



CITY OF MIRAMAR

An Equal Opportunity Employer

Mayor

Wayne M. Messam

Vice Mayor

Yvette Colbourne

City Commission

Maxwell B. Chambers

Winston F. Barnes

Darline B. Riggs

Interim City Manager

Vernon E. Hargray

**"We're at the
Center of Everything"**

Community & Economic Development

2200 Civic Center Place
Miramar, Florida 33025

Phone (954) 602-3264
FAX (954) 602-3448

October 30, 2018

Florida Department of Economic Opportunity
Attn: James D. Stansbury, Chief
Bureau of Community Planning and Growth
Caldwell Building
107 East Madison Street, MSC 160
Tallahassee, FL 32399-6545

*Subject: City of Miramar Adopted Comprehensive Plan Future Land Use
Map Amendment, Amendment No. 17-1ESR*

Dear Mr. Stansbury,

Pursuant to Section 163.3184(3), Florida Statutes ("F.S."), the City of Miramar is pleased to submit to your Department the newly adopted City of Miramar Comprehensive Plan Future Land Use Map Amendment, Amendment No. 17-1ESR. The amendment package consists of a paper copy of a blown-up version of the City Future Land Use Map, in color format, depicting the newly adopted Irregular (3.21) Residential designation and the boundaries of the subject property in relation to the surrounding street network; a paper copy of a full version of the City Future Land Use Map, in color format, also depicting the new designation of the subject property; a paper copy of the executed ordinance, City of Miramar Ordinance No. 18-13, adopting the Amendment; and two electronic copies in Portable Document Format (PDF) on a CD ROM of the above-listed items.

Pursuant to Section 163.3184(3), F.S., the Amendment was previously transmitted to your Department and all other appropriate state review agencies for their review. In a letter dated January 9, 2018, your Department identified no comments related to important state resources and facilities within its authorized scope of work, but issued a technical assistance comment regarding the absence of a definition for the Irregular land use categories in the City Comprehensive Plan. The City has since addressed that comment through another Comprehensive Plan amendment, Amendment No. 18-1ESR, which your Department has reviewed and determined to be complete on June 22, 2018. No other comments were received from the other state review agencies.

Pursuant to state statutes and the City Land Development Code, the Miramar City Commission held a duly advertised public hearing on October 17, 2018 to adopt the *proposed* Amendment and further authorized its transmittal to your Department for a determination of completeness, by passage of Ordinance No. 19-01 herein enclosed.

Should you have any questions regarding this adopted amendment package, please feel free to contact Nixon Lebrun, AICP, MPA, CFM, Senior Planner, City of Miramar Community and Economic Development Department, 2200 Civic Center Place, Miramar, FL, 33025, or by phone at (954) 602-3281 or email: Nlebrun@miramarfl.gov.



CITY OF MIRAMAR

An Equal Opportunity Employer

Sincerely,

Eric B. Silva, AICP
Community and Economic Development Director

c: Vernon E. Hargray, Interim City Manager
J. Michael Moore, Assistant City Manager
Hector A. Vazquez, AICP, Strategic Development Officer
Jamie Cole, Esq. City Attorney
Allison Smith, City Attorney
Paul R. Gougelman, City Attorney
Richard Hughes, AICP, Community Economic Development Assistant
Director
Nixon Lebrun, AICP, Senior Planner,
Dennis D. Mele, Partner, Greenspoon Marder LLP
Cynthia A. Pasch, AICP, Land Planner, Greenspoon Marder, LLP

Attachments: City of Miramar *Adopted* Comprehensive Plan Future Land Use
Map Amendment (Amendment No. 17-1ESR)
Executed Ordinance Adopting the *Proposed* Comprehensive
Plan Future Land Use Map Amendment (Ordinance No. 19-01)

"We're at the
Center of Everything"

**Community & Economic
Development**

2200 Civic Center Place
Miramar, Florida 33025

Phone (954) 602-3264
FAX (954) 602-34488



City of Miramar Future Land Use Map (Amendment 17-1ESR)

Subject Property with New Designation

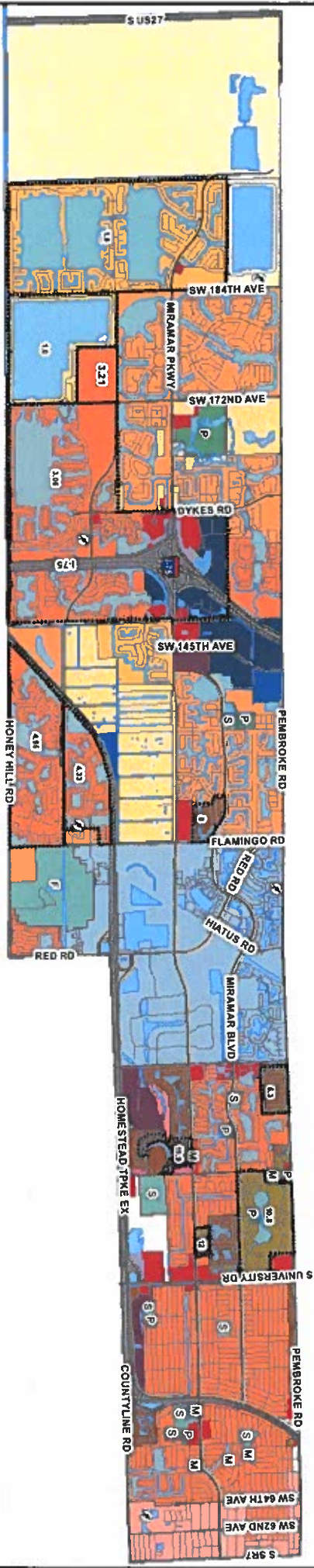


Subject Property



Adopted Future Land Use Map Amendment 17-1ESR

2200 Civic Center PL
Miramar, FL 33025
<http://www.miramarfl.gov>



Temp. Ord. No. 1661
6/21/17
9/5/18

**CITY OF MIRAMAR
MIRAMAR, FLORIDA**

ORDINANCE NO. 19-01

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF MIRAMAR, FLORIDA, CONSIDERING APPLICATION 1502812 TO AMEND THE FUTURE LAND USE PLAN MAP OF THE COMPREHENSIVE PLAN TO CHANGE THE LAND USE DESIGNATION OF APPROXIMATELY 120 +/- GROSS ACRES FROM "RURAL" RESIDENTIAL TO "IRREGULAR (3.21)" RESIDENTIAL ON PROPERTY LOCATED IN TRACTS 1, 2, 3, 4, 5, 6, 11, 12, 13, 14, 15 AND 16 OF THE FLORIDA FRUIT LAND COMPANY'S SUBDIVISION MAP NO. 1, PLAT BOOK 2, PAGE 17, PUBLIC RECORDS OF DADE COUNTY, FLORIDA, LOCATED IN SECTION 31, TOWNSHIP 51 SOUTH, RANGE 40 EAST (17500 SOUTHWEST 41 STREET), AT THE SOUTHWEST CORNER OF BASS CREEK ROAD AND SOUTHWEST 172 AVENUE; PROVIDING FINDINGS; PROVIDING CONDITIONS OF APPROVAL/SITE SPECIFIC POLICIES; PROVIDING FOR TRANSMITTAL, INTERPRETATION, AND SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Chapter 163, Sections 163.3184 and 163.3187, Florida Statutes, provide procedures for amendments to adopted local comprehensive plans; and

WHEREAS, Section 303 of the City of Miramar Land Development Code ("LDC") provides for amendments to the City's Comprehensive Plan; and

WHEREAS, the applicant, Lennar Homes, LLC, a Florida Limited Liability Company, as the beneficial owner of the Subject Property, has submitted a complete application, number 1502812, for amendment of the Future Land Use Plan Map of the Future Land Use Element of the adopted City of Miramar Comprehensive Plan to change the land use designation of 120 +/- gross acres from Rural Residential to Irregular (3.21) Residential; and

Ord. No. 19-01

Temp. Ord. No. 1661
6/21/17
9/5/18

WHEREAS, the 120 +/- acre Subject Property is the subject of this proposed amendment to the City of Miramar's Comprehensive Plan; and

WHEREAS, the City's Planning and Zoning Board, sitting as the Local Planning Agency, held an advertised public hearing on May 9, 2017, said hearing having been made with due public notice; and

WHEREAS, on May 9, 2017, the City's Planning and Zoning Board, sitting as the Local Planning Agency, recommended the proposed amendment be sent forward for further City Commission, County and State review, per staff's recommendations, subject to certain conditions which were agreed to by the Applicant; and

WHEREAS, the City Manager has recommended approval subject to the conditions noted in Section 2(b); and

WHEREAS, pursuant to Section 8.05 D. and E. of the Broward County Charter, no amendment to the Miramar Comprehensive Plan is approved until approved by Broward County as an amendment to and in conformity with the Broward County Comprehensive Plan; and

WHEREAS, on June 21, 2017, the Miramar City Commission voted in favor of transmitting the proposed amendment, including the recommended conditions noted in Section 2(b), to the Broward County Commission, the Florida Department of Economic Opportunity ("DEO"); and other reviewing agencies as required by Section 163.3184, Florida Statutes, requesting recertification by Broward County; and

Temp. Ord. No. 1661
6/21/17
9/5/18

WHEREAS, the recommended conditions from the transmittal hearing have been incorporated into this application and associated applications; and

WHEREAS, application number 1502812 was forwarded to Broward County and was also considered as an amendment to the BrowardNext Broward County Land Use Plan ("BCLUP") and considered as County Amendment, PC 18-2, an amendment to the Broward County Land Use Plan Future Land Use Map Series, which is set forth in Broward County Ordinance No. 2018-2; and

WHEREAS, the Board of County Commissioners held its transmittal public hearing on December 5, 2017, having complied with the notice requirements specified in Section 163.3184(11), Florida Statutes; and

WHEREAS, the Board of County Commissioners held an adoption public hearing on March 20, 2018, also complying with the notice requirements specified in Section 163.3184(11), Florida Statutes; and

WHEREAS, at the aforementioned public hearing, public comment was accepted and the comments of the Florida Department of Economic Opportunity, South Florida Regional Planning Council, South Florida Water Management District, Florida Department of Environmental Protection, Florida Department of State, Florida Department of Transportation, Florida Fish and Wildlife Conservation Commission, Florida Department of Agriculture and Consumer Services, and the Florida Department of Education, were considered; and

Temp. Ord. No. 1661
6/21/17
9/5/18

WHEREAS, the Board of County Commissioners, after consideration of all matters, found that Broward County Ordinance No. 2018-2, amendment PC 18-2 to the 2017 BrowardNext BCLUP, was consistent with the Community Planning Act, the South Florida Regional Planning Council's Regional Plan, and was internally consistent with the BrowardNext Broward County Land Use Plan; and

WHEREAS, the Board of County Commissioners also found that the amendment complied with the requirements of the Community Planning Act and was in the best interests of the health, safety, and welfare of the residents of Broward County; and

WHEREAS, the Board of County Commissioners approved Ordinance No. 2018-2, amendment PC 18-2 on March 20, 2018; and

WHEREAS, Broward County Ordinance No. 2018-2 was recorded on March 22, 2018, in Official Records Instrument 114964783, Public Records of Broward County; and

WHEREAS, the City Commission, after consideration of all matters, finds that this Ordinance and application number 1502812 to the City's Comprehensive Plan, is consistent with the State Comprehensive Plan, the BrowardNext BCLUP and the South Florida Regional Planning Council's Regional Plan, and

WHEREAS, the City Commission finds that this Ordinance and application number 1502812 to the City's Comprehensive Plan, are internally consistent with the City's Comprehensive Plan as required by Section 163.3177(2), Florida Statutes; and

WHEREAS, the City Commission finds that the approval of the proposed amendment is in the best interest of the citizens and residents of the City of Miramar,

Temp. Ord. No. 1661

6/21/17

9/5/18

Florida.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF
MIRAMAR, FLORIDA, AS FOLLOWS:**

Section 1: Recitals/Definitions.

(a) That the foregoing "**WHEREAS**" clauses are hereby ratified and incorporated as the legislative intent of this ordinance.

(b) As used herein, unless the context or City Code of Ordinances requires to the contrary, the following terms will be defined as set forth below:

(1) "City" is defined as the City of Miramar, a Florida Municipal Corporation.

(2) "Developer" is defined as set forth in Section 163.3164, Florida Statutes.

(3) "Development" is defined as set forth in Section 163.3164, Florida Statutes.

(4) "Owner/Developer" means ~~Univision Radio Florida, LLC, a Delaware Limited Liability Company, f/k/a HBC Florida, Inc., a Delaware Corporation, HBC Florida, Inc., a Florida Corporation,~~ as ~~Owner~~ owner of the Subject Property, and Lennar Homes, LLC, a Florida Limited Liability Company, as ~~Developer~~ developer of the Subject Property, or as developer(s) to which Development rights have been assigned, and their respective successors and assigns.

(5) "Subject Property" is real property situate and lying in the

Temp. Ord. No. 1661
6/21/17
9/5/18

State of Florida, County of Broward, City of Miramar, to-wit:

Tracts 1, 2, 3, 4, 5, 6, 11, 12, 13, 14, 15, and 16, Florida Fruit Land Company's Subdivision Map No. 1, according to the plat thereof, as recorded in Plat Book 2, Page 17, Public Records of Dade County, Florida, said land situated, lying and being in Broward County, Florida. (containing 120 gross acres, +/-).

[The legal description has not been examined by the City of Miramar or Weiss Serota Helfman Cole & Bierman, P.L.]

Section 2: Approval of Application.

(a) That Application 1502812 is in conformance with the City of Miramar Comprehensive Plan. The City's Comprehensive Plan as adopted by Section 105.2 of the City's Land Development Code is to be revised as set forth in this Ordinance. The Subject Property land use designation on the Future Land Use Map of the Future Land Use Element of the City's Comprehensive Plan is hereby changed from Rural to Irregular (3.21) Residential. The City Manager is instructed to change the Future Land Use Map to reflect the land use adopted by this Ordinance.

(b) This Ordinance is approved subject to the following site specific policies and conditions of approval as applicable in the Future Land Use Element:

SITE SPECIFIC POLICIES

(1) The Owner/Developer has provided stacking analyses for both gated entry points of the proposed amendment site. The City's minimum standard of 110 feet is met at the Bass Creek Road entry. The Southwest 172 Avenue entry is approximately 100 feet; however, the stacking analysis demonstrates that the 95th percentile requirement for this driveway is only 22 feet and the 100 feet provided will therefore be sufficient. This is not part of the land use plan amendment review; therefore, coordination on this issue will continue through the site plan review process.

Temp. Ord. No. 1661
6/21/17
9/5/18

(2) As part of the site plan application review, it will be necessary to review anticipated vehicular queues in the turn lanes at the study intersections in comparison to queue storage provided to determine whether any turn lane modifications are necessary. This is not part of the land use plan amendment review; however, during the site plan review, it will be requested that the Owner/Developer provide summary tables with the comparison of queue length to available turn lane storage and address deficiencies that are identified.

(3) Intersection of Bass Creek Road and Southwest 172 Avenue: The analysis indicates that minor street movements will fail to meet adopted level of service standards under future peak hour conditions. Broward County has performed a signal warrant analysis at this location (November 18, 2015), which included a review of MUTCD Warrant 1A, Warrant 1B (Eight-Hour Vehicular Volume) and Warrant 7 (Crash Experience) criteria. The Broward County analysis indicates that the volumes and crash data are far below the thresholds at which criteria would be met, and the volumes generated by this project appear unlikely to cause the criteria in Warrants 1A or 1B to be met. Prior to issuance of the first certificate of occupancy ("CO"), the Owner/Developer will be required to construct a two-lane roundabout or traffic signal at this intersection to ~~and the analysis indicates that this mitigate~~ the impacts of the development level of service deficiency at this intersection. The geometry of the proposed roundabout shall accommodate the ultimate cross section of both Bass Creek Road and Southwest 172 Avenue (four-lane divided) at this intersection.

(4) Intersection of Miramar Parkway & Southwest 160 Avenue and Segment of Miramar Parkway from Southwest 160 Avenue to Interstate-75 ("I-75"): The analysis indicates that both of these facilities are projected to experience transportation/roadway Level of Service ("LOS") deficiencies in the future following project buildout. The analysis indicates that the opening of the Pembroke Road overpass is anticipated to alleviate these conditions. Although the opening of this overpass will likely divert some traffic away from Miramar Parkway, the exact traffic impacts of the overpass are unknown. Furthermore, it will provide an opportunity for diversion from some of the movements at the intersection of Miramar Parkway and Southwest 160 Avenue, but other movements, such as northbound right turns, may not see much, if any, relief. The Owner/Developer shall conduct monitoring studies at this intersection within ninety (90) days of the opening of the Pembroke Road overpass and Miramar Parkway bridge reconstruction, whichever event is later in time, with an analysis to be available prior to land use plan amendment approval.

If the study indicates that LOS failures still occur after Pembroke Road overpass completion, ~~the Owner/Developer will be required to complete improvements required for the intersection and movements to operate at LOS "D", or better, prior to issuance of first~~

Temp. Ord. No. 1661

6/21/17

9/5/18

~~certificate of occupancy ("CO"). Prior to the issuance by the City of the last 100 COs on the Subject Property, the Owner/Developer must conduct traffic monitoring studies at this intersection. If the study indicates that LOS failures still occur, the Owner/Developer will be required to complete any additional improvements required to mitigate the impacts of this development for the intersection and movements to operate at LOS "D" or better, prior to issuance by the City of last CO for residential development on the Subject Property, or by not later than January 1, 2022, whichever event first occurs.~~

(5) The analysis of the driveway connection on Southwest 172 Avenue identifies significant PM peak hour southbound right-turn volume into the project driveway (111 vehicles per hour during the PM peak hour). An exclusive southbound right turn lane shall be constructed by the Owner/Developer, prior to the issuance by the City of the first CO on the Subject Property. Furthermore, at the same time, the Owner/Developer will be required to provide a northbound left-turn lane on Southwest 172 Avenue.

(6) The ~~Southbound~~ ~~southbound~~ left-turn movement of the intersection of Miramar Parkway and Southwest 184 Avenue is operating deficiently and will continue to operate at a LOS "F" in the future. The proposed Development project on the Subject Property is not anticipated to add traffic to the subject deficient movement. Moreover, prior to issuance by the City of last CO for residential development on the Subject Property, the Owner/Developer shall work with the City and Broward County to ensure that signal timing adjustments are made. The Owner/Developer shall continue to monitor these conditions 60 to 90 days after the signal timing adjustments are made to confirm improvement. If the adjustments do not indicate improvement, the Owner/Developer will provide the appropriate mitigation as reasonably determined by the City.

(7) The roadway link analysis evaluates Southwest 172 Avenue as a four-lane roadway from Bass Creek Road North to Miramar Parkway. However, the roadway transitions to two lanes prior to reaching Bass Creek Road. The Owner/Developer shall construct a four lane roadway for the entire length of the segment (Bass Creek Road to Miramar Parkway, including a transition to two lanes south of Bass Creek Road), prior to the issuance by the City of the first CO on the Subject Property.

(8) The Owner/Developer shall construct two lanes of Bass Creek Road from Southwest 172 Avenue to Southwest 179 Way with curbing, median, landscaping, irrigation, lighting, sidewalk, bike lanes, and reclaimed water line improvements, prior to the issuance by the City of the first CO on the Subject Property.

(9) As a part of the Broward County Land Use Amendment application process, the Owner/Developer will be required to evaluate long-range level of

Temp. Ord. No. 1661
6/21/17
9/5/18

service conditions resulting from the proposed land use change. The City will coordinate with the Owner/Developer and County during the County's review of the Land Use Plan Amendment.

(10) Prior to commencement of Development, the Owner/Developer shall coordinate with Broward County Transit and the City of Miramar's Public Works Department regarding transit improvements on Bass Creek Road and other adjacent roadways.

(11) Prior to commencement and during clearing of the Subject Property, the Owner/Developer will provide benign trapping and releasing of any animals found within the Subject Property.

(12) All landscaping done within the Subject Property will follow appropriate City of Miramar landscape and tree codes/regulations.

~~Section 2: As part of this ordinance, a voluntary Declaration of Restrictive Covenants for roadway improvements has been proffered by the Applicant and is attached as Exhibit "A", by this reference incorporated herein.~~

Section 3: Transmittal. That the proposed amendment is approved for transmittal to the Florida Department of Economic Opportunity and Broward County pursuant to Section 163.3184(3)(c)2., Florida Statutes.

~~Section 4: County Comprehensive Plan Amendment Approval. As part of the approval of Ordinance No. 2018-12 by Broward County, the County directed that certain covenants and restrictions relating to the Subject Property should be adopted. The voluntary Declaration of Restrictive Covenants for affordable housing are also attached as part of Exhibit "A", and by this reference incorporated herein.~~

Section 5: Severability. That if any clause, section or other part or application

Temp. Ord. No. 1661
6/21/17
9/5/18

of this Ordinance shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part or application shall be considered as eliminated and shall not affect the validity of the remaining portions or applications which shall remain in full force and effect.

Section 6: Interpretation. In interpreting the provisions of this Ordinance, the following rules and symbols shall apply:

(1) Words underlined are additions to existing text;

(2) Words ~~stricken through~~ are deletions from existing text;

(3) Asterisks (* * *) indicate a deletion from the Ordinance of text existing in the code of Ordinances. It is intended that the text in the Code of Ordinances denoted by the asterisks and not set forth in the Ordinance shall remain unchanged from the language existing prior to the adoption of this Ordinance; and

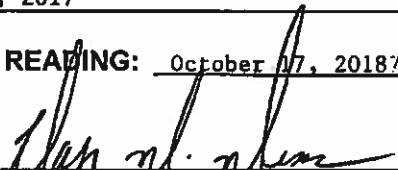
(4) Changes between first and second reading are shown in highlighted text with deletions ~~stricken through~~ and additions underlined.

Temp. Ord. No. 1661
6/21/17
9/5/18

Section 7: Effective Date: That Sections 1., 3., 4., 5., and 6. of this Ordinance shall take effect immediately upon adoption. Section 2. of this Ordinance shall become effective as provided by General Law.

PASSED FIRST READING: June 21, 2017

PASSED AND ADOPTED ON SECOND READING: October 17, 2018



Mayor, Wayne M. Messam



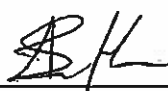
Vice Mayor, Yvette Colbourne

ATTEST:



City Clerk, Denise A. Gibbs

I HEREBY CERTIFY that I have approved
this ORDINANCE as to form:



City Attorney
Weiss Serota Helfman
Cole & Bierman, P.L. ECG

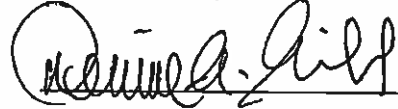
<u>Requested by Administration</u>	<u>Voted</u>
Commissioner Winston F. Barnes	<u>No</u>
Commissioner Maxwell B. Chambers	<u>Yes</u>
Vice Mayor Yvette Colbourne	<u>Yes</u>
Commissioner Darline B. Riggs	<u>No</u>
Mayor Wayne M. Messam	<u>Yes</u>

Ord No. 19-01

Certificate of Filing for an Ordinance

CERTIFICATE OF FILING

I, Denise A. Gibbs, as City Clerk of the City of Miramar, a Florida Municipal Corporation, hereby certify that this fully executed Ordinance No. 19-01 was filed in the records of the City Clerk this 23rd day of October, 2018.

A handwritten signature in black ink, appearing to read "Denise A. Gibbs", written over a horizontal line.

Print Name: Denise A. Gibbs

Print Title: City Clerk