



# MEMORANDUM

AGENDA ITEM #VI.B

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DATE: FEBRUARY 27, 2017

TO: COUNCIL MEMBERS

FROM: STAFF

SUBJECT: DEVELOPMENT OF REGIONAL IMPACT STATUS REPORT

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## BACKGROUND

A **Development of Regional Impact** (DRI) is defined by the Florida Legislature as "any development, which, because of its character, magnitude, or location, would have a substantial effect upon the health, safety, or welfare of citizens of more than one county, (§380.06(1), Florida Statutes). The Legislature sets thresholds for the types and amount of development that is subject to DRI review. In 2011, the Legislature exempted new development within Dense Urban Land Areas (DULAs) from DRI review unless it is a new development located within an "area of critical state concern" or "within two miles of the boundary of the Everglades Protection Zone." DRI review and approval is governed by §380.06, Florida Statutes, and Rules 28-24 and 73C-40 of the Florida Administrative Code.

## COUNCIL ROLE

The South Florida Regional Planning Council is responsible for:

- Coordinating the review of local, regional, and state agencies of the **Application for Development Approval** (ADA) for DRIs. As part of this process, the Council, at a regular meeting, must consider and act upon the **Regional Impact Report**, which identifies if a DRI would adversely impact state and regional resources and facilities, adequately mitigate any impacts, and recommend the content for the local DRI **Development Order** (DO). The Council also considers, at a regular meeting, the adopted DO and recommends to the Florida Department of Economic Opportunity (DEO) whether to challenge the DO if it does not meet the requirements of state law.
- Coordinating the review of **Notices of Proposed Change** (NOPC), advising if the changes constitute a substantial deviation and whether the adopted development order is consistent with state requirements. The Council, at a regular meeting, votes to recommend to DEO whether a NOPC constitutes a substantial deviation pursuant to §380.06 (19)(b), Florida Statutes. The Council delegated authority to the Executive Director to recommend a NOPC does not constitute a substantial deviation. The Council, at a regular meeting, also votes to recommend to DEO whether an adopted DO does not



meet state requirements. The Executive Director is delegated the authority to advise DEO whether a DO meets requirements.

- Coordinating the review of the **Annual Report**. The local government issuing the DO is primarily responsible for monitoring the development and enforcing the provisions of the DO. The developer shall submit an annual report on the DRI to the local government, the regional planning agency, the state land planning agency, and all affected permit agencies in alternate years on the date specified in the DO, unless the DO by its terms requires more frequent monitoring.

The Annual Report, which may be submitted biennially at the option of the local government, is one of the primary tools to assist in monitoring the progress and compliance of the DRI with the DO. Local governments shall not issue any permits or approvals or provide any extensions of services if the developer fails to act in substantial compliance with the DO. The Council, at a regular meeting, considers whether to request a local government not issue permits or approvals if the Annual Report indicates substantial non-compliance.

#### Recommendation

Information only

**DRI ACTIVITY SUMMARY  
2015-2016**

<b>DRI</b>	<b>COUNTY</b>	<b>ACTION</b>	<b>DESCRIPTION</b>	<b>RECEIVED</b>	<b>STATUS</b>
Downtown Miami Increment III	Miami	ADA Review and Regional Impact Report	ADA for area-wide development	11/20/2015	Council approved ADA @ June 6 Council Meeting
Northport	Broward	Annual Report Review	Annual/Biennial Report Submission	12/7/2015	In Compliance
Sawgrass Mills	Broward	Annual Report Review	Annual/Biennial Report Submission	12/16/2016	In Compliance
Westside Corporate Center	Broward	Annual Report Review	Annual/Biennial Report Submission	1/28/2016	In Compliance
Westpoint DRI	Broward	Annual Report Review	Annual/Biennial Report Submission	6/4/2016	In Compliance
The Pembroke Meadow	Broward	Annual Report Review	Annual/Biennial Report Submission	8/15/2016	In Compliance
Sawgrass Corporate Park	Broward	Annual Report Review	Annual/Biennial Report Submission	8/10/2016	In Compliance
Pembroke Lakes Regional Center	Broward	Annual Report Review	Annual/Biennial Report Submission	9/12/2016	In Compliance
Amerifirst Tract	Broward	Annual Report Review	Annual/Biennial Report Submission	11/21/2016	In Compliance
East Miramar	Broward	Annual Report Review	Annual/Biennial Report Submission	11/17/2016	In Compliance
Beacon Lakes	Miami	Annual Report Review	Annual/Biennial Report Submission	2/3/2016	In Compliance
Dolphin Center North	Miami	Annual Report Review	Annual/Biennial Report Submission	2/3/2016	In Compliance
Kendall Town Center	Miami	Annual Report Review	Annual/Biennial Report Submission	2/16/2016	In Compliance
Westpointe DRI	Miami	Annual Report Review	Annual/Biennial Report Submission	5/23/2016	In Compliance
84 South DRI	Broward	Extension of DO Buildout and Termination Dates	Notice of Extension Submission	9/6/2016	In Compliance
The Cricket Club	Broward	Extension of DO Buildout and Termination Dates	Notice of Extension Submission	10/27/2016	In Compliance
Waterford @ Blue Lagoon	Miami	Modification of DRI Boundary	Request to remove property from DRI boundaries	2/6/2017	In the process of being reviewed

<b>Beacon Lakes</b>	<b>Miami</b>	<b>NOPC</b>	<b>Addition of land, increase of industrial uses, and extension of buildout date</b>	<b>12/23/2015 extension of review timeline sought and granted</b>	<b>In the process of being reviewed</b>
<b>Villages of Homestead</b>	<b>Miami</b>	<b>NOPC</b>	<b>Determination that adopted NOPC is consistent with proposed version</b>	<b>5/31/2016</b>	<b>DO found to be consistent with state requirements</b>
<b>Northport</b>	<b>Broward</b>	<b>NOPC</b>	<b>Extension of Development Order buildout date</b>	<b>12/7/2015</b>	<b>Impacts not adverse and significant</b>
<b>Pembroke Lakes Regional Center</b>	<b>Broward</b>	<b>NOPC</b>	<b>Simultaneous increase and decrease of approved uses</b>	<b>11/19/2015</b>	<b>Impacts not adverse and significant</b>
<b>Villages of Homestead</b>	<b>Miami</b>	<b>NOPC</b>	<b>Simultaneous increase and decrease of approved uses</b>	<b>12/4/2015</b>	<b>Impacts not adverse and significant</b>
<b>Waterford @ Blue Lagoon</b>	<b>Miami</b>	<b>NOPC</b>	<b>Simultaneous increase and decrease of approved uses</b>	<b>11/7/2016</b>	<b>In the process of being reviewed</b>
<b>The Hammocks</b>	<b>Miami</b>	<b>NOPC</b>	<b>Simultaneous increase and decrease of approved uses</b>	<b>11/18/2016</b>	<b>In the process of being reviewed</b>
<b>Waterford @ Blue Lagoon</b>	<b>Miami</b>	<b>NOPC</b>	<b>Simultaneous increase and decrease of approved uses</b>	<b>2/8/2017</b>	<b>In the process of being reviewed</b>