

**ADOPTED COMPONENTS
COMPREHENSIVE DEVELOPMENT
MASTER PLAN**

For

Miami-Dade County, Florida

**October 2006 Edition
As amended through November 20, 2008**

This volume incorporates all amendments made to the CDMP through the
April 2005-06 Amendment Cycle
October 2005-06 Amendment Cycle
2006 Remedial Amendment
April 2006-07 Amendment Cycle
April 2007-08 Amendment Cycle
Miami Metrozoo Development of Regional Impact CDMP Amendment, July 3, 2008
Beacon Lakes Development of Regional Impact CDMP Amendment, July 17, 2008
April 2008-09 Amendment Cycle (small-scale)

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Notice

This 2006 edition of the CDMP, as amended through July 17, 2008, includes revisions that are not currently in effect. The pages with these revisions are as follows:

1. Pages labeled with Ordinance No. 08-44 (Application No. 5) or Ordinance No. 08-45 (Application No. 8):
 - These CDMP amendment applications filed in the April 2007 Cycle, are being legally challenged by the State of Florida and others;
 - These applications are undergoing administrative law proceedings;
 - Therefore, the effective date on these CDMP amendment applications is currently pending issuance of a "Final Order" for agency action by the Florida Administration Commission.
2. The Florida Department of Community Affairs (DCA) found Application Nos. 1, 3, and 6 filed during the April 2007 Cycle of Amendments not in compliance with State law, in a Notice of Intent (NOI) dated December 2, 2008. The pages that contain revisions as a result of Application Nos. 1, 3, and 6 were revised prior to receipt of this notice. The pages that contain these revisions are labeled as Ordinance No. 08-43.

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PREFACE

In 1985 and 1986 the Florida Legislature amended Chapter 163, *Florida Statutes (F.S.)*, which governs the preparation, adoption and implementation of local government comprehensive plans. Significantly, the amendments mandated that specific level of service (LOS) standards for traffic, mass transit, parks, water, sewer, solid waste and drainage be included in local comprehensive plans and that no development orders be issued when the adopted levels of service would not be met.

Chapter 163, *F.S.* also requires consistency between the local plan, the applicable regional plan and the State Comprehensive Plan, and all development regulations and orders must be consistent with the adopted local comprehensive plan. Chapter 163 also provides for State review and approval of local plans and penalties for noncompliance; standing of affected parties to challenge the plan, development regulations and development orders; and requirements for specific plan elements and contents.

Pursuant to the provisions of Chapter 163, *F.S.*, the Florida Department of Community Affairs established Minimum Criteria for Review of Local Government Comprehensive Plans and Determination of Compliance in Chapter 9J-5 of the Florida Administrative Code (FAC), commonly called Rule 9J-5.

Elements of the CDMP

The organization of the Comprehensive Development Master Plan (CDMP) closely follows Rule 9J-5. This plan is organized into eleven Plan Elements preceded by a Statement of Legislative Intent.

- Statement of Legislative Intent
- I. Land Use Element;
- II. Transportation Element;
- III. Housing Element;
- IV. Conservation, Aquifer Recharge and Drainage Element;
- V. Water, Sewer and Solid Waste Element;
- VI. Recreation and Open Space Element;
- VII. Coastal Management Element;
- VIII. Intergovernmental Coordination Element;
- IX. Capital Improvements Element;
- X. Educational Element; and
- XI. Economic Element

Each Element contains components, which are adopted, plus support components which are not adopted but which provide background information. Only the components of the CDMP, which are adopted as County policy, are contained in this report.

The support components of the Plan Elements are contained in separate documents, particularly the 2003 Evaluation and Appraisal Report (EAR). Each of the Support Components and EAR reports include background data and analyses, inventories of existing conditions, methodologies projections or other estimates of future conditions, and summaries of applicable State, regional and preexisting County plan policies.

Adoption of the CDMP

The CDMP is adopted by ordinance by the Board of County Commissioners. These ordinances are codified at Chapter 2-114, Code of Miami-Dade County, Florida, and are presented in the Appendix report.

Municipal Plans

The CDMP for Miami-Dade County necessarily addresses both incorporated and unincorporated areas due to the many areawide responsibilities of Miami-Dade County government. Each of the thirty-four municipalities in Miami-Dade County (see Figure i) is also required by Chapter 163, *F.S.* to adopt its own comprehensive plan for the area within its jurisdiction. The County plan emphasizes the unincorporated areas and the County's jurisdictional responsibilities in municipal areas. Readers who are interested in conditions in, or proposals for, incorporated areas should consult the appropriated municipal comprehensive plans and the CDMP Statement of Legislative Intent.

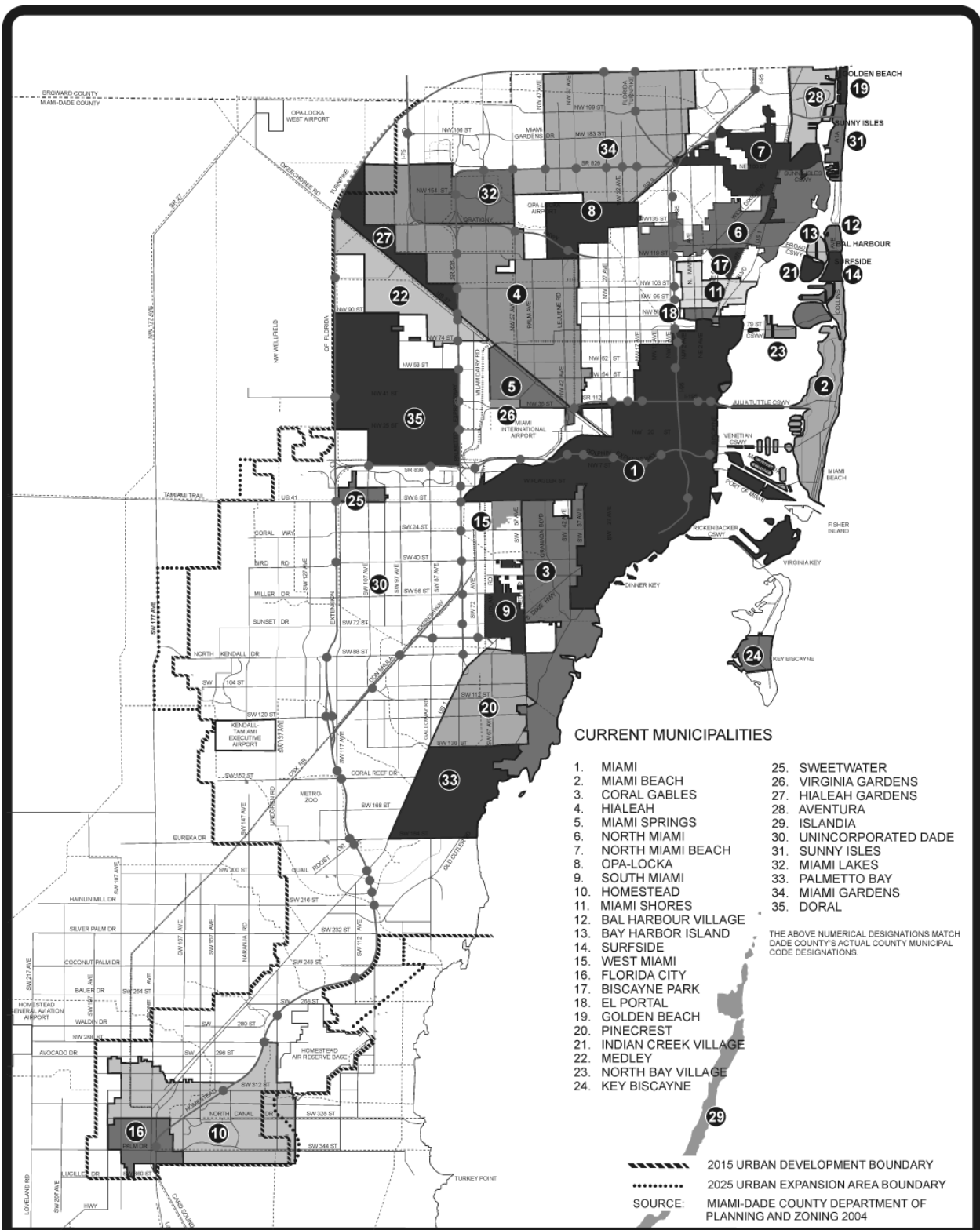


Figure i
**CURRENT MUNICIPALITIES
 IN MIAMI-DADE COUNTY, OCTOBER 2004**

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DEPARTMENT OF
 PLANNING AND ZONING

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INTRODUCTION

This report contains all Adopted Components of the Comprehensive Development Master Plan (CDMP) for Miami-Dade County. The adopted plan is organized into eleven Plan Elements preceded by the plan's adopted Statement of Legislative Intent, which applies to all Elements.

Each adopted Element includes Goals, Objectives and Policies, plus a Monitoring Program to monitor progress toward Plan implementation. The adopted Land Use, Transportation, and Capital Improvements Elements also include maps or schedules of "future conditions" plus explanatory information. Most notable is the future Land Use Plan (LUP) map of the Land Use Element (which is an attachment to this report).

For organizational purposes, each of the eleven Elements is designated by a Roman numeral beginning with I for the Land Use Element, and ending with XI for the Economic Element. The numbering of pages, figures and tables in each Element begins with the applicable Roman numeral. Within each Plan Element and Subelement the contents, which are adopted as County policy, are preceded by an introduction to the Element or Subelement. The Element and Subelement introductions are not adopted as plan policy but are included to provide background and context. All material following the Element's introduction, from the Goals through the Monitoring Program, is adopted as policy.

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STATEMENT OF LEGISLATIVE INTENT

- A. This Statement expresses the legislative intent of the Board of County Commissioners with regard to the Comprehensive Development Master Plan (CDMP). The Statement is applicable to the CDMP in its entirety and is declared to be incorporated by reference into each element thereof.
1. Nothing in the CDMP shall be construed or applied to constitute a temporary or permanent taking of private property or the abrogation of vested rights as determined to exist by the Code of Miami-Dade County, Florida.
 2. The CDMP shall not be construed to preempt considerations of fundamental fairness that may arise from a strict application of the Plan. Accordingly, the Plan shall not be deemed to require any particular action where the Plan is incomplete or internally inconsistent, or that would constitute a taking of private property without due process or fair compensation, or would deny equal protection of the laws.
 3. The CDMP is intended to set general guidelines and principles concerning its purposes and contents. The CDMP is not a substitute for land development regulations.
 4. The CDMP contains long-range policies for Miami-Dade County. Numerous policies contained in the CDMP must be implemented through the County's land development regulations which shall be maintained by the County as required by Section 163.3202, FS. Numerous policies of the plan propose the establishment of new administrative programs, the modification of existing programs, or other administrative actions. It is the intent of Miami-Dade County that these actions and programs be initiated by the date that Miami-Dade County adopts its next Evaluation and Appraisal (EAR) report, unless another date is specifically established in the Plan.
 5. The CDMP is not intended to preempt the processes whereby applications may be filed for relief from land development regulations. Rather, it is the intent of the Board of County Commissioners that such applications be filed, considered and finally determined, and that administrative remedies be exhausted, where a strict application of the CDMP would contravene the legislative intent as expressed herein.
 6. The Board recognizes that a particular application may bring into conflict, and necessitate a choice between, different goals, priorities, objectives, and provisions of the CDMP. While it is the intent of the Board that the Land Use Element be afforded a high priority, other elements must be taken into consideration in light of the Board's responsibility to provide for the multitude of needs of a large heavily

populated and diverse community. This is especially true with regard to the siting of public facilities.

Recognizing that County Boards and agencies will be required to balance competing policies and objectives of the CDMP, it is the intention of the County Commission that such boards and agencies consider the overall intention of the CDMP as well as portions particularly applicable to a matter under consideration in order to ensure that the CDMP, as applied, will protect the public health, safety and welfare.

7. The term "shall" as used in the CDMP shall be construed as mandatory, subject, however, to this Statement of Legislative Intent. The term "should" shall be construed as directory.

B. It is the further intent of the Board of County Commissioners that the right of all municipalities in Miami-Dade County to enact and administer comprehensive planning and land development regulation programs to govern development-related activities solely within their respective incorporated jurisdictional boundaries as provided by Chapter 163, Part 2, Florida Statutes, is generally reserved and preserved to the municipalities. The CDMP shall not supersede authority of incorporated municipalities to exercise all powers relating solely to their local affairs as provided by the Miami-Dade County Charter, provided that the following fundamental growth management components of the CDMP that are necessary to carry on a central metropolitan government in Miami-Dade County shall serve as minimum standards for zoning, service, and regulation to be implemented through all municipal comprehensive plans and land development regulations:

1. The Urban Development Boundary (UDB), Urban Expansion Area (UEA) Boundaries, and the CDMP provisions which prescribe allowable land uses and public services and facilities outside the UDB;
2. The Policies for Development of Urban Centers contained in the text of the Land Use Element;
3. The Population Estimates and Distributions as mapped in the Land Use Element; and
4. Policies which provide that the County shall maintain and utilize its authority provided by the Miami-Dade County Charter to maintain, site, construct and operate public facilities in incorporated and unincorporated areas of the County.