

Department of Planning and Zoning (DP&Z)
Revised Response to the Florida Department of Community Affairs (DCA)
Objections, Recommendations and Comments (ORC) Report
DCA No. 06-1 Addressing the April 2005 Cycle
Applications to Amend the Comprehensive Development Master Plan (CDMP)
May 3, 2006

This report contains the revised responses of the Department of Planning and Zoning (Department), to the objections contained in the referenced Objections, Recommendations and Comments (ORC) Report issued by the Florida Department of Community Affairs (DCA) dated February 20, 2006. The ORC report objected to 18 of the 20 applications transmitted for review.

In the following presentation, the DCA's Objection and corresponding Recommendation are presented, followed by a response of the Department of Planning and Zoning. Immediately after the Objection number, notations are provided indicating which Applications that the Objection and Recommendation address. The issuance of the responses contained herein does not preclude the issuance of other future responses by the Department. Moreover, the responses issued by the Department are not necessarily those of the applicants, Local Planning Agency (Planning Advisory Board), or Board of County Commissioners, which may offer their own responses.

DCA Objection #1: Non-Availability of Potable Water Supply (Applies to Applications No. 1, 2, 3, 4, 5, 6, 7, 10, 11, 13, 15, 17, 20, 21, 22, 23, and 24)

DCA 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.

DCA 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.

DCA Recommendation:

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.

DP&Z Response:

Miami-Dade County has long been a proponent of water planning, beginning with the first Water Supply Master plan document in 1960. Since that time, Miami-Dade County has coordinated extensively with the SFWMD on all aspects of water supply planning. New requirements stemming from the 2005 Growth Management legislation have caused Miami-Dade County to rethink some of its previous water management strategies; however, the County is committed to remedying any current water supply deficiencies and continuing its coordination efforts with the South Florida Water Management District (SFWMD) and the Florida Department of Environmental Protection (FDEP).

The following narrative addresses the Department of Community Affairs (DCA) objection on the basis of water supply to all adopted standard Land Use Plan (LUP) map amendments (Applications Nos. 1, 2, 3, 4, 5, 15, 20, 21, and 22) as filed during the April 2005 CDMP Amendment cycle. (Note: Application Nos. 10, 13, 17 and 23 were withdrawn prior to the Board of County Commissioners' (BCC) hearing on April 18 and 19, 2006 and Application Nos. 6, 7, 11, and 24 were denied by the BCC on April 19, 2006.)

The DCA states that the proposed changes to the CDMP Land Use Plan (LUP) map will increase the potable water demand by approximately 3.1 million gallons per day (mgd). This estimate previously reported by the County in the Initial Recommendations report, dated August 25, 2005, has been revised to approximately 607,613 gallons per day (gpd), which reflects the approved LUP map amendments, as modified, and eliminates the impact of those amendments that have been withdrawn, denied or not transmitted to DCA for review. The following table presents the revised estimated potential water demands for those applications approved by the BCC. This table has been divided to indicate those amendments inside the Urban Development Boundary (UDB) as compared to the water demands associated with Amendment No. 5, which is located outside the UDB. All estimated demands are based upon the maximum allowable land use densities for the proposed land use designation and the estimated water demand established in Section 24-43.1(5) of the Miami-Dade County Code.

**April 2005 CDMP Amendment Applications
Revised Potable Water Demands**

Application Number	Current Water Demand (gpd)*	Proposed Water Demand (gpd)*	Change in Water Demand (gpd)
Applications Inside the UDB			
1	11,382	84,750	+73,368
2	5,250	8,500	+3,250
3	59,094	141,000	+81,906
4	88,250	136,000	+47,750
15	21,000	13,068	-7,932
20	15,400	4,025	-11,375
21	1,050	810	-240
22	131,250	277,100	+145,850
Sub-Total	332,676	665,253	+332,577
Applications Outside the UDB			
5	79,800	354,836*	+275,036
6		Denied	
7		Denied	
10		Withdrawn	
11		Denied	
13		Withdrawn	
17		Withdrawn	
23		Withdrawn	
24		Denied	
Sub-Total	79,800	354,836*	+275,036
TOTAL			
All Adopted Amendments	412,476	1,020,089	607,613

Calculations based on water usages listed in Section 24-43.1(5), Miami-Dade County Code.

gpd=gallons per day

* Based on Proposed/Anticipated Development Program submitted by Applicant but not inclusive of irrigation figures.

As noted in its Recommendation, DCA states "the proposed land use changes must demonstrate the necessary coordination of land use approvals with an assured supply of potable water". The County agrees that approval of certificates of occupancy and building permits must be strictly tied to having an assured and immediately available water source, which is consistent with Level of Service (LOS) language. Additionally, amendments to the CDMP should evaluate water demands against current supply and factor in anticipated improvements to determine if the resulting available water supplies are sufficient to meet the estimated demand. However, all policies within the CDMP, in addition to water supply policies, are considered to determine whether or not a change in the land use designation on a future land use plan map is consistent with the CDMP. Land use decisions should be based upon adequate data and consistent with the goals and objectives within the CDMP. Additionally, adequacy of future water resources is an

important planning consideration and must be thoroughly evaluated prior to adoption of any Land Use Plan map amendment.

The Department evaluated the applications based upon the water demand estimates of the proposed land use change in comparison to the capacity of the water and sewer treatment facilities, as per established level of service (LOS) standards. Such an approach is based upon each treatment facility having a rated capacity tied to an approved water supply source. Currently, the SFWMD authorizes raw water withdrawals from the Biscayne Aquifer through three (3) separate water use permits. These permits have a total allocation of 413.25 mgd day, of which only 347 mgd are currently being used. In 2004, prior to the expiration of two (2) of the water use permits, the Miami-Dade Water and Sewer Department (MDWASD) applied for renewals, which if not approved or denied, extend the permits administratively until new permits are issued. After submittal of their first renewal request, the MDWASD submitted a permit application to consolidate the three (3) water use permits and a request a total average day allocation of 466.7 mgd, to meet the projected demands to the year 2025.

Since the submittal of this new permit request, MDWASD has been working with the SFWMD to respond to all data requests required prior to obtaining a long-term (20-year) permit. In 2005, it became apparent that the long-term permit required information and modeling that was going to take an extended period of time. The SFWMD recommended that a short-term permit be issued authorizing existing pumpage plus the water needed during the short-term (approximately 18 months) to accommodate the projected growth until the long-term permit can be considered for approval.

Short-Term Water Use Permit

On April 25, 2006, the BCC passed a resolution that authorized the execution of an "Interim Water Use Agreement" (a/k/a short-term water use permit) with the SFWMD. This agreement is scheduled to go before the Governing Board of the SFWMD on May 10, 2006 for action. The terms of this agreement will require Miami-Dade County to expend approximately \$200,000 towards studies to complete the requirements of a 20-year consumptive use permit and \$13 million for design and construction of two (2) pilot projects to demonstrate the feasibility of using treated wastewater to rehydrate coastal wetlands and for aquifer recharge.

This agreement also authorizes the County, over the 18-month term of this agreement, to withdraw a total of 349.76 million gallons per day (mgd), an increase over the current 347 mgd permitted water supply withdrawal of 2.76 mgd. The 2.76 mgd water supply withdrawal increase was calculated by multiplying the projected increase in water service area population for the next 18 months by the estimated per capita water use. The anticipated increase in water withdrawals for the short term permit would be sufficient to assure a water source for development that has already been approved and is not to be used to encourage new development.

Long-Term Water Supply Coordination

As discussed above, requirements for approval of a long-term (20-year) water use permit will be outlined in the short-term water use permit. In addition to providing the information required by the long-term permit, Miami-Dade County has undertaken several additional programs.

MDWASD is in the process of developing a 10-Year Water Supply Workplan, required by s.163.3177(6)(c) that will include alternative water supply projects selected by the County from those identified in the Lower East Coast (LEC) Regional Water Supply Plan, as per s.373.0361(2)(a) or proposed by the County in accordance with s.373.0361(7)(b). The Workplan will be filed as an amendment to the County's CDMP by the end of December 2006. Adoption of this amendment is required within 18 months after the SFWMD adopts the LEC Regional Water Supply Plan, in accordance with Section 163.3177(6)(c), Florida Statutes. It is anticipated that the SFWMD will adopt the new LEC Regional Water Supply Plan in July 2006, thereby requiring the County to adopt this amendment by December 2007. The CDMP amendment will modify the Water, Sewer, and Solid Waste Element to identify the needed facility improvements for the 5- and 10-year planning time frame. In addition, the Capital Improvements Element will be amended to include those alternative water supply projects from the 10-Year Water Supply Workplan.

Currently, MDWASD is conducting a Reuse Feasibility Study and an Alternative Water Supply Investigation. Draft recommendations to achieve a 75% Alternative Water Supply are to be presented to the BCC in May 2006. Additionally, MDWASD is in the process of procuring a consultant to update its Water Facilities Master Plan, which will include development of the CDMP amendment for the 10-Year Water Supply Workplan and further evaluation of the recommendations of the Reuse Feasibility Study.

In addition to the Reuse Feasibility Study, MDWASD also developed a 5-Year Water Use Efficiency Plan. This goal-based plan incorporates existing conservation measures outlined by the SFWMD as well as new water saving measures that are expected to yield water savings of approximately 2.34 mgd in the next 5 years. The plan was approved by the BCC at its April 25, 2006 meeting.

To further show its commitment to developing reuse and alternative water supplies, the Board of County Commissioners at the April 18 and 19, 2006 hearings, for the April 2005 CDMP Amendment Cycle modified the Capital Improvements Element to incorporate a Reuse and Alternative Water Supply Project (Project #20) into the Schedule of Capital Improvements – Water Facilities Table 12. This amendment outlined six (6) sub-projects that totaled approximately \$157 million over the next six years, identified appropriate funding sources and would result in over 20 mgd of reused or alternative water supplies.

In addition to the current and proposed County water supply projects and programs, the Department analyzed the proposed CDMP amendments in relation to the water supply issues. The following water supply information was utilized by the BCC in their final decision-making process.

1. The approved applications (Application Nos. 1, 2, 3, 4, 5, 15, 20, 21, and 22) represent an increased water demand of 607,613 gpd, a demand that will have been accounted for in MDWASD's projected long-term water demand figures. Water demands associated with approval of these projects are not expected to be realized within the 18-month timeframe of the short-term water use permit due to the time involved with re-zoning of the property, application and approval for building permits, and construction of the project. Water demand from these applications should therefore be addressed under the long-term water use permit.
2. Application Nos. 2, 3 and 4 lie within the County's urban infill area and Application Nos. 3 and 22 are located within planned transit corridors. CDMP policies related to the infill area and transit corridors encourage higher densities and mixed uses that would result in maximizing the efficiency of existing and planned public facilities and services.
3. Approval of Application Nos. 15, 20 and 21, which redesignates residential uses to "Business and Office", will result in a water supply savings of 19,547 gpd. Residential uses demand more water than commercial uses and therefore redesignation of these parcels to "Business and Office" reflect this reduced demand.
4. Application Nos. 1, 3, 4 and 22 have proffered covenants, which commit their projects to working with MDWASD and utilizing water conservation measurements above what is currently required by the County.
5. Application No. 5, lies outside the Urban Development Boundary and could require a total water demand of 354,836 gpd, an estimated increase of 275,036 gpd above anticipated water demand should the property be developed under the current designation. On April 28, 2006, a water demand analysis prepared on behalf of the City of Hialeah, was submitted for inclusion into the transmittal package as additional information. The City's calculations demonstrate a significantly greater water demand under the existing land use designation of "Open Land," which allows for seasonal agriculture. Although the City's calculated change in water use differs from that of County, largely due to the City's inclusion of irrigation water into the calculation, the water demand generated by the proposed development at the application site, as proposed by the applicant and less the irrigation water use for the park, is 354,836 gpd.

Due to the size of the property, 1,140.79 acres, and the potential water demand generated by this application, the Applicant has worked closely with the MDWASD and the SFWMD to develop an alternative water supply plan for this application. The City of Hialeah has hired a consultant to develop water supply alternatives such as a reverse osmosis water treatment plant that uses the Floridan aquifer for water supply and additional conservation measures.

In a letter provided to Mr. George Burgess, Miami-Dade County Manager, dated April 17, 2006 and entitled "Alternative Water Supply Memorandum of Understanding/City of Hialeah" the City of Hialeah has agreed to initiate design, construction and operation of a 4.0 mgd reverse osmosis water treatment plant using the Floridan Aquifer as its source. The City also agrees to assume the cost of the project through appropriate funding mechanisms, to amend the City's Comprehensive Plan to reference the City's obligations relative to the new

water plant, and, to require new development to install appropriate infrastructure to support future reuse, reclamation, and conservation requirements in the annexation area. This agreement, attached as Exhibit 5-D of the transmittal package, has been signed by the Mayor of Hialeah and is under review by the County for potential inclusion of alternative water supply projects.

The City of Hialeah has further shown its intent to coordinate water supply with land use approvals by adding a new policy into their Comprehensive Plan. This new policy calls for a financially feasible plan and program for alternative water supplies as required by s.163.3177(6)(c). The Memorandum of Understanding submitted to the County was the first step toward implementing this policy. This policy and other correspondence outlining the City's efforts to develop an alternative water supply that will offset the proposed development associated with this amendment is included in the transmittal attachments for Application No. 5.

Additionally, the Graham Company, owner of the northern 347 acres, has proffered a covenant that limits development to an intensity which will not generate more than a net of 2,582 P.M. peak hour trips at the site and to work with the County to develop an adequate water supply, acceptable to the County, for the proposed development prior to site plan approval. The covenant is included in the transmittal package as additional information.

Consistency with the CDMP

DCA has indicated that adoption of any of the proposed Land Use Amendments would be internally inconsistent with CDMP Water and Sewer Sub-Element Objective WS-1 and Policy WS-1B, Objective WS-2 and Policy WS-2B, Policy WS-3B, and Objectives WS-5 and WS-6. The Department believes that the recommendations given in the April 2005 Initial Recommendations Report are consistent with the policies cited above by DCA. A discussion of each policy follows.

Objective WS-1 states *"In order to serve those areas where growth is encouraged and to discourage urban sprawl, the County shall plan and provide for potable water supply, and sanitary sewage disposal on a countywide basis in concert and in conformance with the future land use element of the comprehensive plan"*. The CDMP refers to potable water as treated water for distribution and raw water as water to be withdrawn from the aquifer. Treatment plant capacities are permitted based on the treatment capabilities of the individual treatment plant and the associated permitted raw water withdrawal (water use permit). As initially evaluated, in August 2005, the applications within the Urban Development Boundary (UDB) and Urban Expansion Area (UEA) were shown to have available potable water based on the current water use permits and permitted treatment plant capacities. None of the adopted level of service (LOS) standards for treated water was exceeded. Since this initial evaluation, the availability of future raw water supplies has been questioned. However, based upon proposed County projects and programs for alternative water supplies, as noted above, the water use demands of the adopted amendments will be met. Application No. 5 is located within the UEA and all other adopted amendments are within the UDB.

Policy WS-1B states *"All new uses within the Urban Development Boundary shall be connected to a public water supply. Exceptions may be provided for residential uses at a density no greater than two units per acre, where primary drinking water quality standards as specified in the Florida Administrative Code can be met without treatment and the groundwater is free from saltwater intrusion."* The Department does not believe that approval of any of the applications inside the UDB or UEA are internally inconsistent since these applications do not change the overall 20-year water demand projections prepared by MDWASD. These projections have been approved by the SFWMD and, therefore, will have been accounted for in the regional water demand projections. The water use demands of these projects will be factored into any alternative water supplies proposed by the County and therefore will be addressed under the County's long-term water use permit.

Objective WS-2 states: *"The County will maintain procedures to ensure that any facility deficiencies are corrected and that adequate facility capacity will be available to meet future needs."* Additionally, Policy WS-2B states *"Except as provided by Objective WS-1 and the supporting policies, no development order authorizing new development or a significant expansion of an existing use shall be issued for any area of the County which is served by a potable water or sanitary sewer facility which does not meet the standards in Policy WS-2A or will not meet these standards concurrent with the completion of the development. In any case where the federal, state, or County standards referenced in Policy WS-2A are revised, a reasonable time for compliance with the new standards shall be allowed."* Both the Objective and the Policy relate to potable water treatment facility capacities and do not relate to raw water supply. Analysis performed by the staff in the April 2005 Initial Recommendations Report showed that the potable water treatment facilities have the required capacity to treat the water necessary to serve the applications and that the potable water level of service standard would not be exceeded. Additionally, Policy WS-2B cites development orders. Although comprehensive plan amendments are not development orders, they do account for future growth and should be evaluated for long-term impacts. Currently there is no LOS related to raw water supplies. Chapter 163, F.S., as revised in July 2005, allows local governments 18-months from the adoption of the SFWMD's LEC Regional water supply plan to develop a local 10-Year Water Supply Plan. This plan will identify alternative water supply projects and their funding sources against which future CDMP amendments will be evaluated. Additionally, this fall, as part of a bundle of growth management applications to the CDMP being prepared to fulfill new requirements of Chapter 163 F.S., the Department will prepare an application for inclusion of a raw water supply LOS standard into the CDMP.

Policy WS-3B states: *"Potable water supply and sanitary sewage facility improvements will be undertaken in conformity with the schedule included in the Capital Improvements Element"*. This policy refers to treatment facility improvements and is not applicable to current water supply issues. The need for and the capital programming of water treatment plant improvements are addressed in the Capital Improvements Element on an annual basis as required by state law.

Objective WS-5 states: *"Develop and implement a comprehensive water conservation program to ensure that a sufficient, economical supply of fresh water is available to meet current and future demand for potable water without degrading the environment"*. The County has had a comprehensive water conservation program for many years, and in February of 2006 MDWASD

published an updated Miami-Dade Water Use Efficiency 5-Year Plan. The plan was adopted by the Board of County Commissioners on April 26, 2006. This and other programs will be included in the County's 10-Year Water Supply Plan to be adopted by December 2007.

Objective WS-6 states: *"Miami-Dade County shall undertake timely efforts to expand traditional sources of raw water and develop new raw water sources to meet the County's level of service standards for water supply"*. This Objective refers to the relationship between the raw water sources and the water treatment facilities. Currently there is no LOS for raw water supply; however, as required in revisions made to Chapter 163 in 2005, the County will develop a raw water LOS for inclusion into the CDMP. This amendment is scheduled to be filed in the October 2006 Amendment cycle. Projects associated with development of alternative water sources are being included in the 10-Year Water Supply Plan that will also include a 10-year capital improvements schedule. This Plan is anticipated to be adopted by the County in December 2007, approximately 18 months from the SFWMD's adoption of the LEC.

Additionally, the BCC at the April 19, 2006 Final hearing for the April 2005 CDMP Amendment cycle, approved project 20, Reuse and Alternative Water Supplies, into Table 12 of the CIE Schedule of Improvements. This project consists of six sub-projects that will yield over 20 mgd of reuse or alternative water supply in the next six years at a cost of approximately \$157 million. This increase is not inclusive of projects proposed by the City of Hialeah.

As shown through the above narrative, the County has actively pursued the establishment of an assured long-term water supply through additions of various reuse and alternative water supply projects and programs to its capital improvement plan. Additionally, the County's coordination efforts with the SFWMD have resulted in an interim water use agreement with the SFWMD which has been executed by the County and is scheduled for action at the May 10, 2006 SFWMD Governing Board meeting. The Department is on schedule to adopt all necessary water supply plans and water supply language to ensure compliance with Chapter 163, F.S. and has preformed its application evaluation in a manner that is consistent with the goals, objectives and policies outlined in the CDMP. Additionally, the City of Hialeah, and other applicants have proffered agreements and covenants, which will result in the implementation of water conservation measures or development of alternative water supplies.

Based efforts outlined above and with the understanding that no development orders will be issued for these amendments until approval of the 20-year long-term water use permit has been issued, the Department finds that the objections of DCA and the concerns of the SFWMD have been addressed.

DCA Objection #2: Internal Inconsistency with the Comprehensive Plan, Moving the Urban Development Boundary (Applies to Applications No. 5, 6, 7, 10, 11, 13, 17, 23, and 24)

DCA 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 No.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 No. 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 No. 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 No 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. DCA 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 No. 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 No. 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 No. 17 text amendment is consistent with the aforementioned policies, DCA 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.

DCA objects to Applications No. 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 No. 23 and 24 (both located within the City of Homestead) are within this circumscribed area. Application No. 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 No. 24 was reviewed by the Buffer Development Review Committee, which recommended to the County Commission that Application No. 24 be denied but transmitted to the State. DCA understands the action of the Buffer Development Review

Committee, in recommending denial of Applications No. 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.

DCA Recommendation:

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 10, 1R, 3E, 8G, and 8H; and Conservation Element Policy 3E and with Chapter 163, F.S., and Rule Chapter 9J-5, F.A.C.

DP&Z Revised Response:

DCA states in the ORC that Applications Nos. 5, 6, 7, 10, 11, 13, 17, 23, and 24 to move the Urban Development Boundary (UDB) are internally inconsistent with adopted policies in the Land Use Element and the Conservation, Aquifer Recharge and Drainage Element of the CDMP and with Chapter 163 of the Florida Statutes (F.S) and Rule 9J-5 of the Florida Administrative Code (F.A.C.). DCA requests that the current land use designations and UDB locations be retained or that data and analysis be provided 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. Policies 8G and 8H of the Land Use Element were relabeled as Policies LU-8F and LU-8G, respectively, in the October 2004 Cycle Amendments that were adopted December 12, 2005. Since the material that was transmitted to DCA referred to these policies as 8G and 8H, they will be identified in this response as Policies 8G and 8H of the Land Use Element.

Land Use Policy 8G provides the criteria for determining if moving the UDB is needed to provide land for residential and non-residential uses. 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 remaining residential capacity of vacant land within the current UDB is projected to be depleted in 2018. Thus, the supply standard for residential land in the policy of 15 years has been satisfied without moving the UDB.

DCA objected to Applications No. 7, 10, 11, 13, 17, 23, and 24, because of the proposed or allowed residential uses would be inconsistent with Land Use Policy 8G. **Applications No. 10, 13, 17 and 23 were withdrawn and Applications No. 7, 11, and 24 were denied at the public hearing on April 19, 2006 of the Board of County Commissioners.** Thus, the Board of County Commissioners adopted none of the applications that DCA objected to on the basis of the residential provisions of Land Use Policy 8G.

Policy 8G of the Land Use Element also provides guidance regarding the need to move the UDB for non-residential land uses. The policy states the following: "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."

DCA objected to Applications No. 5, 6, 7, 11, 17, 23, and 24, because the proposed or allowed non-residential uses would be inconsistent with Land Use Policy 8G. **Applications No. 17 and 23 were withdrawn and Applications No. 6, 7, 11, and 24 were denied at the public hearing on April 19, 2006 of the Board of County Commissioners.** Thus, only Application No. 5 was adopted of those that DCA objected to on the basis of the non-residential provisions of Land Use Policy 8G.

In terms of quantity, a sufficient supply of vacant commercial and industrial land exists Countywide and in smaller geographic areas without moving the UDB. Countywide, the supply of land for commercial and office developments or industrial developments will not be depleted until 2025. Application No. 5 is a request for "Industrial and Office" that is located in the North Tier and the MSA of 3.1, where the depletion year for industrial land is after 2025.

The Department notes that these calculations are based on 2003-2004 information that was available when the Initial Recommendations Report was published in 2005. Thus, some major conversions of industrial land to other uses in 2005 were not included. The County redesignated in the April 2004 CDMP amendment cycle major industrial areas to other uses such as 577 acres in Doral to residential, business and office uses and 68 acres adjacent to Tamiami Airport to business and office uses. The department noted its concern then regarding the conversion of "Industrial and Office" designated land to other uses.

While it appears that the existing supply of vacant industrial zoned or designated land in the North Tier or MSA 3.1, the location of Application No. 5, is adequate, the Department is concerned over a lack of large parcels needed to attract major industrial concerns in an area that is both near Miami International Airport and offers industrial and office tenants ready access to the Goldcoast market to the north via the Homestead Extension of the Florida Turnpike (HEFT). According to a 2005 departmental study, entitled "The Demand and Supply of Industrial Land in Miami-Dade County", the median parcel size in 2003 for MSA 3.1 is 1.58 acres. This median parcel size is substantially smaller than the parcels in a new subdivision, Beacon Lakes Phase One, designed to serve major industrial concerns west of Miami-International Airport with a number of lots in the range of 8 to 10 acres.

This problem is especially a concern of the County's major industrial city, Hialeah, where a total of 40 acres of vacant industrial land currently exists. Except for one 29-acre property, all the vacant industrial parcels in the city are less than one acre in size. The City of Hialeah has

presented its analysis of industrial land supply in the letter of April 17, 2006 from Mayor Julio Robaina to the Chair and Board of County Commissioners, which is included as additional information in the transmittal package.

The ownership pattern on the approximately 1,140-acre site of Application No. 5 as transmitted to DCA primarily consists of several large landholdings such as Beacon Countyline LLC (most of Section 17), Vecellio & Grogan Inc. (Section 18), and The Graham Companies (Section 8). Countywide, a total of 2,914.33 acres of vacant industrial land exists in parcels with a size of ten acres or more. Most of these parcels are located south of the application site in Hialeah Gardens, Medley, Beacon Lakes and Doral areas. These sites are not as well suited spatially to serve the Broward County and Palm Beach County markets as the application site, when an interchange is built on the Turnpike at NW 170 Street. The large vacant parcels to the north are in the 260-acre site of Application No. 2 in the April 2004 Amendment Cycle and a few scattered sites in the municipalities of Miami Lakes and Miami Gardens and along Miami Gardens Drive in unincorporated Miami-Dade County.

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 8G. DCA objected to Applications No. 6, 7, 10, 11, 13, 17, 23, and 24 due to alleged inconsistencies with this policy. **The applicants withdrew applications No. 10, 13, 17, and 23 and the Board of County Commissioners denied Applications No. 6, 7, 11 and 24 at the public hearing on April 19, 2006.**

DCA stated in the ORC that the proposed text amendment portion of Application No. 17 is inconsistent with two policies in the Land Use Element of the CDMP, Policies 1O and 1R. Policy 1O 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. Policy 1R requires that Miami-Dade County take steps to reserve the amount of land necessary to maintain an economically viable agricultural industry. **The applicant withdrew Application No. 17.**

Land Use Policy 3E provides for the development of the South Miami-Dade Watershed Plan to guide development south of Tamiami Trail (SW 8 Street). DCA objects to Applications No. 23 and 24 because they are not internally consistent with this policy. **The applicant withdrew Application No. 23 and the Board of County Commissioners denied Application No. 24 at the public hearing on April 19, 2006.**

DCA provided that Application No. 6, which is south of NW 25 Street, is inconsistent with Conservation, Aquifer Recharge and Drainage Element Policy 3E, which states "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 ancillary uses as provided for in Chapter 24 of the Dade County Code and the entire area west of the Turnpike, north of NW 25th Street and south of Okeechobee Road shall remain unurbanized." **The Board of County Commissioners denied Application No. 6 at the public hearing on April 19, 2006.**

DCA stated that these applications to move the UDB are inconsistent with Chapter 163, F.S. and Rule 9J-5, F.A.C. The specific citations given by DCA are Sections 163.3177(2) and 163.3187(2) in the Florida Statutes and Rules 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) in the Florida Administrative Code. Section 163.3177(2) requires coordination and consistency of the elements in the local comprehensive plan and that the plan shall be financially feasible. The responses to DCA Objections No. 1 (water supply), 4 (transportation facilities), and 5 (public schools) address these issues. Section 163.3187(2) states that comprehensive plans may only be amended in such a way as to preserve the internal consistency of the plan pursuant to Section 163.3177(2). Rule 9J-5.005(5) requires internal consistency among the elements of the CDMP. Rule 9J-5.005(6) provides criteria for developing the Future Land Use Element. Rules 9J-5.006(2)(b) and (c) require an analysis of the character and magnitude of existing vacant or undeveloped land and analysis of the land needed to accommodate the project population. These analyses are included in the Initial Recommendations Report. Rules 9J-5.006(5)(a), (g), and (l) provide extensive criteria for addressing urban sprawl. Rule 9J-5.013(c)(6) promotes protection and conservation of the natural functions of existing soils, fisheries, wildlife habitats, floodplains and wetlands, which are addressed in the environmental analyses contained in the Initial Recommendations Report.

Rules 9J-5.006(5)(a), (g), and (l) provide part of the basis for reviewing plans and plan amendments to discourage the proliferation of urban sprawl. Subsection (a) requires that plans and plan amendments are consistent with relevant provisions of the state comprehensive plan, regional policy plan and Chapter 163 such as the efficiency of land use, the efficient provision of public facilities and services, the separation of urban and rural land uses and the protection of agriculture and natural resources, the separation of urban and rural land uses and the protection of agriculture and natural resources. Subsection (g) identifies 13 primary indicators that a plan amendment does not discourage the proliferation of urban sprawl. Subsection (l) requires the use of innovative and flexible strategies and creative land use planning techniques that are recognized as methods for discouraging urban sprawl such as urban villages, new towns, satellite communities, area-based allocations, clustering and open space provisions, mixed use development and sector planning that allow the conversion of rural and agricultural lands to uses while protecting environmentally sensitive areas, maintaining the economic viability of agricultural and other predominately rural land uses, and providing for the cost-efficient delivery of public facilities and services. The Department acknowledges that none of the amendments is a result of any of these measures to reduce sprawl. **Except for Application No. 5, all the applications to move the UDB were either withdrawn by the applicants or denied at the public hearing on April 19, 2006 by the Board of County Commissioners.**

Application No. 5 addresses the concerns with urban sprawl. Conversion of this land will not cause urban sprawl west of the Turnpike. Policy LU-8G states that when considering land areas to add the UDB that the Northwest Wellfield Protection Area located west of the Turnpike Extension between Okeechobee Road and NW 25 Street shall not be considered. The Florida Turnpike will serve as a hard barrier to protect natural resources and to provide a clear separation between urban and rural uses.

Prior to its adoption, this application site was located in the County's Urban Expansion Area (UEA), which is comprised of that area located between the 2015 UDB and the 2025 UEA

Boundary. The Urban Expansion Area is the area where current projections indicate that further urban development beyond the UDB is likely to be warranted some time between the year 2015 and 2025.

The only compatible and suitable use for the area within the boundaries of Application No. 5 is for industrial, warehouse and/or office uses, not residential. The application area is surrounded to the south and east with land designated on the Land Use Plan map as "Industrial and Office." The rock mining activities to the north and west is not compatible to residential development. In addition, a number of landfills are located on the application site, which would require more substantial clean up for residential use than industrial use.

DCA Objection #3: Failure to establish meaningful and predictable standards for the use and development of land (Applies to Application No. 25)

DCA objects to proposed text Amendment/Application No. 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 No. 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

DCA Recommendation:

Do not adopt Application No. 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.

DP&Z Revised Response:

The applicant withdrew Application No. 25.

DCA Objection #4: Impact on Public Transportation Facilities (Applies to Applications No. 5, 10, 11, 13, 17, 22, and 23)

DCA objects to Applications No. 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.

DCA objects to Applications No. 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.

DCA objects to Applications No. 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 No. 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 No. 10, 11, and 17. The Florida Department of Transportation reported that it was unable to determine the future impact of Application No. 17 on Krome Avenue/SR 997 because insufficient data was provided with the amendment. The development of Application No. 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

DCA 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 No. 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 No. 5, 10, 11, 13, 17, 22, and 23, in order for these applications to be consistent with the CDMP

DP&Z Revised Response:

The Miami-Dade County Department of Planning and Zoning utilizes the best available traffic information provided by the Miami-Dade County Public Works Department (PWD). The PWD uses the most current traffic count data collected for the county's roadways and the most current traffic count data provided by FDOT for state roadways to estimate average daily and peak hour vehicle trips. However, as explained in our response in the Revised Recommendation Report the PWD has been experiencing some difficulty lately in updating their traffic concurrency information and, therefore, the problem is being reflected in the reporting of the traffic concurrency analyses. Currently, the PWD is working on a new computer program using state of the art technology to update its database and concurrency management program.

Application No. 5. Cathy Sweetapple & Associates Transportation and Mobility Planning prepared a Transportation Analysis report for CDMP Amendment Application No. 5, which is included in the transmittal package as additional information. The analysis considers the City of Hialeah's Application for a land use plan amendment for 793.8 acres of property located within the Year 2025 Urban Expansion Area, and bounded by NW 170 Street on the north, NW 97 Avenue on the east, NW 154 Street on the south, and the HEFT on the west. It also considers the additional 347 acres, owned by The Graham Companies, and added to the original application by Miami-Dade County. The transportation consultant used the most current traffic count data, the 2004 Florida Traffic Information provided by the Florida Department of Transportation and the County's March 30, 2006 Traffic Count information, in the analysis.

The transportation analysis considers the following assumptions: 1) land development scenarios are limited by a 30% reduction for stormwater retention, 15% reduction for roadways and other infrastructure, and a FAR of 0.45; 2) three development scenarios were considered to reflect a mixture of uses allowed under the requested "Industrial and Office" land use re-designation; and 3) no roadway connections on NW 154 Street and NW 170 Street between NW 97 Avenue and I-75, no interchange at NW 154 Street and I-75, and a new interchange at NW 170 Street and the HEFT. Scenario 1 considers the two parcels (1,140.8 acres) developed with 9,900,000 sq. ft. of industrial park; Scenario 2 considers the application sites developed with 18,090,000 sq. ft. of warehouse use; and Scenario 3 considers the sites developed with 11,500,000 sq. ft. of mixed industrial and office uses. The applicant and the transportation consultant studied the Hialeah and Graham parcels and believe that actual yield in buildable area will be close to 11,500,000 sq. ft. of industrial and office use. The warehouse type of use is typically more in line with how DP&Z analyzes other requests for the Industrial and Office designation and it is the same use that the Department has used in analyzing other similar large-scale development proposals.

Scenario 1 was estimated to generate 8,515 PM peak hour trips, Scenario 2 was estimated to generate 8,514 PM peak hour trips, and Scenario 3 was estimated to generate 8,515 PM peak hour trips. Table 1C, Summary of Potential Development Program Options and PM Peak Hour Trips, of the Transportation Analysis Report presents the development scenarios and PM peak hour trips estimated to be generated by the three scenarios. Also, the transportation analysis assumes the application sites would be accessed from NW 170 and NW 154 Streets and from NW 107 and NW 97 Avenues. The findings of this analysis are discussed below.

All roadways adjacent to the amendment sites were found to operate at acceptable levels of service (LOS) during the PM peak hour (see Table 2A of the Transportation Analysis Report). Pursuant to the Miami-Dade County Concurrency Management System, which considers reserved trips from approved developments not yet constructed, programmed roadway capacity improvements plus the projected traffic to be generated by proposed Amendment sites, predicts that the roadways will operate at acceptable LOS. Available capacity and acceptable LOS are maintained for the adjacent roadways, meeting the traffic concurrency standards (see Table 3B of the Transportation Analysis Report).

A year 2015 traffic impact analysis was also performed. The analysis considered the following: 1) all roadway capacity improvements programmed in the 2006 TIP and planned Priority I and Priority II projects listed in the Transportation Plan to the Year 2030 were considered; 2) the

original application (748.27-acre site) and the Graham Parcel (347-acre site) were examined; 3) NW 97 Avenue, NW 107 Avenue, and NW 154 Street were considered as four-lane facilities, and NW 170 Street between the HEFT and NW 97 Avenue as a six-lane facility. The analysis demonstrates that adequate roadway capacity will be available on the adjacent and regional roadway network to meet the adopted roadway LOS standards. Roadway LOS standards will be met after incorporating the funded Transportation Improvement Program (TIP) roadway improvements surrounding the amendment sites, the Priority I and Priority II improvements from the Year 2030 Long Range Transportation Plan, the new interchange improvement at the HEFT and NW 170 Street, and the additional roadway improvements that will be constructed by the developers of the application sites to improve local access to the sites and complete the regional roadway network. See Table 4A of the Transportation Analysis Report.

The new roadway facilities needed to support the proposed amendment are identified in Figure 1C and listed in Table 5 of the Transportation Analysis Report. As recommended by the DCA in the ORC report, the roadway improvements have been added to ensure that LOS conditions on area roadways will not be deteriorated below adopted LOS standards as a result of the requested Land Use Plan map amendment. The changes are presented below.

1. On the **Land Use Plan** map, make the following changes to the roadway network:
 - a) NW 170 Street between the HEFT and NW 97 Avenue: Change from Minor Roadway (2 lanes) to Major Roadway (3 or more lanes);
 - b) NW 154 Street between HEFT and NW 97 Avenue: Change from Minor Roadway (2 lanes) to Major Roadway (3 or more lanes);
 - c) NW 107 Avenue between NW 170 and Okeechobee Road: Change from Minor Roadway (2 lanes) to Major Roadway (3 or more lanes); and
 - d) NW 97 Avenue between NW 183 and NW 122 Streets: Change from Minor Roadway (2 lanes) to Major Roadway (3 or more lanes).

2. On the **Land Use Plan** map, make the following changes to the 2015 Urban Development Boundary (UDB) and 2025 Expansion Area Boundary:
 - b) Delete the 2025 Expansion Area Boundary depicted along the HEFT between theoretical NW 97 Avenue and theoretical NW 154 Street;
 - c) Move the 2015 UDB westward and align along the HEFT between theoretical NW 97 Avenue and theoretical NW 154 Street; and
 - d) Delete the 2015 UDB depicted along NW 154 Street between the HEFT and theoretical NW 97 Avenue, and along theoretical NW 97 Avenue between theoretical NW 154 Street and the HEFT.

3. In the **Transportation Element, Traffic Circulation Subelement**, change the following roadways on Figure 1 (Planned Year 2025 Roadway Network), Figure 3 (Roadway Functional Classification-2025), and Figure 4 (Limited Access Roadway Facilities – 2025), respectively:
 - A. Figure 1, Planned Year 2025 Roadway Network

- a) NW 170 Street between the HEFT and NW 97 Avenue: Change from 2 lanes to 6 lanes;
- b) NW 154 Street between HEFT and NW 97 Avenue: Change from 2 lanes to 4 lanes;
- c) NW 107 Avenue between NW 170 and Okeechobee Road: Change from 2 lanes to 4 lanes; and
- d) NW 97 Avenue between NW 183 and NW 122 Streets: Change from 2 lanes to 4 lanes.

B. Figure 3, Roadway Functional Classification - 2025

- a) NW 170 Street between the HEFT and NW 97 Avenue: Change from Collector to County Minor Arterial;
- b) NW 154 Street between HEFT and NW 97 Avenue: Change from Collector to County Minor Arterial;
- c) NW 107 Avenue between NW 170 and Okeechobee Road: Change from Collector to County Minor Arterial; and
- d) NW 97 Avenue between NW 183 and NW 122 Streets: Change from Collector to County Minor Arterial.

C. Figure 4, Limited Access Roadway Facilities – 2025.

- a) NW 170 Street and the HEFT: Add new interchange.

Based on the projected 2015 traffic conditions of the roadway network in the vicinity of Application No. 5, the Department of Planning and Zoning changed its recommendation to include the previously deleted 347 acres and adopt the amendment application.

Application No. 10. The applicant withdrew this application, on March 29, 2006.

Application No. 11. The application was denied by action of the Board of County Commissioners at the hearing on April 19, 2006. See Ordinance No. 06-042 attached.

Application No. 13. The applicant withdrew this application, on February 23, 2006. (See copy of letter of withdrawal attached.)

Application No. 17. The applicant withdrew this application, on February 23, 2006. (See copy of letter of withdrawal attached.)

Application No. 22. The application size was originally 58.51 gross acres comprising Parcels A and B but was expanded to 62.51 gross acres by action of the Board of County Commissioners at the hearing on November 30, 2005. This change to Application No. 22 made necessary the revision of our previous transportation analysis to reflect the impacts of the application under the new parameters. The revised traffic impacts of this application are discussed on pages A-27 and A-28 of Appendix A of the "Revised Recommendations" Report dated March 21, 2006.

Application 23. The applicant withdrew this application, on April 17, 2006.
(See copy of letter of withdrawal attached.)

Objection #5: Impact on Public Schools (Applies to Applications No. 10, 13, and 23)

DCA 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.

DCA 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.

DP&Z Revised Response:

The applicants withdrew Applications No. 10, 13, and 23.