

Application No. 12

Countywide

APPLICATION SUMMARY

Applicant/Representative: Miami- Dade County Department of Planning and Zoning/
Subrata Basu, Interim Director
111 NW 1 Street, Suite 1110
Miami, Florida 33128-1972

Location: Countywide

Proposed Text Amendments: **Part A**

1. Revise the text in the Land Use Element to accurately describe the Parks and Recreation, Environmentally Protected Parks, and Environmental Protection land use designations.

Requested Map Changes: **Part B**

2. Update Figure 5 (Environmental Protection Subareas) in the map series of the Land Use Element to remove the national parks and a portion of Open Land Subarea 1 from Environmental Protection Subarea A.
3. Add a new map titled "Environmentally Protected Parks" as Figure 4 in the map series of the Land Use Element to depict the national parks.
4. Revise figure numbers for all maps in the map series of the Land Use Element beginning with Figure 3A.

Amendment Type: Standard

RECOMMENDATIONS AND CONCLUSIONS

Staff:	ADOPT WITH CHANGE AND TRANSMIT (August 25, 2007)
Community Councils:	NOT APPLICABLE
Planning Advisory Board (PAB) acting as Local Planning Agency:	ADOPT WITH CHANGE AND TRANSMIT (October 15, 2007)
Board of County Commissioners:	ADOPT WITH CHANGE AND TRANSMIT (November 27, 2007)
Revised Staff Recommendation	ADOPT AS TRANSMITTED (March 24, 2008)
Final Recommendation of PAB acting as Local Planning Agency:	TO BE DETERMINED
Final Action of Board of County Commissioners:	TO BE DETERMINED

Initial Staff Recommendation

In the Initial Recommendations Report published on August 25, 2007, the Staff recommended: **Adoption with Change and Transmittal** of the proposed amendment because two important changes to the Land Use Element were not included in the application submitted for the April 2007 Applications Report. These changes are as follows:

1. Add language to the “Environmentally Protected Parks” text to address parcels of land within Everglades National Park that are not owned by the National Parks Service. Information provided by staff of the Everglades National Park indicates that some parcels of land remain in private ownership. They include the following:
 - A Florida Power and Light Company (FPL) owned easement which is approximately 8 miles in length and 300 feet in width, and runs north-south through the Park.
 - Two privately owned cell tower parcels.
 - Several air-boat concessions along SW 8 Street, and,
 - Some undeveloped parcels of land in private ownership that the National Park Service is attempting to purchase.

Language to address privately owned lands within the Everglades National Park was formerly included under “Environmental Protection Subarea B,” a section that was removed from the Land Use Element during the 2004 EAR-Based Amendments cycle. The language was inadvertently left out of the new “Environmentally Protected Parks” section. The double underlined text shown below represents proposed modifications to the application language that will address those persons with privately owned land in this category. The added language is based on, although somewhat restructured, the CDMP text that appeared prior to the 2004 EAR Base Amendments.

2. Re-designate Figure 5 in the Land Use Element Map Series as Figure 7 and revise as shown on the following pages to accurately illustrate the Environmental Protection Subareas.

The principal reasons for the above recommendations are based on the following:

Background

Prior to 1983, the National Parks were depicted on the Land Use Plan (LUP) map under the category “Parks and Recreation”. In that year, a distinction was developed between recreational type parks and the National Parks since these were considered environmentally sensitive. Although the text addressing the National Parks remained a sub-section of the “Parks and Recreation” land use category, a hatch pattern was added to distinguish National Parks on the CDMP LUP map.

In 1988 a new land use category, titled “Environmentally Protected Parks”, was added to the LUP map, and applies to those areas designated as National, State, or County Parks, which are environmentally sensitive but capable of providing passive recreational opportunities. The language describing the new category, however, remained in the text for “Parks and Recreation” in the 1988 CDMP “Adopted Components”.

The 2003 Adopted Evaluation and Appraisal (EAR) Report recommended that text describing the “Environmentally Protected Parks” designation should be separated from the “Parks and Recreation” category. During the 2004 EAR-Based Amendments filed in the October 2004 Amendment Cycle, a new text section was created in the Land Use Element to describe the Environmentally Protected Parks land use category as a stand alone land use designation separate from the narrative contained under the “Parks and Recreation” designation. During the creation of this section, necessary language describing the National Parks was inadvertently left out of this new section.

This amendment proposes to include language that was removed from the “Parks and Recreation” and “Environmental Protection Subarea A” texts in 2003 but never added to the “Environmentally Protected Parks” section. This amendment will also add a new map to the Land Use Element Map Series. Because the Environmentally Protected Parks no longer fall under Environmental Protection Subarea A, they will no longer be depicted in what is currently Figure 5. A new map, titled “Figure 4 Environmentally

Protected Parks” will illustrate Everglades National Park, Biscayne National Park, and a portion of Big Cypress National Preserve. As a result of adding a new map to the series, some of the maps in the Land Use Element will be renumbered to preserve continuity.

Revisions to the Land Use Element¹

Revise the last paragraph under the category entitled, Parks and Recreation, on page I-52, as follows:

Some of the land shown for Parks is also environmentally sensitive. While most of these environmentally sensitive areas are designated on the LUP map as “Environmentally Protected Parks” some may be designated as Parks and Recreation due to graphic constraints (the environmentally sensitive portion of the park that is smaller than five acres). Park land which is characterized by valuable environmental resources shall be managed in a manner consistent with the goals, objectives and policies for development of the applicable environmental resources or protection area. Accordingly, resource enhancing facilities including boardwalks, nature trails, canoe trails and launches and interpretive facilities may be provided in these areas.

Revise the language under the category entitled, Environmentally Protected Parks, on page I-52, as follows:

Environmentally Protected Parks

The land designated as “Environmentally Protected Parks” designation is mainly comprised of environmentally sensitive and land and water areas within the authorized boundaries of Big Cypress National Preserve, Everglades National Park, and Biscayne National Park. The National Park Service retains ownership of most of the land in these areas and is currently pursuing the acquisition of the remainder. includes tropical hardwood hammocks, high-quality Dade County pineland and viable mangrove forests. Additionally, ~~Some sites~~ that carry this designation are proposed for public acquisition or have been acquired under Miami-Dade County Environmentally Endangered Lands (EEL), Florida's Conservation and Recreational Lands (CARL) and Florida Forever programs and include tropical hardwood hammocks, high-quality Dade County pineland and viable mangrove forests. These sites are identified in this category on the LUP map although they may be as small as ten acres in size.

Land uses and activities which may occur in the National Parks and Big Cypress National Preserve are outlined in management plans for those areas prepared and adopted by the National Park Service. In addition, any development, which might be contemplated for non-federal lands in the Big Cypress area or Everglades National Park, is also limited by the applicable management plan and by provisions of the Miami-Dade County Code to uses that are consistent with Florida Rules governing the Big

¹ Underlined words are proposed additions. ~~Strikethrough~~ words are proposed deletions. All other words exist in the Plan and will remain unchanged.

Cypress Areas of Critical State Concern (Chapter 27 F-3, Part III, F.A.C.) or the County-adopted East Everglades Resource Management Program (Chapter 33-B, Code of Miami-Dade County).

Miami-Dade County supports the implementation of the National Park Service's management policies and programs. Accordingly, until acquisition has been completed, uses permitted in the Big Cypress Preserve area by Miami-Dade County will be limited to rural residential use at a maximum density of one dwelling unit per five acres and utility and communication facilities with limited ground coverage, provided that the site can be designed and accessed in a manner consistent with the goals, objectives and policies of this Management Plan, all prevailing environmental regulations and the referenced State Rules governing the Big Cypress Critical Area, whichever are most protective.

Because of their wetlands value, areas within the boundaries of Everglades National Park that are not owned by the National Parks Service are subject to careful evaluation on a case-by-case basis by federal, State, regional and County environmental agencies should they propose new uses or site alterations. The County-adopted East Everglades Resource Management program (Chapter 33-B, Code of Miami-Dade County) shall continue to govern land use and site alteration for privately-owned areas within the park.

All portions of park land designated Environmentally Protected Parks or other park land which is characterized by valuable environmental resources shall be managed in a manner consistent with the goals, objectives and policies for development of the applicable environmental resources or protection area. Accordingly, resource enhancing facilities including boardwalks, nature trails, canoe trails and launches and interpretive facilities may be provided in these areas. Figure 4 depicts the larger federal lands located within the "Environmentally Protected Parks" designation, but due to map scale, does not include smaller federal, state or county-owned parcels within this category.

Revise the language under the category entitled, Environmental Protection Subarea A, on page I-65, as follows:

Environmental Protection Subarea A (State Water Conservation Area). This subarea contains the land and water areas within ~~national preserve~~ and the authorized boundaries of Water Conservation Area No. 3 of the South Florida Water Management District (SFWMD). The westernmost portion of this subarea contains a portion of the Big Cypress National Preserve and the Dade-Collier Training and Transition Airport. Most of the land in ~~these~~ this subareas is under ownership of the National Park Service or the SFWMD, and acquisition of the remainder is currently being pursued. Miami-Dade County encourages full acquisition of these areas, with the understanding that revenue obtained from the purchase of the Dade-Collier Training and Transition Airport will be used to acquire another acceptable site to accommodate the long-term growth of commercial aviation activity traditionally accommodated by Miami International Airport.

Land uses and activities, which may occur in the Big Cypress National Preserve, are outlined in management plans prepared and adopted by the National Park Service. In addition, any development, which might be contemplated for non-federal lands in the Big Cypress area, is also limited by this Plan and by provisions of the Miami-Dade County Code to uses that are consistent with Florida Rules governing the Big Cypress Areas of Critical State Concern (Chapter 27 F-3, Part III, F.A.C.). Land uses and activities in Water Conservation Area 3 are governed by the SFWMD. Miami-Dade County supports the implementation of land use and management policies and programs established by the SFWMD. ~~In Water Conservation Area No. 3, Miami-Dade County will consider approval of no use in excess of one dwelling unit per forty acres.~~

Miami-Dade County supports the implementation of those agencies' management policies and programs. Accordingly, until acquisition has been completed, uses permitted in the Big Cypress Preserve area by Miami-Dade County will be limited to rural residential use at a maximum density of one dwelling unit per five acres and utility and communication facilities with limited ground coverage, provided that the site can be designed and accessed in a manner consistent with the goals, objectives and policies of this Plan, all prevailing environmental regulations and the referenced State Rules governing the Big Cypress Critical Area, whichever are most protective. In Water Conservation Area No. 3, Miami-Dade County will support the use policies established by the South Florida Water Management District and will consider approval of no use in excess of one dwelling unit per forty acres.

The following figures in the Land Use Element Map Series will be renumbered as follows:

Current Figure Number	Figure Name	CDMP Page Location	New Figure Number
Figure 3A	Agricultural Subarea 1	I-60	Figure 5
Figure 4	Open Land Subareas	I-62	Figure 6
Figure 5	Environmental Protection Subareas	I-66	Figure 7
Figure 6	Population Estimates and Projections 2000, 2015, 2025	I-71	Figure 8
Figure 7	Miami-Dade County Historic Resources 2004	I-77	Figure 9
Figure 8	Wellfield Protection Areas	I-79	Figure 10
Figure 9	Bays, Rivers, Lakes, Harbors & Beaches	I-80	Figure 11
Figure 10	Floodplains	I-81	Figure 12
Figure 11	Areas Subject to Coastal Flooding	I-82	Figure 13
Figure 12	Future Wetlands and CERP Water Management Areas	I-83	Figure 14
Figure 13	Mineral Resources	I-85	Figure 15

Figure 14	General Soils Map	I-86	Figure 16
Figure 15	Water Resources in Miami-Dade County	I-87	Figure 17

The following references to figures in the Land Use Element Map Series will be modified to reflect the new revised figure numbers as listed above.

Page I-59:

This Subarea is bounded on the north by SW 168 Street; on the east by Levee 31N and Canal 111; on the south by Environmental Protection Subareas D and Everglades National Park; and on the west by Everglades National Park (See Figure 3A5).

Page I-61:

The map titled "Open Land Subareas" (Figure 46) and the following text indicate the boundaries between Open Land Subareas.

Page I-65:

The map titled "Environmental Protection Subareas" (Figure 57) and the following text indicate the boundaries between subareas of the Environmental Protection Area.

Page I-69:

Accordingly, the projected distribution of population for the years 2015 and 2025 (Figure 68) reflects the following factors:

Page I-74:

Future wellfields and their protection areas are identified on Figure 810 in the following section of this Element.

Page I-76:

Figure 79 shows the historic districts, archaeological districts and historic cemeteries that are recognized by the Miami-Dade Office of Historic Preservation as meriting local designation.

Page I-76:

Map series Figures 810 through 1416 identify certain future natural resources in Miami-Dade County.

Page I-76:

The information that is summarized below, together with the extensive information contained in the Conservation, Aquifer Recharge and Drainage, and Coastal Management Elements, are reflected in the delineation of Future Open Land and Environmental Protection Sub-areas as shown on Figures 46 and 57.

Page I-78:

The public water supply wellfields in Miami-Dade County that are expected to be operational in the year 2015 and their respective protection area boundaries are shown on Figure 810.

Page I-78:

Figure 911 shows these natural features. The only lakes shown on this figure are the natural lakes that occur within Everglades National Park.

Page I-78:

As shown on Figure 4012, a very large percentage of the land within Miami-Dade County is considered to be a floodplain, or Special Flood Hazard Area (SFHA).

Page I-78:

For purposes of clarification, an additional map is presented to show the areas that are subject to coastal flooding during hurricanes of varying intensity (Figure 4413).

Page I-84:

Future Wetlands and CERP Water Management Areas are shown on Figure 4214.

Page I-84:

The general extent of Miami Limestone and mineral extraction areas is shown on Figure 4315.

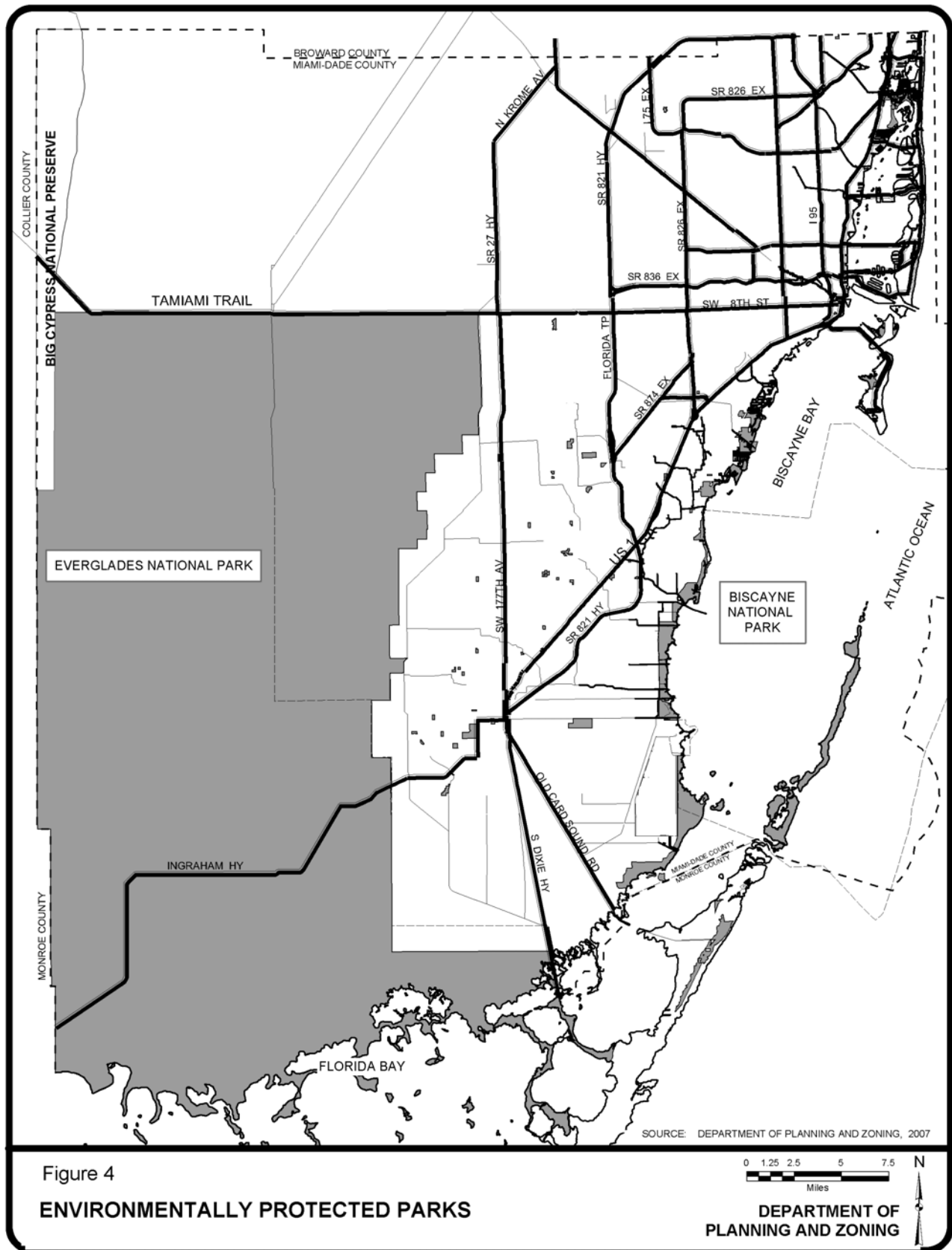
Page I-84:

The soils that overlay the limestone in the County can generally be grouped into five broad categories: peats and mucks, marls, sands, rocky lands and man-made soils. These are shown on Figure 4416.

Page I-84:

The water resource summary map presented at the conclusion of this section (Figure 4517) is a composite of water resource features presented on previous maps in this series and discussed at length in the Conservation and Potable Water Element Support Documents and Evaluation and Appraisal Reports.

The following maps in the Land Use Element Map Series are amended as follows:



New Information

Since the BCC transmittal public hearing on November 27, 2007 and the publication date of the Initial Recommendations Report (August 25, 2007), the Department of Planning and Zoning has received information from the Florida Department of Community Affairs (DCA) concerning the application. DCA in the Objections, Comments and Recommendations (ORC) Report (Exhibit A) for the April 2007-08 Cycle CDMP applications did not raise any objections to this application, nor did they provide any comments or recommendations.

Revised Staff Recommendation

There have been no additional changes to this application since the Board of County Commissioners' transmittal hearing on November 27, 2007. Therefore, the staff recommendation is **Adopt As Transmitted**.