



STATE OF FLORIDA

DEPARTMENT OF COMMUNITY AFFAIRS AS

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

WARRANTED.

CHARLIE CRIST
Governor

THOMAS G. PELHAM
Secretary

March 5, 2010

The Honorable Carlos Alvarez
Mayor, Miami-Dade County
Stephen P. Clark Center
111 N.W. 1st Street, 29th Floor
Miami, Florida 33128

RECEIVED
2010 MAR - 9 11 A 8:32
COUNTY MANAGER'S OFFICE

Dear Mayor Alvarez:

The Department of Community Affairs completed its review of the Miami-Dade County proposed Comprehensive Plan Amendment (DCA No. 10-1), which was received on December 28, 2009. Copies of the proposed amendment have been distributed to appropriate state, regional, and local agencies for their review, and their comments are enclosed. The Department reviewed the comprehensive plan amendment for consistency with Rule 9J-5, Florida Administrative Code, and Chapter 163, Part II, Florida Statutes, and prepared the attached Objections, Recommendations, and Comments Report which outlines our findings concerning the comprehensive plan amendment. The Department identified two objections and two comments related to the amendment.

My staff and I are available to assist the County in addressing the issues identified in our report. If you have any questions, please contact Bill Pable, AICP, at (850) 922-1781.

Sincerely,

Mike McDaniel, Chief
Office of Comprehensive Planning

MM/bp

Enclosures: Objections, Recommendations and Comments Report
Review Agency Comments

cc: Mr. George Burgess, County Manager, Miami-Dade County
Mr. Marc C. LaFerrier, Director, Miami-Dade County Planning and Zoning Department
Ms. Carolyn A. Dekle, Executive Director, South Florida Regional Planning Council

3.9.10 . DIS FORWARDED
213084 TO ALEX MUNOZ
FOR REVIEW AND
APPROPRIATE ACTION

DEPARTMENT OF COMMUNITY AFFAIRS

OBJECTIONS, RECOMMENDATIONS, AND COMMENTS

FOR

Miami-Dade County

Amendment 10-1

March 5, 2010

Division of Community Planning

This report is prepared pursuant to Rule 9J-11.010

INTRODUCTION

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

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

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

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

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

TRANSMITTAL PROCEDURES

Upon receipt of this letter, the County has 60 days in which to adopt, adopt with changes, or determine that the County will not adopt the proposed amendment. The process for adoption of local government comprehensive plan amendments is outlined in s. 163.3184, F.S., and Rule 9J-11.011, F.A.C. The County must ensure that all ordinances adopting comprehensive plan amendments are consistent with the provisions of Chapter 163.3189(2)(a), F.S.

Within ten working days of the date of adoption, the County must submit the following to the Department:

- Three copies of the adopted comprehensive plan amendments;
- A listing of additional changes not previously reviewed;
- A listing of findings by the local governing body, if any, which were not included in the ordinance; and
- A statement indicating the relationship of the additional changes to the Department's Objections, Recommendations and Comments Report.

The above amendment and documentation are required for the Department to conduct a compliance review, make a compliance determination and issue the appropriate notice of intent.

In order to expedite the regional planning council's review of the amendments, and pursuant to Rule 9J-11.011(5), F.A.C., please provide a copy of the adopted amendment directly to the Executive Director of the South Florida Regional Planning Council.

Please be advised that Section 163.3184(8)(c), F.S., requires the Department to provide a courtesy information statement regarding the Department Notice of Intent to citizens who furnish their names and addresses at the local government's plan amendment transmittal (proposed) or adoption hearings. In order to provide this courtesy information statement, local governments are required by law to furnish the names and addresses of the citizens requesting this information to the Department. **Please provide these required names and addresses to the Department when you transmit your adopted amendment package for compliance review.** In the event there are no citizens requesting this information, please inform us of this as well. For efficiency, we encourage that the information sheet be provided in electronic format.

**OBJECTIONS, RECOMMENDATIONS, AND COMMENTS
COMPREHENSIVE PLAN AMENDMENT 10-1
Miami-Dade County**

I. Consistency with Rule 9J-5, F.A.C., and Chapter 163, F.S.

This Objections, Recommendations, and Comments (ORC) Report pertains to applications #4 and #5 of Miami-Dade County's 10-1 amendment. Application #4 proposes to change the Future Land Use Map designation of a 9.9 acre parcel from Agriculture to Business and Office, and to also expand the Urban Development Boundary to include the property. Application #5 is a text amendment to the Land Use Element that adds "storage of commercial vehicles" as a permitted use in Open Land Subarea 1, provided the following criteria are met: a.) Parcel must be greater than 20 acres; b.) Any portion of the parcel must be located within 1,500 feet of Okeechobee Road; c.) Use of the parcel is subject to environmental monitoring to maintain groundwater quality; and d.) Maintenance and/or repair of commercial vehicles is prohibited.

A. The Department identifies the following objections and recommendations to the proposed amendment.

1. **Objection 1 (Application 4):** The Department identifies the objections listed below related to Application 4.
 - a. **Need** – The amendment does not demonstrate that there is a need for the future land use change and urban development boundary expansion proposed in applications 4. The depletion year for residential land is 2018, while the supply depletion year for commercial development is anticipated to be beyond 2025. Therefore, the amendment would add additional uses to the urban development boundary which do not have a demonstrated need and which currently have an adequate supply. The amendment is inconsistent with FLUE Policy LU-8F.
 - b. **Urban Sprawl** – The amendment exhibits multiple indicators of urban sprawl, which collectively reflect a failure to discourage the proliferation of urban sprawl. First, an adequate supply of vacant commercial and residential land currently exists, so there is no demonstrated justification to expand the Urban Development Boundary (UDB). Second, the proposed expansion of the UDB would create an urban protrusion into an existing agricultural area. Third, the amendment site and the surrounding land to the south, east, and west, comprise a large rural area which is currently actively farmed. Due to the demonstrated lack of need, the proposed conversion of this rural area is premature. Fourth, the amendment fails to protect adjacent agriculture lands by virtue of the urban protrusion it creates into an existing agriculture area. Fifth, the amendment discourages infill development or redevelopment by permitting growth to occur beyond the current UDB.
 - c. **Impacts to Natural Resources** – The application has the potential to result in impacts to natural resources. It lies within the West Wellfield protection area. According to Section 24-43(5) of the County Code, non-residential uses, which generate, use, handle, dispose of, discharge or store hazardous waste (usually permissible in Business and Office designated areas) are prohibited in the wellfield protection area. Application 4 is not supported by adequate data and analysis to demonstrate that adverse impacts to natural resources will

not occur. Therefore, application 4 does not demonstrate that the sites in question are suitable for the proposed uses.

- d. Loss of Agricultural Land – Application 4 results in the loss of viable agriculture land. The subject site is actively farmed and is in an area of large contiguous farmable tracts.
- e. Internal Inconsistencies – Applications 4 fails to demonstrate a need for the project, fails to discourage the proliferation of urban sprawl, results in impacts to natural resources, and causes a loss of agriculture land. It is therefore internally inconsistent with several goals, objectives, and policies of the Miami-Dade County Comprehensive Development Master Plan related to these issues, as identified in Table 1 below.

Table 1 – Inconsistent Goals, Objectives, and Policies	
Citation	Summary
LU-1G	Cluster commercial uses in the vicinity of major intersections.
LU-1O	Prevent discontinuous, scattered development at urban fringe.
LU-8C	Protect and promote agriculture as a viable economic use.
LU-8E	Evaluate amendments to determine if they satisfy a deficiency in the plan to accommodate population or economic growth.
LU-8F	Ensure that the UDB has a 15-year supply of vacant residential land, and ensure that non-residential land supply is analyzed based on localized subarea geography.
LU-8G	If a need exists to expand the UDB, avoid agriculture land.
Land Use Concept 14	Encourage agriculture as a viable economic use of suitable land.
Guidelines for Urban Form #4	Intersections at section line roads shall serve as focal points of activity.
WS-1	Provide for potable water supply.

Authority: The citations are summarized by each component of the objection, as follows:

- Need – Sections 163.3177(2), (6)(a), (8), and 163.3187(2), F.S.; Rules 9J-5.005(2)(a), (c), (e), (5), 9J-5.006(2)(c), Florida Administrative Code.
- Urban Spawl – Sections 163.3177(2), 163.3177(6)(a), (8), and 163.3187(2), F.S.; Rules 9J-5.005(2), (4), (5), 9J-5.006(1)(g), (2)(c), (3)(b)8, (5)(g) and (j), Florida Administrative Code.
- Impacts to Natural Resources – Sections 163.3177(6)(a), (c), (d), (g)1.e, (h), (8), (9)(h) and (10)(e), F.S.; and Rules 9J-5.003(127) and (128); 9J-5.005(1)(c), (2), and (5)(a); 9J-5.006(2), (3)(b)1 and 4, (3)(c)4 and 6; 9J-5.011(1), (2)(b)5, and (2)(c)4; 9J-5.013(1), (2)(b)2, 3, and 4, (2)(c)1, 3, 5, 6, 8, and 9, (3); and 9J-5.015(3)(b)2 and (c)1, F.A.C.
- Loss of Agricultural Land – Sections 163.3162(2), 163.3177(6)(a) and (15)(a), F.S.; and Rules 9J-5.003(2) and 9J-5.006(5)(a), (g)5, (j)19, F.A.C.

- Internal Inconsistencies – Sections 163.3177(2), (6)(a), (d), (h), (8), (9), and (10), F.S.; and Rule 9J-5.003(2) and (23); 9J-5.005(2) and (5); 9J-5.006(3)(b)4, (3)(c)2; 9J-5.013(2)(b)2, 3, and 4, and (2)(c)5; F.A.C.

Recommendation: The County should not adopt the amendment.

2. **Objection 2 (Application 5):** The Department identifies the objections listed below related to Application 5.
 - a. **Need** – The application is a text amendment to the Land Use Element that adds “storage of commercial vehicles” as a permitted use in Open Land Subarea 1. Storage of commercial vehicles is a use which is allowed in the “Industrial and Office” and also the “Business and Office” land use categories. The application introduces new uses that are not currently allowed outside of the Urban Development Boundary or Open Lands Subarea 1. The “storage of commercial vehicles” (which is a broad, undefined term) is more extensive than the County’s current practice, which allows vehicle and equipment storage as an accessory use for permitted rock mining facilities. Each state issued rock mining permit includes stringent requirements to help prevent these accessory uses from causing soil or groundwater contamination. Furthermore, the County’s inventory of vacant land with an Industrial and Office designation indicated that 4,532 acres are located in the urbanized area of the County. While the applicant rebutted the accuracy of that total by arguing that it includes sites that are constrained by a variety of factors, the applicant’s data and analysis still indicates that there is 254 vacant acres of available land which could be utilized for storage of commercial vehicles. The applicant discounts the viability of the 254 acres on the basis that each individual parcel is less than 20 acres, but that appears to be an arbitrary threshold that is not based on clear operational requirements. Finally, the Metropolitan Planning Organization for the Miami area is currently preparing a “Comprehensive Parking Study for Freight Transport in Miami-Dade County”. It will identify suitable locations and assess the demand for short-term (overnight) and long-term parking of freight transport within the County.
 - b. **Urban Sprawl** – The amendment exhibits multiple indicators of urban sprawl, which collectively reflect a failure to discourage the proliferation of urban sprawl. First, the amendment allows development in excess of demonstrated need. Second, the amendment allows urban development to occur in rural areas at substantial distances from existing urban areas while leaping over undeveloped lands. Third, the amendment is a premature conversion of rural land and fails to adequately protect natural resources. Fourth, by allowing urban uses to occur beyond the UDB, the amendment discourages infill development of existing neighborhoods. Fifth, the amendment results in the loss of open space.
 - c. **Impacts to Natural Resources** – The application has the potential to result in impacts to natural resources. The amended text notes that “Use of the parcel is subject to environmental monitoring to maintain groundwater quality.” However, the nature and scope of that monitoring is not defined. Therefore, the amendment would cause adverse impacts to natural resources as follows:

- (1) Groundwater Quality – The amendment could adversely impact groundwater quality due to oil and other fluids leaking from the parked commercial vehicles.
- (2) Northwest Wellfield – The Northwest Wellfield, the largest in the County, is adjacent to Open Land Subarea 1. Land uses that threaten groundwater directly adjacent to the Northwest Wellfield Protection Area increase the likelihood of the contamination of the Biscayne Aquifer.
- (3) Impact to Comprehensive Everglades Restoration Plan (CERP) – The amendment could also jeopardize projects in the CERP. CERP plans for Open Land Subarea 1 are not immediate, but land uses that would preclude or complicate CERP projects slated for this area would be inappropriate.
- (4) Wetlands – The amendment could also result in adverse impacts to wetlands. Any increase of impervious cover, or demucking and filling of Open Land Subarea 1 lands will result in the loss of wetland functions. Furthermore, the conversion of wetlands to urban uses results in a reduction of the amount of rainwater recharge to the Biscayne Aquifer, and decreases the ability of these ecosystems to filter surface pollutants.

Application 5 is not supported by adequate data and analysis to demonstrate that adverse impacts to natural resources will not occur. Therefore, it did not demonstrate that the site in question is suitable for the proposed use.

- d. Internal Inconsistencies – Application 5 fails to demonstrate a need for the project, fails to discourage the proliferation of urban sprawl, and results in impacts to natural resources. It is therefore internally inconsistent with several goals, objectives, and policies of the Miami-Dade County Comprehensive Development Master Plan related to these issues, as identified in Table 2 below.

Citation	Summary
LU-2B	Prioritize infrastructure first in the UDB, and second in the UEA.
LU-3	Site development in a manner that protects natural resources.
LU-3A	Development orders will be consistent with environmental requirements.
LU-3B	Protect significant natural resources from incompatible uses.
LU-8E	Evaluate amendments to determine if they satisfy a deficiency in the plan to accommodate population or economic growth.
LU-8F	Ensure that the UDB has a 15-year supply of vacant residential land, and ensure that non-residential land supply is analyzed based on localized subarea geography.
UDB text, Land Use Element	The UDB distinguishes the area where urban development may occur through 2015 from areas where it should not occur.
Open Land text, Land Use Element	Open land is set aside for uses other than urban development. It is not surplus undeveloped land. The text notes that uses that could compromise groundwater shall not occur west of the Turnpike.

Table 2 – Inconsistent Goals, Objectives, and Policies	
Citation	Summary
TC-7B	Coordinate the MPO's planning efforts with the County's comprehensive planning efforts.
CON-4	Maintain or increase the aquifer recharge and water storage capacity of undeveloped western areas of the County.
CON-4A	The aquifer-recharge values of wetland areas shall be maintained and, where feasible, enhanced or restored. There shall be no further positive drainage of wetlands for urban development.
CON-7	Establishes various objectives related to the protection and preservation of wetlands.
CON-7J	Consider an application's consistency with CERP objectives in evaluating applications.

Authority: The citations are summarized by each component of the objection, as follows:

- Need – Sections 163.3177(2), (6)(a), (8), and 163.3187(2), F.S.; Rules 9J-5.005(2)(a), (c), (e), (5), 9J-5.006(2)(c), Florida Administrative Code.
- Urban Spawl – Sections 163.3177(2), 163.3177(6)(a), (8), and 163.3187(2), F.S.; Rules 9J-5.005(2), (4), (5), 9J-5.006(1)(g), (2)(c), (3)(b)8, (5)(g) and (j), Florida Administrative Code.
- Impacts to Natural Resources – Sections 163.3177(6)(a), (c), (d), (g)1.e, (h), (8), (9)(h) and (10)(e), F.S.; and Rules 9J-5.003(127) and (128); 9J-5.005(1)(c), (2), and (5)(a); 9J-5.006(2), (3)(b)1 and 4, (3)(c)4 and 6; 9J-5.011(1), (2)(b)5, and (2)(c)4; 9J-5.013(1), (2)(b)2, 3, and 4, (2)(c)1, 3, 5, 6, 8, and 9, (3); and 9J-5.015(3)(b)2 and (c)1, F.A.C.
- Internal Inconsistencies – Sections 163.3177(2), (6)(a), (d), (h), (8), (9), and (10), F.S.; and Rule 9J-5.003(2) and (23); 9J-5.005(2) and (5); 9J-5.006(3)(b)4, (3)(c)2; 9J-5.013(2)(b)2, 3, and 4, and (2)(c)5; F.A.C.

Recommendation: The County should either: 1.) Not adopt the amendment; or 2.) Limit the use to storage of trucks operated by independent truckers used to haul limerock for the local mining industry, provided that the environmental monitoring currently required by the County for private truckers hauling limerock is equally applied.

B. The Department identifies the following comments related to the proposed amendment.

1. **Comment 1 (Application 6):** The following comment is included at the request of the South Florida Water Management District:

The County should select the alignment that has the least potential conflicts with the CERP Biscayne Bay Coastal Wetlands Project and restoration of wetlands in the Model Lands Basin. The selected alignment should also demonstrate consistency with existing CDMP objectives and policies, including LU-3, LU-3A, LU-3B, and CON-7A.

2. **Comment 2 (Application 9):** Proposed policies HO-7E and HO-7F appear to add requirements over and above Chapter 723, F.S., which relates to the regulation of mobile home parks. This issue is beyond the regulatory authority of the Department of Community Affairs and is offered only as a comment for potential consideration by the County.

II. Consistency with Chapter 187, F.S., State Comprehensive Plan

The proposed amendment is inconsistent with the following provisions of Chapter 187, F.S.:

- A. Section 187.201(7), Water Resources, Policies (b)1, 4, 5, 9, 10: Protect water supplies, sources, and aquifers.
- B. Section 187.201(9), Natural Systems, Policies (b)1, 2, 3, 4, 7, and 8: Conserve wetlands to maintain their environmental value. Acquire public lands to provide public benefits. Prohibit the destruction of endangered species, protect their habitats, and assure their survival. Protect and restore the ecological functions of wetlands. Promote restoration of the Everglades.
- C. Section 187.201(15), Land Use, Policies (b)1, 2, and 6: Encourage efficient development in areas that will have the capacity to service new population. Encourage a separation of urban and rural land uses. Consider the impact of land use on water quality and quantity.
- D. Section 187.201(25), Plan Implementation, Policy (b)7: Ensure the development of strategic regional policy plans and local plans that implement and accurately reflect state goals and policies and that address problems, issues, and conditions that are of particular concern in a region.

By addressing the concerns noted in Section I, this inconsistency with Chapter 187, Florida Statutes, can be addressed.

2/17/10

11 BD

South
Florida
Regional
Planning
Council

RECEIVED

200 MAR -9 A 8:32

FEB 1 2010

MEMORANDUM COUNTY MANAGER'S OFFICE

AGENDA ITEM #6b

DATE: FEBRUARY 1, 2010
TO: COUNCIL MEMBERS
FROM: STAFF
SUBJECT: MIAMI-DADE COUNTY PROPOSED COMPREHENSIVE PLAN AMENDMENT

Introduction

On December 24, 2009, Council staff received proposed amendment package #10-1 to the Miami-Dade County Comprehensive Development Master Plan (CDMP) for review of consistency with the *Strategic Regional Policy Plan for South Florida (SRPP)*. Staff review is undertaken pursuant to the Local Government Comprehensive Planning and Land Development Regulation Act, Chapter 163, Part II, Florida Statutes (F.S.), and Rules 9J-5 and 9J-11, Florida Administrative Code (F.A.C.).

Community Profile

With a 2009 population estimated at 2,472,344, Miami-Dade County is the most populous county in Florida. The County's population grew by 9.7 percent during this decade, although it experienced a small decline of almost 5,000 between 2008 and 2009, according to estimates of the Bureau of Economic and Business Research (BEBR). The most recent BEBR projections show the County's population increasing by approximately 17,000 new residents per year through 2020, reaching a little under 2.7 million in that year. The percentage of the population that is of working age or younger is larger in Miami-Dade County than the state average.

The structure of the County's economy is heavily service and trade oriented, with approximately 57 percent of total employment in these sectors. The County has established itself as a wholesaling and financial center and major tourist destination. Miami-Dade County ranks ninth in export sales among all metropolitan areas in the country. Almost a quarter of the state's total employment in transportation is located in the county. The Port of Miami is the largest cruise ship port in the world and one of the largest container ports in the southeast. The urbanized portion of the county lies between two national parks, Everglades and Biscayne National Parks. The close relationship of tourism to the preservation of Miami-Dade County's unique native plants and wildlife has been recognized as an economic as well as an environmental issue. In order to manage growth, the County's Comprehensive Development Master Plan (CDMP) establishes an Urban Development Boundary (UDB), which distinguishes the area where urban development may occur from areas where it should not occur. The general location of the County is shown in Attachment 1.

Summary of Staff Analysis

Proposed amendment package #10-1 to the Miami-Dade County Comprehensive Development Master Plan (CDMP) contains two (2) site-specific changes to the Land Use Plan map (LUP), one (1) combined LUP and text amendment and three (3) text amendments. Attachment 2 presents the locations of all proposed map amendments, and detailed locations of site-specific map amendments or amendment areas are shown in Attachments 3 through 7.

A summary table of the proposed amendments in this package is shown below. For the purposes of this review, the amendments retain their County Application numbers.

SUMMARY OF PROPOSED CDMP MAP AND TEXT AMENDMENTS						
County App. No.	Size (gross acres)	General Location	Proposed Land Use or Text Change	Attachment	Staff Recommendation	BCC ¹ Vote
3	19.55	NE corner of SW 137 th Avenue and SW 96 th Street	FROM: Office/Residential TO: Business and Office	3	General Consistency with the SRPP	10-0
4	9.9	SE corner of SW 167 th Avenue and SW 104 th Street	FROM: Agriculture TO: Business and Office	4	General Inconsistency with the SRPP	7-4
5	N/A	N/A	Land Use Element: would revise text to allow a new detailed list of ancillary uses in the Open Land use category, specific to the Open Land Subarea 1.	7	General Inconsistency with the SRPP	11-1
6	N/A	N/A	Map and text change would include new/temporary roadways, define "temporary roadway" and add a new map to reflect these roadways as part of the Future Traffic Circulation Map series.	5 & 6	General Inconsistency with the SRPP	10-1
8	N/A	N/A	Recreation and Open Space Element: would revise text to reflect the 2007 Miami-Dade County Parks and Open Space Master Plan.	N/A	General Consistency with the SRPP	12-0
9	N/A	N/A	Housing Element: would revise text to allow for the enhancement and preservation of "mobile home parks" as an option for affordable housing.	N/A	General Consistency with the SRPP	12-0

¹ BCC = Board of County Commissioners; N/A = Not Applicable

On November 4, 2009, the Board of County Commissioners unanimously voted to adopt proposed amendment package #10-1 and transmit to the Florida Department of Community Affairs for review and comment.

A detailed analysis of the amendments is included in this staff report.

Recommendation

Find Applications 4, 5, and 6 of Miami-Dade County proposed amendment package #10-1 generally inconsistent with the *Strategic Regional Policy Plan for South Florida (SRPP)*; and

Find the remainder of the amendments in proposed amendment package #10-1 (Applications 3, 8, and 9) generally consistent with the *SRPP*.

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

Council Action

At its February 1, 2010 meeting, the Council found the following for the proposed Miami-Dade County amendment package #10-1:

- Proposed Application 4 is generally inconsistent with the *Strategic Regional Policy Plan for South Florida (SRPP)* and conflicts with Goals 11, 12, 20 and Policies 11.10, 12.1, 12.6, 20.2.
- Proposed Application 5 is generally inconsistent with the *SRPP* and conflicts with Goals 11, 12, 20 and Policies 11.10, 12.1, 12.3, 12.4, 20.1, 20.2, 20.3.
- Proposed Application 6 is generally inconsistent with the *SRPP* and conflicts with Goals 7, 14 and 15 and Policies 7.7, 7.9, 14.1, 14.3, 14.4, 14.7 and 15.1. The Council accepted the proffer from FPL that it will be responsible for all costs associated with the construction, maintenance, and deconstruction of the temporary roadways.
- The remainder of the proposed amendment package #10-1 (Application 3, 8, and 9) is generally consistent with the *SRPP*.

The Council approved the transmittal of the staff report to the Florida Department of Community Affairs.

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

**South Florida Regional Planning Council
January 2010**

**PROPOSED AMENDMENT PACKAGE #10-1
TO THE
MIAMI-DADE COUNTY COMPREHENSIVE PLAN**

Summary of Staff Analysis

Proposed amendment package #10-1 to the Miami-Dade County Comprehensive Development Master Plan (CDMP) contains two (2) site-specific changes to the Land Use Plan map (LUP), one (1) combined LUP and text amendment and three (3) text amendments. Attachment 2 presents the locations of all proposed map amendments, and detailed locations of site-specific map amendments or amendment areas are shown in Attachments 3 through 7.

Planning Rationale

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

Areas of Analysis

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

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

I. SITE-SPECIFIC MAP AMENDMENTS

Application 3

Proposed Application 3 would designate a 19.55-acre, vacant site, located on the Northeast corner of SW 137th Avenue and SW 96th Street [see Attachment 3], from Office/Residential to Business and Office. The site's surrounding uses include retail to the north and west and the Lindgren Canal, which flows along to the south and east providing a buffer for residential neighborhoods.

The amendment proposes the subject site to be commercially developed for 279,132 square feet of retail space. The amendment is accompanied with a Proffered Covenant that would prevent partial rezoning of the site and require it to be developed in accordance with the Site Plan Process and to attain green building certification. The property is already served by water, sewer and other utilities and infrastructure that have the capacity to accommodate the amount of development that would be allowed

by the proposed change. While the change in land use designation would generate more peak hour traffic trips, roadway level of service standards on the surrounding roadway network would not be adversely impacted.

On November 4, 2009, the Miami-Dade County Commission voted (10-0) to adopt and transmit Application 3 with acceptance of the Proffered Covenant.

Staff analysis confirms that proposed Application 3 would be compatible with existing land uses; have minimal impact on natural and regional resources and generally consistent with the Goals and Policies of the *Strategic Regional Policy Plan for South Florida*.

Application 4

Proposed Application 4 would designate a 9.9-acre site located at the southeast corner of SW 167th Street and SW 104th Avenue from Agriculture to Business and Office, and expand the Urban Development Boundary (UDB) to include the subject property [see Attachment 4]. The amendment site is surrounded on the east, south and west by land designated Agriculture. Directly north of the site are residential subdivisions.

The amendment site is a small portion of an overall 94.84 gross-acre site located outside the UDB but inside the Urban Expansion Area (UEA). The proposed development of the site is a neighborhood retail center that would serve adjacent residential development. The amendment is accompanied with a Proffered Covenant that limits development to 100,000 square feet of retail commercial with no residential uses. Roadway capacity would not be significantly impacted. Due to the non-residential nature of the proposed amendment, there would be no impact on public school enrollment or capacity. Facilities and services are sufficient.

The Council reviewed an application for similar change to the CDMP at its January 7, 2008 meeting (Department of Community Affairs amendment #08-1). At that time, the Council found the proposed amendment to be generally inconsistent with the SRPP. Since that time there has not been substantive change to indicate a need for revision to the CDMP for this site.

Objection

Application 4 fails to provide adequate justification for the proposed development outside of the UDB. The accompanying Proffered Covenant attempts to limit development, however, the land use change would reduce Agriculture and Open Lands in Miami-Dade County without adequate justification in an area that is not designated for urban uses.

Staff analysis confirms proposed Application 4 is inconsistent with the following Goals and Policies of the *Strategic Regional Policy Plan for South Florida*, particularly those relating to preservation of open lands, agriculture and natural resource protection:

Goal 11 Encourage and support the implementation of development proposals that conserve the Region's natural resources, rural and agricultural land, green infrastructure and:

- utilize existing and planned infrastructure in urban areas;
- enhance the utilization of regional transportation systems;
- incorporated mixed-land use developments
- recycle existing developed sites; and
- provide for the preservation of historic sites.

Policy 11.10 Decisions regarding the location, rate, and intensity of proposed development shall be based on the existing or programmed capacity of infrastructure and support services or on capacity which will be programmed to serve that proposed development; in addition, consideration should be given to the impact of infrastructure and support services on natural resources.

- Goal 12** Encourage the retention of the Region's rural lands and agricultural economy.
- Policy 12.1** Maintain the character of rural and agricultural areas by encouraging compatibility of adjacent land uses.
- Policy 12.6** Review the recommendations of the *Agriculture and Rural Area Study* and the *South Miami-Dade Watershed Study* and formulate policies adopted from them to sustain the agricultural economy and the environment.
- Goal 20** Achieve long-term efficient and sustainable development patterns that protect natural resources and connect diverse housing, transportation, education, and employment opportunities.
- Policy 20.2** Guide new development and redevelopment within the Region to areas which are most intrinsically suited for development, including areas:
- Which are least exposed to coastal storm surges;
 - Where negative impacts on the natural environment will be minimal; and
 - Where public facilities and services already exist, are programmed or, on an aggregate basis, can be provided most economically.

Recommendation

Council staff recommends that this amendment not be adopted at this time and that any expansion of the Urban Development Boundary be based on a clear demonstration of need. Future Land Use Element Policy 8G of the CDMP provides guidance on development capacity that should be available within the Urban Development Boundary (UDB). The Policy also addresses how demand and land supply for residential and nonresidential uses are determined. To provide the basis for decisions to amend the Urban Expansion Area (UEA) boundary and UDB, the County performs an assessment of supply and demand for various land uses within the UDB every two years. Amendments to change the UDB and UEA are only accepted every two years so that they correspond with this assessment.

Council staff is available to work with the County throughout the amendment process.

On November 4, 2009, the Miami-Dade County Commission voted (7-4) to transmit Application 4 with acceptance of Proffered Covenant, without a recommendation.

Staff analysis confirms that proposed Application 4 would be incompatible with existing land uses and generally inconsistent with the Goals and Policies of the *Strategic Regional Policy Plan for South Florida*.

Application 6 (Map and Text Amendment)

Proposed Application 6 is a combination of a map and text amendment to create new and expand existing roadways, to be used temporarily, between SW 328th Street and theoretical (Miami-Dade County uses "theoretical" as a naming convention to denote roadways that are proposed to be built in the future) SW 360th Street and from SW 137th Avenue eastward to theoretical SW 87th Avenue. These roadways would provide construction access to Florida Power and Light's (FPL) proposed Turkey Point Power Plant units 6 and 7. The roadway network on the Adopted 2015-25 LUP map would be amended to include new/temporary roadways. The Traffic Circulation Sub-Element would be revised to include a definition for temporary roadways; an updated planned 2025 Future Roadway Network Map of the Future Traffic Circulation Map Series; and a new Transportation map depicting the location of the proposed temporary roadways.

The Amendment would authorize the improvement of certain existing roadways and construction of new ones to provide access during the construction of Turkey Point Units 6 and 7. The County has indicated

that these roadway improvements will not be required to accommodate the projected traffic after the construction of the project. The construction is estimated to last approximately nine years, from 2011 through 2020. The County will have to determine which improvements will remain and ensure the appropriate roadways are returned to their pre-construction status.

Option 1: Roadway Access

The amendment as originally submitted would revise the CDMP's LUP map to indicate the new/temporary roadway access option listed below. Option 1 [See Attachment 5] includes widening the following existing roadways from 2 to 4 lanes:

- SW 328th Street from SW 137th Avenue to SW 117th Avenue;
 - SW 117th Avenue from SW 328th Street to SW 344th Street;
 - SW 344th Street from SW 137th Avenue West to theoretical SW 137th Avenue East;
- and the construction of three new roadways:
- SW 137th Avenue from SW 344th Street to theoretical SW 359th Street as a new 3-lane facility;
 - SW 117th Avenue from SW 344th Street to theoretical SW 359th Street as a 4-lane facility; *and*
 - SW 359th Street from theoretical SW 137th Avenue to the Turkey Point plant site as a 4-lane facility.

Option 2: Canal Roadway Access

The following alternative access option was incorporated into the proposed amendment package. This option would revise the CDMP's LUP map to indicate the new/temporary roadway access options listed below. Option 2 [See Attachment 6] includes widening the following existing roadways from 2 to 4 lanes:

- SW 328th Street from SW 137th Avenue to SW 117th Avenue;
- SW 117th Avenue from SW 328th Street to SW 344th Street;
- SW 344th Street from SW 137th Avenue and the entrance to the Turkey Point plant site;

and the construction of two new 2-lane roadways

- SW 132nd Avenue from SW 328th Street to SW 344th Street;
- New Canal Road/theoretical SW 342nd Street along the north side of the Florida City Canal.

The amendment area's surrounding uses include the Homestead Miami Speedway, parking facilities, single family residences, agricultural land, open land, canals including Florida City Canal, and wetland mitigation areas. Some of the proposed roadway improvements are adjacent to land within the Comprehensive Everglades Restoration Plan's (CERP) Biscayne Bay Coastal Wetlands project. The roadway improvements proposed for the segments of SW 137th and SW 117th Avenues and SW 359th Street south of SW 344th Street would impact land identified in the CDMP Land Use Element and by DERM as high quality wetlands. These lands are also habitat for federal and state endangered and threatened species and Natural Resources of Regional Significance.

Objection

While the Canal Roadway Access (Option 2) is intended to result in fewer impacts to the surrounding wetlands, canals, wildlife and native vegetation than the Roadway Access (Option 1), since it avoids the environmentally sensitive areas south of SW 344th Street, the amendment has not identified the full extent of potential environmental and extra-jurisdictional impacts of both access options or provided mitigation strategies to offset potential impacts to wetlands, CERP land, vegetation, and threatened species.

Staff analysis confirms proposed Application 6 is inconsistent with the following Goals and Policies of the *Strategic Regional Policy Plan for South Florida*, particularly those relating to infrastructure, transportation, preservation of open lands, agriculture and natural resource protection:

- Goal 7** Protect, conserve, and enhance the Region's water resources.
- Policy 7.7** Require all inappropriate inputs into Natural Resources of Regional Significance to be eliminated through such means as redirection of offending outfalls, treatment improvements, or retrofitting options.
- Policy 7.9** Restore and improve water quality throughout the system by:
- a. requiring stormwater treatment and management;
 - b. protecting wetlands, native uplands, and identified aquifer recharge areas; and
 - c. implementing best management practices, such as utilization of low phosphorus fertilizers.
- Goal 14** Preserve, protect, and restore Natural Resources of Regional Significance.
- Policy 14.1** Address environmental issues, including the health of our air, water, habitats, and other natural resources, that affect quality of life and sustainability of our Region.
- Policy 14.3** Protect native habitat by first avoiding impacts to wetlands before minimizing or mitigating those impacts. Development proposals should demonstrate how wetland impacts are being avoided and what alternative plans have been considered to achieve that objective.
- Policy 14.4** Direct land uses that are not consistent with the protection and maintenance of natural resource values away from Natural Resources of Regional Significance, adjacent buffer areas.
- Policy 14.7** Restore, preserve, and protect the habitats of rare and state and federally listed species. For those rare and threatened species that have been scientifically demonstrated by past or site specific studies to be relocated successfully, without resulting in harm to the relocated or receiving populations, and where *in-situ* preservation is neither possible nor desirable from an ecological perspective, identify suitable receptor sites, guaranteed to be preserved and managed in perpetuity for the protection of the relocated species that will be utilized for the relocation of such rare or listed plants and animals made necessary by unavoidable project impacts. Consistent use of the site by endangered species, or documented endangered species habitat on-site shall be preserved on-site.
- Goal 15** Restore and protect the ecological values and functions of the Everglades Ecosystem by increasing habitat area, increasing regional water storage, and restoring water quality.
- Policy 15.1** Encourage land uses and development patterns that are consistent with Everglades Ecosystem restoration and with the protection of Natural Resources of Regional Significance.

Recommendation

Council staff recommends that the County provide the necessary information to address consistency issues with County guidelines and the various impacts previously identified. Council staff is available to work with the County throughout the amendment process.

On November 4, 2009, the Miami-Dade County Commission voted (11-1) to adopt the text amendment to the Transportation Element within Application 6 to allow temporary roadway improvements. The remainder of the application was transmitted without a recommendation.

Staff analysis confirms that proposed Application 6 would be generally inconsistent with the Goals and Policies of the *Strategic Regional Policy Plan for South Florida*.

II. TEXT AMENDMENTS

Application 5

Proposed Application 5 to the Land Use Element would revise the text for new ancillary uses in the Open Land use category, allowing for the storage of commercial vehicles in the County's Open Land Subarea 1, subject to environmental monitoring.

Open Land Subarea 1 is located in northwest Miami-Dade County and borders Broward County to the north, the Florida Turnpike to the east/southeast and, Okeechobee Road (U.S. 27) to the south/southwest and theoretical NW 147th Avenue to the west [See Attachment 7]. Open Land Subarea 1 is adjacent to Miami-Dade County's Water Conservation Area, East Coast Buffer and the Francis S. Taylor Wildlife Management Area (part of the Everglades ecosystem), the Miami River Canal and the Northwest-Wellfield Protection Area.

The text change would allow the storage of commercial vehicles on properties greater than 20 acres, any portion of which is located within 1,500 feet of Okeechobee Road. Eligible properties for commercial vehicle storage would be required to monitor and maintain groundwater quality. In addition, the maintenance and repair of commercial vehicles shall be prohibited.

Objection

Application 5 fails to provide adequate justification for commercial vehicle storage outside of the UDB. The amendment fails to show that there is insufficient capacity for this activity within the UDB. The proposed language that requires the monitoring and maintenance of environmental conditions is not accompanied with parameters or possible mitigation strategies. There is insufficient information to determine the impacts this amendment would have on roadway conditions (Florida Turnpike and U.S. 27), groundwater quality (Northwest Wellfield), open lands, and wetlands (Comprehensive Everglades Restoration Project). Natural Resources of Regional Significance that may be impacted by the proposed project include the Miami-Dade County's Water Conservation Area, the East Coast Buffer, and the Francis S. Taylor Wildlife Management area of the Everglades ecosystem. The amendment would also reduce the reserved amount of Open Land in Miami-Dade County.

Staff analysis confirms proposed Application 5 is inconsistent with the following Goals and Policies of the *Strategic Regional Policy Plan for South Florida*, particularly those relating to preservation of open lands, agriculture, and natural resource protection:

- Goal 11** Encourage and support the implementation of development proposals that conserve the Region's natural resources, rural and agricultural lands, green infrastructure and:
- utilize existing and planned infrastructure where most appropriate in urban areas;
 - enhance the utilization of regional transportation systems;
 - incorporate mixed-land use developments;
 - recycle existing developed sites; and
 - provide for the preservation of historic sites.
- Policy 11.10** Decisions regarding the location, rate, and intensity of proposed development shall be based on the existing or programmed capacity of infrastructure and support services or on capacity which will be programmed to serve that proposed development. In addition, consideration should be given to the impact of infrastructure and support services on natural resources.
- Goal 12** Encourage the retention of the Region's rural lands and agricultural economy.

- Policy 12.1** Maintain the character of rural and agricultural areas by encouraging compatibility of adjacent land uses.
- Policy 12.3** Discourage the expansion of urban service areas into agricultural lands except:
 1) when the expansion is necessary to accommodate projected population growth; and
 2) when the development densities will be sufficient to support public transportation.
- Policy 12.4** In the event that land is converted from agriculture to urban uses, local governments should discourage sprawl development patterns and require urban design and density necessary to support pedestrian-orientation, public transportation, and the efficient provision of other infrastructure.
- Goal 20** Achieve long-term efficient and sustainable development patterns that protect natural resources and connect diverse housing, transportation, education, and employment opportunities.
- Policy 20.1** Provide for the compatibility of adjacent land uses and assess the impacts of land uses on the surrounding environment in comprehensive plans and development regulations.
- Policy 20.2** Guide new development and redevelopment within the Region to areas, which are most intrinsically suited for development, including areas:
 a. Which are least exposed to coastal storm surges;
 b. Where negative impacts on the natural environment will be minimal; and
 c. Where public facilities and services already exist, are programmed or, on an aggregate basis, can be provided most economically.
- Policy 20.3** Direct future development and redevelopment first to areas served by existing infrastructure and to other locations that are suitable for development, as identified in their comprehensive plans. In particular, local governments should coordinate with state and regional officials to identify public transportation corridors and to promote development along those corridors by implementing investment strategies for providing infrastructure and services, which are consistent with them.

Recommendation

Council staff recommends that this amendment not be adopted and that any expansion of the Urban Development Boundary be based on a clear demonstration of need. Future Land Use Element Policy 8G of the CDMP provides guidance on development capacity that should be available within the Urban Development Boundary (UDB). The Policy also addresses how demand and land supply for residential and nonresidential uses are determined. To provide the basis for decisions to amend the Urban Expansion Area (UEA) boundary and UDB, the County performs an assessment of supply and demand for various land uses within the UDB every two years. Amendments to change the UDB and UEA are only accepted every two years so that they correspond with this assessment.

Detailed documentation and analysis demonstrating that commercial vehicle storage is not adequately provided for within the UDB and that a need for this proposed activity outside the UDB is required for the review of this amendment. Information is needed to determine infrastructure capacity and potential impacts. In addition, environmental monitoring guidelines and mitigation strategies should be addressed. Coordination with the Miami-Dade Metropolitan Planning Organization on the Comprehensive Parking Study for Freight Transport is advised. Council staff is available to work with the County throughout the amendment process.

On November 6, 2009, the Miami-Dade County Commission voted (10-1) to adopt this amendment with changes and transmit it to the Florida Department of Community Affairs for review.

Staff analysis confirms that proposed Application 5 would be generally inconsistent with the Goals and Policies of the *Strategic Regional Policy Plan for South Florida*.

Application 8

Proposed Application 8 would amend the text in the Recreation and Open Space Element to reflect the 2007 Miami-Dade County Parks and Open Space Master Plan, as well as other updates and policy changes not related to the Open Space Master Plan. They include revisions to Policy ROS-4E, allowing new mechanisms for accepting open space conservation areas and revisions to Policy ROS-5C iii, allowing greater protection of park sites with natural, historical, or archeological resources.

On November 4, 2009, the Miami-Dade County Commission voted (12-0) to adopt this amendment with changes and transmit it to the Florida Department of Community Affairs for review.

Staff analysis confirms that proposed Application 8 is generally consistent with the Goals and Policies of the *Strategic Regional Policy Plan for South Florida*.

Application 9

Proposed Application 9 would amend the text in the Housing Element by creating language that enhances and preserves "mobile home parks" as viable options for affordable housing. The proposed policies include programs that assist mobile home residents in purchasing their parks and forming resident owned communities; allow for the replacement of existing mobile home units with mobile homes, manufactured homes, modular homes or other permanent residential structures that meet design and building standards; ensure suitable affordable housing is available for displaced mobile home residents; and require developments or redevelopments for mobile home parks designate 20 percent of units affordable housing.

On November 4, 2009, the Miami-Dade County Commission voted (12-0) to adopt this amendment and transmit it to the Florida Department of Community Affairs for review.

Staff analysis confirms that proposed Application 9 is generally consistent with the Goals and Policies of the *Strategic Regional Policy Plan for South Florida*.

Recommendation

Find Application 4, 5, and 6 of Miami-Dade County proposed amendment package #10-1 generally inconsistent with the *Strategic Regional Policy Plan for South Florida (SRPP)*; and

Find the remainder of the amendments in proposed amendment package #10-1 (Application 3, 8, and 9) generally consistent with the *SRPP*.

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

Council Action

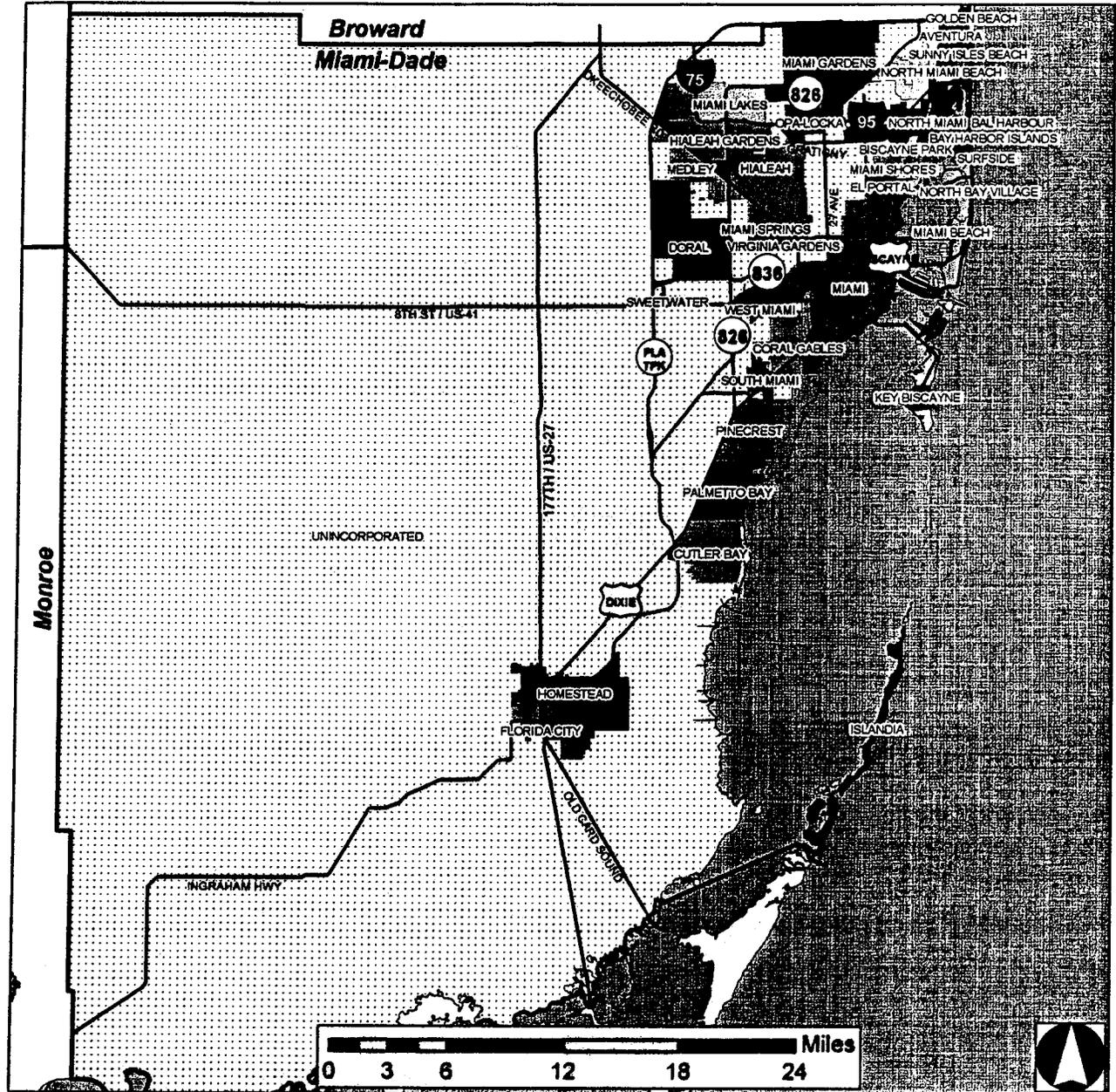
At its February 1, 2010 meeting, the Council found the following for the proposed Miami-Dade County amendment package #10-1:

- Proposed Application 4 is generally inconsistent with the *Strategic Regional Policy Plan for South Florida (SRPP)* and conflicts with Goals 11, 12, 20 and Policies 11.10, 12.1, 12.6, 20.2.
- Proposed Application 5 is generally inconsistent with the *SRPP* and conflicts with Goals 11, 12, 20 and Policies 11.10, 12.1, 12.3, 12.4, 20.1, 20.2, 20.3.

- Proposed Application 6 is generally inconsistent with the SRPP and conflicts with Goals 7, 14 and 15 and Policies 7.7, 7.9, 14.1, 14.3, 14.4, 14.7 and 15.1. The Council accepted the proffer from FPL that it will be responsible for all costs associated with the construction, maintenance, and deconstruction of the temporary roadways.
- The remainder of the proposed amendment package #10-1 (Application 3, 8, and 9) is generally consistent with the SRPP.

The Council approved the transmittal of the staff report to the Florida Department of Community Affairs.

Attachment 1



COMPREHENSIVE PLAN AMENDMENTS

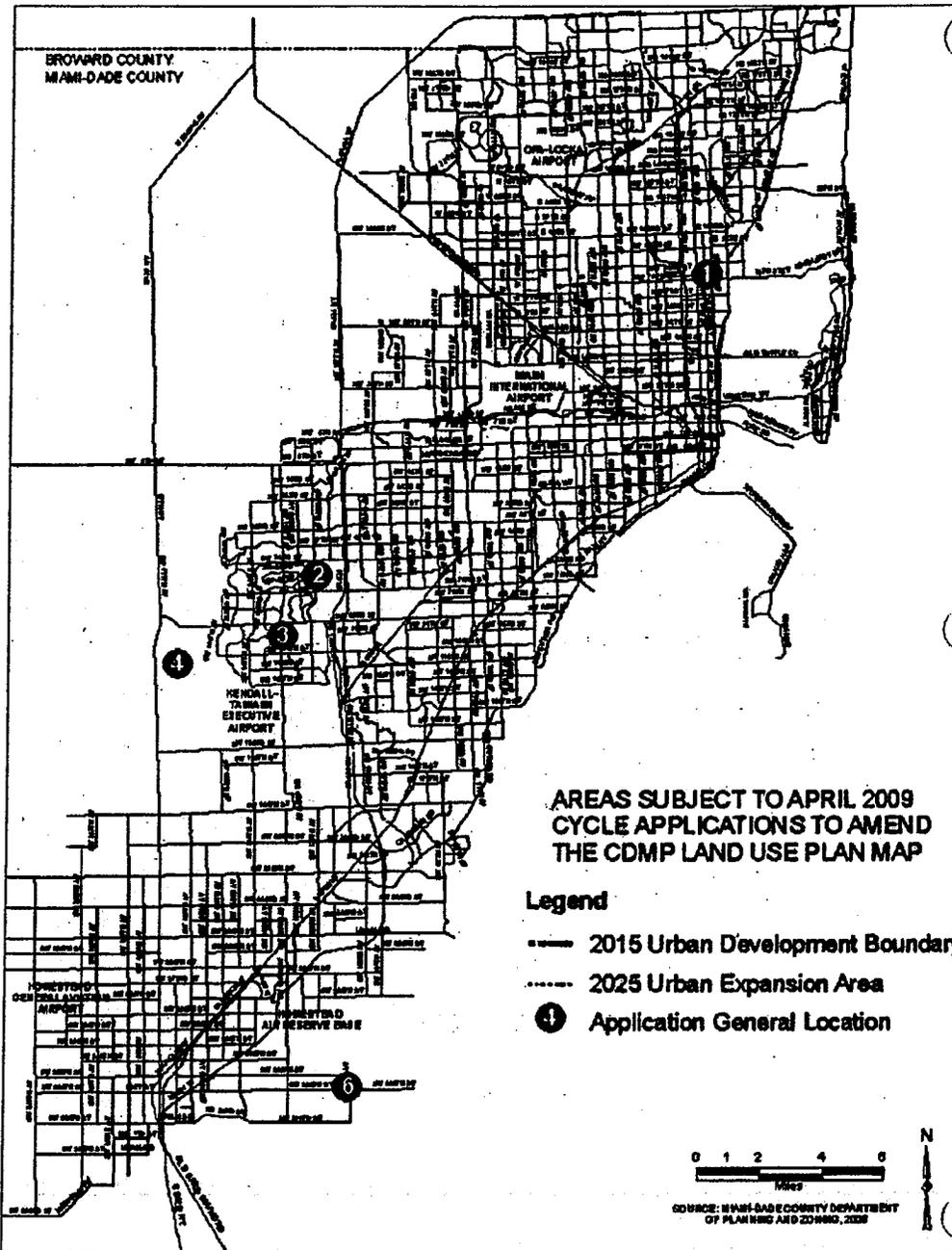
General Location Map

Miami-Dade County
Proposed Amendment Package #10-1

Sources: FDEP, SFWMD, Miami-Dade County, SFRPC.

Note: For planning purposes only. All distances are approximate.

Attachment 2



COMPREHENSIVE PLAN AMENDMENTS

Amendment Location Map

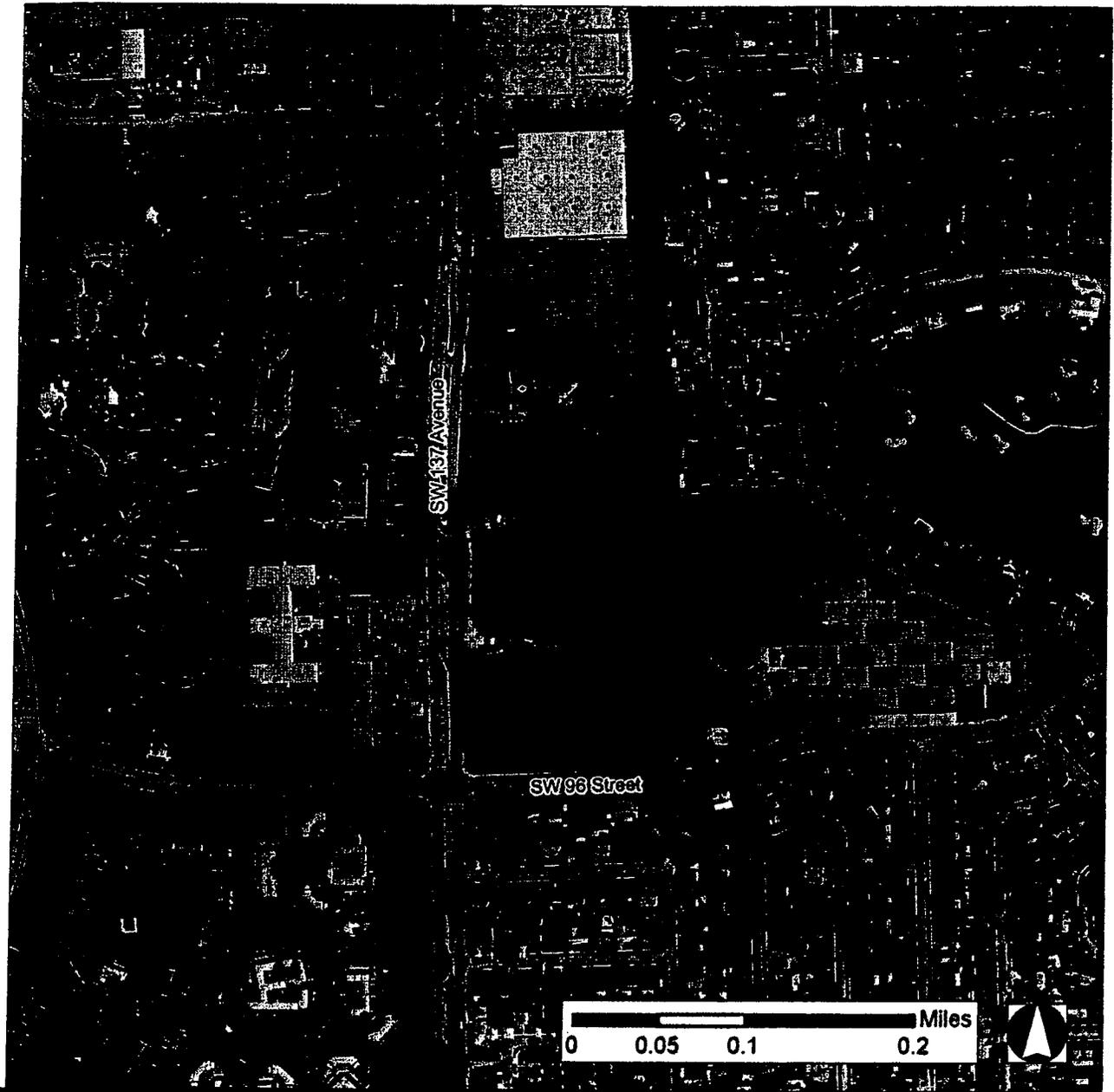
Miami-Dade County
Proposed Amendment Package #10-1
Amendment Site Locations*

Source: Miami-Dade County proposed amendment package #10-1.

Note: For planning purposes only. All distances are approximate.

*Amendments 2-5 are small scale amendments; Amendment 1 was withdrawn by the Applicant.

Attachment 3



COMPREHENSIVE PLAN AMENDMENTS

Aerial Map

Miami-Dade County

Proposed Amendment Package #10-1

Application No. 3 (19.55 acres)

From: Office/Residential

To: Business and Office

Sources: Miami-Dade County, SFRPC.

Note: For planning purposes only. All distances are approximate.

Attachment 4



COMPREHENSIVE PLAN AMENDMENTS

Aerial Map
Miami-Dade County
Proposed Amendment Package #10-1

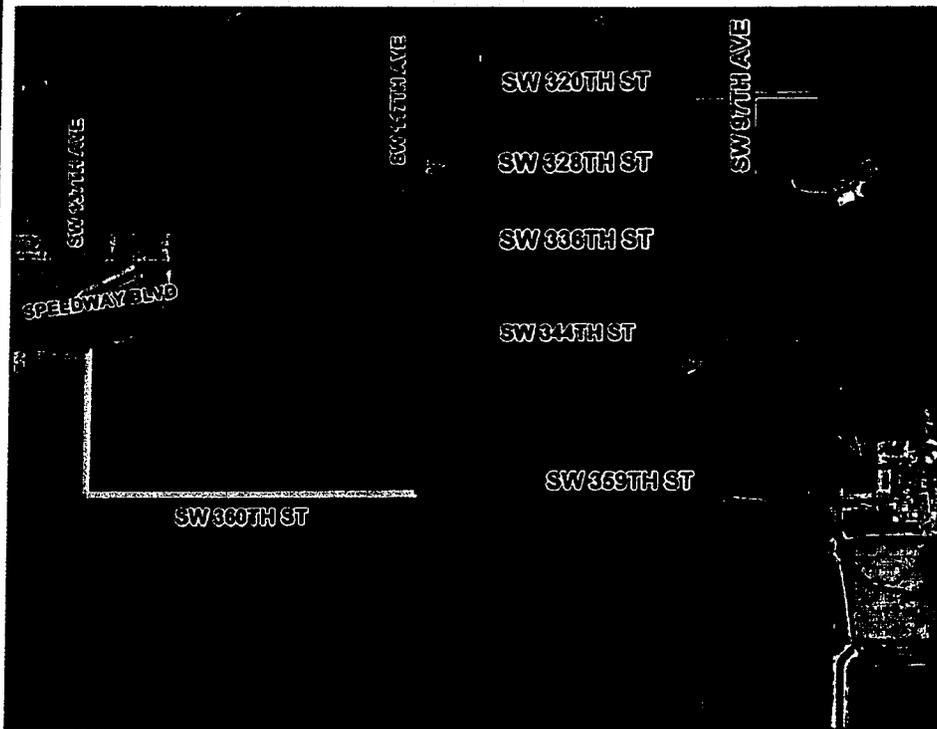
Application No. 4 (9.9 acres)
From: Office/Residential
To: Business and Office

Sources: Miami-Dade County, SFRPC.

Note: For planning purposes only. All distances are approximate.

Attachment 5

AERIAL PHOTO: APPLICATION NO. 6



LEGEND

PROPOSED ROADWAY IMPROVEMENTS

-  WIDEN 2 TO 4 LANES
-  NEW 3 LANES
-  NEW 4 LANES



SOURCE: MIAMI-DADE COUNTY DEPARTMENT OF PLANNING AND ZONING, AUGUST 2008

COMPREHENSIVE PLAN AMENDMENTS

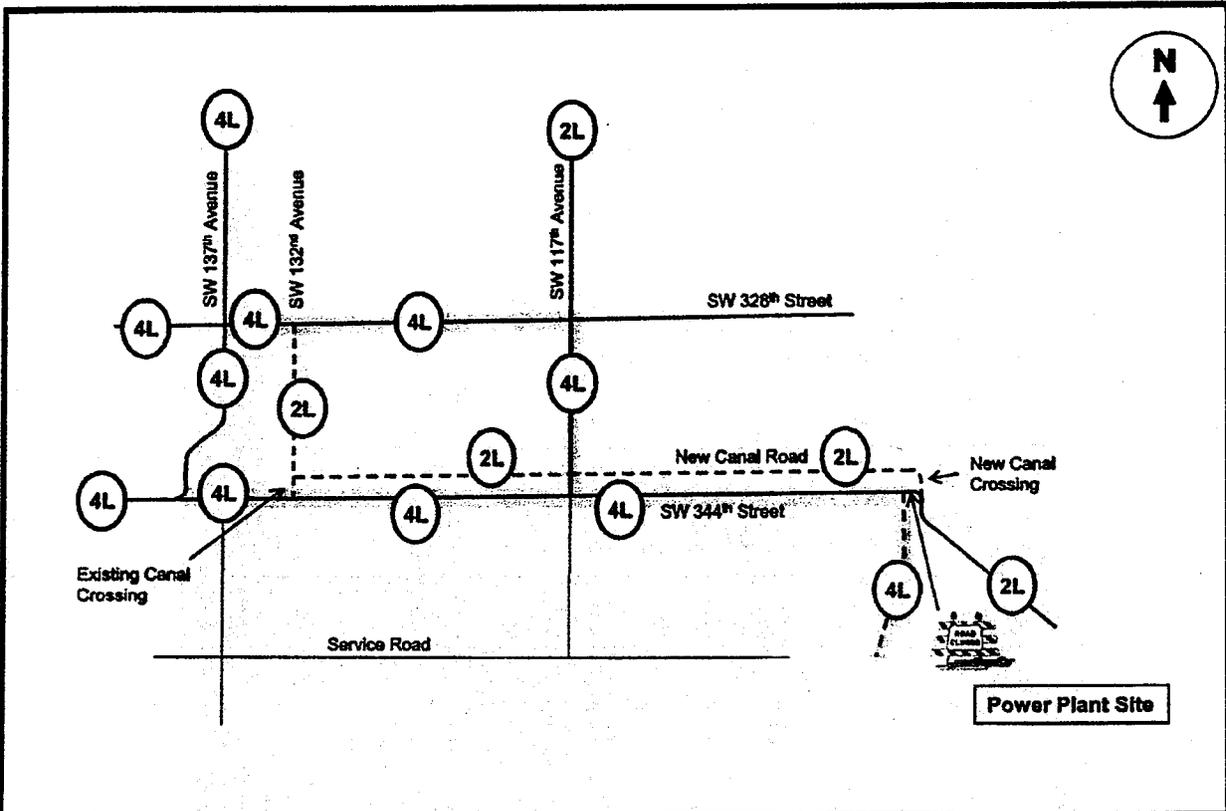
Aerial Map
Miami-Dade County
Proposed Amendment Package #10-1

Application No. 6
New and Temporary Roadways
OPTION 1: Roadway Access

Source: Miami-Dade County proposed amendment package #10-1.

Note: For planning purposes only. All distances are approximate.

Attachment 6



<p>Traf Tech ENGINEERING, INC.</p>	<p>NEW CANAL ROAD OPTION (Required Roadway Improvements)</p>	<p>FIGURE 3 Turkey Point Power Plant Miami-Dade County, Florida</p>
---	---	--

COMPREHENSIVE PLAN AMENDMENTS

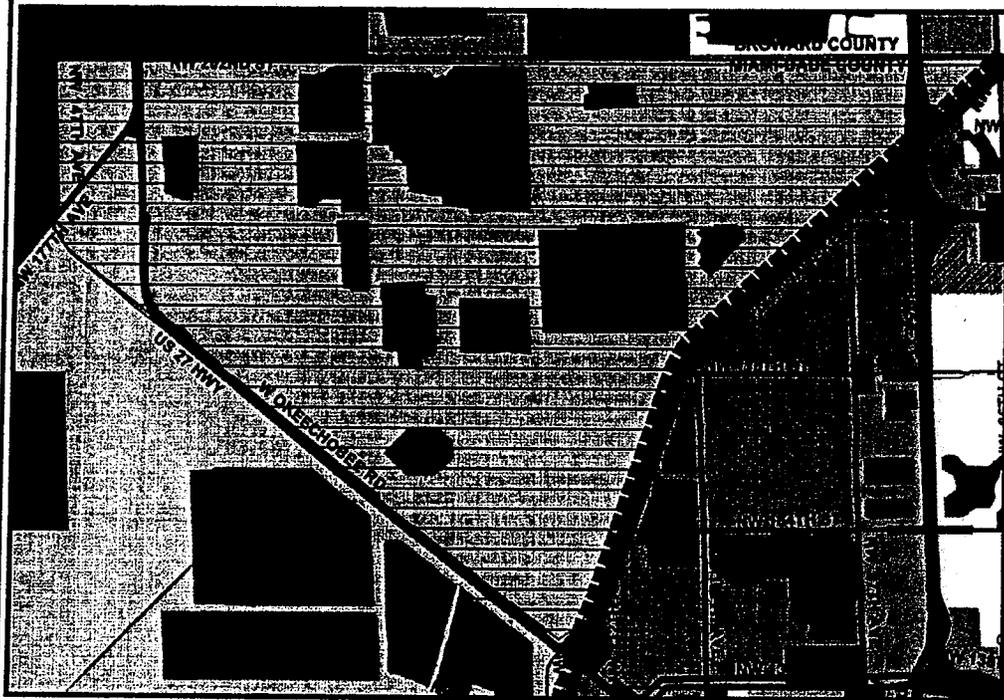
Aerial Map
Miami-Dade County
Proposed Amendment Package #10-1

Application No. 6
New and Temporary Roadways
OPTION 2: Canal Roadway Access

Source: Miami-Dade County proposed amendment package #10-1.
Note: For planning purposes only. All distances are approximate.

Attachment 7

OPEN LAND SUBAREA 1: CDMP LAND USE



OPEN LAND SUBAREA 1

CDMP LAND USE

- | | | | |
|--|---|--|---|
| | RESIDENTIAL COMMUNITIES | | WATER |
| | ESTATE DENSITY (EDR) 1-2.5 DU/AC | | TRANSPORTATION (ROW, RAIL, METRORAIL, ETC.) |
| | ESTATE DENSITY W/ ONE DENSITY INCREASE (DI-1) | | 2015 URBAN DEVELOPMENT BOUNDARY |
| | LOW DENSITY (LDR) 2.5-8 DU/AC | | EXPRESSWAYS |
| | LOW-MEDIUM DENSITY (LMDR) 8-13 DU/AC | | MAJOR ROADWAYS (3 OR MORE LANES) |
| | INDUSTRIAL AND OFFICE | | MINOR ROADWAYS (2 LANES) |
| | BUSINESS AND OFFICE | | |
| | OFFICE/RESIDENTIAL | | |
| | INSTITUTIONS, UTILITIES AND COMMUNICATION | | |
| | AGRICULTURE | | |
| | OPEN LAND | | |
| | PARKS AND RECREATION | | |
| | ENVIRONMENTAL PROTECTION | | |
| | ENVIRONMENTALLY PROTECTED PARKS | | |



SOURCE: MIAMI-DADE COUNTY DEPARTMENT OF PLANNING AND ZONING, AUGUST 2008



COMPREHENSIVE PLAN AMENDMENTS

Aerial Map
Miami-Dade County
Proposed Amendment Package #10-1

Application No. 5
Open Land Subarea 1

Source: Miami-Dade County proposed amendment package #10-1.

Note: For planning purposes only. All distances are approximate.



SOUTH FLORIDA WATER MANAGEMENT DISTRICT

March 5, 2010

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

Dear Mr. Eubanks:

**Subject: Miami-Dade County DCA #10-1
Supplemental Comments on Application No. 6**

This letter is in follow up to the South Florida Water Management District's (District) February 11, 2010 letter on the above amendment package. The District recommends that issues related to the proposed roadway improvements of Application No. 6 are addressed as part of the final amendment.

Application No. 6 includes two different proposals for roadway improvements to serve the proposed expansion of the FPL Turkey Point Power Plant, one from FPL and the other from Miami-Dade County. The County's alignment appears to have significantly fewer potential conflicts with the Comprehensive Everglades Restoration Plan's (CERP) Biscayne Bay Coastal Wetlands Project and the restoration of wetlands in the Model Lands Basin.

The District urges the Department to include a comment in its report to the County recommending that the County select an alignment, prior to adoption of the amendment, and that the selected alignment not be inconsistent with the Biscayne Bay Coastal Wetlands project, pursuant to existing Comprehensive Development Master Plan (CDMP) objectives and policies. The District also is particularly concerned that the alignment not be inconsistent with wetland restoration in the Model Lands Basin. The District has acquired approximately 3,650 acres of the more than 11,000 acres of publicly owned lands in the Model Lands Basin. The County owns the majority of the publicly held lands in the basin.

The original alignment proposed by FPL is currently the only alignment under consideration in the Site Certification process. If the County does not select an alternative alignment in this amendment, no alternative alignments may be considered

Mr. Ray Eubanks, Administrator
March 5, 2010
Page 2

in the regulatory process. Thus, the District recommends the following comment be added to the DCA report:

- The County should select the alignment that has the least potential conflicts with the CERP Biscayne Bay Coastal Wetlands Project and restoration of wetlands in the Model Lands Basin. The selected alignment should also demonstrate consistency with existing CDMP objectives and policies, including LU-3, LU-3A, LU-3B, and CON-7A.

For assistance or additional information, please contact Rod Braun, Director, Intergovernmental Policy and Planning Division, at (561) 682-2925 or rbraun@sfwmd.gov.

Sincerely,



Kim Shugar
Director, Intergovernmental Programs Department
South Florida Water Management District

C: Bob Dennis, DCA
Marc C. LaFerrier, Miami-Dade County Planning and Zoning Department
Rachel Kalin, SFRPC
Jim Quinn, DEP
Steven D. Scroggs, FPL



SOUTH FLORIDA WATER MANAGEMENT DISTRICT

February 11, 2010

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

FEB 16 2010

Dear Mr. Eubanks:

**Subject: Miami-Dade County DCA #10-1
Comments on Proposed Comprehensive Plan Amendment Package**

The South Florida Water Management District (District) has reviewed the proposed amendments from Miami-Dade County (County). The package includes six amendments of which two present water resources issues of concern to the District. Application Five revises the Miami-Dade Comprehensive Development Master Plan's Open Land category to allow an ancillary use of commercial vehicle storage in Open Land Subarea 1. Application Six, which is related to the Florida Power and Light (FPL) Turkey Point Units 6 & 7 Site Certification, proposes amendments to the roadway network on the Future Land Use Map and amendments to the Transportation Circulation Sub-element for new/temporary roadways. We have the following recommendations concerning Applications Five and Six which we request you incorporate into your response to the County.

Application Five:

- **Incorporate specific environmental controls into the amendment to protect the water resources of the area from potential risks such as leaking fluids and washdown water.**
- **Identify in the text the entity responsible for the proposed environmental monitoring.**
- **Include a policy for coordination with the District regarding environmental monitoring and reporting, especially for the Comprehensive Everglades Restoration Plan (CERP) Study Area.**

Application Six:

- **Indicate which roadway improvements will be temporary and which will be permanent and specify the time-frames when each temporary roadway improvement will be restored to its previous, or better, condition.** Although the applicant, FPL, indicates that all of the roadway improvements will be temporary, the County's Supplement to the Initial Recommendations Report for Application 6 states, "The [Miami-Dade County Planning] Department favors the dedication of the proposed roadway improvements as permanent facilities". Without clear identification of temporary and permanent roadway improvements, the District cannot identify all potential impacts.
- **Provide assurance that the proposed roadway improvements will be designed to be compatible with CERP Biscayne Bay Coastal Wetlands Project Alternative "O".** The amendment does not demonstrate how the proposed roadway improvements will be designed to be compatible with CERP Biscayne Bay Coastal Wetlands Project Alternative "O". Under Alternative "O", additional surface water flow (sheetflow) is to be diverted southward, through existing wetland slough systems, into environmentally sensitive lands

located south of Palm Drive (S.W. 344th Street), generally between the District's L-31E Canal and U.S. Highway 1. Under this amendment, several new roadway improvements are proposed that could interfere with the proposed sheetflow. Prior to adoption, the amendment should be revised to include policies, strategies, and commitments to ensure that the appropriate engineering analyses are conducted and any proposed drainage features, including culverts, be designed, sized, and spaced to handle existing and proposed flows.

- **Eliminate or reduce the direct and secondary wetland impacts and impacts to wetland-dependent listed species.** The amendment does not demonstrate elimination or reduction of direct and secondary wetland impacts and impacts to wetland-dependent listed species. Please provide alternative analyses to document elimination or reduction of direct and secondary wetland impacts for all potential roadway corridors. Potential secondary impacts include habitat fragmentation, other induced development, and habitat alteration related to opportunistic undesirable (or exotic) vegetation.
- **Revise the *FPL Turkey Point Units 6 & 7 Mitigation Plan* to address the following:**
 - **Revise the habitat assessment to better reflect the actual habitat values.**
 - **Provide mitigation adequate to offset the proposed wetland impacts.**
 - **Include the additional roadway improvements proposed under the "Additional Access Option" in the plan.** The plan only addresses the roadway improvements proposed by FPL. It should be modified to include the additional roadway improvements under consideration that are referred to in the County's Supplement to the Initial Recommendations Report as the "Additional Access Option".
- **Identify specific measures that will be adopted to protect the environmentally sensitive lands south of Palm Drive (S.W. 344th Street) from illegal access and activities such as dumping, use of all-terrain vehicles, and poaching.** The new roadways proposed south of Palm Drive will increase opportunities for illegal access to environmentally sensitive lands, including those in the Model Lands Basin area.

We look forward to continuing this collaboration with the County and the Department of Community Affairs in developing sound, sustainable solutions to protect the region's water resources. For assistance or additional information, please contact Rod Braun, Director, Intergovernmental Policy and Planning Division, at (561) 682-2925 or rbraun@sfwmd.gov.

Sincerely,



Kim Shugar
Director, Intergovernmental Programs Department
South Florida Water Management District

c: Bob Dennis, DCA
Marc C. LaFerrier, Miami-Dade Planning and Zoning Department
Rachel Kalin, SFRPC
Jim Quinn, DEP
Kim Shugar, SFWMD
Steven D. Scroggs, FPL



Florida Department of Environmental Protection

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

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

February 17, 2010

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

RE: Miami-Dade County; Comprehensive Plan Amendment 10-1 (ORC)

Dear Mr. Eubanks:

The Office of Intergovernmental Programs of the Florida Department of Environmental Protection (DEP or Department) has reviewed the above-referenced amendment submitted by Miami-Dade County (County) under the provisions of Chapter 163, Part II, *Florida Statutes (F.S.)*, and Chapters 9J-5 and 9J-11, *Florida Administrative Code (F.A.C.)*. Our comments address the potential impacts of the proposed land use designation and policy changes on resources or facilities within the purview of the Department's regulatory and proprietary responsibilities. The Department submits the following comments and recommendations to assist your agency in developing the state's response to the proposed amendments.

DESCRIPTION

The proposed comprehensive plan amendment package includes two Land Use Plan (LUP) map changes, one combined LUP and text amendment, and three text amendments. The Department provides comments on the following three proposed amendments:

- 1) Application 4 - changes 9.9 acres from *Agriculture* to *Business and Office*, including expansion of the Urban Development Boundary (UDB);
- 2) Application 5 - amends Future Land Use Element text; and
- 3) Application 6 - amends the LUP map and Traffic Circulation Sub-element.

APPLICATION 4

The County proposes an amendment to change the future land use designation of a 9.9-acre parcel from *Agriculture* to *Business and Office*. Although the proposed primary use of the site would be neighborhood retail center with a maximum of 146,000 ft² of

commercial space, the proposed land use designation would also allow up to fifty-nine single family homes. While the data submitted indicates that adequate water supply is available for the proposed land use change, the application does involve expansion of the UDB. The County determined its future potable water supply need based upon on growth (population) projections within the current UDB. Expansion of the UDB would, therefore, require an adjustment of the County's water supply demand projections. The increase in potable water demand should be included in the County's update of its ten-year water supply facilities work plan.

APPLICATION 5

The County proposes a text change to the *Open Land/Open Land Subarea 1* land use category to allow the storage of commercial equipment and vehicles as permitted uses. The applicant's original proposal would have allowed landfills and resource recovery facilities in *Subarea 1*. Through negotiations between the County and the applicant, however, most of the original language was removed from the proposed amendment. By letter to the County dated November 3, 2009, the applicant acknowledged its withdrawal of all originally proposed uses except commercial equipment and vehicle storage.

Although the Department believes the final language is an acceptable modification, the County must demonstrate that ground and surface waters will be protected. We therefore recommend that the County incorporate specific environmental controls into the amendment to protect the area's water resources from potential risks associated with fluid leaks and vehicle-washing. Because several components of the Comprehensive Everglades Restoration Plan (CERP) are located near *Subarea 1*, the Department also recommends that the County include in the amendment a policy requiring the applicant to coordinate stormwater attenuation, treatment and environmental monitoring with the South Florida Water Management District.

APPLICATION 6

The County proposes amendments to the LUP map and Traffic Circulation Sub-element of the Transportation Element. The proposed changes reflect the proposed widening and/or improvement of several local roads in the southeast section of the County to accommodate the anticipated expansion of a power generation facility.

The information submitted with the proposed amendment is inadequate in several respects. The County did not provide sufficient assurances that the proposed road improvements will be compatible with CERP Alternative "O" of the Biscayne Bay Wetlands Project. Also, data and analysis on wetland impacts and the treatment and retention of stormwater were not included in the amendment package. The proposal

Mr. D. Ray Eubanks
Miami-Dade 10-1
Page 3 of 3
February 17, 2010

also failed to address all of the indirect and cumulative effects of the transportation improvements and increased public access. Finally, it is unclear which roads would be considered temporary and which ones will be permanent facilities.

In regard to the CERP project, data included in the package indicates road-widening and other improvements at the planned locations of modified canals, pumping stations and rehydrated wetlands. The County should ensure that the proposed transportation improvements will not impede these important restoration efforts. The County should also ensure that wetlands impacts are minimized and stormwater runoff properly treated.

The Department is concerned about the creation of new access points for the unlawful use of off-road vehicles, unauthorized dumping, and harassment of wildlife. The County should adopt policies that would limit unlawful access from the proposed transportation facilities to sensitive environmental areas. Finally, the County should specify which facilities will be permanent and which ones will be temporary.

Department staff looks forward to working with all parties to resolve the identified concerns. Thank you for the opportunity to comment on the proposed amendments. Should you require additional information, please do not hesitate to contact me at (850) 245-2169 or chris.stahl@dep.state.fl.us.

Sincerely,



Christopher J. Stahl
Environmental Specialist
Office of Intergovernmental Programs

/cjs



11 BD
1/25/10

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

January 22, 2010

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

Re: Historic Preservation Review of the Miami-Dade County 10-1 Comprehensive Plan Amendment

Dear Mr. Eubanks:

According to this agency's responsibilities under Section 163, *Florida Statutes*, and Chapter 9J-5, *Florida Administrative Code*, we reviewed the above document to determine if data regarding historic resources were given sufficient consideration in the request to amend the Miami-Dade County Comprehensive Plan.

We reviewed six proposed amendments to the Miami-Dade County Comprehensive Plan, both text changes and map amendments, to consider the potential effects of these actions on historic resources. For Application No. 8, revising the text in the Recreation and Open Space Element, historic resource protection and education is included in Policy ROS-8F. The designation of Cultural Zones which will enable the county to provide educational activities and programs, is discussed. For the additional amendments, while our cursory review suggests that the proposed changes may have no adverse effects on historic resources, it is the county's responsibility to ensure that the proposed revisions will not have an adverse effect on significant archaeological or historic resources.

If you have any questions regarding our comments, please feel free to contact Susan M. Harp of the Division's Compliance Review staff at 850.245.6333.

Sincerely,

Laura A. Kammerer, Historic Preservationist Supervisor
Compliance Review Section
Bureau of Historic Preservation

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

Director's Office
850.245.6300 • FAX: 245.6436

Archaeological Research
850.245.6444 • FAX: 245.6452

Historic Preservation
850.245.6333 • FAX: 245.6437



"Card, Carlton"
<Carlton.Card@dot.state.fl.us

>
02/04/2010 02:59 PM

To "Ray.Eubanks@dca.state.fl.us"
<Ray.Eubanks@dca.state.fl.us>, "Bill.Pable@dca.state.fl.us"
<Bill.Pable@dca.state.fl.us>, "Cahill, Maria"
cc "Steinmiller, Phil" <Phil.Steinmiller@dot.state.fl.us>, "Jeffries,
Ken" <Ken.Jeffries@dot.state.fl.us>, "Boucle, Aileen"
<Aileen.Boucle@dot.state.fl.us>

bcc

Subject Miami-Dade County April 2009 Applications 10-1

Hello Ray,

Attached you will find the Florida Department of Transportation District VI comments to the Miami-Dade County April 2009 Applications 10-1.

Carlton S. Card
Transportation Planner
Florida Department of Transportation District VI
1000 NW 111th Ave
Miami, FL 33172
(305) 470-5875



Miami-Dade County April 2009 Applications 10-1.pdf



Florida Department of Transportation

CHARLIE CRIST
GOVERNOR

1000 NW 111 Avenue
Miami, Florida 33172-5800

STEPHANIE C. KOPELOUSOS
SECRETARY

February 3, 2010

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

Subject: Miami-Dade County April 2009 Applications to Amend the Comprehensive Development Master Plan (DCA #10-1)

Dear Mr. Eubanks:

In accordance with your request, and the provisions of Chapter 163, Florida Statutes and Chapter 9J-5, Florida Administrative Code, this office has completed a review of the Miami-Dade April 2009 Applications to Amend the Comprehensive Development Master Plan (CDMP), which was forwarded to our office on January 5, 2010. There are no impacts anticipated to the State Highway System facilities resulting from amendment applications 3, 4, 5, 6, 7, 8, or 9. Therefore, the District has no specific objections or recommendations at this time. Please contact Carlton Card at 305-470-5875, if you have any questions concerning our response.

Sincerely,

A handwritten signature in black ink, appearing to read "Alice N. Bravo".

Alice N. Bravo, P.E.

District Director of Transportation Development

Cc: Aileen Boucle, AICP



"Suber, Tracy"
<Tracy.Suber@fldoe.org>
02/04/2010 10:00 AM

To <Bob.Dennis@dca.state.fl.us>
cc <Bill.Pable@dca.state.fl.us>
bcc

Subject Miami-Dade County 10-1

FDOE has no comment on the proposed amendment package.

Tracy D. Suber
Educational Consultant-Growth Management Liaison
Office of Educational Facilities
Florida Department of Education
325 West Gaines Street, Suite 1014
Tallahassee, Florida 32399-0400
850-245-9312
tracy.suber@fldoe.org
<http://www.fldoe.org/edfacil/>