

Department of Planning and Zoning (DP&Z)
Revised Response to the Florida Department of Community Affairs (DCA)
Objections, Recommendations and Comments (ORC) Report
DCA No. 10-1 Addressing the April 2009 Cycle
Applications to Amend the Comprehensive Development Master Plan (CDMP)

May 10, 2010

This report contains the responses of the Department of Planning and Zoning (DP&Z), to the objections contained in the referenced Objections, Recommendations and Comments (ORC) Report issued by the Florida Department of Community Affairs (DCA) dated March 5, 2010. The DCA issued objections to Applications Nos. 4 and 5 and commented on Applications nos. 6 and 9 transmitted for review and comment by the Miami-Dade County Board of County Commissioners.

In the following presentation, the DCA's Objection and corresponding Recommendation are presented, followed by a response of the Department of Planning and Zoning. Immediately after the Objection number, notations are provided indicating which Applications that the Objection and Recommendation address. The responses issued by the Department are not necessarily those of the applicants, Local Planning Agency (Planning Advisory Board), or Board of County Commissioners, which may offer their own responses to points raised in the ORC report.

DCA OBJECTION #1 (APPLICATION NO. 4): DCA objected to Application No. 4 on the basis of need, urban sprawl, impacts to natural resources, loss of agricultural land and internal inconsistencies.

DCA Recommendation: *The County should not adopt the amendment*

DP&Z Response:

Application no.4 was withdrawn by applicant's letter dated April 26, 2010 and was accepted by the Board of County Commissioners at the April 28, 2010 public hearing.

DCA OBJECTION #2 (APPLICATION NO. 5): DCA objected to Application No. 5 on the basis of need, urban sprawl, impacts to natural resources and internal inconsistencies.

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

DP&Z Response:

The Board of County Commissioners on April 28, 2010 adopted the application with several changes to minimize impacts of parking and storage of operable, non-disabled commercial motor vehicles to natural resources. Such parking and storage uses in Open Land Subarea 1 shall be allowed only on properties larger than 20 acres, under a single ownership, and located within the area of an arc no more than 7000 lineal feet from the intersection of Okeechobee

Road and the Turnpike Extension. These uses shall be subject to the following requirements: (a) commercial vehicle storage facilities shall obtain an annual operating permit from DERM and be subject to required quarterly groundwater quality monitoring; (b) all vehicles and equipment shall be stored or parked only on paved impervious surfaces with county-approved drainage systems; (c) mechanical repair or maintenance of any kind, including truck washing, shall be prohibited; and (d) the storage, handling, use, discharge and disposal of liquid wastes or hazardous wastes shall be prohibited.

DCA COMMENT #1 (APPLICATION NO. 6): *The following comment is included at the request of the South Florida Water Management District:*

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

DP&Z Response:

The Board of County Commissioners (Board) selected the SW 359 Street alignment to provide access to Turkey Point Units 6 and 7. The Board also added certain conditions that are intended to reduce environmental impacts to be included in the text of the Traffic Circulation Subelement of the Transportation Element. Temporary roadways and roadway improvements shall be designed to meet the environmental regulations of Chapter 24, Miami Dade County Code as interpreted by Department of Environmental Resources Management (DERM). In addition, the design of the temporary roadways and roadway improvements shall also be consistent with the goals, objectives and policies of the CDMP, the objectives of the Comprehensive Everglades Restoration Plan, County land use approvals, and other applicable County approved environmental management plans for publicly owned lands, as may be amended from time to time, and appropriate mechanisms shall be provided to enhance protection for wildlife in the area, and the Miami-Dade County Department of Environmental Resources Management shall enforce the environmental regulations within its jurisdiction, to the extent allowable by law.

DCA COMMENT #2 (APPLICATION NO. 9): *Proposed policies HO-7E and HO-7F appear to add requirements over and above Chapter 723, F.S., which relates to the regulation of mobile home parks. This issue is beyond the regulatory authority of the Department of Community Affairs and is offered only as a comment for potential consideration by the County.*

DP&Z Response:

In a document entitled "Further Proposed Staff Changes to Transmitted Application" and dated April 27, 2010, staff proposed further changes to proposed Policies HO-7E and HO-7F that are intended to further clarify and/or correct the intent of the policies and address the Department of Community Affairs comment on the transmitted application.