

# Application No. 5

## Land Use Element Text Amendment

### APPLICATION SUMMARY

Applicant/Representative: Fir Investments, Corp/Felix Rodriguez

Location: Open Land Subarea 1

Requested Text Changes: Add language to the Open Land and Open Land Subarea 1 text that would allow commercial equipment and vehicle storage, and landfill and resource recovery facilities within Open Land Subarea 1. The text to be amended is on pages I-61 and I-63 of the Land Use Element in the "Adopted Components of the Comprehensive Development Master Plan for Miami-Dade County, Florida, October 2006 Edition."

Amendment Type: Standard Text Amendment

### RECOMMENDATIONS

Staff: **DENY AND DO NOT TRANSMIT**  
(August 25, 2009)

Planning Advisory Board (PAB) acting as Local Planning Agency: **ADOPT WITH CHANGES AND TRANSMIT** *(to revise previous changes to include additions/deletions of certain text in the "Open Land" CDMP land use category on Pages I-61 and I-63 to delete references to landfills and resource recovery facilities; and to provide additional language that storage of commercial vehicles on properties greater than 20 acres may be allowed in the "Open Land Subarea 1 (Snake-Biscayne Canal Basin)" including restricting the use of said properties to prohibit maintenance/repair of commercial vehicles)* (October 5, 2009)

Board of County Commissioners: **ADOPT WITH CHANGES AND TRANSMIT** *in accordance with the letter submitted by the applicant on November 3, 2009* (November 4, 2009)

Final Recommendation of PAB acting as Local Planning Agency: **TO BE DETERMINED**

Final Action of Board of County Commissioners: **TO BE DETERMINED**

### STAFF RECOMMENDATION

Staff recommends: **DENY AND DO NOT TRANSMIT** the proposed amendment based on the Staff conclusions summarized below:

## Principal Reasons for Recommendations

1. There is no need for an amendment to the Miami-Dade County Comprehensive Development Master Plan (CDMP) to allow for commercial equipment and vehicle storage facilities outside the Urban Development Boundary (UDB). Lands within the UDB that are designated “Industrial and Office” and “Business and Office” on the Adopted 2015 and 2025 Land Use Plan (LUP) map can be utilized for the storage of commercial equipment and vehicle storage. Current estimates from Miami-Dade County Department of Planning and Zoning (DP&Z) land use file records indicate there are approximately 4,530 acres of vacant ‘Industrial and Office’ designated land throughout the County. Commercial vehicle storage facilities can be developed within the County’s existing urban area without an amendment to the CDMP. As discussed in the allowable uses section of this report, the storage of commercial vehicles is allowed in the IU-1, IU-2, IU-3, and BU-3 zoning districts.

In addition, the Applicant has not substantiated claims made in the application including the following statement, “Nonetheless, demand for these uses continues to increase and is a necessary component *[sic]* to support land use activities within non-urban areas throughout the County.” Allowed land uses, where compatible, in Open Land Subarea 1 include seasonal agriculture, rockmining, permitted rural residential uses, and water conservation projects. The Rockmining Overlay Zoning Area (ROZA) regulations already allow uses necessary to support bona fide rockmining activities. Seasonal agriculture, residential use, and water conservation activities do not require industrial uses such as those proposed by the Applicant. The Applicant’s proposed uses are incompatible with uses appropriate for Open Land Subarea 1.

2. Considering the Applicant’s proposal to allow landfills, resource recovery facilities, commercial equipment, and vehicle storage in Open Land Subarea 1, the Applicant has not demonstrated that there is a threat to public health, safety, or welfare that would be eliminated through approval of this application pursuant to Solid Waste Subelement Policy SW-1A. Policy SW-1A requires that the provision of solid waste facilities outside the UDB as depicted on the CDMP Land Use Plan (LUP) map, including Open Land Subarea 1, shall be avoided except where necessary to eliminate a threat to public health, safety, or welfare. Solid waste facilities include landfills and resource recovery facilities. (See Landfills and Resource Recovery Facilities section of report.)
3. The preservation of Open Land areas outside the UDB is necessary to achieve long term County, State and federal goals. The UDB on the LUP map indicates where urban uses should not occur and where expenditures on infrastructure, such as the extension of water and sewer lines, are discouraged. This application proposes urban type uses outside the UDB in areas where urban infrastructure does not exist to support such uses, and should not be extended. The CDMP also states that Open Land subareas have been set aside for purposes that do not include urban uses. Many of these wetland areas are slated for water and ecosystem restoration projects designed to maintain the quality and quantity of groundwater. Approval of this application would be inconsistent with all of these fundamental planning objectives outlined in the CDMP and supported by various state and federal policies.

4. Approval of this application would be inconsistent with and contradictory to multiple goals, objectives, and policies in the CDMP related to the protection of groundwater quality. Industrial uses such as those proposed by the Applicant are known to cause groundwater contamination in many instances. Miami-Dade County Department of Environmental Resources Management (DERM) staff included the following statement in their review of this application, "The uses proposed within this application have the potential to significantly degrade both surface and groundwater quality..."

The wellfield protection area for the County's largest public wellfield, the Northwest Wellfield, lies adjacent to Open Land Subarea 1. Allowing land uses that may threaten groundwater directly adjacent to the Northwest Wellfield Protection Area, as proposed by the Applicant, increases the likelihood of the contamination of the County's sole source of drinking water, the Biscayne Aquifer. Initial published studies (discussed in more detail in the staff analysis) have also shown that excavation resulting in lakes, such as those in the subarea, accelerate the flow of groundwater to the wellfield thereby increasing the risk of groundwater contamination within the wellfield.

5. Approval of the application could jeopardize some of the water resource initiatives outlined in the Comprehensive Everglades Restoration Plan (CERP). Land uses that could contaminate the soil and groundwater, such as landfills, would contradict CERP plans involving water storage for ecosystem rehydration. Mitigation for these uses presents additional costs for achieving regional wetland and water management goals shared by County, State, and federal agencies. Approval of this application would be inconsistent with several CDMP policies that require CERP goals to be considered and upheld through ongoing development activity within the County. To change the allowed land uses in Subarea 1, a comprehensive planning process is appropriate that would consider the far-reaching potential impacts to water resources that any new uses may present. Input from state and regional agencies should also be considered prior to approval of any new land uses in this area.
6. The CDMP includes several objectives and policies (CON-4A, CON-7, CON-7C) that support the preservation of wetlands. Federal, state, and local agencies are in agreement that wetlands provide critical habitat for animal and plant species and provide necessary hydrologic functions. The approval of this application would be inconsistent with related conservation policies in the CDMP and sections of Chapter 24, Miami-Dade County Code (24-48 Natural and Biological Environmental Resources Permitting and Protection).
7. The application as proposed would create an internal inconsistency within the text of Open Land Subarea 1. The Applicant's proposed text change, if approved, would allow commercial equipment and vehicle storage, landfills and resource recovery facilities, while at the same time, the last sentence of the text prohibits such uses. The last sentence of Open Land Subarea 1 reads, "Uses that could compromise groundwater quality shall not occur west of the Turnpike Extension." Open Land Subarea 1 is located west of the Turnpike Extension and commercial equipment and vehicle storage, landfills and resource recovery facilities are uses that could compromise ground water quality, as established by DERM.

8. The Metropolitan Planning Organization (MPO) for the Miami Urbanized Area will conduct a "Comprehensive Parking Study for Freight Transport in Miami-Dade County" as part of the MPO's Fiscal Years (FY) 2009 and 2010 Unified Planning Work Program (UPWP). The UPWP describes transportation planning activities to be accomplished in and for Miami-Dade County. The study's objective is to identify suitable locations and to assess the demand for short-term (overnight) and long-term parking of freight transport within Miami-Dade County. The study is anticipated to commence by October 2009 with DP&Z input. The CDMP Traffic Circulation Subelement Policy TC-7B requires the County to coordinate local transportation planning of the MPO with the CDMP. This application proposes to amend the CDMP Open Land Subarea 1 text to allow commercial equipment and vehicle storage facilities in an environmentally sensitive area of the County without coordination with CERP goals, DERM, or the MPO. It is therefore, premature to consider this proposed text amendment prior to release of the MPO's study and without the data and analysis necessary to demonstrate the need for the application.

## REQUESTED TEXT AMENDMENT

The following are the modifications to the CDMP Land Use Element 'Open Land' and 'Open Land Subarea 1' text proposed by the applicant.

### Open Land

The land designated as "Open Land" is not needed for urban uses between now and the year 2015 and has been set aside for uses other than urban development. It is not simply surplus undeveloped land, but rather it is land that is intended to serve or support one or more of the following functions: production and distribution of such as agriculture, limestone extraction or other resource-based activity such as development of potable water supplies; rural residential development at a maximum density indicated for the specific Open Land subarea, but no greater than one unit per five acres; recreation; land fills and resource recovery facilities; commercial equipment and vehicle storage; compatible utility and public facilities as indicated for the specific Open Land Subarea, and conservation, maintenance or enhancement of environmental character. Lower residential densities may be required in some areas for purposes of avoiding flood conditions or to avoid degradation of environmental systems or features. Because of the water supply-related or other environmental functions of those areas, they may also be considered for acquisition by federal, State, regional, County or private institutions that would manage these areas to optimize environmental functions, and for location of project features such as reservoirs, stormwater treatment areas, canals, and flow-ways constructed pursuant to the Comprehensive Everglades Restoration Plan.

### Open Land Subarea 1 (Snake-Biscayne Canal Basin)

This subarea is located north of the Miami Canal (Canal-6) in northwestern Miami-Dade County. Rural residential use at 1 dwelling unit per 5 acres, limestone quarrying and ancillary uses, compatible institutional uses, public facilities, utility facilities, and communications facilities, recreational uses and seasonal agriculture<sup>1</sup>, storage of commercial vehicles on properties greater than 20 acres subject to environmental monitoring to maintain groundwater quality, and landfills and/or resource recovery

facilities may be considered for approval in this subarea. Uses that could compromise groundwater quality shall not occur west of the Turnpike Extension.

## **STAFF ANALYSIS**

It is important to note that the Applicant has not proposed to add new industrial type uses to the text of any CDMP Open Land Subarea except Subarea 1. Text in the Open Land section of the CDMP clearly states on page I-61, "This paragraph does not, however, authorize the expansion of any use inconsistent with the specific provisions for the applicable Open Land subarea. To the contrary, it is the intent of this plan to contain and prevent the expansion of such inconsistent development in Open Land areas." This language clarifies the intent of the CDMP which is to limit land uses which may be approved for any particular Subarea to those land uses specifically listed in the text of that Subarea's section of the CDMP. Given the unique characteristics of each open land subarea, the uses proposed or approved for one subarea shall not be considered a precedent for the appropriateness of similar uses in other subareas of the County. As such, this staff analysis is focused only on the suitability of these industrial type land uses for Open Land Subarea 1.

The Applicant's proposed changes to the Open Land and Open Land Subarea 1 text to allow commercial equipment and vehicle storage and landfills and/or resource recovery facilities within the subarea, if approved, would create an internal inconsistency within the CDMP. The Open Land Subarea 1 text prohibits uses that could compromise groundwater quality, as indicated in the "Requested Text Amendment" section above.

According to DERM, the commercial vehicle storage and landfills and/or resource recovery facilities the Applicant proposes within Open Land Subarea 1 could in fact compromise groundwater quality as discussed in the "Environmental Conditions" section of this report, and are in conflict with CDMP Solid Waste Subelement Policy SW-1A. Additionally, Open Land Subarea 1 contains wetlands and is the site of planned CERP and related water management projects, also as discussed in the "Environmental Conditions" section of this report.

### **Location of Area Affected by Text Amendment**

#### Open Land Subarea 1

Open Land Subarea 1 is located in northwest Miami-Dade County and borders Broward County to the north, the Florida Turnpike to the east/southeast, and Okeechobee Road (U.S. 27) to the south/southwest. Subarea 1 also borders theoretical NW 147<sup>th</sup> Avenue to the west. Open Land Subarea 1 encompasses approximately 5,860 acres and is identified on the map entitled "Open Land Subarea 1: DERM Wetland Enforcement". (See Appendix A: Map Series.)

#### Areas Adjacent to Open Land Subarea 1

Open Land Subarea 1 borders Miami-Dade County's Water Conservation Area, and significant State-owned lands in Broward County and Miami-Dade considered part of the East Coast Buffer and the Francis S. Taylor Wildlife Management Area (part of the Everglades ecosystem). The East Coast Buffer, as the name implies, are lands acquired

to protect sensitive habitats and wetlands critical for aquifer recharge, from urban land uses to the east. These lands are planned to be utilized for future Comprehensive Everglades Restoration Plan (CERP) project features.

Open Land Subarea 1 lies directly to the north of the Miami River Canal and the Northwest Wellfield Protection Area; the Northwest Wellfield is the largest public wellfield in Miami-Dade County supplying County residents with over 66 million gallons of drinking water per day. Water stages in the Miami River Canal are managed to help reduce flooding during the wet season and maintain groundwater levels in the dry season.

To the east of Open Land Subarea 1, beyond the Florida Turnpike, are portions of unincorporated Miami-Dade County and the cities of Hialeah, Hialeah Gardens, and Medley. Large parcels directly east of Subarea 1 between the Florida Turnpike and Interstate 75 are undeveloped and designated Industrial and Office on the CDMP Land Use Plan (LUP) Map. It should be noted that this area was recently brought within the UDB for industrial purposes and has good access to I-75.

### **Land Use and Zoning in Area Affected by Text Amendment**

#### Allowable Land Uses within Open Land Subarea 1

The CDMP Land Use Element text entitled, “Open Land” generally applies to properties within all Open Land Subareas. The text on page I-61, states that Open Land areas have been set aside for uses other than urban development. These lands are reserved for uses including agriculture, limestone extraction, development of potable water supplies, rural residential development as indicated for the specific Open Land Subarea, and, “conservation, maintenance or enhancement of environmental character.” Areas designated “Open Land” in the CDMP and on the LUP map are low lying and frequently flooded which helps to recharge the aquifer and maintains the aquifer’s character and function. Therefore, approval of all uses in these areas is on a case-by-case basis with no use definitively allowed other than rural residential at specified densities.

The CDMP text goes on to explain that Open Land areas are primarily wetlands and, “Because of the water supply-related or other environmental functions of those areas, they may also be considered for acquisition by federal, State, regional, County or private institutions that would manage these areas to optimize environmental functions, and for location of project features such as reservoirs, stormwater treatment areas, canals, and flow-ways constructed pursuant to the Comprehensive Everglades Restoration Plan.” As noted in other sections of this analysis, the South Florida Water Management District has in fact already acquired acreage in Open Land Subarea 1 and has future plans to acquire approximately 4,700 additional acres within this subarea to support CERP and related environmental restoration projects.

The CDMP text in “Open Land Subarea 1 (Snake-Biscayne Canal Basin)” describes the land uses that may be considered for approval in Open Land Subarea 1 specifically (page I-63). These uses include rural residential use at a maximum of 1 dwelling unit per 5 acres, limestone quarrying and ancillary uses, compatible institutional uses, public facilities, utility facilities, communication facilities, recreational uses and seasonal agriculture.

In Open Land Subarea 1, existing zoning districts are primarily AU (Agricultural) and GU (Interim). The Agricultural zoning district allows a broad variety of agricultural uses including nursery, crop, and livestock uses and structures and facilities to support those uses such as sheds, barns, and small packing houses. In Open Land Subarea 1, agricultural uses that may be allowed are limited by the CDMP to seasonal agricultural uses including temporary or non-in-ground agricultural uses. Uses allowed in Interim zoning districts outside of the UDB, in areas including Open Land Subarea 1, are generally “trended” according to Section 33-196(B)(2) of the Miami-Dade County Code (the Code). The Director of the Miami-Dade County Department of Planning and Zoning (DP&Z) determines allowable uses for the Interim zoning district outside of the UDB through assessing uses allowed on adjoining properties in addition to considering other factors, such as environmental impacts.

Within Open Land Subarea 1, two properties are zoned IU-3, and three properties are zoned BU-3, BU2, and BU-1. These five properties together account for ±29 acres of the approximately 5,860 acres within Subarea 1, and approximately 20 of the ±29 acres are vacant. These parcels are further discussed below.

- A vacant ±19-acre parcel generally located at the southeast corner of NW 154 Street and NW 117 Avenue was rezoned from AU to IU-3 in 1992 and subsequently changed ownership in March 1998. Associated Declaration of Restrictions limits the uses of the ±19-acres to rock mining and related activities. This property is also identified for possible acquisition by the South Florida Water Management District for the North Lakebelt Storage Area, a component of the Comprehensive Everglades Restoration Project.
- A 5-acre parcel generally located at the northeast corner of NW 122 Avenue and NW 163 Street was rezoned from AU to IU-3 in 1984 permitting a hog slaughter house. The associated Declaration of Restrictions states that the sole purpose of zoning change is to permit a hog slaughter house and no other industrial use on the property.
- A vacant ±1-acre parcel generally located at the southeast corner of NW 144 Avenue and NW 180 Street was rezoned from AU to BU-2 in 1966 and subsequently acquired by the SFWMD in September 1993.
- A ±1.4-acre parcel at the northwest corner of NW 137 Avenue and Okeechobee Road was rezoned from AU to BU-1 in 1996 permitting outdoor dining associated with a restaurant that was permitted in 1984 through Resolution 4ZAB-308-84. Prior to the 1984 approval the site was permitted for a ‘sandwich and beer to go’ operation in December 1958.
- A ±2-acre property located east of Krome Avenue/NW 177 Avenue and generally between theoretical NW 185 and NW 186 Streets was rezoned from AU to BU-3 in November 1961, permitting the operation of a fishing camp.

Some properties in Open Land Subarea 1 are located within the Rockmining Overlay Zoning Area (ROZA) (Article XLI, of the Code). Section 33-421 of the Code indicates that rockmining uses are permitted in all zoning districts within this overlay area without a public hearing, if approval of pertinent criteria is granted by the DP&Z. Permitted rockmining uses include lake excavations, quarrying, and crushing of raw materials. Uses ancillary to rockmining are also allowed provided that the ancillary uses occur with rockmining uses on property under common ownership. These ancillary uses include, “...operation of storage facilities for all equipment used in rockmining on premises

attendant to the uses set forth herein” and “the outdoor storage of vehicles and lake excavation equipment required for the rockmining uses permitted by this Article” subject to certain conditions including vehicle maintenance performed according to best management practices as approved by Miami-Dade County Department of Environmental Resources Management (DERM).

As discussed above, allowed land uses for property in Miami-Dade County are determined by several factors, including current zoning districts and overlays in the Code, and applicable text and the LUP map of the CDMP. Section 33-265 “Control of uses” of the Code limits the location of land uses that will cause “objectionable influences” such as odors or toxic gases. Furthermore, garbage and waste dumps (including landfills) and resource recovery facilities may be permitted in Miami-Dade County only through the Unusual Use approval process (see Section 33-13 of the Code). Resource recovery facilities may also be subject to State regulation depending on the nature of the operation, such as electrical power generating resource recovery facilities that are regulated by the Florida Electrical Power Plant Siting Act.

Existing land uses in Open Land Subarea 1 include seasonal agricultural activities, rockmining operations, lands in conservation, and other activities that were permitted through prevailing land use and zoning processes. Property owners desiring to utilize their land for commercial and industrial uses such as those being proposed by the Applicant for Open Land Subarea 1 (commercial vehicle and equipment storage, landfill, resource recovery) need zoning action in addition to the approval of this CDMP text amendment. Vehicle storage is generally allowed in the BU-3, Liberal Business District. Refuse disposal and scrap metal reduction is allowed in IU-3, Industrial Unlimited Manufacturing District, if no nuisances such as odor will result, as determined during a public hearing. Landfills are allowed only through the Unusual Use Approval process, as stated in the previous section. In addition, and as discussed in the Environmental Conditions section of this report, water and sewer infrastructure would be required to serve these uses.

#### History of Code Violation Cases in Open Land Subarea 1

According to the Office of Neighborhood Compliance (ONC), there is a significant amount of unauthorized uses in Open Land Subarea 1. Unauthorized uses refer to uses not allowed by the Zoning Code, of which the most common violations include, but are not limited to, storage of trucks and commercial equipment, mechanical work, slaughterhouses, and resource recovery facilities. In many cases, property owners obtain wetland permits for agricultural use, but utilize the land for uses other than agriculture. Since 2005, a total of 173 potential violation cases were opened and closed in Open Land Subarea 1, of which 64 cases were for uses not authorized by the Zoning Code. Currently, the ONC has nine (9) open cases in the subject area. In addition, there are 22 cases that are under enforcement for environmental violations by DERM, which include some of the nine open ONC cases. These cases will be closed if the violations are addressed, if the property owner is not found guilty of the violation, or if a lien is placed on the property. It is also possible for a case to be closed if evidence of the violation is not present during inspection/re-inspection of the site or if the site is not accessible for inspection/re-inspection. (For DERM enforcement cases, see Open Land Subarea 1: DERM Wetland Enforcement map in Appendix A: Map Series.)



The owner of the company listed as the Applicant for this CDMP Application No. 5, also owns two parcels in Open Land Subarea 1 for which a Class IV Wetlands Permit was obtained in May 2007 to practice Agriculture (livestock and a container nursery). However, these parcels have been subject to various citations including unauthorized fill and unauthorized use of land. In December 2007 a citation was issued for illegal truck parking and in January 2008 a citation was issued for an illegal resource recovery operation, which was later removed. Since then the site has received additional citations for violations including truck parking, vehicle repair operations, improper septic tank maintenance, and improper storage of chemicals for industrial use. These violations have resulted in lien proceedings for non-compliance and non-payment. The Class IV wetland Permit was revoked by DERM in March 2009, the revocation was appealed to the Miami-Dade County Environmental Quality Control Board (EQCB). The EQCB upheld DERM's revocation of the Class IV Wetlands Permit in its August 19, 2009 Board Order No. 09-38 (see Appendix C). Additionally, DERM and the DP&Z have jointly filed a Civil Injunction against the owner for operating facilities without a certificate of use and for unlawful uses on the sites described above. Hearings on the Civil Injunction are scheduled to begin in September 2009. (See Appendix D: Photos of Unlawful Uses Within Open Land Subarea 1.)

### **Supply of Commercial Equipment and Vehicle Storage, Landfills and Resource Recovery Facilities**

The Applicant states as a reason for the amendment application that "The proposed text change seeks to remedy a deficiency in the CDMP that is currently not being sufficiently addressed by the existing CDMP's Land Use Element and adopted components. The specific uses addressed by this proposal (landfills, resource recovery facilities, and parking of commercial vehicles and equipment) are not being provided in adequate amounts under the existing planning scheme to satisfy the demand for these services." However, the Applicant has not demonstrated the need for commercial vehicle storage and landfills and/or resource recovery facilities within Open Land Subarea 1 with any appropriate analysis. Also, the Applicant has not demonstrated through appropriate data and analysis that Open Land Subarea 1 could be a suitable area or is the most suitable area within the County to locate the proposed uses.

#### Landfills and Resource Recovery Facilities

The Miami-Dade County Department of Planning and Zoning (DP&Z) has initiated the Evaluation and Appraisal Report (EAR) of the CDMP as required every seven years by Chapter 163 of the Florida Statutes. The EAR will evaluate major County issues, deficiencies in the CDMP, and the County's progress in implementing the goals, objectives, and policies of the CDMP. The EAR process includes a review of CDMP text and maps and will also recommend changes to be implemented through EAR-based amendments, subsequent to the Florida Department of Community Affairs (DCA) finding the EAR sufficient. As established in the following sections of this report, considerations of landfills and/or resource recovery facilities within Open Land designated areas are more appropriately considered during the EAR. Additionally, the Miami-Dade County Department of Solid Waste Management (DSWM) is the agency that should comprehensively evaluate the County's needs for solid waste facilities including the proposed landfills and resource recovery facilities as part of their master planning process.

The Miami-Dade County Department of Solid Waste Management (DSWM) continues to fulfill its mandate of providing a minimum of five (5) years of solid waste disposal capacity for committed and anticipated non-committed waste flows, pursuant to Solid Waste Subelement Policy SW-2A. DSWM is also in the process of creating a new Solid Waste Management Master Plan to comprehensively address solid waste management in the County for a 50-year period, to replace the existing master plan that was completed in 1996. The DP&Z and DSWM will coordinate the CDMP and the new Solid Waste Management Master Plan through the EAR and subsequent EAR-based amendments to ensure consistency between the two plans.

Open Land Subarea 1 is located outside the adopted 2015 Urban Development Boundary (UDB). Solid Waste Subelement Policy SW-1A states that the provision of County solid waste facilities, which includes landfills and resource recovery facilities, outside of the UDB and the Urban Expansion Area (UEA) "...shall be avoided, except where essential to eliminate or prevent a threat to public health, safety, or welfare." The Applicant has not demonstrated that there is a threat to public health, safety, or welfare that would be eliminated through approval of this application.

As the County's need for solid waste collection and disposal facilities evolve with population growth, technological changes and changes to state and federal laws, it may become necessary to consider sites for future DSWM facilities outside of the County's urban area. "Open Land" designated lands could be considered in the future for certain types of DSWM facilities as long as such facilities are compatible with surrounding uses and do not affect groundwater quality or cause other environmental concerns. However, the "Open Land Subarea 1" text prohibits uses that could compromise groundwater quality as discussed above. The subarea is also in close proximity of the Northwest Wellfield, is the site of various planned CERP and related water management projects, and contains rockmining facilities with ongoing rockmining operations. It is unclear how landfills and resource recovery facilities would be impacted by blasting and other ground disturbing rockmining activities ongoing within the Open Land Subarea 1. (See preceding section "Allowable Land Uses within Open Land Subarea 1" for discussion on rockmining). Further analysis would be needed to determine locations in the County that would be appropriate for such uses. Policy SW-1B of the Solid Waste Subelement states that in part, "...When locating new solid waste disposal facilities, sites over salt-intruded groundwater shall be preferred to sites over potable groundwater. New facilities may be permitted to locate over groundwater of potable quality where it can be shown that the use of sites over salt-intruded areas is precluded because of existing development, environmental protection requirements, and economic or logistical constraints." The Applicant has not provided such an analysis.

According to the DSWM, the proposed text changes will not have an impact on existing DSWM services or associated costs at this time. DSWM points out that allowance of "landfills and resource recovery facilities" would be subject to the provisions of Bond Ordinance No. 96-168, Section 612 related to Competitive Facilities. As stated in the ordinance, "To the extent permitted by law, the County shall not permit or consent to the construction, acquisition or operation of any private solid waste disposal facilities within the County that may compete or tend to compete with the System unless the Department [DSWM] shall determine, in writing from the Director, that such facilities will not adversely affect operating revenues." Pursuant to this ordinance, approval of any future private disposal facilities as proposed by this Application would require a review

by DSWM to determine that the County's solid waste collection and disposal system would not be negatively impacted.

#### Commercial Equipment and Vehicle Storage

The Applicant raises questions about the adequacy of commercial equipment and vehicle storage facilities within the County's existing urban area. It should be noted that additional commercial equipment and vehicle storage facilities can be developed within the County's existing urban area without an amendment to the CDMP.

Commercial equipment and vehicle storage is allowed within the CDMP future land use categories of 'Industrial and Office' and 'Business and Office' with the appropriate zoning districts. The DP&Z's current estimates indicate that there are approximately 4,532 acres of vacant 'Industrial and Office' designated land throughout the urbanized area of the County. As previously noted, the storage of commercial vehicles is allowed in the IU-1, IU-2 and IU-3 zoning districts and the BU-3 zoning district allows truck storage within an enclosed building or an area enclosed by a concrete block and stucco (CBS) wall. Therefore, commercial vehicle storage facilities are allowed on sites that are zoned appropriately, and on sites designated on the CDMP Adopted 2015 and 2025 Land Use Plan map as "Business and Office" and "Industrial and Office" with attainment of the appropriate zoning. There is no need for an amendment to the CDMP to allow for commercial equipment and vehicle storage facilities.

In July 2009, the Governing Board of the Metropolitan Planning Organization (MPO) for the Miami Urbanized Area adopted MPO Resolution #28-09 that approved funding for a "Comprehensive Parking Study for Freight Transport in Miami-Dade County". The study was approved as part of the MPO's Fiscal Years (FY) 2009 and 2010 Unified Planning Work Program (UPWP), which describes transportation planning activities to be accomplished in and for Miami-Dade County. The study's objective is to identify suitable locations and to assess the demand for short-term (overnight) and long-term parking of freight transport within Miami-Dade County. The study is anticipated to commence by October 2009 under the MPO's management with DP&Z input. The CDMP Traffic Circulation Subelement Policy TC-7B requires the County to coordinate local transportation planning of the Metropolitan Planning Organization (MPO) for the Miami Urbanized Area with the CDMP. It is premature to consider amendments to the text of Open Land Subarea 1 prior to release of this study.

### **Water and Sewer Infrastructure**

#### Potable Water Supply and Wastewater Disposal

The Applicant is proposing to allow industrial land uses including landfill, resource recovery, and vehicle and equipment storage in Open Land Subarea 1. These uses produce non-domestic wastewater. The Miami-Dade County Code states that non-domestic wastewater shall be served by public sanitary sewers, not septic tanks, and shall be served by a public water main. (Section 24.43.1.(2) and (6)) The Code specifically states, "Notwithstanding any provision of this Code, no County or municipal officer, agent, employee, or Board shall approve, grant or issue any building permit ...or zoning action...for any nonresidential land use served or to be served by any liquid waste storage, disposal or treatment method other than public sanitary sewers or any source of potable water supply other than a public water main without obtaining the prior

written approval of the Director or the Director's designee." Text in Section 24.43.1.(6) goes on to explain that furthermore, approval for septic tank wastewater disposal is specifically prohibited for industrial land uses.

Open Land Subarea 1 is not served by public water or sewer mains. The LUP map indicates that Open Land Subarea 1 is located outside of the UDB. Urban infrastructure expansion including extensions of and connections to municipal water and sewage lines is not generally allowed for properties outside of the UDB. Text under the "Urban Development Boundary" section (page I-57) of the CDMP Land Use Element states, "public expenditures for urban service and infrastructure improvements shall be focused on the area within the UDB, and urban infrastructure is discouraged outside the UDB." CDMP policy LU-2B establishes that the County must prioritize the financing and provision of services such as water and sewer by focusing first on areas within the UDB (where existing septic tank use needs to be addressed) and avoiding the provision of urban services in Open Land areas (page I-5). CDMP policy WS-1A provides similar direction, "Investments in public water and sewer service shall be avoided in those areas designated for Agriculture, Open Land or Environmental Protection on the Land Use Plan map, except where essential to eliminate or prevent a threat to public health, safety, or welfare." (page V-2) The proposed uses would not meet this exception and therefore do not support the need to extend water or sewer infrastructure outside of the UDB. Therefore, the allowance of industrial uses as proposed by this application is inconsistent with the intent of the CDMP to limit extension of water and sewer lines outside the UDB.

## **Environmental Conditions**

It is stated by the application that Open Land Subarea 1 is an "ideal location to accommodate the storage of commercial vehicles and equipment" for reasons including the, "compromised environmental status" of Open Land Subarea 1. Despite numerous wetlands violations in Open Land Subarea 1, lands in this area provide regional environmental functions as recognized by Miami-Dade County Code and regulations of the State of Florida, and the United States Government. The Applicant's conclusion regarding the appropriateness of Open Land Subarea 1 for industrial land uses is unfounded, and contradicts the numerous federal, state and local plans and laws designed to preserve and expand the hydrological systems occurring in Open Land Subarea 1, which are described in the following sections. The State of Florida requires the protection of ground and surface water and the South Florida Water Management District and Miami-Dade County have laws implemented regulations for such protection.

The CDMP Land Use Element specifically recognizes the importance of the direct relationship between land use planning and water resources, including drinking water, in Miami-Dade County. Page I-84 of the Water Resource Summary section states, "Water resource characteristics and the County's subtle variations in topography are significant features which must be recognized in the formulation of land use, as well as water supply and management policies and plans, for Miami-Dade County."

The mandate of the Miami-Dade County Department of Environmental Resources Management (DERM) is to protect and conserve the County's natural resources, including the groundwater of the Biscayne Aquifer, and surface waters including Biscayne Bay and the waters of all Miami-Dade County's canals and beaches. The Biscayne Aquifer is currently the sole source of drinking water for over two million South

Floridians. (Renken 2008)<sup>1</sup> The water quality of canals, which affects the water quality of the ocean and the aquifer, affects marine life and the fishing and tourism industries of Miami-Dade and Monroe Counties.

DERM staff has reviewed the land uses proposed by the Applicant for Open Land Subarea 1 and concluded the following: "The uses proposed within this application have the potential to significantly degrade both surface and groundwater quality and are not compatible with Sections 24-43 (Wellfield Protection), 24-48 (Natural and Biological Environmental Resources Permitting and Protection), and 24-50 of the Code, nor with the Lake Belt Mining Plan or the Comprehensive Everglades Restoration Plan (CERP)." These comments are further discussed below.

### Wetlands

The CDMP establishes the importance of protecting wetlands for the hydrologic functions they perform and for the habitat they provide for rare South Florida species. For many threatened and endangered species, loss of habitat is the most significant factor causing populations to shrink toward extinction. DERM has established that even disturbed portions of wetland areas, such as those used for agriculture, provide wetland functions. Policy LU-3B of the CDMP seeks to protect these important wetland areas from incompatible land uses.

For a wetland area such as the C-9 basin (Open Land Subarea 1), with recognized hydrologic importance, land uses that contaminate groundwater are incompatible. Policy CON-5F discusses the hydrologic value of the C-9 basin and the importance of protecting the hydrology of this basin to "ensure continued proper recharge of groundwater supplies." (Page IV-10) Objective CON-4 states, "The aquifer recharge and water storage capacity of the presently undeveloped areas in western and southern Miami-Dade County shall be maintained or increased." Policy CON-4A states, "The aquifer-recharge values of wetland areas shall be maintained and, where feasible, enhanced or restored. There shall be no further positive drainage of wetlands to accommodate urban development or agricultural uses." Objective CON-7 and Policy CON-7C state that wetland systems, including natural surface water flow regimes, shall be restored and maintained and impacts to these systems shall be mitigated. Each of these CDMP objectives and policies contradict proposals to fill and utilize wetlands in Open Land Subarea 1 for urban and industrial uses.

Any increase of impervious cover, or demucking and filling of Open Land Subarea 1 lands will result in the loss of wetland functions. Furthermore, the conversion of wetlands to urban uses results in a reduction of the amount of rainwater recharge to the Biscayne Aquifer, and decreases the ability of these ecosystems to filter surface pollutants.

### Comprehensive Everglades Restoration Plan

The federal government approved the Comprehensive Everglades Restoration Plan in 2000. This multi-billion dollar state and federal initiative is intended to assist in the

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<sup>1</sup> Renken, Robert, Kevin Cunningham, Allen Shapiro, Ronald Harvey, Michael Zygnerski, David Metge, and Michael Wacker. 2008. Pathogen and chemical transport in the karst limestone of the Biscayne aquifer: 1. Revised conceptualization of groundwater flow. *Water Resources Research*, Vol. 44, W08429.

restoration and protection of water resources in central and southern Florida ([http://www.evergladesplan.org/about/about\\_cerp\\_brief.aspx](http://www.evergladesplan.org/about/about_cerp_brief.aspx)). The project is the largest of a collection of restoration efforts that have multiple funding sources and are supported by federal, state, and local policies, including policies in the CDMP.

Federal legislation established the South Florida Ecosystem Restoration Task Force (Task Force) to coordinate Everglades and water resource restoration efforts, including CERP implementation (<http://www.sfrestore.org/>). One of the Task Force's responsibilities is to publish status reports on these restoration efforts. In its most recent report to the U.S. Congress, Florida Legislature, and Seminole and Miccosukee Tribes, the Task Force reestablished strategic goals for ecosystem restoration in south and central Florida. The first goal, "Get the water right", and Subgoal 1-A: "Get the Hydrology Right (Water Quantity, Timing, and Distribution)" involves projects designed to recapture water currently being drained by canal systems to rehydrate South Florida lands. (South Florida Ecosystem Restoration Task Force 2008)<sup>2</sup>

This initial Task Force goal includes plans for portions of Open Land Subarea 1. Two project components, a "Lakebelt Inground Reservoir Technology Pilot" and a "North Lakebelt Storage Area" involve the acquisition of over 5,600 acres, most of which are located in Open Land Subarea 1. The Subareas location with respect to these projects is depicted by the map entitled "Open Land Subarea 1: Hydrology and Land Associated with CERP". Extensive surface water storage projects are planned to convert rock mining areas in and around Subarea 1 into in-ground water impoundments to facilitate managed water releases for restoration of natural hydrologic cycles. (Task Force 2008, 23) A pilot project in the North Lake Belt area will be designed to test the use of rock mine lake barriers. (Task Force Land Acquisition Task Team 2008, 37, 58)<sup>3</sup>

In initial conversations with staff managing CERP projects for the South Florida Water Management District (SFWMD), water and soil contamination and land use compatibility concerns were raised with respect to Application 5. Although CERP plans for Open Land Subarea 1 are not immediate, land uses that would preclude or complicate CERP projects slated for this area would be considered inappropriate. Landfill clean-up and mitigation would increase CERP project costs and jeopardize projects intended to improve regional water quality.

Land Use Element Objective LU-3 is written to ensure that the location of development in Miami-Dade County will protect natural resources by reflecting management policies including those of the CERP. The CDMP includes portions of Open Land Subarea 1 in Figure 14 of the Land Use Element; Figure 14 is entitled, "Future Wetlands and CERP Water Management Areas" (page I-83). Two areas within Open Land Subarea 1 are not

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<sup>2</sup> South Florida Ecosystem Restoration Task Force, 2008. Volume 1 Coordinating Success 2008: Strategy for Restoration of the South Florida Ecosystem and Tracking Success: Biennial Report of the South Florida Ecosystem Restoration Task Force for July 2006- June 2008. (Report to the U.S. Congress, Florida Legislature, Seminole Tribe of Florida, and Miccosukee Tribe of Indians of Florida) Accessed August 2009, [http://www.sfrestore.org/documents/2006\\_2008\\_strategic\\_plan\\_volume\\_1.pdf](http://www.sfrestore.org/documents/2006_2008_strategic_plan_volume_1.pdf).

<sup>3</sup> South Florida Ecosystem Restoration Task Force Land Acquisition Task Team. 2008. Volume 1 Coordinating Success 2008: Strategy for Restoration of the South Florida Ecosystem and Tracking Success: Biennial Report of the South Florida Ecosystem Restoration Task Force for July 2006- June 2008. (Strategy Document for members of the South Florida Ecosystem Restoration Task Force). Accessed August 2009, [http://www.sfrestore.org/issueteams/latt/documents/Land\\_Acquisition\\_Strategy\\_Sept\\_17\\_acc\\_by\\_TF.pdf?bcsi\\_scan\\_4084C5AB3DBD951A=0&bcsi\\_scan\\_filename=Land\\_Acquisition\\_Strategy\\_Sept\\_17\\_acc\\_by\\_TF.pdf](http://www.sfrestore.org/issueteams/latt/documents/Land_Acquisition_Strategy_Sept_17_acc_by_TF.pdf?bcsi_scan_4084C5AB3DBD951A=0&bcsi_scan_filename=Land_Acquisition_Strategy_Sept_17_acc_by_TF.pdf).

included on this figure but the balance of Open Land Subarea 1 is shown to be a future wetland and included in CERP designs. Text in the “Wetlands” section of the CDMP (p. I-84) explains that these wetland areas have either been acquired for water resource management or have been depicted on this map because of the environmental and water supply functions they perform. The text states that these private future wetland and designated CERP areas, “possessed wetland qualities and functions and which could warrant public acquisition as part of ecosystem or water supply protection, restoration and management.”

In the CDMP Conservation Element, text specifically states that wetlands on Federal, State, or County land acquisition lists shall be supported as a high priority for public acquisition and shall be restored and managed to preserve their natural resource, habitat and hydrologic values. (page IV-11). Policy CON-7J states, “In evaluating applications that will result in alterations to wetlands, Miami-Dade County shall consider the applications’ consistency with Comprehensive Everglades Restoration Program (CERP) objectives. Applications that are found to be inconsistent with CERP objectives may be denied.” (page IV-12). The Applicant’s proposal would result in alterations to wetlands and therefore shall be considered for consistency with CERP. According to SFWMD Geographic Information Systems (GIS) data for Open Land Subarea 1, approximately 4,796 acres are being considered for acquisition in this area. Approximately 243 acres have already been acquired in the Subarea by the SFWMD, and an additional 591 acres (approximate) is currently owned by the State of Florida and will also be used for restoration purposes. As stated in the previous section, allowing land uses that may contaminate groundwater in an area proposed for future use as a CERP water storage area, is not consistent with CERP or CDMP Policy CON-7J.

Although securing funding for extensive CERP Lake Belt restoration efforts is a challenge, these restoration efforts are supported by multiple government agencies. Coordination and consistency with CERP has not been demonstrated by the Applicant and presents one of the most significant obstacles to any proposed changes of land use in Open Land Subarea 1.

### **Buffers to Everglades National Park and Water Conservation Areas**

On page I-87 of the CDMP, Figure 17 “Water Resources in Miami-Dade County”, identifies the entirety of Open Land Subarea 1 as an Everglades buffer area and aquifer recharge area. Text in this section of the CDMP explains that these areas are not drained by the County’s canal system and are providing prolonged recharge of the Biscayne Aquifer. The CDMP’s Conservation Element discusses the importance of maintaining buffer areas in order to protect urban neighborhoods from greater flood hazards. (CON-5G, page IV-10).

The SFWMD owns acreage north and south of Open Land Subarea 1 that is considered part of the “East Coast Buffer” (including water preserve and storage areas, and seepage buffer projects). Staff overseeing these lands explain that they will be managed with wetland habitats. Water tables in these areas will be raised to reduce eastward groundwater seepage. This will increase the amount of flooding to other land uses in this subarea.

## **Lake Belt Rockmining and Contamination**

Open Land Subarea 1 is part of an area of northwestern Miami-Dade County known as the “Lake Belt Mining Area”. This area is characterized by artificial lakes or borrow pits that are left behind in areas that have been mined for limestone fill materials. Rock mining operations are permitted by the U.S. Army Corps of Engineers (USACE) and are allowed uses within the Rockmining Overlay Zoning Area (ROZA) as established by the Miami-Dade County Code (Article XLI). The maps provided depict the locations of existing lakes in Open Land Subarea 1. A review of USACE permits reveals plans for future rock mining projects within the Subarea and in the immediate vicinity.

Industrial land uses including vehicle and equipment storage, landfills, and resource recovery facilities produce groundwater pollutants. Without successful containment structures, these land uses produce chemical wastes that contaminate groundwater. In their support materials, the Applicant correctly noted that uses ancillary to and necessary for rockmining, such as equipment and vehicle storage, are already allowed within the ROZA boundary. The Applicant reasons that since vehicle or equipment storage is conditionally allowed through the ROZA provisions, it has been established that the uses, “. . . may be maintained without further affecting environmental resources in the area.” The Applicant’s conclusion is incorrect for the reasons discussed in the following paragraph.

To allow vehicle and equipment storage activities to expand from an accessory use for permitted rockmining into commercial operations on numerous properties larger than 20 acres multiplies the risk of groundwater contamination in Open Land Subarea 1. Each state-issued rockmining permit includes stringent requirements to help prevent these accessory uses from causing soil or groundwater contamination. Rockmining permit fees fund DERM inspections of these uses. As the Applicant has noted, the County already struggles to enforce the illegal activities occurring in this remote area. There is no regulatory mechanism, or new funding source, that would warrant assigning additional enforcement and inspection responsibilities to the County.

Over 50% of the limestone used in Florida construction comes from Miami-Dade County and the hauling of rock is essential to the viability of this industry. Therefore, vehicle storage as an allowed ancillary use to rockmining is based on a demonstrated need and supports an industry that is heavily regulated.



## **Consistency with CDMP Goals, Objectives, Policies, Concepts and Guidelines**

There are no CDMP goals, objectives, policies, concepts, or guidelines that will be enhanced if the proposed text change is approved.

The following CDMP goals, objectives, policies, concepts, and guidelines will be impeded if the proposed text change is approved:

- LU-2B. Priority in the provision of services and facilities and the allocation of financial resources for services and facilities in Miami-Dade County shall be given first to serve the area within the Urban Development Boundary (UDB) of the Land Use Plan (LUP) map. Second priority shall support the staged development of the Urban Expansion Area (UEA). Urban services and facilities which support or encourage urban development in Agriculture and Open Land areas shall be avoided, except for those improvements necessary to protect public health and safety and which service the localized needs of these non-urban areas.
- Objective LU-3 Upon the adoption of the CDMP, the location, design and management practices of development and redevelopment in Miami-Dade County shall ensure the protection of natural resources and systems by recognizing, and sensitively responding to constraints posed by soil conditions, topography, water table level, vegetation type, wildlife habitat, and hurricane and other flood hazards, and by reflecting the management policies contained in resource planning and management plans prepared pursuant to Chapter 380, Florida Statutes, and approved by the Governor and Cabinet, or included in the Comprehensive Everglades Restoration Plan approved by Congress through the Water Resources Development Act of 2000.
- LU-3B. All significant natural resources and systems shall be protected from incompatible land use including Biscayne Bay, future coastal and inland wetlands, future potable water-supply wellfield areas identified in the Land Use Element or in adopted wellfield protection plans, and forested portions of Environmentally Sensitive Natural Forest Communities as identified in the Natural Forest Inventory, as may be amended from time to time.
- Major concepts in the text of the "Urban Development Boundary" section (p. I-57), "The Urban Development Boundary (UDB) is included on the LUP map to distinguish the area where urban development may occur through the year 2015 from areas where it should not occur... Accordingly, public expenditures for urban service and infrastructure improvements shall be focused on the area within the UDB, and urban infrastructure is discouraged outside the UDB."
- Adopted "Interpretation of the Land Use Plan Map: Policy of the Land Use Element" text (p. I-61), "The land designated as "Open Land" is not needed for urban uses between now and the year 2015 and has been set aside for uses other than urban development. It is not simply surplus undeveloped land, but rather it is land that is intended to serve one or more of the following functions...such as development of potable water supplies; ...and conservation, maintenance or enhancement of environmental character... Because of the

water supply-related or other environmental functions of those areas, they may also be considered for acquisition by federal, State, regional, County or private institutions that would manage these areas to optimize environmental functions, and for location of project features such as reservoirs, stormwater treatment areas, canals, and flow-ways constructed pursuant to the Comprehensive Everglades Restoration Plan.

- Adopted text in the “Open Land Subarea 1 (Snake-Biscayne Canal Basin)” section on page I-63, “Uses that could compromise groundwater quality shall not occur west of the Turnpike Extension.”
- Adopted text in the “Wetlands” section on page I-84, “The areas designated as privately owned are not in public acquisition programs but which possessed wetland qualities and functions and which could warrant public acquisition as part of ecosystem or water supply protection, restoration and management programs.
- Adopted text in the section “Water Resource Summary” on page I-84, “The Aquifer Recharge Areas depicted include the Everglades, Everglades buffer areas and other areas which are poorly drained by the canal system and which provide prolonged recharge of the Biscayne Aquifer after rainfall events.”
- Objective CON-4 The aquifer recharge and water storage capacity of the presently undeveloped areas in western and southern Miami-Dade County shall be maintained or increased.
- CON-4A. The aquifer-recharge values of wetland areas shall be maintained and, where feasible, enhanced or restored. There shall be no further positive drainage of wetlands to accommodate urban development or agricultural uses.
- CON-5F. Miami-Dade County shall implement cut and fill criteria for land in the North Trail, Bird Drive, Basin B, and Western C-9 basins, as defined in Chapter 24 of the County Code, and other areas west of the easterly boundary of Area B identified in the Corps of Engineers Design Memorandum V Supplement 12 dated March 23, 1954, as necessary to protect natural hydrological characteristics of the basins, protect against flooding of developed land in the basins and downstream, and ensure continued proper recharge of groundwater supplies.
- CON-5G. Miami-Dade County shall actively encourage the creation of buffers between water impoundment areas and development in order to increase the level of flood protection that is provided to developed areas.
- Objective CON-7 Miami-Dade County shall protect and preserve the biological and hydrological functions of the Future Wetlands identified in the Land Use Element. Future impacts to the biological functions of publicly and privately owned wetlands shall be mitigated. All privately owned wetlands identified by the South Florida Regional Planning Council as Natural Resources of Regional Significance and wetlands on Federal, State, or County land acquisition lists shall be supported as a high priority for public acquisition. Publicly acquired wetlands

shall be restored and managed for their natural resource, habitat and hydrologic values.

- CON-7C. Miami-Dade County shall continue to promote the restoration and maintenance of the natural, surface water flow regimes into, and through wetland systems such as the Shark River Slough, Everglades National Park and the saline wetlands of southeastern Miami-Dade County.
- CON-7J. In evaluating applications that will result in alterations to wetlands, Miami-Dade County shall consider the applications' consistency with Comprehensive Everglades Restoration Program (CERP) objectives. Applications that are found to be inconsistent with CERP objectives may be denied.
- WS-1A. The area within the Urban Development Boundary of the adopted Land Use Plan Map shall have the first priority in providing potable water supply, and sanitary sewage disposal, and for committing financial resources to these services. Future development in the designated Urban Expansion Area shall have second priority in planning or investments for these services. Investments in public water and sewer service shall be avoided in those areas designated for Agriculture, Open Land, or Environmental Protection on the Land Use Plan map, except where essential to eliminate or prevent a threat to public health, safety, or welfare.
- SW-1A. The area within the Urban Development Boundary of the adopted Land Use Plan Map shall have the first priority in the provision of county solid waste management, and for committing financial resources to these services. Future development in the designated Urban Expansion Area shall have second priority in planning or investments for these services. Provision of County solid waste facilities outside of these areas shall be avoided, except where essential to eliminate or prevent a threat to public health, safety, or welfare.
- SW-1B. Groundwater protection systems shall be incorporated into the design of new solid waste disposal facilities to ensure the protection of groundwater quality. When locating new solid waste disposal facilities, sites over salt-intruded groundwater shall be preferred to sites over potable groundwater. New facilities may be permitted to locate over groundwater of potable quality where it can be shown that the use of sites over salt-intruded areas is precluded because of existing development, environmental protection requirements, and economic or logistical constraints.
- TC-7B. Miami-Dade County shall continue to coordinate local transportation planning of the Metropolitan Planning Organization (MPO) for the Miami Urbanized Area, and specifically the MPO's development of the Long Range Transportation Plan Update, with the CDMP transportation planning process.