

Application No. 5

Countywide

APPLICATION SUMMARY

| | |
|---------------------------|--|
| Applicant/Representative: | Jack Osterholt, Deputy Mayor/Director Miami-Dade County Department of Regulatory and Economic Resources 111 NW 1st Street, 29th Floor Miami, Florida 33128-1972 |
| Location: | Countywide |
| Requested Text Changes: | Amend the Comprehensive Development Master Plan (CDMP) Land Use Element interpretive text related to the Ludlam Trail Corridor District to include interim rails to trails agreement approval as an alternative to the required US Surface Transportation Board final abandonment approval. |
| Amendment Type: | Standard Text Amendment |

RECOMMENDATIONS

| | |
|---|--|
| Staff Final Recommendation: | ADOPT (September 2018) |
| Staff Initial Recommendation: | TRANSMIT AND ADOPT (June 2018) |
| Community Councils: | NOT APPLICABLE |
| Planning Advisory Board (PAB) acting as the Local Planning Agency: | TRANSMIT AND ADOPT (July 11, 2018) |
| Board of County Commissioners: | TRANSMIT AND ADOPT (July 25, 2018) |
| Final Action of Board of County Commissioners: | TO BE DETERMINED (September 27, 2018) |

Staff's final recommendation is to **ADOPT** the application to amend the Comprehensive Development Master Plan (CDMP) Land Use Element text of the Ludlam Trail Corridor District based on the following reasons:

On July 25, 2018, the Board of County Commission (Board) held its first public hearing on the proposed standard amendment. Subsequent to the hearing, the application was transmitted to the Florida Department of Economic Opportunity/State Land Planning Agency (SLPA) and other state and regional agencies (reviewing agencies) for review. No objection was raised against the application by the SLPA, the reviewing agencies, or any affected party; nor were there any changes to the application which were not previously considered by the Board.

The Principal Reasons presented in the ["Initial Recommendations – Application No. 5"](#) report, dated May 2018, of the January 2018 Cycle to amend the CDMP are presented below and are maintained as the basis for staff's final recommendation.

Principal Reasons for Recommendation:

1. The application seeks to fulfill the directive of the Board of County Commissioners (Commission) issued by Resolution R-663-18 adopted on June 5, 2018, directing the Mayor or the Mayor's designee to file an application to amend CDMP Land Use Element text for the Ludlam Trail Corridor District land use subcategory. The subcategory text currently requires all portions of the Ludlam Trail Corridor to have received final abandonment approval from the US Surface Transportation Board before the first building permit for vertical construction is issued. Resolution R-663-18 directs that this requirement be amended to include an interim trails use agreement approval from the US Surface Transportation Board as an alternative to final abandonment approval, and the application proposes to add language within the Ludlam Trail Corridor District text to fulfill this directive (see Proposed Text Amendment on page 5-3 herein).

Resolution R-663-18 also directs the application to be heard by the Planning Advisory Board on July 11, 2018, then considered for transmittal by the Commission on July 25, 2018, and if transmitted, to be considered for final adoption on September 27, 2018. Accordingly, the application was included within the January 2018 cycle and is being processed in keeping with the reference schedule.

2. The application, if approved, would facilitate the accelerated implementation of the recreational trail component of the Ludlam Trail Corridor and the permitting of authorized development within certain of the Development Areas within the corridor. The Ludlam Trail Corridor text, applies to an approximate 100 foot wide and 5.8-mile segment of the former Florida East Coast (FEC) railway, requires a recreational trail along the full length of the corridor and allows development at four Development Areas within the corridor. One condition of development is the above mentioned requirement that all portions of the Corridor receive final abandonment approval. The portions of the corridor south of SW 12 Street received final abandonment approval from the US Surface Transportation Board in August 2005. The portion of the corridor north of SW 12 Street has not been abandoned.

PROPOSED TEXT AMENDMENT

Amend the Comprehensive Development Master Plan (CDMP) Land Use Element text on page ___ for the “Special District-Ludlam Trail Corridor” as follows:

Ludlam Trail Corridor District¹

The Ludlam Trail Corridor District (“District”) applies to an approximately 5.8-mile segment of the former Florida East Coast Railway South Little River Branch spur-line that is generally 100 feet wide and extends from SW 80 Street to approximately 400 feet north of NW 7 Street and generally along theoretical NW/SW 69 Avenue (“Corridor”) as depicted on Figure 3.1. Approximately 0.6 miles of the Corridor between SW 8 Street and the Tamiami Canal is located within the boundaries of the City of Miami (“Miami Segment”).

* * *

The land use provisions of the Ludlam Trail Corridor District shall be implemented through the adoption of Land Development Regulations (“LDRs”). LDRs shall be adopted for all portions of the District within unincorporated Miami-Dade County prior to the issuance of the first building permit for vertical construction within the Development Areas defined below. The LDRs shall define the urban form of development within the Corridor including flexible design standards and appropriate transitions to adjacent uses, as well as the configuration and design parameters of the recreational trail. Access to the Development Areas shall be provided in a manner that minimize negative impacts to adjacent residential neighborhoods. In addition, the Downtown Kendall Urban Center District regulations shall be amended to require the continuation of the trail to the M-Path/Underline. All portions of the Corridor shall have received final abandonment approval, an interim trails use agreement approval, or a combination thereof, from the U.S. Surface Transportation Board prior to the issuance of the first building permit for vertical construction within the Development Areas. However, nothing herein shall be deemed to authorize vertical construction within areas covered by an interim trails use agreement approved by the U.S. Surface Transportation Board to the extent that such vertical construction is not authorized by or is otherwise inconsistent with federal law.

¹ Words single underlined are proposed additions and words single ~~stricken through~~ are proposed deletions. All other words are adopted text of the CDMP and remain unchanged.