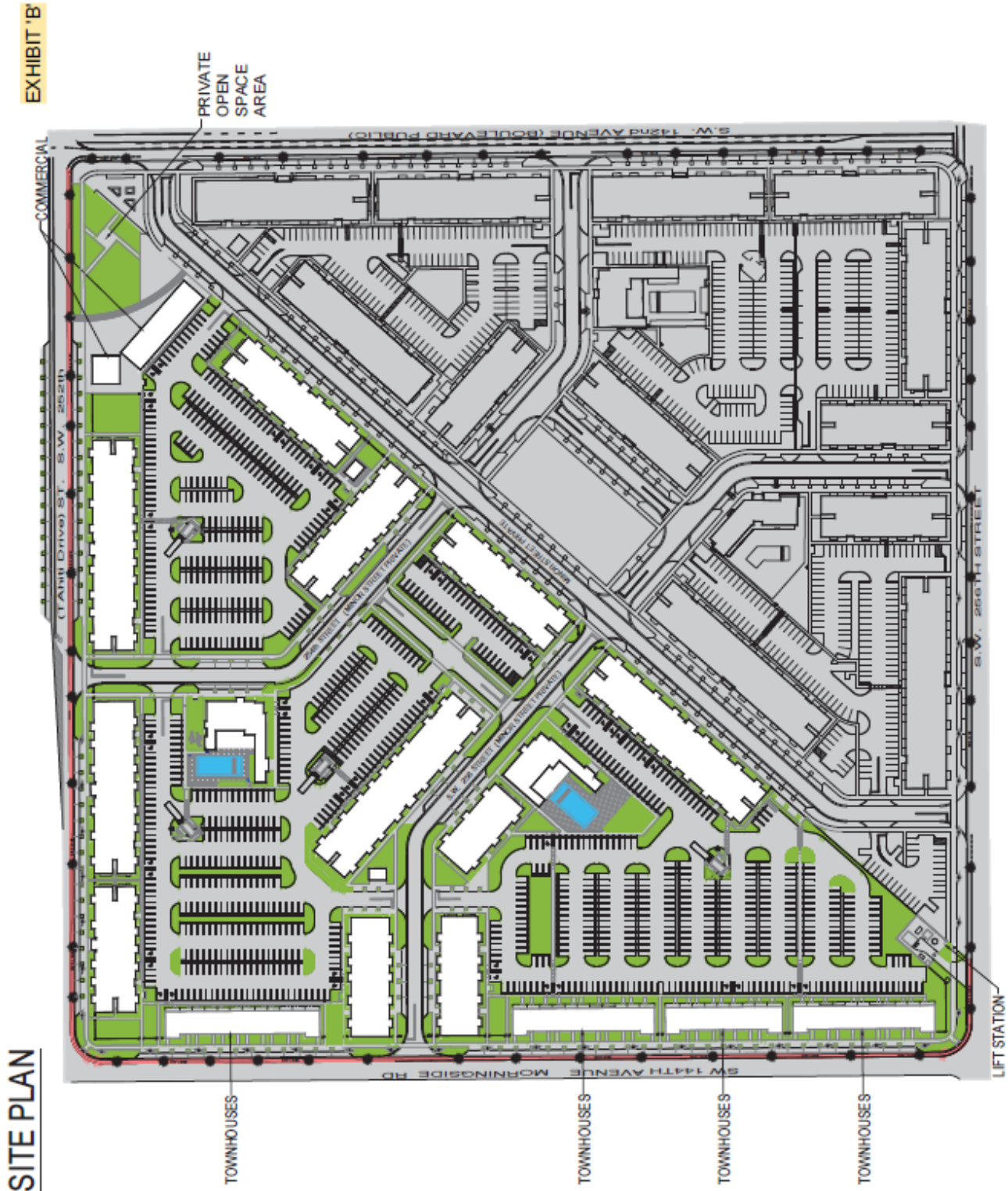
CONSULTING ENGINEERS • SURVEYORS & MAPPERS • LAND PLANNERS
4847 SW 7th COURT MIAMI, FLORIDA 33145
PHONE: 855-882-3838 FAX: 305-708-3870 www.erbrownell.com

TMC NARANJA 66 HOLDINGS LLC

Draw By:	AA	Job No.:	58559	Sketch No.:	SM 4449
Scale:	NTS	Date:	02-24-23	Sheet:	2 OF 3

FILED:\PROJECTS\POINT AT PRINCETON WEST\CAD DWG\ISSUE ALTA SURVEY 02-23-23.DWG





Appendix B

NOTICE OF REQUEST FOR 180-DAY TIME EXTENSION
TO THE FLORIDA DEPARTMENT OF COMMERCE DATED JULY 23, 2024 AND
RESPONSE FROM THE FLORIDA DEPARTMENT OF COMMERCE DATED JULY 31, 2024

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Department of Regulatory and Economic Resources
Planning Division, Metropolitan Planning Section
111 NW 1 Street • 12th Floor
Miami, Florida 33128-1902
Telephone: 305-375-2835
www.miamidade.gov/planning

July 23, 2024

Florida Department of Commerce
Attn: James D. Stansbury, Chief
Bureau of Community Planning and Growth
Caldwell Building
107 East Madison Street
Tallahassee, FL 32399-6545
James.Stansbury@Commerce.fl.gov

Subject: Notice of Time Extension for Pending May 2023 Cycle Application No. CDMP20230011 to Amend the Comprehensive Development Master Plan for Miami-Dade County (No. 24-03ESR)

Dear Mr. Stansbury:

This letter serves as notice of a time extension for the adoption of May 2023 Cycle Application No. CDMP20230011 to amend Miami-Dade County's Comprehensive Development Master Plan (CDMP), pursuant to Section 163.3184(3)(c)1, Florida Statutes (F.S.).

Section 163.3184(3)(c)1, F.S., provides that a local government shall hold its second public hearing on whether to adopt proposed comprehensive plan amendments within 180 days of receiving comments from the state and regional reviewing agencies; otherwise, the proposed amendments shall be deemed withdrawn unless the 180-day timeframe is extended by agreement. The statute also requires that notice of such agreement be provided to the State Land Planning Agency and any affected person(s) that provided comments on the proposed amendments. A copy of this notice of time extension is provided to each person who commented on the pending application, including those who may qualify as affected persons pursuant to Section 163.3184(1)(a), F.S., as identified in the list of recipients for this correspondence.

The Miami-Dade Board of County Commissioners (Board) conducted its first public hearing on January 24, 2024, and transmitted the May 2024 Cycle Application No. CDMP20230011 (Amendment No. 24-03ESR) to the reviewing agencies. The County received comments from the reviewing agencies on Application No. CDMP20230011 in February and March 2024, including the Florida Department of Commerce on March 8, 2024. The applicant and the County agree that an extension beyond the 180-day timeframe is necessary to conclude the review of the pending CDMP application and for the Board to subsequently take final action on the application. The 180-day timeframe expires on September 4, 2024, but the agreed extension will expire on April 30, 2025.

For additional information or clarification regarding this transmittal, please contact Jerry Bell, AICP, Assistant Director for Planning, Miami-Dade County Department of Regulatory and Economic Resources, Stephen P. Clark Center, 111 NW 1st Street, 12th Floor, Miami, Florida 33128, or by phone at (305) 375-2835, fax (305) 375-2560 or e-mail Jerry.Bell@miamidade.gov.

Thank you for your time and consideration.

Florida Department of Commerce
James D. Stansbury, Chief
Page 2

Sincerely,

A handwritten signature in blue ink, appearing to read "L. Gomez", is placed over a light blue rectangular background.

Lourdes M. Gomez, AICP, Director
Department of Regulatory and Economic Resources

c: Honorable Daniella Levine Cava, Mayor
Honorable Chairman Oliver G. Gilbert, III
and Members, Miami-Dade Board of County Commissioners
Abbie Schwaderer-Raurell, Assistant County Attorney
Jerry Bell, Assistant Director for Planning, Dept. of Regulatory and Economic Resources

Attachment 1: List of Persons who commented on Application No. CDMP20230011, including those who may qualify as affected Persons pursuant to Section 163.3184(1)(a), F.S.

Attachment 1

List of Persons who Commented on Application No. CDMP20230011:

Javier L. Vasquez, Applicant's Legal Representative
Brooke Lewis Humphrey, Applicant's Legal Representative
Carlos Herrera, Manager for TMC Naranja 66 Holdings, LLC
Troy Abbott, Resident
Daniel Coro, Resident
Ernesto Echaury, Resident
Iliany Urquia, Resident
Laura Reynolds, Resident
Mary Waters, Resident
Philip Marraccini, Resident
William Greer, Resident
Zac Cosner, Resident

Note that persons who commented on the application may qualify as affected persons pursuant to Section 163.3184(1)(a), Florida Statute (F.S.)

* Definition of Affected Persons per 163.3184(1)(a), F.S

"Affected person" includes the affected local government; persons owning property, residing, or owning or operating a business within the boundaries of the local government whose plan is the subject of the review; owners of real property abutting real property that is the subject of a proposed change to a future land use map; and adjoining local governments that can demonstrate that the plan or plan amendment will produce substantial impacts on the increased need for publicly funded infrastructure or substantial impacts on areas designated for protection or special treatment within their jurisdiction. Each person, other than an adjoining local government, in order to qualify under this definition, shall also have submitted oral or written comments, recommendations, or objections to the local government during the period of time beginning with the transmittal hearing for the plan or plan amendment and ending with the adoption of the plan or plan amendment.



Ron DeSantis GOVERNOR
J. Alex Kelly SECRETARY

July 31, 2024

RESPONSE VIA E-MAIL ONLY

Ms. Lourdes Gomez, AICP
Director
Miami-Dade County
Planning Division, Metropolitan Planning
111 NW 1 Street, 12th Floor
Miami, Florida 33128

RE: CDMP 20230011 TMC Naranja 66

Dear Ms. Gomez:

This letter is in response to the e-mail dated July 31, 2024, notifying of an extension for the adoption of a proposed amendment COM# 24-03ESR to the Miami-Dade County's Comprehensive Plan pursuant to Section 163.3184(3), Florida Statutes (F.S.).

The Department acknowledges receipt of the notice to extend the deadline to adopt the proposed amendment. The new extended adoption date is April 30, 2025. The Department reminds the Miami-Dade County that all affected persons who commented on the amendment need to be notified of the extension.

Once the proposed amendment is adopted, please submit the amendments to FloridaCommerce, Bureau of Community Planning and Growth, Plan Processing Team within 10 working days of adoption pursuant to Section 163.3184, F.S.

If you have any questions concerning this matter, please do not hesitate to contact Jana Williams at 850.717.8483, or myself, at 850.717.8491.

Sincerely,

A handwritten signature in blue ink, appearing to read "Donna Harris".

Donna Harris, Senior Plan Processor
Bureau of Community Planning and Growth

DH/

Caldwell Building | 107 E. Madison Street Tallahassee, FL 32399
850.245.7105 | www.FloridaJobs.org | [Twitter: @FLACommerce](https://twitter.com/FLACommerce)

An equal opportunity employer/program. Auxiliary aids and service are available upon request to individuals with disabilities. All voice telephone numbers on this document may be reached by persons using TTY/TTD equipment via the Florida Relay Service at 711.

Appendix C

STATE COMMENTS ON THE MAY 2023 CYCLE APPLICATION NO. CDMP20230011 TO AMEND THE COMPREHENSIVE DEVELOPMENT MASTER PLAN

ITEMS	PAGE NO.
South Florida Regional Planning Council Comments, dated February 26, 2024	27
Florida Fish and Wildlife Conservation Commission Comments, dated March 4, 2024;	31
Florida Department of Agriculture and Consumer Services Comments, dated March 5, 2024	33
South Florida Water Management District Comments, dated March 6, 2024	35
Florida Department of Transportation Comments, dated March 6, 2024	37
Florida Department of Environmental Protection Comments, dated March 7, 2024	39
Florida Department of Commerce Comments, dated March 8, 2024	41

Documents related to the application, including third party correspondence, are available online at:

- <https://www.miamidade.gov/planning/cdmp-amendment-cycles.asp#exapps2020>, or
- https://energov.miamidade.gov/EnerGov_Prod/SelfService#/plan/2846032a-1d3d-4f2f-ad88-9d514cb84a61?tab=attachments

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MEMORANDUM

(DRAFT – REVISED AND UPDATED) AGENDA ITEM #IV.D

DATE: FEBRUARY 26, 2024

TO: COUNCIL MEMBERS

FROM: STAFF

SUBJECT: REGIONAL ISSUES: COMPREHENSIVE PLAN AMENDMENT REVIEW

Pursuant to the 1974 Interlocal Agreement creating the South Florida Regional Planning Council (Council), the Council is directed by its member counties to “assure the orderly, economic, and balanced growth and development of the Region, consistent with the protection of natural resources and environment of the Region and to protect the health, safety, welfare, and quality of life of the residents of the Region.”

In fulfillment of the Interlocal Agreement directive and its duties under State law, the Council reviews local government Comprehensive Plan amendments for consistency with the *Strategic Regional Policy Plan for South Florida (SRPP)*. Pursuant to Section 163.3184, Florida Statutes as presently in effect, Council review of comprehensive plan amendments is limited to 1) adverse effects on regional resources and facilities identified in the SRPP and 2) extra-jurisdictional impacts that would be inconsistent with the comprehensive plan of any affected local government within the Region. The Council’s review of amendments is conducted in two stages: (1) proposed or transmittal and (2) adoption. Council staff reviews the contents of the amendment package once the Department of Commerce certifies its completeness.

A written report of the Council’s evaluation pursuant to Section 163.3184, Florida Statutes, is to be provided to the local government and the State Land Planning Agency within 30 calendar days of receipt of the amendment.



South Florida Regional Planning Council
1 Oakwood Boulevard, Suite 250, Hollywood, Florida 33020
954-924-3653 Phone, 954-924-3654 FAX
www.sfrationalcouncil.org

Application No. CDMP20230011

MDC061

According to the Miami-Dade RER Transmittal Report “The application site is within 1/2 miles of the South Dade Transitway, a Strategic Miami Area Rapid Transit (SMART) Plan corridor, and is a portion of a parcel that is both bifurcated by the UDB and partly in a zoned and CDMP designated Urban Center (the portion of the parcel inside the UDB), raising the question of how CDMP Land Use Element Policy LU-8G that governs when and where to expand the UDB should be applied in this case ... among other criteria, Policy LU-8Giii) c) gives priority to areas within one mile of planned urban center or transit service station for inclusion the UDB, when expansion is warranted ...”. This site is located in the U.S. Fish and Wildlife consultation area for the federally endangered Florida bonneted bat. Council staff received no feedback from the U.S. Fish and Wildlife Service.

TMC NARANJA 66 HOLDINGS, LLC - APP. NO. CDMOP202300011

EXISTING LAND USE

Legend:

- Application Area**
 - Single Family
 - Two-Family Duplicates
 - Threefamilies
 - Low-Density Multi-Family
 - High-Density Multi-Family
 - Resident-Government Owned Housing
- Land Use**
 - Commercial, Shopping Centers, Stations
 - Office
 - Industrial
 - Industrial
 - Communications, Utilities, Terminals
 - Streets, Parks, Expressways, Ramps
 - Streets, Expressway ROW
 - Agriculture
 - Parks, Recreation, Conservation Areas
 - Vacant Government Owned, Unimproved
 - Vacant Privately Owned, Unimproved
 - Canal right-of-way
 - Inland Waters
- Other**
 - 200' Urban Development Boundary

Map Labels: SW 25TH AVE, SW 26TH AVE, SW 27TH AVE, SW 28TH AVE, SW 29TH AVE, SW 30TH AVE, SW 31ST ST, SW 32ND ST, SW 33RD ST, SW 34TH ST, SW 35TH ST, SW 36TH ST, SW 37TH ST, SW 38TH ST, SW 39TH ST, SW 40TH ST, SW 41ST ST, SW 42ND ST, SW 43RD ST, SW 44TH ST, SW 45TH ST, SW 46TH ST, SW 47TH ST, SW 48TH ST, SW 49TH ST, SW 50TH ST, SW 51ST ST, SW 52ND ST, SW 53RD ST, SW 54TH ST, SW 55TH ST, SW 56TH ST, SW 57TH ST, SW 58TH ST, SW 59TH ST, SW 60TH ST, SW 61ST ST, SW 62ND ST, SW 63RD ST, SW 64TH ST, SW 65TH ST, SW 66TH ST, SW 67TH ST, SW 68TH ST, SW 69TH ST, SW 70TH ST, SW 71ST ST, SW 72ND ST, SW 73RD ST, SW 74TH ST, SW 75TH ST, SW 76TH ST, SW 77TH ST, SW 78TH ST, SW 79TH ST, SW 80TH ST, SW 81ST ST, SW 82ND ST, SW 83RD ST, SW 84TH ST, SW 85TH ST, SW 86TH ST, SW 87TH ST, SW 88TH ST, SW 89TH ST, SW 90TH ST, SW 91ST ST, SW 92ND ST, SW 93RD ST, SW 94TH ST, SW 95TH ST, SW 96TH ST, SW 97TH ST, SW 98TH ST, SW 99TH ST, SW 100TH ST, SW 101ST ST, SW 102ND ST, SW 103RD ST, SW 104TH ST, SW 105TH ST, SW 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- Miami-Dade Commission BCC Vote to transmit for Comments: 11 aye, 2 absent
- Transmittal Date: February 7, 2024
- Miami-Dade County RER Staff Recommendation: Transmit with the Proffered Declaration of Restrictions

Staff Recommendation

Council Staff has not identified at this time 1) adverse effects on regional resources and facilities identified in the SRPP and/or 2) extra-jurisdictional impacts that would be inconsistent with the comprehensive plan of any affected local government within the Region. Council staff received few comments from outside agencies.

Council Staff recommends that the Board:

1. Approve Miami-Dade 24-01ESR and this report for transmittal to the local governments with a copy to the State Land Planning Agency.
2. Approve Miami-Dade 24-02ESR and this report for transmittal to the local governments with a copy to the State Land Planning Agency with note of the two text amendments that should be denied.
3. Approve Miami-Dade 24-03ESR and this report for transmittal to the local governments with a copy to the State Land Planning Agency with note of the consultation area of the Florida bonneted bat, pending comments from the U.S. Fish and Wildlife Service.

Council staff is committed to working with the County to assist in resolving any open items prior to adoption and transmittal to the Council for final review.

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From: [Irving, Robert](#)
To: ["Jerry.Bell@miamidade.gov"](mailto:Jerry.Bell@miamidade.gov)
Cc: [Conservation Planning Services; "DCPexternalagencycomments@deo.myflorida.com"; Colletier, Nicolas](#)
Subject: FWC's Comments on Miami-Dade County 24-03ESR (CDMP 20230011 TMC Naranja 66)
Date: Monday, March 4, 2024 2:22:26 PM

Dear Mr. Bell:

Florida Fish and Wildlife Conservation Commission (FWC) staff reviewed the proposed comprehensive plan amendments in accordance with Chapter 163.3184(3), Florida Statutes. We have no comments, recommendations, or objections related to listed species and their habitat or other fish and wildlife resources to offer on this amendment.

FWC staff appreciate the opportunity to review this project. Please send any requests for further information to ConservationPlanningServices@MyFWC.com.

Sincerely,

Robert Irving
Land Use Planning Program Supervisor
Florida Fish and Wildlife Conservation Commission
Phone: (850) 354-3578

Miami-Dade County 24-03ESR_58104

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OFFICE OF GENERAL COUNSEL
(850) 245-1000
(850) 245-1001 FAX



THE MAYO BUILDING
407 SOUTH CALHOUN STREET
TALLAHASSEE, FLORIDA 32399-0800

FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES
COMMISSIONER WILTON SIMPSON

March 5, 2024

VIA EMAIL (jerry.bell@miamidade.gov)

Miami-Dade County
Jerry Bell
111 NW 1st Street, 12th Floor
Miami, Florida 33128

Re: Amendment Package Reference Number: Miami-Dade County 24-03ESR

Dear Jerry Bell,

The Florida Department of Agriculture and Consumer Services (the "Department") received the above-referenced proposed comprehensive plan amendment on February 8, 2024. The Department has reviewed the proposed amendment pursuant to Section 163.3184, Florida Statutes, for any adverse impacts to important state resources or facilities related to agriculture, forestry, and aquaculture issues.

The Department has no comments on the above-referenced proposed comprehensive plan amendment as presented.

Please contact me at CompPlans@FDACS.gov if you have any questions.

Sincerely,

Steven Hall

Steven Hall
Assistant Deputy Commissioner

cc: Florida Department of Economic Opportunity
(SLPA #: Miami-Dade County 24-03ESR)

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From: Ragsdale, David <dragsdal@sfwmd.gov>
Sent: Wednesday, March 6, 2024 4:41 PM
To: Vargas, Rommel (RER) <Rommel.Vargas@miamidade.gov>
Cc: Donna.Harris@commerce.fl.gov; James.Stansbury@Commerce.fl.gov; Bell, Jerry (RER) <Jerry.Bell@miamidade.gov>; isabelc@sfrpc.com; klerch@sfrpc.com
Subject: Miami-Dade County, DOC #24-03ESR Comments on Proposed Comprehensive Plan Amendment Package
Importance: High

EMAIL RECEIVED FROM EXTERNAL SOURCE

Dear Mr. Vargas:

The South Florida Water Management District (District) has completed its review of the proposed amendment package submitted by Miami-Dade County (County). The amendment proposes to expand the Miami-Dade County 2030 Urban Development Boundary to include a 21.8 acre portion of the application site designated "Agriculture," and to redesignate the application portion of the land use map from "Agriculture" to "Special District." The District provides the following advisory comments:

Regional Water Supply

The amendment does not include an actual commitment from the Miami-Dade Water and Sewer Department (MDWSD) that they have sufficient water available to serve the proposed development, that they will provide potable water to serve the proposed development, or when the water will be available.

District staff are available to meet by teleconference or in person to go over the comments above and to discuss possible solutions and options to resolve the comments. Please contact me if you have any questions, need additional information, or would like to arrange a meeting at dragsdal@sfwmd.gov. The District requests that the County forward a copy of the adopted amendments to the District at the following email mailbox address: SFLOCALGOVPLAN@sfwmd.gov.

Sincerely,
David Ragsdale



David Ragsdale

Policy and Planning Analyst
Water Supply Implementation Unit
South Florida Water Management District
Office: 561-682-6715 **Cell:** 850-572-3176
dragsdal@sfwmd.gov | 3301 Gun Club Road, West Palm Beach, FL 33406



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Florida Department of Transportation

RON DESANTIS
GOVERNOR

1000 N.W. 111 Avenue
Miami, Florida 33172

JARED W. PERDUE, P.E.
SECRETARY

March 6, 2024

Ms. Lourdes M. Gomez, AICP, Director
Miami Dade County
Department of Regulatory and Economic Resources
Planning Division, Metropolitan Planning Section
111 NW 1st Street, 12th Floor
Miami, Florida 33128-1902

**Subject: Comments for the Miami-Dade County Comprehensive Development
Master Plan Amendment FDEO #24-03ESR**

Dear Ms. Gomez:

Pursuant to Section 163.3184(3), Florida Statutes (F.S.), in its role as a reviewing agency as identified in Section 163.3184(1)(c), F.S., the Florida Department of Transportation, District Six, reviewed the proposed text amendments to the Miami-Dade County Comprehensive Development Master Plan (CDMP). The proposed amendments modify the Adopted 2030-2040 Land Use Plan (LUP) map. The proposed amendment also modifies text within the CDMP Land Use Element by presenting declarations of restrictions for a 21.8-acre site, expanding the 2030 Urban Development Boundary (UBD) to include the previously mentioned site, redesignation of the site from "Agriculture" to "Special District", and creation of "Westend at Princeton District".

The District reviewed the amendment package per Chapter 163 Florida Statutes and found the proposed amendments would not adversely impact transportation resources and facilities of state importance.


Thank you for coordinating on the review of these proposed amendments with FDOT. If you have any questions, please do not hesitate to contact me by email at shereen.yeefong@dot.state.fl.us or at 305-470-5393.

www.fdot.gov | www.southflroads.com

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Ms. Lourdes M. Gomez, AICP
March 6, 2024
Page 2

Sincerely,

DocuSigned by:


Shereen Yee Fong
Community Planning Coordinator

Cc: Daniel Iglesias, P.E., Florida Department of Transportation, District 6
Dat Huynh, P.E., Florida Department of Transportation, District 6
Kenneth Jeffries, Florida Department of Transportation, District 6
Barbara Powell, Florida Department of Commerce
Isabel Cosio Carballo, South Florida Regional Planning Council
Kathe Lerch, South Florida Regional Planning Council

From: Plan_Review <Plan.Review@dep.state.fl.us>
Sent: Thursday, March 7, 2024 4:57 PM
To: Bell, Jerry (RER) <Jerry.Bell@miamidade.gov>; DCPexternalagencycomments <dcpexternalagencycomments@deo.myflorida.com>
Cc: Plan_Review <Plan.Review@dep.state.fl.us>
Subject: Miami-Dade County 24-03ESR Proposed

EMAIL RECEIVED FROM EXTERNAL SOURCE

To: Jerry Bell, AICP, Assistant Director for Planning

Re: Miami-Dade County 24-03ESR – Expedited State Review of Proposed Comprehensive Plan Amendment

The Office of Intergovernmental Programs of the Florida Department of Environmental Protection (Department) has reviewed the above-referenced amendment package under the provisions of Chapter 163, Florida Statutes. The Department conducted a detailed review that focused on potential adverse impacts to important state resources and facilities, specifically: air and water pollution; wetlands and other surface waters of the state; federal and state-owned lands and interest in lands, including state parks, greenways and trails, conservation easements; solid waste; and water and wastewater treatment.

Based on our review of the submitted amendment package, the Department has found no provision that, if adopted, would result in adverse impacts to important state resources subject to the Department's jurisdiction.

Please submit all future amendments by email to Plan.Review@FloridaDEP.gov. If your submittal is too large to send via email or if you need other assistance, contact Lindsay Weaver at (850) 717-9037.



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Ron DeSantis GOVERNOR
J. Alex Kelly SECRETARY

March 8, 2024

The Honorable Daniella Levine Cava
Mayor, Miami-Dade County
111 NW 1st Street, 29th Floor
Miami, Florida 33128

Dear Mayor Levine Cava:

The Florida Department of Commerce (FloridaCommerce) has reviewed Miami-Dade County proposed comprehensive plan amendment (Amendment No. 24-03ESR), received on February 7, 2024, pursuant to the expedited state review process in Section 163.3184(2) and (3), Florida Statutes (F.S.). We have identified no comment related to adverse impacts to important state resources and facilities within FloridaCommerce's authorized scope of review.

We are, however, providing two (2) technical assistance comments consistent with Section 163.3168(3), F.S. The technical assistance comments will not form the basis of a challenge. They are offered either as suggestions which can strengthen the County's comprehensive plan in order to foster a vibrant, healthy community or are technical in nature and designed to ensure consistency with the Community Planning Act in Chapter 163, Part II, F.S. The technical assistance comments are:

- 1) Given that the subject site is located within one-half mile of the SMART Plan Corridor for the South Dade Transitway and adjacent to the Comprehensive Development Master Plan (CDMP)-designated Princeton Community Urban Center (PCUC), the proposed FLUM amendment would normally be considered as a sound expansion of the County's development pattern and an area well-suited for an increase in density and intensity of uses. However, because the project applicant's site is bifurcated by the Urban Development Boundary (UDB) and outside of the CDMP-designated Urban Expansion Area (UEA), the County should demonstrate consistency with the criteria included within Policies LU-8F, LU-8G, and LU-8H, pursuant to the adopted Miami-Dade CDMP. Although the amendment proposes to revise several policies within the Land Use Element, the proposed text revisions are not specific to the subject site and are therefore applicable to other properties currently outside the UDB, which could potentially result in unchecked and piecemeal urbanized growth into the County's agricultural areas.

The County should consider the implementation of additional requirements specifically applicable to the parcels of land in unincorporated Miami-Dade County that are bifurcated by the UDB and are located within 1/2-mile of a SMART Plan corridor or Rapid Transit Station. To ensure the overall integrity of the UDB, such additional measures could include, but are not limited to, requiring these properties to connect to water and sewer, to address necessary roadway improvements, to mitigate for lost agricultural uses, to provide for an appropriate buffer between agricultural and residential uses, and to reserve at least 30% of residential units for affordable and/or workforce housing.

Caldwell Building | 107 E. Madison Street Tallahassee, FL 32399
850.245.7105 | www.FloridaJobs.org | Twitter: @FLACommerce

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The Honorable Daniella Levine Cava
March 8, 2024
Page 2 of 2

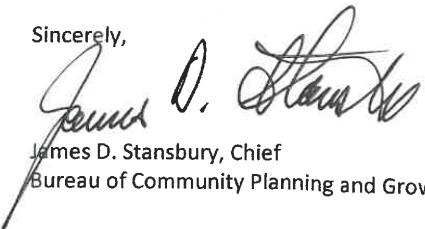
- 2) The South Florida Water Management District (SFWMD) provided an advisory comment in their review letter dated March 6, 2024. The Department strongly encourage Miami-Dade County to coordinate with SFWMD staff to address the advisory comment outlined in their correspondence.

The County should act by choosing to adopt, adopt with changes, or not adopt the proposed amendment. For your assistance, we have enclosed the procedures for adoption and transmittal of the comprehensive plan amendment. In addition, the County is reminded that:

- Section 163.3184(3)(b), F.S., authorizes other reviewing agencies to provide comments directly to the County. **If the County receives reviewing agency comments and they are not resolved, these comments could form the basis for a challenge to the amendment after adoption.**
- **The second public hearing**, which shall be a hearing on whether to adopt one or more comprehensive plan amendments, **must be held within 180 days** of your receipt of agency comments or the amendment shall be **deemed withdrawn** unless extended by agreement with notice to FloridaCommerce and any affected party that provided comment on the amendment pursuant to Section 163.3184(3)(c)1., F.S.
- **The adopted amendment must be transmitted to FloridaCommerce within ten working days after the second public hearing pursuant to 163.3184(3)(c)2., F.S.** Under Section 163.3184(3)(c)2. and 4., F.S., the **amendment effective date** is 31 days after FloridaCommerce notifies the County that the amendment package is complete or, if challenged, until it is found to be in compliance by FloridaCommerce or the Administration Commission.

If you have any questions concerning this review, please contact Jana Williams, Planning Analyst, by telephone at (850)-717-8483 or by email at jana.williams@commerce.fl.gov.

Sincerely,



James D. Stansbury, Chief
Bureau of Community Planning and Growth

JDS/jw

Enclosure(s): Procedures for Adoption

cc: Lourdes M. Gomez, AICP, DRER Director, Miami-Dade County
Isabel Cosio Carballo, MPA, Executive Director, South Florida Regional Planning Council

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850.245.7105 | www.FloridaJobs.org | Twitter: @FLACommerce

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