

MEMORANDUM

AGENDA ITEM #7d

DATE: JUNE 7, 2010

TO: COUNCIL MEMBERS

FROM: STAFF

SUBJECT: MIAMI-DADE COUNTY ADOPTED COMPREHENSIVE PLAN AMENDMENT
DCA #10-1

Community Profile

With a 2009 population estimated at 2,472,344, Miami-Dade County is the most populous county in Florida. The County's population grew by 9.7 percent during this decade, although it experienced a small decline of almost 5,000 between 2008 and 2009, according to estimates of the Bureau of Economic and Business Research (BEBR). The most recent BEBR projections show the County's population increasing by approximately 17,000 new residents per year through 2020, reaching a little under 2.7 million in that year. The percentage of the population that is of working age or younger is larger in Miami-Dade County than the state average.

The structure of the County's economy is heavily service and trade oriented, with approximately 57 percent 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.

Amendment Review

The South Florida Regional Planning Council (SFRPC) review of proposed Comprehensive Plan amendments for consistency with the *Strategic Regional Policy Plan for South Florida (SRPP)* primarily addresses effects on regional resources or facilities identified in the SRPP and extra-jurisdictional impacts that would be inconsistent with the Comprehensive Plan of the affected local government (§163.3184(5), Fla. Stat.). The Council's review of amendments is conducted in two stages: (1) proposed or transmittal and (2) adoption. Council staff reviews the contents of the amendment package once the Department of Community Affairs certifies its completeness.

Objections and Comments relate to specific inconsistencies with relevant portions of the *SRPP*, which was adopted pursuant to Rule 29J-2.009, Fla. Administrative Code. Council staff will work with local governments to address Objections and Comments identified during the review of a proposed amendment between the transmittal and the adoption of the amendment.

The SFRPC did not prepare the amendment package and, therefore, is not precluded from commenting on the proposed Plan or Element pursuant to Section 163.3184(5), Florida Statutes (F.S.), or Rule 9J-11.0084, Florida Administrative Code (F.A.C.); or commenting on the adopted amendment pursuant to Section 163.32465(4)(b), F.S.

The Florida Department of Community Affairs (DCA) notified SFRPC that the amendment package was complete on June 4, 2010.

The amendment review must be transmitted to DCA on (if applicable): Notice of Intent scheduled for July 9, 2010.

The amendment review will be transmitted to DCA on June 11, 2010.

Staff Analysis

Adopted amendment package #10-1 to the Miami-Dade County Comprehensive Development Master Plan (CDMP) contains one (1) site-specific change to the Land Use Plan (LUP) map, one (1) combined LUP map and text amendment, and three (3) text amendments. Attachment 2 presents the locations of all proposed map amendments, and detailed locations of site-specific map amendments or amendment areas are shown in Attachments 3 through 6.

The proposed amendments were reviewed at the February 1, 2010 Council meeting. County Application numbers 3, 8, and 9 were found to be generally consistent with the *Strategic Regional Policy Plan for South Florida (SRPP)*. Application numbers 5 and 6 were found to be generally inconsistent with the *SRPP*. Application 4 was withdrawn by the applicant prior to adoption.

A summary table of the proposed amendments in this package is shown below. For the purposes of this review, the amendments retain their County Application numbers.

| SUMMARY OF ADOPTED CDMP MAP AND TEXT AMENDMENTS | | | | | |
|---|--------------------|---|--|------------|--|
| County App. No. | Size (gross acres) | General Location | Proposed Land Use or Text Change | Attachment | Staff Recommendation |
| 3 | 19.55 | NE corner of SW 137 th Avenue and SW 96 th Street | FROM: Office/Residential TO: Business and Office | 3 | General Consistency with the <i>SRPP</i> |
| 5 | N/A | N/A | Land Use Element: would revise text to allow a new detailed list of ancillary uses in the Open Land use category, specific to the Open Land Subarea 1. | 6 | General Inconsistency with the <i>SRPP</i> |
| 6 | N/A | N/A | Map and text change would include new/temporary roadways, define "temporary roadway" and add a new map to reflect these roadways as part of the Future Traffic Circulation Map series. | 4 & 5 | General Inconsistency with the <i>SRPP</i> |

| SUMMARY OF ADOPTED CDMP MAP AND TEXT AMENDMENTS | | | | | |
|---|--------------------|------------------|--|------------|--|
| County App. No. | Size (gross acres) | General Location | Proposed Land Use or Text Change | Attachment | Staff Recommendation |
| 8 | N/A | N/A | Recreation and Open Space Element: would revise text to reflect the 2007 Miami-Dade County Parks and Open Space Master Plan. | N/A | General Consistency with the <i>SRPP</i> |
| 9 | N/A | N/A | Housing Element: would revise text to allow for the enhancement and preservation of "mobile home parks" as an option for affordable housing. | N/A | General Consistency with the <i>SRPP</i> |

¹ BCC = Board of County Commissioners; N/A = Not Applicable

The Miami-Dade County Board of County Commissioners unanimously approved the transmittal of adopted amendment package #10-1 at its April 28, 2010 meeting.

For the purposes of this review, the amendments retain their County Application numbers. A detailed analysis with recommendation of consistency with the *Strategic Regional Policy Plan for South Florida (SRPP)* of the Miami-Dade County adopted amendment package #10-1 is included in the attached staff report.

Council Action

At its June 7, 2010 meeting, the Council found the following for Miami-Dade County adopted amendment package #10-1:

Find amendment Application 6 generally inconsistent with the *SRPP* Goals 7, 14, and 15, and Policies 7.7, 7.9, 14.1, 14.3, 14.4, 14.7, and 15.1; and

Find the remainder of the amendment package (Applications 3, 5, 8, and 9) generally consistent with the *SRPP*.

Approve this staff report for transmittal to the Florida Department of Community Affairs.

STAFF ANALYSIS
MIAMI-DADE COUNTY COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP)
ADOPTED AMENDMENT PACKAGE #10-1

I. SITE-SPECIFIC MAP AMENDMENTS

Application 3

Adopted amendment Application 3 changes the land use designation of a 19.55-acre, vacant site, located on the Northeast corner of SW 137th Avenue and SW 96th Street [see Attachment 3], from Office/Residential to Business and Office. The site's surrounding uses include retail to the north and west and the Lindgren Canal, which flows along to the south and east providing a buffer for residential neighborhoods. The application was adopted as transmitted with acceptance on the proffered declaration of restrictions.

The Miami-Dade County Board of County Commissioners unanimously approved (10-0) the transmittal of Application 3 at its April 28, 2010 meeting.

Staff analysis confirms that the proposed map amendment is generally consistent with the Goals and Policies of the *Strategic Regional Policy Plan for South Florida*.

Application 6 (Map and Text Amendment)

Adopted amendment Application 6 is a combination of a map and text amendment that creates new and expands existing roadways, to be used temporarily, between SW 328th Street and the theoretical SW 360th Street and from SW 137th Avenue eastward to theoretical SW 87th Avenue (Miami-Dade County uses "theoretical" as a naming convention to denote roadways that are proposed to be built in the future).

These roadways would provide construction access to Florida Power and Light's (FPL) proposed Turkey Point Power Plant Units 6 and 7. The Traffic Circulation Sub-Element now includes a definition for temporary roadways; an updated planned 2025 Future Roadway Network Map of the Future Traffic Circulation Map Series; and a new Transportation map depicting the location of the temporary roadways.

Amendment Application 6 was adopted with revisions based on County staff recommendations. The changes include new criteria that the associated Turkey Point temporary roads must satisfy including the return of temporary roads to prior status within two (2) years of construction, FPL will pay all costs of construction and removal of facilities, and roadway improvements on privately owned property shall not be open to the public. Additional revisions require consistency with objectives of Comprehensive Everglades Restoration Plan (CERP); the enhanced protection of wildlife; and identify the Miami-Dade County Department of Environmental Resource Management (DERM) as the agency with enforcement responsibilities. A map (Figure 3.1 in the Traffic Circulation Sub-Element) now depicts the selected SW 359th Street Option.

At transmittal, two (2) access options were proposed: 1) Roadway Access ("SW 359th Street Option") and 2) Canal Roadway Access. The Canal Roadway Access was eliminated due to Right-Of-Way issues.

Objection

While the amendment includes new temporary roadway status criteria it fails to address how the temporary roadway improvements and roadways will be removed with minimal impact to the surrounding wetlands, endangered and threatened species, and Natural Resources of Regional Significance. The amendment fails to provide mitigation strategies.

Staff analysis confirms adopted Application 6 is inconsistent with the following Goals and Policies of the *Strategic Regional Policy Plan for South Florida*, particularly those relating to preservation of open lands, agriculture and natural resource protection:

- 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 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 14.3 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.
- Policy 14.7 Restore, preserve, and protect the habitats of rare and state and federally listed species. For those rare and threatened species that have been scientifically demonstrated by past or site specific studies to be relocated successfully, without resulting in harm to the relocated or receiving populations, and where *in-situ* preservation is neither possible nor desirable from an ecological perspective, identify suitable receptor sites, guaranteed to be preserved and managed in perpetuity for the protection of the relocated species that will be utilized for the relocation of such rare or listed plants and animals made necessary by unavoidable project impacts. Consistent use of the site by endangered species, or documented endangered species habitat on-site shall be preserved on-site.
- 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.

Recommendation

Find Application 6 generally inconsistent with Goals 7, 14, and 15, and Policies 7.7, 7.9, 14.1, 14.3, 14.4, 14.7, and 15.1 of the *Strategic Regional Policy Plan for South Florida*.

The Miami-Dade County Board of County Commissioners approved (9-1) the transmittal of Application 6 at its April 28, 2010 meeting.

Staff analysis confirms that adopted Application 6 would be generally inconsistent with the Goals and Policies of the *Strategic Regional Policy Plan for South Florida*.

II. TEXT AMENDMENTS

Application 5

Adopted amendment Application 5 to the Land Use Element changes the text for new ancillary uses in the Open Land use category, allowing for the parking or storage of commercial vehicles in the County's Open Land Subarea 1, on properties greater than 20 acres, any portion of which is located within 1500 feet of Okeechobee Road. Eligible properties for commercial vehicle storage would be required to monitor and maintain groundwater quality. In addition, the maintenance and repair of commercial vehicles shall be prohibited.

Open Land Subarea 1 is located outside the Urban Development Boundary (UDB) 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 and theoretical NW 147th Avenue to the west [See Attachment 7]. Open Land Subarea 1 is adjacent to Miami-Dade County's Water Conservation Area, East Coast Buffer and the Francis S. Taylor Wildlife Management Area (part of the Everglades ecosystem), the Miami River Canal, and the Northwest-Wellfield Protection Area.

Adopted amendment Application 5 was adopted with revisions based on County Staff recommendations and the March 5, 2010 Objections, Recommendations and Comments (ORC) Report, issued by DCA. The changes include language requiring annual operating permits for the parking and storage of vehicles and equipment, quarterly groundwater monitoring, paved impervious surfaces, prohibition of liquid or hazardous wastes, and the exclusion of stand-alone automobile parking and storage uses such as rental facilities.

Objection

While the revisions to Application 5 require more frequent monitoring there is no discussion of groundwater monitoring standards or resolution of potential contamination. There remains insufficient information to determine the impacts this amendment would have on roadway conditions (Florida Turnpike and U.S. 27), groundwater quality (Northwest Wellfield), open lands, and wetlands (Comprehensive Everglades Restoration Project). Natural Resources of Regional Significance that may be impacted by the amendment include the Miami-Dade County's Water Conservation Area, the East Coast Buffer, and the Francis S. Taylor Wildlife Management area of the Everglades ecosystem. The Application also fails to provide a compelling argument for commercial vehicle storage outside of the Urban Development Boundary (UDB) or show there is insufficient capacity for this activity within the UDB. The amendment reduces the reserved amount of Open Land in Miami-Dade County.

Staff analysis confirms adopted Application 5 is inconsistent with the following Goals and Policies of the *Strategic Regional Policy Plan for South Florida*, particularly those relating to preservation of open lands, agriculture, and natural resource protection:

- Goal 11** Encourage and support the implementation of development proposals that conserve the Region’s natural resources, rural and agricultural lands, green infrastructure and:
- utilize existing and planned infrastructure where most appropriate in urban areas;
 - enhance the utilization of regional transportation systems;
 - incorporate mixed-land use developments;
 - recycle existing developed sites; and
 - provide for the preservation of historic sites.
- Policy 11.10** Decisions regarding the location, rate, and intensity of proposed development shall be based on the existing or programmed capacity of infrastructure and support services or on capacity which will be programmed to serve that proposed development. In addition, consideration should be given to the impact of infrastructure and support services on natural resources.
- 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.
- Policy 12.3** Discourage the expansion of urban service areas into agricultural lands except:
- 1) when the expansion is necessary to accommodate projected population growth; and
 - 2) when the development densities will be sufficient to support public transportation.
- Policy 12.4** In the event that land is converted from agriculture to urban uses, local governments should discourage sprawl development patterns and require urban design and density necessary to support pedestrian-orientation, public transportation, and the efficient provision of other infrastructure.
- Goal 20** Achieve long-term efficient and sustainable development patterns that protect natural resources and connect diverse housing, transportation, education, and employment opportunities.
- Policy 20.1** Provide for the compatibility of adjacent land uses and assess the impacts of land uses on the surrounding environment in comprehensive plans and development regulations.
- Policy 20.2** Guide new development and redevelopment within the Region to areas, which are most intrinsically suited for development, including areas:
- a. Which are least exposed to coastal storm surges;
 - b. Where negative impacts on the natural environment will be minimal; and
 - c. Where public facilities and services already exist, are programmed or, on an aggregate basis, can be provided most economically.
- Policy 20.3** Direct future development and redevelopment first to areas served by existing infrastructure and to other locations that are suitable for development, as identified in their comprehensive plans. In particular, local governments should coordinate with state and regional officials to identify public transportation corridors and to promote development along those corridors by implementing investment strategies for providing infrastructure and services, which are consistent with them.

Recommendation

Find Application 5 generally inconsistent with Goals 11, 12, and 20, and Policies 11.10, 12.1, 12.3, 12.4, 20.1, 20.2, and 20.3 of the *Strategic Regional Policy Plan for South Florida*.

The Miami-Dade County Board of County Commissioners approved (10-1) the transmittal of Application 5 at its April 28, 2010 meeting.

Staff analysis confirms that adopted Application 5 would be generally inconsistent with the Goals and Policies of the *Strategic Regional Policy Plan for South Florida*.

Application 8

Adopted amendment Application 8 changes the text in the Recreation and Open Space Element to reflect the 2007 Miami-Dade County Parks and Open Space Master Plan, as well as other updates and Policy changes not related to the Open Space Master Plan. The Application was adopted as transmitted.

The Miami-Dade County Board of County Commissioners unanimously approved (11-0) the transmittal of Application 8 at its April 28, 2010 meeting.

Staff analysis confirms that adopted Application 8 is generally consistent with the Goals and Policies of the *Strategic Regional Policy Plan for South Florida*.

Application 9

Adopted amendment Application 9 changes the text in the Housing Element to enhance and preserve “mobile home parks” as viable options for affordable housing. The Application was adopted with a minor revision to further clarify and correct the intent of the revised policies.

The Miami-Dade County Board of County Commissioners approved (7-5) the transmittal of Application 9 at its April 28, 2010 meeting.

Staff analysis confirms that adopted Application 9 is generally consistent with the Goals and Policies of the *Strategic Regional Policy Plan for South Florida*.

Impact Analysis

Staff analysis resulted in Objections to amendment Applications 5 and 6 in the Miami-Dade County adopted amendment package #10-1 due to environmental issues (see staff Objections on pages 5 through 8).

Staff analysis confirms the remaining amendments Applications (3, 8, and 9) in the Miami-Dade County adopted amendment package #10-1 would not result in compatibility, extra-jurisdictional, or affordable housing issues; or impact significant regional resources and facilities, natural resources, transportation systems, emergency preparedness plan and local mitigation strategies.

Recommendations of Consistency with Strategic Regional Policy Plan (SRPP)

Find amendment Application 5 of Miami-Dade County adopted amendment package #10-1 generally inconsistent with the *Strategic Regional Policy Plan for South Florida (SRPP)*, particularly with Goals 11, 12, and 20, and Policies 11.10, 12.1, 12.3, 12.4, 20.1, 20.2, and 20.3;

Find amendment Application 6 of Miami-Dade County adopted amendment package #10-1 generally inconsistent with the *SRPP* Goals 7, 14, and 15, and Policies 7.7, 7.9, 14.1, 14.3, 14.4, 14.7, and 15.1; and

Find the remainder of Miami-Dade County adopted amendment package #10-1 (Application 3, 8, and 9) generally consistent with the *SRPP*. Approve this staff report for transmittal to the Florida Department of Community Affairs.

Council Action

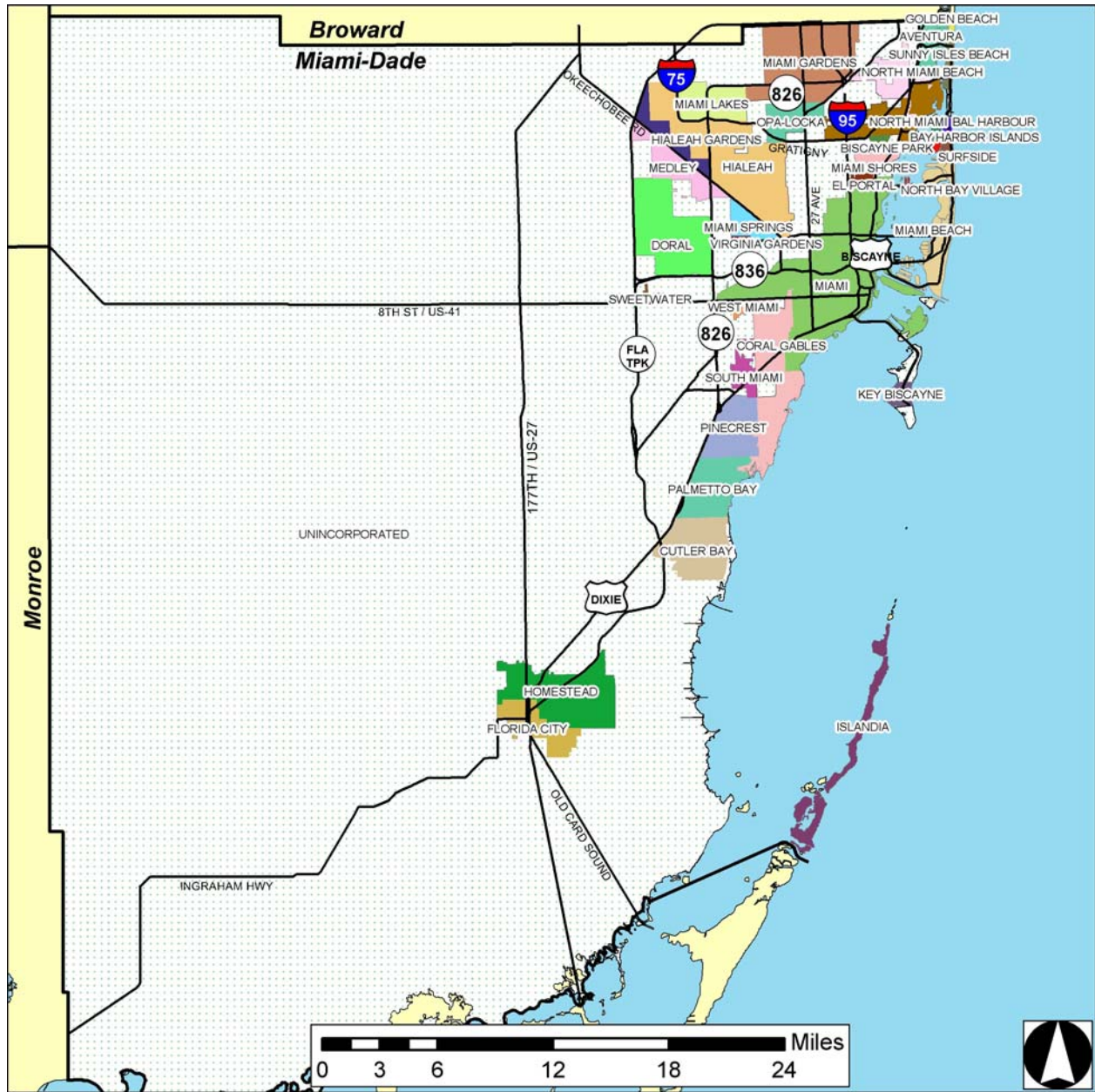
At its June 7, 2010 meeting, the Council found the following for Miami-Dade County adopted amendment package #10-1:

Find amendment Application 6 generally inconsistent with the *SRPP* Goals 7, 14, and 15, and Policies 7.7, 7.9, 14.1, 14.3, 14.4, 14.7, and 15.1; and

Find the remainder of the amendment package (Applications 3, 5, 8, and 9) generally consistent with the *SRPP*.

Approve this staff report for transmittal to the Florida Department of Community Affairs.

Attachment 1



COMPREHENSIVE PLAN AMENDMENTS

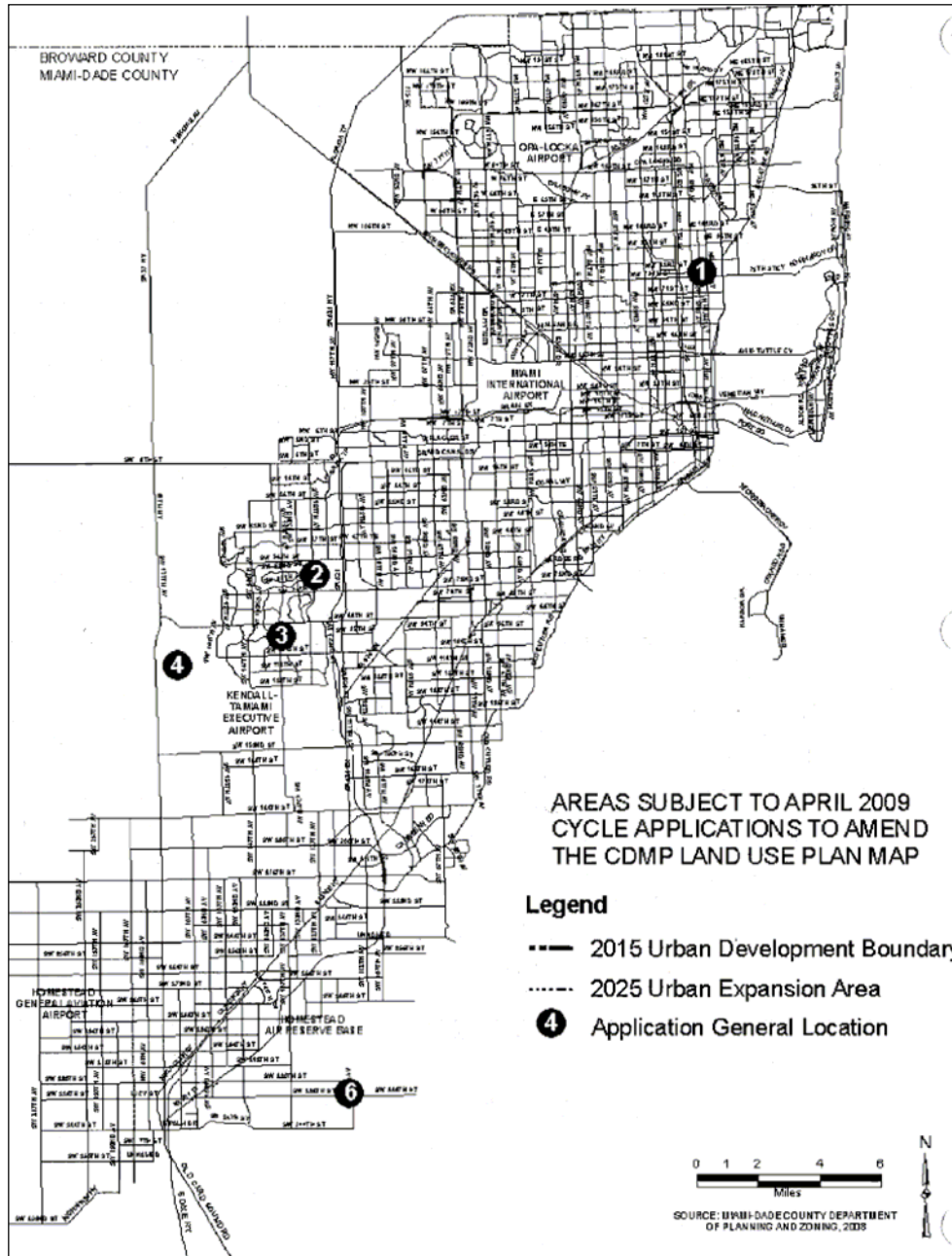
General Location Map

Miami-Dade County
Adopted Amendment Package #10-1

Sources: FDEP, SFWMD, Miami-Dade County, SFRPC.

Note: For planning purposes only. All distances are approximate.

Attachment 2



COMPREHENSIVE PLAN AMENDMENTS

Amendment Location Map

Miami-Dade County
Adopted Amendment Package #10-1
Amendment Site Locations*

Source: Miami-Dade County adopted amendment package #10-1.

Note: For planning purposes only. All distances are approximate.

*Amendments 2-5 are small scale amendments; Amendment 1 and 4 were withdrawn by the Applicant.

Attachment 3



COMPREHENSIVE PLAN AMENDMENTS

Aerial Map

Miami-Dade County

Adopted Amendment Package #10-1

Application No. 3 (19.55 acres)

From: Office/Residential

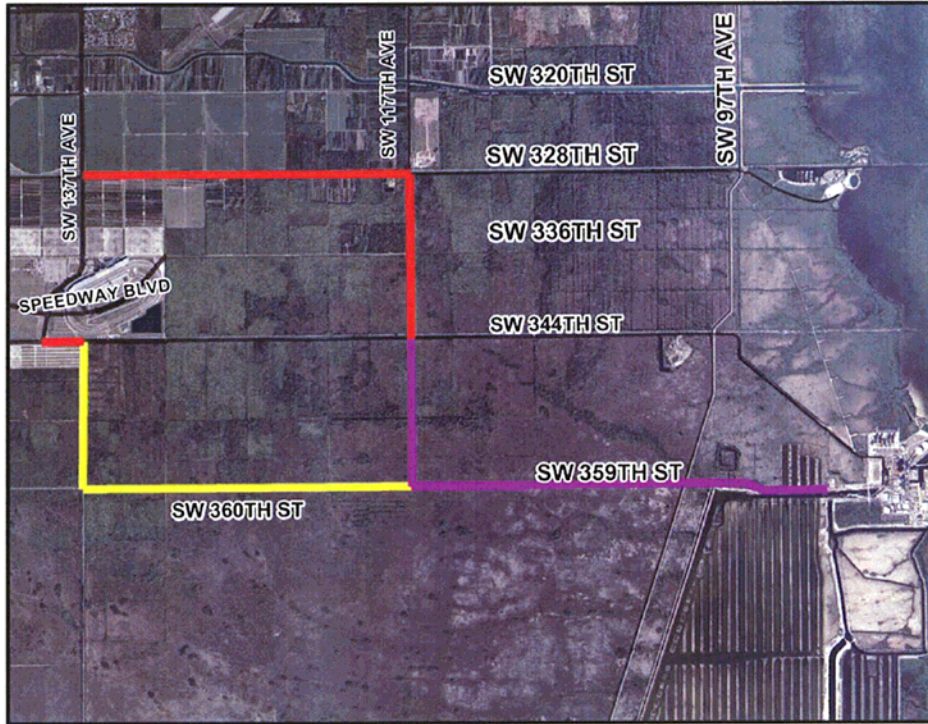
To: Business and Office

Sources: Miami-Dade County, SFRPC.

Note: For planning purposes only. All distances are approximate.




Attachment 4

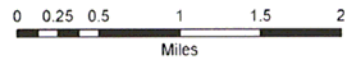
AERIAL PHOTO: APPLICATION NO. 6



LEGEND

PROPOSED ROADWAY IMPROVEMENTS

-  WIDEN 2 TO 4 LANES
-  NEW 3 LANES
-  NEW 4 LANES



SOURCE: MIAMI-DADE COUNTY DEPARTMENT OF PLANNING AND ZONING, AUGUST 2009

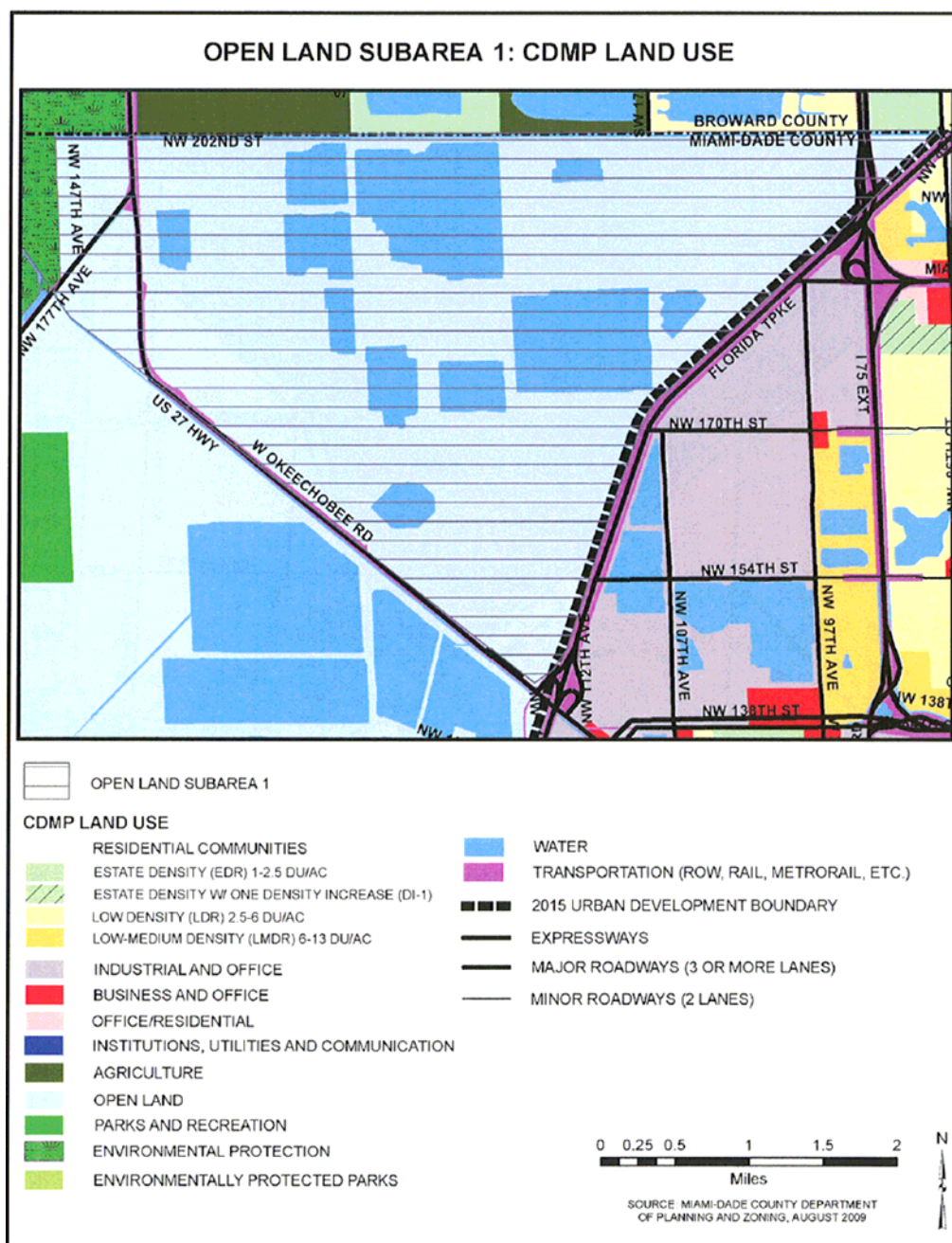
COMPREHENSIVE PLAN AMENDMENTS

Aerial Map
Miami-Dade County
Adopted Amendment Package #10-1

Application No. 6
New and Temporary Roadways
OPTION 1: Roadway Access

Source: Miami-Dade County adopted amendment package #10-1.
Note: For planning purposes only. All distances are approximate.

Attachment 5



COMPREHENSIVE PLAN AMENDMENTS

Aerial Map
 Miami-Dade County
 Proposed Amendment Package #10-1
 Application No. 5
 Open Land Subarea 1

Source: Miami-Dade County proposed amendment package #10-1.
 Note: For planning purposes only. All distances are approximate.