



Mayor Eugene Flinn  
Vice Mayor John DuBois  
Council Member Karyn Cunningham  
Council Member Tim Schaffer  
Council Member Larissa Siegel Lara

Village Manager Edward Silva  
Village Attorney Dexter Lehtinen  
Village Clerk Meighan J. Alexander

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodation, a sign language interpreter or hearing impaired to participate in this proceeding should contact the Village Clerk at (305) 259-1234 for assistance no later than seven days prior to the meeting.

VILLAGE LOCAL PLANNING AGENCY MEETING AGENDA  
Monday, February 1, 2016 - 7:00 P.M. (to immediately precede Regular Council Meeting)  
Village Hall Chambers, 9705 E. Hibiscus Street

1. **CALL TO ORDER, ROLL CALL, PLEDGE OF ALLEGIANCE**
2. **DECORUM STATEMENT:** Any person making impertinent or slanderous remarks, or who becomes boisterous, while addressing the Council may be barred from further appearance before the Council by the Mayor, unless permission to continue or again address the Council is granted by a majority vote of the Council. Applauding speakers shall be discouraged. Heckling or verbal outbursts in support or opposition to a speaker, or his or her remarks, shall be prohibited. No signs or placards shall be allowed in the Council meeting. Persons exiting the Council meeting shall do so quietly. All cellular telephones and beepers are to be silenced during the meeting.
3. **ORDINANCES FOR SECOND READING/PUBLIC HEARING**
  - A. AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, ACTING IN ITS CAPACITY AS THE MAYOR AND VILLAGE COUNCIL AND AS THE LOCAL PLANNING AGENCY, RELATING TO THE VILLAGE'S COMPREHENSIVE PLAN; AMENDING THE COASTAL MANAGEMENT ELEMENT BY ADDING POLICY 5.4.5 TO PROVIDE LANGUAGE ADOPTING THE STATE OF FLORIDA COASTAL HIGH HAZARD AREA MAP; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE. **(Included in Regular Agenda package as Item 13C)**
4. **NEXT MEETING AND ADJOURNMENT**

PURSUANT TO FLORIDA STATUTES 286.0105, THE VILLAGE HEREBY ADVISES THE PUBLIC THAT IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THIS COUNCIL WITH RESPECT TO ANY MATTER CONSIDERED

AT ITS MEETING OR HEARING, HE OR SHE WILL NEED A RECORD OF THE PROCEEDINGS, AND THAT FOR SUCH PURPOSE, THE AFFECTED PERSON MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDING IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. THIS NOTICE DOES NOT CONSTITUTE CONSENT BY THE VILLAGE FOR THE INTRODUCTION OR ADMISSION OF OTHERWISE INADMISSIBLE OR IRRELEVANT EVIDENCE, NOR DOES IT AUTHORIZE CHALLENGES OR APPEALS NOT OTHERWISE ALLOWED BY LAW.



To: Honorable Mayor and Village Council

Date: February 1, 2016

From: Edward Silva, Village Manager

RE: CHHA Policy Amendment –  
2<sup>nd</sup> Reading

**AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, ACTING IN ITS CAPACITY AS THE MAYOR AND VILLAGE COUNCIL AND AS THE LOCAL PLANNING AGENCY, RELATING TO THE VILLAGE'S COMPREHENSIVE PLAN; AMENDING THE COASTAL MANAGEMENT ELEMENT BY ADDING POLICY 5.4.5 TO PROVIDE LANGUAGE ADOPTING THE STATE OF FLORIDA COASTAL HIGH HAZARD AREA MAP; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.**

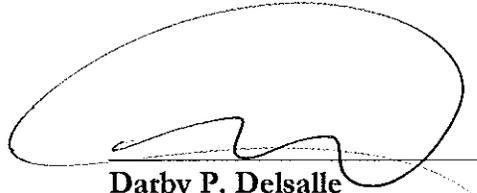
**UPDATE SINCE FIRST READING:**

This Ordinance was heard and approved during first reading on September 9, 2015. The language inserted into the Ordinance at that time was provided by State of Florida, Department of Economic Opportunity (DEO). Subsequent to first reading, the item was forwarded to DEO for their required review. On November 20, they responded approving the request provided the inserted language was modified. To ensure the verbiage they provided in their November 20, 2015 response was final, staff reached out to the DEO for further confirmation. DEO's response to the Village's consultant resulted in additional modification of the text. Based on those discussions, the amendment to proposed Policy 5.4.5 should read as provided below. Words that are struck-through are to be removed and words underlined are to be added.

Policy 5.4.5 The Village of Palmetto Bay recognizes that the boundaries of its Coastal High Hazard Area (CHHA) ~~map must be adjusted to be consistent with the definition of the CHHA found at Section 163.3178(2)(h), F.S., as "... shall be~~ the area below the elevation of the category 1 storm surge line as established by a Sea, Lake, and Overland Surges from Hurricanes (SLOSH) computerized storm surge model.<sup>2</sup> The Village of Palmetto Bay CHHA boundary ~~was most recently illustrated by~~ is derived from the Florida Statewide Regional Evacuation Study at pages 174, 175, 190, and 191.

The South Florida Water Management District requested the Village initiate the required amendments to Water Facilities Element of its Comprehensive Plan. Staff intends to begin that process during the First Quarter of 2016. The remainder of the report regarding this item is as it was submitted on September 9, 2015 as attached herein. The complete ORC report is provided herein at Exhibit A.

**RECOMMENDATION:**  
Approval is recommended.



**Darby P. Delsalle**  
Planning & Zoning Director

**EXHIBIT A**

**ORC REPORT**

**EXHIBIT A**

**ORC REPORT**

**Rick Scott**  
GOVERNOR



**Jesse Panuccio**  
EXECUTIVE DIRECTOR

November 20, 2015

The Honorable Eugene Flinn  
Mayor, Village of Palmetto Bay  
9705 East Hibiscus Street  
Palmetto Bay, Florida 33157

Dear Mayor Flinn:

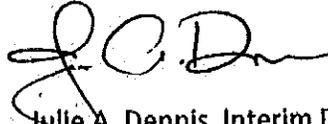
The Department of Economic Opportunity (the Department) has completed its review of the proposed comprehensive plan amendment (Amendment No. 15-2ER) for the Village of Palmetto Bay (the Village), which was determined complete on September 22, 2015. We have reviewed the proposed amendment in accordance with the state coordinated review process set forth in Sections 163.3184(2) and (4), Florida Statutes (F.S.), for compliance with Chapter 163, Part II, F.S.

The Department's Objections, Recommendations, and Comments Report is attached for your reference. The Department identified one comment for the Village's consideration. The Department's comment relates to the proposed revision of Policy 5.4.5 within the Coastal Management Element of the Village's comprehensive plan. The proposed revised policy includes a definition of the Coastal High Hazard Area; as drafted, this definition incorporates ambiguous terminology. The proposed revised policy also provides an incomplete reference for the source of information regarding the location of the Coastal High Hazard Area within the Village.

The Village should act by choosing to adopt, adopt with changes, or not adopt the proposed amendment. Also, please note that Section 163.3184(4)(e)1, F.S., provides that if the second public hearing is not held and the amendment adopted within 180 days of your receipt of the Department report, the amendment shall be deemed withdrawn unless extended by agreement with notice to the Department and any affected party that provided comment on the amendment. For your assistance, we have enclosed the procedures for final adoption and transmittal of the comprehensive plan amendment.

Department staff is available to assist the Village to facilitate refinements to Policy 5.4.5 of the Coastal Management Element; please contact Adam Antony Biblo, at (850) 717-8503, or by email at [adam.biblo@deo.myflorida.com](mailto:adam.biblo@deo.myflorida.com).

Sincerely,



Julie A. Dennis, Interim Director  
Division of Community Development

JD/aab

Enclosures: Objections, Recommendations, and Comments Report  
Adoption Procedures  
Review Agency Comments

cc: Darby P. Delsalle, AICP, Director, Palmetto Bay Department of Planning and Zoning  
Isabel Cosio Carballo, Executive Director, South Florida Regional Planning Council

**OBJECTIONS, RECOMMENDATIONS AND COMMENTS REPORT**

**VILLAGE OF PALMETTO BAY**

**PROPOSED COMPREHENSIVE PLAN AMENDMENT 15-2ER**

**I. The Department raises the following Objection to the Amendment:**

N/A

**II. The following Comment is offered to assist the Village of Palmetto Bay; it will not be used as a basis for a challenge:**

The Department's comment relates to the proposed revision of Policy 5.4.5 within the Coastal Management Element of the Village's comprehensive plan:

*The Village of Palmetto Bay recognizes that the boundaries of its Coastal High Hazard Area (CHHA) map must be adjusted to be consistent with the definition of the CHHA found at Section 163.3178(2)(b), F.S., as "...the area below the elevation of the category 1 storm surge line as established by a Sea, Lake, and Overland Surges from Hurricanes (SLOSH) computerized storm surge model." The Village of Palmetto Bay CHHA boundary was most recently illustrated by the Florida Statewide Regional Evacuation Study at pages 174, 175, 190, and 191.*

The proposed revised policy uses ambiguous terminology for the definition of the *Coastal High Hazard Area* and provides an incomplete reference for the source of information regarding the location of the Coastal High Hazard Area within the Village.

In response, the Village should consider revising the policy prior to adoption to: delete the quotation marks [" "] and the ellipsis [...] from the definition of the *Coastal High Hazard Area*; replace the term *must be adjusted to* in the second line with the word *shall*; delete the term *was most recently* in line six; and, insert a date of publication for the referenced publication (the Florida Statewide Regional Evacuation Study).

**SUBMITTAL OF**  
**ADOPTED COMPREHENSIVE PLAN AMENDMENTS**  
**FOR STATE COORDINATED REVIEW**

**Section 163.3184(4), Florida Statutes**

**May 2011**

**NUMBER OF COPIES TO BE SUBMITTED:** Please submit three complete copies of all comprehensive plan materials, of which one complete paper copy and two complete electronic copies on CD ROM in Portable Document Format (PDF) to the State Land Planning Agency and one copy to each entity below that provided timely comments to the local government; the appropriate Regional Planning Council; Water Management District; Department of Transportation; Department of Environmental Protection; Department of State; the appropriate county (municipal amendments only); the Florida Fish and Wildlife Conservation Commission and the Department of Agriculture and Consumer Services (county plan amendments only); and the Department of Education (amendments relating to public schools); and for certain local governments, the appropriate military installation and any other local government or governmental agency that has filed a written request.

**SUBMITTAL LETTER:** Please include the following information in the cover letter transmitting the adopted amendment:

\_\_\_\_\_ State Land Planning Agency identification number for adopted amendment package;

\_\_\_\_\_ Summary description of the adoption package, including any amendments proposed but not adopted;

\_\_\_\_\_ Ordinance number and adoption date;

\_\_\_\_\_ Certification that the adopted amendment(s) has been submitted to all parties that provided timely comments to the local government;

\_\_\_\_\_ Name, title, address, telephone, FAX number and e-mail address of local government contact;

\_\_\_\_\_ Letter signed by the chief elected official or the person designated by the local government.

**ADOPTION AMENDMENT PACKAGE:** Please include the following information in the amendment package:

\_\_\_\_\_ In the case of text amendments, changes should be shown in strike-through/underline format;

[Continued on reverse]

\_\_\_\_\_ In the case of future land use map amendment, an adopted future land use map, in color format, clearly depicting the parcel, its existing future land use designation, and its adopted designation;

\_\_\_\_\_ A copy of any data and analyses the local government deems appropriate.

**Note:** If the local government is relying on previously submitted data and analysis, no additional data and analysis is required;

\_\_\_\_\_ Copy of executed ordinance adopting the comprehensive plan amendment(s);

Suggested effective date language for the adoption ordinance for state coordinated review:

The effective date of this plan amendment, if the amendment is not timely challenged, shall be the date the state land planning agency posts a notice of intent determining that this amendment is in compliance. If timely challenged, or if the state land planning agency issues a notice of intent determining that this amendment is not in compliance, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the state land planning agency.

\_\_\_\_\_ List of additional changes made in the adopted amendment that the State Land Planning Agency did not previously review;

\_\_\_\_\_ List of findings of the local governing body, if any, that were not included in the ordinance and which provided the basis of the adoption or determination not to adopt the proposed amendment;

\_\_\_\_\_ Statement indicating the relationship of the additional changes not previously reviewed by the State Land Planning Agency to the ORC report from the State Land Planning Agency.

**Rick Scott**  
GOVERNOR



**Jesse Panuccio**  
EXECUTIVE DIRECTOR

<b>1. SIGNATURES</b>			
<b>Title</b>	<b>Name</b>	<b>Signature</b>	<b>Date</b>
Bureau Chief	Ana Richmond		
Regional Planning Administrator	James Stansbury		
Planner	Adam Antony Biblo		November 2, 2015
<b>2. TYPE</b>		<b>4. INFORMATION</b>	
<b>1. STATE COORDINATED REVIEW</b>		Staff Report Date: November 2, 2015	
<input checked="" type="checkbox"/>	EAR Based Amendments	Local Government: Palmetto Bay	
<b>3. STAGE</b>		Amendment #: 15-2ER	
<input checked="" type="checkbox"/>	Proposed Amendment	Ordinance # N/A	
		No. of Text Amendments: 1	
		No. of FLUM Amendments: 0	
		Total No. of Acres in FLUM Amendments: N/A	
<b>5. REVIEW DATES</b>			
A. State Coordinated Review Process			
Proposed:			
<ul style="list-style-type: none"> <li>▪ Determined Complete: September 22, 2015</li> <li>▪ ORC Due: November 20, 2015</li> </ul>			
<b>6. STAFF RECOMMENDATION</b>			
Department staff reviewed the Village of Palmetto Bay's Evaluation and Appraisal Report-based amendment and offered one potential comment in response.			

**I. Summary:**

**Background:** The Village of Palmetto Bay, home to approximately 40,000 persons, is located in the southeast portion of the urbanized area of Miami-Dade County.

In February 2015, the Village adopted multiple amendments to update its comprehensive plan based on an evaluation and appraisal. This amendment is a second amendment based on that evaluation and appraisal of the Village's comprehensive plan. The amendment proposes to add one new policy, defining the Village's coastal high hazard area and specifying the data source used to determine the location of the coastal high hazard area.

Department staff reviewed the Village's amended plan to evaluate compliance with Chapter 163, Pt II, F.S. Staff identified no objections but recommends one comment providing suggestions for improving the amendment, as detailed below.

**State Coordinated Review Process -- Amendments with Potential Objections**  
No Objections.

**State Coordinated Review Process -- Amendments with Potential Comments**

1) Coastal Management Element Policy 5.4.5: The proposed policy states:

*The Village of Palmetto Bay recognizes that the boundaries of its Coastal High Hazard Area (CHHA) map must be adjusted to be consistent with the definition of the CHHA found at Section 163.3178(2)(h), F.S., as "...shall be the area below the elevation of the category 1 storm surge line as established by a Sea, Lake, and Overland Surges from Hurricanes (SLOSH) computerized storm surge model." The Village of Palmetto Bay CHHA boundary was most recently illustratedis derived from by the Florida Statewide Regional Evacuation Study at pages 174, 175, 190, and 191.*

Comment [KK1]: optional

As drafted, the proposed policy includes ambiguous provisions in terms of the definition of the CHHA and the referenced data source.

In response, the Village should revise the policy to delete the quote marks [" "] and the ellipsis [...] from the definition of the CHHA contained therein; replace the term *must be adjusted to* in the second line with the word *shall*; delete the term *was most recently* in line six; and, insert a date of publication for the reference publication (the Florida Statewide Regional Evacuation Study).

**II. Summary of State Agency Review Comments**

The Department received correspondence from the following agencies, acknowledging their review of the proposed amendment and finding no potential adverse impact to state resources or other issue warranting comment or recommendations: the Department of Education; the Florida Department of Environmental Protection; the Florida Department of Transportation; the South Florida Water Management District; and, the South Florida Regional Council. The South Florida Water Management District correspondence informed the Village that its revised Water Supply Facilities Work Plan is past due.



## VILLAGE OF PALMETTO BAY

November 18, 2015

Terry Manning  
South Florida Water Management District  
Water Supply Implementation Unit  
3301 Gun Club Road, MSC 4223  
West Palm Beach, FL 33406

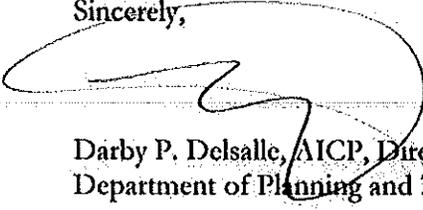
Re: Village Palmetto Bay, DEO #15-2ESR.

Terry Manning:

The following is in response to your e-mail dated October 20, 2015 as it relates to the Village of Palmetto Bay's amendment to the Comprehensive Plan for certain language pertaining the Coastal High Hazard Area requirements. The Village will initiate the necessary amendment to its Water Facilities Element of the Comprehensive Plan beginning in the first quarter of 2016 in order to come into compliance with Florida Statutes.

If you have any questions, please feel free to contact me.

Sincerely,



Darby P. Delsalle, AICP, Director  
Department of Planning and Zoning

9705 East Hibiscus Street, Palmetto Bay, FL 33157  
Tel: (305) 259-1234 ♦ [www.palmettobay-fl.gov](http://www.palmettobay-fl.gov)

## **Darby Delsalle**

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**From:** Manning, Terese <tmanning@sfwmd.gov>  
**Sent:** Tuesday, October 20, 2015 11:49 AM  
**To:** Ray Eubanks (DCPexternalagencycomments@deo.myflorida.com)  
**Cc:** Darby Delsalle; Jim Murley (jmurley@sfrpc.com); Isabel Moreno; Mark R. Woerner (mwoerner@miamidade.gov); Maria A. Valdes (MAVALD@miamidade.gov); James Stansbury (james.stansbury@deo.myflorida.com)  
**Subject:** Village of Palmetto, DEO #15-2ER Comments on Proposed Comprehensive Plan Amendment Package

Dear Mr. Eubanks:

The South Florida Water Management District (District) has completed its review of the proposed amendment package from Village of Palmetto (Village). The amendment package includes a policy to address Coastal High Hazard Areas. There appear to be no regionally significant water resource issues; however, the District offers the following technical guidance regarding Regional Water Supply Planning:

- The Village is required to revise its Water Supply Facilities Work Plan (Work Plan) within 18 months after approval of the Lower East Coast (LEC) Water Supply Plan Update by the District Governing Board. The District's Governing Board approved the LEC Water Supply Plan Update on September 12, 2013. Therefore, the Village's Work Plan was to be adopted by March 12, 2015. The Village will need to include updated water demand projections for the identified planning period. The Work Plan must also identify any water supply projects needed to meet projected water demands. Further information on updating Work Plans is available at: [www.sfwmd.gov/work\\_plan\\_support](http://www.sfwmd.gov/work_plan_support).

The District offers its technical assistance to the Village and the Department of Economic Opportunity in developing sound, sustainable solutions to meet the Village's future water supply needs and to protect the region's water resources. Please forward a copy of the adopted amendments to the District. Please contact me if you need assistance or additional information.

Sincerely,

Terry Manning, Policy and Planning Analyst  
South Florida Water Management District  
Water Supply Implementation Unit  
3301 Gun Club Road, MSC 4223  
West Palm Beach, FL 33406  
Phone: 561-682-6779  
Fax: 561-681-6264  
E-Mail: [tmanning@sfwmd.gov](mailto:tmanning@sfwmd.gov)

We value your opinion. Please take a few minutes to share your comments on the service you received from the District by clicking on this [link](#).



**MEMORANDUM**

AGENDA ITEM #III.D

**DATE:** OCTOBER 10, 2015

**TO:** COUNCIL MEMBERS

**FROM:** STAFF

**SUBJECT:** LOCAL GOVERNMENT COMPREHENSIVE PLAN PROPOSED AND ADOPTED AMENDMENT  
CONSENT AGENDA

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) extrajurisdictional 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.

Council staff has not identified adverse effects to regional resources and facilities or extrajurisdictional impacts that would result from the following map and text amendments:

Local Government and Plan Amendment Number	Proposed	Adopted	Proposed Council Review Date and Consistency Finding	Local Government Transmittal or Adoption Public Hearing and Meeting	Governing Body Adoption Vote
Broward County 15-8ESR (received 09-24-15)	✓	N/A	10/05/2015	09/17/2015	Unanimously
This proposed amendment is to amend the Broward County Land Use Plan (BCLUP) map from 5.1 acres of Estate (1) Residential and 5.1 acres of Low (5) Residential to Irregular (7) Residential in the Town of Davie.					

South Florida Regional Council  
 3440 Hollywood Boulevard, Suite 140, Hollywood, Florida 33021  
 954.985.4416 Phone, 954.985-4417 FAX  
[www.sfregionalcouncil.org](http://www.sfregionalcouncil.org)

Broward County 15-5ESR (received 09-24-15)	N/A	✓	10/05/2015	09/17/2015	Unanimously
Broward County adopts an amendment to the Broward County Comprehensive Plan amending the Wetlands Map of the Natural Resources Map Series of the Broward County Land Use Plan.					
Monroe County 15-3ACSC (received 09-10-15)	✓	N/A	10/05/2015	01/14/2015	Unanimously
This proposed amendment amends and updates the Monroe County Year 2010 Comprehensive plan to be consistent with the results of the Technical Document update (Data and Analysis), the adopted 2012 Evaluation and Appraisal Notification Letter and create the Monroe County Year 2030 Comprehensive plan.					
Town of Davie 15- (received 09-24-15)	✓	N/A	10/05/2015	04/15/2015	Unanimously
The proposed amendment changes land use designation from "Residential 1 DU/Acre and Residential 5 DU/Acre" to "Special Classification 7 DU/Acre". The applicant proposes to construct a new residential development consisting of townhouses located in Marbella Grande.					
City of Hialeah 15-1ESR (received 09-08-15)	N/A	✓	10/05/2015	08/25/2015	7-0
This amendment adopts the text amendment to the Hialeah, FL Comprehensive Plan 2003-2015 amending the Future Land Use Element to include a new Transit Oriented Development Future Land Use Plan. The City of Hialeah seeks to enhance the area adjacent to its two existing Tri-Rail stations through land use and zoning regulations and redevelopment incentives that promote mobility, connectivity more intense and efficient use of land through not only increased densities, but also height and intensity standards for buildings.					
City of Hialeah 15- (received 09-23-15)	N/A	✓	10/05/2015	09/08/2015	Unanimously
The adopted amendment updates the City's Water Supply Facilities Work Plan that identifies and plans for the water supply sources and facilities needed to serve existing and new development with the local government's jurisdiction.					
City of Hialeah Gardens 15-1ER (received 09-14-15)	✓	N/A	10/05/2015	08/18/2015	Unanimously
The proposed amendments consist of two applications for amendments to the City's plan based on the 2014 evaluation and review corresponding to the Future Land Use Historic Resources and Transportation Elements.					

Indian Creek Village 15- (received 09-23-15)	N/A	v	10/05/2015	09/15/2015	4-0
The adopted amendment updates and amends the Village's Water Supply Facilities Work Plan to strengthen coordination between Water Supply and Local Land Use Planning.					
Islamorada, Village of Islands 15-1ACSC (received 09-08-15)	N/A	v	10/05/2015	08/20/2015	5-0
This adopted amendment amends the Village's Future Land Use Map from Residential Medium (RM) to Residential high (RH) for a portion of the property located at 76180 Overseas Highway, at approximately mile marker 76.					
Islamorada, Village of Islands 15-3ACSC (received 09-21-15)	v	N/A	10/05/2015	09/10/2015	4-1
This proposed amendment considers the request by Native Rental Properties, LLC to amend the Future Land Use Map from Residential Medium (RM) to Mixed Use (MU) for four (4) parcels located approximately mile marker 87.4 Old Highway.					
City of Miami 15-SESR (received 09-21-15)	v	N/A	10/05/2015	09/10/2015	11-0
This proposed amendment amends the interpretation of the 2020 Future Land Use Map within the Future Land Use Element and the 2020 Future Land Use Map series to establish the Miami River residential density increase area overlay permitting up to 400 dwelling units per acre.					
City of Miami 15-3ESR (received 09-23-15)	N/A	v	10/05/2015	09/10/2015	Unanimously
The adopted amendment updates the City's Water Supply Facilities Work Plan that identifies and plans for the water supply sources and facilities needed to serve existing and new development with the local government's jurisdiction.					

City of Opa-Locka 15-1ESR (received 09-21-15)	N/A	v	10/05/2015	07/22/2015	4-0
The proposed amendment considers the adopting of the City of Opa-Locka HUD Community Grant-Based amendments to the Comprehensive Development Master Plan and to the Future Land Use Map. The City revised the amendments in response to the comments and other input received from the DEO reviewer.					
Village of Palmetto Bay 15-3ESR (received 09-21-15)	v	N/A	10/05/2015	09/09/2015	Unanimously
This is a proposed amendment to the Village of Palmetto's Bay's Comprehensive Plan and Future Land Use Map (FLUM) as it relates to certain lands within the southwest portion of the Village consisting of approximately 182.5 acres. The amendment is pursued at the Village's initiative to facilitate and encourage the development of a vibrant multimodal downtown district referred to as Franjo Activity Center adjacent to the Miami-Dade County's, South Dade Express bus lanes.					
Village of Palmetto Bay 15-2ER (received 09-21-15)	v	N/A	10/05/2015	09//09/2015	Unanimously
This is a proposed amendment to the Village of Palmetto Bay's Comprehensive Plan as it relates to a policy in support of the Coastal High Hazard Area map. The amendment was pursued at the request of DEO in fulfillment of the Evaluation and Appraisal Report (EAR) based amendments.					
City of South Miami 15-1ESR & 15-2ESR (received 09-17-15)	v	N/A	10/05/2015	09/15/2015	Unanimously
This proposed text amendment amends the Comprehensive Plan's Future Land Use and Housing Elements in order to provide increased residential densities supportive of transit in the Multi-Family Residential and Mixed Use Commercial/Residential districts, and to incentivize workforce and affordable housing development.					

#### Recommendation

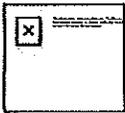
Find the proposed and adopted plan amendments from the local governments listed in the table above generally consistent with the *Strategic Regional Policy Plan for South Florida*.

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

## Darby Delsalle

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**From:** Kathe Lerch <klerch@sfrpc.com>  
**Sent:** Monday, October 05, 2015 1:06 PM  
**To:** Kathe Lerch; Eugene Flinn; Darby Delsalle; Ron Williams; judy\_paul@davie-fl.gov; david\_quigley@davie-fl.gov; david\_abramson@davie-fl.gov; boccds1@monroecounty-fl.gov; dlove@ksfla.com; hurley-christine@monroecounty-fl.gov; mike\_forster@islamorada.fl.us; maria.aguilar@islamorada.fl.us; cheryl.cioffari@islamorada.fl.us; Village@icvps.org; jerry@belldavid.com; PStoddard@southmiamifl.gov; LCabrera@southmiamifl.gov; cbrimo@southmiamifl.gov; mtaylor@opalockafl.gov; ebrown@opalockafl.gov; ggay@opalockafl.gov; glee@opalockafl.gov; tregalado@miamigov.com; fgarcia@miamigov.com; hruck@miamigov.com; ydelacruz@cityofhialeahgardens.com; mgonzalez@cityofhialeahgardens.com; jerry@belldavid.com; Mayorchernandez@hialeahfl.gov; dstorch@hialeahfl.gov; jmartinez@hialeahfl.gov; JSESODIA@broward.org; mfeliciano@broward.org; tryan@broward.org; dvonstetina@broward.org; bblakeboy@broward.org; cchambers@broward.org; luigi.boria@cityofdoral.com; Julian.Perez@cityofdoral.com; mudine@cityofparkland.org; tfrost@cityofparkland.org; mmellgren@cityofparkland.org  
**Cc:** 'lawrence.venture@homestead.af.mil'; 'tmanning@sfwmd.gov'; 'Lois.bush@dot.state.fl.us'; 'gerry.oreilly@dot.state.fl.us'; 'tracy.suber@fldoe.org'; 'FWCConservationPlanningServices@myfwc.com'; 'Deena.Woodward@DOS.MyFlorida.com'; 'compplans@freshfromflorida.com'; Biblo, Adam A; DCPexternalagencycomments@deo.myflorida.com  
**Subject:** SFRPC Ex Comm Mtg 10/5/15 Agenda #III.D Adopt/Psd SLPA 15-Broward 5, 8ESR;Hialeah 1ESR,TBD;Hialeah Grdns 1ER;Miami-3, 5ESR;Opa-locka 1ESR;S Miami 1, 2ESR;Indian Crk Vill; Davie TBD; Islamorada15-1,3ACSC; Monroe 15-3ACSC;Palmetto B 2ER;Parkld;Doral



At the October 5, 2015, Executive Committee Council Meeting, the South Florida Regional Council approved the attached reports, finding the proposed and adopted amendments to be generally consistent with the *Strategic Regional Policy Plan* for South Florida.

Should you have any questions, contact James F. Murley, Executive Director, at (954) 985-4416 or [jmurley@SFRPC.com](mailto:jmurley@SFRPC.com).

**Broward County SFRPC Agenda #III.D, SLPA #15-5, 8ESR**

**Mayor CC**

Tim Ryan Barbara Blake Boy/Cynthia Chambers/Deanne D. Von Stetina  
/Jo Sesodia/Maribel Feliciano;

[JSESODIA@broward.org](mailto:JSESODIA@broward.org); [mfeliciano@broward.org](mailto:mfeliciano@broward.org); [tryan@broward.org](mailto:tryan@broward.org); [dvonstetina@broward.org](mailto:dvonstetina@broward.org);  
[bblakeboy@broward.org](mailto:bblakeboy@broward.org); [cchambers@broward.org](mailto:cchambers@broward.org);

**City of Hialeah SFRPC Agenda #III.D, SLPA #15-1, 2ESR**

**Mayor CC**

Carlos Hernandez Deborah Storch/Jonathan Martinez

[Mayorchernandez@hialeahfl.gov](mailto:Mayorchernandez@hialeahfl.gov); [dstorch@hialeahfl.gov](mailto:dstorch@hialeahfl.gov); [jmartinez@hialeahfl.gov](mailto:jmartinez@hialeahfl.gov);

City of Hialeah Gardens SFRPC Agenda #III.C, SLPA #15-1ER;

Mayor CC

Yioset De La Cruz Mirtha Gonzalez/Jerry Bell

ydelaacruz@cityofhialeahgardens.com; mgonzalez@cityofhialeahgardens.com;jerry@belldavid;

City of Miami SFRPC Agenda #III.D, SLPA #15-3, 5ESR;

Mayor CC

Tomas P. Regalado Francisco Garcia/Hal Ruck

tregalado@miamigov.com; fgarcia@miamigov.com; hruck@miamigov.com;

City of Opa-locka SFRPC Agenda #III.D, SLPA #15-1ESR;

Mayor CC

Myra Taylor Greg Gay/Gerald Lee/Ed Brown

mtaylor@opalockafl.gov; ebrown@opalockafl.gov; ggay@opalockafl.gov; glee@opalockafl.gov;

City of South Miami SFRPC Agenda #III.D, SLPA #15-1, 2ESR;

Mayor CC

Philip K. Stoddard, PhD Lourdes Cabrera-Hernandez; Chris Brimo

PStoddard@southmiamifl.gov; LCabrera@southmiamifl.gov; cbrimo@southmiamifl.gov;

Indian Creek Village SFRPC Agenda #III.D, SLPA #15-1ESR;

Mayor CC

Bernardo Klepach Jerry Bell

Village@icvps.org; jerry@belldavid.com;

Islamorada, Village of Islands SFRPC Agenda #III.D SLPA #15-1, 3ACSC;

Mayor CC

Mike Forster Maria Aguilar/Cheryl Cioffari

mike.forster@islamorada.fl.us; maria.aguilar@islamorada.fl.us; cheryl.cioffari@islamorada.fl.us

Monroe County Commission SFRPC Agenda #III.D, #15-3ER;

Mayor CC

Danny Kollhage Christine Hurley/Debbie Love

boccds1@monroecounty-fl.gov; dlove@ksfla.com; hurley-christine@monroecounty-fl.gov;

Town of Davie SFRPC Agenda #III.D, SLPA #15-5ESR;

Mayor CC

Judy Paul David Quigley/David Abramson

judy\_paul@davie-fl.gov; david\_quigley@davie-fl.gov; david\_abramson@davie-fl.gov;

Village of Palmetto Bay SFRPC Agenda #III.D SLPA #15-2ER, 15-3ESR;

Mayor CC

Eugene Flinn Darby Delsalle/Ron Williams

eflinn@palmettobay-fl.gov; ddelsalle@palmettobay-fl.gov; rwilliams@palmettobay-fl.gov

City of Doral SFRPC Agenda #III.D, SLPA #

Mayor CC

Luigi Boria Julian Perez

luigi.boria@cityofdoral.com; Julian.Perez@cityofdoral.com;

City of Parkland SFRPC Agenda #III.D SLPA #

Mayor CC

Michael Udine, Esquire Tamara Allen Frost; Michele Mellgren

mudine@cityofparkland.org; tfrost@cityofparkland.org; mmellgren@cityofparkland.org;

**Kathe Lerch**  
**Administrative Assistant**  
**South Florida Regional Planning Council**  
**954-985-4416**



State Board of Education

Marva Johnson, *Chair*  
John R. Padget, *Vice Chair*  
*Members:*  
Gary Chartrand  
Rebecca Fishman Lipsey  
Michael Olenick  
Andy Tuck

Pam Stewart  
Commissioner of Education

October 7, 2015

Mr. D. Ray Eubanks, Plan Processing Administrator  
Division of Community Development  
Department of Economic Opportunity  
107 East Madison Street  
Tallahassee, Florida 32399-4120  
Via E-mail: [DCPexternalagencycomments@deo.myflorida.com](mailto:DCPexternalagencycomments@deo.myflorida.com)

Re: Palmetto Bay 15-2ER:

Dear Mr. Eubanks:

Thank you for the opportunity to review the Village of Palmetto Bay's proposed 15-2ER amendment package. The Florida Department of Education received the amendment on September 29, 2015, and reviewed it according to the department's responsibilities under section 163.3184(3), Florida Statutes. The review considered the proposal's compliance with the provisions of chapter 163, Part II, F.S., and to whether the proposal, if adopted, would have potential to create significant adverse effects on public school facilities.

The proposal would amend the village's comprehensive plan to complete the updates identified by the evaluation and review process. Specifically, the amendment would incorporate a new policy for mapping the coastal high hazard area. Because the amendment does not appear to have the potential to adversely affect public educational facilities, I offer no comment.

Again, thank you for the opportunity to review the amendment. If you have questions about this letter, or if I may be of assistance in resolving the concerns, please contact me at 850-245-9312 or [tracy.suber@fldoe.org](mailto:tracy.suber@fldoe.org).

Sincerely,

Tracy D. Suber  
Growth Management and Facilities Policy Liaison

cc: Mr. Ivan Rodriguez, Miami-Dade County Public Schools  
Mr. James Stansbury, DEO/State Land Planning Agency

Thomas H. Inserra  
Director, Office of Educational Facilities



**Florida Department of Transportation**

RICK SCOTT  
GOVERNOR

1000 NW 111 Avenue  
Miami, Florida 33172-5800

JIM BOXOLD  
SECRETARY

October 1, 2015

Darby P. Delsalle, AICP  
Planning and Zoning Director  
Village of Palmetto Bay  
9705 East Hibiscus Street  
Palmetto Bay, FL 33157

**Subject: Comments for the Village of Palmetto Bay Coastal High Hazard Area  
Amendment to the Comprehensive Plan (Palmetto Bay 15-2ER)**

Dear Mr. Delsalle:

The Florida Department of Transportation, District Six, completed a review of the proposed amendment to the Villages's Comprehensive Plan regarding the Coastal high Hazard Area policy. The District reviewed the amendment package per Chapter 163 Florida Statutes and found the proposed amendment would not significantly impact transportation resources and facilities of state importance.

Please contact me at 305-470-5445 if you have any questions concerning our response.

Sincerely,

A handwritten signature in black ink, appearing to read "Kenneth Jeffries".

Kenneth Jeffries  
Transportation Planner

Cc: Harold Desdunes, P.E., Florida Department of Transportation, District 6  
Aileen Boucle, AICP, Florida Department of Transportation, District 6  
Lisa Colmenares, AICP, Florida Department of Transportation, District 6  
Ray Eubanks, Department of Economic Opportunity

## Darby Delsalle

---

**From:** Stahl, Chris <Chris.Stahl@dep.state.fl.us>  
**Sent:** Wednesday, October 07, 2015 9:00 AM  
**To:** DEO Agency Comments  
**Cc:** Craig, Kae; Darby Delsalle  
**Subject:** Palmetto Bay 15-2 ER -- Proposed

To: Ray Eubanks, Community Planning

Re: Palmetto Bay 15-2 ER -- Expedited Review of Proposed Comprehensive Plan Amendment

The Office of Intergovernmental Programs of the Florida Department of Environmental Protection (Department) has reviewed the above-referenced amendment package under the provisions of Chapter 163, Florida Statutes. The Department conducted a detailed review that focused on potential adverse impacts to important state resources and facilities, specifically: air and water pollution; wetlands and other surface waters of the state; federal and state-owned lands and interest in lands, including state parks, greenways and trails, conservation easements; solid waste; and water and wastewater treatment.

Based on our review of the submitted amendment package, the Department has found no provision that, if adopted, would result in adverse impacts to important state resources subject to the Department's jurisdiction.

Feel free to contact me at [Chris.Stahl@dep.state.fl.us](mailto:Chris.Stahl@dep.state.fl.us) or (850) 245-2169 for assistance or additional information. Please send all amendments, both proposed and adopted, to [Plan.review@dep.state.fl.us](mailto:Plan.review@dep.state.fl.us).

Florida Department of Environmental Protection  
Office of Intergovernmental Programs, Plan Review  
3900 Commonwealth Blvd., MS 47  
Tallahassee, FL 32399-3000

*Chris Stahl*





**Florida Department of Transportation**

RICK SCOTT  
GOVERNOR

1000 NW 111 Avenue  
Miami, Florida 33172-5800

JIM BOXOLD  
SECRETARY

October 1, 2015

Darby P.Delsalle, AICP  
Planning and Zoning Director  
Village of Palmetto Bay  
9705 East Hibiscus Street  
Palmetto Bay, FL 33157

**Subject: Comments for the Village of Palmetto Bay Coastal High Hazard Area  
Amendment to the Comprehensive Plan (Palmetto Bay 15-2ER)**

Dear Mr. Delsalle:

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Please contact me at 305-470-5445 if you have any questions concerning our response.

Sincerely,

A handwritten signature in black ink, appearing to read "Ken Jeffries".

Kenneth Jeffries  
Transportation Planner

Cc: Harold Desdunes, P.E., Florida Department of Transportation, District 6  
Aileen Boucle, AICP, Florida Department of Transportation, District 6  
Lisa Colmenares, AICP, Florida Department of Transportation, District 6  
Ray Eubanks, Department of Economic Opportunity

Rick Scott  
GOVERNOR



Jesse Panuccio  
EXECUTIVE DIRECTOR

September 22, 2015

Mr. Darby P. Delsalle, Director  
Village of Palmetto Bay Department of  
Planning and Zoning  
9705 East Hibiscus Street  
Palmetto Bay, Florida 33157

Dear Mr. Delsalle:

Thank you for submitting Village of Palmetto Bay's proposed amendments for our review. The reference number for this amendment is **Palmetto Bay 15-2ER**.

We have conducted an inventory of the proposed plan amendment package to verify the inclusion of all required materials. The submission package appears to be complete, and your proposed amendment will be reviewed pursuant to Chapter 163.3184(4)(d), Florida Statutes. Once the review is underway, you may be asked to provide additional supporting documentation by the review team to ensure a thorough review. The State Land Planning Agency's Objection, Recommendation and Comment (ORC) report will be mailed to you on or about **November 21, 2015**.

If you have any questions please contact Anita Franklin of my staff at (850) 717-8486 or James Stansbury, Regional Planning Administrator, who will be overseeing the review of the amendment at (850) 717-8512.

Sincerely,

D. Ray Eubanks, Administrator  
Plan Review and Processing

DRE/af

RECEIVED  
Zoning Department

9/28/15

Village of Palmetto Bay  
Building & Zoning Department

By: *Kanesh B*

Rick Scott  
GOVERNOR



Jesse Panuccio  
EXECUTIVE DIRECTOR

MEMORANDUM

TO: Suzanne Ray, DEP  
Deena Woodward, DOS  
Tracy Suber, DOE  
Terry Manning, South Florida WMD  
Jim Murley, South Florida RPC  
Ken Jeffries, FDOT6  
Miami-Dade County

DATE: September 22, 2015

SUBJECT: **COMMENTS FOR PROPOSED COMPREHENSIVE PLAN AMENDMENT**

**LOCAL GOVERNMENT / STATE LAND PLANNING AGENCY AMENDMENT #:**

**Palmetto Bay 15-2ER**

**CONTACT PERSON/PHONE NUMBER: James Stansbury - 850-717-8512**

**COMMENTS DUE TO STATE LAND PLANNING AGENCY NO LATER THAN:**

**October 22, 2015**

Please contact the local government if you do not have a copy of the proposed amendment. Please review the proposed comprehensive plan amendment documents for consistency with applicable provisions of Chapter 163, Florida Statutes. Pursuant to Florida Statute 163.3184(4)(c), FS, forward comments to the attention of Ray Eubanks, Administrator, Plan Review and Processing at the State Land Planning Agency E-mail address: [DCPexternalagencycomments@deo.myflorida.com](mailto:DCPexternalagencycomments@deo.myflorida.com)

Please use the above referenced STATE LAND PLANNING AGENCY AMENDMENT NUMBER on all correspondence related to this amendment.

**Note: Review Agencies -** The local government has indicated that they have mailed the proposed amendment *directly to your agency*. See attached transmittal letter. *Be sure to contact the local government if you have not received the amendment.* Also, letter to the local government from State Land Planning Agency acknowledging receipt of amendment is attached



## VILLAGE OF PALMETTO BAY

September 15, 2015

D. Ray Eubanks  
Florida Department of Economic Opportunity  
Division of Community Planning  
The Caldwell Building  
107 E Madison Street  
Tallahassee, FL 32399-4120

RECEIVED  
Bureau of Community Planning

SEP 22 2015

Div. of Community Development  
Dept. of Economic Opportunity

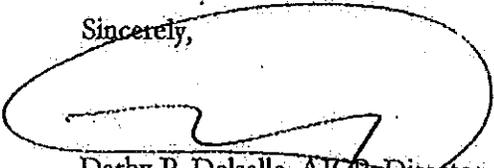
Re: Amendment of Comprehensive Plan to Include a Policy relating to the CHHA

Mr. Eubanks:

Pursuant to Florida Statute 163.3191, please find enclosed the proposed amendment to the Village of Palmetto Bay's Comprehensive Plan as it relates to a policy in support of the Coastal High Hazard Area map. The amendment was pursued at the request of the Department of Economic Opportunity in fulfillment of the Evaluation and Appraisal Report (EAR) based amendments. The submittal was approved upon first reading of the Village Council on September 9, 2015. All other EAR based amendments have been adopted and accepted by the DEO. The proposed amendment is subject to the state coordinated review process and copies of same have been forwarded to South Florida Regional Planning Council, Florida Department of Transportation, South Florida Water Management District, Florida Department of Environmental Protection, Florida Department of State, Florida Department of Education, and those municipal jurisdictions adjacent to the Village of Palmetto Bay (Town of Cutler Bay, Village of Pincrest, Coral Gables and Miami-Dade County).

If you have any questions, please feel free to contact me.

Sincerely,



Darby P. Delsalle, AICP, Director  
Department of Planning and Zoning

9705 East Hibiscus Street, Palmetto Bay, FL 33157  
Tel: (305) 259-1234 ♦ [www.palmettobay-fl.gov](http://www.palmettobay-fl.gov)

James F. Murley  
Executive Director  
South Florida Regional Planning Council  
3440 Hollywood Boulevard, Suite 140  
Hollywood, FL 33021

Kenneth Jeffries  
Transportation Planner  
Intermodal Systems Development  
Florida Department of Transportation, District 6  
Adam Leigh Cann Building  
1000 NW 111th Avenue, Room 6111-A  
Miami, Florida 33172

Armando L. Vilaboy  
South Florida Water Management District  
Intergovernmental Representative  
9001 NW 58th Street  
Miami, FL 33178

Kathryn Lyon  
Town of Cutler Bay  
Community Development  
10720 Caribbean Blvd., Suite 110  
Cutler Bay, Florida 33189

Stephen Olmsted  
Village of Pinecrest  
Building & Planning Department  
12645 Pinecrest Parkway  
Pinecrest, Florida 33156

Ramon Trias  
City of Coral Gables  
Planning and Zoning Division  
427 Biltmore Way, Suite 201  
Coral Gables, FL 33134

Eric Silva  
Miami-Dade County  
Development Services Division  
Stephen P. Clark Center  
111 NW 1st Street, 11th floor  
Miami, Florida 33128

Florida Department of State  
R.A. Gray Building  
500 South Bronough Street  
Tallahassee, Florida 32399

Florida Department of Education  
Office of the Commissioner  
Turlington Building, Suite 1514  
325 West Gains Street  
Tallahassee, Florida 32399

Florida Department of Environmental Protection  
3900 Commonwealth Boulevard M.S. 47  
Tallahassee, Florida 32399

Rick Scott  
GOVERNOR



Jesse Panuccio  
EXECUTIVE DIRECTOR

MEMORANDUM

TO: Suzanne Ray, DEP  
Deena Woodward, DOS  
Tracy Suber, DOE  
Terry Manning, South Florida WMD  
Jim Murley, South Florida RPC  
Ken Jeffries, FDOT6  
Miami-Dade County

DATE: September 22, 2015

SUBJECT: *COMMENTS FOR PROPOSED COMPREHENSIVE PLAN AMENDMENT*

LOCAL GOVERNMENT/ STATE LAND PLANNING AGENCY AMENDMENT #:

**Palmetto Bay 15-2ER**

CONTACT PERSON/PHONE NUMBER: James Stansbury - 850-717-8512

COMMENTS DUE TO STATE LAND PLANNING AGENCY NO LATER THAN:

**October 22, 2015**

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## VILLAGE OF PALMETTO BAY

September 15, 2015

D. Ray Eubanks  
Florida Department of Economic Opportunity  
Division of Community Planning  
The Caldwell Building  
107 E Madison Street  
Tallahassee, FL 32399-4120

RECEIVED  
Bureau of Community Planning

SEP 22 2015

Div. of Community Development  
Dept. of Economic Opportunity

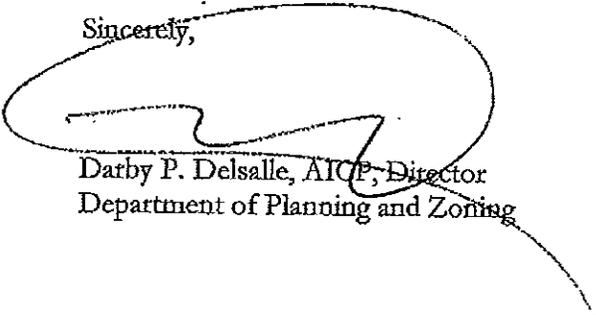
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If you have any questions, please feel free to contact me.

Sincerely,



Darby P. Delsalle, AICP, Director  
Department of Planning and Zoning

9705 East Hibiscus Street, Palmetto Bay, FL 33157  
Tel: (305) 259-1234 ♦ [www.palmettobay-fl.gov](http://www.palmettobay-fl.gov)

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Rick Scott  
GOVERNOR



Jesse Panuccio  
EXECUTIVE DIRECTOR

September 22, 2015

Mr. Darby P. Delsalle, Director  
Village of Palmetto Bay Department of  
Planning and Zoning  
9705 East Hibiscus Street  
Palmetto Bay, Florida 33157

Dear Mr. Delsalle:

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Sincerely,

D. Ray Eubanks, Administrator  
Plan Review and Processing

DRE/af



## VILLAGE OF PALMETTO BAY

September 15, 2015

D. Ray Eubanks  
Florida Department of Economic Opportunity  
Division of Community Planning  
The Caldwell Building  
107 E Madison Street  
Tallahassee, FL 32399-4120

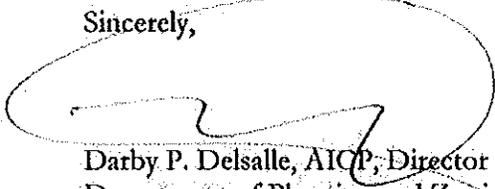
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Department of Planning and Zoning

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Tallahassee, Florida 32399

9705 East Hibiscus Street, Palmetto Bay, FL 33157  
Tel: (305) 259-1234 ♦ [www.palmettobay-fl.gov](http://www.palmettobay-fl.gov)

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To: Honorable Mayor and Village Council

Date: September 9, 2015

From: Edward Silva, Village Manager

RE: CHHA Policy Amendment

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AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, ACTING IN ITS CAPACITY AS THE MAYOR AND VILLAGE COUNCIL AND AS THE LOCAL PLANNING AGENCY, RELATING TO THE VILLAGE'S COMPREHENSIVE PLAN; AMENDING THE COASTAL MANAGEMENT ELEMENT BY ADDING POLICY 5.4.5 TO PROVIDE LANGUAGE ADOPTING THE STATE OF FLORIDA COASTAL HIGH HAZARD AREA MAP; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.

**BACKGROUND:**

The Comprehensive Plan for the Village of Palmetto Bay ("Comprehensive Plan") was originally adopted on August 1<sup>st</sup>, 2005, to ensure that the development patterns for future land uses within the Village match the community vision and quality-of-life expectations of its residents. The most recent revision was completed on February 2, 2015. That amendment provided for the inclusion of a Coastal High Hazard Area (CHHA) map as required by Section 163.3175(2)(h) *Florida Statutes*. The State of Florida has requested language be added to the Comprehensive Plan that would have the net effect of capturing any future adjustments to the State CHHA map as they may relate to lands within the Village.

**ANALYSIS:**

The following is a review of the request pursuant to the Village's criteria found at Section 30-30.8(b) of the Land Development Code. The Background Section and the Analysis Section, at Subsection I of this report is hereby incorporated by reference into this analysis.

**Criteria (1)** Whether the proposal is internally consistent with the Comprehensive Plan, including the adopted infrastructure minimum levels of service standards and the concurrency management program.

**Analysis:** The proposed amendment provides for the addition of a policy as required pursuant to Section 163.3175(2)(h) *Florida Statutes*, which ensures any changes to the State CHHA map will be appropriately referenced within the Village's Comprehensive Plan.

**Finding:** Consistent.

**Criteria (2)** Whether, and the extent to which, land use and development conditions have changed since the effective date of the existing Comprehensive Plan, and whether the changes support or work against the proposed amendment.

**Analysis:** See the Background section and Criteria 1 above.

**Finding:** Consistent.

**Criteria (3)** Whether, and the extent to which, the proposal would result in any incompatible land uses, considering the type and location of uses involved, the impact on adjacent or neighboring properties, consistency with existing development, as well as compatibility with existing and proposed neighboring property land use.

**Analysis:** The proposed amendments do not change the existing permitted uses.

**Finding:** Consistent.

**Criteria (4)** Whether, and the extent to which, the proposal would adversely affect the property values in the affected area, or adversely affect the general welfare.

**Analysis:** The CHHA map is an essential element to the State of Florida's planning effort with regard to weather events that may result in flooding and needed evacuations. The planning effort is to ensure life safety and the protection of property values.

**Finding:** Consistent.

**Criteria (5)** Whether the proposal would result in an orderly and compatible land use pattern. Any positive and negative effects on such pattern shall be identified.

**Analysis:** See Criteria 1 and 3.

**Finding:** Consistent.

**Criteria (6)** Whether the proposal would be in conflict with the public interest, and whether it is in harmony with the purpose and interest of the Comprehensive Plan.

**Analysis:** See Criteria 1, 3 and 4.

**Finding:** Consistent.

**Criteria (7)** Whether the proposed amendment meets the requirements of Section 163.3161, Florida Statutes, entitled "The Local Government Comprehensive Planning and Land Development Regulation Act."

**Analysis:** See Criteria 1, 3 and 4.

**Finding:** Consistent.

**Criteria (8)** Other matters which the Local Planning Agency or the Village Council, in its legislative discretion, may deem appropriate.

**Finding:** Decision for the Village Council.

**FISCAL./BUDGETARY IMPACT:**

None at this time.

**RECOMMENDATION**

Approval.



Darby Dellsalle, AICP  
Planning & Zoning Director

ORDINANCE NO. \_\_\_\_\_

1  
2  
3 AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE  
4 VILLAGE OF PALMETTO BAY, FLORIDA, ACTING IN ITS CAPACITY  
5 AS THE MAYOR AND VILLAGE COUNCIL AND AS THE LOCAL  
6 PLANNING AGENCY, RELATING TO THE VILLAGE'S  
7 COMPREHENSIVE PLAN; AMENDING THE COASTAL  
8 MANAGEMENT ELEMENT BY ADDING POLICY 5.4.5 TO PROVIDE  
9 LANGUAGE ADOPTING THE STATE OF FLORIDA COASTAL HIGH  
10 HAZARD AREA MAP; PROVIDING FOR ORDINANCES IN CONFLICT,  
11 CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.

12  
13 WHEREAS, the Comprehensive Plan for the Village of Palmetto Bay ("Comprehensive  
14 Plan") was adopted on August 1<sup>st</sup>, 2005, to ensure that the development patterns for future land uses  
15 within the Village match the community vision and quality-of-life expectations of its residents; and,  
16

17 WHEREAS, pursuant to Section 163.3174, *Florida Statutes* the Village Council has been  
18 designated as the Local Planning Agency for the Village; and  
19

20 WHEREAS, pursuant to Section 163.3175(2)(h) *Florida Statutes*, the Village's comprehensive  
21 plan must provide for a policy which adopts the State of Florida Coastal High Hazard Area map;  
22 and  
23

24 WHEREAS, on September 9, 2014, the Village Council approved the proposed ordinance  
25 on first reading, and directed staff to transmit the amendments to the State of Florida's Department  
26 of Economic Opportunity (DEO), and other applicable agencies for transmittal and review pursuant  
27 to Section 163.3184, *Florida Statutes*; and  
28

29 WHEREAS, the DEO, issued their Objections, Recommendations and Comments (ORC)  
30 Report on \_\_\_\_\_, 2015 accepting and approving the proposed amendment; and  
31

32 WHEREAS, on \_\_\_\_\_, 2015, and prior to second reading, the Village Council,  
33 acting in its capacity as the Local Planning Agency, adopted the EAR based amendments.  
34

35 NOW, THEREFORE, BE IT ENACTED BY THE MAYOR AND VILLAGE  
36 COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AS FOLLOWS:  
37

38 **Section 1.** Recitals. The above recitals are true and correct and incorporated herein by  
39 this reference.  
40

41 **Section 2.** That policy 5.4.5 of the Coastal Management Element of the Comprehensive  
42 Plan, is created to read follows:  
43

1 5.0 Coastal Management Element

2 \* \* \*

3  
4  
5 **Objective 5.4 Coastal High Hazard Area (CHHA)-Development**

6 Protect human life and limit public expenditures that subsidize private  
7 development permitted within the Coastal High Hazard Area (CHHA), as  
8 defined in Section 163.3178(2)(h), F.S. as the area below the elevation of  
9 the category 1 storm surge line as established by a Sea, Lake, and  
10 Overland Surges from Hurricanes (SLOSH) computerized storm surge  
11 model, beyond the planned densities and intensities depicted on the  
12 Future Land Use Map or those which are necessary to support the limited  
13 remaining infill development and/or support overriding health and safety  
14 concerns.

15 \* \* \*

16  
17  
18 Policy 5.4.5 The Village of Palmetto Bay recognizes that the boundaries of its Coastal High  
19 Hazard Area (CHHA) map must be adjusted to be consistent with the definition of  
20 the CHHA found at Section 163.3178(2)(h), F.S., as "...the area below the elevation  
21 of the category 1 storm surge line as established by a Sea, Lake, and Overland Surges  
22 from Hurricanes (SLOSH) computerized storm surge model." The Village of  
23 Palmetto Bay CHHA boundary was most recently illustrated by the Florida Statewide  
24 Regional Evacuation Study at pages 174, 175, 190, and 191.

25  
26  
27 **Section 3. Transmittal.** The Village Council, acting in its capacity as the Local  
28 Planning Agency, directed Village staff to transmit the EAR based amendments to the DEO.

29  
30 **Section 4. Conflicting Provisions.** The provisions of the Code of Ordinances of the  
31 Village of Palmetto Bay, Florida and all ordinances or parts of ordinances in conflict with the  
32 provisions of this ordinance are hereby repealed.

33  
34 **Section 5. Severability.** The provisions of this Ordinance are declared to be severable,  
35 and if any sentence, section, clause or phrase of this Ordinance shall, for any reason, be held to be  
36 invalid or unconstitutional, such decision shall not affect the validity of the remaining sentences,  
37 sections, clauses or phrases of the Ordinance; but they shall remain in effect it being the legislative  
38 intent that this Ordinance shall stand notwithstanding the invalidity of any part.

39  
40 **Section 6. Codification.** It is the intention of the Village Council and it is hereby  
41 ordained the provisions of this Ordinance shall become and be made part of the Code of  
42 Ordinances of the Village of Palmetto Bay, Florida, that sections of this Ordinance may be  
43 renumbered or re-lettered to accomplish such intentions, and that the word "Ordinance" shall be  
44 changed to "Section" or other appropriate word.

1  
2 Section 7. Effective Date. This ordinance shall take effect immediately upon  
3 enactment.  
4

5 PASSED and ENACTED this \_\_\_\_ day of \_\_\_\_\_, 2015.  
6

7 First Reading: \_\_\_\_\_  
8

9 Second Reading: \_\_\_\_\_  
10

11 Attest: \_\_\_\_\_

12 Meighan Alexander  
13 Village Clerk

14 Eugene Flinn  
15 Mayor

16 APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE  
17 USE AND RELIANCE OF THE VILLAGE OF PALMETTO BAY ONLY:  
18

19 \_\_\_\_\_  
20 Dexter W. Lehtinen  
21 Village Attorney

22  
23 FINAL VOTE AT ADOPTION:

24 Council Member Karyn Cunningham \_\_\_\_\_

25 Council Member Tim Schaffer \_\_\_\_\_

26 Council Member Larissa Siegel Lara \_\_\_\_\_

27 Vice-Mayor John DuBois \_\_\_\_\_

28 Mayor Eugene Flinn \_\_\_\_\_  
29  
30  
31  
32  
33  
34

1. The first part of the document discusses the importance of maintaining accurate records.

2. It is essential to ensure that all data is entered correctly and consistently.

3. Regular audits should be conducted to verify the integrity of the information.

4. Proper labeling and organization of files are crucial for easy retrieval.

5. Security measures must be implemented to protect sensitive data from unauthorized access.

6. Training staff on best practices for data management is a key component.

7. The second part of the document outlines the specific procedures for data entry.

8. All entries should be double-checked for accuracy before being finalized.

9. Any discrepancies or errors should be reported immediately to the supervisor.

10. Consistent use of abbreviations and codes is required for uniformity.

11. The final section provides a summary of the key points and next steps.

12. It is the responsibility of all staff to adhere to these guidelines.

13. Your cooperation and attention to detail are appreciated.

14. Thank you for your contribution to the success of our organization.

15. Please contact the IT department for any technical assistance.

16. We look forward to your continued support and participation.

17. Sincerely,  
[Signature]

18. [Name]  
[Title]

19. [Address]  
[City, State, Zip]

20. [Phone Number]  
[Email Address]

21. [Fax Number]

22. [Website]

23. [Social Media Links]

24. [Additional Information]

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