



**Department of Regulatory and Economic Resources**

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August 10, 2018

Florida Department of Economic Opportunity  
Attn: Ray Eubanks, Plan Review Administrator  
Bureau of Community Planning  
Caldwell Building  
107 East Madison Street, MSC 160  
Tallahassee, FL 32399

Subject: Adopted October 2017 Cycle Application No. 9 to Amend the Comprehensive Development Master Plan (CDMP) for Miami-Dade County, Florida - SLPA Amendment No.18-1ESR

Dear Ray:

On July 25, 2018, the Miami-Dade Board of County Commissioners (Board) adopted Ordinance No. 18-83 taking final action on the pending Application No. 9 of the October 2017 Cycle Application to Amend the CDMP. I am authorized by Section 2-116.1(4) of the Code of Miami-Dade County (County) to transmit the adopted amendment package on behalf of the Board.

The Florida Department of Economic Opportunity/State Land Planning Agency (SLPA) and other state and regional agencies (reviewing agencies) previously reviewed the pending application as contained in the proposed amendment package, which was previously transmitted to the reviewing agencies by letter dated May 14, 2018. The reviewing agencies reviewed the pending amendment in June 2018. The Florida Department of Transportation (FDOT) issued comments on the October 2017 Cycle Application No. 9 by letter dated June 19, 2018. Additionally, by correspondence dated July 20, 2018, issued outside the comment period, the South Florida Regional Planning Council found the application generally inconsistent with the Strategic Regional Policy Plan based on FDOT's comments. The Miami-Dade County Department of Regulatory and Economic Resources issued a response to FDOT's letter (see Exhibit 4). No objection was raised against the application by any affected party.

In the final disposition, the Board adopted Application No. 9 with several revisions to the proposed amendment package, as outlined in the adopted Ordinance (Exhibit 1) and in the Summary of Final Action (Exhibit 2).

It should be noted that of the other pending October 2017 CDMP Amendment Cycle application, Application No. 7, was scheduled for final hearing on July 25, 2018; however, the applicant submitted a letter dated July 18, 2018 requesting that the item be continued to the September 27, 2018 CDMP hearing date in order address pending issues (Exhibit 5). The Board granted the applicant's request. As such, the adopted transmittal package for Application No. 7 will be transmitted at a later date.

**Exhibit 1**

October 2017 Cycle CDMP Amendment  
BCC Public Hearing, July 25, 2018  
Miami-Dade County, Florida

**ORDINANCE NO. 18-83 ADOPTING OTOBER 2017 CYCLE STANDARD APPLICATION NO. 9**

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# Memorandum



**Date:** (Public Hearing 7-25-18)  
April 25, 2018

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

**From:** Carlos A. Gimenez  
Mayor

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

Agenda Item No. 7(B)

Ordinance No. 18-83

**Subject:** Ordinance for Application No. 9 in the October 2017 Cycle Applications to Amend the Comprehensive Development Master Plan

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The attached ordinance addresses a Comprehensive Development Master Plan staff application that appears on the agenda under the sponsorship of Commissioner Jose "Pepe" Diaz. The staff analysis and fiscal impact statement for this application are discussed in a separate memorandum that appears on this agenda, which, together with this ordinance, were prepared by the Department of Regulatory and Economic Resources.

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

Jack Osterholt  
Deputy Mayor

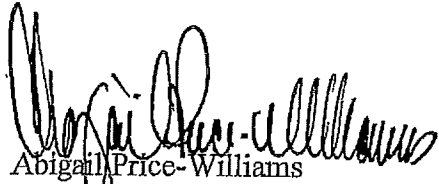


# MEMORANDUM

(Revised)

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

**DATE:** July 25, 2018

**FROM:**   
Abigail Price-Williams  
County Attorney

**SUBJECT:** Agenda Item No. 7(B)

Please note any items checked.

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

Approved \_\_\_\_\_ Mayor  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Agenda Item No. 7(B)  
7-25-18

ORDINANCE NO.    18-83

ORDINANCE RELATING TO MIAMI-DADE COUNTY COMPREHENSIVE DEVELOPMENT MASTER PLAN; PROVIDING DISPOSITION OF STANDARD APPLICATION NO. 9, AMENDING THE INTERPRETIVE TEXT OF THE LAND USE ELEMENT FOR OPEN LAND SUBAREA 1, FILED IN THE OCTOBER 2017 CYCLE TO AMEND THE COUNTY'S COMPREHENSIVE DEVELOPMENT MASTER PLAN; PROVIDING SEVERABILITY, EXCLUSION FROM THE CODE, AND AN EFFECTIVE DATE

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

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

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

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

**WHEREAS**, Application No. 9 was filed by the Department and included in the October 2017 Cycle of Applications to amend the CDMP ("October 2017 CDMP Amendment Cycle") pursuant to Section 2-116.1(3)(b), Code of Miami-Dade County; and

**WHEREAS**, as required by Section 2-116.1, the Department issued its initial recommendations addressing the October 2017 Cycle standard applications in a report titled "Initial Recommendations October 2017 Applications to Amend the Comprehensive Development Master Plan," dated March 2018, and kept on file with and available upon request from the Department; and

**WHEREAS**, the directly impacted Community Council and the Planning Advisory Board, acting as the Local Planning Agency, have acted in accordance with the applicable State and County procedures and have conducted public hearings and issued recommendations for the disposition of Application No. 9; and

**WHEREAS**, at the public hearing conducted to address transmittal of the October 2017 Cycle standard applications to the State Land Planning Agency and other state and regional agencies ("reviewing agencies"), the Board by resolution, transmitted Application No. 9 to the reviewing agencies; and

**WHEREAS**, the Board must take final action to adopt, adopt with change, or not adopt Application No. 9 to amend the CDMP no later than forty five (45) days after receipt of written comments from the reviewing agencies addressing transmitted applications, unless a greater time period is deemed necessary by the Director of the Department, pursuant to Section 2-116.1(4)(a) of the Code of Miami-Dade County, Florida; and

**WHEREAS**, the approval of an amendment to the CDMP does not assure favorable action upon any application for zoning or other land use approval but is part of the overall land use policies of the County; and

**WHEREAS**, this Board has conducted the public hearings required by the referenced procedures preparatory to enactment of this ordinance,

**BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:**

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

**Section 2.** This Board hereby takes action on Application No. 9 filed for review during the October 2017 CDMP Amendment Cycle, as follows:

Application Number	Applicant/Representative Location and Size Requested Amendments to the CDMP Land Use Plan Map or Text	Final Action
9	Miami-Dade County / Jack Osterholt, Deputy Mayor/Director  <u>Requested Amendment to the CDMP:</u>  Amend the Open Land Subarea 1 text on page I-67 of the Land Use Element in the October 2013 edition of the County's adopted Comprehensive Development Master Plan to allow the County owned site for former and decommissioned Opa-Locka West Airport to be utilized as an area for recreational motorsports, in particular all-terrain vehicle (ATV) use and recreational drag racing.  Standard Amendment	Adopt as Transmitted with further changes.  <i>[The changes include additional text requiring specific uses to be subject to Board of County Commissioners approval.]</i>

**Section 3.** If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected thereby.

**Section 4.** It is the intention of the Board, and it is hereby ordained that the provisions of this ordinance shall be excluded from the Code of Miami-Dade County, Florida.

**Section 5.** Pursuant to Section 163.3184(3)(c)4, Florida Statutes, the effective date of any plan amendment adopted in this ordinance shall be 31 days after the State Land Planning Agency notifies the local government that the plan amendment package is complete, if the amendment is not timely challenged. If timely challenged, the plan amendment shall become



effective on the date the State Land Planning Agency or the Administration Commission enters a final order determining the adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on the adopted amendment may be issued or commence before the plan amendment has become effective. If a final order of noncompliance is issued by the Administration Commission, the plan amendment may nevertheless be made effective, subject to the imposition of sanctions pursuant to Section 163.3184(8), Florida Statutes, by adoption of a resolution affirming its effective status, a copy of which resolution shall be filed with the Clerk of the Board and sent to the State Land Planning Agency.

**Section 6.** This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

PASSED AND ADOPTED: July 25, 2018

Approved by County Attorney as  
to form and legal sufficiency:

Handwritten signature in black ink, appearing to be "GBL" with a flourish underneath.

Prepared by:

Dennis A. Kerbel

Enclosed herein and made a part of this letter is a "List of Supporting Documents Submitted to the Reviewing Agencies for the Miami-Dade County Adopted October 2017 Cycle CDMP Amendment" (see Attachment A). The list identifies all documents that are required in Section 163.3184(3), Florida Statutes. Three (3) sets of copies (1 hard copy and 2 CDs) of these documents and related materials are enclosed for the SLPA, and one set of copies (hard copy or CD) of the same documents and related materials are being sent directly to each of the regional and other state reviewing agencies whose representatives are copied below.

For additional information or clarification regarding this transmittal, please contact Jerry Bell, AICP, Assistant Director for Planning, Miami-Dade County Department of Regulatory and Economic Resources, Stephen P. Clark Center, 111 NW 1<sup>st</sup> Street, 12<sup>th</sup> Floor, Miami, Florida 33128, or by phone at (305) 375-2835, fax (305) 375-2560 or e-mail [Jerry.bell@miamidade.gov](mailto:Jerry.bell@miamidade.gov).

Sincerely,



Jack Osterholt, Deputy Mayor/Director  
Department of Regulatory and Economic Resources

Enclosure: Attachment A

- c: Isabel Cosio Carballo, Executive Director, South Florida Regional Planning Council <sup>2</sup>
- Sharren Yee Fong, Transportation Planner IV, District Six, Florida Department of Transportation <sup>1</sup>
- Terry Manning, AICP, Policy and Planning Analyst, Water Supply Coordination Unit, South Florida Water Management District <sup>2</sup>
- Comprehensive Plan Review, Office of Policy and Budget, Florida Department of Agriculture and Consumer Services <sup>2</sup>
- Scott Sanders, Conservation Planning Services, Florida Fish and Wildlife Conservation Commission <sup>2</sup>
- Plan Review, Office of Intergovernmental Programs, Florida Department of Environmental Protection <sup>2</sup>
- Deena Woodward, Historic Preservation Planner, Bureau of Historic Preservation, Florida Department of State <sup>2</sup>
- Kylene Casey, Educational Consultant-Growth Management Liaison, Office of Educational Facilities, Florida Department of Education <sup>2</sup>
- Larry Ventura, Chief, Environmental Flight, Homestead Air Reserve Base <sup>2</sup>

c: w/o attachments:

- Honorable Esteban Bovo, Jr., Chairman and Members, Board of County Commissioners
- Dennis Kerbel, Assistant County Attorney

## ATTACHMENT A

### List of Supporting Documents Submitted to the Reviewing Agencies for the Miami-Dade County Adopted October 2017 CDMP Amendment Cycle

- Exhibit 1:** Ordinance No.18-83 adopting October 2017 Cycle Standard Application No. 9;
- Exhibit 2:** Summary of Final Action by the Board of County Commissioners on the October 2017 Cycle Standard Amendment to the CDMP for Miami-Dade County (Ordinance No. 18-83). *Contains the text amendment for Application No. 9, including amendments not previously seen by State Land Planning Agency (SLPA) and other reviewing agencies; All adopted July 25, 2018;*
- Exhibit 3:** Findings of the Miami-Dade County Board of County Commissioners which Provided Bases for the Adoption of the October 2017 Cycle Amendment to the CDMP (SLPA Amendment No.18-1ESR), for Application No. 9, adopted July 25, 2017: *Summarizes the bases for the adoption of Application No. 9, which is included in Ordinance No. 18-83;*
- Exhibit 4:** Department of Regulatory and Economic Resources Response to Comments provided by the Florida Department of Transportation (FDOT) District Six, dated June 19, 2018; and

SUMMARY OF FINAL ACTION  
BY  
BOARD OF COUNTY COMMISSIONERS

STANDARD AMENDMENT  
TO THE  
COMPREHENSIVE DEVELOPMENT MASTER PLAN  
FOR MIAMI-DADE COUNTY

(Ordinance No. 18-83; Adopted July 25, 2018)

Adopted October 2017 Cycle Standard Amendment to the  
Comprehensive Development Master Plan

August 2018

Prepared by the  
Miami-Dade County Department of Regulatory and Economic Resources  
Planning Division  
111 NW 1 Street, 12<sup>th</sup> Floor  
Miami, Florida 33128-1972  
Telephone: (305) 375-2835

LIST OF FINDINGS OF THE MIAMI-DADE COUNTY  
BOARD OF COUNTY COMMISSIONERS, IF ANY, THAT WERE NOT INCLUDED IN THE  
ORDINANCE AND WHICH PROVIDED BASIS FOR THE ADOPTION OF  
THE OCTOBER 2017 CYCLE OF AMENDMENT TO THE CDMP  
(SLPA Amendment No. 18-1ESR)

FOR APPLICATION NO. 9

July 25, 2018

The Miami-Dade County Board of County Commissioners (Board), prior to and during the public hearing for final action on Application No. 9 of the October 2017 Cycle of Applications to amend Miami-Dade County Comprehensive Development Master Plan (CDMP), received supporting documents, recommendations and public testimony, which served as the basis for adopting the pending CDMP amendment.

Also considered were the recommendations of the Planning Advisory Board (PAB), acting as the Local Planning Agency on this application, including a summary of the public hearings conducted by the Planning Advisory Board prior to the formulation of its recommendations. At the Board's final public hearing, the public made verbal testimonies addressing the application.

To the extent that any report, other documents, testimony or portion thereof prepared and submitted prior to the public hearing, which does not support an adopted application, should be assumed that the Board considered but chose not to rely on such report, other documents, testimony or portion thereof, and that such evidence should be considered a part of these findings.

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## TABLE OF CONTENTS

	<u>Page</u>
INTRODUCTION -----	iii
SUMMARY OF FINAL ACTION OF MIAMI-DADE BOARD OF COUNTY COMMISSIONERS -----	iii
ADOPTED STANDARD CDMP AMENDMENT APPLICATION	
Application No. 9 -----	1

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## INTRODUCTION

This report presents Application No. 9 standard text amendment to the Comprehensive Development Master Plan (CDMP), which was adopted by the Miami-Dade Board of County Commissioners (Board) on July 25, 2018 (Ordinance No. 18-83).

The table below entitled “Summary of Final Action” outlines the requests of the October 2017 standard CDMP amendment Application No. 9, and lists the final action taken by the Board on the item. Following the Summary of Final Actions is a detailed presentation of the adopted application with a description of how it amends the CDMP text.

### Summary of Final Action by Board of County Commissioners on October 2017 Cycle Applications to Amend the CDMP (Ordinance Nos. 18-83; Adopted July 25, 2018)

Application Number	Applicant (Representative) Location (Size) REQUESTED CHANGE TO THE CDMP LAND USE ELEMENT TEXT/ LAND USE PLAN MAP	Final Commission Action
9	<p>Miami-Dade County / Jack Osterholt, Deputy Mayor/Director</p> <p><u>Requested Amendment to the CDMP:</u></p> <p>Amend the Open Land Subarea 1 text on page I-67 of the Land Use Element in the October 2013 edition of the County's adopted Comprehensive Development Master Plan to allow the County owned site for former and decommissioned Opa-Locka West Airport to be utilized as an area for recreational motorsports, in particular all-terrain vehicle (ATV) use and recreational drag racing.</p> <p>Standard Amendment</p>	<p>Adopt as Transmitted with further changes recommended by the Board.</p> <p><i>[The changes include additional text requiring specific uses to be subject to Board of County Commissioners approval.]</i></p>

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**OCTOBER 2017 CYCLE  
STANDARD AMENDMENT APPLICATION NO. 9  
ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS  
(Ordinance No. 18-83; Adopted July 25, 2018)**

**Applicant**

Miami-Dade County Department of Regulatory and Economic Resources  
111 NW 1<sup>st</sup> Street, 12<sup>th</sup> Floor  
Miami, Florida 33128-1972  
(305) 375-2835

**Applicant's Representative**

Jack Osterholt, Deputy Mayor/Director  
Miami-Dade County Department of Regulatory and Economic Resources  
111 NW 1<sup>st</sup> Street, 29<sup>th</sup> Floor  
Miami, Florida 33128-1972

**Board of County Commissioners Final Action:**

Adopt as Transmitted with further changes recommended by the Board. (Ordinance No. 18-83; July 25, 2018)

*The changes include additional text requiring specific uses to be subject to Board of County Commissioners approval.*

**Description of CDMP Amendment as Adopted**

Amendments Previously Reviewed by State Land Planning Agencies

Application No. 9 seeks to amend the Open Land Subarea 1 text of the Land Use Element to allow the County owned site of the decommissioned Opa-Locka West Airport to be utilized as an area for recreational motorsports, in particular all-terrain vehicle (ATV) use and recreational drag racing.

Amendments Not Previously Reviewed by State Land Planning Agencies

The Board of County Commissioners (Board) amended the text of the amendment requiring specific uses to be subject to Board approval. The specific uses will be specified in a separate implementing zoning ordinance.

**Amend the Open Land Subarea 1 text on page I-67 of the Land Use Element in the October 2013 edition of the County's adopted Comprehensive Development Master Plan to allow the County owned site for former and decommissioned Opa-Locka West Airport to be utilized as an area for recreational motorsports, in particular all-terrain vehicle (ATV) use and recreational drag racing, as follows<sup>1</sup>:**

**Open Land Subarea 1 (Snake-Biscayne Canal Basin).** This subarea is located north of the Miami Canal (Canal-6) in northwestern Miami-Dade County. Rural residential use at 1 dwelling unit per 5 acres, limestone quarrying and ancillary uses, compatible institutional uses, public facilities, utility facilities, and communications facilities, recreational uses, >>outdoor vehicle recreational areas and/or recreational motorsport facilities on the decommissioned Opa-locka West Airport site, subject to Board of County Commission approval for specific uses.<< nurseries and tree farms, agriculture production<sup>1</sup> and the limited raising of livestock may be considered for approval in this subarea. The following uses may also be considered for approval in this subarea: parking and storage of operable, non-disabled commercial motor vehicles, including construction equipment and agricultural equipment, as defined in section 320.01, Florida Statutes, and incidental temporary parking and storage of operable, non-disabled passenger automobiles to serve such allowable uses on the same parcel (but not to include stand-alone automobile parking and storage uses such as car rental facilities). It is provided that such parking and storage uses shall be allowed only on properties larger than 20 acres, under a single ownership, and located within the area of an arc no more than 7000 lineal feet from the intersection of Okeechobee Road and the Turnpike Extension so long as the property is not located within 1,400 feet of a body of water, canal, or lake as measured from the top of bank. Such parking and storage of vehicles and equipment shall be subject to the following requirements: (a) commercial vehicle storage facilities shall obtain an annual operating permit from the Division of Environmental Resources Management in the Department of Regulatory and Economic Resources and be subject to required quarterly groundwater quality monitoring; (b) all vehicles and equipment shall be stored or parked only on paved impervious surfaces with county-approved drainage systems; (c) mechanical repair or maintenance of any kind, , shall be prohibited; (d) the storage, handling, use, discharge and disposal of liquid wastes or hazardous wastes shall be prohibited; and (e) truck washing shall be permitted as an ancillary use at commercial vehicle storage facilities provided that the truck washing shall be done with 100% recyclable water systems as approved by the Division of Environmental Resources Management in The Department of Regulatory and Economic Resources; truck washing services shall only be provided for trucks stored at the commercial vehicle storage facilities for at least 4 hours; truck washing shall be conducted only in fully enclosed buildings as approved by the Division of Environmental Resources Management in the Department of Regulatory and Economic Resources; facilities shall allow inspections at any time during operating hours; facilities shall provide secondary containment surrounding all storage tanks; and be subject to required quarterly groundwater quality monitoring. In addition, if a violation of these provisions related to truck parking and truck washing or the operating conditions is found on a property on three separate occasions within a three year period, truck washing shall no longer be permitted on the subject property. The County, by ordinance, shall provide a process to reestablish the use, taking into account any change in ownership, the nature of the violation, and a period of repose for the property. Uses that could compromise groundwater quality shall not occur west of the Turnpike Extension.

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<sup>1</sup> Words single underlined represent amendments previously reviewed by State Land Planning Agencies and words double underlined are changes not previously reviewed by State Land Planning Agencies. All other words are adopted text of the CDMP Land Use Element and remain unchanged.