

Memorandum



(Public Hearing 1-25-17)

Date: January 25, 2017

To: Honorable Chairman Esteban L. Bovo, Jr.
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

A handwritten signature in black ink, appearing to read "Carlos A. Gimenez".

Subject: Resolution for Standard Application No. 6 in the May 2016 Cycle Applications to Amend the Comprehensive Development Master Plan

Agenda Item No. 4(B)

Resolution No. R-77-17

The attached resolution addresses a Comprehensive Development Master Plan private application that under Rule 5.05(b)(1) of the Board is exempt from Commission sponsorship. The staff analysis and fiscal impact statement for this application are discussed in a separate report that appears on this agenda that, together with this resolution, were prepared by the Department of Regulatory and Economic Resources.

A handwritten signature in black ink, appearing to read "Jack Osterholt".

Jack Osterholt
Deputy Mayor



MEMORANDUM

(Revised)

TO: Honorable Chairman Esteban L. Bovo, Jr.
and Members, Board of County Commissioners

DATE: January 25, 2017

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 4(B)

Please note any items checked.

- "3-Day Rule" for committees applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Statement of social equity required
- Ordinance creating a new board requires detailed County Mayor's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous ____) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 4(B)
1-25-17

RESOLUTION NO. R-77-17

RESOLUTION PERTAINING TO MAY 2016 CYCLE APPLICATIONS REQUESTING AMENDMENTS TO THE COMPREHENSIVE DEVELOPMENT MASTER PLAN; DIRECTING THE MAYOR OR DESIGNEE TO ACT IN ACCORDANCE WITH THE TRANSMITTAL INSTRUCTIONS INCLUDED IN THIS RESOLUTION RELATED TO STANDARD APPLICATION NO. 6, LOCATED BETWEEN THE TURNPIKE AND I-75 AND GENERALLY BETWEEN NW 170 STREET AND NW 178 STREET; REQUESTING STATE LAND PLANNING AGENCY TO REVIEW STANDARD APPLICATION NO. 6; RESERVING THE RIGHT TO TAKE FINAL ACTION AT A LATER DATE; AND DECLARING INTENT TO CONDUCT ONE OR MORE SUBSEQUENT PUBLIC HEARINGS

WHEREAS, pursuant to Chapter 163, Part II, Florida Statutes, the Miami-Dade County Board of County Commissioners ("Board") adopted the Miami-Dade County Comprehensive Development Master Plan ("CDMP") in 1988; and

WHEREAS, the Board has provided a procedure, codified as Section 2-116.1 of the Code of Miami-Dade County, Florida, to amend, modify, add to, or change the CDMP; and

WHEREAS, Miami-Dade County's procedures reflect and comply with the procedures for adopting or amending local comprehensive plans as set forth in Chapter 163, Part II, Florida Statutes; and

WHEREAS, applications to amend the CDMP may be filed with the Planning Division of the Department of Regulatory and Economic Resources ("Department") by private parties or by the County; and

WHEREAS, Application No. 6 was filed by a private party in the November 2015 Cycle of Applications to amend the CDMP and was transferred, at the request of the applicant, to the May 2016 Cycle of Applications to amend the CDMP ("May 2016 CDMP Amendment Cycle") and is contained in the document titled "May 2016 Applications to Amend the Comprehensive Development Master Plan," dated June 21, 2016, and kept on file with and available upon request from the Department; and

WHEREAS, as required by Section 2-116.1, the Department issued its initial recommendations addressing the May 2016 Cycle standard applications in a report titled "Initial Recommendations May 2016 Standard Applications to Amend the Comprehensive Development Master Plan", dated September 2016, and kept on file with and available upon request from the Department; and

WHEREAS, the directly impacted Community Council and the Planning Advisory Board, acting as the Local Planning Agency, have acted in accordance with the applicable State and County procedures and have conducted public hearings and issued recommendations for the disposition of Application No. 6; and

WHEREAS, the Department may issue final recommendations addressing the May 2016 Cycle standard applications that are transmitted to the reviewing agencies; and

WHEREAS, this Board desires to further evaluate, without prejudice, Application No. 6 filed for review and action during the May 2016 CDMP Amendment Cycle, if hereby transmitted,

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

Section 1. All matters set forth in the preamble are found to be true and are hereby incorporated by reference as if set forth verbatim and adopted.

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

Application Number	Applicant/Representative Location and Size Requested Amendments to the CDMP Land Use Plan Map or Text	Transmittal Instruction and/or Recommended Action
6	<p>The Graham Companies/Tracy R. Slavens, Esq. & Joseph G. Goldstein, Esq.</p> <p>Between the Turnpike and I-75 and generally between NW 170 Street and NW 178 Street/(±339 gross acres/±323.6 net acres)</p> <p><u>Requested Amendment to the CDMP LUP Map and Text:</u></p> <ol style="list-style-type: none"> 1. Redesignate the application site on the Land Use Plan map: From: Parcel A: "Industrial and Office" (±329 acres) and Parcel B: "Business and Office" (±10 acres) To: "Business and Office" and "Employment Center" 2. Release the Declaration of Restrictions, recorded in Official Records Book 24479 at Page 0689 of the Public Records of Miami-Dade County, Florida, as it applies to portions of land within the subject property; and 3. Add the proffered Declaration of Restrictions in the Restrictions Table in Appendix A of the CDMP Land Use Element, if accepted by the Board. <p>Standard Amendment</p>	<p>Transmit and Adopt with the proffered Declaration of Restrictions, and with change to amend the CDMP Intergovernmental Coordination Element to add the subject property to the list of Facilities of Countywide Significance</p>

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

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

Section 5. The Board declares its intention to advertise and conduct one or more public hearings in calendar year 2017 to address the pending May 2016 Cycle standard applications.

The foregoing resolution was offered by Commissioner **José "Pepe" Diaz**, who moved its adoption. The motion was seconded by Commissioner **Esteban L. Bovo, Jr.** and upon being put to a vote, the vote was as follows:

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

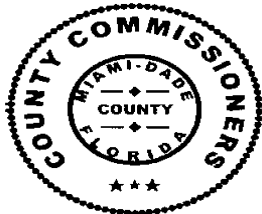
The Chairperson thereupon declared the resolution duly passed and adopted this 25th day of January, 2017. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the Board.

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

HARVEY RUVIN, CLERK

Christopher Agrippa

By: _____
Deputy Clerk



Approved by County Attorney as
to form and legal sufficiency.

Dennis A. Kerbel