

## **Exhibit B**

**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. 08-1 Addressing the April 2007 Cycle  
Applications to Amend the Comprehensive Development Master Plan (CDMP)**

**May 8, 2008**

This report contains the responses of the Department of Planning and Zoning (DP&Z), to the objections contained in the referenced Objections, Recommendations and Comments (ORC) Report issued by the Florida Department of Community Affairs (DCA) dated February 26, 2008. The DCA issued objections to all six (6) private applications and three of the text applications (Applications 13, 14 and 16) transmitted for review and comment by the Miami-Dade County Board of County Commissioners.

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 to points raised in the ORC report.

***DCA OBJECTION #1: INADEQUATE PLANNING FOR POTABLE WATER SUPPLY  
(Applies to Applications No. 5, 8, and 9)***

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

and County, because it demonstrated that the potable water demands of ordinary growth would be accommodated by the water to be produced from WASD's proposed new alternative water supply sources, which were included in the capital facilities schedule in the Miami-Dade County Capital Improvements Element.

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

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

#### **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 6-year schedule of capital improvements of any facilities needed during that time frame.

**DP&Z Response:**

Miami-Dade County Department of Planning and Zoning (DP&Z), after each decennial census, generates its population estimates and projections for the County. These population estimates and projections are then disaggregated into the Minor Statistical Areas (MSAs), sub-areas of census tracts, to help identify the County's growth trends by geographic area and are routinely updated based upon local trends and conditions. Updates and amendments to the population projections, contained in the CDMP Land Use Element, are considered for adoption by the Board of County Commissioners approximately every four years; the latest projections being adopted in 2004. It was the 2004 adopted population estimates and projections that were utilized by the Miami-Dade County WASD (Water and Sewer Department) in their water supply planning efforts and formed the basis for determining future water demands in the WASD utility service area.

DCA has indicated that any change of land use outside of the service area, the land inside the Urban Development Boundary (UDB), will result in an increase in water demand not accounted for by the recently approved Water Use Permit (WUP). DP&Z asserts that the UDB helps to manage potential development sprawl within the County but that movement of this line does not increase the population. The population growth of the County is based on rate of births, deaths, in-migration and out-migration and is determined independent of land use. The assignment of the County's estimated population to the MSAs takes into consideration the amount of zoned developable land and makes assumptions regarding the timing of this development based upon past trends. However, inclusion of additional vacant land into the UDB does not change the existing or projected population for the County, but rather may adjust the spatial distribution of the population assigned to the MSAs. Likewise the existing population within the WASD utility service area will not change should vacant land (no existing population) be added. However, the projected population for the utility service area may shift between MSAs based upon changes to the development pattern created by additional commercial or residential supply in that area.

To properly account for these potential shifts in population, as noted above, the County periodically revises its population projections, both at the countywide and the MSA levels, and prepares these updates for inclusion into the CDMP. Such updates are a routine component of any long-range planning process as documented in the legislative requirements to update the regional water supply plans every five years. This concept was also addressed with the issuance of the 20-year WUP, as limiting condition 49, which requires a compliance report that updates the components of the WUP, including population estimates and reuse and water supply project status, to maintain a reasonable assurance the permittee's use will continue to meet the applicable rules and statute for the remainder of the permit duration.

As stated above the projected WASD service area population will not be increased by approval of these three land use amendments, and this population estimate will be revisited every five years and revised if necessary. DP&Z also recognizes that building

trends are not linear and that more development occurs in some years than others. This fluctuation in development and the resulting water demands may not coincide with the completion of those planned alternative water supply and reuse projects necessary to accommodate these anticipated water demands. An analysis of the finished water demands of the applications, based on largest water demand produced by the proposed development scenarios are as follows:

**Application No. 5** – The proposed development, based on the submitted application and proffered restrictive covenant, would prohibit residential units. The Land Use Plan map amendment would allow for two scenarios. The first is based on a commercial use of Parcel A and offices on Parcel B. The second scenario contemplates commercial development on Parcel A with a 2,000 student station High School on Parcel B. The estimated water demands for each of these scenarios, based upon water demand generation tables codified in Chapter 24, Miami-Dade County Code (MDCC) is as follows:

<b>APPLICATION 5</b>				
<b>Scenario</b>	<b>Proposed Use</b>	<b>Square Feet (sf) / Number of Students</b>	<b>Water Demand rates (Chapter 24)</b>	<b>Estimated Water Demand (gpd)</b>
1	Commercial/Retail	357,192 sf	10 gpd/100 sf	35,719
	Offices	655,578 sf	10 gpd/100 sf	65,558
<b>Total Estimated Water Demand for Scenario 1</b>				<b>101,277</b>
2	Commercial/Retail	357,192 sf	10 gpd/100 sf	35,719
	High School	2,000 students w/showers & 268 employees	20 gpd/student 15 gpd/employee	44,020
<b>Total Estimated Water Demand for Scenario 2</b>				<b>79,739</b>

Source: Miami-Dade County Department of Planning and Zoning, March 2008, base on criteria from Chapter 24, MDCC.

Gpd = gallons per day

**Application No. 8** – the proposed development, based on the transmitted covenant as accepted by the BCC, would prohibit residential units. The water demand for a commercial scenario, based upon water demand generation tables codified in Chapter 24, MDCC is as follows:

<b>APPLICATION 8</b>				
<b>Scenario</b>	<b>Proposed Use</b>	<b>Square Feet (sf)</b>	<b>Water Demand rates (Chapter 24)</b>	<b>Estimated Water Demand (gpd)</b>
1	Commercial/Retail	670,824 sf	10 gpd/100 sf	67,082

Source: Miami-Dade County Department of Planning and Zoning, March 2008, base on criteria from Chapter 24, MDCC.

Gpd = gallons per day

**Application No. 9 - The applicant withdrew Application No. 9 prior to the public hearing of the Board of County Commissioners (BCC) on April 24, 2008.**

Using the estimated highest demand for each of the above development scenarios, the potential water demand of the two applications is estimated to be 168,359 gallons per day. Realistically, development of these properties would not be completed due to platting, zoning and permitting requirements until sometime between 2010 and 2012. Assuming a 3-year buildout timeframe of 2011, (similar to a concurrency review) the projected water demand of the WASD utility area is estimated at 359.54 million gallons per day (mgd). In accordance with DCA Table 1 (see Attachment 3), as agreed to by the County, DCA, and the South Florida Water Management District (SFWMD), the County is anticipated to have 12.36 mgd surplus water in 2011. Additionally, during the 2007 and 2012 timeframe, the timeframe prior to the first update of the WUP permit, surplus water is anticipated to range between 0.43 mgd in 2007 to 8.16 mgd in 2012. In no year during this timeframe does the surplus fall below 0.43 mgd; a level above the 0.359 mgd estimated for the projects. The WUP permit will be revisited in 2012 to update population estimates (based on the 2010 census data) and water supply projects, if necessary.

DCA points out concerns from the SFWMD that “until the new Hialeah Floridan Aquifer reverse osmosis facility goes on-line (4.72 million gallons a day scheduled for 2012), the County has limited “new” water to meet its anticipated growth within the UDB and must rely heavily on water conservation and system savings to avoid a deficit. It is unclear why the SFWMD has these concerns since water conservation and systems savings have been proven to reduce demands and ultimately result in less water being required by growth. These are recognized as credits in the WUP issued by the SFWMD. The surplus water during the 2008-2011 timeframe is based on three factors; 1) the City of North Miami Beach no longer purchasing water from the County; 2) accelerated water conservation measures undertaken by the County; and, 3) the addition of 4.7 mgd Floridan Aquifer Blending project at the Hialeah-Preston Water Treatment Plant scheduled for completion in 2009. These projects are discussed below.

The City of North Miami Beach is currently a retail customer. This City has its own water utility and alternative water supply projects, which are intended to serve the population within the City’s service area. In 2007 the City came off the WASD system, with the exception of a 1 mgd demand that will be reduced to no demand by mid-2008. This reduction decreased the County’s service area demand by approximately 25,000 persons, which equates to a water reduction of 3.875 mgd.

The County’s water conservation efforts were projected to produce between 1.086 mgd in 2007 and 1.286 in 2012 based upon information provided in Table 5 (Appendix E) of the Revised Support Document. This savings has been accepted by the SFWMD and is included as a credit against the water demand in the WUP. Data supplied by WASD has indicated that the water savings realized during the 2007 calendar year was 1.48 mgd, an additional savings of 0.359 mgd.

This savings was due to extensive conservations and education efforts undertaken by the County, which resulted in WASD meeting all their targeted conservation goals and exceeding their goals in the following areas:

<b>Conservation Measure</b>	<b>2007 Targeted Goal</b>	<b>2007 Actual</b>	<b>Percent Complete</b>
Shower Exchange	3200 Showerheads	8117 Showerheads	253.7
Senior and Low Income Retrofits	750 Retrofits	806 Retrofits	107.5
High Efficiency Toilets	750 Rebates	750 Rebates	100.0
County Owned Facility Audits	25 Audits	50 Audits	200.0

A full listing of the conservation measure goals and completions are included in Attachment 4 attached along with the conservation events held by the County in 2007.

Finally, the SFWMD has incorrectly stated that the first permit project to come on online is the City of Hialeah Reverse Osmosis (RO) plant in 2012. WASD is currently using a blending of Floridan and Biscayne aquifer waters at the West and Southwest wellfields and is developing the infrastructure necessary to blend waters from these aquifers at the Hialeah-Preston plant. This project, listed in the WUP permit, is due to come on line in 2009 and will yield 4.7 mgd. The cost of the project, listed in the County's Capital Improvement Element (CIE) as Project 20C on Table 12, is \$10.4 million dollars.

These above referenced projects demonstrate that the WASD utility has sufficient water to account for the normal growth of the County. The aggressive efforts by the County to promote water conservation has resulted in additional water which, if necessary would be used for planned growth. Additionally, WASD, to assure the continued availability of water supplies as new development occurs, is currently developing a water allocation system in compliance with Section 163.3180(2)(a), Florida Statutes (F.S.), which states that "prior to approval of a building permit or its functional equivalent, the local government shall consult with the applicable water supplier to determine whether adequate water supplies to serve the new development will be available no later than the anticipated date of issuance by the local government of a certificate of occupancy or its functional equivalent".

The water allocation system will track the amount of water being allocated to serve all new construction, additions, renovations or changes in use requiring increases in water consumption. This system allows WASD to determine the current water supply available to serve new retail users within the WASD's service area and wholesale customers, while ensuring that the allocation in the Miami Dade County's 20-year water use permit is not exceeded. To ensure an equitable water allocation system, water will be allocated at the time of platting, at which time a parcel of land is evaluated to determine whether the existing water and sewer infrastructure can support the proposed project or the developer must agree to improve the infrastructure to accommodate the development activity. This often occurs one to two years prior to the issuance of a building permit or its functional equivalent. The water allocation will be reserved as long

as the developer complies with the terms and conditions of the agreement. In addition, water will be allocated prior to the issuance of a building permit. After the issuance of a building permit, the water will be reserved as long as the building permit remains active. The water allocation will be de-allocated when a water meter is set, or a Certificate of Occupancy or Use, or an Occupational License is issued. The total gallons of water required for a specific development activity or proposed use will be calculated according to the usage flows included in Chapter 24, MDCC.

Currently, WASD is amending Chapter 32, MDCC to include requirements for water allocation. The law will not allow any development activity to be platted or such development approved or building permit to be issued without an approval letter from WASD specifying the amount of potable water allocated for such development activity. This law will extend to WASD's wholesale customers. It is anticipated that revisions to Chapter 32 will be approved by the Board of County Commissioners by September 2008, and the water allocation system be fully implemented by the end of 2008.

***DCA OBJECTION #2: 10-YEAR WATER SUPPLY FACILITIES WORK PLAN  
(Applies to Applications No. 13 and 16)***

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

*In addition, according to the comments received from the South Florida Water Management District, the County's 10-year water supply facilities work plan and the associated water supply facility improvements listed in the Capital Improvements Element are not consistent with the projects, programs, and other requirements of the County's Consumptive Use Permit.*

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

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

***DCA Recommendations:***

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

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

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

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

**DP&Z Response:**

DCA has objected to the proposed County's Water Supply Facilities Work Plan for three reasons: 1) it does not "identify and evaluate the potable water utilities serving the unincorporated areas of the County, other than the Miami-Dade County Water and Sewer Department (WASD);" 2) the Capital Improvements Element (CIE) is "not consistent with the projects, programs, and other requirements of the County's Consumptive Use Permit;" and, 3) "The County has not adopted potable water level of service standards for non-residential users such as office, industrial, and mixed use." The following information is provided to address these objections.

Regarding the first issue raised above by DCA, WASD has been working with the other utilities (Florida City, Homestead, North Miami and North Miami Beach) that supply water to the County in order to evaluate the ability of these utilities to provide water to the County in the future. A new section has been added to the *Miami-Dade County Water Supply Facilities Work Plan, Support Document, revised April 2008*, (herein referred to as Revised Support Document) that evaluates the amount of water obtained from these additional utilities. Furthermore, the Revised Support Document evaluated these utility's proposed alternative water supply and reuse projects and has determined that the proposed projects will provide sufficient additional water to meet the projected growth in these unincorporated areas. The Revised Support Document is included at the end of the Revised Recommendations Report on an attached CD.

Regarding the second issue raised by DCA, on November 15, 2007, the Governing Board of the South Florida Water Management District (SFWMD) approved a 20-year Water Use Permit (WUP) for the County. Through this permit, WASD committed to implement a total of 170 mgd of reuse projects to be implemented between 2007 and 2030, to provide for an adequate water supply for the County's future population. These projects, which total over approximately \$1.6 billion were adopted into the County's CIE on June 5, 2007 of the April 2006 CDMP amendment cycle, DCA No. 07-01. However, in the month prior to the issuance of the permit, but after the issuance of the Initial Recommendations Report by this Department, several of the projects were renamed with some of the construction dates and finished water amounts being adjusted by the SFWMD. For example, a major wastewater reuse project, South District wastewater reclamation project, which consisted of 3 phases, was modified to require a new wastewater treatment plant in western Miami-Dade County. This new water reclamation plant project includes the construction of a new wastewater plant incorporating



technologies capable of achieving those treatment levels required for canal recharge or any other alternative discharge that may be approved. As a result, Phase 2 and 3 of the South District Wastewater Treatment Plant Reuse Project is now referred to as the West District W.R.P. Canal Recharge Phase 2 and 3. These two West District projects will now yield a total of 39.6 mgd, rather than 35 mgd as originally designed for the South District Plant. Additionally, the completion dates for Phase 2 and Phase 3 have been advanced by 2 years to 2020 and 2025, respectively.

Regarding the third issue, DCA notes that several of the alternative water supply and reuse project names and dates are inconsistent with their permit counterparts. As stated above, this is due to the last minute modifications made to the WUP prior to its issuance. To rectify these inconsistencies, Tables 8 and 12 of the CIE, as included in Application 13 of the Revised Recommendations Report, have been revised to reflect the new project names, construction dates and project size consistent with the information identified in the WUP. Additionally, these proposed revisions were included in both the text and tables of the Revised Support Document, (enclosed on CD), and in the proposed amendment to add Table 1 to the Water and Sewer Subelement as shown in Application 16 of the Revised Recommendations Report. The County has coordinated diligently with the SFWMD to ensure that all revisions, both to the text and to the Revised Support Document as recommended in their comments, have been incorporated into Water Supply Facilities Work Plan and Support document. Some of the SFWMD staff comments were not incorporated as revisions to the policies or text of the CDMP, since these comments included requirements considered too detailed or regulatory and not appropriate for this type of planning document. Revisions made to the Revised Support Document incorporate both the initial comments made by the staff of the SFWMD subsequent to the ORC.

The last issue raised by DCA concerns a potable water Level of Service (LOS) for non-residential uses. The County has not developed an LOS for non-residential uses, nor is it required to adopt such a standard. Section 163.3180(2)(a), F.S. states that "Prior to approval of a building permit or its functional equivalent, the local government shall consult with the applicable water supplier to determine whether adequate water supplies to serve the new development will be available no later than the anticipated date of issuance by the local government of a certificate of occupancy or its functional equivalent."

To assess total water supply demand for that portion of Miami-Dade County under WASD's jurisdiction, a gallons per capita day figure is utilized. This divides all water demands (commercial, industrial, institutional and residential) by the estimated population of the County; at the time of the WUP issuance this per capita demand for the WASD service area was estimated to be 155 gallons per capita day (gpcd). WASD's water supply planning efforts are based upon the estimated growth of the County, and total water demands over a 20-year period. The Water Supply Facilities Work Plan will be updated every five years, at a minimum, to make adjustments to the population estimates and water use figures, and providing additional alternative water supplies and reuse projects, if needed, to accommodate future growth.

The County currently evaluates land use plan map amendments for their impacts on water supply and water and sewer treatment facilities. Such evaluations, while common during the platting and zoning process are difficult to accurately assess at the time of a land use plan map amendment, since a change in a land use does not necessarily correlate to the actual development that will be realized when the property is permitted and built. Additionally, the timing of development is not known at the land use plan map amendment stage and is often dependent on market conditions. Therefore, land use amendments are evaluated based upon various development scenarios for a given property. Each property development scenario has a water demand calculated using the sewage flow rates (also used for water demands) outlined in Section 24.43-1(5) of the Miami-Dade County Code (MDCC). The development scenario with the greatest potential water demand is assumed when evaluating the application's impact on water supplies. This evaluation includes those water supply projects programmed to be completed within a 3-year timeframe, since few development projects have been built within 3 years of approval of their land use plan amendment.

The generation rates in Chapter 24 MDCC, originally developed to calculate septic tank loadings, conservatively reflect water demand and wastewater generation for various land uses. These generation rates include both residential and non-residential uses. A list of these uses and their correlating water demand and/or sewer generation rate is included in Appendix A. Since specific types of uses is unknown at the time of the land use plan amendment, water demand is calculated using the generic demand rates listed below:

<b>Land Use</b>	<b>Water Demand Rate</b>
Single Family Residential (detached)	350 gallons per day
Single Family Residential (attached)	250 gallons per day
Multi-Family Residential	200 gallons per day
Business and Office	10 gallons /100 square feet
Industrial and Office	5 gallons/100 square feet
School	10 gallons/student with additional gallons for showers, teachers and cafeteria

The County is currently in the process of developing a concurrency management ordinance for water supply. This ordinance outlines the review process for development orders and provides for water supply reservations similar to other concurrency management services. Furthermore, the review process will be linked to a new water allocation system being developed by WASD. Any development requesting water must enter into a water service agreement. This request will be evaluated for current water availability taking into consideration all pending development with an approved water agreement. If approved, the water demand is retained as a reservation for a period of time or until a certificate of use (CU) is obtained. Issuance of a CU indicates that the facility is occupied and that any demand will be reflected through metered use. The water allocation system is anticipated to be operational by November 2008. The Water

Supply Concurrency Management ordinance is due to be heard for first reading in the summer of 2008.

***DCA OBJECTION #3: INTERNAL INCONSISTENCY WITH COMPREHENSIVE PLAN (Applies to Application No. 5, 8, and 9)***

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

*The Miami-Dade County comprehensive plan contains policy guidance for moving or expanding the UDB, particularly in Land Use Element Policy LU-8F. Policy LU-8F states that the UDB should contain developable land having capacity to sustain projected countywide residential demand for a period of 10 years after adoption of the most recent Evaluation and Appraisal Report (2003) plus a 5-year surplus (a total 15-year countywide supply beyond the date of EAR adoption, out to 2018). Policy LU-8F also addresses the adequacy of non-residential land supplies and states that this shall be determined on the basis of land supplies in subareas of the County appropriate to the type of use, as well as the countywide supply within the UDB.*

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

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

*According to DPZ's supply and demand calculations, there is also no need to expand the UDB in order to add new commercial-designated land, as would be permitted in the proposed Business and Office land use designation for Applications 5, 8, and 9.*

*Therefore, moving the UDB at the present time for a commercial FLUM amendment, as represented by Applications 5, 8, and 9, is also not consistent with the Miami-Dade County comprehensive plan.*

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

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

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

#### **DCA Recommendations:**

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

#### **DP&Z Response:**

DCA has identified the above referenced policies concerning demonstration of needs for additional lands for both residential and non-residential development and concerning areas that should be avoided when considering lands to be included within the UDB, which the Miami-Dade County Department of Planning and Zoning (DP&Z) evaluated during its review of the referenced Application Nos. 5, 8 and 9. **Application No. 9 was withdrawn prior to the BCC public hearing by letter dated April 23, 2008.** For Applications Nos. 5 and 8, the applicants have proffered declarations of restrictions prohibiting residential development on these application sites, which addresses some of the concern with Policy LU-8F regarding the need issue.

The applicants have responded to the issue of need for additional commercial land (Policy LU-8F) and also to the issues of reducing lands designated as future wetlands and agriculture in the CDMP (Policy LU-8G). The response for Application No. 5 is provided in a document presented at the Board of County Commissioners hearing, entitled "Lowe's Home Centers, Inc./Application No. 5 Summary of Responses to DCA Objections and Staff Recommendation". Application No. 8 is addressed on page 2 of

letter dated March 6, 2008 from Mr. Chad Willard, Esquire to the Chair of the Board of County Commissioners, Bruno A. Barreiro.

**DCA OBJECTION #4: FAILURE TO IMPLEMENT SCHOOL CONCURRENCY  
(Applies to Applications No.1, 3, 5, 6, 8, and 9)**

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

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

**DCA Recommendations:**

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

**DP&Z Response:**

Miami-Dade County has been working with Miami-Dade County Public Schools to develop a concurrency management system that will best serve the residents of this County. Unfortunately, the necessary amendments to the Educational Element of the Comprehensive Development Master Plan (CDMP) and the amendments to the School Interlocal Agreement have not yet been adopted.

Pursuant to the Miami-Dade County Code (MDCC), the County is obligated to review and take action on comprehensive plan amendments filed pursuant to Section 2-116.1, MDCC. Section 2-116.1(4), MDCC outlines the procedures for final actions after transmittal to state review agencies. This section requires the Planning Advisory Board (PAB), acting as the local planning agency to conduct a noticed public hearing not more

than thirty (30) days after receipt of the Objections Recommendations and Comments (ORC) report from DCA, with the Board of County Commissioners (Board) conducting at least one advertised public hearings not later than sixty (60) days after receipt of the ORC. Such final hearings are scheduled for March 31, 2008 for the PAB and April 24, 2008 for the Board. The County recognizes that Section 163.3177(12)(j), Florida Statutes (F.S.), provides that, until the County adopts the updated Public School Facilities Element, enters into the public schools interlocal agreement, and otherwise amends the comprehensive plan as necessary to implement public school concurrency, it cannot adopt land use plan amendments that will increase residential density. Accordingly, for any ordinance approving a land use plan amendment that will increase residential density, the County will provide an effective date clause specifying that the ordinance will not go into effect until the CDMP amendments and Interlocal Agreement necessary to implement school concurrency have been adopted and transmitted to DCA as required by Section 163.3177(12)(j), F.S.

Additionally, the ORC report states that this objection applies to Applications 1, 3, 5, 6,8 and 9. **Application No. 9 was withdrawn by letter dated April 23, 2008.** Applications 5 and 8 were transmitted with a recommendation of "Adopt and Transmit with Proffered Covenant". CDMP covenants for both of these applications were accepted by the Board of County Commissioners at the adoption hearing of April 24, 2008, restricting the development of the property to commercial and institutional uses only. Since neither of these two applications will increase residential density, this objection would not apply. Covenants were also proffered and accepted by the Board of County Commissioners at the April 24, 2008 adoption hearing for Applications Nos. 1, 3, and 6 with a provision stating they will not file a zoning application allowing or increasing residential development until such time as Miami-Dade County has adopted a public school facilities element, entered into an Interlocal Agreement with regard to school concurrency, and amended its CDMP to implement school concurrency. In addition, Ordinance 08-43 adopting Applications Nos. 1, 3, and 6 contains a provision delaying the effective date of the ordinance until an amendment to the CDMP and an Interlocal Agreement with the School Board of Miami-Dade County and the municipalities in Miami-Dade County establishing a public school concurrency program have been adopted and transmitted to the Florida Department of Community Affairs as required by Section 163.3177(12)(j), F.S.

***DCA OBJECTION #5: IMPACT ON TRANSPORTATION FACILITIES (Applies to Applications No. 5, 8, and 9)***

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

*supports the report submitted by the Florida Department of Transportation (FDOT), which recommended objections to Applications 5, 8, and 9.*

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

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

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

#### **DCA Recommendations:**

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

*For Application 8, coordinate with the Department and FDOT to provide the necessary data and analysis to enable a determination of the effect of the 2016 projected traffic on SW 88 Street/Kendall Drive/SR 94 to the east of SW 157 Avenue. Provide the*

*necessary data and analysis to enable a determination of the effects of development of Application 8 on Krome Avenue, based on its existing capacity as a 2-lane facility. Coordinate with the FDOT regarding its statement that the additional trips from the development of Application 8 are likely to result in Krome Avenue between SW 88 Street to SW 232 Street reaching LOS F versus the LOS C projected in the traffic study. Revise the traffic study as necessary.*

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

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

#### **DP&Z Response:**

**Application No. 5** - The Applicant submitted in January 2008 a new Traffic Impact Analysis (TIA) for this Application. The new traffic analysis examines the transportation impacts associated with the proposed changes in land uses on Parcels A and B, and the ability of the transportation system to accommodate the potential development on both parcels. The traffic report reviews the capacity and peak period volumes on both SW 8 Street, between SW 157 and SW 107 Avenues, and 137 Avenue, between NW 12 and SW 26 Streets. The planning horizon of the analysis is the year 2015. The traffic analysis reports that SW 8 Street west of SW 137 Avenue has a high service volume (capacity) and concludes that the traffic impacts resulting from the proposed land use changes can be accommodated by the adjacent roadway system. A copy of the TIA report is included in Appendix 4 of Application No. 5 in Volume 1 of the Revised Recommendations Report (March 24, 2008).

Miami-Dade County Department of Planning and Zoning (DP&Z) and Public Works Department (PWD) staff reviewed the TIA report and had concerns regarding the projected 2015 service volumes for the four-lane and six-lane roadway segments of SW 8 Street, between SW 152 Avenue and SW 137 Avenue, and recommended the use of FDOT's 2002 Quality Level of Service Handbook Table 4-4, Generalized Peak Hour



Two-way Volumes for Florida's Urbanized Areas, for future service volumes. County staff also had concerns regarding the trip distribution, specifically the allocation of 88% of the project's trips to the roadway segment of SW 8 Street west of SW 137 Avenue.

On February 20, March 7 and April 9, 2008, DP&Z and PWD staff met with the applicant's traffic consultants to discuss staff's concerns regarding the Traffic Impact Analysis report. The issues and concerns include: trip generation, trip distribution, the need to subdivide SW 8 Street between SW 152 Avenue and SW 137 Avenue into two roadway segments based on the geometry of the roadway, the use of uninterrupted flow highway in the analysis, the high g/c ratio used in the analysis, and the high service capacity of SW 8 Street. The traffic consultant submitted revised traffic impact analyses to address county staff's concerns. The TIA report concludes that SW 8 Street has adequate capacity to serve the demand of this application and will meet the CDMP-adopted LOS standards through the year 2015. The PWD staff reviewed the revised TIA report and accepted the conclusions of the report; however, PWD staff acknowledged that future traffic analysis is based on the assumptions that a new traffic signal will be installed by the applicant at the intersection of SW 8 Street and theoretical SW 139 Avenue, the construction of a new bridge at intersection of the SW 8 Street and theoretical SW 139 Avenue over the Tamiami Canal north of SW 8 Street, and the extension of SW 139 Avenue north of SW 8 Street. PWD staff recognizes all the proposed roadway improvements must be approved by the FDOT and the construction of the bridge by the South Florida Water Management District. A copy of the revised Traffic Impact Analysis (April 2008) report is included with this response.

It should be noted that the applicant has submitted a declaration of restrictions providing for the construction of a four-lane bridge at the intersection of SW 8 Street and SW 139 Avenue, the extension of SW 139 Avenue north of SW 8 Street into the application site, and the a new traffic signal, if warranted and approved by FDOT, at the intersection of SW 8 Street and SW 139 Avenue. A copy of the Declaration of Restrictions is also attached.

**Application No. 8** - On November 15, 2007, the Applicant submitted a revised Declaration of Restrictions providing the owner's commitment to dedicate and built the extension of SW 172 Avenue as a 4-lane roadway within a 70-foot right-of-way from the southern boundary of the Application site north to Kendall Drive. The Declaration of Restrictions was revised on December 4, 2007, to indicate the applicant's commitment to fund and install a traffic signal at the intersection of SW 88 Street and SW 172 Avenue. On February 20, 2008, the covenant was again revised to indicate that the owner would prepare a traffic signal warrant study for a traffic signal at SW 172 Avenue and SW 88 Street, and install the traffic signal if warranted by FDOT and PWD. Copies of the revised Declarations of Restrictions are included in Appendix 1 of Application 8 in the Revised Recommendations Report (March 24, 2008).

In March 2008, the Applicant's traffic consultant submitted revised Traffic Impact Studies to consider in the traffic analysis the proposed roadway extension and to address DCA's ORC comments. The revised Traffic Impact Studies use the DP&Z

assumption that the Application site can accommodate up to 670,824 sq. ft. of retail using a 0.40 FAR for the 38.5 net acres, provide a concurrency analysis, and a projected traffic analysis to the year 2015. Krome Avenue between SW 8 and SW 136 Streets was analyzed as a 4-lane facility, because the Miami-Dade Transportation Plan to the Year 2030 (December 2004) lists the widening of Krome Avenue between SW 8 Street and SW 136 Street from 2 to 4 lanes, and not as a 2-lane facility as recommended in the ORC. Copies of the traffic analyses are included in Appendix 7 of Application No. 8 in Volume 1 of the Revised Recommendations Report (March 24, 2008).

The DP&Z and PWD staff reviewed the revised Traffic Impact Studies (March 2008). The Transportation Analysis report concludes that twelve roadways segments within the Study Area were found to exceed 5.0% of the adopted maximum level of service (LOS) volumes by 2015; however, many of these segments are not classified as “regionally significant roadways.” The 2015 traffic analysis also concludes, based upon the project traffic assignment, that the trips generated by the potential development will not have a significant impact upon SW 177 Avenue nor on SW 88 Street.

The PWD and DP&Z staff concurs with the traffic analyses’ conclusions that the future roadway infrastructure will have adequate capacity to serve the demand of this application and will meet the CDMP-adopted LOS standards through the year 2015.

**Application No. 9 – This Application was withdrawn by letter dated April 23, 2008.**

#### ***DCA OBJECTION #6: AVIATION MASTER PLANS (Applies to Application No.14)***

*Application 14 comprises three parts. Part 1 is a FLUM change for 420 acres from Terminals to Open Land in order to permit rock mining at the decommissioned Opa-Locka West Airport in northwestern Miami-Dade County. Part 2 of Application 14 contains numerous changes to the Aviation Sub-Element of the Transportation Element which are intended to improve the existing descriptions of the Opa-Locka, Miami International, Kendall-Tamiami, and Homestead airports so that they may qualify as airport master plans under s. 163.3177(6)(k), F.S. Part 3 revises the Land Use Element to provide for internal consistency with the Part 2 revisions in the Aviation Sub-Element.*

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

*Pursuant to s. 163.3177(6)(k), F.S., a qualified adopted airport master plan that has been incorporated into the local comprehensive plan and aviation-related development that has been addressed in the comprehensive plan amendment that incorporates the airport master plan is exempt from Development of Regional Impact (DRI) review. In order to qualify for this exemption, the adopted airport master plan must address land use compatibility consistent with Chapter 333, F.S., regarding airport zoning; the*

*provision of regional transportation facilities for the efficient use and operation of the transportation system and airport; consistency with the local government transportation circulation element and applicable metropolitan planning organization long-range transportation plans; and the execution of any necessary interlocal agreements for the purposes of the provision of public facilities and services to maintain the adopted level of service standards for facilities subject to concurrency.*

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

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

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

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

#### **DCA Recommendations:**

*For the Miami International Airport, Kendall-Tamiami Executive Airport, and Homestead General Airport master plans, provide appropriate data and analysis indicating the*

*impact of the proposed airport development on public facilities and services, the necessary mitigation to ensure that adopted public facility level of service standards will be maintained, and any associated public facility improvements which may be required to maintain adopted level of service standards. Required public facility capital improvements will need to be incorporated in the schedule of capital improvements in the adopted Capital Improvements Element.*

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

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

#### **DP&Z Response:**

**Application 14 Part 2:** Since the publication of Volume 2 of the Initial Recommendations Report (August 25, 2007) and the subsequent Miami-Dade County Board of Commissioners (BCC) transmittal public hearing on November 27, 2007, the Miami-Dade Aviation Department (MDAD) submitted additional information in support of Part 2 of Application 14. The new information includes development programs and traffic impact studies for both the Miami International (MIA) and Kendall-Tamiami Executive (TMB) Airports, and revised Land Use Master Plans for Miami International, Kendall-Tamiami Executive, and Homestead General Aviation (X51) Airports. The development programs include non-aviation uses at the MIA and TMB, and no change to the existing development at the X51. The development programs are included in Attachment 1.

The Miami-Dade County agencies conducted pertinent analyses on the non-aviation uses proposed for the MIA and the TMB. These analyses are presented in the Planning Considerations section in Volume 2 of the Revised Recommendations report (March 24, 2008). The analyses conclude that, with the exception of Fire and Rescue services and pending resolution of traffic issues discussed below, there is adequate capacity in public facilities and services to serve the proposed non-aviation related developments at these airports.

The Miami-Dade Fire and Rescue Department (MDFR) has indicated that in addition to impact fees, a 2-acre site will be required for the construction of a fire station to serve the proposed development at the Kendall-Tamiami Executive Airport. The Fire and Water Engineering Bureau of MDFR will further review the proposed developments at the MIA and TMB during the platting and permitting phases to assure compliance with National Fire Protection Association (NFPA). The MDAD is in the process of evaluating locations within the Kendall-Tamiami Airport to house a fire station to serve the airport.

Regarding the traffic issues, DP&Z staff had concerns with some of the assumptions in the traffic impact analyses and the conclusions of the traffic studies. See pages 14-42 and 14-43 for the MIA traffic issues and pages 14-55 and 14-56 for the TMB traffic issues. However, PWD and DP&Z staff worked with MDAD staff and the transportation consultants to address the concerns. The Aviation Department submitted revised traffic studies addressing DP&Z staff's concerns. The 2015 traffic analysis concludes, based upon the project traffic assignment, that the trips generated by the potential development will not have a significant impact upon the adjacent roadway network. The PWD and DP&Z staff reviewed the traffic impact analyses and concurs with the reports' conclusions that the future roadway infrastructure will have adequate capacity to serve the additional demand generated by this application and will meet the CDMP-adopted roadway LOS standards through the year 2015. Copies of the revised traffic impact analyses are attached to this response.

With regard to the Opa-locka Airport Master Plan, DP&Z proposed a new Policy AV-7F in the CDMP Aviation Subelement to assure intergovernmental coordination between Miami-Dade County and the City of Opa-locka. This new Policy AV-7F is included on page 14-8 of Volume 2 of the Revised Recommendations report (March 24, 2008) was adopted by the Board of County Commissioners at the final hearing on April 24, 2008, and is presented below.

AV-7F. The Miami-Dade County Aviation Department shall ensure, through coordination with the City of Opa-locka, that any concerns regarding the development and redevelopment of the Opa-locka Executive Airport and/or development and redevelopment of land in its vicinity are addressed on a timely basis to ensure compatibility of land use and zoning with the functions of the airport.

The Opa-locka Airport Land Use Master Plan and the CDMP Aviation Subelement 'Figure 4: Opa-locka Executive Airport 2015-2025' layout map were both revised to show the boundaries of the City of Opa-locka. These revised maps are included in Attachment 1 at the end of this report.

With regard to the consistency of the Opa-locka Airport Land Use Master Plan with the Miami-Dade Metropolitan Planning Organization's (MPO) Long-Range Transportation Plan to the year 2030 (LRTP), the MDAD submitted to the MPO a memorandum dated March 19, 2008, requesting the inclusion of the widening of NW 57 Avenue/SR 823 between the Palmetto Expressway/SR 826 and NW 135 Street from 6 to 8 lanes, and the widening of NW 135 Street between NW 57 Avenue and NW 42 Avenue/SR 953 from 4 to 6 lanes in the 2030 LRTP as Priority III projects. A copy of this memo is enclosed as Attachment 2 in this report.

The Homestead General Aviation Airport Land Use Master Plan initially included non-aviation uses. However, subsequent to the BCC's transmittal public hearing on November 27, 2007, the MDAD revised the Land Use Master Plan to exclude non-

aviation uses. Therefore, no impact analysis is needed for the Homestead General Aviation Airport Land Use Master Plan.

***DCA OBJECTION #7: DESIGNATION OF REGIONAL ACTIVITY CENTER (Applies to Application No.3)***

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

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

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

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

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

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

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

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

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

### **DCA Recommendations**

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

*impacts on level of service on vicinity roadways, the amount of development must be reduced or additional road improvements must be included in the 6-year schedule of capital improvements to mitigate the impacts.*

**DP&Z Response:**

**Application No. 3** - The DCA recommended that Miami-Dade County and the applicant resolve discrepancies in the traffic analyses and their impacts on level of service on vicinity roadways.

The Applicant addressed Miami-Dade County's concerns related to traffic concurrency for NW 12 Street on November 8, 2007. DP& Z staff revised pages 3-2 and 3-22 of the Initial Recommendations Report (August 25, 2007) to reflect the changes to the concurrency analysis on November 27, 2007. These pages were replaced in the Initial Recommendations Report prepared for the November 27, 2007 CDMP Amendment Transmittal Public Hearing. See page 3-2 revised and replaced on November 27, 2007 in the Initial Recommendations Report.

Miami-Dade staff analyzed the potential impact of a base scenario (without the application's traffic impact) and three potential development scenarios, including a mixed-use development scenario (Scenario 3) proposed by the applicant. The applicant submitted a draft covenant limiting the development impacts to mixed-use scenario (Scenario 3). Since the covenant was accepted as part of the CDMP Transmittal Hearing, Miami-Dade County staff has indicated that Scenarios 1 and 2 no longer need to be addressed in the infrastructure analysis. The conclusions reached by staff on page 3-27 of the Initial Recommendations Report indicated that the findings were based upon the impact of at least one or more of the development scenarios, which then generated the listing of roadway segments identified in the DCA objection above.

On February 1, 2008, the applicant's transportation consultant met with staff of Miami-Dade County to address Year 2015 traffic conditions for the roadway segments identified on page 3-27 of the Initial Recommendations Report (August 25, 2007). Subsequently, the applicant's transportation consultant submitted additional data and analysis based upon an impact evaluation which compared the Year 2015 model derived traffic forecasts for the Base Scenario to the Year 2015 model derived traffic forecasts with the application's impact.

The DP&Z and PWD staff reviewed the revised traffic data and analysis (March 2008) and had several concerns. The transportation consultant addressed the County staff's concerns. These concerns are discussed in details in Appendix 6 of Application No. 3 of Revised Recommendations Report. The revised data and analysis demonstrated that each of the 71 study segments analyzed were found to either meet the adopted level of service standards or were found to not significantly impact the study area roadway segments based upon the development of the property using the proposed Mixed Use Development Program. A copy of the revised traffic data and analysis is included in



Appendix 6 of Application No. 3 of the Revised Recommendations Report (March 24, 2008).

The PWD and DP&Z staff concurs with the traffic analyses' conclusions that the future roadway infrastructure will have adequate capacity to serve the demand of this application and will meet the CDMP-adopted LOS standards through the year 2015. See Traffic Analysis section on page 3-8 of the Revised Recommendations Report (March 24, 2008).

The applicant is committed to providing the following developer-funded roadway and transit improvements:

- 1) Intersection improvements at NW 12 Street and NW 111 Avenue;
- 2) Widen NW 111 Avenue from NW 12 Street to NW 14 Street;
- 3) Intersection improvement at NW 111 Avenue and NW 14 Street;
- 4) Widen NW 14 Street from NW 111 Avenue to NW 107 Avenue;
- 5) Intersection improvement at NW 14 Street and NW 107 Avenue;
- 6) Widen NW 107 Avenue from NW 14 Street to NW 12 Street; and
- 7) Provide signal modifications to accommodate all geometric improvements.

Even though the application site is well served with transit service, the applicant is proposing to fund and construct a transit center on the southwest corner of NW 12 Avenue and NW 107 Avenue. The transit center will consist of 10 saw tooth bus bays, the driveway network serving the bus bays, 260 commuter parking spaces, a rest room facility for bus operators and transit users, a "kiss-and-ride" drop off area, transit-oriented commercial facilities, transit lounge, and landscaping. The support columns and other structural and load-bearing components of the parking structure will be designed in a manner so that a fourth floor can be added in the future.



## **ATTACHMENT 1**

Applicant's response to Department of Community Affairs's February 2008 Objection Recommendations and Comments (ORC) report and Exhibits dated March 4, 2008.



## **ATTACHMENT 2**

Applicant's March 19, 2008 memo request to Miami-Dade Metropolitan Planning Organization addressing NW 57 Avenue/SR 823 and NW 135 Street/SR 916



**ATTACHMENT 3**

**DCA TABLE 1**





**DCA TABLE 1 (3/6/2007)**  
**Miami-Dade County Water and Sewer Department**  
**Average Annual Daily Demand (AADD) Finished Water (MGD)**  
**20-Year WUP Combined Biscayne Aquifer (BA) and AWS Water Demand Projection**

1	2	3	4	5	6	7	8	9		10	11
Projections				Biscayne Aquifer (BA) Base Finished Water Allocation <sup>(c)</sup> (MGD)	Alternative Water Supply Projects					Totals	
Year	Population Served <sup>(a)</sup>	Finished Water (gpcd)	Projected AADD Finished Water <sup>(b)</sup> (MGD)		Water Conservati on <sup>(d)</sup> (MGD)	New Upper Floridan Aquifer RO WTP <sup>(e)</sup> (MGD)	Floridan Aquifer Blending <sup>(f)</sup> (MGD)	Reuse/ Reclaimed Water <sup>(g)</sup> (MGD)		Available AADD Water Supply (MGD)	Contingency/ Surplus <sup>(h)</sup> (MGD)
								Reuse (Irrigation)	Recharge Credit		
TOTAL MDWASD WATER SYSTEM SERVICE AREA											
2006**	2,200,000	155	340.80	340.80							
2007	2,250,944	155	348.90	340.80	1.11	0.0	7.4	0.0	0.0	349.31	0.42
2008	2,230,895	155	345.79	340.80	2.22	0.0	7.4	0.0	0.0	350.42	4.63
2009	2,260,476	155	350.37	340.80	3.45	0.0	12.2	0.0	0.0	356.45	6.07
2010	2,290,058	155	354.96	340.80	4.67	0.0	12.2	3.0	0.0	360.67	5.71
2011	2,319,639	155	359.54	340.80	5.90	10.0	12.2	3.0	0.0	371.90	12.36
2012	2,349,221	155	364.13	340.80	6.29	10.0	12.2	3.0	0.0	372.29	8.16
2013	2,378,803	155	368.71	340.80	6.70	10.0	12.2	3.0	0.0	372.70	3.99
2014	2,408,385	155	373.30	340.80	7.10	10.0	12.2	3.0	18.0	391.10	17.80
2015	2,438,819	155	378.02	340.80	7.50	10.0	12.2	4.0	18.0	392.50	14.48
2016	2,463,169	155	381.79	340.80	7.90	10.0	12.2	4.0	18.0	392.90	11.11
2017	2,487,519	155	385.57	340.80	8.27	10.0	12.2	4.0	18.0	393.27	7.70
2018	2,511,869	155	389.34	340.80	8.64	15.0	12.2	4.0	18.0	398.64	9.30
2019	2,536,219	155	393.11	340.80	9.00	15.0	12.2	4.0	18.0	399.00	5.89
2020	2,560,569	155	396.89	340.80	9.37	15.0	12.2	4.0	38.0	419.37	22.48
2021	2,584,918	155	400.66	340.80	9.74	15.0	12.2	4.0	38.0	419.74	19.08
2022	2,609,268	155	404.44	340.80	10.12	15.0	12.2	4.0	38.0	420.12	15.68
2023	2,633,618	155	408.21	340.80	10.48	15.0	12.2	4.0	38.0	420.48	12.27
2024	2,657,968	155	411.99	340.80	10.84	15.0	12.2	4.0	38.0	420.84	8.85
2025	2,682,318	155	415.76	340.80	11.21	15.0	12.2	4.0	38.0	421.21	5.45
2026	2,706,668	155	419.53	340.80	11.58	15.0	12.2	4.0	53.0	436.58	17.05
2027	2,731,018	155	423.31	340.80	11.95	15.0	12.2	4.0	53.0	436.95	13.64
2028	2,755,368	155	427.08	340.80	12.31	17.5	12.2	4.0	53.0	439.81	12.73
2029	2,779,718	155	430.86	340.80	12.68	17.5	12.2	4.0	53.0	440.18	9.33
2030	2,804,068	155	434.63	340.80	13.05	17.5	12.2	4.0	53.0	440.55	5.92

**Footnotes:**

- a. Populations projections agreed to by the SFWMD. Population served includes both the WASD retail customers and the wholesalers/large users. City of North Miami Beach drops out after 2007.
- b. Finished AADD Projections between 2007 and 2030 assume 155 gpcd total water system demand. North Miami Beach drops out in 2008. Hialeah and North Miami are included through 2030.
- c. Average annual daily demands of finished water for 2006\*\* represent the 12 months preceding 4/1/2006 per SFWMD Rule and equate to 347.8 MGD of Biscayne Aquifer raw water withdrawal. Finished water base allocation of 340.8 MGD equates to 347.3 MGD of Biscayne Aquifer raw water withdrawal.
- d. WASD will be undertaking the 20-year water conservation plan and expects reductions in unaccounted for water (UFW). Water Conservation projections were taken from a Water Conservation Best Management Practices (BMP) Planning Spreadsheet prepared by Malcolm Pirnie, Inc. dated 1/23/2007. Values reflect projections as of 2/2/2007. Water conservation projections do not reflect water demand reductions presented by the "Unaccounted Water Loss Reduction Plan (February 2007)" prepared by Malcolm Pirnie, Inc. and currently under review by MDWASD.
- e. New Upper Floridan Aquifer RO WTP (10.0 mgd Phase I by 2011) see CIE Table 12, Project 20D; (5.0 MGD Phase II by 2018); (2.5 MGD Phase III by 2028).
- f. Floridan Aquifer Blending at Alexander Orr Water Treatment Plant/West and SW Wellfields (assuming 4% of Finished Water Demand) (7.4 mgd) by 2007 including ASR (wet season). See CIE Table 12, Project 20A. Hialeah/Preston Floridan Aquifer Blending Wellfield (or equal) (assumes 3% of Finished Water Demand) (4.8 mgd) by 2009. See CIE Table 12, Project 20C.
- g. Tentative Alternative Water Supply Reuse/Reclaimed Water Projects (exclusive of any BBCW rehydration AWS credits) by 2015 to replace existing finished water demand (gallon for gallon credit).

- |   |                    |
|---|--------------------|
| 1. North District WWTP Reuse Projects. This excludes the 5 mgd that <u>will be</u> used by the City of North Miami Beach. See CIE Table 8, Project 29 | 2.0 mgd +/-        |
| 2. Central District WWTP Reuse Projects. See CIE Table 8, Project 30.   | 1.0 mgd +/-        |
| 3. Coastal Wetlands Rehydration Demonstration Project by 2015. See CIE Table 8, Project 27.   | <u>1.0 mgd +/-</u> |
| Total (est.)  | 4.0 mgd +/-        |

- h. South District Wastewater Treatment Plant (SDWWTP) Reuse Projects for groundwater recharge as shown in the table below. Exclusive of Coastal Wetland Rehydration AWS Credits.

Phase	Recharge Area	Applied (MGD)	AADD (MGD)	Implementation Year	CIE Table 8 Project Number
1	S. Miami Heights	23	18	2014	31
2	Alex-Orr	21	20	2020	32
3	Alex-Orr	16	15	2026	33
Total (est.)		60	53		

**ATTACHMENT 4**

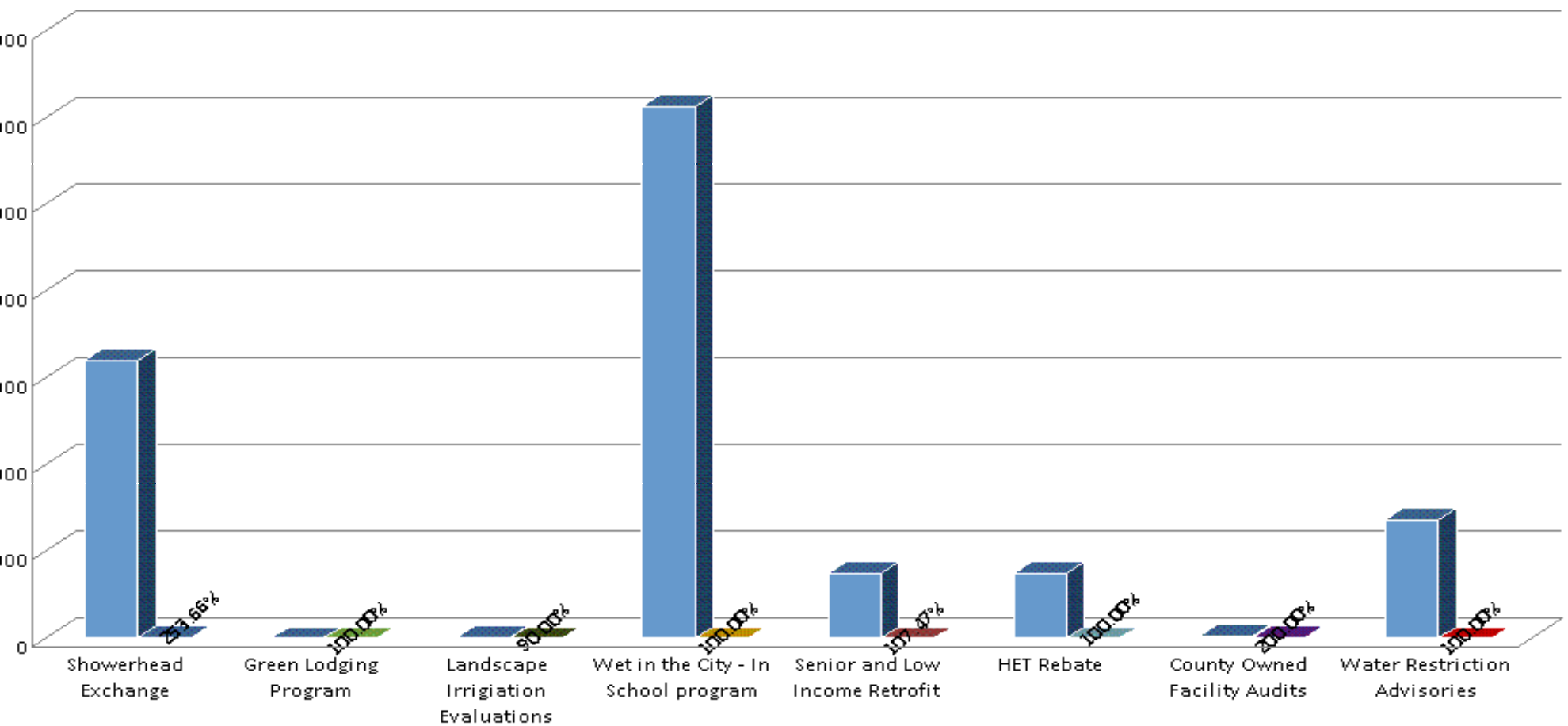
**WATER CONSERVATION EVENTS  
AND  
WATER CONSERVATION OBJECTIVES AND PROGRESS**



<u>WUEP Project</u>	<u>Total Numbers</u>	<u>Targets</u>	<u>% Complete</u>
Showerhead Exchange	8117 Showerheads	3200	253.66%
Green Lodging Program	1 Hotel	1	100.00%
Landscape Irrigation Evaluations	9 Homeowners Assoc.	10	90.00%
Wet in the City - In School program	6134 Students	6134	100.00%

<u>WUEP Project</u>	<u>Total Numbers</u>	<u>Targets</u>	<u>% Complete</u>
Senior and Low Income Retrofit	806 Retrofits	750Retrofits	107.47%
HET Rebate	750 Rebates	750Rebates	100.00%
County Owned Facility Audits	50 Facilities	25 Facilities	200.00%
Water Restriction Advisories	1362 Advisories	1362 Advisories	100.00%

## WUEP Projects Percentage of Targeted Goals Achieved



EVENTS		
<u>MONTH</u>	<u>EVENT</u>	<u>DATE</u>
<i>April</i>	Earthfest	04/22/07
<i>May</i>	Feria de La Mujer	05/05/07
	Adopt-a-Tree	05/12/07
<i>June</i>	District 8- Showerhead Distribution	06/18/07
	District 6- Showerhead Distribution	06/19/07
	Historical Museum- Water Stories Event	06/23/07
	Adopt-a-Tree	06/23/07
<i>July</i>	District 12- Green Lodging Event	07/17/07
	District 9- Showerhead Distribution	07/20/07
	Adopt-a-Tree	07/21/07
	City of Hialeah Showerhead Dist.	07/24/07
<i>August</i>	District 13- Showerhead Distribution	08/06/07
	Adopt-a-Tree	08/18/07
<i>September</i>	Adopt-a-Tree	09/15/07
	District 11-Dia de la Integracion Cultural	09/16/07
<i>October</i>	Adopt-a-Tree	10/13/07
<i>November</i>	Green Affordability Symposium	11/12-13/07
	Harvest Fest	11/17/07
<i>December</i>	District 4 - Showerhead Distribution	12/06/07

AWARDS		
<i>FSAWWA Water Conservation Award for Excellence</i>		Orlando, FL
<i>Category Demand Management</i>		
Show of Excellence		HET Rebate Project
Meritorious		Senior Retrofit project
<i>Conserve Florida</i>	How to Develop a Water Conservation	Orlando, FL
<i>National Association of Counties (NACO)</i>		Richmond, VA
	Presentation & Panel Participation	
	Water Isn't Free: Managing Water Infrastructure and Supply Issues	

FEATURES		
<u>SOURCE</u>	<u>ARTICLE/NEWSLETTER</u>	<u>DATE</u>
EPA	The WaterSense Current	Spring 2007
Miami Herald	H2Oh	07/10/07
EPA	The WaterSense Current	Summer 2007
CBS4	Miami-Dade Want Green Hotels	07/18/07
Miami Herald	Going Green has perks for business	07/22/07
Palmetto Bay	Moss Office Distributes showerheads	08/07/07
Miami Herald	Senor, gadgets save water	12/09/07
Miami Herald	Low-Flow Showerheads being distributed	12/09/07
Miami Herald	Conservationist go yard to yard	12/20/07
Historical Museum	Water Stories	06/23/07-01/20/08