Memorandum

MIAMI-DADE COUNTY

Date: May 21, 2007

Special Item No. A

To: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

From: George M. Burgess
County Manager

Subject: Manager's Report; Public Hearing and Report on October 2006 Cycle Applications to Amend the Comprehensive Development Master Plan

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A public hearing to address requested amendments to the Comprehensive Development Master Plan (CDMP) is scheduled for **Monday, May 21, 2007 beginning at 9:30 AM in the Commission Chamber.** This meeting must be held in the month of May in accordance with Section 116-2 of the Miami-Dade County Code. The purpose of the hearing is for the Board of County Commissioners (Board) to address the October 2006 Cycle application requesting text amendments to the CDMP.

One (1) application was filed in the October 2006 Cycle. The Department of Planning and Zoning (DP&Z) filed this standard Application No. 1 as mandated by the 2005 state growth management legislation requiring a public school facilities element and providing for a Level of Service (LOS) standard for public school facilities, a school concurrency management program, and proportionate share mitigation criteria for public school facilities. Rule 9J-5.005(5), Florida Administrative Code (F.A.C.), requires that the elements of a local government comprehensive plan be internally consistent with one another. Thus, the application includes proposed text amendments to the Educational Element, Intergovernmental Coordination Element and Capital Improvements Element, and to the Preface of the CDMP. These text amendments are contained in the October 2006 Applications and Initial Recommendations October 2006 Applications to Amend the Comprehensive Development Master Plan dated February 25, 2007 and revised on April 23, 2007. The application was filed pursuant to Resolution No. R-871-06 adopted by the Board on July 18, 2006.

The Board is scheduled to take action on a Resolution (Special Item No. 1) transmitting to the Florida Department of Community Affairs (DCA), the standard CDMP text amendments (Application No.1), which the Board would like to further consider after DCA's review and issuance of the Objections, Comments and Recommendations (ORC) report. Section 2 of the resolution contains a request for DCA to review the transmitted application.

An Ordinance is included for first reading at the conclusion of the public hearing (Special Item No. 2). This application, if transmitted to DCA by resolution (Special Item No. 1), will be heard again and finally decided by the Board in October 3, 2007. The Planning Advisory Board (PAB) acting as the Local Planning Agency will conduct a public hearing to review and issue its final recommendation on the transmitted application, which is reviewed by DCA, prior to the final Board's public hearing.

The additional materials in your agenda kit regarding the October 2006 Cycle will include the draft Agenda, a resolution by the PAB (dated April 23, 2007), containing its recommendation, a summary of the minutes of the PAB public hearing addressing the application, additional information (if any) pertaining to the application, and a summary matrix of the recommendations of the DP&Z and LPA.

Assistant County Manager

OCTOBER 2006 APPLICATION MATRIX
Summary of Recommendations/Revised Recommendations by DP&Z and PAB and Actions by the BCC
October 2006 Applications to Amend the CDMP
April 23, 2007

Application Number/	Applicant/Representative Location (Size) Requested Designation	BCC District/ Commissioner / Community Council*	DP&Z Initial Recommendation February 25, 2007	Local Planning Agency Recommendation April 23, 2007	Board of County Commissioners Recommendation May 21, 2007	Objections, Recommendations and Comments Issues	DP&Z Revised Recommendation	Local Planning Agency Final Recommendation September 17, 2007	Board of County Commissioners Final Actions October 3, 2007
1	Application No. 1 Part A – Educational Element Part B – Intergovernmental Coordination Element Part C – Capital Improvements Element Part D – Preface	N/A	Transmit With No Recommendation	Transmit With No Recommendation					

APPLICATION
AND
INITIAL RECOMMENDATIONS

OCTOBER 2006
APPLICATIONS TO AMEND THE COMPREHENSIVE DEVELOPMENT MASTER PLAN

FOR MIAMI-DADE COUNTY, FLORIDA

MIAMI-DADE COUNTY

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Diane O'Quinn Williams
Executive Secretary

Miami-Dade County provides equal access and equal opportunity in employment and services and does not discriminate on the basis of disability. "It is the policy of Miami-Dade County to comply with all of the requirements of the Americans with Disabilities Act."

APPLICATION
AND
INITIAL RECOMMENDATIONS

OCTOBER 2006 CYCLE APPLICATIONS TO AMEND THE COMPREHENSIVE DEVELOPMENT MASTER PLAN

February 25, 2007

(Revised April 23, 2007)

Miami-Dade County Department of Planning and Zoning
1110 Stephen P. Clark Center
111 NW 1 Street
Miami, Florida 33128-1972
(305) 375-2835

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INTRODUCTION

This report presents the Department of Planning and Zoning's initial recommendations addressing an application to amend the Comprehensive Development Master Plan (CDMP), which was filed for consideration during the October 2006 Plan amendment review cycle. This text application was filed by the Department of Planning and Zoning (Department) to implement changes to Florida's 2005 Growth Management laws. The report also contains necessary background information and analyses on which the recommendations are based.

Chapter 1 of the report contains a copy of the application to amend the CDMP as filed by the Department. Chapter 2 of the report contains the initial recommendations of the Department addressing the requested amendments, along with the principal reasons for the recommendations. Chapter 3 of the report contains the listing of CDMP policies and provisions utilized in the required review of each application's consistency with CDMP and State Comprehensive Plan policies. The data and analysis necessary to support the proposed level of service standard is attached in a separate volume and labeled Support Data and Analysis.

Application Review Process and Schedule of Activities

Section 2-116.1 of the Miami-Dade County Code establishes the exclusive procedures for the CDMP to be reevaluated and amended periodically, usually semiannually. During odd-numbered years applications to amend the CDMP are filed during the months of April and October. In even-number years, there is an April filing period and an optional October filing period for these amendments. Section 2-116.1(2)(b) of the Code of Miami-Dade County, Florida, provides for an October period amendment process during even numbered years if such a process is authorized by affirmative recommendation of the County Manager and approved by resolution of the Board of County Commissioners on or before the sixteenth (16) day of September in that year. On July 18, 2006, the Miami-Dade County Board of County Commissioners (BCC) adopted Resolution R-871-06, which authorized an amendment period for October 2006. Additionally, this resolution limited the filing of amendments to those text amendments necessary to implement the 2005 Growth Management laws and was not opened to the public for any private applications.

Following is a summary of the amendment activities and schedule that will be followed in this cycle to comply with requirements of Section 2-116.1, Code of Miami-Dade County, and with State law. Table 1 on page iii lists the principal activities, which will occur under this process, and presents the time frames for those activities in accord with the State requirements and County Code.

The CDMP amendment process for text amendments takes approximately a year to complete. The Department will submit its initial recommendations to the Planning Advisory Board (PAB) regarding each requested change by February 25, 2007. The PAB, acting as the Local Planning Agency, is scheduled to hold a public hearing on April 23, 2007. The purposes of this PAB hearing will be to receive comments and recommendations on the proposed amendments, and to formulate its recommendations to the BCC regarding transmittal to Department of Community Affair (DCA). The BCC is scheduled to hold a public hearing on May 21, 2007 to consider

transmittal of the all requested amendments to DCA. Transmittal does not constitute adoption of requested amendments.

A second phase of the review of the proposed text amendments begins after transmittal of the applications to the DCA and associated state agencies. The CDMP amendment procedures in Section 2-116.1 of the County Code provide for the County to request review and comment on all transmitted amendment proposals by DCA. This is done to provide certainty about the timing of the State's reply, as the State procedure could otherwise make it very difficult to schedule necessary final reports and hearings. The time frame indicated in Table 1 reflects this County procedure. Accordingly, the DCA is expected to return comments addressing all transmitted amendment proposals by August 2007. The PAB is scheduled to conduct its final public hearing on September 17, 2007 and the BCC is scheduled to conduct a public hearing and take final action on October 3, 2007. During the DCA review period, the Department will also review comments received at the transmittal hearings and any additional submitted material and may issue a Revised Recommendations report reflecting any new information prior to the final public hearings. Final action by the BCC will be to adopt, adopt with change, or not adopt each of the transmitted applications.

Additional Information

Anyone having questions regarding any aspect of the Comprehensive Plan review and amendment process should visit or call the Metropolitan Planning Section of the Miami-Dade County Department of Planning and Zoning at 111 NW 1st Street, Suite 1220; Miami, Florida 33128-1972; telephone (305) 375-2835.

Table 1
Schedule of Activities
October 2006 CDMP Amendment Cycle

Application Period	October 2006
Application and Initial Recommendations Report Released by DP&Z	February 25, 2007
Planning Advisory Board, acting as Local Planning Agency, Hearing to Formulate Recommendations Regarding Transmittal of Standard Amendment Requests to DCA	2:00 P.M., April 23, 2007 County Commission Chamber 111 NW 1st Street
Board of County Commissioners Hearing and Action on Transmittal of Standard Amendment Requests to DCA	9:30 A.M., May 21, 2007 County Commission Chamber 111 NW 1 Street
Transmittal to DCA for Comment	Tuesday, June 5, 2007
Deadline for Filing Supplementary Reports by the Public	Forty-five (45) days after Commission transmittal hearing
Receipt of DCA Objections, Recommendations and Comments	August 14, 2007* (Approximately 60 days after DCA finds the transmittal package complete.)
Public Hearing and Final Recommendations: Planning Advisory Board (Local Planning Agency)	2:00 P.M., September 17, 2007* County Commission Chamber 111 NW 1st Street
Public Hearing and Final Action on Applications: Board of County Commissioners	9:30 A.M., October 3, 2007* County Commission Chamber 111 NW 1 Street

* Estimated date. Date is currently scheduled but subject to change. All hearings will be noticed by newspaper advertisement.

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CHAPTER 1

APPLICATION NO. 1

APPLICATION REQUESTING AMENDMENT TO THE COMPREHENSIVE DEVELOPMENT MASTER PLAN

1. APPLICANT

Miami-Dade County Department of Planning and Zoning
111 NW 1 Street, Suite 1210
Miami, Florida 33128-1972
(305) 375-2835

2. APPLICANT'S REPRESENTATIVE

Diane O'Quinn Williams, Director
Miami-Dade County Department of Planning and Zoning
111 NW 1 Street, Suite 1210
Miami, Florida 33128-1972

By: Diane O'Quinn Williams — 2/15/07 Date

3. DESCRIPTION OF REQUESTED CHANGES

The following changes are requested to the Educational Element, Intergovernmental Coordination Element (ICE), Capital Improvement Element (CIE) and the Preface

PART A – Revise the Educational Element Objectives, Policies and text, including the Monitoring Measures as follows:

Words ~~stricken through~~ shall be deleted. Words underscored are proposed additions. Remaining provisions are now in effect and remain unchanged. Shaded words were modified between printing of report on February 25, 2007 and April 23, 2007

EDUCATIONAL ELEMENT

GOAL

DEVELOP, OPERATE, AND MAINTAIN A SYSTEM OF PUBLIC EDUCATION BY MIAMI-DADE COUNTY PUBLIC SCHOOLS, IN COOPERATION WITH THE COUNTY AND OTHER APPROPRIATE GOVERNMENTAL AGENCIES, WHICH WILL STRIVE TO IMPROVE THE QUALITY AND QUANTITY OF PUBLIC EDUCATIONAL FACILITIES AVAILABLE TO THE CITIZENRY OF MIAMI-DADE COUNTY, FLORIDA.

Objective EDU-1

Work towards the reduction of the overcrowding which currently exists in the Miami-Dade County Public Schools ~~System~~, while striving to attain an optimum level of service pursuant to Objective EDU-2. ~~Strive to~~ Pprovide additional solutions to overcrowding so that countywide enrollment in Miami-Dade County's public schools ~~does not exceed 115% of current Florida Inventory of School Houses (FISH) capacity (both permanent and relocatables). Additionally, by 2010 Miami-Dade County Public Schools shall~~ will meet state requirements for class size by September 1, 2010. ~~This numeric objective is adopted solely as a guideline for school facility planning and shall not be used as a Level of Service Standard or as a basis for denial of development orders.~~

Policies

EDU-1A. Cooperate with the Miami-Dade County Public Schools ~~System~~ in their efforts to continue to provide new student stations through the Capital Outlay program, in so far as funding is available.

EDU-1B. Collect impact fees from new development for transfer to the Miami-Dade County Public Schools ~~System~~ to offset the impacts of these additional students on the capital facilities of the school system.

EDU-1C. Cooperate with the Miami-Dade County Public Schools ~~System~~ in their efforts to develop and implement alternative educational facilities, such as primary learning centers, which can be constructed on small parcels of land and relieve overcrowding at elementary schools, in so far as funding and rules permit.

EDU-1D. Cooperate with the Miami-Dade County Public Schools ~~System~~ in their efforts to provide public school facilities to the students of Miami-Dade County, which operate at ~~on~~ optimum capacity, in so far as funding available. Operational alternatives may be developed and implemented, where appropriate, which

mitigate the impacts of overcrowding while maintaining the instructional integrity of the educational program.

EDU-1E. Cooperate with the Miami-Dade County Public Schools ~~System~~ in their efforts to maintain and/or improve the established level of service (LOS), for Public Educational Facilities, as established for the purposes of school concurrency ~~collecting Impact Fees, in so far as funding available~~.

EDU-1F. The Miami-Dade County School Board (School Board) comments shall be sought and considered on comprehensive plan amendments and other land use and zoning decisions which could impact the school district, ~~when the proposed (re) development would result in an increase of FISH capacity (permanent and relocatables) in excess of 115%,~~ in order to be consistent with the terms of the state mandated Interlocal Agreement pursuant to Sections 1013.33 and 163.31777, Florida Statutes.

EDU-1G. Capital improvement programming by the Miami-Dade Public Schools ~~System~~ should be based on future enrollment projections and demographic shifts and targeted to enhance the effectiveness of the learning environment. The future enrollment projections should utilize student population projections based on information produced by the demographic, revenue, and education estimating conferences pursuant to Section 216.136, Florida Statutes, where available, as modified by the School Board based on development data and agreement with the local governments, the State Office of Educational Facilities and the State SMART Schools Clearinghouse. The School Board may request adjustment to the estimating conferences' projections to reflect actual enrollment and development trends. In formulating such a request, the School Board will coordinate with the Cities and County regarding development trends and future population projections.

EDU-1H. It is the policy of Miami-Dade County that the Miami-Dade Public Schools ~~System~~ should give priority to the Urban Infill Area (UIA) identified in CDMP Capital Improvements Element Figure 1 when allocating resources toward the attainment of the level of service objective for public educational facilities (Objective EDU-1), followed by more recently developed and newly developing areas outside the UIA and within the Urban Development Boundary (UDB).

Objective EDU-2

The County and the Miami-Dade County Public Schools ~~System~~ shall ensure the future availability of public school facilities[1] to serve new residential development, consistent with the adopted level of service standards for public school concurrency.

Policies

EDU-2A The adopted level of service (LOS) standard for all Miami-Dade County ~~p~~Public ~~s~~School facilities is 100% Permanent Florida Inventory of School Houses (FISH) Capacity (No Relocatable Classrooms). Public school facilities not meeting this LOS standard as of January 1, 2008 will have a 10-year period in which to achieve this adopted LOS standard, through a series of Interim LOS standards. By January 1, 2018 all Miami-Dade County Public School facilities shall achieve and maintain, the adopted level of service (LOS) standard. Once a public school facility achieves 100% Permanent FISH Capacity (No Relocatable Classrooms), it shall not exceed that LOS standard[2]. Between January 1, 2008 and January 1, 2018, the following Interim LOS standards shall be applicable in each affected public school Concurrency Service Area (CSA), defined as the public school attendance boundary established by the Miami-Dade County Public Schools ~~System~~.

a) Beginning January 1, 2008 to September 1, 2010 the following Interim LOS standards shall apply:

(1) 100% of FISH Capacity (with Relocatable Classrooms) is the Interim LOS standard for those schools that cannot meet the adopted LOS standard~~,~~ described above, and are operating at less than or up to 100% FISH Capacity (with Relocatable Classrooms). These schools, as identified in Appendix A, shall not exceed 100% FISH Capacity (with Relocatable Classrooms); and

(2) An assigned Interim LOS standard for each school exceeding the LOS standards in a)(1), above, based on FISH Capacity (with Relocatable Classrooms) is identified in Appendix B. No school

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[1] Level of Service standards for ~~P~~public ~~S~~school facilities apply ~~refer~~ to those traditional educational facilities, owned and operated by the Miami-Dade County Public Schools ~~System~~, that are required to serve the residential development within their established Concurrency Service Area. Level of Service standards do not apply to magnet schools, charter schools and other educational facilities that may have districtwide attendance boundaries; ~~are not tested for concurrency;~~ however, their capacity is credited against the impact of development. It is provided, however, that no credit against the impact of development shall be given for such districtwide educational facilities if their enrollment is at, or above, 100% FISH Capacity (with Relocatable Classrooms).

[2] Relocatable classrooms may be used by the Miami-Dade County Public Schools as an operational solution to achieve the level of service standard during replacement, remodeling, renovation or expansion of a public school facility.

Words ~~stricken through~~ shall be deleted. Words underscored are proposed additions. Remaining provisions are now in effect and remain unchanged. Shaded words were modified between printing of report on February 25, 2007 and April 23, 2007

identified in Appendix B shall exceed its assigned FISH Capacity (with Relocatable Classrooms).

b) Beginning September 2, 2010 to December 31, 2017 the following Interim LOS standards shall apply:

(1) 100% of FISH Capacity (with Relocatable Classrooms) is the Interim LOS standard for those schools not meeting the adopted LOS standard. These schools shall not exceed 100% FISH Capacity (with Relocatable Classrooms). Beginning January 1, 2013 the Miami-Dade County Public Schools ~~System shall~~ should not use relocatable classrooms to provide additional FISH Capacity at any school[3]. Additionally, beginning January 1, 2013 the Miami-Dade County Public Schools ~~System~~ will implement a schedule to eliminate all remaining relocatable classrooms by January 1, 2018.

~~Relocatable classrooms may be used by the Miami-Dade County Public School System as an operational solution during replacement or expansion of a public school facility.~~

EDU-2B In the event the adopted LOS standard (including the Interim standards) of a CSA cannot be met as a result of a proposed development's impact, the development may proceed provided at least one ~~or more~~ of the following conditions ~~are~~ is met:

a) The development's impact can be shifted to one or more ~~contiguous~~ adjacent CSAs that have available capacity ~~(as defined in the Concurrency Management Program)~~ located, either in whole or in part, within the same Educational Impact Fee Benefit District as the proposed development; or

b) The development's impact is mitigated, proportionate to the demand for public schools it created, through a combination of one or more appropriate proportionate share mitigation options, as defined in Section 163.3180 (13)(e)1, Florida Statutes. ~~Proportionate share mitigation options shall include: contribution of land; the construction, expansion, or payment for land acquisition or construction of a permanent public school facility; the creation of a mitigation bank based on the construction of a permanent public school facility in exchange for the right to sell capacity credits; or, other mitigation options that may be approved through the Miami-Dade County School Board; or~~

[3] Relocatable classrooms may be used by the Miami-Dade County Public Schools as an operational solution to achieve the level of service standard during replacement, remodeling, renovation or expansion of a public school facility.

c) The development's impacts are phased to occur when sufficient capacity will be available.

If none of the above conditions ~~are~~ is met, the development shall not be approved.

~~EDU-2C Magnet Schools, schools of choice, and other educational facilities with districtwide attendance shall be made available on a districtwide basis to those residents of Miami-Dade County who meet the requirements of the school.~~

~~a) No credit against the impact of development shall be given for such districtwide educational facilities if their enrollment is at, or above, 100% FISH Capacity (with Relocatable Classrooms).~~

~~b) By January 1, 2013, such districtwide educational facilities shall not exceed 100% FISH Capacity (with Relocatable Classrooms).~~

Objective EDU-~~2~~3

Obtain suitable sites for the development and expansion of public education facilities.

Policies

EDU-~~2~~3A It is the policy of Miami-Dade County that the Miami-Dade County Public Schools ~~System~~ shall not purchase sites for schools nor build new schools outside of the Urban Development Boundary (UDB), and that new elementary schools constructed should be located at least 1/4 mile inside the UDB; new middle schools should be located at least 1/2 mile inside the UDB, and; new senior high schools should be located at least one mile inside the UDB. In substantially developed areas of the County where suitable sites in full conformance with the foregoing are not available and a site or portion of a site for a new school must encroach closer to the UDB, the majority of the site should conform with the foregoing location criteria and the principal school buildings and entrances should be placed as far as functionally practical from the UDB. The same criteria of this paragraph that apply to public schools also pertain to private schools.

EDU-~~2~~3B. In the selection of sites for future educational facility development, the County encourages the ~~district~~ Miami-Dade County Public Schools ~~System~~ to consider whether a school is in close proximity to residential areas and is in ~~that~~ a location that would provide a logical focal point for community activities.

EDU-~~2~~3C. Where possible, the Miami-Dade County Public Schools ~~System~~ ~~District~~ should seek sites which are adjacent to existing or planned public recreation areas, community centers, libraries, or other compatible civic uses for the purpose of encouraging joint use facilities or the creation of logical focal points for community activity.

EDU-~~2~~3D. The County acknowledges and concurs that, when selecting a site, the Miami-Dade County Public Schools ~~System~~ ~~district~~ will consider if the site meets the minimum size criteria as recommended by the State Department of Education or as determined to be necessary for an effective educational environment.

EDU-~~2~~3E. When considering a site for possible use as an educational facility, the Miami-Dade County Public Schools ~~System~~ ~~district~~ should review the adequacy and proximity of other public facilities and services necessary to the site such as roadway access, transportation, fire flow and portable water, sanitary sewers, drainage, solid waste, police and fire services, and means by which to assure safe access to schools, including sidewalks, bicycle paths, turn lanes, and signalization.

EDU-~~2~~3F. When considering a site for possible use as an educational facility the Miami Dade County Public Schools ~~System~~ ~~district~~ should consider whether the present and projected surrounding land uses are compatible with the operation of an educational facility.

EDU-~~2~~3G. Miami-Dade County shall encourage and cooperate with the Miami-Dade County Public Schools ~~System~~ in their effort ~~to update the "Process/Procedures Manual"~~ for public school siting reviews to help accomplish the objectives and policies of this element and other elements of the CDMP. The County shall cooperate with the Public Schools ~~System~~ to establish provisions for a scoping or pre-application meeting as part of the educational facilities review process, if determined to be warranted.

EDU-3H. All public school facilities shall be permitted through the Miami-Dade County Public School Building Official. ~~Permitting of school facilities for the Miami-Dade County Public School System requires that a building permit application be made to the Miami-Dade County Public School Building Official prior to commencing any work, regardless of cost.~~

EDU-~~2H~~3I. Miami-Dade County ~~should~~ will continue to cooperate with Miami-Dade County Public Schools ~~System~~ in utilizing Miami-Dade County Public Schools as emergency shelters during county emergencies.

Words ~~stricken through~~ shall be deleted. Words underscored are proposed additions. Remaining provisions are now in effect and remain unchanged. Shaded words were modified between printing of report on February 25, 2007 and April 23, 2007

Objective EDU-~~3~~4

The Miami-Dade County Public Schools ~~System~~, in conjunction with the County and other appropriate agencies, will strive to improve security and safety for students and staff.

Policies

EDU-~~3~~4A. Continue to cooperate with the Miami-Dade County Public Schools ~~System~~ to develop and/or implement programs and policies designed to reduce the incidence of violence, weapons and vandalism on school campuses. Encourage the design of facilities, which do not encourage criminal behavior and provide clear sight lines from the street.

EDU-~~3~~4B. Continue to cooperate with the Miami-Dade County Public Schools ~~System~~ to develop and/or implement programs and policies designed to reduce the number of incidents related to hazardous conditions as reported by the Environmental Protection Agency (EPA), the fire marshal, the State Department of Education (DOE), and other appropriate sources.

EDU-~~3~~4C. Continue to cooperate with the Miami-Dade County Public Schools ~~System~~ to provide for the availability of alternative programs for at-risk students at appropriate public educational facilities.

EDU-~~3~~4D. Coordinate with the Miami-Dade County Public Schools ~~System~~ and municipalities to provide for pedestrian and traffic safety in the area of schools, and signalization for educational facilities.

EDU-~~3~~4E. Coordinate with the ~~MDCPS~~ Miami-Dade County Public Schools ~~System~~ Division of School Police and other law enforcement agencies, where appropriate, to improve and provide for a secure learning environment in the public schools and their vicinity.

Objective EDU-4~~5~~

Continue to develop programs and opportunities to bring the schools and community closer together.

Policies

EDU-~~4~~-5A. Cooperate with the Miami-Dade County Public Schools ~~System~~ in their efforts to provide "full service" schools, parent resource centers, adult and community schools and programs as appropriate.

Words ~~stricken through~~ shall be deleted. Words underscored are proposed additions. Remaining provisions are now in effect and remain unchanged. Shaded words were modified between printing of report on February 25, 2007 and April 23, 2007

EDU-4-5B. Cooperate with the Miami-Dade County Public Schools ~~System~~ in their efforts to continue to provide opportunities for community and business leaders to serve on committees and task forces, which relate to the development of improved provision of public educational facilities.

EDU-4-5C. Cooperate with the Miami-Dade County Public Schools ~~System~~ to continue to work with the development industry to encourage partnerships in the provision of sites and educational facilities including ~~primary learning~~ early childhood centers.

EDU-4-5D. Cooperate with the Miami-Dade County Public Schools ~~System~~ through agreement with appropriate agencies to increase medical, psychological, and social services for children and their families as appropriate.

Objective EDU-~~5~~6

Miami-Dade County Public Schools will continue to enhance effectiveness of the learning environment.

Policies

EDU-~~5~~6A. Miami-Dade County Public Schools ~~System~~ is encouraged to continue the design and construction of educational facilities which create the perception of feeling welcome, secure and positive about the students' school environment and experiences.

EDU-~~5~~6B. The Miami-Dade County Public Schools ~~System~~ is encouraged to continue to design and construct facilities which better provide student access to technology designed to improve learning, such as updated media centers and science laboratories.

EDU-~~5~~6C. The Miami-Dade County Public Schools ~~System~~ is encourage to continue to improve existing educational facilities, in so far as funding is available, through renovation and expansion to better accommodate increasing enrollment, new educational programs and other activities, both curricular and extra-curricular.

Objective EDU-~~6~~7

The School Board, the County, and other appropriate jurisdictions shall establish~~ment~~ and implementa~~tion of~~ mechanism(~~s~~) for on-going coordination and communication ~~between School Board, the County, and other appropriate jurisdiction~~, to ensure the adequate provision of public educational facilities.

Policies

EDU-~~6~~7A. The County shall coordinate and cooperate with the Miami-Dade County Public Schools ~~System~~, the State, municipalities and other appropriate agencies to develop or modify rules and regulations in order to simplify and expedite proposed new educational facility developments and renovations.

EDU-~~6~~7B. The location of future educational facilities should occur where capacity of other public facilities and services is available to accommodate the infrastructure needs of the educational facility.

EDU-~~6~~7C. The Miami-Dade County Public Schools ~~System~~ should coordinate school capital improvement plans with the planned capital improvement projects of other County and municipal agencies.

EDU-~~6~~7D. The County shall cooperate with the Miami-Dade County Public Schools ~~System~~ in their efforts to ensure that they are not obligated to pay for off-site infrastructure in excess of their fair share of the costs.

EDU-~~6~~7E. The County and Miami-Dade Public Schools ~~System~~ shall periodically review the Educational Facilities Impact Fee Ordinance to strive to ensure that the full eligible capital costs associated with the development of public school capacity (new schools and expansion of existing ones) are identified when updating the impact fee structure. Pursuant to the terms of the state mandated Interlocal Agreement, the County and School Board shall annually review the Ordinance, its formula, the Educational Facilities Impact Fee methodology and technical report, in order to make recommendations for revisions to the Board of County Commissioners.

EDU-7F. Miami-Dade County and the Miami-Dade County Public Schools ~~System~~ will annually review the Educational Element and the County will make amendments, if necessary.~~, through the process of updating the CDMP in accordance with the Interlocal Agreement for Public School Facility Planning.~~

EDU-~~6F~~7G. The County shall seek to coordinate with the Miami-Dade County Public Schools ~~System~~ in formalizing criteria for appropriate sharing of responsibility for required off-site facility improvements attributable to construction of new

public schools or expansion of existing ones. The criteria should be prepared prior to the next full review of the School Impact Fee Ordinance.

EDU-~~6G~~7H. The County shall coordinate with the Miami-Dade County Public Schools ~~System~~ and local governments to eliminate infrastructure deficiencies surrounding existing school sites.

EDU-~~6H~~7I. The County and the Miami-Dade County Public Schools ~~System~~ shall coordinate efforts to ensure the availability of adequate sites for the required educational facilities.

EDU-~~6I~~7J. The County and the Miami-Dade County Public Schools ~~System~~ shall coordinate the appropriate roles and responsibilities of affected governmental jurisdictions in ensuring the timely, orderly and efficient provision of adequate educational facilities.

EDU-~~6J~~7K. Miami-Dade County will account for the infrastructure needs of new, planned or expanded educational facilities when formulating and implementing its own capital improvement plans.

MONITORING AND EVALUATION PROGRAM

In order to enable the preparation of the periodic Evaluation and Appraisal Report (EAR) as required by Section 163.3191, Florida Statutes (F.S.), and Rule 9J-5.0053, F.A.C., this section will outline the procedures for the monitoring and evaluating of the Element and its implementation.

Monitoring Requirements

The primary mechanism to monitor progress in achieving the objectives and policies in this Element is the collection and update of appropriate baseline data. Further, as required by the State Requirements for Educational Facilities, at least once every five (5) years the School Board shall arrange for an educational plant survey to be conducted. This plant survey will include data regarding existing facilities and a five (5) year projection of student population. The written report from this survey shall include the following:

Inventory	An inventory of existing ancillary and educational plants and auxiliary facilities.
Student Population	An analysis of past and projected student population.
Capital Outlay	An analysis of expenditures and projected capital outlay funds.

Facilities	Statements of proposed types of facilities, grade structure, and list student capacity.
Funding	A proposed funding plan.

The information obtained from the educational plant survey will be used to generally monitor the progress of the objectives and policies contained in the Educational Element and will provide specific indicators for Objective EDU-1 and Objective EDU-4.

The enforcement or adoption of interlocal agreements shall be explored as a means to help implement components of Objective EDU-2, Objective EDU-3, and Objective EDU-5, and to coordinate the efficient provision of public educational facilities. The performance of any agreements related to these objectives will be monitored as they are set in place.

Objective EDU-1 policies relating to the maintenance and improvement of specific level of service for public educational facilities, as specified in the Educational Facilities Impact Fee Ordinance, shall be reviewed annually. Each year, the ~~District~~ Miami-Dade County Public Schools will compare the official enrollment of the school system with the number of student stations available to determine the current operating LOS.

Objective EDU-2 will be measured through an annual review of the latest adopted Miami-Dade County Public Schools Facility Work Program in order to determine if the adopted concurrency level of service standard (including the Interim LOS standards) is being achieved. The number of development orders approved, those disapproved and those that have achieved LOS standards through mitigation options will also be reviewed.

Objective EDU-~~2~~3 will be monitored through the annual inventory and assessment by the Miami-Dade County Public Schools ~~System~~ of School Board owned property. The number of new sites shall be reported annually and in the full review period reported in the EAR.

Objective EDU-~~3~~4 will be monitored through the review and analysis of the statistics relating to school safety, as compiled annually, by the MDCPS Division of Police. A review and analysis of new and existing reactive and proactive safety and crime prevention programs will also be conducted on an annual basis.

Objective EDU-~~4~~5 shall be monitored by the Miami-Dade County Public Schools ~~System~~ by reporting and reviewing the progress and number of new and existing community oriented programs, including an enrollment analysis, by age and ethnicity, of adult, community and vocational programs.

Objective EDU-~~5~~6 shall be monitored by the Miami-Dade County Public Schools ~~System~~ by reporting the number of educational facility enhancements such as media centers, art/music suite, and science laboratories.

Objective EDU-67 will be addressed by implementing and tracking the development of appropriate mechanisms, including interlocal agreements and coordination efforts, which serve to expedite the provision or enhancement of public educational facilities.

Monitoring methods may be added or deleted as circumstances and criteria evolve. Any significant modifications to the monitoring process will be dealt with, as appropriate, through the Comprehensive Development Master Plan amendment process.

Evaluation

Available data regarding the various public educational facilities will be used to assess progress on specific objectives. In order to evaluate the level of service being provided, student capacity totals will be reviewed in comparison to student enrollment to determine the status of the current level of service being provided. Similarly, performance in terms of achieving other objectives can also be analyzed by tracking the number of completed capital projects, as well as the development and implementation of other programs associated with each objective. Results of these calculations and measures will be analyzed and changing circumstances and opportunities will be considered.

Any actions, changes or modifications to the Goal, Objectives, and Policies will be explained in accordance with the results of this process of continued monitoring and evaluation. Any necessary changes will be made through the Comprehensive Development Master Plan amendment process.

Future Conditions Maps

Consistent with Section 163.3177(12)(g), Florida Statutes, maps showing existing and future conditions are included in the element. A map series (Figures 1A through 1D, 2A through 2D, and 3A through 3D) has been included which indicates at 5-year intervals, the location of public schools and ancillary facilities over the 10-year long-range planning period (2008 through 2018). Public Sschools are depicted by Educational Impact Fee Benefit District. Figures 1A through 1D indicate the current public school and ancillary facility locations as of December 31, 2007. Figures 2A through 2D represent the location of public schools and ancillary facilities anticipated by December 31, 2012, and Figures 3A through 3D indicate the locations of public schools and ancillary facilities anticipated by December 31, 2017. Map locations of future public school facilities are general and do not prescribe a land use on a particular parcel of land.

APPENDIX A
SCHOOLS PROJECTED TO BE AT ≤ 100 % UTILIZATION
(FISH CAPACITY - PERMANENT + RELOCATABLES)
AS OF DECEMBER 31, 2007 (41 SCHOOLS)

MDCPS	REG	Facility Name	% Utilization FISH Capacity
		ELEMENTARY SCHOOLS	
161	6	AVOCADO ELEMENTARY	93%
321	2	BISCAYNE ELEMENTARY	91%
361	2	BISCAYNE GARDENS ELEMENTARY	84%
451	5	DR BOWMAN FOSTER ASHE ELEMENTARY	93%
841	4	COCONUT GROVE ELEMENTARY	95%
1841	5	FLAGAMI ELEMENTARY	92%
2001	6	FLORIDA CITY ELEMENTARY	87%
2041	3	BENJAMIN FRANKLIN ELEMENTARY	93%
2151	6	JACK DAVID GORDON COMMUNITY SCHOOL	91%
2741	4	KEY BISCAYNE K-8 CENTER	100%
2761	3	MARTIN L KING ELEMENTARY	83%
2881	5	LEEWOOD ELEMENTARY	96%
2941	6	LAURA C SAUNDERS ELEMENTARY	99%
3061	5	LUDLAM ELEMENTARY	87%
3261	6	MIAMI HEIGHTS ELEMENTARY	91%
3381	3	MIAMI SPRINGS ELEMENTARY	100%
3621	6	NARANJA ELEMENTARY	92%
3661	2	NATURAL BRIDGE ELEMENTARY	79%
3901	1	NORTH HIALEAH ELEMENTARY	89%
3941	2	NORTH MIAMI ELEMENTARY	72%
4221	5	PALMETTO ELEMENTARY	90%
4261	1	PALM SPRINGS ELEMENTARY	91%
4401	4	KELSEY L PHARR ELEMENTARY	97%
4541	1	RAINBOW PARK ELEMENTARY	98%
4611	6	REDONDO ELEMENTARY	98%
4691	5	JANE S ROBERTS K-8 CENTER	91%
4801	2	GERTRUDE K EDELMAN/SABAL PALM ELEMENTARY	93%
5001	4	SHENANDOAH ELEMENTARY	73%
5051	1	ERNEST R GRAHAM ELEMENTARY	81%
5241	5	SOUTH MIAMI K-8 CENTER	93%
5281	6	SOUTH MIAMI HEIGHTS ELEMENTARY	94%
5401	4	SUNSET ELEMENTARY	100%
5421	5	SUNSET PARK ELEMENTARY	98%
5671	5	VINELAND ELEMENTARY	89%
		MIDDLE SCHOOLS	
6001	6	HERBERT A AMMONS MIDDLE	100%
6171	1	HENRY H FILER MIDDLE	98%
6221	6	HAMMOCKS MIDDLE	87%
6571	2	NORLAND COMMUNITY MIDDLE	93%
6591	1	NORTH DADE MIDDLE	96%
6741	4	PONCE DE LEON MIDDLE	92%
		SENIOR HIGH SCHOOLS	
7271	3	MIAMI CORAL PARK SENIOR	88%

Words ~~stricken through~~ shall be deleted. Words underscored are proposed additions. Remaining provisions are now in effect and remain unchanged. Shaded words were modified between printing of report on February 25, 2007 and April 23, 2007

APPENDIX B

SCHOOLS PROJECTED TO BE AT > 100 % UTILIZATION
(FISH CAPACITY - PERMANENT + RELOCATABLES)
AS OF DECEMBER 31, 2007 (108 SCHOOLS)

MDCPS	REG	Facility Name	% Utilization FISH Capacity
		ELEMENTARY SCHOOLS	
71	3	EUGENIA B THOMAS K-8 CENTER	107%
91	1	BOB GRAHAM EDUCATION CENTER	148%
241	2	RUTH K BROAD-BAY HARBOR ELEMENTARY	173%
251	5	ETHEL KOGER BECKHAM ELEMENTARY	111%
461	1	BRENTWOOD ELEMENTARY	106%
481	1	JAMES H BRIGHT ELEMENTARY	118%
651	6	CAMPBELL DRIVE ELEMENTARY	117%
671	6	CALUSA ELEMENTARY	101%
721	4	GEORGE WASHINGTON CARVER ELEMENTARY	105%
801	4	CITRUS GROVE ELEMENTARY	117%
881	4	COMSTOCK ELEMENTARY	108%
961	4	CORAL GABLES ELEMENTARY	124%
1001	3	CORAL PARK ELEMENTARY	105%
1121	4	CORAL WAY K-8 CENTER	140%
1241	6	CUTLER RIDGE ELEMENTARY	103%
1331	5	DEVON AIRE K-8 CENTER	112%
1481	1	JOHN G DUPUIS ELEMENTARY	111%
1691	6	CHRISTINA M EVE ELEMENTARY	107%
1721	3	EVERGLADES K-8 CENTER	102%
1801	4	FAIRLAWN ELEMENTARY	108%
1811	5	DANTE B FASCEL ELEMENTARY	127%
1921	1	FLAMINGO ELEMENTARY	102%
2081	2	FULFORD ELEMENTARY	115%
2111	1	HIALEAH GARDENS ELEMENTARY	159%
2261	5	GREENGLADE ELEMENTARY	128%
2281	2	GREYNOLDS PARK ELEMENTARY	121%
2331	3	CHARLES R HADLEY ELEMENTARY	104%
2341	5	JOE HALL ELEMENTARY	115%
2351	4	ENEIDA MASSAS HARTNER ELEMENTARY	106%
2441	2	VIRGINIA A BOONE/HIGHLAND OAKS ELEMENTARY	121%
2521	6	OLIVER HOOVER ELEMENTARY	107%
2581	2	MADIE IVES COMMUNITY ELEMENTARY	118%
2801	1	LAKE STEVENS ELEMENTARY	128%
2821	3	LAKEVIEW ELEMENTARY	104%
2901	6	LEISURE CITY K-8 CENTER	117%
2911	2	LINDA LENTIN K-8 CENTER	121%
3141	1	MEADOWLANE ELEMENTARY	106%
3241	1	MIAMI GARDENS ELEMENTARY	105%
3281	1	MIAMI LAKES K-8 CENTER	106%
3341	4	MIAMI SHORES ELEMENTARY	102%
3421	1	M A MILAM K-8 CENTER	126%
3431	4	PHYLLIS R MILLER ELEMENTARY	103%

Words ~~stricken through~~ shall be deleted. Words underscored are proposed additions. Remaining provisions are now in effect and remain unchanged. Shaded words were modified between printing of report on February 25, 2007 and April 23, 2007

APPENDIX B

MDCPS	REG	Facility Name	% Utilization FISH Capacity
3701	2	NORLAND ELEMENTARY	102%
3741	2	NORTH BEACH ELEMENTARY	112%
3861	1	NORTH GLADE ELEMENTARY	103%
3981	1	NORTH TWIN LAKES ELEMENTARY	124%
4021	2	OAK GROVE ELEMENTARY	108%
4301	2	PARKVIEW ELEMENTARY	106%
4341	2	PARKWAY ELEMENTARY	103%
4391	6	IRVING & BEATRICE PESKOE ELEMENTARY	138%
4491	3	HENRY E S REEVES ELEMENTARY	115%
4511	6	DR GILBERT L PORTER ELEMENTARY	104%
4681	4	RIVERSIDE ELEMENTARY	139%
4741	5	ROYAL GREEN ELEMENTARY	104%
4761	5	ROYAL PALM ELEMENTARY	109%
5041	4	SILVER BLUFF ELEMENTARY	110%
5061	5	DR CARLOS J FINLAY ELEMENTARY	105%
5081	1	SKYWAY ELEMENTARY	121%
5091	2	SOUTH POINTE ELEMENTARY	118%
5131	1	NORTH DADE CENTER FOR MODERN LANGUAGES	105%
5321	4	SOUTHSIDE ELEMENTARY	185%
5361	3	SPRINGVIEW ELEMENTARY	120%
5381	3	E W F STIRRUP ELEMENTARY	115%
5601	1	TWIN LAKES ELEMENTARY	102%
5711	1	MAE M WALTERS ELEMENTARY	106%
5951	6	WHISPERING PINES ELEMENTARY	112%
5981	6	DR EDWARD L WHIGHAM ELEMENTARY	119%
		MIDDLE SCHOOLS	
6041	5	PAUL W BELL MIDDLE	107%
6071	4	GEORGE WASHINGTON CARVER MIDDLE	109%
6211	5	GLADES MIDDLE	148%
6231	1	HIALEAH MIDDLE	103%
6241	2	HIGHLAND OAKS MIDDLE	121%
6301	2	JOHN F KENNEDY MIDDLE	118%
6421	1	JOSE MARTI MIDDLE	105%
6521	3	MIAMI SPRINGS MIDDLE	113%
6541	2	NAUTILUS MIDDLE	106%
6681	1	PALM SPRINGS MIDDLE	105%
6701	5	PALMETTO MIDDLE	134%
6861	5	SOUTHWOOD MIDDLE	151%
6901	5	W R THOMAS MIDDLE	118%
6921	5	LAMAR LOUIS CURRY MIDDLE	166%
6961	5	WEST MIAMI MIDDLE	101%
		SENIOR HIGH SCHOOLS	
7011	1	AMERICAN SENIOR	124%
7051	5	G HOLMES BRADDOCK SENIOR	105%
7071	4	CORAL GABLES SENIOR	126%
7081	3	DESIGN AND ARCHITECTURE SENIOR	137%

Words ~~stricken through~~ shall be deleted. Words underscored are proposed additions. Remaining provisions are now in effect and remain unchanged. Shaded words were modified between printing of report on February 25, 2007 and April 23, 2007

APPENDIX B

MDCPS	REG	Facility Name	% Utilization FISH Capacity
7101	6	CORAL REEF SENIOR	114%
7111	1	HIALEAH SENIOR	118%
7121	5	JOHN A FERGUSON SENIOR	119%
7141	2	DR MICHAEL M KROP SENIOR	150%
7161	4	MARITIME & SCIENCE TECHNOLOGY ACADEMY	103%
7231	1	MIAMI CAROL CITY SENIOR	133%
7361	5	MIAMI KILLIAN SENIOR	108%
7371	6	ROBERT MORGAN EDUCATIONAL CENTER	123%
7391	1	MIAMI LAKES EDUCATIONAL CENTER	121%
7411	3	MIAMI NORTHWESTERN SENIOR	102%
7431	5	MIAMI PALMETTO SENIOR	114%
7461	4	MIAMI SENIOR	180%
7511	3	MIAMI SPRINGS SENIOR	133%
7531	6	MIAMI SUNSET SENIOR	106%
7541	2	NORTH MIAMI BEACH SENIOR	108%
7591	2	NORTH MIAMI SENIOR	117%
7701	6	SOUTH DADE SENIOR	128%
7721	5	SOUTH MIAMI SENIOR	103%
7731	6	MIAMI SOUTHRIDGE SENIOR	129%
7741	5	SOUTHWEST MIAMI SENIOR	103%
7751	1	BARBARA GOLEMAN SENIOR	121%
7781	6	FELIX VARELA SENIOR	131%

Figure 1A – Existing Educational and Ancillary Facilities Located in the Northwest Area – 2007

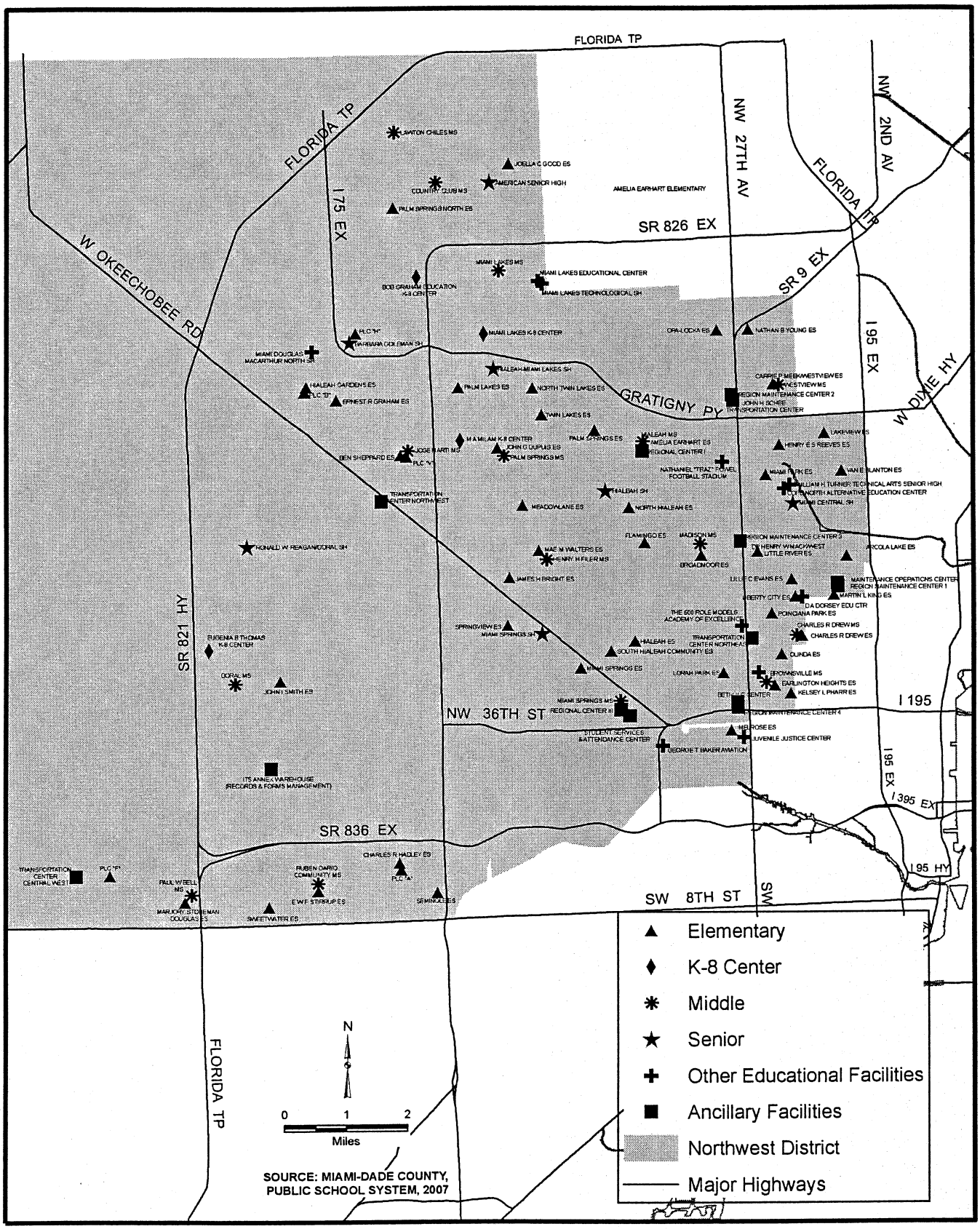


Figure 1B – Existing Educational and Ancillary Facilities Located in the Northeast Area – 2007

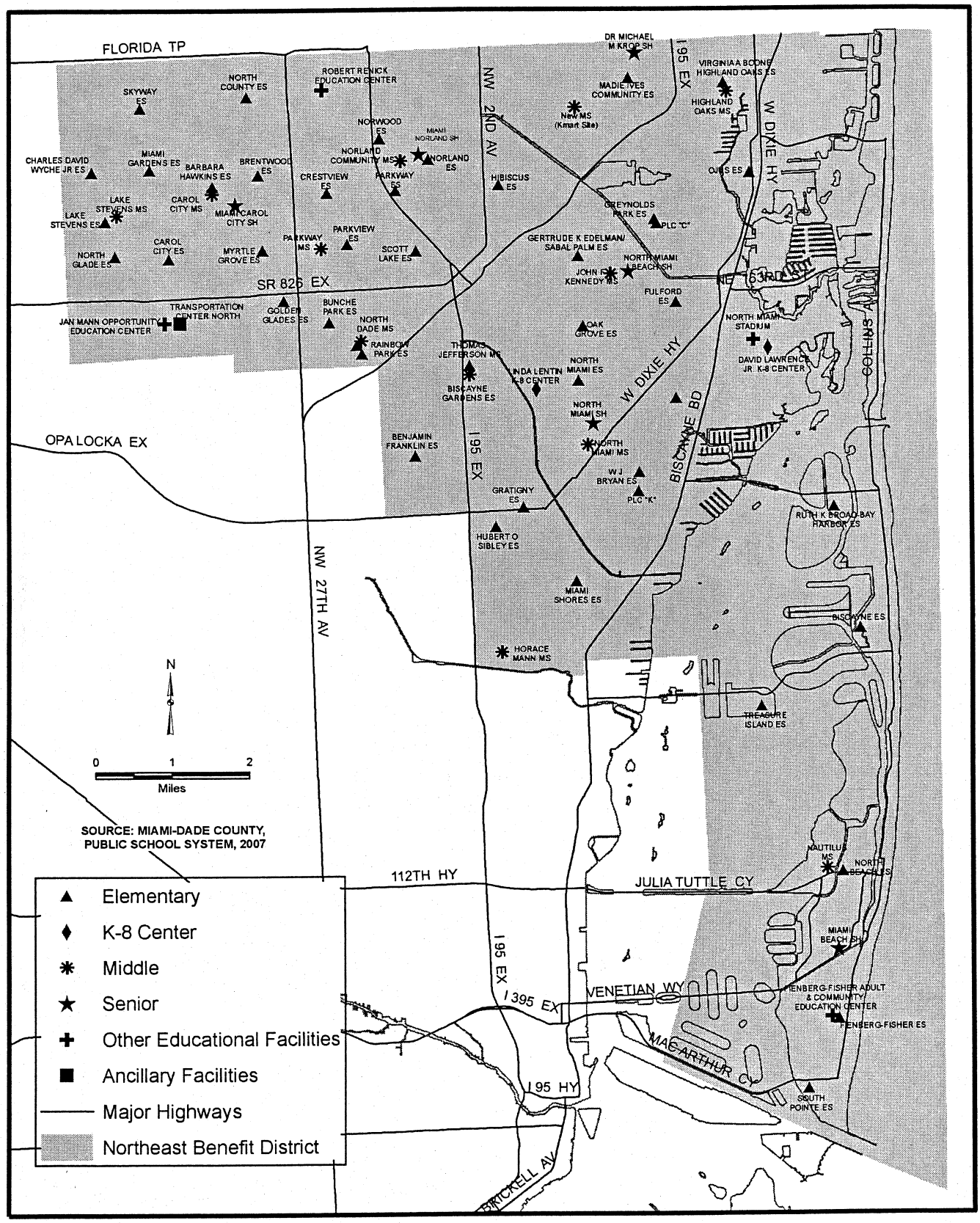


Figure 1C – Existing Educational and Ancillary Facilities Located in the Southwest Area – 2007

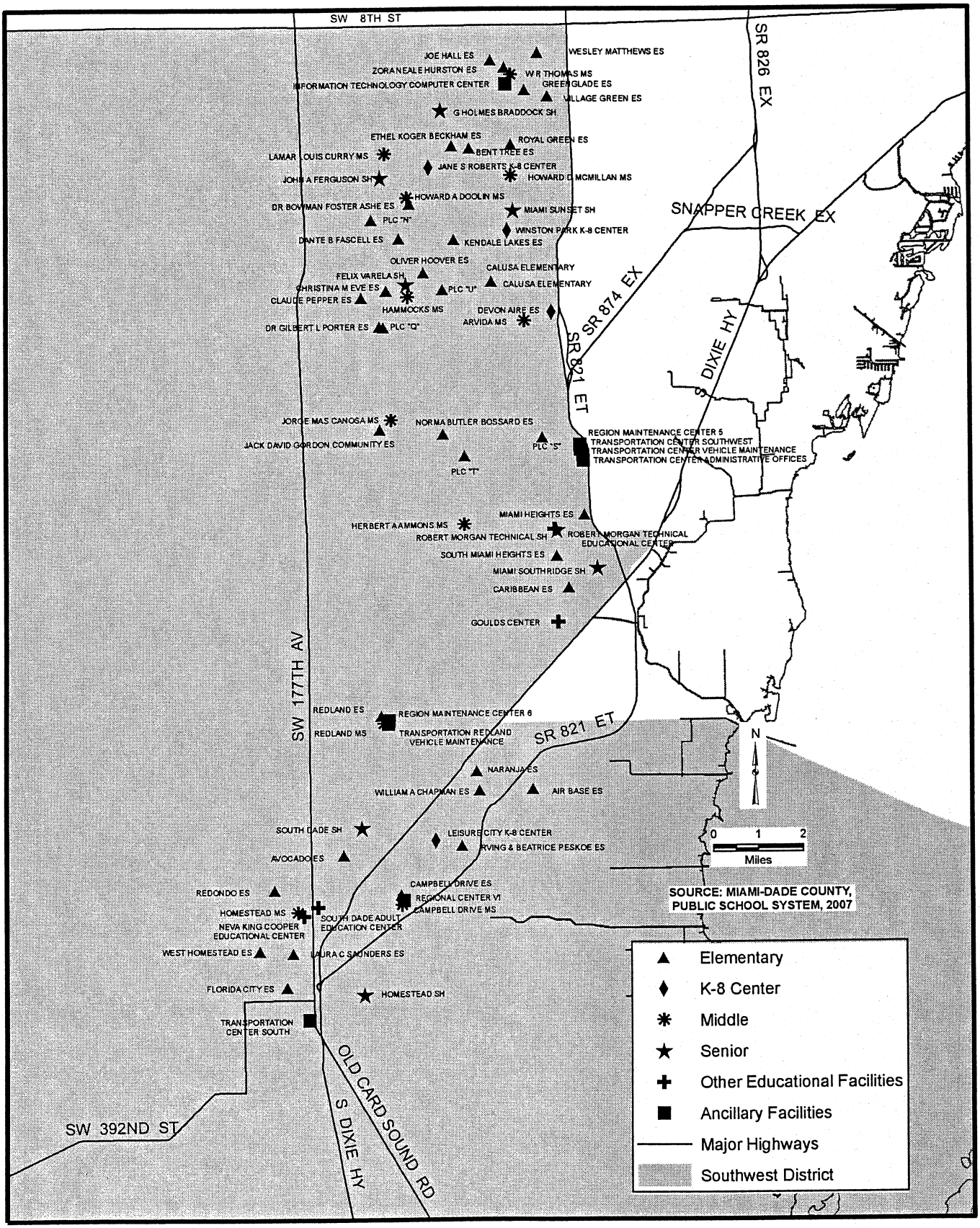
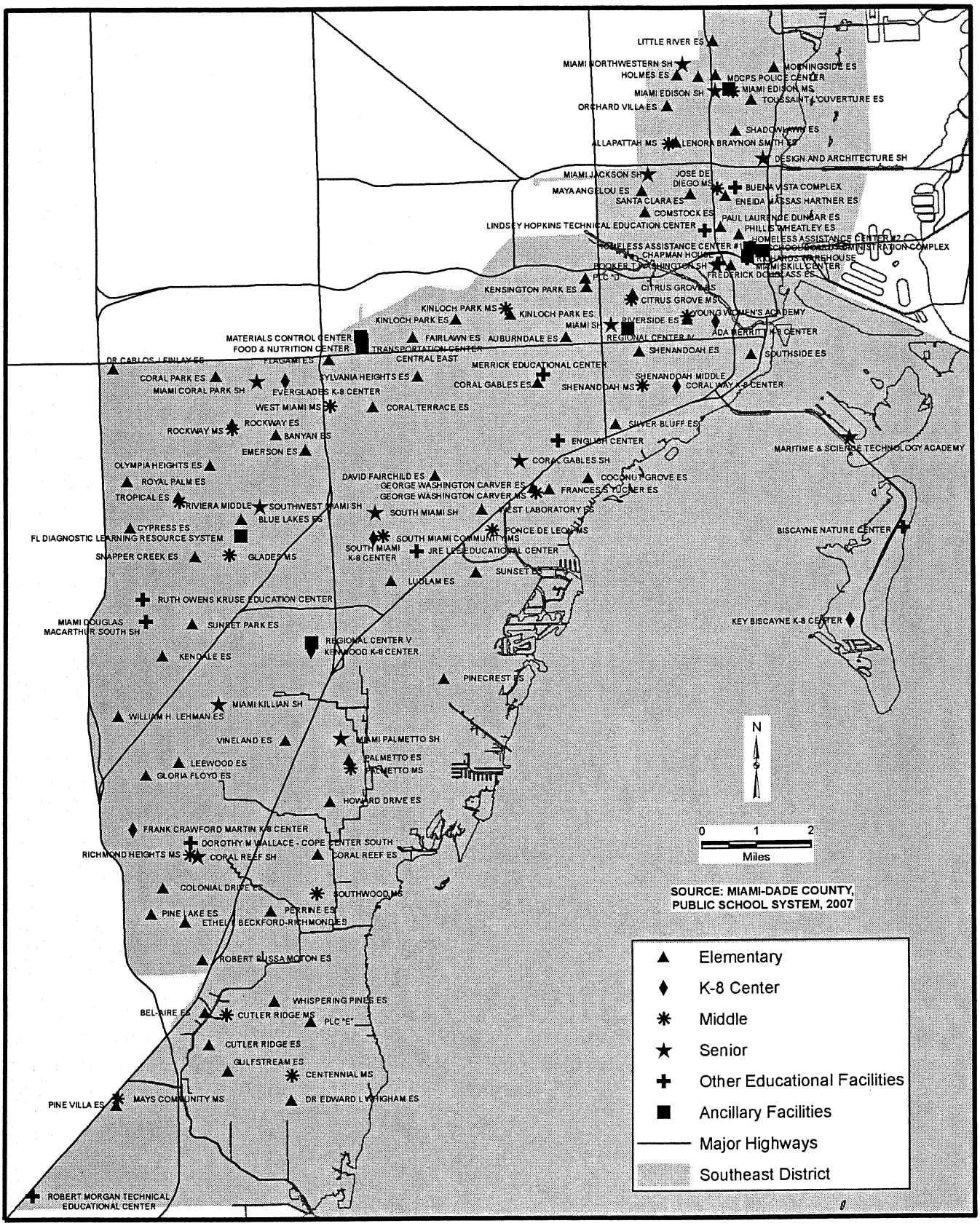


Figure 1D – Existing Educational and Ancillary Facilities Located in the Southeast Area – 2007



FUTURE CONDITIONS MAPS TO BE ADDED

FIGURE 2A– Anticipated Educational and Ancillary Facilities Located in the Northwest Educational Impact Fee District - 12/31/2012 (page 22)

FIGURE 2B– Anticipated Educational and Ancillary Facilities Located in the Northeast Educational Impact Fee District - 12/31/2012 (page 23)

FIGURE 2C– Anticipated Educational and Ancillary Facilities Located in the Southwest Educational Impact Fee District - 12/31/2012 (page 24)

FIGURE 2D– Anticipated Educational and Ancillary Facilities Located in the Southeast Educational Impact Fee District - 12/31/2012 (page 25)

FIGURE 3A– Anticipated Educational and Ancillary Facilities Located in the Northwest Educational Impact Fee District - 12/31/2017 (page 26)

FIGURE 3B– Anticipated Educational and Ancillary Facilities Located in the Northeast Educational Impact Fee District - 12/31/2017 (page 27)

FIGURE 3C– Anticipated Educational and Ancillary Facilities Located in the Southwest Educational Impact Fee District - 12/31/2017 (page 28)

FIGURE 3D– Anticipated Educational and Ancillary Facilities Located in the Southeast Educational Impact Fee District - 12/31/2017 (page 29)

Page 30 is to be (Page left blank intentionally)

PART B - Revise the Policies and text, including the Introduction and maps of the Intergovernmental Coordination Element (ICE) as follows:

THE FOLLOWING NARRATIVE MODIFIES THE INTRODUCTION (Pages VIII-1 to VIII-3)

INTERGOVERNMENTAL COORDINATION ELEMENT

Introduction

The purpose of the Intergovernmental Coordination Element is 1) to identify and resolve incompatibilities between Miami-Dade County's comprehensive planning and growth management processes and those of other governmental entities within the County's area of concern, and 2) to review existing, and propose improved coordination of, processes for comprehensive planning and growth management between Miami-Dade County, local governmental entities within its area of concern, and regional, State and federal agencies. The local governmental entities within Miami-Dade County's area of concern are defined by Florida Administrative Code Section 9J-5.015(1), as the thirty-~~four~~ five municipalities within Miami-Dade (See Figure 1), the three adjacent counties and the adjacent municipalities within these counties listed on Table 1. The major regional, State and federal entities with which Miami-Dade County must coordinate its planning and growth management are listed on Table 2.

Intergovernmental coordination has been and remains a hallmark of Miami-Dade County government. Concern over the ability of the fragmented local governments to effectively plan and manage the emerging Greater Miami metropolis was the impetus for the establishment of the two-tier -- areawide and local -- approach to government in 1957. Even though the County encompassed relatively few local governmental entities at that time (one quarter of the 120-unit average for metropolitan areas of similar size), the "streamlining" of governance was a primary objective of the voters in establishing the metropolitan government. No net change occurred between 1957 and 1995 in the number of municipalities. This is a remarkable record in view of the County's nearly tripled population and more than doubled area of development. Since 1995, ~~eight~~ nine additional areas have been incorporated. Miami-Dade has made significant strides in governmental coordination in two other ways. Masked by the relative stability in number of local government units is the dramatic metropolitanization of responsibilities that have taken place in such services as water supply and distribution, sewage collection and disposal, solid waste disposal, fire protection, libraries and transportation, all of which has greatly facilitated intergovernmental coordination. In addition, Miami-Dade County government has structured many of its administrative and operating units, such as the Development Impact Committee, the Department of Environmental Resources Management and the Miami-Dade County Housing Agency, to facilitate coordination with their regional, State and federal counterparts.

(Note: Introduction was last updated in ~~2004~~ 2007. Currently several areas are seeking to incorporate.)

Replace existing Current Municipalities Map with new Figure i Current Municipalities Map in Miami-Dade County, October 2006

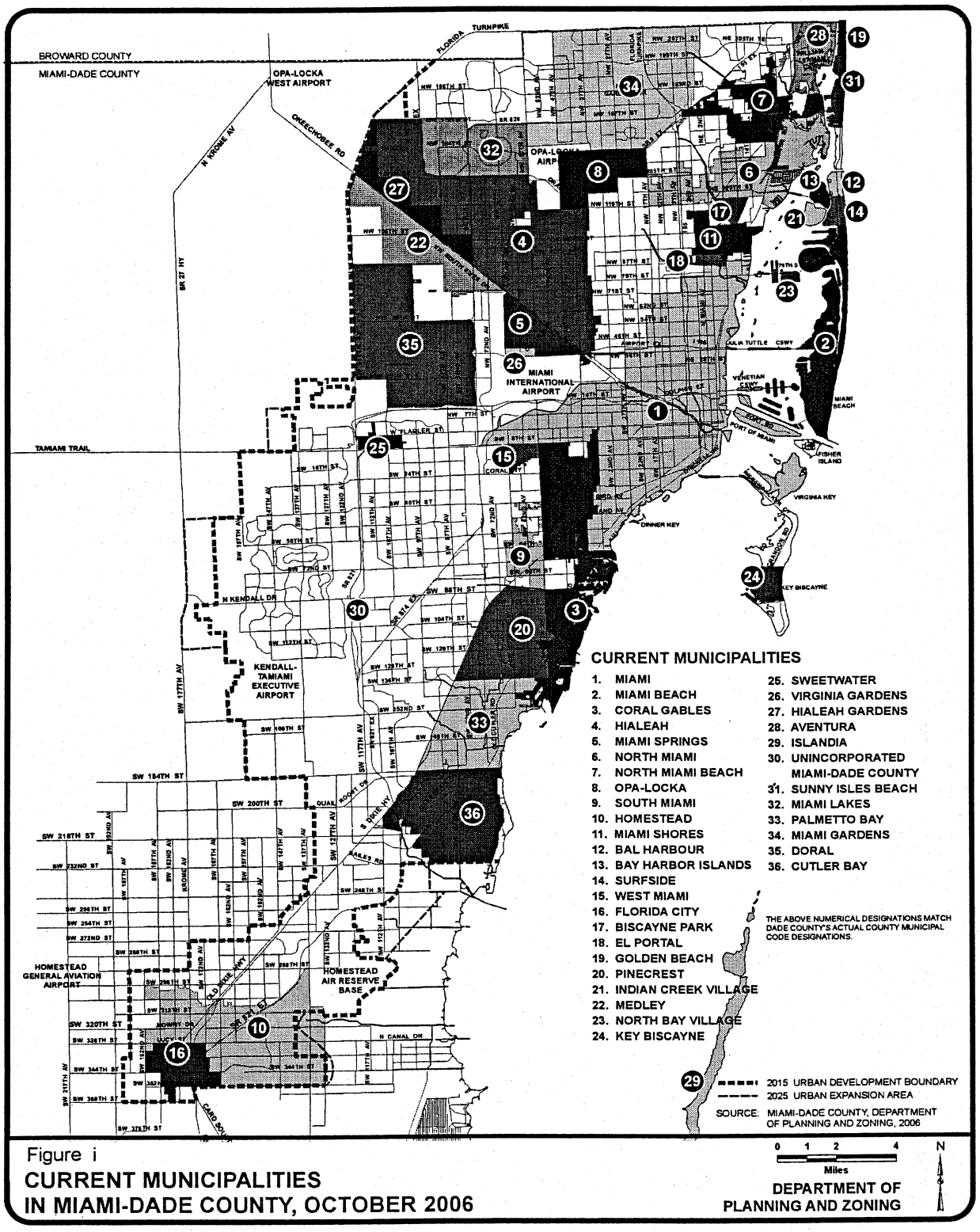


Figure i
CURRENT MUNICIPALITIES IN MIAMI-DADE COUNTY, OCTOBER 2006

Words ~~stricken through~~ shall be deleted. Words underscored are proposed additions. Remaining provisions are now in effect and remain unchanged. Shaded words were modified between printing of report on February 25, 2007 and April 23, 2007

Effective comprehensive planning has also been a central focus of the Miami-Dade government from the onset. The power to "prepare and enforce comprehensive plans for the development of the county" was one of twenty-four specified in the County Charter and a Department of Planning is one of the four departments required by it. The County adopted its first land use plan in 1965 and has since enacted a series of increasingly more refined growth management plans and procedures.

In summary, Miami-Dade has a thirty-nine year history of intergovernmental coordination for effective comprehensive planning and plan implementation. This element provides a review of this coordination and identifies selected aspects in need of change.

Table 1
Local Governments Within Miami-Dade County Area of Concern
Miami-Dade County Municipalities and Public Schools

Aventura
Bal Harbour
Bay Harbour Islands
Biscayne Park
Coral Gables
Cutler Bay
Doral
El Portal
Florida City
Golden Beach
Hialeah
Hialeah Gardens
Homestead
Indian Creek Village
Islandia
Key Biscayne
Medley
Miami
Miami Beach
Miami Lakes
Miami Gardens
Miami Shores
Miami Springs
North Bay Village
North Miami
North Miami Beach
Opa-locka
Palmetto Bay
Pinecrest
South Miami
Sunny Isles
Surfside
Sweetwater
Virginia Gardens
West Miami
Miami-Dade County
Public Schools

Adjacent Counties
Broward
Collier
Monroe

~~**Adjacent County**~~
Adjacent Municipalities
Hallandale Beach
Pembroke Park
Miramar

Words ~~stricken through~~ shall be deleted. Words underscored are proposed additions. Remaining provisions are now in effect and remain unchanged. Shaded words were modified between printing of report on February 25, 2007 and April 23, 2007

THE FOLLOWING NARRATIVE MODIFIES POLICY ICE-1S (Page VIII-7)

ICE-1S. Miami-Dade County and the Miami-Dade County Public Schools ~~System~~ shall follow the procedures established ~~by~~ in the adopted "Interlocal Agreement for Public School Facilities Planning in Miami-Dade County" ~~adopted on February 27, 2003~~ for coordination of land uses and public school facilities planning.

THE FOLLOWING NARRATIVE ADDS A NEW POLICY ICE-2B (Page VIII-7)

ICE-2B Miami-Dade County shall coordinate with t~~T~~he Miami-Dade County Public Schools ~~System shall coordinate with~~ and other parties to the adopted Interlocal Agreement for Public School Facility Planning to establish Level of Service Standards (including Interim LOS standards) for public school facilities and any amendments affecting public school concurrency.

THE FOLLOWING NARRATIVE RENUMBERS THE REMAINING POLICIES AND MODIFIES POLICY ICE-2D (Pages VIII-7 AND VIII-8)

ICE-2~~B~~ C Impacts on facilities of State, regional and local governments shall be included in impact fee ordinances, which may be established by Miami-Dade County. These impact fees shall be applied to those geographic and jurisdictional areas, which will benefit from the facilities funded by the fees. The area where each impact fee shall apply shall be determined by the Board of County Commissioners at the time said fee is established.

ICE-2~~C~~ D Miami-Dade County shall coordinate with the following non-County entities having services planning and provision responsibilities in Miami-Dade County with respect to refining and adjusting areawide and unincorporated area local Levels of Service:

- State and federal roadways - Florida Department of Transportation
- Drainage - South Florida Water Management District
- Potable water supply - South Florida Water Management District
- Regional policies - South Florida Regional Planning Council
- Public educational facilities – Miami-Dade County Public Schools ~~System~~

ICE-2~~D~~ F Utilize informal approaches and formal coordination mechanisms afforded by the inter-government review and comment provisions of the Local Government Comprehensive Planning and Land Development Regulation Act to provide opportunities for Miami-Dade County municipalities to comment on the Level of Service for areawide services established by the County.

Words ~~stricken through~~ shall be deleted. Words underscored are proposed additions. Remaining provisions are now in effect and remain unchanged. Shaded words were modified between printing of report on February 25, 2007 and April 23, 2007

PART C - – Revise the Objectives, Policies and text of the Capital Improvement Element (CIE) as follows:

THE FOLLOWING NARRATIVE MODIFIES THE INTRODUCTION (Page VIII-1)

CAPITAL IMPROVEMENTS ELEMENT

Introduction

Probably one of the most significant and far reaching provisions of the Local Government Comprehensive Planning and Land Development Regulation Act is the requirement that all local comprehensive plans contain a capital improvements element (CIE). The intent is to make such plans "fiscally feasible". That is, a community or governmental jurisdiction must precisely identify the public infrastructure and other facilities which projected growth requires, at given levels of service, and must clearly demonstrate the ability to fund these investments. Not only must new growth be considered, but efforts must be directed at correcting existing deficiencies.

Recognizing that there are major shortcomings in public facilities and services throughout the State of Florida, the new planning legislation adopted what is known as the "concurrency" principa~~l~~le. That is, as growth occurs, the facilities must be provided, thus assuring that the infrastructure situation will not deteriorate further. For those local governments having capital improvements programs, the capital improvements element will likely be more narrow in scope, since the functional areas covered are selective. Only the following are required items.

- Transportation facilities
- Sewerage
- Water
- Drainage/aquifer recharge
- Solid waste disposal
- Recreation/open space
- Coastal management
- Conservation
- Educational/public school facilities

Notable for their absence are police, fire, ~~educational,~~ health and criminal justice facilities, although infrastructure needs of ~~schools and~~ health facilities are supposed to be considered.

The CIE should give attention to the total fiscal capability of the local governmental body to which it is applicable. This includes analysis of public expenditures, revenues, taxes and other funding sources, financial management, and capital programming and budgeting. Goals, objectives and policies related to these areas must be spelled out.

Words ~~stricken through~~ shall be deleted. Words underscored are proposed additions. Remaining provisions are now in effect and remain unchanged. Shaded words were modified between printing of report on February 25, 2007 and April 23, 2007

Since Miami-Dade County has a large and sophisticated Capital Budget and Multi-Year Capital Plan, it is not necessary for the CIE to contain detailed financial analysis. The capital improvements contained in the CIE are a subset of the County's Capital Plan and the financial analysis contained therein is incorporated by reference in the CIE. Capital improvements associated with the construction of educational facilities are not addressed in the County's Capital Budget and Multi-Year Capital Plan but rather are the responsibility of the Miami-Dade County Public Schools ~~System~~. To address financial feasibility associated with school concurrency, the Miami-Dade County Public School Facilities Work Program for educational facilities will be incorporated by reference in the CIE.

The *Adopted Components* of the CIE include the goal, objectives and policies, the level of service (LOS) standards, and the 6-Year Schedule of Improvements. Also, the requirements and suggestions for monitoring and evaluation are discussed.

THE FOLLOWING NARRATIVE ADDS NEW POLICY CIE-1G (Page IX-2)

CIE-1G The Miami-Dade County Public Schools ~~System~~ and Miami Dade County have the responsibility for providing school concurrency related capital improvements and should continually seek to expand the funding sources available to meet those requirements.

THE FOLLOWING NARRATIVE MODIFIES POLICY CIE-3C (Page IX-4) WITH THE ADDITION OF THE PUBLIC SCHOOLS NARRATIVE AT THE END OF THE POLICY (Page IX-9)

CIE-3C. The 6-Year Schedule of Improvements will incorporate the identified capital investments from each functional element and will be based on the following level of service standards:

Public Schools

The County and the Miami-Dade County Public Schools ~~System~~ shall ensure the future availability of public school facilities[1] to serve new residential development, consistent with the adopted level of service standards for public school concurrency, by reviewing residential development orders for their impact on level of service standards.

The adopted level of service (LOS) standard for the Miami-Dade County Public School facilities

[1] Level of Service standards for public school facilities apply to those traditional educational facilities, owned and operated by the Miami-Dade County Public School System, that are required to serve the residential development within their established Concurrency Service Area. Level of Service standards do not apply to magnet schools, charter schools and other educational facilities that may have districtwide attendance boundaries; however, their capacity is credited against the impact of development. It is provided, however, that no credit against the impact of development shall be given for such districtwide educational facilities if their enrollment is at, or above, 100% FISH Capacity (with Relocatable Classrooms).

Words ~~stricken through~~ shall be deleted. Words underscored are proposed additions. Remaining provisions are now in effect and remain unchanged. Shaded words were modified between printing of report on February 25, 2007 and April 23, 2007

is based on a long-term concurrency management system, and incorporates interim levels of service standards for those educational facilities that cannot meet the LOS standard by January 1, 2008. The adopted and Interim LOS standards are as follows:

The adopted level of service (LOS) standard for all Miami-Dade County Public School facilities is 100% Permanent Florida Inventory of School Houses (FISH) Capacity (No Relocatable Classrooms). Public school facilities not meeting this LOS standard as of January 1, 2008 will have a 10-year period in which to achieve this adopted LOS standard, through a series of Interim LOS standards. By January 1, 2018 all Miami-Dade County Public School facilities shall achieve and maintain, at a minimum the adopted level of service (LOS) standard. Once a public school facility achieves 100% Permanent FISH Capacity (No Relocatable Classrooms), it shall not exceed that adopted LOS standard[2]. Between January 1, 2008 and January 1, 2018, the following Interim LOS standards shall be achieved in each applicable public school Concurrency Service Area (CSA), defined as the public school attendance boundary established by the Miami-Dade County Public Schools ~~System~~.

a) Beginning January 1, 2008 to September 1, 2010

1) 100% of FISH Capacity (with Relocatable Classrooms) is the Interim LOS standard for those schools that cannot meet the adopted LOS standard, described above, and are operating at less than or up to 100% FISH Capacity (with Relocatable Classrooms). These schools, as identified in Appendix A of the Educational Element, shall not exceed 100% FISH Capacity (with Relocatable Classrooms); and

2) An assigned Interim LOS standard for each school exceeding the LOS standards in a)(1), above, based on FISH Capacity (with Relocatable Classrooms) is identified in Appendix B. No school identified in Appendix B of the Educational Element shall exceed its assigned FISH Capacity (with Relocatable Classrooms).

b) Beginning September 2, 2010 to December 31, 2017

1) 100% of FISH Capacity (with Relocatable Classrooms) is the Interim LOS standard for those schools not meeting the adopted LOS standard. These schools shall not exceed 100% FISH Capacity (with Relocatable Classrooms). Beginning January 1, 2013 the Miami-Dade County Public Schools ~~System~~ ~~shall~~ should not use relocatable classrooms to provide additional permanent capacity at any school. Additionally, by January 1, 2013 the Miami-Dade County Public Schools ~~System~~ will implement a

[2] Relocatable classrooms may be used by the Miami-Dade County Public Schools as an operational solution to achieve the level of service standard during replacement, remodeling, renovation or expansion of a public school facility.

schedule to eliminate all remaining relocatable classrooms by January 1, 2018.

~~Relocatable classrooms may be used by the Miami-Dade County Public School System as an operational solution during replacement or expansion of a public school facility.~~

THE FOLLOWING NARRATIVE MODIFIES POLICY CIE-4A (Page IX-9)

CIE-4A. Appropriate funding mechanisms will be adopted and applied by Miami-Dade County and the Miami-Dade County Public Schools ~~System~~ in order to assure the fiscal resources to maintain acceptable levels of service. Such funding mechanisms may include special tax districts, municipal taxing service units, local option taxes, user fees, local gas tax, general obligation bonds, impact fees, special purpose authorities, and others as appropriate and feasible.

THE FOLLOWING NARRATIVE MODIFIES POLICY CIE-5B (Pages IX-10)

CIE-5B. Provision of infrastructure subject to LOS standards will be done through a process which integrates the CDMP, departmental and Miami-Dade County Public Schools ~~System~~ functional plans, capital improvements programming, budgeting and financial planning.

THE FOLLOWING NARRATIVE MODIFIES THE CONCURRENCY MANAGEMENT PROGRAM CONTAINED IN THE CIE (Pages IX-13 to IX-23)

Concurrency Management Program

An essential requirement of the State's local government comprehensive planning law has been termed the service "concurrency" requirement. Paraphrasing Section 163.3202, *Florida Statutes*, each county and municipality must amend its development regulations to incorporate specific and detailed provisions which shall provide that public facilities and services meet or exceed the LOS standards established in the Plan's Capital Improvements Element and are available when needed for the development, or that the development orders or permits are conditioned on the availability of these public facilities and services necessary to serve the proposed development. The term "development order" is defined in Chapter 163.3164, F.S., to include any zoning action, subdivision approval, certification, permit, or any other official action of local government having the effect of permitting the development of land. Many different types of such development orders are typically issued by Miami-Dade County agencies and boards. These include zoning district boundary changes, variances, unusual use, and site plan approvals; environmental permits and certifications; tentative and final subdivision plat approvals; building permits, and certificates of use and occupancy (COs). At progressive stages in the development planning and approval process, concurrency determinations can be made with greater certainty.

In order to effectuate the service concurrency requirements contemplated by Chapter 163, F.S, Miami-Dade County shall enact, by ordinance, a concurrency management program which accomplishes the statutory requirements. Administration of the required program necessarily involves the establishment of methods and capabilities to monitor outstanding development commitments and the service demands posed by those commitments, plus the existing, programmed and projected capacities of all pertinent urban service facilities or systems.

In its concurrency management program, Miami-Dade County shall make appropriate concurrency determinations in conjunction with the following development approval activities: 1) at the time of zoning actions, site plan approvals and subdivision approvals; 2) prior to the issuance of building permits; and 3) prior to the issuance of certificates of use and occupancy. Consideration will be given to effective measures which may be employed to mitigate traditional service impacts of developments. In general, no zoning action authorizing a new use or the expansion of an existing use and no subdivision plat or site plan shall be approved unless the facilities necessary to maintain level of service standards exist or are projected to exist when necessary to serve the development. Zoning approvals shall be based on inclusion of necessary facilities in the applicable service Element of the Comprehensive Development Master Plan, in the adopted Capital Improvements Element of the CDMP, in the adopted Miami-Dade County Public Schools Facilities Work Program dated September 2007, for educational facilities or in the plan or work program of the State agency having functional responsibility for provision of the facilities. Such findings shall be included in staff recommendations to the Board of County Commissioners, Community Zoning Appeals Board (CZAB), or other applicable board or agency. If the foregoing plans and programs indicate a low probability that concurrency will be met, but the necessary facilities are technically feasible, such rezoning action should be preceded by a CDMP amendment to add the necessary facilities. Alternatively, such zoning may be approved if the applicant executes a written agreement to provide the necessary facilities on a timely basis. All such development approvals prior to the "Principal Concurrency Determination" will contain a notice reserving the right of the County to make its principal concurrency determination prior to issuance of building permits.

An affirmative principal concurrency determination will be required before a prospective developer can obtain a subsequent development order. It is intended that at least one principal determination be made at an early stage in the development planning process prior to the point at which major expenses are incurred in reliance on development approval. Principal concurrency determinations will be made prior to the approval of subdivision plats or, in instances where plat approvals are not required or have predated the effective date of the concurrency requirement, a principal concurrency determination will be made at the building permit stage. A principal concurrency determination made at final plat approval will serve as the determination for requested building permits where said permits are issued within two years after the date of final plat approval. Where the applicant demonstrates that development has commenced on a timely basis and is continuing in good faith, this period may be extended but in no case shall this period exceed five years after final plat approval. Administrative procedures for demonstrating that development has commenced on a timely basis and is continuing in good faith shall be established in the County's land development regulations.

1. Except as provided in paragraphs 3, 4, 5, ~~and~~ 6, and 7 below, in no instance shall a building permit be issued authorizing construction of a new building or expansion of an existing building unless the facilities necessary to maintain LOS standards are existing and available or are assured to be existing and available within the following timeframes relative to the date of issuance of a certificate of use and occupancy (CO):

   a) Necessary water, sewer, solid waste and drainage facilities must be in place and available at the time of issuance of a CO;

   b) Necessary parkland must be acquired or dedicated, or funds in the developer's fair share must be committed prior to the issuance of a CO if the development is located within the Urban Development Boundary (UDB)[5]; and

   c) Necessary transportation facilities must be contracted for construction no later than 36 months after issuance of a CO if the development is located within the UDB, and no later than the date of issuance of a CO if the development is located outside the UDB.

   d) Necessary public school facilities must be in place or under actual construction within three years after issuance of final subdivision or site plan approval, or the functional equivalent.

2. Assurance that the facilities will be constructed or acquired and available within the timeframes established in foregoing paragraphs 1b), 1c) and ~~e~~d) shall be provided by the following means:

   a) The necessary facilities are under construction at the time the building permit is issued;

   b) The necessary facilities and services are the subject of a binding executed contract for the construction of the facilities or the provision of services at the time the building permit is issued;

   c) The necessary facilities are funded and programmed in year one of the County's adopted capital budget or are programmed in the CIE for construction or acquisition; the necessary facilities shall not be deferred or deleted from the CIE work program or adopted one-year capital budget unless the dependent building permit expires or is rescinded prior to the issuance of a certificate of use and occupancy; the County and Miami-Dade County Public Schools will diligently strive to enter into construction contracts for necessary facilities within said time but shall retain the right to reject unsatisfactory bids; contracts shall provide that construction of the necessary facilities must proceed to completion with no unreasonable delay or interruption;

   d) The necessary facilities are programmed, in the five-year capital facility plan or work program of the Miami-Dade County Public Schools ~~System~~ or State agency

[5]The Urban Development Boundary is presented on the Land Use Plan Map.

Words ~~stricken through~~ shall be deleted. Words underscored are proposed additions. Remaining provisions are now in effect and remain unchanged. Shaded words were modified between printing of report on February 25, 2007 and April 23, 2007

having operational responsibility for affected facilities, for construction or acquisition;

3. A proposed development will not be denied a concurrency approval for transportation facilities provided that the development is otherwise consistent with the adopted Comprehensive Development Master Plan and it meets the following criteria pursuant to Section 163.3180, Florida Statutes:

a) The proposed development located within the Urban Infill Area[6]; or

b) The proposed development is located in an existing urban service area[7] within the UDB and is located in a Community Development Block Grant (CDBG)-eligible Area established pursuant to the Housing and Community Development Act of 1974, as amended, and CFR Part 570, or Chapter 163, Part 3, F.S., respectively, or in an Enterprise Zone established pursuant to Chapter 290, F.S., or in an designated Enterprise Community area established pursuant to Federal law; or

c) The proposed development is one which poses only special part-time demands on the transportation system as defined in Section 163.3180(5)(c), Florida Statutes, and is located in an existing urban service area inside the UDB; or

d) The proposed development is located inside the UDB, and directly and significantly promotes public transportation by incorporating within the development a Metrorail, Metromover or TriRail Station, or a Metrobus terminal[8] for multiple Metrobus routes, or is an office, hotel or residential development located within one-quarter mile of a Metrorail, Metromover or TriRail station, or a Metrobus terminal for multiple Metrobus routes[9]; and

e) If the project would result in an increase in peak period traffic volume on an FIHS roadway that is operating below the CDMP-adopted LOS standard or would operate below the LOS standard as a result of the project, and which increase would exceed 2 percent of the capacity of the roadway at the CDMP-adopted LOS standard, the County shall require the developer and successors to implement and maintain trip reduction measures to reduce travel by single-occupant vehicles so that the resultant increase in traffic volume does not exceed 2 percent.

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[6] Urban Infill area (UIA) is defined in Traffic Circulation Subelement Policy 1B and is depicted in CIE Figure 1.

[7] Existing urban service area means an area inside the UDB which is already built up and where public facilities and services such as sewage treatment systems, roads, schools, and recreation areas are already in place.

[8] Metrobus terminals for multiple routes are those non-rail transit centers as mapped in the CDMP Mass Transit Subelement, which contain dedicated parking facilities or significant transit patron structures and amenities.

[9] Planned stations and terminals shall not serve as a basis to grant this concurrency exception if the station, associated rapid transit corridor segment, or terminal is identified in the Transportation Element as "not cost-feasible".

Miami-Dade County shall include in its concurrency management program ordinance or administrative rules appropriate criteria and methodologies to implement the exceptions authorized in foregoing paragraphs 3a) through 3e), consistent with requirements of Chapter 163, Part 2, Florida Statutes.

4. A proposed development that conforms to the criteria enumerated in Section 163.3180 (6), F.S., and is located in an existing urban service area within the UDB where an affected transportation facility is operating below its adopted LOS standard is deemed to have a de minimis impact that, alone or in combination with other similar or lesser impacts, will not cause unacceptable degradation of the level of service on affected transportation facilities; however no impact will be a de minimis impact if it would exceed the adopted level of service standard of any affected designated evacuation route, as mapped in the Traffic Circulation Subelement. Miami-Dade County shall include in its concurrency management program ordinance or administrative rules appropriate methodologies for determining and monitoring de minimis impacts consistent with Chapters 163.3180 (6) Florida Statutes, and Chapter 9J-5, Florida Administrative Code and any amendments thereto and successor legislation or rules.

5. A proposed development that is located within the UDB may receive an extension of the 36-month limitation established in foregoing paragraph 1c), and receive transportation concurrency approval on this basis, when all the following factors are shown to exist:

   a) The CDMP is in compliance with State law;

   b) The proposed development would be consistent with the future land use designation for the specific property and with pertinent portions of the CDMP, as determined by the County;

   c) The CIE provides for transportation facilities adequate to serve the proposed development, and the County has not implemented that project;

   d) The landowner shall be assessed a fair share of the cost of providing the transportation facilities necessary to serve the proposed development; and

   e) The landowner has made a binding commitment to the County to pay the fair share of the cost of providing the transportation facilities to serve the proposed development. Miami-Dade County shall include in its concurrency management program ordinance or administrative rules appropriate criteria and methodologies to implement this provision.

6. Miami-Dade County shall, by ordinance, include proportionate fair share mitigation methodologies and options in its concurrency management program, consistent with the requirements of Chapter 163, Florida Statutes. The intent of these options is to provide for the mitigation of transportation impacts through mechanisms that might include, but are not limited to, private funds, public funds, contributions of land, and the construction or contribution of facilities. Transportation facilities or segments identified for improvement through the use of proportionate fair share mitigation options must be included in the Capital Improvements Element, or in the next regularly scheduled update

of the Capital Improvements Element.

7. The County in coordination with the Miami-Dade County Public Schools ~~System~~ shall by ordinance, include proportionate share mitigation methodologies and options for public school facilities in its concurrency management program and Interlocal Local Agreement for Public Facility Planning between Miami-Dade County Public Schools, Miami-Dade County and the Cities in Miami-Dade County, consistent with the requirements of Chapter 163, Florida Statutes. The intent of these options is to provide for the mitigation of residential development impacts on public school facilities through mechanisms that might include, but are not limited to, one or more of the following: contribution of land; the construction, expansion, or payment for land acquisition or construction of a permanent public school facility; or, the creation of a mitigation bank based on the construction of a permanent public school facility in exchange for the right to sell capacity credits~~; or, other mitigation options that may be approved through the Miami-Dade County School Board~~.

Implementation Schedules of Improvements

The following pages deal with the implementation of the CIE. The capital projects forthcoming from each functional element are listed for the period 2005/2006-2010/2011 along with the cost, location, expected revenues and funding source. These are the latest schedules of projects, which have been adjusted to incorporate changes adopted by the County Commission through the April 2005-2006 amendment cycle. Additionally, those capital improvements for educational facilities, as listed in the Miami-Dade County Public Schools Facilities Work Program dated September 2007 and adopted by the Miami-Dade School Board, are incorporated by reference into the CIE.

THE FOLLOWING NARRATIVE MODIFIES THE CONCURRENCY MANAGEMENT PROGRAM BY ADDING A PUBLIC SCHOOLS SECTION TO THE AGGREGATE EXPENDITURES AND REVENUES SECTION OF THE CIE FOLLOWING THE PARKS AND RECREATION NARRATIVE (Page IX-26)

Aggregate Expenditures and Revenues

Park and Recreation

Local recreation open spaces are defined as open spaces, which serve the close-to-home recreation and open space needs of unincorporated residential areas. Population growth is the most important consideration guiding local park facilities investment decisions. The quantitative link used to translate population into local park needs is the adopted LOS standard of 2.75 acres of local recreation open space per 1,000 populations.

Areawide recreation open spaces shall be provided and designed to meet the broad needs of all Miami-Dade County residents and tourists. They are developed to make important natural

resources and major athletic activity complexes available to the public. Acquisition policy is oriented towards the addition of large properties with natural resources and good access to the park inventory.

In both cases, the primary determinant is supplemented by a number of additional considerations affecting the specific decision. Property characteristics, location, size, configuration and availability are critical variables. Access, proximity to the population in need, adjacent land uses and neighboring alternative recreation opportunities are also important criteria in facility investment decisions. The Park and Recreation Department also places special emphasis on the acquisition of environmentally and historically significant properties.

The following policy as adopted in the Comprehensive Development Master Plan will guide the prioritization of park investments: The County shall prioritize park capital improvement expenditures in accordance with the following criteria: 1) Acquire local parkland to maintain the adopted level-of-service standard for local recreation open space by correcting existing deficiencies and addressing future needs and acquire areawide parkland suitable for outdoor recreation while preserving natural, historical and cultural resources; 2) renovate and upgrade existing recreation open spaces and facilities, and; 3) develop new recreation open spaces and facilities within undeveloped or incomplete parks.

It has long been the policy of the Park and Recreation Department that the provision of all parks will be staged so that they are available to serve new development as it is completed. In addition, it is also department policy that unique natural features and historically significant properties to be given priority in parks acquisitions. Locational characteristics are also critical factors. Where possible, Public Local Recreation Open Space should be developed in conjunction with or near public schools and other compatible uses. They should also be located so as to be easily accessible; yet should not be degraded by excessive traffic.

Plans of State agencies providing public facilities are taken into consideration primarily in the context of State Department of Natural Resources (DNR) provision of State parks and recreation areas. The County Park and Recreation Department generally seeks to complement State facilities in terms of location and activities available at the site.

In the Schedule of Improvements, there are 130 projects, which total $316.7 million to be expended during the 2005–2010 period (See Table 6). Most of the projects are for the "quality of life" type facilities, which make up such a large component of its program. Funding has been identified mostly as the result of the Safe Neighborhood Parks referendum approved in 1998, as well as the recent voter approved GOB program. Operating cost effects of Parks are often considerable and are frequently more of an impediment than construction funding.

Public Schools Facilities

The Miami-Dade County ~~Public Schools System~~ ~~in coordination~~ shall coordinate with the Miami-Dade County Public Schools, ~~shall~~ to annually update its Facilities Work Program to include existing and anticipated facilities for both the 5-year and long-term planning periods, and to ensure that the adopted level of service standard, including interim standards, will continue to be achieved and maintained. Miami-Dade County, through its annual update to the Capital Improvements Schedule, will incorporate by reference the latest adopted Miami-Dade County Public Schools Facilities Work Program for educational facilities. Miami-Dade County and the Miami-Dade County Public Schools ~~System~~ will coordinate their planning efforts prior to and during the Miami-Dade County Comprehensive Development Master Plan Amendment process and during updates to the Miami-Dade County Public Schools Facilities Work Program.

PART D – Revise the text and maps contained in the Preface as follows:

PREFACE

Municipal Plans

The CDMP for Miami-Dade County necessarily addresses both incorporated and unincorporated areas due to the many areawide responsibilities of Miami-Dade County government. Each of the thirty-~~four~~ five municipalities in Miami-Dade County (see Figure i) is also required, by Chapter 163, *F.S.*, to adopt its own comprehensive plan for the area within its jurisdiction. The County plan emphasizes the unincorporated areas and the County's jurisdictional responsibilities in municipal areas. Readers who are interested in conditions in, or proposals for, incorporated areas should consult the appropriated municipal comprehensive plans and the CDMP Statement of Legislative Intent.

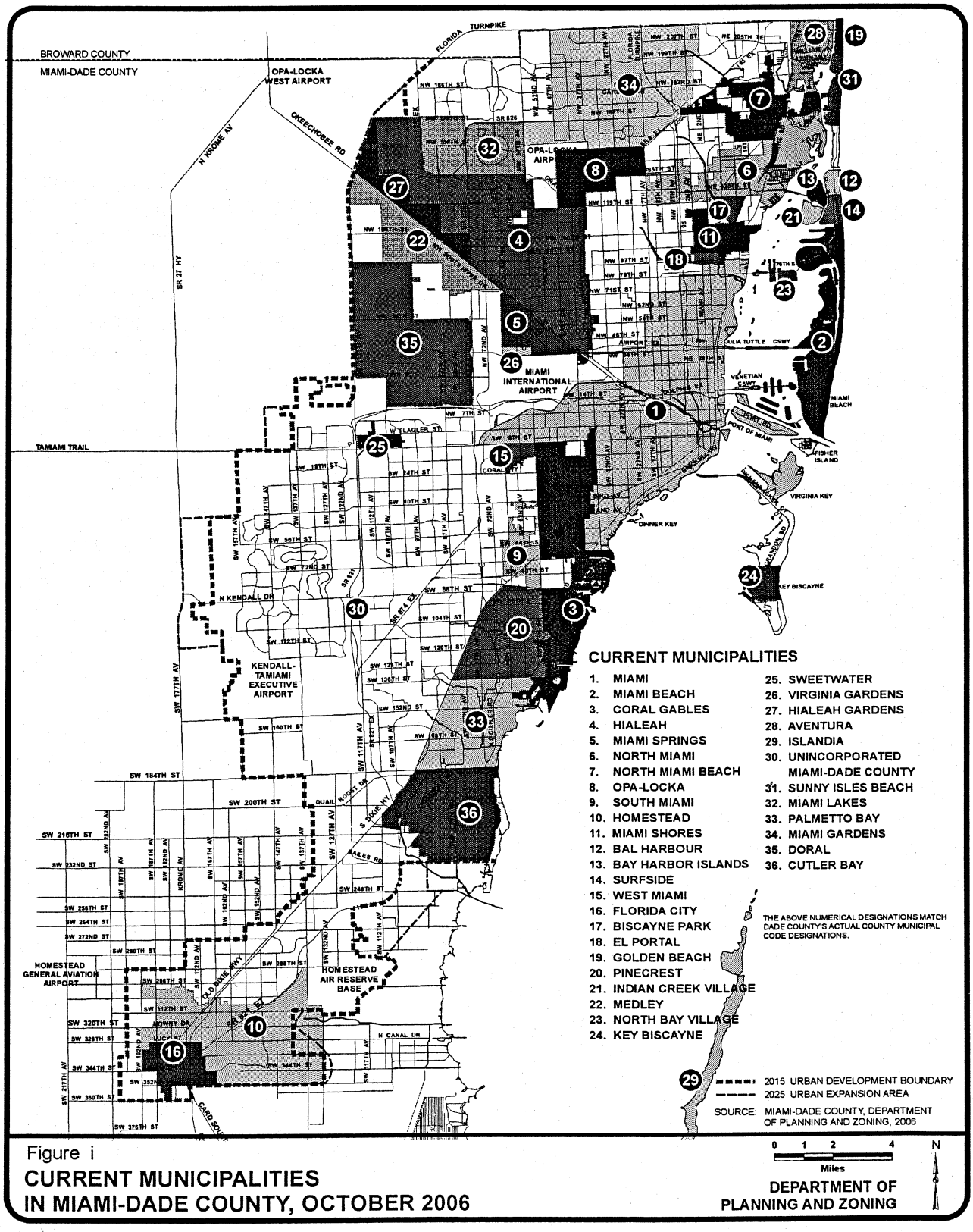

Figure i

CURRENT MUNICIPALITIES IN MIAMI-DADE COUNTY, OCTOBER 2006

Words ~~stricken through~~ shall be deleted. Words underscored are proposed additions. Remaining provisions are now in effect and remain unchanged. Shaded words were modified between printing of report on February 25, 2007 and April 23, 2007

4. REASON FOR CHANGE

This application proposes amendments to the Educational Element, ICE, and CIE and in order to address the new requirements of Section 163.3180, Florida Statute as legislated through the Growth Management Law of 2005.

The proposed amendments will modify and add Objectives, Policies text, appendices and maps, as necessary, to the Educational, Intergovernmental Coordination and Capital Improvements Elements to ensure compliance with the School Concurrency regulations of the 2005 Growth Management law. These modifications are necessary to: 1) define a public school facilities Level of Service standard; 2) provide for the methodology of a school concurrency program; and, 3) provide for the development of proportionate share mitigation criteria as required by Chapter 163, Florida Statutes. Failure to amend the CDMP as necessary to implement school concurrency, or enter into an approved Interlocal Agreement as required by 163.3177 and 163.31777, Florida Statutes, by January 1, 2008, will result in the County being prohibited from adopting any CDMP amendments, which would increase residential density, until these amendments have been adopted and transmitted to the Department of Community Affairs.

Proposed modifications to the Preface add text and map changes to ensure consistency with modification proposed in the ICE. These proposed modifications include the addition of Cutler Bay as a new municipality incorporated in 2005 and related map changes.

EXHIBIT 1

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Memorandum

MIAMI-DADE COUNTY

Date: July 18, 2006

Agenda Item No. 8(N)(1)(C)

To: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

From: George M. Burgess
County Manager

Subject: Resolution Authorizing an October 2006 Period Amendment Process for the Comprehensive Development Master Plan

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This item is amended in order to reflect changes requested by the Infrastructure and Land Use Committee on June 26, 2006.

RECOMMENDATION

It is recommended that the attached resolution be adopted by the Board of County Commissioners to authorize an October period amendment process during 2006 for the Adopted Miami-Dade County Comprehensive Development Master Plan (CDMP). This amendment process will be completed at a public hearing of the Board of County Commissioners to be held in November 2007.

BACKGROUND

Section 2-116.1 of the Miami-Dade County Code (the Code) establishes the exclusive procedures for the CDMP to be reevaluated and amended periodically, usually semiannually. During odd-numbered years applications to amend the CDMP are filed during the months of April and October. In even-numbered years, there is an April filing period and an optional October filing period. Section 2-116.1(2)(b) of the Code provides for an October period amendment cycle during even numbered years if such a filing period is authorized by affirmative recommendation of the County Manager and approved by resolution of the Board of County Commissioners on or before the sixteenth (16) day of September in that year. Approval is hereby requested for an October 2006 - October 2007 period amendment process for the CDMP.

The CDMP amendment process for text amendments takes approximately one year to complete. To meet some of the deadlines in Senate Bill 360, the primary 2005 state growth management legislation, an October 2006-October 2007 period amendment cycle is required. Staff will need this cycle for text amendments for the County to be in compliance with the legislation. The October 2006 cycle will not be open to the public for any private applications and will only contain staff applications.

The amendment cycle is required, as the statutory compliance deadline for amendments to the Educational and Capital Improvements Elements is January 1, 2008. These amendments will address key growth management requirements including a school concurrency program, options for proportionate-share mitigation of impacts on public school facilities and a financially feasible public school capital facilities program to be included in the Capital Improvements Element.

Assistant County Manager

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 8(N)(1)(C)
07-18-06

RESOLUTION NO. _____

RESOLUTION PERTAINING TO THE AUTHORIZATION OF AN OCTOBER 2006 AMENDMENT PROCESS FOR FILING APPLICATIONS REQUESTING AMENDMENTS TO THE COMPREHENSIVE DEVELOPMENT MASTER PLAN TO ADDRESS THE REQUIREMENTS OF THE 2005 GROWTH MANAGEMENT ACT

WHEREAS, pursuant to Chapter 163, Part 2, Florida Statutes (F.S.) and Chapters 9J-5, 9J-11, and 9J-12, Florida Administrative Code (F.A.C.), the Comprehensive Development Master Plan (CDMP) for Miami-Dade County was adopted by the Miami-Dade County Board of County Commissioners (Board) in 1988; and

WHEREAS, Section 2-116.1 of the Code of Miami-Dade County, Florida, provides procedures for amending the CDMP which comply with the requirements of the foregoing State Statutes and Administrative Code; and

WHEREAS, Section 2-116.1(2)(b) of the Code of Miami-Dade County, Florida, provides for an October period amendment process during an even numbered year if such a process is authorized by affirmative recommendation of the County Manager and approved by resolution of the Board of County Commissioners on or before the sixteenth (16) day of September in that year,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that the Board approves the establishment of an October 2006 Amendment process on a limited basis for filing of staff applications to amend the CDMP.

3

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:

Joe A. Martinez, Chairman
Dennis C. Moss, Vice-Chairman

Bruno A. Barreiro	Jose "Pepe" Diaz
Audrey M. Edmonson	Carlos A. Gimenez
Sally A. Heyman	Barbara J. Jordan
Dorrin D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 18th day of July, 2006. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

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

HARVEY RUVIN, CLERK

By:_____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Joni Armstrong Coffey

4

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CHAPTER 2

RECOMMENDATIONS

The Comprehensive Development Master Plan (CDMP) is Miami-Dade County's policy guide for countywide growth management. The Plan contains components such as goals, objectives and policies, which are countywide in scope, and components including the Land Use Plan map and schedules of capital improvements which express policy for localized areas. First and foremost, the CDMP is a metropolitan-scale plan for long-range countywide development. The achievement of long-term CDMP objectives is affected by cumulative amendment decisions. The active application filed during the October 2006 Plan amendment cycle can be categorized as a staff amendment to amend the Educational Element, Intergovernmental Coordination Element, Capital Improvements Element, and Preface of the CDMP.

Types of Recommendations

This chapter contains the Department of Planning and Zoning's initial recommendations addressing the application filed for review during the October 2006-2007 CDMP amendment cycle. The following two types of recommendations are usually issued:

1. DISPOSITION. Recommendations issued addressing final disposition of the applications may be for approval, approval with changes, or denial. Accordingly, the DP&Z for the staff application in the October 2006 CDMP amendment cycle will recommend a disposition for approval or approval with change.

2. TRANSMITTAL TO DCA. Transmittal to the Florida Department of Community Affairs (DCA) is a required action to continue the eligibility of any amendment application. Failure to transmit a standard amendment to DCA effectively denies an application from further consideration during the cycle.

When proposed amendments are transmitted to DCA, the County will request DCA to conduct a review of the transmitted amendment proposals, after which, the DCA may issue an "Objections Recommendations and Comments" (ORC) report. The Board of County Commissioners must schedule a specially advertised public hearing and take final action on applications not later than 60 days after receiving DCA's reply addressing an application. The Miami-Dade County Code provides that Commission action must also be proceeded by an opportunity for a second PAB public hearing, except when DCA does not review a proposed amendment.

Following the presentation of the recommendations, the principal reasons for the Department's recommendations are outlined. The data and analysis described in Chapter 3 will be a basis for the recommendations. An analysis of the consistency of the proposed amendment with the underlying objectives and policies of the CDMP is contained in Chapter 4. These factors are all considered by the Department of Planning and Zoning in formulating its recommendations. However, only the factors deemed most significant to the Department's recommendations are cited in the principal reasons for the recommendations presented in this chapter following each recommendation.

APPLICATION NO 1 (EDUCATIONAL ELEMENT, INTERGOVERNMENTAL COORDINATION ELEMENT, CAPITAL IMPROVEMENTS ELEMENT, AND PREFACE OF THE CDMP)

Requested amendment: Numerous changes to the Educational Element, Intergovernmental Coordination Element, Capital Improvements Element, and Preface of the CDMP are presented in the Staff Application (Chapter 1).

Recommendations: Transmit to DCA with No Recommendation pending delivery of data and analysis by Miami-Dade Public Schools prior to the hearing of the Planning Advisory Board (PAB) on April 23, 2007

Principal Reasons for Recommendation:
The state legislature passed the Growth Management Law of 2005, which made significant changes to the Growth Management Act. A key requirement of the Growth Management Law of 2005 is that all local governments adopt a public school facility element in their comprehensive plan and adopt required updates to its public schools interlocal agreement.

Miami-Dade County adopted in 1996 an Educational Element to the Comprehensive Development Master Plan (CDMP) under provisions of the state growth management law that permitted the adoption of optional elements. The 1996 Educational Element was in response to Recommendation 9 in the Commission District 11 Area Planning Report, which was approved by the PAB on December 8, 1993 and by the Board of County Commissioners (BCC) on January 4, 1994 (Resolution No. 1-94). Recommendation 9 in the report stated, "An Education Facilities Element for the CDMP should be prepared." The Educational Element was amended in 1999 to address the 1998 requirement of the state growth management law that require local government comprehensive plans to include criteria providing for schools proximate to urban residential areas and encouraging the collocation of schools with other public facilities such as parks, libraries and community centers. The Educational Element was further amended in 2005 as a result of recommendations in the Evaluation and Appraisal Report (EAR) that was adopted in 2003.

This application seeks to amend the existing Educational Element in order to meet the requirements for public school facilities in the local comprehensive plan that were added in the 2005 growth management legislation for the now required element. These provisions provide for a Level of Service (LOS) standard for public school facilities, a school concurrency management program; and proportionate share mitigation criteria for school facilities. Subsection 9J-5.005(5) of the Florida Administrative Code (F.A.C.) requires that the local comprehensive plan be internally consistent. Thus, this application includes proposed changes to the Intergovernmental Coordination Element, Capital Improvements Element, and Preface that are related to the proposed changes to the Educational Element.

Transmittal of the application is needed to meet a deadline established by DCA in compliance with state law. Failure to adopt an amendment implementing the public school facility requirements and required updates to its public schools interlocal agreement by January 1, 2008 will result in a sanction from the state prohibiting the adoption of any Land Use Plan map

amendments that increase residential density until the required changes are adopted and transmitted to DCA. The adoption hearing of the BCC for this amendment cycle is scheduled for October 2007, which would allow the application to be adopted and transmitted to DCA prior to the January 1, 2008 deadline.

The Department of Planning and Zoning and Miami-Dade Public Schools have worked together to draft the text revisions included in this application. However, the Department of Planning and Zoning as of the date of this report (February 25, 2007 as required in the County Code for the October CDMP Amendment Cycle) is unable to make a recommendation for adoption because sufficient data and analysis has not been submitted by Miami-Dade Public Schools to base a recommendation of approval on. Subsection 9J-5.005(2), F.A.C. requires that all goals, goals, objectives, policies, standards, findings, and conclusions within the comprehensive plan shall be based upon relevant and appropriate data and analyses applicable to each element.

For example, a major focus of the proposed text is to provide a concurrency management schedule for a ten-year period. Section 163.3177(2) of the Florida Statues (F.S.) requires that the local comprehensive plan be financially feasible. To demonstrate that the long-term concurrency management schedule is financially feasible, Miami-Dade Public Schools must provide a 10-year schedule of capital improvements for schools. However, the 10-year schedule of capital improvements for schools has not yet been provided. The Department expects this schedule will be provided by the April 23, 2007 PAB hearing on this application. Miami-Dade Public Schools has verbally assured the Department of Planning and Zoning that the proposed school concurrency management schedule will work.

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Chapter 3

CONSISTENCY REVIEW OF APPLICATION WITH ADOPTED CDMP POLICIES

All CDMP amendment applications are evaluated for consistency with the Adopted Components of the CDMP. The 500-plus goals, objectives, policies, maps, and concepts and concepts were reviewed by the Department of Planning and Zoning to determine which ones materially applied to the requested amendment.

Each application proposing to amend the CDMP is evaluated for consistency with selected objectives and policies of the plan. As the potential effect of each application is fully discussed in the applicable reports and in the recommendations, only the most significant supporting or impeding CDMP objectives and policies related to each application are presented herein. The applicable objectives and policies are listed in abbreviated form following each application.

In reviewing the Plan amendment, staff noted whether adoption of the requested amendment would further, or would impede, the accomplishment of objectives, policies, land use plan concepts or other Plan provisions relating to the subject. In some cases, a requested amendment may be consistent with one part of a policy while being inconsistent with another part. For example in the case of the multifaceted Land Use Policy 8F, it is possible for a requested CDMP amendment to be consistent with the requirement for the provision of services at the adopted level-of-service (LOS) standards, but to be incompatible with surrounding land use.

CDMP Consistency Evaluation:

Application No. 1: The following subject groups used in the CDMP Policy Consistency Review were found to be applicable to the evaluation of this Application:

- Intergovernmental Coordination/Consistency
- Education/Public Schools
- Level of Service/Concurrency

Approval of Application No. 1 would further the implementation of the following CDMP Policies:

INTERGOVERNMENTAL COORDINATION OBJECTIVE ICE-2: Coordinate with local, regional, and State entities with responsibility in the establishment of Level of Service Standards.

EDUCATIONAL POLICY EDU-1D: Cooperate with Miami-Dade County Public Schools ~~System~~ in their efforts to provide public school facilities to the students of Miami-Dade County, which operate on optimum capacity, in so far as funding available. Operational alternatives may be developed and implemented, where appropriate, which mitigate the impacts of overcrowding while maintaining the instructional integrity of the educational program.

EDUCATIONAL POLICY EDU-1E: Cooperate with the Miami-Dade County Public Schools ~~System~~ in their efforts to maintain and/or improve the established level of service (LOS), for Public Educational Facilities, as established for the purposes of collecting Impact Fees, in so far as funding available.

EDUCATIONAL POLICY EDU-6C: The Miami-Dade County Public Schools ~~System~~ should coordinate school capital improvements plans with the planned capital improvements projects of other County and municipal agencies.