REVISED RECOMMENDATIONS

OCTOBER 2008 CYCLE APPLICATIONS TO AMEND THE COMPREHENSIVE DEVELOPMENT MASTER PLAN

FOR MIAMI-DADE COUNTY, FLORIDA

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REVISED RECOMMENDATIONS

OCTOBER 2008 CYCLE
APPLICATIONS TO AMEND THE
COMPREHENSIVE DEVELOPMENT MASTER PLAN

September 21, 2009

Miami-Dade County
Department of Planning and Zoning
Stephen P. Clark Center
Suite 1210
111 NW 1 Street
Miami, Florida 33128-1972

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INTRODUCTION

This report contains the revised recommendations of the Miami-Dade County Department of Planning and Zoning (DP&Z) on the two pending October 2008-cycle applications requesting amendments to the Miami-Dade County Comprehensive Development Master Plan (CDMP). The Applicant withdrew Application No. 1 by letter dated September 18, 2009.

Previous Actions

The table entitled "October 2008 Applications Matrix" presented on the following pages summarizes the recommendations from the DP&Z, Community Councils and Planning Advisory Board (PAB) as well as the previous actions taken by the Board of County Commissioners on all the October 2008-cycle applications. Following this summary table are the revised recommendations by the DP&Z that provide additional relevant information on each pending application.

SCHEDULE OF ACTIVITIES
OCTOBER 2008-2009 CDMP AMENDMENT CYCLE

Pre-application conference for the private sector	September 1- September 30, 2008
Application filing period	October 1- October 31, 2008
Deadline to withdraw Application and obtain return of full fee. Notify applicants of deficiencies.	November 7, 2008
Deadline for Resubmittal of unclear or incomplete Applications	Seventh business day after notice of deficiency (November 16, 2008)
Applications Report published by DP&Z	December 5, 2008
Deadline for submittal of Technical Reports	December 29, 2008
Deadline for submitting Declarations of Restrictions to be considered in the Initial Recommendations Report	January 28, 2009
Initial Recommendations Report released by DP&Z	February 25, 2009
Community Council(s) Public Hearing(s)	See specific dates below
Country Club of Miami Community Council (5) Application No. 2 (Opa-locka Executive Airport)	7:00 pm, Thursday, March 12, 2009 Lawton Chiles Middle School 8190 NW 197 Street
North Central Community Council (8) Application No. 2 (Miami International Airport)	7:00 p.m., Wednesday, March 11, 2009 Henry E.S. Reeves Elementary School 2505 NW 111 Street
West Kendall Community Council (11) Application No. 2 (Kendall-Tamiami Executive Airport)	6:30 p.m., Thursday, March 19, 2009 West Kendall Regional Library 9101 SW 97 Avenue
Planning Advisory Board (PAB), acting as Local Planning Agency (LPA), hearing to formulate recommendations regarding adoption of Small-Scale Amendments and Transmittal of Standard Amendment requests to DCA	9:30 a.m., Monday, April 27, 2009 County Commission Chamber 111 NW 1st Street
Board of County Commissioners, hearing and action on Adoption of Small-scale amendments and Transmittal of Standard Amendment requests to DCA	9:30 a.m., Thursday, May 28, 2009 County Commission Chamber 111 NW 1 Street
Transmittal to DCA for comment	June 30, 2009
Deadline for filing supplementary reports by the public	Forty-five (45) days after Commission transmittal hearing
Receipt of DCA Objections, Recommendations and Comments (ORC) report	September 11, 2009 (Approximately 75 days after transmittal)
Public Hearing and Final Recommendations: Planning Advisory Board (Local Planning Agency)	September 21, 2009 (Within 30 days after DCA ORC report received)
Public Hearing and Final Action on Applications: Board of County Commissioners	October 7, 2009 (No later than 60 days after receipt of DCA ORC report)

Summary of Recommendations
October 2008 Applications to Amend the Comprehensive Development Master Plan for Miami-Dade County, Florida
Updated September 21, 2009

Application Number/ Type	Location/Acreage/ Requested Amendment	BCC District/ Commissioner	DP&Z Initial Recommendation August 25, 2009	Community Council* Recommendation, Resolution # and Date	Local Planning Agency Recommendation April 27, 2009	BCC Recommendation May 28, 2009	ORC Report dated Sept. 11, 2009 Issues	DP&Z Revised Recommendations September 18, 2009	LPA Final Recommendation September 21, 2009	BCC Final Action October 7, 2009
Text Amendments and associated Land Use Plan Map Series Updates										
1/ Standard	Land Use Element Revise text relating to agriculture	Countywide	Transmit with Change	NA	Adopt and Transmit	Transmit with Staff Recommended Changes and with No Recommendation	Impacts to Natural Resources; Loss of Agriculture Land; Inconsistency with CDMP; Inconsistency with Ch. 187 of Florida Comp Plan	Applicant withdrew the Application by letter dated September 18, 2009.	N/A	N/A
2/ Standard	Land Use Element and Aviation Subelement Revise text on non-aviation related uses for land-side areas at airports; Revise Airport Land Use Master Plan Maps	Countywide	Adopt with Change and Transmit	CC5: Adopt with Change and Transmit; Resolution #5-01-09; 03-12-09 CC8: Adopt and Transmit; Resolution #8-02-09; 03-11-09 CC11: Adopt and Transmit; Resolution #11-02-09; 03-19-09	Adopt with Change and Transmit	Transmit with Staff Recommended Changes and Adopt	Need Covenant to Ensure Permitted Uses For 8.2-acre Parcel Will Only Be Parking and Drainage	Adopt With Change	Pending	Pending

Notes:

NA: Not Applicable
DP&Z: Department of Planning and Zoning
BCC: Board of County Commissioners
***** Country Club of Miami Community Council (CC5); North Central Community Council (CC8); West Kendall Community Council (11)

Source: Miami-Dade County Department of Planning and Zoning

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Application No. 2
Text Amendment

APPLICATION SUMMARY

Applicant/Representative:	Miami-Dade County Aviation Department Jose Abreu, P.E., Director P.O. Box 025504 Miami, Florida 33102-5504
Location:	Text Amendment
Requested Amendments	A. Revise the text in the Aviation Subelement of the Transportation Element on pages II-51 and II-52 to eliminate references to Opa-Locka Executive, Kendall-Tamiami Executive, Homestead General Aviation, and Miami International Airports' "landside and airside areas" in order to properly distinguish aviation and non-aviation uses on Miami-Dade Aviation Department owned property as depicted on the revised and attached Airport Land Use Master Plan maps. B. Revise the text in the Land Use Element, section titled, "Transportation" on pages I-54 and I-55 of the Adopted Components of the CDMP in order for the CDMP to be internally consistent. C. Replace the Airport Land Use Master Plan maps in the Aviation Subelement of the Transportation Element for Opa-Locka Executive, Kendall-Tamiami Executive, Homestead General Aviation and Miami International Airports with the revised and attached maps. D. Redesignate certain airport-owned properties at Opa-Locka Executive and Miami International Airports to "Terminals" on the Adopted 2015-2025 Land Use Plan map.
Amendment Type:	Standard

RECOMMENDATIONS

Staff:	**ADOPT WITH CHANGE AND TRANSMIT** (February 25, 2009)
Community Councils:	**CC5: ADOPT WITH CHANGE AND TRANSMIT** (March 12, 2009) **CC8: ADOPT AND TRANSMIT** (March 11, 2009) **CC11: ADOPT AND TRANSMIT** (March 19, 2009)
Planning Advisory Board (PAB) acting as Local Planning Agency:	**ADOPT WITH CHANGE AND TRANSMIT** (April 27, 2009)
Board of County Commissioners:	**TRANSMIT WITH STAFF RECOMMENDED CHANGES AND ADOPT** (May 28, 2009)
Revised Staff Recommendation	**ADOPT WITH CHANGE** (September 18, 2009)
Final Recommendation of PAB acting as Local Planning Agency:	**TO BE DETERMINED**
Final Action of Board of County Commissioners:	**TO BE DETERMINED**

Staff recommends: **ADOPT WITH CHANGE** the proposed text amendment based on the Staff Conclusions and Principal Reasons for the Recommendation summarized below:

Principal Reasons for the Recommendation

1. **Miami-Dade County Aviation Department (MDAD)**

   MDAD has submitted a memo dated March 4, 2009 stating that the application to amend the Comprehensive Development Master Plan (CDMP) has been revised. The application being reviewed includes all the changes agreed to by MDAD and the Department of Planning and Zoning (DP&Z) since the application was originally filed in October 2008. These changes include revisions to the text of the Aviation Subelement of the Transportation Element and Land Use Element; updated revised Airport Land Use Master Plan maps for the Opa-Locka Executive, Miami International, Kendall-Tamiami Executive and Homestead General Aviation Airports that limits the maps to three colors; and the deletion of the proposed 269-acre acquisition area from the Miami International Airport Land Use Master Plan map.

The Florida Department of Community Affairs (DCA) in its Objections, Comments and Recommendations (ORC) Report issued on September 11, 2009 for the October 2008 Cycle CDMP Applications did not object to the application that was transmitted to them. In a comment, DCA stated that the County should add a declaration of restrictions or covenant to this amendment for an 8.2–acre parcel that is being proposed to be redesignated from "Aviation-Related Uses" to "Non-Aviation Uses on the Kendall-Tamiami Executive Airport Land Use Master Plan 2015-2025 map. The covenant would state that this parcel would only be used for drainage and/or parking purposes. In a memo dated February 3, 2009, MDAD said that adding an 8.2–acre parcel to the existing "Non-Aviation Uses" 35.5-acre parcel will not result in an increase in the total building floor area for commercial/industrial activities, since the additional land area would only be used for drainage and/or parking purposes. After conferring with the County Attorney's Office, it was decided to revise the text of the CDMP to address this issue rather than place a covenant on the property.

Since the Board of County Commissioners (BCC) transmitted the application to DCA, MDAD has added changes to the text and to the Miami International Airport Land Use Master Plan 2015-2025 map related to a proposed quarter horse race track located at the southeastern edge of the airport. With these changes, DP&Z staff now recommends adoption with change.

2. Text Changes

MDAD is requesting revisions to the text on pages 2-50 thru 2-52 in the Aviation Subelement of the Transportation Element of the CDMP and to similar text in the Land Use Element, section titled, "Transportation" on pages I-54 and I-55. These revisions include eliminating references to "landside and airside areas" at the Opa-Locka Executive, Kendall-Tamiami Executive, Homestead General Aviation, and Miami International Airports. With regard to Opa-Locka Executive Airport, a provision was made that allows compatible non-aviation uses in areas designated for aviation use on the airport land use master plan map.

Since the filing of the application in October 2008, several additional changes have been made to the text of the Aviation Subelement and the Land Use Element by MDAD and DP&Z in consultation with leaseholders. These additional text changes include expanding the list of aviation uses, identifying aviation-related uses, and providing that up to fifty percent of the areas designated for aviation use can be developed with aviation-related uses. In addition, the minimum percentage of the non-aviation area that could be developed for industrial uses was reduced from 50 to 20 percent at Opa-Locka Executive Airport. Since the transmittal of the application to DCA, MDAD has expanded the list of non-aviation uses to include gaming establishments at Miami International Airport. The non-aviation land use category allows for commercial, industrial, and institutional uses that are not specifically related to airport operations. DP&Z staff recommends adoption of the text portion of the application with the changes described above.

The text changes are as follows:

REQUESTED TEXT AMENDMENT[1]

Revisions to the Aviation Subelement of the Transportation Element

Revise the second paragraph on page II-50 to read as follows:
The location and layout of these future facilities, including runway protection zones and points of ingress and egress, are indicated on the Physical Airport 2015-2025 map series below ~~following this page~~. The configuration of the proposed site expansion and individual improvements at these locations are either yet to be determined or beyond the scope of this Subelement. The natural resources and future land uses surrounding these facilities are identified in the map series and Future Land Use Plan map contained in the Land Use Element of this Plan.

Revise the third and fourth paragraphs on page II-51 to read as follows:
The ~~airside~~ portion of the Opa-Locka Executive Airport, Kendall-Tamiami Executive Airport, Homestead General Aviation Airport, and Miami International Airport designated in the Comprehensive Development Master Plan for aviation uses, ~~which~~ shall be deemed to consist of all portions of the airport where general public access is restricted (but not including terminal concourses), shall generally be limited to aviation uses, including but not limited to airfield uses such as runways, taxiways, aprons, runway protection zones, landing areas, and support and maintenance facilities such as control towers, flight service stations, access roads, fire stations, storage and aircraft maintenance and repair facilities and hangars, aircraft and aircraft parts manufacturing and storage, fixed based operators, air cargo operations, specialized aircraft service operations, and fuel farms. Up to fifty (50) percent of the areas designated for aviation uses may be developed with aviation-related uses. Aviation-related uses shall include, but not be limited to, manufacturing, storage, office, service, or similar uses ancillary to or supportive of aviation uses. The Director of the Miami-Dade Aviation Department, or his designee, in consultation with the Director of Miami-Dade Department of Planning and Zoning, shall determine whether any particular use is an aviation use or an aviation-related use. Where not otherwise prohibited by law, open space and interim or existing agricultural uses and zoning may also be permitted in the ~~airside~~ portions of these airports designated for aviation use, subject to such conditions and requirements as may be imposed to ensure public health and safety.

The ~~landside~~ portion of these airports designated in the Comprehensive Development Master Plan for aviation related and non-aviation uses, ~~which~~ shall be deemed to consist of all portions of the airports where general public access is not restricted and terminal concourses only at Miami International Airport, and may include ~~both~~ aviation ~~uses~~, aviation-related, and non-aviation uses that are compatible with airport operations and consistent with applicable law~~. At least one third of the land area in the landside portion of the airport designated for non-aviation related uses must be developed with aviation-related uses or uses that directly support airport operations.~~

[1] Single Underlined words and single ~~strikethrough~~ words were recommended additions or deletions to the proposed CDMP amendment as transmitted to the Florida Department of Community Affairs. Double underlined words or ~~double strikethrough~~ words are adopted and in effect as a result of Amendment No. 20 in the April 2008 CDMP Cycle. Double underlined words or ~~double strikethrough~~ words with shading are the changes made to the text after transmittal.

Revise the second and third paragraphs on page II-52 to read as follows:

Subject to the restrictions contained herein, the following ~~privately owned~~ non-aviation-related uses may be approved in the ~~landside area~~ portions of the Opa-Locka Executive Airport, Kendall-Tamiami Executive Airport, Homestead General Aviation Airport, and Miami International Airport designated for non-aviation uses on the Airport Land Use Master Plan maps ~~and accessible to the general public:~~

- lodgings such as hotels and motels (except for Homestead General)
- office buildings (except for Homestead General)
- lodgings and office buildings at Miami International Airport (except in terminal concourses)
- industrial uses such as distribution, storage, manufacturing, research and development and machine stops (except for Homestead General)
- agricultural uses, ~~and~~
- retail, restaurants, and personal service establishments (except for Homestead General)~~.~~ and
- gaming establishments (limited to Miami International Airport only).

Such ~~privately owned~~ non-aviation ~~related~~ uses at the Opa-Locka Executive Airport, Kendall-Tamiami Executive Airport, Homestead General Aviation Airport, and Miami International Airport shall be limited as follows:

~~(1) Those portions of the landside area at Opa-Locka Executive, Miami International, and Kendall-Tamiami Executive airports that are not developed for uses that are aviation-related or directly supportive of airport operations shall range from 50 to 85 percent for industrial uses, 5 to 25 percent for commercial uses, 5 to 25 percent for office uses, 0 to 10 percent for hotels and motels, and 0 to 20 percent for institutional uses.~~

(1) The land area within Opa-Locka Executive, Miami International, and Kendall-Tamiami Executive airports that may be devoted to particular non-aviation uses shall be limited to the following percentages of the land area designated for aviation–related and non-aviation uses within each airport~~:~~. Non-aviation-related at Opa-Locka Executive Airport shall range from 20 to 85 percent for industrial uses, 5 to 25 percent for commercial uses, 5 to 25 percent for office uses, 0 to 10 percent for hotels and motels, and 0 to 20 percent for institutional uses.~~-~~Non-aviation-related at Miami International Airport shall range from 20 to 85 percent for industrial uses, 5 to 50 percent for commercial uses and/or office uses, 0 to 10 percent for hotels and motels, and 0 to 20 percent for institutional uses. Non-aviation-related at Kendall-Tamiami Executive Airport shall range from 0 to 85 percent for industrial uses, 0 to 100 percent for commercial uses, 0 to 25 percent for office uses, 0 to 10 percent for hotels and motels, and 0 to 20 percent for institutional uses.

The portions of the Opa-Locka Executive Airport designated in the Comprehensive Development Master Plan for Aviation-Related (Other Uses/Flexible) may also be developed with non-aviation uses that are compatible with airport operations and consistent with applicable law, including FAA

regulations and any airport layout plan governing permissible uses on the entire airport property. Such non-aviation uses shall not exceed the above referenced percentages of uses for the entire airport.

The distribution, range, intensity and types of such non-aviation related uses shall vary at these three airports by location as a function of the availability of public services, height restrictions, CDMP intensity ceiling for the Urban Infill Area (FAR of 2.0 not counting parking structures)~~, or the Urbanizing Area (FAR of 1.25 not counting parking structures)~~ at Opa-Locka Executive and Miami International airports or for the Urbanizing Area (FAR of 1.25 not counting parking structures) at Kendall-Tamiami Executive Airport, impact on roadways, access and compatibility with neighboring development. Freestanding retail and personal service uses and shopping centers shall front on major access roads preferably near major intersections, where practical, and have limited access to major roadways.

(2) Those portions of ~~the landside area at~~ Homestead General Aviation Airport that are not developed for uses that are aviation-related or directly supportive of airport operations shall be developed with agricultural uses.

(3) Each non-aviation ~~related~~ use shall comply with applicable law, including but not limited to FAA regulations and ~~any~~ the current airport layout plan on file with the Miami-Dade County Aviation Department governing permissible uses on the entire airport property.

(4) At Kendall-Tamiami Executive Airport, the development of the 8.2 acre parcel for non-aviation uses at the southwest corner of SW 137 Avenue and theoretical SW 124 Street shall be limited to access roads, open space, parking and drainage facilities.

Airport Land Use Master Plan 2015-2025

The land uses allowed at Miami International, Opa-Locka Executive, Kendall-Tamiami Executive, and Homestead General Aviation airports are depicted in the Airport Land Use Master Plan 2015-2025 map series (Figures 8, 9, 10, and 11). Each of these maps depicts the allowable Aviation, Aviation-Related, and Non-Aviation land uses at these airports.

Revisions to the Land Use Element

Revise the section title "Transportation" on pages I-54 and I-55 as follows:

The ~~airside~~ portion of the Opa-Locka Executive Airport, Kendall-Tamiami Executive Airport, Homestead General Aviation Airport, and Miami International Airport designated in the Comprehensive Development Master Plan for aviation uses, ~~which~~ shall be deemed to consist of all portions of the airport where general public access is restricted (but not including terminal concourses), shall generally be limited to aviation uses, including but not limited to airfield uses such as runways, taxiways, aprons, runway protection zones, landing areas, and support and maintenance facilities such as control towers, flight service stations, access roads, fire stations, storage and aircraft maintenance and repair facilities and hangars, aircraft and aircraft parts manufacturing and storage, fixed based operators, air cargo operations, specialized aircraft service operations, and fuel farms. Up to fifty (50) percent of the areas designated for aviation

uses may be developed with aviation-related uses. Aviation-related uses shall include, but not be limited to, manufacturing, storage, office, service, or similar uses ancillary to or supportive of aviation uses. The Director of the Miami-Dade Aviation Department, or his designee, in consultation with the Director of Miami-Dade Departm Department of Planning and Zoning, shall determine whether any particular use is an aviation use or an aviation-related use. Where not otherwise prohibited by law, open space and interim or existing agricultural uses and zoning may also be permitted in the ~~airside~~ portions of these airports designated for aviation use, subject to such conditions and requirements as may be imposed to ensure public health and safety.

The ~~landside~~ portion of these airports designated in the Comprehensive Development Master Plan for aviation related and non-aviation uses, ~~which~~ shall be deemed to consist of all portions of the airports where general public access is not restricted and terminal concourses only at Miami International Airport, and may include ~~both~~ aviation ~~uses~~, aviation-related, and non-aviation uses that are compatible with airport operations and consistent with applicable law~~. At least one third of the land area in the landside portion of the airport designated for non-aviation related uses must be developed with aviation-related uses or uses that directly support airport operations.~~

Subject to the restrictions contained herein, the following ~~privately owned~~ non-aviation-related uses may be approved in the ~~landside area~~ portions of the Opa-Locka Executive Airport, Kendall-Tamiami Executive Airport, Homestead General Aviation Airport, and Miami International Airport designated for non-aviation uses on the Airport Land Use Master Plan maps ~~and accessible to the general public~~:

- lodgings such as hotels and motels (except for Homestead General)
- office buildings (except for Homestead General)
- lodgings and office buildings at Miami International Airport (except in terminal concourses)
- industrial uses such as distribution, storage, manufacturing, research and development and machine stops (except for Homestead General)
- agricultural uses, ~~and~~
- retail, restaurants, and personal service establishments (except for Homestead General)~~.~~ and
- gaming establishments (limited to Miami International Airport only).

Such ~~privately owned~~ non-aviation ~~related~~ uses at the Opa-Locka Executive Airport, Kendall-Tamiami Executive Airport, Homestead General Aviation Airport, and Miami International Airport shall be limited as follows:

~~(1) Those portions of the landside area at Opa-Locka Executive, Miami International, and Kendall-Tamiami Executive airports that are not developed for uses that are aviation-related or directly supportive of airport operations shall. range from 50 to 85 percent for industrial uses, 5 to 25 percent for commercial uses, 5 to 25 percent for office uses, 0 to 10 percent for hotels and motels, and 0 to 20 percent for institutional uses.~~

(1) The land area within Opa-Locka Executive, Miami International, and Kendall-Tamiami Executive airports that may be devoted to particular non-aviation uses shall be limited to the following percentages of the land area

designated for aviation–related and non-aviation uses within each airport~~:~~. Non-aviation-related at Opa-Locka Executive Airport shall range from 20 to 85 percent for industrial uses, 5 to 25 percent for commercial uses, 5 to 25 percent for office uses, 0 to 10 percent for hotels and motels, and 0 to 20 percent for institutional uses.~~=~~Non-aviation-related at Miami International Airport shall range from 20 to 85 percent for industrial uses, 5 to 50 percent for commercial uses and/or office uses, 0 to 10 percent for hotels and motels, and 0 to 20 percent for institutional uses. Non-aviation-related at Kendall-Tamiami Executive Airport shall range from 0 to 85 percent for industrial uses, 0 to 100 percent for commercial uses, 0 to 25 percent for office uses, 0 to 10 percent for hotels and motels, and 0 to 20 percent for institutional uses.

The portions of the Opa-Locka Executive Airport designated in the Comprehensive Development Master Plan for Aviation-Related (Other Uses/Flexible) may also be developed with non-aviation uses that are compatible with airport operations and consistent with applicable law, including FAA regulations and any airport layout plan governing permissible uses on the entire airport property. Such non-aviation uses shall not exceed the above referenced percentages of uses for the entire airport.

The distribution, range, intensity and types of such non-aviation related uses shall vary at these three airports by location as a function of the availability of public services, height restrictions, CDMP intensity ceiling for the Urban Infill Area (FAR of 2.0 not counting parking structures~~), or the Urbanizing Area (FAR of 1.25 not counting parking structures)~~ at Opa-Locka Executive and Miami International airports or for the Urbanizing Area (FAR of 1.25 not counting parking structures) at Kendall-Tamiami Executive Airport, impact on roadways, access and compatibility with neighboring development. Freestanding retail and personal service uses and shopping centers shall front on major access roads preferably near major intersections, where practical, and have limited access to major roadways.

(2) Those portions of the landside area at Homestead General Aviation Airport that are not developed for uses that are aviation-related or directly supportive of airport operations shall be developed with agricultural uses.

(3) Each non-aviation ~~related~~ use shall comply with applicable law, including but not limited to FAA regulations and ~~any~~ the current airport layout plan on file with the Miami-Dade County Aviation Department governing permissible uses on the entire airport property.

(4) At Kendall-Tamiami Executive Airport, the development of the 8.2 acre parcel for non-aviation uses at the southwest corner of SW 137 Avenue and theoretical SW 124 Street shall be limited to access roads, open space, parking and drainage facilities

3. Changes to Airport Land Use Master Plan Maps

The original application included revised Airport Land Use Master Plan maps for the Opa-Locka Executive, Miami International, and Kendall-Tamiami Executive Airports, depicted as Figures 8, 9, and 10 (See Appendix A: Map Series). According to MDAD, these revised maps allow for more flexibility in regards to allowable land uses and more accurately represent areas designated for non-

aviation uses. DP&Z and MDAD in consultation with leaseholders have made additional changes to the airport land use master plan maps including the deletion of the land use subcategories from the legend and limiting the maps to the three colors that represent the major categories of "Aviation Uses," Aviation-Related Uses" and "Non-Aviation Uses". In addition, MDAD has submitted an updated airport land use master plan map for Homestead General Airport.

The criteria provided in the CDMP for designating property for aviation, aviation-related or non-aviation uses on an airport master land use plan map is *that the parcel is owned by the County and is designated as "Terminal" on the LUP map*. The CDMP on pages I-54 and II-51 states that "All proposed uses on lands owned by Miami-Dade County at the Opa-locka Executive Airport, Kendall-Tamiami Executive Airport, Homestead General Aviation Airport, and Miami International Airport that are designated as "Terminal" on the LUP map, may be developed for the uses described in this subsection." The subsection addresses the development of aviation, aviation-related and non-aviation uses at airports. Both Opa-locka Executive and Miami International airports contain several parcels with land use designations other than "Terminal" on the LUP map such as "Industrial and Office", "Restricted Industrial and Office," "Business and Office" and "Parks and Recreation." Where appropriate, the Department and MDAD are recommending as an additional change the redesignation of these parcels to "Terminal" on the LUP map.

Opa-locka Executive Airport Land Use Master Plan 2015-2025 map (Figure 9)

DP&Z staff recommends the changes to the Opa-Locka Executive Airport Land Use Master Plan 2015-2025 map. This recommendation includes changing a 27.55-acre parcel at the west end of the airport from Aviation Use (Business support) to Aviation-Related Uses on the Opa-Locka Executive Airport Land Use Master Plan 2015-2025 map that was made by MDAD after the Initial Recommendations Report was published but before the Community Council No. 5 hearing was held. This change was recommended for approval by the Community Council and transmitted to DCA by the BCC.

Additional changes are needed to Land Use Plan map to insure consistency between the airport land use master plan map and the LUP map. Several parcels need to redesignated from "Industrial and Office" to "Terminals" on the LUP map. These parcels include the 30.09-acre parcel that is situated on the northwest corner of NW 42 Avenue and NW 135 Street; the 2.32-acre triangular shaped parcel that is located north of Alibaba Avenue between Douglas Road Extension and Douglas Road; a 115-acre parcel that is located in the southeast corner of the airport with the Carrie Meek Foundation, Inc. being the primary leaseholder; an 18.79-acre parcel and a 5.3-acre parcel that are situated south of NW 135 Street and west of NW 47 Avenue and leased by Adler; a 6.92-acre parcel that is located on the northeast corner of Gratigny Parkway and Red Road; and an 18.45-acre parcel that is located west of NW 57 Avenue in the Miami Lakes Industrial Park. The 18.45-acre parcel is part of the runway protection zone and is designated for "Aviation Uses" on the Opa-Locka Executive Airport Land Use Master Plan 2015-2025 map. The change to "Terminals" on the LUP map could be beneficial for the leaseholders of the 115 acre, 18.79 acre, and 5.3 acre parcels since these parcels are designated as "Non-Aviation Uses" designation

on the airport land use master plan map. Redesignating these parcels from "Industrial and Office" to "Terminals" on the LUP map would allow both commercial and industrial activities to occur, since the "Non-Aviation Uses" designation on the airport land use master plan map allows both of these uses.

Miami International Executive Airport Land Use Master Plan 2015-2025 map (Figure 8)

DP&Z staff recommends changes to the Miami International Airport Land Use Master Plan 2015-2025 map. These changes include those that were included in the Initial Recommendations Report plus a new revision that occurred after the Board of County Commissioners (BCC) transmitted the application to the DCA.

The new revision is related to a proposed quarter horse race track that is located at the southeastern edge of the airport. MDAD has proposed that a 20-acre parcel be redesignated from "Aviation-Related Uses" to "Non-Aviation Uses" on the Miami International Airport Land Use Master Plan 2015-2025 map, which will increase the acreage designated for Non-Aviation uses at this airport from 116.3 to 136.3 acres. This change to the total acreage non-aviation calculation would not negatively impact the percentages that have been established for the airport.

The development proposed for this 20-acre parcel would include the quarter horse race track, a grandstand, a multi-level parking garage, and a detention barn. This parcel is currently part the long-term parking lot that is located southeast of the Tamiami Canal. In addition to the parking garage for the race track, MDAD is proposing additional parking structures. Thus, the impact to parking capacity is non-existent or is limited.

Since this parcel is separated from non-airport properties by limited access roadways such as the Dolphin Expressway (State Road), there are no land use compatibility concerns with adjacent private properties. Despite being located in the City of Miami, County zoning processes apply to this County-owned property. The MIA Zoning Ordinance governs development of this facility with a capacity of 1000 people. The race track would be located just east of the Departure Runway Protection Zone for Runway 27 and is situated in the Outer Safety Zone, which restricts assemblies of people to 1,000.

The impact to transportation facilities is minimal. Approximately 60 PM peak-hour trips are estimated to be generated by the site during the traditional 4:00 – 6:00 P.M. commuting period, which is a very limited impact to roadways. Also, Miami International Airport is located within the Urban Infill Area where proposed developments will not be denied a concurrency approval for transportation facilities provided that the development is otherwise consistent with the adopted CDMP and meets the provisions of Section 163.3180, Florida Statutes. Transit service to this parcel is good with Metrobus Routes J, 7, and 42 providing north/south services along LeJeune Road and Route 57 operating along Perimeter Road. These routes plus other Metrobus routes (37, 133/Tri-Rail Airport Shuttle and 238/East-West Connection) provide service into the Airport Terminal.

This facility is part of a proposal for gaming activities at the airport such as a card room, slot machines and the quarter horse race track to increase revenues. These gaming facilities would have an economic benefit for the County in that jobs will be created.

In addition, changes are needed to the Adopted 2015-2025 Land Use Plan map to insure consistency between the airport land use master plan map and the LUP map. DP&Z and MDAD are recommending several parcels designated for "Aviation-Related Uses" on the Miami International Airport Land Use Master Plan 2015-2025 map to be redesignated to "Terminals" on the LUP map. The eastern 1.11 acres of the 4.29-acre parcel at the entrance the airport and providing access to the rental car facility and the central station of Miami Intermodal Center (MIC) is recommended to be redesignated from "Business and Office" to "Terminals" on the LUP map. An 8.2-acre parcel bounded by Perimeter Road, NW 72 Avenue and Milam Dairy Road Airport Extension is recommended to be redesignated from "Industrial and Office" to "Terminals" on the LUP map. A 9.54-acre parcel at the southeast corner of NW 36 Street and NW 72 Avenue, which contains a fire station and a facility of the Public Works Department, is recommended to be redesignated from "Restricted Industrial and Office" to "Terminals" on the LUP map.

Kendall-Tamiami Executive Airport Land Use Master Plan 2015-2025 map (Figure 10)

DP&Z staff recommends the changes to the Kendall-Tamiami Executive Airport Land Use Master Plan 2015-2025 map agreed to by DP&Z and MDAD. These changes include an 8.2-acre parcel that is located on the west side of SW 137 Avenue and north of SW 128 Street, which is proposed to be redesignated from "Aviation-Related Uses" to "Non-Aviation Uses" and a 5.24-acre parcel on the north side of the entrance road (SW 128 Street), that is currently designated as the as "Aviation Uses" on the map is proposed to be redesignated to "Aviation-Related Uses".

At Kendall-Tamiami Executive Airport, the proposed increase of 8.2 acres for a total 43.76 acres of land designated "Non-Aviation Uses," specifically commercial/industrial activities, will not have an impact on public facilities and services. In a memo dated February 3, 2009, MDAD said that the increase in acreage designated "Non-Aviation Uses" will not result in an increase in the total building floor area for commercial/industrial activities, since the additional land area would only be used for drainage and/or parking purposes. The 355,000 square feet of commercial development referenced in the *CDMP Amendment Transportation Analysis for Kendall-Tamiami Executive Airport*, dated March 2008, that was prepared for Application No.14 in the April 2007 CDMP Cycle still applies as the maximum development that will occur in the area designated as "Non-Aviation Uses" at the airport. MDAD is adding the 8.2 acres north of the existing 35.5-acre parcel to improve traffic circulation as well as egress and ingress to the development since the northern boundary of the expanded property will align with SW 124 Street. The proposed use is compatible with the existing private development to the east, which consists of a Public Storage warehouse, two gas stations, an office complex and the London Square

Shopping Center. Thus, staff recommends this proposal for changing the airport master land use plan map.

Homestead General Airport Land Use Master Plan 2015-2025 map (Figure 11)

To insure consistency between the maps in Airport Land Use Master Plan 2015-2025 map series, MDAD has submitted as an additional change, the revised map for Homestead General Aviation Airport. This figure updates the Homestead General Aviation Airport Land Use Master Plan 2015-2025 map by limiting it to two colors for aviation and aviation-related uses. This revised map will not change the major land use designation on any parcel. DP&Z staff recommends approval of this revised map.

PLANNING STAFF ANALYSIS OF ADDITIONAL CHANGE FOR HORSE RACE TRACK

Background

Miami-Dade Aviation Department (MDAD) requested in July 2009 a modification to Application No. 2 filed in the October 2008 Cycle of Applications that would to amend the text of the Land Use Element, the Aviation Sub-element of the Transportation Element of the Comprehensive development Master Plan (CDMP) and related maps. The modification involved the inclusion of quarter horse race tracks as an allowable "non-aviation use" under the "Terminal" CDMP land use category. MDAD intends to develop a quarter horse race track facility in a parcel located at Miami International Airport (MIA). The Applicant further requested the *Miami International Airport Land Use Master Plan 2015-2025* be amended to re-designate the subject property at MIA from "aviation-related uses" to "non-aviation uses."

The 20-acre subject parcel is currently used as a parking lot and is located within the City of Miami. The subject property is part of MIA, and therefore, is under Miami-Dade County jurisdiction. The subject property is situated at the southeastern edge of MIA, south of NW 18 Street (NW Tamiami Canal Drive), along of NW 42 Court and immediately north of NW 14 Street. In addition, the subject property is within MIA's Outer Safety Zone (OSZ), as referenced in the *Miami International Airport Zoning Ordinance* (Article XXXVI, Miami-Dade County Code), which prohibits buildings for public assembly to exceed 1,000 persons. Furthermore, according to 2009 Aerial Photographs from Miami-Dade Department of Planning and Zoning's (DP&Z) Geographic Information System database, the subject property is currently used as a parking lot.

Roadways

On October 30, 2008, the Miami-Dade Aviation Department (MDAD) filed an application (CDMP Amendment Application No. 2) with the Department of Planning and Zoning (DP&Z) requesting changes to the Comprehensive Development Master Plan (CDMP). The requested changes include: 1) revisions to the text on pages II-51 and II-52 of the Aviation Subelement of the CDMP to eliminate references to Opa-Locka Executive, Kendall-Tamiami Executive, Homestead General Aviation, and Miami International Airports' "landside" and "airside" areas in order to properly distinguish "aviation" and "non-aviation" uses on property owned by the MDAD and depicted on the Airport Land

Use Master Plan maps; 2) replace the Airport Land Use Master Plan maps for the Opa-Locka Executive Airport, Kendall-Tamiami Executive Airport and Miami International Airport in the Aviation Subelement; and revise text on pages I-54 and I-55 of the Land Use Element, Transportation Section, of the CDMP in order for the CDMP to be internally consistent.

On August 9, 2009, the MDAD filed an application with the Florida Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering, for permit to conduct quarter horse racing, operate a card room, and at some point make application for a slot machine license. Card room and slot machines are licensed dependent on the possession of a permit to conduct pari-mutuel wagering and the issuance of an annual racing license. The Division of Pari-Mutuel Wagering Office of Operations has indicated that the MDAD must demonstrate that the location where the permit will be used is available for use, that the current land use and zoning allow the proposed use, and the building approvals are obtainable or will be obtained in a timely manner. The airports are currently designated "Terminals" on the Adopted 2015 and 2025 Land Use Plan map and "Transportation" in the Land Use Element (pp. I-53 through I-56) of the CDMP. Proposed uses on lands owned by the MDAD at the Opa-Locka Executive, Kendall-Tamiami Executive, Homestead General Aviation, and Miami International Airports may be developed with aviation uses, aviation-related uses and non-aviation uses that are compatible with airport operations and consistent with applicable laws. Horse racing, card rooms, and slot machines are uses not currently permitted in the non-aviation land use category. Therefore, the MDAD has requested DP&Z that Application No. 2 be changed to allow gaming establishment at the Miami International Airport (MIA) only.

MDAD is proposing the Quarter Horse Racing facility on a 20-acres parcel at MIA's long-term park and ride lot located south of the Tamiami Canal, between NW 18 Street and NW 14 Street and from NW 42 Court to NW 43 Place.

Proposed Development

Article XXXVI, Miami International Airport Zoning Ordinance, of the Miami-Dade County Code identifies the 20-acre parcel located within the Outer Safety Zone, where buildings for public assembly in excess of 1000 persons are prohibited within this zone. The proposed Quarter Horse Race tract will comprise approximately a 1000-person grand stand, detention barn, the quarter's horse racetrack, and a multi-level parking. Currently, the subject parcel is improved with a surface parking lot for long-term park-and-ride facility.

Trip Generation

Under the current zoning and proposed land use change from "aviation-related" to "non-aviation" use, the subject property could be developed with the Quarter Horse Racetrack. The proposed development's trip generation was calculated using Land Use Code 452, Horse Racetrack, of the Institute of Transportation Engineer's Trip Generation 7th Edition (2003) and 1000 seats. Approximately 60 PM peak-hour trip ends[1] are

[1] Peak hour of the adjacent street traffic is the one-hour weighted average vehicle trip generation at a site between 7:00 AM and 9:00 AM or between 4:00 PM and 6:00 PM, when the combination of the generated traffic and the traffic on the adjacent street is the highest.

estimated to be generated by the site during the traditional 4:00 – 6:00 P.M. commuting period.

Application Impacts

The distribution of trips to the adjacent street network was performed using the directional trip distribution for the year 2015, which was obtained from the Miami-Dade Transportation Plan Directional Trips Distribution Report (January 2005), for Traffic Analysis Zone 771 where the application site is located. The concurrency analysis evaluates the near-term impact of the proposed Quarter Horse Racetrack on the roadway network in the immediate vicinity of the application site.

The roadway segments of SR 836/Dolphin Expressway between NW 57 Avenue and NW 37 Avenue and NW 12 Street/Perimeter Road between NW 72 Avenue and NW 47 Avenue are currently operating at LOS E, below their adopted LOS D standard applicable to these roadway segments. The PM peak period traffic concurrency evaluation predicts that the same roadway segments are projected to continue to operate at LOS E with the impacts of the proposed land use change. The results of the before and after development analysis are presented in the Traffic Impact Analysis Table below.

The Metropolitan Planning Organization's (MPO) adopted 2010 Transportation Improvement Program (TIP) lists the construction of an additional auxiliary lane on SR 836/Dolphin Expressway between SR 826/SR 836 Interchange and NW 42 Street and the widening from 2 to 4 lanes of NW 12 Street (Perimeter Road) between NW 72 Avenue and NW 57 Avenue. These improvements are scheduled for construction in Fiscal Years 2009/2010 and 2010/2011, respectively.

It should be pointed out that the Miami International Airport is located within the Urban Infill Area (UIA)[2] where proposed developments will not be denied a concurrency approval for transportation facilities provided that the development is otherwise consistent with the adopted CDMP and meets the provisions of Section 163.3180, Florida Statutes.

[2] UIA is defined as that part of Miami-Dade County located east of, and including, SR 826 (Palmetto Expressway) and NW/SW 77 Avenue, excluding the area north of SR 826 and west of I-95, and the City of Islandia.

Application No. 2
Traffic Impact Analysis on Roadways Serving the Amendment Site
Roadway Lanes, Existing and Concurrency Peak Period Operating Level of Service (LOS)

Sta. Num.	Roadway	Location/Link	Num. Lanes	Adopted LOS Std.*	Peak Hour Cap.	Peak Hour Vol.	Existing LOS	Approved D.O's Trips	Conc. LOS w/o Amend.	Amendment Peak Hour Trips	Total Trips With Amend.	Concurrency LOS with Amend.
Scenario 1: Quarter Horse Racetrack (1,000 seats)												
F-27	NW 42 Ave/LeJeune Rd.	W Flagler Street to NW 21 St.	6 DV	E+20%	6,096	3,435	C	17	C	7	3,459	C (07)
F-28	NW 42 Ave/LeJeune Rd.	NW 21 Street to NW 36 Street	6 DV	E+50%	9,540	4,206	C	40	C	29	4,275	C (07)
F-2198	SR 836/Dolphin Expwy.	NNW 57 Ave. to NW 42 Ave.	6 LA	D	10,050	10,606	E	466	E	10	11,082	E (07)
F-2207	SR 836/Dolphin Expwy.	NW 42 Ave to NW 37 Ave.	6 LA	D	10,050	10,724	E	0	E	9	10,733	E (07)
9618	NW 12 St. /Perimeter Rd.	NW 47 Ave to NW 72 Ave	4 UD*	E	2,130	1,958	E	135	E	5	2,098	E (07)

Source: Compiled by Miami-Dade County Department of Planning and Zoning; Miami-Dade Public Works Department and Florida Department of Transportation, September 2009.
Notes: DV= Divided Roadway, UD= Undivided Roadway, LA=Limited Access, OW=One way
*County adopted roadway level of service standard applicable to the roadway segment: E+20% (120% capacity) for roadways serviced with transit service having 20 minutes headways inside the Urban Infill Area (UIA); E+50% (150% capacity) for roadway serviced with extraordinary transit such as 95 Express Bus.
() Indicates the year traffic count was taken and/or Level of Service updated
Scenario 1 assumes commercial development (54,886 sq. ft. of retail space) on the application site under the requested "Business and Office" land use designation.
Scenario 2 assumes residential development (415 multifamily dwelling units) on the application site under the requested "Business and Office" land use designation.
* NW 12 Street is programmed for reconstruction and widening from 2 to 4 lanes between NW 72 Avenue and ca

Transit Service

This application requests to revise the text in the Aviation Sub-element of the Transportation Element to eliminate references for the various airports' "landside and airside areas" and to replace the Airport Land Use Master Plan maps. On July 30, 2009, a modification to this application was made in order to change the land use designation of 20 acres within Miami International Airport, located in the southeast quadrant of the airport, from "Aviation-related" use to "Non-Aviation" use in order to allow a horse racetrack. The 20-acre parcel subject of this application is located in the northwest quadrant of the intersection of SR-953/LeJeune Road (NW 42nd Avenue) and SR-836 (Dolphin Expressway). Access to the site will be from LeJeune Road and from Perimeter Road (NW 12th Street).

Existing Service

Currently, several Metrobus routes serve this application site. The Routes J, 7, and 42 provide north/south service along LeJeune Road while the Route 57 operates along Perimeter Road with all of these routes traveling into the MIA Terminal. Three other Metrobus routes (37, 133/Tri-Rail Airport Shuttle and 238/East-West Connection) provide service into the Airport Terminal via Central Boulevard (NW 21st Street). The service frequencies for these routes are shown in summary form below.

Table 1

Metrobus Route Service Summary
October 2008 Amendment Application # 2 (update) - Miami International Airport

Route(s)	Service Headways (in minutes)						Proximity to Bus Route (miles)*	Type of Service
	Peak (AM/PM)	Off-Peak (middays)	Evenings (after 8pm)	Overnight	Saturday	Sunday		
J	15	30	60	N/A	30	30	0.0	F
7	30	40	60	N/A	40	40	0.0	F
37	30	30	30	N/A	30	30	Terminal	F
42	30	60	N/A	N/A	60	60	0.0	F
57	40	60	N/A	N/A	N/A	N/A	0.0	F
133/Tri-Rail Airport Shuttle	15	15	30	N/A	15	15	Terminal	L
238/East-West Connection	40	60	N/A	N/A	N/A	N/A	Terminal	F

Source: Miami-Dade Transit, September 2009.
Notes: *L means Metrobus local route service*
F means Metrobus feeder service to Metrorail
E means Metrobus limited-stop service

Future Conditions

The Draft 2009 ten-year Transit Development Plan (TDP) shows programmed expansion improvements, including the extension of the Metrorail system from the Earlington Heights station to the Miami Intermodal Center (MIC) in 2012. This Metrorail extension will provide service to the MIA terminals. No other improvements are programmed or planned for the Metrobus routes listed in the table above. The Draft 2009 TDP identifies in its 2019 Recommended Service Plan the following improvements to the existing routes that currently serve the development site area:

Table 2

2009 Draft TDP Metrobus Recommended Service Plan
October 2008 Amendment Application # 2 (update) - Miami International Airport

Route(s)	Improvement Description
J	No planned improvements
7	No planned improvements
37	Extend route to serve the Miami Intermodal Center
42	Extend route to serve the Miami Intermodal Center
57	Extend route to serve the Miami Intermodal Center
133/Tri-Rail Airport Shuttle	No planned improvements
238/East-West Connection	Extend westard to Beacon Lakes

In addition, two new bus routes are programmed in the Draft 2009 TDP that would impact the Miami International Airport and the MIC, the SoBe/MIA Connection and the SR-836 Express route. The SoBe/MIA Connection would introduce new premium bus service operating between South Miami Beach and Miami International Airport, and the SR-836 Express route would provide a new express service from the West Miami-Dade area to the Miami Intermodal Center and possibly downtown Miami.

The projected bus service improvements for the existing and new routes is estimated to cost approximately $1,450,655 in annual operating costs and a one-time capital cost of $2,032,544 for a total cost of $3,483,199. These costs only reflect the percentage of improvements that are located within the Application area; however, both new routes are currently planned as closed-door/express routes traveling along expressways ending in the Airport/MIC area. Since the Airport area would be a terminus for both routes, the estimated service area is calculated as half of the route's alignment.

Application Impacts

A preliminary analysis was performed in the Traffic Analysis Zones where the application sites are located. The expected transit impact that would be generated by this application, if approved, can be absorbed by the scheduled improvements to transit in the development areas.

Recommendation

Since the proposed racetrack development would be open to the general public, transit service should be provided directly to or immediately adjacent to the site. Should the proposed amendment and the development programs be approved, the development approval should include access by transit.

Consistency Review with CDMP Goals, Objectives, Policies, Concepts, and Guidelines

The following CDMP goals, objectives, policies, concepts, and guidelines will be enhanced if the proposed designation for the quarter horse race track is approved:

1. **Objective ECO-13**: Develop and operate Miami-Dade County's aviation facilities in a manner that enhances competitiveness while maintaining their position as one of the leading economic generators in South Florida, with continuous improvement in safety, security, customer service and environmental responsibility.

2. **Objective AV-7:** Maximize compatibility between airports and the surrounding communities.

3. **Objective AV-8**: Maximize support of local and regional economic growth.

4. **Policy AV-8A**:The Miami-Dade County Aviation Department, through the continued increase in the capacity of the County's airports to meet the forecast aviation demands, and the State and local governmental economic development entities through their commerce and industry promotion programs should expand the importance of the aviation industry to Miami-Dade County and the regional economy.

APPENDIX A

Map Series

- Opa-locka Executive Airport: Revisions to LUP Map to Reflect Terminals Designation
- Opa-locka Executive Airport: Proposed Land Use Master Plan 2015-2025 Map With Changes
- Kendall-Tamiami Executive Airport: Airport Land Use Master Plan 2015-2025
- Miami International Airport: Revisions to LUP Map to Reflect Terminals Designation
- Miami International Airport: Airport Land Use Master Plan 2015-2025
- Homestead General Aviation Airport: Airport Land Use Master Plan 2015-2025

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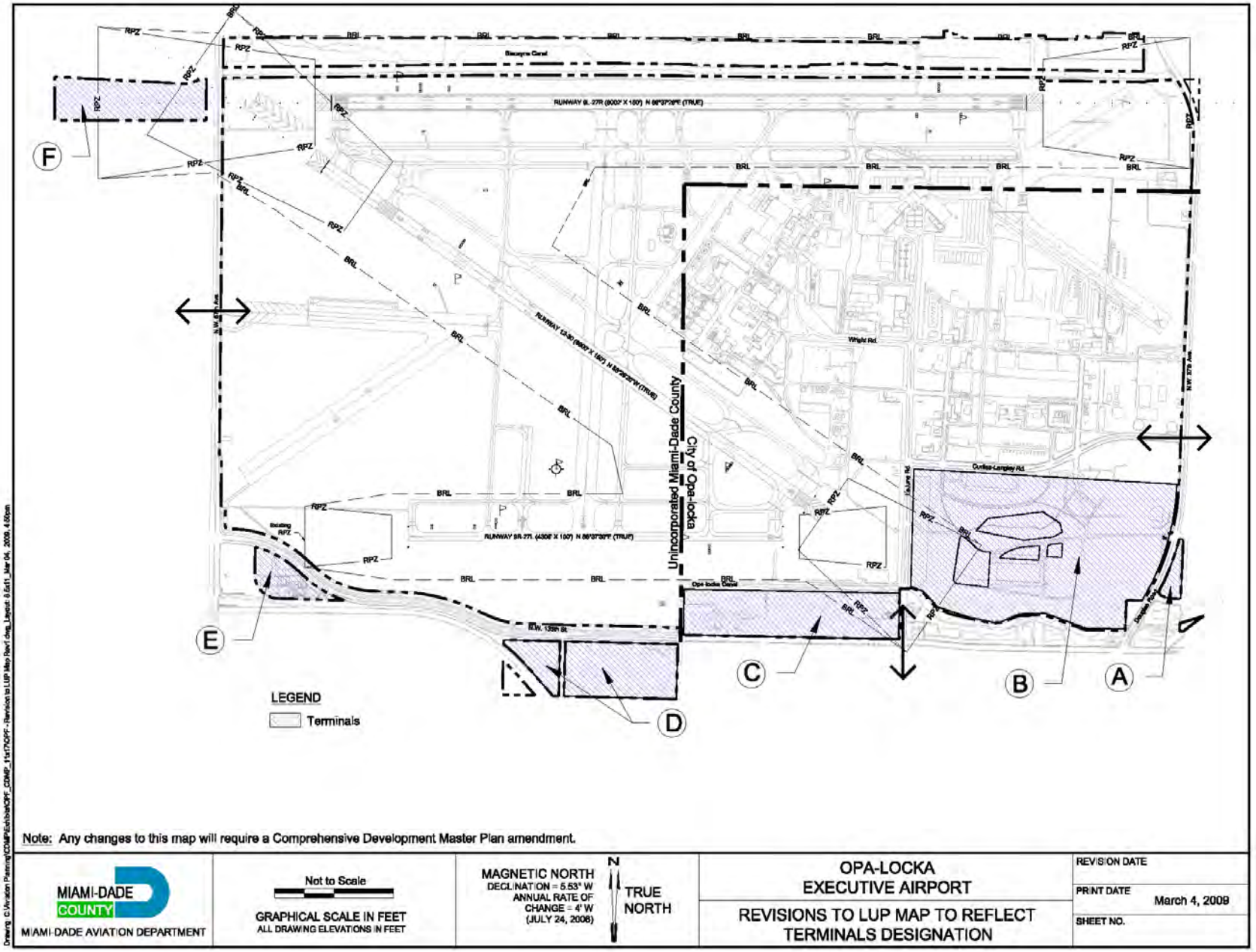
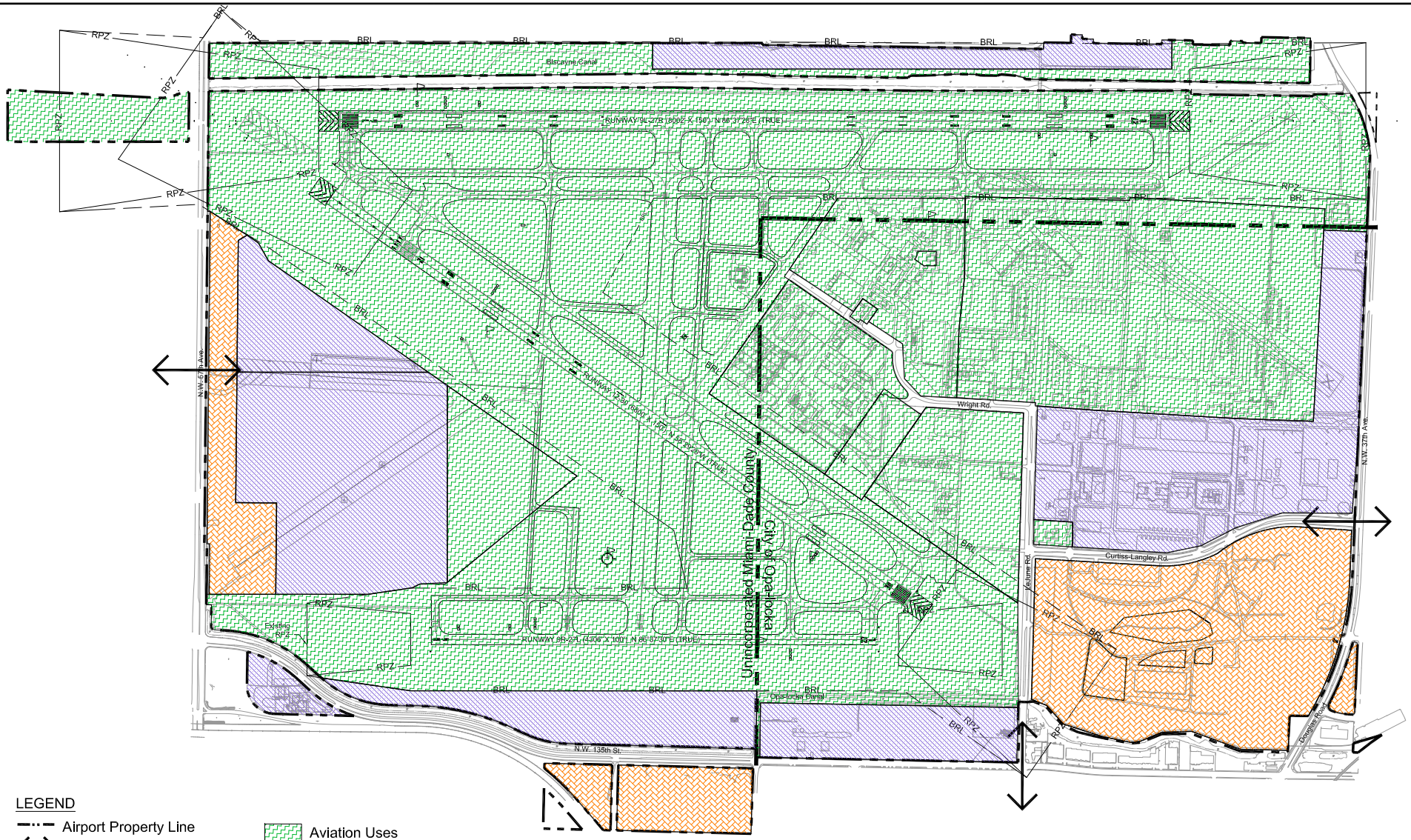
Revisions to Land Use Plan Map 2015-2025 for Opa-locka Executive Airport





LEGEND

- Airport Property Line
- Ingress / Egress
- RPZ — Runway Protection Zone
- Aviation Uses
- Aviation-Related Uses
- Non-Aviation Uses

Note: Any changes to this map will require a Comprehensive Development Master Plan amendment.

MIAMI-DADE COUNTY
MIAMI-DADE AVIATION DEPARTMENT

Not to Scale
GRAPHICAL SCALE IN FEET
ALL DRAWING ELEVATIONS IN FEET

MAGNETIC NORTH
DECLINATION = 5.53° W
ANNUAL RATE OF CHANGE = 4' W (JULY 24, 2006)
N
TRUE NORTH

OPA-LOCKA EXECUTIVE AIRPORT

PROPOSED OPA-LOCKA EXECUTIVE AIRPORT
LAND USE MASTER PLAN 2015 - 2025 MAP
WITH CHANGES

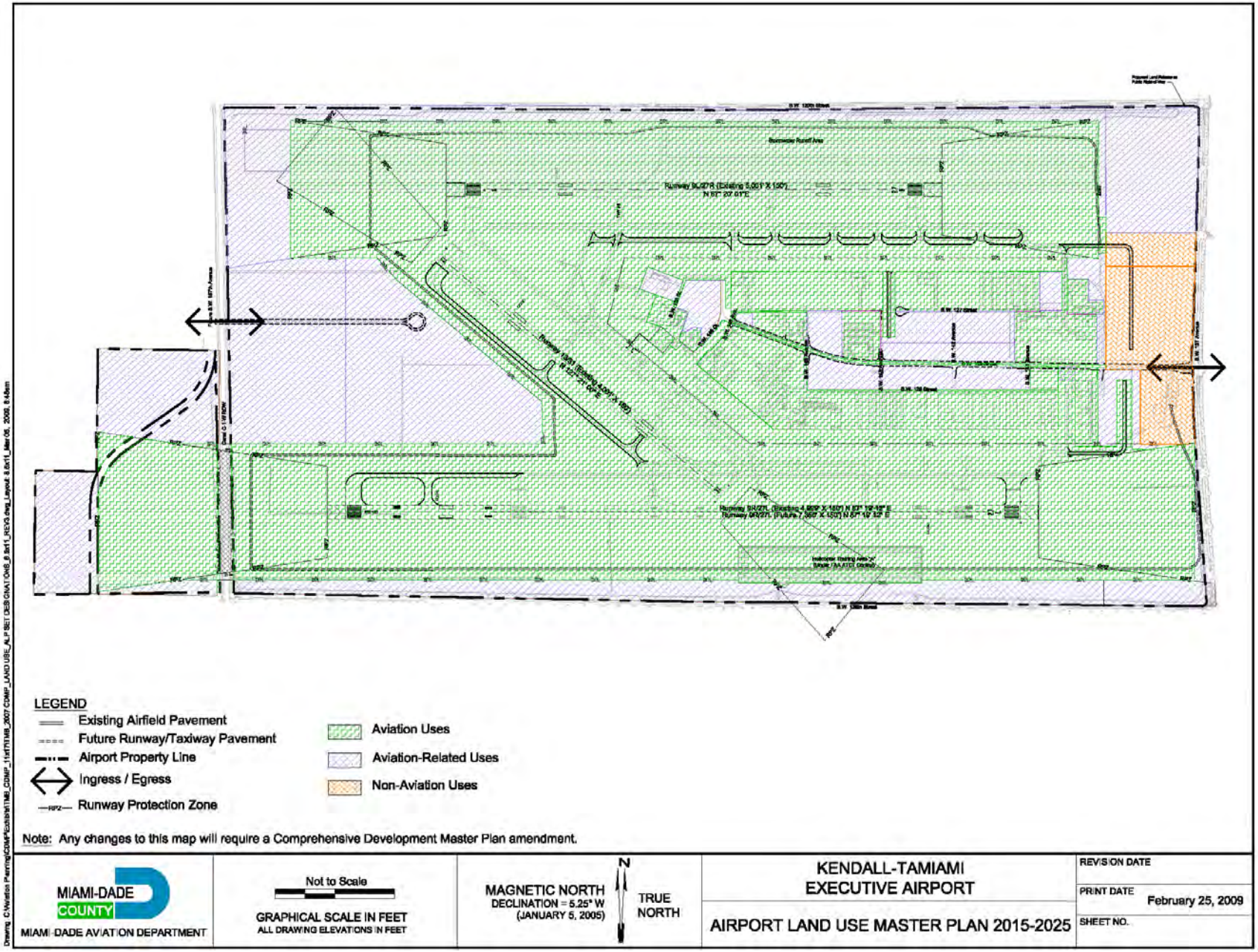
REVISION DATE

PRINT DATE
February 25, 2009

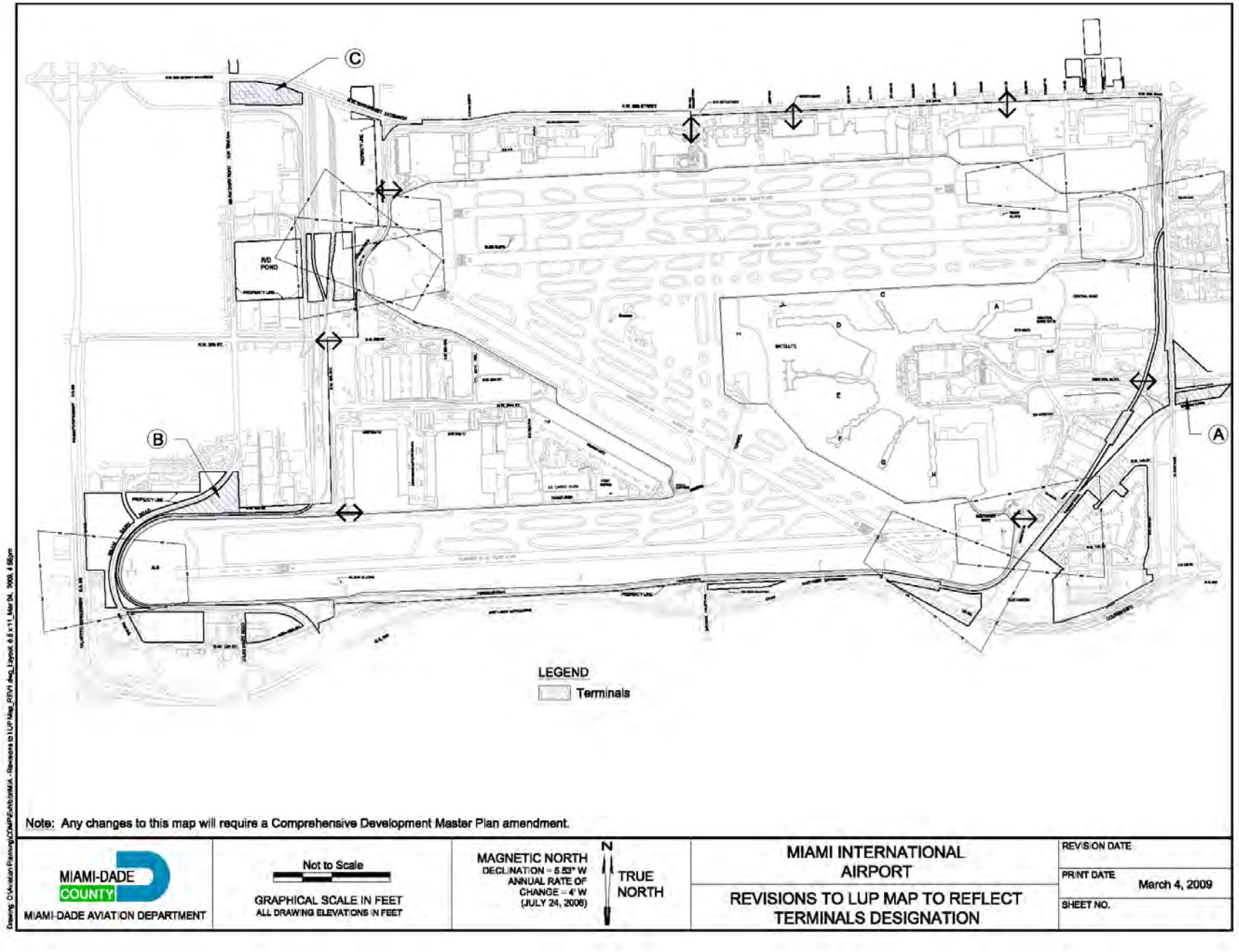
SHEET NO.

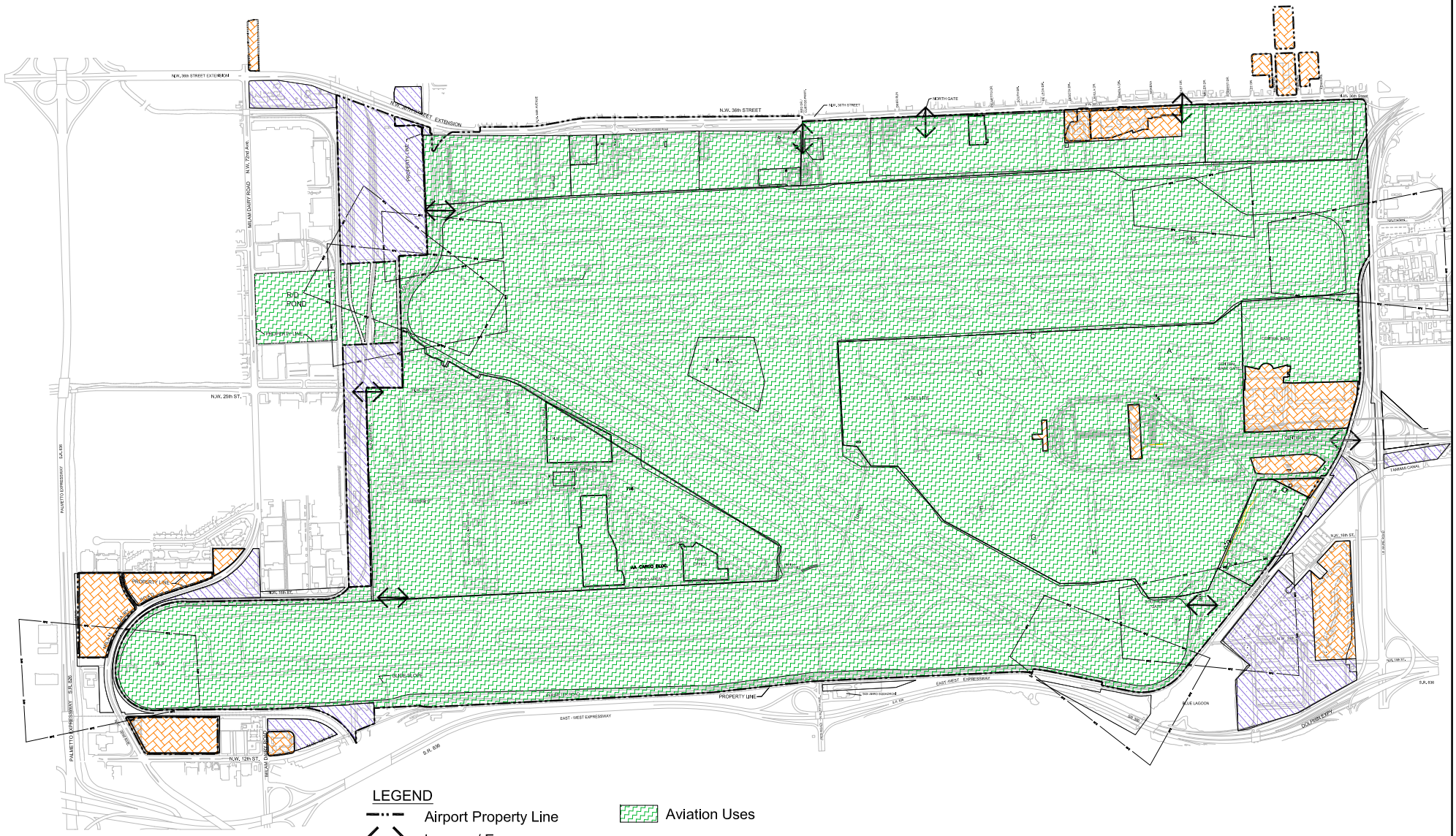
Drawing: C:\Aviation Planning\CDMP\Exhibits\OPF_CDMP_11x17\OPF_2007 CDMP_LAND USE_ALP Set Designations 8.5x11_REV4_P&Z.dwg, Layout: 8.5x11_Jun 16, 2009, 9:03am

Proposed Kendall-Tamiami Executive Airport Land Use Master Plan 2015-2025 Map



Revisions to Land Use Plan Map 2015-2025 for Miami International Airport





Note: Any changes to this map will require a Comprehensive Development Master Plan amendment.

MIAMI-DADE COUNTY
MIAMI-DADE AVIATION DEPARTMENT

Not to Scale
GRAPHICAL SCALE IN FEET
ALL DRAWING ELEVATIONS IN FEET

MAGNETIC NORTH
DECLINATION = 5.53° W
ANNUAL RATE OF CHANGE = 4' W
(JULY 24, 2006)

N
TRUE NORTH

MIAMI INTERNATIONAL AIRPORT

AIRPORT LAND USE MASTER PLAN 2015-2025

REVISION DATE

PRINT DATE July 16, 2009

SHEET NO.

Drawing: C:\Aviation Planning\CDMP\Exhibits\MIA land use master plan_REV6.dwg_Layout: 8.5 x 11_Jul 16, 2009, 1:43pm

Proposed Homestead General Aviation Airport Land Use Master Plan 2015-2025 Map

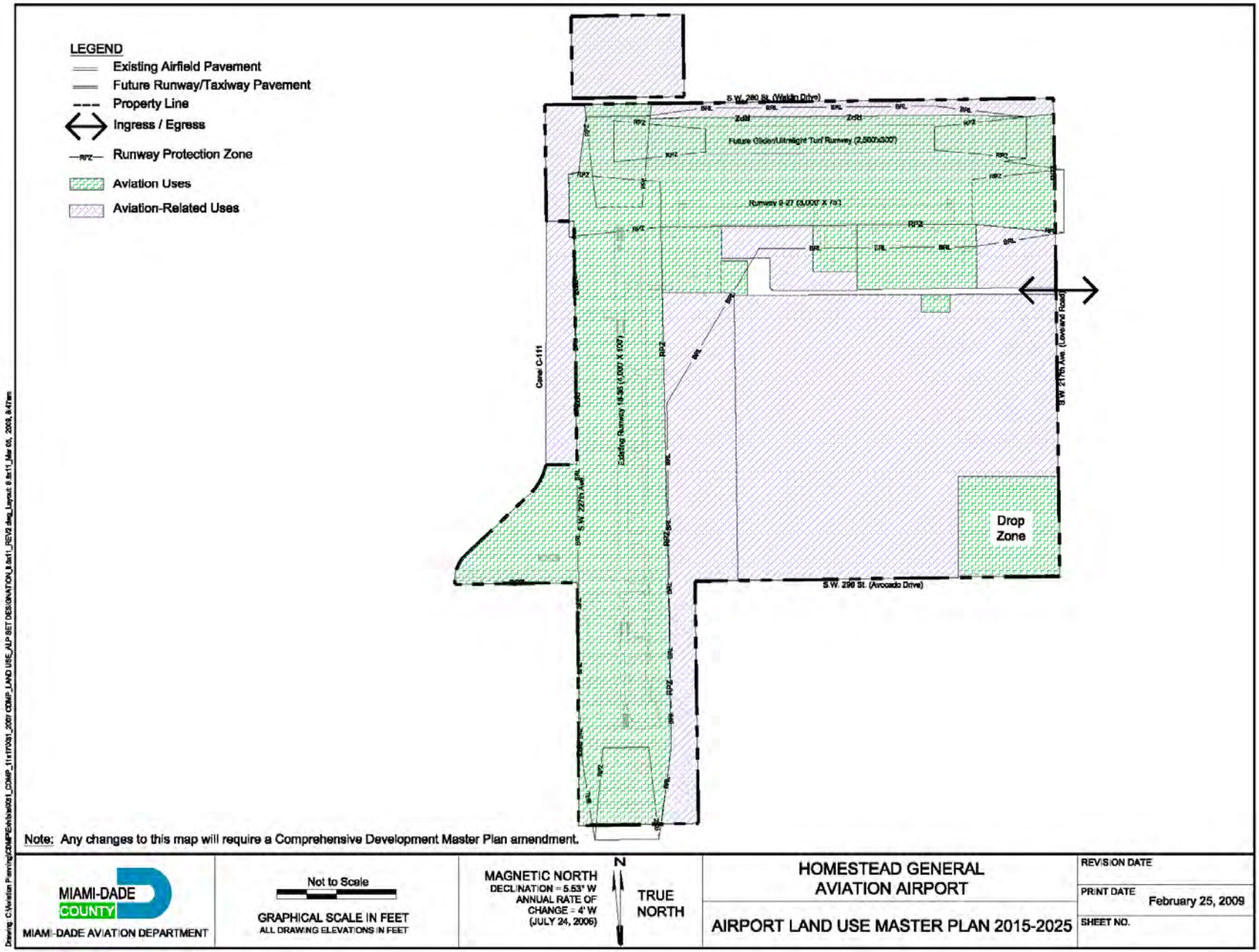


EXHIBIT A

Objections, Recommendations and Comments (ORC) Report
Dated September 11, 2009 from the Department of Community Affairs (DCA)

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STATE OF FLORIDA

DEPARTMENT OF COMMUNITY AFFAIRS

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

CHARLIE CRIST
Governor

THOMAS G. PELHAM
Secretary

September 11, 2009

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

Dear Mayor Alvarez:

The Department of Community Affairs completed its review of the Miami-Dade County proposed Comprehensive Plan Amendment (DCA No. 09-2), which was received on July 13, 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 three objections and three 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

2555 SHUMARD OAK BOULEVARD ♦ TALLAHASSEE, FL 32399-2100
850-488-8466 (p) ♦ 850-921-0781 (f) ♦ Website: www.dca.state.fl.us
♦ COMMUNITY PLANNING 850-488-2356 (p) 850-488-3309 (f) ♦ FLORIDA COMMUNITIES TRUST 850-922-2207 (p) 850-921-1747 (f) ♦
♦ HOUSING AND COMMUNITY DEVELOPMENT 850-488-7956 (p) 850-922-5623 (f) ♦

DEPARTMENT OF COMMUNITY AFFAIRS

OBJECTIONS, RECOMMENDATIONS, AND COMMENTS

FOR

Miami-Dade County

Amendment 09-2

September 11, 2009
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 09-2
Miami-Dade County

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

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

1. Objection 1 (Application 1) – Impacts to Natural Resources: Based on the attached comments from the Department of Environmental Protection and the South Florida Water Management District, the amendment has the potential to result in impacts to natural resources as summarized below.

   a. The potable water supply would be adversely impacted by decreases in freshwater flow and increases in saltwater intrusion.
   b. Natural systems such as Everglades and Biscayne Bay National Parks would be adversely impacted by decreases in freshwater flow and increases in saltwater intrusion.
   c. Surrounding wetlands from road construction for moving materials from the site would be adversely impacted.
   d. The scope of the impact is unknown due to an unclear eastern boundary, an unmeasured supply of and demand for fill, and ambiguous text which is open to interpretation.
   e. There are insufficient controls in the proposed text amendment to ensure protection of natural resources because the amendment only requires that the County consult with the Army Corp of Engineers and the South Florida Water Management District.

   In addition, one of the primary purposes to allow new excavation on agriculture lands is that it result in a water management project which "...demonstrably supports a County, state or federal ecosystem restoration project and is determined... to be strategically designed and located to achieve the enhancement of the environmental project." Data and analysis has not been provided to support that purpose because the Comprehensive Everglades Restoration Plan (CERP) does not include a water management project in the location of the designated property.

   The amendment is not supported by data and analysis to demonstrate that adverse impacts to natural resources will not occur. Therefore, the amendment does not demonstrate that the site in question is suitable for the proposed quarrying activities.

   Authority:
   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.

   Recommendation: The applicant should coordinate with the Florida Department of Environmental Protection and the South Florida Water Management District to address the issues summarized above and stated in their attached letters of August 18, 2009, and August 13, 2009, respectively. The amendment should be revised to provide additional data and

analysis to demonstrate that the site can be excavated without causing the adverse environmental impacts discussed in the objection, and that the intended environmental benefit can be achieved for the site in question.

2. Objection 2 (Application 1) – Loss of Agriculture Lands: The amendment results in the loss of 881 acres of viable agriculture land, which the *Agricultural Land Retention Study* identifies as being utilized as vegetable crops and field nurseries and which the *Agriculture and Rural Area Study* rates primarily as either 4 or 5, indicating that the land is highly suited for agriculture.

   Authority: 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.

   Recommendation: The amendment should be revised to either demonstrate why 881 acres of viable agriculture land is not needed to sustain the agricultural economy, or alternately, the amendment should document why the fill must be excavated (in whole or in part) from this specific site rather than from other potential sources elsewhere in the region.

3. Objection 3 (Application 1) – Internal Inconsistencies: The amendment results in the loss of 881 acres of viable agriculture land, has the potential to impact natural resources, and would result in a wildlife attractive water body, potentially increasing the risk of bird air strike hazards (BASH). It is therefore internally inconsistent with several goals, objectives, and policies of the Miami-Dade County Comprehensive Development Master Plan related to the protection of natural resources, the preservation of agricultural lands, and compatibility with military bases. The amendment is internally inconsistent with the goals, objectives, and policies identified in Table 1 below.

LU-1P	Agriculture as a viable economic activity must be protected. Other uses must be compatible with agriculture and promote ecotourism.
LU-1R	The amount of land necessary to maintain an economically viable agriculture industry must be reserved.
LU-1S	The County comprehensive plan must be consistent with the County Strategic Plan, which protects viable agriculture.
Objective LU-3	Development and redevelopment must ensure the protection of natural resources and systems.
LU-3B	Significant natural resources (including Biscayne Bay) must be protected from incompatible land use.
LU-8C	Agriculture as a viable economic use of land will be protected and promoted.
LU-4F	The County shall implement [applicable studies] to provide for land use compatibility in the vicinity of the Homestead Air Reserve Base.

Table 1 – Inconsistent Goals, Objectives, and Policies (LU=Land Use, CON=Conservation, WS=Water Supply, CM=Coastal Management)	
Objective	**Text**
LU-9B	The County will maintain regulations which address protection of environmentally sensitive lands.
LU Text, p. 64	Open Land Subarea 5 lies immediately east of the site in question. The text notes that uses that could compromise groundwater quality shall not occur within three miles of Biscayne Bay.
LU Text, p. 69	Concepts 2, 3, and 14 note that the County will conserve land with valuable environmental characteristics, restrict development in particularly sensitive and unique natural areas, and encourage agriculture as a viable economic use of suitable lands.
Objective CON-2	Ground and surface water resources are protected from degradation.
Objective CON-7	The County will preserve the biological and hydrological functions of the Future Wetlands identified in the comprehensive plan.
CON-7C	The County shall promote the restoration and maintenance of the natural, surface water flow regimes through wetland systems.
CON-7J	If applications alter wetlands, they must be reviewed for consistency with the Comprehensive Everglades Restoration Program.
Objective CON-9	Fish and wildlife shall be conserved and used in an environmentally sound manner, and critical habitat shall be preserved.
CON-9A	Activities that adversely affect habitat that is critical to protected species shall be prohibited unless activity is a public necessity.
WS-6D	The County shall use methods which preserve the integrity of the Biscayne Aquifer when developing future potable water supply.
Objective CM-1	Coastal wetlands and living marine resources will be protected, conserved, and enhanced.
CM-1B	Natural surface water flow regimes through coastal wetland systems will be restored and maintained to the maximum extent possible.

Authority:
Sections 163.3175, 163.3177(2), (6)(a), (d), (h), (j)7, (8), (9), and (10), F.S.; and Rule 9J-5.002(5); 9J-5.003(2), (4), (5), and (23); 9J-5.005(2) and (5); 9J-5.006(3)(b)4, (3)(c)2, 6; 9J-5.013(2)(b)2, 3, and 4, and (2)(c)5; 9J-5.019(4)(b)6, 8, (4)(c)17, 18, and 21, F.A.C.

Recommendation: The amendment should resolve the internal inconsistencies as follows:

a. Address the recommendations for objections 1 and 2 above; and
b. Revise the amendment to demonstrate how the amendment is consistent with the County's Comprehensive Plan regarding the protection of agricultural lands, protection of natural systems, and military base compatibility. The amendment should also document why the fill must be excavated (in whole or in part) from this specific site rather than obtaining fill from other existing sources elsewhere in the region; and

c. If it can be demonstrated that the proposed site is suitable, then the amendment should be revised to incorporate the following:

(1) Federal Aviation Administration circular 150/5200-33B, and to provide that a BASH program will be immediately implemented if it is determined to be necessary to maintain safety; and
(2) The Recommended Plan in the Project Implementation Report for the CERP Biscayne Bay Coastal Wetlands Project does not include a "water management project" (reservoir) in the location of the designated property. Any change to the Recommended Plan would cause extensive delays in the federal approval process. Therefore, the text should be modified to remove references linking the project to CERP and to ensure that the amendment does not conclude or imply that adding a water storage feature will enhance a CERP project; and
(3) The amendment should be modified to delete the specific reference regarding consultation with the South Florida Water Management District and the U.S. Army Corps of Engineers. Several other agencies also have regulatory and consultation roles with water resource projects. The amendment should be revised to reference consultation with all appropriate local, state, and federal agencies.

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

1. The Division of Historical Resources recommended that cultural resource assessment surveys should occur prior to the initiation of Application #1, and that significant resources should be protected and preserved.

2. Application #2 redesignates an 8.2-acre parcel from aviation-related to non-aviation at the Kendall-Tamiami Executive Airport. The non-aviation category allows for a range of commercial uses that are not specifically related to the airport. The County staff confirmed that this 8.2-acre parcel is intended to be used only for parking and drainage. However, despite that intention, there is no requirement that ensures that the site will actually develop in that manner. The County should add a declaration of restrictions to the comprehensive plan amendment that ensures that the only permitted uses for the site are parking and drainage.

3. The County's resolution for Application #1 approves the staff recommended changes to the amendment text, which is provided twice in the Initial Recommendations Report. There is a discrepancy in condition #3 between the first and second version of the amendment. The following sentence is included in the second but not the first version: "The conveyance of property may be used towards mitigation credits as deemed appropriate by the applicable agencies." The adopted amendment should clarify the text to indicate the correct version.

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

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

A. Section 187.201(7), Water Resources, and Policies (b)1, 2, 4, 5, 9, 10, and 12: Protect water recharge areas, natural water systems, and surface and groundwater quality and quantity.

B. Section 187.201(8), Coastal and Marine Resources, and Policies (b)6, 7, and 8: Encourage land uses that are compatible with the protection of coastal resources, protect marine fisheries and other aquatic resources, and avoid the development of mineral resources which threaten marine, aquatic, and estuarine resources.
C. Section 187.201(9), Natural Systems and Recreational Lands, and Policies (b)1, 3, 4, 5, 7, and 8: Conserve wetlands, protect the habitat of endangered species, promote agriculture practices compatible with the protection of natural systems, and promote Everglades restoration.
D. Section 187.201(13), Mining, and Policies (b)5 and 6: Prohibit resource extraction which results in an adverse effect on environmentally sensitive areas which cannot be restored, and minimize the effect of resource extraction on ground and surface waters.
E. Section 187.201(15), Land Use, and Policy (b)6: Consider the impact of land use on water quality and quantity.
F. Section 187.201(21), The Economy, and Policy (b)3: Maintain, as an economic asset, the environment, including clean water, beaches, and natural resources.
G. Section 187.201(22), Agriculture, and Policies (b)2 and 9: Encourage diversification within the agriculture industry.
H. Section 187.201(25), Plan Implementation, and Policies (b)5 and 7: Ensure the development of local plans that implement and accurately reflect state goals and policies.

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

South Florida Regional Planning Council

11 3D

8/14/09

MEMORANDUM

AGENDA ITEM #4c

DATE: AUGUST 3, 2009

TO: EXECUTIVE COMMITTEE

FROM: STAFF

SUBJECT: **MIAMI-DADE COUNTY** PROPOSED COMPREHENSIVE PLAN AMENDMENT

Introduction

On July 13, 2009, Council staff received proposed amendment package **#09-2** 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 2008 population estimated at 2,477,289, Miami-Dade County is the most populous county in Florida. The county's population has grown by 9.9% since 2000, and is expected to increase an additional half a million by the year 2020. The percentage of the population that is of working age or younger is greater in Miami-Dade County than the state average. The county also has higher unemployment rates as well as a higher percent of families with incomes below the poverty level than the state average.

The structure of the county's economy is heavily service and trade-oriented, with approximately 57% 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 #09-2 to the Miami-Dade County Comprehensive Development Master Plan (CDMP) contains two (2) text amendments. Application One seeks to revise text in the Land Use Element related to the Agriculture land use category. The proposed change would allow water management projects in areas designated as Agriculture. Application Two seeks to revise text in the

Land Use Element and Aviation Sub-Element of the Transportation Element for greater internal consistency of the CDMP.

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 that 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).*

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

Application 1

Background
In December of 2007, FPL received an unusual use zoning variance with conditions to site a nuclear power plant on land designated as Environmental Protection. At that time, the Miami-Dade Board of County Commissioners granted the variance to ensure there was sufficient energy generation to meet future needs. The expansion of the Turkey Point nuclear power facilities was deemed a public necessity by the Miami-Dade County Board of County Commissioners. FPL also requested permission to extract limestone fill for the proposed expansion. The excavation request was withdrawn once the proposed extraction site was found to contain coastal wetlands. Disturbance of coastal wetlands is prohibited by CDMP Policy and County code. FPL continues to evaluate options for extracting fill and proposed Application 1 represents one such option.

Contents
Application 1 contains text amendments to the Land Use Element that would:

- Allow existing quarrying and ancillary uses to expand after a public hearing on the proposed expansion site;
- Create a new, allowable use with Agriculture area, entitled a water management project, in an area of approximately 880 acres, east of Homestead Air Reserve Base and SW 122 Avenue, between Military Canal to the north and the C-103 Canal to the south;
- Allow excavation within areas designated as a water management project;
- Define water management projects as (1) activities that enhance or support County, State, or Federal environmental projects, such as the Comprehensive Everglades Restoration Plan (CERP), and (2) can be deemed a public necessity and, therefore, allowable in the County's Agricultural designation. A water management project and associated easements or dedications would provide for the in-ground and above-ground storage of stormwater and transfer of water to an adjacent benefit area;
- Require that a water management project meet all of the following conditions:
    1. Demonstrate that the water management project supports a County, State or Federal ecosystem restoration project, and is strategically designed and located to achieve the enhancement of such environmental project.
    2. The water management project must be designed, constructed, and operated consistent with prevailing zoning and environmental requirements and the Homestead Air Reserve Base Air

Installation Compatibility Use Zone Report. Best available technologies must be incorporated to isolate the project from saltwater intrusion.

3. The property owner must transfer the property title to the appropriate government agency. A description of the timing of the project would be required so as not to interfere or delay the overall environmental project.
4. The sale of excavated fill from the water management project would be prohibited, but the fill could be used for the water management project, public infrastructure projects, utility facilities and their ancillary uses, and associated environmental projects.
5. The water management project must be approved at a public hearing, specifying the intended use and amount of fill extraction. The fill excavated should not exceed the amount necessary for the approved use.

Florida Power and Light (FPL), the Applicant, proposes to excavate fill from lands designated Agriculture, through the form of a water management project. The extracted fill would then be used to build-up the foundation of the proposed Turkey Point nuclear reactors 6 and 7, approximately 20 feet above mean sea level. The proposal also seeks to implement a water management project after excavation and clean-up of the area. The project would serve as a reservoir from which water would be pumped to assist in the restoration of the Biscayne Bay coastal wetlands. The implementation is listed in the accompanying data and analysis as being supportive of the Alternative O of the Biscayne Bay Coastal Wetland Project. However, no data was provided from U.S. Army Corps of Engineers, South Florida Water Management District, or any organization involved in the implementation of the CERP indicating support for or recognition of the water management project that would result from this proposed amendment.

According to FPL's data and analysis, the proposed excavation area and subsequent water management project would encompass 300 acres; however, the proposed amendment language would authorize the use of approximately 880 acres for excavation and water management projects. While the proposed change includes a prohibition against the sale of excavated fill from a water management project, the water management project would not exist until completion of excavation and clean-up. There may be other means by which excavated fill may be conveyed to a third-party, other than a "sale". Theses factors may increase demand for conversion of Agriculture lands for excavation via a water management project in the initially proposed 880 acres as well as additional areas.

On May 28, 2009, the Miami-Dade County Commission voted (8-2) to transmit Application 1 with County staff recommended changes to the Department of Community Affairs; however, a recommendation was not provided from the Commission.

Objection

The proposed amendment is not adequately supported by data and analysis demonstrating the possible impacts the water management project and precedent excavation may have on significant state and regional resources nor is the amendment consistent with the *Strategic Regional Policy Plan for South Florida*.

The potential state and regional issues requiring additional data and analysis include loss of agricultural lands; whether any Natural Resources of Regional Significance, such as the Everglades Ecosystem, Biscayne Bay, and Biscayne National Park would be adversely impacted; how the proposed amendment would affect groundwater quality and the water supply; and whether the amendment would cause or exacerbate salt water intrusion in the Region.

Because data and analysis that would allow staff to assess the potential impacts of the amendment was not provided, staff analysis confirms **Application 1 of Miami-Dade County amendment package #09-2**

is generally inconsistent with Goals 7, 12, 14, 15, and 16, and Policies 7.7, 7.9, 12.1, 14.1,14.2, 14.3, 14.4, 14.5, 15.1, and 16.2 of the *Strategic Regional Policy Plan for South Florida*:

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 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.

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 14.2 Improve the quality and connectedness of Natural Resources of Regional Significance by eliminating inappropriate uses of land, improving land use designations, and utilizing land acquisition where necessary.

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, and other natural resource areas.

Policy 14.5 Use incentives to direct land uses that are not consistent with the protection and maintenance of natural resource values away from Natural Resources of Regional Significance and adjacent buffer areas. Such incentives should include but not necessarily be limited to the following:
a. conservation easements;
b. mitigation banks;
c. tax breaks;
d. regional transferable development rights; and
e. transferable densities.

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.

Goal 16: Enhance and preserve natural system values of South Florida's shorelines, estuaries, benthic communities, fisheries, and associated habitats, including but not limited to, Florida Bay, Biscayne Bay, tropical hardwood hammocks, and the coral reef tract.

Policy 16.2 Protect the Biscayne Bay Aquatic Preserve (BBAP) through such measures as:

a. discontinuing all untreated stormwater discharges to the Bay;
b. requiring stormwater treatment systems to meet the required non-degradation water quality standards for this Class III, Outstanding Florida Water body;
c. discouraging development that proposes to fill within the Bay or discharge contaminants to its waters; and
d. connecting developments that are served by septic tanks within the watershed of the BBAP to central sanitary waste treatment facilities to treat pathogens and remove nutrients from the wastewater effluent.

Recommendation

The Applicant must provide more detailed data and analysis on the possible impacts a water management project may have on the amendment area, and coordinate with the County and relevant environmental agencies to provide a better understanding of any future proposed water management projects. Additional information regarding fill site dimensions; alternate fill sources; potential salt water intrusion impacts and mitigation; operation and maintenance of the water management project; project timeline; letters of support or authorization from applicable environmental agencies; and mitigation strategies are needed.

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

Staff analysis confirms the proposed text amendment (Application 1) is generally **inconsistent** with the Goals and Policies of the *Strategic Regional Policy Plan for South Florida.*

Application 2

This Application contains minor text amendments to the Land Use Element and Aviation Sub-element of the Transportation Element. The proposed amendments would:

1. Eliminate references of "landside" and "airside" areas of County airports to distinguish aviation, aviation-related, and non-aviation uses.
2. Revise text in the Land Use Element for greater internal consistency.
3. Replace the Airport Land Use Master Plan maps in the Aviation Sub-element of the Transportation Element.
4. Redesignate certain airport-owned properties at Opa-Locka Executive and Miami International Airports to Terminals on the Adopted 2015-2025 Land Use Plan map.

On May 28, 2009, the Miami-Dade County Commission unanimously approved (10-0) the transmittal of Application 2 with County staff recommended changes to the Department of Community Affairs.

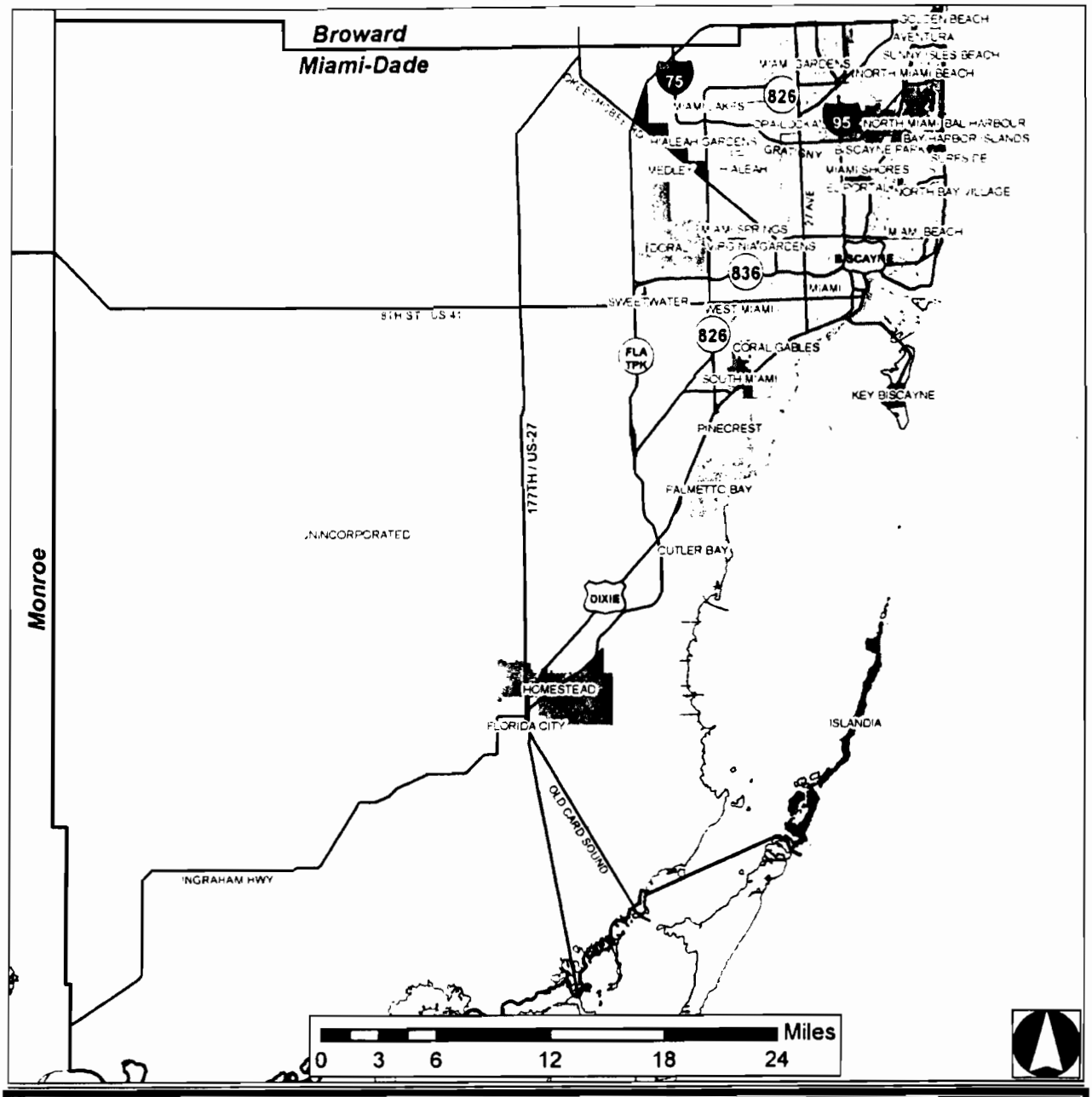
Staff analysis confirms the proposed text amendment (Application 2) is generally consistent with the Goals and Policies of the *Strategic Regional Policy Plan for South Florida.*

Recommendation

Find Miami-Dade County Application 1 of proposed amendment package #09-2 generally inconsistent with the *Strategic Regional Policy Plan for South Florida (SRPP)*, particularly with Goals 7, 12, 14, 15, and 16, and Policies 7.7, 7.9, 12.1, 14.1,14.2, 14.3, 14.4, 14.5, 15.1, and 16.2; and

Find Miami-Dade County Application 2 of proposed amendment package #09-2 generally consistent with the *SRPP*. Approve this staff report for transmittal to the Florida Department of Community Affairs.

Attachment 1



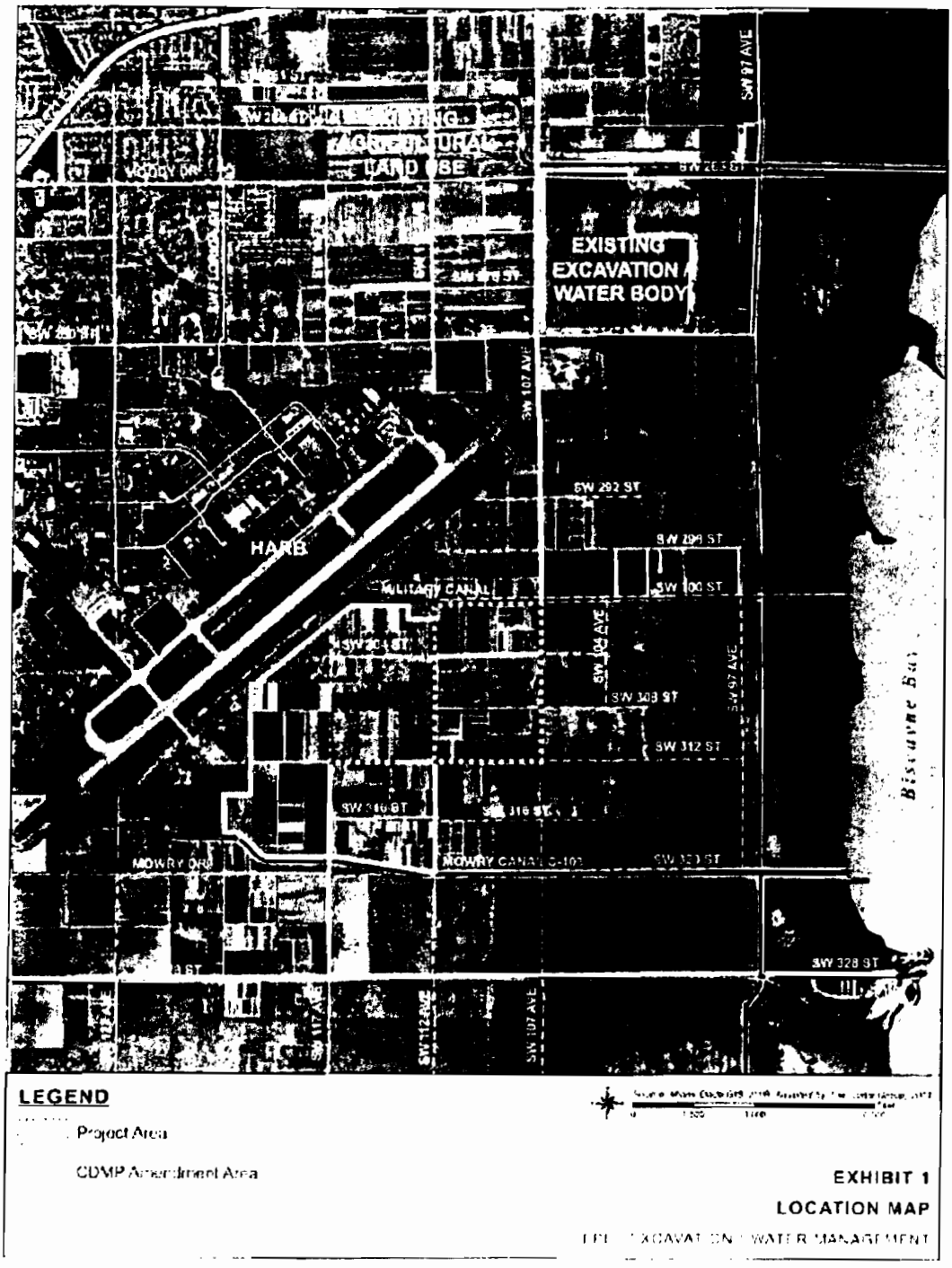
COMPREHENSIVE PLAN AMENDMENTS

General Location Map

Miami-Dade County
Proposed Amendment Package #09-2

Source: SFRPC, SFRMPO, Miami-Dade County, SFRPC
Note: For planning purposes only. All distances are approximate.

Attachment 2



COMPREHENSIVE PLAN AMENDMENTS

Amendment Area and Water Management Project Site Locations

Miami-Dade County
Proposed Amendment Package #09-2

11 BD

"Scott, W Ray"
<scottra@doacs.state.fl.us>
08/17/2009 09:03 AM

To "Ray Eubanks" <ray.eubanks@dca.state.fl.us>
cc
bcc
Subject FDACS LGCP Amendment Review

Mr. Eubanks:

FDACS has reviewed the following LGCP amendments and has no objections, recommendations, or comments:

Miami-Dade County 09-2
Citrus County 09-2
Monroe County 09-2
Palm Beach County 09-2
Franklin County 09-2

Please call if you have any questions or comments:

W. Ray Scott
Conservation & Water Policy Federal Programs Coordinator
Office of Agricultural Water Policy
Florida Department of Agriculture and Consumer Services
The Capitol (PL-10)
Tallahassee, FL 32399-0810
(office) 850-410-6714
(mobile) 850-544-9871
(fax) 850-922-4936

Florida Department of Transportation

CHARLIE CRIST
GOVERNOR

1000 NW 111 Avenue
Miami, Florida 33172-5800

STEPHANIE C KOPELOUSOS
SECRETARY

August 11, 2009

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

Subject: Miami-Dade County October 2008 Applications to Amend the Comprehensive Development Master Plan (DCA #09-2)

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 October 2008 Applications to Amend the Comprehensive Development Master Plan (CDMP), which was forwarded to our office on July 14, 2009. There are no impacts anticipated to the State Highway System facilities resulting from these text amendments. 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,

Alice N. Bravo, P.E.
for District Director of Transportation Development

Cc: Aileen Boucle, AICP

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

August 12, 2009

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 (09-2) 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 two proposed text amendments to consider the potential effects of these actions on historic resources. The first amendment, which updates the Land Use Element, would allow excavation for water management projects in a specified area currently designated as Agriculture on the adopted Land Use Plan map. The second text amendment would revise wording in the Aviation Sub-element of the Transportation Element.

We have concerns about the first amendment which would allow excavation. **If safeguards are in place that would require cultural resource assessment surveys prior to the initiation of these projects, and requirements that significant resources would be protected and preserved, then it is our opinion that the proposed amendment would 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 in Miami-Dade County.

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

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

xc: Mr. Bob Dennis

Florida Department of
Environmental Protection
Marjory Stoneman Douglas Building
3900 Commonwealth Boulevard
Tallahassee, Florida 32399-3000

August 18, 2009

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 09-2; Proposed Plan Amendment Review

Dear Mr. Eubanks:

The Office of Intergovernmental Programs of the Florida Department of Environmental Protection (Department) has reviewed the above-captioned proposed comprehensive plan amendment package under the provisions of Chapter 163, Part II, *Florida Statutes*, and Chapters 9J-5 and 9J-11, *Florida Administrative Code (F.A.C.)*. Our comments address the potential impacts of proposed text changes on resources or facilities within the scope of the Department's regulatory and proprietary authorities. The Department provides the following comments and recommendations to assist your agency in developing the state's response to the proposed amendments.

INTRODUCTION

The transmittal package included two text amendments to Miami-Dade County's (County) Comprehensive Development Master Plan (CDMP). The Department has determined that Application 1 fails to comply with several requirements of Rule 9J-5, *F.A.C.*, and is therefore objectionable.

Application 1 contains a proposed text amendment that would modify the *Agricultural* land use category to allow new quarrying activities on an 881-acre section of southeast Miami-Dade County known as East Glades. The amendment area is bounded on the west by Homestead Air Reserve Base (HARB) and SW 122nd Avenue, on the north by Military Canal, and on the south by the C-103 Canal and SW 312th Street; no eastern boundary is provided. The applicant, Florida Power and Light Company (FP&L), owns approximately 291 of the 881 acres subject to the amendment; the remaining landowners are not identified.

Under the current *Agriculture* land use designation, existing quarrying and ancillary uses may be considered for expansion. The proposed text amendment would allow new aggregate (limerock) mining in certain East Glades *Agriculture* lands, if a "water management project"[1] is the end result and if the project meets five conditions enumerated in the amendment.

USE OF WATER MANAGEMENT PROJECTS FOR CERP RESTORATION

The amendment application indicated that once aggregate mining had been completed, the excavated pits could provide a source of freshwater to re-hydrate and lower the salinity of coastal wetlands, consistent with the Comprehensive Everglades Restoration Plan (CERP) project proposed for the Biscayne Bay Coastal Wetlands. The application provided no information on design specifications, eventual ownership, or financial responsibility for the operation and maintenance of the water management project resulting from excavation of the pits.

Although several wetland restoration projects have been proposed for the area, none involve the design or use of a large reservoir such as that resulting from the proposed aggregate mining activities. Before any CERP project could utilize the proposed water source, it would have to be remodeled and redesigned, leading to costly overruns on project timelines and financial resources. Therefore, the applicant's justification of the proposed amendment based on usefulness of the excavation pit-impounded water for CERP restoration projects is unfounded.

WATER QUALITY – SALTWATER INTRUSION, WETLANDS & FLOODPLAINS

The Department is concerned that open excavation pits and subsequent pumping from the pits would have a negative effect on surrounding groundwater by increasing the rate of saltwater intrusion. Pumping of water from the excavated pits during times of low rainfall would reduce the hydraulic pressure that confines saline groundwater, thereby increasing the advancement of saltwater intrusion that could contaminate potable and agricultural wells. The surficial aquifer provides nearly all of Miami-Dade County's drinking water, and County staff noted that westward migration of salt-intruded groundwater could jeopardize water quality in south Miami-Dade wellfields. The applicant provided no data and analysis regarding the groundwater table, depth of the surficial aquifer, or seasonal variability of the saltwater and freshwater layers in the subject area. The information packet did state that the saltwater layer occurs at varying depths on about 30% of the area encompassed by the proposed amendment, but no data or analysis was provided on the depth of the saline groundwater layer in the remaining lands.

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[1] The amendment states: "For the purposes of this section, a "water management project" means a project and associated easements or dedications that provide for the in-ground and above-ground storage of stormwater and transfer of the water to an adjacent benefit area."

The County proposed modifying the amendment to state that the excavation pits must be designed and constructed to "incorporate best available technologies" to isolate the impounded water from the surrounding groundwater, but provided no further detail about available technologies. County staff suggested that design criteria could include the use of impermeable liners, but also mentioned the risk of saltwater intrusion associated with storm events or sea level rise. Thus, even if the pits were lined to address contamination through the movement of groundwater, the liner would not prevent a contamination caused by the movement of surface waters during a hurricane. Should saltwater intrusion be detected, how would the County combat advancement of the saline groundwater and who (the County or the landowner) would be responsible for the remediation?

Information provided in the amendment package indicated that the area is low-lying, prone to flooding, and susceptible to storm surge inundation from a Category Three hurricane or higher. The application confirmed a well-documented history of flood water inundation, and GIS data indicates very little grade separation between the amendment area and adjacent wetlands. The proposed excavation area lies within two miles of the Atlantic Ocean, with only slight elevation rise between the property and the ocean. The infiltration of seawater or contaminated surface waters into excavation pits could contaminate the surficial aquifer. Based on the potential for damage to sensitive environmental resources, the proposed amendment site is not a suitable location for excavation pits.

AMENDMENT AREA AND IMPACTS

The transmittal package indicated that the proposed amendment area is approximately 881 acres. While information was provided about the applicant's plan to excavate 298 acres, no information was provided regarding the intentions of the other landowners. Because the amendment language does not reflect an eastern boundary for the subject area and FP&L owns several hundred more acres adjacent to the initial 298-acre site, the amendment would allow additional aggregate mining operations in areas even more susceptible to saltwater intrusion, flooding and storm surge.

Although the amendment states that aggregate mined from water management projects cannot be "sold," it also states that the aggregate can be used "by the County for public infrastructure projects[.]" The amendment does not prohibit the exchange of the mined aggregate for other consideration, and "public infrastructure projects" would include fill and cement production for *any* federal, state or local government-owned road, bridge or building. Teamed with the open-ended eastern boundary, this language would allow a very significant amount of limerock excavation in this vulnerable area.

While the proposed amendment states that landowners must receive prior zoning approval before a new area can be excavated, no information was provided regarding the overall estimate of impacts that could result from the proposed amendment. The County did not indicate the total number of acres that could be excavated within the 881-acre area, the maximum volume of aggregate that could be removed, the maximum depth to which excavation would be allowed, or the percentage of a parcel that could be converted to an excavation pit.

CONCLUSION

The proposed text amendment in Application 1 could result in adverse impacts to the surficial aquifer (the primary source of potable water for Miami-Dade County) and the Biscayne Bay Coastal Wetlands. The proposed amendment is therefore inconsistent with Rule 9J-5.06(3)(b)(4)., *F.A.C.*, which requires the comprehensive plan to "[e]nsure the protection of natural resources and historic resources." The proposed amendment also fails to comply with the requirements of Rule 9J-5.012(3)(c)1., *F.A.C.*, regarding the impacts of development on wetlands, water quality, water quantity, wildlife habitat, living marine resources and beach and dune systems; Rule 9J-5.013(2)(c)1., *F.A.C.* (plan policies must address implementation activities for the "[p]rotection of water quality by restriction of activities and land uses known to affect adversely the quality and quantity of identified water sources, including natural groundwater recharge areas"); and Rule 9J-5.013(2)(c)6., *F.A.C.*, regarding the protection and conservation of existing soil functions.

Thank you for the opportunity to comment on the proposed comprehensive plan amendments. If the Department can be of further assistance, please do not hesitate to contact Mr. Chris Stahl at (850) 245-2169 or chris.stahl@dep.state.fl.us.

Yours sincerely,

Sally B. Mann

Sally B. Mann, Director
Office of Intergovernmental Programs

SBM/cjs

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

August 13, 2009

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

Dear Mr. Eubanks:

Subject: Miami-Dade County, DCA #09-2
SFWMD Comments on Proposed Comprehensive Plan Amendment Package

The South Florida Water Management District (District) has completed its review of the proposed amendments from Miami-Dade County (County). The District's comments focus on Amendment No. 1 in the proposed comprehensive plan amendment package. Under Application No. 1, Florida Power and Light Company (FPL) is proposing to modify existing text in the Future Land Use Element to allow "water management projects" in specific areas designated "Agriculture" on the Future Land Use Plan map. FPL has submitted this request in connection with its application under the Power Plant Siting Act for certification of the proposed FPL Turkey Point Units 6 & 7 nuclear expansion project.

The District recommends that the Department of Community Affairs object to the Amendment No. 1 as currently written. We offer the following comments, which we request be incorporated into your response to the County:

Comprehensive Everglades Restoration Plan (CERP)

- The Recommended Plan in the Project Implementation Report for the CERP Biscayne Bay Coastal Wetlands Project does not include a "water management project" (reservoir) in the location of the designated property. Any change to the Recommended Plan would cause extensive delays in the federal approval process. Therefore, the text should be modified to remove references linking the project to CERP and to ensure that the amendment does not conclude or imply that adding a water storage feature will enhance a CERP project.

- The information provided in the application is insufficient to support a determination as to whether the proposed water storage feature is compatible or consistent with the CERP project. The applicant will need to provide data, analyses and assurances demonstrating the proposed water management

project will not adversely affect the current Biscayne Bay Coastal Wetlands project.

- The amendment should be modified to delete the specific reference regarding consultation with the South Florida Water Management District and the U.S. Army Corps of Engineers. Several other agencies also have regulatory and consultation roles with water resource projects. The amendment should be revised to reference consultation with all appropriate local, state, and federal agencies.

Ecosystem Enhancement

- As described in the draft amendment, any "water management project" must enhance or support an environmental project. To determine if any proposed "water management project" meets that test, additional information, including data and analyses, will be needed before it could move forward. The applicant would need to:

    - Demonstrate that the project is necessary and beneficial;
    - Provide assurances that it is economically viable to operate and maintain over the life of the project;
    - Identify a long-term owner and operator of the proposed water management project;
    - Demonstrate that it is protective of and does not cause harm to the surrounding water resources; and
    - Provide quantifiable environmental enhancements.

Off-site Impacts

- Any proposed water management project would require appropriate analyses to demonstrate that it can be isolated from salt-intruded groundwater based upon sound engineering design.

    - The potential saltwater impacts to public water supply wellfields, other existing legal users, natural resources and other permitted operations need to be determined and minimized.
    - In the absence of extensive supporting documentation and successful pilot demonstration of the proposed technology, the District cannot determine if a "water management project" is beneficial, or, conversely, whether it would cause harm to the adjacent water resources in the area.

- The cumulative impacts to the surrounding wetlands from road construction for moving materials from the site should be considered.

- Expansion of this type of activity could have additional off-site impacts. This could set a precedent for future approval of other similar projects in the vicinity that may be incompatible with CERP projects and water resources of the region.

Flood Control/Stormwater

- The water management system will need to be designed to hold the stormwater generated on the site to prevent water quality impacts to the adjacent wetlands.

We recommend FPL meet with the appropriate local, state, and federal agencies to ensure that all of the necessary analyses are identified and conducted.

The District is available for continued discussion of these issues with the Department of Community Affairs, FPL, and the County to ensure protection of the regional water resources and compatibility of local land uses with Everglades restoration projects. For assistance or additional information, please contact Kim Shugar, Intergovernmental Programs Director, at (561) 682-6016 or kshugar@sfwmd.gov.

Sincerely,

Carol Ann Wehle

Carol Ann Wehle
Executive Director
South Florida Water Management District

CAW/le

c: Bob Dennis, DCA
Rachel Kalin, SFRPC
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Jim Quinn, DEP
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