

**INSTRUCTIONS FOR PREPARING APPLICATIONS
REQUESTING AMENDMENTS TO THE
MIAMI-DADE COUNTY
COMPREHENSIVE DEVELOPMENT MASTER PLAN
OCTOBER 2020 AMENDMENT CYCLE**

October 2020

Miami-Dade County
Department of Regulatory and Economic Resources
Planning Division, Metropolitan Planning Section
Stephen P. Clark Center, 12th Floor
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UPDATES AND REVISIONS TO THE INSTRUCTIONS REPORT

Introducing Online Filing Procedures

Miami-Dade County Regulatory and Economic Resources Department's Planning Division has moved to an online service model and will only be accepting CDMP Amendment applications online through the [Citizen Self Service Portal \(CSS\)](#). Due to the COVID-19 Pandemic, in-person visits to file CDMP Amendment Applications must be coordinated with Planning Division staff through the departmental contact information on page 1 below.

UPDATES AND REVISIONS	Page/s
Traffic Impact Study clarifications and updates: <ul style="list-style-type: none">Added text clarifying that requests to modify a CDMP Declaration of Restrictions that expand the scope of allowed uses must include a traffic analysis as part of the application submittal requirements.Updated the long-term planning horizon to 2045. All long-term studies must utilize the 2045 projections, models and related data from the required sources.	18-19
Declaration of Restrictions. Revised the "Modification, Amendment and Release" clause to specify that owners of the "property" must provide joinders of all mortgagees where requesting a modification, amendment and, or release of a covenant.	44
Request for a CDMP Letter of Interpretation. Provided detail instructions on how to file a request for CDMP Letter of Interpretation online.	55

APPLICATION CHECKLIST

This checklist is provided to assist applicants in compiling the documents needed to submit a complete application and note that CDMP applications will be accepted online through the Citizen Self Service Portal (CSS) at the link below.

https://energov.miamidade.gov/EnerGov_Prod/SelfService#/home

For detailed guidelines on completing the online application and uploading documents in the CSS Portal, see Appendix D. The fee schedule is included on page 21.

✓	Required Items
<input type="checkbox"/>	Application (2 printed/hard copies and one PDF)
<input type="checkbox"/>	Disclosure of Interest (2 hard copies and one PDF)
<input type="checkbox"/>	Certified ALTA Survey not more than one-year old to include gross acres (subject to confirmation by staff) and net acres. Provide standard size survey and copy of the survey on 8 1/2" X 11" size page/s (2 hard copies and one PDF of each).
<input type="checkbox"/>	Legal description (2 hard copies, 1 PDF)
<input type="checkbox"/>	Location Map showing the boundaries of the property and depicting portions of the application site owned by the Applicant and by non-participants in the application. Must show abutting and adjacent streets.
<input type="checkbox"/>	Traffic impact study signed and sealed by a Florida registered professional engineer - required for all applications (4 hard copies and one PDF for all applications)
<input type="checkbox"/>	CDMP Declaration of Restrictions, Draft Opinion of Title, and Draft Joinder, if any. Provide 2 hard copies, one PDF, of each document. Modifications to an existing covenant shall include one Redline version of the proposed changes.
<input type="checkbox"/>	Additional Materials - Required reports and supporting documents, if any (e.g. Mobile homes displacement study, economic studies, etc.) 2 hard copies and one PDF.
<input type="checkbox"/>	Application Fee: After the online application is submitted, Applicants will receive a "Notice of Receipt" with an invoice of fees due. Applicants have five business days from the close of the filing period or "Notice of Receipt", whichever occurs later, to submit payment. Checks must be made payable to Miami-Dade County and must include the local contact name, telephone number and address of the party making the payment.
<input type="checkbox"/>	Copy of written notification to property owners (other than Applicant) and proof of receipt (no later than 5 business days after the filing period).
<input type="checkbox"/>	<p>Hard copies of Application. Applicants are required to submit the 2 hard copies of all the application documents and 4 hard copies of the traffic study to the address below and to cure all deficiencies in the application within five business days from the close of the filing period or "Notice of Receipt", whichever occurs later.</p> <p style="text-align: center;">Miami-Dade County Department of Regulatory and Economic Resources Planning Division, Metropolitan Planning Section Stephen P. Clark Center, 12th Floor 111 NW 1 Street, Miami, Florida 33128 Telephone: 305-375-2835</p> <p>Due to COVID-19, it is required that hard copy document submittals be coordinated with the Department staff by contacting the Department at address and the telephone number above.</p>

APPLICATIONS AND FILING PERIODS

Applications to amend the Comprehensive Development Master Plan (CDMP) Adopted 2020 and 2030 Land Use Plan (LUP) map designation of parcels inside the 2020 Urban Development Boundary (UDB) and/or the text of the CDMP can be accepted during this filing period from October 1 through November 2, 2020. The next opportunity to file an application to amend the 2020 UDB, the 2030 Urban Expansion Area (UEA) and to change the designations of parcels outside the 2020 UDB is during the May 2021 Cycle. The CDMP amendment application filing periods are indicated in the "Plan Components Eligible for Amendment" (Table 1) on page 3.

PRE-APPLICATION CONFERENCE FOR APPLICATIONS

Prospective applicants are strongly encouraged to contact the Miami-Dade County Department of Regulatory and Economic Resources staff at the phone number listed below as early as possible to schedule a pre-application meeting prior to filing any CDMP amendment application. Due to COVID-19, the pre-application meetings are being held as teleconferences or virtual meetings. As part of the Pre-Application Conference, prospective applicants will receive the required forms and an assessment of the filing fees.

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Department of Regulatory and Economic Resources
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I. PURPOSE

The CDMP/Plan was originally adopted by the Miami-Dade Board of County Commissioners (BCC) in 1975 as the official guide for managing growth and development in Miami-Dade County. The County substantially revised and updated the CDMP as adopted in 1988 pursuant to Section 2-116.1 of the Miami-Dade County Code, which provides the procedures for the Plan to be periodically re-evaluated and amended.

The plan review and amendment process provides a means for amending the Plan for many reasons, including the need to correct an error, to reflect changing circumstances or conditions in the community that justify adjustments to long range projections and to improve the ability of the Plan to fulfill its basic intent, purposes and goals.

Not all Plan components may be amended during every Plan amendment cycle. Components eligible for amendment during the various filing periods are summarized below.

Table 1
Plan Components Eligible for Amendment

Application Filing Period (Month)	Even-Numbered Years	Odd-Numbered Years
January Filing Period	All Components Except UDB, UEA and Land Use Outside UDB	All Components Except UDB, UEA and Land Use Outside UDB
May Filing Period	All Components Except UDB, UEA and Land Uses Outside UDB	All Components including UDB and UEA
October Filing Period	All Components Except UDB, UEA and Land Use Outside UDB	All Components Except UDB, UEA and Land Use Outside UDB
Expedited Review	All Components Except UDB, UEA and Land Use Outside UDB can be filed at any time subject to expedited review process fee.	
Concurrent DRI/CDMP	Can be filed at any time in conjunction with a Notice of Proposed Change to and existing DRI	
Notes: DRI = Development of Regional Impact UDB = Urban Development Boundary UEA = Urban Expansion Area		

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II. SEQUENCE OF ACTIVITIES

Applications requesting amendments to the CDMP may be filed with the Miami-Dade County Department of Regulatory and Economic Resources (Department) during this October 2020 Amendment Cycle filing period from October 1 through November 2, 2020. Prior to filing, applicants are strongly recommended to request a pre-application conference with Department staff to examine their proposals for their intended applications. Applications must contain the information and conform to the format outlined in this document.

Online Filing Procedures

During October 2020, CDMP amendment applications may be filed online through the [Citizen Self Service Portal \(CSS\)](#). The procedures for the virtual service model are outlined below:

1. Applicants are strongly recommended to schedule a Pre-Application Conference prior to filing in order to obtain the CDMP Amendment Application forms and an assessment of the filing fees.
2. Complete the on-line CDMP Amendment Application available in the **Citizen Self Service Portal (CSS)** - https://energov.miamidade.gov/EnerGov_Prod/SelfService#/home. For detailed guidelines for completing the online application and uploading documents in the CSS Portal, see Appendix D. The fee schedule is included in page 21.
3. After the online application is submitted, Applicants will receive a “Notice of Receipt” with information on any deficiencies in the application and information on fees to be paid. **Applicants have five business days from the close of the filing period or “Notice of Receipt”, whichever occurs later, to cure deficiencies, and submit the required hard copies of all the application documents.**
4. For an application to be deemed complete, all required documents must be submitted, including printed copies, and the appropriate fee paid. Applications that remain deficient will be returned to the Applicant. **The traffic impact study required for all applications and any proposed Declaration of Restrictions (covenant) or modification to an existing CDMP covenant must be filed with the application during the filing period.**

Deadline to Withdraw an Application with a Full Refund

An application can be withdrawn at any time. In order to obtain a refund of the entire filing fee, notice of the withdrawal and the Applicant’s request for refund must be received by the Department in writing from the applicant(s) or their representative no later than 5:00 PM November 9, 2020.

Applications Report and Initial Recommendations Report

The Department will publish an Applications report addressing each application no later than December 1, 2020 and its Initial Recommendations report addressing each application no later than the date of the first notice advertising a public hearing for each application. The Applications Report will include a schedule of proposed dates for public hearings and publication of reports.

Public Hearings and Transmittal to State Agencies for Review

A Tentative Schedule of Activities for the October 2020 Amendment Cycle (Table 2) is presented on page 8. Each directly affected Community Council in which a proposed amendment to the

Land Use Plan map is located, may at its option, hold a public hearing before the hearing of Miami-Dade County Planning Advisory Board (PAB) to address the application(s), and to formulate recommendation(s) to the PAB and the BCC regarding the request(s).

The PAB, acting as Miami-Dade County's Local Planning Agency (LPA), pursuant to Chapter 163, Part 2, Florida Statutes (F.S.), will then hold one duly noticed public hearing to receive comments on the proposed amendments and the Department's initial recommendations and to formulate its recommendations to the BCC. The LPA's recommendations will address adoption, adoption with change, or denial of any requested "small-scale" amendments, the transmittal of any requested "standard" amendments to the State Land Planning Agency (SLPA) and other state and regional agencies (reviewing agencies) for review and comment, and subsequent final action by the BCC on the transmitted plan amendment request(s).

The BCC will conduct a duly noticed public hearing currently scheduled to occur in or about April 2021, to address adoption of any requested "small-scale" amendments and transmittal of the requested "standard" amendments to the reviewing agencies. The BCC may opt to neither adopt nor deny a requested "small-scale" amendment at its first public hearing, but, may instead decide to transmit the requested "small-scale" amendment for state and regional agency review and comment as a "standard" amendment request. The SLPA will not review adopted "small-scale" Land Use Plan map amendments for policy conformance or compliance with state law; and pursuant to Chapter 163.3187(5)(c) adopted "small-scale" amendments will become effective 31 days after adoption, unless an affected person or agency challenges the compliance of the amendment with Chapter 163, Part 2, F.S. Transmittal of "standard" amendment applications to the reviewing agencies for review and comment does not constitute adoption of any requested amendments.

A second phase of the review addressing the "standard" applications begins after transmittal of the applications to the reviewing agencies. Transmittal of the October 2020 Cycle Standard applications to the reviewing agencies is to occur within 10 business days of the BCC's transmittal hearing (April 2021). The reviewing agencies, including the SLPA, are each expected to issue their review comments in June 2021 addressing all transmitted applications reviewed under the Expedited State Review process or July 2021 for any applications reviewed under the State Coordinated Review process, pursuant to Chapter 163, Part 2, Florida Statutes. The BCC would conduct a final public hearing for the transmitted standard application(s) and take final action in or about September 2021 for applications reviewed under the State Expedited Review Process or October 2021 for applications reviewed under the State Coordinated Review Process.

During the review period for the SLPA and other reviewing agencies, the Department will review comments received at the transmittal hearings and any additional material submitted and may issue a Final Recommendations report reflecting any new information prior to the final public hearing. The Final Recommendations report may also address any issues raised by the reviewing agencies in their respective review correspondence.

Final action by the BCC will be to adopt, adopt with change, adopt with acceptance of Declaration of Restrictions (covenant), adopt with change and with acceptance of covenant, or not adopt each of the transmitted applications.

CDMP Amendments to Adopted 2020-2030 Land Use Plan Map and Related Zoning Actions

Both the CDMP amendment and zoning approval processes need to occur before a particular development can be built. The CDMP amendment review process examines the need, impacts and compatibility of a certain land use at a particular location. The zoning process examines the site issues related to a particular development that are typically addressed in site plans.

The filing of zoning applications related to proposed CDMP amendments to the Adopted 2020-2030 Land Use Plan map can occur at any time during the CDMP amendment process, or even prior to the filing period for the CDMP application. However, the zoning actions cannot occur or become effective until after the CDMP amendment is finalized or is in effect. To be final and become effective, a CDMP application must be adopted by the Board of County Commissioners and the 30-day challenge period expires without a petition being filed to challenge the adopted amendment. If timely challenged, an amendment does not become effective until the SLPA or Administrative Commission enters into a Final Order determining the adopted amendment to be in compliance with state law.

The Development Impact Committee (DIC) reviews certain zoning applications that require a public hearing and which also could have a substantial impact on the health, safety, and welfare of County residents because of their magnitude, location or character. The types of projects that could require a DIC review include: residential developments; business uses; recreational, cultural, or entertainment facilities; office buildings or complexes; industrial uses; hotel or motel developments; planned area developments; and mixed-use developments. The threshold requirements for developments requiring a DIC review are identified in Section 33-303.1(E)(2)(a) 1 through 8 of the County Code.

To reduce the timeline for getting all the required approvals needed for a project, the Department suggests that applicants file DIC applications, related to CDMP applications, after the Initial Recommendations Report is published (February 2021). The report would identify the Department's concerns with the CDMP application that the applicant could utilize in preparing the DIC application. Filing the DIC application during the early stages of the CDMP Amendment process could be beneficial to any applicant seeking to reduce the total review timeline for a project. However, the potential drawback to filing a DIC, or any zoning application prior to the conclusion of the CDMP Amendment process, is that the zoning fees would not be refunded if the related CDMP application is denied.

Table 2: Tentative Schedule of Activities for October 2020 CDMP Amendment Cycle

Pre-application Conference	Prior to Filing Application
<p>Application Filing Period (Virtual filing only through the Citizen Self Service Portal (CSS)).</p> <p><i>Documents required upon filing an application</i></p> <ul style="list-style-type: none"> • Any proposed CDMP Declaration of Restrictions (covenant) or modification to an existing CDMP covenant, including a draft unexecuted opinion of title and joinder, if needed) • Traffic Impact Study—required for all Applications (fee required only for standard applications) 	October 1 to November 2, 2020
Deadline to withdraw Application and obtain Return of Full Fee.	November 9, 2020
Deadline for resubmittal of unclear or incomplete Applications and for full payment of Fees. (5 business days after notice of deficiency.)	November 9, 2020
Applications Report published by Department	December 1, 2020
Deadline for submitting Technical Reports	December 1, 2020
Deadline for submitting new Declarations of Restrictions to be considered in the Initial Recommendations Report	December 1, 2020
Initial Recommendations Report released by Department	February 2021
Community Council(s) Public Hearing(s)	Specific date(s) to be set in February/March 2021**
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)	<p>March 2021**</p> <p>County Commission Chamber 111 NW 1 Street Miami, Florida 33128</p>
Board of County Commissioners (Board) Hearing and Action on Adoption of Small-Scale Amendments and Transmittal of Standard Amendment requests to SLPA	<p>April 2021**</p> <p>County Commission Chamber 111 NW 1 Street Miami, Florida 33128</p>
Transmittal to SLPA and other Reviewing Agencies	<p>May 2021**</p> <p>(Approximately 10 days after Board Transmittal Hearing)</p>
Deadline for Filing Supplementary Reports by the Public	Thirty (30) days after Board transmittal hearing
Receipt of Comments from Reviewing Agencies	<p>June 2021**</p> <p>(Approximately 30 days after Transmittal under the Expedited State Review process, or 60 days for State Coordinated Review process)</p>
Final Recommendations Report may be released by the Department	July/August 2021**
Public Hearing and Final Action on Applications: Board	Specific date(s) to be set in September or October 2021** (No later than 45 days after receipt of comments from reviewing agencies)

Note: ** Estimated Date.

Dates may be impacted by the COVID-19 Pandemic. All hearings will be noticed by newspaper advertisement

Deadlines for Submittal of Technical Reports for Consideration in the Initial Recommendations and Final Recommendations Reports

Applicants are reminded that Section 2-116.1(7) of the Miami-Dade County Code stipulates that "No economic reports or studies, real estate appraisals or reports, and/or written reports of consultants or other experts shall be considered as evidence by either the PAB/LPA, the Department, or the BCC during their consideration of final action on the amendments, unless filed with the Director of Department no later than 30 days after the BCC's Transmittal Action. This provision may be waived by a vote of the BCC upon a demonstration by any interested party that an injustice will occur." Exceptions are usually approved by the BCC for reports addressing issues first raised after the deadline, such as issues that are raised by the SLPA or the other reviewing agencies in their respective comments letters.

The **deadline** for all Applicant(s) and/or their representative(s) **to submit technical reports, such as Economic Studies and real estate appraisals or reports in support of their application(s) and for consideration in the Initial Recommendations Report, shall be no later than 30 days after the end of the application filing period** . Technical reports must be submitted no later than December 1, 2020 for the October 2020 CDMP Amendment Cycle. This deadline will allow staff adequate time to review and consider in the Initial Recommendations report all the additional data and analysis submitted by the applicant. If the Department is to consider a technical report in its written recommendation on an application in the Final Recommendations report, it must be received by the Department at least four (4) weeks prior to the final hearing of the BCC.

Prohibition on Argument or Representation Regarding Proposed Specific Future Uses Without Proffering a Declaration of Restrictions

According to County Ordinance 03-40 pertaining to CDMP procedures, no applicant or applicant's representative seeking a recommendation for approval or approval of an amendment to the Land Use Plan map shall be permitted to argue or represent to the BCC or other recommending County board a specific future use or uses for an application site without such representation being proffered in a Declaration of Restrictions (covenant). The representation cannot include a specific use or uses or exclude a use or uses authorized by the proposed land use designation, unless the applicant has submitted a covenant committing to such representation for the subject property, which has been submitted to the Director and has received approval as to form. The covenant and associated opinion of title and joinders must be submitted to the Metropolitan Planning Section of the Department and may be done online through the Citizen Self Service Portal at the following link: https://energov.miamidade.gov/EnerGov_Prod/SelfService#/home.

The Applicant or applicant's representative should also deliver the fully executed documents with all signatures on the covenant, Opinion of Title, any and all joinders to the Metropolitan Planning Section by the appropriate adoption hearing deadline indicated in Table 3. For covenants accepted by the BCC upon approval of an application, the Department's administrative staff will then contact the Applicant(s) or the Applicant's representative(s) for payment of the appropriate fee before recording the covenant through the Clerk of the Courts Office.

Deadlines for Submitting Declaration of Restrictions to be Considered

Declaration of Restrictions (covenant) and modifications to an existing CDMP covenant, must be submitted with the associated documents (draft opinion of title and draft joinder, if necessary) at the time the application is filed. This will ensure the covenant is considered

and addressed in the Initial Recommendations report. If after an application is filed, it is determined that a covenant is required, the covenant and associated documents must be submitted no later than December 1, 2020 to be appropriately included and addressed in the Initial Recommendations report.

If an applicant is unable to comply with the above stated deadlines, they may submit a covenant for a Community Council, the Planning Advisory Board or the BCC to consider in its decision-making. In such cases, the covenant must be received a minimum of 6 weeks prior to the hearing date in order for the documents to be included in the respective Hearing Agenda Package. However, said covenant may not be included or addressed in the Initial Recommendations report.

For standard applications, covenants must be received and finalized as to form and content 30 days after the Board transmittal hearing in order for the document to be included and addressed in the Final Recommendations report.

Note that all proffered **covenants are to be fully executed and submitted with Opinion of Title and necessary Joinder(s) 3 weeks in advance of final action by the BCC. Additionally, the title search date on Opinions of Title cannot be older than 29 days from the date of the final action by the BCC. All documents must comply with the State Notary Requirements for indicating physical presence or online notarization.**

Applications that have a proffered covenant may not be scheduled for a public hearing until the covenant is deemed complete and legally sufficient. To continue on the scheduled timeline for the October 2020 Cycle, applicants must comply with the deadlines in Table 3 below.

The Department has a specific template for a CDMP Declaration of Restrictions, Opinion of Title and Joinder for applicants to follow, copies of which are included herein as Appendix B on page 41. **Applicants must use the Department's templates; otherwise, the documents may not be accepted for review.** Should an applicant need to modify the language in any of the templates, the request must be submitted in writing and for review and approval by the County Attorney's Office.

**Table 3: Declaration of Restrictions Deadlines
October 2020 CDMP Amendment Cycle**

Deadline for submitting a modification to an existing covenant or a new covenant addressed in the application with a draft Opinion of Title and a draft Joinder (if needed).	November 2, 2020
Deadline for submitting a Declaration of Restrictions to be included and addressed in the Initial Recommendations Report if, after an application is filed, it is determined that a covenant is required.	December 1, 2020
Deadline for submitting a new or revised Declaration of Restrictions to be included in the hearing Agenda Package for a Community Council, the Planning Advisory Board, or the Board of County Commission. Not included in the Initial Recommendations Report.	6 weeks prior to the hearing
Deadline for submitting Declaration of Restrictions to be considered in the Final Recommendations Report.	30 days after the Board transmittal hearing
Deadline for submitting a fully executed Declaration of Restrictions with Opinion of Title and necessary Joinder.	3 weeks prior to BCC Final Hearing

Pursuant to Section 2-116.1 of the Miami-Dade County Code any decision to make amendments, modifications, additions, or changes to a declaration of restrictive covenants that was accepted in connection with a prior application to amend the CDMP shall require a vote of two-thirds (2/3) of the members present, but not less than seven affirmative votes of the BCC.

Submittal of Documents to the Department, Community Councils, PAB, or BCC

In addition to the requirements for the preparation and submittal of plan amendment applications, explained in Section III herein (page 13), applicants are hereby notified of the following: written materials, which the applicant would like to be considered by the Department, the Community Council, the PAB, and/or the BCC at transmittal or final public hearings, should be submitted as follows:

1. Two copies to the Department (four copies of supplemental traffic studies) a minimum of six (6) weeks prior to any public hearing at which the documents are intended to be considered.
 - (a) Documents submitted will be included in the hearing agenda package.
 - (b) Documents submitted will be reviewed by the Department to the extent possible.
2. Applicants shall be responsible for providing adequate copies, in quantities listed below, of documents the applicant(s) desires to be considered at a public hearing that are submitted after the deadline for inclusion in the hearing agenda package outlined above, which said documents may be provided to the Department at least one day prior to the hearing.
 - (a) Community Council Hearing: 12 copies of documents submitted at the public hearing.
 - (b) PAB Hearing: 25 copies of documents submitted at the public hearing.
 - (c) BCC Hearing: 25 copies of documents submitted at the BCC public hearing.

All hard copies should be 8-1/2 x 11 inch, 3-hole punch, if possible.

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III. INSTRUCTIONS FOR REQUESTING AMENDMENTS

Any individual, organization, group or firm may apply to Miami-Dade County for a Plan amendment. For each requested amendment, a separate application must be submitted. Each applicant is responsible for preparing his or her own application in conformance with these instructions. **Two sets of signed original documents must be filed for each application along with the appropriate fees and four (4) copies of the required traffic study for standard applications and small-scale applications.**

Applications may be filed with the Department, Metropolitan Planning Section after 8:00 AM on October 1, 2020 and before 5:00 PM on November 2, 2020 online at the Citizen Self Service Portal (CSS) at the following link:

https://energov.miamidade.gov/EnerGov_Prod/SelfService#/home

After November 2, 2020, no one will be permitted to file or expand an application in this October 2020 Cycle. Upon review, if an application is found to be unclear or contain errors, staff will notify the applicant of the deficiencies and the applicant must resubmit the application with the required clarification or additional information. Resubmitted applications are due within five (5) business days after notice by the Department that the application is deficient. To enable better service, applicants are encouraged to file before the November 2, 2020 deadline.

Application Procedures

Prior to filing a Plan amendment application, prospective applicants are strongly encouraged to request a pre-application conference with staff at which time all necessary technical assistance, except for formal CDMP interpretations, will be offered to help applicants prepare their proposals and associated documents or supporting data and analysis. The pre-application conference will assist the applicants to evaluate their requests carefully with staff and determine whether a CDMP amendment is necessary to achieve their objective. For example, many different land uses can occur within a specific land use category of the Land Use Plan map without being in conflict with the CDMP. All prospective applicants should become familiar with all Elements of the CDMP, in order to be certain that their anticipated Plan amendment is necessary. If you have questions, contact the CDMP Administration Unit of the Metropolitan Planning Section of the Department. If the applicant makes an appointment, the Planning Division staff will hold a pre-application conference to discuss the need for the application and any additional information that the applicant may be required to produce, such as traffic study/analysis report.

If a written interpretation of the CDMP or a written response to a question regarding the necessity for a Plan amendment is sought from the Department such requests should be directed in writing to Mr. Jack Osterholt, Director, or Jerry Bell, Assistant Director for Planning, Department of Regulatory and Economic Resources, 111 NW 1 Street, 12th Floor, Miami, Florida 33128. These written requests shall be submitted no later than six weeks before the end of the filing period and may be submitted online through the Citizen Self Service Portal (see above noted link). Department fees for such a request can be found in County Implementing Order 4-111, which requires that a fee will be charged for the issuance of a written opinion (see also Appendix C, Schedule of Fees for Letters of CDMP Interpretation, Page 53).

Small-Scale Amendments

A procedure is provided for the expedited processing of "Small-scale" amendments to the Land Use Plan map as defined in Section 163.3187, F.S. This procedure authorizes the BCC to take final action on small-scale requests to amend the Land Use Plan map at the transmittal public hearing addressing the October 2020 Cycle applications. An amendment application is eligible for expedited processing as a "Small-scale" amendment under the following conditions:

1. The proposed amendment involves a land use change of 10 acres or less.
2. The proposed amendment does not involve a text change to the goals, policies, and objectives of the local government's comprehensive plan, but only proposes a land use change to the future land use map for a site specific small scale development activity. However, text changes that relate directly to, and are adopted simultaneously with the small-scale future land use map amendment shall be permissible under this section.

Any applicant who wants their eligible application processed under the expedited "Small-scale" amendment procedure must explicitly make such a request in the application. "Small-scale" amendments are not generally reviewed by the SLPA and will take effect 31 days after adoption by the BCC unless a challenge is timely filed against the amendment.

Online Application Process

Miami-Dade's Department of Regulatory and Economic Resources' Planning Division has established a virtual service model and will be accepting CDMP Amendment applications online through the [Citizen Self Service Portal \(CSS\)](#). Applicants must complete an on-line CDMP Amendment Application available in the **Citizen Self Service Portal (CSS) at the following link:**

- https://energov.miamidade.gov/EnerGov_Prod/SelfService#/home.

For detailed guidelines for completing the online application and uploading documents in the CSS Portal, see Appendix D. The fee schedule is included on page 21. Applicants are strongly encouraged to request a Pre-Application meeting prior to filing in order to obtain an Assessment of the application fees and the required forms.

After the online application is submitted, Applicants will receive a "Notice of Receipt" with information on any deficiencies in the application and an Invoice on fees to be paid. **Applicants have five business days from the close of the filing period or "Notice of Receipt", whichever occurs later, to cure deficiencies and mail hard copies of all the application documents.**

For an application to be deemed complete, all required documents must be submitted, including printed copies, and the appropriate fee paid. Applications that remain deficient will be returned to the Applicant.

Application Format and Contents

Two signed originals and a PDF copy of each application and all supporting documents are required, except that an electronic copy and four (4) hard copies of the traffic study shall be provided. All parts of the application must be typed or printed legibly on 8-1/2 x 11 inch paper. Please use the format outlined below and do not exceed ten pages in length, excluding graphics. Applicants may submit supplemental information with the application or at a later date but within the timeframes outlined herein. (See item 6, Additional Material Submitted, below).

Provided in Appendix A of this report is a hypothetical application that presents the appropriate format for applications seeking to amend the Land Use Plan map. The following information must appear in each application in the order listed below. Use the headings shown in capital letters for each item.

1. APPLICANT

Names, addresses, telephone numbers **and emails** of all the applicants and an email contact must be given.

2. APPLICANT'S REPRESENTATIVE

Any individual(s) responsible for filing the application and communicating for the applicant(s) must be indicated as the Applicant's Representative. This may be the applicant, one member of a group of applicants, the applicant's attorney, or another representative designated by the applicant(s). The name, address (including ZIP code), email address and telephone number of the representative must be given (include fax number if available), and the representative must sign and date the application. If the application requests expedited processing as a small-scale amendment, this signature shall also constitute certification by the Applicant(s) that the application conforms to the statutory eligibility criteria referenced above.

3. DESCRIPTION OF REQUESTED CHANGE

Make clear reference to the Comprehensive Development Master Plan (CDMP) Element or Subelement for which a change is being requested and the type of change being requested. Refer to the changes identified in the Fees for CDMP Amendment section herein on page 21.

- A. If the requested change is to text of the CDMP, the Element name and page numbers of the Adopted Components Comprehensive Development Master Plan for Miami-Dade County (October 2013 Edition as amended) must be given. Please check for the specific CDMP version that is on the Department's website. Any additions or deletions to the existing text must be shown in "underline" or "strike-through" format. For amendments to graphics, tables, or maps other than the Land Use Plan map, indicate the Element and the page number and title of the map, graphic, or table. Be as specific and clear as possible in describing the requested change. It must be stated in the description of the request if the application is a repeat of a previous CDMP amendment application, including the amendment cycle in which it was previously filed and the assigned application number.
- B. If the requested change is to the CDMP Adopted 2020-2030 Land Use Plan map, the following information must be submitted:
 1. A clear and concise written description of the application area boundaries.
 2. The total number of gross acres in the application area, which includes roadway rights-of-way, the "net acres" excluding the dedicated roadway rights-of-way, and the number of these acres which are owned by the applicant(s).
 3. The present CDMP Land Use Plan map designation(s) of the application area and the land use designation(s) being requested. Please refer to the 2020-2030 Land Use Plan map for a listing of the applicable land use categories. If more than one land use category is being requested, precise boundaries and acreages of each requested use designation must be accurately described under items 3 B (1) and (2) above, and

the land areas subject to the requested changes must be depicted on both maps required by the following paragraph.

4. If the application is eligible for expedited processing as a "Small-scale" amendment, the applicant must explicitly include a request for the application to be processed under the expedited procedure as a small-scale amendment.
5. If the Applicant is proffering a Declaration of Restrictions (covenant), modifying an existing covenant or requesting a full or partial release of a covenant, specify the request as follows:
 - a. 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; or
 - b. Modify the Declaration of Restrictions recorded in Official Records Book _____ at Pages _____ of the Public Records of Miami-Dade County, Florida, as it applies to the subject property; or
 - c. Full/Partial release of the Declaration of Restrictions recorded in Official Records Book _____ at Pages _____ of the Public Records of Miami-Dade County, Florida, as it applies to the subject property.

4. REASONS FOR AMENDMENT

This section should include reasons why the change to the CDMP/Plan is requested and why it should be approved. Reasons offered may address any relevant issues, including the following: (A) the need to correct an error; (B) the need to reflect changing circumstances or conditions in the community that justify adjustments; (C) the need to improve the ability of the Plan to fulfill the basic intent and purposes as set forth in Section 2-113 of the Miami-Dade County Code or in the Goals, Objectives and Policies of the Plan Elements; and (D) the need to assure internal consistency within the Plan.

Applicants requesting changes to the Land Use Plan map may wish to comment on any factors, such as the following items, which are considered by the Department in evaluating and formulating initial recommendations on proposed amendments.

- Land Use Plan map designation of the subject property and abutting properties.
- Relation of the property to the surrounding road network.
- Size of the subject property.
- Availability and demand on the public facilities for sanitary sewer, solid waste, drainage, potable water, traffic circulation, mass transit, recreation, schools, and fire and rescue services.
- Consistency of the proposed land use amendments with the objectives and policies of the Land Use Element and other affected Plan Elements.
- Consistency with environmental objectives and policies.
- Availability of, and demand for, additional sites for the type of land use requested. Because amendment requests will be evaluated, in part, on the extent to which they would be in the public interest, the applicant may address this consideration as well.

5. LOCATION MAP

All applications that address a specific property must include a location map of reproducible quality depicting the location and boundaries of the application area on an 8 1/2" X 11" size page. The map shall:

- Identify abutting and adjacent roadways
- Distinguish between portions of the application **area owned by the applicant(s) and portions owned by nonparticipants to the application**
- Include a legend to supplement map labeling

6. ADDITIONAL MATERIALS SUBMITTED

Copies of additional supporting materials should be submitted with the application and titles to any such initial submittals should be listed in the application under this heading. These materials will be evaluated by staff and will be made available for public inspection but may not be reproduced as part of the application. If copies are available to the public from any other source, the applicant should indicate this and list in this section of the application all information necessary for the public to obtain copies, including the address of the source and any costs associated with obtaining copies. If there is no additional material submitted with the application, please print or type the word "none" under this heading.

If any applicant intends for additional materials submitted to the Department be distributed to the Community Councils, the PAB, the BCC, or to be transmitted/submitted to the SLPA and other reviewing agencies, the instructions included in "Submittal of Documents to Community Councils, PAB, Department or BCC" section herein on page 11 must be followed.

7. LEGAL DESCRIPTION AND CERTIFIED SURVEY

All private Applicants requesting a Land Use Plan (LUP) map amendment must submit a clearly legible written Legal Description and a Certified Survey (not more than 1-year old) of the property subject to the application. Applicants shall provide a standard size survey and a copy of the survey on 8 1/2" X 11" size page/s. Both must also be submitted as PDF documents. The certified survey shall clearly show boundaries, the gross acreage (subject to confirmation by staff) and the net acreage of the subject property. **Only ALTA surveys will be accepted.**

8. DISCLOSURE OF INTEREST

Section 2-116.1(1)(b) of the County Code requires applicants having an ownership interest in any real property covered by an application requesting Land Use Plan map amendments to fully disclose those parties with an interest in the subject property. **Property subject to disclosure is all the property within the application area in which an applicant has ownership interest. Disclosure must include all owners, lessees, or contractors for purchase, and the percentage of interest held by each party.**

A completed disclosure report must be attached to each of the two original applications and will be made a part of the application. A blank disclosure form is attached to the hypothetical application included in Appendix A of this report.

9. PROPOSED MODIFICATION TO OR RELEASE OF AN EXISTING CDMP DECLARATION OF RESTRICTIONS

If an application proposes to modify an existing CDMP Declaration of Restrictions (covenant), the proposed modification(s) must be included as an exhibit to the application and must identify in strikethrough and underline format any proposed change(s) to the existing recorded covenant. A copy of the recorded covenant must also be provided as an exhibit to the application seeking modification or release of a covenant.

10. TRAFFIC IMPACT STUDY – ***Required for All Applications***

For Standard and Small-Scale Applications to amend the Land Use Plan (LUP) map or to modify a covenant to the effect of increasing the number or scope of uses allowed, the applicant(s) shall submit a traffic impact study signed and sealed by a Florida registered professional engineer by the deadline for filing applications. The traffic impact study shall be conducted using a professional methodology accepted by the Department.

The applicant is strongly encouraged to schedule a Pre-Application meeting to discuss the traffic impact study and to ensure agreement regarding that the development impact assumptions. The applicant or their transportation consultant should, at a minimum, address the following methodology requirements as part of the traffic impact analysis:

- a) **Study Area.** The traffic impact area (area of influence) for the traffic impact analysis is dependent on the land use requested and the acreage covered by the application. The application shall be evaluated for impact on 1) the roadways adjacent to and/or in the vicinity of the application site; and 2) on the roadway network where traffic generated by the proposed application reaches the equivalent to 5 percent or more of the maximum service volume of the adopted LOS standard for the facility. The Study Area shall include all significantly impacted State and County roadways on the roadway network.
- b) **Analysis Years.** The analysis years should be: 1) Existing conditions (Year 2020 or the most recent count data available); 2) Short-term analysis (Year 2023) for roadways adjacent to and/or in the vicinity of the application site; and 3) Long-term analysis (Year 2030 - the CDMP's planning horizon or Year 2040 – the Long Range Transportation Plan's planning horizon) or project build out year if it will occur after the CDMP horizon.
- c) **Existing Conditions.** Identify the physical characteristics of the roadway network adjacent to and within the study area and determine the traffic operating conditions of the roadway network using the County's adopted level of service standards and the most recent available traffic counts data.
- d) **Background Traffic.** The expected increase in non-development traffic and traffic from other developments that have been approved but not yet built should be accounted for in the short-term and long-term analyses.
- e) **Roadway improvements.** Consider only the programmed roadway capacity improvements listed in the Miami-Dade Transportation Planning Organization's (TPO) most recently adopted Transportation Improvement Program (TIP) for the short-term analysis, and planned roadway capacity improvements listed in the Priorities I, II, III, and IV of the Cost Feasible Plan in the adopted 2045 Long Range Transportation Plan for the long-term analysis.
- f) **Trip Generation.** Use the ITE's Trip Generation 9th edition manual or later to estimate the average daily, AM and PM Peak Hour trip generation associated with the current and requested CDMP Land Use Plan map designations. Trip generation for vacant parcels should be estimated for the maximum potential development that could occur under the current and requested CDMP land use designation, or for the proposed development scenario as limited in a proffered Declaration of Restrictions (covenant). For improved parcels having a built structure that is not being demolished in the proposed amendment,

the trip generation should be estimated for the existing use of the built structure, as the existing development potential, and for the maximum development potential that could occur under the requested CDMP land use designation and/or as limited in a proffered Declaration of Restrictions (covenant).

- g) **Trip Distribution.** Allocate the trips to origin and destination land uses and areas external to the application site. Trip distribution can be performed concurrent with assignment if a manual process is used. Computerized travel demand forecasting model, SERPM (Southeast Florida Regional Planning Model) can also be used for trip distribution. The cardinal distribution for each Traffic Analysis Zone (TAZ) has been published and is available on the Miami-Dade TPO's website. Use the 2010 Traffic Analysis Zones to identify the TAZ number in which the project is located; and provide a diagram showing the percentage trip distributions/assignments on the surrounding impacted roadway network.
- h) **All trips deductions for internal capture, transit and pass-by,** must be substantiated in accordance with ITE and FDOT standards.
- i) **Short-term (Concurrency) Traffic Level-of-Service Analysis.** The short-term traffic impact analysis may be performed utilizing the roadway concurrency management analysis procedure, with and without the impact of the requested amendment application, and indicate which roadway segments meet or violate the County's adopted LOS standards. The short-term analysis should be conducted by projecting traffic volumes and roadway conditions for the next three years, including background traffic, reserved trips from approved developments not yet constructed, programmed roadway capacity improvements and the PM peak hour trips estimated to be generated by the proposed development. The short-term LOS analysis should be based on the average traffic count of the two highest consecutive hours. This analysis must be performed using the most current State and County traffic count stations data maintained by the Miami-Dade County Regulatory Resources Department, or the most recently available traffic counts.
- j) **Future Conditions Long-Term Analysis.** The assessment of the impacts of proposed land use change on the transportation system must include the future (20 to 30 year forecasts) LOS conditions on the roadway network without the impact of the proposed land use change and with the impact of the land use change. Impacts should be based on the net trip increase which is the difference in trip generation between the existing development potential and proposed development potential. If the proposed use trips are less than the maximum potential trips, a Declaration of Restrictions (covenant) is required. Identify which roadway segments will violate the adopted minimum LOS standards. Prior to performing the Traffic Impact Analysis, the Long-Term Analysis should be done using 2045 traffic volumes obtained from the latest adopted SERPM travel demand model. The applicant should obtain the 2045 traffic volume projections for the impacted roadway segments from the Miami-Dade TPO by contacting Maria Vilches, at (305) 375-2069 or tpo@mdtpo.org. The applicant should consider the most traffic intensive development potential for the land use requested and add the distributed project trips to the 2045 traffic volumes on the roadway network as projected in the model, to identify impacts on the surrounding roadways.
- k) **Mitigation Analysis.** This analysis is to determine the impact of the project on the surrounding roadway network and identify the mitigation measures necessary to meet the adopted minimum LOS standards for the short term and long term temporal scenarios. This analysis should address the need for new facilities, expansion of existing facilities, or any mobility improvement necessary to provide a safe and efficient transportation network, enhance mobility, and maintain the adopted level of service standards through the short-term (concurrency) and long-term time frames.

- l) **The mitigation plans** should consider phasing of the proposed development, funding requirements, and potential improvements projects.
- m) **Include an 'Executive Summary'** in the beginning of the traffic impact study to provide a brief summary of the entire study.
- n) **Maps or exhibits** must be drawn at an appropriate scale.
- o) Where **unique or special conditions** exist, staff may require additional detailed traffic analysis to identify the impacts.
- p) **Development Impact Assumptions.** The following assumptions should be used to determine the development impact potential for the proposed application.

Non-Residential Development:

- Non-residential impacts are calculated using the net acreage of the property.
- The following Floor Area Ratio (FAR) are used to determine the non-residential development impacts:

Retail Uses: 0.4 FAR
 Office Uses: 0.5 FAR
 Industrial Uses: 0.4 FAR

- Do not round square feet.

Residential Development:

- Residential impacts are calculated using the gross acreage of the property. The gross acreage is subject to confirmation by staff, so it is highly recommended that the Applicant meet with staff to confirm the gross acreage.
 - Do not round residential units
 - The following definitions should be used in determining residential type:
 - Single Family Detached (SF D) - 1 to 6 dwelling units per acre
 - Single Family Attached (SF A) - 6 to 13 dwelling units per acre
 - Multifamily (MF) – 13 and over dwelling units per acre
- q) It is highly recommended that the applicant or the transportation consultant contact the Department with any questions or concerns regarding the requirements of the traffic impact study.

11. NOTIFICATION TO PROPERTY OWNERS OTHER THAN THE APPLICANT, WHOSE PROPERTIES ARE INCLUDED WITHIN AN APPLICATION AREA BOUNDARY

If an application requesting a Land Use Plan (LUP) map amendment includes real property, which is not owned by the applicant, the applicant shall provide written notification to the property owner(s) by certified letter that the subject property is included in the amendment application. **The applicant must provide the Department with a copy of the notification and a copy of the receipt showing that the notice was sent by certified mail. These documents must be submitted no later than the fifth business day after the filing period.** The notification shall include a clear and concise description of the application area boundaries and the current and requested land use designations.

IV. FEES FOR CDMP AMENDMENT APPLICATIONS

Applications requesting Plan amendments will not be deemed complete for processing unless the appropriate fees listed below are paid in full within 5 business days of the: close of the filing period or "Notice of Receipt", whichever occurs later.

- Applicable Planning Division Fees, as outlined below, based on application request(s) Implementing Order 4-111 as amended;
- An 7.5% surcharge on Planning Division fees per Implementing Order 4-111 as amended;
- A \$920 fee for the Division of Environmental Resources Management review of application per Implementing Order 4-42 (see page 24 herein); and
- CDMP Traffic Impact Study Review fee, applicable to **standard applications**, for Department of Transportation and Public Works review of traffic impact studies, per Implementing Order 4-41 (see "Transportation and Public Works Fees" on page 24).

All checks are to be made payable to Miami-Dade County and must include the local contact name, telephone number and address of the party making the payment.

In addition to the fees listed above, applications that could result in residential development are subject to a Public Schools Planning Level Review for which a fee of \$302.00 will be assessed by Miami-Dade County Public Schools pursuant to the Procedures Manual for Implementing the Interlocal Agreement for Public School Facility Planning. See details regarding this fee on page 24 herein.

Department of Regulatory and Economic Resources Fees

The Department shall charge and collect fees in accordance with the following Planning Division Fees schedule:

1. Planning Division Fees

As outlined in the Application Format and Contents section, item 3--Description of Requested Change, on page 15 herein, each application must reference the CDMP Element or Subelement for which a change is being requested. Possible changes to each CDMP element and their associated fees are detailed below:

<u>A. Land Use Element</u>	Fee
1. LUP map (except for Roadway and Transit changes which are covered in Subsection B Traffic Circulation and Mass Transit Subelements), Agricultural Subarea 1 Map, Open Land Subareas Map, and Environmental Protection Subareas Map, which applications are requested for processing during regular semi-annual CDMP amendment cycles.	
a) Regional Urban Center	\$109,440
b) Metropolitan Urban Center	85,500
c) Community Urban Center	54,720
d) Other	
 <u>Size of Area (gross acres) Subject to Application</u>	
Up to 5.0 acres	11,400

5.1 - 10.0	21,660
10.1 - 20.0	42,750
20.1 - 40.0	64,410
40.1 - 80.0	85,500
80.1 - 160.0	102,600
160.1 - 320.0	119,700
320.1 - 480.0	136,800
480.1 - 640.0	153,900
640.1 - 800.0	171,000
800.1 - 960.0	188,100
960.1 - 1120.0	205,200
1120.1 - 1280.0	222,300

- e) The fee for any application requesting amendments to the LUP map which includes a request to expand the Urban Development Boundary (UDB) or to redesignate land outside the UDB to an urban land use shall be increased by 1) twenty-five (25%) percent of the amount indicated above in 1(d) above for all applications up to eighty (80) acres in size, or 2) fifteen (15%) percent of the amount indicated above in 1(d) for all applications larger than eighty (80) acres.
- f) Applications requesting amendments to the LUP map to increase the currently planned residential density on land inside the UDB shall receive a reduction of the amount of 1) twenty-five (25%) percent of the amount indicated above in 1(d) for each application up to eighty (80) acres in size, or 2) fifteen (15%) percent of the amount indicated in 1(d) if the application is larger than eighty (80) acres.
- g) Applications requesting amendments to the Urban Expansion Area (UEA) boundary without an amendment to the underlying future land use shall be charged 30 percent of the rate established in section 1(d) above but not less than \$10,000.
- h) Application requesting an amendment to the LUP map for processing concurrently with an application to approve or amend a Development of Regional Impact (DRI) development order pursuant to Sec. 2-116.1(5)(a), Code of Miami-Dade County, Florida, shall be charged \$91,200 if 640 acres or smaller, or if a request for Urban Center; if 640.1 acres or larger, such applications shall be charged 65 percent of the fee amount for the applicable parcel size listed in the forgoing section A.1.(a) through (g).

- 2. Revision of the LUP map Text
Each issue proposal (per paragraph) \$ 17,100
- 3. Environmental/Historical or other Map
Each issue/item including associated text \$ 17,100
- 4. Covenant revisions and other changes amending land uses
relating to specific land parcels Two-thirds rate of 1(d)
above

B. Traffic Circulation Sub-Element

- 1. Planned Future Roadway Network Map
Per road lane-mile \$17,100
- 2. Roadway Functional Classification Map
Per road-mile (Existing or Future) \$17,100
- 3. Limited Access Facilities Map
Per road-mile or interchange \$17,100

4. Other Map Per Mile	\$11,400
C. <u>Mass Transit Sub-Element</u>	
1. Future Mass Transit System Maps Per linear mile of service area, corridor, or alignment	\$17,100
2. Major traffic Generators and Attractors Each major traffic generator	\$17,100
D. <u>Port, Aviation, and Port of Miami Sub-Element</u>	
1. Major Aviation Facilities-Future Improvements Map Each facility	\$17,100
2. Aviation Facility Improvements Each improvement project line item	\$17,100
3. Port of Miami River- Future	Same as LUP Map Land Use Map II.A.1 above
4. Port of Miami 5 year or 10 year Plan map	\$17,100
E. <u>Capital Improvements Element</u>	
1. Each proposed project line-item	\$17,100
2. Urban Infill or Concurrency Exception Area Maps	\$51,300
F. <u>All Elements (including A-E above)</u>	
1. Each Level of Service (LOS) Standard or DRI Threshold (F. S. 380) addressing goal, objective, policy or map	\$51,300
2. Each Non LOS Standard-addressing goal, objective or policy	\$17,100
3. Each monitoring measures item	\$10,260
4. Each other text change proposal item (up to five sentences)	\$17,100
5. Each other map change proposal or item	\$17,100
6. One or more <u>non-LUP map amendment proposals</u> requested for processing concurrently with an application to approve or amend a DRI Development Order pursuant to Sec. 2-116.1 (5) (a), Code of Miami-Dade County, Florida. This fee shall be charged only when a LUP map amendment is not requested, and a fee is not charged, pursuant to section A.1, above	\$34,200

All above fees include any corresponding changes to other Plan Elements, or components thereof, required for internal consistency.

County proprietary departments shall pay required fees at the time of application except that: (a) fees shall not be charged to such departments for a major Element update to implement recommendations from an Evaluation and Appraisal (EA) of the CDMP/Plan; and (c) the fee for a major update or revision to a Plan Element required by a proprietary department at the time other than during an EAR-based CDMP amendment cycle shall be \$57,000 paid at the time of application filing, with any costs incurred by the Department in excess of the initial filing fee to be paid by the applicable department.

2. Division of Environmental Resources Management Fees

A review fee of \$920.00 per application will be charged by the Division of Environmental Resources Management (DERM) as per Implementing Order 4-42 with an effective date of October 1, 2018 to review and evaluate applications to amend the Comprehensive Development Master Plan. The DERM fee applies to applications for changes to the Land Use Plan map, certain adopted figures (Agricultural Subarea 1, Open Land Subareas, Environmental Protection Subareas, and the adopted Figures involving environmental resources) and the goals, objectives and policies addressing environmental concerns. This fee is in addition to the filing fee, which is charged by the Department as discussed on the preceding pages. In addition, the Department will collect DERM, Planning Division and the Department of Transportation and Public Works filing fees, when an applicant files to amend the Land Use Plan map or text of the CDMP. These fees can be accommodated by a single check made payable to Miami-Dade County.

Department of Transportation and Public Works fees

Implementing Order 4-41, effective October 1, 2015, establishes fees for the review of traffic studies associated with Comprehensive Development Master Plan (CDMP/Plan) amendment applications by Department of Transportation and Public Works. The fees are based on the size of an application and will be assessed as part of the application filing fee and are as follows:

CDMP Traffic Impact Study Review	
500 gross acres or more	\$4,900.00
250 to 499 gross acres	\$3,300.00
100 to 249 gross acres	\$2,200.00
10.1 to 99 gross acres	\$1,100.00

Source: Miami-Dade County Implementing Order 4-41, October 2015

Miami-Dade County Public Schools Planning Level Review Fee

Pursuant to the Interlocal Agreement for Public School Facility Planning between Miami-Dade County and Miami-Dade County Public Schools (ILA), a Public Schools Planning Level Review is required on all proposed CDMP applications that could result in residential development. After submittal of the application, the Department will forward the application electronically to the **Miami-Dade County Public Schools' Concurrency Management System (CMS)**. The CMS will acknowledge receipt of the application to the Department and the applicant will be assessed a Public Schools Planning Level Review fee of \$302.00 pursuant to Procedures Manual for Implementing the ILA, as amended. A notification from CMS will be emailed to the applicant to pay the review fee online. The review fee must be paid prior to the CMS conducting the Public Schools Planning Level Review. Applicants must pay the fee by July 15, 2021. (Note: Public School Concurrency Fees will be adjusted annually in October based on the Consumer Price Index (CPI). For questions or comments on this process please contact Noel Stillings, Department of Regulatory and Economic Resources, Miami-Dade County, at 305-375-2807 or Noel.Stillings@miamidade.gov or Nathaly Simon, Miami-Dade County Public Schools, 305-995-7287 or NSimon1@dadeschools.net.

The applicants of all CDMP applications that could result in residential development will be required to pay the applicable public school planning level review fees unless a Declaration of Restrictions is proffered that prohibits residential development on the subject property.

Refund of Fees

Department Application fees shall be refunded in full only if the request for application withdrawal is received by the Department in writing either from, a) the Applicants' Representative, or b) all of the applicants, on or before 5:00 PM on November 9, 2020. Checks will be returned to the entity providing original payment to the Department unless the written request specifies that another party is to receive the returned check(s). After November 9, 2020, no fees shall be returned to any applicant withdrawing their application, except for standard applications as outlined below.

In the event that the BCC fails to approve transmittal of a standard amendment application to the State Land Planning Agency per Sec. 2-116.1(3)(h) of the Code of Miami-Dade County, or the applicant withdraws the standard application after the full refund deadline of November 9, 2020, but prior to the transmittal hearing of the BCC, twenty-five (25) percent of the Department's CDMP Amendment fees will be refundable. In order to receive the eligible refund, the applicant must request and receive the express approval of the BCC for the refund at its transmittal hearing. The applicant shall not be authorized subsequent to the "transmittal" hearing held by the BCC to receive any refund of application fees. After the eligible 25% refund is approved by the BCC, the Applicant/Representative is to contact the Department for the form that must be completed and signed in order to receive the refund.

When requesting the eligible 25% refund of the Planning Fees, please indicate to whom the check should be made payable with a name and address provided by the client. In addition, please include an original signed W-9 form for tax purposes.

V. ADDITIONAL INFORMATION

Anyone having questions regarding any aspect of the Plan review and amendment process or seeking help in the preparation of an application to amend the Comprehensive Development Master Plan should visit or call Noel Stillings, Principal Planner or Rosa Davis, Section Supervisor, CDMP Administration Unit, Miami-Dade County Department of Regulatory and Economic Resources, Stephen P. Clark Center, 111 N.W. 1st Street, 12th Floor, Miami, Florida 33128-1972, Telephone (305) 375-2835.

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APPENDIX A

EXAMPLE OF A HYPOTHETICAL APPLICATION REQUESTING AN AMENDMENT TO THE LAND USE PLAN MAP

The following hypothetical application is provided to illustrate the format of the application and the kind of information that should be provided under each heading. Statements and maps regarding the location and characteristics of the hypothetical property and the Plan's contents are fictional. Any direct similarity to actual conditions or to the contents of the Adopted Components of the Comprehensive Development Master Plan are purely coincidental.

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Hypothetical Application

APPLICATION TO AMEND THE COMPREHENSIVE DEVELOPMENT MASTER PLAN

1. APPLICANTS

Susan Leathers
2881 SW 194 Street
Miami, Florida 33021
(305) 233-1234
susanl@acme.com

William Clay
55 East 5 Avenue
New York , New York 10011
(121) 377-8805
williamc@acme.com

J. B. Gee (Trustee)
10125 NE 16 Street
Miami, Florida 33177
(305) 321-6066
jbgee@acme.com

2. APPLICANTS' REPRESENTATIVE

John Brown
Henry and Brown
2515 Biscayne Boulevard, Suite 900
Miami, Florida 33143
(305) 438-1921
John.Brown@Sample.com

By: _____ :
(Signature of Applicant's Representative) Date

3. DESCRIPTION OF REQUESTED CHANGE

- A. A change to the Land Use Element, Land Use Plan map (item A.1 in the fee schedule) is requested.

(This is a repeat of APRIL 1989 Application No. 75)

- B. Description of the Subject Property

Subject property consists of 2.3 acres located in Section 16, Township 87, Range 37. The property is more accurately described as lots 214 through 220 of Block 1 of Lawrence Subdivision (PB 300-12). Property is located on the west side of SW 227 Avenue between SW 328 Street and SW 329 Street. The applicant owns lot numbers 214, 215, 218, and 220 as shown on the map provided on page 22.

- C. Gross and Net Acreage

Application area:	2.3 gross acres (2.0 net acres)
Acreage Owned by Applicant:	1.7 gross acres (1.2 net acres)

D. Requested Change

1. It is requested that the application area be redesignated on the Land Use Plan map from LOW-MEDIUM DENSITY RESIDENTIAL (5-13 DU/AC.) TO BUSINESS AND OFFICE.
2. It is requested that this application be processed as a Small-Scale Amendment under the expedited procedures

4. REASONS FOR AMENDMENT

The whole property contains commercial and office uses, and is zoned for Business (BU-1) and Semi-Professional Office (RU-5A). The property fronts on a major roadway. While the site is small, it is contiguous to the Business and Office designated land to the north, the south, and east.

5. LOCATION MAP FOR APPLICATION

See example on page 31.

6. ADDITIONAL MATERIALS SUBMITTED

A list of all supporting materials submitted with the application must be provided

For Applications requesting to modify a recorded CDMP Declaration of Restrictions, the proposed modification(s) must be shown in strike through and underlined text format, and a complete copy of the recorded covenant(s) must be attached.

7. LEGAL DESCRIPTION

Legal description with Certified Survey (not more than 1-year old) must be provided (no example included herein).

8. COMPLETE DISCLOSURE OF INTEREST FORM

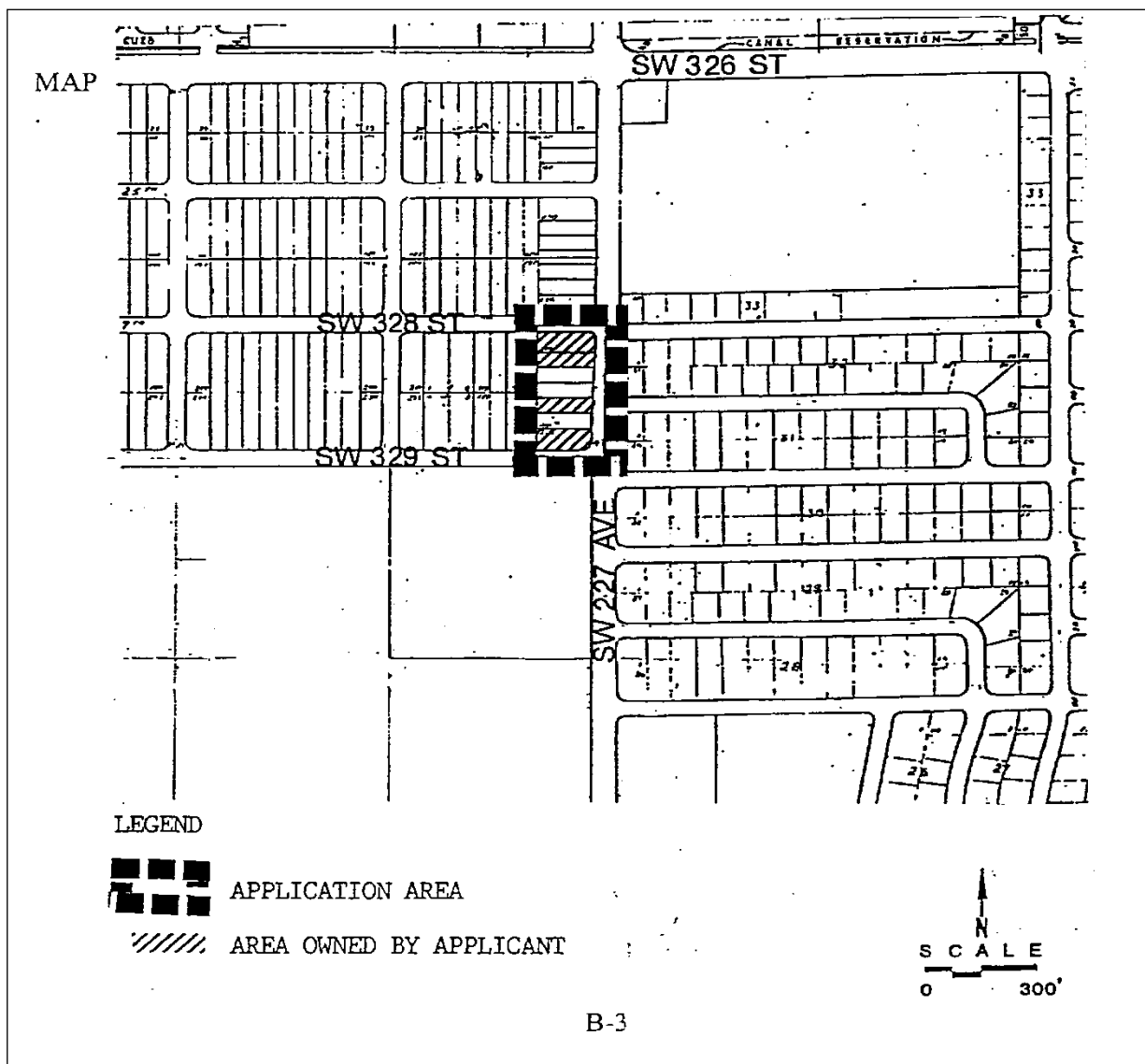
See sample form on page 33.

**Location Map for Application
to Amend the Comprehensive Development Master Plan**

APPLICANT / REPRESENTATIVE
Leather, Clay, Gee/ John Brown

DESCRIPTION OF SUBJECT AREA

Subject Property consists of 2.3 acres located in Section 16, Township 87, Range 37. The property is more accurately described as lots 214 thru 220 of Block 1 of Lawrence Subdivision (300-12). Site is located on the west side of SW 227 Avenue in between SW 328-329 Streets. The applicant owns lot numbers 214, 215, 218 and 220.



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Disclosure of Interest

This form or a facsimile must be filed by all applicants having an ownership interest in any real property covered by an application to amend the Land Use Plan map. Submit this form with your application. Attach additional sheets where necessary.

1. APPLICANT (S) NAME AND ADDRESS:

APPLICANT A: _____

APPLICANT B:

APPLICANT C:

APPLICANT D:

APPLICANT E:

APPLICANT F:

APPLICANT G:

Use the above alphabetical designation for applicants in completing Sections 2 and 3, below.

2. PROPERTY DESCRIPTION: Provide the following information for all properties in the application area and indicate those properties in which the applicant has an interest. Complete information must be provided for each parcel.

[illegible]

3. For each applicant, check the appropriate column to indicate the **NATURE OF THE APPLICANT'S INTEREST** in the property identified in Section 2 above.

APPLICANT	OWNER	LESSEE	CONTRACTOR FOR PURCHASE	OTHER(Attach Explanation)
A				

4. **DISCLOSURE OF APPLICANT'S INTEREST:** Complete all appropriate sections and indicate N/A for each section that is not applicable.

- a. If the applicant is an **INDIVIDUAL** (natural person) list the applicant and all other individual owners below and the percentage of interest held by each.

<u>INDIVIDUAL'S NAME AND ADDRESS</u>	<u>PERCENTAGE OF INTEREST</u>

- b. If the applicant is a **CORPORATION**, list the corporation's name, the name and address of the principal stockholders and the percentage of stock owned by each. [Note: where the principal officers or stockholders, consist of another corporation (s), trustee(s), partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity.]

CORPORATION NAME: _____

<u>NAME, ADDRESS, AND OFFICE (if applicable)</u>	<u>PERCENTAGE OF STOCK</u>

- c. If the applicant is a **TRUSTEE**, list the trustee's name, the name and address of the beneficiaries of the trust, and the percentage of interest held by each. [Note: where the beneficiary/beneficiaries consist of corporation(s), partnership(s), or other similar entities, further disclosure shall be required which discloses the identity of the individual (s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

TRUSTEES NAME: _____

<u>BENEFICIARY'S NAME AND ADDRESS</u>	<u>PERCENTAGE OF INTEREST</u>

- d. If the applicant is a **PARTNERSHIP or LIMITED PARTNERSHIP**, list the name of the partnership, the name and address of the principals of the partnership, including general and limited partners and the percentage of interest held by each partner. [Note: where the partner (s) consist of another partnership(s), corporation (s) trust (s) or other similar entities, further disclosure shall be required which discloses the identity of the individual (s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

PARTNERSHIP NAME: _____

<u>NAME AND ADDRESS OF PARTNERS</u>	<u>PERCENTAGE OF INTEREST</u>

- e. If the applicant is party to a **CONTRACT FOR PURCHASE**, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the principal officers, stockholders, beneficiaries, or partners. [Note: where the principal officers, stockholders, beneficiaries, or partners consist of another corporation, trust, partnership, or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

NAME AND ADDRESS

PERCENTAGE OF
INTEREST

Date of Contract: _____

If any contingency clause or contract terms involve additional parties, list all individuals or officers if a corporation, partnership, or trust.

5. **DISCLOSURE OF OWNER'S INTEREST:** Complete only if an entity other than the applicant is the owner of record as shown on 2.a., above.

- a. If the owner is an **INDIVIDUAL** (natural person) list the applicant and all other individual owners below and the percentage of interest held by each.

INDIVIDUAL'S NAME AND ADDRESS

PERCENTAGE OF
INTEREST

- b. If the owner is a **CORPORATION**, list the corporation's name, the name and address of the principal stockholders and the percentage of stock owned by each. [Note: where the principal officers or stockholders consist of another corporation(s), trustee(s) partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity.]

CORPORATION NAME: _____

<u>NAME, ADDRESS, AND OFFICE (if applicable)</u>	<u>PERCENTAGE OF STOCK</u>

- c. If the owner is a **TRUSTEE**, and list the trustee's name, the name and address of the beneficiaries of the trust and the percentage of interest held by each. [Note: where the beneficiary/beneficiaries consist of corporation(s), another trust(s), partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

TRUSTEE'S NAME: _____

<u>BENEFICIARY'S NAME AND ADDRESS</u>	<u>PERCENTAGE OF INTEREST</u>

- d. If the owner is a **PARTNERSHIP or LIMITED PARTNERSHIP**, list the name of the partnership, the name and address of the principals of the partnership, including general and limited partners, and the percentage of interest held by each. [Note: where the partner(s) consist of another partnership(s), corporation(s) trust(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

PARTNERSHIP NAME: _____

NAME AND ADDRESS OF PARTNERS

PERCENTAGE OF
OWNERSHIP

- e. If the owner is party to a **CONTRACT FOR PURCHASE**, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the principal officers, stockholders, beneficiaries, or partners. [Note: where the principal officers, stockholders, beneficiaries, or partners consist of another corporation, trust, partnership, or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

NAME, ADDRESS, AND OFFICE (if applicable)

PERCENTAGE OF
INTEREST

Date of Contract: _____

If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership, or trust.

For any changes of ownership or changes in contracts for purchase subsequent to the date of the application, but prior to the date of the final public hearing, a supplemental disclosure of interest shall be filed.

ENTITIES REGULARLY TRADED ON AN ESTABLISHED SECURITIES, PENSION FUNDS OR PENSION TRUSTS OF MORE THAN FIVE THOUSAND (5,000) OWNERSHIP INTERESTS

Disclosure shall not be required of any entity, the equity interest in which are regularly traded on an established securities market in the United States or other country; or pension funds or pension trusts of more than five thousand (5,000) ownership interests; any entity where ownership interests are held in a partnership, corporation or trust consisting of more than five thousand (5,000) separate interests including all interests at each level of ownership, and no one pension or entity holds more than a total of five (5) percent of the ownership interest in the partnership, corporation or trust; or of any entity, the ownership interest of which are held in a partnership, corporation or trust consisting of more than 5,000 separate interests and where no one person or entity holds more than a total of 5% of the ownership interest in the partnership, corporation or trust. Entities whose ownership interests are held in partnership, corporation, or trust consisting of more than five thousand (5,000) separate interests, including all interests at every level of ownership, shall only be required to disclose those ownership interest which exceed five (5) percent of the ownership interest in the partnership, corporation or trust.

The above is a full disclosure of all parties of interest in this application to the best of my knowledge and behalf.

Applicant's Signature and Printed Name
(Complete one signature page per applicant)

Signature _____

Printed Name _____

State of Florida
County of Miami-Dade

Sworn to (or affirmed) and subscribed before me by means of (*how the individual appeared check one*): (*how the individual appeared check one*):

☐ physical presence ☐ online notarization this _____ day of _____, 20_____.
(date) (month)(year)

by _____
(name of individual swearing or affirming)

as _____ for _____
(type of authority, e.g., Officer, Attorney-in Fact)(Name of party on behalf of whom executed)

Individual identified by: ☐ personal knowledge ☐ satisfactory evidence _____
(type)



(Signature of Notary Public)

(typed, printed, or stamped name of Notary Public)

My Commission Expires:

APPENDIX B

DECLARATION OF RESTRICTIONS AND OPINION OF TITLE TEMPLATES

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This instrument was prepared by:

Name:

Address:

(Space reserved for Clerk)

DECLARATION OF RESTRICTIONS

WHEREAS, the undersigned _____ (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 _____ Cycle and said amendment is identified as Application No. _____ (the "Application"); and

WHEREAS, the Application seeks to re-designate the Property from "_____" to "_____" 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)

(2)

(3)

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 of ten (10) years each, unless an 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 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 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 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.

[Execution Pages Follow]

FOLLOW THE LINK BELOW FOR APPROPRIATE EXECUTION PAGE BASED ON OWNERSHIP TYPE

<http://www.miamidade.gov/zoning/forms-legal.asp>

Opinion of Title

To: Miami-Dade County

With the understanding that this Opinion of Title is furnished to Miami-Dade County, as inducement for acceptance of Declaration of Restrictions pursuant to a CDMP Public Hearing No. _____, it is hereby certified that I have examined [***Please write in one of the following: a complete Abstract of Title or Title Insurance Policy (identified by company name and policy number)***] covering the period from the beginning to the _____ day of _____, _____, at the hour of _____, inclusive, of the property described on **Exhibit A** hereto. [***if examining Title Insurance Policy, please also include:***] All title instruments, policies, and documents referenced above are collectively referred to as the "Title Evidence". I know of no reason that this Title Evidence is inaccurate or incomplete.

I am of the opinion, based on my review of the Title Evidence that on the last mentioned date, the fee simple title to the above-described real property was vested in:

Note: For Limited Partnership, Limited Liability Company or Joint Venture indicate parties comprising the Limited Partnership, Limited Liability Company or Joint Venture and identify who is authorized to execute.

Subject to the following encumbrances, liens and other exceptions (If "none" please indicate):

1. **RECORDED MORTGAGES:**

2. **RECORDED CONSTRUCTION LIENS, CONTRACT LIENS AND JUDGMENTS:**

3. **GENERAL EXCEPTIONS:**

4. **SPECIAL EXCEPTIONS:**

I HEREBY CERTIFY that I have reviewed all the aforementioned encumbrances and exceptions and that none of them hinder or affect the recording or enforcement of the _____ **[Please write in the type of instrument to be recorded.]**

Therefore, it is my opinion that the following party(ies) must join in the agreement in order to make the _____ a valid and binding covenant on the lands described herein.

<u>Name</u>	<u>Interest</u>	<u>Special Exception Number</u>
-------------	-----------------	---------------------------------

The following is a description of the aforementioned abstract and its continuations:

<u>Number</u>	<u>Company Certifying</u>	<u>No. of Entries</u>	<u>Period Covered</u>
---------------	---------------------------	-----------------------	-----------------------

I HEREBY CERTIFY that the legal description contained in this Opinion of Title coincides with, and is the same as, the legal description in the proffered, recordable agreement.

I, the undersigned, further certify that I am an attorney-at-law duly admitted to practice in the State of Florida and a member in good standing of the Florida Bar.

Respectfully submitted this _____ day of _____, _____.

Name

Print Name

Florida Bar No. _____

Address: _____

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

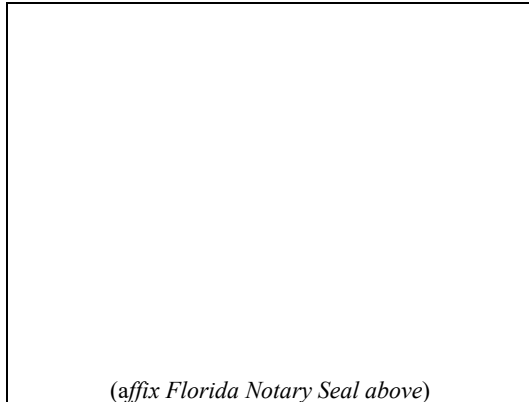
The foregoing instrument was acknowledged before me by means of (*how the individual appeared check one*):

☒ physical presence ☐ online notarization this _____ day of _____, 20_____.
(date) (month)(year)

by _____
(name of individual acknowledging)

as _____ for _____
(type of authority, e.g., Officer, Attorney-in Fact))(Name of party on behalf of whom executed)

Individual identified by: ☐ personal knowledge ☐ satisfactory evidence _____.
(type)



(Signature of Notary Public)

(typed, printed, or stamped name of Notary Public)

(affix Florida Notary Seal above)

DO NOT WRITE BELOW THIS LINE - GOVERNMENT USE ONLY

(Date)

[insert title of County employee]

[insert name of County employee]

(Witness Name) (Witness Name)

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Joinder by Mortgagee Corporation

The undersigned _____, a _____ (state) corporation and Mortgagee under that certain mortgage from _____ dated the day of _____, 20____, and recorded in Official Records Book _____, Page _____, of the Public Records of Miami-Dade County, Florida, covering all/or a portion of the property described in the foregoing agreement, does hereby acknowledge that the terms of this agreement are and shall be binding upon the undersigned and its successors in title.

IN WITNESS WHEREOF, these presents have been executed this _____ day of _____, 20____.

Witnesses:

Signature

Print Name

Signature

Print Name

Name of Corporation
Address: _____

By _____
(President, Vice-President or CEO*)

Print Name: _____

[*Note: All others require attachment of original corporate resolution of authorization]

STATE OF FLORIDA COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me by means of (*how the individual appeared check one*):

☒ physical presence ☐ online notarization this _____ day of _____, 20____.
(date) (month)(year)

by _____
(name of individual acknowledging)

as _____ for _____
(type of authority, e.g., Officer, Attorney-in Fact)(Name of party on behalf of whom executed)

Individual identified by: ☐ personal knowledge ☐ satisfactory evidence _____.
(type)

(affix Florida Notary Seal above)

(Signature of Notary Public)

(typed, printed, or stamped name of Notary Public)

DO NOT WRITE BELOW THIS LINE - GOVERNMENT USE ONLY

(Date)

[insert title of County employee]

[insert name of County employee]

(Witness Name) (Witness Name)

APPENDIX C

Schedule of Fees for Letters of CDMP Interpretation

- I. Requests for Written Advisories of Comprehensive Development Master Plan Consistency (other than for development/services concurrency determination).

Planning fees are found in the County's Implementing Order No. 4-111.

For special written advisory letters/memoranda regarding the relationship of a particular property parcel or the consistency of a proposed development action to the provisions of the Comprehensive Development Master Plan that are requested pursuant to Section 2-113 of the Code of Miami-Dade County and apart from regular development order approval processes, the requesting party shall pay the following charges:

All requests for a Land Use Plan (LUP) interpretation will be required to pay an additional processing fee as required by Miami-Dade County Implementing Order 4-111 as amended. The Miami-Dade County Department shall charge and collect fees in accordance with the following schedule. The fee is a 7.5% Surcharge (effective October 9, 2017) required on any CDMP fees collected and must be figured into the total for all Interpretations when requested. All checks must be made payable to Miami-Dade County and please provide a local phone number for the party making payment.

- A. Meeting Fee:

A fee of \$51.00 per 30 minutes will be assessed for meetings with Planning staff for a particular topic. (Meetings regarding a CDMP amendment application and/or a Letter of Interpretation for which fees have been assessed and paid, will not be subject to this fee).

Fee	Fee with 7.5%
\$51.00	\$54.82

- B. Interpretation/Explanation of Comprehensive Development Master Plan Provisions, including Adopted Land Use Plan Map and Interpretation of Land Use Plan Map Text Consistency Determinations Relative to a Specific Location (30 – 60 days).

Size of Parcel of Proposed Development (gross acres)

	Fee	Fee with 7.5%
Under 1.0 acre	\$440	\$473
1.0 acre - 5.0 acres	\$880	\$946
5.1 acres - 20.0 acres	\$1,320	\$1,419
20.1 acres and over	\$1,760	\$1,892

C. Interpretation/Explanation of Adopted Components Goals, Policies, Objectives and other Text not related to a Specific Location.

	Fee	Fee with 7.5%
Each issue/question not related to Level of Service (LOS) Standards	\$440	\$473
Each issue/question related to LOS Standards	\$440	\$473

The Director of the Department or his or her designee may condition such advisories on the information made available by the requesting party or defer to more complete development order review procedures. The conditional nature of all special advisories shall be addressed in the document.

D. Expedited Interpretation/Explanation of Comprehensive Development Master Plan Provisions, including Adopted Land Use Plan Map and Interpretation of Land Use Plan Map Text Consistency Determinations Relative to a Specific Location (within 15 days).

Size of Parcel of Proposed Development (gross acres)

	Fee	Fee with 7.5%
Under 1.0 acre	\$880	\$946
1.0 acre - 5.0 acres	\$1,760	\$1,892
5.1 acres - 20.0 acres	\$2,640	\$2,838
20.1 acres and over	\$3,520	\$3,784

E. Expedited Interpretation/Explanation of Adopted Components Goals, Policies, Objectives and other Text not related to a Specific Location (within 15 days).

	Fee	Fee with 7.5%
Each issue/question not related to Level of Service (LOS) Standards	\$880	\$946
Each issue/question related to LOS Standards	\$880	\$946

The Director of the Department or his or her designee may condition such advisories on the information made available by the requesting party or defer to more complete development order review procedures. The conditional nature of all special advisories shall be addressed in the document.

Revised 3-25-2019

Instructions on Filing a Request for a CDMP Letter of Interpretation

CDMP Letter of Interpretation Requests will be accepted online through the Citizen Self Service Portal (CSS) at the link below.

https://energov.miamidade.gov/EnerGov_Prod/SelfService#/home

Fees for location specific letters are dependent on the size of the property. Non-location specific CDMP Letters of Interpretation may be requested to address issues or questions related to the goals, policies, objectives, interpretive text, and Level of Service (LOS) standards in the CDMP. Depending on the complexity of the questions, a CDMP Letter of Interpretation will take 30 to 60 days to process. Certain Letter of Interpretation requests may be processed on an expedited basis, within 15-days of the filing of a complete request, but at a greater cost than the regular letter of interpretation requests. Note that Complex requests requiring significant research will not be eligible for the expedited process. A separate application must be submitted for each address or subject property. Refer to the Fee Schedule above for the appropriate fee.

To submit a request, complete the online form. For an application to be deemed complete, the appropriate fee must be paid and a letter of request detailing the CDMP question/s to be addressed must be submitted. Please refer to the detailed instructions below on how to request a Letter of Interpretation (LOI) of the Comprehensive Development Master Plan (CDMP) in CSS (also referred to as EnerGov).

- Follow the link below to apply online.
https://energov.miamidade.gov/EnerGov_Prod/SelfService#/home
- On the Welcome page, click on Apply.
- On the “Application Assistant” page, select the “All” tab to see all the options. Scroll down to “CDMP Interpretation Letter” and click on Apply.
- You will need to log in or register if you do not have an account.
- Fill out all requested information and upload the Request for the Letter of Interpretation. Please include the following information in the letter of request:
 - Address the letter to Jerry Bell, Assistant Director for Planning
 - The property’s **folio number and location** in the subject line
 - The letter should specify the question(s) to be answered. The question(s) must be specific, and related to the interpretation and/or consistency of the County’s Comprehensive Development Master Plan
 - Please sign your letter
- We will send you an invoice and a link for you to pay the invoice online.
- A separate application must be submitted for each address or subject property.

Note: If requesting a saturation analysis, the analysis will be performed by staff in accordance with the “Mixed Use Development” provisions of the CDMP.

If you have any questions or need additional information, please call 305-375-2835.

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APPENDIX D

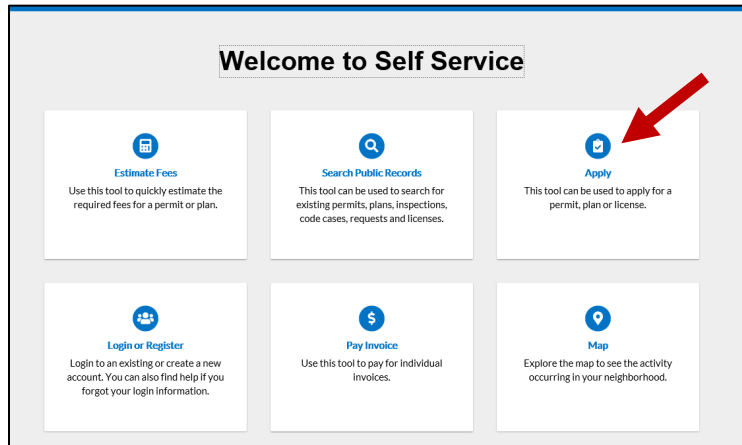
GUIDELINES FOR SUBMITTING CDMP AMENDMENT APPLICATIONS ONLINE

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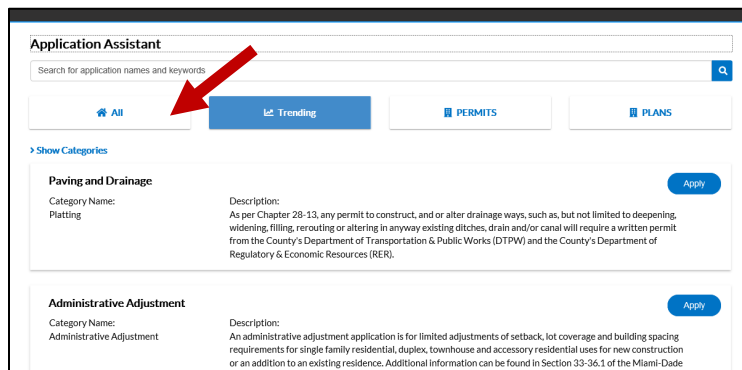
Guidelines for Submitting CDMP Amendment Applications Online

1. Go the Citizen Self Service (CSS) Portal:
https://energov.miamidade.gov/EnerGov_Prod/SelfService#/home

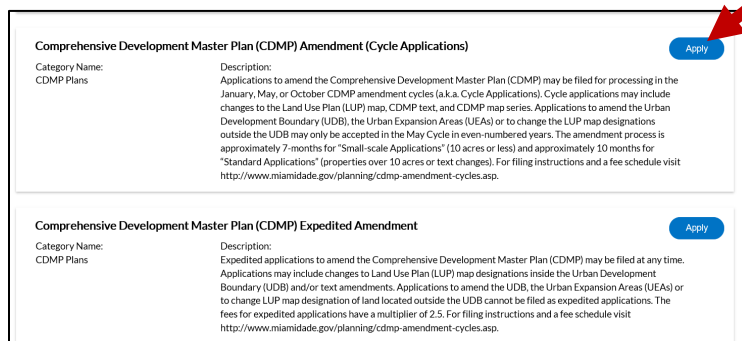
2. Click on “Apply”



3. Click on “All” to view all the application options.

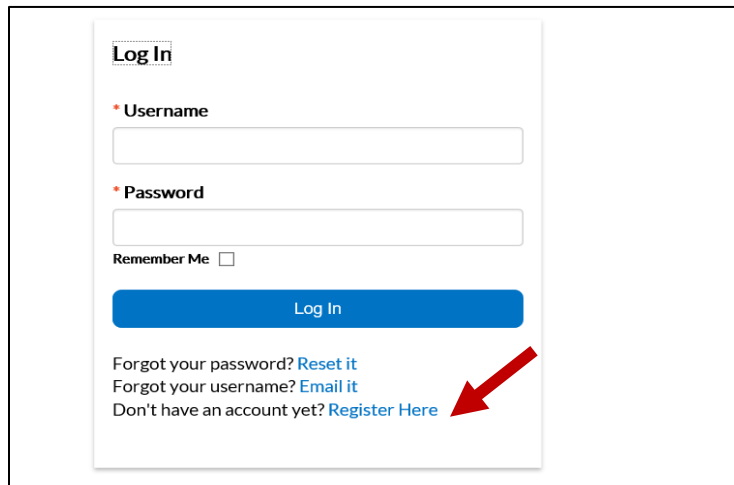


4. Select “Comprehensive Development Master Plan (CDMP) Amendment Cycle Application” or “Comprehensive Development Master Plan (CDMP) Expedited Amendment”



5. **Registration:**

Please “Register” if this is your first time applying. The system will prompt you to set up a username and password. If you are already registered, enter your information.



Log In

* Username

* Password

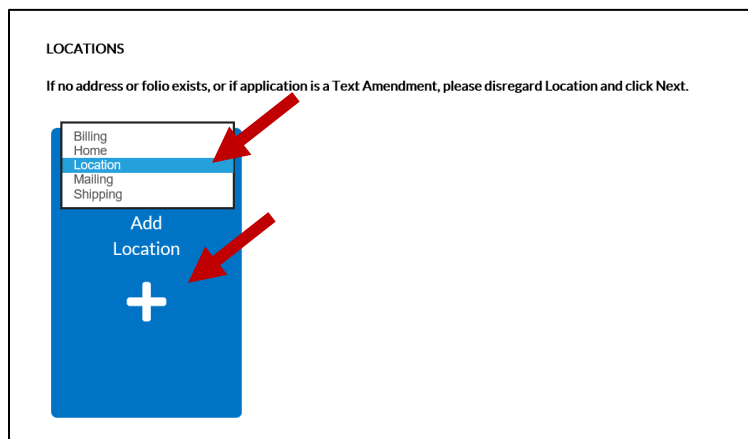
Remember Me ☐

Log In

Forgot your password? [Reset it](#)
Forgot your username? [Email it](#)
Don't have an account yet? [Register Here](#)

6. **Locations:**

To add the location of the subject property, click the dropdown menu on the blue tile, and select “location”, then click the “+” sign and press “Next”.



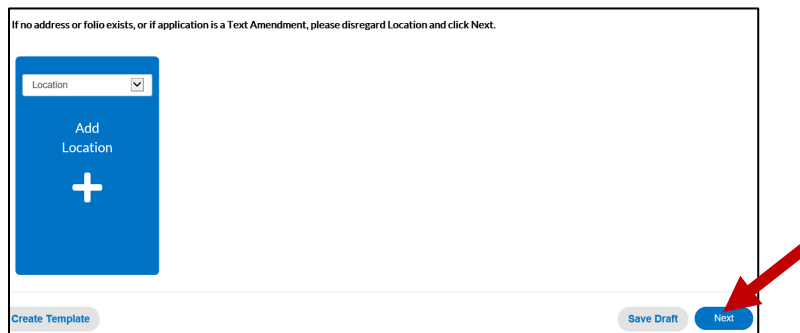
LOCATIONS

If no address or folio exists, or if application is a Text Amendment, please disregard Location and click Next.

Billing
Home
Location
Mailing
Shipping

Add Location

+



If no address or folio exists, or if application is a Text Amendment, please disregard Location and click Next.

Location

Add Location

+

Create Template Save Draft Next

You may search for the subject property by **Address** or **Parcel** (folio number).

OR

If the subject property does not have an address or folio number, or if you are filing a text amendment, click “Next”.

To search by Address, select “Address”. Enter the information in the “Search” field. A list of options will appear. Select the one that corresponds to your property, press “Add”.

The screenshot shows a web interface for searching property. At the top, there are two tabs: "Address" (highlighted with a red arrow) and "Parcel". Below the tabs, there is a section "Add Address As" with a dropdown menu set to "Location". Underneath are two buttons: "Search" and "Enter Manually". The "Address Information" section contains a search input field with the text "5680 SW 87 AVE" and a magnifying glass icon (highlighted with a red arrow). Below the search field is a table with one row. The table has two columns: "Address" and "Action". The "Address" column contains the text "5680 SW 87 AVE Unincorporated County, FL 33173-1618". The "Action" column contains a blue button labeled "Add" (highlighted with a red arrow). At the bottom, there is a pagination bar showing "Results per page" set to 10, "1 - 1 of 1", and navigation arrows.

A tile will appear with the location information selected. Click “Next” to continue, or repeat the process to add more addresses. Indicate which is the main address.

The screenshot shows the "LOCATIONS" section of the interface. At the top, it says "LOCATIONS" and "If no address or folio exists, or if application is a Text Amendment, please disregard Location and click Next." Below this is a card with location details. The card has a "Type: Location" label (highlighted with a red arrow), the address "5680 SW 87 AVE", "Unincorporated County, FL", and "33173-1618". It also has checkboxes for "Main Address" and "Main Parcel", both of which are checked. There is a "Remove" button at the bottom of the card. To the right of the card is a blue button with a white plus sign and the text "Add Location". At the bottom of the page, there are three buttons: "Create Template", "Save Draft", and "Next" (highlighted with a red arrow).

To search by Parcel/Folio Number, select “Parcel”. Enter the information in the “Search” field. Click on the checkbox next to the correct folio number and press “Search Associated Addresses”.

The screenshot shows a web interface with two tabs: "Address" and "Parcel". The "Parcel" tab is selected. Below the tabs is a "Parcel Information" section with a "Search" field containing the text "3040280000040". To the right of the search field is a magnifying glass icon. Below the search field is a table with the following columns: "Parcel Number", "Section", "Township", "Range", and "Action". The table contains one row with the value "3040280000040" in the "Parcel Number" column and a checkbox in the "Action" column. Below the table is a "Results per page" dropdown set to "10" and a pagination control showing "1 - 1 of 1". At the bottom right of the interface is a button labeled "Search Associated Addresses". Red arrows point to the "Parcel" tab, the search field, the checkbox, and the "Search Associated Addresses" button.

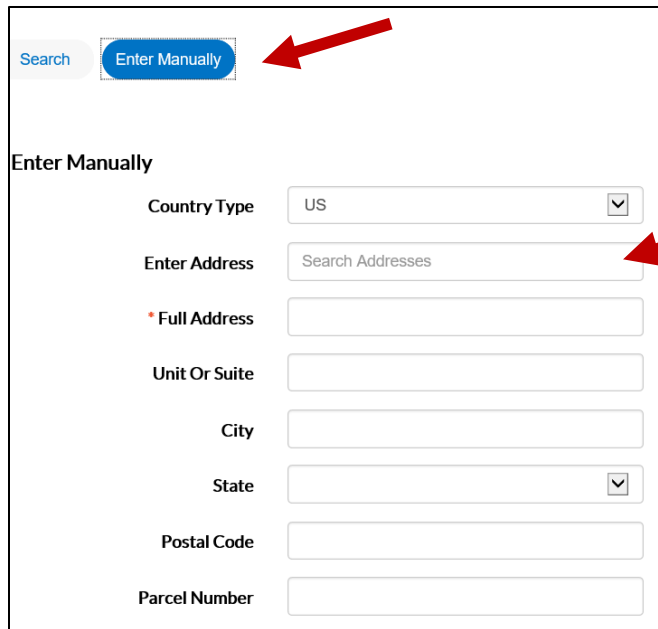
Click on the checkbox next to the correct Address and press “Add Selected”.

The screenshot shows a modal titled "Associated Addresses" with a subtitle "Associated Addresses for Parcel - #3040280000040". Inside the modal is a table with the following columns: "Address" and "Action". The table contains one row with the value "5680 SW 87 AVE Unincorporated County, FL 33173-1618" in the "Address" column and a checked checkbox in the "Action" column. Below the table is a "Results per page" dropdown set to "10" and a pagination control showing "1 - 1 of 1". At the bottom right of the modal are two buttons: "Add Selected" and "Cancel". Red arrows point to the checked checkbox and the "Add Selected" button.

A tile will appear with the location information selected. Click “Next” to continue, or repeat the process to add more parcels. Indicate which is the main folio.

The screenshot shows a location selection tile. On the left is a card with the following information: "Type: Location", "5680 SW 87 AVE", "Unincorporated County, FL", "33173-1618", "Main Address" with a checked checkbox, "Parcel Number" "3040280000040", "Main Parcel" with a checked checkbox, and a "Remove" button. To the right of the card is a blue button with a white plus sign and the text "Add Location". Below the card and button is a "Create Template" button. At the bottom right of the interface are two buttons: "Save Draft" and "Next". Red arrows point to the "Main Address" checkbox and the "Next" button.

If you cannot find your property using the “Search” option, you may enter the folio or address information by clicking on “Enter Manually”.



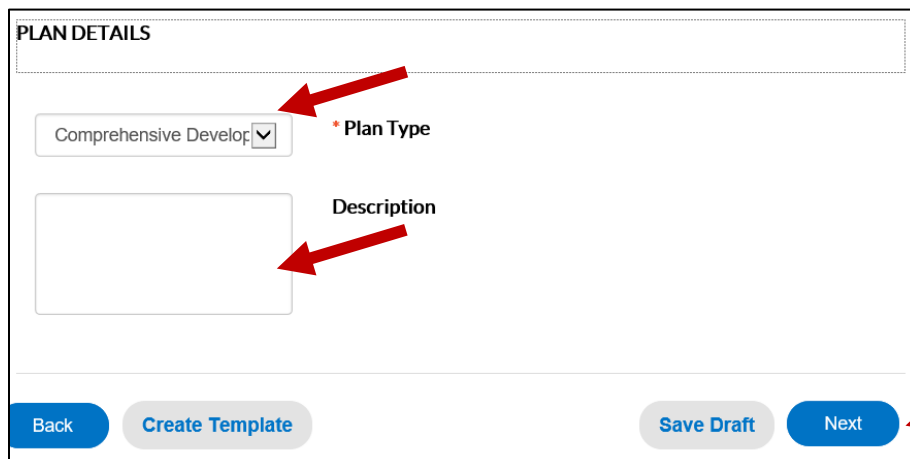
The screenshot shows a form titled "Enter Manually". At the top left, there are two buttons: "Search" and "Enter Manually". A red arrow points to the "Enter Manually" button. Below the buttons, the form fields are as follows:

- Country Type**: A dropdown menu with "US" selected.
- Enter Address**: A text input field with the placeholder text "Search Addresses". A red arrow points to this field.
- * Full Address**: A text input field.
- Unit Or Suite**: A text input field.
- City**: A text input field.
- State**: A dropdown menu.
- Postal Code**: A text input field.
- Parcel Number**: A text input field.

7. Plan Details:

Under the “Description” field, enter the name of the Applicant/Project, and click “Next”.

The “Plan Type” must be “Comprehensive Development Master Plan (CDMP) Amendment (Cycle Applications)”



The screenshot shows a form titled "PLAN DETAILS". The form contains the following elements:

- * Plan Type**: A dropdown menu with "Comprehensive Develop" selected. A red arrow points to this dropdown.
- Description**: A large text input area. A red arrow points to this area.
- Navigation Buttons**: At the bottom, there are four buttons: "Back", "Create Template", "Save Draft", and "Next". A red arrow points to the "Next" button.

8. **Contacts:**

Click on the “+” to enter the contact information for the “Applicant” and the “Applicant’s Representative”. Additional contacts may be added by clicking on “Add Contact” and selecting the contact type in the dropdown menu.

If the Applicant does not have a representative, the applicant’s contact information may be used.

The screenshot shows a section titled "CONTACTS" with three blue cards. The first card is labeled "Applicant" and has "Add Contact" and a "+" symbol. The second card is labeled "Applicant's Representative" and also has "Add Contact" and a "+" symbol. The third card has a dropdown menu labeled "Applicant" and "Add Contact" with a "+" symbol. Red arrows point to the "+" symbols on the first two cards. At the bottom, there is a navigation bar with buttons: "Back", "Create Template", "Save Draft", and "Next".


To enter the contact information, select “Enter Manually”.



The screenshot shows the "Enter Manually" form. At the top, there are three buttons: "Search", "Enter Manually" (highlighted with a red arrow), and "My Favorites". Below the buttons, the form is titled "Enter Manually" and contains the following fields: "First Name", "Last Name", "Company Name", "Email", "Home Phone", "Mobile Phone", and "Business Phone". Each field is preceded by an asterisk (*). At the bottom right of the form is a "Submit" button.

If the contact information is already in the system, select “Search” and enter the name, email or company to find the contact.

Add Contact As : Applicant

Search **Enter Manually** **My Favorites**

Search 



9. Project Info:

Under “CDMP Application Type”, identify if you are seeking a “Small-Scale” or Standard” amendment.

Project Info

***CDMP Application Type**

Small Scale
Standard

CDMP Application Type is required.

Under “CDMP Cycle”, identify the Amendment Cycle that you are applying for.

CDMP Cycle

January
May
October

Under “Description of Requested Change”, enter the proposed amendment/s.

***Description of Requested Change**

Redesignate the application site:
From: "Office/Residential"
To: "Business and Office"

Enter the "Location Description" and the gross and net acreage in the appropriate fields. If you are applying for a text amendment, enter the number 0 for the acreage.

Location Description	<input type="text"/>
*Acreage of Property (gross)	<input type="text"/>
Acreage of Property (gross) is required.	
*Acreage of Property (net)	<input type="text"/>
Acreage of Property (net) is required.	

Identify the CDMP Element and/or Sub-Element to be amended. Select all that apply.

Select CDMP Element to be amended (Check all that apply)	
Element	<input type="checkbox"/> Land Use
	<input type="checkbox"/> Transportation
	<input type="checkbox"/> Housing
	<input type="checkbox"/> Conservation, Aquifer Recharge and Drainage
	<input type="checkbox"/> Recreation and Open Space
	<input type="checkbox"/> Coastal Management
	<input type="checkbox"/> Intergovernmental Coordination
	<input type="checkbox"/> Capital Improvements
	<input type="checkbox"/> Educational
	<input type="checkbox"/> Economic
	<input type="checkbox"/> Community Health and Design
	<input type="checkbox"/> Water, Sewer and Solid Waste
Select CDMP Sub-Element to be amended (Check all that apply)	
Sub-Element	<input type="checkbox"/> Traffic Circulation
	<input type="checkbox"/> Mass Transit
	<input type="checkbox"/> Aviation
	<input type="checkbox"/> Port of Miami River
	<input type="checkbox"/> PortMiami
	<input type="checkbox"/> Water and Sewer
	<input type="checkbox"/> Solid Waste

Identify the type of amendment requested. Select all that apply. Click next to continue.

Type of Amendment requested (Check all that apply)	
Land Use Map	<input type="checkbox"/>
Other Map Changes	<input type="checkbox"/>
UDB/UEA Amendment	<input type="checkbox"/>
Text Changes	<input type="checkbox"/>
Covenant Modification/Release	<input type="checkbox"/>
New Covenant	<input type="checkbox"/>
DRI	<input type="checkbox"/>
EAR	<input type="checkbox"/>

10. **Attachments:**

All required documents must be uploaded for the online application to be accepted. Click the “+” symbol to upload the required documents as attachments. Only PDF documents are accepted.

A Traffic Study is required for all Land Use Plan Amendments. However, Text Amendments do not require a traffic analysis. To upload the Traffic Study and other supplements, click on “Add Attachments” and select the document type on the dropdown menu.

Attachments				
Disclosure of Interest Add Attachment + Supported: pdf REQUIRED	Electronic Copy of Application (signed) Add Attachment + Supported: pdf REQUIRED	Legal Description Add Attachment + Supported: pdf REQUIRED	Survey Add Attachment + Supported: pdf REQUIRED	
Applicant's Proof of Not Add Attachment + Supported: pdf				
Back Create Template		Save Draft Next		

- 11. Review and Submit:** After uploading all the documents, you will have the opportunity to review a summary of the application. Click submit to complete the application. A process number (application number) will be generated. This will be the number used to identify the application.

Plan Number: CDMP20200007

[Plan Details](#) | [Tab Elements](#) | [Main Menu](#)

Type: Comprehensive Development Master Plan (CDMP) Amendment (Cycle Applications)	Status: Under Review	Project Name:
IVR Number: 109021	Applied Date: 04/30/2020	Expiration Date:
District:	Assigned To: Davis, Rosa	Completion Date:
Description: ACME, INC.		

[Summary](#) [Locations](#) [Fees](#) [Reviews](#) [Inspections](#) [Attachments](#) [Contacts](#) [Sub-Records](#) [Holds](#) [Meetings](#) [More Info](#)

Progress

0%

Completed

In Progress

Not Started

Workflow

☒ Application Acceptance - Started - Scheduled for 05/07/2020

☐ Upload Application and Supporting Documents

Available Actions

12. Completeness Check:

Staff will review the application for completeness and send a “Notice of Receipt”. The notice will contain an invoice of fees to be paid and a list of any deficiencies within the application.

Applicants have five business days from the close of the filing period or “Notice of Receipt”, whichever occurs later, to cure deficiencies and submit hard copies of all the application documents. Applications that remain deficient will be returned.

Hard copies of the application are to be submitted to the Department at the following address:

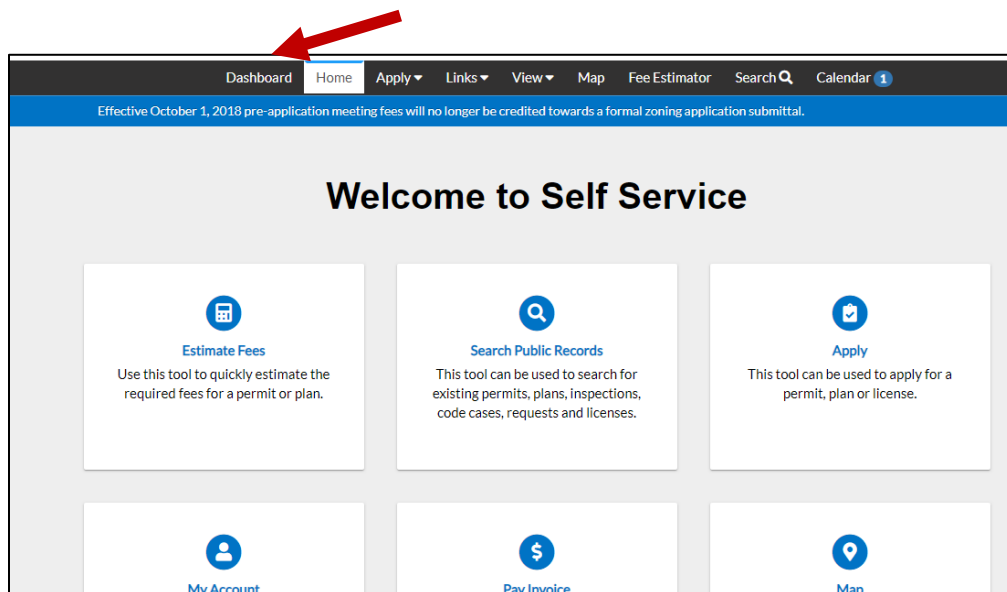
Miami-Dade County
Department of Regulatory and Economic Resources
Planning Division, Metropolitan Planning Section
Stephen P. Clark Center, 12th Floor
111 NW 1 Street
Miami, Florida 33128
Telephone: 305-375-2835

Due to COVID-19, it is required that hard copy document submittals be coordinated with the Department staff by contacting the Department at the telephone number above.

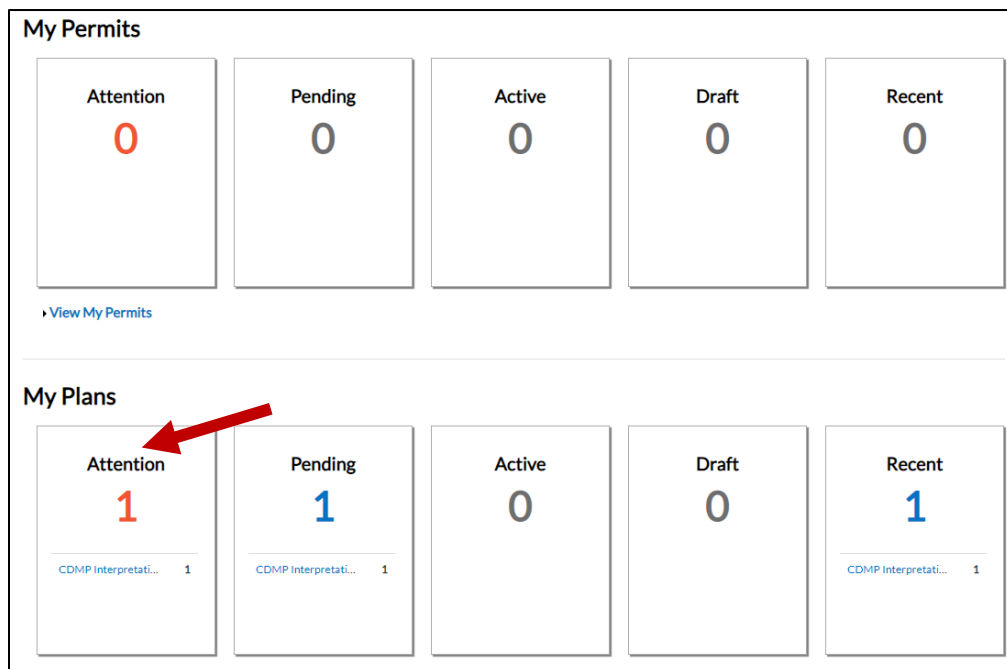
13. Resubmit Documents and Monitor Application:

You can re-submit documents and monitor the application through the “dashboard”.

Go to the home page and log in. Select “Dashboard” on the top of the page.



The Dashboard will display any active applications that you have in the system and let you know the status. Select the application that you are interested in viewing.



Information about the application will appear. Click on the Plan Number to see more options.

My Plans

Search for plan number, project, or address

Exact Match

Display: Attention Select Case Type: CDMP Interpretation Letter X Export Sort: Plan Number

Plan Number	Project	Address	Plan Type	Status	Attention Reason
CL2020000075		111 1 RIVO ALTO TER Miami Beach, FL 33139- -120	CDMP Interpretation Letter	Attention, Recent	Fail Failed Reviews

Results per page: 10 1 - 1 of 1 << < 1 > >>

A series of tabs will appear. Click the one you are interested in viewing.

- Summary – provides an overview of the application and its status.
- Fees – provides information on the application fees and payment status.
- Inspections – Not applicable
- Attachments – allow you to view documents or submit additional documents
- Contacts – provides contact information on the applicant and applicant's representative
- Sub-Records – Not applicable
- Holds – provides information on holds placed on the application
- Meetings – Not applicable
- More Info – provides general information on the application site, including land use designation and zoning.

Plan Number: CL2020000075
[Plan Details](#) | [Tab Elements](#) | [Main Menu](#)

Type: CDMP Interpretation Letter

Status: Application Withdrawn

Project Name:

Summary

Locations

Fees

Reviews

Inspections

Attachments

Contacts

Sub-Records

Holds

Meetings

More Info

To submit additional documents or re-submit a document, select “Attachments”.

On the dropdown menu in the blue tile, select the type of document you want to submit. Click the “+” symbol to upload the document. Only PDF documents are accepted.

Plan Number: CL2020000075

Plan Details | Tab Elements | Main Menu

Type: CDM Interpretation Letter Status: Application Withdrawn Project Name:

Summary Locations Fees Reviews Inspections **Attachments** Contacts Sub-Records Holds Meetings More Info

Attachments | Next Tab | Plan Details | Main Menu

Attachments

Sort: Needs Action

Attachment

Attachment

App.pdf

Uploaded: 04/10/2020

Notes: Letter of Interpretation Request

DCA_MDC April 1992-93 Final Adopt Part 2 R R.pdf

Uploaded: 05/01/2020

Notes: Application and Supporting Documents

Add Attachment

Application and Support

+

Supported: pdf

Submit

Hard copies of all documents must be submitted to the Department at the address provided in Step No. 12 above.

Due to COVID-19, it is required that hard copy document submittals be coordinated with the Department staff by contacting 305.375.2835

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