



# MEMORANDUM

AGENDA ITEM #IV.D

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DATE: JULY 23, 2018

TO: COUNCIL MEMBERS

FROM: STAFF

SUBJECT: COMPREHENSIVE PLAN AMENDMENT REVIEW: REGIONAL ISSUES – MIAMI DADE COUNTY #18-1ESR – APPLICATIONS No. 7 AND No. 9

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## Amendment Review

Pursuant to the Interlocal Agreement creating the South Florida Regional Planning Council in 1974, the Council is directed by its member counties to “assure the orderly, economic, and balanced growth and development of the Region, consistent with the protection of natural resources and environment of the Region and to protect the health, safety, welfare and quality of life of the residents of the Region.”

The South Florida Regional Planning Council (Council) review of proposed Comprehensive Plan amendments for consistency with the *Strategic Regional Policy Plan for South Florida (SRPP)* primarily addresses the 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.

Pursuant to Section 163.3184, Florida Statutes, Council review of amendments to local government comprehensive plans is limited to 1) adverse effects on regional resources and facilities identified in the *Strategic Regional Policy Plan for South Florida (SRPP)* and 2) extra-jurisdictional impacts that would be inconsistent with the comprehensive plan of any affected local government within the Region.

A written report containing an evaluation of these impacts, pursuant to Section 163.3184, Florida Statutes, is to be provided to the local government and the State Land Planning Agency within 30 calendar days of receipt of the amendment.

## Staff Analysis

Proposed amendment package #18-1ESR was received on June 15, 2018. Nine (9) applications were processed in the October 2017 cycle of amendments to the CDMP seven of which (Applications Nos. 1



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through 7) were filed by private parties and two (Application Nos. 8 and 9) were filed by Miami-Dade County. Application No. 1 was withdrawn by the applicant. Application Nos. 2, 3, and 6 were adopted by the Miami-Dade Board of County Commissioners as small-scale amendments on April 25, 2018. Application No. 4 was denied with Applications No. 5 (small-scale) and No. 8 to be transmitted separately.

## **Background**

Application No. 7 proposes a Land Use Map amendment with a proffered Declaration of Restrictions and No. 9 proposed a text amendment to the Miami-Dade County Comprehensive Development Master Plan (CDMP). These applications were transmitted with a recommendation of adoption by the Miami-Dade County Board of County Commissioners on April 25, 2018 by a vote of 11-0 with one absence. Final actions on these amendments are scheduled to occur on July 25, 2018.

### **Application No. 7**

Application No. 7 proposes a redesignation of the subject site on the Land Use Plan map from Industrial and Office to Business and Office and adds a proffered Declaration of Restrictions in the Restrictions Table in Appendix A of the CDMP Land Use Element. The Application allows residential, retail, and industrial uses, or a mix of one or more of these uses provide that each use does not exceed the following maximums: 300,000 square feet of retail, 1.2 million square feet of industrial, and / or 700 residential units.

The subject area is 70.82 gross acres located on the west side of I-75, east side of NW 97<sup>th</sup> Avenue between NW 170<sup>th</sup> Street and theoretical NW 177<sup>th</sup> Terrace. It is east of the American Dream Mall/Graham Property site and located within one mile of two Strategic Intermodal System (SIS) corridors (I-75 and Homestead Extension Florida Turnpike (HEFT.) Per Miami-Dade County, the subject property has a Covenant of Restrictions to limit the total number of afternoon peak hour trips generated by the site given the current land use designation.

The Miami-Dade County Department of Regulatory and Economic Resources (RER), Planning Division, provided extensive comments and analysis with respect to Application No. 7 (October 2017 Cycle – Revised and Replaced April 2018). Among other observations, RER states in its report that Miami-Dade County CDMP Policy LU-8E requires LUP map amendment applications to be evaluated according to factors such as the ability of the proposed amendment to satisfy a deficiency in the LUP map to accommodate projected population or economic growth of the County, (ii) impacts to public facilities and services; (iii) compatibility with abutting and nearby land uses; (iv) impacts to environmental and historic resources; and how the proposed land use would promote v.) transit ridership and pedestrianism.

Miami-Dade County RER recommended “that the application be transmitted at this time in order to give the applicant the opportunity to address concerns identified by staff regarding the application’s potential impacts”.

In its comments to Miami-Dade County, the South Florida Water Management District (SFWMD) offered the following on July 2, 2018:

The District offers the following recommendations for revising the proposed amendment package for Application No. 7 (the AMB I-75 site) and requests that the County address these recommendations prior to adopting the amendment:

1. The proposed amendment should be revised to include an analysis of storm water management needs and flooding issues, including a demonstration that there will be no adverse offsite impacts and how the integrity of the regional canal systems will be maintained; and an identification of the appropriate stormwater management infrastructure needed for the proposed land uses. A Stormwater Management Permit will be required from the District. Pre-application meetings with District regulatory staff are strongly encouraged to identify issues early in the process.
2. Revise the proposed amendment to demonstrate how water conservation could be utilized to support the non-potable water needs of the proposed land uses. The analysis should include the following:
  - The proposed source of water for landscape irrigation.
  - An explanation of how the proposed land uses could or could not use either on-site wells or reclaimed water for landscape irrigation and for portions of the project that do not require public water supply.
  - If potable water is to be used for landscape irrigation, provide information to demonstrate how the use of potable water is consistent with provisions of the County's Comprehensive Development Master Plan that protect water recharge areas and encourage use of alternative water technologies to meet water demand, including but not limited to Objectives CON-4 and ICE-4 and Policies CON-4A and ICE-4F.
  - If on-site wells or lake pumps are proposed for irrigation, a water use permit will be required, and wetland, pollution and resource impacts will need to be assessed.
3. The proposed amendment does not demonstrate how impacts to the wetlands identified on the site will be avoided and will be mitigated. The site contains identified wetlands. Environmental Resource Permit(s) (ERPs) will be required from the District. The applicant for development on the site will need to demonstrate that the criteria-in the ERP Applicant's Handbook Volumes I & II, including reduction and elimination of wetland impacts, will be met. Pre-application meetings with District regulatory staff are strongly encouraged to identify issues early in the process.

In its letter of June 19, 2018, the Florida Department of Transportation (FDOT) stated that the “maximum threshold number of trips is equal to the maximum potential trips generated by the site given its current land use designation. As a result, the proposed change to a Business and Office designation would not have an impact upon the adjacent SIS facilities since the maximum number of potential PM peak hour trips is unchanged.”

Council staff recommends that given the proximity of the proposed development to ADM/Graham, should transportation impacts to adjacent local governments including Miramar and Broward County be identified in the future, impacts to local governments should be mitigated.

#### Application No. 9

Application No. 9 seeks to amend the Open Land Subarea 1 interpretive text on page I-67 of the Land Use Element in the October 2013 edition of the County’s adopted CDMP to allow the County owned site for former and decommissioned Opa-Locka West Airport to be used as an area for recreational motorsports, specifically all-terrain vehicle (ATV) use and recreational drag racing.

The subject area is approximately 420 acres of mostly vacant land located south of the Miami-Dade/Broward County line (NW 202<sup>nd</sup> Street) between SR25/Okeechobee Road and a theoretical NW 132<sup>nd</sup> Avenue, and north of NW 186<sup>th</sup> Street. The site is owned by Miami-Dade County Aviation Department. The site, which is currently in use, is located four miles north west of American Dream

Miami, three and a half miles outside the Urban Development Boundary (UDB), and outside of the Urban Expansion Area. According to the Miami-Dade RER's October 2017 Cycle – Revised and Replaced April 2018 staff report, the “application site is part of the ‘Open Land Subarea 1’ land use designation. The ‘Open Land’ designation in this area allows for rural residential uses at one dwelling unit per five acres, limestone quarrying and ancillary uses, compatible institutional uses, public facilities, utility facilities, communications facilities, recreational uses, and seasonal agriculture. It also prohibits any uses that could compromise groundwater quality west of the Turnpike Extension.”

The SFWMD did not identify any significant water resource issues with Application No. 9. In its review of Application No. 9 on June 19, 2018, FDOT noted that “No quantitative transportation analysis was provided to evaluate the maximum potential impacts to SIS and other regional transportation facilities of this amendment per FDOT District 6. The District requests that Miami-Dade County provide sufficient transportation analysis to document the potential impact the proposed land use changes will have on the transportation network.”

As expressed to FDOT by Miami-Dade County RER in an email response to their comment, the proposed amendment is a text amendment, not a map amendment. As such it does not necessitate a traffic study. Necessary traffic studies will be conducted at zoning when a specific project is being proposed and evaluated.

#### Recommendation

Find Application No. 7 **generally inconsistent** with the Strategic Regional Policy Plan at this time due to insufficient information. Council staff recommends that the questions posed by the Miami-Dade County Department of Regulatory and Economic Resources (Application No. 7 - October 2017 Cycle – Revised and Replaced April 2018) and the SFWMD be fully answered prior to adoption. Council staff recommends that any residential development be required to incorporate a range of housing choices to include affordable and workforce housing. Given the proximity of the proposed development to ADM/Graham, should transportation impacts to adjacent local governments, including Miramar and Broward County, be identified in the future, impacts to local governments should be mitigated. All requirements for the project should be documented and incorporated into a legally binding document.

Find Application No. 9 **generally inconsistent** with the Strategic Regional Policy Plan at this time due to insufficient information. FDOT staff indicates that it is unclear how potential development of the former and decommissioned Opa-Locka West Airport in Northwest Miami-Dade County will impact the adjacent corridors that are part of the Strategic Intermodal System and other regional transportation systems in the future. Recognizing that the proposed amendment is a text amendment, the Council requests that Miami-Dade County provide a transportation analysis regarding the maximum potential impact that the possible addition of a recreational motorsport facility and destination featuring all-terrain vehicle use and recreational drag racing will have on the Strategic Intermodal System, transportation network, and adjacent local governments including Miramar and Broward County.

The Council looks forward to reevaluating Application Nos. 7 and 9 once the requested information has been received.

Approve this staff report for transmittal to the local governments with a copy to the State Land Planning Agency.

**Staff Analysis:** Revised and updated July 23, 2018

**Council Action:** Approved July 23, 2018