

**OCTOBER 2008
APPLICATIONS TO AMEND THE
COMPREHENSIVE DEVELOPMENT
MASTER PLAN**

FOR MIAMI-DADE COUNTY, FLORIDA



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OCTOBER 2008
APPLICATIONS TO AMEND
THE COMPREHENSIVE DEVELOPMENT
MASTER PLAN

December 5, 2008

Miami-Dade County
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Miami, Florida 33128-1972
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TABLE OF CONTENTS

	<u>Page</u>
List of Tables -----	i
Background and Introduction -----	ii
Resolution No. R-988-08 -----	v
Overview of the October 2008 Amendment Applications -----	1

Application

<u>No.</u>	<u>Applicant /Applicant's Representative</u>	<u>Page</u>
1	FPL /Jeffrey Bercow, Esq., and Michael Radell, Esq. -----	3
2	Aviation Department/Jose Abreu, P.E., Director -----	15

LIST OF TABLES

<u>Table</u>		<u>Page</u>
1	Schedule of Activities -----	ix
2	List of October 2008 Applications Requesting Amendments to the Comprehensive Development Master Plan -----	1

BACKGROUND AND INTRODUCTION

The purpose of this report is to present the applications to amend Miami-Dade County's Comprehensive Development Master Plan (CDMP) which were filed for evaluation during the October 2008 amendment review cycle. Amendments to the Plan may be needed to correct an error, to reflect changing circumstances or conditions in the community, or to improve the ability of the Plan to fulfill its purposes and goals. This report contains the tentative schedule of activities for this amendment review period along with a list and table summarizing all of the applications, followed by a complete copy of each application. The next report will be the October 2008 Initial Recommendations report to be published on February 25, 2009.

Section 2-116.1 of the Miami-Dade County Code establishes the exclusive procedures for the CDMP to be reevaluated and amended periodically, usually semiannually. During odd-numbered years applications to amend the CDMP are filed during the months of April and October. In even-number years, there is an April filing period and an optional October filing period for these amendments. Section 2-116.1(2)(b) of the Code of Miami-Dade County, Florida, provides for an October period amendment process during even numbered years if such a process is authorized by affirmative recommendation of the County Manager and approved by resolution of the Board of County Commissioners on or before the sixteenth (16) day of September in that year. On September 16, 2008, the Miami-Dade County Board of County Commissioners (BCC) adopted Resolution R-988-08, which authorized an amendment period for October 2008 (see pages v-viii). Additionally, this resolution limited the filing of amendments to Florida Power and Light Company and Miami-Dade Aviation Department.

Application Filing Period (month)	Plan Components Eligible for Amendment	
	Even Numbered Years	Odd-Numbered Years
April Filing Period	All Components Except UDB, UEA and Land Use Outside UDB [Mandatory Cycle]	All Components Including UDB and UEA [Mandatory Cycle]
October Filing Period	All Components Except UDB, UEA and Land Use Outside UDB [Optional Cycle]	All Components Except UDB and UEA and Land Use Outside UDB [Mandatory Cycle]

*Source: Section 2-116.1, Code of Miami-Dade County.

The Plan review and amendment process provides for the filing of amendment applications, staff analysis of the applications, and public participation in the process. Each application will be thoroughly evaluated by the Department of Planning and Zoning will be subject to review at a series of public hearings. The final action adopting,

adopting with change, or denying each of the applications will be made by the Board of County Commissioners. Further details about the hearings and the review process are discussed in the next section.

Application Review Process and Schedule of Activities

Following is a summary of the Plan review and amendment activities and tentative schedule as required by Section 2-116.1, Code of Miami-Dade County (See Table 1). After all filed applications were finalized; the Department of Planning and Zoning published this Applications Report on December 5, 2008 listing all applications filed.

The Department of Planning and Zoning (DPZ) will submit its initial recommendations to the Planning Advisory Board (PAB) regarding each requested change, no later than February 25, 2009. Community Councils, which have been elected into districts throughout unincorporated Miami-Dade County, at their option may make recommendations to the PAB and Board of County Commissioners on local planning matters, including proposals to amend the CDMP. Each Community Council, in which a proposed amendment to an Airport Land Use Master Plan map is located, will have the opportunity to hold a public hearing in March 2009 to discuss the application(s) and to formulate recommendation(s) regarding the request(s). The PAB, acting as Miami-Dade County's Local Planning Agency (LPA) pursuant to Chapter 163, Part 2, Florida Statutes, will hold a public hearing in April 2009, to receive comments on the proposed amendments and on the initial staff recommendations, and to formulate its recommendations to the Board of County Commissioners regarding transmittal to the Florida Department of Community Affairs (DCA) for review and comment of all requested standard amendments for initial review and comments by State agencies. The Board of County Commissioners will hold a public hearing in May 2009, to consider transmittal of the requested standard amendments to DCA.

Transmittal of "standard" amendment proposals to DCA for review and comment does not constitute adoption of requested amendments. A second phase of the review addressing the standard applications begins after transmittal of the applications to the DCA and associated State agencies.

With transmittal to DCA expected to occur on or around May 2009, DCA will return comments or an Objections, Recommendations and Comments (ORC) report in early August 2009 addressing all transmitted applications. The PAB acting as the Local Planning Agency would then conduct its final public hearing during September 2009, and the Board of County Commissioners would conduct a public hearing and take final action in October 2009. During the DCA review period, the Department of Planning and Zoning will also review comments received at the transmittal hearings and any additional submitted material and may issue a Revised Recommendations report reflecting any new information prior to the final public hearings. Final action by the Board of County Commissioners will be to adopt, adopt with change, or deny each of the transmitted applications.

Outside this regular CDMP amendment process, requests to amend the CDMP can be made only by the County Commission under a "Special" amendment process, or by an applicant for approval or amendment of a Development of Regional Impact (DRI), or for a closed or realigned military base. Procedures for processing such "Special" or DRI- or military base-related amendments are established in Section 2-116.1 of the Miami-Dade County Code.

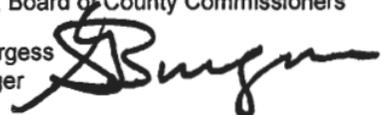
Additional Information

Anyone having questions regarding any aspect of the CDMP review and amendment process should visit or call the Metropolitan Planning Section of the Miami-Dade County Department of Planning and Zoning at 111 NW 1st Street, Suite 1210; Miami, Florida 33128-1972; telephone (305) 375-2835.

Date: September 16, 2008

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

From: George M. Burgess
County Manager



Subject: Authorization of an October 2008 Period Amendment Process for the Comprehensive
Development Master Plan (CDMP)

Amended
Agenda Item No. 14(A)(13)

Resolution No. R-988-08

This item has been amended to approve the filing of two applications to amend the Comprehensive Development Master Plan in the October 2008 cycle by the Florida Power Light Company and the Miami-Dade Aviation Department, which were previously described in separate memoranda.

Recommendation

It is recommended that the attached resolution be adopted by the Board of County Commissioners on Tuesday, September 16, 2008. This resolution authorizes an October period amendment process during 2008 for the Adopted Miami-Dade County Comprehensive Development Master Plan (CDMP). This process will be completed with the adoption public hearing of the Board of County Commissioners in November 2009.

Scope

The CDMP is a broad-based countywide policy-planning document to guide future growth and development to insure the adequate provision of facilities and services for existing and future populations, and to maintain or improve the quality of the natural and man-made environment. The proposed applications have a countywide impact.

Fiscal Impact/Funding Source

Not Applicable

Track Record/Monitor

CDMP amendments do not involve contracts; therefore, a Track Record/Monitor is not applicable.

Background

Section 2-116.1 of the Miami-Dade County Code establishes the exclusive procedures for the CDMP to be reevaluated and amended periodically, usually semiannually. During odd-numbered years applications to amend the CDMP are filed during the months of April and October. In even-number years, there is an April filing period and an optional October filing period for these amendments. Section 2-116.1(2)(b) of the Code of Miami-Dade County, Florida, provides for an October period amendment process during even numbered years if such a process is authorized by affirmative recommendation of the County Manager and approved by resolution of the Board of County Commissioners on or before the sixteenth (16) day of September in that year. Approval is hereby requested for an October 2008 period amendment process for the CDMP.

The request to open up the CDMP amendment process for this filing period is limited to a text amendment application by Florida Power and Light Company (FPL) and CDMP airport map amendments with any associated necessary text amendments by the Miami-Dade Aviation Department. (MDAD). The FPL proposed amendment would allow lake excavation on land designated as "Agriculture" on the adopted 2015-2025 Land Use Plan map of the CDMP when "in the public interest" as an integral component of water management systems, which are beneficial to approved CERP projects. The AD proposed amendment cycle would address and clarify various proposed uses for the Miami International, Opa-locka Executive and Kendall-Terminal Executive airports.


Assistant County Manager



MEMORANDUM

(Revised)

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

DATE: September 16, 2008

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Amended
Agenda Item No. 14(A)(13)

Please note any items checked.

- _____ "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- _____ 6 weeks required between first reading and public hearing
- _____ 4 weeks notification to municipal officials required prior to public hearing
- _____ Decreases revenues or increases expenditures without balancing budget
- _____ Budget required
- _____ Statement of fiscal impact required
- _____ Bid waiver requiring County Manager's written recommendation
- _____ Ordinance creating a new board requires detailed County Manager's report for public hearing
- _____ Housekeeping item (no policy decision required)
- _____ No committee review

2

Approved _____ Mayor
Veto _____
Override _____

Amended
Agenda Item No. 14(A)(13)
9-16-08

RESOLUTION NO. R-988-08

RESOLUTION PERTAINING TO THE AUTHORIZATION OF
AN OCTOBER 2008 AMENDMENT PROCESS FOR FILING
APPLICATIONS REQUESTING AMENDMENTS TO THE
COMPREHENSIVE DEVELOPMENT MASTER PLAN

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

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

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

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that the Board approves the establishment of an October 2008 Amendment process for filing applications to amend the CDMP to accomplish the purposes set forth in the attached County Manager's memorandum.

Resolution No. R-988-08

Amended
Agenda Item No. 14(A)(13)
Page No. 2

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

	Bruno A. Barreiro, Chairman	aye	
	Barbara J. Jordan, Vice-Chairwoman	aye	
Jose "Pepe" Diaz	aye	Audrey M. Edmonson	aye
Carlos A. Gimenez	aye	Sally A. Heyman	aye
Joe A. Martinez	absent	Dennis C. Moss	aye
Dorrian D. Rolle	aye	Natacha Seijas	aye
Katy Sorenson	aye	Rebeca Sosa	aye
Sen. Javier D. Souto	aye		

The Chairperson thereupon declared the resolution duly passed and adopted this 16th day of September, 2008. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

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



HARVEY RUVIN, CLERK

By: Kay Sullivan
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Joni Armstrong Coffey

4

**TABLE 1
SCHEDULE OF ACTIVITIES
OCTOBER 2008-2009 CDMP AMENDMENT CYCLE**

Pre-application Conference for the Private Sector	September 1- September 30, 2008
Application Filing Period	October 1- October 31, 2008
Deadline to withdraw Application and obtain Return of Full Fee. Notify applicant of deficiencies.	November 7, 2008
Deadline for resubmittal of unclear or incomplete Applications	Seventh business day after notice of deficiency (November 16, 2008)
Applications Report published by DP&Z	December 5, 2008
Deadline for submitting Technical Reports	December 29, 2008
Deadline for submitting Declarations of Restrictions to be considered in the Initial Recommendations Report	January 27, 2009
Initial Recommendations Report released by DP&Z	February 25, 2009
Community Council(s) Public Hearing(s)	Specific date(s) to be set in March 2009
Planning Advisory Board (PAB), acting as Local Planning Agency (LPA), Public Hearing to formulate Recommendations regarding Transmittal of Standard Amendment requests to DCA	April 2009* County Commission Chamber 111 NW 1st Street Miami, Florida 33128
Board of County Commissioners (BCC) Hearing and Action on Transmittal of Standard Amendment requests to DCA	May 2009* County Commission Chamber 111 NW 1 Street Miami, Florida 33128
Transmittal to DCA for State review	June 2009*
Deadline for Filing Supplementary Reports by the Public	Forty-five (45) days after Commission transmittal hearing
Receipt of DCA Objections, Recommendations and Comments (ORC) report	August 2009* (Approximately 75 days after transmittal)
Public Hearing and Final Recommendations: Planning Advisory Board (Local Planning Agency)	September 2009* (Within 30 days after receipt of DCA ORC report)
Public Hearing and Final Action on Applications: Board of County Commissioners (BCC)	October 2009* (No later than 60 days after receipt of DCA ORC report)

* Estimated Date

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Overview of October 2008 Amendment Applications

Two Applications to amend the Comprehensive Development Master Plan (CDMP) were filed in this October 2008-09 Cycle of amendments as authorized by the Board of County Commissioners by way of Resolution R-988-08 on September 16, 2008. The request to open up the CDMP amendment process for this period is limited to a text application by Florida Power and Light (FPL) Company and the CDMP airport map amendments with any associated necessary text amendments by the Miami-Dade Aviation Department (MDAD). The FPL proposed amendment to the Land Use Element would allow lake excavation on certain land designated "Agriculture" on the Adopted 2015-2025 Land Use Plan (LUP) map of the CDMP when "in the public interest" as an integral component of the water management system, which was beneficial to improve Consolidate Everglades Restoration Program (CERP) projects. The MDAD proposed amendment would revise text regarding non-aviation uses in the Land Use Element and the Aviation Subelement of the Transportation Element and revise the airport land use master plans for the Miami International, Opa Locka Executive, and Kendall-Tamiami Executive airports in the Aviation Subelement.

TABLE 2
List Of October 2008 Applications Requesting Amendments To The
Comprehensive Development Master Plan

Application Number	Applicant / Representative Location REQUESTED CHANGE(S)
1	FPL / Jeffrey Bercow, Esq., and Michael Radell, Esq. LAND USE ELEMENT Revise text relating to agriculture
2	Miami-Dade Aviation Department/Jose Abreu, P.E., Director TRANSPORTATION ELEMENT Aviation Subelement; and LAND USE ELEMENT Revise text relating to non-aviation uses and modify airport land use master plans for Miami International Airport, Opa Locka Executive Airport and Kendall-Tamiami Executive Airport.

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APPLICATION NO. 1

APPLICATION REQUESTING AMENDMENT TO THE COMPREHENSIVE DEVELOPMENT MASTER PLAN

2008 OCT 31 P 2:33

PLANNING & ZONING
METROPOLITAN PLANNING SECT

1. APPLICANT

Florida Power & Light Company
700 Universe Boulevard
Juno Beach, Florida 33408

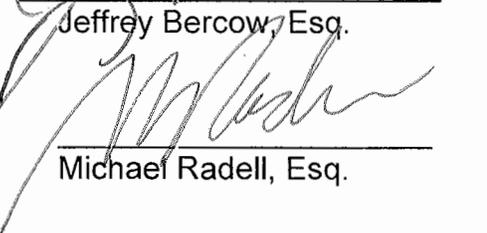
2. APPLICANT'S REPRESENTATIVE

Jeffrey Bercow, Esq.
Michael Radell, Esq.
Bercow Radell & Fernandez, P.A.
200 S. Biscayne Boulevard
Miami, Florida 33131

By:



Jeffrey Bercow, Esq.



Michael Radell, Esq.

Date: October 30, 2008

3. DESCRIPTION OF REQUESTED CHANGES

It is recommended that the Land Use Element be amended as follows:

Revise the text of the Agriculture land use designation in the Land Use Element of the CDMP for the Agricultural area that is generally east and south of Homestead Air Reserve Base to allow water management projects subject to certain specific criteria that will ensure such activities are consistent with the goals, objectives and policies of the CDMP.

A. Revisions to the Land Use Element

Revise Agriculture Language, CDMP pp. I-58 through I-59:

The area designated as "Agriculture" contains the best agricultural land remaining in Miami-Dade County. As stated in the Miami-Dade County Strategic Plan, approved in 2003 by the Board of County Commissioners, protection of viable agriculture is a priority. The principal uses in this area should be agriculture, uses ancillary to and directly supportive of agriculture such as packing houses, and farm residences. Uses ancillary to, and necessary to support the rural residential community of the agricultural area may also be approved, including houses of worship; however, schools shall not be approved in Agriculture areas but should be located inside the UDB in accordance with Policy EDU-2.A.

In order to protect the agricultural industry, uses incompatible with agriculture, and uses and facilities that support or encourage urban development are not allowed in this area. Residential development that occurs in this area is allowed at a density of no more than one unit per five acres. Creation of new parcels smaller than five acres for residential use may be approved in the Agriculture area only if the immediate area surrounding the subject parcel on three or more contiguous sides is predominately and lawfully parcelized in a similar manner, and if a division of the subject parcel would not precipitate additional land division in the area. No business or industrial use should be approved in the area designated Agriculture unless the use is directly supportive of local agriculture production, and is located on an existing arterial roadway, and has adequate water supply and sewage disposal in accordance with Chapter 24 of the County Code, and the development order specifies the approved use(s); however, packing houses for produce grown in Florida are not restricted to locating on an existing arterial roadway. Other uses, including utility uses compatible with agriculture and with the rural residential character may be approved in the Agriculture area only if deemed to be a public necessity, or if deemed to be in the public interest and the applicant demonstrates that no suitable site for use exists outside the Agriculture area. Water management projects that enhance or support County or regional environmental projects, such as the Comprehensive Everglades Restoration Program (CERP) are deemed to be a public necessity. For the purposes of this section, a "water management project" means a water feature and associated easements or dedications that provide for the in-ground or above ground storage of water, to be conveyed by the County or other governmental agency to wetlands or to other components of the County or regional environmental project. Such water management projects may also produce aggregate to be used for the limited purposes set forth below, and shall be permitted in the Agricultural area that is east of Homestead Air Reserve Base and SW 122 Avenue, bounded on the north by Military Canal and on the south by the C-103 Canal, subject to meeting all of the following conditions: (1) the water management project supports a County or regional ecosystem restoration project on a site(s) deemed appropriate by DERM, and the SFWMD or the U.S. Army Corps of Engineers; (2) the water management project is designed, constructed and operated in accordance with plans consistent with all prevailing environmental regulations and is designed to be isolated from salt intruded groundwater containing greater than 250 parts per million of chloride and shall not further saltwater intrusion as defined in Chapter 33, Miami-Dade County Code; (3) the owner(s) of the property affirmatively commits to allow the completed excavation to be used for water management project in perpetuity, or conveys the property containing the water management project to the County or other governmental agency; (4) the aggregate from

the water management project shall not be sold and shall only be used as fill for the water management project, or for public infrastructure projects by the County, or for utility facilities and ancillary uses; and (5) the use and amount of fill to be excavated must be specified by the owner prior to obtaining zoning approval by the Board of County Commissioners, with the amount of fill excavated from the water management project not to exceed that amount needed to support the identified uses.

Existing quarrying and ancillary uses in the Agriculture area may continue operation and be considered for approval of expansion.

In an effort to enable compatible diversification of the economy of Agriculture areas and provide additional land use options for owners of properties that surround structures having historical significances, after such time as the County adopts procedures for the establishment of Thematic Resource Districts (TRDs) pursuant to Policy LU-6L, and a TRD including architectural and landscape design guidelines is established in an area designated Agriculture, additional uses may be authorized in such TRDs established in Agriculture areas. Such additional uses must be designed and developed in accordance with TRD standards, must promote ecotourism activities in the Agriculture area, and must not be incompatible with nearby agriculture activities.

Also included in the Agriculture area are enclaves of estate density residential use approved and grandfathered by zoning, ownership patterns and platting activities which predate this Plan. The grandfather provisions of the Miami-Dade County Zoning Code shall continue to apply in this area except that lots smaller than 15,000 square feet in area are not grandfathered hereby. Moreover, all existing lawful uses and zoning are deemed to be consistent with this Plan unless such a use or zoning: (a) is found through a subsequent planning study, as provided in Policy LU-4E, to be inconsistent with the foregoing grandfather provisions or with the CDMP as provided in the section of this chapter titled "Concepts and Limitations of the Land Use Plan Map". This paragraph does not, however, authorize the approval or expansion of any use inconsistent with this plan. To the contrary, it is the intent of this Plan to contain and prevent the expansion of inconsistent development in the Agriculture area.

4. REASON FOR CHANGE

Summary. The Agricultural area in Miami-Dade County consists of two discrete farming areas - the vast lands located west of the urbanized area south of Kendall Drive, including the Redland area, and a remnant of the East Glades area located near the southeast coast of Biscayne Bay in the vicinity of the Homestead Air Reserve Base. Both areas have been in agricultural production since the early years of Miami-Dade County. However, the SW/Redland area and the East Glades are dramatically different environments. The SW/Redland area is well above the water table and subject to few environmental constraints. On the other hand, the East Glades is a lowland area adjacent to Biscayne National Park and the coastal wetlands of southeast Miami-Dade County. Unlike the SW/Redland area, the farmlands of the East Glades are completely dependent

on water levels being kept at artificially low levels during the winter growing season in order to keep the fields from flooding.

The continuation of the dry season drawdown of groundwater levels appears to be in direct conflict with: (1) the environmental restoration objectives of the Comprehensive Everglades Restoration Plan (CERP) for the Biscayne Bay Coastal Wetlands, and (2) the overriding objective of controlling salt water intrusion in the Biscayne Aquifer. Therefore, it is proposed that the CDMP Land/Use Element text concerning the Agricultural area be amended to permit water management projects in the East Glades subject to certain specific criteria. As long as the future water management project area is designed and constructed subject to stringent environmental controls, the resulting lake(s) can be managed and operated consistent with the CERP restoration projects proposed for the Biscayne Bay Coastal Wetlands.

Background. The areas designated for "Agriculture" on the Land Use Plan map are considered to be prime agricultural lands and are protected from encroachment by land uses that are not generally supportive of agriculture or related ancillary uses. In general, the introduction of new uses into the Agricultural area is limited to those uses that are "compatible with agriculture and with a rural residential character . . . only if deemed to be a public necessity or if deemed to be in the public interest and the applicant demonstrate that no suitable site for the use exists outside the Agricultural area." The intent of the proposed text is to identify water management projects that satisfy prescribed criteria as a public necessity and to allow such projects within the East Glades Agricultural area.

The geographic area south and east of the Homestead Air Reserve Base is a suitable and appropriate location for water management projects subject to stringent environmental regulation and demonstrated environmental benefit and/or compatibility with projects such as the Biscayne Bay Coastal Wetlands projects proposed by CERP. Unlike tree farms or row crops, water management projects would help to reverse the impact of artificially controlled water levels or the dry season draw downs that have been practiced in these areas for the last sixty years. In addition, land in this area, if converted to water management projects would be managed so as not to become a source of undesirable exotic upland plants species which are typical of farm fields that are abandoned or allowed to lie fallow.

The earliest canals in southeast Miami-Dade County were dredged and operated by those private property owners who farmed the East Glades. The initial projects consisted of the dredging of the North Canal (located along S.W. 328 Street between US1 and Biscayne Bay) and the Florida City Canal (which was dredged from US 1 to Biscayne Bay along S.W. 344 Street). Farmers also installed large pumps near the coast of Biscayne Bay in both canals in order to promote an early season draw down of the water table in the East Glades area in the early fall. This drawdown of the water table allowed farmers to plant row crops in October so that they were able to grow vegetables in the winter for the rest of the Country. The pumps were eliminated when the Corps completed the L-31E canal and drainage structures along the southeast coast which were designed to prevent

salt water intrusion but could also be operated to allow for early season draw downs in the East Glades area through the operation of controlled structures near the coast. Since 1968, static ground water levels in the East Glades area has been reduced annually beginning October 15 from 2.2 feet down to 1.4 feet in order to allow farmers to plant winter crops. Although significant portions of the higher and drier portions of the East Glades have been developed in recent years, many of the areas formerly used for row crops have been transitioning to tree farms. Nonetheless, many of the major land holders and farmers in the East Glades area have expressed their strong support for continued dry season draw downs even in areas being converted to tree farms because many of those areas can only be harvested after the dry season draw down.

Although most of the Agricultural area in the East Glades is being farmed, there are a growing percentage of areas that are left fallow and appear to be abandoned farm lands. These fallow fields have become overgrown with invasive exotic plants and trees which further exacerbates County and State efforts to control and eliminate exotic plant species on the Coastal Wetlands to the east, and causes difficulties for any managed agricultural lands in this area.

The Water Management Project Alternative. Although a water management project in the East Glades would take that land area out of agricultural production, the benefits provided by properly designed and implemented water management projects in this area outweigh the loss of land for agriculture production. Unlike every other agricultural area in Miami-Dade County, the East Glades is the only farming area that is completely dependent upon a reduction of the water table at the very beginning of the dry season (October 15). Unfortunately, that is the very time of the year that maintenance of water levels is important for continued hydration of coastal wetlands and the prevention of salt water intrusion. Although the information is preliminary, dry season draw downs may contribute to increased salt water intrusion in southeast Miami-Dade County, and these draw downs could result in the loss of significant amounts freshwater to coastal ecosystems.

One advantage of water management projects within these areas is that they can occur in a manner that is compatible with and even enhances the coastal wetlands rehydration projects and which does not require dry season draw downs or compensation if draw downs are eliminated. In addition, the water management projects can be designed as impoundment areas that could serve as a source of re-hydration water to be pumped into the coastal wetlands, provided that the impoundment is impervious and graded so that it has the ability to retain water at a level higher than the surrounding water table. By inclusion of the limiting conditions in the proposed text, it is believed that water management projects can be permitted within the East Glades area in a manner that is both compatible with existing agriculture and complementary to the coastal wetlands project to the east.

Consistency with Plan Agricultural Policies. Policy LU-1S of the Land Use Element requires the CDMP to be consistent with the Miami-Dade County Strategic Plan adopted by the County Commission through Resolution R-664-03. One of the “key outcomes” of

the Strategic Plan that is relevant to the County's development policies is the "protection of viable agricultural and environmentally sensitive lands." (Miami-Dade County Strategic Plan, pg. 19). The area in question is shown on Figure 12 of the Land Use Element as a "Future Wetland" and requires extensive seasonal drainage activities to remain in active agricultural use. Without significant human intervention on an annual basis, the area is unsuited for agricultural uses. As the continued viability of the area for agricultural purposes is in doubt, the use of the area for water management projects that satisfy prescribed criteria is not inconsistent with Policy LU-1S.

In the past, the position has been taken that the Strategic Plan, as incorporated into the CDMP through Policy LU-1S, requires that there be "no net loss" of agricultural lands outside the UDB. This position fails to take into account how the Strategic Plan is organized and is inconsistent with the Goals and Policies of the CDMP. The Strategic Plan is intended to present County staff with a "game plan" to guide future decision-making. (Strategic Plan at 2). Along with general goals, referenced in the Strategic Plan as "key priority outcomes," the Strategic Plan provides "measuring sticks" intended to help determine if the County is moving toward the stated goals. The "outcomes" cover a wide range of issues, from economic development, to public safety, to recreational opportunities offered County residents.

The "priority key outcome" relevant to agricultural lands is the "[p]rotection of viable agriculture . . . lands." (Strategic Plan at 19). The "no net loss" language appears only as a measurement of the County's success in complying with the priority outcome of the Strategic Plan; "no net loss" is not a key outcome of the Strategic Plan. While the CDMP incorporates, through Policy LU-1S, the Strategic Plan's goal of protecting viable agriculture lands, the "no net loss" concept simply provides the County with a performance standard. It is not a "policy" or "goal" of either the Strategic Plan or the CDMP, and therefore should have no bearing on this proposed amendment relating to the Agriculture land use designation.

DISCLOSURE OF INTEREST

This form or a facsimile must be filed by all applicants having an ownership interest in any real property covered by an application to amend the Land Use Plan map. Submit this form with your application. Attach additional sheets where necessary.

APPLICANT (S) NAME AND ADDRESS:

APPLICANT A: Florida Power & Light Company

APPLICANT B: _____

APPLICANT C: _____

APPLICANT D: _____

APPLICANT E: _____

APPLICANT F: _____

APPLICANT G: _____

APPLICANT H: _____

Use the above alphabetical designation for applicants in completing Sections 2 and 3, below.

2. PROPERTY DESCRIPTION: Provide the following information for all properties in the application area in which the applicant has an interest. Complete information must be provided for each parcel.

<u>APPLICANT</u>	<u>OWNER OF RECORD</u>	<u>FOLIO NUMBER</u>	<u>SIZE IN ACRES</u>
<u>N/A</u>			

3. For each applicant, check the appropriate column to indicate the nature of the applicant's interest in the property identified in 2., above.

<u>APPLICANT</u>	<u>OWNER</u>	<u>LESSEE</u>	<u>CONTRACTOR FOR PURCHASE</u>	<u>OTHER (Attach Explanation)</u>
<u>N/A</u>				

4. DISCLOSURE OF APPLICANT'S INTEREST: Complete all appropriate sections and indicate N/A for each section that is not applicable.

- a. If the applicant is an individual (natural person) list the applicant and all other individual owners below and the percentage of interest held by each.**

<u>INDIVIDUAL'S NAME AND ADDRESS</u>	<u>PERCENTAGE OF INTEREST</u>
N/A	

- b. If the applicant is a CORPORATION, list the corporation's name, the name and address of the principal stockholders and the percentage of stock owned by each. [Note: where the principal officers or stockholders, consist of another corporation (5), trustee(s), partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity.]**

CORPORATION NAME: FPL Group, Inc.

<u>NAME, ADDRESS, AND OFFICE (if applicable)</u>	<u>PERCENTAGE OF STOCK</u>
Publicly traded on the New York Stock Exchange (NYSE) as FPL	

- c. If the applicant is a TRUSTEE, list the trustee's name, the name beneficiaries of the trust, and the percentage of interest held by each. [Note: where the beneficiary/beneficiaries consist of corporation(s), partnership(s), or other similar entities, further disclosure shall be required which discloses the identity of the individual (s) (natural persons) having the ultimate ownership interest in the aforementioned entity].**

TRUSTEES

NAME: N/A

<u>BENEFICIARY'S NAME AND ADDRESS</u>	<u>PERCENTAGE OF INTEREST</u>

- d. If the applicant is a PARTNERSHIP or LIMITED PARTNERSHIP , list the name of the partnership, the name and address of the principals of the partnership, including general and limited partners and the percentage of interest held by each partner. [Note: where the partner (s) consist of another partnership(s), corporation (5) trust (5) or other similar entities, further disclosure shall be required which discloses the identity of the individual (s) (natural persons) having the ultimate ownership interest in the aforementioned entity].**

PARTNERSHIP NAME: N/A

NAME AND ADDRESS OF PARTNERS

PERCENT AGE OF INTEREST

- e. If the applicant is party to a **CONTRACT FOR PURCHASE**, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the principal officers, stockholders, beneficiaries, or partners. [Note: where the principal officers, stockholders, beneficiaries, or partners consist of another corporation, trust, partnership, or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

NAME AND ADDRESS

PERCENT AGE OF INTEREST

N/A

Date of Contract: _____

If any contingency clause or contract terms involve additional parties, list all individuals or officers if a corporation, partnership, or trust.

N/A

5. DISCLOSURE OF OWNER'S INTEREST: Complete only if an entity other than the applicant is the owner of record as shown on 2.a., above.

- a. If the owner is an individual (natural person) list the applicant and all other individual owners below and the percentage of interest held by each.

INDIVIDUAL'S NAME AND ADDRESS

PERCENT AGE OF INTEREST

N/A

- b. If the owner is a CORPORATION, list the corporation's name, the name and address of the principal stockholders and the percentage of stock owned by each. [Note: where the principal officers or stockholders consist of another corporation(s), trustee(s) partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity.]

If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership, or trust.

N/A

For any changes of ownership or changes in contract for purchase subsequent to the date of the application, but prior to the date of the final public hearing, a supplemental disclosure of interest shall be filed.

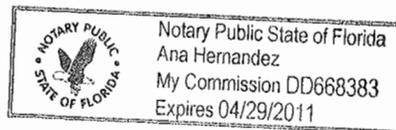
The above is a full disclosure of all parties of interest in this application to the best of my knowledge and behalf.

Applicant's Signatures and Printed Names

Ana Hernandez

Sworn to and subscribed before me
this 31 day of October, 2008.

Notary Public, State of Florida at Large (SEAL)
My Commission Expires: 4/29/2011



Disclosure shall not be required of any entity, the equity interest in which are regularly traded on an established securities market in the United States or other country; or pension funds or pension trusts of more than five thousand (5,000) ownership interests; any entity where ownership interests are held in a partnership, corporation or trust consisting of more than five thousand (5,000) separate interests including all interests at each level of ownership, and no one pension or entity holds more than a total of five (5) percent of the ownership interest in the partnership, corporation or trust; or of any entity, the ownership interest of which are held in a partnership, corporation or trust consisting of more than 5,000 separate interests and where no one person or entity holds more than a total of 5% of the ownership interest in the partnership, corporation or trust. Entities whose ownership interests are held in partnership, corporation, or trust consisting of more than five thousand (5,000) separate interests, including all interests at every level of ownership, shall only be required to disclose those ownership interest which exceed five (5) percent of the ownership interest in the partnership, corporation or trust.

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APPLICATION NO. 2

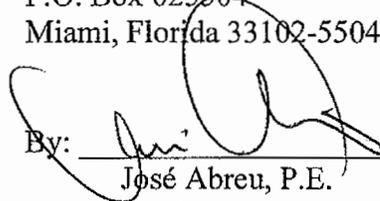
APPLICATION REQUESTING AMENDMENT TO THE COMPREHENSIVE DEVELOPMENT MASTER PLAN

1. APPLICANT

Miami-Dade County Aviation Department
P.O. Box 025504
Miami, Florida 33102-5504

2. APPLICANT'S REPRESENTATIVE

José Abreu, P.E., Aviation Director
Miami-Dade County Aviation Department
P.O. Box 025504
Miami, Florida 33102-5504

By:  _____ October 30, 2008
José Abreu, P.E.

3. DESCRIPTION OF REQUESTED CHANGES

1. Revise the text in the Aviation Subelement of the Transportation Element on pages I-51 and I-52 to eliminate references to Opa-locka Executive, Kendall-Tamiami Executive, Homestead General Aviation, and Miami International Airports' "landside and airside areas" in order to properly distinguish aviation and non-aviation uses on Miami-Dade Aviation Department owned property as depicted on the revised and attached Airport Land Use Master Plan maps.
2. Replace the Airport Land Use Master Plan maps in the Aviation Subelement of the Transportation Element for Opa-locka Executive Airport, Kendall-Tamiami Executive Airport and Miami International Airport with the revised and attached maps.
3. Revise the text of the Land Use Element, section title "Transportation" on pages I-54 and I-55 of the Adopted Components of the CDMP in order for the CDMP to be internally consistent.

Revise the third and fourth paragraphs on page II-51 to read as follows:

The airside portion of the Opa-locka Executive Airport, Kendall-Tamiami Executive Airport, Homestead General Aviation Airport, and Miami International Airport designated in the Comprehensive Development Master Plan for aviation uses, which

shall be deemed to consist of all portions of the airport where general public access is restricted (but not including terminal concourses), shall be limited to aviation uses, including but not limited to airfield uses such as runways, taxiways, aprons, runway protection zones, landing areas, and support and maintenance facilities such as control towers, flight service stations, access roads, fire stations, and fuel farms. Where not otherwise prohibited by law, open space and interim or existing agricultural uses and zoning may also be permitted in the airside portion, subject to such conditions and requirements as may be imposed to ensure public health and safety.

The ~~landside~~ portion of these airports designated in the Comprehensive Development Master Plan for aviation related and non-aviation uses, ~~which~~ shall be deemed to consist of all portions of the airports where general public access is not restricted and terminal concourses only at Miami International Airport, and may include both aviation uses and non-aviation uses that are compatible with airport operations and consistent with applicable law. ~~At least one third of the land area in the landside portion of the airport designated for non-aviation related uses must be developed with aviation related uses or uses that directly support airport operations.~~

Revise the second and third paragraphs on page II-52 to read as follows:

Subject to the restrictions contained herein, the following privately owned non-aviation-related uses may be approved in the ~~landside area~~ portions of the Opa-locka Executive Airport, Kendall-Tamiami Executive Airport, Homestead General Aviation Airport, and Miami International Airport designated as non-aviation uses on the Airport Land Use Master Plan maps and accessible to the general public:

- lodgings such as hotels and motels (except for Homestead General)
- office buildings (except for Homestead General)
- lodgings and office buildings at Miami International Airport (except in terminal concourses)
- industrial uses such as distribution, storage, manufacturing, research and development and machine stops (except for Homestead General)
- agricultural uses, and
- retail, restaurants, and personal service establishments (except for Homestead General).

Such privately owned non-aviation related uses at the Opa-locka Executive Airport, Kendall-Tamiami Executive Airport, Homestead General Aviation Airport, and Miami International Airport shall be limited as follows:

- (1) Those portions of the ~~landside area~~ at Opa-locka Executive, Miami International, and Kendall-Tamiami Executive airports designated for non-aviation uses ~~that are not developed for uses that are aviation related or directly supportive of airport operations~~ shall range from 50 to 85 percent for industrial uses, 5 to 25 percent for commercial uses, 5 to 25 percent for office uses, 0 to 10 percent for hotels and motels, and 0 to 20 percent for institutional uses. The portions of the Opa-locka

Executive Airport designated in the Comprehensive Development Master Plan for Aviation-Related (Other Uses/Flexible) may also be developed with non-aviation uses that are compatible with airport operations and consistent with applicable law, including FAA regulations and any airport layout plan governing permissible uses on the entire airport property; and where such non-aviation uses shall not exceed the above referenced percentages of uses for the entire airport. The distribution, range, intensity and types of such non-aviation related uses shall vary by location as a function of the availability of public services, height restrictions, CDMP intensity ceiling for the Urban Infill Area (FAR of 2.0 not counting parking structures), or the Urbanizing Area (FAR of 1.25 not counting parking structures) at Opa-locka Executive and Miami International airports or for the Urbanizing Area (FAR of 1.25 not counting parking structures) at Kendall-Tamiami Executive Airport, impact on roadways, access and compatibility with neighboring development. Freestanding retail and personal service uses and shopping centers shall front on major access roads preferably near major intersections, where practical, and have limited access to major roadways.

- (2) Those portions of ~~the landside area~~ at Homestead General Aviation Airport that are not developed for uses that are aviation-related or directly supportive of airport operations shall be developed with agricultural uses.
- (3) Each non-aviation related use shall comply with applicable law, including but not limited to FAA regulations and ~~any~~ the current airport layout plan on file with the Miami-Dade County Aviation Department governing permissible uses on the entire airport property.

Requested Map Series Amendments to the Aviation Subelement of the Transportation Element:

Figure 8, “Miami International Airport Land Use Master Plan”. Replace existing Figure 8 with new Figure 8 on page 2-58.1 (see Attachment).

Figure 9, “Opa-locka Executive Airport Land Use Master Plan”. Replace existing Figure 9 with new Figure 9 on page 2-58.2 (see Attachment).

Figure 10, “Kendall-Tamiami Executive Airport Land Use Master Plan”. Replace existing Figure 10 with new Figure 10 on page 2-58.3 (see Attachment).

Revisions to the Land Use Element

Revise the section title “Transportation” on pages I-54 and I-55 as follows:

The ~~airside~~ portion of the Opa-locka Executive Airport, Kendall-Tamiami Executive Airport, Homestead General Aviation Airport, and Miami International Airport designated in the Comprehensive Development Master Plan for aviation uses, which

shall be deemed to consist of all portions of the airport where general public access is restricted (but not including terminal concourses), shall be limited to aviation uses, including but not limited to airfield uses such as runways, taxiways, aprons, runway protection zones, landing areas, and support and maintenance facilities such as control towers, flight service stations, access roads, fire stations, and fuel farms. Where not otherwise prohibited by law, open space and interim or existing agricultural uses and zoning may also be permitted in the airside portion, subject to such conditions and requirements as may be imposed to ensure public health and safety.

The ~~landside~~ portion of these airports designated in the Comprehensive Development Master Plan for aviation related and non-aviation uses, ~~which~~ shall be deemed to consist of all portions of the airports where general public access is not restricted and terminal concourses only at Miami International Airport, and may include both aviation uses and non-aviation uses that are compatible with airport operations and consistent with applicable law. ~~At least one third of the land area in the landside portion of the airport designated for non-aviation related uses must be developed with aviation related uses or uses that directly support airport operations.~~

Subject to the restrictions contained herein, the following privately owned non-aviation-related uses may be approved in the ~~landside area~~ portions of the Opa-locka Executive Airport, Kendall-Tamiami Executive Airport, Homestead General Aviation Airport, and Miami International Airport designated as non-aviation uses on the Airport Land Use Master Plan maps and accessible to the general public:

- lodgings such as hotels and motels (except for Homestead General)
- office buildings (except for Homestead General)
- lodgings and office buildings at Miami International Airport (except in terminal concourses)
- industrial uses such as distribution, storage, manufacturing, research and development and machine stops (except for Homestead General)
- agricultural uses, and
- retail, restaurants, and personal service establishments (except for Homestead General).

Such privately owned non-aviation related uses at the Opa-locka Executive Airport, Kendall-Tamiami Executive Airport, Homestead General Aviation Airport, and Miami International Airport shall be limited as follows:

- (1) Those portions of the ~~landside area~~ at Opa-locka Executive, Miami International, and Kendall-Tamiami Executive airports designated for non-aviation uses ~~that are not developed for uses that are aviation related or directly supportive of airport operations~~ shall range from 50 to 85 percent for industrial uses, 5 to 25 percent for commercial uses, 5 to 25 percent for office uses, 0 to 10 percent for hotels and motels, and 0 to 20 percent for institutional uses. The portions of the Opa-locka Executive Airport designated in the Comprehensive Development Master Plan for Aviation-Related (Other Uses/Flexible) may also be developed with non-aviation

uses that are compatible with airport operations and consistent with applicable law, including FAA regulations and any airport layout plan governing permissible uses on the entire airport property; and where such non-aviation uses shall not exceed the above referenced percentages of uses for the entire airport. The distribution, range, intensity and types of such non-aviation related uses shall vary by location as a function of the availability of public services, height restrictions, CDMP intensity ceiling for the Urban Infill Area (FAR of 2.0 not counting parking structures), or the Urbanizing Area (FAR of 1.25 not counting parking structures) at Opa-locka Executive and Miami International airports or for the Urbanizing Area (FAR of 1.25 not counting parking structures) at Kendall-Tamiami Executive Airport, impact on roadways, access and compatibility with neighboring development. Freestanding retail and personal service uses and shopping centers shall front on major access roads preferably near major intersections, where practical, and have limited access to major roadways.

- (2) Those portions of ~~the landside area~~ at Homestead General Aviation Airport that are not developed for uses that are aviation-related or directly supportive of airport operations shall be developed with agricultural uses.
- (3) Each non-aviation related use shall comply with applicable law, including but not limited to FAA regulations and ~~any the current~~ the current airport layout plan on file with the Miami-Dade County Aviation Department governing permissible uses on the entire airport property.

4. REASON FOR CHANGE

The Miami-Dade Aviation Department (MDAD) is requesting that the Aviation Sub-Element be revised to reflect elimination to the reference to Opa-locka Executive, Kendall-Tamiami Executive and Miami International Airports' "landside and airside areas" in order to properly distinguish aviation and non-aviation uses on Miami-Dade Aviation Department owned property as depicted on the revised Airport Land Use Master Plan maps. This change in terminology improves the clarity to describe how the land uses are defined.

The Opa-locka Executive, Kendall-Tamiami Executive and Miami International Airports Land Use Master Plan maps have been revised to allow for more flexibility in regards to permissible land uses. In addition, the revised maps more accurately represent areas designated for non-aviation uses.

The text of the Land Use Element, section title "Transportation" on page I-54 and I-55 of the Adopted Components of the CDMP is proposed for revision in order for the CDMP to be internally consistent.

5. ADDITIONAL MATERIALS SUBMITTED

Attachments referenced in the application (revised maps)

Support Documents

- Copies of the attached Airport Land Use Master Plan maps graphically depicting the revisions.
- Copy of how the new application will appear after the Department Planning & Zoning's Application 20 is approved with the strikethroughs and underlined text.
- Copy of how the new application will appear after the Department Planning & Zoning's Application 20 is approved without the strikethroughs and underlined text.
- Black and White copies of the Airport Land Use Master Plan maps for publishing purposes.

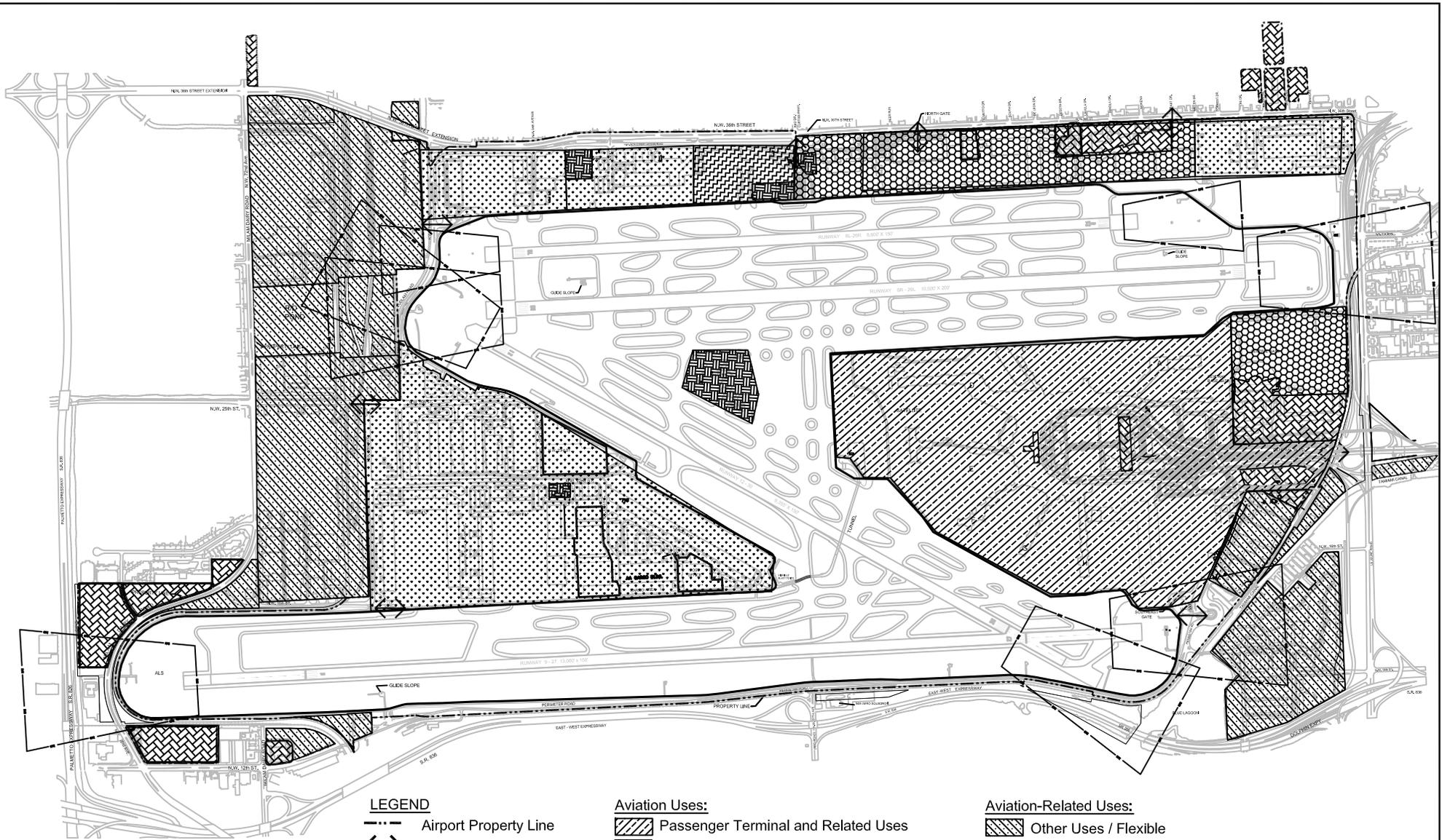
The new maps for changes to the Aviation Subelement of the Transportation Element are on the following pages.

Figure 8, “Miami International Airport Land Use Master Plan”. Replace existing Figure 8 with new Figure 8 on page 2-58.1.

Figure 9, “Opa-locka Executive Airport Land Use Master Plan”. Replace existing Figure 9 with new Figure 9 on page 2-58.2.

Figure 10, “Kendall-Tamiami Executive Airport Land Use Master Plan”. Replace existing Figure 10 with new Figure 10 on page 2-58.3.

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LEGEND
 - - - Airport Property Line
 <- - -> Ingress / Egress
 - - - Runway Protection Zone

Aviation Uses:
 [Diagonal Hatching] Passenger Terminal and Related Uses
 [Dotted Pattern] Cargo and Cargo-Related uses
 [Cross-Hatching] Avionics / Aircraft Maintenance / Aircraft Parts
 [Grid Pattern] General Aviation / FBO / Corporate Aviation
 [Square Grid Pattern] Government (FAA, U.S. Customs, MDAD, Police, Fire)

Aviation-Related Uses:
 [Diagonal Hatching] Other Uses / Flexible
Non-Aviation Uses:
 [Cross-Hatching] Commercial / Industrial

Note: Any changes to this map will require a Comprehensive Development Master Plan amendment.



Not to Scale
 GRAPHICAL SCALE IN FEET
 ALL DRAWING ELEVATIONS IN FEET

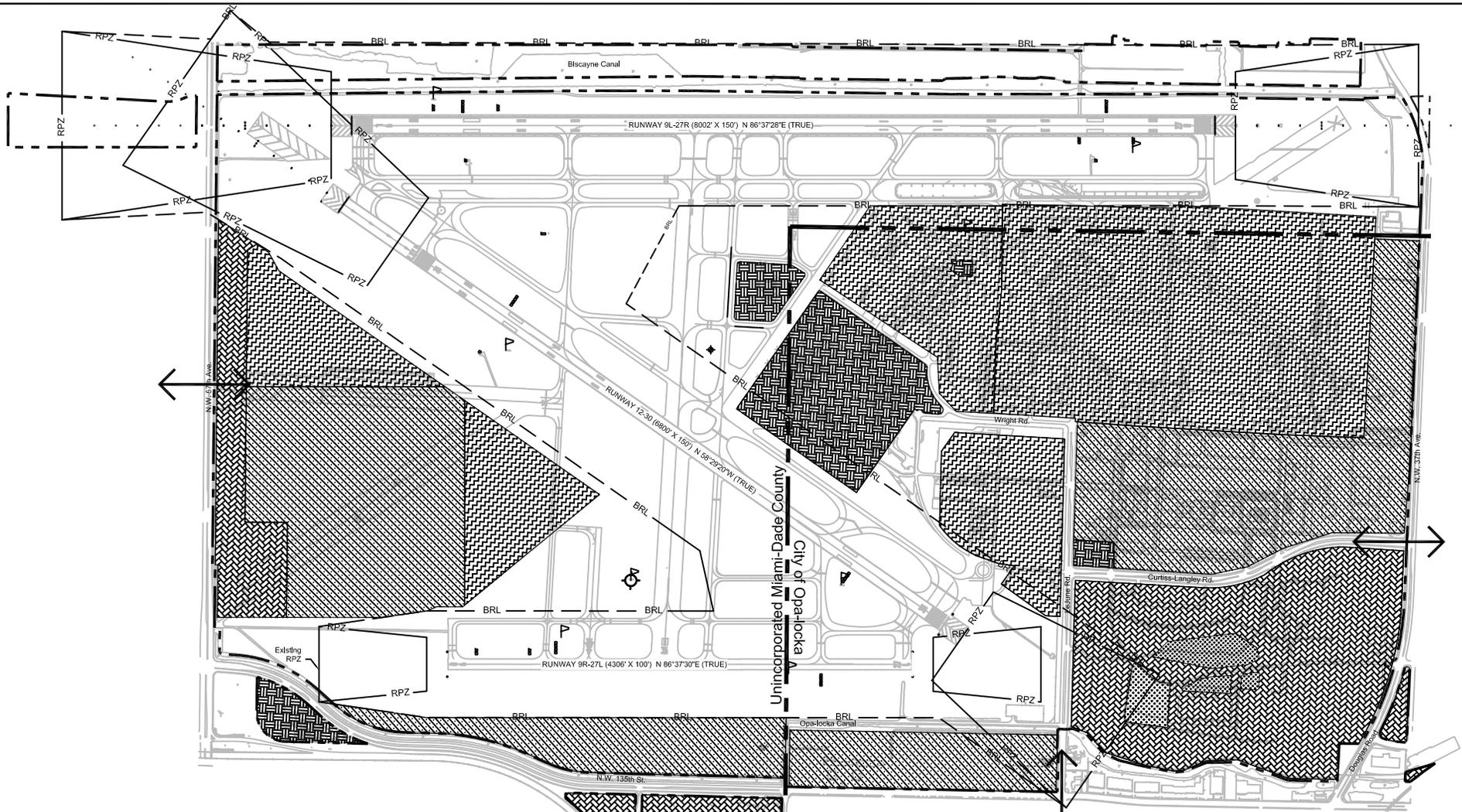
MAGNETIC NORTH
 DECLINATION = 5.53° W
 ANNUAL RATE OF CHANGE = 4' W
 (JULY 24, 2006)

TRUE NORTH
 22

MIAMI INTERNATIONAL AIRPORT
 AIRPORT LAND USE MASTER PLAN 2015-2025

REVISION DATE	
PRINT DATE	September 11, 2008
SHEET NO.	

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LEGEND

- Airport Property Line
- Ingress / Egress
- Runway Protection Zone

Aviation Uses:

- General Aviation / FBO
- Government (FAA, U.S. Customs, MDAD, Police, Fire)

Aviation-Related Uses:

- Other Uses / Flexible

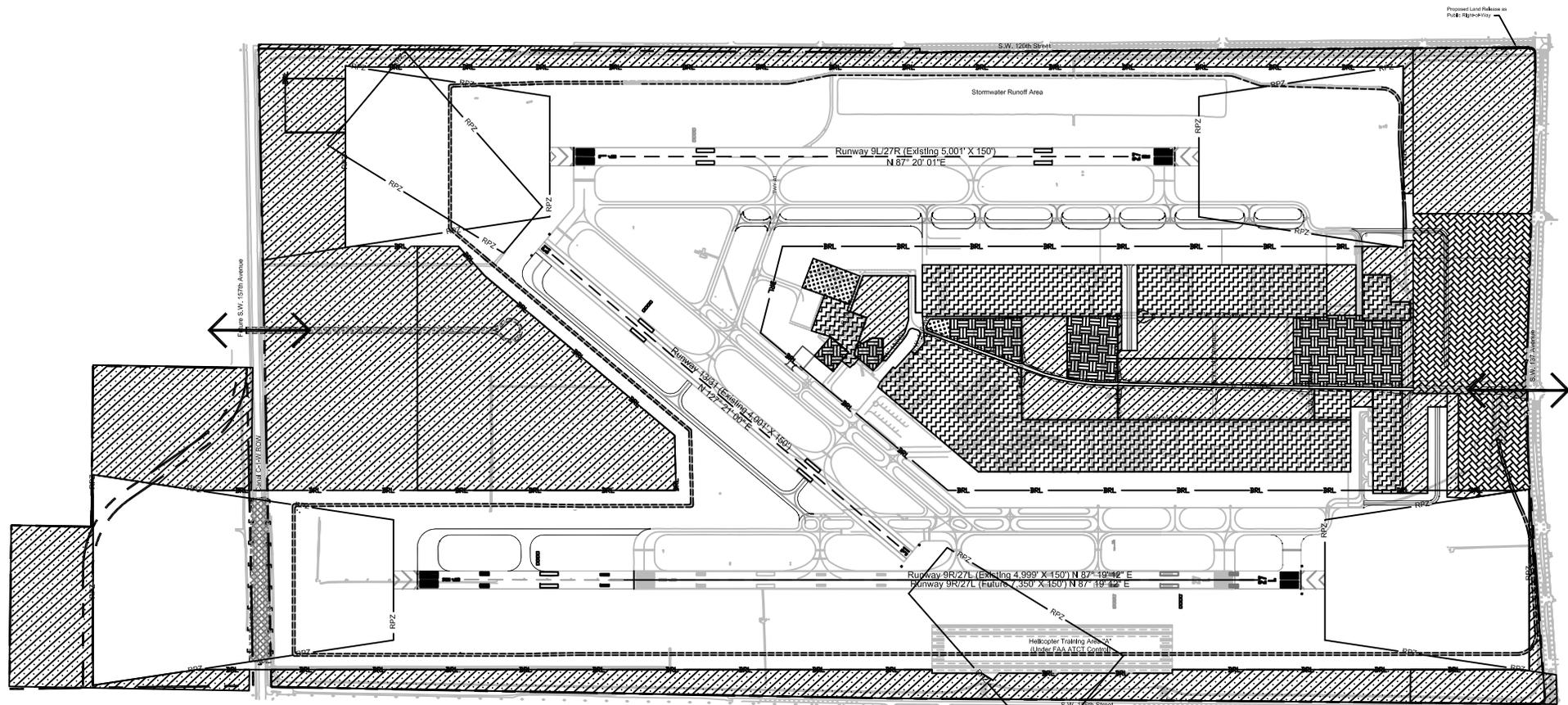
Non-Aviation Uses:

- Commercial / Industrial
- Archaeological Preservation Area

Note: Any changes to this map will require a Comprehensive Development Master Plan amendment.

 MIAMI-DADE AVIATION DEPARTMENT	Not to Scale GRAPHICAL SCALE IN FEET ALL DRAWING ELEVATIONS IN FEET	MAGNETIC NORTH DECLINATION = 5.53° W ANNUAL RATE OF CHANGE = 4' W (JULY 24, 2006)	 TRUE NORTH 23	OPA-LOCKA EXECUTIVE AIRPORT	REVISION DATE
				AIRPORT LAND USE MASTER PLAN 2015-2025	PRINT DATE September 11, 2008
				SHEET NO.	

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- LEGEND**
- Existing Airfield Pavement
 - Future Runway/Taxiway Pavement
 - Airport Property Line
 - Ingress / Egress
 - Runway Protection Zone
- Aviation Uses**
- General Aviation / FBO Facilities
 - Government (FAA, U.S. Customs, MDAD, Police, Fire)
- Aviation-Related Uses**
- Other Uses / Flexible
 - Aviation Museum/ Educational/Memorial
- Non-Aviation Uses**
- Commercial / Industrial

Note: Any changes to this map will require a Comprehensive Development Master Plan amendment.

<p>MIAMI-DADE COUNTY</p> <p>MIAMI-DADE AVIATION DEPARTMENT</p>	<p>Not to Scale</p> <p>GRAPHICAL SCALE IN FEET ALL DRAWING ELEVATIONS IN FEET</p>	<p>MAGNETIC NORTH DECLINATION = 5.25° W (JANUARY 5, 2005)</p> <p>TRUE NORTH 24° NORTH</p>	<p>KENDALL-TAMIAMI EXECUTIVE AIRPORT</p>	<p>REVISION DATE</p>
			<p>AIRPORT LAND USE MASTER PLAN 2015-2025</p>	<p>PRINT DATE September 11, 2008</p>
			<p>SHEET NO.</p>	