

Objections, Recommendations, and Comments Report

for

City of Miami Gardens Comprehensive Plan

I. CONSISTENCY WITH CHAPTER 163, F.S., AND RULES 9J-5 & 9J-11, F.A.C.

The Department has completed its review of the proposed Miami Gardens Comprehensive Plan and has the following objections and comments.

A. OBJECTIONS

OBJECTION: PLANNING PERIODS

The City's comprehensive plan does not establish short-term and long-term planning time frames, as required pursuant to Section 163.3177(5)(a), F.S., and F.A.C. Rule 9J-5.005(4). A comprehensive plan shall include at least two planning periods, one for at least the first 5-year period subsequent to the plan's adoption and one for at least an overall 10-year period.

Citations

Florida Administrative Code: Rule 9J-5.005(4)

Florida Statutes: Section 163.3177(5)(a)

Recommendation

Amend the comprehensive plan to add the required planning periods. Adjust as necessary the data and analysis and goals, objectives, and policies, including any future conditions maps and tables, to correspond to these planning periods.

OBJECTION: POPULATION PROJECTIONS

The City's has not adequately documented that the population projections contained in the supporting data and analysis are statistically sound.

The data and analysis document submitted with the comprehensive plan contains a section on population projections. The City looked at two different methods of projecting population growth: shift-share and mathematical extrapolation, both of which are stated in the Department's 1986 "Guide to Methodologies for Forecasting Population Growth for Florida's Local Planning Agencies" to be acceptable methods of projecting population. The City examined two different sets of data points in its

mathematical extrapolation method for projecting population growth: the time period from 1990 to 2004 and the period from 2000 to 2004. The City discarded the projection based on data points between 1990 and 2004 as being too conservative. It choose instead the 2000 – 2004 extrapolation, which is derived from only two points: the 2000 US Census broken out for Miami Gardens and BEBR's 2004 estimate for Miami Gardens. According to the data and analysis submitted with the plan, an extrapolation based on these two points "shows the most current trend comparable with future estimates and economic trends per BEBR calculations (Please see Exhibit A)." However, Exhibit A is simply the BEBR estimate for year 2004, which is one of the two data points in that extrapolation.

The use of an extrapolation from two data points separated by 4 years, whose accuracy is tested by one of those data points, when projections using a longer historical period, including those two data points, are available, has not been adequately substantiated by the City as constituting professionally accepted methodology.

Note that the Department's 1986 Guide, referred to above, states that local population projections should be made using sound statistical procedures. The example is given of a 15-year projection requiring an extrapolation from 15 years of historical data. Miami Gardens, however, is extrapolating out to 2030 using only two data points covering 4 years.

Miami-Dade County, in its report to the Department, stated that the County's population estimates should be utilized for the City's planning purposes. Therefore the County urges that the City's population projections be consistent with the County's estimates and that a policy to this effect should be added to the comprehensive plan. The County recommends that the City should contact the County's Department of Planning and Zoning regarding the methodology and estimates that are to be used.

The South Florida Water Management District, in its report to the Department, criticized the City's population projections. The District notes that the City's population projections are not based on medium BEBR projections. These projections form the basis for developing the City's future water demands. On the other hand, the County's population projections are consistent with the medium BEBR projections. The SFWMD has been coordinating with the County and it, too, uses the medium BEBR projections in its regional water supply plans. The District recommends that the City should base its plan on the medium BEBR projections, unless the Department approves an alternative methodology as provided in Florida Administrative Code Rule 9J-5.005(2)(e).

Citations

Florida Statutes: Sections 163.3177(6)(a) and 163.3177(h)2

Florida Administrative Code: Rule 9J-5.005(2)(e)

Recommendations

The City must submit to the Department for approval any population projections other than projections based on mid-range BEBR projections for Miami-Dade County, pursuant to the direction in the Department's "Guide to Methodologies for Forecasting Population Growth for Florida's Local Planning Agencies."

The population projections from a professionally acceptable methodology should include the years chosen for the short-range and long-range planning time frames.

Revise as necessary portions of the goals, objectives, and policies and the data and analysis which are dependent on population projections, including the facility capacity analysis.

Amend the Intergovernmental Coordination Element to describe a joint process for collaborative planning with the County on population projections. Coordinate with Miami-Dade County in developing the population projections.

OBJECTION: TRANSPORTATION CONCURRENCY MANAGEMENT AREA

The City has not proposed a clear overall areawide Level of Service (LOS) standard for its four proposed Transportation Concurrency Management Areas (TCMAs). Pursuant to s. 163.3180(7), F.S., a TCMA must be a compact geographic area with an existing network of roads where multiple, viable alternative travel paths or modes are available for common trips. A local government may establish an areawide level-of-service standard for such a TCMA based upon an analysis that provides for a justification for the areawide level of service, how urban infill development or redevelopment will be promoted, and how mobility will be accomplished within the transportation concurrency management area.

Transportation Element Policy 1.9.1 sets LOS E as the adopted LOS standard for non-FIHS facilities within the City; however, it sets LOS E plus 20 percent for roadways within 0.5 mile of transit service with 20-minute headways and LOS E plus 50 percent for roadways within 0.5 mile of extraordinary transit. It is not clear how this exemption from LOS E for these roadways fits within the areawide LOS standard of E.

The intent of establishing a TCMA to address concurrency requirements is to allow an averaging of LOS on parallel facilities such that the average LOS meets or exceeds the adopted areawide LOS standard. Thus the average LOS for the roadways within each of the four proposed TCMAs must be maintained at or above the proposed areawide LOS standard of E. Setting separate LOS standards for roadways within a certain distance of transit is confusing and does not accomplish anything, because the average LOS in the TCMA must meet the adopted areawide LOS standard for the TCMA regardless of allowances for roadways near transit. In other words, the measured LOS for, e.g., roadways near extraordinary transit can be allowed to drop to E plus 50 percent, so long as the overall average LOS within the TCMA remains at E or better.

If the City intends, by setting a separate LOS standard for roadways near transit service, to preferentially allow those roadways to exceed the areawide LOS standard while maintaining the overall LOS at LOS E or better for the TCMA, this is acceptable. However, it is not clear from the text of the applicable Transportation Element objectives and policies that this is what is intended. If, instead, the City intends that an areawide LOS of E be maintained within each TCMA except for the roadways near transit service, which are allowed to maintain a degraded LOS standard, such that an areawide LOS standard of E is not maintained, then this is not consistent with s. 163.3180(7), F.S., and Rule 9J-5.0055(5), F.A.C., and is objectionable.

Further, the City has not demonstrated, through appropriate data and analysis, that its proposed TCMA areawide LOS E standard will be maintained through the long-range planning time frame. Note that the comprehensive plan as proposed does not establish a long-range planning time frame and that its data and analysis is not based on population projections produced by means of a professionally acceptable methodology. See previous objections, above.

Citations

Florida Statutes: Sections 163.3180(7)

Florida Administrative Code: Rule 9J-5.0055(5)

Recommendation

Revise the Transportation Element to make clear that there is a single areawide LOS standard for each proposed TCMA which may not be exceeded through the planning period.

Support the proposed areawide LOS standard for each TCMA with adequate data and analysis. The data and analysis should be based on short- and long-range planning time frames established in the comprehensive plan and on a professionally acceptable population projection methodology.

OBJECTION: LEVEL OF SERVICE STANDARD FOR FIHS FACILITIES

The tables in CIE Policy 1.4.1 and Transportation Element Policy 1.1.1 do not agree with the current version of Florida Administrative Code Rule Chapter 14-94, setting the Florida Department of Transportation's FIHS LOS standards. Controlled access facilities inside Miami Gardens should be LOS D. Limited access facilities parallel to exclusive transit facilities should be LOS E. Pursuant to Section 163.3180(10), F.S., and Rule 9J-5.019(4)(c)1, F.A.C., local governments shall adopt the LOS standards established by FDOT by rule.

Citation

Florida Statutes: Section 163.3180(10)

Florida Administrative Code: Rule 9J-5.019(4)(c)1

Recommendation

Revise the tables in CIE Policy 1.4.1 and Transportation Element Policy 1.1.1 to be consistent with F.A.C. Rule 14-94, setting FDOT's FIHS LOS standards. Controlled access facilities inside Miami Gardens should be LOS D. Limited access facilities parallel to exclusive transit facilities should be LOS E.

OBJECTION: CONCURRENCY FOR TRANSPORTATION FACILITIES

The Capital Improvements Element does not include all of the applicable concurrency requirements specified in F.A.C. Rule 9J-5.0055(3)(c) for transportation facilities. CIE Policy 1.4.3 allows transportation concurrency to be met if the City issues a development order or permit subject to the conditions that the necessary transportation facilities and services needed to serve the new development are scheduled to be in place or under actual construction not more than 3 years after issuance of a building permit or its functional equivalent that results in traffic generation. If this is to be allowed under the comprehensive plan, the CIE must be revised to add the following policies, pursuant to F.A.C. Rule 9J-5.0055(3)(c)2:

- a. The estimated date of commencement of actual construction and the estimated date of project completion.
- b. A provision that a plan amendment is required to eliminate, defer, or delay construction of any road or mass transit facility or service which is needed to maintain the adopted level of service standard and which is listed in the 5-year schedule of capital improvements.

Citation

Florida Administrative Code: Rule 9J-5.0055(3)(c)

Recommendation

The requirements specified in Rule 9J-5.0055(3)(c)2.a. and b. should be added to the CIE.

OBJECTION: CONCURRENCY FOR SANITARY SEWER, SOLID WASTE, DRAINAGE, ADEQUATE WATER SUPPLIES, AND POTABLE WATER FACILITIES

Infrastructure Element Policy 4.1.2 establishes conditions under which a development order may be issued; however, these conditions do not track the requirements in s. 163.3180(2)(a) and Rule 9J-5.0055(3)(a). Sanitary sewer, solid waste, drainage, adequate water supplies, and potable water facilities shall be in place and available to serve new development no later than the issuance by the local government of a certificate of occupancy or its functional equivalent. For these public facilities the City

may not issue a final development order based on the facilities being ready when the impacts of development occur, as appears to be authorized in Infrastructure Policy 4.1.2. Note also that the final development order for these public facilities is the certificate of occupancy or its functional equivalent.

See also Infrastructure Policy 3.2.6, relating to drainage, and the three criteria it sets for the issuance of development orders. The first criterion is not allowed under s. 163.3180 and Rule 9J-5.0055. The second criterion refers to provisions set forth in the CIE. This is acceptable if CIE Policy 1.4.3 is meant, because it correctly follows s. 163.3180 and Rule 9J-5.0055. CIE Policy 1.4.5, however, does not (see below). The third criterion limits development to pre-development contributions to the capacity of the existing stormwater facility in cases where upgrading the existing facility would create undesirable impacts to adjacent or downstream properties. This apparently relates to the provision in s. 163.3180(2)(a) making the concurrency requirement for sanitary sewer etc be consistent with public health and safety, but should be revised to be more clear.

CIE Policy 1.4.5 does not correctly state the required connection between issuance by the City of development permits and the availability of public facilities and services. Policy 1.4.5 states that, if public facilities and services at the adopted LOS standards are not available at the time of site plan approval or plat approval, the development orders or building permits can be conditioned upon the availability of public facilities and services or the necessary facilities can be guaranteed in an enforceable development agreement. This policy misses the connection with issuance of the certificate of occupancy. For sanitary sewer, solid waste, drainage, and potable water facilities, a local government must meet the standards set in F.A.C. Rule 9J-5.0055(3)(a). See also s. 163.3180(2)(a), F.S., which requires that sanitary sewer, solid waste, drainage, adequate water supplies, and potable water facilities shall be in place and available to serve new development no later than the issuance by the local government of a certificate of occupancy or its functional equivalent.

Note that the statutory concurrency requirement is correctly followed in CIE Policy 1.4.3, except that it connects the necessary facilities and services with site plan approval or plat approval, and the statute and administrative rule only require that they be available at the time of issuance of the certificate of occupancy.

As noted, Policy 1.4.3 appears to correctly state the required connection between issuance of the local government development permit and provision of transportation facilities. However, the third paragraph under “b. Transportation” should be revised to make clear what “as provided in the adopted Five-Year Schedule of Capital Improvements” refers to. This policy should also reference Miami Dade County’s 5-Year Transportation Improvement Program and the Florida Department of Transportation’s 5-Year Work Program.

Citations

Florida Statutes: s. 163.3180(2)(a)

Florida Administrative Code: Rule 9J-5.0055(3)(a)

Recommendations

Revise Infrastructure Element Policy 3.2.6 and Policy 4.1.2 to require that necessary sanitary sewer, solid waste, drainage, adequate water supplies, and potable water facilities shall be in place and available to serve new development no later than the issuance by the local government of a certificate of occupancy or its functional equivalent.

Revise CIE Policy 1.4.5 to require that necessary sanitary sewer, solid waste, drainage, adequate water supplies, and potable water facilities shall be in place and available to serve new development no later than the issuance by the local government of a certificate of occupancy or its functional equivalent.

OBJECTION: POTABLE WATER LEVEL OF SERVICE STANDARD

The LOS standard for potable water is not based on appropriate data and analysis.

The City obtains its potable water supply from Miami-Dade County and the City of North Miami Beach. The City is proposing an level of service standard of 200 gallons per day per capita. The City's proposed standard does not appear to be based on historical water use. No data and analysis has been provided that this standard is appropriate for future development within the City.

The South Florida Water Management District's current level of service estimates for Miami-Dade County and the City of North Miami Beach are approximately 160 and 130 gpd per capita, respectively. Furthermore, the County is planning on increased water conservation which is likely to result in a lower future level of service. The City of North Miami Beach has previously implemented significant water conservation measures. Therefore, the City of Miami Gardens should either justify its proposed level of service standard or lower it to be consistent with the standard for the County or the City of North Miami Beach.

Citation

Florida Administrative Code: Rule 9J-5.005(3)

Recommendation

The City should either justify its proposed level of service standard with appropriate data and analysis or lower the standard to be consistent with the standards for Miami-Dade County and the City of North Miami Beach.

OBJECTION: INTERGOVERNMENTAL COORDINATION FOR WATER SUPPLY

The proposed Intergovernmental Coordination Element does not include specific objectives and policies to identify how the City will coordinate with the appropriate governmental agencies to ensure an adequate water supply to support development and redevelopment within the planning horizon. The ICE does not address coordination with the South Florida Water Management District, the Miami-Dade County Water and Sewer Department (WASD), and the cities of North Miami Beach and Opa-locka, the entities involved in providing potable water to Miami Gardens. Policies 4.1.4 and 4.2.2 in the Infrastructure Element do address coordination with WASD; however, this necessary coordination should be specifically provided for in the ICE.

According to the South Florida Regional Planning Council, until the City demonstrates how coordination with WASD and other water suppliers will be addressed, the Intergovernmental Coordination Element is incompatible with the Strategic Regional Policy Plan for South Florida.

Miami-Dade County recommends that Infrastructure Element Policy 4.5.1 be revised to add the County's Department of Environmental Resource Management (DERM) as an entity for the City to coordinate with, since DERM is responsible for resource protection in the County (including recharge, stormwater drainage, water quality, and treatment plant permitting).

Citation

Florida Administrative Code: Rule 9J-5.015(3)(b)

Recommendations

Revise the Intergovernmental Coordination Element to include objectives and policies that ensure coordination with SFWMD, WASD, and other water suppliers to ensure efficient provision of potable water. Specifically, revise ICE Objective 1.1 to include coordination with the entities involved in providing potable water for Miami Gardens.

Add a policy to the ICE that addresses consistency with the SFWMD's Lower East Coast Regional Water Supply Plan.

Revise Infrastructure Element Policy 4.5.1 to add the Miami-Dade County Department of Environmental Resource Management.

OBJECTION: PROCEDURES FOR EVALUATING IMPLEMENTATION OF THE PLAN

The Miami Gardens plan does not contain, for each element of the comprehensive plan, procedures for monitoring, evaluating and appraising implementation of the plan, as required pursuant to Florida Administrative Code Rule 9J-5.005(7), "General Requirements."

Citation

Florida Administrative Code: Rule 9J-5.005(7)

Recommendation

Add procedures to the several elements of the comprehensive plan for monitoring, evaluating and appraising implementation of the plan.

B. COMMENTS

FUTURE LAND USE ELEMENT

COMMENT: Policy 1.1.2 should be revised to be more accurate: “. . . shall contain an adequate supply of lands at suitable densities to accommodate the projected population.”

COMMENT: Policy 2.1.4, defining the Mixed-Use Planned future land use category, does not set a minimum FAR as the other mixed-use categories do. Since it does define a minimum percentage of nonresidential use, the City should consider setting a minimum FAR for nonresidential intensity. Miami-Dade County has suggested setting a minimum FAR of 0.5 for this category.

COMMENT: Policy 2.2.2 does not set an intensity standard for the Public Parks and Recreation future land use category. Table FLU I-13 of the Data and Analysis lists an FAR of 0.25 for the Public Parks category. Revise Policy 2.2.2 to set this intensity standard or another appropriate standard.

COMMENT: As noted by Miami-Dade County, the FLUE does not contain a policy regarding the City’s commitment to conservation, especially water conservation, and green building principles. Add a policy addressing these major future concerns of the County and the City under Objective 2.4.

COMMENT: Policy 2.4.6 states that a system of height bonuses and incentives will be developed. The policy should provide some level of guidance as to how much height will be allowed and in what locations.

COMMENT: Policy 2.11.10 should be revised so that it can be understood correctly.

COMMENT: Miami-Dade County has noted some inaccuracies in the data and analysis for potable water. The countywide annual average daily withdrawal is 413.2 mgd, not 112.5 mgd, and the maximum day demand is 413.4 mgd, not 91.65 mgd. The discussion of the Norwood and North Miami Beach systems are based on year 2000 data; however, current data is available from Miami-Dade County Department of Environmental Resource Management and is updated twice a year. The data should include the rated capacities vs. the average demand for each of the treatment plants.

It is unclear how the City determined a use of 149 gallons per capita per day (gpcd). The County's gpcd is approximately 155 and north Miami-Dade is closer to 159. Please note that the gpcd will vary based on the land use. It will be higher for single family and lower for high rises. Since the composition of Miami Gardens is generally lower density residential, it would be a more accurate evaluation if the County's gpcd and the estimated population of the City were used to evaluate the future water demands. In 2020 with an estimated City population of 126,132 persons, and using a Miami-Dade County Water and Sewer Department projected gpcd for the County of 155 in the year 2020, the estimated water demand for the City would be approximately 19.550 mgd, not the 207 mgd used in the projection.

TRANSPORTATION ELEMENT

COMMENT: The comprehensive plan does not comply with F.A.C. Rule 9J-5.019(5), requiring that the general location of specified transportation system proposed features shall be shown on the future transportation map or map series. In particular, these features are not clearly depicted in the future transportation map series in the comprehensive plan: parking facilities that are required to achieve mobility goals, public transit routes or service areas (Map TRAN II-4 may depict transit routes, but they are listed as major economic development corridors on the map, not transit routes), public transit terminals and transfer stations, airport facilities including clear zones and obstructions, intermodal terminals and access to such facilities, and designated local and regional transportation facilities critical to the evacuation of coastal population prior to an impending natural disaster

COMMENT: Map TRAN II-6, "Projected Peak-Hour Level of Service Standard" (see also the similar Map FLU I-13 in the data and analysis), purporting to display "projected peak-hour level of service standards," does not display level of service information. Further, it is not clear what "projected" level of service standards are. The City should set adopted level of service standards and should project future levels of service (not standards) on roadways.

COMMENT: In Policy 1.7.6, replace the expression "Non-de minimis developments." Unless de minimis developments are discussed in a nearby policy, which does not seem to be the case, this policy should simply begin "Developments . . ." or "Developments other than de minimis developments . . ." [note correct spelling of "de minimis"].

COMMENT: In reference to Policy 1.9.1, which establishes the TCMA level of service standards, Florida DOT has pointed out in its report that it is unclear whether the 0.5-mile transit service requirement refers to all locations within the TCMA or any one location within the TCMA. Only a 0.25-mile buffer around the transit station should be permitted, 0.25 mile being a generally acceptable walking distance to a station.

COMMENT: "Extraordinary transit," as used in Policy 1.9.1, establishing the TCMA level of service standards, should be understood as not merely being an ordinary

express bus. Extraordinary transit should preferably have its own dedicated right of way. Express bus service operating along an arterial with mixed vehicular traffic can be considered extraordinary if it is implemented with traffic signal pre-emption and other operational components, such as turning restrictions for other vehicles during rush hours, which will facilitate and enhance express bus frequency and speed, as compared with ordinary transit.

INFRASTRUCTURE ELEMENT

COMMENT: Policy 3.2.4 should be revised. The City does not contain areas of high aquifer recharge to the Florida Aquifer, but it may contain areas of high recharge to the Biscayne Aquifer. This policy, to be effective, should be accompanied by a definition of the high aquifer recharge areas to the Biscayne Aquifer and an indication of their locations within the City.

COMMENT: Policies 4.2.1, 4.2.2, and 4.2.3 require coordination between the City, Miami-Dade County, and the City of North Miami Beach concerning potable water supply and service. The City obtains some of its water from Miami-Dade County via the City of Opa-locka's distribution system. Therefore, the comprehensive plan should also address coordination with the City of Opa-locka.

COMMENT: It will be necessary for the City to prepare its own 10-year water supply facilities work plan. Local governments that do not have a direct responsibility for their own water supply must nevertheless develop a 10-year water supply facilities work plan covering at least a 10-year planning period, for the building of any public, private, and regional water supply facilities that are needed to serve existing and new development within their jurisdiction. It will be necessary for the City to coordinate its water supply facilities plan with the water supply facilities plans of the entities involved in supplying water to the City. The Infrastructure Element should include a policy directing the preparation of the 10-year water supply facilities work plan and the coordination of the City's plan with the water supply facilities work plans of Miami-Dade County and the cities of North Miami Beach and Opa-locka.

COMMENT: Policies 5.2.4 and 5.2.5 incorrectly identify the Floridan Aquifer as being unconfined or semi-confined within the City. It is likely that the City means to refer to the Biscayne Aquifer, which is by definition an unconfined aquifer. All recharge to the Biscayne has the potential to be stream-to-sink. Therefore the criteria in Policy 5.2.5 should apply to development throughout the City. This policy needs to be rewritten to reflect the City's desire to prevent hazardous materials from negatively impacting groundwater. Miami-Dade County has noted that it would make more sense to put policies protecting groundwater quality and quantity under the Conservation Element since they deal with a resource and not infrastructure.

COMMENT: According to calculations provided in the Miami-Dade County report to the Department, the City's chosen level of service standard for sanitary sewer of 100 gpd per day is unrealistically low. The County recommends that this standard be

eliminated. However, according to the definition of “level of service” in Rule 9J-5.003(62), F.A.C., the level of service shall indicate the capacity per unit of demand for each public facility. Thus the City would need to retain a level of service indicating capacity per unit demand.

COMMENT: The South Florida Water Management District and Miami-Dade County currently regulate or operate all stormwater management facilities and programs within the City’s boundaries. The City is preparing a stormwater master plan which should be completed later in 2006. Recommendations in the stormwater master plan will provide the basis for establishing a capital improvements schedule in the comprehensive plan. The City should include a policy in the Infrastructure Element requiring that once the stormwater master plan is completed, the comprehensive plan will be updated to incorporate the stormwater plan.

CONSERVATION ELEMENT

COMMENT: The City may wish to reconsider the wording of Objective 1.6, which states that the City shall conserve and protect areas suitable for extraction of minerals and soils. This implies that the City may set aside areas suitable for extraction.

RECREATION AND OPEN SPACE ELEMENT

COMMENT: Policy 1.1.3 establishes a level of service standard for open space and recreation of 1.0 acre per 1,000 residents. Miami-Dade County has opined that this is an extremely low standard. The County observes that the current inventory suggests that there are currently 1.7 - 1.96 acres of park land per 1,000 persons, which could support a higher level of service standard. The County also recommends that this policy should indicate what type of open space is to be included in the level of service.

HOUSING ELEMENT

COMMENT: The Housing Element data and analysis is primarily based on year 2000 Census data, with some updated information on housing numbers. Policy 1.1.4 in the Housing Element acknowledges that the data and analysis should be updated after the Affordable Housing Needs Assessment (AHNA), to be completed by the Shimberg Center for Affordable Housing at the University of Florida, becomes available. However, the proposed policy does not commit the City to updating the Housing Element goals, objectives, and policies when the AHNA becomes available. The City should revise Policy 1.1.4 in the Housing Element to commit the City to updating the Housing Element of the Comprehensive Plan by reassessing existing housing programs, incentives, and strategies and, if necessary, creating new ones to address the City’s housing conditions when the AHNA is completed by the Shimberg Center.

COMMENT: The Housing Element data and analysis combines moderate income households with middle income households and all other households above 120 percent of median income. Moderate income households should be a separate category

of households. The data and analysis should be revised to include moderate income households as a separate income category.

COMMENT: Policies 1.2.3, 1.2.4, 1.3.7, and 1.4.2 contain provisions that the City will “investigate the feasibility of,” “consider awarding,” “consider the feasibility of adopting,” “investigate the possibility to apply for a grant.” It is recommended that the City strengthen the language and give a hard commitment to have specific strategies in place by time certain.

COMMENT: Policy 1.1.7 should be revised so that it can be understood correctly.

INTERGOVERNMENTAL COORDINATION ELEMENT

COMMENT: In Policy 1.1.8, please note that the Department of State and DCA are not one and the same.

COMMENT: The ICE should be revised to require coordination with Broward County, the Town of Pembroke Park, and the South Florida Water Management District.

COMMENT: The ICE should be revised to require coordination with the City of North Miami Beach and the Miami-Dade Water and Sewer Department regarding alternative water supply sources to support development and redevelopment within the planning horizon.

PUBLIC SCHOOL FACILITIES ELEMENT

COMMENT: Policy 1.1.4 sets a goal to meet 125 percent of the Florida Inventory of School Houses (FISH) capacity for year 2005 and 100 percent of FISH capacity for year 2015. Miami-Dade County points out that this School Board goal has since been changed to 115 percent of permanent FISH capacity. A new level of service standard for schools is being developed and should be filed as a County comprehensive plan text amendment in October 2006. Until then it is suggested that reference be made to the Interlocal Agreement among Miami-Dade County, its municipalities, and the School Board, which recommends 115 percent for FISH design capacity.

CAPITAL IMPROVEMENTS ELEMENT

COMMENT: Policy 1.4.5 applies to public facilities other than transportation. The policy appears to be more restrictive regarding parks and recreation facilities than is required under s. 163.3180(2)(b), F.S. The statute requires that parks and recreation facilities to serve new development shall be in place or under actual construction no later than 1 year after issuance by the local government of a certificate of occupancy or its functional equivalent. However, the acreage for such facilities shall be dedicated or be acquired by the local government prior to issuance by the local government of a certificate of occupancy or its functional equivalent, or funds in the amount of the

developer's fair share shall be committed no later than the local government's approval to commence construction.

II. STATE COMPREHENSIVE PLAN

The above cited amendments do not further and are not consistent with the following goals and policies of the State Comprehensive Plan (Chapter 187, Florida Statutes):

Water Resources Goal and Policies 1, 2, 5, 9, 10, and 11

Land Use Goal and Policies 1, 2, and 6

Urban and Downtown Revitalization Goal and Policies 6, 7, 9, and 10

Transportation Policy 3, 9, 13, and 15

Plan Implementation Goal

Revise the amendment to be consistent with and further the referenced goals and policies of the State Comprehensive Plan. This may be accomplished by revising the amendment as recommended for the specific objections above.