

FINAL RECOMMENDATIONS

OCTOBER 2012 APPLICATIONS TO AMEND THE COMPREHENSIVE DEVELOPMENT MASTER PLAN

FOR MIAMI-DADE COUNTY, FLORIDA



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FINAL
RECOMMENDATIONS

OCTOBER 2012 APPLICATIONS TO AMEND THE
COMPREHENSIVE DEVELOPMENT MASTER PLAN

September 2013

Miami-Dade County
Department of Regulatory and Economic Resources
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INTRODUCTION

This report contains the final recommendations of the Miami-Dade County Department of Regulatory and Economic Resources (Department) on the pending October 2012 Cycle Applications (Application Nos. 3, 4, and 5) requesting amendments to the Miami-Dade County Comprehensive Development Master Plan (CDMP).

Previous Actions

The table entitled “Summary of Recommendations” presented on the following pages summarizes the recommendations of the Department, affected Community Councils and the Planning Advisory Board (PAB) as well as the previous actions taken by the Board of County Commissioners on the pending October 2012 Cycle Applications. Following this summary table are the revised recommendations by the Department that provide additional relevant information (if any) on each pending application.

**TABLE 1
SCHEDULE OF ACTIVITIES
OCTOBER 2012-2013 CDMP AMENDMENT CYCLE**

Pre-application Conference	Prior to October 1, 2012
Application Filing Period	October 1 to October 31, 2012
Deadline to withdraw Application and obtain Return of Full Fee. Notify applicant of deficiencies.	November 7, 2012
Deadline for resubmittal of unclear or incomplete Applications	Seventh business day after Notice of deficiency
Applications Report published by the Department of Regulatory and Economic Resources (Department)	December 5, 2012
Deadline for submitting Technical Reports	December 31, 2012
Deadline for submitting Declarations of Restrictions to be considered in the Initial Recommendations Report	January 28, 2013
Initial Recommendations Report released by the Department	February 25, 2013
Community Councils Public Hearings: West Kendall Community Council (CC 11) North Central Community Council (CC 8) Redland Community Council (CC 14)	March 19, 2013 March 20, 2013 March 25, 2013
Planning Advisory Board (PAB), acting as Local Planning Agency (LPA), Public Hearing to formulate Recommendations regarding Adoption of Small-Scale Amendments and Transmittal of Standard Amendment requests to State Land Planning Agency (SLPA)	April 15, 2013 County Commission Chamber 111 NW 1 Street Miami, Florida 33128
Board of County Commissioners (Commission) Hearing and Action on Adoption of Small-Scale Amendments and Transmittal of Standard Amendment requests to SLPA	May 22, 2013 County Commission Chamber 111 NW 1 Street Miami, Florida 33128
Transmittal to SLPA and other state and regional reviewing agencies	June 2013 (Approximately 10 days after Commission transmittal hearing)
Deadline for Filing Supplementary Reports by the Public	Forty-five (45) days after Commission transmittal hearing
Receipt of Comment Letters from reviewing agencies	July 2013 (Approximately 45 days after transmittal)
Public Hearing and Final Action on Applications: Board of County Commissioners	October 2, 2013 County Commission Chamber 111 NW 1 Street Miami, Florida 33128



Summary of Recommendations
October 2012 Applications to Amend the Comprehensive Development Master Plan for Miami-Dade County, Florida
April 15, 2013

Application Number/ Type	Location/Acreage/ Requested Amendment	BCC District/ Commissioner	Department's Initial Recommendation February 25, 2013	Community Council Recommendation, Resolution # and Date	LPA Recommendation April 15, 2013	BCC Recommendation May 22, 2013	Department's Final Recommendation September 2013
2/ Small-scale	AB at Hidden Lake, Ltd./Javier L. Vasquez, Esq. Northwest corner of the intersection of SW 127 Avenue and SW 132 Street (±8.63 Gross; ±7.72 Net) <u>Requested CDMP Amendment</u> Redesignate application site on the Land Use Plan (LUP) map: From: "Industrial and Office" To: "Medium Density Residential"	9/ Moss	Adopt (as Small-Scale Amendment)	CC11 Adopt (as Small-Scale Amendment) 03-19-2013	Adopt as a Small-Scale Amendment	Deny as a Small-Scale and Transmit as a Standard Amendment	Adopt as Transmitted with Acceptance of the Proffered Declaration of Restrictions
4/ Standard	Miami-Dade County Department of Regulatory and Economic Resources /Jack Osterholt, Deputy Mayor/Director <u>Requested CDMP Amendment</u> Revise the Land Use Element "Business and Office" land use category text on Pages I-41 and I-42 to allow for the integration of compatible light industrial uses with other uses permitted in the "Business and Office" category through the creation of 'Employment Centers'.	Countywide	Transmit and Adopt	N/A	Transmit and Adopt	Transmit with Changes and Adopt as Recommended by Staff	Adopt as Transmitted with Further Change
5/ Standard	Miami-Dade County Department of Regulatory and Economic Resources /Jack Osterholt, Deputy Mayor/Director <u>Requested CDMP Amendment</u> Amend the Land Use Element and the Aviation Subelement text to add criteria to achieve compatibility of adjacent lands with the Homestead Air Reserve Base.	Countywide	Transmit and Adopt	N/A	Transmit with Change and Adopt (change includes: Policy LU-4H add reference to BCC adopted Resolution No. 357-10, Policy LU-4I add reference to HARB Military Zone)	Transmit with Changes and Adopt as Recommended by Staff	Adopt as Transmitted

Source: Miami-Dade County Department of Regulatory and Economic Resources (Department)

Notes

BCC: Miami-Dade Board of County Commissioners
LPA: Land Planning Agency
CC8: North Central Community Council
CC11: West Kendall Community Council
CC14: Redland Community Council

**FINAL RECOMMENDATIONS ON
THE OCTOBER 2012 CDMP CYCLE
APPLICATIONS TO AMEND THE
COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP)**

Presented below is a summary of the Final Recommendations of the Department on each of the applications submitted in the October 2012 CDMP Cycle followed by detailed changes to each of the applications with further changes subsequent to the Board of County Commissioners May 22, 2013 public hearing on the October 2012 CDMP Cycle applications.

APPLICATION NO. 2 (AB at Hidden Lake, Ltd./Javier L. Vasquez, Esq.)

Request: Redesignate application site on the Land Use Plan (LUP) map:
 From: "Industrial and Office"
 To: "Medium Density Residential"

Recommendation: Adopt as Transmitted with Acceptance of the Proffered Declaration of Restrictions

APPLICATION NO. 4 (Miami-Dade County Department of Regulatory and Economic Resources /Jack Osterholt, Deputy Mayor/Director)

Request: Revise the Land Use Element "Business and Office" land use category text on Pages I-41 and I-42 to allow for the integration of compatible light industrial uses with other uses permitted in the "Business and Office" category through the creation of 'Employment Centers'.

Recommendation: Adopt as Transmitted with Further Change (further change includes the addition of the following sentence: "Light industrial uses shall not comprise more than forty (40) percent of the floor area designated for non-residential uses." as reflected on Page 4-4 of this report.)

APPLICATION NO. 5 (Miami-Dade County Department of Regulatory and Economic Resources /Jack Osterholt, Deputy Mayor/Director)

Request: Amend the Land Use Element and the Aviation Subelement text to add criteria to achieve compatibility of adjacent lands with the Homestead Air Reserve Base.

Recommendation: Adopt as Transmitted

Application No. 4

Countywide

APPLICATION SUMMARY

Applicant/Representative: Miami-Dade County
Department of Regulatory and Economic Resources
111 NW 1 Street, 12 Floor
Miami, Florida 33128-1972

Location: Countywide

Requested Text Changes: Amend the Land Use Element text to allow
Employment Centers in the Business and Office
land use category

Amendment Type: Standard Text Amendment

RECOMMENDATIONS

Staff (Final): **ADOPT AS TRANSMITTED WITH FURTHER
CHANGE (change includes the addition of
maximum floor area for light industrial uses)**
(September 2013)

Staff (Initial): **TRANSMIT WITH CHANGE AND ADOPT** (May
2013)

Community Councils: **NOT APPLICABLE**

Planning Advisory Board (PAB) acting
as the Local Planning Agency: **TRANSMIT AND ADOPT** (April 15, 2013)

Board of County Commissioners: **TRANSMIT WITH CHANGES AND ADOPT AS
RECOMMENED BY STAFF** (May 22, 2013)

Final Action of Board of County
Commissioners: **TO BE DETERMINED** (October 2, 2013)

Staff recommends: **ADOPT AS TRANSMITTED WITH FURTHER CHANGE** the proposed amendment based on the Staff conclusions summarized below:

Principal Reasons for Recommendation:

1. On July 12, 2013, the Florida Department of Economic Opportunity (DEO) issued a technical assistance comment related to Application No. 4. Technical assistance comments are provided by DEO as suggestions that may be considered to strengthen the County's CDMP and will not be used to form the basis of a challenge. DEO recommended that the County consider identifying the percentage distribution among the mix of uses within the proposed Employment Centers. In consideration of the comment provided by DEO, staff recommends a further change to Application No. 4 to identify a maximum floor area for light industrial uses that may be permitted within the commerce-oriented land use area.

The further change is indicated by double-underlined text on Page 4-4.

2. Principal Reasons presented in the Initial Recommendations Report, dated February 25, 2013, are maintained.

Requested Text Amendment

The following is the proposed text change for the Land Use Element of the CDMP.

1. **Revise the Business and Office text in the Land Use Element to add employment center criteria as follows:**

Business and Office

This category accommodates the full range of sales and service activities. Included are retail, wholesale, personal and professional services, call centers, commercial and professional offices, hotels, motels, hospitals, medical buildings, nursing homes (also allowed in the institutional category), entertainment and cultural facilities, amusements and commercial recreation establishments such as private commercial marinas. Light industrial uses are also permitted in the Business and Office category within an approved Employment Center. Also allowed are telecommunication facilities such as cell towers and satellite telecommunication facilities (earth stations for satellite communication carriers, satellite terminal stations, communications telemetry facilities and satellite tracking stations). These uses may occur in self-contained centers, high-rise structures, campus parks, municipal central business districts or strips along highways. In reviewing zoning requests or site plans, the specific intensity and range of uses, and dimensions, configuration and design considered to be appropriate will depend on locational factors, particularly compatibility with both adjacent and adjoining uses, and availability of highway capacity, ease of access and availability of other public services and facilities. Uses should be limited when necessary to protect both adjacent and adjoining residential use from such impacts as noise or traffic, and in most wellfield protection areas uses are prohibited that involved the use, handling, storage, generation or disposal of hazardous material or waste, and may have limitations as to the maximum buildable area, as defined in Chapter 24 of the County Code. When the land development regulations are amended pursuant Policies LU-9P and LU-9Q, live-work and work-live developments shall be permitted on land designated as Business and Office, as transitional uses between commercial and residential areas.

Residential uses, and mixing of residential use with commercial, light industrial, office and hotels are also permitted in Business and Office areas provided that the scale and intensity, including height and floor area ratio of the residential or mixed use development, is not out of character with that of adjacent or adjoining development and zoning, and it does not detrimentally impact, and it provides a sensitive well designed transition to any adjacent or adjoining residentially developed or designated areas of different development intensity. Where these conditions are met residential development may be authorized to occur in the Business and Office category at a density up to one density category higher than the LUP-designated density of the adjacent or adjoining residentially designated area on the same side of the abutting principal roadway, or up to the density of any such existing residential development, or zoning if the adjacent or adjoining land is undeveloped, whichever is higher. If there is no adjacent or adjoining residential use existing, zoned or designated on the same side of the roadway, the maximum allowable residential density will be that which exists or which this plan allows across the roadway. Where there is no residential use, zoning or designation on either side of the roadway, the intensity of residential development, including height, bulk and floor area ratio shall be no greater than that which would be permitted for an exclusively commercial use of the site. Where SURs or TDRs are transferred to Business-designated parcels which are zoned or to be used for residential development, or when a residential project utilizes the inclusionary zoning program the allowances of the Residential communities section may be used within the limits provided in this paragraph.

Employment Centers. Within the Business and Office category, the integration of business, office, light industrial and limited residential uses is permitted through the development of employment centers. Employment centers are intended to create a synergistic relationship between industries that rely on one another for the exchange of goods, ideas and services and allow for the efficient use of shared resources and infrastructure. It is also intended to create an environment that connects industries with customers and the local workforce. Employment centers may be approved on properties designated as Business and Office on the CDMP Land Use Plan Map that meet the following: 1) are located inside the UDB, 2) contain a minimum of 10 acres, and 3) have direct access to a Major Roadway, as identified on the CDMP Land Use Plan Map.

In addition to uses otherwise permitted in the Business and Office category, light industrial uses are also permitted provided such uses do not detrimentally impact adjacent or adjoining development and zoning. Residential uses are also permitted where not otherwise incompatible. Uses should be limited when necessary to provide compatibility with other uses within the employment center and protect adjacent and adjoining residential uses from impacts such as noise, vibrations, fumes or traffic. Light industrial uses shall generally include small-scale warehousing, wholesaling, manufacturing, packaging and distribution of products for personal or household consumption including food products. Light industrial uses shall also include specialized medical, technology and biotechnology research and manufacturing.

Employment centers shall be reviewed through the Planned Area Development zoning process or other similar process to allow for the implementation of design standards to ensure that uses are compatible with each other and adjacent properties and contribute to the character of the surrounding community. The standards for employment centers should remain flexible enough to allow for varying mixes of residential, business and industrial uses while providing an environment that is accommodating to consumers, residents and employees.

A minimum of 50 percent of the linear roadway length within each land use area shall be designed to emphasize pedestrian mobility, interest, safety and comfort. Buildings located along these pedestrian-friendly streets shall be oriented in a manner that frames the street

and provides sufficient fenestration to ensure pedestrian safety and interest. Emphasis shall be placed on sidewalks, with width and street-edge landscaping increased where necessary to accommodate pedestrian volumes or to enhance safety or comfort of pedestrians on sidewalks. The length of blocks and network of streets shall be designed so that walking routes through the center and between destinations in the center are direct, and distances are short. A minimum of 10 percent of each land use area shall be devoted to public open spaces such as squares or parks which are directly accessible by a pedestrian-friendly street. Land use areas shall be designated within the Employment Center, as follows:

Commerce-Oriented (required): The commerce-oriented land use area shall comprise a minimum of 50 percent up to a maximum of 100 percent of the total employment center area. The commerce-oriented land use area may contain professional offices, commercial, light industrial and live-work residential units. Light industrial uses shall not comprise more than forty (40) percent of the floor area designated for non-residential uses.¹ The commerce oriented land use area may also contain residential uses only when vertically-integrated with other permitted uses and only when located along a pedestrian-friendly street. The ground floor use along pedestrian-friendly streets shall be limited to lobbies, neighborhood-serving business uses and light industrial storefronts. The regulations should provide for disclosure of neighboring industrial and commercial activities to prospective residential tenants and purchasers.

Community-Oriented (optional): The community-oriented land use area is an optional component of the employment center. When provided, it shall comprise no more than 50 percent of the total employment center area. Such area shall contain a mix of residential and neighborhood-serving business uses with an emphasis on the residents and/or consumers. Neighborhood-serving business uses shall include professional office, general retail, restaurants, personal service establishments, and the like.

¹ Words double-underlined constitute the further change.
October 2012 Cycle