To: Honorable Mayor and Village Council

Date: January 26, 2015

From: Ron E. Williams, Village Manager

RE: Village of Palmetto Bay - EAR Amendments 2nd Reading Post DEO ORC Report

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, AMENDING THE VILLAGE'S COMPREHENSIVE PLAN'S GOALS, OBJECTIVES, AND POLICIES, CONSISTENT WITH THE VILLAGE'S ADOPTED EVALUATION AND APPRAISAL REPORT (EAR) OF THE VILLAGE'S COMPREHENSIVE PLAN, IN ACCORDANCE WITH SECTION 163.3191, FLORIDA STATUTE; TOGETHER WITH OTHER AMENDMENTS THERETO; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.

UPDATE SINCE THE JULY 7, 2014 FIRST READING HEARING:

This item was originally heard on First Reading at the July 7, 2014 Mayor and Village Council meeting, upon which it was transmitted on July 15, 2014, to the Florida Department Economic Opportunity (DEO) and other applicable review agencies for their consideration (Exhibit 1). Their responses contained several recommendations for additional modifications and inclusions into this EAR based amendment. The complete accounting of those agency request responses can be found at Exhibit 2 at Kimley Horn's response to Village Staff dated October 23, 2014. Not all of the suggestions were included in this amendment. Some shall be deferred till such time so that they may be incorporated into the upcoming long range planning process. Others were not included as the requested provisions were more reflective of code based development regulations. The DEO had one objection which required the inclusion of a Coastal High Hazard Area (CHHA) map. Because the CHHA map potentially affects the development of certain lands, it was deemed prudent to re-advertise the EAR amendments for first reading again. At a December 15, 2014 Committee of the Whole meeting, a staff memorandum (Exhibit 3) and brief presentation was provided to the Mayor and Village Council to discuss the implications of the CHHA map. The remainder of this staff report is as it was submitted on July 7, 2014.

BACKGROUND:

On August 1, 2005, the Mayor and Village Council of the Village of Palmetto Bay adopted its first Comprehensive Plan as required per Florida Statute 163. Subsequently, the Comprehensive Plan was substantially amended in both 2008 and 2009; and since 2010, the Capital Improvement Element has been updated every year. Florida Statute 163.3191 requires every local government to

review their Comprehensive Plan at least once every seven (7) years. The Village accomplished this task on January 6, 2014, upon which the Village adopted its Evaluation and Appraisal Report (EAR) of its Comprehensive Plan, and submitted same to the State of Florida's Department of Economic Opportunity (DEO). The EAR identified changes in conditions and the completion of several Goals, Objectives, and Policies that have occurred since the original adoption and subsequent amendments of the Comprehensive Plan. The DEO accepted the report without comment and provided a March 1, 2015, deadline to complete all amendments identified within the EAR.

The Comprehensive Plan serves as the guiding policy document which governs land use development, concurrency, and levels of service LOS standards for the Village's public facilities and services. The entire Comprehensive Plan includes an extensive data, inventory, and analysis (DIA) of the Village's facilities (roads, parks, drainage, etc) together with goals, objectives, and policies to provide or improve upon such facilities to reach, maintain, and/or exceed LOS standards. It is the DIA that informs as to the Goals, Objectives and Policies portion of the Comprehensive Plan. The proposed amendments do not include any changes to the DIA, although some data relative thereto was collected during the EAR review. The proposed amendments are reflective of the EAR report and are compiled together with other amendments from the intervening years. It is desired that the Council adopt the submitted Goals, Objectives and Policies, en totem, to ensure the completeness of the document and to capture all previous amendments. No portion of the requested action includes a mapping change or any alterations to existing exhibits within the Goals, Objectives and Policies document. All such maps and exhibits shall remain as is and be incorporated into the proposed document.

Adoption of EAR based Comprehensive Plan amendments comes in four steps. The first step requires a first reading public hearing. The second step requires transmittal of the amendments as adopted on first reading to the DEO. Their review period may last up to but shall not exceed 30 days. Should they have no objections to the amendment, the item may proceed to step three, the Local Planning Agency. The forth step, which shall be held on the same day as the LPA, and subsequent thereto, shall be the second reading public hearing of the amendment and its adoption.

Once the EAR based amendments are adopted, the Village intends to commence a long range planning project which will seek to identify new Goals, Policies, and Objectives for the Village to accomplish in the coming years. That process is expected to take approximately 18 months and will include a complete update to the DIA.

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 amendments are consistent with the January 6, 2014, adopted EAR and are reflective of the accomplishments identified within the Goals, Objectives and Policies of the Comprehensive Plan. Further, the EAR was accepted by the DEO and found to be in compliance with Florida Statute 163.3191. The remaining portions of the document are reflective of prior amendments to the Comprehensive Plan and are consistent with concurrency standards of nearby jurisdictions as required by the Village's Intergovernmental Coordination Element.

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: See Criteria 3. The amendments merely reflect the accomplishment of current Goals, Objectives, and Policies, and reassigns completion dates for others. The remaining portion is reflective of prior amendments and the coordination of concurrency standards of nearby jurisdictions as required by the Village's Intergovernmental Coordination Element.

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

ORDINANCE NO. _____

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, AMENDING THE VILLAGE'S COMPREHENSIVE PLAN'S GOALS, OBJECTIVES, AND POLICIES, CONSISTENT WITH THE VILLAGE'S ADOPTED EVALUATION AND APPRAISAL REPORT (EAR) OF THE VILLAGE'S COMPREHENSIVE PLAN, IN ACCORDANCE WITH SECTION 163.3191, FLORIDA STATUTE; TOGETHER WITH OTHER AMENDMENTS THERETO; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the Comprehensive Plan for the Village of Palmetto Bay ("Comprehensive Plan") was adopted on August 1st, 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; and,

WHEREAS, subsequent thereto, the Comprehensive Plan was amended in 2008 and 2009; and the Capital Improvement Element has been updated every year since 2010; and

WHEREAS, pursuant to Chapter 163.3191, *Florida Statutes*, the Village is required to review the Comprehensive Plan at least once every seven (7) years and prepare an Evaluation and Appraisal Report ("EAR"), with said report due by March 1, 2014; and

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

WHEREAS, on January 6, 2014, the Village Council, acting in its capacity as the Local Planning Agency, adopted the EAR; whereupon on January 16, 2014, staff transmitted same to the Florida Department of Economic Opportunity (DEO), which accepted the report on January 22, 2014; and therefor provided a March 1, 2015, deadline to complete all Comprehensive Plan amendments identified therein; and

WHEREAS, in light of the previous amendments to the Comprehensive Plan together with the adopted findings of the EAR as accepted by the DEO, the Mayor and Village Council desire to adopt the texted portion of the Goals, Policies, and Objectives of the Comprehensive Plan in its entirety; and

WHEREAS, on July 7, 2014, the Village Council heard and adopted the proposed ordinance on first reading, and directed staff to transmit the amendments to the DEO and other applicable agencies for transmittal and review pursuant to Section 163.3184, *Florida Statutes*; and

WHEREAS, of the other applicable review agencies, Florida Department of Environmental Protection, the Florida Department of Transportation, the South Florida Water Management District, Miami-Dade County, responded to the transmittal largely without objections, however with some requests for modifications; and

WHEREAS, on September 16, 2014, the DEO accepted and approved the transmittal provided the adoption of the EAR amendments include the adoption of the Coastal High Hazard Area map (CHHA); and

WHEREAS, those conditions so recommended by the DEO, specifically the Coastal High Hazard Area Map and related Goals, Objectives and Policies therewith, are incorporated into the Village's Comprehensive Plan, together with those comments of the other responding review agencies where appropriate; and

WHEREAS, on January 5, 2015, and prior to second reading, the Village Council, acting in its capacity as the Local Planning Agency, adopted the EAR based amendments.

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

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

Section 2. That the text of the Goals, Objectives and Policies of the Comprehensive Plan, including the CHHA map, is amended to read as provided at Attachment A.

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

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

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

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

Section 7. **Effective Date.** This ordinance shall take effect immediately upon enactment.

PASSED and ENACTED this ____ day of February, 2014.

First Reading: January 5, 2015

Second Reading: _____

Attest: _____ _____

Meighan Alexander
Village Clerk

Shelley Stanczyk
Mayor

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

_____

Dexter W. Lehtinen
Village Attorney

FINAL VOTE AT ADOPTION:

Council Member Karyn Cunningham _____

Council Member Tim Schaffer _____

Council Member Larissa Siegel Lara _____

Vice-Mayor John DuBois _____

Mayor Eugene Flinn _____

Village of Palmetto Bay
Comprehensive Plan

Prepared for:

The Village of Palmetto Bay

9705 East Hibiscus Street
Palmetto Bay, Florida 33157

Prepared by:

Kimley»Horn

2601 Cattlemen Road
Suite 200
Sarasota, FL 34232

January 5, 2015

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1.0 Future Land Use Element

GOAL 1 **TO GUIDE THE VILLAGE OF PALMETTO BAY FROM BIRTH TO EARLY MATURITY AS AN OUTSTANDING AND TRULY LIVABLE COMMUNITY IN SOUTHEAST FLORIDA BY BUILDING ON, AND IMPROVING, THE EXISTING LAND USE BLUEPRINT THROUGH VISIONARY PLANNING AND PLACE-MAKING, COST EFFICIENT PROVISION OF HIGH QUALITY FACILITIES AND SERVICES, QUALITY NEIGHBORHOOD PROTECTION, AND ENHANCEMENT OF ITS UNIQUE AND BEAUTIFUL COASTAL ENVIRONMENTAL RESOURCES.**

Objective 1.1 **Future Land Use Map**
Adoption and implementation of the Future Land Use Map (FLUM), including the land use amendments to individual parcels as referenced in the supporting Data, Inventory, and Analysis, and presented in Exhibit 1 and the element goals, objectives, and policies herein as the official and primary standard governing land use density and intensity in the Village of Palmetto Bay.

Policy 1.1.1 Estate Density Residential (EDR): The residential densities allowed in this category shall not exceed 2.5 dwelling units per gross acre. This density category is characterized solely by detached single family homes on relatively large lots.

Low Density Residential (LDR): The residential densities allowed in this category shall range from a minimum of 2.5 to a maximum of 6.0 dwelling units per gross acre. This density category is generally characterized by detached single family housing. It could also include large fee-simple townhomes with extensive surrounding open space or a mixture of both housing types, provided that the maximum gross density is not exceeded.

Low-Medium Density Residential (LMDR): This category allows a range in density from a minimum of 5.0 to a maximum of 13.0 dwelling units per gross acre. The types of housing typically found in areas designated as low-medium density include single-family homes, townhouses, and low-rise condominiums /apartments. Zero-lot line single-family developments in this category shall not exceed a density of 7.0 units per gross acre. ~~Developments in this category must adhere to and incorporate the concepts and standards in the Village's Urban Design Manual to the maximum extent possible.~~

Medium Density Residential (MDR): This category allows a range in density from a minimum of 14.0 to 23.0 dwelling units per gross acre. The types of housing typically found in areas designated as medium density include townhouses, low-rise condominiums/apartments, and high-rise condominiums/apartments.

Medium-High Density Residential (MHDR): This category allows a range in density from a minimum of 24.0 to 40.0 dwelling units per gross acre and/or up to 70.0 hotel units, including townhouses, low and high rise condominiums/apartments and hotel units. Ancillary or auxiliary uses associated with high density use, including common area sport use, tennis courts, pool, gymnasium, and/or restaurant bar are provided under this district.

Office and Residential (OR): Uses allowed in this category include both professional and clerical offices, hotels, motels, and residential uses. Developments under this category must be compatible with any existing, zoned or Plan-designated adjacent and nearby land uses. The maximum scale and intensity of development shall be based on, and compatible with, the proximity and scale of adjacent and nearby residential uses. Points of ingress and egress, including service drives, for office and hotel uses must be located away from adjacent and nearby residential uses. The residential portions of OR sites must also be designed to transition to adjacent existing residential parcels with substantial and effective visual and acoustic buffering. Residential density may be approved up to one density category higher than the average land use density of adjacent parcels. If no residentially-designated parcels exist adjacent to an OR parcel or no higher density categories exist on the Village FLUM, the maximum density allowed shall be 13.0 units per gross acre. ~~Developments in this category must adhere to and incorporate the concepts and standards in the Village's Urban Design Manual to the maximum extent possible.~~

When residential uses are mixed with office uses, the overall scale and intensity shall be no greater than that which would be approved if the parcel was in either office only or residential use only, whichever is higher. Within the OR category, business uses ancillary and to serve the on-site uses may be integrated in an amount not to exceed 15.0 percent of the total floor area. The maximum floor area ratio (FAR) permitted is 0.4 for a one-story building and 0.6 for a two-story building.

Business and Office (BO): This category accommodates the full range of sales service activities including retail, wholesale, personal and professional services, commercial and professional offices, hotels, motels, hospitals, theaters, medical buildings, nursing homes, entertainment and cultural facilities, amusement and commercial recreation establishments (such as private commercial marinas). These uses may occur in self-contained centers, high rise structures, campus parks and municipal centers business districts. The specific range and intensity of uses appropriate in BO areas vary by location as a function of such factors as availability of public services, roadway access and neighborhood compatibility. Special limitations may be imposed on uses in BO where necessary to protect environmental resources including wellfield protection areas. Through the assignment of zoning districts and special conditions, the specific range and intensity of uses appropriate for a specific site will be determined. Strip commercial shopping centers with inadequate lot depth, which allow only a single row of commercial structures and parking in front, are discouraged in this designation. The floor area ratio (FAR) is 0.4 for the first story, plus 0.11 for each additional story up to six (6) stories.

Mixing of residential use with commercial, office, and hotels is also permitted in BO areas provided that the scale and intensity is not out of character with adjacent nearby development, and the project does not negatively affect any area neighborhoods. Where these conditions are met, residential density may be approved up to one density category higher than the average land use density of adjacent parcels. If no residentially-designated parcels exist adjacent to a BO parcel or no higher density categories exist on the Village FLUM, the maximum density allowed shall be 13.0 units per gross acre. ~~Developments in this category must adhere to and incorporate the concepts~~

~~and standards in the Village's Urban Design Manual to the maximum extent possible.~~

Institutional Use (IU): The IU category allows hospitals, non-profit medical facilities, fire-rescue stations, cemeteries, libraries, solid waste transfer stations, private and public utility plants and facilities, government offices and facilities, and military installations. Offices are allowed in this category. Internally integrated business areas, up to 10 percent of the total IU development floor area, may also be approved in this category. Major utility facilities allowed in the IU should generally be located away from residential areas. The Business and Office land use category intensity requirements are applied to all development in this category.

Civic Use (CU): This land use designation allows primarily universities and colleges, cemeteries, churches, public and private schools. Offices are allowed in this category. Internally integrated business areas, up to 10 percent of the total CU development floor area, may also be approved.

Village Mixed Use (VMU): The land use designation is designed to encourage compact, mixed-use development comprised of business, office, residential, civic, institutional, recreation, open space, and hotel. Development must emphasize the efficient reuse of existing infrastructure, preservation of natural systems, integration of pedestrian and bicycle facilities, and an urban form characterized by close-knit neighborhoods and sense of community. The minimum VMU parcel size is 25.0 gross acres. Each parcel must also adhere to a unified "Development Plan" established through a public charrette process to specify the permitted uses, densities/intensities, building scale and types, and design features and controls. Residential density shall range from a minimum of 5.0 to a maximum of 10.0 dwelling units per gross acre, subject to the approved Development Plan.

Neighborhood Mixed Use (NMU): This designation accommodates convenience business/retail uses and service within or near neighborhoods for day-to-day living needs. The vertical and horizontal integration of uses is permitted, and existing neighborhood compatibility and interconnection is essential. Supporting low density institutional uses are also allowed. ~~Strong adherence and implementation of the Villages' Urban Design Manual is required especially with respect to compatibility, and contribution to the character of the street and neighborhood.~~ On-street parking is allowed and off-street parking is highly encouraged to be located in the rear of buildings. Convenience business uses include small grocery stores, laundromats, and business and office uses with generally low traffic generation characteristics such as florists and law office. Residential density shall range from a minimum of 6.0 to a maximum of 18.0 dwelling units per gross acre, with the exception of Franjo Triangle Live work Area, where the density shall not exceed 8.5 units per acre.

Mixed Use Corridor (MUC): Vertical integration of primary uses is required in this category, with business and office uses on the ground and bottom floors, and residential uses on the upper floors. Existing car dealerships, hotels, apartment hotels, government offices, and civic uses are exempt from the integration requirement. ~~Compliance with Village's Urban Design Manual is required especially with respect to compatibility, and contribution to the character of the street and community.~~ On-street parking is allowed and off-street parking is highly encouraged to be located in the rear of buildings.

Residential density shall range from a minimum of 18.0 to a maximum of 40.0 dwelling units per gross acre.

Environmental Protection (EP): Parcels designated EP are environmentally-sensitive lands under the ownership of government or non-profit entities. No development except low intensity, passive recreational uses are permitted. Limited administrative office, retail, and storage uses incidental to protection use are allowed.

Parks and Recreation (PR): The Future Land Use Map (FLUM) specifically illustrates larger park and recreation areas, as well as, golf courses. Compatible parks are encouraged in all residential land use categories. The siting and use of future parks and recreation areas shall be guided by the Recreation and Open Space Element and the Capital Improvements Element of this plan, and by other applicable goals, objectives, and policies of the Comprehensive Plan. Certain commercial activities ancillary to recreational uses and related to resources of the park, such as boat supply stores, fuel docks, or tennis and golf clubhouses are also permitted and may be considered for approval in the PR category. Other commercial recreation, entertainment or cultural uses may also be considered for approval in the PR category if they would enhance the quality, utility, or enjoyment of the site and its natural, historical, or archeological resources and facilities.

Environmentally Protected Parks (EPP): This category includes existing lands that are environmentally sensitive and/or exhibit unique archeological features. All EPP areas shall be managed consistent with the goals, objectives, and policies for development of the applicable environmental resources or protection area. Accordingly, resource-enhancing facilities including boardwalks, nature trails, canoe trails and launces, and interpretive facilities may be provided in these areas.

Agricultural Use (AU): This FLUM category is applied to existing lands in active agricultural use. Agricultural land uses include crops, groves, and other types of typical agricultural activities. Residential density is limited to no more than one (1) dwelling unit per five (5) gross acres.

Water Bodies (WB): Major existing inland canals, lakes, and other water bodies are shown on the FLUM. No residential or non-residential development is permitted. Access and usage facilities such as docks and boat ramps are permitted subject to the approval of the jurisdiction with authority over the water body, the Village Council, and the Miami-Dade County Department of ~~Environmental Resources management (DERM)~~Regulatory and Economic Resources.

Policy 1.1.2 For the purpose of gross residential density determinations within land use categories, water bodies and non-residential use area are not included. For mixed use parcels with vertical use integration, only the actual physical area devoted to residential use may be utilized.

Policy 1.1.3 The Palmetto Bay Village Center (approximately 39 acres) has been designated on the FLUM as "Village Mixed-Use" land use. The entire 80.0 acre site is located northeast of the intersection of SW 184th Street and Old Cutler Road and is subject to the Master Plan accepted by the Village Council in October 2004, which may include the following maximum development potential:

- Senior Living Facility – up to 300 units

- Multifamily Residential – up to 100 units
- Commercial – incidental and supporting uses
- Office – up to 315,000 square feet (including ancillary uses).

None of the above uses shall create substantial adverse impacts on the Biscayne National Park or Biscayne Bay.

Policy 1.1.4 Houses of worship are allowed in all land use categories on the FLUM; however, if located in or near neighborhoods, adverse impacts to the tranquility of the residents around the church and the surrounding neighborhood must be minimized to the maximum extent possible. ~~Therefore, in residential land use areas, churches are allowed on a conditional basis.~~ A public hearing is required prior to locating a new house of worship.

Policy 1.1.5 Small-scale public facilities and utilities intended to serve the immediate needs of the residential community may be permitted on compatible sites in all residential land use categories subject to adequate design and buffering as determined by the Village.

Policy 1.1.6 Home occupations may be approved in all residential land use categories as a conditional use provided the activity is secondary and incidental to the primary residential uses, maintains a residential appearance, does not adversely impact the surrounding neighborhood, and complies with all other applicable criteria contained in the Village Land Development Code (LDC).

Policy 1.1.7 Congregate living facilities, group homes, foster homes, nursing homes, and day care facilities shall be allowed in all residential land use categories provided they are consistent with the LDC and separated by a minimum of 1,000 feet from any similar existing facility. A maximum of 2.5 occupants in these types of facilities shall be considered one (1) dwelling unit for purposes of determining allowable density.

Policy 1.1.8 Discourage land use patterns indicative of urban sprawl in the FLUM and any amendment applications by dictating compact development, mixed use where appropriate, and efficient use of public facility capacity and resources, while protecting single-family neighborhoods.

Policy 1.1.9 A high priority will be placed on maintaining existing water-dependent and water-related land uses for public access. Priority will be given inland planning by the Village for water-dependent land uses along the shoreline.

Policy 1.1.10 No comprehensive plan amendments or development applications should be approved that increase densities and intensities beyond those depicted in the FLUM for lands within the HVA (Hurricane Evacuation Area) without proper analysis to determine compliance with hurricane evacuation clearance time provided in the Coastal Management Element.

Policy 1.1.11 All proposed large-scale amendments to this Comprehensive Plan and/or applications for development review shall be evaluated for significant impacts to evacuation routes and times and for significant impacts to current off-site sheltering capacities. Roadway improvements and shelter improvements shall be required, if deemed necessary, to mitigate negative impacts and phased with new residential development.

Policy 1.1.12 Encourage balanced future land use patterns along US 1 commercial corridor that would ensure a natural buffer or transition area between the commercial

uses and the single-family residential areas, thus ensuring the concentration of future development in areas with adequate infrastructure and facilities.

Policy 1.1.13 Encourage suitable residential transitions of Medium Density Residential (MDR) and Medium High Density residential (MHDR) development along the business district in order to promote future land use patterns that will minimize the amount of greenhouse gas (GHG) emission generated within the Village, and concentrate future development in areas with adequate infrastructure and facilities, thus discouraging urban sprawl.

Objective 1.2 **Land Development Code**
Maintain, and revise as necessary, an effective Land Development Code (LDC), which clearly implements the goal, objectives, and policies of this Element, and the adopted Comprehensive Plan as a whole, and regulate development quality and impacts.

Policy 1.2.1 ~~By September 2006, prepare and adopt a new~~ Continue to update the Village Land Development Code so that it is consistent with this Future Land Use Element and other applicable elements of the adopted Comprehensive Plan, and provides Village businesses, residents and developers with a clear and concise set of zoning and other regulations for implementing Palmetto Bay's future vision.

Policy 1.2.2 Utilize creative, yet proven, land development techniques in the new Land Development Code that will allow developers to generate the unique mixed-use character expressed in the community charrettes and the future land use designations for the Franjo Road/U.S. 1 Commercial Area and Palmetto Bay Village Center focus areas.

~~Policy 1.2.3 Incorporate the recommendations of the Signage Master Plan into the new LDC, by September 2006, effectively regulating the location, size and aesthetic quality of on-premise signs, off-premise signs, including billboards, and community identification feature sites within The Village.~~

Policy 1.2~~.4~~.3 ~~By September 2007, prepare~~ Updates to the LDC should be made to reflect changes made to the ~~a~~ Master Village Design Plan, ~~for incorporation into the LDC,~~ incorporating regulations regarding the continual efforts associated with Tree USA, Landscape Mitigation Program, AIPP program for Arts, in addition to addressing such unique design features as entry identification statements, beautification of transportation corridors, bike and pedestrian ways, landscape palettes, waterway vistas, public buildings, architectural guidelines, and public open space.

Policy 1.2~~.5~~.4 Allow appropriate flexibility in the new LDC to encourage and enhance public access in the Village's coastal waterfront, such as clustering and density incentives.

Policy 1.2~~.6~~.5 Provide for a code enforcement system in the new Code that maintains and enhances the quality standards of the community, and is very responsive to resident and business owner inquires and needs.

Policy 1.2~~.7~~.6 Continue to include appropriate regulations in the LDC to properly address local topography, flooding frequency, soil, and other applicable environmental conditions in development approvals. In addition, provide for adequate drainage and storm water management, open space, vehicle parking, and safe, convenient on-site traffic flow.

Policy 1.2.~~8~~.7 Coordinate regulations for the subdivision of property in the Village of Palmetto Bay with the Miami-Dade County Public Works Department.

Policy 1.2.~~9~~.8 Preserve existing water-dependent and water-related uses within the Villages and establish standards within the Land Development Code for siting future water-dependent and water-related uses that address land use compatibility, availability of upland support services, existing protective status or ownership, hurricane contingency planning, protection of water quality, water depth, environmental disruptions, mitigation actions, availability for public use, economic need, and feasibility.

Objective 1.3 **Public Facility Levels-of-Service**
Make sure suitable land is available for roads and infrastructure needed to support proposed development and redevelopment, and the expansion of necessary public facility capacity and service concurrent with the impacts of development.

Policy 1.3.1 The adopted level-of-service standards in this Plan shall be required to be maintained throughout the planning, design, and construction phases of development approvals in the Village.

Policy 1.3.2 Require that all new development and redevelopment maintain the adopted level-of-service standards for public facilities in this Plan concurrent with the build-out of planned projects.

Policy 1.3.3 Work with county and regional utility service providers, as needed, to help locate suitable land for expansion of their operations and services.

Policy 1.3.4 Annually evaluate the public facility needs generated by the Future Land Use Map and verify that the Five-Year Schedule of Capital Improvements in the Capital Improvements Element is updated to accommodate the development anticipated by the FLUM at the adopted LOS standards.

Policy 1.3.5 Work with Miami-Dade County and the South Florida Water Management District to implement the County's and Region's Water Supply Plan in conjunction with the implementation of the Village's Water Supply Element, by adoption of the latest version of the Miami-Dade County Water Supply Facilities Work Plan, revised March 2008, as prepared by Camp, Dresser and McKee, Inc.

Objective 1.4 **Schools and Co-location with Public Facilities**
Help the Miami-Dade County School Board and local charter school developers provide the high-quality elementary, secondary, and college level education facilities and resources.

Policy 1.4.1 Public schools are allowed in all land use categories shown on the adopted FLUM and all zoning districts contained in the LDC. However, if located in or near neighborhoods, adverse impacts to the tranquility of the residents around the school and in the surrounding neighborhood must be minimized to the maximum extent possible. ~~Therefore, in residential land use areas, schools are allowed on a conditional basis.~~

Policy 1.4.2 As provided for in the Interlocal Agreement between Palmetto bay and the Miami-Dade County School Board, the Village will work with the School Board to plan future school sites in the city and ensure adequate lands are available, proximate to neighborhoods, and accommodate the present and future student population of the city.

Policy 1.4.3 The Village shall utilize every opportunity to co-locate public facilities, such as parks, libraries, and community centers, with schools.

Policy 1.4.4 Consistent with the provisions of the Interlocal Agreement between Palmetto Bay and the School Board, the Village will consider the individual and cumulative impacts of land use plan amendments and rezoning applications that increase residential density on existing and planned public elementary and secondary schools, and solicit input from the School Board on local school impacts ~~well beforein~~ advance of the hearings for subject amendments or applications.

Policy 1.4.5 The Village will provide an expedited development review process for all proposed public schools within Palmetto Bay.

Policy 1.4.6 As part of the Interlocal Agreement between Palmetto Bay and the School Board, establish a joint process for collaborative planning and decision making on population projections and public school siting to accomplish coordination between the Village's adopted Comprehensive Plan and the long range plans of the School Board.

Policy 1.4.7 Encourage universities, colleges, and non-profit education providers to establish college-level and adult education facilities in Palmetto Bay.

Objective 1.5 **Environmental Resources and Natural Systems**
Protection and enhancement, to the maximum extent possible, of all environmentally important natural systems and historical resources existing in the Village.

Policy 1.5.1 Ensure that the ~~new~~ LDC incorporates all relevant wetland, coastal and native upland protection requirements from the Miami-Dade County Department of ~~Environmental Resources Management~~ Regulatory and Economic Resources, South Florida Water Management District, and the Florida Department of Environmental Protection, and that the applicable permitting requirements of these agencies are met for all development applications in the Village.

Policy 1.5.2 Protect all identified historical and archeological structures and sites within the Village through appropriate land development regulations, comprehensive review of development applications and public acquisition decisions.

~~Policy 1.5.3 By January 2006, evaluate the unique low rock walls along SW 152 Street for possible designation as a unique and historic transportation feature in the Village, and if found appropriate, implement protective measures.~~

Policy 1.5~~.4~~.3 Actively support all public efforts to purchase additional coastal parcels for preservation, passive recreation and shoreline access. Investigate and sponsor grant applications for this purpose, if feasible.

Policy 1.5~~.5~~.4 Protect and enhance the lush flora and fauna of the Village through strong community landscaping guidelines, land development regulations, and code enforcement.

Policy 1.5~~.6~~.5 Retain and strengthen regulations protecting surface water, groundwater and air quality by implementing the standards for these resources establish by applicable regional, state, and federal environmental agencies.

Policy 1.5~~.7~~.6 Potable Water. No development orders shall be issued unless it can be determined that adequate potable water supplies and facilities are available.

Policy 1.5~~.8~~.7 Concurrency relating water supply shall be completed prior to the anticipated date of issuance of a certificate of occupancy in compliance with Policy 11.5.8. The Village shall consult with Miami-Dade County to determine that water supplies will be available at the time the certificate of occupancy is issued.

Objective 1.6 **Coastal High Hazard and Disaster Preparedness**
Coordinate with Miami-Dade County and the State of Florida in addressing the land use planning, evacuation, structural integrity, and disaster-preparedness needs of Palmetto Bay.

Policy 1.6.1 Densities or intensities in the Coastal High Hazard Area (CHHA) shall not be increased beyond those depicted on the Future Land Use Map.

Policy 1.6.2 Coordinate with Miami-Dade County in implementing the approved Local Mitigation Strategy, by assessing the vulnerability of governmental, medical, and public safety sites and structures in the Village to storm damage, and in developing an action plan, if necessary, to address wind stability and flood protection for key buildings.

Policy 1.6.3 Work with Miami-Dade County to ensure that Village employees are well versed in the programs, procedures and policies required during a disaster emergency and the longer-term post disaster redevelopment process.

Policy 1.6.4 ~~By June 2007, develop a~~ An annual review should be performed on the Village Emergency Plan and updated, as necessary, to incorporate any changes associated with ~~addressing~~ disaster-preparedness, hurricane evacuation, and post-disaster redevelopment plans, procedures and personnel duties.

Objective 1.7 **Street Tree Master Plan**
~~Develop and implement A~~ Maintain the Street Tree Master Plan to create an attractive street environment that will complement private and public properties, create beauty within the public right-of-way, and be comfortable and create street canopy for energy efficiency for residents and visitors.

Policy 1.7.1 By June 2015, a full review and update of the Street Tree Master Plan should be completed. Annual reviews and maintenance of the plan should be performed. In support of the Tree USA designation, the Village should continue to allocate annual funds to be used towards the planting of new trees and the maintenance of existing trees within the Village. The Village's Street Tree Master Plan should be reviewed and updated annually ~~Continue to~~ as projects ~~implement the Village's street tree program under the Village's Street Tree Master Plan, dated June 21, 2006~~ are implemented.

Policy 1.7.2 An annual review and update should be performed on ~~Review~~ the list of street tree~~s~~ species, their location and condition ~~and~~ for the purpose of phasing ~~phase~~ out trees that do not adapt well to the requirements of an urban environment and introduce new trees that are more suitable.

Policy 1.7.3 Continue to provide planted medians to distinguish major thoroughfares and reduce the GHG emission in the Village. The Village should prepare a study to determine which streets could accommodate landscape medians and then implement the plan through the capital improvements element and budget.

Policy 1.7.4 Create unique landscape designs and standards for medians for each major thoroughfare to distinguish each from the other and to provide a special identity to separate the Village from neighboring municipalities.

Policy 1.7.5 Provide landscaping within an average 50-foot right-of-way, whenever feasible adjacent to non-residential development.

Policy 1.7.6 Create consistent entry/water features designed with landscape for elect intersections throughout the Village, such as at the intersection of SW 136th Street and Old Cutler Road.

Policy 1.7.7 Continue to require that public rights-of-way be landscaped to allow for Village and/or service utility company access to utility lines and under grounding of utility line.

Policy 1.7.8 Study opportunities to provide landscape pockets with automatic irrigation systems along arterial streets that do not currently have landscaping to soften the visual effect of the block wall.

Policy 1.7.9 Existing mature vegetation and distinctive trees should be retained and protected in developments.

Policy 1.7.10 Landscape plans should take into consideration the potential impact of mature vegetation on significant views so that future removal of view blocking trees will not be necessary

Policy 1.7.11 Trees should be planted along residential streets, in parking lots requiring landscaping, and in other pervious areas as the opportunity arises and in accordance with the Village's Street Tree Master Plan. Trees should be retained whenever possible and maintained using Best Management Practices as appropriate for each tree type.

Policy 1.7.12 Continue ~~Become a~~ participation in the Tree City USA ~~participant~~ program and provide additional street tree placement in conjunction ~~with supporting Tree City USA program~~ thereto.

Policy 1.7.13 Increase green space within the rights-of-way to support tree growth and ensure proper swale areas for water percolation and ground water runoff purposes.

2.0 Transportation Element

Goal 2A **Provide for a safe, convenient, effective, and efficient motorized and non-motorized transportation system that is intricately related to the land use pattern and improves the level of mobility of all residents and visitors within the Village.**

Objective 2A.1 **Transportation Level of Service**
To the maximum extent controllable by the Village of Palmetto Bay, all roadways within the Village shall operate at or above the roadway level of service standards contained in this element.

Policy 2A.1.1 The Village of Palmetto Bay recognizes the Urban Development Boundary (UDB) designated by Miami-Dade County and the Urban Infill Area UIA[1] within its municipal limits. ~~The~~ Pursuant thereto, the minimum acceptable peak-period LOS for all State and County roads within the UDB shall be the following:

1. All development applications within the Urban Infill Area Transportation Concurrency Exception Area are exempt from transportation concurrency requirements; however the following level of service thresholds are established for reviewing projects within the UIA TCEA: (1) Where no public mass transit service exists, roadways shall operate at or above Level of Service E (100% of capacity), (2) Where mass transit service having headways of 20 minutes or less is provided within a half-mile distance, roadways shall operate at Level of Service of 120% of capacity (3) Where extraordinary transit service, such as express bus service exists, parallel roadways within a half-mile shall operate at no greater than 150% of their capacity; and

2. Between the UDB and UIA: (1) Where no public mass transit service exists, roadways shall operate at or above Level of Service D (90% of capacity) (2) Where mass transit service having headways of 20 minutes or less is provided within a half-mile distance, roadways shall operate at Level of Service E (100% of capacity) (3) Where extraordinary transit service, such as express bus service exists, parallel roadways within a half-mile shall operate at no greater than 120% of their capacity

Policy 2A.1.2 Palmetto Bay recognizes five "rapid transit stations" and two "community urban centers" serving the South Dade Busway that are illustrated on both the Village of Palmetto Bay Future Land Use Map and the Miami-Dade county Land Use Plan as locations for future transit oriented development. Consistent with the Miami-Dade County CDMP, the Village will continue to exempt development applications from traffic concurrency requirements that lie within one-quarter (1/4) mile of one of these rapid transit stations or community urban centers provided that they include office, hotel, or residential land uses and are designed in such a manner to support convenient use of the transit corridor.

[1] The UIA is defined as that area east and south of the State Road 826 (the Palmetto expressway) and 77th Avenue (including those portions of theoretical SW 77 Avenue

Policy 2A.1.3 Consistent with Miami-Dade County, provided the development is otherwise consistent with the Village's Comprehensive Plan, ~~exempt~~ proposed development that meet the following criteria cannot be denied for ~~from~~ transportation concurrency requirements: (1) projects located within the UIA, and (2) ~~that are~~ projects located within an ~~Empowerment~~ Enterprise Zone established pursuant to Chapter 290 of the Florida Statutes.

Policy 2A.1.4 The minimum acceptable p.m. peak period operating level of service for all Village maintained streets within Palmetto Bay shall be Level of Service E.

Policy 2A.1.5 Preserve and protect the present character of Old Cutler Road from widening or expansion from its present existing paved right-of-way; consistent with the provisions set forth in Section 9-2 of the Code of Miami-Dade County, Florida (enacted March 15, 2005).

Policy 2A.1.6 In connection with future development, all roadway, transit, bicycle and/or pedestrian improvements shall be built by respective developer(s), in accordance with the Village's adopted subdivision regulations, and in place prior to issuance of a final Certificate of Occupancy.

Policy 2A.1.7 Issuance of all development orders for new development of significant expansions of existing development shall be contingent upon compliance with the level of service standards contained in Policy 2A.1.1, Policy 2A.1.2, Policy 2A.1.3, Policy 2A.1.4, and Policy 2A.1.5, except as otherwise noted within the Village's Comprehensive Plan.

Policy 2A.1.8 Preserve and protect existing rights-of-way to the extent that they continue to be necessary, and require that new rights-of-way be dedicated in perpetuity in connection with future development, where are necessary to maintain the Village's minimum level of service standards.

Objective 2A.2 **Transportation Coordination and Planning**
Coordinate with the Florida Department of Transportation (FDOT), Miami-Dade County Metropolitan Planning Organization (MPO), and Miami-Dade County to implement capacity improvements (motorized and non-motorized) to the State and County road system within, and adjacent to, the Villages and Palmetto Bay so that the desired future growth patterns along these corridors shown in the Future Land Use Map (FLUM) may be adequately supported.

Policy 2A.2.1 Continue to work with the officials at FDOT, Miami-Dade County MPO, and Miami-Dade County to promote the inclusion of projects in their plans programs and development regulations that adequately provide future capacity for moving people safety and efficiently through Palmetto Bay.

Policy 2A.2.2 Solicit the expenditure of County Road Impact Fees on facilities that best benefit the Villages of Palmetto Bay through participation in the Miami-Dade County MPO's policy and technical coordinating committees.

Policy 2A.2.3 On an annual basis, develop and maintain a Five Year Capital Improvements Program for transportation improvements within Palmetto Bay.

Policy 2A.2.4 On an annual basis, inventory and prioritize transportation projects within Palmetto Bay that most favor alternative modes of travel to the single occupant automobile within the Village's Capital Improvement Program.

Policy 2A.2.5 Coordinate with officials at Miami-Dade Transit, the Miami-Dade MPO, and FDOT to ensure that safe, continuous pedestrian and bicycle linkages are

within all future projects within one-quarter (1/4) mile of transit stops located within the Village to connect residents and visitors with public transit for completing higher order trips.

Policy 2A.2.6 ~~By January 2006, designate a single staff person as a~~ The Village's designated "transportation liaison" ~~to~~ shall continue to work towards ~~improve~~ improving coordination efforts with the Florida Department of Transportation, Miami-Dade County Metropolitan Planning Organization (MPO), Miami-Dade Transit (MDT), Miami-Dade Public Works and Waste Management Department, and Citizens Independent Transportation Trust (CITT) of the Peoples Transportation Plan (PTP). Among other duties, this staff person ~~will be~~ is responsible for informing the Village Council of important transportation issues or decisions made at the county or state level that impact the Village, submit an annual transportation plan to the CITT for disbursement of PTP funds, oversee transportation plans, programs, and projects implemented within the Village, and represent the Village at various MPO meetings.

Objective 2A.3 **Increase Vehicle Occupancy**
Increase the vehicle occupancy rate from the current 1.34 persons per vehicle to 1.41 persons per vehicle by ~~2012~~ 2020 for commuting residents of Palmetto Bay.

Policy 2A.3.1 Partner with the South Florida Commuter Services (SFCS) to disseminate information for commuting residents to carpool, vanpool, or take public transit as an alternative to single-occupant automobile travel. Initial strategies may include provision of SFCS materials for pick-up at Village Hall, regular announcements at public meetings for SFCS services, and a link to the organization of the official Village website.

Objective 2A.4 **Community and neighborhood Protection**
Development and expansion of the transportation system within Palmetto Bay should be done in a way that does not adversely impact community and neighborhood integrity.

Policy 2A.4.1 The Village of Palmetto Bay strongly opposes the widening of SW 87th Avenue, north of SW 184th Street, identified in the Miami-Dade MPO 2030 Long Range Transportation Plan. To this end, the Village will formally apply to the Miami-Dade MPO and Miami-Dade County in October 2006 for removal of this project from the Long Range Transportation Plan in conformance with the formal amendment cycle established by the agencies.

Policy 2A.4.2 The Village will continue to preserve and protect the integrity of its existing transportation system from the avoidable intrusion of roadway widening and request that appropriate state and county agencies consider all other capacity improvements, including public transit, bicycle, and pedestrian enhancements, prior to moving forward with any road widening projects that impacts the character of Palmetto Bay.

To this end, the Village strongly opposes any recommended roadway widening, now or in the future, to SW 136th Street, SW 144th Street, SW 152nd Street, or SW 168th Street east of US 1 or the widening of SW 67th Avenue, SW 72nd Avenue, SW 77th Avenue, SW 82nd Avenue, SW 87th Avenue, SW 92nd Avenue, and SW 97th Avenue between northbound lanes of US 1 ~~SW 136th Street~~ and SW 184th Street.

Policy 2A.4.3 Preserve and protect the character of neighborhoods from the avoidable intrusion of "cut-through" traffic through the implementation of appropriate

traffic calming measures. Traffic calming measures will be installed, where warranted, after proper review of citizen's requests, completion of a formal traffic calming study, and confirmation that necessary funds are available under the Peoples Transportation Plan to construct the needed improvements.

Policy 2A.4.4 ~~By January 2006,~~Continue to monitor and act upon the conclusions and recommendations contained in the Village of Palmetto Bay Transportation Master Plan to conduct formal traffic calming studies for the Mangowood and Southwood Neighborhoods and the areas immediately surrounding SW 164th Street and SW 148th Street.

Policy 2A.4.5 In the review of development applications, the Village Building Division shall require that the location of driveways on municipal streets comply with the Miami-Dade County's Public Works Manual Standards.

Policy 2A.4.6 Coordinate with the Miami-Dade County MPO for the implementation of the Miami-Dade County Grade Separation Feasibility Study and the US 1 Intersection Improvements Study~~. concerning their US 1 Grade Separation Study currently underway for the entire county to understand the impacts for grade separation for east-west travel within the Village and its impacts to the character of Palmetto Bay.~~

Objective 2A.5 **Bicycle and Pedestrian Facilities**
Increase the amount of pedestrian and bicycle activity within the Village by providing adequate facilities to promote friendly pedestrian and bicycle environments.

Policy 2A.5.1 ~~By January 2010,~~By January 2015, the Village Sidewalk Inventory should be reviewed and updated. ~~construct approximately 2,373 lineal feet of s~~ Sidewalks in accordance with recommendations from the updated Village Sidewalk Inventory should be constructed ~~completed in 2004 that~~ to addresses missing links and/or gaps in the current sidewalk network. Gaps within the sidewalk network, located in front of vacant lots should be constructed in accordance with approved site plan for future development.

Policy 2A.5.2 ~~By January 2007,~~ Continue to coordinate with the Florida Department of Transportation to target pedestrian improvements for intersections along US 1 including, but not limited to, freshly painted crosswalks and/or more appropriate paving materials, better lighting for nighttime use, improved "count down" pedestrian signals, and safe pedestrian refuge areas.

Policy 2A.5.3 ~~By January 2006,~~Continue to target improvements to the pedestrian network consistent with the Americans with Disabilities Act (ADA) for non-compliant facilities identified in either the Village's Sidewalk Inventory or Transportation Master Plan completed in 2004.

Policy 2A.5.4 The Village is committed to provide safe routes to school for local elementary schools within municipal boundaries consistent with the rules and regulations of Chapter 1006.23 of the Florida Statutes. Upon formal request by the citizenry and determination of adequate funding, the Village will contact the Miami-Dade County School Board and work cooperatively to evaluate existing walking conditions consistent with guidance from the Manual on Uniform Traffic Control Devices (MUTCD) Chapter 7A for preparing individual school traffic control plans. The Village will act upon the reasonable conclusions and recommendations from the study and program appropriate

improvements into the Capital Improvements Plan to ensure safe walking conditions are maintained for local elementary school students.

Policy 2A.5.5 Priorities for sidewalk improvements within the Village shall be to provide safe routes to school for local elementary schools and to connect all transit stops inside the Village with sidewalks.

~~Policy 2A.5.6 By January 2010, complete a Greenway Master Plan for the Village that considers the potential of existing canal rights-of-way and power line easements to support a greenway network and linear park system for pedestrians and bicyclists to connect residents of Palmetto Bay with local recreation and open space amenities, schools, and commercial destinations.~~

~~Policy 2A.5.7 By January 2007, coordinate with the Miami-Dade County MPO to upgrade the multiuse trail along the east side of Old Cutler Road (i.e. "Old Cutler Trail") within municipal boundaries to become a viable link within the trail network planned between downtown Miami and points south.~~

Policy 2A.5~~.8~~.6 ~~By January 2010, implement approximately 9.25 miles of~~ Continue to implement on-street bicycle lanes recommended in the Village of Palmetto Bay Transportation Master Plan (adopted October 2004) with assistance from Miami-Dade County ~~county~~ and the Florida Department of Transportation.

Policy 2A.5~~.9~~.7 Work with representatives for Miami-Dade Transit to increase the number of MDT bus routes operating within the Village that participate in the Agency's Bike and Ride Program.

~~Policy 2A.5.10 By January 2006, amend the Land Development Code to require bicycle parking be provided for all new development and redevelopment of non-residential uses on a site.~~

Policy 2A.5~~.11~~.8 Participate in pedestrian and bicycle planning programs of the Miami-Dade County MPO and District VI of the FDOT.

Goal 2B **Develop a safe, convenient, and efficient public transportation system within Palmetto Bay for residents, businesses, and visitors, with particular emphasis on adequate service for the local "transportation disadvantaged" population within the Village.**

Objective 2B.1 **Transit and System Improvements**
Increase utilizations of transit service by local residents, employees, and visitors to help reduce motor vehicle use and traffic congestion.

Policy 2B.1.1 Support efforts by Miami-Dade Transit to consider improvements to the existing transit system including, but not limited to, increased routes, frequency of service, and accuracy of scheduling.

Policy 2B.1.2 Continue to coordinate with members of Miami-Dade Transit and the Citizens' Independent Transportation Trust to implement public transportation improvements identified in the People's Transportation Plan. Funding for these improvements will come from the half-cent sales tax referendum approved by Miami-Dade County voters in 2002.

Policy 2B.1.3 Act upon the conclusions and recommendations contained in the Village of Palmetto Bay Transportation Master Plan to promote transit as a viable alternative to the single-occupant automobile.

~~Policy 2B.1.4 By January 2007, a Village-wide master plan for locating and designing new bus shelters and bus bay pullouts will be completed for existing and planned~~

~~service corridors envisioned by Miami-Dade Transit. Shelters will be attractively designed to further reinforce an image for Palmetto Bay that is being implemented through urban design.~~

Objective 2B.2 **Transit Usage.**
Increase the transit modal split for all trips within the Village of Palmetto Bay.

Policy 2B.2.1 Work with Miami-Dade transit to improve transit service within the Village (i.e. increased service coverage, frequency of service, etc.) toward making public transit a more viable alternative to automobile travel.

Policy 2B.2.2 ~~By January 2007, complete a local transit circulator study to examine existing conditions, measure the support for local transit service, and prepare cost estimates for implementation of route and/or system alternatives recommended in the study. Upon completion of the study, the Village will a~~ The Village will act ~~Act~~ upon the conclusions and reasonable recommendations if feasible, made in the local transit circulator study report to implement a local transit circulator service that provides a viable alternative to the single-occupant automobile for short trips within the Village.

Policy 2B.2.3 ~~By January 2007, complete a local transit circulator study for school-aged children, and their parents, who both live and attend school with Palmetto Bay to service as one viable alternative to automobiles for picking up and dropping off students. Off peak school time may provide an opportunity to use the local transit circulator to provide on-call transportation to the elderly, handicapped, and shut-in population of the Village. Upon completion of the study, the Village will a~~ Act upon the conclusions and reasonable recommendations made in the local transit circulator study report to implement the school transit circulator service focused on providing a viable alternative to automobiles for picking up and dropping off students. ~~and coordinate with local school officials to implement the school transit circulator service.~~

Policy 2B.2.4 Provide incentives, such as increased allowable density or reduced parking requirements, to developers of all residential, commercial, and/or general office land uses within identified mixed-use land use categories that place public transit facilities within their parcels.

Objective 2B.3 **Emergency Transit Plan**
Coordinate with Miami-Dade Transit and Miami-Dade Office of Emergency Management (OEM) to help ensure development of an emergency transit plan that will provide a timely evacuation of the Coastal High Hazard Area during tropical storms and hurricanes.

Policy 2B.3.1 The Village Manager shall direct the transportation liaison established under Policy 2A.2.6 of this Element to meet with the Miami-Dade Office of Emergency Management ~~Department~~(OEM) at least every twelve months to coordinate evacuation plans and related issues and report back to the Manager.

Policy 2B.3.2 Timely evacuation operations shall be established to commence four (4) hours after an evacuation order is issued by the County Administrator.

Goal 2C **Preserve and enhance desirable development patterns that support Palmettos Bay's vision to provide for a safe, convenient, and efficient**

motorized and non-motorized transportation system to satisfy the transportation needs of the residents and visitors of the residents.

Objective 2C.1 **Future Land Use Coordination**
The transportation system shall be coordinated with the Future Land Use Map (FLUM) and the goals, objectives, and policies of the Future Land Use Element to ensure that transportation facilities and services are available to adequately serve existing and proposed population densities, land uses, and housing and employment patterns.

Policy 2C.1.1 In connection with future development, require that adequate and safe internal circulation improvements take into consideration the provision that pedestrian and/or bicycle facilities be in place prior to issuance of final Certificate of Occupancy

~~Policy 2C.1.2 By January 2007, coordinate with the Florida Department of Transportation to implement a master landscape plan for the US 1 transportation corridor within municipal boundaries to further reinforce the character of Palmetto Bay through urban design.~~

Policy 2C.1~~.3~~.2 The Village will coordinate with the County to identify ways to reinforce ~~By January 2006, request that SW 87th Avenue,~~ the neighborhood character of the land uses depicted in the Future Land Use Map and discourage the avoidable intrusion of "cut-through" along County right-of-way SW 87th Avenue, between SW 184th Street and SW 168th Street, through implementation of traffic calming and other streetscape improvements. ~~between SW 184th Street and SW 168th Street, be transferred from control of Miami-Dade County to the Village and then reclassified as a local street to further reinforce the neighborhood character of the land uses depicted in the Future Land Use Map and discourage the avoidable intrusion of "cut-through" traffic that is currently destroying the residential character of the corridor through implementation of traffic calming and other streetscape improvements.~~ The Village will work with the County to identify methods to minimize cut-through traffic and or minimize its impacts.

Policy 2C.1~~.4~~.3 ~~By January 2006,~~ Continue to coordinate with Miami-Dade County to determine the feasibility ~~for~~ of widening ~~SW 184th Street~~ major roads to enhance access to the Florida Turnpike, from two lanes to five lanes with bicycle lanes and sidewalks ~~to enhance access to the Florida Turnpike and~~ relieve pressure on the already over-capacity section of Old Cutler Road, within municipal boundaries. Furthermore, emphasis for improvements to ~~this~~ these corridors should also consider a streetscape master plan ~~for the corridor~~ with common signage, landscaping, street lighting, and pavement treatments that help reinforce ~~this street~~ these corridors as a gateway into Palmetto Bay.

Policy 2C.1~~.5~~.4 Continue to coordinate with Miami-Dade County and the Miami-Dade County Metropolitan Planning Organization (MPO) to support redevelopment of the portion of southwest Palmetto Bay located along the South Dade Busway as a transit oriented center. The extents of the transit oriented center are illustrated as "Neighborhood Mixed-Use" and "Mixed-Use Corridor" land use categories on the Future Land Use Map and further described in the Final Franjo Road/US 1 Commercial Area Charrette Report: A Citizens' Vision Plan accepted by the Village Council in November 2004.

Objective 2C.2 State and County Roads.

The Village shall monitor traffic volumes on existing State and County maintained roads that cross Palmetto Bay and require in connection with future development that roadway improvements be undertaken by the developer as a condition to issuance of necessary permits to ensure that the goals, objectives, and policies of this element are met.

Policy 2C.2.1 In connection with future development, and at the Village's plan review stage, require that specific improvements to State and County roads be coordinated with the applicable respective agencies by the developer(s) and that the necessary improvements, which are to be made conditions of issuance of related development orders or permits, be carried out in conjunction with construction of the development and in place prior to the impacts of development.

Objective 2C.3 **Rights-of-way Design Standards**
Coordinate with FDOT and Miami-Dade County in the development and implementation of the Village's design standards that would be applicable to State and County roadways in order to enhance the transportation corridors in the Village.

~~Policy 2C.3.1 By 2011, design standards for major and minor transportation corridors within Village boundaries shall be developed to include the following, provided they do not conflict with requirements found in other elements of this Comprehensive Plan:~~

~~(1) Pedestrian connections and surfaces with delineated paving surfaces, using brick pavers and landscaping at intersections for beautification and increased safety.~~

~~(2) Planting of trees at intersections to differentiate as focal points.~~

~~(3) Comply with the Village's Comprehensive Street Tree Master Plan, and meet the standards of the Tree City USA requirements.~~

~~(4) Landscaping to provide character and screen undesirable views.~~

~~(5) Planting of trees and landscaping on major and minor corridors consistent with the Village's Street Tree Master Plan.~~

~~(6) Planting of trees and landscaping throughout major and minor corridors to reduce the amount of greenhouse gas emissions (GHG) generated in the Village primarily by automobile and truck traffic.~~

Policy 2C.3~~.2~~.1 The ~~Implement a g~~ Village's ~~established~~ Garden ~~c~~ Club will continue to provide ~~with the~~ assistance ~~of~~ to the Village's Tree Board Advisory Committee as an added incentive for supporting the Village's Tree City USA designation and further support for the Village's Street Tree Master Plan. The group is encouraged to meet regularly to monitor and maintain activities associated with implementation of projects within the Street Tree Master Plan and initiatives identified by the Tree Board Advisory Committee.

3.0 Housing Element

Goal 3 **Maintain and enhance the supply of decent , safe, and affordable housing, and maximize viable options and opportunities for present and future residents of the Village of Palmetto Bay**

Objective 3.1 **Village Housing Activities**
Protect the existing housing stock and neighborhoods, and address affordable housing needs to the maximum extent feasible.

Policy 3.1.1 Increase and improve affordable housing supply and minimize potential blight of existing residential neighborhoods through the use of good land use planning, urban design, landscaping in development review, and proactive code enforcement.

Policy 3.1.2 Preserve the existing housing stock and enhance existing neighborhoods by identifying unsafe or substandard structures, advising property owners of available rehabilitation programs and pursuing prompt, corrective action.

Policy 3.1.3 Evaluate and employ all feasible techniques to identify and promote potential sites in the Village for affordable housing.

Policy 3.1.4 Support the provision of affordable housing in close proximity to regional transit corridors and nearby shopping opportunities.

Policy 3.1.5 By ~~September~~ January ~~2007~~ 2016 evaluate the feasibility of inclusionary zoning regulations, which requires a certain percentage of units of new development or redevelopment to be set aside for low or moderate income housing.

Policy 3.1.6 By January 2016, ~~By September 2007,~~ consider density bonuses for the provision of affordable housing.

Policy 3.1.7 Ensure that housing stock within Palmetto bay meets the minimum criteria set for in the Miami-Dade County Minimum Housing Standards Article of the Code of the Miami-Dade County, Florida (Chapter 17, Article ii, enacted March 15, 2005). The Village shall notify landlords and tenants of minimum housing standards through the Village's quarterly newsletter.

~~Policy 3.1.8 By July 2007, survey existing housing stock for historically significant structures and determine whether or not the village should implement a historic preservation program.~~

Policy 3.1~~.9~~.8 Encourage the protection of all identified, and yet unidentified, historical and archeological structures and sites within the Village (see Housing Element 3.1.8) through appropriate land development regulations, comprehensive review of development applications, public acquisition decisions, and historic designations.

Policy 3.1~~.10~~.9 By January ~~2008~~ 2020, evaluate the appropriateness of allowing accessory apartments (aka: granny flats) in existing neighborhoods provided adequate setbacks, parking, drainage, septic system, and other requirements and level of service standards are maintained.

Policy 3.1~~.11~~.10 Support the utilization of county, state, and federal housing programs to provide home repair and/or home purchase opportunities for current and future residents.

Policy 3.1.~~12~~.11 Encourage local employers to offer their assistance in meeting the housing needs of cost-burden employees.

Policy 3.1.~~13~~.12 Partner with the South Florida regional Planning Council in their efforts to increase public awareness of affordable housing issues through an educational program highlighting the positive benefits of good urban and building design on affordable housing and addressing other common misconceptions associated with affordable housing.

Policy 3.1.~~14~~.13 The Village has created a Medium Density Residential and a Medium High Density Residential Future Land Use Designation. The designated areas are adjacent to US 1 and reflect existing densities of the current zoning districts. These proposed designations would reflect existing and future commitments to provide affordable and work force housing units.

Objective 3.2 **Regional Affordable Housing Efforts**
Actively support and participate in regional and county-wide efforts to address affordable housing needs.

Policy 3.2.1 By January ~~2008~~ 2016, finalize the Village's role in a regional solution (Regional Fair Share) to ensure the availability of adequate affordable housing for all income ranges within a reasonable commute distance from employment centers.

Policy 3.2.2 ~~By January 2008,~~ Continual ~~coordinate~~ coordination with Miami-Dade County should be made to ~~address~~ identify affordable housing opportunities and needs utilizing concrete and specific strategies and initiatives, including active participation in task forces and/or standing committees.

Policy 3.2.3 The Village shall coordinate and actively participate, where feasible, with the following regional agencies to identify additional resources for addressing affordable housing needs in the Village and surrounding region:

- Miami-Dade County Housing Agency;
- South Florida Regional Planning Council;
- Appropriate federal and state agencies.

Objective 3.3 **Private Development Affordable Housing**
Maximize opportunities for private sector development of affordable housing.

Policy 3.3.1 Create development regulations and policies to promote and encourage private development of affordable housing in the Village of Palmetto Bay.

Policy 3.3.2 By January 2016, an assessment of the existing affordable housing permitting process should be performed to determine if a ~~By January 2008,~~ decrease ~~the~~ in cost and/or increase ~~the~~ in efficiency of providing affordable housing is needed. ~~by offering certain fee waivers, including building, site permit and/or local impact fees, and streamlining of development processes for affordable housing development applications.~~

Policy 3.3.3 By ~~September~~ January ~~2007~~ 2016, Council should review the provisions of providing ~~consider~~ density bonuses for the ~~provision~~ establishment of affordable housing on infill sites, particularly for small renter households.

Policy 3.3.4 On an ongoing basis, provide technical assistance, information, and referral services to the private sector in order to promote affordable housing production capacity.

Policy 3.3.5 Continue to provide land use designations and zoning districts on the Future Land Use Map and the Official Zoning Map to ensure that a variety of housing types (e.g., single family, duplex, and multi-family housing units) are allowed in the Village.

~~Policy 3.3.6 Provide for Medium Density Residential and Medium-High Density Residential districts adjacent to US 1 to support the development of private affordable and work force housing.~~

Objective 3.4 **Coordination with Not-for-profits**
Encourage not-for-profit entities to participate in the provision of affordable housing.

Policy 3.4.1 Assist not-for-profit entities that seek to promote and provide affordable housing opportunities in the Village of Palmetto Bay.

Objective 3.5 **Group Homes, Elderly Care, and Assisted Living Facilities**
Continue to provide opportunities for group homes, housing for the elderly and assisted living facilities in residential zoning districts.

Policy 3.5.1 Allow for state licensed group, and assisted living facilities within residential districts in the Villages Land Development Code (LDC), as required by State Law. When located within or near a residential neighborhood, assisted living facilities deemed to adversely impact the surrounding neighborhood should be minimized to the maximum extent possible.

Policy 3.5.2 Evaluate the establishment of a senior living facility as part of the Palmetto Bay Village Center master planned development.

Objective 3.6 **Site Plan Review Requires Landscaping Plans**
Site plans for new development projects including but not limited to residential subdivisions, should include landscaping plans.

Policy 3.6.1 Residential subdivisions and multi-family residential projects should include planting of street trees in accordance with the Village's Street Tree Master Plan, dated June 21, 2006.

Policy 3.6.2 Maintenance programs should be required for landscaped areas in development projects, including entryways, street rights-of-way, stormwater retention/detention ponds, and common areas.

Policy 3.6.3 Residential subdivisions, multi-family residential projects, and commercial projects in the Village will be encouraged through incentives to adopt energy efficient designs and use of renewal materials, as specified in the LEED guidelines.

4.0 Infrastructure Element

(A) Potable Water Sub-Element

Goal 4A **A quality, dependable potable water supply sufficient to meet the existing and future needs of Village residents and businesses on a timely basis, at a reasonable cost and in compliance with utility regulatory standards**

Objective 4A.1 **Potable Water Level of Service**
Coordinate effectively with the Village's water service provider, Miami-Dade County Water and Sewer Department (WASD) to ensure that potable water service to the Village will meet or exceed the adopted level-of-service (LOS) standard throughout the planning period.

Policy 4A.1.1 The adopted level of service standard adopted by the Miami-Dade Water and Sewer Department (WASD) for potable water service within the Village of Palmetto Bay is:

a. The Regional Treatment: System shall operate with rated maximum daily capacity ~~that is~~ no less than 2% above the maximum daily flow for the preceding year, and an average daily capacity 2% above the average daily system demand for the preceding five years. The maximum daily flow shall be determined by calculating the average of the highest five single day flows for the previous 12 months.

b. Water shall be delivered to users at a pressure no less than 20 pounds per square inch (psi) and no greater than 100 psi. Unless otherwise approved by the Miami-Dade Fire Rescue Department, minimum fire flows based on the land use served shall be maintained as follows or as may be subsequently amended by Miami-Dade County: ~~User LOS: Maintain capacity to produce and deliver 200 gallons per capita per day.~~

Land Use	Min. Fire Flow (gpm)
Single Family Residential Estate	500
Single Family and Duplex; Residential on Minimum lots of 7,500 sf	750
Multi-Family Residential; Semiprofessional Offices	1,500
Hospitals; Schools	2,000
Business and Industry	3,000

c. Water Quality: Meet all federal, state, and county primary potable water standards.

d. Countywide Storage: Storage capacity for finished water shall equal no less than 15% of countywide average daily demand.

Policy 4A.1.2 Monitor, and assess periodically, the planning, capital programming, and construction programs of the Miami-Dade County WASD, as well as service

complaints, to help ensure that Village residents, businesses and other Village users are provided with potable water services in compliance with the adopted LOS standard.

Policy 4A.1.3 All Village development order approvals must ensure that the Village's adopted potable water LOS standard will be maintained from planning through constructions and operation.

Objective 4A.2 **Existing Water Facilities and Efficient Expansion**
Coordinate with the Miami-Dade WASD to help ensure cost-efficient use of existing facilities and coordinate prudent future expansion plans consistent with projected needs to accommodate development at the densities and intensities proscribed in the Future Land Use Element.

Policy 4A.2.1 Encourage future development and redevelopment in areas that are already served, or programmed to be served, by Miami-Dade County WADS potable water facilities.

Policy 4A.2.2 Coordinate with the Miami-Dade County Water and Sewer Department (WASD) to provide potable water service to those areas within municipal limits that are currently dependent upon private wells to satisfy potable water needs, including those areas that may be subject to salt water intrusion as a priority and those areas indicated in Map 4-5 of the Infrastructure Element Data, Inventory, and Analysis Report

Policy 4A.2.3 Coordinate Village population projections, commercial growth, land use changes, and development approvals with the Miami-Dade County WASD to assist that agency in effectively planning Palmetto Bay's future potable water needs.

Policy 4A.2.4 Include the review and comment of the Miami-Dade county Water and Sewer Department (WASD) in the development review process for village Plan amendments, rezoning's, site plan, and plat approvals to help ensure the cost-efficient use of existing County water facilities and extension of new water service.

Policy 4A.2.5 Continue to encourage expedited installation of potable water infrastructure improvements targeted for the area bounded by SW 164th Street to the north, the Miami-Dade County Busway to the west, SW 184th Street to the south, and SW 95th Avenue to the east as part of the project entitled "Perrine Park-Cutler Ridge Water and Sewer Improvements" included in the Building Better Communities Bond Program approved by the Miami-Dade County voters in November 2004.

Objective 4A.3 **Water Conservation**
Actively encourage and help all residents in Palmetto Bay to conserve potable and non-potable water to the maximum extent possible.

Policy 4A.3.1 Village Hall shall serve as a central distribution point for South Florida Water Management District (SFWMD), Florida Department of Environmental Protection (FDEP) and Miami-Dade County Water and Sewer Department (WASD) news releases, brochures, and public presentations on ways for homeowners, businesses, and industry to conserve all forms of water resources.

Policy 4A.3.2 The Village's Land Development Code (LDC) shall contain regulations requiring the use of all feasible water-saving devises in new and renovation building construction.

Policy 4A.3.3 Encourage the use of water-saving "Florida Friendly ~~xeriscape~~" plants, watering techniques and landscape designs in existing and future developed areas of the Village.

Policy 4A.3.4 Do everything possible to encourage homeowners and businesses in the Village of Palmetto Bay to use non-potable and/or reuse water for landscaping and lawn care.

Policy 4A.3.5 Coordinate with the Miami-Dade County Water and Sewer Department (WASD) to install treated re-used (grey) water lines in Village of Palmetto Bay for use on rights-of way and other appropriate landscaped areas within the Village limits. MDWASD does not have any planned re-use projects within the Village of Palmetto Bay.

Policy 4A.3.6 Cooperate fully with emergency water conservation measures mandated by the South Florida Water Management District (SFWMD).

(B). Sanitary Sewer Sub Element

Goal 4B **Environmentally-sound and cost effective wastewater treatment and distribution facilities that protect public health and safety and meet the village's current and future needs**

Objective 4B.1 **Sanitary Sewer level of service**
Coordinate effectively with the Villages wastewater service provider (WASD), to ensure that wastewater service to the Village will meet or exceed the adopted level-of-service standard thorough the planning period.

Policy 4B.1.1 The adopted level of service standard established by the Miami-Dade County Water and Sewer Department (WASD) for sanitary sewer service within the Village of Palmetto Bay is: ~~100 gallons per capital per day~~.

a. Regional wastewater treatment plants shall operate with a physical capacity of no less than the annual average daily sewage flow.

b. Effluent discharged from wastewater treatment plants shall meet all federal, state, and county standards.

c. The system shall maintain the capacity to collect and dispose of 102 percent of average daily sewage demand for the preceding 5 years.

Policy 4B.1.2 Monitor the planning, capital programming, and construction programs of the Miami-Dade County WASD to help ensure that Village of Palmetto Bay residents, businesses and other Village users are provided with sanitary sewer services in compliance with the adopted LOS standard throughout the planning period.

Policy 4B.1.3 All Village development order approvals must ensure the Village's adopted sanitary sewer LOS standard will be maintained from planning through to construction and operation.

Objective 4B.2 **Existing Wastewater Facilities and Efficient Expansion**
Coordinate with the Miami-Dade Water and Sewer Department (WASD) to help ensure the cost-efficient use of existing facilities and coordinate prudent future expansion plans consistent with projected needs to accommodate development at the densities and intensities prescribed in the Future Land Use Element.

Policy 4B.2.1 Encourage future development into areas that are already served, or programmed to be served, by Miami-Dade County WASD sanitary sewer facilities.

Policy 4B.2.2 Notwithstanding the foregoing, continue to allow the use of septic tanks for the purpose of residential wastewater collection consistent with the provisions set forth by the Miami-Dade County Commission in 1983. These provisions limit the use of septic tanks to residential areas developed at less than 2.1 dwelling units per acre for properties served by private drinking wells and 2.9 dwelling units per acre for properties served by public water. In no case shall a new septic tank be allowed within an officially designated wellfield protection area.

Policy 4B.2.3 Coordinate Village population projections, commercial growth, land use changes, and development approvals with the Miami-Dade County Water and Sewer Department (WASD_ to assist that agency in effectively planning Palmetto Bay's future wastewater needs.

Policy 4B.2.4 Include the review and comment of Miami-Dade County's Water and Sewer Department (WASD) in the development review process for Village Plan amendments, rezoning's site plan and plat approvals to help ensure the cost-efficient use of existing County sanitary sewer facilities and extension of new central sewer service.

Policy 4B.2.5 Continue to encourage expedited installation of sanitary sewer infrastructure improvements targeted for the area bounded by SW 164th Street to the north, the Miami-Dade County Busway to the west, SW 184th Street to the south, and SW 95th Avenue to the east as part of the project entitled "Perrine Park-Cutler Ridge Water and Sewer Improvements" included in the Building Better Communities Bond Program approved by the Miami-Dade County voters in November 2004.

Objective 4B.3 **Treated Wastewater Re-Use**

Coordinate with the Miami-Dade County Water and Sewer Department (WASD) to promote reuse of treated wastewater and other by-products for public open space and golf course irrigation, fertilization, and aquifer recharge.

Policy 4B.3.1 Coordinate with the Miami-Dade County Water and Sewer Department (WASD) to install treated re-used (grey) water lines in Village of Palmetto Bay for use on rights-of way and other appropriate landscaped areas within the municipal limits. MDWASD does not have any planned re-use projects within the Village of Palmetto Bay.

Policy 4B.3.2 Investigate the possibility of using fertilizers and other reuse products on public landscape areas within Village of Palmetto Bay.

Policy 4B.3.3 Require developers seeking development approvals to fully investigate and use, if viable, grey water in project open space and recreating irrigation.

(C) Stormwater Management (Drainage) Sub-Element

Goal 4C **Protect the health and safety of the public by ensuring storm water management facilities and services are properly maintained, environmentally-sound, cost-effective, and meet the community's present and future demands.**

Objective 4C.1 **Maintain Adopted Level-of-Service Standards**

Coordinate with the Federal Emergency Management Agency (FEMA), South Florida Water Management District (SFWMD), and Miami-Dade County ~~Department of Environmental Resource Management (DERM)~~ ~~Regulatory and Economic Resources~~ to ensure the Village's storm water management system meets or exceeds adopted LOS design standards over the planning period.

Policy 4C.1.1 The storm water management LOS standards for Village of Palmetto Bay are: Water Quality Standard. Stormwater facilities shall be designed to meet the design and performance standards established in Ch. 62-302.500 and ~~25,~~ 25.025, F.A.C., with treatment of first one (1) inch of rainfall runoff ~~to meet water quality standards required by Ch. 62-302, 862-302.500, F.A.C.~~ Water Quality Standard. Where two or more standards impact a specific development, the most restrictive standard shall apply:

a. Post development runoff shall not exceed the pre-development runoff rate for a 25-year storm event, up to and including an event with a 24-hour duration.

b. Treatment of the runoff from the first one (1) inch of rainfall onsite or the first 0.5 inch of runoff, whichever is greater.

Policy 4C.1.2 ~~Continue~~ The Village shall continue to allocate ~~sufficient~~ annual funds collected through the Stormwater Utility fund to address existing stormwater deficiencies identified in the Stormwater Master Plan. ~~Evaluate the feasibility of establishing a Stormwater Utility to help fund Village-wide public drainage projects.~~

Policy 4C.1.3 Review all development proposals to make sure that, if the proposed projects are constructed, the Village's adopted stormwater management LOS standards will be maintained.

Policy 4C.1.4 All structures shall be constructed at or above the minimum floor elevations specified in the most recent edition of the Florida Building Code (FBC) or Chapter 11-C of the Code of Miami-Dade County, as may be amended, and Flood Insurance Rate Maps. ~~Federal Insurance Rate Maps for Miami-Dade County and the Village of Palmetto Bay basin.~~

Policy 4C.1.5 Inspect and approve, if acceptable, the stormwater management facilities installed by developers, contractors and public agencies in Palmetto Bay.

Objective 4C.2 **Future Growth Needs**
Accommodate the future growth needs of the Village through proper planning and effective coordination with the appropriate water management agencies.

Policy 4C.2.1 Encourage future development into areas that are already served, or programmed to be served, by under-capacity storm water management facilities.

Policy 4C.2.2 Update the Stormwater Master Plan every five (5) years in order to ensure that future growth needs of the Village are prudently accommodated and planned for.

Policy 4C.2.3 Actively coordinate the Villages stormwater planning, programing, and construction with the Federal Emergency Management District (SFWMD), Miami-Dade County Department of ~~Environmental Resource Management~~

~~(DERM)~~ Regulatory and Economic Resources, and the Miami-Dade County Public Works Department.

Objective 4C.3 **Recharge Groundwater and Water Quality**
Use the Stormwater Master Plan process and prudent land development regulations to ensure that private development and public infrastructure projects maintain required surface water quality standards and serve to recharge the groundwater aquifer.

Policy 4C.3.1 A primary objective of the Stormwater Master Plan is protection of surface water quality through Land Development Code (LDC) requirements that mandate acceptable pacing and drainage plans, adequate open (pervious) space areas, and Stormwater detention and retention in private development projects.

Policy 4C.3.2 Review the Land Development Code (LDC) on a regular basis to ensure that all feasible options are being utilized to protect water quality and enhance groundwater recharge.

Objective 4C.4 Stormwater System Maintenance. Implement a proactive maintenance program to ensure that all current and future stormwater management facilities operate at designed capacity.

Policy 4C.4.1 ~~Based on the results of the Village's Stormwater Management Master Plan, the Village will develop within one (1) year of Plan adoption a~~ The ~~b~~Basin ~~management~~ Management program shall be reviewed annually and updated as needed to ensure timely maintenance of existing and future stormwater facilities.

Policy 4C.4.2 Conduct annual inspections of stormwater facilities and coordinate with Miami-Dade County, South Florida Water Management District (SFWMD), and Federal Emergency Management Agency (FEMA) in reporting annual findings.

(D) Solid Waste Sub-Element

Goal 4D **Promote the efficient and economical balance of public and private solid waste collection and disposal services for the Village of Palmetto Bay that will meet established requirements in a manner that will protect the public health, safety, and environmental resources of the community.**

Objective 4D.1 **Existing and Future Needs**
Coordinate with Miami-Dade County Department of Public Works Waste Management (PWWM), the entity responsible for solid waste collection and disposal, to help ensure maintenance of a safe, dependable, and efficient solid waste collection and disposal system for Village of Palmetto Bay residents and businesses and in compliance with the adopted level of service.

Policy 4D.1.1 The adopted Level of Service standards maintained by the Miami-Dade County Department of Public Works Waste Management (PWWM), for solid waste services within Village of Palmetto Bay are 9.9 pounds/capita/day to maintain solid waste disposal capacity sufficient to accommodate waste flows committed to the system through long-term interlocal agreements or contracts along with anticipated non-committed waste flows for a period of five (5) years in accordance with the County's Comprehensive Development Master Plan.

Policy 4D.1.2 Monitor the solid waste planning, capital programming and construction programs of Miami-Dade County by attending the Quarterly Solid Waste meetings to help ensure that Village of Palmetto Bay residents, businesses and other users are provided with solid waste services in compliance with the adopted LOS standard throughout the planning period.

Policy 4D.1.3 Review all development proposals to make sure that if the proposed projects are constructed, the Village's adopted solid waste LOS standard will be maintained.

Policy 4D.1.4 Coordinate Village population projections, commercial growth, land use changes, and development approvals with the Miami-Dade County solid waste agency to assist them in effectively planning for Village of Palmetto Bay's future solid waste collection and disposal.

Policy 4D.1.5 Ensure diligent monitoring of construction sites and vacant lots by Village personnel to prevent or abate illegal dumping activities.

Objective 4D.2 Recycling
Assist the Miami-Dade County Department of Public Works Waste Management (PWWM) in promoting good recycling habits among the Village's residents and businesses.

Policy 4D.2.1 Use all available means to help the Miami-Dade County Department of Public Work Waste Management (PWWM) achieve its goal for countywide recycling in compliance with State mandated waste stream reduction objectives.

Policy 4D.2.2 Conduct an on-going informational campaign using existing leaflets and brochures available at Village Hall and other public locations describing the benefits of recycling and the collection rules which must be followed to properly recycle.

Objective 4D.3 Hazardous and Toxic Materials
Assist the Miami-Dade County Department of Public Work Waste Management (PWWM) in the continuing implementation of a comprehensive program for their proper storage, recycling, collection, and disposal of hazardous and toxic wastes in the Village of Palmetto Bay.

Policy 4D.3.1 Help the County's Department of Public Work Waste Management (PWWM) conduct an on-going education program for residents and businesses in the Village on the proper storage and handling of hazardous and toxic materials through distribution of available brochures and pamphlets at public locations and other means.

Policy 4D.3.2: Prepare and maintain an up-to-date list of all businesses in the Village that store, use and/or dispose of hazardous and toxic materials and/or waste, and monitor these establishments to ensure they have a current waste management and spill clean-up plan.

Policy 4D.3.3 Coordinate with the Miami-Dade County Fire-Rescue Department to ensure they have a viable rapid response plan and proper equipment for responding effectively to hazardous and toxic waste spills in the Village.

(E) Natural Groundwater Aquifer Recharge Sub-Element

Goal 4E **Continue to support and monitor state, county, and South Florida Water Management District efforts to protect, conserve, and manage the quality and quantity of natural groundwater resources.**

Objective 4E.1 **Recharge Deficiencies**
In coordination with state, regional, and county water management agencies, correct any documented recharge deficiencies identified in Village of Palmetto Bay by the Stormwater Master Plan and outside agencies.

Policy 4E.1.1 As part of the Stormwater Master Plan process, identify groundwater recharge deficiencies, if any, in the Village.

Policy 4E.1.2 Maintain and enhance, where appropriate, the capacity and period of natural surface water drainage and recharge.

Objective 4E.2 **Recharge Areas**
Assist State, Regional, and County efforts, where appropriate, in protecting the functions of natural groundwater recharge areas and natural drainage features in Village of Palmetto Bay.

Policy 4E.2.1 Continue to enforce the Village's on-site water retention and pervious open space standards for new development and redevelopment projects.

Policy 4E.2.2 All Development projects shall use retention, infiltration, and detention systems as required by the Village Code, and applicable State and Regional Standards

5.0 Coastal Management

Goal 5 **Plan for, encourage, and manage development and redevelopment activities within the coastal high hazard area (CHHA) to maximize aesthetic, environmental, recreational, and economic values of coastal areas of the village, while taking measures to protect the village's natural resources and to protect human life and public and private property from harm by natural disasters.**

Objective 5.1 **Protection of Coastal Resources**
Protect and conserve remaining coastal wetlands, living marine resources, and wildlife habitats as evident within the coastal area of Palmetto Bay.

Policy 5.1.1 The Village will limit the specific and cumulative impacts of development and redevelopment upon identified wetlands, water quality, water quantity, wildlife habitat, and living marine resources through the development review process.

Policy 5.1.2 All development sites suspected to contain listed species shall be required to submit field reviews and record the occurrence of listed plant and animal species as part of the development review process. When necessary, the development application will describe measures that will be taken to protect those species in accordance with state and federal guidelines.

Policy 5.1.3 Consistent with the Miami-Dade County Comprehensive Development Master Plan, tidally connected mangroves in the Deering Estate and the south shoreline of Paradise Point and coastal mangrove and scrub forests within and adjacent to Biscayne National Park shall continue to be designated as "Mangrove Protection Areas." In these areas, no cutting, trimming, pruning, or other alteration including dredging or filling of mangroves shall be permitted except for purposes of surveying or for projects that are 1.) Necessary to percent or eliminate a threat to public health, safety, or welfare 2.) Water dependent, or 3.) Required for natural system restoration and enhancement; or 4.) Clearly in the public interest and where no reasonable upland alternative exists. In such cases, the trimming or alteration shall be kept to the minimum, and done in a manner, which preserves the functions of the mangrove system, and does not reduce or adversely affect habitat used by endangered or threatened species.

Policy 5.1.4 Elevated boardwalks, designed to minimize the impact to wetland vegetation, shall be utilized for shoreline access through Mangrove Protection Areas or tidally connected coastal marshes.

Policy 5.1.5 Mangrove forest, coastal hammocks, or other natural vegetative communities within the Village shall be maintained, protected, and incorporated into landscaping plans where development or redevelopment is to occur, except for trimming authorized by exemption pursuant of Ch. 403, Florida Statutes. To promote re-vegetation of coastal band mangrove trees, pruning or alteration of propagule or seed bearing trees shall be conducted in such a manner to preserve as much of the seed source as possible, limited removal and trimming of mangrove trees outside of Mangrove Protection Areas for the purpose of providing necessary maintenance and/or visual shoreline access may be permitted, pursuant to the provisions of Chapter 24 of the Code of Miami-Dade County, as may be amended from time to time, or qualify for an example pursuant to Ch. 403, Florida Statutes.

Policy 5.1.6 The Village of Palmetto Bay will assist county and state agencies in enforcement and monitoring of compliance with the Florida Department of Environmental Protection (FDEP) Coastal Construction Control Line (CCCL) regulations established in August 1997. Furthermore, the Village will monitor development and redevelopment with the Coastal High Hazard Area (CHHA) to ensure proper compliance with state and local regulations.

Policy 5.1.7 The Village will coordinate with the appropriate state and county agencies to ensure that natural surface water flow regimes into and through coastal wetland systems are restored and maintained to the maximum extent possible.

Policy 5.1.8 The Village of Palmetto Bay will take into consideration the results from long-term monitoring of water quality, benthic habitats, and living resources performed by the Miami-Dade County Department of ~~Environmental Resource Management (DERM)~~Regulatory and Economic Resources and the South Florida Water Management District (SFWMD) to be consistent Florida Water Policy (Chapter 62-40.432, F.A.C) and State water quality regulations (Chapter 62-43.430, F.A.C) to improve future coastal restoration and enhancement activities coordinated by the Village.

Policy 5.1.9 Wherever a coastal wetland is degraded or destroyed, a wetland with an equal or greater amount of habitat value shall be created or restored, maintained, and monitored for three years or until such time as a viable self-perpetuating wetland habitat is established. Created habitats shall be perpetually maintained free of invasive exotic vegetation. Habitats of endangered or threatened species shall not be degraded or destroyed.

Policy 5.1.10 Replanting of mangroves and marsh grasses shall be used~~, as appropriate~~ to enhance spoil islands, street ends, rights-of-way, parks and other public or semi-public shorelines ~~areas along the coastline~~. Mangroves and marsh grasses should be planted in riprap planters except in extremely protected areas with very limited public access. DERM shall maintain guidelines for the construction of planters and the selection and placement of vegetative material.

Policy 5.1.11 The Village will continue to coordinate with the US Department of Environmental Protection, US Army Corp of Engineers, South Florida Water Management District, and Miami-Dade County Department of Environmental Resource Management to ensure that all regulatory programs administered through each of these agencies is integrated, as applicable, into the Village of Palmetto Bay Land Development Code.

Objective 5.2 **Water-related Uses and Public Access**
The Village shall ~~increase~~ continue to maintain the amount of shoreline devoted to water-dependent, water-related, and publicly accessible uses in Palmetto Bay~~, by the Year 2010.~~

Policy 5.2.1 The Village shall ~~provide for more~~ maintain the existing recreational access to the shoreline while assuring that activities associated with the land use minimize impact to natural areas.

Policy 5.2.2 ~~Palmetto Bay~~ The Village will continue to place a high priority on the acquisition of unprotected coastal lands for use as parks and preserves that provide public access for residents and visitors alike to the shoreline.

Policy 5.2.3 The Village will continue to place a high priority on maintaining existing water-dependent and water-related land uses for public access. Priority will be given in land planning by the Village for water-dependent land uses along the shoreline.

Policy 5.2.4 Preserve existing water-dependent and water-related uses within the Village and establish standards within the Land Development Code for siting future water-dependent and water-related uses that address protective status or ownership, hurricane contingency planning, protection of water quality, water depth, environmental disruptions, mitigation actions, availability for public use, economic need, and feasibility.

Objective 5.3 **Flood Protection**
The Village will reduce natural hazard impacts through compliance with federal Emergency Management Agency (FEMA) regulations and by targeting repetitive flood loss and vulnerable properties for mitigation.

Policy 5.3.1 Any variance requested under the Land Development Code for required flood elevations shall not be approved unless allowable under the Florida Building Code (FBC) documented to be in the best interest of public health, safety, and welfare of Palmetto Bay.

Policy 5.3.2 The Village shall minimize the disturbance of natural shorelines that provide stabilization and protect landward areas from storm impacts.

Policy 5.3.3 The Village will participate in the Federal Emergency Management Agency's Nation Flood Insurance Program.

Policy 5.3.4 The village shall maintain records consistent with the Federal Insurance Administration's listing of community selection factors for assistance in purchasing properties under Section 1362 of the National Flood Insurance Act.

Objective 5.4 **Coastal High Hazard Area (CHHA)-Development**
Protect human life and limit public expenditures that subsidize private development permitted within the Coastal High Hazard Area (CHHA), as defined in Section 163.3178(2)(h), 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, beyond the planned densities and intensities depicted on the Future Land Use Map or those which are necessary to support the limited remaining infill development and/or support overriding health and safety concerns.

Policy 5.4.1 Protect public investments in areas vulnerable to natural disasters by constructing improvements in accordance with standards maintained by the Florida Department of Environmental Protection (FDEP).

Policy 5.4.2 Regulations contained within the South Florida Building Code will be enforced to reduce exposure of life and property to the damaging effects of a hurricane or tropical storm to protect human life and property and to conserve the Village's natural resources.

Policy 5.4.3 The Village will reduce or maintain a maximum hurricane evacuation clearance time of 10.0 hours for the Hurricane Vulnerability Area (HVA) measured using the methodology assumed in the South Florida Regional Planning Council "Hurricane Evacuation Study." To this end, no comprehensive plan amendments or development applications should be

approved that increase densities or intensities beyond those depicted on the Future Land Use Map for lands within the HVA without property analysis to determine compliance with this policy for hurricane evacuation clearance time. A 12-hour evacuation time to shelter is maintained for a category 5 storm event as measured on the Saffir-Simpson scale and shelter space reasonably expected to accommodate is available.

Policy 5.4.4 All proposed large-scale amendments to this Comprehensive Plan and/or applications for development review shall be evaluated for significant impacts to evacuation routes and times and for significant impacts to current available off-site sheltering capacities. Roadway improvements and shelter improvements shall be required, if deemed necessary, to mitigate negative impacts and phased with new residential development. Appropriate mitigation shall include, without limitations, payment of money, contribution of land, and construction of hurricane shelters and transportation facilities. Required mitigation may not exceed the amount required for a developer to accommodate impacts reasonably attributable to development. A local government and a developer shall enter into a binding agreement to memorialize the mitigation plan.

Policy 5.4.5 The Village will not accept operation and maintenance responsibility for private roads or facilities located within the Coastal High Hazard Area (CHHA).

Objective 5.5 **Coastal High Hazard Area (CHHA)-Infrastructure**
Ensure that infrastructure in the Coastal High Hazard Area (CHHA), as defined in Section 163.3178(2)(h), 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, is provided in accordance with the adopted level of service standards set forth in the Transportation Element, Infrastructure Element, and Capital Improvements Element to serve development and redevelopment towards coastal resource preservation and safe evacuation.

Policy 5.5.1 The Village shall not utilize public funds for infrastructure expansion or improvements in the Coastal High Hazard Area (CHHA) unless such funds are necessary to:

- Provide minimum level of service to existing and/or future development densities and intensities depicted in the Future Land Use Map
- Provide adequate evacuation in the event of an emergency
- Restore and enhance natural resources common within the Village of Palmetto Bay

Policy 5.5.2 Notwithstanding the provisions under Policy 5.5.1, expenditures for flood control, natural resource enhancements, or the maintenance of existing utilities and services, including fire and recreation, shall be permitted in the Coastal high Hazard Area (CHHA).

Policy 5.5.3 Infrastructure improvements targeted for the Coastal High Hazard Area (CHHA) shall be phased in accordance with the Capital Improvements Element, as adopted and amended.

Policy 5.5.4 A priority for infrastructure improvements targeted for the Coastal High Hazard Area (CHHA) shall be to construct these new public facilities and

services to a standard that reduces exposure to human life through natural hazards and/or improves evacuation clearance times.

Objective 5.6 **Coastal High Hazard Areas (CHHA) – Population**
Direct Population concentrations away from the Coastal High Hazard Area (CHHA), as defined in Section 163.3178(2)(h), 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.

Policy 5.6.1 The Village shall direct population concentrations away from known or predicted coastal high hazard areas by not locating infrastructure beyond that which is necessary to service development potential depicted on the Future Land Use Map.

Policy 5.6.2 The Village shall not increase densities or intensities in the Coastal High Hazard Area (CHHA) beyond those depicted on the Future Land Use Map.

Policy 5.6.3 Infill or redevelopment densities or intensities in the Coastal High Hazard Area (CHHA) shall not exceed those depicted in the adopted Future Land Use Map.

Objective 5.7 **Hurricane Evacuation and Damage Assessment**
Continue to Cooperate with the Miami-Dade County Office of Emergency management (OEM) to maintain or reduce predicted hurricane evacuation times and ensure adequate shelter capacity for residents during mandatory hurricane evacuation orders.

Policy 5.7.1 Provide land use and population data, as appropriate, to the Miami-Dade County Office of Emergency Management (OEM) for inclusion in the most current Comprehensive Emergency Management Plan (CEMP).

Policy 5.7.2 Deficiencies in hurricane evacuation times or facilities that arise in the future shall be analyzed, planned for, and reflected by amendments to this Comprehensive Plan after close coordination with officials for the Miami-Dade County Office of Emergency management (OEM).

Policy 5.7.3 The Village of Palmetto Bay will continue to participate in regular coordination meetings of local and regional evacuation planning professionals and maintain a liaison with the Miami-Dade County Emergency operations Center during a state of emergency to participate in the County's administration through the State of Florida emergency warning system.

Policy 5.7.4 Continue to coordinate with officials for the Miami-Dade County Office of Emergency Management (OEM) to identify "Persons with Special Needs" and inform these individuals of evacuation transportation and shelter services that may be available to them.

Policy 5.7.5 Help disseminate the public education program developed by the Miami-Dade County Office of Emergency Management (OEM) prior to the hurricane season to notify households of their need to evacuate and seek safe shelter in the event of a hurricane. The public education program will also be used to convey emergency preparedness information.

Policy 5.7.6 The Village shall coordinate with the Miami-Dade County Office of Emergency Management (OEM) to maintain an efficient and timely evacuation process in the case of a hurricane or tropical storm in accordance with Rules 9G-6 and 9G-7 of the Florida Administrative Code.

Policy 5.7.7 As deemed necessary, the Village will work with county, regional, state, and federal agencies to improve evacuation route capacities through improved design and construction of the street network, signage, and expansion of public transportation systems and services.

Policy 5.7.8 The Village will cooperate with the Miami-Dade County Office of Emergency Management (OEM) to coordinate damage assessments with assistance from other federal, state, regional, and local governmental agencies.

Objective 5.8 **Post Disaster Redevelopment and Hazard Mitigation**
Coordinate with the Miami-Dade County Office of Emergency Management (OEM) to develop and implement post-disaster redevelopment and hazard mitigation plans that reduce or eliminate exposure of life and property to natural hazards towards the protection of health, safety, and welfare within the Village.

Policy 5.8.1 The Village will coordinate with existing resource protection plans through appropriate regulatory procedures.

Policy 5.8.2 The Village shall enforce applicable recommendations of post disaster hazard mitigation plans required under Section 405 of the Disaster Relief Act of 1974.

Policy 5.8.3 Long-term redevelopment following a major hurricane event shall be conducted in accordance with standards maintained by the Florida Department of Natural Resources.

Policy 5.8.4 Participate in the preparation and adoption of a county-wide post disaster redevelopment plan that establishes an orderly process for reviewing private and public redevelopment proposals to restore the economic and social viability of the Village in a timely fashion.

Policy 5.8.5 As opportunities arise, eliminate unsafe conditions and inappropriate uses in the Coastal High Hazard Area (CHHA) in accordance with recommendations in the post-disaster redevelopment plan.

Policy 5.8.6 If rebuilt, structures with damage exceeding fifty percent (50%) of pre-storm market value shall be constructed to insure compliance with the most current version of the ~~South~~ Florida Building Code.

Policy 5.8.7 During post-disaster redevelopment, structures that suffer repeated damage to pilings, foundations, or load bearing walls shall be required to rebuild landward of their present location and/or be structurally modified to meet current building codes.

Policy 5.8.8 Temporary building moratoriums may be declared in the Coastal High Hazard Area (CHHA) when fifty percent (50%) or more of the homes and businesses have been destroyed in order to assess impacts and feasibility of redevelopment.

Policy 5.8.9 The Village of Palmetto Bay will coordinate with the State of Florida and Miami-Dade County to ensure that damaged infrastructure is replaced and/or improved concurrent with redevelopment.

Policy 5.8.10 The Village shall identify properties recommended for acquisition after a named storm. The list of properties will not be published and will only be shared with FEMA and County officials associated with mitigation activities. The list of properties will only be used to contact willing sellers and offer mitigation opportunities.

6.0 Conservation Element

Goal 6 **Protect and enhance the environmental resources of Palmetto Bay to ensure continued resource availability and environmental quality through prudent management, public education, appropriate regulations and enforcement, and active partnerships with governmental and environmental entities.**

Objective 6.1 **Air Quality**
Sustain the Village's high ambient air quality and protect it from potential degradation to the maximum extent feasible.

Policy 6.1.1 Coordinate with county and state agencies to ensure Federal air quality standards are not exceeded in order to maintain and improve the existing air quality. Policy 6.1.2 By January 2016, Land Development Regulations should be revised, related ~~to Utilize standards in the Land Development Regulations (revise by September 2006) that~~ combating erosion, the generation of excessive dust from building sites and cleared areas, and nuisance odors from industrial and business uses.

Policy 6.1.2 Utilize standards in the Land Development Regulations (revise by September 2006) that combat erosion, the generation of excessive dust from building sites and cleared areas, and nuisance odors from industrial and business uses.

Objective 6.2 **Potable Water Conservation**
Increase potable water conservation in order to better meet present and projected needs of all consumers and reduce demands on water service in compliance with the Water Supply Element.

Policy 6.2.1 ~~In revising the~~By January 2016, updates to the Land Development Regulations ~~(by September 2006)~~, should be made to comply with the policies of the South Florida Water Management District (SFWMD) to conserve the potable water supply and protect the Village from saltwater intrusion, including groundwater recharge, water-saving devices and xeriscape concepts.

Policy 6.2.2 Coordinate with Miami-Dade County WASD to encourage the creation and expansion of storage and distribution facilities for reclaimed water to institutional, commercial, and residential properties in an effort to reduce the use of potable water for irrigation purposes. MDWASD does not have any planned re-use projects within the Village of Palmetto Bay.

Policy 6.2.3 Cooperate with local, regional, state, and federal agencies concerning the proper management of fresh water resource sin order to conserve and maintain sufficient fresh water supplies, especially during dry periods, including cooperation with the Miami-Dade Water and Sewer Department (WASD) and the South Florida Water Management District (SFWMD) for the implementation of water demand management policies and programs.

Policy 6.2.4 Cooperate with emergency water conservation measures mandated by the WASD and the SFWMD.

Policy 6.2.5 On an annual basis, communicate the projected water demands for potable water, agriculture use, and industrial use to Miami-Dade WASD to ensure long term demand is reflected in WASD's water supply reports and licenses with the SFWMD and other Federal and State agencies.

Policy 6.2.6 All federal, state, regional and county water quality standards shall continue to be enforced in the Village of Palmetto Bay.

Policy 6.2.7 ~~By January 2006, e~~Ensure that the water conservation booklets and brochures are readily available at Village Hall and other public facilities to residents and businesses. Updates to these materials should be performed as needed to reflect any changes in policy or law.

Policy 6.2.8 Increase green space within the rights-of-way to support tree growth and ensure proper swale areas to capture stormwater runoff, consistent with the Street Tree Master Plan, dated June 21, 2006.

Policy 6.2.9 Village Hall may serve as a central distribution point for South Florida Water Management District (SFWMD), Florida Department of Environmental Protection (FDEP) and Miami-Dade County Water and Sewer Department (WASD) news releases, brochures, and public presentations on ways for homeowners, businesses, and industry to conserve all forms of water resources.

Policy 6.2.10 Consistent with the Village's Green Code, encourage homeowners and businesses in the Village of Palmetto Bay to use non-potable and/or reuse water for landscaping and lawn care.

Policy 6.2.11 Coordinate with the Miami-Dade County Water and Sewer Department (WASD), where feasible, to install treated re-used (grey) water lines in Village of Palmetto Bay for use on rights-of way and other appropriate landscaped areas within the Village limits. MDWASD does not have any planned re-use projects within the Village of Palmetto Bay.

Policy 6.2.12 Cooperate with emergency water conservation measures mandated by the South Florida Water Management District (SFWMD).

Objective 6.3 **Surface Water Quality**
Maintain and improve the water quality of the community's water bodies based on current Florida Department Environmental Protection (FDEP), South Florida Water Management District (SFWMD), and Miami-Dade County rules and regulations.

Policy 6.3.1 Coordinate with the Miami-Dade County Department of ~~Environmental Resource Management (DERM)~~ Regulatory and Economic Resources and FDEP to conduct routine water quality tests in and adjacent to waterways for bacteriological contamination. Continue to monitor water quality parameters in the C-100 Drainage Basin and press for improvements where necessary to maintain acceptable water quality.

Policy 6.3.2 Maintain cooperative relationships with government environmental agencies to ensure prompt response and investigation of events that may threaten the quality of water resources in and around the Village of Palmetto Bay.

Policy 6.3.3 Coordinate with regional and state environmental agencies to provide educational outreach materials to enhance public awareness of surface water quality issues and best management practices to protect water quality.

Policy 6.3.4 ~~Revise the~~ Maintain regulations and monitoring techniques within the Land Development Regulations ~~by November 2006~~ to ensure that adequate stormwater management standards for pervious area, retention and detention are included from the SFWMD and Miami-Dade County Department of

Regulatory and Economic Resources ~~DERM~~, and that the drainage LOS standard adopted in this Comprehensive Plan is met.

Objective 6.4 **Groundwater, Drainage, and Floodplain**
Protect the 100-year floodplain, groundwater aquifer recharge, and the natural drainage features within the Village.

Policy 6.4.1 Maintain regulations and monitoring techniques within the ~~Revise the~~ Land Development Regulations ~~by November 2006~~ to preserve and enhance the functions of natural groundwater aquifer recharge and natural drainage features, and protect water quality.

Policy 6.4.2 Continue to work with the Miami-Dade County Department of ~~Environmental Resource Management (DERM)~~ Regulatory and Economic Resources to encourage aquifer recharge and storage capacity for the Biscayne Aquifer through storm water management permitting.

Policy 6.4.3 Coordinate with the Miami-Dade County ~~DERM~~ Department of Public Works and Waste Management ~~Regulatory and Economic Resources~~ to prioritize Stormwater problem areas and target capital improvement projects to mitigate them, and utilize the Village's Stormwater Master Plan to identify additional priority storm water problem areas and projects.

Policy 6.4.4 Regulate ~~By November 2006, adopt~~ surface water management and flood damage prevention by maintaining regulations into the Land Development Regulations consistent ~~by maintaining consistency~~ with program policies of the Federal Insurance Administration.

Policy 6.4.5 Monitor new, cost effective programs for minimizing flood damage, including modification to construction setback requirements or other site design techniques, as well as upgraded building and construction techniques.

Policy 6.4.6 Take measures to regulate development within identified flood plains by passing a flood plain ordinance and joining the National Flood Insurance Program (NFIP).

Policy 6.4.7 Monitor construction activity within floodplain areas and where necessary regulate construction to reduce future flood risk.

Objective 6.5 **Protection of Natural Resources**
Conserve and protect the remaining natural systems of the Village of Palmetto Bay, in recognition of the inherent values of these areas left in their natural state.

Policy 6.5.1 Manage environmentally sensitive natural systems in the Village, including, but not limited to, water resources, wetlands, and native habitats of flora and fauna through prudent land use planning and land development regulations.

Policy 6.5.2 Continue to coordinate with the SFWMD, the South Florida Regional Planning Council, Miami-Dade County, state agencies, and other agencies concerned with managing natural resources to protect the values and functions of these systems.

Policy 6.5.3 Continue to work with Miami-Dade County to implement the Environmentally Endangered Lands (EEL) Program to secure additional land within the Village for conservation land use and to protect those lands within the Village already acquired through the EEL program.

Policy 6.5.4 Increase public awareness of critical wildlife areas and natural preserves by distribution g public education materials, allowing appropriate access, and reporting violations of the rules and regulations to the appropriate agencies.

Policy 6.5.5 Trees should be planted along residential streets, in parking lots requiring landscaping, and in other pervious areas as the opportunity arises and in accordance with the Village's Street Tree Master Plan. Trees should be retained whenever possible and maintained using Best Management Practices as appropriate for each tree type.

Policy 6.5.6 Landscape plans should take into consideration the potential impact of mature vegetation on significant views so that the future removal of view blacking trees will not be necessary.

Policy 6.5.7 Study opportunities to provide landscape pockets with automatic irrigation systems along arterial streets that do not currently have landscaping to soften the visual effect of the block wall.

Policy 6.5.8 Existing mature vegetation and distinctive trees should be retained and protected in developments that homes are shaded from direct sunlight, which then reduces the energy demand from air conditioning units and other appliances. This also contributes to a reduction in the area's carbon footprint since less energy is used to keep the houses cool in the development.

Objective 6.6 **Wetland Protection**

Ensure identified wetlands under county, regional, state or federal jurisdictions are protected from unlawful, intrusive actions that could result in environmental damage or degradation.

Policy 6.6.1 Wetlands that are to be protected will be identified based on the type of the wetland, function, size, conditions/location, and overall resource value. These wetlands shall be used for purposes that are compatible with their natural values and functions, and land development regulations shall be adopted to provide these areas with the maximum feasible protection, by using such tools as compensatory wetland mitigation and dedication of conservation easements for preserving open space. All development with the potential to impact wetland areas shall be consistent with South Florida Water Management District regulations. Activities in wetland areas may be permitted provided all applicable federal, State, regional, and local external environmental agency permits have been obtained and one of the following standards is satisfied.

1. Such an activity is necessary to prevent or eliminate a public hazard;
2. Such an activity would provide direct public benefit, which would exceed those lost as a result of the modification;
3. Such an activity is proposed for habitats in which the functions and values currently provided are significantly less than those typically associated with such habitats and cannot be reasonably restored;
4. Because of the unique geometry of the site, it is the unavoidable consequence of development for uses that are appropriate given site characteristics.

Policy 6.6.2 Protect identified wetland areas within the Village of Palmetto Bay by designating those areas, so defined, as "environmentally protected parks" or "environmental protection" on the Future Land Use Map, where feasible.

Policy 6.6.3 Protect and conserve remaining coastal wetlands, living marine resources, and wildlife habitats as evident within the coastal area of Palmetto Bay through the policies outline in this element and in the Coastal Element.

Policy 6.6.4 In evaluating applications that will result in alterations or adverse impacts to wetlands, Miami-Dade County shall consider the applications' consistency with Comprehensive Everglades Restoration Program (CERP) objectives. ~~Applications that are found to be inconsistent with CERP objectives, projects or features shall be denied.~~

Objective 6.7 **Protection of Plants and Wildlife**
Continue to ensure that wildlife and plant species listed as endangered, threatened or of special concern that inhabit the environments in Palmetto Bay are protected and enhanced where possible.

Policy 6.7.1 Cooperate with local, regional, state, and federal agencies in protecting wildlife and plant species listed as endangered, threatened, rare, or of special concern, and support their efforts to protect and conserve the habitats in which they reside.

Policy 6.7.2 The Land Development Regulations shall be updated by January 2016 to provide language ~~(revise by November 2006) shall~~ protecting wildlife and vegetative habitats that are endangered, threatened, or species of special concern. The Village shall further protect these habitats by promoting public acquisition and the dedication of conservation easements or reservations.

Policy 6.7.3 Development plans shall be conditioned to require that all required local, state, and federal permits pertaining to listed flora and fauna species be obtained and filed with the Village, prior to clearing and building on the site.

Policy 6.7.4 Increase public appreciation and awareness of native wildlife and plant habitats in and around the community through newspaper articles, brochures, presentations, workshops, and other means of education, and how residents can help enhance those habitats.

Policy 6.7.5 Native trees shall be preserved during development or redevelopment wherever possible, and if any native tree must be removed, at least two (2) native trees shall be planted to replace the removed tree.

Policy 6.7.6 Existing mature vegetation and distinctive trees should be retained and protected in developments.

Policy 6.7~~.8~~.7 Landscape plans should take into consideration the potential impact of mature vegetation on significant views so that future removal of view blacking trees will not be necessary.

Policy 6.7~~.9~~.8 Trees should be planted along residential streets, in parking lots requiring landscaping, and in other pervious areas as the opportunity arises and in accordance with the Village's Street Tree Master Plan. Trees should be retained whenever possible and maintained using Best Management Practices as appropriate for each tree type.

~~Policy 6.7.10 Become a Tree City USA participant and provide additional street tree placement in conjunction with supporting Tree City USA program.~~

Objective 6.8 **Minerals and Soil**
Conserve and protect minerals and soils in the Village of Palmetto Bay

Policy 6.8.1 By ~~September 2006~~ January 2016, revise the Land Development Regulations to prohibit mining of minerals except as incidental to the development of land for residential or nonresidential purposes.

Policy 6.8.2 Drainage regulations shall be incorporated into the Land Development Regulations and continue to be enforced to preserve soils.

Objective 6.9 **Hazardous Materials and Recycling**
Help ensure that hazardous materials are properly disposed of and recycling is encouraged.

Policy 6.9.1 Cooperate with Miami-Dade Department of Solid Waste Management to assure that any hazardous wastes generated within the Village are properly managed to protect the environment.

Policy 6.9.2 ~~Adopt~~ Maintain and enforce land development regulations ~~that incorporate~~ associated with the development restrictions of uses and management of hazardous materials.

Policy 6.9.3 Encourage residents and businesses to recycle solid waste to the maximum extent possible.

Objective 6.10 **Archeological and Historic Resources**
Ensure future land development activities incorporate appropriate measures to prevent damage to archeologically and historically significant resources in the Village of Palmetto Bay to the maximum extent feasible.

Policy 6.10.1 Coordinate with the state and federal government in developing programs for identifying, preserving, and enhancing sites of historical and archeological significance.

Policy 6.10.2 Development activities shall include precautions necessary to prevent adverse impacts to historic or archeological sites of significance.

Policy 6.10.3 Work with all appropriate agencies to preserve any archeological and historically significant sites identified within the Village.

~~Policy 6.10.4 By September 2006, adopt regulations into the Land Development Code (LDC) that preserve identified historically significant resources to the maximum extent feasible, and legally permitted.~~

Objective 6.11 **Conservation Expansion**
Continually seek public acquisition of additional areas for nature preserves and passive open spaces to expand the opportunities for conservation and increase public appreciation of natural habitats within the community.

Policy 6.11.1 Pursue all available grant opportunities for preservation of natural areas.

Policy 6.11.2 Participate with other entities involved in the improvement and preservation of Village ecosystems.

Policy 6.11.3 Participate in the Tree City USA program and support the maintenance and continued installation of street trees within public rights-of-way.

7.0 Recreation and Open Space Element

Goal 7 **Provide a balanced, multi-purpose system of excellent parks, greenways, and trails that meet and exceed the needs of Palmetto Bay's residents, Businesses, and Visitors.**

Objective 7.1 **Parks and Recreational System Needs**
Maintain and enhance Village parks and open space lands and facilities consistent with the adopted level-of-service (LOS) standard.

Policy 7.1.1 Maintain and update yearly, a 5-Year Village Capital Improvement Program (CIP) with a parks and recreation component. Prior to preparation of the annual capital budget each year, review the parks portion of the CIP and incorporate new recreation sites, facilities, improvements, repairs, and general preventive maintenance into the budget request. The Parks CIP shall be based on data, standards, and policies contained in this Comprehensive Plan and the Parks Master Plan adopted by the Village in 2004.

Policy 7.1.2 Through the maintenance and expansion of existing park facilities and the acquisition and/or development of new parks and open space, achieve a Level of Service (LOS) Standard of ~~5.2 acres of developed park area per 1,000 residents by 2009, and an LOS of~~ 5.0 acres by 2025.

Policy 7.1.3 Maintain a balance of active parks, passive parks, and natural areas to meet the needs and expectations of Village residents, and seek future opportunities to increase the number of pocket parks and other urban open spaces distributed throughout the Village.

Policy 7.1.4 Ensure recreational facilities are well-managed, and well-maintained, and that quality recreation programs are available to all residents. This shall be partially achieved by keeping an up-to-date inventory of park facilities and sites, and surveying the park and recreational needs of Village residents on a regular basis.

Policy 7.1.5 All plans for development or redevelopment of parkland resources shall incorporate creative concepts of urban design and landscape with unique natural features of the site. The design shall provide a circulation system to minimize conflict between pedestrians and vehicles, and adequate landscape and screening to protect the integrity of established residential areas and enhance community appearance.

Policy 7.1.6 Continue to coordinate with county, state, and federal agencies and landowners to protect and enhance the natural areas and environmentally sensitive lands (especially Biscayne National Park and Charles Deering Estate) within the Village.

~~Policy 7.1.7 By January 2008, plan and commit funding for the development of Ludovici Park, property located at 17301 Old Cutler Road, and the undeveloped portion of Perrine Park. The Palmetto Bay Neighborhood Park, also known as Publix Park, is covered by a restrictive covenant running with the land to be used in perpetuity as open green space. The Village has decided not to acquire the property.~~

~~Policy 7.1.8 By January 2010, complete a Village Greenway Master Plan that considers the potential of existing canal rights-of-way and power line easements to support a greenway network and linear park system for pedestrians and~~

~~bicyclists to connect residents of Palmetto Bay with local recreation and open space amenities, schools, and commercial destinations.~~

Policy 7.1~~.9~~.7 ~~By January 2007,~~ Continue to coordinate with the Miami-Dade County MPO to upgrade the multiuse trail along the east side of Old Cutler Road (i.e. "Old Cutler Trail") within the municipal boundaries to become a viable link within the trail network planned between downtown Miami and points south.

Policy 7.1~~.10~~.8 Ensure than ample parks and open space is a key component in the development of the Palmetto Bay Village Center and the Franjo Road/US 1 Commercial Area mixed-use areas.

Policy 7.1~~.11~~.9 ~~By 2011,~~ Develop a maintenance schedule for updating ~~update~~ the landscaping within all Village parks to provide additional tree canopy, and provide support for the indigenous flora and fauna, while adhering to the intent of the Village's Street Tree Master Plan, dated June 21, 2006, including by providing drought resistant, indigenous trees in the parks.

~~Policy 7.1.12 By 2009, update the Future Land Use Map as it relates to the protected Pineland Hammock within Coral Reef Park to reflect that five (5) acre area as Environmentally Protected Park land to ensure the protection of the native flora and fauna contained therein.~~

Objective 7.2 **Park Accessibility**
Make public recreational facilities highly accessible to automobiles, bicycles, and pedestrians whenever feasible.

Policy 7.2.1 As future roadway improvements are analyzed and designed, provide for non-motorized transportation needs using FDOT design standards for bicycle facilities.

Policy 7.2.2 Public parks and facilities shall be designed and constructed compatible with the character and quality of onsite natural resources.

Policy 7.2.3 In planning and designing park entrances, buildings, circulation, and facilities, good access for the elderly and physically-handicapped persons shall be provided, consistent with ADA Standards for Accessible Design ~~Americans with Disabilities Act (ADA)~~ requirements.

Policy 7.2.4 ~~By January 2006, develop a schedule for providing~~ Continue to look for opportunities to provide parking spaces and bicycle racks at recreation sites where they are now lacking or inadequate.

Objective 7.3 **Coordination with Other Agencies**
Coordinate planning for recreational improvements with each level of government, including Miami-Dade County School Board, Miami-Dade County, and the private sector in order to promote enhanced recreational opportunities, including environmental educational activities, in a cost-effective manner.

Policy 7.3.1 Continue to coordinate with Miami-Dade County to ensure that sufficient parkland is provided in the areas adjacent to the Village to reduce non-resident burdens upon Village activities.

Policy 7.3.2 ~~By June 2006, finalize coordination~~ Coordinate with Miami-Dade County on plans to develop a potential park site on all surplus designated lands that are located within the Village.

Policy 7.3.3 ~~By January 2007, coordinate with and a~~ Actively participate in the planning and update of Miami-Dade County's regional greenways system.

Policy 7.3.4 Work with civic and non-profit groups to provide recreation programs, such as baseball, soccer, and softball, for residents within public parks.

Policy 7.3.5 Maximize grant funding for all future Village parks and recreation projects.

Policy 7.3.6 Use park and recreation resources for year-round environmental education as well as other adaptive educational programs for all age groups.

Objective 7.4 **Park Land Acquisition**
Continue to explore opportunities to ~~A~~acquire land necessary for maintaining and enhancing the parks and recreation level-of-service (LOS) standards, strategically located in order to maximize accessibility to residents served.

Policy 7.4.1 Development of the acquired sites shall be consistent with specific plans designed to:

(1) achieve cost efficiency;
(2) fulfill the spatial and functional needs of the intended uses;
(3) enhance the appearance of the Village; and
(4) establish highly visible Village focal points which reinforce a sense of community.

Policy 7.4.2 ~~By January 2006, investigate~~ The Village shall prepare on an annual basis a vacant property inventory to identify potential properties ~~that could be suitable~~ for future parks and/or linear open spaces.

Policy 7.4.3 The Village will continue to work with the Florida Department of Transportation (FDOT) in ~~By July 2007, investigate the possibility of~~ acquiring the 0.25-acre site at SW 87th Avenue and SW 163rd Terrace on the north side of the C-100 Canal ~~from the Florida Department of Transportation (FDOT)~~ as a potential pocket park.

Policy 7.4.4 Continue to work with the Miami-Dade County Water and Sewer Department (WASD) in ~~By January 2007, investigate the possibility of~~ acquiring the 1.40-acre site located on the northeast corner of SW 160th Street and SW 89th Avenue from ~~the Miami-Dade County Water and Sewer Department (WASD)~~ as a potential pocket park.

8.0 Intergovernmental Coordination Element

Goal 8 **Establish and improve intergovernmental relationships with public, quasi-public, private and non-profit entities involved in planning and development activities. Resource protection and allocation, and utility and infrastructure provision, including coordination of plans and programs affecting the Village of Palmetto Bay and its neighboring communities.**

Objective 8.1 **Non-Transportation Coordination Activities and Participation**
Maintain and greatly enhance, where possible, intergovernmental coordination initiatives and activities with governmental agencies, quasi-public companies, local service providers and non-profits, such as Miami-Dade County, South Florida Water Management District, and Miami-Dade County School Board, to maximize the capital improvement, service and financial benefits from those entities to the residents and businesses of Palmetto Bay.

Policy 8.1.1 Ensure that an active and effective program of monitoring and communication with area communities, federal, state, regional, county, and other local governments and agencies is developed and maintained.

Policy 8.1.2 Participate in federal, state, regional, and county workshops, meetings, and public hearings relating to topics affecting the Village of Palmetto Bay and its environs, including but not limited to water supply.

Policy 8.1.3 Special coordination emphasis shall be placed on maintaining effective lines of communication with county, regional, and state agencies charged with setting levels-of-service and/or permitting requirements, and initiating maintenance and capital improvement projects for public facilities and water supply located in and around the Village of Palmetto Bay.

Policy 8.1.4 The Village Manager and his designee shall disseminate information on proposed comprehensive plan and/or land development regulation amendments by the Village, neighboring cities, Miami-Dade County, and other governmental agencies which will have potentially significant impacts.

Policy 8.1.5 The Village Manager and his designee shall prepare and review the annual level-of-service monitoring report specified in the adopted concurrency management system in order to provide the affected service providers and other entities with information to evaluate and coordinate level-of-service standards, including but not limited to water supply.

Policy 8.1.6 In situations where other public or private entities are providing a public facility or service within the Village of Palmetto Bay for roads, water, sewer, drainage, parks, solid waste or public educational facilities, to Village will coordinate its adopted level-of-service standard with such service provider within the parameters allowed by the Capital Improvements Element of this plan. The Village shall further coordinate with all other parties to the "Amended and Restated Interlocal Agreement for Public School Facility Planning" to establish level-of-service standards (including interim LOS standards) for public school facilities and any amendments affecting public school concurrency.

Policy 8.1.7 The Village's Comprehensive Plan will be consistent, where feasible, with the State of Florida Comprehensive Plan, the South Florida Strategic Regional

Policy Plan, the Miami-Dade County Comprehensive Development Master Plan, the Comprehensive Plans of adjacent governments, and applicable regional water supply plan(s).

Policy 8.1.8 Effectively coordinate with South Florida Regional Planning Council on socioeconomic data projections, comprehensive plan amendments, affordable housing, and other regional issues.

Policy 8.1.9 The Village of Palmetto Bay , other cities, Miami-Dade County, and Miami-Dade County Public Schools shall follow the procedures established in the adopted "Amended and Restated Interlocal Agreement for Public School Facilities Planning in Miami-Dade County" for coordination and collaborative planning and decision making of land uses , public school facilities, siting, decision making on population protections, location and extension of public facilities subject to concurrency, and siting of facilities with countywide significance.

The agreement shall continue to address and expand upon the following issues:

- Joint meetings on a semi-annual basis between the Village and the School Board to discuss issues and formulate recommendations regarding public education in the School District;
- Student enrollment and population projections;
- Coordination and sharing of information;
- Periodic review of Educational Facilities Impact Fee Ordinance to ensure that the full eligible capital costs associated with the development of public school capacity are identified when updating the impact fee structure;
- Annual reporting by the Village to the School Board of growth and development trends in the Village;
- Traffic circulation in and around school sites;
- Supporting infrastructure;
- Public education facilities site plan review;
- Local Planning Agency, Comprehensive Plan amendments, rezoning's, and development approvals;
- Collocation and shared use;
- Dispute resolution;
- Oversight process; and
- School site selection, significant renovations, and potential school closures.

Policy 8.1.10 Continue to coordinate with the Miami-Dade County Department of ~~Environmental Resource Management~~ Regulatory and Economic Resources and the South Florida Water Management District on surface water quality monitoring and water quality in Biscayne Bay.

Policy 8.1.11 Continue to coordinate with the US Department of Environmental Protection, US Army Corps of Engineers, South Florida Water Management District, and

Miami-Dade County Department of Management Regulatory and Economic Resources ~~Environmental Resource Management~~ to ensure that all regulatory programs administered through each of these agencies is integrated, as applicable, into the Village of Palmetto Bay Land Development Code.

Policy 8.1.12 Continue to cooperate with the Miami-Dade County Department of Emergency Management to maintain or reduce predicted hurricane evacuation times and ensure adequate shelter capacity for residents during mandatory hurricane evacuation orders by:

- Providing land use and population data for inclusion in the Comprehensive Emergency Management Plan (CEMP);
- Participating in regular coordination meeting of local and regional evacuation planning professionals;
- Maintaining a liaison with the Miami-Dade County Emergency Operation Center during a state of emergency; and
- Coordinating development and implementation of post-disaster redevelopment and hazard mitigation plans.

Policy 8.1.13 Coordinate with the USDA Horticulture Research Station and Florida Power and Light (FPL) regarding future plans for their properties or changes in their operations.

Policy 8.1.14 Provide effective coordination with appropriate agencies through interlocal agreement, joint planning and service agreements, special legislation or joint meetings or work groups when needed to further intergovernmental coordination.

Policy 8.1.15 Utilize the conflict resolution procedures established by the South Florida Regional Planning Council, the dispute resolution process as established by F.S. 186.509, and/or Miami-Dade County conflict resolution forums, where appropriate, to bring closure in a timely manner to intergovernmental disputes.

Policy 8.1.16 Pursue resolution of development and growth management issues with impacts transcending the Village's political jurisdiction. Issues of regional and state significance shall be coordinated with the South Florida regional Planning Council, the South Florida Water Management District, and/or state agencies having jurisdictional authority. Issues to be pursued include, but are not limited to, the following:

1. Impacts of development proposed in the Comprehensive Plan on Miami-Dade County, adjacent cities, , the region, and the state.
2. Land development activities adjacent to the Village's corporate limits within Miami-Dade County or nearby cities.
3. Research regulatory framework and implementation of affordable housing programs.
4. Village land development activities adjacent to the unincorporated area of the county, or nearby cities.
5. Potential annexation issues.

6. Area-wide drainage and stormwater management master plan, proposed improvements, and implementing programs.
7. Solid waste disposal, including development of new landfill facilities, recycling resources, and other improvements.
8. Level-of-service standards for infrastructure system impacting the Village and adjacent areas.
9. Conservation of natural and historic areas.
10. Emergency management and evacuation planning and procedures.
11. Village water supply needs based upon the Miami-Dade County Water Supply Plan and the South Florida Water Management District Regional Water Supply Plan.

Policy 8.1.17 ~~By 2008, c~~The Village shall complete an evaluation of informal and formal coordination mechanisms between the Village, other units of local, regional, state, and federal government, and any private entity which provides an essential public service that affects level-of-service and/or land use planning in the Village. ~~Improve any deficient mechanisms by 2010.~~

Policy 8.1.18 Coordinate with Miami-Dade County and the Florida Department of Transportation to plant trees on County and/or State owned medians or rights-of-way, as proposed in the Village's Street Tree Master Plan dated June 21, 2006.

Objective 8.2 **Transportation and Transit Coordination Needs**
Coordinate effectively with governmental agencies providing all types of transportation facilities and services to Palmetto bay to ensure the Village receives its fair share of funding and improvements.

Policy 8.2.1 Work with officials at the FDOT, Miami-Dade County MPO, and Miami-Dade County to promote the inclusion of projects in their plans, programs, and development regulations that adequately provide future capacity for moving people safely and efficiently through the Palmetto Bay.

Policy 8.2.2 Solicit the expenditure of County Road Impact Fees on facilities that best benefit the Villages of Palmetto Bay through participation in the Miami-Dade County MPO's policy and technical coordinating committees.

Policy 8.2.3 Coordinate with officials at Miami-Dade Transit, the Miami-Dade MPO, and FDOT to ensure that safe, continuous pedestrian and bicycle linkages are within all future projects within one-quarter (1/4) mile of transit stops located within the Village to connect residents and visitors with public transit for completing higher order trips.

~~Policy 8.2.4 By January 2006, designate a single staff person as a "transportation liaison" to improve coordination with the Florida Department of Transportation, Miami-Dade County Metropolitan Planning Organization (MPO), Miami-Dade Public Works Department, and Citizens Independent Transportation Trust (CITT) of the Peoples Transportation Plan (PTP). Among other duties, this staff person will be responsible for informing the Village Council of important transportation issues or decisions made at the county or state level that impact the Village, submit an annual transportation plan to the CITT for disbursement of PTP funds, oversee transportation plans, programs, and projects implemented within the Village, and represent the Village at various MPO meetings.~~

Policy 8.2.~~5~~.4 Coordinate with the Miami-Dade County MPO concerning their US 1 Grade Separation Study currently underway for the entire county to understand the impacts for grade separation for east-west travel within the Village and its impacts to the character of Palmetto Bay.

Policy 8.2.~~6~~.5 ~~By~~ In conjunction with the Florida Department of Transportation, complete by January ~~2007~~2015, ~~coordinate with the Florida Department of Transportation to target~~ pedestrian improvements for targeted intersections along US 1 including, but not limited to, freshly painted crosswalks and/or more appropriate paving materials, better lighting for nighttime use, and improved "count down" pedestrian signals.

Policy 8.2.~~7~~.6 Coordinate with the Miami-Dade County MPO to upgrade the multiuse trail along the east side of Old Cutler Road (i.e. "Old Cutler Trail") within municipal boundaries to become a viable link within the trail network planned between downtown Miami and points south.

Policy 8.2.~~8~~.7 Work with Miami-Dade Transit and the Office of Public Transportation Management to improve transit service within the Village and make public transit a more viable alternative to automobile travel, and increase the number of MDT bus routes operating within the village that participate in the Agency's Bike and Ride Program.

Policy 8.2.~~9~~.8 The Village Manager shall direct the transportation liaison established within this Element to meet with the Miami-Dade Office of Emergency Management at least every twelve months to coordinate on evacuation plans and related issues and report back to the Manager.

Policy 8.2.~~10~~.9 ~~By January 2007,~~Continued ~~coordinate~~ coordination with the Florida Department of Transportation to implement a master landscape plan for the US 1 transportation corridor, within municipal boundaries to further reinforce the character of Palmetto Bay through urban design.

Policy 8.2.~~11~~.10 Participate in pedestrian and bicycle planning programs of the Miami-Dade County MPO and District IV of the FDOT.

~~Policy 8.2.12 By January 2007, coordinate with Miami-Dade County to determine the feasibility for widening SW 184th Street from two lanes to five lanes with bicycle lanes and sidewalks to enhance access to the Florida Turnpike and relieve pressure on the already over-capacity section of Old Cutler Road within municipal boundaries. Furthermore, emphasis for improvements to this corridor should also consider a streetscape master plan for the corridor with common signage, landscaping, street lighting, and pavement treatments that help reinforce this street as a gateway into Palmetto Bay.~~

Policy 8.2.~~13~~.11 Continue to coordinate with Miami-Dade County and the Miami-Dade County Metropolitan Planning Organization (MPO) to support redevelopment of the portion of southwest Palmetto Bay located along the South Dade Bus way as a transit oriented center. The extents of the transit oriented center are illustrated as "Neighborhood Mixed-Use" and "Mixed-Use Corridor" land use categories on the Future Land Use Map and further described in the Final Southwest Palmetto Bay Charente Report adopted by the Village Council in October 2004.

Policy 8.2.~~14~~.12 Support efforts by Miami-Dade Transit to consider improvements to the existing transit system including, but not limited to, increased routes, frequency of service, and accuracy of scheduling.

Policy 8.2.~~15~~.13 Coordinate with members of Miami-Dade Transit and the Citizens' Independent Transportation Trust to implement public transportation improvements, including but not limited to public transit, as identified in the Peoples Transportation Plan. Funding for these improvements will come from the half-cent sales tax referendum approved by Miami-Dade County voters in 2002.

Objective 8.3 **Communicate Village Plans to Affected Outside Entities**
Village of Palmetto Bay's plans and programs proposed in the Comprehensive Plan or through other approved policy documents that impact adjacent communities, Miami-Dade County, the region and the State shall be fully communicated and considered through effective coordination mechanisms.

Policy 8.3.1 Review of proposed development within the Village of Palmetto Bay shall include findings, where appropriate, indicating any significant impacts on adjacent communities, including unincorporated Miami-Dade County, and their comprehensive plans. Special attention will be given to proposed development on the Village borders.

Policy 8.3.2 Identify, develop, and pursue areas where intergovernmental land use planning and level-of-service agreements are needed between the Village and adjacent or affected governments.

Policy 8.3.3 ~~By July 2006, provisions shall be made for~~ The Village shall, as needed review and coordinate ~~review and comment on~~ with neighboring jurisdictions the Village of Palmetto Bay's land use plans ~~by neighboring jurisdictions~~ and facility planning for water, sewer, roads, and any other public facilities that may have an impact on other entities or cause inconsistencies between comprehensive plans.

Policy 8.3.4 Continue to participate in cooperative planning programs with other governmental agencies.

Policy 8.3.5 When proposed annexation areas are considered, coordinate with all potential-impacted unincorporated communities, adjacent municipalities, and Miami-Dade County.

Policy 8.3.6 Coordinate with Miami-Dade County and the Florida Department of Transportation to plant trees on County and/or State owned medians or rights-of-way, as proposed in the Village's Street Tree Master Plan dated June 21, 2006.

9.0 Capital Improvements Element

Goal 9 **Provision of High-Quality road, utility and infrastructure facilities and services and public education facilities necessary to correct current deficiencies and accommodate new development and redevelopment for the residents and businesses for palmetto bay consistent with the level-of-service standards establish in this comprehensive plan.**

Objective 9.1 **Capital Revenues**
Ensure that adequate fiscal resources are available to ensure that public facility improvements required for existing development, redevelopment, and planned future growth can be made concurrent with development impacts

Policy 9.1.1: Prepare and adopt a Five-Year Capital Improvement Program (CIP) and One-Year Capital Budget as part of the Village's annual budgeting process, along with an annual review and update, as necessary of the Capital Improvement Element (CIE). The annual update of the CIE's financially feasible Capital Improvements Schedule should demonstrate that level of service standards will be maintained during the next five-year period.

Policy 9.1.2: Prior to the issuance of new development orders, ~~make sure~~ ensure public capital revenues and/or secured developer commitments are in place to provide all public facilities at adopted level-of-service standards, including but not limited to water supply concurrency requirements.

Policy 9.1.3: Seek viable grants and private development contributions, whenever possible, to provide additional capital revenues for the implementation of the Five-Year Schedule of Capital Improvements.

Policy 9.1.4: Assess impact fees and other appropriate techniques for new development to bear a reasonable proportionate cost for public facility improvements required by new development and partially relieve the burden for capital improvements from property tax collections and existing residents.

Policy 9.1.5: The Village in coordination with Miami-Dade County Public Schools shall by ordinance, include proportionate share mitigation methodologies and options for public school facilities in its concurrency management program and Interlocal Agreement for Public Facility Planning between Miami-Dade County Public Schools, Miami-Dade County and the Cities in Miami-Dade County, consistent with the requirements of Chapter 163, Florida Statutes. The intent of these options is to provide for the mitigation of residential development impacts on public school facilities through mechanisms that might include, but are not limited to, one or more of the following: contribution of land; the construction, expansion, or payment for land acquisition or construction of a permanent public school facility; or, the creation of a mitigation bank based on the construction of a permanent public school facility in exchange for the right to sell capacity credits.

Objective 9.2 **Public Facilities**
Provide high-quality roads and infrastructure facilities and services, including public educational facilities necessary to meet the existing

needs and accommodate planned future growth at the adopted level-of-service standards.

Policy 9.2.1 All Village decisions regarding land use planning and development will ensure the availability of public facilities and services necessary to support such development at the adopted level-of-service standards concurrent with the associated impacts by means of Village's LDC and in compliance with the Village's Water Supply Plan.

Policy 9.2.2 Working with road, utility, and infrastructure service providers within the Village, help ensure that necessary capital improvements are constructed for reconstruction, redevelopment and future growth.

Policy 9.2.3 Manage the land development process so public facility needs do not exceed the Village's ability to fund and provide, or require the provision of, needed improvements. This shall be accomplished through development and implementation of the ~~new~~ Village LDC.

Policy 9.2.4 Include the capital improvement projects identified in the other Elements of this Plan in the 5-Year Schedule of Capital Improvements with priority for implementation according to the following guidelines:

1. Protects public health, safety, and welfare;
2. Fulfills existing legal commitments of the Village to provide facilities and services;
3. Corrects an existing public facility deficiency identified in this Plan;
4. Permits the most efficient and effective use of existing and/or future facilities;
5. Provides new capacity to accommodate future growth consistent with this Plan;
6. Prevents or reduces future improvement costs; and
7. Promotes cost effective use of time and revenue (related projects)

Policy 9.2.5 Through appropriate public facility funding mechanisms and impact fees, assess new development and higher intensity redevelopment, a pro rata share of the public facility costs necessary to accommodate the impacts of the development at the adopted levels-of service. Public facilities include potable water, sanitary sewer, solid waste, drainage, parks, roadways, and public educational facilities.

Policy 9.2.6 Repair and upgrade capital facilities managed by the Village according to generally accepted engineering principles and guidelines, and ensure that facilities and service providers are held to the same standards.

Policy 9.2.7 The Miami-Dade County Public Schools and Miami-Dade County have the responsibility for providing school concurrency related improvements and should continually seek to expand the funding sources available to meet those requirements.

Policy 9.2.8 The Miami-Dade County School Board's ~~2009-10 through 2013-14~~ latest adopted district facilities work plan ~~adopted September 9, 2009, will~~ should be evaluated on an annual basis to ensure that the level of service standards will continue to be achieved and maintained throughout the planning period.

Policy 9.2.9 In conjunction with providing high quality roads and public facilities, the Village continues to implement its Street Tree Master Plan, dated June 21, 2006, as an educational tool to promote Best Management Practices to protect the rights-of-way and development of public facilities.

Objective 9.3 **Concurrency and Level-of-Service Standards (LOS) Standards**
Make the availability of high-quality public facilities at adopted LOS standards concurrent with the impacts of development, an important basis for future land planning and capital decisions.

Policy 9.3.1 *Sanitary Sewer, Solid Waste, Drainage and Potable Water:* Prior to the issuance of any development order for new development or redevelopment, sanitary sewer, solid waste, drainage and potable water facilities needed to support the development at adopted LOS standards all must meet one of the following timing requirements:

1. The development order includes the condition that at the time of issuance of a certificate of occupancy or its functional equivalent, the necessary facilities and services are in place and available to serve the new development; or

2. The necessary facilities and services are guaranteed in an enforceable development agreement, pursuant to Section 163.3220, F.S, or an agreement or development order issued pursuant to Chapter 380, F.S., to be in place and available to serve new development at the time of the issuance of a certificate of occupancy or its functional equivalent.

Parks & Recreation: Prior to the issuance of any development order for new development, park and recreation public facilities needed to support the development at adopted LOS standards must meet one of the following timing requirements:

1. The necessary facilities and services are in place or under actual construction; or

2. The development order includes the condition that at the time of the issuance of a certificate of occupancy or its functional equivalent, the acreage for the necessary facilities and services to serve the new development is dedicated or acquired by the Village, or funds in the amount of the developer's fair share are committed; and

    a. The development order includes the conditions that the necessary facilities and services needed to serve the new development are scheduled to be in place or under actual construction not more than one year after issuance of a certificate of occupancy or its functional equivalent as provided in the adopted five-year schedule of capital improvements; or

    b. The necessary facilities and services are the subject of a binding executed agreement which requires the necessary Facilities and services to serve the new development to be in place or under actual construction not more than one year after issuance of a certificate of occupancy or its functional equivalent; or

    c. The necessary facilities and services are guaranteed in an enforceable development agreement, pursuant to Section 163.3220,

FS, or an agreement or development order issued pursuant to Chapter 380, F.S, to be in place or under actual construction not more than one year after issuance of a certificate of occupancy or its functional equivalent.

Transportation: Prior to the issuance of any development order for new development or redevelopment, transportation public facilities needed to support the development at adopted LOS standards must meet one of the following timing requirements:

1. The necessary facilities and services are in place or under construction; or
2. The development order includes the conditions that the necessary facilities and services needed to serve the new development are schedule to be in place or under actual construction not more than three years after issuance of a certificate of occupancy or its function equivalent as provided in the adopted five-year schedule of capital improvements.
3. The necessary facilities and services are the subject of a binding executed agreement which requires the necessary facilities and services to serve the new development to be in place or under actual construction no more than three years after the issuance of a certificate of occupancy or its functional equivalent; or
4. The necessary facilities and services are guaranteed in an enforceable development agreement, pursuant to Section 163.3220, F.S., or an agreement or development order issued pursuant to Chapter 380, F.S, to be in place or under actual construction not more than three years after issuance of a certificate of occupancy or its functional equivalent.

The application of the above requirements must ensure the availability of public facilities and services needed to support development concurrent with the impacts of such development.

Public Education Facilities: Prior to the issuance of any development order for new development or redevelopment impacting educational facilities, public educational facilities needed to support the development at adopted LOS standards must meet one of the following timing requirements:

1. The necessary facilities and services and services are in place or under actual construction within three years after issuance of final subdivision or site plan approval (or functional equivalent); or
2. The developer executes a legally binding commitment to provide mitigation proportionate to the demand for public school facilities to be created by the actual development of the priority subject to the final plat or site plan (or functional equivalent).

Policy 9.3.2 Public facilities and services must meet or exceed the LOS standards established in this Element of the Comprehensive Plan. Public facilities must be available at the adopted LOS standards when needed for development. If facilities are not available at the time of approval, development orders or permits are to be conditions on the availability of public facilities and services, or the necessary Facilities must be guaranteed either in an enforceable development agreement adopted pursuant to Chapter 163, F.S. or in development order issued pursuant to Chapter 380, F.S.

Policy 9.3.3 Evaluate proposed Plan amendments and requests for new development or redevelopment according to the following guidelines:

1. Will the action contribute to condition of public hazard as described in the Infrastructure Element?
2. Will the action exacerbate any existing public facility capacity deficiency, as described in the Transportation Element, Infrastructure, and recreation and Open Space, Public Educational Facilities Elements, and Water Supply Elements?
3. Will the action generate public facility demands that may be accommodated by capacity increases, which will maintain adopted level-of-service standards either planned in the Five-Year Schedule of Capital Improvements or by developer commitment?
4. Is the action consistent with the goals, objectives, and policies of the Future Land Use Element, including the Future Land Use Map?
5. If the Village provides public facilities, in part or while, is the action financially feasible pursuant to this Element?

Policy 9.3.4 As indicated in the applicable Elements of the Comprehensive Plan, the Village of Palmetto Bay has adopted the minimum LOS standards shown in Table 9.1.

Policy 9.3.5 Future development will be required to contribute a proportionate cost of facility improvements to maintain required LOS standards through the payment of applicable fees and charges pursuant to Village codes and ordinances in affect at the time.

Policy 9.3.6 Any proposed development that is deemed to generate a minimal impact (as defined in subsection 163.3189 (6) F.S.), shall not be required to establish transportation concurrency.

Policy 9.3.7 A comprehensive plan amendment shall be required to eliminate, defer, or delay construction of any facility listed in the Five-Year Schedule of Capital Improvements.

Objective 9.4 **Debt Management**
Develop and implement a debt management program if necessary, to assist the Village in providing adequate and timely revenues for scheduled capital improvements.

Policy 9.4.1 Incur debt within generally accepted municipal finance principles and guidelines, and only in relation to the Village's ability to pay for a new capital asset or to significantly extend the life expectancy of a capital asset.

Policy 9.4.2 When evaluating the debt to be incurred for a facility, the increase in operating costs for that new or additional facility must also be considered.

Policy 9.4.3 The Village will not provide a public facility, nor accept the provision of a public facility by others, if it is unable to pay for the subsequent annual operation and maintenance costs of the facility.

Policy 9.4.4 The Village's total debt service expenditures shall be no more than 10% of total revenue.

Policy 9.4.5 The Village's outstanding capital indebtedness shall be no more than five (5) percent of its property tax base.

Table 9.1
Recommended Level of Service (LOS) Standards for the Village of Palmetto Bay

Public Facility	Level of Service Standard
Sanitary Sewer[A]	"System LOS"- the regional wastewater treatment and disposal system shall operate with a design capacity of 2 percent above annual average daily flow (AADF) for the preceding year. "User LOS" - the system shall maintain the capacity to collect and dispose of 100 gallons of sewage per capital per day.
Solid Waste[A]	"System LOS" - Maintain solid waste disposal capacity sufficient to accommodate waste flows committed to the system through long-term interlocal agreements or contracts along with anticipated non-committed waste flows for a period of 5 years. "User LOS" - The system shall maintain the capacity to collect and dispose of 9.9 pounds of solid waste per capital per day.
Potable Water[A]	~~"Regional Treatment" - The regional treatment system shall operate with a rate capacity that is no less than two (2) percent above the maximum daily flow for the preceding year. Comply with Water Supply Element.~~ ~~"User LOS" - The system shall maintain the capacity to produce and deliver a minimum of 155 gallons per capita per day.~~ ~~"Water Quality" - Water quality shall meet all federal state, and county primary standards for potable water.~~ ~~"Countywide Storage Capacity" - Storage capacity for finished water shall equal no less than 15% of the countywide average daily demand.~~ The adopted level of service standard adopted by the Miami-Dade Water and Sewer Department (WASD) for potable water service within the Village of Palmetto Bay is: a. The Regional Treatment: System shall operate with rated maximum daily capacity no less than 2% above the maximum daily flow for the preceding year, and an average daily capacity 2% above the average daily system demand for the preceding five years. The maximum daily flow shall be determined by calculating the average of the highest five single day flows for the previous 12 months. b. Water shall be delivered to users at a pressure no less than 20 pounds per square inch (psi) and no greater than 100 psi. Unless otherwise approved by the Miami-Dade Fire Rescue Department, minimum fire flows based on the land use served shall be maintained as follows: Land Use — Min. Fire Flow (gpm) Single Family Residential Estate — 500 Single Family and Duplex; Residential on Minimum lots of 7,500 sf — 750 Multi-Family Residential; Semiprofessional Offices — 1,500 Hospitals; Schools — 2,000 Business and Industry — 3,000 c. Water Quality: Meet all federal, state, and county primary potable water standards. d. Countywide Storage: Storage capacity for finished water shall equal no less than 15% of countywide average daily demand.

Stormwater Drainage	"*Water Quality Standard*" -Stormwater facilities shall be designed to meet the design and performance standards established in Chapter 62-25, 25.025 of the Florida Administrative Code with treatment of first 1" of rainfall runoff to meet water quality standards required by Chapter 62-302, 862-302.500 of the Florida Administrative Code. "*Water Quantity Standard*" - Were two or more standards impact a specific development, the most restrictive standard shall apply. a. Post-development runoff shall not exceed the pre-development runoff rate for a 25 year storm event, up to and including an event with a 24-hour duration. b. Treatment of the runoff from the first 1 inch of rainfall on-site or the first .5 inch of runoff, whichever is greater.
Flood Protection	The minimum acceptable Flood Protection Levels of Service (FPLOS) standards for the Village of Palmetto Bay -shall be protection from the degree of flooding that would result from a duration of one day from a ten-year storm, with exceptions in previously developed canal basins, where additional development to this base standard would pose a risk to existing development. All structures shall be constructed at, or above, the minimum floor elevation specified in the federal flood Insurance Rate Maps for Miami-Dade County or as specified in Chapter 11-C of the Miami-Dade County Code, whichever is higher.
Recreation /Open Space	~~Short Term (2009) - 5.2 acres per 1,000 population~~ Long Term (~~2013~~2025) - 5.0 acres per 1,000 population
Transportation - UIA TCEA[B]	All development applications within the Urban Infill Area Transportation Concurrency Exception Area are exempt from transportation concurrency requirements; however the following level of service thresholds are established for reviewing projects within the UIA TCEA: a. The level of service (LOS) threshold within the UIA is LOS E (100% capacity) b. Where public transit service exists in the UIA operating with headways of 20 minutes or less, roadway located less than one-half mile of the service may operate at 120% of their capacity. c. Roadways parallel to exceptional transit service (i.e. commuter rail/express bus) are defined within an acceptable level of service at 150% of their capacity. These thresholds are used for evaluation of transportation impacts; however, in all cases, only development applications that result in an increase in peak period traffic on an FIHS roadway operating below the adopted level of service standard, now or in the future, would require a proposed project to implement and maintain trip reduction measure sufficient to reduce travel by single occupant automobiles so that they resultant increase in traffic volume does not exceed two percent of the defined maximum service volume.
Transportation-UDB[~~B~~C]	All major roadways within the Urban Development Boundary must operate at LOS D (90% of capacity) except State urban minor arterials (SUMA), which may operate at LOS E (100% capacity). Where public transit service exists in the UDB operating with headways of 20 minutes or less, roadways located less than one-half mile of the service may operate at LOS E (100% capacity). Furthermore, on roadways parallel to exceptional transit service (i.e. commuter rail/express bus) the acceptable level of service is LOS E+20 (120% of capacity).
Transportation- Enterprise ~~Empowerment~~ Zone[~~C~~D]	All development applications located within an Enterprise ~~Empowerment~~ Zone established pursuant to Chapter 290 of the Florida Statues are exempt from transportation concurrency requirements.
Transportation- Rapid Transit Node[~~D~~E]	~~The Miami-Dade County 2005 and 2015 Land Use Plan identifies five existing rapid transit stops and two urban centers (both community) within close proximity of the Village.~~ Development applications within one-quarter mile of the identified Miami-Dade County existing rapid transit stops and urban centers ~~these rapid transit centers~~ that promote the efficient use of the existing/planned rapid transit system along the Miami Busway could be exempt from traffic concurrency requirements.

Schools~~EE~~	New residential development with the future availability of public school facilities[2] consistent with the adopted level of service standards for public school concurrency, to ensure the inclusion of those projects necessary to address existing deficiencies in the 5-year schedule of capital improvements, and meet future needs based upon achieving and maintain the adopted level of service standards throughout the planning period. ~~Beginning January 1, 2008, t~~ The adopted level of service (LOS) standard for all Miami-Dade County public school facilities is 100% utilization of Florida Inventory of School Houses (FISH) Capacity (with Relocatable Classrooms). This LOS standard, except for Magnet Schools, shall be applicable in each public school concurrency service area (CSA), defined as the public school attendance boundary established by the Miami-Dade County Public Schools. The adopted LOS standard for Magnet Schools is 100% of FISH (with relocatable classrooms), which shall be calculated on a district wide basis.

Notes:

A = These public facilities and services are provided by Miami-Dade County and are subject to the level of service standards established in the Miami-Dade County Comprehensive Development Master Plan (CDMP). The Village of Palmetto Bay Comprehensive Plan will adopt these same level of service standards to be consistent with the CDMP.

B = UIA TCEA denotes the Urban Infill Area Transportation Concurrency Exception Area. The section of Palmetto Bay located east of SW 77th Avenue is part of the Miami-Dade County UIA TCEA.

~~B~~C = UDB denotes the Urban Development Boundary. The portion of Palmetto Bay located west of SW 77th Avenue is part of the Miami-Dade County UDB.

~~C~~D = The portion of Palmetto Bay located south of SW 168th Street, west of SW 94th Avenue, and north of SW 184th Street is officially designated as part of a larger Enterprise Zone by Miami-Dade County.

~~D~~E = The Miami-Dade County 2005 and 2015 Land Use Plan identifies five existing rapid transit stops and two urban centers (both community) within close proximity of the Village. These rapid transit centers are depicted on the Village of Palmetto Bay Future Land Use Map (FLUM).

~~E~~F = These public educational facilities are provided by the Miami-Dade County Public Schools and these standards were established through the "Amended and Restated Interlocal Agreement for Public School Facilities in Miami-Dade County."

~~5~~ Five-Year Schedule of Capital Improvements

The Village of Palmetto Bays schedule of capital improvements is published annually as part of the Capital Improvement Program. It presents key information related to the future projects proposed in various elements of this Comprehensive Plan. Table 1 through 4 of the Capital Improvement Program outlines the Revenue Sources available to fund each capital improvement, the year the project is projected to be implemented, compliance with Goals, Objectives and Policies of the Comprehensive Plan and project-related expenses over the next five (5) years.

CONCURRENCY MANAGEMENT AND PUBLIC FACILITY MONITORING

Concurrency management controls the timing and location of development by conditioning development approval upon a showing that sufficient facilities and services are present or will be provided in order to maintain adopted LOS standards. Concurrency may make development approval contingent on the local government's ability to provide facilities and services or may require the developer to furnish facilities and services in order to maintain adopted LOS standards. Additionally, adoption of a concurrency management system may offer the following benefits:

[2] Level of Service standards for public school facilities apply to those traditional educational facilities, owned and operated by Miami-Dade County Public Schools that are required to serve the residential development within their established Concurrency Service Area. Level of Service standards do not apply to charter schools. However, the actual enrollment (October Full Time Equivalent (FTE)) of both charter and magnet schools as a percent of the total district enrollment will be credited against the impact of development.

a. Support consistency of the Capital Improvements Element with the Future Land Use Element and Water Supply Element;
b. Provide for the orderly and cost-effective expansion of public facilities;
c. Supplement capital improvements expenditures and taxing structures for capital improvements; and
d. Reduce the possibility of damage to the environment from the use of overburdened facilities.

Typically, concurrency is applied during the development approval process to condition zoning, subdivision or planned unit development approval on demonstrated compliance with the local concurrency ordinance. Concurrency may also function at the building permit stage where it controls development in areas that are already approved but not yet built out, such as pre-platted lands. The Village has adopted the Miami–Dade County Concurrency Management System, which is in effect in Palmetto Bay through its Land Development Code process. This system may be amended in the future, consistent with the Comprehensive Plan, to better serve the needs of Palmetto Bay and its residents.

A concurrency management system (CMS) is incorporated in the Land Use Element, Water Supply Element and Capital Improvements Element. The CMS shall assure the proper timing, location and design of supportive urban service systems concurrent with the impacts of new development. This management program stipulates that no new development will be approved unless the applicant has presented plans demonstrating that the new development shall:

- Be serviced with all requisite public facilities concurrent with the impacts of development;
- Provide LOS for all requisite facilities which is compliant with the Village's adopted LOS standards; and
- Shall not cause a reduction of levels of service for existing infrastructure below minimum adopted thresholds.

PLAN MONITORING, EVALUATION AND APPRAISAL

The Village of Palmetto Bay will formally evaluate and appraise this Comprehensive Plan every 5-7 years, pursuant to State Statute, beginning with the original Plan adoption in 2005 under the 1985 State Growth Management Act, as amended. The components of this comprehensive process are the updating of socioeconomic and development data, which is evaluated to determine if projections were accurate and what trends have developed over the past five years. The Goals, Objectives, and Policies of the adopted Plan are then examined for updating, compliance with current law and introduction of new initiatives for the next planning period. Village staff will also conduct annual monitoring of Plan implementation with respect to goals, objectives and policies as part of the budgeting process.

Public participation is built into the entire process, which results in a final Evaluation and Appraisal Report (EAR) that is reviewed and adopted by the Local Planning Agency and Village Council, and transmitted to the Florida Department of Economic Opportunity ~~Community Affairs (FDCA)~~ for review. Once the final EAR is approved by all agencies, EAR-based amendments are initiated and completed ~~through the State-mandated process~~.

10.0 Educational Facilities Element

Goal 10 **DEVELOP, OPERATE, AND MAINTAIN A SYSTEM OF PUBLIC EDUCATION BY MIAMI-DADE COUNTY PUBLIC SCHOOLS, IN COOPERATION WITH THE COUNTY AND OTHER APPROPRIATE GOVERNMENTAL AGENCIES, WHICH WILL STRIVE TO IMPROVE THE QUALITY AND QUANTITY OF PUBLIC EDUCATIONAL FACILITIES AVAILABLE TO THE CITIZENRY OF MIAMI-DADE COUNTY, FLORIDA.**

Objective 10.1 **Work with Miami-Dade County Public Schools towards the reduction of the overcrowding which currently exist in Miami-Dade County Public Schools, while striving to attain an optimum level of service pursuant to Objective 2. Provide additional solutions to overcrowding so that county-wide enrollment in Miami-Dade County's public schools ~~which~~ meet state adopted requirements for class size ~~by September 1, 2010~~.**

Policy 10.1.1 Cooperate with Miami-Dade County Public Schools in their efforts to continue to provide new student stations through the Capital Outlay program, in so far as funding Is available.

Policy 10.1.2 Miami-Dade County shall collect Impact fees from new development. with proof given to the City prior to issuance of building permits, for transfer to Miami-Dade County Public Schools to offset the impacts of these additional students on the capital facilities of the school system.

Policy 10.1.3 Cooperate with Miami-Dade County Public Schools in their efforts to develop and implement alternative educational facilities, such as primary learning centers, which can be constructed on small parcels of land and relieve overcrowding at elementary schools, in so far as funding and rules permit.

Policy 10.1.4 Cooperate with Miami-Dade County Public Schools in their efforts to provide public school facilities to the students of the Village of Palmetto Bay, which operate at optimum capacity in so far as funding available. Operational alternatives may be developed and implemented where appropriate, which mitigate the impacts of overcrowding while maintaining the instructional integrity of the education program.

Policy 10.1.5 Cooperate with Miami-Dade County Public Schools in their efforts to maintain and/or improve the established level of service (LOS), for Public Educational Facilities, as established for the purposes of school concurrency.

Policy 10.1.6 Miami-Dade County Public Schools comments shall be sought and considered on comprehensive growth management plan amendments and other land use and zoning decisions, or Development of Regional Impact with the terms of the state mandated Interlocal Agreement pursuant to Sections 1013.33 and 163.31777 Florida Statutes.

Policy 10.1.7 In accordance with Section 163.3174(1), Florida Statutes the School Board of Miami-Dade County shall be invited to appoint a non-voting member to the Village's Local Planning Agency in order to receive comment on applications which could impact the school district.

Policy 10.1.8 Capital improvement programming by Miami-Dade Public Schools should be based on future enrollment projections and demographic shifts and targeted to enhance the effectiveness of the learning environment. The future enrollment projections should utilize student population projections based on

information produced by the demographic, revenue, and education estimating conferences pursuant to Section 216.136 Florida Statutes, where available, as modified by the School Board based on development data and agreement with the local governments, the State Office of Educational Facilities and the State SMART Schools Clearinghouse. The School Board may request adjustment to the estimating conferences' projections to reflect actual enrollment and development trends. In formulating such a request the School Board will coordinate with the Cities and County regarding development trends and future population projections.

Policy 10.1.9 It is the policy of the Village of Palmetto Bay that Miami-Dade Public Schools should give priority to the Urban Infill Area (UIA) identified in the Growth Management Plan when allocating resources toward the attainment of the level of service objective for public educational facilities (Objective 1), followed by more recently developed and newly developing areas outside the UIA and within the Urban Development Boundary (UDB).

Policy 10.1.10 The Village will, through the Staff Working Group of the Interlocal Agreement for Public School Facilities, coordinate with Miami-Dade County Public Schools, Miami-Dade County, and other applicable cities to review annually the Educational Facilities Element and School enrollment projections.

Objective 10.2 The Village of Palmetto Bay shall coordinate new residential development with the future availability of public school facilities consistent with the adopted level of service standards for public school concurrency, to ensure the inclusion of those projects necessary to address existing deficiencies in the 5-year schedule of capital Improvements, and meet future needs based upon achieving and maintaining the adopted level of service standards throughout the planning period.

Policy 10.2.1 ~~Beginning January 1, 2008~~The adopted level of service ILOSI standard for all Miami-Dade County public school facilities is 100% utilization of Florida Inventory of School Houses (FISH) Capacity With Reloadable Classrooms. This LOS standard, except for Magnet Schools, shall be applicable in each public school concurrency service area (CSA), defined as the public school attendance boundary established by the Miami-Dade County Public Schools.

The adopted LOS standard for Magnet Schools is 100% of FISH (with relocatable classrooms), which shall be calculated on a district-wide basis.

Policy 10.2.2 It is the goal of the Village of Palmetto Bay, Miami-Dade County Public Schools, Miami-Dade County and the other signatories to the interlocal Agreement for all public school facilities to achieve 100% utilization of Permanent FISH (No Relocatable Classrooms) capacity by January 1, 2018. To help achieve the desired 100% utilization of Permanent FISH by 2018, Miami-Dade County Public Schools should continue to decrease the number of relocatable classrooms over time. Public school facilities that achieve 100% utilization of Permanent FISH capacity should, to the extent possible, no longer utilize relocatable classrooms, except as an operational solution. Beginning January 1 2013, the Miami-Dade County Public Schools will implement a schedule to eliminate all remaining relocatable classrooms by January 1, 2018.

By December ~~2010~~2014, the Village in cooperation with Miami-Dade County Public Schools, Miami-Dade County and the other signatories to the Interlocal Agreement will

assess the viability of modifying the adopted LOS standard to 100% utilization of Permanent FISH for all CSAs

Policy 10.2.3 In the event the adopted LOS standard of a CSA cannot be met as a result of a proposed development's impact, the development may proceed provided at least one of the following conditions is met:

a) The development's impact can be shifted to one or more contiguous CSAs that have available capacity and is located, either in whole or In part, within the same Geographic Areas (Northwest Northeast Southeast. or Southwest (See Figures 1 and 1 A through 1 D)) as the proposed development, or

b) The development's impact is mitigated, proportionate to the demand for public schools created through a combination of one or more appropriate proportionate share mitigation options as defined in Section 163.3180 (13)(e)1, Florida Statutes. The intent of these options is to provide for the mitigation of residential development impacts on public school facilities guaranteed by a legal binding agreement through mechanisms that include, one or more of the following contribution of land the construction, expansion, or payment for land acquisition or construction of a permanent public school facility or the creation of a mitigation bank based on the construction of a permanent public school facility in exchange for the right to sell capacity credits, The proportionate share mitigation agreement is subject to approval by Miami-Dade County School Board and Miami-Dade County Board of County Commission and must be identified in the Miami-Dade County Public Schools facilities Work Program.

c) The development's impacts are phased to occur when sufficient capacity will be available.

If none of the above conditions is met, the development shall not be approved.

Policy 10.2.4 Concurrency Service Areas (CSA) shall be delineated to: 1) maximize capacity utilization of the facility, 2) limit maximum travel times and reduce transportation costs, 3) acknowledge the effect of court approved desegregation plans, 4) achieve socio-economic, racial, cultural and diversity objectives, and 5) achieve other relevant objectives as determined by the School Board' s policy on maximization of capacity. Periodic adjustments to the boundary or area of a CSA may be made by the School Board to achieve the above stated factors. Other potential amendments or updates to the CSAs shall be considered annually at the Staff Working Group meeting to take place each year no later than April 30 or October 31, consistent with Section 9 of the Interlocal Agreement for Public School Facility Planning.

Policy 10.2.5 The County through the implementation of the concurrency management system and Miami-Dade County Public School Facilities Work Program for educational facilities shall ensure that existing deficiencies are addressed and he capacity of schools is sufficient to support residential development at the adopted level of service (LOS) standards throughout the planning period in the 5-year schedule of capital improvements

Policy 10.2.6 The Miami-Dade County Public Schools Facilities Works Program dated September 2007, will be evaluated on an annual basis to ensure that the level of service standards will continue to be achieved and maintained throughout the planning period.

Policy 10.2.7 At a minimum, the Village in conjunction with Miami-Dade County Public Schools shall adopt the annual updates, adding a fifth year, to the Miami-Dade County Public Schools Facilities Work Program, update the feasible schools capital facilities work program, and coordinate capital facilities with the work program. Additionally, the Village shall coordinate its Comprehensive Plan with the plans of other local governments.

Policy 10.2.8 The Village shall adopt as an annual update to the Comprehensive Plan updates to the Miami-Dade County Public Schools Facilities Work Program.

Objective 10.3 Obtain suitable sites for the development and expansion of public education facilities.

Policy 10.3.1 It is the policy of the Village that Miami-Dade County Public Schools shall not purchase sites for schools nor build new schools outside of the Urban Development Boundary (UDB), and that new elementary schools constructed should be located at least 1/4 mile inside the UDB; new middle schools should be located at least 1/2 mile inside the UDB; and new senior high schools should be located at least one mile inside the UDB. In substantially developed areas of the County where suitable sites in full conformance with the foregoing are not available and a site or portion of a site for a new school must encroach closer to the UDB, the majority of the site should conform with the foregoing location criteria and the principal school buildings and entrances should be placed as far as functionally practical from the UDB. The same criteria of this paragraph that apply to public schools also pertain to private schools.

Policy 10.3.2 In the selection of sites for future educational facility development, the Village encourages Miami-Dade County Public Schools to consider whether a school is in close proximity to residential areas and is in a location that would provide a logical focal point for community activities.

Policy 10.3.3 Where possible, Miami-Dade County Public Schools should seek sites which are adjacent to existing or planned public recreation areas, community centers, libraries, or other compatible civic uses for the purpose of encouraging joint use facilities or the creation of logical focal points for community activity.

Policy 10.3.4 The Village acknowledges and concurs that when selecting a site, Miami-Dade County Public Schools will consider if the site meets the minimum size criteria as recommended by the State Department of Education or as determined to be necessary for an effective educational environment.

Policy 10.3.5 When considering a site for possible use as an educational facility Miami-Dade County Public Schools should review the adequacy and proximity of other public facilities and services necessary to the site such as roadway access, transportation, fire flow, and portable water sanitary sewers, drainage, solid waste, police and fire services, and means by which to assure safe access to schools, including sidewalks, bicycle paths, tum lanes, and signalization.

Policy 10.3.6 When considering a site for possible use as an educational facility Miami-Dade County Public Schools should consider whether the present and projected surrounding land uses are compatible with the operation of an educational facility.

Policy 10.3.7 The Village shall encourage and cooperate with Miami-Dade County Public Schools in their effort for public school siting reviews to help accomplish the objectives and policies of this element and other elements of the Comprehensive Plan. The Village shall cooperate with Miami-Dade County Public Schools to establish provisions for a scoping or pre-application meeting as part of the educational facilities review process, if determined to be warranted.

Policy 10.3.8 Permitting of school facilities for Miami-Dade County Public Schools requires that a building permit application be made to the Miami-Dade County Public School Building Official prior to commencing any work, regardless of cost.

Policy 10.3.9 The Village will continue to cooperate with Miami-Dade County Public Schools in utilizing Miami-Dade County Public Schools as emergency shelters during county emergencies.

Objective 10.4 Miami-Dade County Public Schools, in conjunction with the Village, Miami-Dade County, and other appropriate agencies, will strive to improve security and safety for students and staff.

Policy 10.4.1 Continue to cooperate with Miami-Dade County Public Schools to develop and/or implement programs and policies designed to reduce the incidence of violence, weapons, and vandalism on school campuses. Encourage the design of facilities, which do not encourage criminal behavior and provide clear sight lines from the street.

Policy 10.4.2 Continue to cooperate with Miami-Dade County Public Schools to develop and/or implement programs and policies designed to reduce the number of incidents related to hazardous conditions as reported by the Environmental Protect on Agency (EPA), the fire marshal, the State Department of Education (DOE), and other appropriate sources.

Policy 10.4.3 Continue to cooperate with Miami-Dade County Public Schools to provide for the availability of alternative programs for at-risk students at appropriate public educational facilities.

Policy 10.4.4 Coordinate with Miami-Dade County Public Schools and municipalities to provide for pedestrian and traffic safety in the area of schools, and signalization for educational facilities.

Policy 10.4.5 Coordinate with Miami Dade County Public Schools Division of School Police and other law enforcement agencies, where appropriate, to Improve and provide for a secure learning environment in the public schools and their vicinity.

Policy 10.4.6 Cooperate with Miami Dade County Schools Division of School Police and other law enforcement agencies to provide additional support or security, when appropriate.

Objective 10.5 Continue to develop programs and opportunities to bring the schools and community closer together.

Policy 10.5.1 Cooperate with Maimi-Dade County Public Schools in their efforts to provide "full service" schools, parent resource centers, adult and community schools and programs as appropriate.

Policy 10.5.2 Cooperate with Miami-Dade County Public Schools in their efforts to continue to provide opportunities for community and business leaders to serve on

committees and task forces, which relate to the development of improved provision of public educational facilities.

Policy 10.5.3 Cooperate with Miami-Dade County Public Schools to continue to work with the development industry to encourage partnerships in the provision of sites and educational facilities s including early childhood centers.

Policy 10.5.4 Cooperate with Miami Dade County Public Schools through agreement with appropriate agencies to increase medical, psychological, and social services for children and their families as appropriate.

Objective 10.6 Miami-Dade County Public Schools will continue to enhance effectiveness of the learning environment.

Policy 10.6.1 Miami-Dade County Public Schools is encouraged to continue the design and construction of educational facilities which create the perception of feeling welcome, secure, and positive about the students' school environment and experiences.

Policy 10.6.2 Miami-Dade County Public Schools is encouraged to continue to design and construct facilities which better provide student access to technology designed to improve learning, such as updated media centers and science laboratories.

Policy 10.6.3 Miami-Dade County Public Schools is encouraged to continue to Miami-Dade County Public Schools is encouraged to continue to improve existing educational facilities, in so far as funding is available through renovation and expansion to better accommodate increasing enrollment new educational programs and other activities, both curricular and extra-curricular.

Objective 10.7 The Village of Palmetto Bay, Miami-Dade County Public Schools. Miami-Dade County and the other signatories to the Interlocal Agreement shall establish and implement mechanisms for ongoing coordination and communication, to ensure the adequate provision of public educational facilities.

Policy 10.7.1 The Village shall coordinate and cooperate with Miami-Dade County Public Schools, the State of Florida, Miami Dade County and other municipalities and other appropriate agencies to develop or modify rules and regulations in order to simplify and expedite proposed new educational facility developments and renovations.

Policy 10.7.2 The location of future educational facilities should occur where capacity of other public facilities and services is available to accommodate the infrastructure needs of the educational facility.

Policy 10.7.3 Miami-Dade County Public Schools should coordinate school capital improvement plans with the planned capital improvement projects of the Village and other County and municipal agencies.

Policy 10.7.4 The Village shall cooperate with Miami-Dade County Public Schools in their efforts to ensure that they are not obligated to pay for off-site infrastructure in excess of their fair share of the costs.

Policy 10.7.5 The Village, the County, other municipalities and Miami-Dade Public Schools shall periodically review the Educational Facilities Impact Fee Ordinance to strive to ensure that the full eligible capital costs associated with the development of public school capacity (new schools and expansion of existing ones) are identified when updating the impact fee structure. Pursuant

to the terms of the state mandated Interlocal Agreement, the Village, other municipalities the County and School Board shall annually review the Ordinance, its formula, the Educational Facilities Impact Fee methodology and technical report, in order to make recommendations for revisions to the Board of County Commissioners and the Miami-Dade County School Board.

Policy 10.7.6 The Village and Miami-Dade County Public Schools will annually review the Educational Element and make amendments, if necessary, through the process of updating the Comprehensive Plan In accordance with the Interlocal Agreement for Public School Facility Planning.

Policy 10.7.7 The Village shall seek to coordinate with Miami-Dade County Public Schools in formalizing criteria for appropriate sharing of responsibility for required off-site facility improvements attributable to construction of new public schools or expansion of existing ones. The criteria should be prepared prior to the next full review of the School Impact Fee Ordinance.

Policy 10.7.8 The Village shall coordinate with Miami-Dade County Public Schools, the County and other local governments to eliminate infrastructure deficiencies surrounding existing school sites.

Policy 10.7.9 The Village and Miami-Dade County Public Schools shall coordinate efforts to ensure the availability of adequate sites for the required educational facilities.

Policy 10.7.10 The Village and Miami-Dade County Public Schools shall coordinate the appropriate roles and responsibilities of affected governmental Jurisdictions in ensuring the timely, orderly, and efficient provision of adequate educational facilities.

Policy 10.7.11 The Village, where appropriate, will account for the infrastructure needs of new, planned or expanded educational facilities when formulating and implementing its own capital improvement plans.

The following measures are used to monitor the Educational Facilities Element.

Monitoring Measure 1	Policies relating to the maintenance and Improvement of specific level of service for public educational facilities, as specified in the Educational Facilities Impact Fee Ordinance, shall be reviewed annually. Each year, Miami-Dade County Public Schools will compare the official enrollment of the school system with the number of student stations available to determine the current operating LOS.
Monitoring Measure 2	An annual review of the latest adopted Miami-Dade County Public Schools Facility Works program will be conducted pursuant to the interlocal Agreement in order to determine if the adopted concurrency level of service standard (including the Interim LOS standards) is being achieved. The number of development orders approved, those disapproved and those that have achieved LOS standards through mitigation options will also be reviewed. The City may also request the Works Program in order to monitor progress.
Monitoring Measure 3	Objective 3 will be monitored through the annual inventory and assessment by Miami-Dade County Public Schools of School Board owned property. The number of new sites shall be reported annually and in the full review period reported in the EAR.

Monitoring Measure 4	Objective 4 will be monitored through the review and analysis of the statistics relating to school safety, as compiled annually, by the MDCPS Division of Police. A review and analysis of new and existing reactive and proactive safety and crime prevention programs will also be conducted on an annual basis.
Monitoring Measure 5	Objective 5 shall be monitored by Miami-Dade County Public Schools by reporting and reviewing the progress and number of new and existing community oriented programs, including an enrollment analysis, by age and ethnicity, of adult, community and vocational programs.
Monitoring Measure 6	Objective 6 shall be monitored by Miami-Dade County Public Schools by reporting the number of educational facility enhancements such as media centers, art/music suite, and science laboratories.
Monitoring Measure 7	Objective 7 will be addressed by Implementing and tracking the development of appropriate mechanisms, including interlocal agreements and coordination efforts, which serve to expedite the provision or enhancement of public educational facilities.

11.0 Water Supply Facilities Element

Goal 11 **PROVIDE A QUALITY, DEPENDABLE POTABLE WATER SUPPLY SUFFICIENT TO MEET THE EXISTING AND FUTURE NEEDS OF VILLAGE RESIDENTS AND BUSINESSES ON A TIMELY BASIS, AT A REASONABLE COST AND IN COMPLIANCE WITH UTILITY REGULATORY STANDARDS; CONTINUE TO SUPPORT AN MONITOR STATE, COUNTY, AND SOUTH FLORIDA WATER MANAGEMENT DISTRICT EFFORTS TO PROTECT, CONSERVE, AND MANAGE THE QUALITY AND QUANTITY OF NATURAL GROUNDWATER RESOURCES.**

Objective 11.1 **Potable Water Level of Service**
Coordinate effectively with the Village's water service provider Miami-Dade County Water and Sewer Department (WASD), to ensure that potable water service to the Village will meet to exceed the adopted level-of-service (LOS) standard throughout the planning period.

Policy 11.1.1 The adopted level-of-service standard established by WASD for potable water service within the Village:

a. Regional Treatment. System shall operate with rated capacity that is no less than two (2) percent above the maximum daily flow for preceding year.

b. User LOS, Maintain capacity to produce and deliver 155 gallons/per capita/per day.

c. Water Quality. Meet all federal, state, and county primary potable water standards.

d. Countywide Storage. Storage capacity for finished water shall equal no less than 15 percent of countywide average daily demand.

Policy 11.1.2 Monitor and assess periodically, the planning, capital programming, and construction programs of WASD, as well as service complaints, to help ensure that Village residents, businesses, and other Village users are provided with potable water services In compliance with the adopted LOS standard.

Policy 11.1.3 Coordination of land uses and future land use changes with the availability of water supplies and water supply facilities.

Policy 11.1.4 All Village development order approvals must ensure that the Village's adopted potable water LOS standard will be maintained from planning through to construction and operation.

Policy 11.1.5 Revise potable water level of service standards for residential and nonresidential users.

Objective 11.2 **Existing and Efficient Expansion of +Water Facilities**
Coordinate with WASD to help ensure cost-efficient use of existing facilities and coordinate prudent future expansion plan consistent with projected needs to accommodate development at the densities and intensities proscribed In the Future Land Use Element.

Policy 11.2.1 Encourage future development and redevelopment in areas that are already served, or programmed to be served, by WASD potable water facilities.

Policy 11.2.2 Coordinate with WASD to provide potable water service to those areas within municipal limits that are currently dependent upon private wells to satisfy potable water needs, including those areas that may be subject to salt water intrusion as a priority and those areas without potable water.

Policy 11.2.3 Coordinate population projections as documented in the Village's Data Inventory and Analysis, Table 1; commercial growth, land use changes and development approvals with WASD to assist that agency in effectively planning the Village's future potable water needs.

Policy 11.2.4 Include the review and comment of WASD in the development review process for Village Plan amendments, rezoning's, site plan and plat approvals to help ensure the cost-efficient use of existing County waste facilities and extension of new water service.

Policy 11.2.5 Continue to monitor and maintain ~~encourage expedited installation of~~ potable water infrastructure improvements targeted for the area bounded by SW 168th Street to the north, the Miami-Dade County Busway to the west, SW 184th Street to the south, and SW 97th Avenue and US-1 northbound to the east as part of the project entitled "Perrine Park-Cutler Ridge Water and Sewer Improvements" included in the Building Better Communities Bond Program approved by the Miami-Dade County voters in November 2004

Policy 11.2.6 Coordinate with, and revise, as recommended by WASD and other agencies, as appropriate, the priorities for the replacement of facilities, correction of existing water supply and facility deficiencies, and provision for future water supply and facility needs.

Policy 11.2.7 Coordinate for improved or additional coordination between WASD and the Village concerning the sharing and updating of information to meet the Village concerning the ongoing water supply needs.

Policy 11.2.8 The Village shall undertake periodic, specific actions to coordinate with the County to continue to develop consistent population projects and to amend and/or revise the Water Supply Plan in the future based upon those coordinated efforts.

Objective 11.3 **Water Conservation**
Actively enact regulations to ensure all residents and businesses In Palmetto Bay conserve potable and non-potable water to the maximum extent possible.

Policy 11.3.1 Village Hall shall serve as a central distribution point for South Florida Water Management District (SFWMD), Florida Department of Environmental Protection (FDEP), and WASD news releases, brochures, and public presentations on ways for homeowners, businesses, and industry to conserve all forms of water resources.

Policy 11.3.2 The Village's Land Development Code (LDC) shall contain regulations requiring the use of all feasible water-saving devises in new and renovation building construction.

Policy 11.3.3 The Village shall implement water-saving "Florida Friendly ~~xeriscape~~" and/or "Florida Friendly" Plantings, watering techniques, and landscape design ordinances in existing and future developed areas of the Village including adopting the Florida Yards and Neighbors Program, modify the Village's

landscaping ordinances and implementing emergency water restriction policies. The Village has already adopted water restriction ordinances, State of Florida Yards and Neighbors Program, and modified its landscaping ordinances relating Florida Friendly plantings.

Policy 11.3.4 Enact landscaping and water restriction ordinances requiring homeowners and businesses in the Village to use non-potable and/or reuse water for landscaping and lawn care.

Policy 11.3.5 Coordinate with WASD to install treated re-used (grey) water lines in the Village for use on road rights-of way and other appropriate landscaped areas within Village limits. MDWASD does not have any planned re-use projects within the Village of Palmetto Bay.

Policy 11.3.6 Cooperate fully with emergency water conservation measure mandated by the SFWMD.

Policy 11.3.7 Other programs and activities to implement conservation measures that require a longer implementation time frame will be prepared for future adoption.

Objective 11.4 **Treated Wastewater Re-Use**
Coordinate with WASD to promote reuse of treated wastewater and other by-products for public open space and golf course irrigation, fertilization, and aquifer recharge.

Policy 11.4.1 Coordinate with WASD to install treated re-used (grey) water lines in the Village of Palmetto Bay for use on road rights-of way and other appropriate landscaped areas within the municipal limits. MDWASD does not have any planned re-use projects within the Village of Palmetto Bay.

Policy 11.4.2 Investigate the possibility of using fertilizers and other reuse product on public landscaped areas within the Village.

Policy 11.4.3 Require developers seeking development approvals to fully investigate and use, if viable, grey water In project open space and recreation irrigation.

Objective 11.5 **Future Growth Needs**
Accommodate the future growth needs of the Village through proper planning and effective coordination with the appropriate water management agencies.

Policy 11.5.1 Encourage future development into areas that are already served, or programmed to be served, by under-capacity stormwater management facilities.

Policy 11.5.2 Update the Stormwater Master Plan every five (5) years (last performed FY 13-14) in order to ensure that future growth needs of the Village are prudently accommodated and planned for.

Policy 11.5.3 Actively coordinate the Village's stormwater planning, programming, and construction with the Federal Emergency Management Agency (FEMA), SFWMD, Miami-Dade County Department of ~~Environmental Resource Management (DERM)~~ Regulatory and Economic Resources, and the Miami-Dade County Public Work Department.

Policy 11.5.4: Coordination of land uses with available and projected fiscal resource and a financially feasible schedule of capital improvements for waste supply and facility projects.

Policy 11.5.5 Coordinate with Miami-Dade County to seek additional revenue sources to fund water supply and facility projects.

Policy 11.5.6 Coordinate with the regional water supply plan approved for this region.

Policy 11.5.7 The Village shall update the ~~plan~~ Water Supply Plan within 18 months following the approval of an updated regional water supply plan.

Policy 11.5.8 Concurrency relating to water supply shall be completed prior to the anticipated date of Issuance a certificate of occupancy. The Village shall consult with Miami-Dade County to determine that water supplies will be available at the time the certificate of occupancy is issued.

Policy 11.5.9 Coordinate land uses with available and projected fiscal resources and a financially feasible schedule of capital improvements for water supply and facility projects.

Policy 11.5.10 Coordinate between local governments and WASD in the implementation of alternative water supply projects; establish a level-of-service standard and resource allocation, changes in service areas, and potential for annexation in coordination with the County.

Policy 11.5.11 Miami-Dade County Water Supply Facilities Work Plan, revised March 2008 as prepared by Camp, Dresser, and McKee, Inc. is hereby adopted by the Village, the 20-year work plan schedule is consistent with the Village's work plan schedule.

Objective 11.6 **Recharge Groundwater and Water Quality**
Use the Stormwater Master Plan process and prudent land development regulations to ensure that private development and public infrastructure projects maintain required surface water quality standards and serve to recharge the groundwater aquifer.

Policy 11.6.1 A primary objective of the Stormwater Master Plan is protection of surface water quality through the LDC requirements that mandate acceptable paving and drainage plans, adequate open (pervious) space areas, and stormwater detention and retention in private development projects.

Policy 11.6.2 Review the LDC on a regular basis to ensure that all feasible options are being utilized to protect water quality and enhance groundwater recharge.

Policy 11.6.3 Provide for the protection of water quality in the traditional and new alternative water supply sources, in conjunction with Miami-Dade County, and other agencies.

Objective 11.7 **Natural Groundwater Aquifer Recharge/ Recharge Deficiencies**
In coordination with state, regional, and county water management agencies, correct any documented recharge deficiencies identified In the Village's Stormwater Master Plan and outside agencies.

Policy 11.7.1 As part of the Stormwater Master Plan process, identify groundwater recharge deficiencies, if any, in the Village.

Policy 11.7.2 Maintain and enhance, where appropriate, the capacity and period of natural surface water drainage and recharge.

Policy 11.7.3 Assist State, Regional, and County efforts, where appropriate, in protecting the functions of natural groundwater recharge areas and natural drainage features in the Village.

Policy 11.7.4 Continue to enforce the Village" s on-site water retention and pervious open space standards for new development and redevelopment projects.

Policy 11.7.5 All development projects shall use retention, infiltration, and detention systems as required by the LDC, and applicable State, and regional standards.

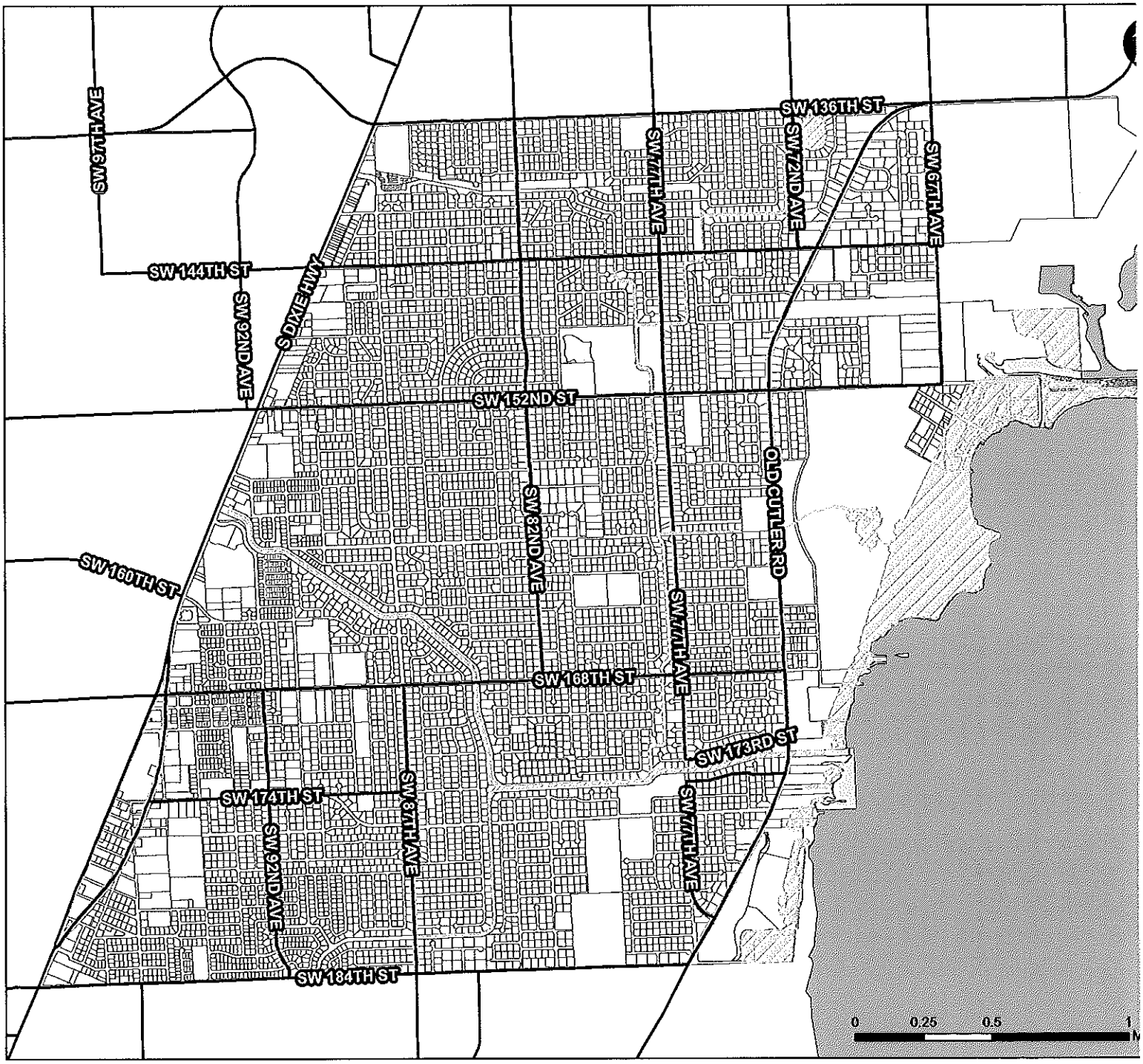
Objective 11.8 **Potable Water Conservation**
Increase potable water conservation in order to better meet present and projected needs of all consumers and reduce demands on water service.

Policy 11.8.1 The Village, coordinating with Miami-Dade County shall provide for conserving potable water resources, including the implementation of reuse programs and potable water conservation strategies and techniques, including but not limited to: Emergency Water Restrictions, SFWMD rules relating to irrigation and watering, Florida Neighborhood and Yards standards relating to native and xeriscape landscaping.

Objective 11.9 **Concurrency and Level-of-Service (LOS) Standards**
Make the availability of high-quality pubic facilities at adopted LOS standards concurrent with the impacts of development an important basis for future land planning and capital decisions.

Policy 11.9.1 Coordinate with the County and other local governments and WASD in the implementation of alternative water supply projects, establishment of level-of-service standards and resource allocations, changes in service areas, and potential for annexation.

COASTAL HIGH HAZARD AREAS



Source: Village of Palmetto Bay

Note: The Coastal High Hazard Area is the area below the elevation of the category 1 storm surge

EXHIBIT 1

DEO TRANSMITTAL, ORC REPORT, AND RESPONSES

Rick Scott
GOVERNOR

FLORIDA DEPARTMENT of ECONOMIC OPPORTUNITY

Jesse Panuccio
EXECUTIVE DIRECTOR

September 16, 2014

The Honorable Shelley Stanczyk
Mayor, Village of Palmetto Bay
Village Hall
9705 East Hibiscus Street
Palmetto Bay, Florida 33157

Dear Mayor Stanczyk:

The Department of Economic Opportunity has completed its review of the proposed comprehensive plan amendment for the Village of Palmetto Bay (Amendment No. 14-1ER), which was received and determined complete on July 18, 2014. 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. Review comments received by the Department from the appropriate reviewing agencies are also enclosed.

The attached Objections, Recommendations, and Comments Report outlines our findings concerning the amendment. We have identified one objection and have included our recommendation regarding measures that can be taken to address the objection. We are also providing one technical assistance comment consistent with Section 163.3168(3), F.S. The Department of Economic Opportunity's technical assistance comment will not form the basis of a not in compliance finding. It is designed to ensure compliance with the provisions of Chapter 163, F.S.

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 within 180 days of your receipt of the Department of Economic Opportunity report, the amendment shall be deemed withdrawn unless extended by agreement with notice to the Department of Economic Opportunity 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.

If you have any questions related to this review, please contact Bill Pable, AICP, at (850) 717-8534, or by email at bill.pable@deo.myflorida.com.

Sincerely,

William B. Killingsworth, Director
Division of Community Development

WBK/bp

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

cc: Darby Delsalle, AICP, Director, Department of Planning and Zoning, Village of Palmetto Bay
James F. Murley, Executive Director, South Florida Regional Planning Council

OBJECTIONS, RECOMMENDATIONS AND COMMENTS REPORT
VILLAGE OF PALMETTO BAY
PROPOSED COMPREHENSIVE PLAN AMENDMENT 14-1ER

The Palmetto Bay 14-1ER amendment addresses the requirement in Section 163.3191, F.S., to evaluate the Village's comprehensive plan and to adopt plan amendments to reflect changes in state requirements.

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

A. Objection: Coastal High Hazard Area (CHHA)

Section 163.3178(2)(h), F.S., defines the CHHA 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." Section 163.3178(8)(c), F.S., states that "...local governments shall amend their future land use map and coastal management element to include the new definition of coastal high-hazard area and to depict the coastal high-hazard area on the future land use map." The Florida Statewide Regional Evacuation Study, which was released in 2010, provides the most recent data for the boundaries of the CHHA.

The Village did not address the statutory changes relating to the coastal high hazard area in Section 163.3178(2)(h) and (8), F.S. The objection has 3 parts, as follows:

1. There are no policies in the comprehensive plan that define the CHHA consistent with Section 163.3178(2)(h), F.S.
2. The comprehensive plan does not provide a map of the CHHA. The Florida Statewide Regional Evacuation Study, which was released in 2010, provides the most recent data for the CHHA boundary.
3. Existing Coastal Management Element Objective 5.4, Policy 5.4.3, and Policy 5.4.4 are not consistent with Section 163.3178(8), F.S.

Authority: Section 163.3178(2)(h), F.S., and Section 163.3178(8), F.S.

Recommendation: The recommendation has three parts, as follows:

1. A new policy should be added which defines the CHHA consistent with Section 163.3178(2)(h), F.S.;

2. A new map should be added that depicts the CHHA consistent with the Florida Statewide Regional Evacuation Study; and

3. Since the adoption of the Village's first plan, Section 163.3178(8), F.S., was revised to establish more specific criteria for hurricane evacuation. The new criteria is based on a category 5 storm event, and includes measures for out-of-county evacuation, a 12-hour evacuation time to shelter, and appropriate mitigation. The Village is requested to revise the existing Coastal Management Element Objective 5.4, Policy 5.4.3, and Policy 5.4.4 to be consistent with the noted new criteria in Section 163.3178(8), F.S.

II. The following Technical Assistance Comment is offered to assist the Village of Palmetto Bay when processing future amendments to the Comprehensive Plan. It will not be used as a basis for a not in compliance finding.

A. Comment: Water Supply Facilities Work Plan (Work Plan)

The Village is required to revise its Work Plan within 18 months after approval of the Lower East Coast (LEC) Water Supply Plan Update by the District Governing Board, and adopt it as part of the Village's Comprehensive Plan. The District's Governing Board adopted the LEC Water Supply Plan Update on September 12, 2013. Therefore, the Village's Work Plan must be adopted by March 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. In response, the Village should revise its Water Supply Facilities Work Plan as described above, and adopt it as part of the Village's Comprehensive Plan by the March 2015 deadline.

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 Department of Economic Opportunity 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:

_____ Department of Economic Opportunity 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;

_____ 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 Department of Economic Opportunity posts a notice of intent determing 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 Department of Economic Opportunity.

_____ List of additional changes made in the adopted amendment that the Department of Economic Opportunity 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 Department of Economic Opportunity to the ORC report from the Department of Economic Opportunity.

MIAMI-DADE COUNTY

miamidade.gov

Department of Regulatory and Economic Resources
Planning Division, Metropolitan Planning Section
111 NW 1 Street • Suite 1250
Miami, Florida 33128-1902
T 305-375-2835 F 305-375-1091
www.miamidade.gov/business/planning.asp

August 27, 2014

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

Re: Proposed Evaluation and Appraisal-Based Amendments to the Village of Palmetto Bay Comprehensive Plan; DEO No. Palmetto Bay 14-1ER

Dear Mr. Delsalle:

The Miami-Dade County Department of Regulatory and Economic Resources (Department) has reviewed the proposed Evaluation and Appraisal-Based Amendments to the Village of Palmetto Bay Comprehensive Plan. Our review is conducted to identify points of consistency or inconsistency with the goals, objectives, policies and relevant provisions of the Miami-Dade County Comprehensive Development Master Plan (CDMP), and whether the proposed amendments impact County public facilities and services.

Based on the information provided and the County CDMP's goals, objectives and policies, this Department finds the proposed amendments are generally consistent with the CDMP and do not appear to have significant impacts on County services and infrastructure. However, we offer the following comments:

Transportation Element

1. Page 2-2; Policy 2A.1.3: The Village should revise the Policy as follows: ". . . located within an Enterprise ~~Empowerment~~ Zone established pursuant to Chapter 290 of the Florida Statutes. Empowerment Zones were established by the federal government and no longer exist, though their boundaries have been incorporated into the Enterprise Zone established by Chapter 290, Florida Statutes.

2. Page 2-2; Policy 2A.2.6: Change the name of the Miami-Dade Public Works Department to the Miami-Dade Public Works and Waste Management Department.

3. Page 2-4; Policy 2A.4.6: This policy makes reference to MPO's US 1 Grade Separation Study currently underway. However, the MPO prepared and completed the "Miami-Dade County Grade Separation Feasibility Study" and the "US 1 Intersection Improvements Study" in 2004 and 2007 respectively. The Village may revise this policy to address implementation of these two studies.

2) Sanitary Sewer:

(a) Regional wastewater treatment plants shall operate with a physical capacity of no less than the annual average daily sewage flow.

(b) Effluent discharged from wastewater treatment plants shall meet all federal, State, and County standards.

(c) The system shall maintain the capacity to collect and dispose of 102 percent of average daily sewage demand for the preceding 5 years."

8. Page 4-2; Objective 4A.3: It is recommended that the Village include the following Policies for Water Conservation:

   a) *All future development will be required to comply with water use efficiency techniques for indoor water use in accordance with Section 8-31, 32-84 and 8A-381 of the Code of Miami-Dade County.*

   b) *All future development will be required to comply with the landscape standards in sections 18-A and 18-B of Miami-Dade County Code.*

   c) *All permit applications for new multifamily residential developments shall be required to include a sub-meter for each individual dwelling, per Section 8A-381(c) of the Miami-Dade County Code.*

9. Page 4-2, Policy 4A.3.3 and Page 11-2, Policy 11.3.3: The Village should replace the word "xeriscape" with "Florida Friendly."

10. Page 4-2, Policy 4A.3.5; Page 4-4, Policy 4B.3.1; Page 6.1, Policy 6.2.2; Page 6-1, Page 11-3, Policy 11.3.5; and Page 11-3, Policy 11.4.1: Please note that MDWASD does not have any planned re-use projects within the Village of Palmetto Bay.

11. Page 4-3; Policy 4B.1.1: The County does not have an adopted per capita LOS standard for sewer as stated in this Policy. Please see comment no. 7 above.

12. Page 4-4; Objective 4C.1: The objective should make a general reference to coordination with Miami-Dade County, and not the Department of Regulatory and Economic Resources, as there are several County departments involved in ensuring compliance with the LOS design standards.

13. Page 4-4; Policy 4C.1.4: The policy should state that *"all structures should be constructed at or above the minimum floor elevations specified in the most recent edition of the Florida Building Code (FBC) or Chapter 11-C of the Code of Miami-Dade County."* Also, the reference to Federal Insurance Rate Maps should be revised to the correct term Flood Insurance Rate Maps.

> *"The exotic plant species listed in the County's adopted Landscape Manual as amended may not be planted within 500 feet of native plant communities. These plant species have been documented by the Florida Exotic Pest Plant Council, the Miami-Dade County Parks, Recreation and Open Spaces Department's Natural Area's Management Program, and the Miami-Dade County Division of Environmental Resources Management to be invasive pests in natural areas of Miami-Dade County."*

Capital Improvements Element

19. Page 9-6; Table 9.1: The Village should revise the Sanitary Sewer and Potable Water LOS standards to reflect the County's adopted LOS standards as shown in comment no. 7 above.

20. Page 9-6; Table 9.1, Stormwater Drainage: The text only mentions Minimum Water Quality Levels of Service. The minimum flood protection levels of service should be included as shown in the County CDMP Policy CON 5-A.

21. Page 9-7; Table 9.1: Transportation Empowerment Zone should be revised as follows: *"Transportation Enterprise ~~Empowerment~~ Zone Section - All development applications located within an Enterprise ~~Empowerment~~ Zone established pursuant to Chapter 290 of the Florida Statutes are exempt . . ."* Empowerment Zones were established by the federal government and no longer exist, though their boundaries have been incorporated into the Enterprise Zone established by Chapter 290, Florida Statutes.

Educational Element

22. Page 10-2; Policy 10.2.1: The Village should revise the policy as follows: *"~~Beginning January 1, 2008, t~~The adopted level of service ~~(~~(LOS)~~)~~...."* This revision is being recommended in order to be consistent with the revision in Table 9.1, of the Capital Improvements Element.

23. Page 10-3; Policy10.2.3: The letters GSA should be revised to read "CSA."

Water Supply Facilities Element

24. Page 11-1; Policy 11.1.1: The referenced County LOS standards for potable water is not consistent with the current adopted County LOS standards. Please see comment no. 7 above.

25. Page 11-1; Objective 11.2: The Village should add a new policy as follows: *"Before approval of a building permit or change of use, the Village will ensure that a Water Supply Certification letter has been issued by the MDWASD to ensure adequate water supply is available for the proposed use."*

Thank you for the opportunity to comment on the Village's EAR-based Plan Amendments. Attached for your review are the County agencies comments. If you, or any member of your staff, have any

Memorandum

MIAMI-DADE COUNTY

Date: August 12, 2014

To: Mark Woerner, Chief Planning Division
Department of Regulatory and Economic Resources

From: Jose Gonzalez, P.E.
Division of Environmental Resources Management

Subject: Village of Palmetto Bay Comprehensive Plan Amendment

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Pursuant to a request from the Planning Division, the Division of Environmental Resources Management (DERM) offers the following comments:

The Village of Palmetto Bay desire to adopt the provided texted portion of the Goals, Policies, and Objectives of the Comprehensive Master Plan in its entirely.

Stormwater Management
The Objective 4C.1 should make reference to coordination with Miami-Dade County and not Regulatory and Economic Resources. There are several county departments involved in ensuring compliance with LOS design standards for water management systems.

Policy 4C.1.4 should state that "all structures should be constructed at or above the minimum floor elevations specified in the latest edition of the Florida Building Code (FBC) or Chapter 11-C of the Code of Miami-Dade County". The reference to Federal Insurance Rate Maps should be revised to the correct term Flood Insurance Rate Maps. These maps indicate the Base Flood Elevation, it does not specify the minimum floor elevation. The FBC requires that all structures should be constructed above the Base Flood Elevations with a free board specified according to the building category.

Policy 5.3.1 should be modified to be more specific, since variances of the minimum flood elevations are generally not allowed by the FBC; the FBC lists specific exceptions such as historic structures. If the Base Flood Elevation needs to be modified to serve the best interests of the community, coordination with the South Florida Water Management District and Miami-Dade County is required since placement of large amounts of fill or large excavations could impact canal operations and the flood level of service of County roadways of adjacent areas. The Flood Insurance Rate Maps for the area would require a Letter of Map Amendment with FEMA.

Policy 5.8.10 should specify the privacy rights of the owners of the properties and that the list of properties would not be published and would only be shared with FEMA and County officials associated with mitigation activities, be used to contact willing sellers and offer mitigation opportunities.

Policy 6.4.3 should state Miami-Dade County **Department of Public Works and Waste Management** instead of RER, since flood mitigation is no longer under RER jurisdiction.

Table 9.1, under Stormwater Drainage, makes mention to minimum Water Quality Levels of Service only. The minimum flood protection levels of service should be included, as shown in the County's CDMP – CON 5-A.

Natural Resources Planning

As part of the review process for the Village's proposed amendments, DERM recommends continued coordination between the Florida Office of Economic Opportunity, the Village of Palmetto Bay and Miami-Dade County RER in order to update the Village FLUM to reflect appropriate and consistent use of Environmental Protection (EP) and Environmentally Protected Parks (EPP) land use categories for environmentally sensitive areas such as the Charles Deering Estate and its associated out parcels and additions. In addition, due to the importance of the canal systems in the Village and the lands and ROW needed in the Village for implementation of the Biscayne Bay Coastal Wetlands CERP project, DERM also recommends the Village include language in its Comprehensive Plan consistent with the County's CDMP language in this regard pursuant to Miami-Dade County CDMP Conservation Objective CON 7 Policy CON 7J.

LUP COM

In addition to the above, the following are specific comments and recommendations on the proposed changes of the Village of Palmetto Bay Master Plan.

DERM acknowledges that the Village of Palmetto Bay used relevant portions of the Miami-Dade County CDMP in the initial development of the Village's Master Plan. Since that time, the Miami-Dade County CDMP has been updated through the 2010 Evaluation Appraisal Report (EAR) process. These County updates include language from the County's Coastal Element that is particularly relevant for the Village with regard to important natural resources such as designated Mangrove Protection Areas. Therefore, DERM recommends that the Village incorporate the language modifications found in the updated Coastal Management Element found at the following link:

http://www.miamidade.gov/planning/ear2012/library/ear-based-amend-signed-cm-element.pdf

This document is in underline and strikethrough format in order to easily identify the language that has been updated in the Miami-Dade County CDMP with the most recent EAR updates.

Another portion of the updated Miami-Dade CDMP addresses the removal of exotic pest plants, particularly in areas of development and redevelopment, as well as within 500 feet of native plant communities. Since there are numerous natural areas within and/or adjacent to the Village of county or even regional significance, DERM recommends that the following language be incorporated into the Village's Comprehensive Plan.

"The exotic pest plant and nuisance species listed in Section 24-49.4 of the Code of Miami-Dade County, shall not be sold, propagated, or planted within the Village. If existing on a development site, they shall be removed prior to development or redevelopment and developed parcels shall be maintained to prevent the growth or accumulation of prohibited species."

"The exotic plant species listed in the County's adopted Landscape Manual as amended may not be planted within 500 feet of native plant communities in the Village. These plant species have been documented by the Florida Exotic Pest Plant Council, the Miami-Dade County Parks, Recreation and Open Spaces Department's Natural Area's Management Program, and the Miami-Dade County Division of Environmental Resources Management to be invasive pests in natural areas of Miami-Dade County."

Finally, during the review of the proposed changes to the Village Master Plan, staff noted a number of scrivener's errors within the text, including references to the Department's previous title. DERM recommends a thorough review of the text of the document to correct any errors.

Air Quality Management

Except for the proposed changes specified in Section 2A 1.1.1 of the Transportation Element, the proposed text changes are not in conflict with any existing air quality environmental regulatory requirements.

Due to the close proximity and high concentration of residential areas and streets in the Urban Infill Area, DERM is not in agreement with the proposed Transportation Level of Service (threshold) increases, which could have a direct negative impact on these residential areas.

If you have any questions concerning the comments or wish to discuss this matter further, please contact Christine Velazquez at (305) 372-6764.

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

August 11, 2014

Mr. Ray Eubanks, Plan Processing Administrator
State Land Planning Agency
Caldwell Building
107 East Madison – MSC 160
Tallahassee, FL 32399

Subject: Village of Palmetto Bay, DEO #14-1ER
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 submitted by the Village of Palmetto Bay (Village). The amendment package consists of the Village's Evaluation and Appraisal Review based amendments. 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 must be adopted by March 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.

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 adopted amendments to the District. For assistance or additional information, please contact Terry Manning, Planning and Policy Analyst, at (561) 682-6779 or tmanning@sfwmd.gov.

Sincerely,

Dean Powell
Water Supply Bureau Chief

DP/tm

c: Darby P. Delsalle, Palmetto Bay
Terry Manning, SFWMD
Jim Murley, SFRPC
James Stansbury, DEO
Mark Woerner, Miami-Dade County
Maria Valdes, Miami-Dade County

Florida Department of Transportation

RICK SCOTT
GOVERNOR

1000 NW 111 Avenue
Miami, Florida 33172-5800

ANANTH PRASAD, P.E.
SECRETARY

August 5, 2014

Mr. Ray Eubanks
Plan Processing Administrator
Department of Economic Opportunity
107 East Madison Street, MSC 160
Tallahassee, FL 32399

Subject: Comments for the Proposed Evaluation and Appraisal-Based Amendment to the Village of Palmetto Bay Comprehensive Plan (Palmetto Bay 14-1ER)

Dear Mr. Eubanks:

The Florida Department of Transportation, District Six, completed a review of the Proposed Comprehensive Plan, Village of Palmetto 14-1ER (Evaluation and Appraisal-Based Amendments). The amendment is subject to the State Coordinated Review process pursuant to Section 163.3184(4) of the Florida Statutes. The District has reviewed the amendment package per *Chapter 163 Florida Statutes* and has found no impacts to transportation resources and facilities of state importance.

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

Sincerely,

Kenneth Jeffries
Transportation Planner

Cc: Harold Desdunes, P.E., Florida Department of Transportation, District 6
Alleen Boucle, AICP, Florida Department of Transportation, District 6
Darby P. Delsalle, Village of Palmetto Bay, Planning and Zoning Department

Eubanks, Ray 8/5/14

From: Stahl, Chris <Chris.Stahl@dep.state.fl.us>
Sent: Tuesday, August 05, 2014 10:36 AM
To: DCPexternalagencycomments
Cc: Craig, Kae; 'tkendall@palmettobay-fl.gov'
Subject: Palmetto Bay 14-ER – Proposed

To: Ray Eubanks, Florida Department of Economic Opportunity

Re: Palmetto Bay 14-ER – 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.

Please feel free to contact me with any questions.

Chris Stahl
Office of Intergovernmental Programs
Florida Department of Environmental Protection
3900 Commonwealth Blvd., MS 47
Tallahassee, FL 32399-3000
(850) 245-2169

Rick Scott
GOVERNOR

FLORIDA DEPARTMENT of ECONOMIC OPPORTUNITY

Jesse Panuccio
EXECUTIVE DIRECTOR

July 22, 2014

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

Dear Mr. Delsalle:

Thank you for submitting Village of Palmetto Bay's proposed comprehensive plan amendments for our review. The reference number for this amendment is **Palmetto Bay 14-1ER.**

We have conducted an inventory of the proposed plan amendment package to verify the inclusion of all required materials for the proposed amendments. The submission package appears to be complete, and your proposed plan amendments 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 September 16, 2014.

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 amendments, at (850) 717-8512.

Sincerely,

D. Ray Eubanks, Administrator
Plan Review and Processing

DRE/af

Rick Scott
GOVERNOR

FLORIDA DEPARTMENT of ECONOMIC OPPORTUNITY

Jesse Panuccio
EXECUTIVE DIRECTOR

MEMORANDUM

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

DATE: July 22, 2014

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

LOCAL GOVERNMENT/ STATE LAND PLANNING AGENCY AMENDMENT #:

Palmetto Bay 14-1ER

CONTACT PERSON/PHONE NUMBER: Sherry Spiers/ 850/717-8499

COMMENTS DUE TO STATE LAND PLANNING AGENCY NO LATER THAN:

August 17, 2014

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***

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

July 18, 2014

Received

JUL 18 2014

Department of Economic Opportunity
Division of Community Development
Bureau of Community Planning

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

Re: Evaluation and Appraisal Report Notification Letter

Florida Department of Education:

Pursuant to Florida Statute 163.3191, please find enclose the proposed amendments to the Village of Palmetto Bay's Comprehensive Plan as so prescribed by the Evaluation and Appraisal Report (EAR) adopted by the Village Council on January 6, 2014, and as accepted by the Department of Economic Opportunity on January 22, 2014. The submittal was approved upon first reading of the Village Council on July 7, 2014, and is provided to you in advance of the March 1, 2015, EAR Amendment filing deadline as scheduled by the DEO. The proposed amendments are 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 Pinecrest, Coral Gables and Miami-Dade County). The submission/contact list is attached herein and the packages were sent between July 8, 2014 and July 15, 2014.

Other proposed changes to the Comprehensive Plan are reflective of ongoing long range planning efforts of the Village.

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

Sincerely,

Travis Kendall, Zoning Administrator
Department of Planning and Zoning

9705 East Hibiscus Street, Palmetto Bay, FL 33157
Tel: (305) 259-1234 ♦ 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

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 Gaines Street
Tallahassee, Florida 32399

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

VILLAGE OF PALMETTO BAY

July 15, 2014

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

Re: Evaluation and Appraisal Report Notification Letter

Mr. Eubanks:

Pursuant to Florida Statute 163.3191, please find enclose the proposed amendments to the Village of Palmetto Bay's Comprehensive Plan as so prescribed by the Evaluation and Appraisal Report (EAR) adopted by the Village Council on January 6, 2014, and as accepted by the Department of Economic Opportunity on January 22, 2014. The submittal was approved upon first reading of the Village Council on July 7, 2014, and is provided to you in advance of the March 1, 2015, EAR Amendment filing deadline as scheduled by the DEO. The proposed amendments are 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, and those municipal jurisdictions adjacent to the Village of Palmetto Bay (Town of Cutler Bay, Village of Pinecrest, Coral Gables and Miami-Dade County). The submission/contact list is attached herein and the packages were sent between July 8, 2014 and July 15, 2014.

Other proposed changes to the Comprehensive Plan are reflective of ongoing long range planning efforts of the Village.

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

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

EXHIBIT 2

KIMLEY HORN'S RESPONSE TO VILLAGE STAFF

Kimley»Horn

October 23, 2014

Mr. Darby Delsalle, AICP
Village of Palmetto Bay
Village Hall - 9705 East Hibiscus Street
Palmetto Bay, FL 33157

Re: Evaluation and Appraisal Report (EAR) Based Comprehensive Plan Amendments – Response to Comments

Dear Mr. Delsalle:

We are in receipt of the comments received from the Village by the Florida Department of Economic Opportunity (DEO) per the Objections, Recommendations and Comments (ORC) Report. Consistent with these comments, we have provided amendments to the Village's proposed Comprehensive Plan or provided a response to the comment where the language is not proposed to be included (letter provided under separate cover).

In summary, comments requesting revisions were provided by the Florida Department of Economic Opportunity (DEO), South Florida Water Management District (SFWMD), and Miami-Dade County; letters of "no comment" were received from the Florida Department of Transportation (FDOT) and Florida Department of Environmental Protection (FDEP).

The majority of the comments dealt with clarification and/or revision to agency and document references, those references were corrected in the Village's Comprehensive Plan. DEO and SFWMD did comment that the Village will need to update its Water Supply Plan (WSP) within 18 months after approval of the Lower East Coast (LEC) Water Supply Plan Update by the District Governing Board, and adopt it as part of the Village's Comprehensive Plan. This does not have to be updated and adopted with the EAR-Based Comprehensive Plan Amendments (current review and adoption) but will need to be completed by March 2015. DEO also requested the Village adopt new standards and a map specific to the Coastal High Hazard Area (CHHA); this information and the map have been provided for inclusion with the adoption of the Comprehensive Plan.

Miami-Dade's requests, in addition to the corrected and updated references, also identified additional policies/language regarding consistency with the Miami-Dade Comprehensive Development Master Plan (CDMP). These requests included Levels-of-Service (LOS), air quality management, water use and efficiency measures, and flooding. All but a limited number of requests were accommodated. Those items not revised and or included were done so based on the review and understanding that similar language/standards are currently included in the Village's Comprehensive Plan, Code of Ordinances or other regulatory documents that are required to be adhered to per the Comprehensive Plan.

Should you have any further questions or concerns, please do not hesitate to contact me.

Sincerely,

B. Kelley Klepper, AICP

BKK/pjg(K:\SAR_URG\148226001 Palmetto Bay EAR Amend\URG\PLANNING\WorkingDocs\LTO_10172014_ORC_SUMMARY_DELSALLE_bkk Final.docx

Attachment

Kimley»Horn

DEO:

1. **The Village did not address the statutory changes relating to the coastal high hazard area in Section 163.3178(2)(h) and (8), F.S. The objection has 3 parts... The Recommendation has three parts as follows:**

    1. **A new policy should be added which defines the CHHA consistent with Section 163.3178(2)(h), F.S.**

    2. **A new map should be added that depicts the CHHA consistent with the Florida Statewide Evacuation Study; and**

    3. **Since the adoption of the Village's first plan, Section 163.3178(8) F.S., was revised to establish more specific criteria for hurricane evacuation. The new criteria is based on a category 5-storm event, and includes measure for out-of-county evacuation, a 12-hour evacuation time to shelter, and appropriate mitigation. The Village is requested to revise the existing Coastal Management Element Objective 5.4, Policy 5.4.3 and Policy 5.4.4 to be consistent with the noted new criteria in Section 163.3178(8) F.S.**

Response: Objective 5.4 and its respective policies have been updated to include the requested language and consistency with Section 163.3178(2)(h) and (8) F.S. In addition, a new map has been provided as part of the Village's Comprehensive Plan which depicts the CHHA as defined by the Statutes and consistent with the Florida Statewide Evacuation Study.

2. **DEO: Comment: Water Supply Facilities Work Plan. The Village is required to revise its Work Plan within 18 months after approval of the Lower East Coast (LEC) Water Supply Plan Update by the District Governing Board, and adopt it as part of the Village's Comprehensive Plan.**

Response: This Comment is understood and acknowledged by the Village. Upon adoption of the LEC Work Plan as noted, the Village will, within 18 months, revise its Work Plan and adopt it as part of the Comprehensive Plan.

SFWMD:

SFWMD comment was consistent with DEO Comment #2 above regarding the Water Supply Facilities Work Plan.

Response: See DEO Comment #2 Response.

FDOT:

No Comments

FDEP:

No Comments

Miami-Dade County

1. **Text/Reference Change Policy 2A.1.3**

Response: Reference revised as requested.

2. **Text/Reference Change 2A.2.6**

Response: Reference revised as requested.

3. **Text/Reference Change (study reference) 2A.4.6**

Response: Reference revised as requested.

4. **Text Reference Change 2A.5.8**

Response: Reference revised as requested.

5. **Text Reference Change 2B.3.1**

Response: Reference revised as requested.

6. **Text Reference Change 2C.2**

Response: Reference revised as requested.

7. **Revisions to County LOS Standards 4A.1.1**

Response: LOS Standards/Table amended.

8. **Recommended Policy additions to Objective 4A.3 including references to Miami-Dade County Codes**

Response: Not included; the requested Policies are currently contained within either the Village Code and/or other documents.

9. **Text Reference Change Policies 4A.3.3 and 11.3.3**

Response: References revised as requested.

10. **Text Reference Change Policies 4A.3.5, 4B.3.1, 6.2.2, 11.3.5 and 11.4.1**

Response: References revised as requested.

11. **Correction to LOS reference 4B.1.1**

Response: Reference removed/corrected consistent with #7 above.

12. **Correction to coordination reference Objective 4C.1**

Response: Reference revised as requested.

13. Correction to reference document 4C.1.4

Response: Reference revised as requested. The language also includes additional language allowing for the update of the reference document without requiring subsequent comprehensive plan amendments.

14. Recommended additional/clarification language 5.3.1

Response: Reference revised as requested.

15. Additional language added to policy 5.8.10

Response: privacy language added as requested.

16. Additional policies requested consistent with Infrastructure Element

Response: Additional policies have not been added as they are duplicative and/or included within existing Village Codes or other documents.

17. Text Reference Change 6.4.3

Response: Reference revised as requested.

18. Additional Policies recommended

Response: Additional policies have not been added as they are duplicative and/or included within existing Village Codes or other documents.

19. Correction to LOS standard Table 9.1

Response: LOS standard revised.

20. Addition to LOS standard Table 9.1

Response: LOS standard Table 9.1 amended to include Flood Protection.

21. Text Reference Change Table 9.1

Response: Reference revised as requested.

22. Text Reference Change 10.2.1

Response: Reference revised as requested for consistency.

23. Correction to reference 10.2.3

Response: Reference revised as requested.

24. Correction to LOS standard 11.1.1

Response: LOS standard revised for consistency.

25. Recommended new policy regarding issuance of building permits Objective 11.2

Response: Policy added as requested.

Miami-Dade DRER

1. Text Reference Change Objective 4C.1

Response: Reference revised as requested.

2. Correction to reference document 4C.1.4

Response: Reference revised as requested.

3. Recommended additional/clarification language 5.3.1

Response: Reference revised as requested

4. Additional language added to policy 5.8.10

Response: privacy language added as requested.

5. Text Reference Change 6.4.3

Response: Reference revised as requested.

6. Addition to LOS standard Table 9.1

Response: LOS standard Table 9.1 amended to include Flood Protection.

7. Requested language revisions 2A.1.1

Response: Requested language was not added as the language provided within the Village Comprehensive Plan is consistent (identical) to policy language provided within the Miami-Dade Comprehensive Development Master Plan (CDMP).

EXHIBIT 3

DECEMBER 15, 2014
CHHA MAP
STAFF MEMORANDUM

Village of Palmetto Bay

To: The Honorable Mayor and Village Council

Date: December 10, 2014

From: Ron E. Williams, Village Manager

RE: Coastal High Hazard Area Map COW Discussion Item

Pursuant to Florida Statute 163.3191, every local government is required to review their Comprehensive Plan at least once every seven (7) years. The report is called the Evaluation and Appraisal Report (EAR). The EAR Report, as submitted by staff, was approved by the Mayor and Village Council on January 6, 2014, and was accepted by the State of Florida Department of Economic Opportunity (DEO) on January 22, 2014. The Village is now required to update its Comprehensive Plan reflective of that report. The update, generally referred to as the EAR-based amendments, must be completed within a year. In this case the amendments must be fully approved by the Village Council on or before March 15, 2015. The amendments are subject to the State Coordinated Review Process as outlined in Section 163.3184(4), Florida Statutes. That process requires the Village to transmit the EAR based amendments subsequent to first reading to the DEO and other review agencies for their comment. Comments are provided back to the Village in the form of an Objections, Recommendations and Comments Report (ORC). The EAR based amendments were approved on first reading by the Mayor and Village Council on July 7, 2014 and subsequently transmitted to the State and other applicable agencies on July 22, 2014.

The majority of the comments received from the various review agencies were reflective of recommendations and did not need to be incorporated into this amendment cycle. However, one comment received directly from DEO required the inclusion of a Costal High Hazard Area (CHHA) map. The map is required pursuant to Florida Statue 163.3177(6)(g)10.b(vi) and is considered part of the Future Land Use Map (FLUM) element series. Because this map was not part of the Village's originally adopted 2005 Comprehensive Plan, the State is requiring its inclusion at this time. The data used is established by a 'Sea, Lake, and Overland Surges from Hurricanes' (SLOSH) computerized storm surge model as prepared by the Federal Emergency Management Agency (FEMA). This data was furnished to our consultant, Kimley Horn, who then prepared the map for inclusion into the EAR based amendments.

The CHHA map, does not in and of itself, alter or change the underlying permitted use of land. It does however control the development of those lands that it regulates. The map is

established to identify the likely storm surge of a Category 1 hurricane. Its principal effect is to ensure any development that occurs therein includes needed mitigation to respond to the storm surge of a Category 1 hurricane. Such mitigations may include in-kind donations of CHHA lands (mitigation), improvements to public storm shelters, and enhancements to evacuation routes to accommodate demands created by a proposed development if deficiencies in those items are identified. It also seeks to limit any government expenditures on lands that may be subject to damage or destruction from a Category 1 storm surge event.

Florida Statutes provide for minimum requirements regarding the notification procedures for the adoption of ordinances. Specifically, Florida Statute 166.41(3)(c)2 requires any ordinance sponsored by the government which rezones over ten acres of land or changes the permitted uses within a zoning category to provide notice in a newspaper of general circulation at least seven (7) days prior to first reading and five (5) days prior to second. Ordinances of a general nature only require newspaper notification before second reading. The initial EAR based amendments submitted to the Mayor and Village Council on July 7, 2014, did not include the CHHA map, did not change the permitted use of land, nor did it make changes to the Village's Zoning Map or any use within a zoning category. While the inclusion of the CHHA map does not change the actual zoning map or any use category with a zoning designation, it may have an impact on how the land use, and any potential ensuing development, may apply to particular lands within the Village. As a result, and in an abundance of caution, it was determined that the best approach was to re-advertise the item in a manner consistent with a government rezoning of lands in excess of ten (10) acres. In so doing it provides transparency to any properties that may be affected by such a change.

Darby P. Delsalle, AICP
Director of Planning & Zoning