

Date: November 6, 2023

To: Chairman Max Losner and Members
Planning Advisory Board

From: Vivian Cao
Assistant Director, Office of Management and Budget

Subject: Staff Report for Proposed Boundary Change to the City of Florida City Area “J”

Background

On September 15, 2021, the City of Florida City (City) submitted a boundary change application to the Miami-Dade County Clerk of the Board. Thereafter, the application was reviewed by the County’s Office of Management and Budget (OMB) and found to comply with section 20-3.1 of the Miami-Dade County Code (Code). On October 13, 2022, the Board adopted Resolution No. R-1020-22 referring the Florida City annexation application to the Miami-Dade County Planning Advisory Board (PAB). As required by the Code, OMB has reviewed and processed the application for PAB consideration.

The proposed annexation area consists of 406.9 acres, or 0.61 miles of the Unincorporated Municipal Service Area (UMSA) located on the City’s northwestern boundary. The proposed annexation area, comprised of 97 folios including one governmental property, is within County Commission District 9, represented by Commissioner Kionne L. McGhee, and is generally described as:

The area adjacent to the City, bounded on outermost boundaries is as follows: on the north by SW 328th Street (Southwest 7th Street), on the east by SW 192nd Avenue, on the south by SW 344th Street, and on the west by SW 199th Avenue.

Pursuant to section 20-6 of the Code, OMB submits this report for the PAB’s review and recommendation.

Summary of Issues for Consideration

1. The annexation area has fewer than 250 registered electors and less than 50 percent is developed residential; therefore, a vote of resident electors in the area will not be required.
2. Property owners will see an average increase of \$706 in property taxes if this annexation is approved. The annexation area will remain within the Miami-Dade Fire Rescue (MDFR) District and the Miami-Dade Library District in perpetuity.
3. The annexation area is currently being serviced by the Miami-Dade Water and Sewer Department (WASD) for water and sewer services. The proposed annexation area shall remain within the WASD service area.
4. The area should remain part of the Miami-Dade Solid Waste service area. An interlocal agreement should be approved upon annexation.
5. The City will assume responsibility for billing the City’s stormwater utility fees for the properties in the area and agrees to pay to the County the area’s share of stormwater debt service.
6. The County is proposing to keep the following roads:
 - a. SW 197 Avenue (theoretical) from SW 344 Street to SW 328 Street
 - b. SW 192 Avenue from SW 344 Street to SW 328 Street

- c. SW 344 Street from SW 199 Avenue to SW 192 Avenue
 - d. SW 328 Street (theoretical) from SW 197 Avenue to SW 192 Avenue
 - e. East of centerline SW 194 Avenue from SW 336 Street to south centerline of SW 338 Street
 - f. SW 336 Street from SW 194 Avenue to SW 192 Avenue
7. The annexation area contains Natural Forest Communities (NFC) that have been designated by the U.S. Fish and Wildlife Service as a critical habitat for two identified endangered species.
 8. The annexation area contains a County-owned Environmentally Endangered Lands (EEL) property, which will continue to be managed by the County as property owner.
 9. The County is proposing to designate the Basic Wellfield Protection Area of the Florida Keys Aqueduct Authority Wellfield Protection Area, the Rock Pit #39 Preserve, and 80 acres lying between SW 197 Avenue and SW 192 Avenue to the west and east and SW 332 Street and SW 336 Street to the north and south as Areas or Facilities of Countywide Significance, over which the County would retain regulatory jurisdiction.
 10. The Department of Regulatory and Economic Resources (RER) provides developmental regulatory services to the unincorporated municipal service area (UMSA), such as building, zoning, and planning, and the operational expenses associated with such services are covered by the fees for such activities. Annexations and incorporations, as they aggregate, erode RER's service area, and may negatively affect RER's economies of scale.

Annexation Guidelines:

The following analysis addresses the factors required for consideration by the PAB pursuant to chapter 20-6 of the Code.

1. **Does the annexation divide a historically recognized community?**
The proposed annexation area does not divide a historically recognized community.
2. **If approved, will the annexation result in an area that is compatible with existing planned land uses and zoning of the municipality to which the area is proposed to be annexed?**
In its annexation application, the City states that if the annexation is approved, it plans to adopt future land use regulations consistent with the current County Land Use (LUP) map and provided a description of existing County zoning in the annexation area. Since, the city has satisfied this requirement by submitting a proposed city zoning plan.
3. **Will annexation of the area impact eligibility for any benefits derived from inclusion in federal or state enterprise zones, or targeted area assistance provided by federal, state, and local government agencies?**
The annexation will not impact the federal or state entitlement funding administered by the Community Action and Human Services Department. Additionally, there are no state or federal enterprise zones in the proposed annexation area.
4. **Will the annexation impact public safety response times?**

Fire and Rescue:

The proposed annexation is not expected to impact fire rescue response times. The area is currently served as part of MDFR Stations 16 and 65 located within the City of Homestead. As part of the application, the City stated that the area will remain in the County's Fire Rescue District, therefore this area will continue to be served by the same stations and resources if

the annexation is approved. However, response time may be impacted if the land use designation is amended to allow an increase density in its land use.

Police:

The proposed annexation area will not impact police response times in the remaining UMSA area. Should the annexation be approved, the City will provide police services to the area as it currently does within its municipal boundaries. Police resources will be relocated to remaining portions of UMSA.

5. Will the annexation introduce barriers to municipal traffic circulation due to existing security taxing districts, walled communities, and/or private roads?

There are no existing security taxing districts, walled communities, or private roads in the proposed annexation area. The proposed annexation area contains an inactive special taxing district known as L-1145/M-508 - Spring Flowers Subdivision Multipurpose and Lighting.

6. Will the annexation area be served by the same public service franchises, such as cable and communications services, as the existing municipality, or with full access to all available municipal programming through its franchise provider(s)?

The area will continue to be served by the same cable television and telecommunication operators as before. Pursuant to State law effective July 1, 2007, Miami-Dade County no longer can license new cable television companies and enforcement activities will be limited to rights-of-way issues only. Therefore, the proposed annexation will not have an impact on our ability to enforce rights-of-way issues as per the Code. A list of new cable franchise certificates that may affect the County's rights-of-way can be found at the following site: <https://search.sunbiz.org/Inquiry/CableFranchiseSearch/SearchResults?inquiryType=CableFranchiseNameList¤tPage=1>

Telecommunications Service Providers are required to register with the County only if they have facilities located within UMSA. The purpose of the registration process is to determine users of the County's rights-of-way. Therefore, companies that have facilities within the proposed annexation area will no longer be required to register with the County. Municipalities are responsible for managing their public thoroughfares. Municipal programming is accomplished through separate agreements between municipalities and the cable operators providing services within their respective municipality. The cable operator's obligation to broadcast municipal meetings is outlined in these agreements. Technically, cable operators have the ability to add municipal programming to the proposed annexed areas, if required.

7. If the area has been identified by the Federal Government as a flood zone or by emergency planners as an evacuation zone, has the existing municipality indicated its preparedness to address any extraordinary needs that may arise?

The proposed annexation area is located within Special Flood Hazard Area AH 9 as determined by the Federal Emergency Management Administration (FEMA) Flood Insurance Rate Maps. The City noted in its application that it is prepared to address any emergency evacuation needs for the proposed area.

8. Will the annexation area be connected to municipal government offices and commercial centers by public transportation?

The proposed annexation area is currently served by Metrobus Routes 35/35A, 301 and 344. While none of these routes cross the proposed annexation area, they do provide access to

Metrobus services at bus stops along SW 187th Avenue, SW 182nd Avenue and SW 344th Street. The bus stops are all within half a mile to a mile from the proposed annexation area depending on which stop and route is desired.

Metrobus Routes 35 and 344 can be accessed at an eastbound bus stop along SW 344th Street and SW 187th Avenue approximately 0.45 miles away from SW 192nd Ave and 1.28 miles away from SW 199th Ave. Metrobus Routes 35 and 301 can be accessed at the Eastbound Bus stop along SW 344th Street at SW 182nd Avenue (NW 6th Ave) approximately one mile away from SW 192nd Avenue. The service headways (in minutes) for these routes are detailed in the table below.

Annexation Application: City of Florida City							
Route	Service Headways (in minutes)						Type of Service
	Weekday				Weekend		
	Peak (AM/PM)	Off-Peak (midday)	Evenings (after 8pm)	Overnight (OVN)	Saturday	Sunday	
35	40	40	40	n/a	60	60	L/F
35A	40	40	40	n/a	60	60	L/F
301 (Marathon)	30	30	120	n/a	30	30	L
301 (Islamorada)	60	105	45	n/a	60	60	L
344	60	60	n/a	n/a	n/a	n/a	L/F

Notes: *L means Metrobus local route service*
F means Metrobus feeder service to Metrorail or Tri-Rail *December 2020 Line Up*
E means Metrobus Express or Limited-Stop service

Metrobus Route 344 provides the area access to the Dade Correctional Institution, the Florida City - City Hall, a Post Office, the Department of Children and Families offices, Homestead High School and Miami Dade College Homestead Campus. Metrobus Route 301 provides access to the Florida Keys, two routes service the Islamorada Village of Islands and the City of Marathon daily. Metrobus Route 35/35A provides the area access to the Miami Dade College Kendall Campus, Southland Mall, Homestead High School, Homestead Hospital and the SW 344th Street Park-and-Ride facility in Florida City.

The City of Homestead also provides a trolley service to the area less than a half mile away from the proposed annexation area. The City of Homestead Downtown trolley bus route can be accessed along SW 192nd Avenue (SW 18th Ave) at SW 324th Street (SW 4th St). The City of Homestead Downtown Trolley Route provides access to City of Homestead activity centers such as, the Historic Museum, Wittkop Park, Robby George Park, Homestead City Hall, and Downtown Homestead.

- To the degree possible, would the proposed annexation area be contained in one or more school district boundaries governing admission to elementary, middle, and high school as the adjoining municipality?**

The proposed annexation area adjoins both Florida City and the City of Homestead to the east, and is contained within the same elementary, middle school, and high school attendance boundaries as the adjoining cities. The schools serving the proposed annexation area are Florida City Elementary School, Homestead K-8 Center, Gateway Environmental K-8 Center and Homestead Senior High School, all of which are Miami-Dade County public schools.

The following analysis addresses the factors required for consideration by the Board and the PAB pursuant to chapter 20-7 of the Code.

1. The suitability of the proposed annexation boundaries, in conjunction with the existing municipality, to provide for a municipal community that is both cohesive and inclusive.

a. Does the area divide a Census Designated Place, (an officially or historically recognized traditional community)?

The proposed annexation area does not divide a Census Designated Place.

b. Have any adjacent unincorporated areas with a majority of ethnic minority or lower income residents petitioned to be in the annexation area?

No adjacent unincorporated areas having a majority of ethnic minority or lower income residents have petitioned to be included in the annexation area.

c. Is the area or does it create an unincorporated enclave area (surrounded on 80 percent or more of its boundary by municipalities) that cannot be efficiently or effectively served by the County?

The area is not an enclave.

d. Are the boundaries logical, consisting of natural, built, or existing features or City limits?

The boundaries are logically designated as existing roads, some paved and some unpaved. The northeastern boundary of the area abuts city limit of Florida City.

2. Land Use and Zoning Covenants - Provide a listing of all declarations of restrictions within the annexation area (include folios and copies of covenants).

County staff's research identified approximately 117 acres of land located in the southeast corner of the proposed annexation area that are subject to CDMP Declarations of Restrictions (covenant) recorded in Official Record Book 25852 at Pages 4394 through 4417, Record Book 25853 at pages 4309 through 4321, and Record Book 26099 at pages 3422 through 3437 in the Public Records of Miami Dade County. The CDMP covenants were recorded in 2006 and 2007 and apply to an area generally bounded by SW 336th Street on the north, SW 344th Street on the south, SW 197th Avenue on the west, and SW 192nd Avenue on the east. These and any other such covenants governing property in the annexation area will be subject to modification or release in accordance with section 20-8.8 of the Code, which provides that the Board shall retain jurisdiction over the modification or deletion of certain covenants and development agreements, regardless of whether such declaration or agreement provides for modification or deletion by a successor governmental body. It is provided, however, that the Board may not exercise such jurisdiction unless the applicable municipality has first approved the modification or deletion.

3. The existing and projected property tax cost for the municipal-level service to the average homeowners in the area currently as unincorporated and as included as part of the annexing municipality.

The taxable value within the proposed annexation area is \$15,608,303. At the current City millage rate (6.4790 mills), the ad valorem revenues attributable to the annexation area would be \$96,070. At the current UMSA millage rate (1.9090 mills), the ad valorem revenues attributable to the annexation area would be \$28,306. The expected tax increase to the entire annexation area would be 4.5700 mills and \$67,763. There are 96 taxable folios in the proposed annexation Area and the average property owner would see an increase of \$706 if this annexation is approved.

Projected Property Tax Cost		
City of Florida City		
Annexation Application Area J		
	Millage Rate	Millage x Taxable Value
City of Florida City -- Municipal Millage	6.4790	\$ 96,070
Unincorporated Area -- UMSA Millage	1.9090	\$ 28,306
Increase (Decrease)	<u>4.5700</u>	<u>\$ 67,763</u>

4. Relationship of the proposed annexation area to the Urban Development Boundary (UDB) of the County's Comprehensive Development Master Plan (CDMP).

The proposed annexation area is 406.9 acres and is located within the Adopted 2020 Urban Development Boundary as shown on the County's CDMP Adopted 2020 and 2030 Land use Plan map.

5. What is the impact of the proposal on the revenue base of the unincorporated area and on the ability of the County to efficiently and effectively provide services to the adjacent remaining unincorporated areas?

The total taxable value of the annexation area is \$15,608,303. The area generates an estimated \$83,456 in revenue including property, communication, and sales taxes. The County spends an estimated \$299,267 per year providing services to the area. Therefore, the net revenue gain to the UMSA budget is an estimated \$215,811. However, should the proposed area be annexed, some services will not be adjusted but rather re-allocated within the UMSA area.

6. What is the fiscal impact of the proposed annexation on the remaining unincorporated areas of Miami-Dade County? Specifically, does the per capita taxable value of the area fall within the range of \$20,000 to \$48,000?

According to the 2020 Census, the population within the proposed annexation area is 104 persons. The taxable value within the annexation area is \$15,608,303, therefore the per capita taxable value is \$150,080.

7. Is the annexation consistent with the Land Use Plan of the County's CDMP?

As noted in No. 2 above, in its annexation application the City states that it plans to adopt future land use regulations consistent with the CDMP's Land Use Plan (LUP) if the annexation is approved.

8. Does the proposed annexation exclude areas designated terminals on the County's Adopted Land Use Plan Map?

The proposed annexation area does not include areas designated as terminals.

Departmental Analysis

Police

The proposed annexation area is currently served by the MDPD's South District. If the proposed annexation is approved, police services for the annexation area will be transferred to the City of Florida City Police Department. This transfer will allow MDPD resources to be used in other areas within UMSA. As stated in their application, the City is prepared to provide the required police services for the proposed annexation.

An analysis of the Crime Data Warehouse database indicates that there were 61 calls for service in 2020, 54 calls for service in 2021, and 65 calls for service in 2022 within the proposed annexation area.

Fire Rescue

Based on the City's representation that the annexation area will remain in the Miami-Dade Fire Rescue District, the proposed annexation will not impact the Miami-Dade Fire Rescue Department's (MDFR) service delivery or response times to the remainder of the County.

The City is within the Miami-Dade Fire Rescue District and the Miami-Dade Library District. The proposed interlocal agreement will include language providing that the annexation area will remain within those districts in perpetuity.

The proposed annexation will not impact public safety response times; however, response time may be impacted if the land use designation is amended to allow increased density and the area is developed with such increased density such that there are more persons in the area to serve.

Existing Stations:

There are two stations serving the area as part of UMSA's Fire District located within the City of Homestead:

- Station 16 - 255 NW 4th Avenue
- Station 65 - 1350 SE 24th Street

Both stations are located 2.8 miles from the proposed annexation area. Should the annexation be approved, fire protection and emergency medical services will continue to be provided by MDFR and will continue to be served by the same stations and resources.

Planned Stations:

In an effort to enhance emergency service and response times in the area, the MDFR is in the process of finalizing the design for the future construction of Florida City Fire Station No. 72 at 1050 West Palm Drive, projected to be completed in 2023 – 2024.

City of Florida City – Proposed Annexation Area
MDFR Service Delivery – Calendar Years

	2020	2021	2022
Life Threatening Emergencies			
Number of Alarms	10	5	5
Average Response Time	0:10:45	0:07:30	0:09:53
Structure Fires			
Number of Alarms	-	-	-
Average Response Time	-	-	-

Water and Sewer

The proposed annexation area is within the Miami-Dade Water and Sewer Department’s (WASD) water and sewer service area. The water is supplied by the Everglades Water Treatment Plant (WTP) in the South Dade System, and the wastewater is transmitted to the South District Wastewater Treatment Plant (WWTP) for treatment and disposal. There is a 16-inch water main along SW 192nd Avenue, along the eastern annexation boundary and a 12-inch force main on SW 352nd Street and SW 188th Place, to where future development may connect and extend water and sewer infrastructure to provide service within the annexation area.

Currently, there is adequate treatment and water supply capacity at the WTP, and adequate sewer treatment and disposal capacity at the WWTP, consistent with Policy WS-2 A (1) and WS-2A (2) of the CDMP. The proposed annexation area shall remain within the WASD service area. Request for future water and sewer service within the subject annexation area shall be determined at the time the proposed development occurs based on the adequacy and capacity of the County’s water and sewer systems at the time of the proposed development. Currently, there are no GOB projects under construction within the proposed annexation area.

Solid Waste Management (DSWM)

Currently, the DSWM does not provide waste collection services to the City, however the proposed annexation area contains 43 active DSWM residential waste service accounts/units for garbage, trash, and recycling collection services. County Code section 20.8.4, Retention of Garbage and Refuse Collection and Disposal, and section 15-13, County Collection of Solid Waste, provides that DSWM shall either continue to collect and dispose of all residential waste from any part of UMSA that is annexed to existing municipalities, or delegate to the governing body of the existing municipality the authority to collect the residential waste through a 20-year interlocal agreement for collection services and for disposal services. Accordingly, the County retains the right to collect and dispose of residential waste in the proposed annexation area. If the annexation is approved, DSWM will continue to service the existing active accounts in the annexation area, unless the authority to collect and dispose of such waste is delegated to the City by interlocal agreement as provided in the County Code.

In the future, in accordance with County Code section 15-1, should any residential units be built, the DSWM will provide waste collection services to those units. Should the City desire to collect waste from any future residential units in the newly annexed area, the City has the option to request an interlocal agreement with the County for delegation of solid waste collection authority. Any municipality that requests the delegation of waste collection authority in a proposed annexation area must also have an existing 20-year waste disposal agreement with the County

in place. The City does not have an existing waste disposal agreement with the County. The DSWM has no objections to the proposed annexation of this section.

Regulatory and Economic Resources (RER)

1. Services and property to remain with Miami-Dade County:

i. Review, approval, and issuance of development orders

The Miami-Dade County Division of Environmental Resource Management (DERM) services are Countywide and are provided in both UMSA and in municipalities. Services provided by DERM in the proposed annexation area will continue to be provided by the department and include, but are not limited to, the following:

- Enforcement of chapter 24 of the County Code which includes review approval, and issuance of:
 - One-time permits for tree removal, paving and drainage
 - Operating permits for industrial facilities and grease discharge
 - Development orders for building permits, zoning actions, platting actions, and municipal occupational licenses
- Review, approval, and issuance of permits delegated by the State of Florida
- Review, approval, and issuance of permits delegated by the Federal Government
- Review, approval, and issuance of Sanitary Sewer Capacity Certification for development orders
- Review, approvals, or disapprovals in conformance with the Miami-Dade CDMP
- Maintenance of County drainage systems in County rights-of-way and road(s)

ii. Miami-Dade Secondary Canals - Water Management

Miami-Dade County shall retain ownership and regulatory control over all canal rights-of-way currently under the County's ownership or flow control. The County shall retain all rights and regulatory control of easements and canal reservations in the annexed area, and anywhere in Florida City.

2. Services to be assumed by the City of Florida City in the proposed annexation area:

i. National Flood Insurance Program (NFIP) Community Rating System - Water Management:

The NFIP is a program wherein FEMA agrees to subsidize flood insurance policies for residents of a community if the community agrees to enforce minimum flood protection standards. The Community Rating System (CRS) is a voluntary program for NFIP participating communities. Miami-Dade County participates in the CRS and currently maintains a Class 5 rating, which provides properties located within unincorporated Miami-Dade County a 25 percent premium discount. If approved, the annexation area would no longer benefit from the Miami-Dade County CRS rating. Florida City does not currently participate in CRS.

ii. Flood Protection:

In 1993, FEMA mandated that all incorporated areas in Miami-Dade County regulate their own floodplain management ordinance and conduct separate programs. The proposed annexation area is within Special Flood Hazard Area AH 9 as determined by FEMA Flood Insurance Rate Maps. If approved, Florida City (FEMA Community No. 120641) will

assume flood plain management within the annexation area and must report to FEMA that their municipal boundaries have changed.

iii. Stormwater Management Master Plan:

The County is divided into drainage basins, which are then modeled to determine what drainage is needed for each area now and in the future. By planning for future drainage needs, the County can ensure that the level of flood protection service provided to residents is maintained or improved. Upon annexation, these properties will become the responsibility of Florida City stormwater master planning.

iv. National Pollutant Discharge Elimination System (NPDES):

NPDES is a nationwide permit program that has an objective of controlling pollution that is inherent in stormwater runoff. NPDES started as a federal program and has now been delegated to the State of Florida. Municipalities must apply to and receive from the state a permit that outlines best management programs designed to reduce the pollution in stormwater runoff. These stormwater management programs can consist of water sampling and monitoring, education and outreach, street sweeping, drainage infrastructure inspection and maintenance, drainage systems design and construction, and the implementation of various other best management practices.

Miami-Dade County's NPDES Phase 1 permit is a joint permit with 32 co-permittees, excluding Florida City. Due to population size, Florida City has a NPDES Phase 2 permit instead. Upon annexation, Florida City would need to notify FDEP of said annexation and take all actions necessary to integrate such annexation area into Florida City's NPDES permit. Additionally, the respective NPDES Permit Surveillance fees paid by the County and Florida City to the FDEP, will be adjusted to reflect the change in population for the unincorporated Miami-Dade County and Florida City, respectively.

3. Existing Billing Agreements between the County and the City:

i. Stormwater Billing Agreement for Stormwater Utility (SWU) Program and Fees

Upon annexation, the properties in the proposed annexation area will no longer be billed by the County's Stormwater Utility. Florida City will be responsible for billing the stormwater utility fees for the properties in the proposed annexation area. Florida City maintains their own utility billing, therefore, a billing agreement with Miami-Dade County Water and Sewer Department will not be necessary. Currently, the annexation area has approximately 45 Equivalent Residential Units (ERU). The annexation of these residential properties to Florida City will result in an annual revenue collection reduction for the County in stormwater utility fees of approximately \$2,640.

ii. Stormwater Billing Agreement for Stormwater Utility Bonds Debt Service Payments

The City of Florida City shall pay its pro-rata share of the debt service on the County's 1999, 2004, refinanced 2013 Stormwater Utility Revenue Bonds and now replaced by the Series 2020-Stormwater Utility Revenue Refunding Bonds, for the annexed areas. Bond debt service payments to the County will commence immediately upon annexation.

Actual cost for the bond debt service will be determined at the time of annexation and billed to Florida City, and such provisions shall be included in the interlocal agreement for the proposed annexation. Currently, the annexation area has approximately 45 Equivalent

Residential Units (ERU). Florida City's debt service payment to the County for the proposed annexation area, based on Series 2020 bonds, is currently estimated to be \$450 per year, however, such amount may change.

4. Environmental information:

i. Wellfield Protection

In 1984, the BCC adopted Resolution R-1532-84 approving a cooperative agreement between the County and the Florida Keys Aqueduct Authority (FKAA) to protect the wellfield protection area owned by FKAA. The County, through DERM, provides wellfield protection services as well as technical analysis regarding ground and surface water quality within the FKAA. A portion of the proposed annexation area is located within the Basic Wellfield Protection Area of the FKAA Wellfield. Specifically, the annexation area is situated between the 100-day travel time and the 210-day travel time contour of the FKAA Wellfield Protection Area. Pursuant to the Code, the Basic wellfield protection area is the area within two hundred ten (210) days travel time from a public utility potable water supply well based upon maximum day pumpage. Due to its proximity to the potable water supply well(s), the basic wellfield protection area has environmental protections such as restrictions on the type of land uses, stormwater methods, and overall sewage loading allowed, and restrictions prohibiting hazardous materials and hazardous wastes. These restrictions are referenced in the County's CDMP policies and in the wellfield protection provisions in the Code. The County recommends that the area within the basic wellfield protection area, be designated as Areas or Facilities of Countywide Significance pursuant to Chapter 20 of the Code, so that such areas will remain within the County's regulatory jurisdiction for land use and zoning actions to ensure land use and zoning actions are consistent with protecting this wellfield.

For reference, County provisions in the CDMP that address land uses within wellfield protection areas are listed below:

- a. Conservation Objective CON 3A: no new facilities that use, handle, generate, transport, or dispose of hazardous wastes shall be permitted within wellfield protection areas.
- b. Land Use Policy LU-3B: All significant natural resources and systems shall be protected from incompatible land use including Biscayne Bay, future coastal and inland wetlands, future potable water-supply wellfield areas identified in the Land Use Element or in adopted wellfield protection plans, and forested portions of Environmentally Sensitive Natural Forest Communities as identified in the Natural Forest Inventory, as may be amended from time to time.
- c. Interpretive text of the Land Use Element: Miami-Dade County's sole source of drinking water is the Biscayne Aquifer. Many characteristics of the Aquifer make it highly vulnerable to contamination from activities on the land surface. Land uses and activities near and upgradient from wellfields, directly impact the quality of water ultimately withdrawn from the wells. Additionally, newly constructed, and future regional wellfields warrant greater and more extensive protection for two reasons. First, the opportunity still exists to maintain pristine water quality around the new and future wellfields because the land within the full extent of their cones

of influence is largely undeveloped. Secondly, if these become contaminated there are no alternative sites for the construction of comparable high-capacity wellfields.

- d. In order that the new and future regional water supply wellfields constructed in a predominantly undeveloped areas will remain free from contamination, land use and development within and upgradient from the full extent of their cones of influence must be carefully controlled to limit land uses to those which will pose no threat to water quality.

ii. Environmentally Endangered Lands (EEL)

An EEL Program Preserve is located within the Florida City Annexation Application area. Rock Pit #39 Preserve (folio 30-7823-002-0010), located on the southwest corner of SW 336th Street and SW 192nd Avenue is owned and managed by the County pursuant to section 24-50 of the Code. The Preserve comprises 10 acres of globally imperiled pine rockland plant community, which harbors threatened and endangered species. The Board approved the Preserve to be managed in perpetuity by the EEL Program via Resolution No. R-692-00. It is recommended that this EEL Preserve be designated by the BCC as an Area of Countywide Significance pursuant to Chapter 20, so that the County would retain full regulatory jurisdiction if such property is annexed into a municipality.

Currently, the EEL Preserve abuts undeveloped roadways in the proposed annexation area that comprise segments of SW 336 Street between SW 192 Avenue and SW 194 Avenue, SW 192 Avenue between SW 338 Street and SW 336 Street, and SW 194 Avenue between SW 338 Street and SW 336 Street ends. The County is proposing to keep the following roads:

- West of centerline SW 192 Avenue from SW 338 Street to south centerline of SW 328 Street
- East of centerline SW 194 Avenue from SW 338 to south centerline of SW 328 Street
- SW 336 Street from SW 194 Avenue to SW 192 Avenue

iii. Natural Resources

Approximately 80-acre area lying between 197th Avenue and 192nd Avenue to the west and east and 332nd Street and 336th Street to the north and south contain pine rockland resources designated by the County as Natural Forest Community (NFC). Furthermore, the annexation area contains tree resources and may include specimen trees (trees with a trunk diameter at breast height of 18 inches or greater). Due to the ecological significance of these resources, NFC and specimen trees are protected by section 24-49.2 of the Code and any proposed development is required to be consistent with the detailed standards contained in the Code. Due to the presence of County designated NFC, the County recommends that the above-mentioned area be designated as Areas or Facilities of Countywide Significance pursuant to Chapter 20 of the Code, so that such areas will remain within the County's regulatory jurisdiction for land use and zoning actions.

For reference, some of the provisions in the County's CDMP that address land uses within NFCs are listed below:

- a) Conservation Objective CON-8: Upland forests included on Miami-Dade County's Natural Forest Inventory shall be maintained and protected.
- b) Conservation Policy CON-8A: Specimen trees and Natural Forest Communities in Miami-Dade County shall be protected through the maintenance and enforcement of the County's Tree and Forest Protection and Landscape Code, as may be amended from time to time. The County's Natural Forest Inventory shall be revised periodically to reflect current Natural Forest Community conditions. A Natural Forest Community shall not be removed from the inventory unless its quality and resource values have been degraded to the point where it cannot be restored.
- c) Conservation Policy CON-8D: Where hammocks or pinelands are contained within prospective development sites, they shall be given priority for designation as landscape and open space areas and left intact. The extent of hammock and pineland area destroyed shall be minimized using native plant buffers, clustering, large lot zoning, and/or reduced roadway widths. Care shall be exercised when developing adjacent land to minimize root damage and filling. Disturbance to the forest canopy and understory shall be minimized and confined to the least viable areas. Preservation areas shall be located and configured to protect rare, threatened, and endangered species and to allow for prescribed burning, where applicable. In the protected forest areas, understory vegetation and associated geologic features shall be protected and maintained in perpetuity.
- d) Conservation Policy CON-8E: The destruction of environmentally sensitive Natural Forest Communities shall be kept to a minimum; a long-term mitigation and management plan shall be developed to assure the continued maintenance of the remaining forest lands and the restoration or creation of at least an equal amount of forest lands to those destroyed.

iv. Endangered Species

All or part of certain NFC properties within the proposed annexation area have been designated by the U.S. Fish and Wildlife Service as critical habitat for Brickell bush (*Brickellia mosieri*) and Carter's sand flax (*Linum carteri* var. *carteri*) which are both federally and state listed endangered species.

5. Other Issues for Consideration:

- i. RER provides developmental regulatory services to UMSA as well as platting, planning and environmental regulatory services countywide. The services provided in UMSA include building-trades (plan review and inspection) services, developmental (zoning), and an array of code enforcement. Only a small amount of the County's total past activities relating to building-trade, zoning and enforcement services programs are attributable to the proposed annexation area. Likewise, the operating expenses associated with building, zoning, and code enforcement activities are covered by the fees from such activities. However, this historical assessment is not indicative of the future demand for our regulatory services as there is development potential in this area. Assuming the full development of the area based on current zoning, meaning the maximum number of units that could be built in that area, the annexation area could potentially represent a loss of \$8.4 million in building, zoning, and code enforcement fees over a multi-year period to RER. Additionally, as they aggregate, incorporations and annexations erode RER's service area. RER monitors the progress of proposed annexations and incorporations

along with other factors affecting RER’s service demand and delivery, and staffing levels, such as economic trends in the construction, real estate, and housing industries.

ii. Development Profile of the Area

The table below depicts the 2022 existing land use profile for the proposed annexation area. Of the 406.9 acres in the proposed annexation area, 70.8 percent of that acreage is in agriculture use, 12.2 percent is residential, 8.9 percent is undeveloped, 5.9 percent is in transportation, communication, and utilities use; and 2.1 percent is parks and recreation.

Florida City Proposed Annexation Area 2022 Existing Land Use						
Land Use	Proposed Annexation Area (Acres)	Proposed Annexation Area (% of Total)	City of Florida City (Acres)	City of Florida City (% of Total)	Miami-Dade County (Acres)	Miami-Dade County (% of Total)
Residential	49.70	12.21%	570.90	14.71%	115,361.00	9.11%
Commercial & Office Transient Residential	0.00	0.00%	197.00	5.07%	14,423.00	1.14%
Industrial	0.00	0.00%	266.60	6.87%	21,325.70	1.68%
Institutional	0.00	0.00%	97.80	2.52%	15,795.70	1.25%
Parks/Recreation	8.70	2.14%	231.90	5.97%	834,795.70	65.92%
Transportation, Communication, Utilities	24.20	5.95%	503.40	12.97%	88,806.50	7.01%
Agriculture	288.00	70.78%	935.30	24.09%	59,477.00	4.70%
Undeveloped	36.30	8.92%	876.00	22.57%	77,108.10	6.09%
Inland Waters	0.00	0.00%	203.10	5.23%	39,221.50	3.10%
Total:	406.90	100.00%	3,882.00	100.00%	1,266,314.20	100.00%

Source: Miami-Dade County Department of Regulatory and Economic Resources (RER), Planning Research Economic Analysis Section (January 2023)

iii. Demographic Profile of the Area

Shown in the table below is the U.S. Census Bureau, estimated American Community Survey 2016-2020, 5-year Estimates for the proposed annexation area.

City of Florida City Proposed Annexation Area Demographic and Economic Characteristics City of Florida City and Miami-Dade County, ACS 2016-2020		
Characteristics	Annexation Area Estimates	City of Florida City
Population 2020	104	13,085
Percent White, Not Hispanic	27.88%	3.81%
Percent Black, Not Hispanic	14.42%	44.22%
Percent Other, Not Hispanic	2.88%	2.12%
Percent Hispanic Origin	54.81%	49.85%
<u>Income</u>		
Median Household Income	\$117,500	\$37,556
Per-capita Income	\$60,382	\$12,991
<u>Housing</u>		
Total Housing Units	43	4,088

Source: U.S. Census Bureau, 2020 Decennial Census, 2016-2020 American Community Survey, 5-Year Estimates; and Miami-Dade County, Regulatory and Economic Resources Department, Planning Research and Economic Analysis, April 2022.

Transportation & Public Works

Currently, there are undeveloped roadways in the proposed annexation area that comprise segments of SW 328 Street between SW 192 Avenue and SW 197 Avenue that have fences and gates at both ends. Since SW 328 Street is a section-line/collector road, when developed it must be fully accessible and no gates and/or fencing are allowed on the public right-of-way.

There are approximately 4.9 centerline miles (approximately 2.8 mi paved and 2.1 mi undeveloped) in the proposed annexation area. Approximately 1.6 centerline miles will be transferred to Florida City. The County is proposing to keep the following roads:

- SW 197 Avenue (theoretical) from SW 344 Street to SW 328 Street
- SW 192 Avenue from SW 344 Street to SW 328 Street
- SW 344 Street from SW 199 Avenue to SW 192 Avenue
- SW 328 Street (theoretical) from SW 197 Avenue to SW 192 Avenue
- East of centerline SW 194 Avenue from SW 336 Street to south centerline of SW 338 Street
- SW 336 Street from SW 194 Avenue to SW 192 Avenue

Elections

The proposed annexation area contains 88 registered voters; therefore, an election in the area will not be required.

Parks, Recreation and Open Spaces

There are no County parks within the proposed annexation area.

Spring Flowers Subdivision L-1145/M-508 – Special Taxing District

This area is part of L-1145 Spring Flowers Subdivision Multipurpose Maintenance and Street Lighting Taxing District established May 26, 2006, in anticipation of development of the property. This district has remained inactive since its creation as no development has taken place since its establishment in 2006.

Attachments:

- A. Map of the Proposed Annexation Area
- B. Estimated Impact on UMSA Budget Statement
- C. City of Florida City Annexation Application

C: David Clodfelter Director, Office of Management and Budget