



MEMORANDUM

AGENDA ITEM #VII.B

DATE: SEPTEMBER 27, 2021

TO: COUNCIL MEMBERS

FROM: STAFF

SUBJECT: CORRESPONDENCE AND ARTICLES

Recommendation

Information only.



MIAMI-DADE COUNTY

Will Miami-Dade move urban development boundary for industrial park by Homestead base?

BY DOUGLAS HANKS

UPDATED AUGUST 25, 2021 10:29 AM

A proposed industrial complex in South Miami-Dade County would require county commissioners to move the Urban Development Boundary, which restricts high-density projects. *MIAMI HERALD FILE*

Miami-Dade County's new political landscape faces a familiar controversy in the coming weeks: whether to "hold the line" on urban expansion or allow millions of square feet of new development to take over existing farmland.

A push by developers to expand Miami-Dade's Urban Development Boundary [for a project near the Homestead Air Reserve Base](#) is making its way to a county commission where six of the 13 members are newcomers.

The administration of the county's new mayor, Daniella Levine Cava, is urging the commission to reject the application by developers Stephen Blumenthal, Jose Hevia and others for what would be Miami-Dade's largest industrial park — a 9-million-square-foot complex south of the Florida Turnpike, by Southwest 286th Street.

"If approved as filed, the application would encourage the proliferation of urban sprawl," read an Aug. 13 report from Miami-Dade's Regulatory and Economic Resources Department, which houses the land-planning and zoning divisions.

After winning a vote before a community planning board Monday, the proposed South Dade Logistics and Technology District industrial park faces a hearing before the countywide Planning Advisory Board on Wednesday, Aug. 25, at 10 a.m. in the Stephen P. Clark Center at 111 NW 1st St., Miami.

After that, the proposal heads to the county commission for a preliminary vote that's expected on Sept. 9. If it passes then, a final commission vote would follow a state review of the proposal.

Backers call the industrial center and the projected 8,000 jobs there a lifestyle changer for South Miami-Dade, since it would provide the suburban region with an employment center and spare workers from long commutes to find decent-paying employment in the northern part of the county.

"It is time for this area to get jobs, and allow people to have quality of life," resident Lourdes Rodriguez, wearing a white Bring the Jobs! T-shirt, said at a planning board meeting Monday night dedicated to the proposed project. "It's not enough to just say: go north for an hour."

That session before the South Bay Community Council ended in a unanimous vote in favor of expanding the development boundary to allow for construction of the new complex. "I travel in the traffic every single day," council member Christina Farias said. "I definitely look forward to this project."

The county report states the project would bring industrial space that the southern portion of the county doesn't need, since there's enough within the development zone to last through 2040.

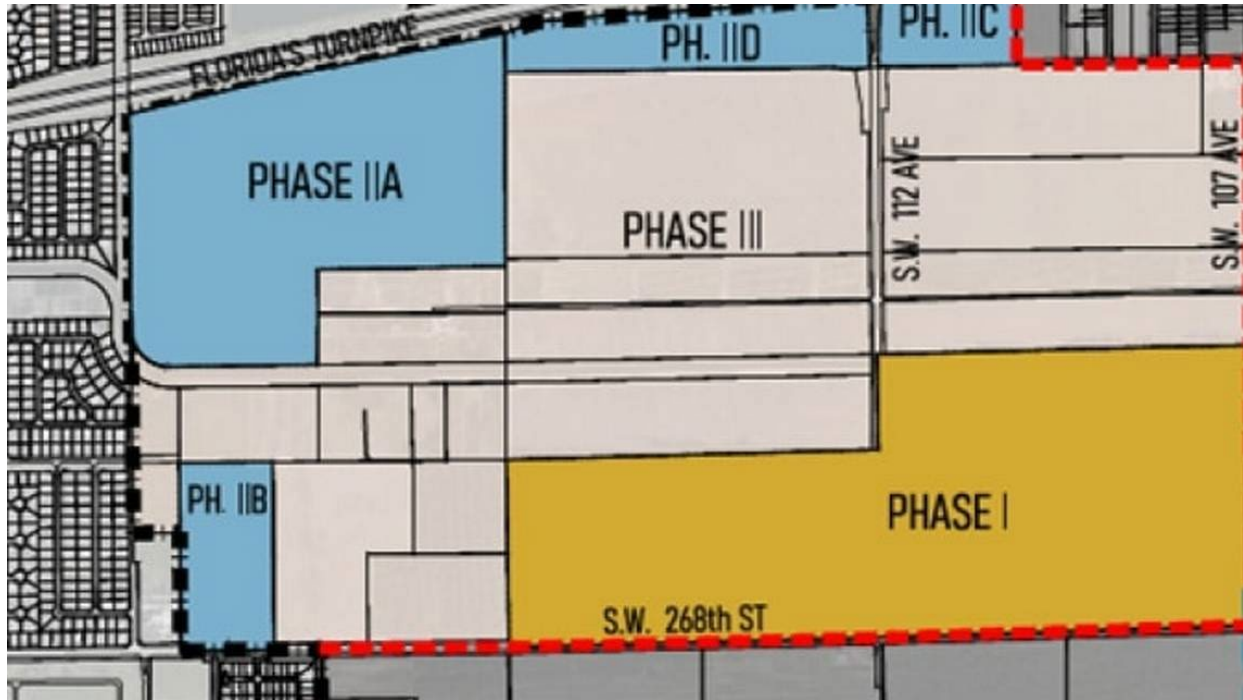
The nearly 800-acre site is designed to be a distribution hub for Home Depot and other retailers supplying the fast-growing South Miami-Dade, and would double the region's existing supply of industrial space.

Commissioners last moved the Urban Development Boundary in 2013, when they approved expanding to include [about 500 acres near Doral](#) that were already surrounded by buildings in what planners considered a "donut hole" of development restrictions that needed to be eliminated.

Miami Herald

Expanding urban boundaries for 11,500 jobs? Miami-Dade is faced with a false choice | Editorial

BY THE MIAMI HERALD EDITORIAL BOARD
UPDATED AUGUST 28, 2021 6:02 PM



A proposed industrial complex in South Miami-Dade County would require county commissioners to move the Urban Development Boundary, which restricts high-density projects. *MIAMI HERALD FILE*

The solution to South Miami-Dade's problems — from lack of jobs to the pollution of Biscayne Bay — can all be solved with one project.

That's the alluring pitch for a proposition the County Commission will be tempted to approve next month when a group of developers asks them to make an 800-acre exception to the county's rules designed to curb urban sprawl.

Our elected officials should look past the slick packaging and vote it down.

Relying on a haphazard proposal county planners said is filled with holes and doesn't meet standards, developers so far have been successful in convincing two advisory boards to ignore staff recommendations and endorse the construction of an industrial complex on land that's currently outside the county's Urban Development Boundary.

That boundary, known as the UDB, is an invisible line drawn by the county to protect rural areas and the Everglades from urban encroachment. Building outside those boundaries should only happen as a last resort — and county staff have determined there is no need to do that now. There's enough industrial land in the southern part of the county to last through 2040.

However, developers are trying to convince the County Commission there's no other option but to move that line and allow almost 800 acres of farmland [to become Miami-Dade's largest industrial park](#) — a 9-million-square-foot complex south of Florida's Turnpike, near Southwest 286th Street. The complex, about three miles north of the Homestead Air Reserve Base, would accommodate a 150-room hotel and a distribution hub for Home Depot and other retailers.

On Wednesday, the Planning Advisory Board recommended, with a 8-2 vote, that the County Commission, which is expected to hear the proposal on Sept. 9, approve sending the project to review by the state, a necessary step before full approval.

There are many problems with this proposal, but let's start with the biggest one: That land is one of the parcels under consideration for a project — called the [Biscayne Bay and Southeastern Everglades Ecosystem Restoration](#) — to clean water that flows into Biscayne Bay, according to Laura Reynolds, president of the Hold the Line Coalition, which seeks to preserve the UDB.

The county has made restoring the Bay a priority, so it would be contradictory to turn the area into an industrial complex before knowing whether it will be needed for restoration. The county might also be risking another lawsuit from environmental groups. Those groups already have a pending challenge to a previous expansion of the urban boundaries to accommodate the western extension of 836/Dolphin Expressway over lands that are [key to guaranteeing drinking water for Miami and the Keys](#).

Developers of the South Dade project have a team of consultants trying to convince the county that an industrial park will actually help Biscayne Bay. They estimate stormwater systems would reduce pollution that currently flows into canals, and eventually into the Bay, by 75% . But it's hard to believe this will yield better results than efforts years in the making to restore the historical flow of water into the Bay.

Those consultants say they also have a plan to address the land's location in a low-lying zone subject to hurricane flooding that will only get worse as sea levels rise. They would build the project at a higher elevation — 5 feet for some parts and 9 feet for others. But that means “neighboring properties could face flooding risks from the applicants' elevation,” according to a county report. No wonder Mike Hall, one of those neighbors, attended a recent public meeting to [express his displeasure](#) with the half-baked proposal.

“We need that land to absorb all the water that comes down with the rain,” he told the South Bay Community Council, which endorsed the project on Monday, the [Herald reported](#).

The argument that South Dade needs jobs is undeniable and the developers' projection of almost 11,500 permanent jobs would be a game changer — if they come true. We doubt they will.

That impressive figure is based on three phases of the project, according to the county, but the developers only control land for phases 1 and 2. The land for phase 3, which accounts for more than half of the 800 acres, has not been secured and the applicants have shown “no definitive development program” for it, the county report says. That means the 4,100 jobs attached to that third phase seem like pie in the sky.

And there's another issue with the proposal. Under current law, UDB-expansion applications must be accompanied by a zoning application. That's the county's way of ensuring that “we know what it is we're getting,” Assistant Director for Planning Jerry Bell told the Herald Editorial Board. But the developers want to circumvent that requirement. They are asking the County Commission to amend its code to exempt non-residential developments from the requirement to submit a concurrent zoning application for the entire area.

That would not only allow this expansion of the UDB to happen without a definite development plan, but also make it easier to build outside urban boundaries in the future.

The Miami-Dade County Commission should reject this false choice between economic development and preserving the environment. There are 430 acres of vacant industrial land in South Dade that are in parcels greater than 10 acres and don't require the county to expand urban boundaries, according to county staff (developers dispute all of that land is available).

This proposal would surely benefit landowners, who would see their property values skyrocket, but its benefits seem too dubious to justify a potential interference with Biscayne Bay restoration.

AUGUST 25, 2021 7:24 PM

The Urban Development Boundary, often called the “UDB,” represents a growth barrier separating land allowed for dense housing and commercial uses, including shopping centers and warehouse districts, and rural land reserved for farming and houses with significant land between them. It’s also considered a protection tool for the Everglades and the agriculture industry.

Miami-Dade’s growth rules call for the UDB to expand once the county runs out of land inside it for homes and commercial projects. The proposed project sits on land designated as an area slated for expansion of the UDB once the county is ready for more development sites.

While county planners say land inventory for single-family homes is running out within the development zone, they predict the southern part of Miami-Dade won’t need new acreage for commercial projects through 2040. Should the proposed project get built, planners say the region would have more than a 100-year supply of industrial land.

Advocates behind the project, which includes plans for a 150-room hotel, argue the county’s analysis ignores the need for more employment centers in South Miami-Dade and relies too much on commuting patterns that residents in the area dislike.

“Our focus here is on local conditions,” said Andrew Dolkart, an economic consultant working for the developers. He said South Miami-Dade residents are stuck with long commutes because so much of the county’s decent-paying jobs are in the north but affordable housing is easier to find in the south. “Most people live where they can find something they can afford,” he said.

A developer presentation showed the 800-acre project producing Miami-Dade’s largest industrial park, compared to about 600 acres at the Sawgrass Corporate Park and nearly 500 acres at Beacon Lakes.

Environmental groups are leading the fight against the project, warning it will disrupt efforts to prevent harmful groundwater run-off into Biscayne Bay from adjoining canals that are already a source of fertilizer pollution from the tree farms that are there now.

In an Aug. 23 letter, the Everglades Coalition said the project could doom efforts to fix a canal system “causing havoc on the quality of these ecosystems.”

They’re also warning the land is too low for a major new industrial complex and will be enveloped by rising sea levels.

That’s a problem developers say they’re addressing by elevating streets and buildings, with some floors set to be built nine feet above the ground.

The county report warned “neighboring properties could face flooding risks from the applicant’s elevation,” worsening the threat from sea level rise in an area already designated a Coastal High Hazard area.

That was the complaint from Mark Hall, who lives near the farms that would be converted to an industrial park under the proposal. “We need that land to absorb all the water that comes down with the rain,” he told the South Bay council.



Mark Hall addresses members of the South Bay Community Council on Monday, Aug. 23, 2021. He opposes a planned industrial complex in the Homestead area that would require moving the Urban Development Boundary. BY DOUGLAS HANKS DHANKS@MIAMIHERALD.COM

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<http://www.sun-sentinel.com/news/politics/fl-ne-nsf-realtors-take-housing-initiative-off-ballot-20210908-xr63thgfoxrcatl7yie5ojck53q-story.html>

Affordable housing ballot initiative halted. Realtors to work with state to create program for lower-wage workers

By Jim Saunders

News Service of Florida | Sep 08, 2021 at 8:30 AM

TALLAHASSEE — Realtors are halting an effort to pass a constitutional amendment to ensure funding for affordable housing, saying they will work with legislative leaders to create a program to help people such as nurses, police officers and firefighters buy homes.

The decision, announced Tuesday night, came after the group Florida Realtors and the National Association of Realtors contributed at least \$13 million to a political committee spearheading the effort to put the proposed constitutional amendment on the 2022 ballot.

The committee, Floridians for Housing, had spent about \$2.75 million as of July 31 as it worked to collect the 891,589 petition signatures needed to get on the ballot. The state Division of Elections had received 64,937 signatures for the initiative as of Tuesday.

“Floridians made it known through their broad public support for the ballot initiative that workforce housing affordability must be a top priority, and this has opened the door for positive discussions in the Capitol,” Florida Realtors President Cheryl Lambert said in a prepared statement. “The legislative leadership has committed to working with us to find significant, immediate solutions to Florida’s workforce housing crisis. This crisis cannot wait. Every day, we hear about workers who are bearing the brunt of the pandemic who can’t afford a home. This approach will help bring homeownership within reach of Floridians much faster.”

The proposed constitutional amendment came after years of frustration in the real-estate industry and among other groups about decisions by lawmakers to use money from a state affordable-housing trust fund, known as the Sadowski trust fund, for other purposes.

The proposal would have established in the Florida Constitution the State Housing Trust Fund and the Local Government Housing Trust Fund. It also would have required that the trust funds receive at least 25 percent of the revenue from documentary-stamp taxes — which are collected on real-estate transactions — and would have detailed how the money could be used to address affordable housing.

Getting the measure on the ballot would have involved a difficult — and costly — process as the 891,589 signatures would have needed to be submitted by a Feb. 1 deadline. As a preliminary step, the committee would have needed to submit 222,898 signatures to trigger a crucial Florida Supreme Court review of the proposed ballot wording.

Ultimately, the measure would have needed support from 60 percent of voters to pass.

But aside from the mechanics of reaching the ballot and passing the amendment, backers of the proposed amendment also ran the risk of angering legislative leaders. Republican lawmakers in recent years have taken a series of steps to make it harder to pass constitutional amendments and have objected to proposals that they see as encroaching on their powers to make policy and budget decisions.

The announcement Tuesday night by Florida Realtors said the decision to halt the constitutional amendment drive “was made following highly productive discussions with legislative leaders indicating strong support to address this (affordable housing) crisis.”

It said Florida Realtors, formerly known as the Florida Association of Realtors, will work with legislative leaders to protect existing housing programs and to create a program that would provide down-payment and closing-cost assistance for workers such as nurses, law-enforcement officers and firefighters. The 2022 legislative session will start in January.



“Front-line workers are the absolute foundation of our communities, something that has been made even more apparent during this pandemic,” Florida Realtors CEO Margy Grant said in a prepared statement. “They are putting their lives and health on the line every day to benefit those around them, yet Florida has no homeownership program in place to ensure that these heroes can live in the communities where they work. We’re pleased that legislative leaders recognize the importance of this issue and we look forward to working with them on meaningful solutions.”

<https://wusfnews.wusf.usf.edu/environment/2021-09-06/miami-dade-county-rejected-an-army-corps-plan-to-fight-storm-surge-heres-what-the-corps-says-is>

Environment

Miami-Dade County Rejected An Army Corps Plan To Fight Storm Surge — Here's What The Corps Says Is

WLRN 91.3 FM | By [Jenny Staletovich](#)

Published September 6, 2021 at 11:00 AM EDT



Hurricane Irma flooded Brickell Drive and other parts of Miami-Dade County in 2017.

The Corps and Miami-Dade would have shared the \$4.6 billion cost for the work that included fortress-like flood walls and gates. How much the Corps pays will now depend on the plan the county proposes.

This week, Miami-Dade County rejected a \$4.6 billion U.S. [Army Corps of Engineers plan](#) to build flood walls and gates around Biscayne Bay to protect neighborhoods from hurricane storm surge — opting to instead devise its own plan.

The move followed [criticism](#) from [the county](#) and environmentalists who worry that the barriers could harm seagrass and other marine life in a bay already battling pollution.

“The community has been giving feedback for the last three years and asking for exactly this,” said Rachel Silverstein, executive director of Miami Waterkeeper. “Miami is blessed with many ecosystems that will naturally protect us from storm surge like dunes and wetlands and mangroves and coral reefs and we really want to see those enhanced.”

Because [so little design work](#) had been done — given the \$3 million budget for planning, just 10% is complete — critics worried the full environmental impacts remain unknown.

Had the plan advanced, the federal agency would have split the multi-billion dollar cost with Miami-Dade 65-35, with the Corps paying a larger share. The plan was on track to be sent to Congress for approval in time for a 2022 Water Resources Development Act, which typically gets approved every two years.

The county decision upends that schedule.

Michelle Hamor, planning chief at the Corps' Norfolk District, told WLRN's Jenny Staletovich the Corps will now need to request more money and time to continue the work.

What follows is an edited excerpt of that interview.

WLRN: Explain what happens next now that Miami-Dade County has sent a letter saying that they want to suggest a locally-preferred alternative.

HAMOR: I'll just note that [Miami-Dade County] has the right to request a locally-preferred plan. So this is part of the process and other projects have experienced the same thing. We received an official request letter this week.

We will review it and ultimately that goes up to the assistant secretary of the Army's Civil Works Office. Normally for feasibility studies we would cost share 50-50. But in this case, the federal government provided the \$3 million for the study. And so we would have to request additional funding to continue the study. It's possible, though, that we could send that up and it not be approved.

Do you have any idea how much more it would cost to do the additional review? Are we talking about another \$3 million?

It really depends on the scope of the locally preferred plan and how much additional analysis will be required to develop that.

What kinds of things could be in a local plan that the Corps is willing to consider?

So we have to develop a plan that maximizes the net benefits. And really we're trying to consider the federal taxpayer investment. There may be items that Miami-Dade would like to see. Maybe more natural, nature-based features. But if they don't support the return on the federal taxpayer investment, Miami-Dade might be required to pay for those.

You all have already spent three years developing and analyzing a plan. Is there a deadline for the county to provide their alternative? Will it be another three years?

There are a couple of factors that play into it. For the recommended feasibility study, as it is right now, we had submitted an environmental compliance policy exception which indicated that we were at a 10% level of design. And certainly the resource agencies would like to see additional detail.

If you think about the enormous recommended plan, it's covering [seven] focus areas in Miami-Dade County. We're recommending features that are new to southern Florida. So we're talking about surge barriers and flood walls and these are not normal features in this area. So understandably, the resource agencies would like to see additional detail to understand how that would impact the environment moving forward. So we might have to do additional design.

The goal for the study was to have a chiefs report ready by October of this fiscal year and that would have positioned it for consideration if there was a Water Resources Development Act of 2022. If we could do this additional analysis, the goal would be by December 2023 for consideration if there's a possible WRDA 2024.

The cost [share] here is, was I correct that it's 40-60, or am I thinking of Everglades restoration?

That would be 65-35.

And will that split remain the same or does it depend on what goes into the plan?

That's a great question. It depends on what goes into the plan.

We've developed the National Economic Development Plan [cost-benefit analysis] in the draft final report, and that was our recommended plan. That plan will be used to compare to the [Miami-Dade County proposal] and that will also determine the cost share between the two plans.

You said it sometimes happens where the local [government] has said, look, we'd like to offer our own alternative. Do you know of any other cases?

I'm not aware of any cases around Florida. It does happen in other feasibility studies. Certainly, that's their right to do it. In some cases, the [local government] may not have the capability, the amount of money required for the recommended plan, and they may be interested in kind of a subset of that recommended plan.

Moving on to Monroe County. I just looked and [Monroe] is on schedule [for approval] in 2022.

Absolutely. And we are happy to report that will be presented to our chief of engineers on the 24th of September.

Would the shoreline stabilization of U.S. 1 be the first thing that happens? And when would money become available for property owners to either do flood proofing or elevate properties?

We have to compete nationally for funding. So it certainly depends on the funding. I'm sure the team will meet with Monroe County and identify the path forward. But I do believe that [U.S. 1] was a high priority for the county and I believe they can start work on design for those shoreline stabilization while they're working to do design on the nonstructural portions.

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