

## Exhibit A

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STATE OF FLORIDA  
**DEPARTMENT OF COMMUNITY AFFAIRS**

*"Dedicated to making Florida a better place to call home"*

CHARLIE CRIST  
Governor

THOMAS G. PELHAM  
Secretary

March 6, 2008

The Honorable Bruno A. Barreiro  
Chairman, Miami-Dade County  
Board of County Commissioners  
111 Northwest First Street, Suite 220  
Miami, Florida 33128

Dear Commissioner Barreiro:

On February 26, 2008 the Department completed its review of the proposed Miami-Dade County comprehensive plan amendments (DCA Number 08-1) and mailed our Objections, Recommendations, and Comments (ORC) Report to you. Subsequent to mailing our report, we found an error in the recommendation for the School Concurrency objection. The purpose of this letter is to correct this error.

Objection Number 4 (Failure to Implement School Concurrency) in the ORC report objects to six proposed amendments that have the potential to increase residential density. The objection notes that the County was to adopt its Public Education Facilities Element by January 1, 2008, but has not done so. Therefore, pursuant to Section 163.3177(12)(j), Florida Statutes, the County is prohibited from adopting amendments to the comprehensive plan that increase residential density until the necessary school amendments have been adopted and transmitted to the Department.

The recommendation following this objection advises the County to not adopt the proposed amendments until the County has adopted the Public School Facilities Element (DCA Number 08-PEFE1) and has executed the Interlocal Agreement. As an alternative, this recommendation advises that the County may "provide appropriate data and analysis demonstrating that the County has adequately planned for the potential residential density increase allowed by the proposed amendments."

While the first part of this recommendation accurately describes the statute prohibition on adopting increases in residential density when a local government has not adopted its Public Education Facilities Element by the scheduled due date, a situation applicable to Miami-Dade County, the alternative solution in the recommendation quoted in the paragraph above is erroneous.

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The statute contains an outright prohibition on amendments that increase residential density and does not allow for exceptions. Therefore, the alternative solution quoted above is not a viable option.

To correct the error in the Recommendation, the Recommendation is revised as follows:

Adopt the revised Public School Facilities Element, pursuant to the recommendations in the Department's ORC report on Miami-Dade County Amendment 08-PEFE1 and execute the Interlocal Agreement 08-PEFE1 on Public Schools prior to adopting these amendments and provide appropriate data and analysis demonstrating that the County has planned for the potential residential density increase allowed by the proposed amendments. Alternatively, adopt the amendments, after revising to address all applicable objections in this report, with site specific policies to limit onsite development to non-residential uses.

We regret the error and apologize for any confusion and inconvenience that may have resulted from the previous Objections, Recommendations, and Comments Report. Please include this letter with the previous letter sent to you on February 26, 2008. If you or the County staff has any questions or requires any additional information about this letter, please call me or Bob Dennis, Regional Planning Administrator, for assistance at (850) 487-4545.

Sincerely,

A handwritten signature in black ink that reads "Mike McDaniel". The signature is fluid and cursive, with the first name "Mike" and last name "McDaniel" clearly distinguishable.

Mike McDaniel, Chief  
Office of Comprehensive Planning

MDM/bd

cc: Mr. Subrata Basu, Interim Director, Department of Planning and Zoning  
Ms. Carolyn A. Dekle, Executive Director, South Florida Regional Planning Council



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Secretary

**MEMORANDUM**

**TO:** Jim Quinn, DEP  
Susan Harp, DOS  
Wendy Evans, AG  
Mary Ann Poole, FWC  
Phil Steinmiller, FDOT 6  
Carolyn Dekle, South Florida RPC  
P.K. Sharma, South Florida WMD

**Date:** February 26, 2008

**Subject:** Proposed Comprehensive Plan Amendment Review Objections,  
Recommendations and Comments Reports

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**Enclosed are the Departments Objection, Recommendations and Comments Reports on the proposed amendments to the comprehensive plan(s) from the following local government(s):**

**Miami Dade Co 08-1**

**These reports are provided for your information and agency files. Following the adoption of the amendments by the local governments and subsequent compliance review to be conducted by this agency, we will forward copies of the Notices of Intent published by each local government plan.**

**If you have any questions, please contact Mr. Ray Eubanks at Suncom 278-4925 or (850) 488-4925.**

**RE/lp**

**Enclosure**

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Secretary

February 26, 2008

The Honorable Bruno A. Barreiro  
Chairman, Miami-Dade County  
Board of County Commissioners  
111 Northwest First Street, Suite 220  
Miami, Florida 33128

Dear Chairman Barreiro:

The Department has completed its review of the proposed Comprehensive Plan Amendment for the Miami-Dade County (DCA No. 08-1), which was received on December 26, 2007. Copies of the proposed amendment have been distributed to appropriate state, regional, and local agencies for their review, and their comments are enclosed.

The Department has reviewed the comprehensive plan amendment for consistency with Rule 9J-5, Florida Administrative Code (F.A.C.), and Chapter 163, Part II, Florida Statutes (F.S.), and has prepared the attached Objections, Recommendations, and Comments Report which outlines our findings concerning the comprehensive plan amendment.

The Department has identified seven objections to this large proposed amendment, which concern water supply and transportation facilities planning, internal inconsistency with existing comprehensive plan policies regarding the Urban Development Boundary, aviation master plans, and designation of a Regional Activity Center. Lastly, because the County did not meet the January 1, 2008 date established by the Department, pursuant to section 163.3177(12)(i), Florida Statutes, for implementation of public school concurrency, it is prohibited from adopting any plan amendments which increase residential density, pursuant to section 163.3177(12)(j), Florida Statutes.

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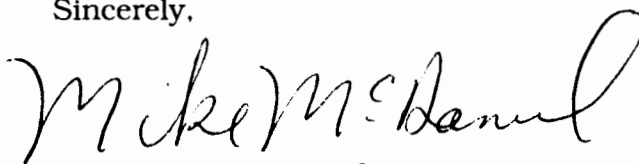
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Honorable Bruno A. Barreiro  
February 26, 2008  
Page 2 of 2

My staff and I are available to assist the County in addressing these objections. If you have any questions, please contact Mr. Paul Darst, reviewing planner, at (850) 922-1764.

Sincerely,

A handwritten signature in black ink that reads "Mike McDaniel". The signature is fluid and cursive, with the first name "Mike" and last name "McDaniel" clearly distinguishable.

Mike McDaniel, Chief,  
Comprehensive Planning

MM/pd

Enclosures: Objections, Recommendations and Comments Report  
Review Agency Comments

cc: Mr. Subrata Basu, Interim Director, Department of Planning and Zoning  
Ms. Carolyn A. Dekle, Executive Director, South Florida Regional Planning Council

**Objections, Recommendations, and Comments Report**

**for**

**Miami-Dade County Amendment 08-1**

**February 26, 2008**

**I. CONSISTENCY WITH CHAPTER 163, F.S., AND RULE 9J-5, F.A.C.**

The Department has completed its review of the proposed City of Miami Amendment 08PEFE-1 and has the following objections and comments.

**OBJECTION NO. 1: INADEQUATE PLANNING FOR POTABLE WATER SUPPLY**

Proposed Amendments 5, 8, and 9 are not supported by adequate planning for potable water supply.

The proposed future land use changes in Amendments/Applications 5, 8, and 9 all increase the potential demand for potable water from the properties involved. All three applications also require that the County's Urban Development Boundary (UDB) be moved to accommodate the proposed urban uses. According to information provided by the South Florida Water Management District (District) in its report to the Department on Amendment 08-1, the 20-year Consumptive Water Use Permit (CUP) issued by the District to Miami-Dade County in November 2007 was based solely on population projections within the current UDB. The same population projections underlie DCA Table 1 in the settlement agreement between the Department and Miami-Dade County to bring Amendment 06-1 into compliance. DCA Table 1 demonstrates that the County Water and Sewer Department (WASD) will have a sufficient potable water supply to meet the expected demand in its service area out to 2030. The demand estimates were based on population projections for WASD's service area. The information contained in DCA Table 1 was instrumental in the compliance agreement between the Department and County, because it demonstrated that the potable water demands of ordinary growth would be accommodated by the water to be produced from WASD's proposed new alternative water supply sources, which were included in the capital facilities schedule in the Miami-Dade County Capital Improvements Element.

The three proposed UDB amendments, however, are located outside the delineated WASD service area, which was the basis of the water demand projections agreed upon between the District and WASD for the CUP and for DCA Table 1. If this potable water service area is expanded to include the three UDB amendments, it would be expected to have a greater potential population and a greater potential water demand than the existing delineated service area used to provide the basis for the CUP. This greater potential water demand must be matched by an additional planned supply of water. The three UDB amendments fail to identify the new water supply source, nor are the



amendments supported by adequate data and analysis to demonstrate they can be provided an adequate water supply based upon current water sources.

The District, in its report to the Department, also points out that until the new Hialeah Floridan Aquifer reverse osmosis facility goes on-line (4.72 million gallons a day scheduled for 2012), the County has limited “new” water to meet its anticipated growth within the UDB and must rely heavily on water conservation and system savings to avoid a deficit. A portion of the water from this plant is already committed to the City of Hialeah as part of the 2006 settlement agreement between the Department and Miami-Dade County (Case No. 06-2395GM). Therefore, data and analysis to document the availability of water to meet the anticipated municipal growth for the next 5 years is essential to ensure adequate water supply before approving land uses outside the UDB that might compete for the same supply. The District also notes—(1) that the requirements of the limiting conditions within the CUP would need to be met prior to providing water supply to any development(s) outside of the current service area; and (2) that any delays in completing the County’s \$1.6 billion worth of new water and sewer infrastructure projects will cause a shortfall of water supply with respect to projected growth within the existing UDB.

#### *Citations*

Florida Statutes: ss. 163.3161(3); 163.3167(13); 163.3177(6)(a), (c), (d), and (h)1; and 163.3180(2)(a).

Florida Administrative Code: Rules 9J-5.005(2) and (5); 9J-5.006(3)(b)1; 9J-5.006(3)(c)3; 9J-5.011(1)(a) and (f); 9J-5.011(2)(b)2; 9J-5.011(2)(c)1; 9J-5.016(1)(a); 9J-5.016(2)(b), (c), and (f); 9J-5.016(3)(b)1, 3, and 5; 9J-5.016(3)(c)1.d, e, f, and g; and 9J-5.016(4)(a).

#### *Recommendations*

The County should not adopt the proposed land use changes until it can demonstrate the necessary coordination of land use approvals with an assured supply of potable water. Revise the amendments to demonstrate coordination of the proposed land use changes with the planning and provision of potable water supplies. Identify any needed facility improvements for the 5- and 10-year planning time frame. These improvements should be coordinated with the Water, Sewer, and Solid Waste Element and the Capital Improvements Element, including implementation through the 6-year schedule of capital improvements of any facilities needed during that time frame.

#### **OBJECTION NO. 2: 10-YEAR WATER SUPPLY FACILITIES WORK PLAN**

The Department objects to Application 13 because the proposed Water Supply Facilities Work Plan (Work Plan) does not identify and evaluate the potable water utilities serving the unincorporated areas of the County, other than the Miami-Dade County Water and Sewer Department (WASD).

In addition, according to the comments received from the South Florida Water Management District, the County’s 10-year water supply facilities work plan and the associated water supply facility improvements listed in the Capital Improvements

Element are not consistent with the projects, programs, and other requirements of the County's Consumptive Use Permit.

The County has not adopted potable water level of service standards for nonresidential uses such as office, industrial, and mixed-use. Such standards would be helpful in assessing future water supply needs for site-specific non-residential land use amendments.

See the attached report from the South Florida Water Management District for additional information concerning these objections.

#### *Citations*

Florida Statutes: Sections 163.3167(13), 163.3177(6)(c), and 163.3177(6)(d)

Florida Administrative Code: Rules 9J-5.003(62); 9J-5.005(3); 9J-5.006(3)(b)1 and (3)(c)3; 9J-5.011(2)(b)1, 2, and 4, (2)(c)2, and (3)(c)1 and 3; 9J-5.013(1)(c) and (2)(b)2; and 9J-5.016(3)(c)4

#### *Recommendations*

Miami-Dade County should revise the Work Plan to include a plan for building water supply facilities, including development and use of alternative and traditional water supply projects and conservation and reuse programs necessary to serve existing and new development for a minimum 10-year period for each potable water utility serving the unincorporated area of the County.

The Work Plan and the CIE should be revised to be consistent with the projects, programs and other requirements of the CUP, as noted in the District's comments.

The County should adopt potable water levels of service standards for non-residential land uses such as office, industrial, and mixed-use.

The County should coordinate with the South Florida Water Management District in preparing its revised Work Plan, in response to the above objections.

#### **OBJECTION NO. 3: INTERNAL INCONSISTENCY WITH COMPREHENSIVE PLAN**

Proposed Amendments 5, 8, and 9 are not consistent with the Miami-Dade County comprehensive plan. All three applications request a change of the future land use designation on the property to the Business and Office land use designation on the Miami-Dade County Future Land Use Map. Business and Office allows commercial use and residential use.

The Miami-Dade County comprehensive plan contains policy guidance for moving or expanding the UDB, particularly in Land Use Element Policy LU-8F. Policy LU-8F states that the UDB should contain developable land having capacity to sustain projected countywide residential demand for a period of 10 years after adoption of the most recent Evaluation and Appraisal Report (2003) plus a 5-year surplus (a total 15-year countywide supply beyond the date of EAR adoption, out to 2018). Policy LU-8F

also addresses the adequacy of non-residential land supplies and states that this shall be determined on the basis of land supplies in subareas of the County appropriate to the type of use, as well as the countywide supply within the UDB.

According to the Miami-Dade County comprehensive plan, therefore, demonstrated or calculated need for additional land designated on the FLUM for residential (or commercial) use is a key criterion for expansion of the UDB. If the current supply of vacant land designated for residential inside the UDB is sufficient until 2018, there is no need to move the boundary line; and, in fact, to move the boundary line in order to allow more residential-designated land would be inconsistent with the comprehensive plan, barring a demonstration that the supply of residential land inside the UDB will be depleted before 2018.

The Amendment 08-1 package included analyses by the Miami-Dade County Department of Planning and Zoning (DPZ) of the projected demand for and supply of residential (single-family and multi-family) and commercial land out to 2025, the end of the planning period. In performing this calculation, DPZ projects total countywide population and estimates the rate at which the existing vacant residentially designated land within the UDB is being depleted. DPZ calculates the countywide housing depletion date to be 2019, which is more than 15 years from the date of the last Miami-Dade County EAR (2003). Therefore moving the UDB at the present time for a residential FLUM amendment, as represented by Applications 5, 8, and 9, is not consistent with the Miami-Dade County comprehensive plan.

According to DPZ's supply and demand calculations, there is also no need to expand the UDB in order to add new commercial-designated land, as would be permitted in the proposed Business and Office land use designation for Applications 5, 8, and 9. Therefore, moving the UDB at the present time for a commercial FLUM amendment, as represented by Applications 5, 8, and 9, is also not consistent with the Miami-Dade County comprehensive plan.

Additional policy guidance on expanding the UDB is contained in Policy LU-8G in the Miami-Dade County comprehensive plan regarding what kind of lands should or should not be added to the UDB. Policy LU-8G states that the following areas (among others listed in the policy) shall be avoided: (a) future wetlands delineated in the Conservation and Land Use Elements, and (b) land designated Agriculture on the FLUM.

Regarding Application 5, this site contains wetlands delineated in the Conservation and Land Use Elements of the Miami-Dade County comprehensive plan and therefore should be avoided when considering lands to bring within the UDB, pursuant to Policy LU-8G. Regarding Applications 8 and 9, these sites are currently designated for agriculture on the FLUM and therefore should be avoided when considering lands to bring within the UDB, pursuant to Policy LU-8G.

The Department concludes that expanding the UDB to add the properties represented in Applications 5, 8, and 9 would be internally inconsistent with the Miami-Dade County comprehensive plan.

### *Citations*

Florida Statutes: ss. 163.3177(2), 163.3177(6)(c), and 163.3187(2)

Florida Administrative Code: Rules 9J-5.005(5), 9J-5.006(2)(c), 9J-5.006(3)(b)4, 9J-5.0013(2)(b)3 and 4, and 9J-5.0013(2)(c)3, 5, 6, 9, and 13

### *Recommendations*

Retain the current land use designations and the current UDB location. Alternatively, provide data and analysis which demonstrates that the proposed land use and text amendments are consistent with Land Use Element Policies LU-8D, LU-8E, LU-8F, and LU-8G and with Chapter 163, F.S., and Rule Chapter 9J-5, F.A.C.

### **OBJECTION NO. 4: FAILURE TO IMPLEMENT SCHOOL CONCURRENCY**

Pursuant to s. 163.3177(12)(i), F.S., the Department of Community Affairs established a schedule for local governments to adopt the Public School Facilities Element and the required updates to the public schools interlocal agreement. For Miami-Dade County, the date established by the Department was 1 January 2008. Miami-Dade County has not adopted its revised public school facilities element or executed the updated public schools interlocal agreement with the Miami-Dade County School Board. Therefore, pursuant to s. 163.3177(12)(j), F.S., the County is prohibited from adopting amendments to its comprehensive plan which increase residential density until the necessary school amendments have been adopted and transmitted to the Department.

This prohibition applies to Applications 1, 3, 5, 6, 8, and 9 in the Amendment 08-1 package. The County may not adopt these amendments until it adopts the updated Public School Facilities Element, enters into the public schools interlocal agreement, and makes any other changes needed in the comprehensive plan to implement public school concurrency.

### *Citations*

Florida Statutes: Sections 163.3177(12)(i) and (j)

Florida Administrative Code: Rules 9J-5.025(2), (3)(b)1, 2, 3, and (3)(c)7 and 9

### *Recommendations*

Adopt the revised Public School Facilities Element, pursuant to the recommendations in the Department's ORC report on Miami-Dade County Amendment 08-PEFE1 and execute the Interlocal Agreement on Public Schools prior to adopting these amendments or provide appropriate data and analysis demonstrating that the County has adequately planned for the potential residential density increase allowed by the proposed amendments. Alternatively, adopt the amendments, after revising to address all applicable objections in this report, with site specific policies to limit onsite development to non-residential uses.

## **OBJECTION NO. 5: IMPACT ON TRANSPORTATION FACILITIES**

The Department objects to Applications 5, 8, and 9 because the County fails to coordinate the transportation system with the proposed future land use map changes and ensure that proposed population densities, housing and employment patterns, and land uses are consistent with the transportation modes and services proposed to serve these areas. The amendments do not demonstrate that adopted level of service standards will be maintained through the 5-year planning time frame with the development allowed in the proposed land use changes. The Department notes and supports the report submitted by the Florida Department of Transportation (FDOT), which recommended objections to Applications 5, 8, and 9.

Regarding Application 5, the amendment package contains inconclusive data and analysis regarding its impacts on vicinity roadways. Roadway capacity on SW 8 Street/SR 90 appears to be too high, and the peak season volumes on SW 8 Street/SR 90 appear to be too low based on a determination of the existing conditions. The revised existing trips and capacity calculations on SW 8 Street/SR 90 are likely to result in LOS E instead of LOS C as shown in the traffic study. The FDOT stated that it disagrees with the statement in the traffic study related to the potential of the new Lowe's to absorb shopping trips to similar uses. The FDOT stated that it does not have improvement projects programmed in the 5-year work program in the vicinity of this application.

Regarding Application 8, the FDOT objected to the forecasted data presented in the traffic study. The 2016 projected traffic on SW 88 Street/Kendall Drive/SR 94 to the east of SW 157 Avenue is stated in the amendment package to be less than the existing traffic counts. Additionally, there appear to be significant impacts to Krome Avenue, an FIHS roadway. The review should analyze the impacts to Krome Avenue based on its existing capacity as a 2-lane facility. The additional trips from this development are likely to result in Krome Avenue reaching LOS F (between SW 88 Street to SW 232 Street) versus the LOS C projected in the traffic study. The FDOT does not have improvement projects programmed in the 5-year work program on Krome Avenue south of SW 88 Street.

Regarding Application 9, the FDOT objected to the data presented in the traffic study. According to the FDOT review of this study, there appear to be significant impacts on FIHS roadways such as Krome Avenue and the Homestead Extension of the Florida Turnpike as the result of the proposed development. The number of residential units and the square footage of retail area appear to deviate substantially from the Miami-Dade DPZ analysis.

### *Citations*

Florida Statutes: Sections 163.3161(3) and 163.3177(3), (6)(a), and (6)(j)5

Florida Administrative Code: Rules 9J-5.005(2); 9J-5.006(2)(a); 9J-5.006(3)(b)1 and (3)(c)3; 9J-5.016(2), (3)(b)1, 3, 4, (3)(c)6, 8, and (4); 9J-5.019(2); 9J-5.019 (3)(a), (f), and (h); 9J-5.019 (4)(b)2, (4)(c)1, and (4)(c)13; and 9J-11.007(1)

## *Recommendations*

For Application 5, coordinate with the Department and FDOT to provide the necessary data and analysis to enable a determination of the effect of the development allowed by Application 5 on vicinity roadways. Review the roadway capacity on SW 8 Street/SR 90 and the peak season volumes on SW 8 Street/SR 90, noting the FDOT critical comments on this information in the amendment package. Coordinate with FDOT to review and revise as necessary in the supporting traffic analysis the ability of the proposed use on the Application 5 site to absorb vehicle trips from nearby shopping establishments.

For Application 8, coordinate with the Department and FDOT to provide the necessary data and analysis to enable a determination of the effect of the 2016 projected traffic on SW 88 Street/Kendall Drive/SR 94 to the east of SW 157 Avenue. Provide the necessary data and analysis to enable a determination of the effects of development of Application 8 on Krome Avenue, based on its existing capacity as a 2-lane facility. Coordinate with the FDOT regarding its statement that the additional trips from the development of Application 8 are likely to result in Krome Avenue between SW 88 Street to SW 232 Street reaching LOS F versus the LOS C projected in the traffic study. Revise the traffic study as necessary.

For Application 9, coordinate with the Department and FDOT to provide the necessary data and analysis to enable a determination of the effect of development of Application 9 on FIHS roadways such as Krome Avenue and the Homestead Extension of the Florida Turnpike. Revise the traffic study to analyze SW 88 Street/Kendall Drive/SR 94, west of SW 157 Avenue, as a 4-lane facility, not a 6-lane facility, pursuant to the FDOT recommendation.

For Applications 5, 8, and 9, demonstrate how the County will achieve and maintain its adopted level of service standards through the 5-year and 10-year or greater planning time frames, including the incorporation into the 6-year capital improvements schedule in the Capital Improvements Element of roadway improvements needed to achieve and maintain adopted level of service standards during the 5-year planning time frame. The schedule shall include estimated public facility costs, including a delineation of when facilities will be needed, the general location of the facilities, and projected revenue sources to fund the facilities. Depict on the Land Use Plan Map and in the Transportation Element the roadway improvements needed to achieve and maintain adopted LOS standards because of the development allowed by Applications 5, 8, and 9, in order for these applications to be consistent with the CDMP.

## **OBJECTION NO. 6: AVIATION MASTER PLANS**

Application 14 comprises three parts. Part 1 is a FLUM change for 420 acres from Terminals to Open Land in order to permit rock mining at the decommissioned Opa-Locka West Airport in northwestern Miami-Dade County. Part 2 of Application 14 contains numerous changes to the Aviation Sub-Element of the Transportation Element which are intended to improve the existing descriptions of the Opa-Locka, Miami International, Kendall-Tamiami, and Homestead airports so that they may

qualify as airport master plans under s. 163.3177(6)(k), F.S. Part 3 revises the Land Use Element to provide for internal consistency with the Part 2 revisions in the Aviation Sub-Element.

The Department objects to Part 2 in Application 14 because it does not comply with the requirements in s. 163.3177(6)(k), F.S. The Department does not object to Parts 1 and 3.

Pursuant to s. 163.3177(6)(k), F.S., a qualified adopted airport master plan that has been incorporated into the local comprehensive plan and aviation-related development that has been addressed in the comprehensive plan amendment that incorporates the airport master plan is exempt from Development of Regional Impact (DRI) review. In order to qualify for this exemption, the adopted airport master plan must address land use compatibility consistent with Chapter 333, F.S., regarding airport zoning; the provision of regional transportation facilities for the efficient use and operation of the transportation system and airport; consistency with the local government transportation circulation element and applicable metropolitan planning organization long-range transportation plans; and the execution of any necessary interlocal agreements for the purposes of the provision of public facilities and services to maintain the adopted level of service standards for facilities subject to concurrency.

After reviewing the proposed airport master plans against the requirements of s. 163.3177(6)(k), F.S., the Department concludes that the master plans for Miami International Airport, Kendall-Tamiami Executive Airport, and Homestead General Airport do not meet the requirements in s. 163.3177(6)(k), F.S. They are not supported by appropriate data and analysis indicating the impact of the proposed airport development on public facilities and services and do not establish the necessary mitigation to ensure that adopted public facility level of service standards will be maintained, and any associated public facility improvements that may be required to maintain adopted level of service standards. In addition, none of the three airport master plans demonstrates consistency with the Miami-Dade Metropolitan Planning Organization's long-range transportation plan, as required by s. 163.3177(6)(k), F.S.

The Department notes and supports the objection from the South Florida Regional Planning Council that the proposed Miami International Airport Master Plan is inconsistent with the adopted Miami International Airport Development of Regional Impact (DRI). Specifically, the airport master plan identifies several areas for non-aviation commercial/industrial use. The development of privately owned non-aviation uses (hotel, office, industrial, agricultural and retail) on airport property is not authorized by the DRI development order. Therefore, since the impacts were not addressed during the DRI review, additional data and analysis beyond what was presented during review of the Miami International Airport Application for Development Approval must be provided to determine the public facilities and roadway impacts of the proposed non-aviation uses.

The proposed revised Opa-Locka Airport Master Plan comes closer than the other three airport master plans to meeting the requirements of s. 163.3177(6)(k), F.S.; however, it also does not demonstrate consistency with the Miami-Dade Metropolitan Planning Organization's long-range transportation plan and is therefore objectionable.



The Department also objects to the Opa-Locka Airport Master Plan because, as noted by the South Florida Regional Planning Council in its report on Application 14, it fails to provide for any intergovernmental coordination between the Miami-Dade County Aviation Department and the City of Opa-Locka, which includes approximately one-third of the airport area within its city limits. Neither Figure 4 nor the color map of the Opa-Locka Airport in the airport master plan depict the Opa-Locka municipal boundary.

#### *Citations*

Florida Statutes: Sections 163.3177(6)(h), (i), and (k) and (7)(b)

Florida Administrative Code: Rules 9J-5.015(b)1, (c)1, 5, 7, and 11; 9J-5.019(3)(d), (e), and (f), (4)(b)7, 8, and 9, (4)(c)14, 17, 18, 19, 20, 21, and (5)

#### *Recommendations*

For the Miami International Airport, Kendall-Tamiami Executive Airport, and Homestead General Airport master plans, provide appropriate data and analysis indicating the impact of the proposed airport development on public facilities and services, the necessary mitigation to ensure that adopted public facility level of service standards will be maintained, and any associated public facility improvements which may be required to maintain adopted level of service standards. Required public facility capital improvements will need to be incorporated in the schedule of capital improvements in the adopted Capital Improvements Element.

In addition, for the Miami International Airport Master Plan, provide additional data and analysis to determine the public facilities and roadway impacts of the proposed non-aviation uses which were not authorized by the DRI development order.

For the Opa-Locka Airport Master Plan, include policies describing intergovernmental coordination with the City of Opa-Locka and include in the master plan a map or maps which depict the portion of the airport within the Opa-Locka municipal boundary. Revise the airport master plan to demonstrate its consistency with the Miami-Dade Metropolitan Planning Organization's long-range transportation plan.

#### **OBJECTION NO. 7: DESIGNATION OF REGIONAL ACTIVITY CENTER**

The Application No. 3 site is proposed for a future land use change from Industrial and Office (38 acres) and Business and Office (16 acres) to Business and Office for the entire 54 (net) acres and to be designated as a Chapter 380 Regional Activity Center. The amendment would also add to the adopted table of restrictive covenants in the Miami-Dade County comprehensive plan a covenant which would set limits on type and amount of development and peak hour trips from the subject property; however, this restrictive covenant is not yet adopted.

A Regional Activity Center is defined under Rule 28-24.014(10), F.A.C., as a compact, high intensity, high density multi-use area designated as appropriate for intensive growth by the local government of jurisdiction and may include: retail; office; cultural,



recreational and entertainment facilities; hotels and motels; or appropriate industrial activities.

Should the County determine to adopt this application, the adopting amendment would have to designate the site as a Regional Activity Center and as appropriate for intensive growth. The material submitted with the amendment package contains a proposed revision of the section of the Miami-Dade County comprehensive plan which defines and lists the Regional Activity Centers in the County, to include the subject property. If the plan is amended as recommended, this condition would be satisfied. Most of the other criteria in Rule 28-24.014(10), F.A.C., for designation of a Regional Activity Center would be satisfied by the amendment if adopted as proposed, including the proffered restrictive covenant.

There is one criterion in Rule 28-24.014(10), F.A.C., however, which is not satisfied by the amendment as proposed, according to the data and analysis provided by Miami-Dade County DPZ in the amendment package. The particular criterion is that the Regional Activity Center shall contain adequate existing public facilities as defined in Chapter 9J-5, F.A.C., or committed public facilities, as identified in the Capital Improvements Element of the local government comprehensive plan. According to Miami-Dade County DPZ, there are not currently sufficient public facilities and services to serve the proposed development in the RAC – particularly vicinity roadways. DPZ's analysis (see page 3-2 in the "Initial Recommendations" in the 08-1 Amendment package), submitted with the amendment, states that proposed development's additional vehicle trips will contribute to deterioration of two vicinity roadway segments (NW 12 Street between the HEFT and NW 107 Avenue and from NW 107 Avenue to NW 97 Avenue) to below their adopted LOS standards.

Fifty-five other vicinity roadway segments are predicted to drop below their adopted LOS standards by 2015, with or without the vehicle trips from Application 3 (page 3-25 of the "Initial Recommendations" document in the 08-1 Amendment package). Of these, the following segments predicted to fail by 2015 will be significantly affected (5 percent or more of the adopted PM peak-hour level of service standard volumes) by the maximum development of the Application 3 property:

NW 58 Street, from NW 87 Avenue to NW 97 Avenue  
NW 41 Street, from the HEFT to NW 122 Avenue  
NW 25 Street, from NW 87 Avenue to NW 97 Avenue  
NW 12 Street, from SR 826 to NW 107 Avenue  
Dolphin Expressway, from the HEFT to SR 826  
West Flagler Street, from NW 79 Street to SR 826  
SW 8 Street/Tamiami Trail, from the HEFT to SW 127 Avenue  
NW 87 Avenue, from NW 25 Street to SR 836  
NW 97 Avenue, from NW 58 Street to NW 41 Street  
NW 97 Avenue, from NW 25 Street to West Flagler Street  
NW 107 Avenue, from NW 25 Street to West Flagler Street  
HEFT, from SR 836 to SW 40 Street  
NW 122 Avenue, from NW 41 Street to NW 25 Street  
NW 122 Avenue, from SW 8 Street to SW 26 Street  
NW/SW 132 Avenue, from NW 12 Street to SW 18 Street

This condition for designating a Regional Activity Center is therefore not satisfied, because mitigation for impacts to these roads has not been addressed.

The Department concludes that the proposed Application 3 does not satisfy all of the criteria for designation as a Chapter 380 Regional Activity Center because it has not been demonstrated that the Regional Activity Center will contain adequate existing public facilities as defined in Chapter 9J-5, F.A.C., or sufficient committed public facilities, as identified in the Miami-Dade County Capital Improvements Element.

The Department objects to the proposed future land use change to Business and Office for the entire site and to its designation as a Regional Activity Center, because of the potential impacts on the vicinity transportation system.

#### *Citations*

Florida Statutes: Sections 163.3161(3) and 163.3177(3), (6)(a), and (6)(j)5

Florida Administrative Code: Rules 28-24.014(10); 9J-5.005(2); 9J-5.006(2)(a); 9J-5.006(3)(b)1 and (3)(c)3; 9J-5.016(2), (3)(b)1, 3, 4, (3)(c)6, 8, and (4); 9J-5.019(2); 9J-5.019 (3)(a), (f), and (h); 9J-5.019 (4)(b)2, (4)(c)1, and (4)(c)13; and 9J-11.007(1)

#### *Recommendations*

The impacts on level of service on vicinity roadways identified by Miami-Dade County DPZ for Application 3 must be addressed. The Department observes that the applicant for Application 3 submitted a traffic analysis which demonstrates that acceptable levels of service are maintained on vicinity roads with the proposed development. Miami-Dade County DPZ stated in the amendment package that although it did not agree with the applicant's analysis, it was willing to work with the applicant to resolve the discrepancies between the two traffic analyses. The Department recommends that the discrepancies in the different traffic analyses be resolved. If, after this is done, there remain adverse impacts on level of service on vicinity roadways, the amount of development must be reduced or additional road improvements must be included in the 6-year schedule of capital improvements to mitigate the impacts.

## **II. CONSISTENCY WITH THE STATE COMPREHENSIVE PLAN AND STRATEGIC REGIONAL POLICY PLAN**

### **STATE COMPREHENSIVE PLAN**

The above cited amendments do not further and are not consistent with the following goals and policies of the State Comprehensive Plan (Chapter 187, Florida Statutes):

Water Resources Goal and Policies 1, 2, 5, 8, 9, 10, 11, and 14  
Natural Systems and Recreational Lands Goal and Policies 5, 8, 9, 10, and 11  
Land Use Goal and Policies 1, 2, and 6  
Urban and Downtown Revitalization Goal and Policies 6, 8, 9, 12, 13 and 15  
Public Facilities Goal and Policies 1, 2, 7, and 10

Transportation Goal and Policies 2, 3, 7, 8, 9, 12, 13, and 15  
Economy Policy 3  
Agriculture Goal and Policy 5  
Plan Implementation Goal and Policies 7 and 8

#### *Citations*

Florida Statutes: Section 163.3184(1)(b) and Chapter 187

Florida Administrative Code: Rules 9J-5.001(1) and 9J-5.006(5)(a)

#### *Recommendation*

Revise the amendment to be consistent with and further the referenced goals and policies of the State Comprehensive Plan. This may be accomplished by revising the amendment as recommended for the specific objections above.

#### **CONSISTENCY WITH STRATEGIC REGIONAL POLICY PLAN**

The South Florida Regional Planning Council objects to Application 5 because it is not supported by adequate justification for expanding the UDB. It would allow for expansion of the UDB in an area that is identified in the Conservation Element of the Comprehensive Development Master Plan (CDMP) as an area to be avoided when considering UDB expansion. It would adversely affect the roadway system and public services in Miami-Dade County. Therefore, Application 5 is not consistent with the Strategic Regional Policy Plan. It would conflict with Goal 11 (conserve the region's natural resources and rural and agricultural lands by utilizing existing and planned infrastructure in urban areas), Goal 20 (achieve long-term efficient and sustainable development patterns), Policy 11.10 (base development decisions on capacity of existing or programmed infrastructure), and Policy 20.2 (guide development to areas that are most suited for development) of the Strategic Regional Policy Plan.

The Regional Planning Council objects to Application 9, because the amendment as proposed would have significant negative impacts on public facilities and services including transportation, schools, and fire/rescue services. In addition, adequate justification for expanding the UDB has not been presented. Proposed amendment 9 conflicts with Goal 5 (school overcrowding), Goal 7 (conserve water resources), Goal 11 (conserve the region's natural resources), Goal 12 (retain rural and agricultural lands), and Goal 20 (achieve long-term sustainable development patterns) and Policies 5.1, 5.3, 7.1, 11.10, 12.6, and 20.2 of the Strategic Regional Policy Plan.

The Regional Planning Council also objects to Application 14, part 2, the Opa-Locka Airport Master Plan, because of its failure to provide for any intergovernmental coordination between Miami-Dade County Aviation Department and the City of Opa-Locka, which includes a portion of the airport within its city limits. The Council notes, in particular, that Figure 4 and Figure 8 in the proposed amendment omit the Opa-Locka municipal boundary. The Council also notes that the Part 2 amendment lacks adequate data and analysis to demonstrate consistency with the Miami-Dade MPO's long-range transportation plan, as required by Section 163.3177(6)(k), Florida Statutes. The proposed Opa-Locka Airport Master Plan conflicts with Goals 11

(conserve the region's natural resources), Goal 20 (achieve long-term sustainable development patterns), and Goal 21 (intergovernmental coordination) and Policies 11.10, 11.12, 20.8, 20.11, 21.2 and 21.5 of the Strategic Regional Policy Plan.

The Regional Planning Council also objects to the proposed development plan shown on the Miami International Airport Master Plan (Figure 11 in the amendment package) because it is inconsistent with the adopted Miami International Airport Development of Regional Impact (DRI). Specifically, the Airport Master Plan identifies several areas for non-aviation commercial/industrial use. The development of privately owned non-aviation uses (hotel, office, industrial, agricultural and retail) on airport property is not authorized by the DRI development order. Therefore, since the impacts were not addressed during the DRI review, the Council recommends that additional data and analysis be provided to determine the public facilities and roadway impacts of the proposed non-aviation uses. The proposed Miami International Airport Master Plan conflicts with the Goal 11, Policy 11.10, and Policy 11.12 of the Strategic Regional Policy Plan for South Florida.

#### *Citations*

Florida Statutes: Sections 163.3184(1)(b) and 163.3184(5)

Florida Administrative Code: Rules 9J-5.001(1) and 9J-5.006(5)(a)

#### *Recommendations*

Revise the amendment to be consistent with and further the referenced goals and policies of the Strategic Regional Policy Plan for South Florida.

### **III. COMMENTS**

Application 13: Changes to schedule of capital improvements in CIE. The Department recommends that the County incorporate the changes recommended by the South Florida Water Management District in its report on Amendment 08-1, regarding the Capital Improvements Element update.

Application 14, Part 1: Pursuant to a comment from the Florida Department of Environmental Protection, the Miami-Dade County Aviation Department should coordinate with the South Florida Water Management District to determine if the proposed mining activities at the Opa-Locka West Airport site would conflict with the construction or operation of the District's ACCELER8 project.

Application 14, Part 2: Aviation master plan for Opa-Locka Airport. The Department notes the comment from the Florida Department of Transportation, that the Opa-Locka Airport amendment may have an impact on NW 57 Avenue/SR 823 and on the interchange of NW 57 Avenue with the Palmetto Expressway/SR 826. The Department recommends that the Miami-Dade County concurrency management system should identify any improvements necessary to mitigate for the impacts of the project which are not already included in the Long Range Transportation Plan.



# Florida Department of Environmental Protection

Marjory Stoneman Douglas Building  
3900 Commonwealth Boulevard  
Tallahassee, Florida 32399-3000

January 31, 2008

11 BD  
2/1/08

Mr. D. Ray Eubanks  
Plan Review and DRI Processing Team  
Florida Department of Community Affairs  
2555 Shumard Oak Boulevard  
Tallahassee, Florida 32399-2100

**RE: Miami-Dade County; Comprehensive Plan Amendment 08-1**

Dear Mr. Eubanks:

The Office of Intergovernmental Programs of the Florida Department of Environmental Protection (DEP or Department) has reviewed the above-referenced amendment proposal under the procedures of Chapter 163, *Florida Statutes (F.S.)*, and Chapters 9J-5 and 9J-11, *Florida Administrative Code*. The Department provides the following comments and recommendations to assist your agency in developing the state's response to the proposed amendment.

## AMENDMENT DESCRIPTION

The proposed comprehensive plan amendment consists of seven future land use map amendments (FLUM), four text amendments and a 20-year water supply plan. The proposed land use changes on which the Department will focus its comments include the following:

- 1) Application 1 - 1.57 acres from *Business and Office* and *Low-Medium Residential* to *Business and Office*.
- 2) Application 3 - 63.95 acres from *Industrial and Office* and *Business and Office* to *Business and Office with a Regional Activity Center Designation*.
- 3) Application 5 - 51.7 acres from *Open Land* to *Business and Office*, including an Urban Development Boundary (UDB) expansion.
- 4) Application 6 - 1.59 acres from *Low Density Residential* to *Medium-High Density Residential*.
- 5) Application 8 - 42.0 acres from *Agriculture* to *Business and Office*, including a UDB expansion.

- 6) Application 9 – 94.84 acres from *Estate Residential Density* to *Low Density Residential*, including a UDB expansion.
- 7) Application 14 – 420 acres from *Transportation Terminals* to *Open Land*.
- 8) Application 16 – Adding a new 20-Year Water Supply Facilities Work Plan to the Water and Sewer Sub-Element of the Water, Sewer and Solid Waste Element.

#### COMMENTS – WATER SUPPLY AND WATER/WASTEWATER INFRASTRUCTURE

The data submitted within the amendment package for Applications 5, 8 & 9 indicates that adequate water supply is available for the proposed land use changes. All three applications involve expansion of the UDB, however. The water supply data upon which the applications' demand projections were based came from the Consumptive Use Permit (CUP) issued by the South Florida Water Management District (SFWMD) in November 2007. The CUP analysis relied on growth (population) projections within the current UDB. Expansion of the UDB would therefore require an adjustment of the applications' water supply demand projections.

The amendments also lack adequate data and analysis regarding the availability of water and wastewater treatment capacity to serve the proposed development, as required by §163.3167(13)<sup>1</sup> and §163.3177(6)(a),<sup>2</sup> F.S. Miami-Dade County must submit data and analysis to support the provision of those services, and amend its Capital Improvement Element to demonstrate the manner in which the required services will be provided to the areas subject to the land use changes.

Additionally, further analysis of the water supply projections and communications with the SFWMD suggest several inconsistencies regarding the actual amount of water that will become available upon termination of North Miami's purchases of water from Miami-Dade County. The County should submit data that reflects the final permitted amount of water that will be made available by that termination.

#### COMMENTS – WELLFIELD PROTECTION

Based on documentation in the submitted package, parcels described in Applications 5, 8 & 9 are located within the West Wellfield Protection Area, with those in Applications 8 & 9 currently designated *Agriculture*. Policies 8H(i) and 8G(ii)(a) of the Future Land

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<sup>1</sup> "Each local government shall address in its comprehensive plan . . . the water supply sources necessary to meet and achieve the existing and projected water use demand for the established planning period, considering the applicable plan developed pursuant to s. 373.0361."

<sup>2</sup> "The future land use plan shall be based upon surveys, studies, and data regarding the area, including the amount of land required to accommodate anticipated growth; the projected population of the area; the character of undeveloped land; the availability of water supplies, public facilities, and services[.]"

Use element states that when considering the addition of lands to the UDB, the West Wellfield Protection Area and lands designated as *Agriculture* "shall not be considered." Proposed comprehensive plan amendment applications 5, 8 and 9 violate those policies and conflict with the need to protect the county's wellfield areas from further encroachment by development.

#### COMMENTS - PROPOSED MINING

Application 14 proposes to change the current land use designation of a 420-acre parcel from *Transportation Terminal* to *Open Land*. Data in the amendment package indicates that this designation is being sought to allow open pit mining of limestone. The western border of the parcel lies adjacent to Water Preserve Area 3a/3b, one of the Comprehensive Everglades Restoration Project (CERP) ACCELER8 sites. The Department is concerned about potential environmental impacts from intensive mining operations adjacent to this important restoration project. The applicant should contact and coordinate with the CERP division of SFWMD, at (561) 242-5520, to determine if the proposed mining activities would conflict with the construction or operation of the ACCELER8 project.

#### CONCLUSION

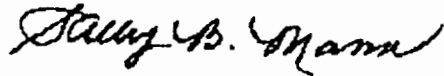
The Department commends Miami-Dade County for working with SFWMD to finalize its 20-Year Consumptive Use Permit in November 2007, including the long-term commitment the County has made to begin utilizing reclaimed water on a large scale. Expansion of the UDB into new areas, however, could negate the long-term planning efforts by the County and necessitate reevaluation of the entire system. The Department is concerned that the County's proposal to expand the UDB may also result in impacts to natural resources and water and wastewater facility infrastructure. The proposed modifications would require a change in public utility demand calculations, specifically potable water supply, wastewater treatment capacity, and the necessary infrastructure to provide those services for the planning horizon.

Based on the information and analysis submitted, the Department has determined that the proposed future land use amendments do not meet the requirements of §163.3167(13), F.S., and §163.3177(6)(a), F.S., and are, therefore, objectionable. The information provided by the County regarding the availability of potable water supply and potable water and wastewater service to the proposed developments is inadequate. The County should submit the required data and analysis and amend its Capitol Improvements Element, if necessary, to demonstrate the manner in which the required services will be provided to the parcels subject to the proposed land use changes.

Mr. D. Ray Eubanks  
Miami-Dade 08-1  
Page 4 of 4  
January 31, 2008

Thank you for the opportunity to comment on the proposed amendments. Should you require additional information, please do not hesitate to call or contact Mr. Chris Stahl at (850) 245-2169 or [Chris.Stahl@Dep.State.FL.US](mailto:Chris.Stahl@Dep.State.FL.US).

Yours sincerely,

A handwritten signature in black ink that reads "Sally B. Mann". The script is cursive and fluid, with the first letters of each word being capitalized and prominent.

Sally B. Mann, Director  
Office of Intergovernmental Programs

SBM/cjs





FLORIDA DEPARTMENT OF STATE  
**Kurt S. Browning**  
Secretary of State  
DIVISION OF HISTORICAL RESOURCES

11 BD  
1/22/08

January 17, 2008

Mr. Ray Eubanks  
Department of Community Affairs  
Bureau of State Planning  
2555 Shumard Oak Boulevard  
Tallahassee, Florida 32399-2100

**Re: Historic Preservation Review of the Miami-Dade County (08-1) Comprehensive Plan Amendment**

Dear Mr. Eubanks:

According to this agency's responsibilities under Sections 163.3177 and 163.3178, *Florida Statutes*, and Chapter 9J-5, *Florida Administrative Code*, we reviewed the above document to determine if data regarding historic resources have been given sufficient consideration in the request to amend the Miami-Dade County Comprehensive Plan.

We reviewed seven proposed amendments to the Future Land Use Map, in addition to five text amendments to various elements of the Miami-Dade Comprehensive Plan, to consider the potential effects of these actions on historic resources. While our cursory review suggests that many of the proposed changes may have no adverse effects on historic resources, it is the county's responsibility to ensure that none of the proposed revisions will have an adverse effect on significant archaeological or historic resources in Miami-Dade County.

We have concerns about the potential for archaeological resources on some of the land use amendments. For Applications 5, 8, 9 and the re-designation of 420 acres of the Opa-locka West Airport for mining purposes, we recommend that cultural resources assessment surveys be conducted if these parcels currently or formerly contained tropical hardwood hammocks. The occurrence of tropical hardwood hammocks could indicate the presence of potentially significant archaeological resources. Furthermore, for Application 6, apparently the county is concerned about the potential that significant structures may be present on this parcel, and may be adversely affected by this action. The application indicates that further research is being conducted on the Brown's Cabins Motel AKA Comar Florida Corp. Motel. We request that once the county's research is conducted, that Florida Master Site File forms be submitted to this agency so that this information is also available in our records.

500 S. Bronough Street • Tallahassee, FL 32399-0250 • <http://www.flheritage.com>

☐ Director's Office  
(850) 245-6300 • FAX: 245-6436

☐ Archaeological Research  
(850) 245-6444 • FAX: 245-6452

☒ Historic Preservation  
(850) 245-6333 • FAX: 245-6437

☐ Historical Museums  
(850) 245-6400 • FAX: 245-6433

☐ South Regional Office  
(904) 416-2115 • FAX: 416-2140

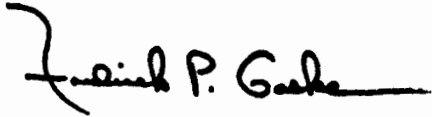
☐ North Regional Office  
(850) 245-6445 • FAX: 245-6435

☐ Central Regional Office  
(813) 777-3843 • FAX: 777-7340

Mr. Eubanks  
January 17, 2008  
Page 2

If you have any questions regarding our comments, please feel free to contact Susan M. Harp of the Division's Compliance Review staff at (850) 245-6333.

Sincerely,

A handwritten signature in black ink, appearing to read "Frederick P. Gaske", with a long horizontal flourish extending to the right.

Frederick P. Gaske, Director

xc: Mr. Bob Dennis



## Florida Department of Transportation

CHARLIE CRIST  
GOVERNOR

District Six  
Office of Director of Transportation Development  
1000 NW 111 Avenue, Miami, FL 33172  
Phone: 305-470-5464 Fax: 305-470-5610

STEPHANIE C. KOPELOUSOS  
SECRETARY

11 BD  
1/31/08

January 27, 2008

Mr. Ray Eubanks  
Division of Community Planning  
Florida Department of Community Affairs  
2555 Shumard Oak Boulevard  
Tallahassee, Florida 32399-2100

**SUBJECT: Miami-Dade County April 2007 Applications to Amend the Comprehensive Development Master Plan (DCA #08-1)**

Dear Mr. Eubanks:

In accordance with your request, and the provisions of Chapter 163, Part II, Florida Statutes and Chapter 9J-5, Florida Administrative Code, this office has completed a review of the Miami-Dade County April 2007 Applications to Amend the Comprehensive Development Master Plan.

Proposed amendment package #08-1 to the Miami-Dade Comprehensive Plan contains seven changes to the future land use map and six text changes to the Comprehensive Development Master Plan. Amendments #1, #3, #6, #12, #13, #15, #16, and #17 are not anticipated to result in additional impacts to the Florida Intrastate Highway System facilities. Therefore, the Department has no objections or recommendations for these amendments at this time.

The District has the following objections, recommendations and comments for the remainder of the amendments:

### **Amendment #5 (Lowes Homecenters)**

#### **Application**

Proposed amendment #5 would change the land use designation of Parcel A from Open Land to Business and Office on a 21.6 acre site and Parcel B from Open Land to Institutions, Utilities and Communications on a 30.1 acre site. The 51.7 acre site is located in the northwest corner of SW 8 Street/SR 90 just west of SW 137 Avenue and it is contiguous to Urban Development Boundary (UDB) to the south and east and located adjacent to two section line roadways. This amendment would also expand the Urban Development Boundary to include the subject property; revise Open Subareas Map (Figure 4) in the Land Use Element as necessary; and add the Declaration of Restrictions to the Restrictions Table in the Land Use Element.

**Objection:**

The Department objects to this amendment due to inconclusive data presented in the traffic study. Based on our review of this study, roadway capacity on SW 8 Street/SR 90 appears to be too high and the peak season volumes on SW 8 Street/SR 90 appear to be too low based on our determination of the existing conditions. Based on our review, the revised existing trips and capacity calculations on SW 8 Street/SR 90 are likely to result in LOS E instead of LOS C as shown in the traffic study.

Furthermore, the Department disagrees with the statement in the traffic study related to the potential of the new Lowes to absorb shopping trips to similar uses. Lowes is a specialized retail establishment and generally does not reflect the same trip characteristics of a typical shopping center. Due to the fact that there are no stores similar to Lowes within the immediate vicinity, the ability of the subject Lowes store to absorb shopping trips from nearby shopping establishments may not be significant enough to make a substantial difference.

The Department does not have improvement projects programmed in the five-year work program in the vicinity of this application.

**Amendment #8 (Brown)**

**Application**

Proposed amendment #8 would change the land use designation from Agriculture to Business and Office on a 42.0 acre site located on the south side of SW 88 Street/ Kendall Drive/ SR 94 west of SW 167 Avenue. This amendment would also expand the Urban Development Boundary (UDB) to include the subject property.

**Objection:**

The Department objects to this amendment due to forecast data presented in the traffic study. Based on our review of this study, the 2016 projected traffic on SW 88 Street/Kendall Drive/ SR 94 to the east of SW 157<sup>th</sup> Avenue is less than the existing traffic counts which is counterintuitive given the tremendous projected population growth in this same time period. Additionally, there appears to be significant impacts to Krome Avenue which is an FIHS roadway. The review should analyze the impacts to Krome Avenue based on the existing capacity as a 2 lane facility. Based on our review, the additional trips from this development are likely to result in Krome Avenue reaching LOS F (between SW 88 St to SW 232 St) versus LOS C reflected in the traffic study.

The Department does not have improvement projects programmed in the five-year work program on Krome Avenue south of SW 88<sup>th</sup> Street.

**Amendment #9 (Ferro)**

**Application**

Proposed amendment #9 would change the land use designation of Part A from Agriculture to Low Density Residential on a 71.6 acre site and Part B from Agriculture to Business and Office on a 10.0 acre site. The 94.84 acre site is located in the area between SW 104 and SW 112 Streets and between SW 167 Avenue and theoretical SW 164 Avenue. This amendment would also expand the Urban Development Boundary to include the subject property; and add the Declaration of Restrictions to the Restrictions Table in the Land Use Element.

**Objection:**

The Department objects to this amendment due to questionable data presented in the traffic study. Based on the review of this study, there appears to be significant impacts on FIHS roadways as the result of the proposed development. The number of residential units and the square footage of retail area appear to deviate substantially from the Miami-Dade Planning and Zoning analysis. Furthermore, the traffic study should analyze SW 88 Street/Kendall Drive/ SR 94 (west of SW 157 Avenue) as a 4 lane facility, not a 6 lane facility.

The Department does not have improvement projects programmed in the five-year work program in the vicinity of this application.

**Amendments #14 (Aviation)**

**Application**

Proposed amendment #14 Part 1 would change the land use designation for Opa-Locka West Airport from Terminals to Open Land; Part 2 applies to all County Airports and would consist of map and text changes (Miami International Airport, Opa-Locka Executive Airport, Kendall-Tamiami Executive Airport, and Homestead General Aviation Airport); and Part 3 would revise the text of the Land Use Element Section titled Transportation.

**Comments:**

The Opa-Locka Executive Airport amendment may have an impact on NW 57 Avenue/SR 823 and the interchange of NW 57 Avenue with the Palmetto Expressway/SR 826. The Miami-Dade County Concurrency Management System should identify any improvements necessary to mitigate for the impacts of the project which are not already included in the Long Range Transportation Plan.

**Mr. Ray Eubanks**  
**January 27, 2008**  
**Page 4**

Please contact Phil Steinmiller at 305-470-5825, if you have any questions concerning our response.

Sincerely,

A handwritten signature in black ink, appearing to read 'Alice Bravo', written in a cursive style.

**Alice N. Bravo, P.E.**  
**District Director of Transportation Systems**  
**Development**

**Cc: Aileen Boucle, AICP**  
**Phil Steinmiller**



# **SOUTH FLORIDA WATER MANAGEMENT DISTRICT**

**GOV 08-06**

January 25, 2008

Ray Eubanks, Administrator  
Plan Review and Processing  
Department of Community Affairs  
2555 Shumard Oak Boulevard  
Tallahassee, FL 32399-2100

Dear Mr. Eubanks:

**Subject: Miami-Dade County, DCA #08-1 Amendment Package  
Proposed Comments - South Florida Water Management District**

The South Florida Water Management District (District) has completed its review of the proposed amendment package DCA #08-1 submitted by Miami-Dade County (the County). The twelve proposed amendments (also referred to as "applications" per the County's policy) include the County's Water Supply Facilities Work Plan (Work Plan) and amendments to the County's Capital Improvements Element (CIE) related to the Work Plan.

The District commends Miami-Dade County on the timeliness and quality of their Work Plan. However, we recommend a series of changes to fully comply with statutory requirements and to reflect consistency with their 20-year Consumptive Water Use Permit, approved by the District's Governing Board in November 2007. The District's recommended changes regarding the Work Plan (Application 16) and the amendments to the CIE (Application 13) are detailed in the attached report. We recommend that the Department of Community Affairs (DCA) endorse these changes in its response to the County.

The District is committed to working with local governments to provide guidance and assistance with these important planning requirements. To that end, we have provided the attached report of recommendations to the County in advance, in an effort to expedite their opportunity to address these issues and revise their submittals.

Of significance, DCA #08-1 includes ten other proposed amendments, three of which have water resource-related issues. Applications 5, 8, and 9 involve proposals to expand the Urban Development Boundary (UDB). We recommend that DCA object to these three amendments based on inadequate water supply resources and facilities planning.

- The 20-year Consumptive Water Use Permit (CUP) issued by the District to Miami-Dade County (November, 2007) was based solely on population projections within the current Urban Development Boundary (UDB). The three proposed UDB amendments will require additional potable water beyond that contemplated in the CUP.
- The proposed UDB amendments are lacking water supply source identification information and supporting water supply data and analysis. In addition, the proposed

amendments to the CIE do not appear to address the capital infrastructure needs of the proposed UDB amendments.

- Until the new Hialeah Floridan Aquifer reverse osmosis facility goes on-line (4.72 million gallons per day (MGD) scheduled for 2012), the county has limited "new" water to meet its anticipated growth within the UDB, and must rely heavily on water conservation and system savings to avoid a deficit. A portion of the water from this plant is already committed to the city of Hialeah as part of the 2006 consent agreement Miami-Dade County has with DCA (Case #06-2395GM).
- Data and analyses to document the availability of water to meet the anticipated municipal growth for the next five years is essential to ensure adequate water supply before approving land uses outside the UDB that might compete for the same supply.
- Any further increase in ground water withdrawals from existing Biscayne Aquifer well fields beyond the CUP are expected to impact the regional water management system; such impacts are not allowable under the Everglades protection provisions of the District's Regional Water Availability Rule.
- The requirements of the limiting conditions within the CUP would need to be met prior to providing water supply to any development(s) outside of the current service area.

In summary, the District is especially concerned about the timing of any proposed new development within or outside of the Urban Development Boundary until significant progress can be made constructing the extensive new infrastructure detailed in the Work Plan and the CIE, and as projected in the Miami-Dade CUP application. The County has made a major commitment to spend \$1.6 billion on new water and sewer infrastructure and has set an aggressive, albeit necessary, timeline for the scheduled projects. Any delays in completing these projects in a timely manner will cause a shortfall of water supply with respect to projected growth within the existing UDB.

Staff's objection and comments on the subject amendment will be presented to the SFWMD's Governing Board for approval on February 14, 2008. Any additional comments resulting from the Governing Board discussion will be forwarded to you immediately after the meeting. The District offers its technical assistance and cooperation to DCA and the County on any of the issues identified in our comments. Please contact Marjorie Craig, P.E., Director, Water Supply Department, at (561) 682-2716 for further assistance. We look forward to collaborating with the County and DCA on developing sound, sustainable solutions to meet the County's future water needs.

Sincerely,



Chip Merriam  
Deputy Executive Director  
Water Resources

c: George M. Burgess, County Manager, Miami-Dade County  
Marjorie G. Craig, P.E., Director, Water Supply Department, SFWMD  
Carolyn Dekle, Executive Director, SFRPC  
Bob Dennis, Administrator, DCA



Name of Agency:	South Florida Water Management District
Review Coordinator:	Jim Golden (561) 682-6862
Plan Reviewed:	Miami-Dade County, DCA #08-1
SFWMD Response Date:	January 24, 2008
=====	

## **BACKGROUND:**

As part of its #08-1 amendment package, Miami-Dade County is proposing text amendments to its Comprehensive Development Master Plan (CDMP) to implement its required Water Supply Facilities Work Plan (Work Plan). This report addresses only the Work Plan related amendments of the #08-1 amendment package. Comments on proposed land use changes in the amendment package are contained in the transmittal letter accompanying this report.

Under Application 16, Miami-Dade County is proposing text amendments to its CDMP to add a 20-year Water Supply Facilities Work Plan to the Water and Sewer Sub-element of the Water, Sewer and Solid Waste Element; modify text, figures and table of said sub-element; and revise the Conservation, Aquifer Recharge and Drainage, Capital Improvements, and Intergovernmental Coordination Elements. Under Application 13, the County is proposing revisions to its Capital Improvements Element (CIE), including Table 8 (Sewer Facilities) and Table 12 (Water Facilities) to reflect the projects in the Work Plan. This report addresses both applications 13 and 16.

The Work Plan submitted by the County contains comprehensive long range water supply plans for the Miami-Dade County Water and Sewer Department's present and future service area until the year 2027.

The District commends the County for its progressive approach in managing its water supply by developing alternative water supply, conservation and reuse projects to meet projected increased demands. The County's Work Plan also exceeds the 10-year minimum requirement of state law. The County's early submittal of its Work Plan is especially helpful given the number of municipalities dependent on the county for all or part of the water supply. Each of the local governments must also submit Water Supply Facility Work Plans by Aug. 15, 2008. The County has proactively included planning details for each of its wholesale and retail customers, achieving an important goal of the recent 2005 legislation to strengthen coordination between land use and water supply planning. The County's efforts will help to ensure a reliable water supply for the future.

## **SUMMARY OF FINDINGS**

The proposed changes to the CDMF to capture the County's Work Plan represents a significant accomplishment by the County staff given the challenges addressing the needs of the state's largest county and the state's largest public water supply utility. Even more remarkable was the timing of the draft, developed in concert with the final changes to their 20-year Consumptive Use Permit (CUP), approved by the District's Governing Board in mid-November 2007.

Because the timing of the Work Plan and CUP limited the County's ability to ensure consistency, District staff undertook a detailed review of the Work Plan-related amendments, including an intensive comparison of the amendments and the CUP. The goal of this effort is to provide DCA and the County with specific recommendations to help finalize the Work Plan and the related amendments to the CDMF.

The District has identified areas where further information or clarification is needed to achieve consistency with the CUP and to meet the full statutory requirements for Work Plans. While a number of the changes are relatively small and simple, they are important to completing the plan. These areas include: additional information concerning other utilities providing potable water supply within the County's jurisdiction (i.e., the unincorporated areas); populations that supply their own drinking water; details on specific water conservation projects or programs listed in the Work Plan, the CIE, and in the recently issued CUP; and levels of service for the potable water needs of non-residential land uses.

## **RECOMMENDATIONS:**

The Work Plan is a major step in ensuring that the County's future water use remains consistent with the District's Lower East Coast Water Supply Plan Update (LEC Plan Update). The County has produced a Work Plan that provides a commitment to the development of alternative water supply sources. The County's Work Plan would be significantly improved by addressing the following issues:

- The Work Plan and CIE should be revised to be consistent with the projects, programs and other requirements of the CUP, as noted in the District's comments.
- The Work Plan should be revised to identify unincorporated areas served by other utilities and to develop the required information concerning these utilities.
- The County should specify the extent of responsibilities of these municipal utilities serving within its jurisdiction, and continue to work with the municipalities to document whether the utility has planned for sufficient water supply to match the anticipated growth within the unincorporated area they serve.
- The County should develop an inventory of self-supplied water users and insert this information into the Work Plan.
- The County should adopt potable water levels of service for non-residential land uses such as office, industrial, and mixed-use, as this information would be helpful in assessing future water supply needs for site-specific non-residential land use amendments

## **SPECIFIC COMMENTS ON APPLICATION 13 (CAPITAL IMPROVEMENTS ELEMENT)**

### Pages 13-7 and 13-8 "Conservation"

- The conservation projects, goals and objectives should reflect those required within the Consumptive Water Use Permit, specifically Limiting Conditions #45, #49 and Exhibit #27.
- After the revisions to the Conservation and Drainage Elements, the remaining 11 active conservation projects do not appear directly correlated to the 20-Year Conservation Plan required in the CUP. In fact, the final sentence in this section states: "There are no newly proposed projects". This statement does not support information provided in the Work Plan, Table 4-4 and Exhibit 27A of the CUP itemizing water conservation credits of 19.62 MGD in 2026 for expected reductions in per capita consumption. This section should be detailed to reflect the role that both the County and its customers will be responsible for in meeting this expected reduction.

### Page 13-15 "Water Facilities"

- It appears that the time-frame listed for the 5-year capital improvements program should be 2007/8 to 2012/13 instead of 2006/7 to 2011/12.

### Pages 13-41 to 13-43: "Table 8: Sewer Facilities"

- Table 8 should be revised to accurately track details in the CUP as noted in the next 11 bullets below. Once corrected, Table 8 should be used to guide revisions to Appendix B of the Work Plan and throughout the Work Plan to simplify the tracking of projects between the CUP, CIE and Work Plan.
- The projects for Phase II and III of the South District WWTP have been changed to the West District. These changes should be reflected in Table 8 as well as in all tables in the Work Plan.
- The West District Reclaimed Project (public access irrigation projects TBD) for 6.5 MGD by 9/2021, as identified in the CUP, is missing from the table.
- Project #25, listed as Village of Key Biscayne (1 MGD for \$7 Million) should be listed as South District WWTP as per CUP (see #3 on Exhibit #30).
- The completion date for Project #28 should be changed to 1/1/2012.
- Project #30 should be changed to 18.6 MGD with a new completion date of 1/1/2014.
- Project #31 is now "West District" and should be changed to 21 MGD with a completion date of 1/1/2021.
- Project #32 is now "West District" and should be changed to 16 MGD with a completion date of 1/1/2026.
- Project #33 should be changed to 75.7 MGD with a completion date of 1/1/2021.
- All totals should be revised accordingly.
- A footnote should be added indicating that the MGD shown is for Average Day.

- There is no reference for the footnote in the lower left corner of Table 8 designated by a single asterisk

Page 13-68: "Table 12: Water Facilities" Project #20 Alternative Water Supply

- Table 12 should be revised to track details in the CUP as noted in the bullets below. Once corrected, Table 12 should be used to guide revisions to Appendix B of the Work Plan, and should be incorporated into the Work Plan to allow simplify the tracking of projects between the CUP, CIE and Work Plan.
- For the Floridan Aquifer blending project at Alexander-Orr, there are inconsistencies concerning the information provided for this project between Table 12 and Figure 5-1 of the Work Plan and Appendix B. It appears that the 7.4 MGD figure should be changed to 7.2 MGD with a completion date of 2008 and the \$6.8 million figure should be changed to \$6.4 million.
- To be consistent with the CUP dates and volumes the following should be changed:
  - The completion date for "C" should be changed to 12/30/2009.
  - The completion date for "D" should be changed to 12/25/2011.
  - The completion date for "E" should be changed 12/30/2017. It also appears that the amount needs to be changed on Figure 5-1 of the Work Plan and Appendix B.
  - The completion date for "F" should be changed to 12/30/2027 and the amount changed to 5.0 MGD.
- All totals should be revised accordingly.

## SPECIFIC COMMENTS ON APPLICATION 16 (WATER SUPPLY FACILITIES WORK PLAN)

### Pages 16-2 to 16-5 "Part A"

Revise Objective WS-6 as follows:

Miami-Dade shall undertake timely efforts to expand traditional sources of raw water and develop new alternative raw water sources and projects to meet the county's water supply needs.

Revise Policy WS-6A as follows:

...After 2013, Miami-Dade County will meet all new future water supplies...

Revise Policy WS-6D as follows:

...consider and are compatible with the South Florida Water Management District's Lower East Coast I Water Supply Plan Update, and the current Consumptive Use Permit, and comply with...

Revise Policy WS-7A as follows:

... The Work Plan shall remain consistent with the County's Consumptive Use Permit renewals and with the ~~projects listed in goals~~ of the South Florida Water Management....

Table 1 (page 16-5) needs to be edited to reflect the recently issued CUP. Project names should be consistent with CUP Exhibits 28, 29 and 30 and should match the time periods in which the projects are to be completed and brought on line.

Revise Policy WS-7B as follows:

The County shall consider the ~~current~~ most recent approved version of South Florida.....

Revise Objective WS-7 as follows:

....A second measure would be ~~to compare the projected 20-year water demands with the projected water supplies produced by the projects identified in the Work Plan~~ a progress report comparing the projected 20 year water demands with projected water supply projects identified in the Work Plan. This report is required in Chapter 373.0361 (7)(b), F.S. to be provided to the water management district by November 15th of each year.

In addition to the specific revisions to the objectives and policies listed above, the objectives and policies in Part A should be expanded to address the following:

- Coordination with other local water suppliers that provide water or services within the County's jurisdiction, including municipal suppliers as well small, private suppliers (trailer parks, condos, etc.),
- Establishing a single point of contact with all customers and suppliers,

- Defining the extent of responsibilities on multi-jurisdictional projects (e.g. Hialeah). This should include permitting, reporting, O & M, and other duties.
- All issues related to the Bulk Sales Agreements (timing, scope, renewals, coordination),

#### Pages 16-6 "Part B"

Revise Policy CON-4E as follows:

In accordance with the goals of the South Florida Water Management District's *Lower East Coast Water Supply Plan Update* and Objective WS-7, and its related policies, Miami-Dade shall develop alternative water supply sources to supplement withdrawals from the Biscayne Aquifer. Such sources may include withdrawals from the Floridan Aquifer, implementation of water conservation methods and projects, and development of reclaimed and wastewater reuse strategies and projects.

In addition to the specific revisions to the policy listed above, the objectives and policies in Part B should be expanded to address the following:

- Information related to Limiting Condition # 45 of the Consumptive Use Water Use Permit:

The Water Conservation Plan outlined in Exhibit 27 must be implemented in accordance with the approved implementation schedule. The permittee shall submit an annual report covering water conservation activities during the prior calendar year by March 15 of each year describing water conservation activities for the year including expenditures, projects undertaken and estimated water savings.

- Reporting requirements related to specific projects in the current Consumptive Use Water Use Permit and their annual updates:
  - Reuse Feasibility Study,
  - Conservation Report,
  - Schedule for implementation of reuse,
  - Documentation of the amounts of uncommitted reclaimed water.
- Stormwater strategies and projects, such as seepage management, stormwater capture etc.

#### Pages 16-6 "Part C"

Revise Policy ICE-4F as follows:

It is the policy of Miami-Dade County to coordinate with ~~that~~ the South Florida Water Management District (SFWMD) ~~shall recognize~~ in its water supply and management planning and permitting process, Miami-Dade County's adopted population projections, spatial characteristics of the CDMP Land Use Plan map, and policies of the CDMP Land Use, Conservation, Reuse and Coastal Management Elements. It is further County policy to accommodate future projected population and economic growth by utilizing the range of alternative water supply technologies outlined under CDMP Water and Sewer Sub-Element Objective WS-6 and identified in the current District Consumptive Use Permit, ...

Revise Policy ICE-5E as follows:

... Miami-Dade County shall consider, and be compatible with the goals of the South Florida Water Management District's Lower East Coast Water Supply Plan.

Page 16-13 "Appendix A – Final Water Supply Facilities Work Plan"

In Section 1.2, Purpose and Objectives, the discussion should be expanded to address:

- The development of traditional and alternative water supplies, bulk sales agreements, and conservation and reuse.
- Information on other water suppliers that may be providing water supply to the unincorporated areas within the County's jurisdiction.
- Given the size and level of responsibility, a summary of coordination that the Miami-Dade WASD will provide to those wholesale customers in meeting their own water facility planning requirements.

In Section 2.1, MDWASD Service Area, the discussion should be expanded to address:

- That the 16 local governments which are wholesale customers should have fully executed agreements that extend for a 20-year period,
- An added section detailing other water suppliers' responsibilities within the unincorporated areas of the County's jurisdiction.
- The arrangement between the MDWASD and Florida City (Service Areas as well as any current or projected water supplies) and the City of Homestead.
- The South Dade Sub-area
  - Discuss how or whether customers currently being served by Everglades or Newton will continue to be served once these come off-line.
  - Clarify the on-line date for the SMHWTP to be consistent with the Consumptive Use Permit.
  - On Figure 2-1, the respective whole sale customer's service areas should be highlighted on the map as indicated in the legend.

On Table 2-1, the wholesale agreement information should be date referenced.

- Detail any agreements with Florida City and/or Homestead.

Section 2.5, Other Water Suppliers (Non-MDWASD), should be expanded to:

- Include and address other local government's facilities which serve unincorporated areas in the County's jurisdiction.

- Include tabulated information (5 year increments) such as maps, populations, and demands for the unincorporated areas and any detailed information on who is servicing them (American Village, City of North Miami, City of North Miami Beach).
- Include information on small public supply systems (trailer parks, condos, etc.), if available, within the data and analysis portion.

Section 3.1, Water Supply Wellfields (Sources of Water), should be revised as follows:

- Update Consumptive Use Permit information.
- Include development of Floridan aquifer system water sources within the described wellfields.
- Table 3-1 information should be date referenced.
- Expand the table information to include the planned Floridan aquifer system expansion.
- Update the Roberta Hunter Park wellfield from 10.5 to 14.0 (mgd) in all areas of Section 3.1 and Appendix A to be consistent to the Consumptive Use Permit.
- Remove the Raw Water Lines in Figure 3.1 from the legend.
- In sub-section 3.1.3, discuss the expansion of FAS in the Alexander-Orr Wellfield site to be used for blending.
- In subsection 3.1.3.5, Floridan aquifer blending, clarify whether or not this is the UV project listed in CIE Table 12 for 7.2 MGD and revise, as necessary, along with other information and tables as appropriate.

Section 3.2, Water Treatment/Storage Facilities, should be revised as follows:

- In sub-sections 3.2.1. and 3.2.2, discuss blending options by facility.
- In subsection 3.2.3, clarify when the project for South Miami Heights goes on-line.
- Add a section to detail information from other water suppliers within the County jurisdiction (unincorporated areas)

Section 3.4, Summary, should be revised as follows:

- Statements should be based on projected demands, capacity, allocations and specific projects.
- Table 3.3 should be date-referenced.
- Add another table for all other water suppliers and their facilities, distribution and/or storage within the County's jurisdiction (unincorporated areas).

Section 4.4, Water Demand Projections, should be revised as follows:

The footnote (b) for Water Conservation (MGD) Credit of 19.62 should be updated to reflect the CUP, specifically Limiting Condition #45, #49 and Exhibit #27. These projects should also be supported by specific projects within CIE Table 12 where applicable.

Section 4.5, Water Conservation and Reuse, should be revised as follows:

- The finished water demand adjustment should be supported by actual, specific conservation projects in the CIE as well as the Water Supply Facilities Work Plan.



However, the majority of the conservation projects have been moved to the Drainage Element.

- Specify any other conservation projects by name and number reference that were taken from the MDWASD 20-year Water Use Efficiency Goal Based Plan approved by the SFWMD (pages 4-5) and used to reflect a reduction in the projected PCUR of 155 to 148.
- Reflect that 5.0 MGD of the 7.0 MGD reuse project anticipated for the North District will be used by North Miami Beach and not the MDWASD.

Section 4.6, Summary, should be revised as follows:

- All adjusted figures in Table 4-5 should be supported by actual, specific conservation projects in the CIE as well as the Water Supply Facilities Work Plan.

Section 5, Water Supply Facilities Work Plan, should be revised as follows:

- Revise all tables and descriptions to reflect the CUP timing and amounts, as noted in comments on CIE
- Justify the Water Conservation credit of 19.62 MGD in 2028 with actual, specific conservation projects in the CIE, as well as the Water Supply Facilities Work Plan
- Figure 5-1 should be edited for all project timelines and for amounts for projects #4 through #7. The 6.5 MGD West District reuse project (#6, Exhibit 30 of the Consumptive Use Permit) should be included in all tables and figures.

Section 5.3, 20-Year Work Plan and Capital Improvement Plan, should be revised as follows:

- The statement confirming the County's commitment to funding projects to meet increased demands should be supported with respect to the conservation projects or programs as noted above. The conservation projects used to reduce the projected water supply demands and their funding should be clearly specified.

Section 5.4, Conclusion, should be revised as follows:

- Reflect the issuance of the 20-year CUP and outline the reporting requirements of that permit.
- Edit Table 5.3 for all project timelines and for amounts for projects #4 through #7. The 6.5 MGD West District reuse project (#6, Exhibit 30 of the CUP) should be included in all tables and figures throughout.

In Appendix B:

- Revise Tables 8 and 12 to be consistent with the revised CIE and revised Work Plan.

In Appendix C:

Revise Paragraph 1 as follows:

...20-year Water Supply Facilities Work Plan (WSFWP) identifies, traditional, alternative water supply projects, sales agreements, conservation and reuse programs, and capital improvement projects necessary to meet the projected water demands within the Department's service area,

and addresses other water suppliers within Miami-Dade County's jurisdiction..... Future water supplies provided by MDWASD or other city utilities within the County's ~~service area~~, jurisdiction, including unincorporated areas are included in the 20-year WSFWP.

# MEMORANDUM

AGENDA ITEM #6h

DATE: JANUARY 7, 2008  
TO: COUNCIL MEMBERS  
FROM: STAFF  
SUBJECT: MIAMI-DADE COUNTY PROPOSED COMPREHENSIVE PLAN AMENDMENT

## Introduction

On December 21, 2007 Council staff received proposed amendment package #08-1 to the Miami-Dade County Comprehensive Development Master Plan (CDMP) for review of consistency with the *Strategic Regional Policy Plan for South Florida (SRPP)*. Staff review is undertaken pursuant to the Local Government Comprehensive Planning and Land Development Regulation Act, Chapter 163, Part II, Florida Statutes (F.S.), and Rules 9J-5 and 9J-11, Florida Administrative Code (F.A.C.).

## Community Profile

With a 2007 population estimated at 2,462,292, Miami-Dade County is the most populous county in Florida. The County's population has grown by 9.3% since 2000, and is expected to increase an additional half a million by the year 2020. The percentage of the population that is of working age or younger is larger in Miami-Dade County than the state average. The County also has higher unemployment rates as well as a higher percent of families with incomes below the poverty level than the state average.

The structure of the County's economy is heavily service and trade oriented, with approximately 57% of total employment in these sectors. The County has established itself as a wholesaling and financial center and major tourist destination. Miami-Dade County ranks ninth in export sales among all metropolitan areas in the country. Almost a quarter of the state's total employment in transportation is located in the County. The Port of Miami is the largest cruise ship port in the world and one of the largest container ports in the southeast. The urbanized portion of the County lies between two national parks, Everglades and Biscayne National Parks. The close relationship of tourism to the preservation of Miami-Dade County's unique native plants and wildlife has been recognized as an economic as well as an environmental issue. In order to manage growth, the County's Comprehensive Development Master Plan (CDMP) establishes an Urban Development Boundary (UDB), which distinguishes the area where urban development may occur from areas where it should not occur.

Additional information regarding the County or the Region may be found on the Council's website at [www.sfrpc.com](http://www.sfrpc.com).

### Summary of Staff Analysis

Proposed amendment package #08-1 to the Miami-Dade County Comprehensive Development Master Plan (CDMP) contains seven site-specific changes to the Future Land Use Map, amendments to County-wide maps (amendment nos. 12 and 15), and six amendments to the text changes of the CDMP. The general location of the County is exhibited as Attachment 1. Attachment 2 presents the locations of all map amendments. Individual detailed locations of the proposed map amendments are shown as Attachments 3 – 9. Attachment 10 shows the location of major aviation facilities referred to in Amendment 14 part 2.

A summary of the proposed amendments in this package is listed below. For the purposes of this review, the amendments retain their County amendment numbers. A detailed analysis of the amendments is included in the attached staff report.

<b>SUMMARY OF CDMP SITE-SPECIFIC MAP AMENDMENTS</b>						
<b>County Amend. Number</b>	<b>Size (gross acres)</b>	<b>General Location</b>	<b>Proposed Land Use Change (From/To)</b>	<b>Attachment</b>	<b>Staff Recommendation</b>	<b>BCC<sup>4</sup> Vote</b>
1	1.57	North & south sides of NW 88 <sup>th</sup> St. east of NW 27 <sup>th</sup> Av.	FROM: Business & Office (B & O) and Low-Medium Density Residential (6 – 13 du/ac) (LMR) TO: Business & Office (B & O)	3	General Consistency with the SRPP	13 - 0
3	63.95	North side of NW 12 <sup>th</sup> St. between NW 107 <sup>th</sup> Av. and 111 <sup>th</sup> Av.	FROM: Industrial (I) and Office (O) TO: Business & Office (B & O) with Regional Activity Center (RAC) and Metropolitan Urban Center (MUC) designations	4	General Inconsistency with the SRPP	12 - 0
5	51.7	NW corner of theoretical SW 138 <sup>th</sup> Av. and SW 8 <sup>th</sup> St.	FROM: Open Land (OL) TO: Business & Office (B & O), Institutions (Inst) , Utilities (U) , and Communications (COMS) Expand the Urban Development Boundary (UDB) <sup>2</sup>	5	General Inconsistency with the SRPP	8 - 5
6	1.59	Immediately south of SW 38 <sup>th</sup> St. and west of SW 84 <sup>th</sup> Av.	FROM: Low Density Residential LDR (2.5 -6) TO: Medium-High Residential (MHR) (25 – 60)	6	General Consistency with the SRPP	11-1

SUMMARY OF CDMP SITE-SPECIFIC MAP AMENDMENTS						
County Amend. Number	Size (gross acres)	General Location	Proposed Land Use Change (From/To)	Attachment	Staff Recommendation	BCC <sup>4</sup> Vote
8	42.0	South of SW 88 <sup>th</sup> St. and east of SW 177 <sup>th</sup> Av.	FROM: Agriculture (A) TO: Business & Office (B & O), Expand the Urban Development Boundary (UDB) <sup>3</sup>	7	General Inconsistency with the SRPP	10 - 3
9	94.84	South of SW 104 <sup>th</sup> St. between SW 164 <sup>th</sup> Av. and 167 <sup>th</sup> Av.	FROM: Agriculture (A) TO: Low Density Residential LDR (2.5 -6), and Business & Office (B & O) Expand the Urban Development Boundary (UDB) <sup>3</sup>	8	General Inconsistency with the SRPP	8 - 5
14 Part 1	420	US 27 at Broward County line	FROM: Transportation Terminals TO: Open Land	9	General Consistency with the SRPP	10 - 0

<sup>1</sup> UDB Amendments, Residential lands only

<sup>2</sup> UDB Amendments, Non-residential lands only

<sup>3</sup> UDB Amendments, Combination of Residential and Non-residential lands

<sup>4</sup> BCC = Board of County Commissioners

SUMMARY OF CDMP COUNTY-WIDE MAP AND TEXT AMENDMENTS			
County Amendment Number	Text/Map Amendments	Staff Recommendation	BCC <sup>4</sup> Vote
12	Land Use Element: maps and text amendments related to Parks and Recreation, Environmentally Protected Parks, and Environmental Protection land use designations	General Consistency with the SRPP	10 - 0
13	Capital Improvements Element Updates/Amendments	General Consistency with the SRPP	10 - 0
14	Part 2 - Aviation Sub-Element Amendments	General Inconsistency with the SRPP	10 - 0
14	Part 3 - Future Land Use Element Amendments	General Consistency with the SRPP	10 - 0
15	Land Use, Coastal Management and Capital Improvements Elements Amendments related to Coastal High Hazard Areas	General Consistency with the SRPP	10 - 0

SUMMARY OF CDMP COUNTY-WIDE MAP AND TEXT AMENDMENTS			
County Amendment Number	Text/Map Amendments	Staff Recommendation	BCC <sup>4</sup> Vote
16	Amendments to the Water, Sewer, and Solid Waste; Conservation; Conservation, Aquifer Recharge and Drainage; Intergovernmental; and Capital Improvements Elements concerning water supply and a Water Supply Facilities Workplan	General Consistency with the SRPP	10 – 0
17	Land Use and Housing Elements relating to Affordable Housing	General Consistency with the SRPP	10 – 0

<sup>4</sup> BCC = Board of County Commissioners

On November 27, 2007, Resolution No. R-1266-07 was adopted by the Board of County Commissioners, with a vote of 6-4, to transmit the proposed amendment package to the Florida Department of Community Affairs for review and comment.

#### Recommendation

Find proposed amendments 3, 5, 8, 9 and 14 part 2 of proposed amendment package #08-1 generally inconsistent with the *Strategic Regional Policy Plan for South Florida (SRPP)*. Specifically find that:

Proposed Miami-Dade County amendment 3 conflicts with Goal 5 and Policies 5.1 and 5.3 of the SRPP;

Proposed Miami-Dade County amendment 5 conflicts with Goals 11 and 20 and Policies 11.10 and 20.2 of the SRPP;

Proposed Miami-Dade County amendment 8 conflicts with Goals 11, 12 and 20 and Policies 11.10, 12.6 and 20.2 of the SRPP;

Proposed Miami-Dade County amendment 9 conflicts with Goals 5, 7, 11, 12 and 20 and Policies 5.1, 5.3, 7.1, 11.10, 12.6 and 20.2 of the SRPP; and,

Proposed Miami-Dade County amendment 14 part 2 conflicts with Goals 11, 20 and 21 and Policies 11.10, 11.12, 20.8, 20.11, 21.2 and 21.5 of the SRPP.

Find the remainder of Miami-Dade County proposed amendment packet #08-1, which includes amendments 1, 6, 12, 13, 14 (parts 1 & 3 only), 15, 16 and 17 generally consistent with the *Strategic Regional Policy Plan for South Florida*. Approve this staff report for transmittal to the Florida Department of Community Affairs.

#### Council Action

At its January 7, 2008 meeting, the Council found the following for proposed Miami-Dade County amendment package #08-1:

Find proposed amendments 3, 5, 9 and 14 part 2 of proposed amendment package #08-1 generally inconsistent with the *Strategic Regional Policy Plan for South Florida (SRPP)*. Specifically find that:

- a) Proposed amendment 3 conflicts with Goal 5 and Policies 5.1 and 5.3 of the *SRPP*;
- b) Proposed amendment 5 conflicts with Goals 11 and 20 and Policies 11.10 and 20.2 of the *SRPP*;
- c) Proposed amendment 9 conflicts with Goals 5, 7, 11, 12 and 20 and Policies 5.1, 5.3, 7.1, 11.10, 12.6 and 20.2 of the *SRPP*; and,
- d) Proposed amendment 14 part 2 conflicts with Goals 11, 20 and 21 and Policies 11.10, 11.12, 20.8, 20.11, 21.2 and 21.5 of the *SRPP*.

Find proposed amendment No. 8 generally consistent with the *SRPP*, expressing concerns about traffic impacts on Kendall Drive and acknowledging that the applicant has proffered covenants to restrict the development from any residential development and to fund construction of SW 172<sup>nd</sup> Avenue to the existing site south of the amendment site. In its finding the Council also acknowledged that the construction of SW 172<sup>nd</sup> Avenue would eliminate the inconsistency with Goals 11 and 20 and Policies 11.10 and 20.2 as called out in the staff report.

Find the remainder of Miami-Dade County proposed amendment packet #08-1, which includes proposed amendments 1, 6, 12, 13, 14 (parts 1 & 3 only), 15, 16 and 17, generally consistent with the *Strategic Regional Policy Plan for South Florida*.

The Council, by the same motion, approved the transmittal of the attached staff report to the Florida Department of Community Affairs.

**Proposed Comprehensive Plan Amendment Review  
Staff Report  
for  
Miami-Dade County**

**South Florida Regional Planning Council  
January 2008**



**PROPOSED AMENDMENT PACKAGE #08-1  
TO THE  
MIAMI-DADE COUNTY COMPREHENSIVE PLAN**

Summary of Staff Analysis

Proposed Amendment package #08-1 to the Miami-Dade County Comprehensive Development Master Plan (CDMP) contains seven site-specific changes to the Future Land Use Map, amendments to County-wide maps (amendment nos. 12 and 15), and six amendments to the text changes of the CDMP. The general location of the County is exhibited as Attachment 1. Attachment 2 presents the locations of all map amendments. Individual detailed locations of the proposed map amendments are shown as Attachments 3 – 9. Attachment 10 shows the location of aviation facilities referred to in amendment 14 part 2.

**Planning Rationale**

Miami-Dade's Comprehensive Development Master Plan (CDMP) is a metropolitan guide for growth management. The Plan is countywide in scale and comprehensive in scope. It establishes the County's policy framework within which specific development decisions are made daily. Among its key growth management objectives, the CDMP seeks to ensure that physical expansion of the urban area is managed to occur 1) at a rate commensurate with projected population and economic growth; 2) in a contiguous pattern centered around a network of high-intensity activity centers, well-connected by multimodal intra-urban transportation facilities; and 3) in locations which optimize efficiency in public service delivery and conservation of valuable natural resources. The foregoing objectives are encouraged by the State's comprehensive planning laws and the *Strategic Regional Policy Plan for South Florida (SRPP)*.

**Urban Development Boundary Updates and Procedures**

Future Land Use Element Policy 8G of the CDMP provides guidance on development capacity that should be available within the Urban Development Boundary (UDB). The Policy also addresses how demand and land supply for residential and nonresidential uses are determined. To provide the basis for decisions to amend the Urban Expansion Area (UEA) boundary and UDB, the County performs an assessment of supply and demand for various land uses within the UDB every two years. Amendments to change the UDB and UEA are only accepted every two years so that they correspond with this assessment. As stated in Section 2-116.1 of the Miami-Dade County Code, which provides a procedure for the CDMP to be periodically reevaluated and amended, UDB and UEA amendments can be included only in the April application filing period of odd-numbered years. The supply and demand analysis which supports this amendment package has indicated that there is sufficient capacity for both residential and non-residential land uses within the Miami-Dade UDB.

**Areas of Analysis**

To facilitate the evaluation of applications requesting amendments to the Land Use Plan (LUP) map, Study Areas were established, encompassing an application or group of applications. The boundaries of such Study Areas coincide with enumeration areas previously established for other planning or analysis purposes, and for which data on factors such as housing or population already exist. The basic geographic unit used in many analyses conducted by the Miami-Dade County Department of Planning and Zoning is the minor statistical area (MSA). The MSA boundaries are based on census tracts, which are a component of the United States Census geography. An MSA may contain one large census tract or an aggregation of census tracts. The MSAs were established as planning areas by the Miami-Dade

County Department of Planning and Zoning to facilitate small-area analyses and to standardize areas for the development of statistical data and projections.

For the purposes of this review, the amendments retain their County amendment numbers. A detailed analysis of the amendments can be found below.

## **I. SITE-SPECIFIC MAP AMENDMENTS**

### **Amendment 1**

Proposed amendment 1 would change the land use designation of a 1.57 acre site located 100-feet east of NW 27<sup>th</sup> Ave, on north and south sides of NW 88<sup>th</sup> Street in the West Little River neighborhood (see Attachment 3). It would change the subject property from Business and Office and Low-Medium Density Residential (6-13 dwelling unit/acre or du/ac) to Business and Office.

The site is comprised of three parcels: Parcels A and B are situated on the north side of NW 88<sup>th</sup> Street, and Parcel C is on the south between NW 88<sup>th</sup> Street and NW 87<sup>th</sup> Terrace. The applicant proposes to utilize the subject site for the redevelopment and expansion of the existing 'Best Used Trucks' sales business, adjacent to Parcel A, on NW 27<sup>th</sup> Avenue.

Parcels A and C are currently undeveloped land and there is a vacant house on Parcel B. Parcels A and B are bounded by a motel to the north designated as Hotel/Apartment House District. Auto and truck sales businesses to the west of the application site are designated as Business and Office. Single-family detached homes border the south and east sides of Parcels B and C, and are zoned RU-1 (Single Family Residential).

This amendment has gone through a multi-step review process, providing for public input, at the local level. On October 15, 2007, the Miami-Dade County Planning Advisory Board, acting as the Local Planning Agency, conducted a public hearing on the proposed amendment and voted to deny it. On November 27, 2007, the Miami-Dade County Commission voted 13 to 0 to transmit this amendment to the Florida Department of Community Affairs for review without a recommendation.

Council staff analysis finds that the proposed amendment will have minimal to no impact on public facilities and natural resources and that the proposed amendment will not adversely affect regional resources.

### **Recommendation**

Council staff recommends that the proposed amendment be found generally consistent with the *Strategic Regional Policy Plan for South Florida*.

### **Amendment 3**

Proposed amendment 3 would change the land use designation of a 63.95 acre site located at the northwest corner of NW 107<sup>th</sup> Avenue and NW 12<sup>th</sup> Street (see Attachment 4), adjacent to the City of Doral. It would change part of the subject property from Industrial and Office (38 acres) to Business and Office, which is the existing designation for the remainder of the site. In addition, the amendment would designate the entire site as a Regional Activity Center pursuant to Chapter 380.06 Florida Statutes (also referred to as a "380 RAC"), and also as a Metropolitan Urban Center on the Future Land Use Map.

The application site is currently undeveloped land, and located between Miami International Mall to the east and Dolphin Mall to the west, industrial uses to the north and SR 836 ramps to the south.

Florida Statutes permit local governments to designate areas that are "highly suitable for increased threshold intensity in the comprehensive plan" for the purpose of raising the threshold that triggers review of a project as a Development of Regional Impact (DRI). The proposed amendment would designate a new RAC that would allow the application of increased DRI thresholds within the designated area. The amendment provides for DRI review consistent with Chapter 380.06(2)(e), Florida Statutes, which permits a 100 percent increase in thresholds for multi-use DRIs.

The applicant proposes to construct a mixed use development with 1,050 residential units, 799,900 square feet of retail/service; 430 hotel rooms and 225,000 square feet of office, and has submitted a restrictive covenant to Miami-Dade County to this effect. This would normally trigger review as a Development of Regional Impact (DRI). However, with the proposed amendment, the project would be located within a 380 RAC and subject to increased thresholds (including up to 800,000 square feet of retail within a multi-use DRI). The project may therefore be exempt from multi-jurisdictional review through the DRI process (subject to the concurrence of the Department of Community Affairs).

Rule 28-24.014 (10)(c)(2), Florida Administrative Code, requires that a designated 380 RAC have adequate public facilities. The proposed amendment would increase peak hour trips by 828 and would significantly impact the level of service on specific segments of NW 12<sup>th</sup> Street. However, as part of the restrictive covenant, the applicant has proposed additional roadway improvements on NW 107<sup>th</sup> Avenue, NW 111<sup>th</sup> Avenue, and NW 14<sup>th</sup> Street as mitigation. (This will necessitate amendments to the text of the Transportation and Capital Improvements Elements of the CDMP to be consistent with the covenant.) Additionally, Miami-Dade Fire Rescue Department has indicated that it intends to accelerate construction of a new fire station to serve the site to FY 2007- 2008.

#### Affordable Housing

The applicant has voluntarily agreed to construct a minimum of 100 workforce housing units on site. These units would be for sale or rental to persons within the income range of 65% to 140% of the median family income for Miami-Dade County.

#### Schools

Miami-Dade County School Board indicates that the proposed amendment has the potential to generate 368 students, of which 177 would be elementary, 81 middle, and 110 high school students. Existing schools serving the area and their design capacities, current enrollment, total potential students generated, and percent of capacity are described in the table below.

	<b>School Design Capacity</b>	<b>Current Enrollment</b>	<b>Potential Students Generated</b>	<b>% Capacity with Projects</b>
Eugenia B. Thomas Elementary	945	1,703	177	199%
Doral Middle	1,039	1,390	81	142%
Miami Coral Park Senior High School	3,492	3,747	110	110%

The applicant has met with the School Board staff to discuss the impacts of the proposed development on in the Miami-Dade County public school system. However, in November 2007, the applicant recalled a previously proffered covenant for a monetary donation and advised the School Board that it will consider mitigation at the time that Public School Concurrency goes into effect. Therefore, the Miami-Dade School Board staff recommended that the application be denied or postponed until the impact of the proposed development on the public schools in the area is mitigated.

### Objection

The amendment as proposed would exacerbate school overcrowding. Currently, no mitigation has been proffered to the School Board. Until this issue is resolved, the proposed amendment is incompatible with the goals and policies of the *Strategic Regional Policy Plan for South Florida (SRPP)*, particularly with the following goal and policies addressing school overcrowding:

- GOAL 5** Overcome school overcrowding in the Region.
- Policy 5.1** Implement planning and financial mechanisms to ensure the ability to meet school needs for existing and future development.
- Policy 5.3** Discourage development proposals that would exacerbate school overcrowding, except where mitigation measures that would alleviate overcrowded conditions at impacted schools are agreed upon by the affected local government and school board.

This amendment has gone through a multi-step review process, providing for public input, at the local level. On October 15, 2007, the Miami-Dade County Planning Advisory Board, acting as the Local Planning Agency, conducted a public hearing on the proposed amendment and voted to adopt it. Community Council voted to adopt the amendment and Miami-Dade County's Planning and Zoning staff report recommended denial. On November 27, 2007, the Miami-Dade County Commission voted 12 to 0 to adopt the amendment and transmit it to the Florida Department of Community Affairs for review.

### Comment - Intergovernmental Coordination

The site is adjacent to the City of Doral and can be expected to impact traffic circulation and public school facilities within the neighboring City. City staff has indicated that there has been insufficient opportunity for coordination with Miami-Dade County.

### Recommendation on the objection and comment

Council staff review indicates that the proposed amendment appears to satisfy the statutory requirements for designation as a 380 RAC. However, staff recommends that further intergovernmental coordination among Miami-Dade County, the Miami-Dade School Board and the City of Doral should occur to resolve outstanding issues prior to adoption of this amendment. Council staff will continue to work with all parties.

### Recommendation

Council staff recommends that the proposed amendment be found generally inconsistent with the *Strategic Regional Policy Plan for South Florida*, specifically with Goal 5 and Policies 5.1 and 5.3.

### **Amendment 5**

The amendment would change the land use designation of a 51.7 acre site located at the northwest corner of theoretical SW 138<sup>th</sup> Avenue and north of SW 8<sup>th</sup> Street (see Attachment 5). The site is made up of two parts: Parcel A has 21.6 acres on the eastern portion of the site, and Parcel B has 30.1 acres on the western portion. The site is located outside the 2015 UDB and within the 2025 Urban Expansion Area (UEA). The amendment would move the Urban Development Boundary (UDB) to encompass the application area and change the land use designation from Open Land to Business and Office (Parcel A), Institutions, Utilities and Communications (Parcel B). Several commercial properties exist to the south of the site, which contain pharmacies, a grocery store, gas stations, several strip shopping centers and vacant land.

Over 40 acres in the vicinity are available for commercial uses. In addition, the property owner owns a contiguous 16 acre site east of Parcel A and which is located within the UDB.

Staff analysis determined that the application would have significant environmental impacts to the North Trail Wetland Basin and the West Wellfield Protection Area. Non-residential uses that would generate hazardous waste are prohibited in the wellfield protection area. Also, the North Trail Wetland Basin is identified in the Conservation Element of the CDMP as an area to be avoided when considering expansion of the UDB.

At the projected rate of absorption the Study Area in which the application site is located is not expected to deplete its supply of commercial land until 2018.

The impact of this application on roads would be primarily to SW 8<sup>th</sup> Street in the short to mid term. The level of service (LOS) for segments of SW 8<sup>th</sup> Street would be degraded less than their adopted LOS standards. By 2015, several other roadways including NW 25<sup>th</sup> Street, NW 12<sup>th</sup> Street, SW 40<sup>th</sup> Street, NW/SW 107<sup>th</sup> Avenue, NW 117<sup>th</sup> Avenue, NW/SW 122<sup>nd</sup> Avenue, NW/SW 127<sup>th</sup> Avenue, NW/SW 132<sup>nd</sup> Avenue and NW/SW 137<sup>th</sup> Avenue would also experience deteriorated levels of service. While other public service impacts would be limited, the application would require a new sewer pump station and upgrades to transmission lines. Fire and rescue services would also be impacted. Due to the non-residential nature of the proposed amendment, it would have no impact on public school enrollment or capacity. The applicant has agreed not to develop or maintain any residential uses on the property and has called for the land in Parcel B to be used as a high school site. Miami-Dade Public Schools (MDPS) staff has provided correspondence confirming that it cannot consider a site that is located outside of the UDB. Further, Policy EDU-2A of the Educational Element of the CDMP stipulates that high schools not be located within a mile of the UDB.

The Council reviewed an application for a change to CDMP to redesignate this site from Open Land to Business and Office and include it within the UDB at its January 9, 2006 meeting. At that time the Council found the amendment to be generally inconsistent with the SRPP. Since that time there has been little substantive change to indicate a need for a revision to the CDMP for this site.

This amendment has gone through a multi-step review process, providing for public input, at the local level. On October 15, 2007, the Miami-Dade County Planning Advisory Board, acting as the Local Planning Agency, conducted a public hearing on the proposed amendment and voted to adopt the amendment with acceptance of the proffered covenant. Community Council voted to adopt the amendment and Miami-Dade County Planning and Zoning staff report recommended denial. On November 27, 2007, the Miami-Dade County Commission voted 8 to 5 to adopt the amendment and transmit it to the Florida Department of Community Affairs for review.

### **Objection**

The amendment as proposed is not supported by adequate justification for expanding the Urban Development Boundary. It would allow for expansion of the UDB in an area that is identified in the Conservation Element of the CDMP as an area to be avoided when considering UDB expansion. It would adversely affect the roadway system and public services in Miami-Dade County and there is currently enough undeveloped commercial capacity to meet projected needs.

Council staff analysis confirms that this proposed amendment is incompatible with the goals and policies of the *Strategic Regional Policy Plan for South Florida (SRPP)*, particularly those relating to natural resource protection and the timing of development, including:

- Goal 11** Encourage and support the implementation of development proposals that conserve the Region's natural resources, rural and agricultural lands, green infrastructure and:
- utilize existing and planned infrastructure in urban areas;
  - enhance the utilization of regional transportation systems;
  - incorporate mixed-land use developments;
  - recycle existing developed sites; and
  - provide for the preservation of historic sites.
- Policy 11.10** Decisions regarding the location, rate, and intensity of proposed development shall be based on the existing or programmed capacity of infrastructure and support services or on capacity which will be programmed to serve that proposed development; in addition, consideration should be given to the impact of infrastructure and support services on natural resources.
- Goal 20** Achieve long-term efficient and sustainable development patterns that protect natural resources and connect diverse housing, transportation, education, and employment opportunities.
- Policy 20.2** Guide new development and redevelopment within the Region to areas which are most intrinsically suited for development, including areas:
- a. which are least exposed to coastal storm surges;
  - b. where negative impacts on the natural environment will be minimal; and
  - c. where public facilities and services already exist, are programmed or, on an aggregate basis, can be provided most economically.

#### Recommendation

Council staff recommends that this amendment not be adopted and that any expansion of the Urban Development Boundary be based on a clear demonstration of need as shown by Miami-Dade County in its most recent biennial supply and demand study for the appropriate study area.

#### **Amendment 6**

Proposed amendment 6 would change the land use designation of a 1.59 acre parcel located on the south side of SW 38<sup>th</sup> Street between SW 84<sup>th</sup> and SW 85<sup>th</sup> Avenues in the Westchester neighborhood (see Attachment 6). It would change the subject property from Low Density Residential (2.5-6 du/ac) to Medium-High Density Residential (25-60 du/ac). It would result in a net increase of 10 dwelling units under the owner's voluntary restriction.

The site currently has 39 studio apartment units. The surrounding area is predominately single-family residential. The properties directly north, east, and west of the subject parcel are designated Low Density Residential (2.5 to 6 du/ac) while the properties to the south and southwest of the subject site are designated "Business and Office".

The owner has submitted a draft Declaration of Restrictions (covenant) for the property, which proposes to limit development to 49 units and provide a minimum of 10-percent of units as workforce housing.

This amendment has gone through a multi-step review process, providing for public input, at the local level. On October 15, 2007, the Miami-Dade County Planning Advisory Board, acting as the Local Planning Agency, conducted a public hearing on the proposed amendment and voted to adopt the amendment with a condition limiting development to 49 units including 10 percent workforce housing units, as proffered in the draft covenant. Community Council 10 voted to adopt the amendment with the

conditions proffered in the draft covenant. Miami-Dade County Planning and Zoning staff report recommended denial. On November 27, 2007, the Miami-Dade County Commission voted 11-1 to adopt and transmit this amendment to the Florida Department of Community Affairs for review.

Council staff analysis finds that the proposed amendment will have minimal impact on public facilities and will not adversely affect regional resources.

#### Comment - Affordable Housing

The Miami-Dade County staff report indicates that the subject site currently provides 39 studio apartments in fair condition for low- and moderate-income individuals and families. The reported cost (\$625 per month) is affordable to households earning \$25,000 and above. The proposed land use change and proffered covenant will limit redevelopment of the site to 49 units, of which 10-percent (5 units) will be offered as "workforce" housing. Approval of the application would result in the elimination of 34 existing "workforce" and/or "affordable" apartments.

To address this concern at the Board of County Commissioners' public hearing, the Applicant made a verbal commitment to provide affordable housing opportunities to current residents on the Applicant's other residential properties (off-site).

#### Recommendation

Council staff recommends that the proposed amendment 6 be found generally consistent with the *Strategic Regional Policy Plan for South Florida*.

#### **Amendment 8**

The amendment would change the land use designation of an area totaling 42.0 acres located on the south side of Kendall Drive and west of SW 167<sup>th</sup> Avenue (see Attachment 7). The amendment would move the Urban Development Boundary to encompass the application area and change the land use designation from Agriculture to Business and Office.

Staff analysis confirms that the supply of land available for commercial and office uses will not be depleted until 2014. In addition, there is a continuous band of commercially designated land that extends for approximately one mile east of the proposed amendment site.

This amendment would exacerbate overcrowding and congestion on SW 177<sup>th</sup> Avenue and SW 88<sup>th</sup> Street in the vicinity of the site. It is also anticipated that it would severely impact the response time for fire and rescue services.

The amendment area is within the West Wellfield protection area. County Code prohibits non-residential uses generating, using, handling, disposing of, discharging, or storing hazardous wastes in the wellfield protection area.

The proposed amendment lies within the boundaries of the South Miami-Dade County Watershed Study and Plan, established by Land Use Policy 3E of the Miami-Dade County Comprehensive Development Master Plan. The plan and study were initiated in 2001 and were concluded in March 2006. Results of the study and recommendations and guidelines of the plan call for, among other things, more compact building design, preservation of open space, wetlands and farm land and better protection and management of surface and ground waters. The plan further recommends that allocation of 100 percent of the projected residential dwelling units through 2025 be contained inside the existing UDB. Specifically, Implementation Strategy SG3 of the plan states, "The County shall ensure that any proposed



development outside the UDB (after 2025) is approved only after an affirmative determination of need and if it is consistent with the Watershed Plan and CDMP Smart Growth Policies”.

The Council reviewed an application for a change to the CDMP to redesignate this site from Agriculture to Business and Office and include it within the UDB at its January 9, 2006 meeting. After lengthy discussion and two tied votes, the Council found the amendment to be generally consistent with the SRPP with the condition that when the amendments are adopted, the amendments demonstrate how the issues of transportation, need, affordable housing and school impacts are being adequately addressed. The amendment was not adopted and is now being resubmitted as a proposed amendment. There has been little substantive change to indicate a need for a revision to the CDMP for this site since the Council reviewed it in 2006.

This amendment has gone through a multi-step review process, providing for public input, at the local level. On October 15, 2007, the Miami-Dade County Planning Advisory Board, acting as the Local Planning Agency, conducted a public hearing on the proposed amendment and voted to adopt the amendment with acceptance of the proffered covenant. Community Council voted to adopt the amendment and Miami-Dade County's Planning and Zoning staff report recommended denial. On November 27, 2007, the Miami-Dade County Commission voted 10 to 3 to adopt this amendment and transmit it to the Florida Department of Community Affairs for review.

### **Objection**

The amendment as proposed would have significant negative impacts on public facilities and services should the proposed land use changes occur. The facilities and services include roadway facilities and fire/rescue services. Adequate commercially designated lands exist in the area within the UDB and adequate justification for expanding the Urban Development Boundary has not been presented.

Council staff analysis confirms that this proposed amendment is incompatible with the goals and policies of the *Strategic Regional Policy Plan for South Florida (SRPP)*, particularly those relating to natural resource protection and the timing of development, including:

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|---------------------|--|
| <b>Goal 11</b>      | Encourage and support the implementation of development proposals that conserve the Region's natural resources, rural and agricultural lands, green infrastructure and: <ul style="list-style-type: none"><li>• utilize existing and planned infrastructure in urban areas;</li><li>• enhance the utilization of regional transportation systems;</li><li>• incorporate mixed-land use developments;</li><li>• recycle existing developed sites; and</li><li>• provide for the preservation of historic sites.</li></ul> |
| <b>Policy 11.10</b> | Decisions regarding the location, rate, and intensity of proposed development shall be based on the existing or programmed capacity of infrastructure and support services or on capacity which will be programmed to serve that proposed development; in addition, consideration should be given to the impact of infrastructure and support services on natural resources.   |
| <b>Goal 12</b>      | Encourage the retention of the Region's rural lands and agricultural economy.  |
| <b>Policy 12.6</b>  | Review the recommendations of the <i>Agriculture and Rural Area Study</i> and the <i>South Miami-Dade Watershed Study</i> and formulate policies adapted from them to sustain the agricultural economy and environment.  |



- Goal 20**      **Achieve long-term efficient and sustainable development patterns that protect natural resources and connect diverse housing, transportation, education, and employment opportunities.**
- Policy 20.2**      **Guide new development and redevelopment within the Region to areas which are most intrinsically suited for development, including areas:**
- a. which are least exposed to coastal storm surges;**
  - b. where negative impacts on the natural environment will be minimal; and**
  - c. where public facilities and services already exist, are programmed or, on an aggregate basis, can be provided most economically.**

### Recommendation

Council staff recommends that this amendment not be adopted and that any expansion of the Urban Development Boundary be based on a clear demonstration of need as shown by Miami-Dade County in its most recent biennial supply and demand study for the appropriate study area.

### **Amendment 9**

The amendment would change the land use designation of a 94.84 acre area made up of two parcels located at the southeast corner of SW 104<sup>th</sup> Street and SW 167<sup>th</sup> Avenue (see Attachment 8). The amendment would move the Urban Development Boundary to encompass the application area and change the land use designation from Agriculture to Low Density Residential (2.5-6 du/ac) for Parcel A (84.84 ac) and from Agriculture to Business and Office for Parcel B (10.00 ac).

Staff analysis confirms that this amendment would leave an area of agricultural land between two areas designated for urban development. This amendment is in the Urban Expansion Area, yet outside the Urban Development Boundary.

The amendment area is within the West Wellfield protection area. County Code prohibits non-residential uses generating, using, handling, disposing of, discharging, or storing hazardous wastes in the wellfield protection area.

This amendment would impact public facilities including schools and roadways, which would exceed their adopted standards for levels of service and capacity. It also would severely impact fire and rescue services.

### **Schools**

The land use change would impact schools in the vicinity by generating 380 additional students. Dr. Gilbert L. Proter Elementary would receive 182 students and realize a FISH capacity change from 106% to 126%. Hammocks Middle School would receive 84 students and realize a FISH capacity change from 151% to 157%, and Felix Varela Senior High would receive 114 additional students and realize a FISH capacity change from 130% to 134%. Currently, there are no projects in planning, design or construction in the vicinity of the proposed amendment. One proposed relief school for the area is new senior high school, "HHH1", which is proposed to relieve Varela, Sunset and Southridge High schools.

The amendment site is located in the C-1 Basin and impacts environmental resources. The site is located at the upstream end of the C-1W Canal and in the interim wellfield protection area of the West Wellfield.

The proposed amendment lies within the boundaries of the South Miami-Dade County Watershed Study and Plan, established by Land Use Policy 3E of the Miami-Dade County Comprehensive Development Master Plan. The plan and study were initiated in 2001 and were concluded in March 2006. Results of the study and recommendations and guidelines of the plan call for, among other things, more compact building design, preservation of open space, wetlands and farm land and better protection and management of surface and ground waters. The plan further recommends that allocation of 100 percent of the projected residential dwelling units through 2025 be contained inside the existing UDB. Specifically, Implementation Strategy SG3 of the plan states, "The County shall ensure that any proposed development outside the UDB (after 2025) is approved only after an affirmative determination of need and if it is consistent with the Watershed Plan and CDMP Smart Growth Policies".

The Council reviewed an application for a change to the CDMP to redesignate this site from Agriculture to Low Density Residential and include it within the UDB at its January 9, 2006 meeting. At that time the Council found the amendment to be generally inconsistent with the SRPP. The amendment was withdrawn and is now being resubmitted with a request to change the property to Low Density Residential and Business and Office. There has been little substantive change to indicate a need for a revision to the CDMP for this site since the Council reviewed it in 2006.

This amendment has gone through a multi-step review process, providing for public input, at the local level. On October 15, 2007, the Miami-Dade County Planning Advisory Board, acting as the Local Planning Agency, conducted a public hearing on the proposed amendment and voted to deny the amendment. Community Council voted to transmit the amendment for review with no recommendation and Miami-Dade County's Planning and Zoning staff report recommended denial. On November 27, 2007, the Miami-Dade County Commission voted 8 to 5 to transmit it to the Florida Department of Community Affairs for review without a recommendation.

### **Objection**

**The amendment as proposed would have significant negative impacts on public facilities and services including transportation, schools and fire/rescue services. In addition, adequate justification for expanding the Urban Development Boundary has not been presented.**

**Council staff analysis confirms that this proposed amendment is incompatible with the goals and policies of the *Strategic Regional Policy Plan for South Florida (SRPP)*, particularly those relating to natural resource protection and the timing of development, including:**

- |                   |  |
|-------------------|--|
| <b>Goal 5</b>     | <b>Overcome school overcrowding in the Region.</b>   |
| <b>Policy 5.1</b> | <b>Implement planning and financial mechanisms to ensure the ability to meet school needs for existing and future development.</b>   |
| <b>Policy 5.3</b> | <b>Discourage development proposals that would exacerbate school overcrowding, except where mitigation measures that would alleviate overcrowded conditions at impacted schools are agreed upon by the affected local government and school board.</b> |
| <b>Goal 7</b>     | <b>Protect, conserve, and enhance the Region's water resources.</b>  |
| <b>Policy 7.1</b> | <b>Develop a more balanced, efficient, and ecologically sustainable allocation and reservation of the water resources of the Region.</b>   |

- Goal 11** Encourage and support the implementation of development proposals that conserve the Region's natural resources, rural and agricultural lands, green infrastructure and:
- utilize existing and planned infrastructure in urban areas;
  - enhance the utilization of regional transportation systems;
  - incorporate mixed-land use developments;
  - recycle existing developed sites; and
  - provide for the preservation of historic sites.
- Policy 11.10** Decisions regarding the location, rate, and intensity of proposed development shall be based on the existing or programmed capacity of infrastructure and support services or on capacity which will be programmed to serve that proposed development; in addition, consideration should be given to the impact of infrastructure and support services on natural resources.
- Goal 12** Encourage the retention of the Region's rural lands and agricultural economy.
- Policy 12.6** Review the recommendations of the *Agriculture and Rural Area Study* and the *South Miami-Dade Watershed Study* and formulate policies adapted from them to sustain the agricultural economy and environment.
- Goal 20** Achieve long-term efficient and sustainable development patterns that protect natural resources and connect diverse housing, transportation, education, and employment opportunities.
- Policy 20.2** Guide new development and redevelopment within the Region to areas which are most intrinsically suited for development, including areas:
- a. which are least exposed to coastal storm surges;
  - b. where negative impacts on the natural environment will be minimal; and
  - c. where public facilities and services already exist, are programmed or, on an aggregate basis, can be provided most economically.

#### Recommendation

Council staff recommends that this amendment not be adopted and that any expansion of the Urban Development Boundary be based on a clear demonstration of need as shown by Miami-Dade County in its most recent biennial supply and demand study for the appropriate study area.

#### **Amendment 14 – Part 1**

The proposed amendment would designate the site of the former Opa-locka West Airport for non-aviation uses, to accommodate future mining of lime-rock aggregate. The airport was decommissioned by the Federal Aviation Authority (FAA) on June 8, 2006. The location of the amendment site is shown in Attachment 9.

<b>Current FLUM designation</b>	<b>Proposed FLUM designation</b>
Transportation Terminals (420 acres)	Open land (420 acres)

The amendment site is located outside the Urban Development Boundary (UDB) and within the Lake Belt Area which has been identified as an area of critical importance by the Florida legislature. The site is located in the proposed North Lake Belt Storage Area, which is a project identified in the Comprehensive

Everglades Restoration Plan (CERP). However, Miami-Dade County has advised that the proposed mining activity would be consistent with the CERP.

Designation of the site as "Open Land" will prevent urban development. Because the site is located outside the UDB, the site will not receive services from Miami-Dade Water and Sewer Department. Therefore on-site wells and septic tanks will be required for any future ancillary development, such as a truck stop, that may be needed to support the rock mining activity.

This amendment has gone through a multi-step review process, providing for public input, at the local level. On October 15, 2007, the Miami-Dade County Planning Advisory Board, acting as the Local Planning Agency, conducted a public hearing on the proposed amendment and voted to transmit with no recommendation. Community Council voted to deny and not transmit the amendment. Miami-Dade County's Planning and Zoning staff report adoption with changes. On November 27, 2007, the Miami-Dade County Commission voted 10-0 to adopt this amendment and transmit it to the Florida Department of Community Affairs for review.

Staff analysis confirms that the proposed FLUM amendment is compatible with and supportive of the goals and policies of the *Strategic Regional Policy Plan for South Florida*.

## **II. COUNTYWIDE MAP AND TEXT AMENDMENTS**

### **Amendment 12**

Amendment 12 contains text and countywide map amendments related to Parks and Recreation, Environmentally Protected Parks, and Environmental Protection land use designations. It includes one text amendment and three relevant map changes, which would:

1. Revise the text in the Land Use Element to accurately describe the Parks and Recreation, Environmentally Protected Parks, and Environmental Protection land use designations;
2. Update Figure 5, Environmental Protection Subareas in the map series of the Land Use Element;
3. Add a new map titled "Environmentally Protected Parks" in the map series of the Land Use Element to depict the national parks; and,
4. Revise figure numbers for all maps in the map series of the Land Use Element.

Staff analysis confirms that proposed amendment 12 is generally compatible with and supportive of the Goals and Policies *Strategic Regional Policy Plan for South Florida*.

### **Recommendation**

Council staff recommends that the proposed amendment 12 be found generally consistent with the *Strategic Regional Policy Plan for South Florida*.

### **Amendment 13**

Amendment 13 is a text amendment to the Capital Improvements Element (CIE) of the Comprehensive Development Master Plan (CDMP) executed in accordance with the requirements specified in Chapter 163, Part II, Florida Statutes. This amendment would modify the CIE's Tables of Proposed Projects to reflect the County's most current Capital Budget and Multi-Year Capital Plan. It would specifically modify the Aviation, Coastal Management, Conservation, Drainage, Parks and Recreation, Seaport, Sewer Facilities, Solid Waste Management, Traffic Circulation, Mass Transit and Water Facilities Tables to present project additions and deletions.

It would also revise the Introduction and Implementation Schedules of Improvements to adopt by reference the Metropolitan Planning Organization's (MPO) Transportation Improvement Program (TIP) for the Miami Urbanized Area for Fiscal Years 2007/2008 to 2011/2012 and to provide definitions of future growth and existing deficiencies.

Staff analysis confirms that proposed amendment 13 is generally compatible with and supportive of the Goals and Policies *Strategic Regional Policy Plan for South Florida*.

#### Recommendation

Council staff recommends that the proposed amendment 13 be found generally consistent with the *Strategic Regional Policy Plan for South Florida*.

#### **Amendment 14 Text Amendments for Aviation**

Amendment 14 has three parts: Part 1 is a FLUM amendment (described above), Part 2 is a proposed text amendment to the Aviation Sub-Element of the Transportation Element and Part 3 is a proposed text amendment to the Future Land Use Element.

This amendment has gone through a multi-step review process, providing for public input, at the local level. On October 15, 2007, the Miami-Dade County Planning Advisory Board, acting as the Local Planning Agency, conducted a public hearing on the proposed amendment and voted to transmit the application with no recommendation. Four Community Councils reviewed the proposed amendment:

<b>Community Council</b>	<b>Part 2 Recommendation</b>	<b>Part 3 Recommendation</b>
#5 County Club of Miami	Transmit and adopt	None
#8 North Central	None	None
#11 West Kendall	Transmit with Changes	Adopt and Transmit with Changes
#14 Redland	Transmit with Changes	Adopt and Transmit with Changes

Miami-Dade County's Planning and Zoning staff report recommended transmittal with changes (Part 2) and adopt with changes and transmit (Part 3). On November 27, 2007, the Miami-Dade County Commission voted 10 to 0 to adopt Amendment 14 and transmit to the Florida Department of Community Affairs for review.

#### Part 2 - Text amendment to Aviation Sub-Element of the Transportation Element

The proposed text amendment reflects changes to the County's airport system, and incorporates Airport Master Plans for five airports into the CDMP.

The proposed changes to the Aviation Sub-Element include the following changes that would affect major aviation facilities, identified in Attachment 10:

- Provisions for facility improvements in the airport system to address existing deficiencies and future growth;
- General policies for future development at Miami International Airport, Opa-locka Executive Airport and Kendall-Tamiami Executive Airport, including limiting airport development within areas that have restricted public access (also known as "airside") to aviation uses, and allowing privately owned non-aviation uses (hotel, office, industrial, agricultural and retail) on unrestricted portions of airport property (known as "landside");

- Implementation of the development program approved by the Miami International Airport DRI;
- Provisions for the development of Opa-locka Executive Airport as an international corporate and business aviation facility, rather than an air carrier facility, including private development of land currently under review as AVE Aviation and Commerce Center DRI ;
- Expansion of Runway 9R-27L at Kendall-Tamiami Executive Airport (from 5,002 feet to 7,350 feet), to accommodate business jet aircraft;
- Expansion of Runway 18-36 at Homestead General Aviation Airport (from 4,000 feet to 5,498 feet) to accommodate business jet aircraft, and limiting future development at the airport to aviation-related uses only, since the airport is located outside the Urban Development Boundary (UDB);
- Deletion of all references to decommissioned Opa-locka West Airport and decommissioned Runway 18-36 at Opa-locka Executive Airport;
- Identification of Runway Protection Zones at all airports, some of which include private property outside the airport boundaries; and
- A commitment by Miami-Dade County to update airport zoning ordinances by 2008.

Section 163.3177(6)(k), Florida Statutes provides that an airport master plan may be incorporated into the comprehensive plan and that the amendment shall address:

- Land use compatibility;
- Provision of regional transportation facilities for the efficient use and operation of the transportation system and airport;
- Consistency with the transportation circulation element and metropolitan planning organization (MPO) long-range transportation plans; and
- Execution of any necessary interlocal agreements for concurrency.

Additionally, the amendment may address airport-related or aviation-related development.

Development or expansion of an airport consistent with an adopted airport master plan that has been incorporated into a comprehensive plan, is not required to undergo Development of Regional Impact (DRI) review. Therefore, upon adoption of the proposed amendment, Miami-Dade County may abandon the Miami International Airport DRI. Similarly, the proposed AVE Aviation and Commerce Center DRI, currently under review, may be withdrawn.

#### **Objection 1 - Intergovernmental Coordination**

More than one third of Opa-locka Executive Airport lies within the municipal limits of the City of Opa-locka. Support Document E of the amendment notes that where an "airport affects several jurisdictions with competing priorities [it makes] zoning coordination politically difficult". However, the proposed amendment does not provide for any intergovernmental coordination between Miami-Dade County Aviation Department and the City of Opa-locka. In addition, Figure 4 and the Figure 8 in the proposed amendment omit the municipal boundary.

Staff analysis confirms that the proposed text amendment is incompatible with the following goals and policies of the *Strategic Regional Policy Plan for South Florida*, specifically:

- |                    |  |
|--------------------|--|
| <b>GOAL 21</b>     | Assume a leadership role to enhance regional cooperation, multi-jurisdictional coordination, and multi-issue regional planning to ensure the balancing of competing needs and long-term sustainability of our natural, developed, and human resources.   |
| <b>Policy 21.2</b> | Strengthen intergovernmental coordination processes with state, regional, and local governments and agencies to effectively link land use decisions with affordable housing, transportation/air quality, natural resource protection, preservation, and restoration and water supply planning. |

**Policy 21.5** Strengthen the linkage between land use and transportation/air quality planning.

**Objection 2 - Consistency with Long Range Transportation Plan**

Airport operations generate significant volumes of road based trips as well as transit trips. As such integration with regional roadways and transit systems is important for the efficient movement of passengers and freight to and from each airport. The amendment lacks data and analysis to demonstrate consistency with the Miami-Dade MPO's long-range transportation plan, as required by Section 163.3177(6)(k), Florida Statutes.

Staff analysis confirms that the proposed text amendment is incompatible with the following goals and policies of the *Strategic Regional Policy Plan for South Florida*, specifically:

- GOAL 20** Achieve long-term efficient and sustainable development patterns that protect natural resources and connect diverse housing, transportation, education, and employment opportunities.
- Policy 20.8** Coordinate and develop an integrated and comprehensive multi-modal regional transportation system whereby heavy and light rail, people movers, shuttles, trolleys, express and local bus service, and other forms of public transportation play a more active role in the movement of people, particularly between regional centers. When modernizing or creating new transportation systems, utilize land use/transportation strategies to reduce congestion and allow for sustainable growth in the Region.
- Policy 20.11** Support the movement of freight and goods through the development of a transportation system that efficiently connects ports, distribution centers, intermodal centers, and other appropriate areas.

**Objection 3- Insufficient Data and Analysis to support Non-Aviation Related Development**

Staff analysis indicates that the proposed development plan shown on the Miami-International Airport Land Use Master Plan for 2015-2025 (Figure 11) is inconsistent with the adopted Miami-International Airport Development of Regional Impact (DRI). Specifically, the Plan identifies several areas for "non-aviation commercial/industrial use". The development of privately owned non-aviation uses (hotel, office, industrial, agricultural and retail) on airport property is not authorized by the DRI development order. Therefore, since the impacts were not addressed during the DRI review, staff recommends that additional data and analysis be provided to determine the public facilities and roadway impacts of the proposed non-aviation uses.

Staff analysis confirms that the proposed text amendment is incompatible with the following goals and policies of the *Strategic Regional Policy Plan for South Florida*, specifically:

- GOAL 11** Encourage and support the implementation of development proposals that conserve the Region's natural resources, rural and agricultural lands, green infrastructure and:
- utilize existing and planned infrastructure in urban areas;
  - enhance the utilization of regional transportation systems;
  - incorporate mixed-land use developments;
  - recycle existing developed sites; and
  - provide for the preservation of historic sites.

- Policy 11.10** Decisions regarding the location, rate, and intensity of proposed development shall be based on the existing or programmed capacity of infrastructure and support services or on capacity which will be programmed to serve that proposed development; in addition, consideration should be given to the impact of infrastructure and support services on natural resources.
- Policy 11.12** Encourage increased density within appropriate urban areas that are served by adequate and planned facilities and services, including public transportation, and that are proximate to regional activity or employment centers. Ensure that the impacts of increased density are fully mitigated by increased investment in facilities and services.

### Part 3 -Text amendment to the Future Land Use Element

The proposed language would modify the text of the Future Land Use Element for internal consistency with proposed changes to the Aviation Sub-Element. The proposed language relates specifically to the permitted land uses, as described in Part 2 of this amendment (above).

Staff analysis confirms that the proposed text amendment is compatible with and supportive of the goals and policies of the *Strategic Regional Policy Plan for South Florida*.

### Recommendations on the objections to Amendment 14 (part 2 and part 3)

Staff analysis indicates that proposed Amendment 14 (part 3) is compatible with and supportive of the goals and policies of the *Strategic Regional Policy Plan for South Florida*. However, the text amendment to the Aviation Sub-Element (part 2) is not compatible with and supportive of the goals and policies of the *Strategic Regional Policy Plan for South Florida*. Staff recommends that the Aviation Sub-Element amendment be revised to:

1. Include policies for intergovernmental co-ordination between Miami-Dade County Aviation Department and the City of Opa-locka; and clearly delineate the City of Opa-locka municipal boundary on Figures 4 and 8;
2. Demonstrate how the amendment is consistent with the Miami-Dade MPO's long-range transportation plan; and,
3. Provide data and analysis to evaluate the impacts of the proposed non-aviation related development that is proposed at Miami International Airport.

### **Amendment 15**

Amendment 15 contains text and county-wide map amendments related to Coastal Management to meet the requirements of Section 163.3178 of the Florida Statutes (F.S.). Specifically, it would revise and replace the text and relevant maps in the Land Use Element, the Coastal Management Element and the Capital Improvements Element to include the new definition of Coastal High-Hazard Areas and other required modifications on relevant objectives and policies. The amendments must be adopted no later than July 1, 2008, pursuant to Section 163.3178, F.S.

Staff analysis confirms that proposed amendment 15 is generally compatible with and supportive of the Goals and Policies *Strategic Regional Policy Plan for South Florida*.

### Recommendation

Council staff recommends that proposed amendment 15 be found generally consistent with the *Strategic Regional Policy Plan for South Florida*.



## **Amendment 16**

Amendment 16 contains modifications and additions based on the requirements made to Section 163.3177(5), Florida Statutes, regarding water supply planning. The updated *Lower East Coast Regional Water Supply Plan* (LEC Plan) was adopted by the South Florida Water Management District (SFWMD) Governing Board in February 2007. By statute, local governments have 18 months to incorporate the alternative water supply projects applicable to that jurisdiction into their comprehensive plans. In response to these mandated requirements, a *Water Supply Facilities Work Plan* is developed and included in the Water and Sewer Sub-Element, and Capital Improvements Element. Language is also added to articulate the County's *Water Supply Facilities Work Plan's* relationship with the SFWMD's *Lower East Coast Water Supply Plan*.

In addition, changes were made to various policies of the Water and Sewer Sub-Element to reflect new mandates of the SFWMD, which have capped the quantity of Biscayne Aquifer withdrawals.

## **Recommendation**

Council staff recommends that proposed amendment 16 be found generally consistent with the *Strategic Regional Policy Plan for South Florida*.

## **Amendment 17**

In 2007, the Florida Legislature amended Chapter 163, Florida Statutes (F.S.), to include provisions in comprehensive plans related to workforce housing. The legislative changes call for certain counties, such as Miami-Dade County, to adopt a plan for affordable workforce housing by July 1, 2008 and to identify sites suitable for such housing. "Workforce housing" is defined as housing that is affordable to persons or families whose total household income does not exceed 140 percent of the area median income, adjusted for family size. Failure to adopt the workforce housing plan would make Miami-Dade County ineligible to receive any state housing assistance grants until the requirement is met. The intent of the proposed amendments to the objectives and policies of the Future Land Use and Housing Elements of the CDMP would be to comply with the new requirements to Chapter 163, F.S. Other issues addressed in the legislative changes, such as expedited amendments for affordable housing, are included in the proposed amendments. The County's Planning and Zoning Department is working with the County's Housing Agency to revise the local housing incentive strategies, to identify the types of development to be considered and to develop a process for carrying out such amendments.

In addition, the proposed amendments to the CDMP would establish greater consistency with Miami-Dade County's housing programs by incorporating the standard definitions and income limit categories utilized by the U.S. Department of Housing and Urban Development (HUD) and the State of Florida. The income limit categories for extremely low, very low, low and moderate income households are utilized to determine eligibility for programs such as the Community Development Block Grant Program (CDBG), the Home Investment Partnership Program (HOME), the State Housing Initiative Program (SHIP), and Surtax. The CDMP would be revised to explain the difference between "affordable housing" and "affordable workforce housing" and would include the income limit criteria for both. The policies also would be revised to include "extremely low income households" in the income limit categories since the County has housing programs that target this segment of the population. Generally, the Land Use and Housing Elements would be amended as follows:

- The text in the Housing Element would include a provision that calls for adequate sites for affordable workforce housing to be identified, pursuant to Section 163.3177(6)(f), F.S.;

- The text in the Housing Element would require the adoption of a plan for affordable workforce housing by July 1, 2008, pursuant to Section 163, 3177, F.S.;
- The Housing Element would include a definition of affordable housing and affordable workforce housing, with a definition of the income limits for each category; and,
- The Land Use and Housing Elements would include “affordable workforce housing” and “extremely low-income households” as part of the income limit categories listed in the affordable housing policies.

Staff analysis confirms that proposed amendment 17 is generally compatible with and supportive of the Goals and Policies *Strategic Regional Policy Plan for South Florida*.

#### Recommendation

Council staff recommends that the proposed amendment be found generally consistent with the *Strategic Regional Policy Plan for South Florida*.

#### Conclusion

Staff analysis confirms that proposed Miami-Dade County amendments 1, 6, 12, 13, 14 (parts 1 & 3), 15, 16 and 17 are compatible with and supportive of the goals and policies of the *Strategic Regional Policy Plan for South Florida*;

Proposed Miami-Dade County amendment 3 conflicts with Goal 5 and Policies 5.1 and 5.3 of the *Strategic Regional Policy Plan for South Florida*;

Proposed Miami-Dade County amendment 5 conflicts with Goals 11 and 20 and Policies 11.10 and 20.2 of the *Strategic Regional Policy Plan for South Florida*;

Proposed Miami-Dade County amendment 8 conflicts with Goals 11, 12 and 20 and Policies 11.10, 12.6 and 20.2 of the *Strategic Regional Policy Plan for South Florida*;

Proposed Miami-Dade County amendment 9 conflicts with Goals 5, 7, 11, 12 and 20 and Policies 5.1, 5.3, 7.1, 11.10, 12.6 and 20.2 of the *Strategic Regional Policy Plan for South Florida*; and,

Proposed Miami-Dade County amendment 14 Part 2 conflicts with Goals 11, 20 and 21 and Policies 11.10, 11.12, 20.8, 20.11, 21.2 and 21.5 of the *Strategic Regional Policy Plan for South Florida*.

Council staff will continue to work with the County throughout the amendment process.