ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO THE VILLAGE COUNCIL; AMENDING ORDINANCE 2015-04, TO MERGE PARKS & RECREATION COMMITTEE WITH COMMUNITY OUTREACH COMMITTEE; AND TO MERGE VILLAGE SERVICE COMMITTEE WITH ADMINISTRATIVE ADVISORY COMMITTEE; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE. (Sponsored by Councilwoman Larissa Siegel Lara.)

WHEREAS, in order to streamline and provide for clarity for the Advisory Boards and Committees created via Ordinance 2015-04, the Village Council has determined the necessity to merge Committees as stated herein.

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

Section 1. Chapter 2 Article II, Division 3, is hereby created, as follows:

Division 3. Advisory Boards or Committees

Sec. 2-52. Statement of Policy.

It is the intent of the Village Council of the Palmetto Bay, Florida, to enact a comprehensive policy to promote economy, efficiency, and improved service in the transaction of public business by Village Advisory Boards or Committees; therefore, the Village is hereby creating uniform policies and procedures for their creation, operation, and review.

All rules and procedures provided in this division shall apply uniformly to all advisory boards or committees, including all subcommittees, which shall include, but not be limited to, non-statutory committees, task forces, and advisory boards established by the Village council pursuant to this article.

Nothing in this Ordinance shall be construed or considered to be a delegation of any legislative power or other governmental authority by the municipal government or by any local official.

Sec. 2-53. Definition

For the purpose of this Division, the "Boards" or "Committees" shall include all non-statutory advisory committees and boards established by the Village Council to make recommendations and advise the Council regarding programs in the Village. The following definitions are provided:

(a) Internal Committees: Committees that focus upon the levels of service provided by the Village government in order to meet the Village's residents, businesses, and institutions' needs.

(b) External Boards: Boards that focus upon shared cooperative efforts with stakeholders and engage participation.

Sec. 2-54. General purpose.

The general purpose of advisory boards and committees, as created herein or as may be created from time to time, is to engage all residents and stakeholders of the Village and receive input, feedback, and recommendations concerning various Village objectives. In addition to specific missions and scopes of various advisory boards and committees, it shall be the general purpose of all advisory committees and boards in the Village to:

(a) Provide recommendations to the Village Council regarding public policies and programs;
(b) Serve as a venue for increased public engagement and discussion on any public policies and programs;
(c) Conduct analysis and discussion on any public policies and programs;
(d) Offer input that has been benchmarked and verified as technically and financially feasible~~;~~ and
(e) Consider the Village's Strategic Plan, Comprehensive Plan, and other planning documents in connection with the Advisory Board or Committee's recommendations, and report the extent to which (if any) such recommendations are inconsistent with such plans or documents.

The input, feedback, and recommendations of each Board or Committee shall be non-binding upon the Village Council.

Sec. 2-55. Boards and Committees and missions and scopes identified.

The following boards and committees are hereby created, with the corresponding objectives:

(a) Parks and Recreation <u>and Community Outreach</u> Committee:
  a. Mission: to provide recommendations to the Village Council in matters of Village parks and recreation levels of service<u>; and to provide recommendations to the Village Council in matters of community engagement and public awareness</u>.
  b. Advisory scope: to review the following:
    i. State of the Parks' structures
    ii. State of the Parks' recreational facilities
    iii. Recreational programming and fees

iv. Parks accessibility

v. Parks safety

vi. Communication strategies

vii. Communication execution

viii. Integration of community calendars

ix. Village hosted events

x. Sponsorship opportunities

xi. Stakeholder engagement practices

c. Notwithstanding any other provision of this Ordinance, all members of the Parks and Recreation Committee and all members of the Community Outreach Committee on the effective date of this amendment are automatically members of the Parks and Recreation and Community Outreach Committee. Membership shall be reduced to the otherwise authorized number for a member through attrition and expiration of membership.

(b) ~~Community Outreach Committee:~~

~~a. Mission: to provide recommendations to the Village Council in matters of community engagement and public awareness~~

~~b. Advisory scope: to review the following:~~

~~i. Communication strategies~~

~~ii. Communication execution~~

~~iii. Integration of community calendars~~

~~iv. Village hosted events~~

~~v. Sponsorship opportunities~~

~~vi. Stakeholder engagement practices~~

(b) ~~(c)~~Village Services and Administrative Advisory Committee:

a. Mission: to provide recommendations to the Village Council in matters of Village services; and, to provide recommendations to the Village Council in matters of Village administrative process that impact all Village Departments.

b. Advisory scope: to review the following:

i. Level of infrastructure

ii. Infrastructure maintenance

iii. Safety initiatives

iv. Transportation initiatives

v. Service management practices

vi. Effectiveness of current laws and procedures

vii. Fee structures

viii. Capital outlay and management

ix. Financial performance
x. Budget development process
xi. Budget review process
xii. Inter-governmental engagement process
xiii. Organizational structure effectiveness
xiv. Procurement practices
xv. Customer service performance and practices

~~(d)Administrative Advisory Committee:~~

~~a. Mission: to provide recommendations to the Village Council in matters of Village administrative process that impact all Village Departments~~

~~b.Advisory scope: to review the following:~~

~~vii. Financial performance~~
~~viii. Budget development process~~
~~ix. Budget review process~~
~~x. Inter-governmental engagement process~~
~~xi. Organizational structure effectiveness~~
~~xii. Procurement practices~~
xiii. ~~Customer service performance and practices~~

Sec. 2-56. Creation of new advisory boards and committees

(a) All new Village advisory boards or committees that do not fall under one of the objectives listed in Section 2-54 shall be created only by modification to this ordinance. All members, liaison, and any subsequently created or existing Subcommittees shall be accomplished via resolution.

(b) After passage on first reading of an ordinance creating a new board and prior to the public hearing held on said ordinance, the Councilmember sponsoring said Board and Committee shall submit to the Village Clerk, a memorandum setting forth the following information concerning the proposed new board, which shall be distributed to the Village Council:

(1) Whether the establishment of the board will create sufficient betterment to the community to justify the Village investment in the creation of a Board or Committee.

(2) Whether another board or agency, either public or private, which is already in existence, could serve the same purpose.

(3) The costs, both direct and indirect, of establishing and maintaining the board.

(4) Whether the board is necessary to enable the Village to obtain State, County, or federal grants or other financing.

(5) Whether the creation of a new board is the best method of achieving the benefit desired.

(c) The public hearing shall be held no earlier than six (6) weeks after passage on first reading of the ordinance creating said board.

Sec. 2-57. Membership Appointment.

(a) Advisory Board or Committees shall be made up of at least five members; regardless of the number of members, all Boards or Committee shall be odd-numbered. The Mayor, Vice Mayor and member of the Council shall each have at least one appointment to each Board or Committee without approval of the Council. Boards or Committees beyond five members shall be appointed by the Council at large. Members of Advisory Boards or Committees under this Section shall either:

(1) Be a resident of the Village; or
(2) Be employed within the Village; or
(3) Own a business located in the Village.

(b) The Village Council shall appoint a non-voting Council Liaison to each Board or Committee. Administration shall appoint a non-voting staff representative to each Board or Committee. The Mayor shall be a non-voting Honorary Liaison to each Board or Committee. Council Liaisons are not members of the Committee and shall participate on the same status and terms as members of the public.

(c) The Council must, by Resolution, specify any additional structures or procedures for the advisory committees and boards covered by this Chapter, including increasing the size and specifying the method of appointment for additional members.

Sec 2-58. Membership Limitations.

Members of the Advisory Boards or Committee shall not:

(a) Serve on more than one (1) Committee created by this Section at the same time.
(b) Receive compensation and shall not otherwise obtain direct or indirect financial gain from their service in the Committee.
(c) Be related to the Village Council members. Related shall mean: spouse, child, sister, brother, parent or in-laws.
(d) Be a registered candidate for elective political office, unless the Village Council, by majority vote, waives this prohibition.
(e) Be eligible to serve if, at any time during their term, the person has filed a lawsuit against the Village that is pending, unless the Village Council, by majority vote, waives this prohibition.
(f) Ethical requirements applicable to Village Council members and village employees are likewise applicable to all members of advisory committees or boards.

Advisory board or Committee members may be removed by affirmative majority of the Village council. The Village Council need not state grounds for the removal of a Board or Committee member.

Sec 2-59. Term of Office.

(a) The terms of office of the members of each Board or Committee shall serve a two-year term once appointed.

(b) No Board member shall serve more than six consecutive years on any one board.

(c) Notwithstanding any other provision of this Code or any resolution, the term of every board member nominated by a Council member shall automatically expire when:

a. The nominating Council member leaves office; or

b. The nominating Council member's term of office expires.

An incoming Council member may re-appoint the individual member, if they so desire, for an additional term or any period of time they chose.

(d) Should a vacancy on a Board or Committee remain unfilled for thirty (30) days, which is subject to individual Councilmember appointment, it may be filled by nomination of the Village Council. However, that member's appointment shall be subject to the provisions of subsection 2-58(d), listed above, as if they were nominated by a Council member.

(e) If at any time, a member of the Village Council desires the removal of a member of the Committee, said removal shall occur via resolution with majority vote.

Sec. 2-60. Oath Requirement.

All Committee members shall be required to subscribe to an oath or affirmation to be filed by the Village Clerk, swearing to support, protect and defend the Constitution and laws of the United States, and of the State, the Charter and all ordinances of the Village of Palmetto Bay and in all respects to faithfully discharge their duties.

Sec. 2-61. Applicability and Explanation of Laws.

All Committee members shall be subject to the State of Florida, Miami-Dade County Code of Ethics and all rules, resolutions and regulations present and future of Palmetto Bay regarding committees including decorum, ban on political activity and advocacy in committees and public comment. Upon appointment, a Village representative shall provide Committee members with a copy of the applicable ethics laws and provide an explanation of the State of Florida and Miami-Dade County Code of Ethics (sunshine law, public records law, conflict of interest policy), and a copy of this Division to the Committee member.

Sec. 2-62. Public Meetings.

All meetings and business of the Committees shall comply with the requirements of Chapters 119 (Public Records) and 286 (Sunshine), Florida Statutes. All meetings of the Boards and Committees shall be open to the public at all times. Meetings shall be conducted in accordance with Robert's Rules of Order.

Approval of the minutes of the previous meeting shall be included in each agenda of a regular committee meeting and the draft minutes shall be presented to the Village Clerk's Office for dissemination to each committee member no later than three (3) business days prior to the meeting.

Regular committee meetings will be canceled by the Village Clerk if the meeting minutes of the prior regular committee meeting (or any other previously pending minutes at the time of approval of these rules, regulations & procedures) are not submitted for committee approval by the established deadline.

Rescheduling of canceled regular committee meetings shall take place upon the submission of minutes of the prior meeting for approval.

Sec. 2-63. Regular Meetings.

Each Committee shall hold at least one regular publicly noticed meeting each quarter at a location open to the public within the Village.

During the initial (organizational) meeting of a committee and during the first meeting of a committee of each calendar year, the committees shall, by a majority vote, set a meeting schedule for regular meetings throughout the year. The committee meeting schedule shall include the date, time, and location of the meetings and must receive approval from the Village Clerk to avoid scheduling conflicts. Changes in the schedule may be made and will be properly published in accordance with the Sunshine Law.

Advisory committees and board meetings shall not conflict the regular Village council meetings. Advisory committees and board meeting schedules that conflict with any previously established advisory board meeting schedules are discouraged, and the clerk will advise the corresponding advisory board(s) of any such conflict(s). Advisory boards shall make every attempt to resolve any possible conflict with other advisory board schedules when approving their regular meetings for the fiscal year. While all parties involved will make every effort to avoid the scheduling of more than one public meeting at the same time, it is recognized that it may be necessary, from time to time, to arrange more than one advisory board meeting at the same time in order to ensure that each advisory board is able to duly meet and conduct business.

Sec 2-64. Special Meetings.

Special meetings may be held upon the call of the Chairperson or a majority of the advisory board or committee. Notice of special meetings shall be by sent via e-mail to the Committee member's e-mail address on file with the Village Clerk's Office and shall be received by the committee member with a minimum of 24 hours' notice before the meeting. Special meetings shall be publicly noticed in compliance with Ch. 286 F.S. and held at a public location within the Village, as set by the Chairperson with coordination by the Village Clerk.

Section 2-65. Agenda.

The agenda for all meetings of the Advisory Board or Committee shall be prepared by the Chairperson or in the absence of the Chairperson, the Vice Chairperson. Consistent with the legal requirements regarding public notice of meetings, additional agenda items may be proposed by any member of the Advisory Board or_Committee either during an advisory board or committee meeting with respect to the Agenda for the next meeting or by request to the Village

Clerk's Office. If requested through the Village Clerk's office, the Village Clerk's office will notify the Chairperson and other committee members of the request to add an agenda item and the item will be added. Upon receipt of the Committee's Agenda, the Clerk will post said Agenda posted at Village Hall and on the Village's website.

Items proposed after the agenda is distributed may only be heard under "New Business" and upon an affirmative vote of the majority of the Committee members present at the meeting, but no vote shall be taken on such "New Business" until the next meeting at which the item has been published in the Agenda. Public comment shall be allowed at all meetings.

All agenda materials including back-up material and minutes shall be provided to the Village Clerk's Office no later than three (3) business days prior to a regularly scheduled committee meeting.

Sec 2-66. Quorum.

Fifty percent (50%) of the Committee members appointed to the Committee shall constitute a quorum. Provided there is a quorum, a majority of those present and voting shall be required to adopt any motion or take any action. No actions may be taken without a quorum present although those in attendance may still have discussion.

Sec 2-67. Voting.

Each Committee member shall be entitled to one (1) vote on matters coming before the Committee. The Committee shall act as a body in making its decisions. No member present at a meeting may abstain from voting except in cases of a conflict of interest, as provided in Florida Statutes and the Miami-Dade County Code of Ethics. A member must be present to vote. Proxy votes shall not be permitted.

Sec. 2-68. Attendance.

In the event a Committee member fails to attend three (3) regularly scheduled meetings in one calendar year, without excuse and without prior notice to the chairperson, the Committee member will automatically be removed from the Committee and the Council will be notified of the vacancy.

Sec 2-69. Officers and Elections.

Every Committee shall elect a Chairperson and Secretary annually, or as vacancies occur, at the first meeting conducted to serve for a term of one (1) year. The Board or Committee may not meet in the absence of a Secretary or his/her designee.

Sec 2-70. Records.

Minutes of all Committee meetings shall be recorded by the Secretary and shall be available for public inspection. The Secretary shall forward all approved minutes to the Village Clerk's Office

within five (5) days following the meeting. Once approved, the Village Clerk shall archive all meeting minutes and post same on the Village's website until at least three months post sunsetting of the committee.

Sec 2-71. Access to Village Information and Records.

Advisory Committees and Boards shall have access to all necessary information and records, as follows:

(1) Advisory Committees and Boards, upon a vote of the Committee or Board, shall request the information in writing with specificity from the Village Manager; and

(2) The Village Manager shall supply such requested information or records to the extent that such request is not excessive, oppressive, involve undue costs, or contain confidential or exempt material.

Sec 2-72 Board and Committee Reports.

The Chairperson or his/her designee shall present a quarterly written report to the Village Council, which shall be submitted in writing to the Village Clerk's Office and the Village Manager. All reports shall be approved by the Committee prior to submission to the Village Clerk's Office and Village Manager's Office and prior to presentation to the Village Council.

The quarterly report shall be part of the Village Council official Agenda, under Item 8, Board and Committee Reports. The report shall, minimally, answer the following four questions:

1. How many meetings were held.
2. What were the main topics of discussion.
3. What are the Board/Committee's recommendations.
4. What does the Board/Committee need from the Council.

In any event, no committee shall be permitted to meet or otherwise conduct business during any period that the committee is not in compliance with all document requirements and is up to date on its minutes and/or quarterly reports to the Village Council. The only exception to this is any action required to bring minutes and/or quarterly reports up to date and to have such documents properly transmitted to the Village Clerk and Village Council.

Upon the request of the Village council, the advisory boards shall submit an annual written report to the Village. The advisory boards may submit such other single and/or multiple issue reports and/or other correspondence to the Village council as deemed appropriate by a majority of the corresponding advisory board. All reports shall be approved by the advisory board prior to submission to the Village clerk's office or presentation to the Village council.

Sec. 2-73 "Sunset" review of boards.

Each year, the Village Council shall review each Board or Committee in the following manner:
(a) By February of each year, each board's chairperson shall submit a written report, through the Village Clerk's office, setting forth the following information concerning the board:

(1) Whether the board is serving the purpose for which it was created.

(2) Whether the board is serving current community needs.

(3) A list of the board's major accomplishments.

(4) Whether there is any other board, either public or private, which would better serve the function of the board.

(5) Whether the ordinance creating the board should be amended to better enable the board to serve the purpose for which it was created.

(6) Whether the board's membership requirements should be modified.

(7) The cost, both direct and indirect, of maintaining the board.

(8) Whether the County board is meeting performance measures developed to determine their effectiveness in achieving stated goals.

(b) At the March Regular Council Meeting, the Village Clerk shall place discussion concerning the Board or Commission on the Village Council Agenda, together with any recommendation that the Village Manager wishes to provide. At this meeting, the Chairperson shall make an oral presentation to the Village Council.

(c) The Village Council, by majority vote, shall determine whether to abolish, continue, consolidate, or modify the Board or Committee. Absent any action by the Village Council, the Board or Committee shall continue in existence.

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.

First reading: _____

Second reading: _____

PASSED AND ENACTED this _____ day of _____, 2016.

Attest: _____ _____

Meighan Alexander — Eugene Flinn

Village Clerk — Mayor

APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE AND RELIANCE OF THE VILLAGE OF PALMETTO BAY, FLORIDA 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 _____

To:	Honorable Mayor and Village Council	Date:	June 6, 2016
From:	Edward Silva, Village Manager	Re:	Water Facilities Work Plan - 1st Reading

AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, ACTING IN ITS CAPACITY AS THE MAYOR AND VILLAGE COUNCIL AND AS THE LOCAL PLANNING AGENCY; AMENDING ELEMENTS, 1, 4, 6, 8, 9, AND 11 OF THE VILLAGE'S COMPREHENSIVE PLAN AS THEY PERTAIN TO WATER SUPPLY FACILITY GOALS, OBJECTIVES, AND POLICIES OF THE VILLAGE'S COMPREHENSIVE PLAN; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.

BACKGROUND:

Chapter 163.3177(6)(a), *Florida Statutes*, requires local governments to prepare and adopt Water Supply Facilities Work Plan to their comprehensive plans after the regional water management agency with jurisdiction approves theirs. The Village is located in the South Florida Water Management District, and their 2013 Lower East Coast Water Supply Plan Update (LEC) was approved on October 10, 2013. The sole utility providing potable water to the Village is the Miami-Dade County Water and Sewer Department. They have completed their plan as well and ours must now be consistent therewith. The attached study provides a fuller explanation of the requirement for the study and any relevant findings thereto. The attached proposed Ordinance aligns the Village's Water Supply Facilities Work Plan with the plans for Miami-Dade County and the South Florida Water Management District.

COMPREHENSIVE PLAN AMENDMENTS – PROCEDURALLY:

At the first public hearing, the Village Council shall take action to deny or approve the proposed ordinance, or approve it with modifications or conditions for purposes of transmittal to Florida Department of Economic Opportunity (DEO) Pursuant to Section 163.3184, Florida Statutes. If denied by the DEO, the Village may resubmit the application as provided under Section 30-30.2, of the Village's Code. If approved for purposes of transmittal, the Village shall thereafter provide the necessary administrative support for the DEO's review process required under Section 163.3184, et seq., Florida Statutes, and the Village's ordinance would go into effect upon adoption at the second public hearing.

ANALYSIS:

The following is a review of the request pursuant to the Village's Comprehensive Amendment criteria found at Section 30-30.8(b) of the Land Development Code. The Background Section this report and the attached study prepared by The Corradino Group, 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: Chapter 163.3177(6)(a), *Florida Statutes*, requires local governments to prepare and adopt Water Supply Facilities Work Plan to their comprehensive plans after the water management with jurisdiction approves theirs. The South Florida Water District Completed their plan and so has Miami-Dade County which is the sole potable water utility to the Village. The proposed ordinance is consistent with those plans

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 Criteria 1. Recent Changes to state statutes required the Village to complete this update to their Water Facilities Work Plan.

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 amendment does not affect permitted use and only seeks to ensure availability of potable water as new development comes on line.

Finding: Consistent.

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

Analysis: The intent of the Water Facility Work Plan is to ensure continued availability of potable water to the business and residents of the Village. This plan serves the general welfare.

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 through 4 and the Background Section of this report and the attached study.

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 intent of the Comprehensive Plan.

Analysis: See Criteria 1 through 4 and the Background Section of this report and the attached study.

Finding: Consistent.

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

Analysis: See Criteria 1 through 4 and the Background Section of this report and the attached study. No portion of the amendment violates Section 163.3161.

Finding: Consistent.

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

Finding: Decision for the Village Council.

FISCAL/BUDGETARY IMPACT:
No budgetary impact is anticipated at this time.

RECOMMENDATION:
Approval is recommended.

Darby Delsalle, AICP
Director of Planning and Zoning

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 ELEMENTS, 1, 4, 6, 8, 9, AND 11 OF THE VILLAGE'S COMPREHENSIVE PLAN AS THEY PERTAIN TO WATER SUPPLY FACILITY GOALS, OBJECTIVES, AND POLICIES OF THE VILLAGE'S COMPREHENSIVE PLAN; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, Chapter 163.3177(6)(a), *Florida Statutes*, requires local governments to prepare and adopt Water Supply Facilities Work Plan to their comprehensive plans after the water management with jurisdiction approves theirs; and

WHEREAS, the Village is located in the South Florida Water Management District region in southeast Florida, and their 2013 Lower East Coast Water Supply Plan Update (LEC) was approved on October 10, 2013; and

WHEREAS, because Miami-Dade Water and Sewer Department is the Villages sole utility for the provision of potable water, the Village's Water Supply Facilities Work Plan must be consistent therewith; and

WHEREAS, this ordinance aligns the Village's Water Supply Facilities Work Plan with the Miami-Dade County and with the South Florida Water Management District; 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 _____, 2016, the Local Planning Agency recommended approval the proposed ordinance; and

WHEREAS, in light of the above, Village of Palmetto Bay desires to amend its Comprehensive Plan effectively updating its Water Supply Facilities Work Plan as so required by State Statute and consistent with Miami-Dade County and the South Florida Water Management District.

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.

Additions shown by underlining and deletions shown by ~~overstriking~~.
"***" indicates portions of code excluded.

Section 2. Compliance with Criteria. In evaluating an application for a Comprehensive Plan amendment, from Neighborhood Mixed Use and Mixed Use Corridor, the Palmetto Bay Village Council is applying the standard under 30-30.8(b), of the Village's Code.

Section 3. Amendment. The Land Use Element of the Village's Comprehensive Plan is amended to read as follows:

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 1.3 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 1.3.5 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.~~ November 2014.

* * *

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.**

* * *

Additions shown by underlining and deletions shown by ~~overstriking~~.
"***" indicates portions of code excluded.

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.2.5 Reserved. ~~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.~~

Objctive 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.3.3 Florida Friendly Landscape guidelines and principles. The Village will encourage the use of gutter downspouts, roof runoff, and rain harvesting through the use of rain barrels and directing runoff to landscaped areas, drip irrigation or micro-sprinklers, and the use of porous surface materials (bricks, gravel, turf block, mulch, pervious concrete, etc.) on walkways, driveways and patios. ~~Encourage the use of water-saving "Florida Friendly" plants, watering techniques and landscape designs in existing and future developed areas of the Village~~.

* * *

Policy 4A.3.7 All future development will be required to comply with water use efficiency techniques for indoor water use in accordance with Section 8-31, 31-84 and 8A-381 of the Code of Miami-Dade County. The Village will require the use of high efficiency toilets, showerheads, faucets, clothes washers and dishwashers that are Energy Star rate and WaterSense certified in all new and retrofitted residential and commercial projects, as required by the Miami-Dade County Water Use Efficiency Standards Ordinance 08-100 (Effective Date January 1, 2009) and Manual and adopt an ordinance to effectuate the same by January 1, 2017.

* * *

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 6.2 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 By January ~~2016~~ 2017, updates to the Land Development Regulations, 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 6.2.10 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. The Village will participate, when warranted, in the SFWMD's Water Savings Incentive Program (WaterSIP) for large-scale retrofits as recommended by the 2013 Lower East Coast Water Supply Plan Update.

Policy 6.2.11 ~~Encourage the use of water-saving "Florida Friendly" plants, watering techniques and landscape designs in existing and future developed areas of the Village.~~ The Village will encourage the use of Florida Friendly Landscape guidelines and principles including gutter downspouts, roof runoff, and rain harvesting through the use of rain barrels and directing runoff to landscaped areas, drip irrigation or micro-sprinklers, and the use of porous surface materials (bricks, gravel, turf block, mulch, pervious concrete, etc.) on walkways, driveways and patios.

* * *

Policy 6.2.15 All future development will be required to comply with water use efficiency techniques for indoor water use in accordance with Section 8-31, 31-84 and 8A-381 of the Code of Miami-Dade County. The Village will require the use of high efficiency toilets, showerheads, faucets, clothes washers and dishwashers that are Energy Star rate and WaterSense certified in all new and retrofitted residential and

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"***" indicates portions of code excluded.

commercial projects, as required by the Miami-Dade County Water Use Efficiency Standards Ordinance 08-100 (Effective Date January 1, 2009) and Manual and adopt an ordinance to effectuate the same by January 1, 2017.

* * *

Policy 6.2.18 The Village shall submit a water conservation plan to the County as required by the Miami-Dade County Code, Section 32-83.1. Said Plan shall be updated for the County's approval every five years following submittal and Conserve Florida Guide generated reports shall be filed annually at the close of the fiscal year.

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 8.1.7 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), including the 2013 Lower East Coast Water Supply Plan Update.

* * *

Policy 8.1.19 The Village will coordinate with the South Florida Water Management District concerning its jurisdictional authority as necessary and support its efforts concerning the 2013 Lower East Coast Water Supply Plan Update. ACCELER8 Everglades and CERP and the Biscayne Bay Coastal Wetlands Project to protect an Outstanding Florida Water Biscayne Bay. The Village hereby adopts by reference the Miami-Dade County Comprehensive Development Master Plan Amendments adopted February 4, 2015. The Miami-Dade WASD 20-year Water Supply Facilities Work Plan Update (2014-2033) Support Data (November 2014), the 2013 Lower East Coast Water Supply Plan Update (LEC) approved by the

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South Florida Water Management District (SFWMD on October 10. 2013 and additional information found within Water Use Permit 13-00017-W are herein incorporated by reference.

Policy 8.1.20 The Village does not provide water to other local governments, but will negotiate or renew inter-local agreements with water supply providers ensuring contractual agreement of the adopted level of service standards, service area, populations and time period for services provided.

* * *

9.0 CAPITAL IMPROVEMENT 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 9.2 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. Prior to approval of a building permit or its functional equivalent, the Village shall consult with the MDCWASD to determine whether adequate water supplies to serve new development will be available no later than the anticipated date of issuance by the Village of a Certificate of Occupancy or its functional equivalent.

* * *

Policy 9.2.10 The Village shall provide monthly data to the Miami-Dade County WASD, as required by such entity, to track the amount of water to be allocated for new use.

* * *

11.0 WATER SUPPLY FACILITY ELEMENT

Additions shown by underlining and deletions shown by ~~overstriking~~.
"***" indicates portions of code excluded.

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~~ 97.54 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.

* * *

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 11.2.5 Reserved. ~~Continue to monitor and maintain 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.~~

* * *

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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 11.5.11 Miami-Dade County Water Supply Facilities Work Plan, ~~revised March 2008 as prepared by Camp, Dresser, and McKee, Inc~~. revised November 2014 is hereby adopted by the Village, the 20-year work plan schedule is consistent with the Village's work plan schedule.

* * *

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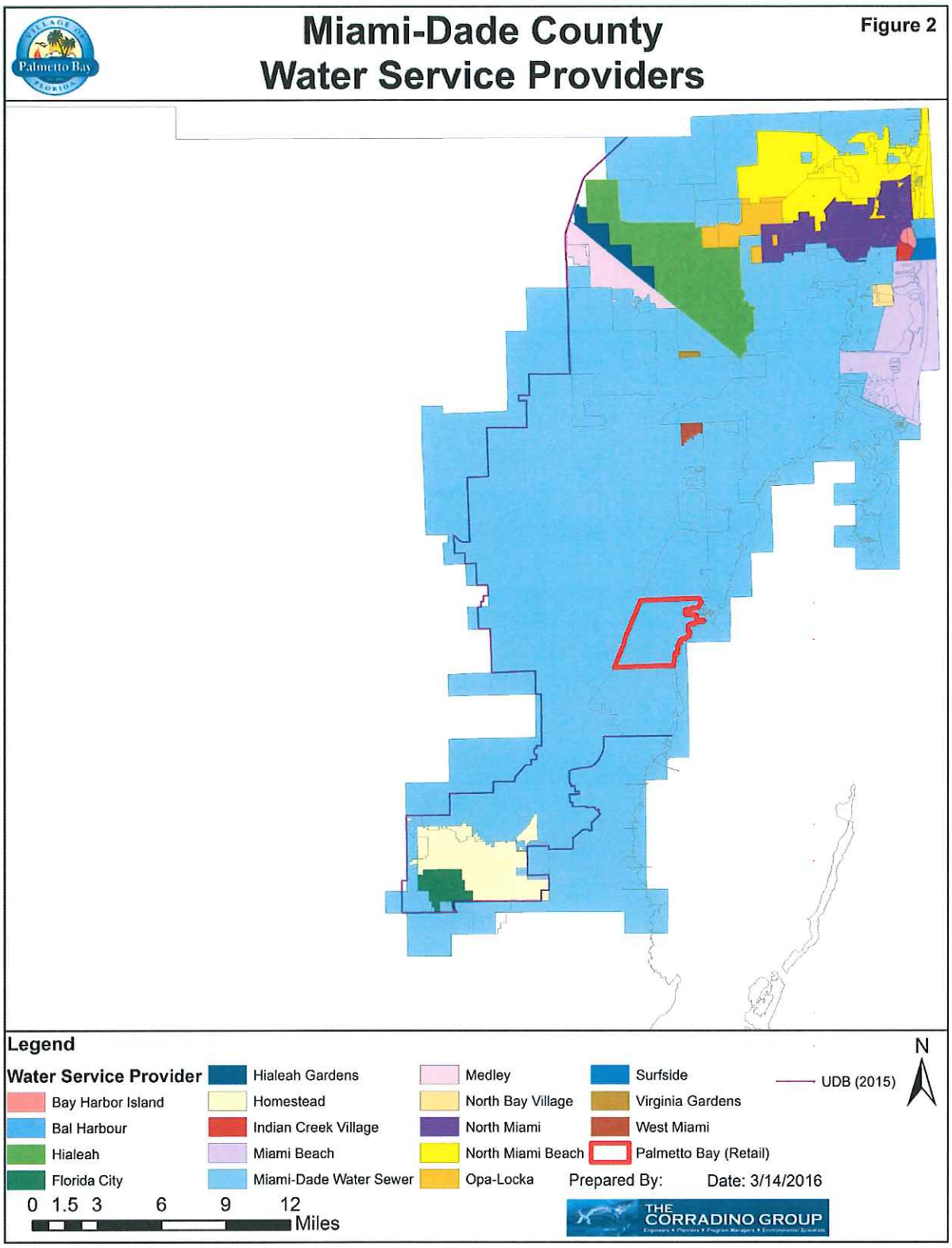
"***" indicates portions of code excluded.



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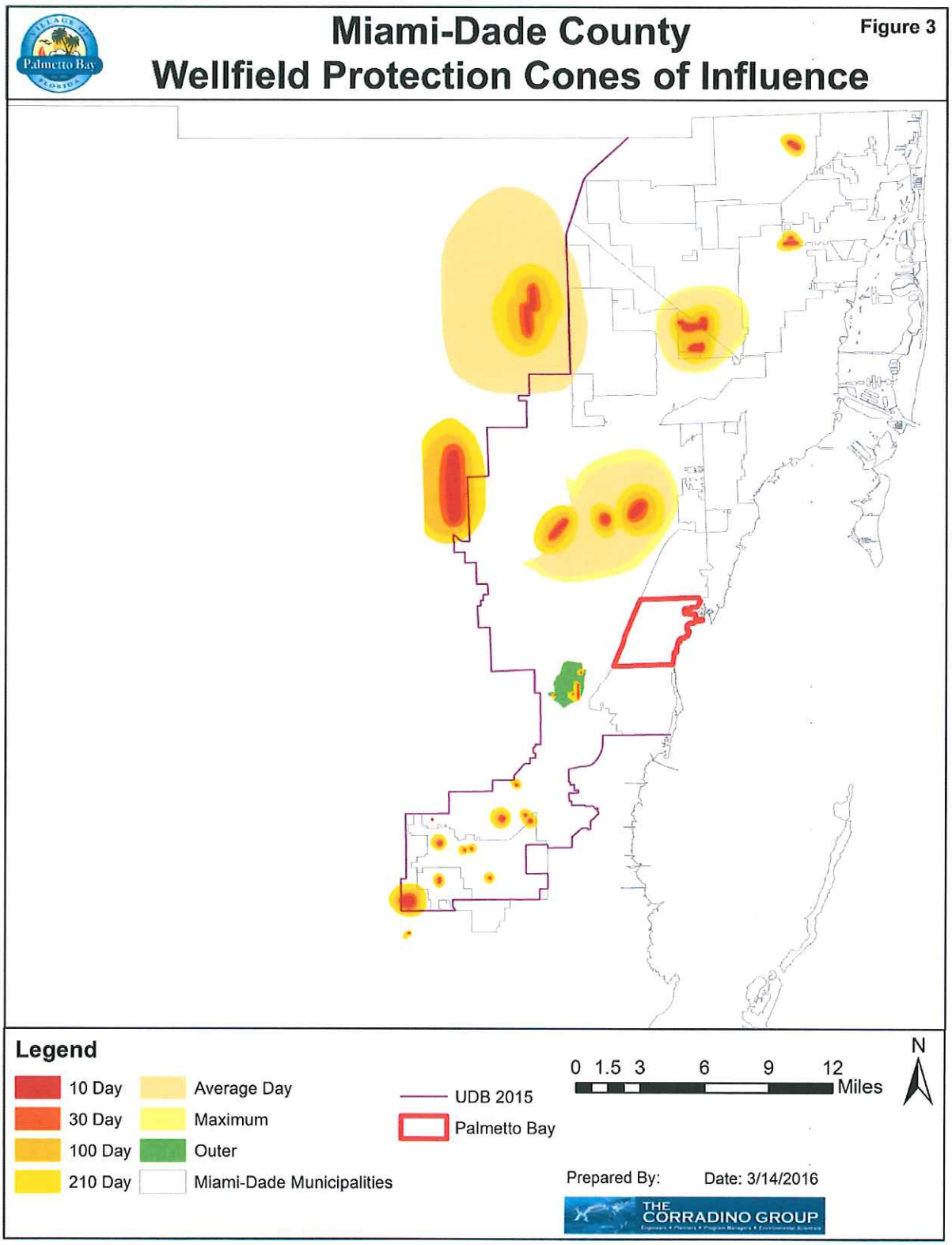

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"***" indicates portions of code excluded.

* * *

Section 4. Transmittal. The Village Council, acting in its capacity as the Local Planning Agency, approves the above amendment, as further modified herein. The Village Council, acting in its capacity as the Local Planning Agency, further recommends to the Village Council that it authorize the Village Clerk to transmit the attached amendments to the FLUM to the State of Florida Department of Economic Opportunity (DEO) and all other governmental bodies, agencies, or private individuals as required by State law.

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. Conflicts. The provisions of the Comprehensive Plan 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 7. 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 Comprehensive Plan of the Village of Palmetto Bay, Florida.

Section 8. Effective Date. This ordinance shall upon enactment.

PASSED and ENACTED this _____ day of _____, 2016.

First Reading: _____

Second Reading: _____

Attest: _____ _____

Meighan Alexander
Village Clerk

Eugene Flinn
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 _____

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Village of Palmetto Bay

20-YEAR WATER SUPPLY FACILITIES WORK PLAN

2016-2036

First Reading June 6, 2016

FINAL

ACKNOWLEDGEMENTS

Village Council

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John DuBois, Vice Mayor
Karyn Cunningham
Tim Schaffer
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1.0 INTRODUCTION

The Village of Palmetto Bay (Village) acknowledges the importance of water conservation and reuse and has included policies in its Comprehensive Plan in order to assist in implementing related strategies. The Village also recognizes that in order to maintain a proactive water conservation program there must be an effective coordination program with the Miami-Dade County Water and Sewer Department (MDWASD) to ensure the success of the program. In addition, the Village maintains an excellent working relationship with MDWASD as a retail customer to ensure compliance with all applicable regulations and guidelines. As a retail customer, the Village residents buy their water directly from MDWASD at a determined rate. Under this arrangement, the Village's Public Services Department coordinates with WASD to ensure that enough capacity is available for existing and future customers and supporting infrastructure (e.g. adequately maintaining water lines).

The Village 2016-2036 20 Year Water Supply Facilities Work Plan (hereinafter the Work Plan) will reference the initiatives already identified in the Miami-Dade County's 20-year Water Supply Facilities Work Plan Update, which was adopted on February 4, 2015, since the Village is a retail customer. According to state guidelines, the Work Plan and the Comprehensive Plan (Comp Plan) elements must address the development of traditional and alternative water supplies, bulk sales agreements and conservation and reuse programs that are necessary to serve existing and new development for at least a 10-year planning period.

The purpose of the Village of Palmetto Bay's new 20-Year Water Supply Facilities Work Plan is to identify and plan for the water supply sources and facilities needed to serve existing and new development within the local government's jurisdiction. This Work Plan will be adopted with a 20-year planning horizon to be consistent with both the Miami-Dade County and South Florida Water Management District Water Facilities Work Plans. Chapter 163, Part II, F.S., requires local governments to prepare and adopt Water Supply Work Plans into their comprehensive plans within 18 months after the water management district approves a regional water supply plan or its update. Updates to the original Work Plan are required every five years. The Village is located in the South Florida Water Management District region in southeast Florida (Figure 1). The *2013 Lower East Coast Water Supply Plan Update* (LEC) was approved by the South Florida Water Management District (SFWMD) on October 10, 2013. Therefore, local governments within the South Florida Water Management District Lower East Coast jurisdiction should amend their comprehensive plans by adopting a Work Plan or Update by March 13, 2015. As stated previously, MDWASD provides retail potable water service to its customers in the Village (Figure 2).

The Village's Work Plan is divided into six sections:

Section 1 – Introduction
Section 2 – Background Information
Section 3 – Data and Analysis
Section 4 – Intergovernmental Coordination
Section 5 -- Capital Improvement Elements
Section 6 – Goals, Objectives, Policies

1.1 Statutory History

The Florida Legislature has enacted bills in the 2002, 2004, 2005 and 2011 sessions to address the state's water supply needs. These bills, especially Senate Bills 360 and 444 (2005 legislative session), significantly changed Chapter 163 and 373 Florida Statutes (F.S.) by strengthening the statutory links between the regional water supply plans prepared by the water management districts and the comprehensive plans prepared by local governments. In addition, these bills established the basis for improving coordination between the local land use planning and water supply planning.

1.2 Statutory Requirements

The Village of Palmetto Bay has considered the following statutory provisions when updating the Water Supply Facilities Work Plan (Work Plan):

1. Coordinate appropriate aspects of its comprehensive plan with the South Florida Water Management District's Regional Water Supply Plan, [163.3177(6)(a), F.S.].
2. Ensure that its future land use plan is based upon availability of adequate water supplies and public facilities and services [s.163.3177(6)(a), F.S. Data and analysis demonstrating that adequate water supplies and associated public facilities will be available to meet projected growth demands must accompany all proposed Future Land Use Map amendments submitted for review.
3. Ensure that adequate water supplies and facilities are available to serve new development no later than the issuance by the local government of a certificate of occupancy or its functional equivalent and consult with the applicable water supplier to determine whether adequate water supplies will be available to serve the development by the anticipated issuance date of the certificate of occupancy [s.163.3180 (2)(a), F.S.].
4. For local governments subject to a regional water supply plan, revise the General Sanitary Sewer, Solid Waste, Drainage, Potable Water, and Natural Groundwater Aquifer Recharge Element (the "Infrastructure Element"), within 18 months after the water management district approves an updated regional water supply plan, to:
    a. Identify and incorporate the alternative water supply project(s) selected by the local government from projects identified in the updated SFWMD Regional Water Supply Plan or the alternative project(s) proposed by the local government under s. 373.709(8)(b), F.S. [s. 163.3177(6)(c), F.S.];

b. Identify the traditional and alternative water supply projects, and the conservation and reuse programs necessary to meet water needs identified in the SFWMD Regional Water Supply Plan [s. 163.3177(6)(c), F.S.]; and,
c. Update the Work Plan for at least a 10-year planning period for constructing the public, private, and regional water supply facilities identified in the element as necessary to serve existing and new development. [s. 163.3177(6)(c), F.S.].

5. Revise the Five-Year Schedule of Capital Improvements to include water supply, reuse, and conservation projects and programs to be implemented during the five-year period [s. 163.3177(3)(a)4, F.S.].
6. To the extent necessary to maintain internal consistency after making changes described in Paragraph 1 through 5 above, revise the Conservation Element to assess projected water needs and sources for at least a 10-year planning period, considering the SFWMD Regional Water Supply Plan, the applicable District Water Management Plan, as well as applicable consumptive use permit(s). [s.163.3177 (6)(d), F.S.]. The plan must address the water supply sources necessary to meet and achieve the existing and projected water use and demand for the established planning period, considering the SFWMD Regional Water Supply Plan [s.163.3167(9), F.S.].
7. To the extent necessary to maintain internal consistency after making changes described in Paragraphs 1 through 5 above, revise the Intergovernmental Coordination Element to ensure coordination of the comprehensive plan with the SFWMD Regional Water Supply Plan [s.163.3177(6)(h)1., F.S.].
8. While an Evaluation and Appraisal Report is not required, local governments are encouraged to comprehensively evaluate, and as necessary, update comprehensive plans to reflect changes in local conditions. The evaluation could address the extent to which the local government has implemented the need to update their Work Plan, including the development of alternative water supplies, and determine whether the identified alternative water supply projects, traditional water supply projects, and conservation and reuse programs are meeting local water use demands [s.163.3181(3), F.S.].

2.0 BACKGROUND INFORMATION

2.1 Overview

The intent of this section is to provide an overview of the Village including information on land use and population.

The Village of Palmetto Bay was incorporated in 2002. The Village covers a rectangular-shaped, 8.9 square mile area which is approximately defined by Howard Drive (SW 136 St) on the north, Eureka Drive (SW 184 St) on the south, South Dixie Highway (US-1) on the east and Biscayne Bay on the west. The Village is bordered by the Village of Pinecrest to the north, the City of Coral Gables to the north-east, the Town of Cutler Bay to the south and Unincorporated Miami-Dade County to the west.

Palmetto Bay's municipal form of government as set forth in its charter is "Council-Manager." The elected officers are the Mayor, Vice-Mayor and three Residential Council members, who are all elected at-large for four year terms. The Manager is the chief administrative officer of the Village and is responsible for the day-to-day functions. The Manager is responsible for presenting the annual budget to the Council members for approval.

The Village of Palmetto Bay is substantially built-out. The Village's current population is approximately 24,440 (2015 Miami-Dade County WASD estimate), with future development potential and population growth limited by the scarcity of vacant and developable land. The redevelopment of properties along US-1 including the Franjo Triangle, which according to its Master Plan is calling for higher density, and the potential expansion of the Village's current boundaries through annexations, are the only factors that might result in significant population increase during the planning period. The vast majority of the Village of Palmetto Bay is served by public water lines. The Miami-Dade Water and Sewer Department is responsible for water supply, treatment and transmission. New development and redevelopment are not expected to significantly increase needs for water service. There are no classified prime groundwater recharge areas within the Village of Palmetto Bay. Aquifer recharge sources in the Village include the Cutler Drain Canals and Biscayne Bay and their tributaries, drainage structures designed for infiltration, and lawns and swales.

The Village of Palmetto Bay is a small municipality in the middle of a major metropolitan area. A great majority of the Village is encompassed by single-family homes and commercial shopping areas along US-1. Future population estimates are based on the MDWASD population estimates for Retail Customers by municipality. As stated above the current population of the Village is 24,440 increasing to 24,848 in 2020; 25,357 in 2025; and, 25,866 in 2030.

2.2 Relevant Regional Issues

Regional issues that affect the Village of Palmetto Bay include minimizing pressure on the Everglades and Biscayne Bay ecosystems and Biscayne and Floridian Aquifers. The South Florida Water Management District is the state agency responsible for water supply in the Lower East Coast planning area which includes the jurisdictional boundaries of Palmetto Bay. SFWMD plays a pivotal role in resource protection, through criteria used for Consumptive Use Permitting. As pressure increased on the Everglades ecosystem resource, the Governing Board initiated rulemaking to limit increased allocations dependent on the Everglades system. As a result, the Regional Water Availability Rule was adopted by the Governing Board on February 15, 2007 as part of the SFWMD's water use permit program. This reduced reliance on the regional system for future water supply needs, mandates the development of alternative water supplies, and increasing conservation and reuse.

Even with an ever increasing population, withdrawals from the Aquifers will be limited, greater conservation will be required to reduce per capita use; and, reclaimed water must continue to be an important alternative water source per the 2008 Leah G. Schad Ocean Outfall Program. The Village supports Miami-Dade County efforts in reducing wastewater outflows and providing for re-use.

The Lower East Coast's Plan notes that a number of utilities have diversified their water supplies, including treatment and storage technologies, and water conservation programs. These alternatives include constructing brackish Floridian aquifer wells and reverse osmosis treatment plants, reclaimed water treatment and distribution facilities, and aquifer storage and recovery systems. Between 2007 and 2009, 41 MGD of potable water supply capacity was added. The LEC water supply plan noted that in 2010, the demand for water (1,720 MGD) was as follows:

- Public Water Supply - 842 MGD
- Domestic Self-Supply - 18 MGD
- Agricultural (AGR) Self-Supply - 655 MGD
- Industrial/Commercial/Institutional (ICI) Self-Supply - 44 MGD
- Recreational/Landscape (REC) Self-Supply - 149 MGD
- Power Generation Self-Supply - 12 MGD.

From 2010 to 2013, nine utilities built public water supply (PWS) projects with a capacity of 49 MGD. Approximately 14 percent of the current PWS allocation is now from an alternative water source, primarily brackish groundwater. As of 2010, SFWMD water use permitted allocations was 1172 MGD. As of 2012, FDEP permitted water treatment capacity for potable water was at 1489 MGD, and permitted water treatment capacity for non-potable water was at 117 MGD.

The Village, through Policy 8.1.19 and Coastal Management Objective 5 and associated Policies, supports CERP and the Biscayne Bay Coastal Wetlands Project. The Deering Estates Flow-way, a part of the Biscayne Bay Coastal Wetlands Project, runs directly through the Village of Palmetto Bay.

Through Policies 6.2.11 and 6.2.15 and Objectives 4A, 4B, 4C, 4E, 6.3, 6.4, 11.6, 11.7, and 11.8 and these Objectives' associated Policies, the Village assists in the protection of surface and ground waters, water quality and recharge.

3.0 DATA AND ANALYSIS

The intent of the data and analysis section of the Work Plan is to describe the information that local governments need to provide to state planning and regulatory agencies as part of their proposed comprehensive plan amendments, particularly those that would change the Future Land Use Map (FLUM) to increase density and/or intensity. Additionally, population projections should be reviewed for consistency between the County and the South Florida Water Management District's Water Supply Plan.

3.1 Population Information

The Village's existing and future population figures were derived from the MDWASD Retail Customers estimate. Below is a comparison in tabular format. As stated previously, for the purpose of water supply planning the LEC projections will be utilized. As shown in Table 1, the LEC Update states that the MDWASD Service Area has a population of 2,239,773.

The total 2010 population of Miami-Dade County, in which the Village's population is included, was 2,496,435 (Table A-7. PWS and DSS population projections for the LEC Planning Area, *2013 LEC Water Supply Plan Update*). Of that total the Miami-Dade WASD serviced 2,141,885 residents.

Table 1.
Village vs. Miami-Dade County Population Comparison

	2010	2015	2020	2025	2030
Village of Palmetto Bay	23,829	24,440	24,848	25,357	25,866
MDWASD Service Area	2,141,885	2,239,773	2,337,660	2,435,548	2,533,436
Miami-Dade County Total Pop.	2,496,435	2,610,526	2,724,618	2,838,709	2,952,800

3.2 Maps of Current and Future Areas Served

Figure 2 depicts current and future water service areas of the Village. MDWASD is the only service provided to customers within the Village's municipal boundaries. There are no areas anticipated to be annexed.

3.3 Potable Water Level of Service Standard

Current Village adopted Level of Service are outlined in the policies.

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 93.45 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.

The Village will continue to encourage the reduction of annual average per person demand pursuant to policies in the comprehensive plan as coordinated by MDWASD and the South Florida Water Management District.

3.4 Population and Potable Water Demand Projections for the Village

The South Florida Water Management District *2013 Lower East Coast Water Supply Plan Update* (LEC) details the projected potable water demand for MDWASD, which includes the Village of Palmetto Bay. 100% of Palmetto Bay's residents are serviced by the MDWASD. Since MDWASD provides water to a number of Miami-Dade County municipalities and most of the unincorporated area, the analysis of the Village's water needs is determined by the Village's percentage of the overall population of the MDWASD service area population (Table 2).

Table 2.
MDWASD – Palmetto Bay
Current and Projected Water Supply
(MDWASD) Water Use Permit No. 13-00017-W)

	ACTUAL	PROJECTED			
	2010	2015	2020	2025	2030
Population	23,829	24,440	24,848	25,357	25,866
Per Capita (gallons per day finished water)	93.45	93.45	93.45	93.45	93.45
	MGD	MGD	MGD	MGD	MGD
Potable Water Demands (daily average annual) – Village of Palmetto Bay	2.23	2.28	2.32	2.37	2.42

Notes
1. Population projections MDWASD Retail Customers
2. Per Capita data from Miami-Dade WASD 20-year Water Supply Facilities Work Plan (2014-2033)

3.5 Water Supply Distribution Provided by the Village of Palmetto Bay

MDWASD is a regional water and wastewater utility that furnishes potable water service to approximately 2.2 million inhabitants and tens of thousands of commercial establishments. The service area covers numerous municipalities and most of the unincorporated areas of Miami-Dade County. The Village of Palmetto Bay does not provide or distribute potable water to the Village's residents or businesses.

3.6 Water Supply Provided by Miami-Dade County WASD

As stated above, the MDWASD System supplies potable water to over 2.2 million persons, including residents and businesses within the Village of Palmetto Bay, and is an interconnected system of three subareas. Other water suppliers within Miami-Dade County include: North Miami Beach, North Miami, Homestead, and Florida City. Currently within the MDWASD Service Area there are 15 municipal wholesale customers.

The information contained in the Miami-Dade Comprehensive Development Master Plan Amendments adopted February 4, 2015 and the Miami-Dade WASD 20-year Water Supply Facilities Work Plan (2014-2033) Support Data (November 2014), the *2013 Lower East Coast Water Supply Plan Update* (LEC) approved by the South Florida Water Management District (SFWMD) on October 10, 2013 and additional information found within Water Use Permit 13-00017-W are herein incorporated by reference. Miami-Dade County's Water Use Permit Modification Application with the District (Application #14-627-12) was approved by the District on February 9, 2015. The County's Water Use Permit, Permit #13-00017-W will expire on February 9, 2035.

The following Miami-Dade County CDMP Policy supports the coordination with the SFWMD LEC Update:

WS-6D. In the development of its future potable water supplies, Miami-Dade County shall, to the maximum extent feasible, utilize methods which preserve the integrity of the Biscayne Aquifer, protect the quality of surface water and related ecosystems, consider and are compatible with the South Florida Water Management District's 2013 Lower East Coast Regional Water Supply Plan Update and the current Water Use Permit, and comply with the land use and environmental protection policies of the Miami-Dade County CDMP, the Strategic Regional Policy Plan for South Florida, and the State Comprehensive Plan.

3.7 Conservation

Water conservation is the key to maintaining the health and productivity of the Surficial Aquifer System. Promoting water conservation equipment, techniques, and practices will benefit customers economically and maintain a realistic water demand picture for utilities. Protection of the aquifer system and wellfields (Figure 3) through conservation and reuse, recharge enhancement, limitations on withdrawal, regulation of land use, and maintenance of minimum flows and levels will ensure the availability of an adequate water supply for all competing demands, maintain and enhance the functions of natural systems and preserve water quality.

The Village of Palmetto Bay works in coordination with MDWASD, SFWMD and state efforts aimed at promoting conservation through a variety of means including:

- The Village shall assist the County in its proposed water conservation program through plumbing requirements, and with Florida Friendly Landscaping materials, as described in Section 373.185, Florida Statutes, in medians and parks.

- The Village recently updated its Stormwater Master Plan and is currently implementing improvements as prioritized in the plan.

    - 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.

- 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.

3.7.1 County-wide Efforts

Section 4.5 Water Conservation and Reuse of the Miami-Dade WASD 20-year Water Supply Facilities Work Plan (2014-2033) Support Data (November 2014) outlines additional MDWASD efforts (pages 4-6 and 7).

Presently, water utilities are saving substantial amounts of water through strategic water-efficiency programs and Best Management Practices (BMP) included in their Water Use Efficiency Plan. The savings from water conservation often translate into more potable water available for residential and non-residential use, capital and operating savings, which allow systems to defer or avoid significant expenditures for water supply facilities and wastewater facilities.

The Village of Palmetto Bay continues to remain in full support of the water conservation initiatives adopted by the SFWMD and Miami-Dade County.

While the Village is not responsible for the Comprehensive Everglades Restoration Project, it is supportive of the regional water conservation efforts related to this regional rehydration of the Florida Everglades. The Village is also supportive of mandating yard water restrictions that have been directed by the South Florida Regional Water Management District. There are no water conservation projects identified in the Village's Capital Improvement Plan (2015-2016).

The Village will continue to coordinate future water conservation efforts with WASD and SFWMD to ensure that proper techniques are applied. In addition, the Village will continue to support and expand existing goals, objectives and policies in the Comprehensive Plan that promote water conservation in a cost-effective and environmentally sensitive manner. The Village will continue to actively support SFWMD and Miami-Dade County in the implementation of new regulations or programs that are designed to conserve water.

For the past years, the State of Florida is leading the nation in water reuse. The water reuse effort in the state is primarily led by utilities, local governments, the water management districts and state agencies. The intent of their efforts is to implement water reuse programs that increase the volume of reclaimed water used and promotes public acceptance of reclaimed water. The Village of Palmetto Bay is in full support of the water reuse initiatives under consideration by both the SFWMD and Miami-Dade County. The County has committed to implement a total of 170 MGD of water reuse as noted in the County's 20-year water use permit.

3.7.2 Village Specific Actions, Programs, Regulations, or Opportunities

The Village will coordinate future water conservation and reuse efforts with MDWASD and the SFWMD to ensure that proper techniques are applied. In addition, the Village will continue to support and expand existing goals, objectives and policies in the Comprehensive Plan that promote water conservation and reuse in a cost-effective and environmentally sensitive manner. The Village will continue to actively support the SFWMD and MDWASD in the implementation of new regulations or programs that are design to conserve water during the dry season. Finally, the Village will administer its own water conservation practices.

In recognition of the need for immediate, coordinated and visionary action to address the impacts of a changing climate and provide for economic and environmental resilience in Southeast Florida, in 2010 the counties of Palm Beach, Broward, Miami-Dade and Monroe (Compact Partners) entered into the Southeast Florida Regional Climate Change Compact (Compact).

The Village has adopted a Stormwater Master Plan which provides for policies and actions regarding groundwater and recharge. As part of this plan, the Village includes Stormwater Capital Improvements Projects as part of its annually updated Capital Improvements Program/Capital Improvements Element.

3.7.3 MDWASD Specific Regulations

MDWASD, and therefore the Village of Palmetto Bay, implement water conservation through the following Ordinances:

20-4.5 - Landscaping and tree protection requirements for all zoning districts.
(F) Landscape Plans Review Criteria
In order to conserve water, reduce maintenance, and promote plant health, plant species shall be selected and installed based on their water needs, growth rate and size, and resource inputs. Plants with similar water needs shall be grouped in hydrozones. Adequate growth area, based on natural mature shape and size shall be provided for all plant materials.

20-4.6 - Environmental review standards.
The following standards shall be utilized by the environmental review and preservation board in their review and evaluation of all site and landscape plans as required by this Code.
(A) Natural Environment.
(1) Proposed development shall be designed in such a manner so as to preserve and protect existing environmentally-sensitive lands and natural resources, such as and including soils, ground water, surface water, shorelines, vegetative communities, fisheries and wildlife habitats.

4.0 INTERGOVERNMENTAL COORDINATION

The provision of water supply needs in the Village of Palmetto Bay is achieved in coordination with local, county, and regional partners including Miami-Dade County WASD and South Florida Water Management District. MDWASD is the Village's primary water partner as they provide the Village its water service utilities. MDWASD ensures that water supply services are provided to the majority of residents of Miami-Dade County in the most efficient and effective manner. SFWMD acts to protect the region's water supply resources and coordinates the implementation of state water regulations and policies through local water planning efforts and water supply services.

5.0 CAPITAL IMPROVEMENTS

The information contained in the Village's FY 2015-2016 adopted budget, including Capital Improvement Plan, adopted September 21, 2015; the Miami-Dade County Comprehensive Development Master Plan Amendments adopted February 4, 2015 and the Miami-Dade WASD 20-year Water Supply Facilities Work Plan (2014-2033) Support Data (November 2014), the *2013 Lower East Coast Water Supply Plan Update* (LEC) approved by the South Florida Water Management District (SFWMD) on October 10, 2013 and additional information found within Water Use Permit 13-00017-W are herein incorporated by reference.

6.0 GOALS, OBJECTIVES AND POLICIES

The following lists the Goals, Objectives and Policies are included in the Village's adopted Comprehensive Plan (2015 Update) to ensure consistency between the elements in the Growth Management Plan and the Water Supply Facilities Work Plan.

1.0 Future Land Use Element

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 1.2.8
Preserve existing water-dependent and water-related uses within the Village's 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 1.3.5
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 November 2014.

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 LDC incorporates all relevant wetland, coastal and native upland protection requirements from the Miami-Dade County Department of 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 1.5.5
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 1.5.6
Potable Water. No development orders shall be issued unless it can be determined that adequate potable water supplies and facilities are available.

Policy 1.5.7
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 1.7 Street Tree Master Plan
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 1.7.13
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.

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 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.

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 Reserved.

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
The Village will encourage the use of Florida Friendly Landscape guidelines and principals gutter downspouts, roof runoff, and rain harvesting through the use of rain barrels and directing runoff to landscaped areas, drip irrigation or micro-sprinklers, and the use of porous surface materials (bricks, gravel, turf block, mulch, pervious concrete, etc.) on walkways, driveways and patios.

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).

Policy 4A.3.7
All future development will be required to comply with water use efficiency techniques for indoor water use in accordance with Section 8-31, 31-84 and 8A-381 of the Code of Miami-Dade County. The Village will require the use of high efficiency toilets, showerheads, faucets, clothes washers and dishwashers that are Energy Star rate and WaterSense certified in all new and retrofitted residential and commercial projects, as required by the Miami-Dade County Water Use Efficiency Standards Ordinance 08-100 (Effective Date January 1, 2009) and Manual and adopt an ordinance to effectuate the same by January 1, 2017.

Policy 4A.3.8
All future development will be required to comply with the landscape standards in sections 18-A and 18-B of Miami-Dade County Code.

Policy 4A.3.9
All permit applications for 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.

(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.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.3.3
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.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.

(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 5.1.8
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 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 5.1.11
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.

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 6.2 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
By January 2017, updates to the Land Development Regulations, 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
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 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 6.2.10
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. The Village will participate, when warranted, in the SFWMD's Water Savings Incentive Program (WaterSIP) for large-scale retrofits as recommended by the 2013 Lower East Coast Water Supply Plan Update.

Policy 6.2.11
The Village will encourage the use of Florida Friendly Landscape guidelines and principals including gutter downspouts, roof runoff, and rain harvesting through the use of rain barrels and directing runoff to landscaped areas: drip irrigation or micro-prinklers and the use of porous surface materials (bricks, gravel, turf block, mulch, pervious concrete, etc.) on walkways, driveways and patios.

Policy 6.2.12
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 6.2.13
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 6.2.14
Cooperate fully with emergency water conservation measures mandated by the South Florida Water Management District (SFWMD).

Policy 6.2.15
All future development will be required to comply with water use efficiency techniques for indoor water use in accordance with Section 8-31, 31-84 and 8A-381 of the Code of Miami-Dade County. The Village will require the use of high efficiency toilets, showerheads, faucets, clothes washers and dishwashers that are Energy Star rate and WaterSense certified in all new and retrofitted residential and commercial projects, as required by the Miami-Dade County Water Use Efficiency Standards Ordinance 08-100 (Effective Date January 1, 2009) and Manual and adopt an ordinance to effectuate the same by January 1, 2017.

Policy 6.2.16
All future development will be required to comply with the landscape standards in sections 18-A and 18-B of Miami-Dade County Code.

Policy 6.2.17
All permit applications for 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.

Policy 6.2.18
The Village shall submit a water conservation plan to the County as required by the Miami-Dade County Code, Section 32-83.1. Said Plan shall be updated for the County's approval every five years following submittal and Conserve Florida Guide generated reports shall be filed annually at the close of the fiscal year.

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 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
Maintain regulations and monitoring techniques within the Land Development Regulations 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, 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 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 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 Department of Public Works and Waste Management 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 surface water management and flood damage prevention by maintaining regulations into the Land Development Regulations consistent with program policies of the Federal Insurance Administration.

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.

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 8.1.2
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 8.1.5
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), including the 2013 Lower East Coast Water Supply Plan Update.

Policy 8.1.10
Continue to coordinate with the Miami-Dade County Department of 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 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 8.1.16
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
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.

Policy 8.1.19
The Village will coordinate with the South Florida Water Management District concerning its jurisdictional authority as necessary and support its efforts concerning the 2013 Lower East Coast Water Supply Plan Update. ACCELER8 Everglades and CERP and the Biscayne Bay Coastal Wetlands Project to protect an Outstanding Florida Water Biscayne Bay. The Village hereby adopts by reference the Miami-Dade County Comprehensive Development Master Plan Amendments adopted February 4, 2015. The Miami-Dade WASD 20-year Water Supply Facilities Work Plan Update (2014-2033) Support Data (November 2014), the 2013 Lower East Coast Water Supply Plan Update (LEC) approved by the South Florida Water Management District (SFWMD on October 10, 2013 and additional information found within Water Use Permit 13-00017-W are herein incorporated by reference.

Policy 8.1.20
The Village does not provide water to other local governments, but will negotiate or renew inter-local agreements with water supply providers ensuring contractual agreement of the adopted level of service standards, service area, populations and time period for services provided.

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 8.3.3
The Village shall, as needed review and coordinate with neighboring jurisdictions the Village of Palmetto Bay's land use plans 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.

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 9.1.2
Prior to the issuance of new development orders, 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.

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. Prior to approval of a building permit or its functional equivalent, the Village shall consult with the MDCWASD to determine whether adequate water supplies to serve new development will be available no later than the anticipated date of issuance by the Village of a Certificate of Occupancy or its functional equivalent.

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 9.2.10
The Village shall provide monthly data to the Miami-Dade County WASD, as required by such entity, to track the amount of water to be allocated for new use.

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.

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?

Recommended Level of Service (LOS) Standards for the Village of Palmetto Bay
Potable Water

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.

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

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.

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 97.54 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 Reserved

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.

Policy 11.2.9
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.

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" 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 11.4.3
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 Regulatory and Economic Resources, and the Miami-Dade County Public Works 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 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 November 2014 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.

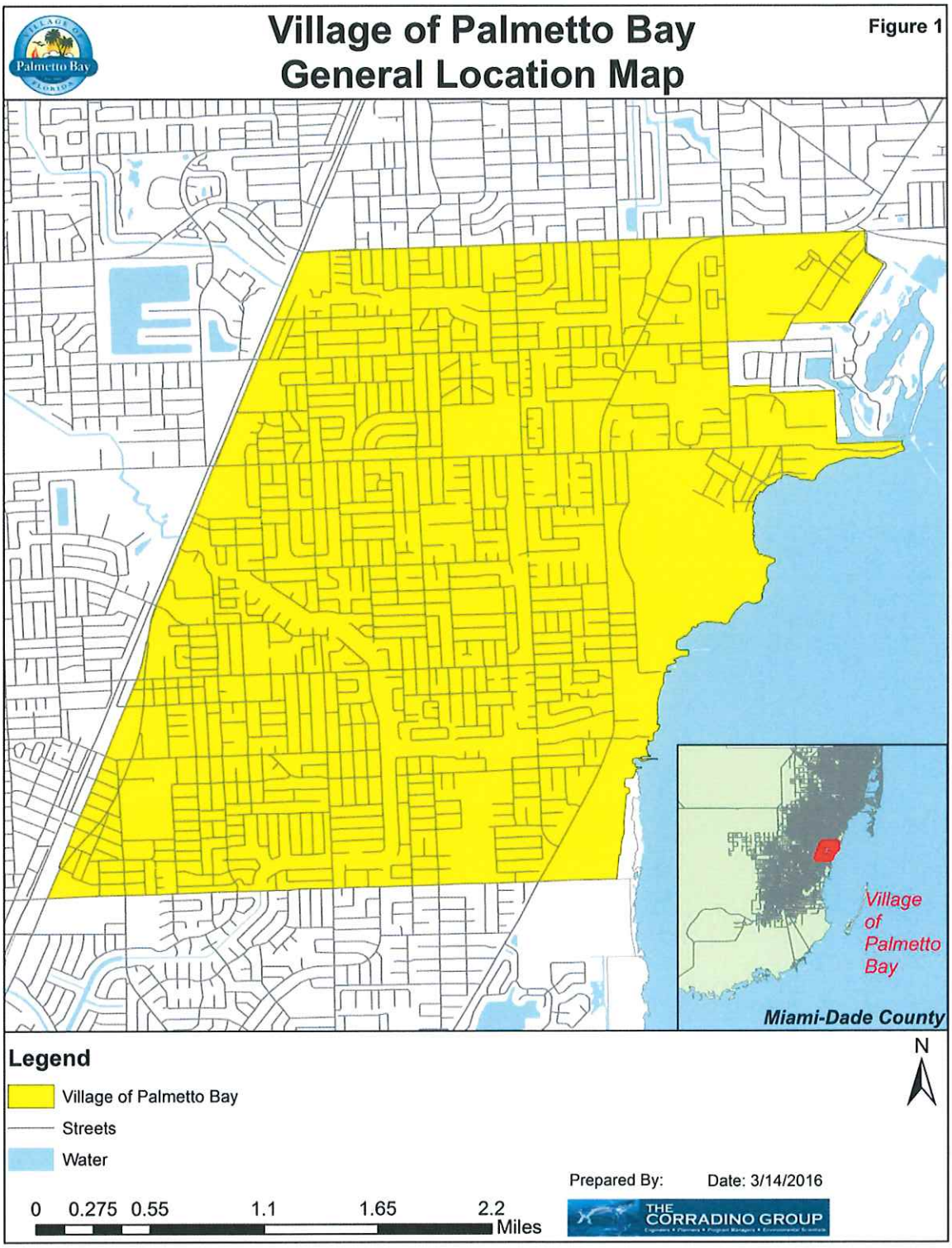
Policy 11.7.5
All development projects shall use retention, infiltration, and detention systems as required by the LDC, and applicable State, and regional standards.

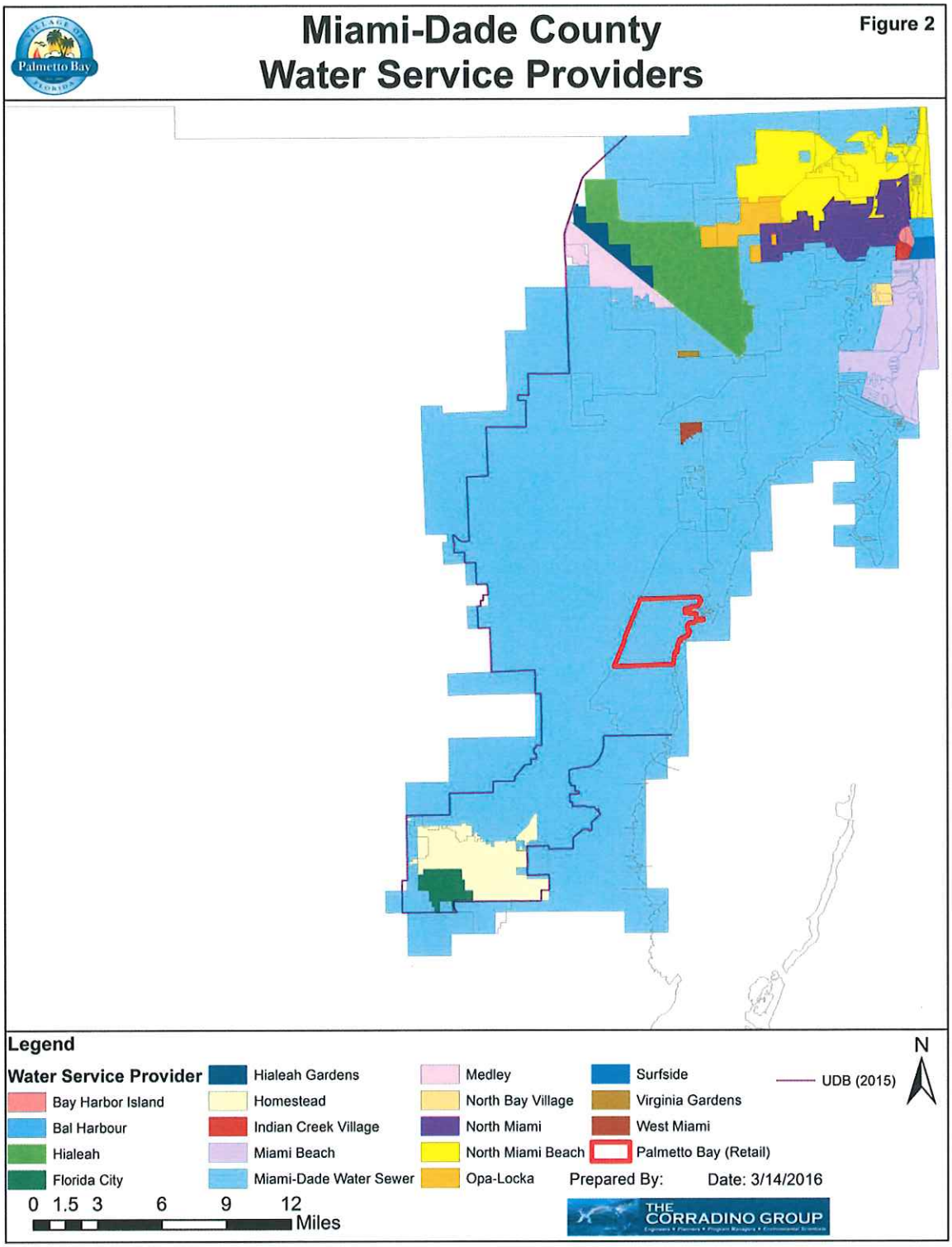
Objective 11.8 Potable Water Conservation
Increase potable water conservation in order to better meet present and projected needs of all consumers and reduce demands on water service.

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.


Village of Palmetto Bay
General Location Map
Figure 1
Village of Palmetto Bay
Miami-Dade County
Legend
Village of Palmetto Bay
Streets
Water
N
0 0.275 0.55 1.1 1.65 2.2 Miles
Prepared By:
Date: 3/14/2016
THE CORRADINO GROUP


Miami-Dade County
Water Service Providers
Figure 2
Legend
Water Service Provider
Bay Harbor Island
Bal Harbour
Hialeah
Florida City
Hialeah Gardens
Homestead
Indian Creek Village
Miami Beach
Miami-Dade Water Sewer
Medley
North Bay Village
North Miami
North Miami Beach
Opa-Locka
Surfside
Virginia Gardens
West Miami
Palmetto Bay (Retail)
UDB (2015)
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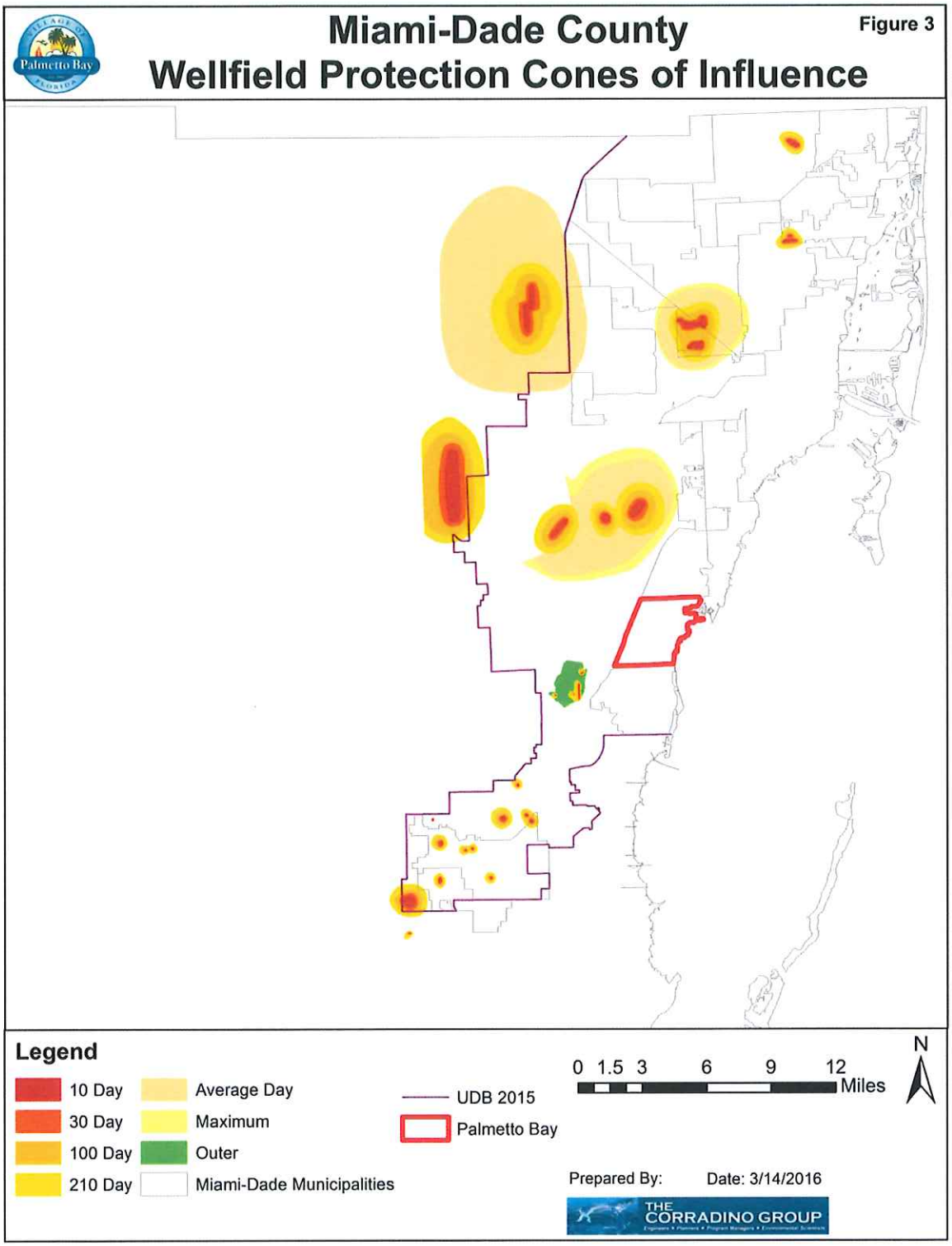
Prepared By:
Date: 3/14/2016
THE CORRADINO GROUP


Miami-Dade County
Wellfield Protection Cones of Influence
Figure 3
Legend
10 Day
30 Day
100 Day
210 Day
Average Day
Maximum
Outer
Miami-Dade Municipalities
UDB 2015
Palmetto Bay
0 1.5 3 6 9 12
Miles
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Prepared By:
Date: 3/14/2016
THE CORRADINO GROUP

ITEM 12 C

To: Honorable Mayor and Village Council

Date: June 6, 2016

From: Edward Silva, Village Manager

Re: Village Mixed Use

AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AMENDING SECTION 30-50.19, "VILLAGE MIXED-USE DISTRICT", TO INCLUDE 100 RESIDENTIAL UNITS AND 300 SENIOR LIVING FACILITY UNITS; TO NO LONGER COUNT HOTEL UNITS AS RESIDENTIAL UNITS; TO REDUCE SOME PERMITTED BUILDING HEIGHTS; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE. (Sponsored by Vice Mayor John DuBois.)

BACKGROUND

On May 2, 2016, the Village Council approved certain amendments to Section 30-50.19 of the Village Land Development Code regarding the Village Mixed Use zoning district as it pertains to permitted uses, building heights, and transfer of development rights. This amendment is requested by the Vice Mayor in order to revise that ordinance and restore Section 30-50.19 to its original language that existed prior to May 2, 2016. For the Council to approve this proposed ordinance, they must find it consistent with the criteria at section 30-30.7(b) of the Village's Land Development Code. It should be noted, revision of this ordinance (1) does not undo any transfer of development rights that may have already been approved to VMU zoned lands; (2) it will remove all restrictions with regard to limits applied to a hotel use as it relates to the required one to one count of residential unit to hotel room unit; and (3) it removes the limitation that caps overall trips onto Old Cutler Road that may occur from future develop.

FISCAL/BUDGETARY IMPACT

No budgetary impact is anticipated at this time. Any future programming of acquired lands shall be considered through the regular budgetary process.

RECOMMENDATION

As determined by the Village Council.

Darby Delsalle, AICP
Director of Planning and Zoning

EXHIBIT A

ORDINANCE NO. 2016-14

AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AMENDING SECTION 30-50.19, "VILLAGE MIXED-USE DISTRICT", TO INCLUDE ALL PERMITTED RESIDENTIAL USES TO BE CLASSIFIED AS MULTIPLE FAMILY; TO ADJUST MAXIMUM PERMITTED HEIGHT FOR ALL BUILDINGS TO BE 85 FEET; AND TO PROVIDE A NOTATION THAT THE VMU ZONING DISTRICT IS ELIGIBLE TO PARTICIPATE IN SECTION 30-30.15 TRANSFER OF DEVELOPMENT RIGHTS; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, on June 6, 2008, the Mayor and Village Council created the zoning district Village Mixed Use (VMU), which provided for permitted uses and development standards thereto; and

WHEREAS, in creating the VMU, certain multifamily residential uses were narrowly defined as Senior Living Facility and rowhouses/townhouses; and

WHEREAS, it is now desired to simply identify the permitted residential uses within the VMU as multifamily residential with the ability to construct senior living or townhomes; and

WHEREAS, the VMU also provided for varying heights based on the type of residential construction ranging from 75 feet to 85 feet; and

WHEREAS, it is now desired to provide a consistent height of 85 feet for multifamily buildings within the VMU; and

WHEREAS, this ordinance is being considered as part of a broader Transfer of Development Rights initiative that seeks to conserve certain lands surrounding the VMU zoned property, as more specifically addressed pursuant to Resolution No. 2016-28.

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 May 2, 2016, the Local Planning Agency recommended approval the proposed ordinance; and

WHEREAS, the Mayor and Village Council of the Village of Palmetto Bay desire to amend Division 30-50.19.

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. Chapter 30, of the Village's Land Development Code, at Section 30-50.19 is amended to read as follows:

DIVISION 30-50
ZONING DISTRICTS

* * *

Sec. 30-50.19. Village Mixed Use District, VMU.

* * *

(b) No provision in this section 30-50.~~20~~19 shall be applicable to any property lying outside the boundaries of the Village Mixed-Use District ("VMU").

(c) *Definitions.* Terms used throughout this zoning district, under section 30-50.~~20~~19 shall take their commonly accepted meaning unless otherwise defined in other Village Code provisions. Terms requiring interpretation specific to this zoning district are as follows:

Apartment building: A building which is used or intended to be used as a multi-family dwelling unit; as a home or residence for three or more families living in separate apartments, in which the yard areas, hallways, staitways, balconies and other common areas and facilities are shared by families living in the apartment units.

* * *

Residential building type: One of the following multifamily residential building types shall be permitted in the VMU District: Apartment Building, Rowhouses/Townhouses or Senior Housing (as hereinafter defined).

* * *

(d) *Uses.* Uses are allowed in the VMU District as provided for in this subsection. However, these uses shall not be deemed or construed to prohibit a continuation of any structure, use or occupancy in the VMU that were existing as of the date of the effective date of this division.

(1) *Permitted uses; Village Mixed Use District.*

a. *Residential uses.* Multifamily residential, up to 400 units which may include apartment buildings, rowhouses/townhouses, and Senior Living Facilities as provided by F.S. § 760.29. For the purposes of this subsection and within the VMU zoning district, each individual hotel unit shall be considered and

count as an individual residential unit. Residential uses are permitted ~~in the VMU as provided below~~ in accordance with the village's adopted comprehensive plan and the Declaration of Restrictive Covenants and the First Amendment to the Declaration of Restrictive Covenants recorded May 1, 1989 at Official Records Book 14089 at Pages 2349-52 and Official Records Book 12428 at Pages 923-1010, of the Public Records of Miami-Dade County, Florida, and the Amended Declaration of Restrictive Covenants in Lieu of Unity of Title recorded Official Resources Book 27101 at Pages 2672-2678 of the public Records of Miami-Dade County, Florida.

~~i. Multi-family residential rowhouses/townhouses up to 100 units.~~

~~ii. Senior housing, intended to comply with F.S. § 760.29, in the form of multi-family condominiums or apartments up to 300 residential units.~~

Automobile traffic volume on Old Cutler Road generated by residential land uses within the VMU Zoning District shall not exceed the automobile traffic volume which would have been generated by the residential development rights of 300 senior housing units and 100 multi-family residential rowhouses/townhouses in the VMU Zoning District pursuant to the VMU provisions of Village Ordinance 08-09 and by residential development rights of 85 single family residential units in the Interim Zoning District (which is contiguous to the western boundary of the VMU Zoning District) pursuant to the Interim provisions of Village Code section 30-50.22, as in effect on May 1, 2016. The owners of all property within the VMU shall execute a restrictive covenant running with the land containing the automobile traffic volume restriction of this subsection and development rights of this subsection shall not be available to such owners until such a covenant, approved by the Village Attorney, is publicly recorded.

* * *

(e) *General requirements.* These requirements shall not be deemed or construed to prohibit a continuation or restoration after casualty of any structure, use or occupancy in the VMU District that was existing as of the date of the effective date of this section.

(1) *Buildings.*

a. *Heights.* All height restrictions herein are deemed as consistent with the intent of the previously enacted Village of Palmetto Bay Comprehensive Plan which established parameters for this VMU District. Furthermore, all height restrictions must remain in conformity with any existing deed restrictions, declarations, or covenants in effect as to any lands within the VMU District. ~~Multi-family rowhouse/townhouse units shall not exceed 70 feet above grade in height. Multi-family senior housing facilities shall not exceed 85 feet above grade in height. Nonresidential~~ All buildings shall be no higher than 85 feet above grade in height. This shall not preclude, above such height restrictions, bonuses granted by a Transfer of Development Right, antennae, elevator and roof equipment, stairway roof access and railings or similar safety barrier, as

Additions shown by underlining and deletions shown by ~~overstriking~~.
"***" indicates portions of code excluded.

long as said structures are not visible from the property line of the VMU District at Old Cutler Road.

* * *

e. *Density.* Overall density for all residential units on the property, including senior housing facilities, shall be a minimum of 3.0 and a maximum of 14.0 dwelling units per gross acre, all as consistent with the comprehensive plan of the village. Residential density calculations pursuant to the preceding sentence shall be calculated based upon the entire land area zoned VMU, regardless of any non-residential development within the VMU. Additional units may be developed in accordance with an approved Transfer of Development Rights.

* * *

(i) *Nonconforming structures, uses, and occupancies.* Nothing contained in this section 30-50.~~20~~19 shall be deemed or construed to prohibit a continuation or restoration after casualty of a legal nonconforming structure, use or occupancy in the VMU District that was existing as of the effective date of this division.

(j) *Review procedure/administrative site plan review.* All applications for development approval within the VMU District that are not otherwise permitted as nonconforming uses or structures shall comply with the requirements of section 30-30.5 and this section and with the site plan review criteria contained therein. Developments shall be processed and approved administratively or by village council action, as applicable, as follows:

(1) *Administrative site plan review.*

a. The department shall review plans, including all materials required under section 30-30.5 for completeness and compliance with the provisions of sections 30-30.5 and 30-50.~~20~~19, and for compliance with the site plan review criteria provided therein, including but not limited to traffic analysis.

Section 3. **Companion TDR Resolution.** The provisions of the ordinance are offered and approved contingent upon the owner(s) of those lands zoned VMU fulfill all conditions of the companion TDR Resolution No 2016-28.

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.

Additions shown by underlining and deletions shown by ~~overstriking~~.
"***" indicates portions of code excluded.

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 only take effect once the conditions of companion Resolution No. 2016-28 have been fulfilled.

PASSED and ENACTED this 2nd day of May, 2016.

First Reading: March 7, 2016

Second Reading: May 2, 2016

Attest:

Meighan Alexander
Village Clerk

Eugene Flinn
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	NO
Council Member Tim Schaffer	YES
Council Member Larissa Siegel Lara	YES
Vice-Mayor John DuBois	NO
Mayor Eugene Flinn	YES

Additions shown by underlining and deletions shown by ~~overstriking~~.
"***" indicates portions of code excluded.

PROPOSED
ORDINANCE

ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AMENDING SECTION 30-50.19, "VILLAGE MIXED-USE DISTRICT", TO INCLUDE 100 RESIDENTIAL UNITS AND 300 SENIOR LIVING FACILITY UNITS; TO NO LONGER COUNT HOTEL UNITS AS RESIDENTIAL UNITS; TO REDUCE SOME PERMITTED BUILDING HEIGHTS; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE. (Sponsored by Vice Mayor John DuBois.)

WHEREAS, on May 2, 2016, the Mayor and Village Council adopted Ordinance 2016-14, which provided for permitted uses and development standards thereto; and

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

WHEREAS, the Mayor and Village Council desire to amend those standards, as provided below.

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. Chapter 30, of the Village's Land Development Code, at Section 30-50.19 is amended to read as follows:

DIVISION 30-50
ZONING DISTRICTS

* * *

Sec. 30-50.19. Village Mixed Use District, VMU.

* * *

(b) No provision in this section 30-50.19 shall be applicable to any property lying outside the boundaries of the Village Mixed-Use District ("VMU").

(c) *Definitions.* Terms used throughout this zoning district, under section 30-50.19 shall take their commonly accepted meaning unless otherwise defined in other Village Code provisions. Terms requiring interpretation specific to this zoning district are as follows:

Additions shown by underlining and deletions shown by ~~overstriking~~.
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~~*Apartment building:* A building which is used or intended to be used as a multi-family dwelling unit; as a home or residence for three or more families living in separate apartments, in which the yard areas, hallways, stairways, balconies and other common areas and facilities are shared by families living in the apartment units.~~

* * *

Residential building type: One of the following ~~multifamily~~ residential building types shall be permitted in the VMU District: ~~Apartment Building,~~ Rowhouses/Townhouses or Senior Housing (as hereinafter defined).

* * *

(d) *Uses.* Uses are allowed in the VMU District as provided for in this subsection. However, these uses shall not be deemed or construed to prohibit a continuation of any structure, use or occupancy in the VMU that were existing as of the date of the effective date of this division.

(1) *Permitted uses:* ~~*Village Mixed Use District.*~~

a. *Residential uses.* ~~Multifamily residential, up to 400 units which may include apartment buildings, rowhouses/townhouses, and Senior Living Facilities as provided by F.S. § 760.29. For the purposes of this subsection and within the VMU zoning district, each individual hotel unit shall be considered and count as an individual residential unit.~~ Residential uses are permitted in the VMU as provided below in accordance with the village's adopted comprehensive plan and the Declaration of Restrictive Covenants and the First Amendment to the Declaration of Restrictive Covenants recorded May 1, 1989 at Official Records Book 14089 at Pages 2349-52 and Official Records Book 12428 at Pages 923-1010, of the Public Records of Miami-Dade County, Florida~~, and the Amended Declaration of Restrictive Covenants in Lieu of Unity of Title recorded Official Resources Book 27101 at Pages 2672-2678 of the public Records of Miami-Dade County, Florida~~.

i. Multi-family residential rowhouses/townhouses up to 100 units.

ii. Senior housing, intended to comply with F.S. § 760.29, in the form of multi-family condominiums or apartments up to 300 residential units.

~~Automobile traffic volume on Old Cutler Road generated by residential land uses within the VMU Zoning District shall not exceed the automobile traffic volume which would have been generated by the residential development rights of 300 senior housing units and 100 multi-family residential rowhouses/townhouses in the VMU Zoning District pursuant to the VMU provisions of Village Ordinance 08-09 and by residential development rights of 85 single family residential units in the Interim Zoning District (which is contiguous to the western boundary of the VMU Zoning District) pursuant to the Interim provisions of Village~~

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~~Code section 30-50.22, as in effect on May 1, 2016. The owners of all property within the VMU shall execute a restrictive covenant running with the land containing the automobile traffic volume restriction of this subsection and development rights of this subsection shall not be available to such owners until such a covenant, approved by the Village Attorney, is publicly recorded.~~

* * *

(e) *General requirements.* These requirements shall not be deemed or construed to prohibit a continuation or restoration after casualty of any structure, use or occupancy in the VMU District that was existing as of the date of the effective date of this section.

(1) *Buildings.*

a. *Heights.* All height restrictions herein are deemed as consistent with the intent of the previously enacted Village of Palmetto Bay Comprehensive Plan which established parameters for this VMU District. Furthermore, all height restrictions must remain in conformity with any existing deed restrictions, declarations, or covenants in effect as to any lands within the VMU District. Multi-family rowhouse/townhouse units shall not exceed 70 feet above grade in height. Multi-family senior housing facilities shall not exceed 85 feet above grade in height. Nonresidential ~~All~~ buildings shall be no higher than 85 feet above grade in height. This shall not preclude, above such height restrictions, ~~bonuses granted by a Transfer of Development Right,~~ antennae, elevator and roof equipment, stairway roof access and railings or similar safety barrier, as long as said structures are not visible from the property line of the VMU District at Old Cutler Road.

* * *

e. *Density.* Overall density for all residential units on the property, including senior housing facilities, shall be a minimum of 3.0 and a maximum of 14.0 dwelling units per gross acre, all as consistent with the comprehensive plan of the village. ~~Residential density calculations pursuant to the preceding sentence shall be calculated based upon the entire land area zoned VMU, regardless of any non-residential development within the VMU. Additional units may be developed in accordance with an approved Transfer of Development Rights.~~

* * *

(i) *Nonconforming structures, uses, and occupancies.* Nothing contained in this section 30-50.19 shall be deemed or construed to prohibit a continuation or restoration after casualty of a legal nonconforming structure, use or occupancy in the VMU District that was existing as of the effective date of this division.

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"***" indicates portions of code excluded.

(j) *Review procedure/administrative site plan review.* All applications for development approval within the VMU District that are not otherwise permitted as nonconforming uses or structures shall comply with the requirements of section 30-30.5 and this section and with the site plan review criteria contained therein. Developments shall be processed and approved administratively or by village council action, as applicable, as follows:

(1) *Administrative site plan review.*

a. The department shall review plans, including all materials required under section 30-30.5 for completeness and compliance with the provisions of sections 30-30.5 and 30-50.~~20~~19, and for compliance with the site plan review criteria provided therein, including but not limited to traffic analysis.

Section 3. **Companion TDR Resolution.** The provisions of the ordinance are offered and approved contingent upon the owner(s) of those lands zoned VMU fulfill all conditions of the companion TDR Resolution No 2016-28.

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 ~~only~~ take effect immediately ~~once the conditions of companion Resolution No. 2016-28 have been fulfilled~~.

PASSED and ENACTED this ____ day of July, 2016.

First Reading: _____

Second Reading: _____

Attest: _____ _____

Meighan Alexander
Village Clerk

Eugene Flinn
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 _____

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