



*M. Warner*

STATE OF FLORIDA  
**DEPARTMENT OF COMMUNITY AFFAIRS**

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Governor

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Secretary

February 20, 2006

**RECEIVED**  
FEB 28 2006

The Honorable Carlos Alvarez  
Mayor, Miami-Dade County  
111 N.W. 1<sup>st</sup> Street  
Miami, Florida 33128

MIAMI-DADE COUNTY  
DIRECTOR'S OFFICE

Dear Mayor Alvarez:

The Department has completed its review of the proposed Comprehensive Plan Amendment for the Miami-Dade County (DCA No. 06-1), which was received on December 21, 2005. 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 (ORC) Report which outlines our findings concerning the comprehensive plan amendment.

The issues identified in the report concern facilities analysis, such as water supply and transportation and internal inconsistency with existing comprehensive plan policies regarding moving the Urban Development Boundary. Additionally, many of the amendments are inconsistent with Chapter 163, Florida Statutes, Chapter 187, Florida Statutes, Rule 9J-5, Florida Administrative Code and the South Florida Strategic Regional Policy Plan.

If you have any questions about this ORC report or the Department's position, please contact Paul Darst, Senior Planner, at (850) 922-1764.

Sincerely,

Roger Wilburn  
Regional Planning Administrator

RW/pds

Enclosures: Objections, Recommendations and Comments Report  
Review Agency Comments

cc: Ms. Diane O' Quinn Williams, Director, Department of Planning and Zoning  
Ms. Carolyn A. Dekle, Executive Director, South Florida Regional Planning Council

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**DEPARTMENT OF COMMUNITY AFFAIRS**  
**OBJECTIONS, RECOMMENDATIONS AND COMMENTS REPORT**  
**FOR**  
**MIAMI-DADE COUNTY**  
**AMENDMENT 06-1**

February 20, 2006  
Division of Community Planning

This report is prepared pursuant to Rule 9J-11.010, F.A.C.

## Introduction

The following objections, recommendations and comments are based upon the Department's review of the Miami-Dade County 06-1 proposed Comprehensive Plan Amendment pursuant to Section 163.3184, F.S.

Objections relate to specific requirements of relevant portions of Chapter 9J-5, F.A.C., and Chapter 163, Part II, F.S. Each objection includes a recommendation of one approach that might be taken to address the cited objection. Other approaches may be more suitable in specific situations. Some of these objections may have been raised initially by one of the other external review agencies. If there is a difference between the Department's objection and the external agency advisory objection or comment, the Department's objection would take precedence.

The County should address each of these objections when the amendment is resubmitted for our compliance review. Objections which are not addressed may result in a determination that the amendment is not in compliance. The Department may have raised an objection regarding missing data and analysis, items which the City considers not to be applicable to its amendment. If that is the case, a statement justifying its non-applicability pursuant to Rule 9J-5.002(2), F.A.C., must be submitted. The Department will make a determination as to the non-applicability of the requirement, and if the justification is sufficient, the objection will be considered addressed.

The comments which follow the objections and recommendations are advisory in nature. Comments will not form a basis for determination of non-compliance. They are included to call attention to items raised by our reviewers. The comments can be substantive, concerning planning principles, methodology or logic, as well as editorial in nature dealing with grammar, organization, mapping, and reader comprehension.

Appended to the back of the Department's report are the comment letters from the other state review agencies, other agencies, organizations and individuals. These comments are advisory to the Department and may not form a basis for Departmental objections unless they appear under the "Objections" heading in this report.

**Objections, Recommendations, and Comments Report**

**for**

**Miami-Dade County Amendment 06-1**

**February 20, 2006**

**I. CONSISTENCY WITH CHAPTER 163, F.S., AND RULES 9J-5 & 9J-11, F.A.C.**

The Department has completed its review of the proposed Miami-Dade County Amendment 06-1 and has the following objections and comments.

**OBJECTIONS**

**NON-AVAILABILITY OF POTABLE WATER SUPPLY**

The Department objects to all seventeen of the proposed Miami-Dade County land use amendments (Applications Nos. 1, 2, 3, 4, 5, 6, 7, 10, 11, 13, 15, 17, 20, 21, 22, 23, and 24) because they are not supported by an adequate potable water supply analysis. The total increased potable demand from the applications in Amendment 06-1 is estimated at approximately 3.1 million gallons a day. The County must demonstrate that it has available potable water supply to serve this increased demand. Until this is done it would be inappropriate to approve land use changes to the comprehensive plan which would entail increased water consumption. The amendment also does not address any changes in the Capital Improvements Element that may be needed to provide for the facility enhancements to serve the proposed land use changes.

The Department has received reports on Amendment 06-1 from the Florida Department of Environmental Protection (DEP) and the South Florida Water Management District (SFWMD or District) concerning water availability in Miami-Dade County. According to the District's report, the County has applied for a consolidated 20-year consumptive use permit for all of its wellfields, which is currently being processed by the District; however, data available to the District indicate that traditional water supply sources will not be adequate to meet the County's future water supply needs. In order for the County to get a permit to meet increased demands, it will be necessary for the County to meet the criteria for issuance, including identifying and implementing effective alternative water supplies. The District's report states that at this point in time the County cannot demonstrate that there are adequate water supplies to serve the cumulative development proposed in the 06-1 Amendment.

Adoption of the land use amendments in the absence of an assured water supply and necessary facilities would also be internally inconsistent with existing Miami-Dade County policy requiring coordination between future land uses, the availability of water, and necessary capital improvements, as expressed in CDMP

Water and Sewer Sub-Element Objective 1 and Policy 1B, Objective 2 and Policy 2B, Policy 3B, and Objectives 5 and 6.

### **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 5-year schedule of capital improvements for any facilities needed during that time frame. Additionally, demonstrate that the proposed land use changes are consistent with the CDMP objectives and policies cited above.

### **INTERNAL INCONSISTENCY WITH THE COMPREHENSIVE PLAN, MOVING THE URBAN DEVELOPMENT BOUNDARY**

The Department objects to the nine proposed Miami-Dade County land use amendments (Nos. 5, 6, 7, 10, 11, 13, 17, 23, and 24) which are outside the Urban Development Boundary (UDB) because they are not internally consistent with the Miami-Dade County Comprehensive Development Master Plan (CDMP), specifically Land Use Element Policies 8G, 8H, and 3E and Conservation Element Policy 3E.

In order to accommodate the urban developments proposed in these amendments, it would be necessary for the Urban Development Boundary in the CDMP to be expanded to encompass the amendment sites. Miami-Dade County's policy regarding movement of the UDB is established in Land Use Element Policies 8G and 8H. (Note that Land Use Element Policy 8G was renumbered as Policy 8F in recently adopted Amendment 05-2ER, and, similarly, Land Use Element Policy 8H was renumbered as Policy 8G; however, for purposes of consistency with the amendment package and the correspondence received, the older designations 8G and 8H will be used in this ORC report.) Policy 8G provides guidance on the potential development capacity that should be available within the UDB, and it addresses how demand and land supply for residential and nonresidential uses are determined.

For residential land use, Land Use Element Policy 8G 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 (EAR), plus a 5-year surplus (a total 15-year Countywide supply beyond the date of the most recent EAR adoption in 2003, thus extending the date to 2018).

The transmitted Amendment 06-1 package includes the Miami-Dade County staff analysis, which concludes that the present boundaries of the UDB contain sufficient developable land to satisfy residential demand for the next 15 years. Therefore Applications No. 7, 10, 11, 13, 17, 23, and 24, because of their proposed or allowed residential uses, do not meet the requirements of Land Use Element Policy 8G for expanding the UDB, and their adoption would be inconsistent with Policy 8G.

For non-residential land uses, Land Use Element Policy 8G states that the adequacy of nonresidential land supplies 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. The adequacy of land supplies for neighborhood- and community-oriented business and office uses shall be determined on the basis of localized subarea geography such as Census Tracts, Minor Statistical Areas (MSAs) and combinations thereof. Tiers, Half-Tiers and combinations thereof shall be considered along with the Countywide supply when evaluating the adequacy of land supplies for regional commercial and industrial activities.

The Miami-Dade County staff analysis concludes that the present boundaries of the UDB contain adequate non-residential land supplies, according to the requirements of Land Use Policy 8G. Therefore Applications 5, 6, 7, 11, 17, 23, and 24 do not meet the requirements of Land Use Element Policy 8G for expanding the UDB, and their adoption would be inconsistent with Policy 8G.

Land Use Element Policy 8H specifies that certain specified areas shall either not be considered for addition to the UDB or shall be avoided for addition to the UDB. Certain other areas shall be given priority for inclusion after demonstrating that a countywide need exists, in accordance with Policy LU-8G.

Application 17 is located within the Redland area south of Eureka Drive, an area that shall not be considered when considering land areas to add to the UDB. Applications 6, 7, and 10 are located within Future Wetlands delineated in the Conservation and Land Use Element, areas that shall be avoided when considering land areas to add to the UDB. Applications 10, 11, 13, 17, 23, and 24 are located within lands designated Agriculture on the Land Use Plan Map, areas that shall be avoided when considering land areas to add to the UDB. The Department objects to these applications, which are in areas that shall not be considered or in areas that shall be avoided for addition to the UDB, because their addition to the UDB would be inconsistent with Land Use Element Policy 8H.

Application 17 contains an accompanying text amendment which would revise Land Use Policy 8H(i)(c) by removing the Redland area south of Eureka Drive. The proposed text amendment portion of Application 17 is inconsistent with CDMP Land Use Element Policy 1R, which requires that Miami-Dade County take steps to reserve the amount of land necessary to maintain an economically viable agricultural industry, and with Land Use Element Policy 1O, which requires that Miami-Dade County shall seek to prevent discontinuous, scattered development at the urban fringe particularly in the Agriculture Areas, through its CDMP amendment process. In the absence of supporting data and analysis indicating that the Application 17 text amendment is consistent with the aforementioned policies, The Department finds the text amendment to be internally inconsistent with the CDMP and inconsistent with Chapter 163, F.S., Rule 9J-5, F.A.C., and the State Comprehensive Plan.

The Department objects to Applications 23 and 24 because they are not internally consistent with the Miami-Dade County Comprehensive Plan and in particular Land Use Element Policy 3E. Policy 3E established the South Miami-Dade County Watershed Study and Plan. The Watershed Study is a collaborative effort of Miami-Dade County, SFRPC, and SFWMD. The purpose of the Watershed Study is to provide a wide-ranging analysis of population growth, infrastructure, land ownership (including agricultural, industrial, and urban land uses), pollution, water resources, wildlife, and natural areas. A primary goal of the study is to protect Biscayne Bay and Biscayne National Park. Pursuant to CDMP Land Use Element Policy 3E, until the Watershed Study is approved (originally expected by 1 January 2006; however, the expected completion date is now March 2006) a Miami-Dade County BOCC-appointed review committee (the Biscayne National Park Buffer Development Review Committee) will evaluate and make recommendations on all requested development proposals and CDMP amendments in the Study Area east of US Highway 1 and outside the UDB. Among the separate applications making up Amendment 06-1, only Applications 23 and 24 (both located within the City of Homestead) are within this circumscribed area. Application 23 was reviewed by the Buffer Development Review Committee, which recommended to the County Commission that Application 23 be denied and not transmitted to the DCA. Application 24 was reviewed by the Buffer Development Review Committee, which recommended to the County Commission that Application 24 be denied but transmitted to the DCA. The Department understands the action of the Buffer Development Review Committee, in recommending denial of Applications 23 and 24, as an indication that approval of these land use applications would be injurious to accomplishment of the Watershed Study objectives and inconsistent with Land Use Element Policy 3E.

CDMP Conservation Element Policy 3E states that the area west of the Turnpike, east of the Dade-Broward Levee, north of NW 12th Street and south of Okeechobee Road shall be reserved for limestone mining and approved ancillary uses as provided for in Chapters 2 and 33 of the Miami-Dade County Code. Application 6 appears to be located within this area and therefore its proposed use would be inconsistent with this policy.

## **Citations**

Florida Statutes: sections 163.3177(2) and 163.3187(2).

Florida Administrative Code: Rule 9J-5.005(5); 9J-5.005(6); 9J-5.006(2)(b) and (c); 9J-5.006(5)(a), (g), and (l); and 9J-5.013(c)(6).

## **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 8G, 8H, and 3E and Conservation Element Policy 3E and with Chapter 163, F.S., and Rule Chapter 9J-5, F.A.C.

## **FAILURE TO ESTABLISH MEANINGFUL AND PREDICTABLE STANDARDS FOR THE USE AND DEVELOPMENT OF LAND**

The Department objects to proposed text Amendment/Application 25, which amends CDMP Land Use Element Policy 8G, because, by comparison with the existing Land Use Element Policy 8G, Application 25 is more vague and does not establish meaningful and predictable standards for the use and development of land, as required in F.A.C. Rule 9J-5.005(6). Not only is Application 25 less meaningful and predictable than existing Policy 8G, but it does not compensate for its lessened rigor by requiring additional planning for the area outside the UDB.

Application 25 calls for the addition of considerably more factors to be included in the establishment of the UDB. The Department does not object to improving and refining the existing CDMP policy guidance regarding the UDB, but any such revision should improve the meaningfulness and predictability of the existing policy guidance, not diminish it.

The proposed addition to Policy 8G of a requirement to consider "market value of land averaged by section of land" brings into the calculation of residential demand the market value of land. Such a consideration is likely to skew the UDB analysis toward including cheaper land outside the UDB. This may well have the practical effect of removing the UDB as a barrier to development in the outskirts of Miami-Dade County; however, the amendment does not indicate how the cost of land is to be included in the UDB analysis.

The proposed addition of considerations of public facilities and services and employment areas, and other (unspecified) socioeconomic needs of the community into the UDB analysis is not objectionable on its face, but the amendment does not specify how these factors are to be brought into the analysis, and it does not limit the additional factors to be considered to only the listed factors in the proposed amendment. Thus it contributes to the greater vagueness of the Application 25 proposed revision of Policy 8G.

The proposed revision of Policy 8G appears to be more difficult to interpret for purposes of establishing a UDB boundary than the original policy. The existing Policy 8G is clearly stated, making it possible to calculate the necessity, or lack

thereof, for moving the UDB. The proposed revision is vaguer, stating that the estimation of demand shall include, but not be limited to, a number of factors. This is likely to have the effect of making the calculation or delineation of the UDB less predictable and perhaps more subjective than with the existing Policy 8G. Such a change, resulting in a less than predictable standard, is not consistent with F.A.C. Rule 9J-5.005(6), with its requirement that goals, objectives and policies shall establish meaningful and predictable standards for the use and development of land and provide meaningful guidelines for the content of more detailed land development and use regulations.

#### **Citations**

Florida Statutes: sections 163.3177(1) and 163.3177(6)(a).

Florida Administrative Code: Rules 9J-5.005(6) and 9J-5.006(3)(c)7.

#### **Recommendations**

Do not adopt Application 25 or, alternatively, revise it to address the objections stated above. Provide the necessary data and analysis to demonstrate that it is consistent with the CDMP, Chapter 163, Rule 9J-5, the Strategic Regional Policy Plan for South Florida, and the State Comprehensive Plan.

#### **IMPACT ON PUBLIC TRANSPORTATION FACILITIES**

The Department objects to Applications 5, 10, 11, 13, 17, 22, and 23, 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 objects to Applications 5, 10, 11, 13, 17, 22, and 23, because these proposed land use amendments are not internally consistent with CDMP Land Use Element Policy 2A, which requires that all development orders authorizing new, or significant expansion of existing, urban land uses shall be contingent upon the provision of services at or above the LOS standards specified in the Capital Improvements Element. The County must demonstrate that the improvements needed to maintain adopted LOS standards on roadways in the vicinity of the proposed land use amendments are scheduled in the CIE. In addition, the definition of the UDB in the CDMP Land Use Element contains a requirement that the construction of new roads, or the extension, widening and paving of existing arterial or collector roadways to serve areas outside the UDB at public expense will be permitted only if such roadways are shown on the Land Use Plan Map and in the Transportation Element. The roadway improvements needed to maintain adopted LOS standards because of the development proposed by Application 5 has not been depicted on the Land Use Plan Map and in the

Transportation Element, which is necessary for this application to be consistent with the CDMP.

The Department objects to Applications 5, 10, 11, and 17 because the County has not provided adequate supporting data and analysis to indicate how it will protect the interregional function of affected FIHS roadways. The development of Application 5 would add trips to and exacerbate conditions on I-75 from NW 92 Avenue to SR 826, Palmetto Expressway/SR 826 from NW 122 Street to I-75 and from NW 154 Street to NW 68 Avenue, and Okeechobee Road/US 27 from the Turnpike (HEFT) to Krome Avenue; all of these facilities are projected to deteriorate below their adopted LOS standards by 2015. Krome Avenue/SR 997 in the vicinity of Applications 10 and 11 is currently operating below its adopted LOS, based on old 1996 data. It is projected to operate below its adopted LOS in 2015 in the vicinity of Applications 10, 11, and 17. The Florida Department of Transportation reported that it was unable to determine the future impact of Application 17 on Krome Avenue/SR 997 because insufficient data was provided with the amendment. The development of Application 17 would add trips to the HEFT from SW 184 Street to SW 211 Street, which is projected to deteriorate to LOS F by 2015.

#### **Citations**

Florida Statutes: Sections 163.3161(3), 163.3177(3) and (6)(a), and 163.3177(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-5.019(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**

Regarding the objections for the specific applications listed above, the County should:

1. Utilize the most recently available estimates for average daily and peak hour vehicle trips in the analysis of the existing transportation levels of service. Provide the necessary data and analysis to enable a determination of the effect of the potential development allowed by Applications 10, 11, and 17 on the applicable portions of the HEFT and Krome Avenue/SR 997.
2. Address the need for new facilities and expansions of alternative transportation modes to provide a safe and efficient transportation network and enhance mobility.
3. Demonstrate how it will maintain its adopted level of service standards through the 5-year and 10-year or greater planning time frames, including the incorporation into the 5-year capital improvements schedule (in the CIE) of roadway improvements needed to maintain adopted LOS 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.

4. Depict on the Land Use Plan Map and in the Transportation Element the roadway improvements needed to maintain adopted LOS standards because of the development allowed by Applications 5, 10, 11, 13, 17, 22, and 23, in order for these applications to be consistent with the CDMP.

#### **IMPACT ON PUBLIC SCHOOLS**

The Department objects to the following individual applications within Amendment 06-1 because their potential development is likely to have an adverse impact on public schools: Applications 10, 13, and 23. Amendment 06-1 does not demonstrate that there is adequate existing or programmed capacity at vicinity schools for the additional students that would be generated by the proposed changes allowed by these applications.

Application 10 would generate 616 additional students. This number of additional students at vicinity schools would raise the FISH capacity at the elementary school from 105 percent to 144 percent.

Application 13 would generate 308 additional students. This number of additional students at vicinity schools would raise the FISH capacity at the elementary school from 140 percent to 155 percent, at the middle school from 171 percent to 177 percent, and at the high school from 153 percent to 156 percent of school capacity.

Application 23 would generate 282 additional students, if the land were to be developed as residential, which is allowed under the proposed Business and Office land use category. This number of additional students at vicinity schools would raise the FISH capacity at the elementary school from 156 percent to 175 percent and at the middle school from 124 percent to 130 percent of school capacity. This number of additional students would cause the elementary and middle schools serving the site to exceed the FISH capacity standard of 115 percent.

#### **Citations**

Florida Statutes: sections 163.3161(3) and 163.3177(6)(a)

Florida Administrative Code: Rule 9J-5.006(3)(b)1

#### **Recommendation**

Applications 10, 13, and 23 should not be adopted unless and until the applicants, Miami-Dade County, and the Miami-Dade County School Board reach agreement on mitigation for school impacts from the proposed land use amendments.

## **II. STRATEGIC REGIONAL POLICY PLAN FOR SOUTH FLORIDA**

The following individual applications within Miami-Dade County Amendment 06-1 are inconsistent with Strategic Regional Policy Plan for South Florida:

Application 4 is generally inconsistent with the Strategic Regional Policy Plan for South Florida, Goal 11 and Policies 11.1 and 11.8.

Application 6 is generally inconsistent with the Strategic Regional Policy Plan for South Florida, Goals 11 and 20 and Policies 11.12 and 20.2.

Application 7 is generally inconsistent with the Strategic Regional Policy Plan for South Florida, Goals 11, 12, 16, and 20 and Policies 11.10, 12.6, 16.2, and 20.2.

Application 10 is generally inconsistent with the Strategic Regional Policy Plan for South Florida, Goals 4, 5, 7, 11, 12, 16, and 20 and Policies 4.8, 4.10, 5.1, 5.3, 7.1, 11.12, 12.6, 16.2, and 20.2.

Application 13 is generally inconsistent with the Strategic Regional Policy Plan for South Florida, Goals 4, 5, 7, 11, 12, 16, and 20 and Policies 4.8, 4.10, 5.1, 5.3, 7.1, 11.12, 12.6, 16.2, and 20.2.

Application 17 is generally inconsistent with the Strategic Regional Policy Plan for South Florida, Goals 4, 5, 7, 11, 12, 16, and 20 and Policies 4.8, 4.10, 5.1, 5.3, 7.1, 11.12, 12.6, 16.2, and 20.2.

Application 20 is generally inconsistent with the Strategic Regional Policy Plan for South Florida, Goals 4, 7, 11, 13, and 20 and Policies 4.8, 4.10, 7.1, 11.10, 13.2, and 20.3.

Application 21 is generally inconsistent with the Strategic Regional Policy Plan for South Florida, Goals 4, 7, 11, 12, 16, and 20 and Policies 4.8, 4.10, 7.1, 11.12, 12.6, 16.2, and 20.2.

Application 23 is generally inconsistent with the Strategic Regional Policy Plan for South Florida, Goals 4, 5, 7, 11, 12, 16, and 20 and Policies 4.8, 4.10, 5.1, 5.3, 7.1, 11.12, 12.6, 16.2, and 20.2.

Application 24 is generally inconsistent with Strategic Regional Policy Plan for South Florida, Goals 4, 7, 11, 12, 16, and 20 and Policies 4.8, 4.10, 7.1, 11.12, 12.6, 16.2, and 20.2.

Application 25 is generally inconsistent with the Strategic Regional Policy Plan for South Florida, Goals 4, 5, 7, 11, 12, 16 and 20 and Policies 4.8, 4.10, 5.1, 5.3, 7.1, 11.12, 12.6, 16.2 and 20.2.

**Citations**

Florida Statutes: s. 163.3184(1)(b)

Florida Administrative Code: Rule 9J-5.001(1)

**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. 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, 9, 10, 11, and 14

Land Use Goal and Policies 1, 2, and 6

Urban and Downtown Revitalization Goal and Policies 6 and 12

Public Facilities Goal and Policies 1, 2, 7, and 10

Transportation Goal and Policies 2, 3, 9, 12, and 13

Economy Policy 3

Agriculture Goal and Policy 5

Plan Implementation Policy 8

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.



**SOUTH FLORIDA WATER MANAGEMENT DISTRICT**

3301 Gun Club Road, West Palm Beach, Florida 33406 • (561) 686-8800 • FL WATS 1-800-432-2045 • TDD (561) 697-2574  
Mailing Address: P.O. Box 24680, West Palm Beach, FL 33416-4680 • www.sfwmd.gov

11 RLO  
1/26/06

**GOV 08-06**

January 20, 2006

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



Dear Mr. Eubanks:

**Subject: Proposed Amendment Comments  
Miami-Dade County, DCA# 06-1**

Attached are the South Florida Water Management District's (SFWMD's) comments, concerns, and recommendations on Miami-Dade County's transmitted Future Land Use Map (FLUM) and text amendments (DCA# 06-1). Please note that we have comments and concerns on all of the transmitted amendments, with the exception of Application 26. Our comments and concerns focus on water supply, wastewater management, flood protection, wetlands protection, and State and Federal efforts to protect and restore the Everglades, Biscayne Bay, and related ecosystems.

We would also like to take this opportunity to offer our technical assistance and cooperation to both DCA and Miami-Dade County on any of the water resource-related issues addressed in the attached comments.

If you have any questions or require additional information, please contact Jim Golden at (561) 682-6862 or P.K. Sharma at (561) 682-6779.

Sincerely,

James M. Jackson, Jr., AICP  
Senior Supervising Planner

JMJ/JG/jl  
Attachment

c: Roger Wilburn, DCA  
Carolyn Dekle, SFRPC  
Diane O'Quinn-Williams, Miami-Dade County

**GOVERNING BOARD**

Kevin McCarty, *Chair*  
Irela M. Bague, *Vice-Chair*  
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Alice J. Carlson  
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Harkley R. Thornton  
Malcolm S. Wade, Jr.

**EXECUTIVE OFFICE**

Carol Ann Wehle, *Executive Director*



Name of Agency: South Florida Water Management District  
Review Coordinator: Jim Golden (561) 682-6862  
Local Government: Miami-Dade County  
SFWMD Response Date: January 20, 2006  
=====

**BACKGROUND:**

The South Florida Water Management District (SFWMD) has completed its review of the transmitted Future Land Use Map (FLUM) and text amendments to the Miami-Dade County Comprehensive Development Master Plan (CDMP) that were filed for evaluation during the April 2005 amendment review cycle (DCA# 06-1). The county is transmitting 20 applications (17 FLUM amendments and 3 text amendments). The SFWMD is providing comments and recommendations on all of the transmitted FLUM amendments (Applications 1, 2, 3, 4, 5, 6, 7, 10, 11, 13, 15, 17, 20, 21, 22, 23, and 24) and two of the transmitted text amendments (Applications 25 and 27). The SFWMD's comments and recommendations address water supply, wastewater management, flood protection, wetlands protection, and State and Federal efforts to protect and restore the Everglades, Biscayne Bay, and related ecosystems.

**COMMENTS/RECOMMENDATIONS:**

Potable Water Facility Capacity Analysis/Capital Improvements Element

The transmitted FLUM amendments are not supported by the required potable water facility capacity analysis. While certain information is provided for certain applications, other necessary information is not (e.g., demand derivation calculations, current status of SFWMD consumptive use permit, planned capacity expansions, other development commitments, etc.). In addition, the staff reports do not address changes to the Capital Improvements Element (CIE) that may be necessary to serve the proposed development. In particular, those amendments proposed beyond the current UDB require water supply infrastructure improvements that are not addressed in the proposed additions to the CIE (Application 27), leading to internal inconsistency within the CDMP.

A similar issue exists for many needed wastewater improvements. This also involves Consent Decrees with the U. S. Environmental Protection Agency and the Settlement Agreement with the Florida Department of Environmental Protection limiting new connections until added collection and treatment capacity is provided. However, page 2-67 of the County's "Initial Recommendations" document states "At the time of publication, the project details of the Wastewater program were not available; they will be added at a later date".

*Recommendation:* The County should not approve the transmitted FLUM amendments unless the staff reports are revised, as necessary, to include all of the appropriate data and analysis to support the amendments and demonstrate

coordination of land use approvals with the planning and provision of public facilities (e.g. water supply, wastewater and reclaimed water use) and the CIE.

### Water Supply

Projected population growth for a county has a direct linkage to the SFWMD's regional water supply planning, as these projections are utilized for determining public water supply needs in the SFWMD's plans. During the 2005 legislative session, the Florida Legislature made several significant amendments to the comprehensive planning process for the purpose of assuring water supplies for future development and coordinating needed water projects with water management district regional water supply plans. Importantly, proposed comprehensive plan amendments are required to demonstrate that adequate water supplies and water supply facilities will be available to serve new development no later than issuance of a certificate of occupancy.

Some of the statutorily-related water supply planning requirements for local governments now under the law are:

- The identification of water supply sources necessary to meet and achieve the existing and projected water use demands for the planning timeframe;
- The coordination with a water management district's regional water supply plan;
- Future land uses based on the availability of water supplies and water supply facilities;
- The identification of water supplies (from traditional and alternative water supply projects, including reclaimed water use and conservation) sufficient to meet the water needs identified in a water management district's updated regional water supply plan for that jurisdiction;
- Concurrency requirements tied to adequate water supplies, potable water facilities and the ability of a supplier to provide the water;
- Planning for the building of all public, private, and regional water supply facilities necessary to serve existing and new development for at least the next 10-years, including the selection of any water supply projects identified in the district's updated regional water supply plan.

The SFWMD has been coordinating population projections with Miami-Dade County for its 2006 update of the Lower East Coast Regional Water Supply Plan. Overall, the population that is projected to be served by the Miami-Dade County Water and Sewer Department is expected to increase by 24% to 2.6 million people by the year 2025.

In the process of updating the Lower East Coast Regional Water Supply Plan, the SFWMD has requested Miami-Dade County to identify sufficient water supply projects to meet its increasing demands over the next 20 years, consistent with the above requirements, including funding sources. No proposal has been submitted by Miami-Dade County which identifies specific water supply projects to be included in the Lower East Coast Regional Water Supply Plan Update.

It is crucial for Miami-Dade County, with assistance of the SFWMD, to identify sufficient water supply projects to meet its projected demands for the next 20 years through the regional water supply planning process. This is a crucial step in the water supply and comprehensive planning linkage established by State law. For example, by law, local governments must update their comprehensive plan potable water elements within 18 months based on, and after, a water management district's approval of its updated regional water supply plan. As a result, the County must identify sources necessary to meet its projected demands consistent with the regional water supply planning requirements before the proposed comprehensive plan amendments allowing additional growth are approved.

This coordination is needed now, as the SFWMD is currently reviewing a consumptive use permit application filed by the County to increase its use from its traditional source, the Biscayne Aquifer, to meet all of its projected demands for the next 20 years, with associated increased dependence on Everglades deliveries. The permit application is incomplete. A copy of the SFWMD's last sufficiency letter to the County on the permit application review is attached (letter to Bertha Goldenberg, dated December 22, 2005). Significant outstanding issues include inconsistency with the Everglades minimum flows and levels recovery strategy delineated in SFWMD rules and the failure to provide reasonable assurances that water will not cause harm to Biscayne Bay and Florida Bay.

For Miami-Dade County to get a water use permit to meet increased demands, it will be necessary for the County to meet the criteria for issuance, including identifying and implementing effective alternative water supplies. At this point in time Miami-Dade County can't demonstrate that there are adequate water supplies to serve the cumulative development proposed, particularly the amendments involving expansion of the 2005 UDB boundary out to the 2015 UDB boundary or beyond.

*Recommendation:* The County should not approve the transmitted FLUM amendments until they identify acceptable alternative water supplies sufficient to meet all projected future demands and demonstrate that the needed alternative water supplies and facilities are planned for in the CDMP, will be implemented, and available concurrently with increasing demands.

## South Miami-Dade County Watershed Study and Plan

FLUM Applications 10, 11, 13, 15, 17, 21, 22 and 24 are located within the boundaries of the South Miami-Dade County Watershed Study and Plan (SMDWSP). The SMDWSP is a long-term land planning and water resources study required by the County's CDMP. The SMDWSP area is generally that area bounded by Tamiami Trail on the north, Biscayne Bay on the east, Barnes Sound on the south, and the Krome Avenue corridor on the west. The purpose of the SMDWSP is to provide a wide-ranging analysis of population growth, infrastructure, land ownership (including agricultural, industrial, and urban land uses), pollution, water resources, wildlife, and natural areas. A primary goal of the study is to protect Biscayne Bay and Biscayne National Park. The County anticipates completion of the SMDWSP by early 2006. The SFWMD is a partner with the County in this effort.

As indicated in the County's "Initial Recommendations" document for the above applications, the SMDWSP will provide information needed to assist the County in evaluating decisions to adjust the UDB.

*Recommendation:* The County should not approve any of the transmitted FLUM amendments located within the SMDWSP until the SMDWSP has been completed. Furthermore, any approval of these applications should clearly be consistent with the findings of the completed SMDWSP.

## Flood Protection Outside of the UDB

In response to flooding events from tropical and non-tropical storm systems that occurred between 1999 and 2005, efforts are underway to correct flood control deficiencies in the regional water management system in Miami-Dade County. The SFWMD is a partner with the County in these efforts. Between 2001 and 2005, the SFWMD constructed nearly \$40 million worth of flood mitigation projects within the C-4 basin where the impacts of Hurricane Irene and the "no-name" storm of 2000 were most severe. Improvements to the C-4 basin continue today, with additional dredging and the construction of a gravity wall, totaling \$13.5 million. The total improvements to the C-4 canal take into consideration existing land use conditions. In August 2005, Hurricane Katrina impacted Miami Dade County and produced rainfall of 8 to 10 inches within a 24 hour period, predominantly in South Miami-Dade County. There was significant flooding in the communities of Country Walk, Serena Lakes, American Homes, and Redwood Phase I. The SFWMD and Miami-Dade County convened a "South Miami-Dade Canal Conveyance Improvement Working Group" to work collaboratively to identify and review projects that could potentially provide canal conveyance improvements to mitigate future flooding in South Miami-Dade County. The Working Group determined that the County's Stormwater Master Plan would serve as the basis to guide in the development of projects and subsequent funding requests. Early estimated costs of \$28 million were identified. The SFWMD is currently reviewing the projects to identify priorities, create a funding feasibility plan, and develop a project schedule.

Other flood control projects in Miami-Dade County on the SFWMD's list for funding and implementation include dredging of the C-5 canal (also known as the Comfort canal), forward pumping stations at the S-27, S-28 and S-29 water control structures on the C-7, C-8, and C-9 canals respectively, and dredging of a seven mile stretch the C-2 (Snapper Creek) canal.

Projects proposed for development in Miami-Dade County outside of the current UDB could compromise investments made to date and could further exacerbate flooding problems in the County. For example, Application 7 (Lowe's Home Centers, Inc.) is located east of and in close proximity to the SFWMD's C-4 emergency detention basin and S-380 detention basin. Operation of the C-4 emergency detention basin could result in higher local groundwater levels in the vicinity of the site during periods of operation. Any proposed development of this site and any associated stormwater management system would have to take the higher groundwater stages into account as part of the operational design. This could translate into requirements for added fill material (to elevate the finished floor elevations) or additional on-site storage of stormwater to prevent flooding when the S-380 is pumping and groundwater recession rates are slower due to added infiltration of the S-380 detention basin. Without these additional design requirements, there will be a potential for future conflicts with the operation of the S-380 pump station. Development of this site would also need to consider the off-site impacts of any potential stormwater system proposed for this site on adjoining parcels.

Furthermore, approval of Application 7 would likely result in requests to change the FLUM designation on adjoining parcels. This would create incompatible development in close proximity to the S-380 detention basin. Operating a flood control facility in close proximity to development will increase the risk for potential conflicts, wherein the optimal use of the basin for storm attenuation is compromised by concern for quality of life for the adjoining developed parcels. The detention facility was constructed in an undeveloped portion of the basin to reduce the potential for such conflicts. In addition, because these facilities are new, the SFWMD does not yet have a good understanding as to how the system operates and responds to different storm events. Therefore, it may not be possible to predict how land use changes adjacent to the detention facility would impact or be impacted by these changes.

A prudent approach to flood management should include careful analysis of the impacts that development and density outside of the UDB would have on the residents, business, and environment of Miami-Dade County. The SMDWSP and the U.S. Army Corps of Engineers Canal Feasibility Study represent a reasonable basis from which to consider how to best mitigate flood damage from future development and determine if current canal system improvements would be compromised by UDB expansion projects. Furthermore, the County does not currently have cut and fill restrictions in place in certain areas outside of the UDB. Adoption of cut and fill criteria in these areas may address some concerns about additional stresses to the

canal system. In addition, funding must be found to pay for canal system improvements (where they can be implemented) to mitigate flooding and accommodate development.

*Recommendation:* The County should not approve any FLUM amendments located outside of the current UDB boundary until: (1) Completion of ongoing feasibility studies; (2) Cut and fill criteria are in place in those areas where it currently does not exist; and (3) Funding sources have been identified to pay for system improvements.

### Wetlands Protection

Review of soils information and aerial photography for Applications 5, 6, 7, and 10, which are located outside of the current UDB, indicate the presence of wetlands on these sites. In order to determine the extent (acreage) of the wetlands present on each site, a pre-application wetland determination would be necessary. Regarding Application 6, this site is not currently served by an existing road. It is likely that extending an access roadway to this site will result in additional wetland impacts (both direct and secondary impacts).

Prior to any proposed development activity on these sites, avoidance and minimization of all wetland impacts must be demonstrated. If there are any existing tree islands located on these sites, any impacts to such areas should be completely avoided. A wildlife survey should be performed for Applications 6 and 7.

### Application 25

This is a proposal by the Builders Association of South Florida and the Latin Builders Association to amend Policy 8G of the CDMP to ensure that a constant fifteen-year supply of land for single-family and multi-family housing will be available in Miami-Dade County.

Approval of the proposed amendment appears to be inconsistent with various CDMP objectives and policies, as outlined on page 3-18 of the County's "Initial Recommendations" document. In addition, the impact of this amendment on water supply planning at the regional and local levels is unclear and needs to be addressed. Furthermore, approval of the proposed amendment may set a negative precedent by paving the way for submittal of additional future requests by private parties to prematurely expand the UDB. This may exacerbate urban sprawl and impede State and Federal efforts to protect and restore the Everglades, Biscayne Bay, and related ecosystems. The proposed amendment does not encourage growth and development to be directed to appropriate areas of the County, and does not consider existing and proposed infrastructure planning, needs, and improvements for water supply planning.

*Recommendation:* The County should deny the proposed text amendments to Policy 8G of the CDMP.

## Application 27

As previously noted under the heading "Potable Water Facility Capacity Analysis/ Capital Improvements Element", the amendments proposed to the CIE by the County do not address the water supply and wastewater infrastructure improvements necessary to serve the proposed development, particularly those amendments beyond the current UDB.

*Recommendation:* The County should revise the CIE, as necessary, to include the water supply and wastewater infrastructure improvements needed to serve the proposed development.

## **SUMMARY**

The transmitted FLUM amendments should not be approved unless:

- (1) The County submits the appropriate data and analysis necessary to support the amendments and demonstrates coordination of land use approvals with the planning and provision of public facilities (e.g., water supply, wastewater and reclaimed water use) and the Capital Improvements Element;
- (2) The County demonstrates that adequate water supplies and service, including significant conservation, reclaimed water use, and/or other alternative water supply sources, are planned for in their comprehensive plan and will be available concurrent with the proposed development;
- (3) The amendments are determined to be clearly consistent with the findings of the yet to be completed South Miami-Dade County Watershed Study and Plan (Applications 10, 11, 13, 15, 17, 21, 22 and 24); and
- (4) The County should not approve any FLUM amendments located outside of the current UDB boundary until the ongoing feasibility studies are completed, cut and fill criteria are in place in those areas where it currently does not exist, and funding sources have been identified to pay for the system improvements.

The County should deny Application 25 for the following reason:

The proposed amendment does not encourage growth and development to be directed to appropriate areas of the County, and does not consider existing and proposed infrastructure planning, needs, and improvements for water supply planning.



December 22, 2005

Bertha Goldenberg, P.E.  
Miami-Dade Water and Sewer Department  
3071 S.W. 38 Ave.  
Miami, FL 33146

Dear Ms. Goldenberg:

**Subject: Water Use Permit Application No. 040511-5**  
**Project: Miami-Dade Consolidated PWS**  
**County: Miami-Dade**

This permit application was originally filed on February 10, 2004 and later modified to include all the wellfields. At this time, the application is not complete and considerable work needs to be done prior to meeting the criteria for issuance. District staff have issued several extensions of timeframes included in Rule 40E-1.603, F.A.C. In its September 23, 2005 letter the District identified concerns regarding the amount of time which the application has been under review. Based on your November response, it is apparent that many of the studies and evaluations needed to address the outstanding permit application review questions will take an additional several months to complete. In addition, considering the complexity of these issues, more time will be needed to analyze such evaluations and to determine whether WASD has provided reasonable assurances that the conditions for permit issuance will be met for the requested 20 year duration.

Be advised that the option of recommending that the Governing Board issue a one year permit is being considered by District Staff, during which time the subject evaluations could be completed by WASD and the permit application review conducted to address the outstanding issues, identified below. The short duration permit would include a recommended allocation to meet the demands of the service area through 2007 and would contain limiting conditions tied to the completion dates for such evaluations, including model development, water conservation plan, the canal reuse study, etc. Please review the following outstanding questions for additional information and identify specific completion dates for finalizing such actions, for possible incorporation into a recommended agency action.

A review of the application for the above project indicates that additional information will be required in order to complete the evaluation, pursuant to Rule 40E-1.603, Florida Administrative Code (F.A.C.). Please answer all parts of the following comments:

1. Pursuant to Section 2.2.4, BOR, Wellfield Operations, please provide wellfield operating plans for each wellfield. The plan should identify the volumes for each wellfield such that the sum of the wellfield operations reflect the proposed annual and max month allocations. In the case of seasonal pumpage, please identify the

Ms. Bertha Goldenberg, P.E.

Application No. 040511-5 - Miami-Dade Consolidated PWS

December 22, 2005

months of the year and corresponding pumpage/recovery rates in the wellfield operating plan. The permit will be conditioned to include the approved operational plan. The proposed operational plan must be incorporated in the modeling analysis.

2. The Biscayne aquifer is a Minimum Flows and Levels (MFL) water body under a prevention plan set forth in Rule 40E-8.421, F.A.C. The Everglades is an MFL water body under a recovery plan pursuant to Rule 40E-8.421(4), F.A.C.. Pursuant to Rule 40E-2.301(1)(i), F.A.C., the applicant must demonstrate that the use is consistent with the approved recovery plan and prevention plan for applicable MFL water bodies. Consumptive use permit criteria for MFL's are located in Section 3.9 of the BOR. Please provide information necessary to demonstrate the criteria in Section 3.9 are met.
3. Please send copies of your annual unaccounted-for distribution system loss reports for each treatment system for the past three years, including 2005. I am unable to locate them in our files. Pursuant to 2.6.2(C), BOR, public water systems are required to address the reduction of unaccounted-for loss whenever it exceeds 10%. Based on the information included in your latest response, the 2004 losses were approximately 12%. This translates to 40 mgd based on your 2004 total pumpage, which is an unacceptable volume of loss. Please discuss what further specific measures are planned to reduce the loss to less than 10 percent. Please submit a plan and time frames for implementation of the loss reduction plan. The agreed upon measures necessary to reduce the unaccounted for losses to less than 10% will become conditions of the permit.
4. Pursuant to Section 4.1, BOR, Withdrawal Quantity, permit applicants must submit documentation of a reliable, repeatable water use accounting system to monitor water usage from each withdrawal facility as a part of the permit application. The District disagrees with your conclusion that your current calibration method meets the intention of the requirement. The in situ discharge rate from each facility needs to be measured to +/- 10% every five years. Then you can use your hours of operation to calculate pumpage. Please note that economic feasibility is not considered when meeting this requirement. However, staff will work with the County to design a water use accounting system that meets the requirements of our rule. Please contact Kurt Leckler (561-682-6953) in Post Permit Compliance to discuss how to meet this requirement. Please document the proposed water use accounting method for each project withdrawal facility and submit the certified calibration report for accounting for all existing withdrawal facilities.
5. The District agrees with working together on a goal-based water conservation plan. However, the District cannot agree to a plan with a 0.15% reduction goal for 20 years as estimated in the current proposal. Continued implementation of current standard programs will already accomplish more than this level of conservation.

Before adoption and initiation of a new conservation plan, the County needs to get District approval to ensure that it meets permit requirements, including a more aggressive conservation goal based plan that better reflects the County's ability to implement conservation requirements.

6. Because of the complexity of this PWS system, the standard Table G is not adequate. The table needs to include columns which quantify demands from ASR, Large Users, distribution losses and treatment losses and savings from conservation and alternative supplies. Please contact Karin Smith to clarify what is required prior to submittal.
7. The submitted monitoring program tables did not indicate the sampling frequency or what is monitored for the salt water network. Please revise and resubmit this information. Recognizing that the monitor network changes annually, an updated monitoring program table will be required each year. Please submit the program for monitoring impacts to ground water and surface water flows to Biscayne Bay, when available.
8. The Large User agreement with North Miami expires January 31, 2009. Please provide written correspondence from North Miami confirming their intention to renew the agreement in 2009. Without an extension of the agreement, the allocation for 2010 and beyond will be reduced by the volume of the Large User Agreement.
9. Based on the information submitted, the proposed operation of the West Wellfield will result in up to a 10% increase in seepage from the L-31N canal. Please provide assurances that this proposed impact is consistent with Section 3.9 of the BOR and also consistent with the "Four Party Agreement" (1993). In this agreement, all four parties had to agree to the amount of seepage that was acceptable. We have no records that such an agreement has been reached. Please provide documentation that all four parties to the MOU agree that the proposed seepage rates are acceptable. This demonstration is independent of the requirement to demonstrate the District's MFL criteria are met.
10. Section 3.3, BOR, contains criteria for determining jurisdictional wetlands and other surface waters along with criteria for protecting wetland functions from harm. Consistent with the responses to the questions contained herein, please identify all jurisdictional wetlands within the area of influence of your requested withdrawals for all wellfields and provide reasonable assurances that the wetlands will be protected from harm.

11. Pursuant to Sections 3.3 and 3.8, it is also necessary to demonstrate that the withdrawals will not be otherwise harmful to the resources of the District, including wetlands and other surface waters. As we have advised, water supplies to Biscayne Bay and Florida Bay are influenced by WASD's pumpage from the Biscayne Aquifer. Please provide reasonable assurances that the proposed withdrawals are not harmful to Biscayne Bay and Florida Bay.
12. Please provide a drawdown map and model datasets for the model simulation for the proposed allocation and modified wellfield configuration/proposed operational plan (proposed and existing wells) consistent with the criteria contained in Section 1.7.5, BOR, for all wellfields. Due to the complex nature of surface water/ground water interactions in the County, the model shall be calibrated to surface water/ground water conditions, consistent with Section 1.7.5.2(B), prior to simulating the requested allocations.
13. The availability of the Biscayne Aquifer and regional system water to recharge the Biscayne Aquifer to serve as long term sources has not been adequately demonstrated as required by the public interest test of Section 373.223 and Rule 40E-2.301, F.A.C. As a result, you are required to submit a plan for the development of alternative sources to meet increased demands over the next 20 years which will be implemented over the next five year period and beyond, prior to or concurrent with such increasing demands. Such evaluation of alternative sources shall include the use of reclaimed wastewater (per Section 3.2.3) to offset dependence on regional system recharge. Such plan must include specific timelines for completion of permitting, construction, and testing of proposed alternative source(s) prior to or concurrent with increasing demands over the next twenty years.

Advisory Comments:

In response to the question about ASR recovery, it was stated that the recovery rate from the Floridan Aquifer will be based on a sodium concentration of 60 mg/l maximum in the finished water out of the treatment plant. Please be advised that the District will review your ASR operation plan based on water quality limits, using Florida primary and secondary drinking water standards.

Electronic versions of applicable Florida Statutes, rules, the Basis of Review and permit application forms can be found at the internet address: <http://www.sfwmd.gov/org/reg/>

In accordance with Rule 40E-1.603, F.A.C., a response is required within 30 days of receipt of this letter requesting additional information or the application may be processed for denial if not withdrawn by the applicant. Please use the enclosed transmittal form when responding and include four (4) copies of the information. Should you have any

Ms. Bertha Goldenberg, P.E.  
Application No. 040511-5 - Miami-Dade Consolidated PWS  
December 22, 2005

questions regarding this application or this letter, please contact me at (800) 432-2045 ext. 2026 or (561) 682-2026. Thank you for your cooperation in this matter.

Sincerely,

Karin A. Smith, P.G.  
Senior Hydrogeologist  
Water Use Regulation Division  
South Florida Water Management District

Enclosures: RAI Transmittal Form

c: Superintendent, Everglades National Park  
Superintendent, Biscayne National Park  
Renate H. Skinner, Ph.D





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## MEMORANDUM

AGENDA ITEM # 6a

DATE: JANUARY 9, 2006  
TO: COUNCIL MEMBERS  
FROM: STAFF  
SUBJECT: MIAMI-DADE COUNTY PROPOSED COMPREHENSIVE PLAN AMENDMENT

### Introduction

On December 19, 2005, Council staff received proposed amendment package #06-1 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 2005 population estimated at 2,422,075, Miami-Dade County is the most populous county in Florida. The County's population has grown by 7.5% 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 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 #06-1 contains twenty (20) amendments. Of these, seventeen (17) are amendments to the Comprehensive Development Master Plan (CDMP) future land use map and three (3) are amendments to the CDMP text. Nine (9) of the CDMP map amendments (Amendments 5, 6, 7, 10, 11, 13, 17, 23, and 24) propose extending the County's Urban Development Boundary (UDB). The general location of Miami-Dade County is shown in Attachment 1. Attachment 2 is a map of the amendment package study areas and the general location of the individual CDMP map amendments. Attachment 3 is a map of the South Miami-Dade Watershed Area that also includes the general location of the individual CDMP map amendments and the existing UDB boundary. Attachments 4-20 are land use maps of the proposed CDMP map amendments.

A summary of the proposed amendments in this package is listed below. A detailed analysis is included in the attached staff report.

CDMP MAP AMENDMENTS					
County Amendment No.	Size (in acres)	General Location	From/To	Attachment No.	Staff Recommendation
1	26.13	South side of NE 215 Street, approximately 900 feet east of San Simeon Way	From: Industrial and Office To: Low-Medium Density Residential	4	Generally Inconsistent with the SRPP, Goal 5 & Policies 5.1 and 5.3
2	2.98	East side of Memorial Highway at theoretical NE 145th Street	From: Low Density Residential To: Low-Medium Density Residential	5	Generally Consistent with the SRPP
3	Total: 16.88	West side of Biscayne Boulevard to NE 13 Avenue, between NE 112 and NE 115 Streets	From: Low Density Residential, Low-Medium Density Residential, and Business and Office To: Medium Density Residential and Business and Office	6	Generally Consistent with the SRPP
4	27.6	NW 12 Avenue to NW 9 Avenue Between NW 95 Terrace and NW 99 Street	From: Low-Medium Density Residential To: Medium Density Residential and Medium-High Density Residential	7	Generally Inconsistent with the SRPP, Goal 11 & Policies 11.1 and 11.8
5 <sup>2</sup>	Total: 1140.8	North of NW 154 <sup>th</sup> Street, west of NW 97 <sup>th</sup> Avenue and east of the HEFT	From: Open Land To: Industrial and Office	8	Generally Consistent with the SRPP

CDMP MAP AMENDMENTS CONTINUED					
County Amendment No	Size (in acres)	General Location	From/To	Attachment No	Staff Recommendation
6 <sup>2</sup>	2.5	Approx NW 22 Street, west of the HEFT and east of NW 122 Avenue	From: Open Land To: Restricted Industrial and Office	9	Generally Inconsistent with the SRPP, Goals 11 and 20 & Policies 11.12 and 20.2
7 <sup>2</sup>	51.7	Northwest corner of theoretical SW 138 Avenue & north of Tamiami Canal	From: Open Land To: Business and Office	10	Generally Inconsistent with the SRPP, Goals 11, 12, 16 and 20 & Policies 11.10, 12.6, 16.2 and 20.2
10 <sup>1</sup>	193.24	NW corner SW 88 Street and SW 167 Avenue	From: Agriculture To: Low Density Residential	11	Generally Inconsistent with the SRPP, Goals 4, 5, 7, 11, 12, 16 and 20 & Policies 4.8, 4.10, 5.1, 5.3, 7.1, 11.12, 12.6, 16.2 and 20.2
11 <sup>3</sup>	38.5	North side of Kendall Dr (SW 88 Street) west of SW 167 Avenue	From: Agriculture To: Business & Office and Office/Residential	12	Generally Inconsistent with the SRPP, Goals 4, 7, 11, 12, 16 and 20 & Policies 4.8, 4.10, 7.1, 11.12, 12.6, 16.2 and 20.2
13 <sup>1</sup>	81.61	Southeast Corner of SW 104 Street and SW 167 Avenue	From: Agriculture To: Low Density Residential	13	Generally Inconsistent with the SRPP, Goals 4, 5, 7, 11, 12, 16 and 20 & Policies 4.8, 4.10, 5.1, 5.3, 7.1, 11.12, 12.6, 16.2 and 20.2
15	10	Northwest corner of SW 147 Avenue and SW 184 Street, lying southeast of the CSX Railroad ROW	From: Low Density Residential To: Business and Office	14	Generally Consistent with the SRPP

**CDMP MAP AMENDMENTS CONTINUED**

<b>County Amendment No.</b>	<b>Size (in acres)</b>	<b>General Location</b>	<b>From/To</b>	<b>Attachment No.</b>	<b>Staff Recommendation</b>
17 <sup>3</sup>	260.99	Two Corners of SW 184 Street and SW 157 Avenue	From: Agriculture  To: Estate Residential and Business & Office	15	Generally Inconsistent with the SRPP, Goals 4, 7, 11, 12, 16 and 20 & Policies 4.8, 4.10, 7.1, 11.12, 12.6, 16.2 and 20.2
20	3.08	Northwest corner of SW 216 <sup>th</sup> Street and SW 112 <sup>th</sup> Avenue	From: Medium Density Residential  To: Business and Office	16	Generally Inconsistent with the SRPP, Goals 4, 7, 11, 13 and 20 & Policies 4.8, 4.10, 7.1, 11.10, 13.2 and 20.3
21	0.91	Southeast corner of SW 112 Avenue and SW 224 Street	From: Low Density Residential  To: Business and Office	17	Generally Inconsistent with the SRPP, Goals 4, 7, 11, 12, 16 and 20 & Policies 4.8, 4.10, 7.1, 11.12, 12.6, 16.2 and 20.2
22	62.51	Northwest and southeast corners of SW 127 Avenue and SW 240 Street	From: Low Density Residential  To: Medium Density Residential and Low-Medium Density Residential	18	Generally Inconsistent with the SRPP, Goals 4, 7, 11, 12, 16 and 20 & Policies 4.8, 4.10, 7.1, 11.12, 12.6, 16.2 and 20.2
23 <sup>2</sup>	57.7	Southwest corner of SW 312 Street and SW 137 Avenue	From: Agriculture  To: Business and Office	19	Generally Inconsistent with the SRPP, Goals 4, 5, 7, 11, 12, 16 and 20 & Policies 4.8, 4.10, 5.1, 5.3, 7.1, 11.12, 12.6, 16.2 and 20.2
24 <sup>2</sup>	14.71	Southeast corner of SW 142 Avenue and SW 312 Street	From: Agriculture  To: Business and Office	20	Generally Inconsistent with the SRPP, Goals 4, 7, 11, 12, 16 and 20 & Policies 4.8, 4.10, 7.1, 11.12, 12.6, 16.2 and 20.2

<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

HEFT= Homestead Extension of the Florida Turnpike

CDMP Text Amendments		
County Amendment No.	Text Amendment	Staff Recommendation
25	Land Use Element: revises Policy 8G concerning the UDB to ensure a constant 15-year supply of land for both single family and multifamily housing	Generally Inconsistent with the SRPP, Goals 4, 5, 7, 11, 12, 16 and 20 & Policies 4.8, 4.10, 5.1, 5.3, 7.1, 11.12, 12.6, 16.2 and 20.2
26	Land Use Element: to provide for further refinement of the urban center boundaries	Generally Consistent with the SRPP
27	Capital Improvements Element: modifies and updates the Tables of Proposed Projects	Generally Consistent with the SRPP

All of the proposed amendments in this package were reviewed by the Miami-Dade County Commission at its public hearing meetings on November 21 and 30, 2005. Resolution No. 1307-05 was adopted on a vote of 12-1 to transmit the proposed amendment package to the Florida Department of Community Affairs for review and comment.

#### Recommendations

Find proposed Miami-Dade County amendments 2, 3, 5, 15, 26, and 27 generally consistent with the *Strategic Regional Policy Plan for South Florida*.

Find proposed Miami-Dade County amendment 1 generally inconsistent with the *Strategic Regional Policy Plan for South Florida*, particularly with Goal 5 and Policies 5.1 and 5.3.

Find proposed Miami-Dade County amendment 4 generally inconsistent with the *Strategic Regional Policy Plan for South Florida*, particularly with Goal 11 and Policies 11.1 and 11.8.

Find proposed Miami-Dade County amendment 6 generally inconsistent with the *Strategic Regional Policy Plan for South Florida*, particularly with Goals 11 and 20 and Policies 11.12 and 20.2 of the *Strategic Regional Policy Plan for South Florida*.

Find proposed Miami-Dade County amendment 7 generally inconsistent with the *Strategic Regional Policy Plan for South Florida*, particularly with Goals 11, 12, 16 and 20 & Policies 11.10, 12.6, 16.2 and 20.2.

Find proposed Miami-Dade County amendments 10, 13, 23, and 25 generally inconsistent with the *Strategic Regional Policy Plan for South Florida*, particularly with Goals 4, 5, 7, 11, 12, 16 and 20 & Policies 4.8, 4.10, 5.1, 5.3, 7.1, 11.12, 12.6, 16.2 and 20.2.

Find proposed Miami-Dade County amendments 11, 17, 20, 21, 22, and 24 generally inconsistent with the *Strategic Regional Policy Plan for South Florida*, particularly with Goals 4, 7, 11, 12, 16 and 20 & Policies 4.8, 4.10, 7.1, 11.12, 12.6, 16.2 and 20.2.

Approve the attached staff report for transmittal to the Florida Department of Community Affairs.

Council Action

Jun 9, 2006

At its ~~May 2, 2005~~ meeting, the Council found the following for proposed Miami-Dade County amendment package #06-1:

- a. Amendments 1, 2, 3, 15, 26, and 27 generally consistent with the *Strategic Regional Policy Plan for South Florida (SRPP)*.
- b. Amendments 5, 11 and 22 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.
- c. Amendment 4 generally inconsistent with the *SRPP* citing Goal 11 and Policies 11.1 and 11.8.
- d. Amendment 6 generally inconsistent with the *SRPP* citing Goals 11 and 20 and Policies 11.12 and 20.2.
- e. Amendment 7 generally inconsistent with the *SRPP* citing Goals 11, 12, 16 and 20 & Policies 11.10, 12.6, 16.2 and 20.2.
- f. Amendments 10, 13, 23, and 25 generally inconsistent with the *SRPP* citing Goals 4, 5, 7, 11, 12, 16 and 20 & Policies 4.8, 4.10, 5.1, 5.3, 7.1, 11.12, 12.6, 16.2 and 20.2.
- g. Amendments 17, 20, 21, and 24 generally inconsistent with the *SRPP* citing Goals 4, 7, 11, 12, 16 and 20 & Policies 4.8, 4.10, 7.1, 11.12, 12.6, 16.2 and 20.2.

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 2006**

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PROPOSED AMENDMENT PACKAGE #06-1  
TO THE  
MIAMI-DADE COUNTY COMPREHENSIVE PLAN

Summary of Staff Analysis

Proposed amendment package #06-1 contains twenty (20) amendments. Of these, seventeen (17) are amendments to the Comprehensive Development Master Plan (CDMP) map and three (3) are amendments to the CDMP text. Nine (9) of the CDMP map amendments (Amendments 5, 6, 7, 10, 11, 13, 17, 23, and 24) propose extending the Urban Development Boundary (UDB). The general location of Miami-Dade County is shown in Attachment 1. Attachment 2 is a map of the amendment study areas and the general location of the individual CDMP map amendments. Attachment 3 is a map of the South Miami-Dade Watershed Area that also includes the general location of many of the individual CDMP map amendments and the existing UDB. Attachments 4-20 are land use maps of the proposed CDMP map amendments.

Planning Rationale

Miami-Dade's Comprehensive Development Master Plan (CDMP) is a metropolitan guide for growth management. The Plan is county-wide 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*.

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.

The South Miami-Dade Watershed Study and Plan

The Miami-Dade County Comprehensive Development Master Plan (CDMP) Land Use Policy 3E, adopted by the Board of County Commissioners (BCC) on October 10, 1996, requires development and implementation of a Watershed Plan for southeastern Miami-Dade County.

The Watershed Study originates from the need to protect Biscayne Bay and Miami-Dade County from current water quality and quantity problems caused by past practices, and potential water impacts posed by future development. It is to be based on a comprehensive study that projects, examines, and analyzes

surface and groundwater uses and corresponding land uses, including water uses for sustaining and restoring the environment, sustaining economically viable agriculture, providing flood protection, and supplying and protecting drinking water and other water uses pertinent to probable land uses. The Watershed Study has two land use planning horizons: a short-term component extending through the year 2015 and a long-term component extending through the year 2050. The Watershed Study will produce the water resources and land planning documents required by the Land Use Policy 3E of the Miami-Dade County Comprehensive Development Master Plan. The anticipated completion of the project is estimated for March 2006.

The South Miami-Dade Watershed Plan will synthesize complex issues related to land use planning, water resources, the natural system, economics, and property rights to satisfy the following objectives:

- Identify and protect lands, including their uses and functions, that are essential for preserving the environmental, economic, and community values of Biscayne National Park;
- Identify and establish mechanisms for protecting constitutional private property rights of landowners;
- Support a viable, balanced economy including agriculture, recreation, tourism, and urban development in the Plan area; and
- Assure compatible land uses and zoning decisions in the Study Area consistent with long term objectives for a sustainable South Miami-Dade.

#### 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. See Attachment 2 for a map of the Study Areas. 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.

A detailed summary of the proposed amendments in this package is included below.

### I. MAP AMENDMENTS

#### Amendment 1

The amendment would change the land use designation of a 26.13 acre site located on the south side of NE 215th Street, approximately 900 feet east of San Simeon Way (see Attachment 4), in Study Area A (see Attachment 2). It would change the subject property from Industrial and Office to Low-Medium Density Residential (5-13 dwelling unit/acre or du/ac). The site is located on the county line, at the northern end of the California Club Golf Course residential community, consisting of townhouses, duplexes and apartments. To the west is a County-owned natural preserve area, and to the north, in Broward County, is the Lake Forest neighborhood, which includes single-family housing and the Pembroke Village Apartments. The site currently is developed as a telecommunications facility operated by BellSouth.

Staff analysis finds that because of limited access to highways, railways, seaports and airports, as well as the primarily residential and conservation uses adjacent to the site, the site is poorly located for the

current industrial use. The amendment commits 10 percent of the dwelling units to be developed on this site to be set aside as workforce housing. The proposed residential use would generate less traffic than if the property were developed as industrial. The County recommends a minor extension of Metrobus Routes 91 or 99 to serve the area to accommodate the new residents. In addition, the analysis has determined that adequate public facilities exist for the application site, if developed for the proposed densities, with the exception of public schools.

#### Schools

The amendment would generate 197 students and increase attendance in the elementary, middle and high school, all of which are critically overcrowded. Madie Ives Elementary, with an additional 91 students, would reach 131% of its Florida Inventory for School Houses (FISH) design capacity. Highland Oaks Middle would receive approximately 49 new students and reach 218% of its FISH design capacity, and Dr. Michael M. Krop Senior High School would receive approximately 57 new students and reach 165% of its FISH design capacity.

As part of the amendment request, the applicant has offered to provide 5-6 acres of land in lieu of an impact fee payment for a park/school site on the adjacent 43.5 acre tract for school mitigation. A letter from Miami-Dade Public Schools indicates that there are no programmed improvements to provide relief to the area, and no information was provided regarding the School Board's acceptance of the proposed mitigation.

#### Objection

The amendment as proposed would exacerbate school overcrowding. 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.

#### Recommendation

Council staff recommends that the applicant, the County and the School Board continue to work together to come to agreement on mitigation for school impacts prior to adoption.

#### Amendment 2

The amendment would change the land use designation of a 2.98 acre site located on the east side of Memorial Highway at theoretical NE 145th Street (see Attachment 5), in Study Area A (see Attachment 2). It would change the subject property from Low Density Residential (2.5-6 du/ac) to Low-Medium Density Residential (5-13 du/ac). The site contains older single-family homes and, with the new designation, could be redeveloped with single-family homes, townhouses and/or low-rise apartments. There are institutional uses located adjacent to the site, including the Haitian Evangelical Baptist Church and a group home operated by New Revelation Church. The applicant has indicated that the site would be developed with townhouses.

Staff analysis indicates that the site is in an urban infill area with access to several nearby employment centers. The increased residential density in an urban infill area could provide opportunities for affordable housing.

Staff analysis also indicates that, with the new designation, 34 townhouse units could be built on the site. This represents an increase of 19 units from what is currently allowed. The new designation would generate approximately 6 more PM peak-hour trips than under the current CDMP designations. The site is located within the Urban Infill Area and is within a Transportation Concurrency Exception Area. Adequate public services exist for the site with the exception of schools. Based on October 2004 information, the elementary, middle and high schools serving this site currently exceed the FISH capacity standard of 115 percent. The new designation would generate approximately 8 students. The impacts to schools include increases at Linda Lentin Elementary (4 students), North Miami Middle (2 students) and North Miami Senior (2 students). The FISH capacity percentages would not change with the additional students. Two projects currently under construction, K-8 Elementary School and State School QQ-1, will help address the need at elementary schools. State School BBB-1 (North Miami Senior Replacement) has been proposed during Funding Year 05-06 to provide additional relief.

Council staff analysis confirms that this amendment as proposed is compatible with the goals and policies of the *SRPP*.

#### Recommendation

Council staff recommends that the proposed amendment be found generally consistent with the *SRPP*.

#### Amendment 3

The amendment would change the land use designation of five separate parcels, creating an application area comprised of 21.54 gross acres. The application site is located west of Biscayne Boulevard at the approximate intersection of Biscayne Boulevard and NE 114<sup>th</sup> Street (see Attachment 6), in Study Area A (see Attachment 2). The amendment would change the subject properties in the following way:

- Parcel A (1.12 acres): From Low Density Residential (2.5-6 du/ac) to Medium Density Residential (13-25 du/ac)
- Parcel B (2.78 acres): From Low-Medium Density Residential (5-13 du/ac) to Medium Density Residential (13-25 du/ac)
- Parcel C (1.89 acres): From Low-Medium Density Residential (5-13 du/ac) to Medium Density Residential (13-25 du/ac)
- Parcel D (2.97 acres): From Low-Medium Density Residential (5-13 du/ac) to Medium Density Residential (13-25 du/ac)
- Parcel E (12.78 acres): From Low-Medium Density Residential (5-13 du/ac) to Business and Office

The subject area currently contains a mobile home park, a church, a pharmaceutical testing company, an adult entertainment business, a restaurant, a plant nursery and vacant properties. The site is in an established residential neighborhood with scattered commercial development along the frontage of Biscayne Boulevard. The eastern portion of the site falls within a proposed Community Redevelopment Area, Biscayne Corridor. The proposal is to develop a vertical mixed-use development with retail, office and residential uses, and to provide a public school for the area. The residential portion would include approximately 750 dwelling units, with some independent living units for the elderly.

The applicant initiated a design charrette in August 2005 to engage the neighbors in the planning of a portion of the project so that the design is sensitively integrated into the fabric of the existing neighborhood and tied into historical and environmental themes of the area. Development of additional housing on this site would help accommodate the County's projected population growth. Increasing the densities in this urbanized area along Biscayne Boulevard is ideal for the creation of affordable housing opportunities. The County's support for the application is contingent on the applicant committing at least 10 percent of the dwelling units to workforce housing. Adequate public services exist to support the application.

Biscayne Boulevard provides the primary access to this site. With the anticipated trips generated by the land use designation change, the Level of Service (LOS) conditions would remain within the adopted LOS standard for this area.

#### Schools

If approved, the amendment would increase the potential student population by 90 students. The application is projected to increase attendance at W.J. Bryan Elementary by 41 students, thereby increasing the FISH capacity of the school from 113% to 117%. North Miami Middle would receive approximately 23 students and increase FISH capacity from 175% to 177%. North Miami Senior High is projected to increase by 26 students, changing the FISH capacity from 138% to 139%. Currently, there are two planned school projects that will provide relief to schools in the vicinity. These two projects are the conversion of Linda Lentin Elementary to a K-8 and the construction of State School QQ-1, a K-8 school. There also are three private schools located within a reasonable commute to the site.

Council staff analysis confirms that this amendment, as proposed, is compatible with the goals and policies of the *SRPP*.

#### Recommendation

Council staff recommends that the proposed amendment be found generally consistent with the *SRPP*.

#### Amendment 4

The amendment would change the land use designation of a 27.6 acre area that extends from NW 12<sup>th</sup> Avenue to NW 9<sup>th</sup> Avenue between NW 95<sup>th</sup> Terrace and NW 99<sup>th</sup> Street (see Attachment 7), in Study Area A (see Attachment 2). It would change the land use designation of four parcels from Low-Medium Residential (5-13 du/ac) to Medium Density Residential (13-25 du/ac) and one parcel from Low-Medium Density Residential (5-13 du/ac) to Medium-High Density Residential (25-60 du/ac). The subject property is currently a mobile home park with two single-family residences. The proposal is to redevelop the area into a mostly multi-family area with strips of townhouse development.

Staff analysis indicates that adequate public facilities are in place to support this application. The area is a designated Urban Infill Area and within a Transportation Concurrency Exemption Area.

#### Schools

The application would generate 25 students, which would impact Van E. Blanton Elementary (12 students), thereby increasing the FISH capacity from 79% to 81%, Madison Middle (6 students) with no projected increase in FISH capacity of 116%, and Miami Central Senior High (7 students) with no projected increase in the FISH capacity of 108%. The Miami Dade School Board has indicated that there are no planned school improvements within the vicinity of this application. The application would

change only one school's FISH capacity percentage, which would remain within the adopted FISH capacity standard even with the amendment.

Staff analysis indicates that the amendment is not consistent with the North Central Charrette Report, which was accepted by the Board of County Commissioners and addresses redevelopment for this area. The report identifies the property of the existing mobile home park and some adjacent properties as the Civic District. The Civic District was slated in the charrette report to house a new library and town hall, community center and apartments, townhouses and single-family homes.

County staff indicates that the applicant is working on draft covenants to provide workforce housing, transit improvements, mitigation for school impacts and a land contribution for civic or institutional use. These covenants have not yet been finalized.

### Objection

The amendment is not consistent with the North Central Charrette Report, which was accepted by the Board of County Commissioners and addresses redevelopment for this area. The report identifies the site for mixed-use development. 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:

- 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 11.1        Encourage local governments to implement urban design guidelines to create attractive, well-planned, compact, mixed-use communities that utilize and conserve the Region's existing and planned infrastructure including urban parkland and green space.
- Policy 11.8        Encourage the use of innovative and creative redevelopment programs, such as brownfields redevelopment programs, area-wide plans, corridor and sector planning, and public-private partnerships and collaborations.

### Recommendation

Council staff recommends that the applicant and the County continue to work together to resolve outstanding concerns regarding the proposed development prior to adoption.

### **Amendment 5**

The amendment would change the land use designation for a vacant area of 1,140.8 acres located north of NW 154<sup>th</sup> Street, west of NW 97<sup>th</sup> Avenue and east of the Homestead Extension of the Florida Turnpike (see Attachment 8), in Study Area B (see Attachment 2). The southern-most 793.8 acres were annexed into the City of Hialeah in March 2004 through an Interlocal Agreement with Miami-Dade County. The remaining 347 acres, located west of NW 107<sup>th</sup> Avenue, are located in the City of Hialeah Gardens. The land use designation of the subject area would change from Open Land to Industrial and Office. Because of rock mining activities occurring west of the application site, residential development is not feasible.

The amendment would require movement of the 2005 Urban Development Boundary (UDB) to encompass the application area, as well as changes to the "Open Land Subareas" map and related text in the Land Use Element to exclude the subject area. The subject property is located within the 2015 Urban Expansion Area (UEA) boundary, the area where current projections indicate that further urban development is likely to be warranted some time between the years 2005-2015. Adequate public facilities are available to support this application, except for transportation improvements. The County recommended an update to the Transportation Element in conjunction with this amendment to modify roadways providing access to the site.

Staff analysis finds that the proposed Industrial and Office use would provide economic development opportunities and jobs, and would establish a buffer between HEFT and the urban uses to the east and south of the site. An industrial use of this site would also be compatible with the existing surrounding land uses. Based on the projected rate of absorption, the existing supply of Industrial and Office land in the County would last beyond the year 2025. However, in northern Miami-Dade County, there are limited opportunities for the development of a large industrial complex within the UDB because currently only small parcels are available for industrial development.

Council staff analysis confirms that this amendment as proposed is compatible with the goals and policies with the SRPP.

#### Recommendation

Council staff recommends that the proposed amendment be found generally consistent with the SRPP.

#### **Amendment 6**

The amendment would change the land use designation of a 2.5 acre area located west of the Homestead Extension of the Florida Turnpike (HEFT) and east of NW 122<sup>nd</sup> Avenue at approximately NW 22<sup>nd</sup> Street (see Attachment 9), in Study Area C (see Attachment 2). The amendment would move the 2005 UDB to encompass the application area and change the land use designation from Open Land to Restricted Industrial and Office.

The amendment would redesignate lands currently outside the UDB and not identified for urban expansion. Staff analysis confirms that recent amendments in the study area, including an amendment in 2002 that moved the UDB, have added a total of 571.45 acres to the supply of industrial land in Study Area C. Countywide, the supply of land for industrial use is not anticipated to be depleted until 2025.

The application site has no existing roadway access. It is located on the edge of wetlands of regional importance and would have adverse environmental impacts on the North Trail Basin, Transitional Northeast Everglades and the Northwest wellfield protection area.

#### Objection

The amendment as proposed is premature and would have adverse environmental impacts on the North Trail Basin, Transitional Northeast Everglades and the Northwest wellfield protection area. 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:

- 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 11.12 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.
- 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 results and findings and recommendations of the Watershed Study be utilized to inform the County's decision regarding adoption of this amendment 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 7**

The amendment would change the land use designation of a 21.6 acre area located at the northwest corner of theoretical SW 138<sup>th</sup> Avenue and north of SW 8<sup>th</sup> Street (see Attachment 10), in Study Area C (see Attachment 2). The amendment would move the 2005 UDB to encompass the application area and change the land use designation from Open Land to Business and Office. Several commercial properties exist to the south and north 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.

Staff analysis determined that the application would have significant environmental impacts to the North Trail Basin, North Trail Wetland Basin and the West wellfield protection area. The subject property is immediately north of the Tamiami Trail and is just outside of the northernmost boundary of the South Miami-Dade Watershed Plan Area, established by Policy 3E of the CDMP. Non-residential uses that would generate hazardous wastes are prohibited in the wellfield protection area.

At the projected rate of absorption, Study Area C will deplete its supply of commercial land beyond the year 2025. In addition, Study Area C's commercial areas per 1000 persons ratio exceeds the County average for both 2015 and 2025. Likewise, the existing supply of industrial land is projected to last until the year 2022.

The impact of this application on public services and roads would be limited. However, the application would require a new sewer pump station. The regional wastewater treatment and disposal facilities have limited available capacity. In addition, no sewer service connections can be permitted until adequate capacity becomes available. Fire and rescue services would be severely impacted but a new fire rescue station is programmed for fiscal year 2008 that will service the area. Due to the non-residential nature of the proposed amendment, it would have no impact on public school enrollment or capacity.

### Objection

The amendment as proposed is premature and would have significant negative impacts on public facilities and services. The impacted facilities and services include wastewater and drainage facilities and services and fire 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:

- 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 Mianiti-Dade Watershed Study* and formulate policies adapted from them to sustain the agricultural economy and environment.
- Goal 16            Enhance and preserve natural system values of South Florida's shorelines, estuaries, benthic communities, fisheries, and associated habitats, including, but not limited to, Florida Bay, Biscayne Bay, tropical hardwood hammocks, and the coral reef tract.

- Policy 16.2      Protect the Biscayne Bay Aquatic Preserve (BBAP) through such measures as:
- discontinuing all untreated stormwater discharges to the Bay;
  - requiring stormwater treatment systems to meet the required non-degradation water quality standards for this Class III, Outstanding Florida Water body;
  - discouraging development that proposes to fill within the Bay or discharge contaminants to its waters; and
  - connecting developments that are served by septic tanks within the watershed of the BBAP to central sanitary waste treatment facilities to treat pathogens and remove nutrients from the wastewater effluent.
- 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 results and findings and recommendations of the Watershed Study be utilized to inform the County's decision regarding adoption of this amendment 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 10

The amendment would change the land use designation of a 193.24 acre area located at the northwest corner of SW 88<sup>th</sup> Street and SW 167<sup>th</sup> Avenue (see Attachment 11), in Study Area E (see Attachment 2). The amendment would move the 2005 UDB to encompass the application area and change the land use designation from Agriculture to Low Density Residential (2.5-6 du/ac). Agricultural lands are located to the north and west. There is vacant land to the south of the site currently designated for Traditional Neighborhood Design and intended to become the Kendall Commons development. Commercial uses can be found to the southwest. A residential subdivision is under construction directly east of the site.

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 study and plan were initiated in 2001 and are expected to be concluded in March 2006. Results and recommendations of the study should be utilized to guide the County's decision regarding adoption of this amendment. In addition, the site is located in the Bird Drive Basin and will impact environmental resources. The development criteria for water management and flood protection will require the set aside of 28.6% to 39% of the area for lakes or dry retention areas. The site is located within the basic and interim wellfield protection area of the West Wellfield, which will limit development of the property.

The subject property is located within the 2015 UEA, the area where current projections indicate that further urban development is likely to be warranted some time between the years 2005-2015. The most recent EAR was adopted in 2003 and the residential capacity within the UDB is projected to meet demand until the year 2018, thus meeting the adopted standard.

Public facilities and services in the area are strained and require additional time for facility plan updates and programming to catch up with demand. Schools and roadways, in particular, are operating at levels of service exceeding their adopted standards and acceptable solutions have not yet been programmed or solutions recommended. Additional improvements (bus stop and pull-out bays) would be needed for the Metrobus System to serve the area because of the proposed amendment. This application will also require two new sewer pump stations. In addition, Miami-Dade Fire Rescue Department has stated that the impact to existing fire rescue services is severe since the proposed development is expected to increase the number of annual alarms from 10 to 310 and travel times from first dispatch to first arrival would be marginal.

#### Schools

The land use change would impact schools in the vicinity by generating 616 additional students. Christina M. Eve Elementary would receive 283 students and realize a FISH capacity change from 105% to 144%. Lamar Louise Curry Middle would receive 154 students and realize a FISH capacity change from 69% to 82%, and John A. Ferguson Senior High would receive 179 additional students and realize a FISH capacity change from 66% to 74%. Currently, there are two planned school projects that will provide relief to schools in the vicinity. The first project is a new elementary school, School "M-1", to relieve Eve, Hoover and Kendall Lakes Schools. The second project is to add a new modular at John A. Ferguson Senior High School. Both projects are scheduled to be funded in Fiscal Year 2007-2008.

#### Objection

The proposed amendment is premature and would have significant negative impacts on public facilities and services should the proposed land use changes occur. The facilities and services include the local and regional roadway and mass transit network in and around the amendment site, sewer and drainage facilities and services, fire services, and schools. 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 transportation, school overcrowding, natural resource protection, and the timing of development, including:

- Goal 4 Enhance the economic and environmental sustainability of the Region by ensuring the adequacy of its public facilities and services.
- Policy 4.8 Utilize financing mechanisms for the provision of new public facilities and ensure that costs are distributed equitably within the Region.
- Policy 4.10 Encourage the application of resource recovery, recycling, cogeneration, district cooling, water re-use systems, and other appropriate mechanisms where they are cost-effective and environmentally sound as a means of reducing the impacts of new development on existing public facilities and services and decreasing the costs of providing new public facilities and services.
- 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.
- Goal 7 Protect, conserve, and enhance the Region's water resources.
- Policy 7.1 Develop a more balanced, efficient, and ecologically sustainable allocation and reservation of the water resources of the Region.
- 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 16 Enhance and preserve natural system values of South Florida's shorelines, estuaries, benthic communities, fisheries, and associated habitats, including but not limited to, Florida Bay, Biscayne Bay, tropical hardwood hammocks, and the coral reef tract.
- Policy 16.2 Protect the Biscayne Bay Aquatic Preserve (BBAP) through such measures as:
- a. discontinuing all untreated stormwater discharges to the Bay;
  - b. requiring stormwater treatment systems to meet the required non-degradation water quality standards for this Class III, Outstanding Florida Water body;
  - c. discouraging development that proposes to fill within the Bay or discharge contaminants to its waters; and
  - d. connecting developments that are served by septic tanks within the watershed of the BBAP to central sanitary waste treatment facilities to treat pathogens and remove nutrients from the wastewater effluent.
- 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 results and findings and recommendations of the Watershed Study be utilized to inform the County's decision regarding adoption of this amendment; that prior to the adoption of the amendment the applicant, the County and the School Board continue to work together to come to agreement on mitigation for school impacts; 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 11**

The amendment would change the land use designation of two parcels totaling 38.5 acres located on the north side of Kendall Drive and west of SW 167<sup>th</sup> Avenue (see Attachment 12), in Study Area E (see Attachment 2). The amendment would move the 2005 Urban Development Boundary to encompass the application area and change the land use designation of 29.44 acre Parcel A from Agriculture to Business and Office, and 9.06 acre Parcel B from Agriculture to Office and Residential.

Staff analysis confirms that Study Area E contained 567.2 acres of vacant land zoned or designed for business uses in 2004, and that the supply of land in Study Area E for commercial and office uses will not be depleted until 2020. This application would place a commercial node at the UDB on North Kendall Drive (SW 88<sup>th</sup> Street).

This amendment would require improvements to other public services, including a new sewer pump station, and would severely impact the response time for fire and rescue services.

The amendment area is within the C-1 Basin, in the basic wellfield protection area of the West Wellfield. County Code prohibits non-residential uses generating, using, handling, disposing of, discharging, or storing hazardous wastes are prohibited 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 are expected to be concluded in March 2006. Results and recommendations of the study should be utilized to inform the County's decision regarding adoption of this amendment.

### Objection

The amendment as proposed is premature and would have significant negative impacts on public facilities and services should the proposed land use changes occur. The facilities and services include the wastewater and drainage facilities and services and fire services. In addition, adequate justification for expanding the Urban Development Boundary has not been presented.

Council staff analysis confirms that this proposed amendment 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 4 Enhance the economic and environmental sustainability of the Region by ensuring the adequacy of its public facilities and services.
- Policy 4.8 Utilize financing mechanisms for the provision of new public facilities and ensure that costs are distributed equitably within the Region.
- Policy 4.10 Encourage the application of resource recovery, recycling, cogeneration, district cooling, water re-use systems, and other appropriate mechanisms where they are cost-effective and environmentally sound as a means of reducing the impacts of new development on existing public facilities and services and decreasing the costs of providing new public facilities and services.
- Goal 7 Protect, conserve, and enhance the Region's water resources.
- Policy 7.1 Develop a more balanced, efficient, and ecologically sustainable allocation and reservation of the water resources of the Region.
- 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 16 Enhance and preserve natural system values of South Florida's shorelines, estuaries, benthic communities, fisheries, and associated habitats, including, but not limited to, Florida Bay, Biscayne Bay, tropical hardwood hammocks, and the coral reef tract.
- Policy 16.2 Protect the Biscayne Bay Aquatic Preserve (BBAP) through such measures as:
  - discontinuing all untreated stormwater discharges to the Bay;
  - requiring stormwater treatment systems to meet the required non-degradation water quality standards for this Class III, Outstanding Florida Water body;
  - discouraging development that proposes to fill within the Bay or discharge contaminants to its waters; and
  - connecting developments that are served by septic tanks within the watershed of the BBAP to central sanitary waste treatment facilities to treat pathogens and remove nutrients from the wastewater effluent.

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 results and findings and recommendations of the Watershed Study be utilized to inform the County's decision regarding adoption of this amendment 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 13**

The amendment would change the land use designation of an 81.61 acre area located at the southeast corner of SW 104<sup>th</sup> Street and SW 167<sup>th</sup> Avenue (see Attachment 13), in Study Area E (see Attachment 2). The amendment would move the 2005 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).

Staff analysis confirms that this amendment would create 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.

This amendment would impact other public facilities including schools and roadways, which currently exceed their adopted standards for levels of service and capacity. It also would require an additional sewer pump station.

### **Schools**

The land use change would impact schools in the vicinity by generating 308 additional students. Dr. Gilbert L. Proter Elementary would receive 142 students and realize a FISH capacity change from 140% to 155%. Hammocks Middle School would receive 77 students and realize a FISH capacity change from 171% to 177%, and Felix Varela Senior High would receive 89 additional students and realize a FISH capacity change from 153% to 156%. Currently, there are three planned school projects that will provide relief to schools in the vicinity. The first project is a new elementary school, State School "Y1", to relieve Gordon and Proter Elementary Schools. The second project is new middle school, State School "YY1". The third project is a new senior high school, "HHH1". The new elementary and middle schools are projected to have occupancy dates in 2007. The new high school is to be funded in Fiscal Year 2007-2008.

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.

## Objection

The amendment as proposed is premature and would have significant negative impacts on public facilities and services should the proposed land use changes occur. The facilities and services include the transportation and wastewater facilities and services and schools. In addition, adequate justification for expanding the Urban Development Boundary has not been presented.

Council staff analysis confirms that this proposed amendment 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 4 Enhance the economic and environmental sustainability of the Region by ensuring the adequacy of its public facilities and services.
- Policy 4.8 Utilize financing mechanisms for the provision of new public facilities and ensure that costs are distributed equitably within the Region.
- Policy 4.10 Encourage the application of resource recovery, recycling, cogeneration, district cooling, water re-use systems, and other appropriate mechanisms where they are cost-effective and environmentally sound as a means of reducing the impacts of new development on existing public facilities and services and decreasing the costs of providing new public facilities and services.
- 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.
- Goal 7 Protect, conserve, and enhance the Region's water resources.
- Policy 7.1 Develop a more balanced, efficient, and ecologically sustainable allocation and reservation of the water resources of the Region.
- 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 16 Enhance and preserve natural system values of South Florida's shorelines, estuaries, benthic communities, fisheries, and associated habitats, including, but not limited to, Florida Bay, Biscayne Bay, tropical hardwood hammocks, and the coral reef tract.
- Policy 16.2 Protect the Biscayne Bay Aquatic Preserve (BBAP) through such measures as:
- discontinuing all untreated stormwater discharges to the Bay;
  - requiring stormwater treatment systems to meet the required non-degradation water quality standards for this Class III, Outstanding Florida Water body;
  - discouraging development that proposes to fill within the Bay or discharge contaminants to its waters; and
  - connecting developments that are served by septic tanks within the watershed of the BBAP to central sanitary waste treatment facilities to treat pathogens and remove nutrients from the wastewater effluent.
- 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 results and findings and recommendations of the Watershed Study be utilized to inform the County's decision regarding adoption of this amendment; that prior to the adoption of the amendment the applicant, the County and the School Board continue to work together to come to agreement on mitigation for school impacts; 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 15**

The amendment would change the land use designation of a 10 acre area located at the northwest corner of SW 147<sup>th</sup> Avenue and SW 184<sup>th</sup> Street, lying south of the CSX Railroad (see Attachment 14), in Study Area E (see Attachment 2). The site is located adjacent to the UDB. The amendment would change the land use designation of the site from Low Density Residential (2.5-6 du/ac) to Business and Office.

Staff analysis confirms that the 10 acre site, and proposed development is consistent with similar sites in the area. The site is surrounded on west, north and east by residential land uses and on the south by agricultural use. While this amendment site is not outside the UDB, it does put pressure on the UDB. Commercial nodes, according to planning principles, should be located within the community they serve, rather than at the edge.

Council staff analysis confirms that this amendment as proposed is compatible with the goals and policies with the *SRPP*.

#### Recommendation

Council staff recommends that the proposed amendment be found generally consistent with the *SRPP*.

#### Amendment 17

The amendment would change the land use designation of a 260.99 acre area located at the northwest, southeast, and southwest corners of SW 184<sup>th</sup> Street and SW 157<sup>th</sup> Avenue (see Attachment 15), in Study Area E (see Attachment 2). The amendment would move the 2005 UDB to encompass the application area, which is comprised of two parcels, and change the land use designation of Parcel A (250.99 acres) from Agriculture to Estate Density Residential (1-2.5 du/ac) and Parcel B (10 acres) from Agriculture to Business and Office.

Study Area E has sufficient land designated for commercial uses through the year 2018. Policy 8G of the Land Use Element of the Miami-Dade Comprehensive Development Master Plan indicates that a 15-year supply of residential land is available from the date of the last Evaluation and Appraisal Report, which was adopted in 2003. The supply of land designated for residential use is anticipated to be depleted in 2018.

Because this site is located beyond the current UDB and UEA, this amendment would also require the extension of all public facilities and services. The Miami-Dade Fire and Rescue Department has stated that the impact to existing fire rescue service would be severely strained due to the distance to facilities and lack of acceptable public water flow.

This amendment site contains several parcels that are designated as Natural Forest Communities by Miami-Dade County and are protected under the environmental regulations of the Miami-Dade County Code.

This 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 are expected to be concluded in March 2006. Results and recommendations of the study should be utilized to inform the County's decision regarding adoption of this amendment.

#### Objection

The amendment as proposed is premature and would have significant negative impacts on public facilities and services should the proposed land use changes occur. In addition, adequate justification for expanding the Urban Development Boundary has not been presented.

Council staff analysis confirms that this proposed amendment 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 4            Enhance the economic and environmental sustainability of the Region by ensuring the adequacy of its public facilities and services.

- Policy 4.8 Utilize financing mechanisms for the provision of new public facilities and ensure that costs are distributed equitably within the Region.
- Policy 4.10 Encourage the application of resource recovery, recycling, cogeneration, district cooling, water re-use systems, and other appropriate mechanisms where they are cost-effective and environmentally sound as a means of reducing the impacts of new development on existing public facilities and services and decreasing the costs of providing new public facilities and services.
- Goal 7 Protect, conserve, and enhance the Region's water resources.
- Policy 7.1 Develop a more balanced, efficient, and ecologically sustainable allocation and reservation of the water resources of the Region.
- 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 16 Enhance and preserve natural system values of South Florida's shorelines, estuaries, benthic communities, fisheries, and associated habitats, including, but not limited to, Florida Bay, Biscayne Bay, tropical hardwood hammocks, and the coral reef tract.
- Policy 16.2 Protect the Biscayne Bay Aquatic Preserve (BBAP) through such measures as:
  - discontinuing all untreated stormwater discharges to the Bay;
  - requiring stormwater treatment systems to meet the required non-degradation water quality standards for this Class III, Outstanding Florida Water body;
  - discouraging development that proposes to fill within the Bay or discharge contaminants to its waters; and
  - connecting developments that are served by septic tanks within the watershed of the BBAP to central sanitary waste treatment facilities to treat pathogens and remove nutrients from the wastewater effluent.
- 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 results and findings and recommendations of the Watershed Study be utilized to inform the County's decision regarding adoption of this amendment 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 20**

The amendment would change the land use designation of a 3.08 acre site located on the northwest corner of SW 216<sup>th</sup> Street and SW 112<sup>th</sup> Avenue (see Attachment 16), in Study Area F (see Attachment 2). The amendment would change the land use designation of the site from Medium-Density Residential (13-25 du/ac) to Business and Office. The Southland Mall and Metropolitan Urban Center are located less than one-half mile from the site. Several commercial centers exist in the vicinity.

The site is located in Study Area F, where an adequate supply of land designated for commercial use will not be depleted until 2024. The Study Area had 118.3 acres of vacant commercial land in 2004, with an annual absorption rate of 5.83 acres per year.

The amendment site includes a residential structure that is potentially historically significant. An analysis would be needed to determine this structure's historical significance to the area.

Objection

The amendment as proposed is premature. In addition, the amendment site includes a residential structure that is potentially historically significant. An analysis has not been conducted to determine this structure's historical significance to the area.

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 historical resource protection and the timing of development, including:

- Goal 4 Enhance the economic and environmental sustainability of the Region by ensuring the adequacy of its public facilities and services.
- Policy 4.8 Utilize financing mechanisms for the provision of new public facilities and ensure that costs are distributed equitably within the Region.
- Policy 4.10 Encourage the application of resource recovery, recycling, cogeneration, district cooling, water re-use systems, and other appropriate mechanisms where they are cost-effective and environmentally sound as a means of reducing the impacts of new development on existing public facilities and services and decreasing the costs of providing new public facilities and services.

- Goal 7 Protect, conserve, and enhance the Region's water resources.
- Policy 7.1 Develop a more balanced, efficient, and ecologically sustainable allocation and reservation of the water resources of the Region.
- 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 13 Preserve, restore and rehabilitate South Florida's historic structures, landmarks, districts, neighborhoods and archaeological sites.
- Policy 13.2 Identify, evaluate and inventory historic structures, landmarks, districts, neighborhoods and archaeological sites.
- Policy 13.3 Encourage local, state and federal designation of historic structures, landmarks, districts, neighborhoods and archaeological sites.
- Goal 20 Achieve long-term efficient and sustainable development patterns that protect natural resources and connect diverse housing, transportation, education, and employment opportunities.
- Policy 20.3 Direct future development and redevelopment first to areas served by existing infrastructure and to other locations that are suitable for development, as identified in their comprehensive plans. In particular, local governments should coordinate with state and regional officials to identify public transportation corridors and to promote development along those corridors by implementing investment strategies for providing infrastructure and services which are consistent with them.

#### Recommendation

Council staff recommends that an analysis be conducted to determine if the residential structure on the site is potentially historically significant to the area and any land use change 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 21**

The amendment would change the land use designation of a 0.91 acre site located on the southeast corner of SW 112<sup>th</sup> Avenue and SW 224<sup>th</sup> Street (see Attachment 17), in Study Area F (see Attachment 2). The amendment would change the land use designation of the site from Low Density Residential (2.5-6 du/ac) to Business and Office. A grocery store and small strip-shopping center are located across from

the application site. In the vicinity, there are 41.4 acres of vacant commercial land and 209.5 acres in use for commercial purposes (as of 2004).

The site is located in Study Area F, where an adequate supply of land designated for commercial use will be depleted in 2024. The Study Area had 118.3 acres of vacant commercial land in 2004, with an annual absorption rate of 5.83 acres per year.

Staff analysis confirms that while public facilities are adequate for this site, there is a sufficient supply of commercial development in the surrounding area.

This 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 are expected to be concluded in March 2006. Results and recommendations of the study should be utilized to inform the County's decision regarding adoption of this amendment.

### Objection

The amendment as proposed is premature. In addition, adequate justification for the amendment 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:

- Goal 4 Enhance the economic and environmental sustainability of the Region by ensuring the adequacy of its public facilities and services.
- Policy 4.8 Utilize financing mechanisms for the provision of new public facilities and ensure that costs are distributed equitably within the Region.
- Policy 4.10 Encourage the application of resource recovery, recycling, cogeneration, district cooling, water re-use systems, and other appropriate mechanisms where they are cost-effective and environmentally sound as a means of reducing the impacts of new development on existing public facilities and services and decreasing the costs of providing new public facilities and services.
- Goal 7 Protect, conserve, and enhance the Region's water resources.
- Policy 7.1 Develop a more balanced, efficient, and ecologically sustainable allocation and reservation of the water resources of the Region.
- 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 16 Enhance and preserve natural system values of South Florida's shorelines, estuaries, benthic communities, fisheries, and associated habitats, including, but not limited to, Florida Bay, Biscayne Bay, tropical hardwood hammocks, and the coral reef tract.
- Policy 16.2 Protect the Biscayne Bay Aquatic Preserve (BBAP) through such measures as:
- discontinuing all untreated stormwater discharges to the Bay;
  - requiring stormwater treatment systems to meet the required non-degradation water quality standards for this Class III, Outstanding Florida Water body;
  - discouraging development that proposes to fill within the Bay or discharge contaminants to its waters; and
  - connecting developments that are served by septic tanks within the watershed of the BBAP to central sanitary waste treatment facilities to treat pathogens and remove nutrients from the wastewater effluent.
- 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 results and findings and recommendations of the Watershed Study be utilized to inform the County's decision regarding adoption of this amendment 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 22**

The amendment would change the land use designation of a 58.51 acre area located at the northwest and southeast corners of SW 127<sup>th</sup> Avenue and SW 240<sup>th</sup> Street (see Attachment 18), in Study Area F (see Attachment 2). The amendment would change the land use designation of the application area, which is comprised of two parcels. It would change Parcel A (38.32 acres) from Low Density Residential (2.5-6 du/ac) to Medium Density Residential (13-25 du/ac) and Parcel B (20.19 acres) from Low Density

Residential (2.5-6 du/ac) to Low-Medium Density Residential (5-13 du/ac). The change would create the potential for 270 additional units.

The subject site is adjacent to the Princeton Community Urban Center for which a charrette report has been accepted by the Board of County Commissioners. The applicant has submitted a proposed covenant that provides for consistency with Princeton Community Urban Center and the County's Urban Design Manual and provides for workforce housing, public open space, school impact mitigation, and transit improvements.

Staff analysis confirms that improvements to public facilities are needed to support this application. Schools and roadways, in particular, would operate at levels of service exceeding their adopted standards if the application were approved. For roads, acceptable solutions have not yet been programmed, but the covenant commits the property owner to work with the County to ensure that adequate infrastructure will be available to accommodate the traffic trips generated by the development of the property.

#### Schools

The application would generate 236 students. Pine Villa Elementary would receive 109 students and realize a FISH capacity change from 130% to 170%. Redland Middle would receive 59 students and realize a FISH capacity change from 168% to 179%, and Homestead Senior would receive 68 students and realize a FISH capacity change from 109% to 114%. One elementary school and one middle school are under construction, and two other middle schools are planned and currently in the design phase. These programmed improvements would provide adequate school relief to the 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 are expected to be concluded in March 2006. Results and recommendations of the study should be utilized to inform the County's decision regarding adoption of this amendment.

#### Objection

The amendment as proposed is premature and would have significant negative impacts on public facilities and services should the proposed land use changes occur.

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 4            Enhance the economic and environmental sustainability of the Region by ensuring the adequacy of its public facilities and services.
- Policy 4.8        Utilize financing mechanisms for the provision of new public facilities and ensure that costs are distributed equitably within the Region.
- Policy 4.10      Encourage the application of resource recovery, recycling, cogeneration, district cooling, water re-use systems, and other appropriate mechanisms where they are cost-effective and environmentally sound as a means of reducing the impacts of new development on existing public facilities and services and decreasing the costs of providing new public facilities and services.
- Goal 7            Protect, conserve, and enhance the Region's water resources.

- Policy 7.1      Develop a more balanced, efficient, and ecologically sustainable allocation and reservation of the water resources of the Region.
- 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 16        Enhance and preserve natural system values of South Florida's shorelines, estuaries, benthic communities, fisheries, and associated habitats, including, but not limited to, Florida Bay, Biscayne Bay, tropical hardwood hammocks, and the coral reef tract.
- Policy 16.2     Protect the Biscayne Bay Aquatic Preserve (BBAP) through such measures as:
- discontinuing all untreated stormwater discharges to the Bay;
  - requiring stormwater treatment systems to meet the required non-degradation water quality standards for this Class III, Outstanding Florida Water body;
  - discouraging development that proposes to fill within the Bay or discharge contaminants to its waters; and
  - connecting developments that are served by septic tanks within the watershed of the BBAP to central sanitary waste treatment facilities to treat pathogens and remove nutrients from the wastewater effluent.
- 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 results and findings and recommendations of the Watershed Study be utilized to inform the County's decision regarding adoption of this amendment 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 23**

The amendment would change the land use designation of a 57.7 acre area located at the southwest corner of SW 312<sup>th</sup> Street and SW 137<sup>th</sup> Avenue (see Attachment 19), in Study Area G (see Attachment 2). The amendment would move the 2005 UDB to encompass the application area and change the land use designation from Agriculture to Business and Office. Only a fraction of the subject property is located within the 2015 UEA boundary, the area where current projections indicate that further urban development beyond the 2005 UDB is likely to be warranted some time between the years 2005-2015. The western portion of the site falls within the UEA boundary. The property is located southwest of the Homestead Air Reserve Base. The parcel west of the site is designated Industrial and Office on the CDMP Future Land Use Map and is zoned PUD by the City of Homestead and slated to become the future location of the commercial component of a PUD. The proposal is to develop the site with a mixture of residential, business, and office uses. At the projected rate of absorption, Study Area G will deplete its supply of commercial land beyond the year 2025.

Staff analysis indicates that the application would require improvements to public services. Adjacent roadways currently operate at LOS "C" but will violate adopted LOS standards if the application is approved.

### **Schools**

If the Business and Office land includes residential, the supply of residential could be extended by up to 434 single-family units, generating 282 additional students. The elementary and middle schools serving this site will exceed the FISH capacity standard of 115%. Irving and Beatrice Peskoe Elementary would receive 130 students and realize a change in FISH capacity from 156% to 175%. Campell Drive Middle would receive 70 students and realize a change in FISH capacity from 124% to 130%. Finally, Homestead Senior would receive 82 students and realize a change in FISH capacity from 109% to 112%. There is one private school within a reasonable commute from the site.

This 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 are expected to be concluded in March 2006. Results and recommendations of the study should be utilized to inform the County's decision regarding adoption of this amendment.

## Objection

The proposed amendment is premature and would have significant negative impacts on public facilities and services should the proposed land use changes occur. The facilities and services include schools. In addition, adequate justification for expanding the Urban Expansion Area 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 transportation, school overcrowding, natural resource protection, and the timing of development, including:

- Goal 4 Enhance the economic and environmental sustainability of the Region by ensuring the adequacy of its public facilities and services.
- Policy 4.8 Utilize financing mechanisms for the provision of new public facilities and ensure that costs are distributed equitably within the Region.
- Policy 4.10 Encourage the application of resource recovery, recycling, cogeneration, district cooling, water re-use systems, and other appropriate mechanisms where they are cost-effective and environmentally sound as a means of reducing the impacts of new development on existing public facilities and services and decreasing the costs of providing new public facilities and services.
- 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.
- Goal 7 Protect, conserve, and enhance the Region's water resources.
- Policy 7.1 Develop a more balanced, efficient, and ecologically sustainable allocation and reservation of the water resources of the Region.
- 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 16 Enhance and preserve natural system values of South Florida's shorelines, estuaries, benthic communities, fisheries, and associated habitats, including but not limited to, Florida Bay, Biscayne Bay, tropical hardwood hammocks, and the coral reef tract.

- Policy 16.2      Protect the Biscayne Bay Aquatic Preserve (BBAP) through such measures as:
- a. discontinuing all untreated stormwater discharges to the Bay;
  - b. requiring stormwater treatment systems to meet the required non-degradation water quality standards for this Class III, Outstanding Florida Water body;
  - c. discouraging development that proposes to fill within the Bay or discharge contaminants to its waters; and
  - d. connecting developments that are served by septic tanks within the watershed of the BBAP to central sanitary waste treatment facilities to treat pathogens and remove nutrients from the wastewater effluent.
- 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 results and findings and recommendations of the Watershed Study be utilized to inform the County's decision regarding adoption of this amendment; that prior to the adoption of the amendment the applicant, the County and the School Board continue to work together to come to agreement on mitigation for school impacts; 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 24

The amendment would change the land use designation of a 14.71 acre area located at the southeast corner of SW 142<sup>nd</sup> Avenue and SW 312<sup>th</sup> Street (see Attachment 20), in Study Area G (see Attachment 2). The amendment would move the 2005 UDB to encompass the application area and change the land use designation from Agriculture to Business and Office. The subject property is located within the 2015 UEA boundary, the area where current projections indicate that further urban development beyond the 2005 UDB is likely to be warranted some time between the years 2005-2015. The proposal is to develop the site as medical offices because of its proximity to the new Homestead Hospital, one-half mile to the west. To the south and east, land is designated for agricultural use. Homestead Air Reserve Base is located a short distance to the northeast of the subject area. The property west of the subject area is vacant, but has been identified as the future location of the commercial component of a Planned Unit Development. At the projected rate of absorption, Study Area G will deplete its supply of commercial land beyond the year 2025.

Adequate public services are available to support this application and impacts to historical and environmental resources are limited. Adjacent roadways would continue to operate within the adopted LOS standards with the application. As no residential is proposed, there would be no impact to school enrollment or capacity.

This 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 are expected to be concluded in March 2006. Results and recommendations of the study should be utilized to inform the County's decision regarding adoption of this amendment.

### Objection

The proposed amendment is premature. In addition, adequate justification for expanding the Urban Expansion Area 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 transportation, school overcrowding, natural resource protection, and the timing of development, including:

- Goal 4 Enhance the economic and environmental sustainability of the Region by ensuring the adequacy of its public facilities and services.
- Policy 4.8 Utilize financing mechanisms for the provision of new public facilities and ensure that costs are distributed equitably within the Region.
- Policy 4.10 Encourage the application of resource recovery, recycling, cogeneration, district cooling, water re-use systems, and other appropriate mechanisms where they are cost-effective and environmentally sound as a means of reducing the impacts of new development on existing public facilities and services and decreasing the costs of providing new public facilities and services.
- Goal 7 Protect, conserve, and enhance the Region's water resources.
- Policy 7.1 Develop a more balanced, efficient, and ecologically sustainable allocation and reservation of the water resources of the Region.
- 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 16 Enhance and preserve natural system values of South Florida's shorelines, estuaries, benthic communities, fisheries, and associated habitats, including but not limited to, Florida Bay, Biscayne Bay, tropical hardwood hammocks, and the coral reef tract.

Policy 16.2 Protect the Biscayne Bay Aquatic Preserve (BBAP) through such measures as:

- a. discontinuing all untreated stormwater discharges to the Bay;
- b. requiring stormwater treatment systems to meet the required non-degradation water quality standards for this Class III, Outstanding Florida Water body;
- c. discouraging development that proposes to fill within the Bay or discharge contaminants to its waters; and
- d. connecting developments that are served by septic tanks within the watershed of the BBAP to central sanitary waste treatment facilities to treat pathogens and remove nutrients from the wastewater effluent.

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 results and findings and recommendations of the Watershed Study be utilized to inform the County's decision regarding adoption of this amendment; that prior to the adoption of the amendment the applicant, the County and the School Board continue to work together to come to agreement on mitigation for school impacts; 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.

But they said that were no school impacts

## II. TEXT AMENDMENTS

### Amendment 25

Policy 8G of the CDMP provides that Urban Development Boundary (UDB) contain developable land for the projected countywide residential demand for a period of 10 years after the CDMP's most recent Evaluations and Appraisal Report (EAR) plus a 5-year surplus, for a 15 year countywide supply. The policy also provides for non-residential land supply in subareas of the County appropriate to the type of use as well as the Countywide supply within the UDB. Other policies in the CDMP are linked to Policy 8G and cumulatively require that the UDB encourage the efficient use of resources and infrastructure, to prevent urban sprawl and to protect natural resources.

Pursuant to Section 163.3191, Florida Statutes (F.S.), "each local government shall adopt an evaluation and appraisal report (EAR) once every seven years assessing the progress in implementing the local government's comprehensive plan" to assist in keeping its plan current. The EAR evaluates how successful a community has been in addressing major community land use planning issues through implementation of its comprehensive plan. It is a comprehensive coordinated review of all elements of

the CDMP. Based on this evaluation, the report suggests how the CDMP should be revised to better address community objectives, changing conditions and trends affecting the community, and changes in state and regional requirements regarding growth management.

The County undertakes a comprehensive study to analyze the capacity for residential development within the UDB with each EAR cycle and monitors and updates the projections as needed in between these cycles. The most recent EAR was found sufficient on February 16, 2004 and the EAR-based amendments to the CDMP were adopted on December 12, 2005. The proposed EAR-based amendments to the CDMP were reviewed at the July 11, 2005 Council Meeting and were found to be generally consistent with the SRPP. The EAR and the EAR-based amendments did not recommend any changes to the UDB or any substantive changes to Policy 8G.

The amendment contains text changes to Policy 8G which are being proposed by private parties outside of the EAR process and not by County staff. The proposed revised Policy 8G follows (proposed deletions are struck through and proposed additions are underlined).

"8G. The Urban Development Boundary (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 (EAR)~~ plus a 5-year surplus (a total 15-year Countywide supply ~~beyond the date of EAR adoption~~). Such 15-year Countywide supply shall include a 15-year supply each of single-family detached and attached) and multi-family units. The estimation of this capacity shall include the reasonable and verifiable capacity to develop and redevelop around transit stations at the densities recommended in policy 7F, provided that where such lands are within a municipality, such capacity shall be included only where such units have been specifically provided for within land use designations as part of said municipality's LUP map and/or future land use element. In order to assure that housing can be developed in all areas of the County at prices that meet the purchasing capacity of all residents, the estimation of demand shall include, but not be limited to the following factors:

- Bi-annually determined population projections by numbers and by income;
- Annually determined housing starts within each municipality and the unincorporated area;
- Purchasing capacity of the population measured by income level;
- Market value of land averaged by section of land;
- Proximity to, or the ability to provide needed services, infrastructure and areas of employment; and
- Other socioeconomic needs of the community.

The adequacy of non-residential land supplies 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. The adequacy of land supplies for neighborhood- and community-oriented business and office uses shall be determined on the basis of localized subarea geography such as Census Tracts, Minor Statistical Areas (MSAs) and combinations thereof. Tiers, Half-Tiers and combinations thereof shall be considered along with the Countywide supply when evaluating the adequacy of land supplies for regional commercial and industrial activities. "

The proposed changes would:

- eliminate the provision that the amount of developable land be for a period of 10 years after the CDMP's most recent Evaluations and Appraisal Report (EAR) plus a 5-year surplus, for a 15 year countywide supply

- require that the UDB contain developable land with the capacity to sustain a constant 15-year supply of single-family (detached and attached) and multi-family housing
- require that the County take steps to assure that housing can be developed in all areas of the County at prices that meet the purchasing capacity of all residents
- allow changes to the UDB to be based on an "estimation of demand" factors that are not completely defined in the policy.

Objection

The proposed amendment to Policy 8G does not encourage growth and development to be directed to appropriate areas of the County and would have significant negative impacts on public facilities and services and natural resources for the following reasons:

1. The revised policy would be internally inconsistent with the CDMP. The amendment removes the link to the comprehensive EAR Review and updating of the CDMP.
2. The revised policy does not require consistency with other elements of the CDMP, such as natural resource protection, the provision of infrastructure, timing of development, and emergency preparedness.
3. The revised policy is vague and removes certainty from the County's planning process. The policy proposes to utilize "estimation of demand" factors that are not completely defined in the policy and the use of factors not included in the CDMP.
4. The amendment does not provide for efficient and sustainable development patterns that protect natural resources and address regional housing, infrastructure, transportation, education, and employment needs and opportunities.
5. The amendment does not consider existing and proposed infrastructure planning, needs and improvements, such as water supply planning.
6. Adequate justification for the proposed amendment 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 land use, redevelopment needs, transportation, infrastructure planning and supply, school overcrowding, natural resource protection, and the timing of development, including:

- |             |  |
|-------------|--|
| Goal 4      | Enhance the economic and environmental sustainability of the Region by ensuring the adequacy of its public facilities and services.  |
| Policy 4.8  | Utilize financing mechanisms for the provision of new public facilities and ensure that costs are distributed equitably within the Region.   |
| Policy 4.10 | Encourage the application of resource recovery, recycling, cogeneration, district cooling, water re-use systems, and other appropriate mechanisms where they are cost-effective and environmentally sound as a means of reducing the impacts of new development on existing public facilities and services and decreasing the costs of providing new public facilities and services. |
| 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.
- Goal 7 Protect, conserve, and enhance the Region's water resources.
- Policy 7.1 Develop a more balanced, efficient, and ecologically sustainable allocation and reservation of the water resources of the Region.
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- 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.
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- 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 16 Enhance and preserve natural system values of South Florida's shorelines, estuaries, benthic communities, fisheries, and associated habitats, including but not limited to, Florida Bay, Biscayne Bay, tropical hardwood hammocks, and the coral reef tract.
- Policy 16.2 Protect the Biscayne Bay Aquatic Preserve (BBAP) through such measures as:
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  - c. discouraging development that proposes to fill within the Bay or discharge contaminants to its waters; and
  - d. connecting developments that are served by septic tanks within the watershed of the BBAP to central sanitary waste treatment facilities to treat pathogens and remove nutrients from the wastewater effluent.
- 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

Revise the amendment to require that any expansion of the Urban Development Boundary should 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 and to consider land use, redevelopment needs, transportation, infrastructure planning and supply, school overcrowding, natural resource protection, and the timing of development.

#### **Amendment 26**

The amendment contains a text change to the City's Future Land Use Element. The change adds a note for the urban center symbol with diagonal lines to the legend of the Land Use Plan map. The amendment would have essentially no impact other than to provide further refinement of the urban center boundaries. The note states the following:

"This symbol denotes an urban center where an area plan report has been accepted by the Board of County Commissioners and codified in a zoning overlay district that shows the defined boundaries of the urban center."

Council staff analysis confirms that this amendment as proposed is compatible with the goals and policies with the *SRPP*.

#### Recommendation

Council staff recommends that the proposed amendment be found generally consistent with the *SRPP*.

#### **Amendment 27**

The amendment contains text changes to the Capital Improvements Element. The changes adjust the scheduling of improvements, project costs and revenue levels and sources to reflect new conditions and priorities in the County. Projects have been added based on an assessment of need and deletions have been proposed if the projects are complete. The amendment affects the tables of proposed projects for Aviation, Coastal Management, Conservation, Drainage, Parks and Recreation, Seaport, Sewer Facilities, Solid Waste Management, Traffic Circulation, Mass Transit and Water Facilities. These tables have been changed to reflect the County Manager's proposed budget, which will not be finalized until June.

The preparation and update of the CDMP Capital Improvements Element is closely coordinated with the production of the County's Capital Budget and Multi-Year Capital plan, which contains the County Manager's proposed budget. Changes to the transmitted proposed amendments may be recommended by staff to reflect changes that may be made during budget adoption activities, or after State-agency review and comment.

Council staff analysis confirms that this amendment as proposed is compatible with the goals and policies with the *SRPP*.

### Recommendation

Council staff recommends that the proposed amendment be found generally consistent with the *SRPP*.

### Conclusion

Staff analysis confirms that proposed Miami-Dade County amendments 2, 3, 5, 15, 26, and 27 are compatible with and supportive of the goals and policies of the *Strategic Regional Policy Plan for South Florida*.

Proposed Miami-Dade County amendment 1 conflicts with Goal 5 and Policies 5.1 and 5.3 of the *Strategic Regional Policy Plan for South Florida*.

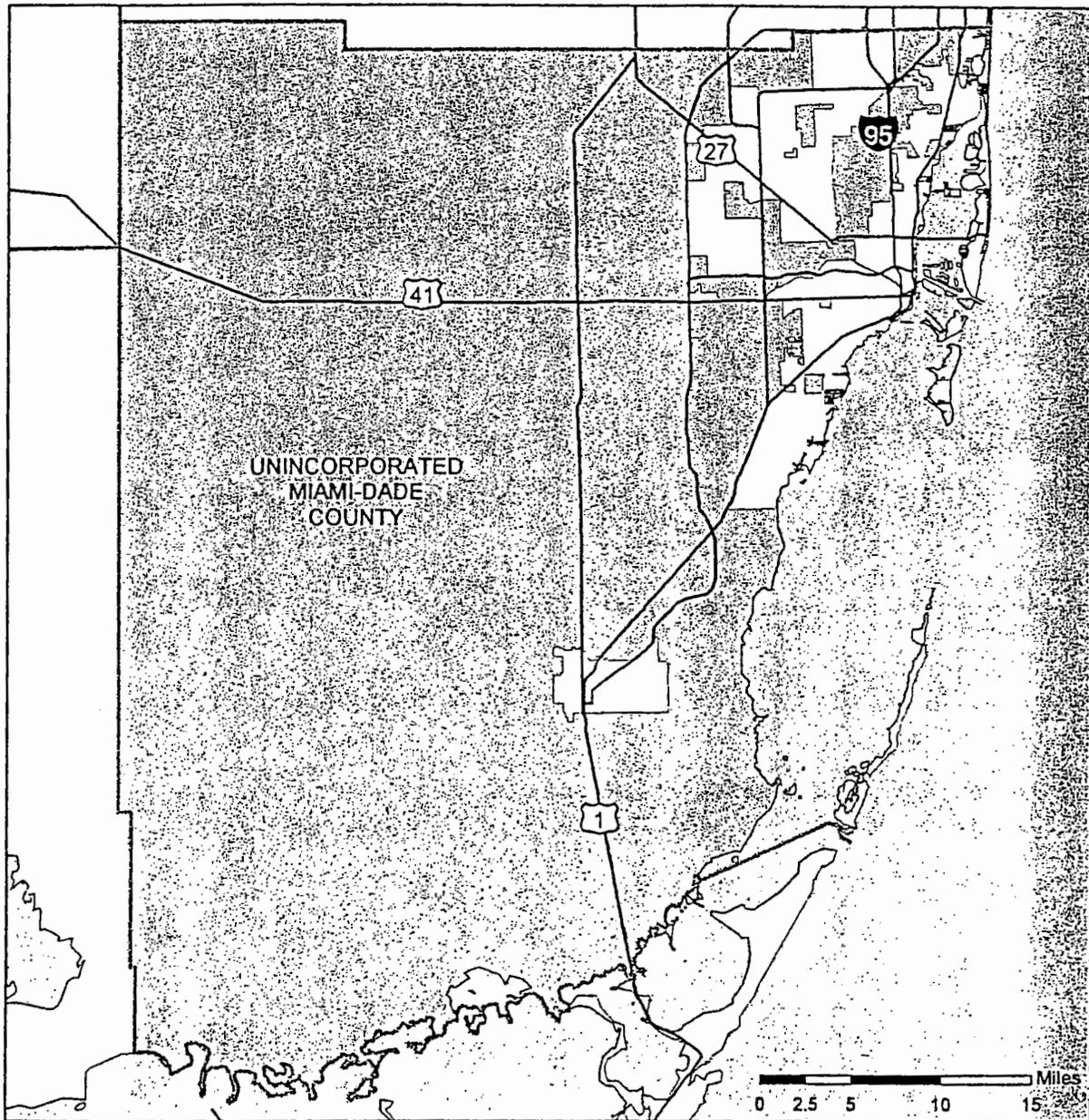
Proposed Miami-Dade County amendment 4 conflicts with Goal 11 and Policies 11.1 and 11.8 of the *Strategic Regional Policy Plan for South Florida*.

Proposed Miami-Dade County amendment 6 conflicts with Goals 11 and 20 and Policies 11.12 and 20.2 of the *Strategic Regional Policy Plan for South Florida*.

Proposed Miami-Dade County amendment 7 conflicts with Goals 11, 12, 16 and 20 & Policies 11.10, 12.6, 16.2 and 20.2 of the *Strategic Regional Policy Plan for South Florida*.

Proposed Miami-Dade County amendments 10, 13, 23, and 25 conflict with Goals 4, 5, 7, 11, 12, 16 and 20 & Policies 4.8, 4.10, 5.1, 5.3, 7.1, 11.12, 12.6, 16.2 and 20.2 of the *Strategic Regional Policy Plan for South Florida*.

Proposed Miami-Dade County amendments 11, 17, 20, 21, 22, and 24 conflict with Goals 4, 7, 11, 12, 16 and 20 & Policies 4.8, 4.10, 7.1, 11.12, 12.6, 16.2 and 20.2 of the *Strategic Regional Policy Plan for South Florida*.



**COMPREHENSIVE PLAN AMENDMENTS**

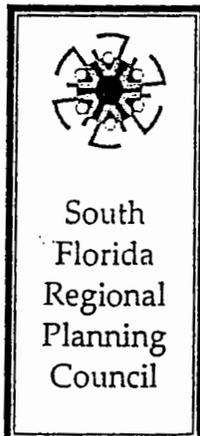
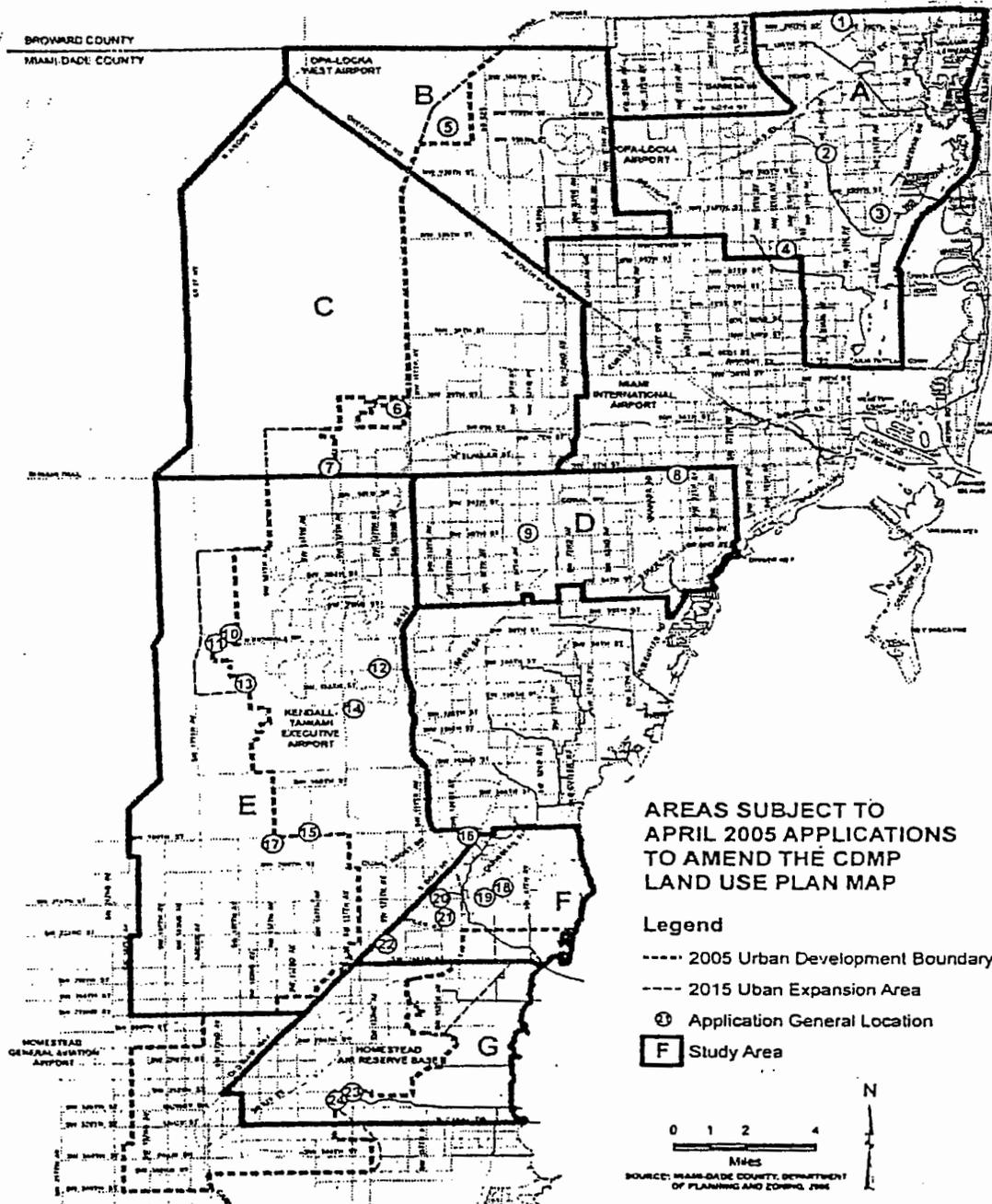
Location Map

Miami-Dade County  
Proposed Amendment #06-1

Sources: FDEP, SFWMD, Miami-Dade County, SFRPC.  
Note: For planning purposes only. All distances are approximate.

Attachment

1

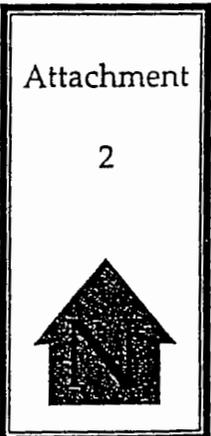


**COMPREHENSIVE PLAN AMENDMENTS**

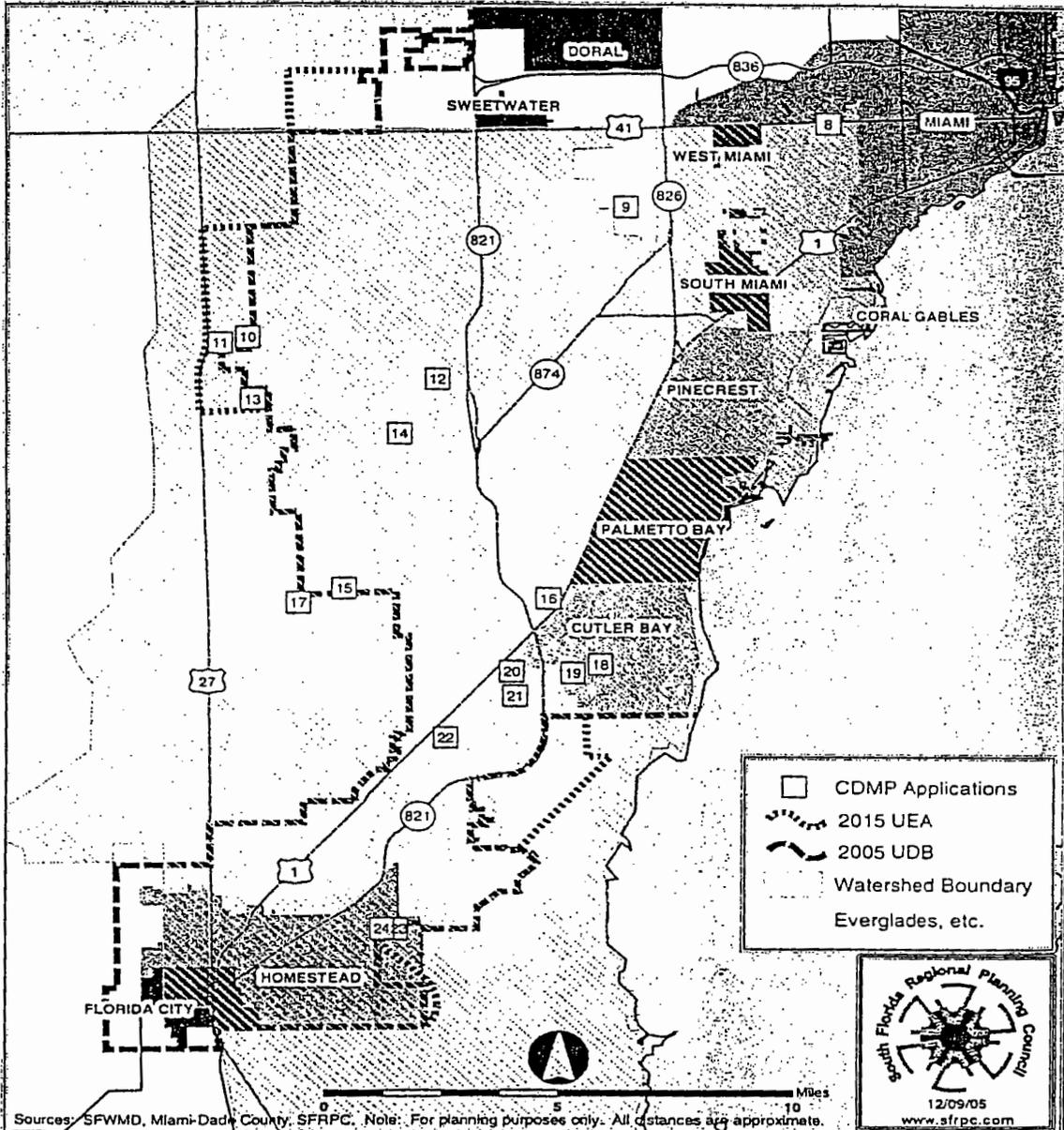
Study Areas and Locations Of Map Amendments

Miami-Dade County  
Proposed Amendment #06-1

Sources: FDEP, SFWMD, Miami-Dade County, SFRPC.  
Note: For planning purposes only. All distances are approximate.



April 2005 Applications to Amend the CDMP Land Use Plan Map  
 Located in the South Miami-Dade Watershed Area



**COMPREHENSIVE PLAN AMENDMENTS**

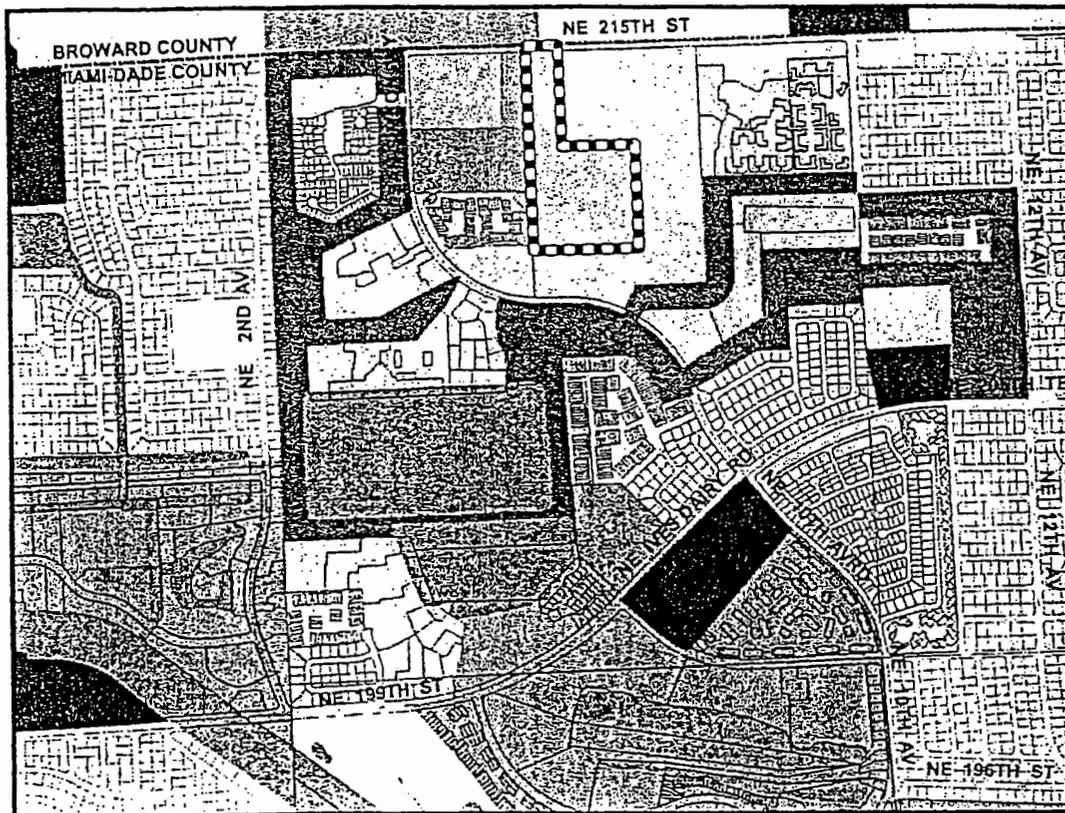
South Miami-Dade Watershed Area Map

Miami-Dade County  
 Proposed Amendment #06-1

Sources: FDEP, SFWMD, Miami-Dade County, SFRPC.  
 Note: For planning purposes only. All distances are approximate.

Attachment

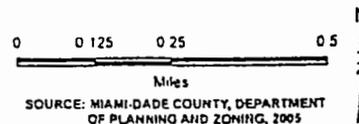
3



**LEGEND**

-  APPLICATION AREA
- CDMP LAND USE**
- RESIDENTIAL COMMUNITIES**
-  LOW DENSITY RESIDENTIAL (LDR) 2-5-6 DU/AC
-  LOW-MEDIUM DENSITY RESIDENTIAL (LMR) 5-13 DU/AC
-  MEDIUM DENSITY RESIDENTIAL (MDR) 13-25 DU/AC
-  INDUSTRIAL AND OFFICE
-  BUSINESS AND OFFICE
-  PARKS AND RECREATION
-  ENVIRONMENTALLY PROTECTED PARKS
-  WATER

NOTE: This figure is a graphic representation drawn at a different scale than the Official Adopted 2005 and 2015 Land Use Plan (LUP) map, which was adopted at a scale of one inch to a mile. The LUP map with subsequent adopted amendments, governs where this figure differs.




South  
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Council

**COMPREHENSIVE PLAN AMENDMENTS**

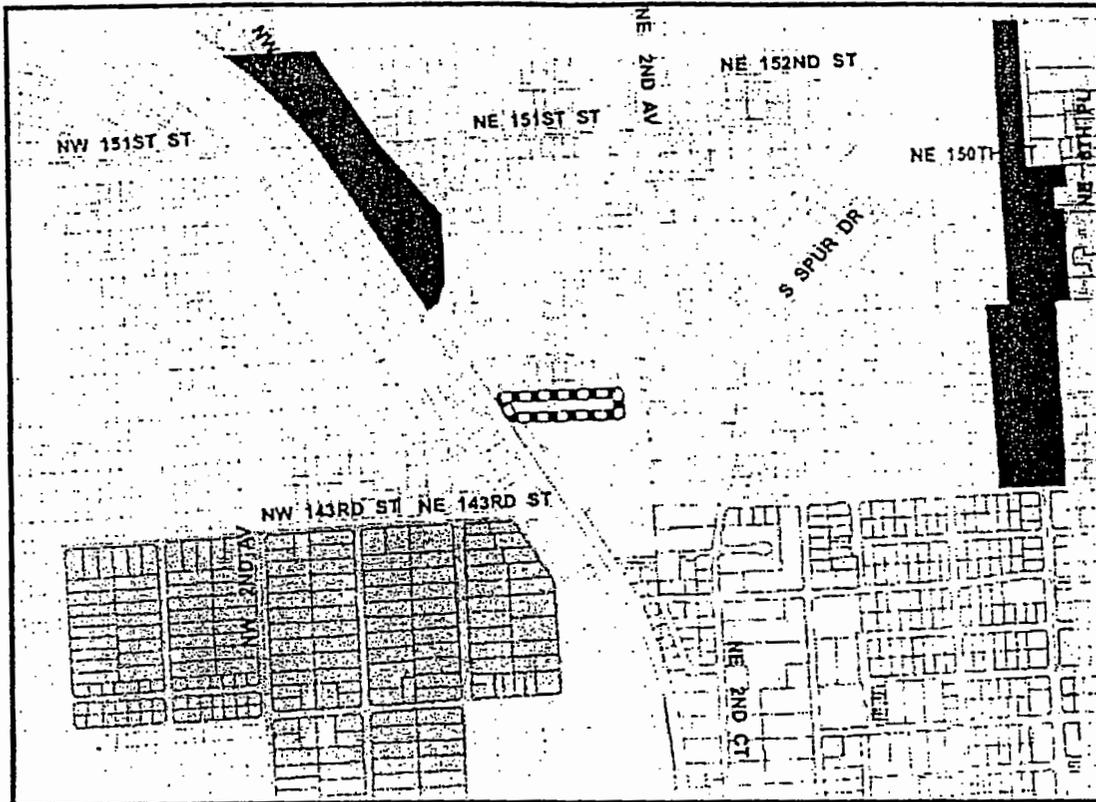
Location Map  
Miami-Dade County  
Proposed Amendment #06-1

Amendment 1  
From: Industrial And Office  
To: Low-Medium Density Residential  
26.13 acres

Sources: FDEP, SFWMD, Miami-Dade County, SFRPC.  
Note: For planning purposes only. All distances are approximate.

Attachment  
4





**LEGEND**



APPLICATION AREA

**CDMP LAND USE**

**RESIDENTIAL COMMUNITIES**

ESTATE DENSITY RESIDENTIAL (RGR 1.2-1.5 DU/AC)

LOW DENSITY RESIDENTIAL (RGR 2.5-4 DU/AC)

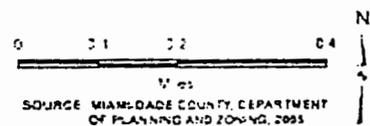
LOW-MEDIUM DENSITY RESIDENTIAL (RGR 5-15 DU/AC)

OFFICE/RESIDENTIAL



BUSINESS AND OFFICE

NOTE: This figure is a graphic representation drawn at a different scale than the Official Adopted 2005 and 2013 Land Use Plan (LUP) map, which was adopted at a scale of one inch to a mile. The LUP map with subsequent adopted amendments, governs where this figure differs.



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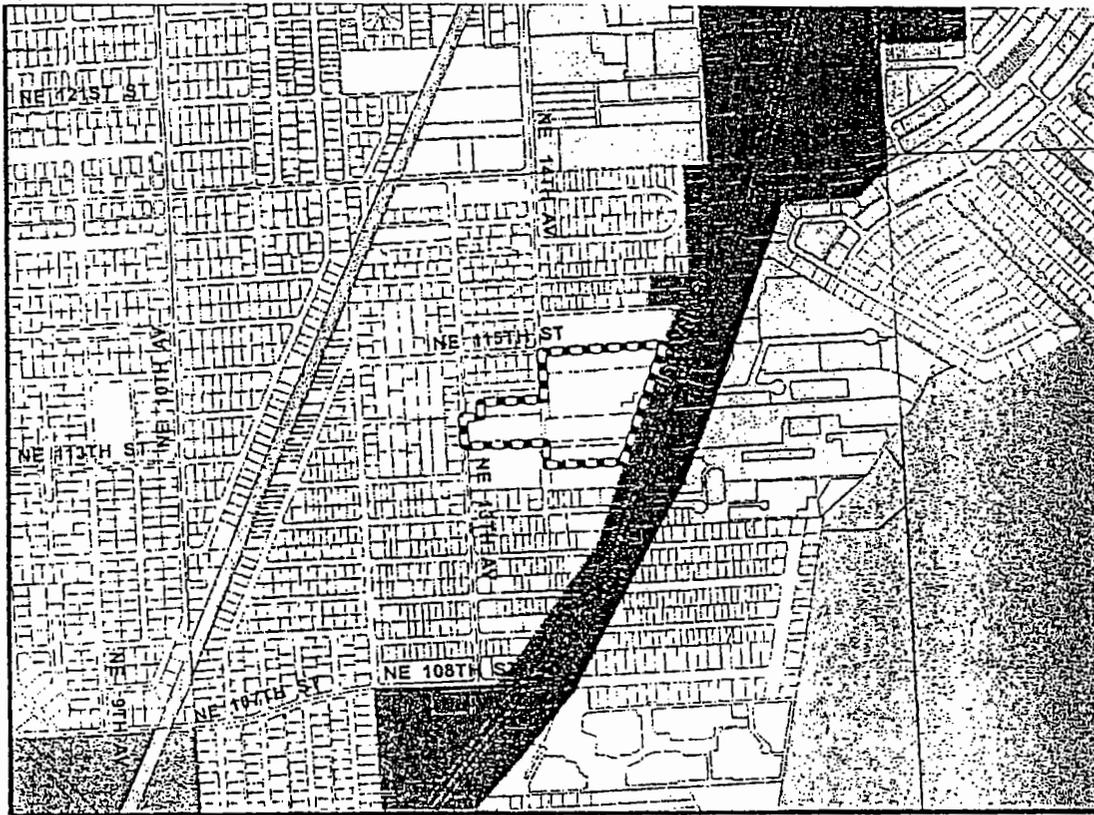
**COMPREHENSIVE PLAN AMENDMENTS**

Location Map  
Miami-Dade County  
Proposed Amendment #06-1

Amendment 2  
From: Low Density Residential  
To: Low-Medium Density Residential  
2.98 acres

Sources: FDEP, SFWMD, Miami-Dade County, SFRPC.  
Note: For planning purposes only. All distances are approximate.

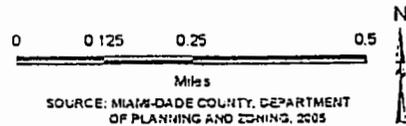
Attachment  
5



**LEGEND**

-  APPLICATION AREA
-  AREA WITHDRAWN FROM APPLICATION
- CDMP LAND USE**
- RESIDENTIAL COMMUNITIES**
-  LOW DENSITY RESIDENTIAL (LDR) 2.5-6 DU/AC
-  LOW-MEDIUM DENSITY RESIDENTIAL (LMDR) 5-13 DU/AC
-  MEDIUM DENSITY RESIDENTIAL (MCR) 13-25 DU/AC
-  INDUSTRIAL AND OFFICE
-  PARKS AND RECREATION
-  BUSINESS AND OFFICE
-  WATER
-  TRANSPORTATION

NOTE: This figure is a graphic representation drawn at a different scale than the Official Adopted 2005 and 2015 Land Use Plan (LUP) map, which was adopted at a scale of one inch to a mile. The LUP map with subsequent adopted amendments, governs where this figure differs.




South Florida Regional Planning Council

**COMPREHENSIVE PLAN AMENDMENTS**

Location Map  
Miami-Dade County  
Proposed Amendment #06-1

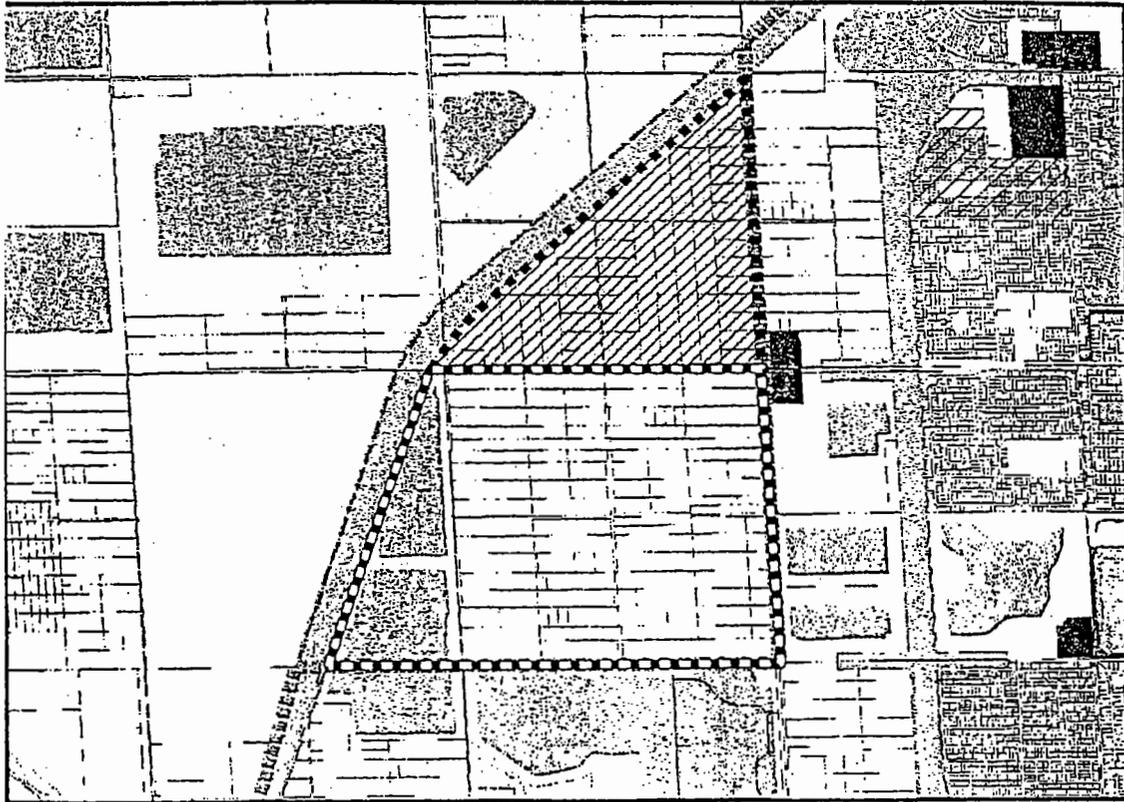
Amendment 3  
From: Low and Low-Medium Residential and Business & Office  
To: Medium Density Residential and Business and Office  
16.88 acres

Sources: FDEP, SFVMD, Miami-Dade County, SFRPC.  
Note: For planning purposes only. All distances are approximate.

Attachment  
6







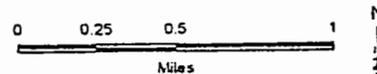
**LEGEND**

-  APPLICATION AREA
-  AREA ADDED TO APPLICATION
-  2005 URBAN DEVELOPMENT BOUNDARY
-  2015 EXPANSION AREA BOUNDARY
- CDMP LAND USE**
-  RESIDENTIAL COMMUNITIES
-  LOW DENSITY RESIDENTIAL (LDR) 2-5.6 DU/AC
-  LOW-MEDIUM DENSITY RESIDENTIAL (LMDR) 5-13 DU/AC
-  ESTATE DENSITY RESIDENTIAL (EDR) 1-2.5 DU/AC WITH (DI-1) ONE DENSITY INCREASE WITH URBAN DESIGN
-  INDUSTRIAL AND OFFICE
-  BUSINESS AND OFFICE
-  OFFICE/RESIDENTIAL
-  PARKS AND RECREATION

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**CDMP LAND USE (cont'd)**

-  OPEN LAND
-  ENVIRONMENTALLY PROTECTED PARKS
-  WATER
-  TRANSPORTATION



SOURCE: MIAMI-DADE COUNTY, DEPARTMENT OF PLANNING AND ZONING, 2005



South Florida Regional Planning Council

**COMPREHENSIVE PLAN AMENDMENTS**

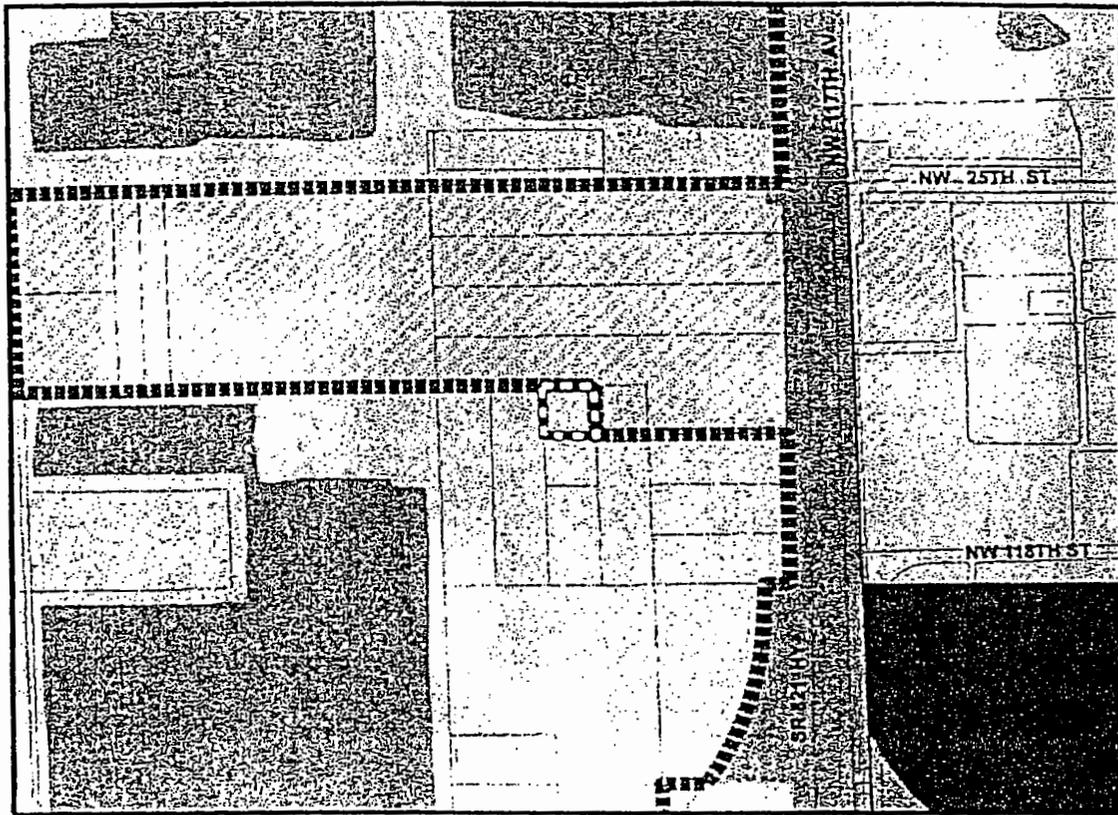
Location Map  
Miami-Dade County  
Proposed Amendment #06-1

Amendment 5  
From: Open Land  
To: Industrial and Office  
1,140.8 acres

Sources: FDEP, SFWM, Miami-Dade County, SFRPC.  
Note: For planning purposes only. All distances are approximate.

Attachment  
8

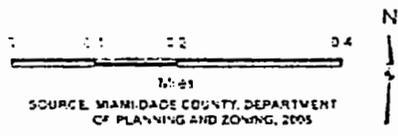




**LEGEND**

-  APPLICATION AREA
-  2005 URBAN DEVELOPMENT BOUNDARY
- CDMP LAND USE**
-  INDUSTRIAL AND OFFICE
-  RESTRICTED INDUSTRIAL AND OFFICE
-  BUSINESS AND OFFICE
-  INSTITUTIONAL AND PUBLIC FACILITY
-  OPEN LAND
-  WATER
-  TRANSPORTATION

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**COMPREHENSIVE PLAN AMENDMENTS**

Location Map  
Miami-Dade County  
Proposed Amendment #06-1

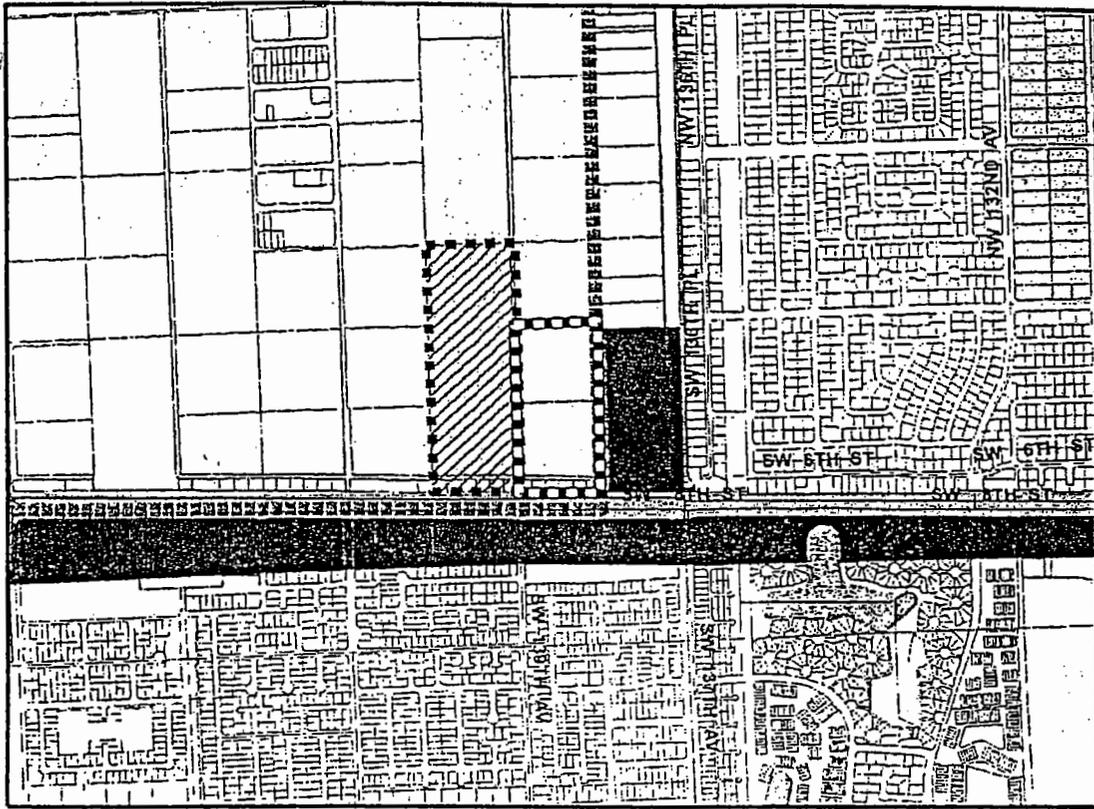
Amendment 6  
From: Open Land  
To: Restricted Industrial And Office  
2.5 acres

Sources: FDEP, SFVMD, Miami-Dade County, SFRPC.  
Note: For planning purposes only. All distances are approximate.

Attachment

9

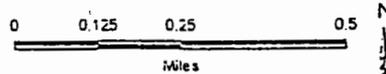




**LEGEND**

-  APPLICATION AREA
-  AREA ADDED TO APPLICATION
-  2005 URBAN DEVELOPMENT BOUNDARY
- CDMP LAND USE**
-  RESIDENTIAL COMMUNITIES
-  ESTATE DENSITY RESIDENTIAL (EDR) 1-2.5 DU/AC
-  LOW DENSITY RESIDENTIAL (LDR) 2.5-6 DU/AC
-  LOW-MEDIUM DENSITY RESIDENTIAL (LMDR) 5-13 DU/AC
-  INDUSTRIAL AND OFFICE
-  BUSINESS AND OFFICE
-  OPEN LAND
-  WATER
-  TRANSPORTATION

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SOURCE: MIAMI-DADE COUNTY, DEPARTMENT OF PLANNING AND ZONING, 2005



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Council

**COMPREHENSIVE PLAN AMENDMENTS**

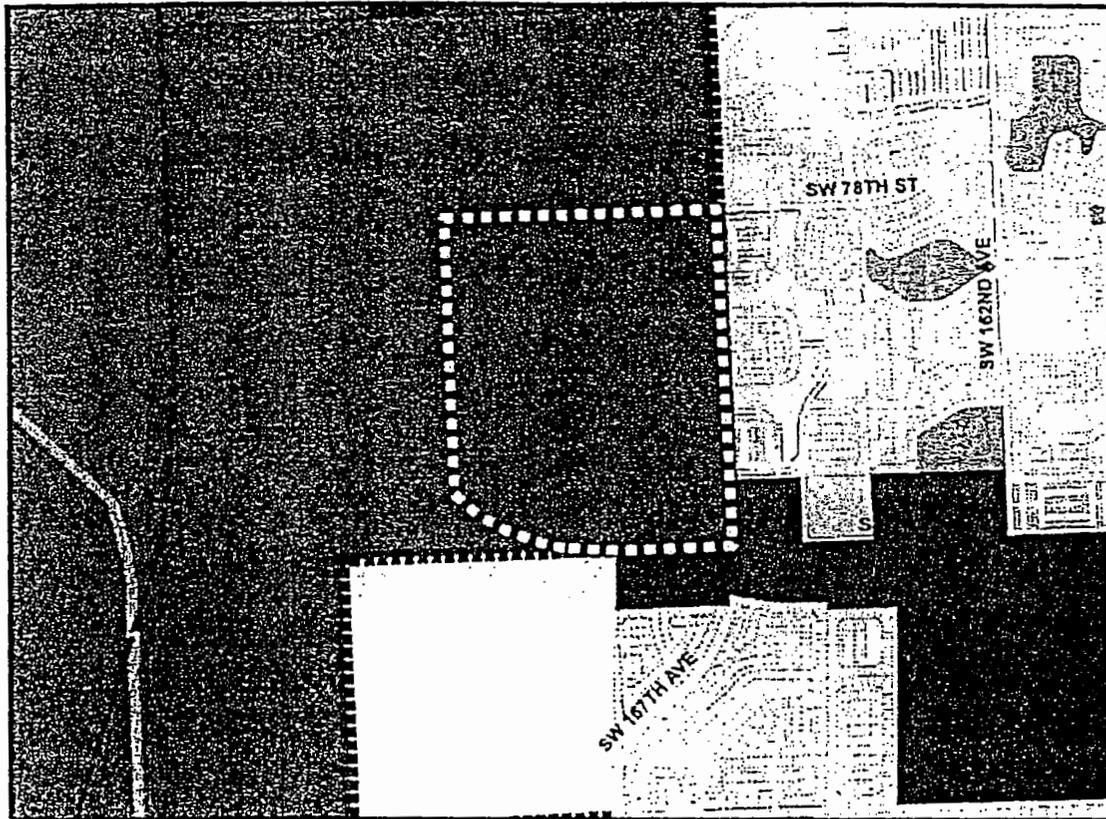
Location Map  
Miami-Dade County  
Proposed Amendment #06-1

Amendment 7  
From: Open Land  
To: Business And Office  
51.7 acres

Sources: FDEP, SFWMD, Miami-Dade County, SFRPC.  
Note: For planning purposes only. All distances are approximate.

Attachment  
10





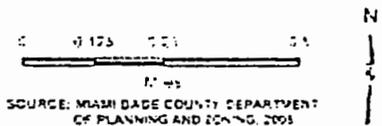
**LEGEND**

-  APPLICATION AREA
-  2005 URBAN DEVELOPMENT BOUNDARY
-  2015 EXPANSION AREA BOUNDARY

**CDMP LAND USE**

-  RESIDENTIAL COMMUNITIES  
LOW DENSITY RESIDENTIAL, OTHER DETACHED
-  BUSINESS AND OFFICE
-  OFFICE-RESIDENTIAL
-  INSTITUTIONAL AND PUBLIC FACILITY
-  AGRICULTURE
-  WATER
-  TRANSPORTATION

NOTE: This figure is a graphic representation drawn at a different scale than the Official Adopted 2005 and 2015 Land Use Plan (LUP) map, which was adopted at a scale of one inch to a mile. The LUP map with subsequent adopted amendments, governs where this figure differs.



SOURCE: MIAMI DADE COUNTY DEPARTMENT OF PLANNING AND ZONING, 2005



South  
Florida  
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**COMPREHENSIVE PLAN AMENDMENTS**

Location Map  
Miami-Dade County  
Proposed Amendment #06-1

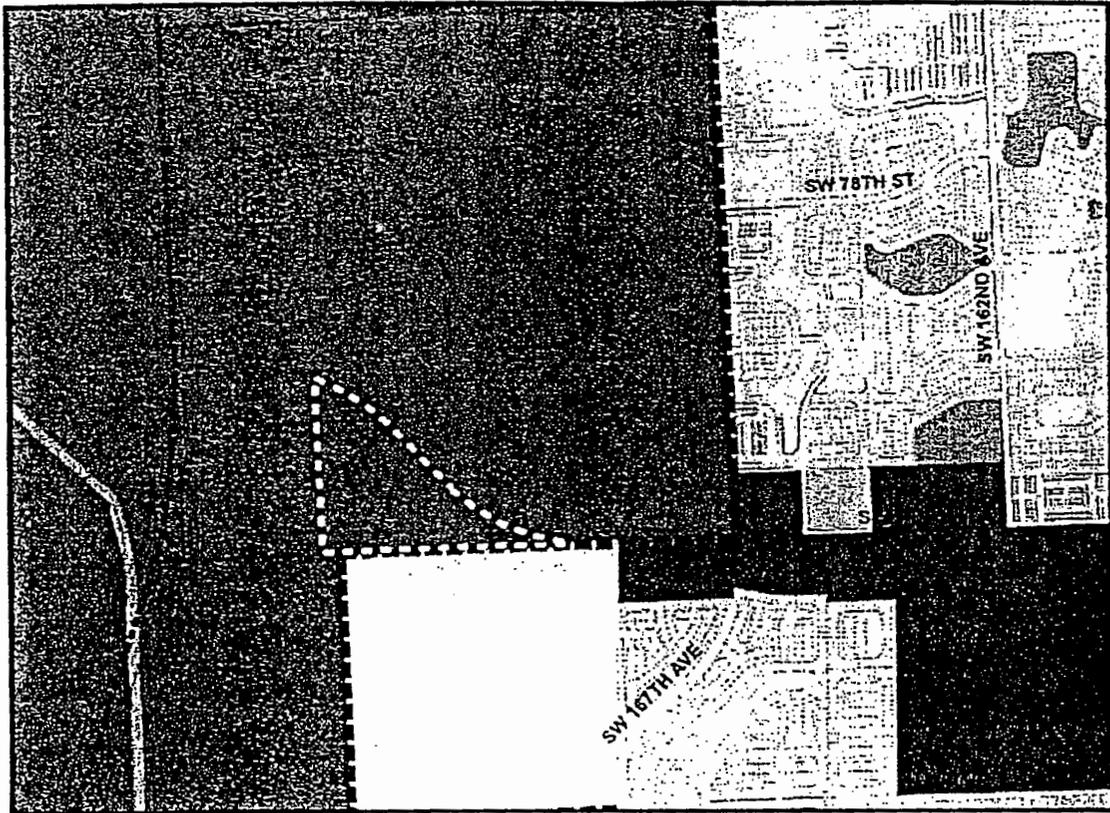
Amendment 10  
From: Agriculture  
To: Low Density Residential  
193.24 acres

Sources: FDEP, SFWMD, Miami-Dade County, SFRPC.  
Note: For planning purposes only. All distances are approximate.

Attachment

11





**LEGEND**

- APPLICATION AREA
- 2005 URBAN DEVELOPMENT BOUNDARY
- 2015 EXPANSION AREA BOUNDARY

**CDMP LAND USE**

- RESIDENTIAL COMMUNITIES  
LOW DENSITY RESIDENTIAL (LDR) (R-1, R-2)
- BUSINESS AND OFFICE
- OFFICE RESIDENTIAL
- INSTITUTIONAL AND PUBLIC FACILITY
- AGRICULTURE
- WATER
- TRANSPORTATION

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South Florida Regional Planning Council

**COMPREHENSIVE PLAN AMENDMENTS**

Location Map  
Miami-Dade County  
Proposed Amendment #06-1

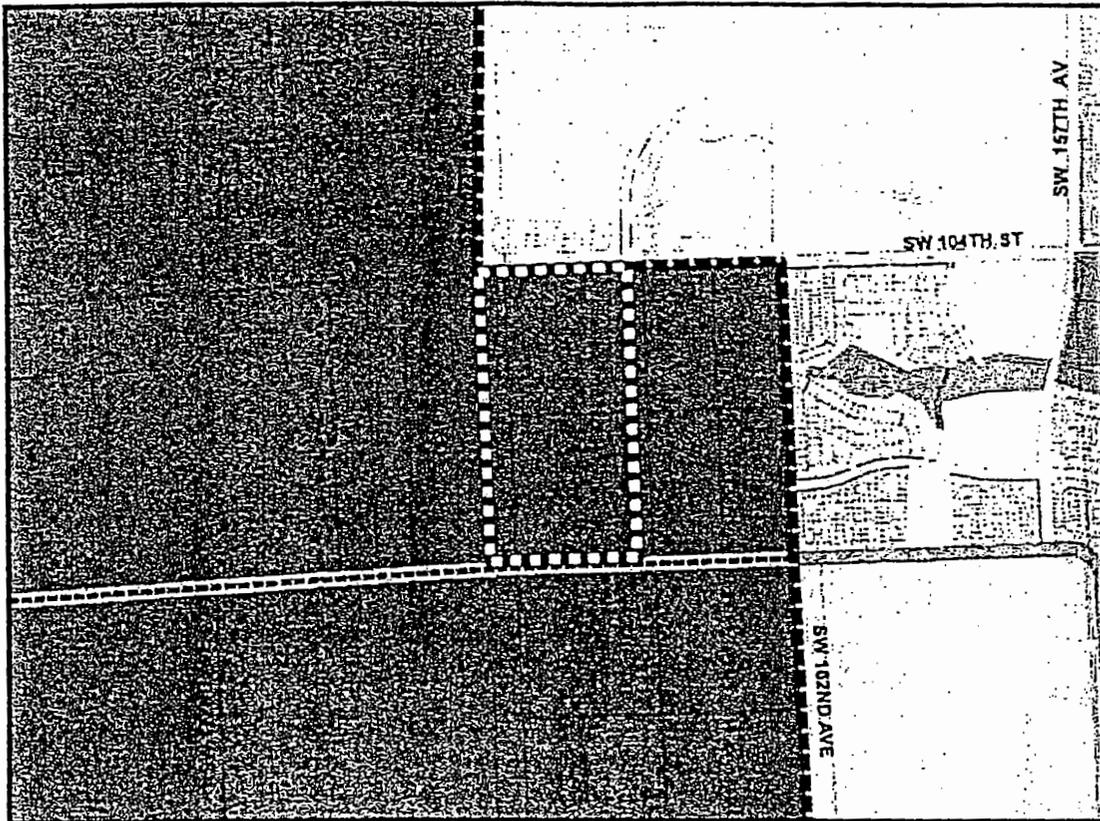
Amendment 11  
From: Agriculture  
To: Business & Office and  
Office/Residential  
38.5 acres

Sources: FDEP, SFWMID, Miami-Dade County, SFRPC.  
Note: For planning purposes only. All distances are approximate.

Attachment

12





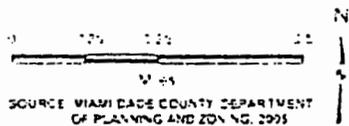
**LEGEND**

-  APPLICATION AREA
-  2005 URBAN DEVELOPMENT BOUNDARY
-  2015 EXPANSION AREA BOUNDARY

**CDMP LAND USE**

-  RESIDENTIAL COMMUNITIES
-  LOW DENSITY RESIDENTIAL
-  MEDIUM DENSITY RESIDENTIAL
-  HIGH DENSITY RESIDENTIAL
-  INDUSTRIAL AND OFFICE
-  AGRICULTURE
-  WATER

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**COMPREHENSIVE PLAN AMENDMENTS**

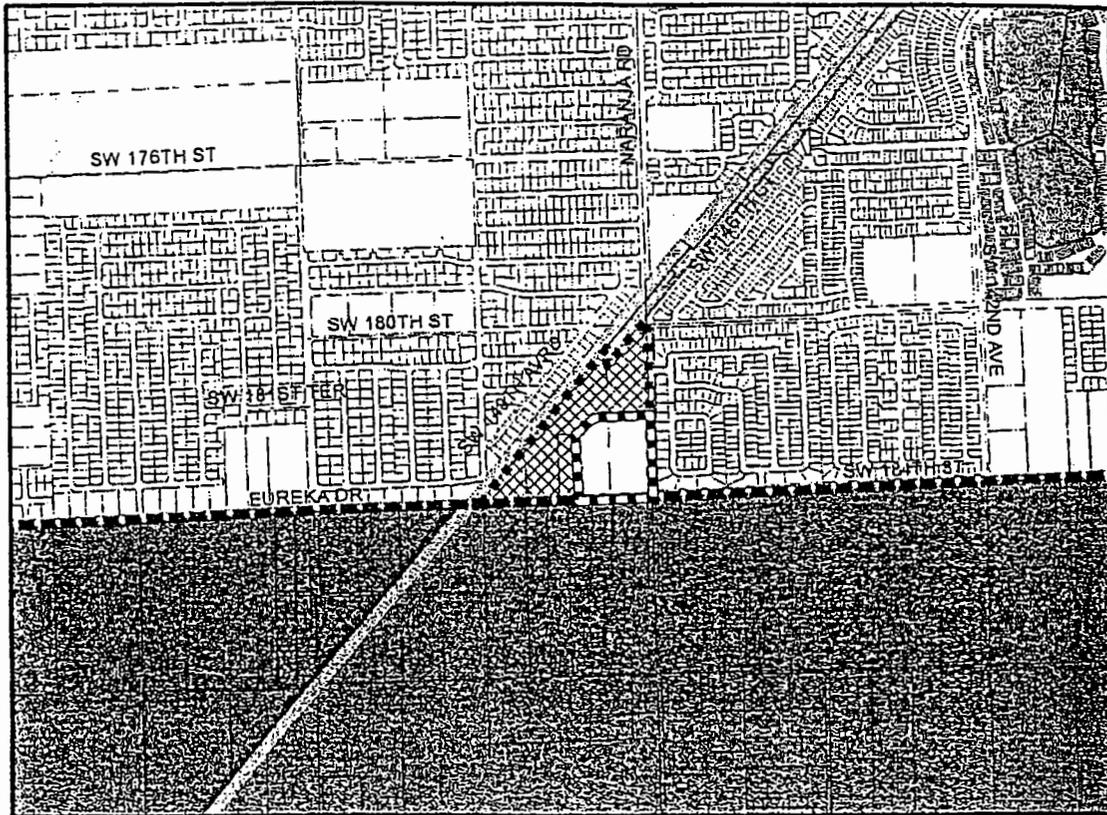
Location Map  
Miami-Dade County  
Proposed Amendment #06-1

Amendment 13  
From: Agriculture  
To: Low Density Residential  
81.61 acres

Sources: FDEP, SFVMD, Miami-Dade County, SFRPC.  
Note: For planning purposes only. All distances are approximate.

Attachment  
13

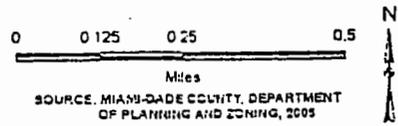




**LEGEND**

-  APPLICATION AREA
-  AREA WITHDRAWN FROM APPLICATION
-  2005 URBAN DEVELOPMENT BOUNDARY
- CDMP LAND USE**
-  RESIDENTIAL COMMUNITIES
-  LOW DENSITY RESIDENTIAL (LDR) 2.5-6 DU/AC
-  AGRICULTURE
-  WATER
-  TRANSPORTATION (ROW, RAIL, METRORAIL, ETC.)

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**COMPREHENSIVE PLAN AMENDMENTS**

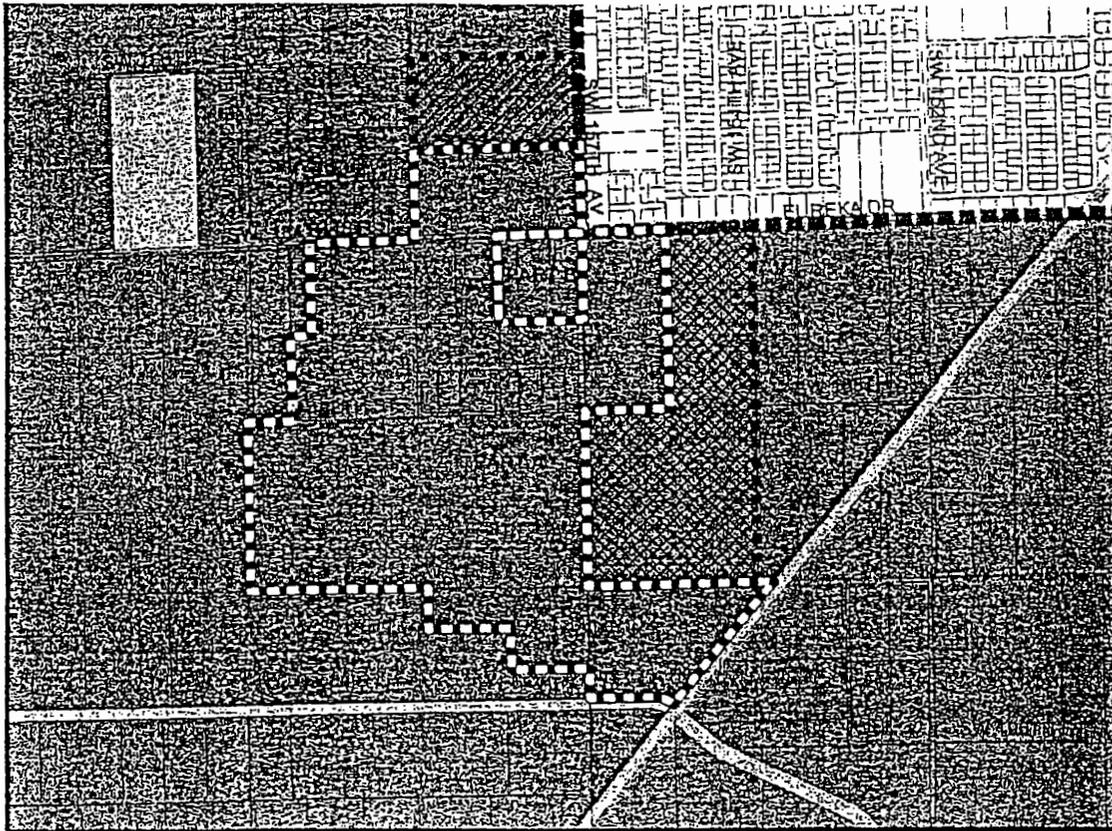
Location Map  
Miami-Dade County  
Proposed Amendment #06-1

Amendment 15  
From: Low Density Residential  
To: Business and Office  
10 acres

Sources: FDEP, SFVMD, Miami-Dade County, SFRPC.  
Note: For planning purposes only. All distances are approximate.

Attachment  
14





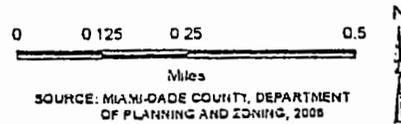
**LEGEND**

-  APPLICATION AREA
-  AREA ADDED TO APPLICATION
-  AREA WITHDRAWN FROM APPLICATION
-  2005 URBAN DEVELOPMENT BOUNDARY

**CDMP LAND USE**

- RESIDENTIAL COMMUNITIES**
-  LOW DENSITY RESIDENTIAL (LDR) 2.5-8 DU/AC
-  AGRICULTURE
-  WATER
-  TRANSPORTATION (ROW, RAIL, METROPAIL, ETC.)
-  ENVIRONMENTALLY PROTECTED PARKS

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South Florida Regional Planning Council

**COMPREHENSIVE PLAN AMENDMENTS**

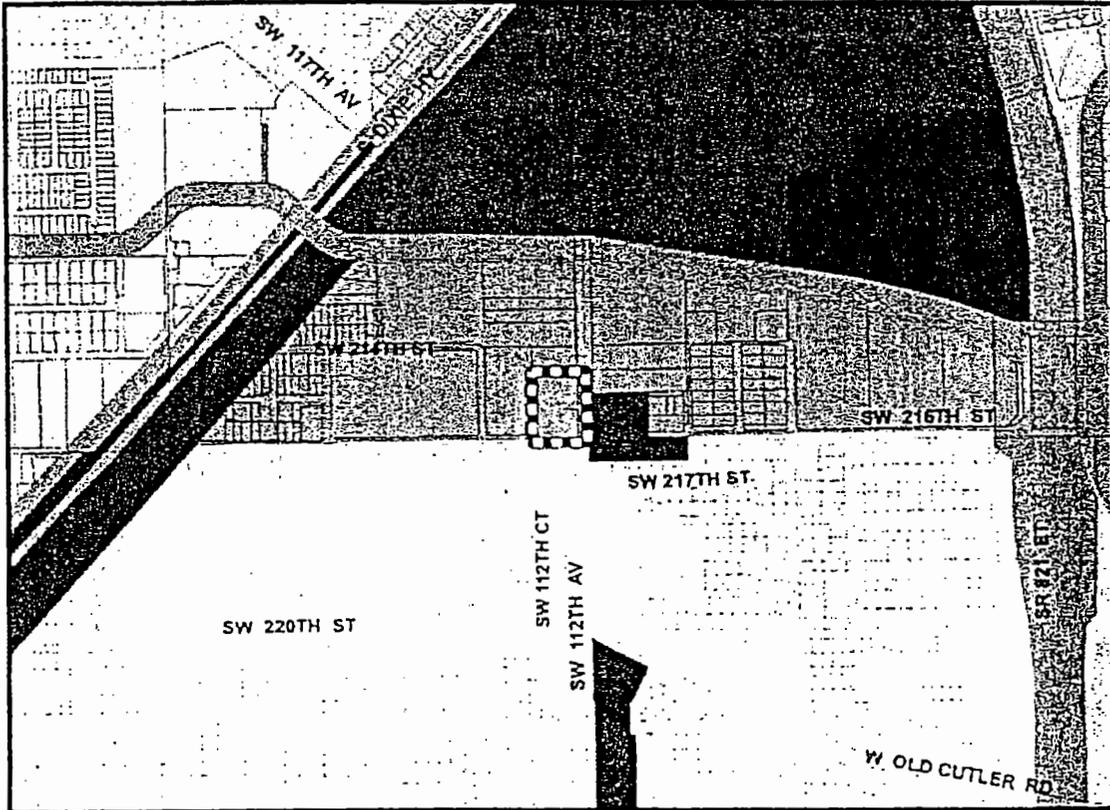
Location Map  
Miami-Dade County  
Proposed Amendment #06-1

Amendment 17  
From: Agriculture  
To: Estate Residential and Business & Office  
260.99 acres

Sources: FDEP, SFVMD, Miami-Dade County, SFRPC.  
Note: For planning purposes only. All distances are approximate.

Attachment  
15

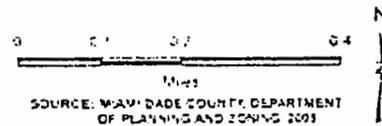




**LEGEND**

-  APPLICATION AREA
- CDMP LAND USE**
- RESIDENTIAL COMMUNITIES**
-  LOW DENSITY RESIDENTIAL (LDR) 10-20 DU/AC
-  LOW MEDIUM DENSITY RESIDENTIAL (LMR) 15-30 DU/AC
-  MEDIUM DENSITY RESIDENTIAL (MDR) 25-50 DU/AC
-  INDUSTRIAL AND OFFICE
-  BUSINESS AND OFFICE
-  INSTITUTIONAL AND PUBLIC FACILITY
-  WATER
-  TRANSPORTATION

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**COMPREHENSIVE PLAN AMENDMENTS**

Location Map  
Miami-Dade County  
Proposed Amendment #06-1

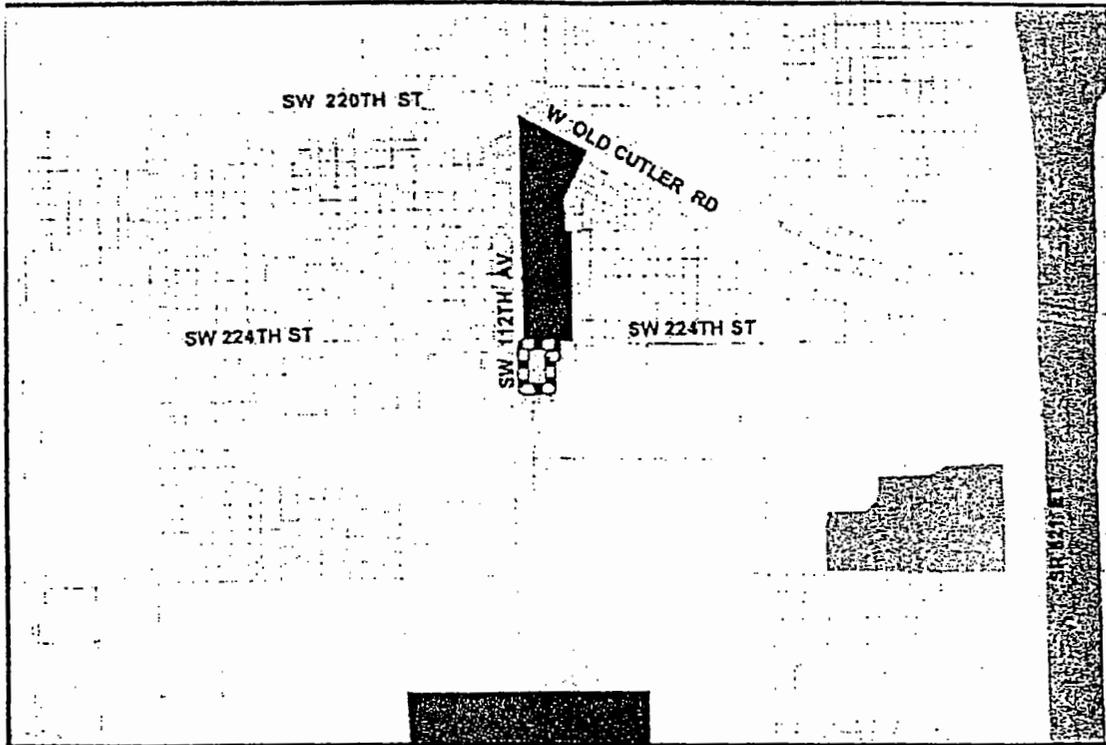
Amendment 20  
From: Medium Density Residential  
To: Business and Office  
3.08 acres

Sources: FDEP, SFVMD, Miami-Dade County, SFRPC.  
Note: For planning purposes only. All distances are approximate.

Attachment

16





**LEGEND**



APPLICATION AREA

**CDMP LAND USE**

**RESIDENTIAL COMMUNITIES**

LOW DENSITY RESIDENTIAL (LDR) (R-1, R-2, R-3)

LOW-MEDIUM DENSITY RESIDENTIAL (LMR) (R-1, R-2, R-3)



BUSINESS AND OFFICE



ENVIRONMENTALLY PROTECTED PARKS



TRANSPORTATION

NOTE: This figure is a graphic representation drawn at a different scale than the Official Adopted 2005 and 2015 Land Use Plan (LUP) map, which was adopted at a scale of one inch to a mile. The LUP map with subsequent adopted amendments, governs where this figure differs.

0 0.045 0.09 0.18

Miles

SOURCE: MIAMI-DADE COUNTY DEPARTMENT OF PLANNING AND ZONING 2005

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South  
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Planning  
Council

**COMPREHENSIVE PLAN AMENDMENTS**

Location Map  
Miami-Dade County  
Proposed Amendment #06-1

Amendment 21  
From: Low Density Residential  
To: Business and Office  
0.91 acres

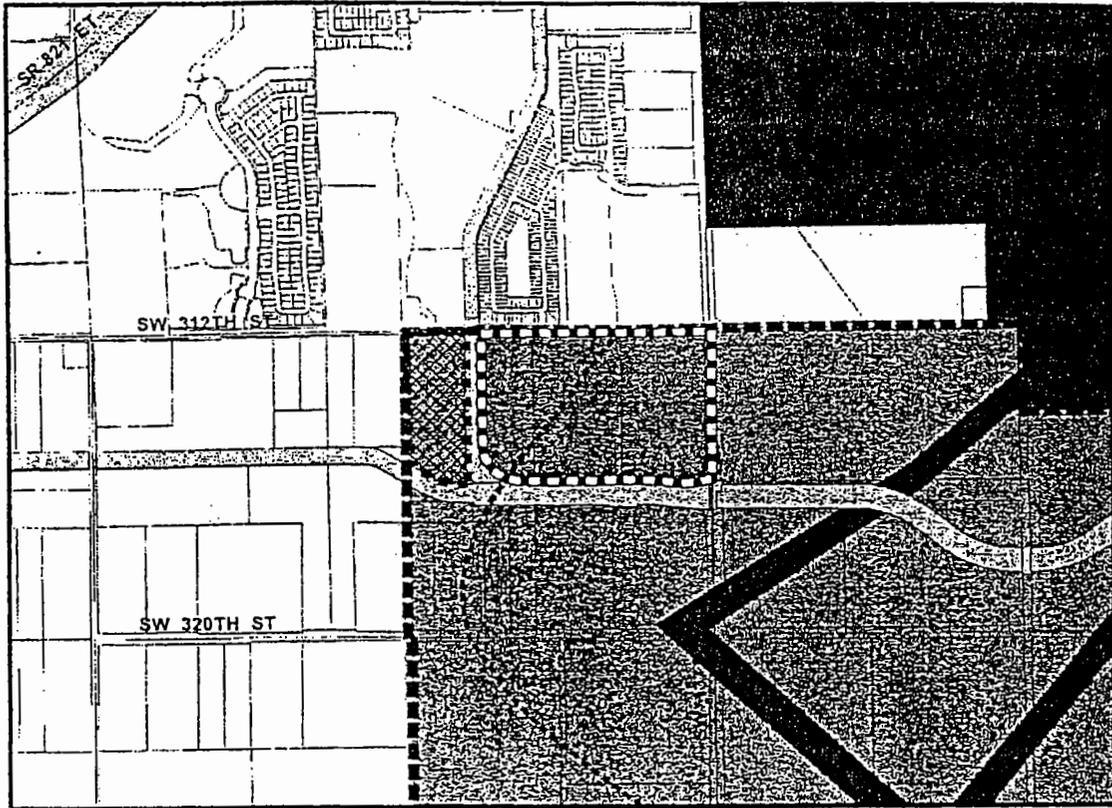
Sources: FDEP, SFWMD, Miami-Dade County, SFRPC.  
Note: For planning purposes only. All distances are approximate.

Attachment

17







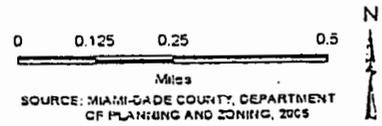
**LEGEND**

-  APPLICATION AREA
-  AREA WITHDRAWN FROM APPLICATION
-  2005 URBAN DEVELOPMENT BOUNDARY
-  2015 EXPANSION AREA BOUNDARY

**CDMP LAND USE**

-  RESIDENTIAL COMMUNITIES
-  LOW DENSITY RESIDENTIAL (LDR) 2.5-6 DU/AC
-  LOW-MEDIUM DENSITY RESIDENTIAL (LMCR) 5-13 DU/AC
-  INDUSTRIAL AND OFFICE
-  INSTITUTIONAL AND PUBLIC FACILITY
-  AGRICULTURE
-  WATER
-  TRANSPORTATION

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South Florida Regional Planning Council

**COMPREHENSIVE PLAN AMENDMENTS**

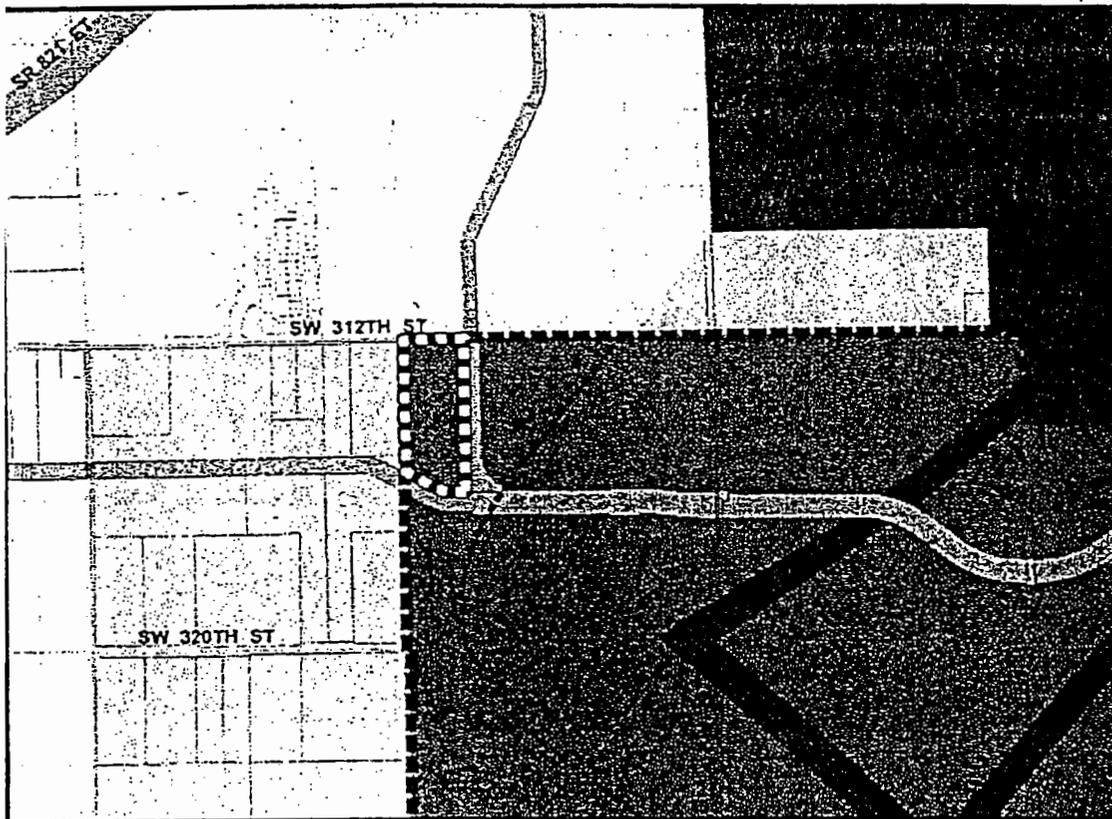
Location Map  
Miami-Dade County  
Proposed Amendment #06-1

Amendment 23  
From: Agriculture  
To: Business and Office  
57.7 acres

Sources: FDEP, SFVMD, Miami-Dade County, SFRPC.  
Note: For planning purposes only. All distances are approximate.

Attachment  
19





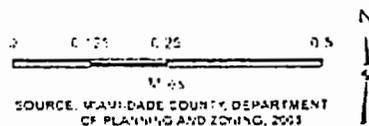
**LEGEND**

- APPLICATION AREA
- 2005 URBAN DEVELOPMENT BOUNDARY
- 2015 EXPANSION AREA BOUNDARY

**CDMP LAND USE**

- RESIDENTIAL COMMUNITIES
  - LOW DENSITY RESIDENTIAL (LDR, 2.5 & 3.5 U/A)
  - MEDIUM DENSITY RESIDENTIAL (MDR, 3.5 & 4.5 U/A)
- INDUSTRIAL AND OFFICE
- INSTITUTIONAL AND PUBLIC FACILITY
- AGRICULTURE
- WATER
- TRANSPORTATION

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South  
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Regional  
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**COMPREHENSIVE PLAN AMENDMENTS**

Location Map  
Miami-Dade County  
Proposed Amendment #06-1

Amendment 24  
From: Agriculture  
To: Business and Office  
14.71 acres

Sources: FDEP, SFWMID, Miami-Dade County, SFRPC.  
Note: For planning purposes only. All distances are approximate.

Attachment  
20



Application	UDB	Miami-Dade County BOCC	SFRPC	SFWMD	FDEP	FDOT
1		transmit w/recommendation to adopt	consistent	County should not approve		
2		not adopt as small- scale; transmit w/recommendation to adopt	consistent	County should not approve		
3		transmit and recommend adoption	consistent	County should not approve		object
4		transmit w/o recommendation	inconsistent	County should not approve		
5	X	transmit w/o recommendation	consistent w/condition	County should not approve	object	object
6	X	transmit and recommend denial	inconsistent	County should not approve	object	
7	X	transmit w/o recommendation	inconsistent	County should not approve	object	object
10	X	transmit and recommend denial	inconsistent	County should not approve	object	object
11	X	transmit w/o recommendation	consistent w/condition	County should not approve	object	object
13	X	transmit and recommend denial	inconsistent	County should not approve	object	object
15		transmit and recommend adoption w/change	consistent	County should not approve		
17	X	transmit and recommend denial	inconsistent	County should not approve	object	object
20		not adopt as small scale; transmit w/o recommendation	inconsistent	County should not approve		
21		not adopt as small scale; transmit w/o recommendation	inconsistent	County should not approve		
22		transmit and recommend adoption	consistent w/condition	County should not approve		
23	X	transmit w/o recommendation	inconsistent	County should not approve	object	object
24	X	transmit w/o recommendation	inconsistent	County should not approve	object	object
25		transmit and recommend denial	inconsistent	deny	object	
26		transmit and recommend adoption w/change	consistent			
27		transmit and recommend adoption w/change	consistent	does not address necessary improvements		



11 126  
1/30/06



## Florida Department of Transportation

JEB BUSH  
GOVERNOR

1000 NW 111<sup>th</sup> AVENUE, MIAMI, FLORIDA 33172  
PHONE: (305) 470-5875 (SC) 429-5875  
FAX: (305) 470-6737 (SC) 429-6737

DENVER J. STUTLER, JR.  
SECRETARY

January 24, 2006

Mr. Ray Eubanks  
Community Program Administrator  
Florida Department of Community Affairs  
2555 Shumard Oaks Boulevard  
Tallahassee, Florida 32399-2100

Dear Mr. Eubanks:

**SUBJECT: Comprehensive Plan Amendment for Miami Dade County  
DCA # 06-1**

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 plan amendment documents for Miami-Dade County Comprehensive Plan (DCA 06-1) which were forwarded to our office on January 4<sup>th</sup>, 2006. The Department's objections, recommendations and comments report is attached to this letter.

Please contact me if you have any questions concerning our response.

Sincerely,

Karen McGuire, AICP  
Transportation Planner



The Department has reviewed the proposed amendments applications numbers 1-7,10,11,13,15,17 and 20-27 with information presented in the 'Initial Recommendations, April 2005 (August 25, 2005) Applications to Amend the Comprehensive Development Master Plan', and supplemental materials prepared by Miami-Dade County Department of Planning and Zoning. The applications are summarized in Appendix A. The Department's objections recommendations and comments are submitted below.

**Objection:**

Upon review of applications, 3, 5, 7, 10, 11, 13, 17, 23 and 24 and in accordance with subsections 9J-5.005(2), and 9J-11.007, F.A.C., the Department objects to the above referenced applications because the proposed amendments do not:

1. utilize the '*most recently available estimates for average daily and peak hour vehicle trips*' in the analysis of the existing transportation levels of service.
2. '*address the need for new facilities and expansions of alternative transportation modes to provide a safe and efficient transportation network and enhance mobility*'.
3. '*demonstrate how the local government will maintain its adopted level of service standards*'.

**Application 3**

Additionally, although application 3 includes a traffic analysis, no methodology documentation has been submitted regarding assumptions on background growth or committed development, and furthermore, the proposed development program is much more intense than the land amendment application requests. A more detailed analysis is required.

**Application 5**

Regarding application 5, the County requires that transportation improvements be added to the City of Hialeah Transportation element and that amendments be made to the County's Comprehensive Plan Traffic Circulation Map, such changes should be made prior to or concurrently with this amendment. The local government should demonstrate how they will maintain the adopted level of service standard on the failing facilities prior to the amendment approval. State roadway improvements have not been identified. Additional data is required.

**Application 17**

Application 17 includes a letter from Transport Analysis Professionals, Inc, regarding the trip generation; however, the Department is unable to determine the future impact on the SR 997 Krome Avenue. Insufficient data was provided.

**Application 24**

The County's traffic analysis on the HEFT and South Dixie Highway for Application 24 estimates existing conditions using 1996 data. Additional transportation analysis should be submitted and more current data should be used.

***Recommendations***

The above referenced applications should include formal traffic studies to better assess the transportation needs in these undeveloped areas. Please be reminded that according to paragraph 149 of the Miami Dade October 04 Cycle Ear based Amendments, " ... *In particular, the construction of new roads or extension, widening and paving of existing arterial or collector roadway to serve areas outside the UDB at public expense will be permitted only if such roadways are shown on the LUP map and in the Transportation Element.*"

***Comments Application 1, 2, 4, 6, 15, 20, 21, and 22***

Applications 1, 2, 6, 15, 20, 21 and 22 have no significant impact to the state road network, and the Department has no comments on these applications.

***Application 4***

The Department has reviewed the traffic analysis submitted by, Cathy Sweetapple and Associates, Inc, for application 4, which does not directly impact state roads, and finds the analysis sufficient. Application 4 is adequately served by the surrounding roadway network.

***Comments Application 25, 26 and 27:***

No comment.

# Appendix A

## MIAMI DADE COUNTY 06-1 AMENDMENTS

App #	Approximate Location	OUTSIDE UDB	State Rd?	▲ PM Trips	Acres	Existing LU	Proposed LU
1	NE 215 St at San Simeon Wy	No	No	103	26	Industrial Office	Low-Med Res
2	Memorial Hwy at NE 145 St	No	No		3	Low Res	Low-Med Res
3	Biscayne (NE 112 to NE 115 St)	No	Yes	397	22	Low-Med Res	9ac Med Res 12ac Office
4	NW 12 Ave to NW 9 Ave (NW 95 Ter to NW 99 St)	No	No	165	28	Low-Med Res	Med-High Res
5	NW 97 Ave (NW 125 St to NW 170 St)	Yes	Indirect	12,473	794	Open Land	Industrial Office
6	NW 22 <sup>nd</sup> St and NW 122 <sup>nd</sup> Ave	Yes	No		2.5	Open Land	Industrial Office
7	SW 138 <sup>th</sup> and Tamimal Canal	Yes	Yes	879	22	Open Land	Business Office
10	SW 88 <sup>th</sup> St and SW 167 <sup>th</sup> St	Yes	Yes	927	193	Agriculture	Low Res
11	Kendall Drive wst of 167 <sup>th</sup> Ave	Yes	Yes	1,407	43	Agriculture	Office / Res
13	SW 104 <sup>th</sup> St and SW 167 <sup>th</sup> Ave	Yes	No	426	82	Agriculture	Low Res
15	SW 147 <sup>th</sup> Ave and SW 184 <sup>th</sup> St	No	No		24	Low Res	Business Office
17	SW 184 <sup>th</sup> St and SW 157 <sup>th</sup> Ave	Yes	No	1,057	305	Agriculture	Office / Res
20	SW 112 <sup>th</sup> Ave and SW 216 <sup>th</sup> St	No	Yes		3	Med Res	Business Office
21	SW 112 <sup>th</sup> Ave and SW 224 <sup>th</sup> St	No	Yes		0.5	Low Res	Business Office
22	SW 127 <sup>th</sup> Ave and SW 240 St	No	No	355	58	Low Res	Low-Med Res
23	SW 312 <sup>th</sup> St and SW 137 <sup>th</sup> Ave	Yes	No	2,183	72	Agriculture	Business Office
24	SW 142 <sup>nd</sup> Ave and SW 312 <sup>th</sup> St	No	No	638	15	Agriculture	Business Office
25	Land Use Element CDMP	No	-			Policy 8G	
26	Land Use Element CDMP	No	-			Urban Boundary Changes	
27	Capital Improvements Element	No	-			Modify Tables	





## Florida Department of Transportation

JEB BUSH  
GOVERNOR

1000 NW 111<sup>th</sup> Avenue, Room 6111A  
Miami, Florida 33172  
January 17, 2006



**Subject:** Financial Management Number: 251670-1-22-02  
I-395 PD&E Study  
**From:** Just west of the Midtown Interchange (I-95/SR-836/I-395)  
**To:** MacArthur Causeway West Channel Bridges  
**County:** Miami-Dade

The Federal Highway Administration (FHWA) and the Florida Department of Transportation (FDOT) are preparing an Environmental Impact Statement (EIS) on the subject project. This letter is an invitation from FHWA & FDOT for your agency to attend the project's scoping meeting.

This scoping meeting will serve to:

1. Determine the scope, the significance of issues and the degree of analysis required in the EIS including identification of the range of alternatives and impacts to be evaluated.
2. Identify and eliminate from detailed study those issues which are not significant or which have been covered by prior environmental studies, thereby narrowing discussion in the EIS.
3. Identify any public environmental assessments or impact statements which are being prepared and are related to, but are not part of, the scope of the subject project.
4. Identify other environmental review and consultation requirements so that the FHWA and FDOT may prepare other required analyses and studies concurrently with, and integrated with, the EIS. Examples of additional requirements include surveys and studies required by the Fish and Wildlife Coordination Act, the National Historic Preservation Act of 1966, the Endangered Species Act of 1973, and other environmental review laws and executive orders.
5. Identify if any permits, licenses, or entitlements are necessary.
6. Determine the relationship between the timing of the preparation of environmental analyses and the agencies' tentative planning and decision-making schedule.

METRIC ENGINEERING, INC. has been retained by the FDOT to develop the conceptual design features for the proposed project and an EIS.

The scoping meeting will be held on Thursday, February 2, 2006 from 2:00 pm to 4:00 pm at the State of Florida Department of Transportation, Auditorium, 1000 N.W. 111 Ave., Miami, FL.

Interstate 395 (I-395) is an elevated expressway that traverses approximately 1.2 miles of the City of Miami. The I-395 project corridor begins at the Midtown Interchange (I-95/SR-836/I-395), located just north of downtown Miami, and runs eastward to Biscayne Bay. The I-395 project corridor ends at the MacArthur Causeway West Channel Bridges.

The proposed project will involve potential realignment, capacity and geometric improvements that will require major reconstruction. Solutions that will be explored include, elevated, tunnel and open-cut options as well as urban design concepts

geared towards the development of an aesthetically pleasing pedestrian friendly corridor. These improvements could require modifications of the Midtown Interchange and the I-395 Interchange ramps at NE 1<sup>st</sup> Avenue, NE 2<sup>nd</sup> Avenue and Biscayne Boulevard.

The goal of this EIS process is to develop a set of alternatives and to receive public input to determine the best alternative while gaining consensus from the public, including interested stakeholders within the project area.

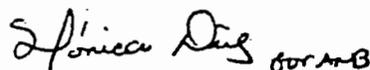
This formal scoping meeting has been deemed necessary to aid the Department in project development and to increase interagency awareness of concerns. An agenda and a fact sheet containing a location map are enclosed to assist you in studying this project and outlining issues. If you have any questions prior to the meeting, please feel free to contact:

Vilma Croft, P.E.  
Project Manager  
Florida Department of Transportation  
1000 NW 111<sup>th</sup> Avenue, Room 6111A  
Miami, Florida 33172  
Phone: 305-470-5240  
Fax: 305-470-5205  
e-mail: vilma.croft @dot.state.fl.us

Robert Linares, P.E.  
Consultant Project Manager  
METRIC ENGINEERING, INC.  
13940 SW 136 Street, Suite 200  
Miami, Florida 33186  
Phone: 305-235-5098  
Fax: 305-251-5894  
e-mail: [rlinares@metriceng.com](mailto:rlinares@metriceng.com)

Your agency's participation and cooperation in this preliminary issue identification effort is encouraged. The Department would appreciate being notified of your Agency's attendance, by Thursday January 26<sup>th</sup>, 2006.

Sincerely,



Alice N. Bravo, P.E.  
District Environmental Management Engineer

ANB/mc  
Enclosures



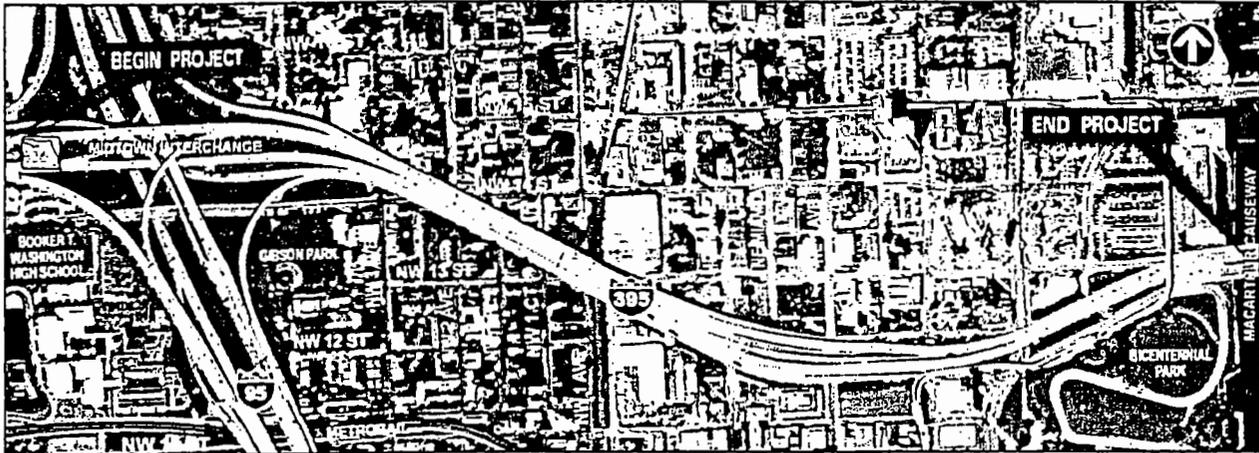
# I-395 PD&E STUDY

(from just west of the Midtown Interchange (I-95/SR-836/I-395) to MacArthur Causeway West Channel Bridges)



## PROJECT JUSTIFICATION

The Florida Department of Transportation (FDOT) has initiated a Project Development and Environment (PD&E) Study in order to determine and document the feasibility of improving geometric, operational and safety deficiencies of the I-395 corridor. The challenge of this study will be to arrive at a publicly accepted alternative that solves the functional, serviceable and safety issues facing the corridor while maintaining and improving the quality and integrity of the surrounding environment.



## PROJECT CHARACTERISTICS

The project extends from the Midtown Interchange (I-95/SR 836/I-395) just north of Downtown Miami and runs eastward to Biscayne Bay terminating at the MacArthur Causeway West Channel Bridges over Biscayne Bay. I-395 serves as the major connector between Miami's Central Business District (CBD) and Miami Beach. The PD&E Study will thoroughly address the geometric deficiencies, mobility, safety, and community needs of the corridor and develop alternatives including elevated, tunnel and open cut sections to address those needs. All alternatives will be subjected to a comprehensive evaluation to determine the best viable option. Engineering, Environmental, Socio-economic factors and cost will be considered in arriving at a preferred alternative. As part of this study and of the alternative selection process a comprehensive public involvement program will be conducted. It will consist of numerous informal and formal meetings with the general public as well as with governmental agencies, elected officials and other interested parties.

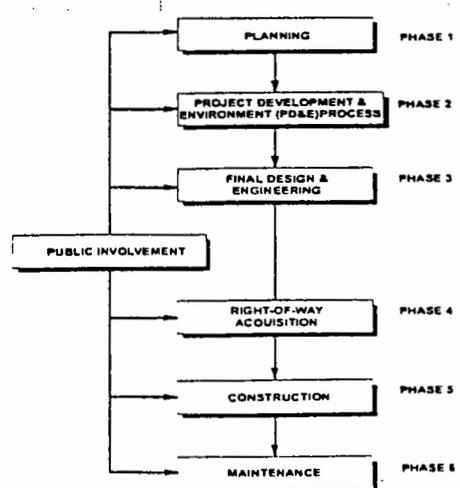
## PROJECT STATUS

This study is in the early stages of the Project Development and Environment (PD&E) phase of project development. During this phase the preliminary engineering as well as the preparation of all necessary environmental documentation required for federal approval and subsequent funding is completed. An approximate 3-year timeframe is projected for this effort.

## MORE INFORMATION

If you would like to learn more about this study, please contact:  
Vilma Croft, P.E., Project Manager  
Florida Department of Transportation  
1000 NW 111 Ave Room 6111A, Miami, FL 33172  
(305) 470-5240, Vilma.Croft@dot.state.fl.us

## PROJECT PHASES





**I-395 PD&E STUDY**  
(from just west of the Midtown Interchange (I-95/SR-836/I-395)  
to MacArthur Causeway West Channel Bridges)



**Agency Scoping Meeting**

**State of Florida Department of Transportation  
Auditorium  
1000 NW 111<sup>th</sup> Avenue, Miami**

**AGENDA**

**February 2, 2006**

1. Introductions
2. General Project Information  
Powerpoint Presentation
3. Schedule
4. Agencies Feedback, Issues and Comments
5. Discussions



# Department of Environmental Protection

Jeb Bush  
Governor

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

Colleen M. Castille  
Secretary

January 27, 2006

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

Re: Proposed Amendments to the Miami-Dade Comprehensive  
Development Master Plan, DCA 06-1

Dear Mr. Eubanks:

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

## THE AMENDMENTS

The first 2006 cycle of proposed amendments to Miami-Dade County's Comprehensive Development Master Plan (CDMP) consists of twenty amendments, seventeen of which are proposed changes to the county's future land use map (FLUM), and three of which are text changes. Collectively, the amendments propose to increase the density allowed on approximately 1748 acres of land. Of that, some 1525 acres lie outside the county's Urban Development Boundary (UDB). The analysis conducted by Miami-Dade County indicates that the proposed density increases will result in an increased demand for freshwater of more than three million gallons per day (mgd).

The Department is concerned about proposals that would expand the current UDB, intensify pressure on potable water supplies, degrade water quality, and adversely affect ongoing restoration efforts in the Everglades. Our comments will focus on those issues, as well as water supply (quantity and infrastructure); water quality (including the failure of the county to address ongoing insufficiencies in reuse); compatibility with Everglades restoration; and wellfield, aquifer and wetlands protection.

### URBAN DEVELOPMENT BOUNDARY

The Department is concerned about the nine amendments that propose to intensify land uses outside the county's current Urban Development Boundary (UDB). The amendments would re-designate approximately 1,525 acres of land in western Miami-Dade County from *Open Land* or *Agriculture* classifications to various *Industrial*, *Business*, *Office* or *Residential* uses. Properties categorized as *Open Land* in the adopted Comprehensive Development Master Plan for Miami-Dade County, were so designated to reduce development pressures and urban sprawl in rural areas. *Open Land* is further described in the master plan as follows:

It is not simply surplus undeveloped land, but rather it is land that is intended to serve one or more of the following functions: production such as agriculture, limestone extraction or other resource-based activity such as development of potable water supplies; rural residential development at a maximum density indicated for the specific Open Land subarea, but no greater than one unit per five acres; recreation; compatible utility and public facilities as indicated for the specific Open Land subarea, and conservation, maintenance or enhancement of environmental character. [ ] This paragraph does not, however, authorize the expansion of any use inconsistent with the specific provisions for the applicable Open Land subarea. To the contrary, it is the intent of this plan to contain and prevent the expansion of such inconsistent development in Open Land areas. Because Open Land areas primarily consist of wetlands, all proposed uses will be reviewed on a case-by-case basis.<sup>1</sup>

The proposed amendments would change the current *Open Land* classification to more intensive uses and have substantial impacts on wetlands, water quality, aquifer recharge and stormwater management. The projects described in Amendments 5, 6, 7, 10, 11, 13, 17, 23 and 24 would necessitate additional transportation linkages and urban services, including potable water, sanitary sewer service, fire and rescue and the infrastructure to support them, all of which would significantly change the "open" and environmental character of the area. The proposed amendments fail to adequately describe how those facilities and services will be provided. For example, information must be provided that clearly identifies the sources of potable water to be used at each site, the permitted capacity available, and the water supply facilities that will be constructed to meet delivery requirements.

Areas with the *Agriculture* land use designation are described in the Comprehensive Development Master Plan as "the best agricultural land remaining in Miami-Dade County." The plan also states: "Uses incompatible with agriculture, and uses and facilities that support or encourage urban development are not allowed in this area. [ ] No business or industrial use should be approved in the area designated Agriculture unless the use is directly supportive of local agricultural production, and is located on an existing arterial roadway, and has adequate water supply and sewage disposal. [I]t is the intent of this Plan to contain and prevent the expansion of inconsistent development in the Agriculture area."<sup>2</sup>

<sup>1</sup> ADOPTED COMPONENTS COMPREHENSIVE DEVELOPMENT MASTER PLAN FOR MIAMI-DADE COUNTY, FLORIDA I-48, I-50 (May 1997 Edition, as amended through May 5, 2004) (emphasis added).

<sup>2</sup> *Id.* at I-47, I-48.

The proposed amendments that would change *Agriculture* land use designations to *Low Density Residential, Business & Office, Office/Residential* or *Estate Residential* would support and encourage urban development incompatible with the intended uses of the *Agriculture* land use category, in violation of the above-cited CDMP provisions. In addition, the information provided with the proposed amendments does not indicate that the proposed projects are directly supportive of local agricultural production, are located on existing arterial roadways, or provide for potable water and sewage disposal. Amendments 10, 11, 13, 17, 23 and 24 are, therefore, inconsistent with the cited provisions of the adopted CDMP for Miami-Dade County.

Land Use Policy 3E of the CDMP established the South Miami-Dade County Watershed Study and Plan (SMDWSP), which was initiated in 2001 and is anticipated to conclude in March 2006. The SMDWSP is a comprehensive planning effort that will provide the framework for land use decisions for several decades. The study has analyzed the study area's population growth, infrastructure, land ownership, and natural resources, and will result in a long-term plan that will balance competing interests in South Miami-Dade County and provide for a sustainable economy and environment. The South Florida Water Management District (a leading partner in the SMDWSP effort) states that proposed Amendments 10, 11, 13, 15, 17, 21, 22 and 24 are located within the boundaries of the study area. The amendments should be evaluated in light of the recommendations resulting from the SMDWSP.

Additional details on the specific location, land use classification, surrounding land uses, and available services and infrastructure for each project proposed in Amendments 5, 6, 7, 10, 11, 13, 17, 23 and 24 can be found in the analyses and comments prepared by the South Florida Regional Planning Council and submitted to the Department of Community Affairs.

#### WATER SUPPLY

Currently, the county has applied for a consolidated 20-year consumptive use permit for all of its wellfields. The South Florida Water Management District (SFWMD or District) is processing the request, and District data (including the regional water supply plan) indicate that traditional water supply sources are not adequate to meet the county's future water supply needs. Miami-Dade County needs to identify and incorporate in its comprehensive plan the alternative water supply sources necessary to meet its future water needs. In addition to conservation and reuse, potential alternative sources include the Floridan aquifer, canal recharge and improved aquifer storage and recovery systems.

The 2005 Growth Management Reform legislation (Senate Bills 360 and 444) requires local governments to "consult with the applicable water supplier to determine whether adequate water supplies to serve the new development will be available no later than the date of issuance by a local government of a certificate of occupancy or its functional equivalent."<sup>3</sup> The legislation also requires the county to amend its comprehensive plan to ensure the availability of water supplies and public facilities to meet existing and projected water use demands. In addition, the county must adopt a work plan for building public, private and regional water supply facilities to

<sup>3</sup> FLA. STAT. 163.3180(2)(a) (2005).

meet the projected needs, and the comprehensive plan must include a financially feasible five-year schedule for building capital improvements so that the facilities are available to serve proposed development. If proposed comprehensive plan amendments create an additional demand for water supply (as in the present case), the county must demonstrate that its capital improvement plan can provide for the additional water. The amendments and other material submitted by the county fail to provide the required information and assurances. Please see the comments provided by the SFWMD for additional details regarding Miami-Dade County's current and future water supply challenges.

### WATER QUALITY

Miami-Dade County acknowledges in the amendment package that "programmed improvements" (upgrades and expansions) are being made to its wastewater treatment facilities in response to state and federal enforcement actions. Even so, several other recent compliance problems are an indication that the county's existing treatment plants have difficulty managing current wastewater flows. For example, multiple wastewater spills have occurred (millions of gallons), as well as unauthorized use of aquifer storage and recovery wells. These issues are in addition to historical problems with unauthorized fluid movement from its deep well injection facilities at the South District facility. Although the county is conducting a federally mandated study of peak flows, the report is not due until 2007, and the results and effect of the study will not be known for some time. Therefore, both the short- and long-term ability of the county's facilities to adequately treat and dispose of existing and planned wastewater streams are somewhat problematic.

A consent order between the county and DEP (resulting from an enforcement action) requires Miami-Dade to implement reuse at its South District facility for flows beyond 112.5 mgd, and directs the county to work with DEP and the SFWMD to determine alternative water supplies that will provide long-term assurance of the county's potable water supply. To date, however, the county has not submitted the required reuse plan and implements virtually no water reuse. In light of the county's continuing difficulties with regard to *existing* water reuse and wastewater treatment, the submission of the proposed amendments – particularly those that would expand the UDB – appears premature.

### COMPATIBILITY WITH EVERGLADES RESTORATION

In addition to the foregoing water supply and water quality issues, expansion of the UDB could directly impact the Comprehensive Everglades Restoration Plan (CERP). The proposed amendments would convert agricultural and open lands to higher intensity uses, which will place additional demands on existing flood control and water quality management facilities. The county should consult with the SFWMD on current and anticipated flood control and water quality management deficiencies in the amendment areas. Significant impacts could result from conversion of the subject lands to more intense uses without the necessary facilities in place to protect property, lives and natural resources. Please see the comments provided by the SFWMD for additional details regarding the proximity and impact of the proposed amendments on the CERP.

7/2  
2006  
SFWMD  
comments

The lands described in Amendments 6, 7, 10, 11 and 13 are near several CERP restoration components or Save Our Rivers projects. Amendment 6 is within or near the East Coast Buffer/Water Preserve Area boundary; Amendment 7 is close or within the Dade Broward Levee/Pennsuco wetlands CERP project; and Amendments 10 and 13 are within the Bird Drive Basin Recharge CERP project component.

In light of the significant public expenditures currently being appropriated to restore and protect the greater Everglades area, the potential conflicts between the proposed westward urban expansions and the CERP restoration activities should be carefully analyzed, with due consideration given for the level of public involvement in, and commitment of resources to, the restoration plan. Based upon analysis conducted by the South Florida Regional Planning Council, the applicants' land use objectives can be met through the development of lands that already have urban services within the UDB of Miami-Dade County. Westward expansion will promote urban sprawl and premature development of lands not within the 2015 Urban Expansion Area of the CDMP for Miami-Dade County.

#### WELLFIELD, AQUIFER AND WETLANDS PROTECTION

Objective 3 of the Conservation Element of the CDMP provides that regulations within wellfield protection areas will be strictly enforced; that new facilities that use, handle, generate, transport or dispose of hazardous wastes are prohibited within wellfield protection areas; and that "water management systems that recharge regional wellfields shall be protected and enhanced."<sup>4</sup> In addition, Policy 8H(i) of the Future Land Use element of the plan states that when considering the addition of lands to the UDB, the following areas "shall not be considered": the Northwest Wellfield Protection Area, the West Wellfield Protection Area, Biscayne Aquifer Recharge Areas, and Everglades Buffer Areas.<sup>5</sup> The adoption of Amendments 6, 7, 10, 11 and 13 will violate those policies and conflict with the need to protect the county's wellfield protection areas from further encroachment by development.

The proposed UDB expansion amendments also conflict with Objectives 4 and 5 of the Conservation Element: "The aquifer recharge and water storage capacity of the presently undeveloped areas in western and southern Dade County shall be maintained or increased[.]" and "[o]utside of the Urban Development Boundary[,] the County shall not provide, or approve, additional drainage facilities that would [] exacerbate urban sprawl or reduce water storage."<sup>6</sup>

The best data available to the Department – the DRASTIC index (a measure that assesses vulnerability of groundwater resources) – indicates that all of the lands described in the proposed amendments score in the 200-226 range, representing the highest potential for impacting the surficial aquifer (the Biscayne) beneath Miami-Dade County. Direct impacts to groundwater include alteration of the existing surface water hydrology and natural drainage patterns as a result of increased impervious surface development.

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<sup>4</sup> *Supra*, note 1 at IV-6.

<sup>5</sup> *Id.* at I-21.

<sup>6</sup> *Id.* at IV-7 and IV-8, respectively.

Policy 8H(ii) of the Conservation Element also provides that future wetlands delineated in the Conservation and Land Use Element and lands designated *Agriculture* on the future land use map "shall be avoided" when the county considers the addition of lands within the UDB. GIS data available to the Department indicates the presence of wetlands on the sites associated with Amendments 5, 6, 7 and 10. Chapter 373, *F.S.*, requires that wetland impacts first be avoided, then minimized, and lastly, mitigated. The county should protect functioning wetlands from development pressures to help reduce the level of pollutants that enter the Biscayne aquifer.

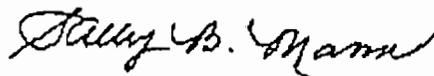
### CONCLUSION

The Department strongly recommends that the Department of Community Affairs object to Miami-Dade County's adoption of Amendments 5, 6, 7, 10, 11, 13, 17, 23 and 24 to the Future Land Use Map based on the foregoing information and analysis. The proposed expansions of the county's Urban Development Boundary are premature and unsupported by documented need, fail to identify necessary water supply sources and infrastructure, and conflict with several important policies of the adopted CDMP. The county must address the water supply and water quality issues described in this letter, and should await the receipt of recommendations resulting from the South Miami-Dade Watershed Study and Plan to ascertain the extent of its future needs and opportunities within the study area.

Finally, the Department is gravely concerned about Amendment 25, which proposes significant text changes to Policy 8G of the CDMP. The proposed modifications would change UDB demand calculations, limit its application to residential demand, and tie the allowable housing supply to the proportion of existing residential units in both incorporated and unincorporated areas. The amendment would "assure that housing can be developed in all areas of the County" and would be based on factors such as population projections, housing starts, market value of land (averaged by section), and "purchasing capacity" of the population, among other things. Application of the new definition would result in a cascade of impacts to natural resources and infrastructure, all in the face of current shortages, insufficiencies and demands in Miami-Dade County.

The Department appreciates the opportunity to provide comments on the proposed amendments. Should you have any questions or require additional information, please do not hesitate to contact me at (850) 245-2163 or [Sally.Mann@dep.state.fl.us](mailto:Sally.Mann@dep.state.fl.us).

Yours sincerely,



Sally B. Mann, Director  
Office of Intergovernmental Programs

cc: Carol Ann Wehle, Executive Director  
South Florida Water Management District

Carolyn Dekle, Executive Director  
South Florida Regional Planning Council



# SOUTH FLORIDA WATER MANAGEMENT DISTRICT

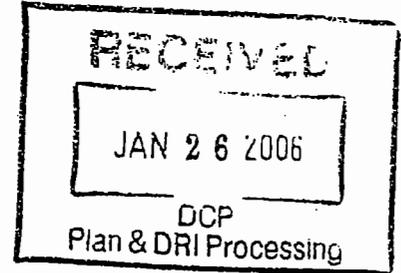
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3301 Gun Club Road, West Palm Beach, Florida 33406 • (561) 686-8800 • FL WATS 1-800-432-2045 • TDD (561) 697-2574  
Mailing Address: P.O. Box 24680, West Palm Beach, FL 33416-4680 • www.sfwmd.gov

GOV 08-06

January 20, 2006

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



Dear Mr. Eubanks:

**Subject: Proposed Amendment Comments  
Miami-Dade County, DCA# 06-1**

Attached are the South Florida Water Management District's (SFWMD's) comments, concerns, and recommendations on Miami-Dade County's transmitted Future Land Use Map (FLUM) and text amendments (DCA# 06-1). Please note that we have comments and concerns on all of the transmitted amendments, with the exception of Application 26. Our comments and concerns focus on water supply, wastewater management, flood protection, wetlands protection, and State and Federal efforts to protect and restore the Everglades, Biscayne Bay, and related ecosystems.

We would also like to take this opportunity to offer our technical assistance and cooperation to both DCA and Miami-Dade County on any of the water resource-related issues addressed in the attached comments.

If you have any questions or require additional information, please contact Jim Golden at (561) 682-6862 or P.K. Sharma at (561) 682-6779.

Sincerely, -

James M. Jackson, Jr., AICP  
Senior Supervising Planner

JMJ/JG/jl  
Attachment

c: Roger Wilburn, DCA  
Carolyn Dekle, SFRPC  
Diane O'Quinn-Williams, Miami-Dade County

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Name of Agency: South Florida Water Management District  
Review Coordinator: Jim Golden (561) 682-6862  
Local Government: Miami-Dade County  
SFWMD Response Date: January 20, 2006  
=====

**BACKGROUND:**

The South Florida Water Management District (SFWMD) has completed its review of the transmitted Future Land Use Map (FLUM) and text amendments to the Miami-Dade County Comprehensive Development Master Plan (CDMP) that were filed for evaluation during the April 2005 amendment review cycle (DCA# 06-1). The county is transmitting 20 applications (17 FLUM amendments and 3 text amendments). The SFWMD is providing comments and recommendations on all of the transmitted FLUM amendments (Applications 1, 2, 3, 4, 5, 6, 7, 10, 11, 13, 15, 17, 20, 21, 22, 23, and 24) and two of the transmitted text amendments (Applications 25 and 27). The SFWMD's comments and recommendations address water supply, wastewater management, flood protection, wetlands protection, and State and Federal efforts to protect and restore the Everglades, Biscayne Bay, and related ecosystems.

**COMMENTS/RECOMMENDATIONS:**

Potable Water Facility Capacity Analysis/Capital Improvements Element

The transmitted FLUM amendments are not supported by the required potable water facility capacity analysis. While certain information is provided for certain applications, other necessary information is not (e.g., demand derivation calculations, current status of SFWMD consumptive use permit, planned capacity expansions, other development commitments, etc.). In addition, the staff reports do not address changes to the Capital Improvements Element (CIE) that may be necessary to serve the proposed development. In particular, those amendments proposed beyond the current UDB require water supply infrastructure improvements that are not addressed in the proposed additions to the CIE (Application 27), leading to internal inconsistency within the CDMP.

A similar issue exists for many needed wastewater improvements. This also involves Consent Decrees with the U. S. Environmental Protection Agency and the Settlement Agreement with the Florida Department of Environmental Protection limiting new connections until added collection and treatment capacity is provided. However, page 2-67 of the County's "Initial Recommendations" document states "At the time of publication, the project details of the Wastewater program were not available; they will be added at a later date".

*Recommendation:* The County should not approve the transmitted FLUM amendments unless the staff reports are revised, as necessary, to include all of the appropriate data and analysis to support the amendments and demonstrate

coordination of land use approvals with the planning and provision of public facilities (e.g. water supply, wastewater and reclaimed water use) and the CIE.

### Water Supply

Projected population growth for a county has a direct linkage to the SFWMD's regional water supply planning, as these projections are utilized for determining public water supply needs in the SFWMD's plans. During the 2005 legislative session, the Florida Legislature made several significant amendments to the comprehensive planning process for the purpose of assuring water supplies for future development and coordinating needed water projects with water management district regional water supply plans. Importantly, proposed comprehensive plan amendments are required to demonstrate that adequate water supplies and water supply facilities will be available to serve new development no later than issuance of a certificate of occupancy.

Some of the statutorily-related water supply planning requirements for local governments now under the law are:

- The identification of water supply sources necessary to meet and achieve the existing and projected water use demands for the planning timeframe;
- The coordination with a water management district's regional water supply plan;
- Future land uses based on the availability of water supplies and water supply facilities;
- The identification of water supplies (from traditional and alternative water supply projects, including reclaimed water use and conservation) sufficient to meet the water needs identified in a water management district's updated regional water supply plan for that jurisdiction;
- Concurrency requirements tied to adequate water supplies, potable water facilities and the ability of a supplier to provide the water;
- Planning for the building of all public, private, and regional water supply facilities necessary to serve existing and new development for at least the next 10-years, including the selection of any water supply projects identified in the district's updated regional water supply plan.

The SFWMD has been coordinating population projections with Miami-Dade County for its 2006 update of the Lower East Coast Regional Water Supply Plan. Overall, the population that is projected to be served by the Miami-Dade County Water and Sewer Department is expected to increase by 24% to 2.6 million people by the year 2025.

In the process of updating the Lower East Coast Regional Water Supply Plan, the SFWMD has requested Miami-Dade County to identify sufficient water supply projects to meet its increasing demands over the next 20 years, consistent with the above requirements, including funding sources. No proposal has been submitted by Miami-Dade County which identifies specific water supply projects to be included in the Lower East Coast Regional Water Supply Plan Update.

It is crucial for Miami-Dade County, with assistance of the SFWMD, to identify sufficient water supply projects to meet its projected demands for the next 20 years through the regional water supply planning process. This is a crucial step in the water supply and comprehensive planning linkage established by State law. For example, by law, local governments must update their comprehensive plan potable water elements within 18 months based on, and after, a water management district's approval of its updated regional water supply plan. As a result, the County must identify sources necessary to meet its projected demands consistent with the regional water supply planning requirements before the proposed comprehensive plan amendments allowing additional growth are approved.

This coordination is needed now, as the SFWMD is currently reviewing a consumptive use permit application filed by the County to increase its use from its traditional source, the Biscayne Aquifer, to meet all of its projected demands for the next 20 years, with associated increased dependence on Everglades deliveries. The permit application is incomplete. A copy of the SFWMD's last sufficiency letter to the County on the permit application review is attached (letter to Bertha Goldenberg, dated December 22, 2005). Significant outstanding issues include inconsistency with the Everglades minimum flows and levels recovery strategy delineated in SFWMD rules and the failure to provide reasonable assurances that water will not cause harm to Biscayne Bay and Florida Bay.

For Miami-Dade County to get a water use permit to meet increased demands, it will be necessary for the County to meet the criteria for issuance, including identifying and implementing effective alternative water supplies. At this point in time Miami-Dade County can't demonstrate that there are adequate water supplies to serve the cumulative development proposed, particularly the amendments involving expansion of the 2005 UDB boundary out to the 2015 UDB boundary or beyond.

*Recommendation:* The County should not approve the transmitted FLUM amendments until they identify acceptable alternative water supplies sufficient to meet all projected future demands and demonstrate that the needed alternative water supplies and facilities are planned for in the CDMP, will be implemented, and available concurrently with increasing demands.

## South Miami-Dade County Watershed Study and Plan

FLUM Applications 10, 11, 13, 15, 17, 21, 22 and 24 are located within the boundaries of the South Miami-Dade County Watershed Study and Plan (SMDWSP). The SMDWSP is a long-term land planning and water resources study required by the County's CDMP. The SMDWSP area is generally that area bounded by Tamiami Trail on the north, Biscayne Bay on the east, Barnes Sound on the south, and the Krome Avenue corridor on the west. The purpose of the SMDWSP is to provide a wide-ranging analysis of population growth, infrastructure, land ownership (including agricultural, industrial, and urban land uses), pollution, water resources, wildlife, and natural areas. A primary goal of the study is to protect Biscayne Bay and Biscayne National Park. The County anticipates completion of the SMDWSP by early 2006. The SFWMD is a partner with the County in this effort.

As indicated in the County's "Initial Recommendations" document for the above applications, the SMDWSP will provide information needed to assist the County in evaluating decisions to adjust the UDB.

*Recommendation:* The County should not approve any of the transmitted FLUM amendments located within the SMDWSP until the SMDWSP has been completed. Furthermore, any approval of these applications should clearly be consistent with the findings of the completed SMDWSP.

## Flood Protection Outside of the UDB

In response to flooding events from tropical and non-tropical storm systems that occurred between 1999 and 2005, efforts are underway to correct flood control deficiencies in the regional water management system in Miami-Dade County. The SFWMD is a partner with the County in these efforts. Between 2001 and 2005, the SFWMD constructed nearly \$40 million worth of flood mitigation projects within the C-4 basin where the impacts of Hurricane Irene and the "no-name" storm of 2000 were most severe. Improvements to the C-4 basin continue today, with additional dredging and the construction of a gravity wall, totaling \$13.5 million. The total improvements to the C-4 canal take into consideration existing land use conditions. In August 2005, Hurricane Katrina impacted Miami Dade County and produced rainfall of 8 to 10 inches within a 24 hour period, predominantly in South Miami-Dade County. There was significant flooding in the communities of Country Walk, Serena Lakes, American Homes, and Redwood Phase I. The SFWMD and Miami-Dade County convened a "South Miami-Dade Canal Conveyance Improvement Working Group" to work collaboratively to identify and review projects that could potentially provide canal conveyance improvements to mitigate future flooding in South Miami-Dade County. The Working Group determined that the County's Stormwater Master Plan would serve as the basis to guide in the development of projects and subsequent funding requests. Early estimated costs of \$28 million were identified. The SFWMD is currently reviewing the projects to identify priorities, create a funding feasibility plan, and develop a project schedule.

Other flood control projects in Miami-Dade County on the SFWMD's list for funding and implementation include dredging of the C-5 canal (also known as the Comfort canal), forward pumping stations at the S-27, S-28 and S-29 water control structures on the C-7, C-8, and C-9 canals respectively, and dredging of a seven mile stretch the C-2 (Snapper Creek) canal.

Projects proposed for development in Miami-Dade County outside of the current UDB could compromise investments made to date and could further exacerbate flooding problems in the County. For example, Application 7 (Lowe's Home Centers, Inc.) is located east of and in close proximity to the SFWMD's C-4 emergency detention basin and S-380 detention basin. Operation of the C-4 emergency detention basin could result in higher local groundwater levels in the vicinity of the site during periods of operation. Any proposed development of this site and any associated stormwater management system would have to take the higher groundwater stages into account as part of the operational design. This could translate into requirements for added fill material (to elevate the finished floor elevations) or additional on-site storage of stormwater to prevent flooding when the S-380 is pumping and groundwater recession rates are slower due to added infiltration of the S-380 detention basin. Without these additional design requirements, there will be a potential for future conflicts with the operation of the S-380 pump station. Development of this site would also need to consider the off-site impacts of any potential stormwater system proposed for this site on adjoining parcels.

Furthermore, approval of Application 7 would likely result in requests to change the FLUM designation on adjoining parcels. This would create incompatible development in close proximity to the S-380 detention basin. Operating a flood control facility in close proximity to development will increase the risk for potential conflicts, wherein the optimal use of the basin for storm attenuation is compromised by concern for quality of life for the adjoining developed parcels. The detention facility was constructed in an undeveloped portion of the basin to reduce the potential for such conflicts. In addition, because these facilities are new, the SFWMD does not yet have a good understanding as to how the system operates and responds to different storm events. Therefore, it may not be possible to predict how land use changes adjacent to the detention facility would impact or be impacted by these changes.

A prudent approach to flood management should include careful analysis of the impacts that development and density outside of the UDB would have on the residents, business, and environment of Miami-Dade County. The SMDWSP and the U.S. Army Corps of Engineers Canal Feasibility Study represent a reasonable basis from which to consider how to best mitigate flood damage from future development and determine if current canal system improvements would be compromised by UDB expansion projects. Furthermore, the County does not currently have cut and fill restrictions in place in certain areas outside of the UDB. Adoption of cut and fill criteria in these areas may address some concerns about additional stresses to the

canal system. In addition, funding must be found to pay for canal system improvements (where they can be implemented) to mitigate flooding and accommodate development.

*Recommendation:* The County should not approve any FLUM amendments located outside of the current UDB boundary until: (1) Completion of ongoing feasibility studies; (2) Cut and fill criteria are in place in those areas where it currently does not exist; and (3) Funding sources have been identified to pay for system improvements.

#### Wetlands Protection

Review of soils information and aerial photography for Applications 5, 6, 7, and 10, which are located outside of the current UDB, indicate the presence of wetlands on these sites. In order to determine the extent (acreage) of the wetlands present on each site, a pre-application wetland determination would be necessary. Regarding Application 6, this site is not currently served by an existing road. It is likely that extending an access roadway to this site will result in additional wetland impacts (both direct and secondary impacts).

Prior to any proposed development activity on these sites, avoidance and minimization of all wetland impacts must be demonstrated. If there are any existing tree islands located on these sites, any impacts to such areas should be completely avoided. A wildlife survey should be performed for Applications 6 and 7.

#### Application 25

This is a proposal by the Builders Association of South Florida and the Latin Builders Association to amend Policy 8G of the CDMP to ensure that a constant fifteen-year supply of land for single-family and multi-family housing will be available in Miami-Dade County.

Approval of the proposed amendment appears to be inconsistent with various CDMP objectives and policies, as outlined on page 3-18 of the County's "Initial Recommendations" document. In addition, the impact of this amendment on water supply planning at the regional and local levels is unclear and needs to be addressed. Furthermore, approval of the proposed amendment may set a negative precedent by paving the way for submittal of additional future requests by private parties to prematurely expand the UDB. This may exacerbate urban sprawl and impede State and Federal efforts to protect and restore the Everglades, Biscayne Bay, and related ecosystems. The proposed amendment does not encourage growth and development to be directed to appropriate areas of the County, and does not consider existing and proposed infrastructure planning, needs, and improvements for water supply planning.

*Recommendation:* The County should deny the proposed text amendments to Policy 8G of the CDMP.

## Application 27

As previously noted under the heading "Potable Water Facility Capacity/Analysis/Capital Improvements Element", the amendments proposed to the CIE by the County do not address the water supply and wastewater infrastructure improvements necessary to serve the proposed development, particularly those amendments beyond the current UDB.

*Recommendation:* The County should revise the CIE, as necessary, to include the water supply and wastewater infrastructure improvements needed to serve the proposed development.

## **SUMMARY**

The transmitted FLUM amendments should not be approved unless:

- (1) The County submits the appropriate data and analysis necessary to support the amendments and demonstrates coordination of land use approvals with the planning and provision of public facilities (e.g., water supply, wastewater and reclaimed water use) and the Capital Improvements Element;
- (2) The County demonstrates that adequate water supplies and service, including significant conservation, reclaimed water use, and/or other alternative water supply sources, are planned for in their comprehensive plan and will be available concurrent with the proposed development;
- (3) The amendments are determined to be clearly consistent with the findings of the yet to be completed South Miami-Dade County Watershed Study and Plan (Applications 10, 11, 13, 15, 17, 21, 22 and 24); and
- (4) The County should not approve any FLUM amendments located outside of the current UDB boundary until the ongoing feasibility studies are completed, cut and fill criteria are in place in those areas where it currently does not exist, and funding sources have been identified to pay for the system improvements.

The County should deny Application 25 for the following reason:

The proposed amendment does not encourage growth and development to be directed to appropriate areas of the County, and does not consider existing and proposed infrastructure planning, needs, and improvements for water supply planning.



December 22, 2005

Bertha Goldenberg, P.E.  
Miami-Dade Water and Sewer Department  
3071 S.W. 38 Ave.  
Miami, FL 33146

Dear Ms. Goldenberg:

**Subject: Water Use Permit Application No. 040511-5**  
**Project: Miami-Dade Consolidated PWS**  
**County: Miami-Dade**

This permit application was originally filed on February 10, 2004 and later modified to include all the wellfields. At this time, the application is not complete and considerable work needs to be done prior to meeting the criteria for issuance. District staff have issued several extensions of timeframes included in Rule 40E-1.603, F.A.C. In its September 23, 2005 letter the District identified concerns regarding the amount of time which the application has been under review. Based on your November response, it is apparent that many of the studies and evaluations needed to address the outstanding permit application review questions will take an additional several months to complete. In addition, considering the complexity of these issues, more time will be needed to analyze such evaluations and to determine whether WASD has provided reasonable assurances that the conditions for permit issuance will be met for the requested 20 year duration.

Be advised that the option of recommending that the Governing Board issue a one year permit is being considered by District Staff, during which time the subject evaluations could be completed by WASD and the permit application review conducted to address the outstanding issues, identified below. The short duration permit would include a recommended allocation to meet the demands of the service area through 2007 and would contain limiting conditions tied to the completion dates for such evaluations, including model development, water conservation plan, the canal reuse study, etc. Please review the following outstanding questions for additional information and identify specific completion dates for finalizing such actions, for possible incorporation into a recommended agency action.

A review of the application for the above project indicates that additional information will be required in order to complete the evaluation, pursuant to Rule 40E-1.603, Florida Administrative Code (F.A.C.). Please answer all parts of the following comments:

1. Pursuant to Section 2.2.4, BOR, Wellfield Operations, please provide wellfield operating plans for each wellfield. The plan should identify the volumes for each wellfield such that the sum of the wellfield operations reflect the proposed annual and max month allocations. In the case of seasonal pumpage, please identify the

Ms. Bertha Goldenberg, P.E.

Application No. 040511-5 - Miami-Dade Consolidated PWS

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months of the year and corresponding pumpage/recovery rates in the wellfield operating plan. The permit will be conditioned to include the approved operational plan. The proposed operational plan must be incorporated in the modeling analysis.

2. The Biscayne aquifer is a Minimum Flows and Levels (MFL) water body under a prevention plan set forth in Rule 40E-8.421, F.A.C. The Everglades is an MFL water body under a recovery plan pursuant to Rule 40E-8.421(4), F.A.C.. Pursuant to Rule 40E-2.301(1)(i), F.A.C., the applicant must demonstrate that the use is consistent with the approved recovery plan and prevention plan for applicable MFL water bodies. Consumptive use permit criteria for MFL's are located in Section 3.9 of the BOR. Please provide information necessary to demonstrate the criteria in Section 3.9 are met.
3. Please send copies of your annual unaccounted-for distribution system loss reports for each treatment system for the past three years, including 2005. I am unable to locate them in our files. Pursuant to 2.6.2(C), BOR, public water systems are required to address the reduction of unaccounted-for loss whenever it exceeds 10%. Based on the information included in your latest response, the 2004 losses were approximately 12%. This translates to 40 mgd based on your 2004 total pumpage, which is an unacceptable volume of loss. Please discuss what further specific measures are planned to reduce the loss to less than 10 percent. Please submit a plan and time frames for implementation of the loss reduction plan. The agreed upon measures necessary to reduce the unaccounted for losses to less than 10% will become conditions of the permit.
4. Pursuant to Section 4.1, BOR, Withdrawal Quantity, permit applicants must submit documentation of a reliable, repeatable water use accounting system to monitor water usage from each withdrawal facility as a part of the permit application. The District disagrees with your conclusion that your current calibration method meets the intention of the requirement. The in situ discharge rate from each facility needs to be measured to +/- 10% every five years. Then you can use your hours of operation to calculate pumpage. Please note that economic feasibility is not considered when meeting this requirement. However, staff will work with the County to design a water use accounting system that meets the requirements of our rule. Please contact Kurt Leckler (561-682-6953) in Post Permit Compliance to discuss how to meet this requirement. Please document the proposed water use accounting method for each project withdrawal facility and submit the certified calibration report for accounting for all existing withdrawal facilities.
5. The District agrees with working together on a goal-based water conservation plan. However, the District cannot agree to a plan with a 0.15% reduction goal for 20 years as estimated in the current proposal. Continued implementation of current standard programs will already accomplish more than this level of conservation.

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Before adoption and initiation of a new conservation plan, the County needs to get District approval to ensure that it meets permit requirements, including a more aggressive conservation goal based plan that better reflects the County's ability to implement conservation requirements.

6. Because of the complexity of this PWS system, the standard Table G is not adequate. The table needs to include columns which quantify demands from ASR, Large Users, distribution losses and treatment losses and savings from conservation and alternative supplies. Please contact Karin Smith to clarify what is required prior to submittal.
7. The submitted monitoring program tables did not indicate the sampling frequency or what is monitored for the salt water network. Please revise and resubmit this information. Recognizing that the monitor network changes annually, an updated monitoring program table will be required each year. Please submit the program for monitoring impacts to ground water and surface water flows to Biscayne Bay, when available.
8. The Large User agreement with North Miami expires January 31, 2009. Please provide written correspondence from North Miami confirming their intention to renew the agreement in 2009. Without an extension of the agreement, the allocation for 2010 and beyond will be reduced by the volume of the Large User Agreement.
9. Based on the information submitted, the proposed operation of the West Wellfield will result in up to a 10% increase in seepage from the L-31N canal. Please provide assurances that this proposed impact is consistent with Section 3.9 of the BOR and also consistent with the "Four Party Agreement" (1993). In this agreement, all four parties had to agree to the amount of seepage that was acceptable. We have no records that such an agreement has been reached. Please provide documentation that all four parties to the MOU agree that the proposed seepage rates are acceptable. This demonstration is independent of the requirement to demonstrate the District's MFL criteria are met.
10. Section 3.3, BOR, contains criteria for determining jurisdictional wetlands and other surface waters along with criteria for protecting wetland functions from harm. Consistent with the responses to the questions contained herein, please identify all jurisdictional wetlands within the area of influence of your requested withdrawals for all wellfields and provide reasonable assurances that the wetlands will be protected from harm.

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11. Pursuant to Sections 3.3 and 3.8, it is also necessary to demonstrate that the withdrawals will not be otherwise harmful to the resources of the District, including wetlands and other surface waters. As we have advised, water supplies to Biscayne Bay and Florida Bay are influenced by WASD's pumpage from the Biscayne Aquifer. Please provide reasonable assurances that the proposed withdrawals are not harmful to Biscayne Bay and Florida Bay.
12. Please provide a drawdown map and model datasets for the model simulation for the proposed allocation and modified wellfield configuration/proposed operational plan (proposed and existing wells) consistent with the criteria contained in Section 1.7.5, BOR, for all wellfields. Due to the complex nature of surface water/ground water interactions in the County, the model shall be calibrated to surface water/ground water conditions, consistent with Section 1.7.5.2(B), prior to simulating the requested allocations.
13. The availability of the Biscayne Aquifer and regional system water to recharge the Biscayne Aquifer to serve as long term sources has not been adequately demonstrated as required by the public interest test of Section 373.223 and Rule 40E-2.301, F.A.C. As a result, you are required to submit a plan for the development of alternative sources to meet increased demands over the next 20 years which will be implemented over the next five year period and beyond, prior to or concurrent with such increasing demands. Such evaluation of alternative sources shall include the use of reclaimed wastewater (per Section 3.2.3) to offset dependence on regional system recharge. Such plan must include specific timelines for completion of permitting, construction, and testing of proposed alternative source(s) prior to or concurrent with increasing demands over the next twenty years.

Advisory Comments:

In response to the question about ASR recovery, it was stated that the recovery rate from the Floridan Aquifer will be based on a sodium concentration of 60 mg/l maximum in the finished water out of the treatment plant. Please be advised that the District will review your ASR operation plan based on water quality limits, using Florida primary and secondary drinking water standards.

Electronic versions of applicable Florida Statutes, rules, the Basis of Review and permit application forms can be found at the internet address: <http://www.sfwmd.gov/org/reg/>

In accordance with Rule 40E-1.603, F.A.C., a response is required within 30 days of receipt of this letter requesting additional information or the application may be processed for denial if not withdrawn by the applicant. Please use the enclosed transmittal form when responding and include four (4) copies of the information. Should you have any

Ms. Bertha Goldenberg, P.E.  
Application No. 040511-5 - Miami-Dade Consolidated PWS  
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questions regarding this application or this letter, please contact me at (800) 432-2045 ext. 2026 or (561) 682-2026. Thank you for your cooperation in this matter.

Sincerely,

Karin A. Smith, P.G.  
Senior Hydrogeologist  
Water Use Regulation Division  
South Florida Water Management District

Enclosures: RAI Transmittal Form

c: Superintendent, Everglades National Park  
Superintendent, Biscayne National Park  
Renate H. Skinner, Ph.D

