

# Memorandum



**Date:** September 20, 2023

**To:** Honorable Chairman Oliver G. Gilbert, III  
and Members, Board of County Commissioners

**From:** Daniella Levine Cava  
Mayor

A handwritten signature in blue ink that reads "Daniella Levine Cava".

**Subject:** Resolution for January 2023 Cycle Application No. CDMP20230002 to Amend the Comprehensive Development Master Plan

Agenda Item No. 3(A)(1)

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The attached resolution addresses a Comprehensive Development Master Plan private application that, under rule 5.05(b)(1) of the Board's rules of procedure, is exempt from commissioner sponsorship. The staff analysis and fiscal impact statement for this application are discussed in a separate report that appears on this agenda, which, together with this resolution, were prepared by the Department of Regulatory and Economic Resources.

A handwritten signature in blue ink that reads "Jimmy Morales".

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Jimmy Morales  
Chief Operations Officer



**MEMORANDUM**  
(Revised)

**TO:** Honorable Chairman Oliver G. Gilbert, III  
and Members, Board of County Commissioners

**DATE:** September 20, 2023

**FROM:**   
Gen Bonzon-Keenan  
County Attorney

**SUBJECT:** Agenda Item No. 3(A)(1)

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 present \_\_\_\_, 2/3 membership \_\_\_\_, 3/5's \_\_\_\_, unanimous \_\_\_\_, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) , CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) \_\_\_\_, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) \_\_\_\_) 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. 3(A)(1)  
9-20-23

RESOLUTION NO. \_\_\_\_\_

RESOLUTION PERTAINING TO JANUARY 2023 CYCLE APPLICATION NO. CDMP20230002, FILED BY LENNAR HOMES, LLC, REQUESTING AMENDMENTS TO THE COMPREHENSIVE DEVELOPMENT MASTER PLAN; DIRECTING THE MAYOR OR DESIGNEE TO ACT IN ACCORDANCE WITH THE TRANSMITTAL INSTRUCTIONS INCLUDED IN THIS RESOLUTION RELATED TO APPLICATION NO. CDMP20230002, GENERALLY LOCATED ON THE SOUTHEAST CORNER OF SW 232 STREET AND SW 132 AVENUE; REQUESTING STATE LAND PLANNING AGENCY TO REVIEW APPLICATION NO. CDMP20230002; RESERVING THE RIGHT TO TAKE FINAL ACTION AT A LATER DATE; AND DECLARING INTENT TO CONDUCT ONE OR MORE SUBSEQUENT PUBLIC HEARINGS

**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 procedures, 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, including the process for adoption of small-scale comprehensive plan amendments (“small-scale amendments”) set forth in section 163.3187, 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**, Miami-Dade County's procedures classify applications as either standard or small-scale amendment applications, set forth the processes for adoption of small scale and standard amendments, and require any application seeking adoption as a small-scale amendment to clearly state such request in the application; and

**WHEREAS**, Miami-Dade County's procedures provide that applications may be filed for processing in the January, May, or October CDMP amendment cycles or filed at any time for out-of-cycle processing; and

**WHEREAS**, Miami-Dade County's procedures also provide for the processing of CDMP amendment applications concurrently with zoning applications; and

**WHEREAS**, Application No. CDMP20230002 (the "Application") was filed by a private party in the January 2023 Cycle of Applications to amend the CDMP ("January 2023 CDMP Amendment Cycle") and is contained in the document titled "January 2023 Cycle of Applications to Amend the Comprehensive Development Master Plan," dated February 2023, and kept on file with and available upon request from the Department; and

**WHEREAS**, the Application is eligible and has requested adoption as a small-scale amendment; and

**WHEREAS**, the Application has also requested to be processed concurrently with Zoning Application No. Z2021000258; and

**WHEREAS**, as required by section 2-116.1, Code of Miami-Dade County, the Department issued its initial recommendation addressing the Application in a report titled "Initial Recommendation January 2023 Cycle to Amend the Comprehensive Development Master Plan," dated May 2023 and kept on file with and available upon request from the Department; and

**WHEREAS**, the Department’s initial recommendation addressing the Application is available in a Portable Document Format (PDF) file entitled “Initial Recommendations CDMP20230002” on the Department’s website at [https://energov.miamidade.gov/EnerGov\\_Prod/SelfService#/home](https://energov.miamidade.gov/EnerGov_Prod/SelfService#/home) by searching for plan number “CDMP20230002,” and selecting the tab for “Attachments,” or at the following weblink to the Attachments tab: [https://energov.miamidade.gov/EnerGov\\_Prod/SelfService#/plan/179abb73-6c12-4d18-9650-2169593ffd74?tab=attachments](https://energov.miamidade.gov/EnerGov_Prod/SelfService#/plan/179abb73-6c12-4d18-9650-2169593ffd74?tab=attachments); 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 the Application; and

**WHEREAS**, at the public hearing conducted to address the Application, the Board can, by ordinance, take final action to adopt, adopt with change, or not adopt the requested small-scale amendment, or the Board can take action to transmit the Application to the State Land Planning Agency or other state and regional agencies (“reviewing agencies”); and

**WHEREAS**, the Department may issue final recommendations addressing any small-scale applications that are transmitted to the reviewing agencies; and

**WHEREAS**, this Board desires to further evaluate, without prejudice, the Application filed for review and action, if hereby transmitted,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA**, that:

**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.** The Board, having considered the following application requesting amendments to the CDMP, hereby directs the Mayor or designee to act in accordance with the transmittal instructions set forth in this section for such application. Where the instruction is to transmit, pursuant to section 2-116.1, Code of Miami-Dade County, the Board directs the Mayor or designee to transmit the application to the reviewing agencies, along with all other materials required pursuant to section 163.3184, Florida Statutes.

Application Number	Applicant/Representative Location and Size Requested Amendments to the CDMP Land Use Plan Map or Text	Transmittal Instruction and/or Recommended Action
CDMP20230002	<p>Lennar Homes, LLC / Hugo P. Arza, Esq., Amanda M. Naldjieff, Esq., Holland &amp; Knight, LLP.</p> <p>Generally located on the southeast corner of SW 232 Street and SW 132 Avenue / ±0.92 Gross Acres /±0.90 Net Acres.</p> <p><u>Requested Amendment to the CDMP</u></p> <p>Redesignate the application site on the LUP map:</p> <p>From: "Low Density Residential" (2.5 to 6 dwelling units per gross acre).</p> <p>To: "Low-Medium Density Residential" (6 to 13 dwelling units per gross acre).</p> <p>Small-Scale Amendment</p>	

**Section 3.** The Board hereby requests the reviewing agencies to review the transmitted application pursuant to section 163.3184(3), Florida Statutes.

**Section 4.** The Board hereby reserves the right to take final action without prejudice at a later date to adopt, adopt with changes, or not adopt the pending application and proposals following receipt of comments by the reviewing agencies, and following one or more public hearings by this Board, all as authorized by section 163.3184, Florida Statutes, and section 2-116.1, Code of Miami-Dade County.

**Section 5.** The Board declares its intention to advertise and conduct one or more public hearings in calendar year 2023 to address Application No. CDMP20230002.

The foregoing resolution was offered by Commissioner ,  
who moved its adoption. The motion was seconded by Commissioner  
and upon being put to a vote, the vote was as follows:

Oliver G. Gilbert, III, Chairman	
Anthony Rodríguez, Vice Chairman	
Marleine Bastien	Juan Carlos Bermudez
Kevin Marino Cabrera	Sen. René García
Roberto J. Gonzalez	Keon Hardemon
Danielle Cohen Higgins	Eileen Higgins
Kionne L. McGhee	Raquel A. Regalado
Micky Steinberg	

The Chairperson thereupon declared this resolution duly passed and adopted this 20<sup>th</sup> day of September, 2023. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA  
BY ITS BOARD OF  
COUNTY COMMISSIONERS

JUAN FERNANDEZ-BARQUIN, CLERK

By: \_\_\_\_\_  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.



Dennis A. Kerbel