



STATE OF FLORIDA

DEPARTMENT OF COMMUNITY AFFAIRS

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PLANNING & ZONING  
METROPOLITAN PLANNING SECT

THOMAS G. PELHAM  
Secretary

September 24, 2010

The Honorable Carlos Alvarez  
Mayor, Miami-Dade County  
Stephen P. Clark Center  
111 N.W. 1st Street, 29th Floor  
Miami, Florida 33128

Re: Miami-Dade County Proposed Evaluation and Appraisal Report

Dear Mayor Alvarez:

The Department of Community Affairs (Department) completed its review of the proposed Evaluation and Appraisal Report (EAR) for Miami-Dade County, which was received on August 26, 2010. Because this is a proposed EAR, the Department provides comments pursuant to Section 163.3191(5), F.S. As indicated in the attached report, the Department identified two potential sufficiency issues in the proposed EAR. These sufficiency issues include requirements related to an assessment of the following: 1.) Identification of corrective measures to address deficiencies on specified roadway segments (Section 163.3191(2)(i), F.S.); and 2.) Assessment of the County's Transportation Concurrency Exception Area (Section 163.3191(2)(o), F.S.). The attached report also identifies nine advisory comments on a variety of topics, including redevelopment and infill potential, the methodology for the projection of need and population, proposed expansions to the urban development boundary, the vision for lands outside the urban development boundary, the Miami River, the Recreation and Open Space Element, statutory requirements related to coastal management, proposed expansions to the County's Transportation Concurrency Exception Area, and education facilities maps.

The County is encouraged to address the issues identified by the Department prior to adopting the EAR. If you have any questions, please call Bill Pable, AICP, at (850) 922-1781.

Sincerely,

Mike McDaniel, Chief  
Office of Comprehensive Planning

MM/bp

cc: George Burgess, County Manager, Miami-Dade County  
Marc C. LaFerrier, Director, Miami-Dade County Planning and Zoning Department  
Mark Woerner, Chief, Miami-Dade County Planning and Zoning Department  
Carolyn A. Dekle, Executive Director, South Florida Regional Planning Council

2555 SHUMARD OAK BOULEVARD ♦ TALLAHASSEE, FL 32399-2100  
850-488-8466 (p) ♦ 850-921-0781 (f) ♦ Website: [www.dca.state.fl.us](http://www.dca.state.fl.us)

♦ COMMUNITY PLANNING 850-488-2356 (p) 850-488-3309 (f) ♦ FLORIDA COMMUNITIES TRUST 850-922-2207 (p) 850-921-1747 (f) ♦  
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## COMMENTS FOR PROPOSED MIAMI-DADE COUNTY EAR

### I. Comments Pursuant to Section 163.3191(5), F.S.

The Department completed its review of the proposed Miami-Dade County Evaluation and Appraisal Report (EAR). Based on the provisions of Section 163.3191(2), F.S., the Department identified the comments listed below.

#### 1. Identification of Corrective Measures [Section 163.3191(2)(i), F.S.]

Issue: Page 2.2.1-14, and Table 2.2.1-3, identify deficient roadway segments. The text notes that the deficient roadway segments "...will affect development until roadway capacity and/or mass transit service are improved to meet the adopted LOS standards." The proposed EAR does not indicate whether the lack of capacity is due to existing deficiencies, due to backlogged conditions, or is based on projections of previously approved projects that have not yet been permitted, and it does not identify corrective measures to address these deficiencies. Instead, it defers them to the County's concurrency management system.

Recommendation: Department staff discussed this issue with County staff after receiving the proposed EAR. The Department understands that the deficient segments can be summarized as follows:

- a. 21 segments are in the County's Transportation Concurrency Exception Area;
- b. 8 segments are programmed or planned for capacity improvements within the planning timeframe;
- c. 2 segments are programmed for congestion management improvements;
- d. 1 segment is a state road outside the urban development boundary (UDB); and
- e. 17 segments are anticipated to be addressed with congestion management type improvements, which are yet to be identified.

The County should expand the text of the EAR to include this more detailed status. Also, corrective measures should be identified to address the deficiencies in the 17 segments listed in bullet "e" above.

#### 2. Assessment of Designated Transportation Districts [Section 163.3191(2)(o), F.S.]

Issue: The proposed EAR does not assess the extent to which the County's Transportation Concurrency Exception Area has achieved the purpose for which it was created and otherwise complies with Section 163.3180, F.S.

Recommendation: The County should add the assessment of its Transportation Concurrency Exception Area outlined in Section 163.3191(2)(o), F.S.

## II. Additional Comments

The following additional comments are offered for the County's consideration:

1. Redevelopment and Infill Potential – The Department's letter of March 10, 2010, approved the County's major issues. It also noted that "...the type of analysis the Department believes would be most useful for laying a foundation for the County's future planning activities is a retrospective evaluation of the effectiveness of the plan's policies and programs in achieving infill and redevelopment..." Land Use Policy LU-11A states that the County will "...develop and maintain an appropriate methodology (model), which contains relevant variables and has been validated with respect to accuracy for indicating sites, which have a high potential for redevelopment." However, page 1.1-7 of the EAR notes that "The Planning Research Section has implemented a comprehensive local land monitoring system to assess and assign future development capacity to *vacant and agricultural land*." (Emphasis added.) The County should complete the model referenced in Land Use Policy LU-11A and incorporate it into the monitoring system referenced on page 1.1-7.
2. Methodology for Projection of Population and Need – The County's existing methodology for the projection of population and need was approved by the Department many years ago. As part of the current EAR, the Department would like to work with the County to assess whether that methodology is still valid. Such an assessment can occur within the County's anticipated adoption schedule. Also, one option the County might consider for the purposes of the adopted EAR is to add a recommendation that the County will examine the adequacy of the population and need methodologies as part of the EAR based amendments. For example, the County's population projections do not include seasonal population (see pages 1.1-24 and 3-3). The County should expand its population projection methodology to include seasonal population. An assumption relied upon in the methodology may no longer be valid and may need to be updated based on new, best available information.
3. Hole-in-the-Doughnut Site – The EAR provides detailed documentation to support its conclusion that there is no need to expand the UDB to accommodate future development through the new planning horizons of 2020 and 2030. However, page 1.1-41 recommends that the 554-acre "Hole-in-the-Doughnut" site (at the northwest corner of the Dolphin Expressway and the Florida Turnpike) should be redesignated from Open Land to Restricted Industrial and Office through a UDB expansion. The primary justification for this recommendation is that the UDB has previously been expanded so that the 554-acre site is surrounded on all sides by land within the UDB, but yet remains as an island of "Open Space" outside of the UDB. This issue is pertinent for the EAR based amendments. Any proposed UDB expansions must be accompanied by an analysis that demonstrates a need for that expansion.
4. Vision for Lands Outside the UDB – The EAR notes on page 1.1-53 that "There is growing pressure to use the County's remaining undeveloped land in various ways, some uses complement one another, and others cause conflict. As the amount of acreage that is available for future uses outside of the Urban Development Boundary shrinks, it is critical

that the County establish a long term land use vision for these important areas, and take action to implement that long term vision.” The County should include a recommendation in the EAR to propose a new policy to establish a land use vision for areas outside the UDB. It is currently not included in any of the EAR’s specific recommendations.

5. Miami River – There are three comments related to the Miami River, as follows:
  - a. Settlement Agreement – The status of the City of Miami’s EAR based amendments related to the Miami River at page 2.2.4-59 should be updated. They are no longer in mediation. The City and the Department have entered into a Stipulated Settlement Agreement that resolves this amendment.
  - b. Future Land Use Map (FLUM) Designations along Miami River – Page 2.2.4-68 pertains to the Miami River sub-element. It indicates that the FLUM “...must be updated to reflect changes to existing and future conditions.” However, the preceding text on page 2.2.4-58 indicates that reductions in river frontage devoted to water dependent business occurred solely within the City of Miami boundaries. The County should clarify what changes are needed to the FLUM in the unincorporated area along the Miami River.
  - c. Coordination with City – The City of Miami recently adopted new policies related to the preservation of working waterfronts along the Miami River. The County is encouraged to expand its policies to include similar protections for that portion of the Miami River in the unincorporated County and to maximize coordination with the City.
  
6. Recreation and Open Space Element – There are two comments related to the Recreation and Open Space (ROS) Element, as follows:
  - a. Policy ROS-5C – Page 2.6-16 indicates that the phrase “as may be amended from time to time” should be added to Policy ROS-5C in relation to the Americans with Disabilities Act. The proposed text is self amending and should not be included with the EAR based amendments.
  - b. Interconnected Regional Park System – The County should identify how its park system connects to the park systems within the cities. Gaps in that connectivity should be identified.
  
7. New Statutory Requirement in Section 163.3178(9), F.S. – The EAR notes on page 3-17 that EAR based amendments will be required to address the new statutory requirements found at Section 163.3178(9)(b), F.S. The County may want to consider the evacuation options in Section 163.3178(9)(a), F.S. Sections 163.3178(9)(a) and (b), F.S., will require several EAR based amendments, particularly to Coastal Management Objectives 8, 9, and 10.
  
8. Proposed Expansions to County’s Transportation Concurrency Exception Area – Page 2.9-15 indicates that the Transportation Concurrency Exception Area map should be “...revised to reflect changes in the boundaries of the redevelopment exception areas.” If the County submits such changes as part of the EAR based amendments, they should be accompanied by the data and analysis listed at Section 163.3180(5), F.S., and Rule 9J-5.0055(6), F.A.C.

9. Educational Facilities Maps – Pages 2.10-8 through 2.10-11 provide the Educational Facilities Maps for 2008 through 2013. They should be updated for the current five year planning period.