



Roberto Martell
Mayor

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Medley, Florida 33166
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Town of Medley, Florida
"The Perfect Location for Industrial Development"

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February 5, 2019

Department of Economic Opportunity
Attention: Ray Eubanks, Plan Processing Administrator
State Land Planning Agency
Caldwell Building
107 East Madison - MSC 160
Tallahassee, Florida 32399

RE: Town of Medley Future Land Use Plan Text Amendment to Permit
Hotel Use in the Industrial Land Use Category and to Establish a Density
Cap for Hotel Rooms in the Industrial and Industrial & Office Land Use
Categories (**DEO Reference Town of Medley Amendment No.18-02ESR**)

Dear Mr. Eubanks:

The Town Council approved for adoption the attached amendment to the Future Land Use Plan Element at a public hearing held on February 4, 2019. The text amendment adds Hotel use to the Permitted Uses in the INDUSTRIAL land use category; hotel use is currently permitted in the INDUSTRIAL & OFFICE land use category. The adopted amendment further establishes a density cap of 95 units in both categories, as well as defines that two (2) hotel rooms equal 1 unit. Enclosed is a copy of executed Ordinance C-432, the staff analysis including the permitted uses section of the Future Land Use Element in strikethrough/underline format, and proof of the required advertising. There were no changes made to the amendment between the transmittal stage and adoption stage and the adoption has no impact on concurrency.

Per the requirements for this cover letter, we offer the following statements:

1. The amendment is not related to an area of critical state concern pursuant to Section 380.05 Florida Statutes;
2. The amendment is not related to a rural land stewardship pursuant to Section 163.3248, Florida Statutes;
3. The amendment is not related to a sector plan pursuant to Section 163.3245, Florida Statutes;
4. The amendment is not related to an Evaluation and Appraisal Report pursuant to Section 163.3191, Florida Statutes;
5. The amendment is not related to a new plan for a newly incorporated municipality pursuant to Section 163.3167, Florida Statutes.

In addition to the Department of Economic Opportunity, the attached adopted amendment will also be delivered to the following agencies, though none had previously submitted any comments upon review of the transmittal:



- Florida Department of Education
- Florida Department of Environmental Protection
- Florida Department of State
- Florida Department of Transportation (District six)
- South Florida Regional Planning Council
- South Florida Water Management District

If there are any questions during the review of the enclosed amendment, the local contact for the amendment is provided as follows:

Ms. Sarah Sinatra Gould, AICP
Director of Planning
Calvin, Giordano & Associates, Inc.
954.921.7781
SSinatra@cgasolutions.com

Please call or email Ms. Sinatra if you have any questions during your review of this amendment.

Sincerely,

A handwritten signature in blue ink, appearing to read "Roberto Martell".

Mr. Roberto Martell

cc: Reviewing agency transmittal list attached

MIAMI DAILY BUSINESS REVIEW

Published Daily except Saturday, Sunday and
Legal Holidays
Miami, Miami-Dade County, Florida

STATE OF FLORIDA
COUNTY OF MIAMI-DADE:
Before the undersigned authority personally appeared
GUILLERMO GARCIA, who on oath Notices of the Miami Daily
DIRECTOR OF OPERATIONS, Review, a daily newspaper,
Business Review (Mia and Legal County, Florida, that the
Saturday, Miami-Dade being a Legal Advertisement
published copy of advertisement,
attached in the matter of
of Notice in the matter of

SEE ATTACHED

NOTICE OF PUBLIC HEARING - AMENDING THE COMPREHENSIVE PLAN
TOWN OF MEDLEY - FEB. 4, 2019

in the XXXX Court.

was published in said newspaper in the issues of
01/23/2019
Miami further says that the said Miami Daily Business
Review is a newspaper published at Miami, in said Miami-Dade
County, Florida and that the said Miami-Dade
County, Florida has been entered as second class mail
herebefore Florida has been entered as second class mail
County, Florida and office in Miami in next preceding the first
Legal Holidays) and office in Miami in next preceding the first
matter at the post office of one year advertisement, and affiant
Florida, for a period of one year advertisement, and affiant
publication of the attached copy of advertisement, rebate, commission
further says that he or she has discount, rebate, commission for
person, firm or corporation any discount, rebate, commission for
or refund for the purpose of securing this advertisement for
publication in the said newspaper.

Guillermo Garcia
Sworn to and subscribed before me this
23 day of JANUARY A.D. 2019

(SEAL)
GUILLERMO GARCIA personally known to me
MARIA I. MESA
Notary Public - State of Florida
Commission # FF 936208
My Commission Expires Mar 4, 2020
Bonded through National Notary Assn.





TOWN OF MEDLEY NOTICE OF PUBLIC HEARING

AMENDING THE COMPREHENSIVE PLAN OF THE TOWN OF MEDLEY, FLORIDA

NOTICE IS HEREBY GIVEN that at a regular meeting of the Town Council of the Town of Medley, Florida to be held on Monday, February 4, 2019 at 7:00 p.m. at the Medley Municipal Services Facility located at 7777 NW 72nd Avenue, Medley, Miami-Dade County, Florida, 33166, the Medley Town Council will consider on **SECOND READING** at the second public hearing the passage of the proposed Ordinance amending the Town's Comprehensive Plan , the title of which is as follows:

AN ORDINANCE OF THE TOWN OF MEDLEY, FLORIDA, AMENDING THE TOWN'S COMPREHENSIVE PLAN FUTURE LAND USE ELEMENT BY AMENDING THE PERMITTED USES IN THE INDUSTRIAL AND INDUSTRIAL AND OFFICE LAND USE CATEGORIES TO ALLOW HOTELS AND APARTMENT HOTELS; AUTHORIZING TRANSMITTAL OF THE PROPOSED COMPREHENSIVE PLAN AMENDMENTS TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY; AND PROVIDING FOR AN EFFECTIVE DATE.

The Town Council, in its capacity as the Local Planning Agency, will hold a public hearing on this Ordinance on Monday, February 4, 2019 at the Medley Municipal Services Facility located at 7777 NW 72nd Avenue, Medley, Miami-Dade County, Florida, 33166 commencing at 6:30 p.m., in order to make a recommendation to the local governing body (Town Council) regarding the proposed amendments. Upon the close of the Local Planning Agency hearing, a public hearing will be held by the Town Council at or about 7:00 p.m. to consider **SECOND** reading of the proposed Ordinance.

All interested parties are encouraged to appear and be heard regarding the proposed Amendments to the Comprehensive Plan and may submit written or oral comments before or at the hearings.

A copy of the proposed Amendments to the Town's Comprehensive Plan will be available for public inspection at the Town Clerk's office, 7777 NW 72nd Avenue, Medley Florida, 33166, between 8:00 am and 4:00 pm Monday through Thursdays, excluding holidays.

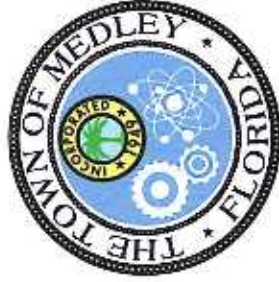
IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT OF 1990 (ADA), DISABLED PERSONS WHO, BECAUSE OF THEIR DISABILITIES, NEED SPECIAL ACCOMMODATION TO PARTICIPATE IN THIS PROCEEDING SHOULD CONTACT THE RECEPTIONIST AT THE MEDLEY MUNICIPAL SERVICES FACILITY AT 7777 NW 72 AVENUE, MEDLEY, FLORIDA 33166 OR TELEPHONE (305) 887-9541, EXTENSION 0 NOT LATER THAN THREE (3) BUSINESS DAYS PRIOR TO SUCH PROCEEDING.

If any person decides to appeal a decision made in any matter considered at the hearing, such person will need to ensure that a verbal/m record of the proceeding is made, to include the testimony and evidence upon which any such appeal is to be based.

This Notice of Public Hearing dated at Medley, Florida this 23rd day of January, 2019.

HERLINA TABOADA, TOWN CLERK

Town of Medley
7777 N.W. 72nd Avenue
Medley, Florida 33166-2213



Herlina Taboada
Town Clerk

(305) 887-9541 - Ext. 112

Fax: (305) 396-5843

Email: htaboada@townofmedley.com

"The Perfect Location for Industrial Development"

CERTIFICATION

I HEREBY CERTIFY THAT THE ATTACHED IS A TRUE AND CORRECT
COPY OF ORDINANCE C-432, AS PASSED AND ADOPTED BY THE
TOWN COUNCIL OF THE TOWN OF MEDLEY, FLORIDA, ON THE 4th
DAY OF February, 2019.

TOWN OF MEDLEY, FLORIDA

By: Herlina Taboada
HERLINA TABOADA, TOWN CLERK

ORDINANCE C-432

AN ORDINANCE OF THE TOWN OF MEDLEY, FLORIDA, AMENDING THE TOWN'S COMPREHENSIVE PLAN FUTURE LAND USE ELEMENT BY AMENDING THE PERMITTED USES IN THE "INDUSTRIAL" AND "INDUSTRIAL AND OFFICE" LAND USE CATEGORIES TO ALLOW HOTELS AND APARTMENT-HOTELS; AUTHORIZING TRANSMITTAL OF THE PROPOSED COMPREHENSIVE PLAN AMENDMENTS TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Medley, Florida, adopted the currently enacted Comprehensive Plan Future Land Use Element in May, 2018; and

WHEREAS, the "Industrial" future land use category of the Comprehensive Plan Future Land Use Element does not list hotels or apartment-hotels as permitted uses; and

WHEREAS, the "Industrial and Office" future land use category of the Comprehensive Plan Future Land Use Element lists hotels, but not apartment-hotels, as permitted uses; and

WHEREAS, the Town desires to amend the Comprehensive Plan Future Land Use Element, pursuant to Section 163.3184(3) of the Florida Statutes, to allow Hotels and Apartment-Hotels as permitted uses in both the "Industrial," and the "Industrial and Office" future land use categories with a maximum hotel and apartment-hotel unit density of 95 units per gross acre; and

WHEREAS, the Town Planner has reviewed the Comprehensive Plan amendment and has recommended approval; and

WHEREAS, the Town Council, in its capacity as the Local Planning Agency, has reviewed the amendment and recommends approval; and

WHEREAS, after review and consideration, the Town Council finds that it is in the best interest of the property owners and residents of the Town to adopt this Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MEDLEY, FLORIDA:

Section 1. Recitals Adopted. The foregoing "Whereas" clauses are hereby ratified and incorporated as the legislative intent of this Ordinance.

Section 2. Recommendation of Approval by the Local Planning Agency. The Town

Council, in its capacity as the Local Planning Agency, has reviewed the proposed Ordinance and recommends approval.

Section 3. Comprehensive Plan Future Land Use Element Amendment. Policy 2.4 of the Comprehensive Plan Future Land Use Element (FLUM) is amended to read as follows:

Policy 2.4: The following future land use categories contained in the Town's FLUM are identified, and the use and development standards for each defined below:

- *Water:* Major existing bodies of water are shown on the FLUM. No residential development is permitted. Industrial development will be permitted on filled bodies of water where appropriate fill permits have been granted, which are consistent with the Industrial Future Land Use category.
- *Industrial:* This land use category will accommodate a broad range of industrial and commercial uses, including manufacturing operations, hotels and apartment hotels with a maximum density of 95 units per gross acre, wholesale distribution and/or storage of products, food processing and/or distribution, utility maintenance yards, processing, research and development, solid waste facilities including landfills and materials recovery facilities and alternative energy production facilities. The range floor area ratio (FAR) in this category is - 1.0 to 5.0.
- *Industrial and Office:* Allowed uses within the Industrial and Office land use designation will include manufacturing operations, maintenance and repair facilities, warehouses, mini-warehouses, office buildings, hotels and apartment hotels with a maximum density of 95 units per gross acre, wholesale showrooms, distribution centers, restaurants, retail, personal service, amusement and similar uses. Also allowed are construction and utility-equipment maintenance yards; utility plants including alternative energy production facilities; public facilities; hospitals and medical buildings; telecommunications facilities, including switching and transmission facilities, satellite telecommunications facilities, microwave towers, radar stations cell towers; and solid waste facilities, including landfills and materials recovery facilities. In addition to these standards, lands designated Industrial and Office that have been annexed from unincorporated Miami-Dade County and had an Industrial and Office designation under the County Comprehensive Development Master Plan (CDMP) will not be more restricted than what was permitted by the County CDMP for that land at the time the land was annexed. The range floor area ratio (FAR) is 1.0 to 5.0.
- *Residential:* The Residential category includes only residential units, such as single-family, duplex, triplexes, and mobile homes. The maximum density in the Residential land use category is ten (10) dwelling units per gross acre.
- *Parks & Recreation:* This category includes all public parks. Facilities related and ancillary to public parks are also allowed, such as community centers, typical public recreation facilities

and meeting rooms. Also, limited commercial activities may be permitted if ancillary to the operation of the park (i.e. clubhouses). FAR in this land use category will not exceed 1.0.

- **Public Buildings and Grounds:** All types of public facilities are permitted in the Public Buildings and Grounds category, except solid waste landfills and materials recovery facilities. The maximum FAR in this land use category is .60.

Section 4. Severability. Should any section, paragraph, sentence, clause, phrase or other part of this Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of this Ordinance as a whole or any portion thereof, other than the part so declared to be invalid.

Section 5. Conflict. That all Sections or parts of Sections of the Town of Medley Comprehensive Plan Future Land Use Element, Code of Ordinances, all Ordinances or parts of Ordinances, and all Resolutions, or parts of Resolutions, in conflict with this Ordinance are repealed to the extent of such conflict.

Section 6. Authorizing Transmittal. The Town's Planning Consultant shall transmit the Town of Medley Comprehensive Plan Amendments to the Florida Department of Economic Opportunity in accordance with Florida Statute 163.3191 and all other units of local government or governmental agencies required by law for review after a vote on first reading and has reviewed and responded to the objections, recommendations and comments received.

Section 7. Effective Date. This Ordinance shall be effective immediately upon passage by the Town Council on second reading, except that the effective date of the amendment(s) adopted by this Ordinance shall go into effect 31 days after the state land planning agency notifies the Town that the plan amendment(s) package is complete. If timely challenged, the amendment(s) adopted by this Ordinance do not become effective until the state land planning agency or the Administration Commission enters a final order determining the adopted amendment(s) to be in compliance.

PASSED BY VOTE OF THE TOWN COUNCIL, on first reading this 1st day of October, 2018.

PASSED AND ADOPTED BY VOTE OF THE TOWN COUNCIL on second reading this 4th day of February, 2019.


ROBERTO MARTELL, MAYOR

Herlina Taboada
HERLINA TABOADA, TOWN CLERK

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY:

S. Weiss
WEISS SEROTA HEFFMAN
COLE & BIERMAN, P.L.,
TOWN ATTORNEY

SUMMARY OF VOTE -- FIRST READING

The motion to PASS the foregoing Ordinance on FIRST READING was made by
DiGiacomo and seconded by Pacheco and on roll call, the following vote was
had:

Mayor Roberto Martell	<u>yes</u>
Vice-Mayor Ivan Pacheco	<u>yes</u>
Councilperson Edgar Ayala	<u>yes</u>
Councilperson Griselia DiGiacomo	<u>yes</u>
Councilperson Jack Morrow	<u>yes</u>

SUMMARY OF VOTE – SECOND READING

The motion to PASS AND ADOPT the foregoing Ordinance of SECOND READING BY TITLE ONLY was made by Martell and seconded by Ayala and on roll call, the following vote was held:

Mayor Roberto Martell	<u>ys</u>
Vice-Mayor Ivan Pacheco	<u>ys</u>
Councilperson Edgar Ayala	<u>ys</u>
Councilperson Grisclia DiGiacomo	<u>ys</u>
Councilperson Lily Stefano	<u>ys</u>