



To: Honorable Mayor and Village Council

Date: January 4, 2016

From: Edward Silva, Village Manager

Re: Appeals Sec. 30-30.14
Ordinance - 2nd Reading

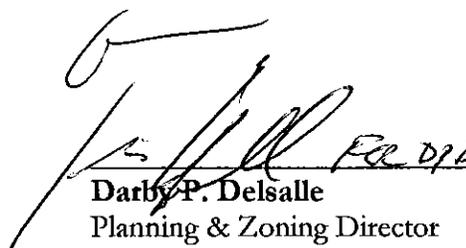
AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, RELATING TO SECTION 30-30.14, "APPEALS"; AMENDING SECTIONS 30-30.14(a)(2) AND 30-30.14(c); TO ALLOW PRIVATE PROPERTY WITH A VILLAGE COUNCIL ISSUED DEVELOPMENT ORDER TO PROCEED TO PERMITTING AND CONSTRUCTION DURING THE APPEAL OF THAT ORDER, SUBJECT TO SPECIFIED CONDITIONS; PROVIDING FOR ORDINANCES IN CONFLICT, SEVERABILITY, AND AN EFFECTIVE DATE.

UPDATE SINCE FIRST READING:

This item was heard at first reading on December 7, 2015 and was approved without any changes. The remainder of the report regarding this item is as it was submitted on December 7, 2015 as attached herein.

RECOMMENDATION:

Approval is recommended.


Darby P. Delsalle
Planning & Zoning Director



To: Honorable Mayor and Village Council

Date: December 7, 2015

From: Edward Silva, Village Manager

Re: Appeals Sec. 30-30.14
Ordinance for 1st Reading

AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, RELATING TO SECTION 30-30.14, "APPEALS"; AMENDING SECTIONS 30-30.14(a)(2) AND 30-30.14(c); TO ALLOW PRIVATE PROPERTY WITH A VILLAGE COUNCIL ISSUED DEVELOPMENT ORDER TO PROCEED TO PERMITTING AND CONSTRUCTION DURING THE APPEAL OF THAT ORDER, SUBJECT TO SPECIFIED CONDITIONS; PROVIDING FOR ORDINANCES IN CONFLICT, SEVERABILITY, AND AN EFFECTIVE DATE.

BACKGROUND:

On November 2, 2015, the Village of Palmetto Bay Council adopted provisions that allow for approved government facility zoning applications to proceed to permitting and construction, subject to specified conditions, despite the approval being the subject of legal challenge. During the first reading of that item, it was requested by the Council that the same provision be applied to private development as well. Because appeals related to development orders for private property are contained under separate code sections a separate ordinance is required. As with the prior ordinance, the same conditions would apply. Specifically, any private property owner that decides to proceed to permitting and construction during such time that their development order is the subject of an appeal does so at their own risk.

ANALYSIS:

The proposed ordinance was reviewed for consistency with the criteria established in Section 30-30.7(b). The Background section provided above shall be considered supplemental information to this analysis and shall be incorporated into each criterion delineated below. The following is a review of those criteria:

Criteria (1) Whether the proposal is consistent with the comprehensive plan, including the adopted infrastructure minimum levels of service standards and the Village's Concurrency Management Program.

Analysis: The Comprehensive Plan does not address appeals of development orders.

Finding: Not applicable.

Criteria (2) Whether the proposal is in conformance with all applicable requirements of Chapter 30.

Analysis: Please see Background section of this report. Before a development order can be approved, there must be a determination of consistency with Chapter 30 of the Village's Land Development Regulations. If the determination requires modification due to an outcome of an appeals process, the private property owner will be required to make the necessary modifications.

Findings: Consistent.

Criteria (3) Whether, and the extent to which, land use and development conditions have changed since the effective date of the existing regulations, and whether the changes support or work against the proposed change in land use policy.

Analysis: Please see Background section of this report. There is no specific land use policy regarding appeals. Regardless, the proposed amendment allows an approved development order to proceed to permitting and construction, at that property owner's own risk, while maintaining the integrity of the existing code.

Findings: Consistent.

Criteria (4) Whether, and the extent to which, the proposal would result in any incompatible land uses, considering the type and locations of uses involved, the impact on the adjacent or neighboring properties, consistency with existing development, as well as compatibility with existing and proposed land uses.

Analysis: Please see Criteria 2 and the Background section of this report.

Finding: Consistent.

Criteria (5) Whether, and the extent to which, the proposal would result in demands on transportation systems, public facilities and service; would exceed the capacity of the facilities and services, existing or programmed, including: transportation, water and wastewater services, solid waste disposal, drainage, recreation, education, emergency services, and similar necessary facilities and services.

Analysis: Please see Criteria 2 and 3, and the Background section of this report. The proposed ordinance does not alter permitted uses, intensities, or densities.

Finding: Consistent.

Criteria (6) Whether, and to the extent to which, the proposal would result in adverse impacts on the natural environment, including consideration of wetland protection, preservation of groundwater aquifer wildlife habitats, and vegetative communities.

Analysis: Please see Criteria 2 and 3, and the Background section of this report. The proposed ordinance does not impact the above systems.

Finding: Consistent.

Criteria (7) Whether, and to the extent to which, the proposal would adversely affect the property values in the affected area, or adversely affect the general welfare.

Analysis: Please see Criteria 2 and 3, and the Background section of this report. The proposed ordinance does not impact property values or adversely affect the general welfare.

Findings: Consistent.

Criteria (8) Whether the proposal would result in an orderly and compatible land use pattern. Any positive and negative effects on land use pattern shall be identified.

Analysis: Please see Criteria 2 and 3, and the Background section of this report. The proposed ordinance does not create any positive or negative effects on the land use pattern.

Findings: Not applicable.

Criteria (9) Whether the proposal would be in conflict with the public interest, and whether it is in harmony with the purpose of Chapter 30.

Analysis: Please see Criteria 2, and 3, and the Background section of this report.

Finding: Consistent.

Criteria (10) Other matters which the local planning agency or Village Council in its legislative discretion may deem appropriate.

Analysis: As per the direction of the Village Council.

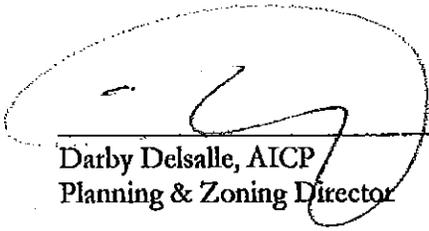
Finding: As determined by the Village Council.

FISCAL/BUDGETARY IMPACT:

None anticipated at this time

RECOMMENDATION:

Approval.


Darby Delsalle, AICP
Planning & Zoning Director

ORDINANCE NO. _____

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4 AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE
5 VILLAGE OF PALMETTO BAY, RELATING TO SECTION 30-30.14,
6 "APPEALS"; AMENDING SECTIONS 30-30.14(a)(2) AND 30-30.14(c); TO
7 ALLOW PRIVATE PROPERTY WITH A VILLAGE COUNCIL ISSUED
8 DEVELOPMENT ORDER TO PROCEED TO PERMITTING AND
9 CONSTRUCTION DURING THE APPEAL OF THAT ORDER,
10 SUBJECT TO SPECIFIED CONDITIONS; PROVIDING FOR
11 ORDINANCES IN CONFLICT, SEVERABILITY, AND AN EFFECTIVE
12 DATE.
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15 WHEREAS, on November 2, 2015, the Village of Palmetto Bay Village Council adopted
16 provisions that allow for approved government facility zoning applications to proceed to permitting
17 and construction, subject to specified conditions, despite the approval being the subject of legal
18 challenge; and
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20 WHEREAS, the Village Council desires to extend the same option to owners of private
21 property that have an approved development order from the Village Council; and
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23 WHEREAS, any private property owner that chooses to proceed to permitting and
24 construction of a Village Council approved development order that is the subject of a legal
25 challenge, does so at his/her own risk; and
26

27 WHEREAS, pursuant to Section 163.3174, *Florida Statutes* the Village Council has been
28 designated as the Local Planning Agency for the Village; and
29

30 WHEREAS, on _____, 2016, the Local Planning Agency approved the proposed
31 amendment; and
32

33 WHEREAS, the Mayor and Village Council now desires to amend sections 30-30.14(a)(2)
34 and 30-30.14(c), allowing the owners of private property that have an approved development order
35 from the Village Council that is the subject to a legal challenge, to proceed to permitting and
36 construction, subject to specified conditions.
37

38 NOW, THEREFORE, BE IT ENACTED BY THE MAYOR AND VILLAGE
39 COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AS FOLLOWS:
40

41 Section 1. Pursuant to the requirements of 30-30.7(b) of the Village's Code of
42 Ordinances, the following text change is in compliance with the review criteria and the
43 Comprehensive Plan.
44

45 Section 2. Section 30-30.14 of the Village's Code of Ordinances entitled "Appeals" shall
46 be amended as follows:
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DIVISION 30-30. Development Approval Procedures

* * *

Sec. 30-30.14. Appeals

(a) *Stay pending appeal.*

* * *

(2) During an appeal of a development order approved by the Village Council pursuant to authority provided herein at Division 30-30, zoning approvals relating to that development order being appealed shall be issued upon the request of the applying property owner, on condition that:

- a. the applying property owner submits an affidavit that he/she will conform, as necessary, to any subsequent changes mandated as a result of the appellate process by the court or by the Village Council; and
- b. other applicable requirements of law are met.

~~During an appeal of a development order, whether issued administratively or by the village council, and whether the appeal is for the entirety of the order or just a portion thereof, any zoning approvals relating to that development order being appealed shall not be issued until the appeal becomes final and all appeal proceedings are concluded. Further, zoning approvals for a development order or permit issue, except those associated with a building permit not related to the development order being appealed and regardless of whether the appeal is for the entirety of the order or just a portion thereof, shall not be issued/granted until the appeal becomes final and all appeal proceedings are concluded. During any appeal, all permits relating to the item(s) appealed shall be, were not prohibited by state statute or county ordinance, revoked or suspended, as applicable. If a portion of an administrative determination, council zoning resolution or development order is appealed, all permits and approvals relating to that determination, resolution or development order shall be stayed pending final resolution by the courts. No permits may issue by any regulating agencies, including but not limited to Miami-Dade County DERM, Fire, or Public Works, if directly related to the matter being appealed. The application for, and issuance of permits to the appealing party shall result in civil fines as provided under subsections (g) and (e) below, and may result in the village seeking an injunction in the applicable court, the cost of which proceeding shall be born by the violating applicant. An exception to the foregoing shall apply to the issuance of permits due to life safety or material deterioration under the Florida Building Code or prior issued permits unrelated to the specific development order being appealed.~~

* * *

1 (c) *Appeals from actions, decisions or determinations of the village administration.* Any person regulated
2 by this division who is aggrieved by any action, decision or determination of the village
3 administration due to an administrative review, as provided in this division, may request
4 ~~an administrative~~ quasi-judicial public hearing before the village council to appeal the
5 action, decision or determination of the village review which resulted in the grievance.
6 Appeal by ~~administrative~~ quasi-judicial hearing of the final administrative action, decision
7 or determination complained of shall be accompanied by filing a written request with the
8 village within 15 calendar days of the date of the action, decision or determination
9 complained of. The written notice of appeal shall set forth the nature of the action,
10 decision or determination to be reviewed and the basis for the ~~administrative~~ quasi-judicial
11 hearing. Customers or the business or use regulated shall not be deemed to be persons
12 regulated by this division for the purposes of this section. The appeal shall clearly state
13 that the denial of the application ~~for the variance~~ constitutes an error by the village, ~~and~~
14 ~~that the~~ in its interpretation or implementation of any portion of the regulations or criteria
15 set forth ~~that are applicable to the application, in this section.~~ The ~~village council~~ request
16 for appeal shall be set ~~the matter~~ for hearing on the earliest practicable regularly scheduled
17 hearing date. An appeal of the final administrative action, decision or determination shall
18 be a de novo, quasi-judicial public hearing and final determination by the village council
19 shall be by written determination approving, approving with conditions, or denying the
20 request related to the administrative action, decision or determination. The ~~village council~~
21 ~~shall hear and consider all relevant and the council may affirm, modify or reverse the~~
22 ~~action, decision or determination appealed from.~~ The decision of the village council shall
23 ~~constitute~~ be final administrative review and no rehearing shall be permitted. Nothing
24 herein shall be construed to prevent or prohibit the village from instituting any civil or
25 criminal action or proceeding authorized by this division at any time. ~~The village council~~
26 ~~shall conduct a de novo, quasi-judicial public hearing on the appeal and issue a written~~
27 ~~determination approving, approving with conditions, or denying the variance.~~ No
28 administrative development orders shall be issued to a property subject to the appeal of an
29 administrative action, decision, or determination.
30

31 **Section 3. Conflicting Provisions.** The provisions of the Code of Ordinances of the
32 Village of Palmetto Bay, Florida and all ordinances or parts of ordinances in conflict with the
33 provisions of this ordinance are hereby repealed.
34

35 **Section 4. Severability.** The provisions of this Ordinance are declared to be severable,
36 and if any sentence, section, clause or phrase of this Ordinance shall, for any reason, be held to be
37 invalid or unconstitutional, such decision shall not affect the validity of the remaining sentences,
38 sections, clauses or phrases of the Ordinance, but they shall remain in effect it being the legislative
39 intent that this Ordinance shall stand notwithstanding the invalidity of any part.
40

41 **Section 5. Codification.** It is the intention of the Village Council and it is hereby
42 ordained the provisions of this Ordinance shall become and be made part of the Code of
43 Ordinances of the Village of Palmetto Bay, Florida, that sections of this Ordinance may be
44 renumbered or re-lettered to accomplish such intentions, and that the word "Ordinance" shall be
45 changed to "Section" or other appropriate word.
46



To: Honorable Mayor and Village Council

Date: January 4, 2016

From: Edward Silva, Village Manager

Re: FAC Impact Fee Schedule -
Ordinance for 2nd Reading

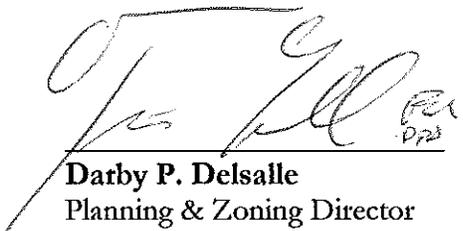
AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO ZONING; AMENDING APPENDIX A OF THE CODE OF ORDINANCES RELATING TO FEES; CREATING A FEE SCHEDULE PURSUANT TO THE PROVISIONS OF THE FRANJO ACTIVITY CENTER LAND USE DESIGNATION AND THE DOWNTOWN URBAN VILLAGE ZONING DISTRICT; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.

UPDATE SINCE FIRST READING:

This item was heard at first reading on December 14, 2015 and was approved without any changes. The remainder of the report regarding this item is as it was submitted on December 14, 2015 as attached herein.

RECOMMENDATION

Approval is recommended.



Darby P. Delsalle
Planning & Zoning Director



To: Honorable Mayor and Village Council

Date: December 14, 2015

From: Edward Silva, Village Manager

Re: 1st Reading Ordinance -
FAC Impact Fee Schedule

AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO ZONING; AMENDING APPENDIX A OF THE CODE OF ORDINANCES RELATING TO FEES; CREATING A FEE SCHEDULE PURSUANT TO THE PROVISIONS OF THE FRANJO ACTIVITY CENTER LAND USE DESIGNATION AND THE DOWNTOWN URBAN VILLAGE ZONING DISTRICT; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.

BACKGROUND AND ANALYSIS:

On September 9, 2015, the Village Council approved two ordinances on first reading that creates the Franjo Activity Center (FAC) land use designation, the Downtown Urban Village (DUV) zoning regulations and designates certain lands accordingly therein. Both ordinances are to be heard on December 14, 2015, prior to this item. The aforementioned ordinances provide for a funding mechanism to support urban park level of service standards, landscaping mitigation, and public parking facilities. The attached proposed ordinance provides the fee schedule that supports those programs.

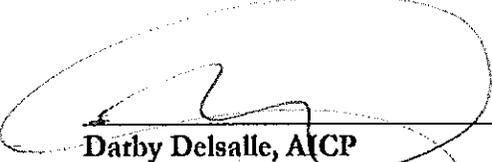
The land acquisition fee for urban park level of service standard is based on the average cost of land per acre within the downtown DUV area, as reported by the Miami-Dade Property Appraiser's Office, and as further divided by a per-unit fare share cost. This same calculation was used to arrive at the Improvement fee. The proposed fees are roughly in line with the schedule established by Miami-Dade County for similar urban park acquisitions and amenities. The Landscaping Mitigation Material fee is based off a prior fee established to support a separate landscape mitigation program that was established to bring older commercial properties into compliance with current landscaping codes. The values are reflective of a current contract the Village has with a vendor to provide landscaping throughout the Village. The Village Centralized Parking Trust Fund fee is based off the current estimated cost to construct a single parking space within a garage facility. All three fee schedules include a 10% administrative charge to defray the costs of managing the programs and the fees are annually adjusted to the Consumer Price Index (CPI) of the Miami-Fort Lauderdale area.

FISCAL AND BUDGETARY IMPACT:

The fee schedule as proposed is designed to recover the necessary funding needed to support development as it comes on line. The 10% administrative adjustment is set to ensure management of the programs are not borne by Village general revenues. By adjusting the fees annually to the CPI, the schedule can adjust to the market as prices begin to rise over time.

RECOMMENDATION:

Staff recommends approval.



Darby Delsalle, AICP
Planning & Zoning Director

ORDINANCE NO. _____

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4 AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE
5 VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO ZONING;
6 AMENDING APPENDIX A OF THE CODE OF ORDINANCES
7 RELATING TO FEES; CREATING A FEE SCHEDULE PURSUANT TO
8 THE PROVISIONS OF THE FRANJO ACTIVITY CENTER LAND USE
9 DESIGNATION AND THE DOWNTOWN URBAN VILLAGE ZONING
10 DISTRICT; PROVIDING FOR ORDINANCES IN CONFLICT,
11 CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.
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13 WHEREAS, on November 3, 2008, the Mayor and Village Council adopted Ordinance 08-
14 22, which established Appendix A-Fee Schedule, which provided for, among other items, fees for
15 development order requests (development permits, zoning requests, building permits, etc.); and
16

17 WHEREAS, those fees are established to recover the cost associated with the cost of
18 service delivery and the impacts of development; and
19

20 WHEREAS, the Village of Palmetto Bay's Comprehensive Plan establishes level of service
21 (LOS) thresholds for infrastructure that supports the needs of its population to ensure the
22 community continues to grow in a sustainable way; and
23

24 WHEREAS, to achieve prescribed park LOS within the Franjo Activity Center/Downtown
25 Urban Village portions of the Village of Palmetto Bay, the Mayor and Village Council created the
26 Village Landscape and Open Space Improvement Trust Fund, and now desire to establish an impact
27 fee to be utilized towards the acquisition and development of park lands within the Village's
28 downtown area; and
29

30 WHEREAS, the Downtown Urban Village land development regulations also provide for
31 mitigation of required landscaping, and now the Village Council desires to establish a landscape
32 mitigation fee, which received fees are to be deposited into the Village Landscape and Open Space
33 Improvement Trust Fund; and
34

35 WHEREAS, the Downtown Urban Village land development regulations provide for the
36 mitigation of required parking by creating the Village Centralized Parking Trust Fund, and now the
37 Village Council desires to establish a fee scheduled to be utilized towards that aim.
38

39 NOW, THEREFORE, BE IT ENACTED BY THE MAYOR AND VILLAGE
40 COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AS FOLLOWS:
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42 Section 1. Appendix A-Fee Schedule of the Code of Ordinances shall be amended as
43 follows:
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APPENDIX A - FEE SCHEDULE

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PLANNING AND ZONING FEE SCHEDULE

* * *

(D) All fee schedules established by Miami-Dade County for the building department and all other fees other than those described herein, shall remain in effect in the village until specifically repealed.

VIII. Franjo Activity Center Fee Schedule

A. Park Concurrency Impact Fee

<u>Description</u>	<u>Fee</u>
<u>Land acquisition</u>	<u>\$800.00 per unit</u>
<u>Improvements</u>	<u>\$800.00 per unit</u>
<u>Administrative</u>	<u>10% of Acquisition + Improvements</u>

B. Landscaping Material Mitigation

<u>Description</u>	<u>Fee</u>
<u>Tree</u>	<u>\$200.00 per tree</u>
<u>Bush/shrub</u>	<u>\$ 9.00 per bush/shrub</u>
<u>Miscellaneous</u>	<u>10% of total tree/bush/shrub fee</u>
<u>Administrative</u>	<u>10% of total tree/bush/shrub fee</u>

C. Village Centralized Parking Trust Fund

<u>Description</u>	<u>Fee</u>
<u>Parking Space</u>	<u>\$15,000 per space</u>
<u>Administrative</u>	<u>10% of total Parking Space fee</u>

D. Beginning in February 2017, and in February of every year thereafter, the fees charged for the items specified in this section, VIII Franjo Activity Center Fee Schedule, shall be the stated fee in this section as automatically adjusted by the "Consumer Price Index – All Urban Consumers, not seasonally adjusted, Miami-Fort Lauderdale, Florida Metropolitan Region" Annual increase of the prior calendar year. In the case of a decrease, the fees will not change.

Section 2. 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 3. 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,

1 sections, clauses or phrases of the Ordinance, but they shall remain in effect it being the legislative
2 intent that this Ordinance shall stand notwithstanding the invalidity of any part.

3
4 **Section 4. Codification.** It is the intention of the Village Council and it is hereby
5 ordained the provisions of this Ordinance shall become and be made part of the Code of
6 Ordinances of the Village of Palmetto Bay, Florida, that sections of this Ordinance may be
7 renumbered or re-lettered to accomplish such intentions, and that the word "Ordinance" shall be
8 changed to "Section" or other appropriate word.

9
10 **Section 5. Effective Date.** This ordinance shall take effect immediately upon
11 enactment.

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13 PASSED and ENACTED this ____ day of _____, 2015.

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15 First Reading: _____
16 Second Reading: _____
17

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19 Attest: _____
20 Meighan Alexander Eugene Flinn
21 Village Clerk Mayor
22

23
24 APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE
25 USE AND RELIANCE OF THE VILLAGE OF PALMETTO BAY ONLY:
26

27
28 _____
29 Dexter W. Lehtinen
30 Village Attorney
31

32 FINAL VOTE AT ADOPTION:
33
34 Council Member Karyn Cunningham _____
35
36 Council Member Tim Schaffer _____
37
38 Council Member Latissa Siegel Lara _____
39
40 Vice-Mayor John DuBois _____
41
42 Mayor Eugene Flinn _____

ORDINANCE NO: _____

AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA; RELATING TO PARKS AND RECREATION; AMENDING CHAPTER 20, ARTICLE 1, OF THE VILLAGE'S CODE OF ORDINANCE; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, the Village Council of the Village of Palmetto Bay is desirous of amending Chapter 20, Article 1, in order to appropriately update information and provide modifications to the uniform fee schedule and other items concerning rules and regulations; and

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

Section 1. Chapter 20, Article 1, is hereby modified as follows:

Chapter 20 - PARKS AND RECREATION

ARTICLE I. - IN GENERAL

Sec. 20-1. - Applicability.

This chapter shall be applicable to all park users including leagues, youth organizations, school groups, private groups, party rentals, picnic rentals, pavilion/gazebo rentals, and field rentals. Each user shall complete a park rental agreement form that includes all rules and regulations.

Sec. 20-2. - Fees.

Fees shall include area of park being utilized, time of use, dates of use, equipment/materials needed, and/or number of participants in group:

Field Rental Reservations				
Total Hours	Rental Fee	Tax	Clean-up Deposit	Total Fee
2 (no prep)	\$40.00	\$2.80	\$30.00	\$72.80
2 w/lights (no prep)	\$60.00	\$4.20	\$30.00	\$94.20
Each additional hour add	\$25.00	\$1.75	N/A	\$26.75
Field Rental w/Prep add	\$20.00	\$1.40	N/A	\$21.40

Open Field Rental Reservations (does not include field prep: no lines)				
Total Hours	Rental Fee	Tax	Clean-up Deposit	Total Fee
2	\$40.00	\$2.80	N/A	\$42.80

Weekday (Non-Camp) Hourly Recreation Room Rental				
Total Hours	Rental Fee	Tax	Clean-up Deposit	Total Fee
1	\$35.00	\$2.45	N/A	\$37.45

Recreation Building Rental Reservations				
Total Hours	Rental Fee	Tax	Clean-up Deposit	Total Fee
Weekday (non-Camp) Hourly	\$35.00	\$2.45	\$100.00	\$137.45
Minimum 3 hrs.	\$110.00	\$7.70	\$100.00	\$217.70
Each additional hour	\$60.00	\$4.20	N/A	\$64.20
Tables (6 – 6ft tables) and Chairs (50)	\$30.00	\$2.10	N/A	\$32.10

Pavilion Rental				
Total Hours	Rental Fee	Tax	Clean-up Deposit	Total Fee
5 hours	\$165.00	\$11.55	\$100.00	\$276.55

Open Picnic Area Reservations (Hourly rates are not available)				
Total Hours	Rental Fee	Tax	Clean-up Deposit	Total Fee
4 hours	\$100.00	\$7.00	\$100.00	\$207.00
9:00 am – 5:00 pm	\$150.00	\$10.50	\$100.00	\$260.50

Bandshell Gazebo				
Total Hours	Rental Fee	Tax	Clean-up Deposit	Total Fee
4 hours	\$185.00	\$12.95	\$100.00	\$297.95
Each additional hour	\$60.00	\$4.20	N/A	\$64.20

Basketball Court Rental Palmetto Bay Park				
Total Hours	Rental Fee	Tax	Deposit	Total Fee
2 hours	\$40.00	\$2.80	\$30.00	\$72.80
Each additional hour	\$25.00	\$1.76	N/A	\$26.75
Lights – Add to rental amount	\$30.00	\$2.10	N/A/	\$32.10

Summer Camp Program			
Description	Weekly Fee	Tax	Total Fee
Weekly	\$135.00	\$9.45	\$144.45

1 Film Location Fee

Video/Commercials/Movies/Film	\$450.00+ tax
Commercial Photography/Photo Shoot	\$250.00+ tax
Personal Photography/Photo Shoot	\$80.00+ tax

2
3 Palmetto Bay Skate Pavilion

Skating Per Session Admissions Fee	Weekdays 4:00 pm to 9:00 pm Saturday 10:00 am to 2:30 pm Saturday 3:30 pm to 8:00 pm Sunday 12:00 pm to 6:00 pm	\$5.00 including tax
Helmet	Sale	\$15.00 + tax
Elbow, knee, wrist pads	Sale	\$15.00 + tax
Drinks	Sale	\$1.50 + tax
Weekly pass	7 sessions	\$20.00, including tax
Monthly pass	40 sessions	\$100.00, including tax

4
5 Users of the skate park may purchase per the "per session" admission fee, or alternatively may
6 purchase either a weekly or monthly pass to the skate park. The weekly pass shall entitle unlimited
7 use, during the designated hours listed above, to the holder of the pass, for a seven session period.
8 The monthly pass shall entitle the holder unlimited use, during the designated hours listed above,
9 during a 30 session period.

10 Edward and Arlene Feller Community Room and Amphitheater at Ludovici Park Fees

11
12
13 Community Room:

Accommodates up to 50 people; includes use of light-food/beverage prep area. All community room rentals are subject to prior written approval from village manager.	
Weekdays 8:00 a.m. to 5:00 p.m.	\$75.00 per hour, with a minimum three-hour rental requirement
Daily rate: 8:00 a.m. to 5:00 p.m.	\$375.00
Nights 5:00 p.m. to 11:00 p.m. weekends/holidays 8:00 a.m. to 11:00 p.m.	\$100.00 per hour, with a minimum three-hour rental
Daily rate weekends/holidays	\$500.00
*AV equipment (set-up/break down by village personnel only)	
*\$500.00 refundable damage/clean-up deposit for any of the above rentals.	

14
15 Amphitheater:

Weekdays:	\$75.00 per hour, with a four-hour minimum
Daily rate:	\$450.00
Weekends/holidays:	\$100.00 per hour; four-hour minimum
Daily rate:	\$600.00
Sound equipment (set up/break down by village personnel):	\$100.00 per hour
Daily rate:	\$600.00

1 Gazebo

Weekdays:	\$50.00 per hour, with a three-hour minimum
Daily rate:	\$300.00
Gazebo with use of event/grass area:	\$75.00 per hour, with a three-hour minimum
Daily rate:	\$450.00
Weekends/Holidays:	\$75.00 per hour, with a three-hour minimum
Daily rate:	\$450.00
Gazebo with use of event/grass area:	\$100.00 per hour; three-hour minimum
Daily rate:	\$600.00
*Sound system fees and related needs same as noted under Amphitheatre.	

2
3 Amphitheater/Gazebo/Event area:

Weekdays:	\$100.00 per hour, with a four-hour minimum
Daily rate:	\$600.00
Weekends/Holidays:	\$150.00 per hour
Daily rate:	\$900.00

- 4
- 5 • \$500.00 refundable damage/clean-up deposit for any of the above rentals.
 - 6 • A minimum of one security officer is required for all events. Permittee is to utilize the
 - 7 security services of the village's authorized vendor, who is under contract to provide security
 - 8 services. Additional security, beyond minimum security requirements may be required at the
 - 9 discretion of the village manager, in consultation with the village's police department.
 - 10 If valet service is required, permittee must obtain valet service through company currently
 - 11 under contract to provide such service for the Village of Palmetto Bay.
 - 12 Permittee is required to utilize tents, tables and chairs through company currently under
 - 13 contract to provide such service for the Village of Palmetto Bay.
 - 14 • All fees are subject to applicable sales tax.
 - 15 • Weekends include Friday, Saturday Sunday and all village recognized holidays.
 - 16 • Permittee acknowledges that fees are subject to change.

17
18 Administrative Waiver of Rental Fee:

- 19 1. The village manager is authorized to provide an administrative waiver of user rental fees for
- 20 any Village Park Community Room (Coral Reef Park, Palmetto Bay Park, and the Edward
- 21 and Arlene Feller Community Rooms), for nonprofit charitable organizations (registered
- 22 with IRS) and community groups. A request for waiver of the rental fees must issue at least
- 23 ten days prior to the requested day of use. Each community room can only be used for up to
- 24 ten hours a week by community groups or nonprofits.
- 25 2. The village manager shall review the request for administrative waiver of rental fees for use
- 26 of the community rooms and determine if the request by the nonprofit organization or
- 27 community group is accompanied by appropriate documentation to support the request. The
- 28 administrative waiver applies solely to the rental fee, the refundable damage/clean-up
- 29 deposit amount shall be required prior to use of the facilities.
- 30 3. Use of the community rooms is limited to once per week by nonprofit organizations and
- 31 community groups who are seeking use through administrative waiver of rental fees. Use of
- 32 the facilities may be more frequent; however, the nonprofit organization or community

1 group will be required to pay the full rental amount if the room(s) are required more than
2 once per week.

- 3 4. Should the nonprofit organization or community group requesting and/or receiving an
4 administrative waiver of the rental fees conduct a fund raising activity in the community
5 rooms, the organization or group will be required to pay the full rental amount.
- 6 5. Village use of the community room(s) has priority over any nonprofit organization or
7 community group, and the organization or group will be required to move their meeting to
8 another time or date to accommodate the village's use of the rooms.
- 9 6. Any community or nonprofit group utilizing an administrative waiver will have to complete
10 the community room facility use agreement.

11 Thalatta Park Fees

12 All rentals are subject to prior written approval from the director of parks and recreation and/or
13 village manager.

Weekday Rates:		Weekend Rates:	
Garden Lawn:	\$750.00	Garden Lawn:	\$1,250.00
Outdoor Terrace:	\$1,250.00	Outdoor Terrace:	\$2,250.00
Ceremony Gazebo:	\$175	Ceremony Gazebo:	\$550.00
Covered Terrace:	\$500.00	Covered Terrace:	\$1,000.00
Bride/Groom Suite:	\$250.00	Bride/Groom Suite:	\$550.00
String Lights:	\$350.00	String Lights:	\$550.00
Education Room:	\$150.00	Education Room:	\$350.00
Package Rate:	\$2,500.00	Package Rate:	\$4,000.00

- 17
- 18 • \$1,000.00 refundable damage/clean-up deposit for any of the above rentals required 30 days
19 prior to event date.
- 20 • Package rate includes the entire facility except for the string lights.
- 21 • Saturday rentals are restricted to package rate only! Exceptions can be made at the
22 discretion of the Village Manager and/or designee 30 days prior to event date.
- 23 • Events exceeding 200 guests will require prior written approval from the village and may be
24 subject to additional fees.
- 25 • Valet parking is required on all events over 50 guests. Permittee must obtain valet service
26 through company currently under contract to provide such service for the Village of
27 Palmetto Bay.
- 28 Permittee is required to utilize tents, tables and chairs through company currently under
29 contract to provide such service for the Village of Palmetto Bay.
- 30 • All caterers are required to obtain a catering permit prior to the day of the event at a rate of
31 \$2.00 per guest. A copy of all state catering ,county licensing and certificate of insurance
32 naming the Village of Palmetto Bay/Thalatta Estate as additional insured must be provided
33 to the village 30 days prior to event date..
- 34 • A minimum of two security officers are required for all events over 50 guests. Permittee is to
35 utilize the security services of the village's authorized vendor, who is under contract to
36 provide security services. Additional security, beyond minimum security requirements may

1 be required at the discretion of the village manager, in consultation with the village's police
2 department.

- 3 • Weekends include Friday, Saturday, Sunday and all Village recognized holidays.
- 4 • All fees are subject to applicable sales tax.
- 5 • Permittee acknowledges that fees are subject to change.

6
7 Use fees provided herein may be reduced or waived by the village manager for non-profit
8 organization and community groups. Such action by the village manager shall be publicly announced
9 by the manager at a council meeting. The non-profit or community group shall be required to
10 indemnify the village and provide adequate insurance.

11
12 Secs. 20-3 – 20-50. - Reserved

13 * * *

14
15
16 **Section 2. Conflicting Provisions.** The provisions of the Code of Ordinances of the
17 Village of Palmetto Bay, Florida and all ordinances or parts of ordinances in conflict with the
18 provisions of this ordinance are hereby repealed.

19
20 **Section 3. Severability.** The provisions of this Ordinance are declared to be severable,
21 and if any sentence, section, clause or phrase of this Ordinance shall, for any reason, be held to be
22 invalid or unconstitutional, such decision shall not affect the validity of the remaining sentences,
23 sections, clauses or phrases of the Ordinance, but they shall remain in effect it being the legislative
24 intent that this Ordinance shall stand notwithstanding the invalidity of any part.

25
26 **Section 4. Codification.** It is the intention of the Village Council and it is hereby
27 ordained the provisions of this Ordinance shall become and be made part of the Code of
28 Ordinances of the Village of Palmetto Bay, Florida, that sections of this Ordinance may be
29 renumbered or re-lettered to accomplish such intentions, and that the word "Ordinance" shall be
30 changed to "Section" or other appropriate word.

31
32 **Section 5. Effective Date.** This ordinance shall take effect immediately upon
33 enactment.

34
35 **PASSED and ENACTED** this _____ day of January, 2016.

36
37 First Reading: _____
38 Second Reading: _____

39
40
41
42 Attest: _____

43 Meighan Alexander
44 Village Clerk

Eugene Flinn
Mayor

1 APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE
2 USE AND RELIANCE OF THE VILLAGE OF PALMETTO BAY ONLY:
3

4
5 _____
6 Dexter W. Lehtinen
7 Village Attorney
8

9 FINAL VOTE AT ADOPTION:

- 10
- 11 Council Member Karyn Cunningham _____
- 12
- 13 Council Member Tim Schaffer _____
- 14
- 15 Council Member Larissa Siegel Lara _____
- 16
- 17 Vice-Mayor John DuBois _____
- 18
- 19 Mayor Eugene Flinn _____



To: Honorable Mayor and Village Council

Date: January 4, 2016

From: Edward Silva, Village Manager

Re: South Side DRTF Rezoning -
Ordinance for 2nd Reading

AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO ZONING; AMENDING SECTION 30-50.23, ENTITLED "DOWNTOWN URBAN VILLAGE", TO INCLUDE THE AMENDED AT ATTACHMENT A; AND AMENDING THE OFFICIAL ZONING MAP BY CHANGING THE ZONING OF THOSE LANDS EFFECTED AS DESCRIBED AT ATTACHMENT B, FROM R-1, SINGLE FAMILY DISTRICT; R-O, BUSINESS OFFICE; MM, MIXED-USE MAIN STREET; MN, MIXED USE NEIGHBORHOOD; AND LW, LIVE-WORK DISTRICT; TO DUV, DOWNTOWN URBAN VILLAGE DISTRICT; IN PALMETTO BAY, FLORIDA; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.

UPDATE SINCE FIRST READING:

This item was heard at first reading on December 14, 2015 and was approved without any changes. The remainder of the report regarding this item is as it was submitted on December 14, 2015 as attached herein.

RECOMMENDATION

Approval is recommended.

Darby P. Delsalle
Planning & Zoning Director



To: Honorable Mayor and Village Council

Date: December 14, 2015

From: Edward Silva, Village Manager

Re: 1st Reading Ordinance -
South Side DRTF Rezoning

AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO ZONING; AMENDING SECTION 30-50.23, ENTITLED "DOWNTOWN URBAN VILLAGE", TO INCLUDE THE AMENDMENTS AT ATTACHMENT A; AND AMENDING THE OFFICIAL ZONING MAP BY CHANGING THE ZONING OF THOSE LANDS EFFECTED AS DESCRIBED AT ATTACHMENT B, FROM R-1, SINGLE FAMILY DISTRICT; R-O, BUSINESS OFFICE; MM, MIXED-USE MAIN STREET; MN, MIXED USE NEIGHBORHOOD; AND LW, LIVE-WORK DISTRICT; TO DUV, DOWNTOWN URBAN VILLAGE DISTRICT; IN PALMETTO BAY, FLORIDA; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.

BACKGROUND:

Since the Village incorporated in 2002, the residents of Palmetto Bay have envisioned a thriving downtown district in the Village's southwest corner in and around South Dixie Highway. Implementation of that vision was initiated with the 2006 adoption of what became commonly known as the Franjo Triangle and Island District or the FT&I district. Unfortunately, redevelopment did not follow the adoption of those standards. This led the Village Manager to form the Downtown Redevelopment Task Force (DRTF) in late Spring of 2013. The membership of the DRTF consisted of over 40 residents and professionals from across the Village representing a full diversity of interest and expertise in the areas of land development including real estate, landscaping, architecture, engineering, banking, marketing, community events, private residents, business owners, restaurateurs, etc. The group's mission was to explore innovative approaches to facilitate that vision of a vibrant downtown within the southwestern corner of the Village.

Supported by a series of studies related to market analysis, traffic, and infrastructure capacity (provided on disk as Exhibits A, B, and C), on September 9, 2015, the Village Council approved the first reading of the Downtown Urban Village (DUV) land development regulations and rezoning. Although that ordinance creates the DUV standards, it does not include all of the area originally contemplated by the DRTF. The second reading of that ordinance is scheduled for December 14, 2015, and is to be considered prior to this proposal.

The proposed ordinance that is the subject of this report aims to rezone the southeast portion of the DRTF envisioned area not included in the prior ordinance. Those lands involved roughly include the properties adjacent to the remaining FT&I portions of Franjo Road to SW 184 Street, the north side of SW 184 Street to South Dixie Highway, and all lands in between. The main sectors involved with the expansion of the DUV into these areas are the Urban Village (UV) and Neighborhood Village (NV). The UV sector is found along the edges of the proposed area with NV sector in the middle. A few properties on SW 184 Street will fall into the Downtown General (DG) sector. The following is a brief description of the three sector types.

Urban Village. This sector is immediately south of the Downtown Village sector, includes properties on the east and west sides of Franjo Road, and serves as a transition from the Downtown Village sector to the Neighborhood Village sector. The sector provides for a broad range of building typologies and also includes row-houses, stacked apartments, and single family homes. Maximum permitted heights are based on building typology and range from five (5) stories to three (3) stories. As with Downtown Village (DV) and Downtown General (DG) sectors, the UV sector is incentive based allowing heights to reach eight (8) stories for flex block and six (6) stories for flex building typologies. Base maximum residential density is 24 units per acre. The range of permitted uses begins to narrow from that permitted within the DV and DG sectors. Generally, developable block size is reduced.

Neighborhood Village. This sector is the least intense of the four (4) within the DUV district. Much of it is nestled within the traditional residential areas of the downtown with portions located along the southwestern areas of the DUV district. Its character is primarily residential with maximum heights that range between three (3) and four (4) stories depending on building typology. Base maximum residential density is 14 units per acre. Flexible Block building typology is not permitted. Residential is the primary use permitted within the sector with limited retail/service uses at its peripheries.

Downtown General. This sector allows for the greatest intensity commercial uses. It has a base maximum density of 24 units per acre. Base Maximum height is 5 stories with an incentive cap of eight (8) stories. Primary building types permitted include Flex Block and Flex Building.

PROPOSED CHANGES:

The proposed ordinance seeks to expand the new DUV zoning provisions onto certain lands as described above in this report. The DUV design standards themselves are not being altered. Adoption of the ordinance will have the effect of adjusting the sector boundaries within the DUV land development regulations including street typologies and permitted base densities. No other portions of the regulations are to be modified. The proposed ordinance also changes the Official Zoning map of those specified lands to the DUV district designation. The actual proposed changes to the DUV land development regulations are as follows:

1. The *Village of Palmetto Bay Illustrative Vision Plan* is being updated to reflect the expanded DUV boundaries.

2. At *Section 2.02, Sector Plan, Figure 2* is being updated to reflect the sectors within the expanded DUV boundaries.
3. At *Section 2.03, New Streets Plan, Figure 3* is being updated to reflect any new street within the expanded DUV boundaries.
4. At *Section 2.04, Public Open Space Plan, Figure 4* is being updated to reflect the desired park areas within the expanded DUV boundaries.
5. At *Section 2.05, Street Hierarchy Plan, Figure 5* is being updated to reflect the street hierarchy within the expanded DUV boundaries.
6. At *Section 2.06, Residential Density Plan, Figure 6* is being updated to reflect the base residential densities within the expanded DUV boundaries.
7. At *Section 3.01B, Sector Summary DG*, is being updated to reflect the DG sector areas within expanded DUV boundaries.
8. At *Section 3.01C, Sector Summary UV*, is being updated to reflect the UV sector areas within expanded DUV boundaries.
9. At *Section 3.01D, Sector Summary NV*, is being updated to reflect the NV sector areas within expanded DUV boundaries.
10. At *Section 5.01, Street Type Plan, Figure 63* is being updated to reflect the street typologies within the expanded DUV boundaries.

ANALYSIS:

The following is a review of the request pursuant to the zoning amendment criteria found at Section 30-30.7(b) of the Land Development Code. The Background Section and the Proposed Changes Section of this report is hereby incorporated by reference into this analysis. The Studies attached at Exhibits A, B and C are hereby incorporated into all portions of this analysis. The analysis below addresses both the downtown zoning regulations and the rezoning amendments.

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

Analysis: In reviewing the Village's Comprehensive Plan, the following Goals, Objectives, and Policies (GOP) below were identified as relating to the proposed amendment. Each GOP is provided with a brief analysis. The finding of those analysis's is provided at the end of this criterion.

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.

Analysis: The proposed downtown zoning provisions are reflective of (as guided by a 40 member team comprising the DRTF, and three (3) comprehensive and innovative studies (see Exhibits A, B, and C), the principals established within this Goal. The effort was committed with

an eye to neighborhood protection, visionary planning, and place making. The provisions rely upon sustainable development (available infrastructure), neighborhood protection (diverting traffic away from interior portions of the Village), and provides for urban open space acquisition to ensure a livable downtown.

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

Analysis: The density permitted by the proposed land use category allows for a more compact urban form where mixed uses can be provided throughout the district. Mixed use integration is viewed through the prism of a district wide concept and greater flexibility provided through the use of both horizontal and vertical forms.

The attached Studies identify appropriate infrastructure improvements to support anticipated residential and commercial growth. Within the urban framework of the downtown, the street grid is fashioned so that cut-through traffic from the district into the neighborhoods is eliminated, and building heights are scaled downwards as they approach the park and residential communities.

Policy 1.1.12 Encourage balanced future land use patterns along the US 1 commercial corridor that would ensure a natural buffer or transition area between the commercial uses and the single family residential areas, thus ensuring the concentration of future development in areas with adequate infrastructure and facilities.

Analysis: See Studies. The proposed provides reduced density and height standards for those areas adjacent or near to single family residential neighborhoods. The proposed road network conforms to the Marlin Engineering Traffic Study for purposes of reaching desired LOS for traffic, and the overall concept of the district is aimed at encouraging mass transit. The street grid is also designed to eliminate cut-through traffic from the district into the residential neighborhoods on the east side. The Kimley Horn Capacity Study identifies existing available infrastructure and required modifications to accommodate development anticipated by the Lampert Market Study.

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

Analysis: See Policy 1.1.12 and the Studies. The LDR's that correspond to this proposed FAC designation offer maximum base densities that range from 14 to 24 units per acre. That density count reflects the lowest permitted density thresholds of the MDR (14-23 units per acre) and MHDR (24-40 units per acre) land use designations. When combining the base maximum density with the remaining reserve units, the average density within the FAC equals 29 units per acre. Miami-Dade County WASD, has already constructed several upgrades to the potable water and waste water capacity of the area. Other improvements have been made by the Village to upgrade stormwater needs. The form based design of the downtown district encourages redevelopment that is anti-sprawl in an area where adequate infrastructure and facilities exist.

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 regulates development quality and impacts.

Analysis: Evaluation of this objective must be viewed through the entire analysis of Criteria 1 as related to the GOPs within the Land Use Element of the Comprehensive Plan. As such, all GOPs which start with the number "1" are hereby incorporated into this analysis and found to be consistent with the objective.

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

Analysis: See Objective 1.2.

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 services concurrent with the impacts of development.

Analysis: See Goal 1, Policy 1.1.8 and the Studies. The proposed amendment is supported by the infrastructure findings of the Studies. It is believed infrastructure can accommodate or appropriately be provided to accommodate anticipated development.

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

Analysis: The Village has four public schools within its boundaries. As reflected in the table below, all four do not exceed maximum enrollment capacity. The Comprehensive Plan sets a threshold level of service (LOS) of 1 child per available permanent station. The LOS in the chart below is reflected as the Actual 2014-2015 Utilization. A current approval exists for a charter school within the downtown area which is further expected to absorb any growth in school populations. The Village is also served by a number of high quality private schools.

**Miami-Dade County Public School 5-Year District Facility Work Plan
 Student Enrollment, Capacity and Utilization Matrix for FY 2014-15**

Locations	Actual 2014-2015 COFTE ¹	Actual 2014-2015 FISH Capacity ²	No. of Class Rooms	Actual Average 2014-2015 Class Size	Actual 2014-2015 Utilization
Perrine Elementary School	757	840	42	18.0	.90
Coral Reef Elementary School	853	932	49	17.4	.80
Howard Drive Elementary School	637	771	39	16.3	.72
Southwood Middle School	1441	1727	86	16.8	.78

Source: Miami-Dade County Public School 2011-2016 Capital Plan and individual school reporting through July 16, 2014.

Note:

1. COFTE - Capital Outlay Full Time Equivalency

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

Analysis: The street plans within the downtown zoning regulations call for tree plantings within the swale areas, and where applicable, within medians.

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

Analysis: See Policy 1.7.3.

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

Analysis: See Policy 1.7.3. All right-of-ways are at least 50 feet wide and are required to have landscaping.

Objective 2A.1 Transportation Level of Service

To the maximum extent controllable by the Village of Palmetto Bay, all roadways within the Village shall operate at or above the roadway level of service standards contained in this Element.

Analysis: Please see Goal 1, Policy 1.1.8, Objective 1.3, and the Studies. The proposed downtown zoning district is predicated on the infrastructure reviews provided by the Studies. The corresponding Land Development Regulations provide for a road network to accommodate anticipated development within acceptable LOS.

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

Analysis: See the Studies. The area subject to the amendment is adjacent to a Miami-Dade County's Rapid Transit Station and one (1) of the two (2) Community Urban Centers. The proposed development regulations are designed to encourage mass transit usage. Although not all portions of the district are exempt from transportation concurrency pursuant to the 1/4 mile rule above, a street grid is provided with the regulations consistent with the Marlin Engineering Traffic Study, so as to manage the anticipated development projected by the Lampert Market Study, and in order to keep traffic flows within an acceptable LOS.

Policy 2A.1.4 Consistent with Miami-Dade County, continue to exempt proposed development from transportation concurrency requirements that are located within an Enterprise Zone Established pursuant to Chapter 290 of the Florida Statutes.

Analysis: See Policy 2A.1.2 above. The district is entirely within an Enterprise Zone established pursuant to Chapter 290 of the Florida Statutes.

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

Analysis: See Policy 1.1.12 and the Studies. The area subject to the amendment includes a street grid designed pursuant to the Marlin Engineering Traffic Study, to support the anticipated absorption of development as identified in the Lampert Market Study, within an acceptable LOS.

Objective 2A.5 Bicycle and Pedestrian Facilities

Increase the amount of pedestrian and bicycle activity within the Village by providing adequate facilities to promote friendly pedestrian and bicycle environments.

Analysis: The proposal provides for wide pedestrian walkways, bicycle lanes, and bicycle racks throughout the district.

Objective 2B.1 Transit and System Improvements

Increase utilizations of transit service by local residents, employees, and visitors to help reduce motor vehicle use and traffic congestion.

Analysis: See Policy 2A.1.2. The downtown provisions are geared to encouraging the use of mass transit. This is further facilitated by the districts close proximity to three (3) of Miami-Dade County's Rapid Transit Stations and a designated Community Urban Center.

GOAL 2C Preserve and enhance desirable development patterns that support Palmetto Bay's vision to provide for a safe, convenient, and efficient motorized and non-motorized transportation system to satisfy the transportation needs of the residents and visitors within the Village.

Analysis: See Policies 2A.1, 2A.1.2, 2A.1.8, 2A.5, and the Studies. The proposed amendment is consistent with the Marlin Engineering Traffic Study and the Kinley Horn Capacity Study in identifying appropriate existing and needed infrastructure to accommodate development anticipated by the Lampert Market Study.

Objective 2C.1 Future Land Use Coordination

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

Analysis: See analysis at Goal 2C.

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.

Analysis: See Policy 1.1.8 and the attached Studies. In completing the capacity study, WASD was consulted to ascertain necessary data in determining LOS based on projected absorption rate of future development. Those studies reflect existing carrying capacity and necessary improvements to meet LOS. The downtown provisions were developed in consideration of, and consistent with those studies.

Objective 4B.1 Sanitary Sewer level of service

Coordinate effectively with the Village's wastewater service provider (WASD), to ensure that wastewater service to the Village will meet or exceed the adopted level-of-service standard thorough the planning period.

Analysis: See Objective 4A.1 above.

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

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

Analysis: See Objective 4A.1 above.

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

Analysis: See the Studies. The downtown area is already served by potable water and sanitary sewer. Future improvements to that infrastructure may be required as the Village achieves full build-out of the anticipated development capture as projected by the Lampert Market Study.

Objective 4D.1 Existing and Future Needs

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

Analysis: See Objective 4A.1 above.

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

Analysis: The proposed amendment provides for a public open space component which is further supported by the proposed underlying Franjo Activity Center (FAC) land use designation. Within the zoning provisions, a minimum square footage standard is established to ensure public open space can be provided within the fabric of the downtown.

Policy 7.1.8 Ensure that ample parks and open space is a key component in the development of the Palmetto Bay Village Center and the Franjo Road/US 1 Commercial Area mixed-use areas.

Analysis: See Policy 7.1.3. The proposed amendment is intended to work in tandem with the FAC land use designation which establishes a unique park LOS within the downtown setting to ensure a proper quantity of open space is available to support the anticipated residents and visitors to the area. The provisions provide for the acquisition of lands so that the Village may appropriately site such amenities.

Policy 7.2.4 Continue to look for opportunities to provide parking spaces and bicycle racks at recreation sites where they are now lacking or inadequate.

Analysis: See Policy 2A.5. The proposed amendment provides for the placement of bicycle racks near and/or adjacent to recreation areas as well as throughout the district.

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

Analysis: See Objective 7.1.8 above.

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.

Analysis: See Objective 4A.1.

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.

Analysis: See Objective 4A.1.

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.

Analysis: Please see the Background Section, Objective 4A.1 and the studies. The Village undertook an extensive planning approach to arrive at the proposed zoning provisions which are to be implemented within the area in question. The efforts included the assembly of over 40 land based professionals which met over a period of approximately 18 months to identify the core needs, issues and desired outcomes. The Village embarked on a thorough set of studies which explored market capture rates, feasibility, traffic carrying capacity, and infrastructure capacity. These studies were performed in consultation with both Village and County agencies. These efforts form the backbone of the downtown zoning provisions.

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

Analysis: See Policy 4C.1.

Finding: Consistent.

Criteria (2) Whether the proposal is in conformance with all applicable requirements of Chapter 30.

Analysis: Like all zoning districts, the expansion of the proposed downtown zoning provides a set of standards designed to achieve certain development objectives. It builds upon and serves as an upgrade and replacement of the previous FT&I zoning regulations. Much like the FT&I code, the proposal provides for a complete set of development provisions, including definitions tailored to a more urban form and addresses such design controls as, heights, setbacks, roadways, bicycle and pedestrian networks, landscape standards, permitted uses (and accessory uses), building form typology and open space requirements. As with the other zoning districts, those development standards not specifically addressed within the proposed downtown district shall be governed by the remaining portions of Chapter 30. As such, no portion of the proposed code is in conflict with Chapter 30.

Finding: Consistent.

Criteria (3) Whether, and the extent to which, land use and development conditions have changed since the effective date of the existing regulations, and whether the changes support or work against the proposed change in land use policy.

Analysis: See Criteria 1. Establishment of the FT&I code followed a traditional planning charrette model which included community meetings, design workshops, and an infrastructure overview. That effort laid the conceptual ground work for a downtown center within the South Dade/Palmetto Bay area. That charrette process went in tandem with the “Perrine Park-Cutler Ridge Water and Sewer Improvements”, which was funded by the Building Better Communities Bond Program adopted by Miami-Dade County voters in November of 2004. The program brought the needed water infrastructure necessary to support a future downtown. Adoption of the FT&I code was consistent with Miami-Dade County’s Comprehensive Master Development Plan (MDCDMP), which had previously designated the area a Community Urban Center, with three nearby rapid transit stations. However, the development intensities adopted within the FT&I code only reflected the minimum permitted development standard of the MDCDMP. Today, the FT&I code continues to fall short of the development intensity expectations as provided at Policies 1.1.8 and 1.1.13 of the Village’s Comprehensive Plan.

Since that time, the infrastructure funded by the Bond has been completed, but little in the way of development has proceeded consistent with the FT&I code. What was built occurred primarily before all, or portions of that code were adopted. The design of those developments, in part, miss the mark of a truly urban walkable/bike-able form. Further, there has been no new construction since 2010. This condition persists despite significant growth in permit activity for new construction along the US-1 corridor with our neighbors to the north and south. The conclusion thereto, as supported by the Lampert Market Study and other analysis performed by staff, is that the FT&I code does not appropriately respond to market realities.

The method employed in developing the downtown district builds off the original FT&I effort, but delves deeper into analysis by providing a detailed market study, traffic study, and a capacity study to provide a fuller understanding of what can be built reflective of market demand. This effort was led by a community group of land based professionals that understood the desires of their fellow residents to have a vibrant downtown. The result was an adjustment to the urban form to ensure better design standards to support pedestrians, bicyclists and mass transit, provide greater flexibility and development incentives, and an adjustment of the permitted intensity to better reflect market realities in a framework supported by a sustainable infrastructure.

Finding: Consistent.

Criteria (4) 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 land uses.

Analysis: The uses to be permitted within the expanded downtown district will be reflective of those currently permitted within the FT&I. The main difference between the two codes is the use of broad category listings as opposed to an enumeration of every possible use that is permitted. The net effect is similar, however the category list allows greater ease of application as new uses and business models come into being which fit into a particular category but may not a specific use.

Both the current and proposed codes are mixed use districts, however the proposed code provides greater flexibility by removing the vertical integration concept. With the exception of certain roadways (Franjo and US-1), the proposed code views the concept of mixed use as a district wide phenomenon and not merely the integration of a single parcel. Thus the outcome could be a parcel built for a singular use, say office, whereas across the avenue there may be sited a residential building. Hence mixed use is achieved district wide, and in a fashion that provides flexibility to a development community responding to market forces.

One of the challenges presented by the current FT&I zoning was the creation of nonconformities throughout the district. Almost all rezonings in one fashion or another create nonconformities. However, the FT&I code prevented even modest adjustment to properties that were not quite redevelopment ready. Not all properties are ripe for redevelopment at the same time. The net effect was to freeze in time many of the existing properties that may have actually benefited from small scale upgrades until such time that full scale redevelopment was more economically feasible. The proposed downtown provisions provide for a 30% rule which would allow upgrades to existing developments without triggering the full downtown development standards. In essence, an existing development may add no more than 30% floor area to a building before triggering the downtown code.

Findings: Consistent.

Criteria (5) Whether, and the extent to which, the proposal would result in demands on transportation systems, public facilities and services; would exceed the capacity of the facilities and services, existing or programmed, including: transportation, water and wastewater services, solid waste disposal, drainage, recreation, education, emergency services, and similar necessary facilities and services.

Analysis: See Criteria 1 of this Analysis and the attached Studies.

Finding: Consistent.

Criteria (6) Whether, and to the extent to which, the proposal would result in adverse impacts on the natural environment, including consideration of wetland protection, preservation of groundwater aquifer, wildlife habitats, and vegetative communities.

Analysis: See Criteria 1. In general, the proposed zoning provision will not impact the above communities in question as the area is largely commercial in nature with some residential communities. The provisions do fulfill certain GOP's of the Comprehensive Plan with regard to landscaping on-site and within the rights-of-ways. Other provisions provide for open space.

Finding: Consistent.

Criteria (7) Whether, and the extent to which, the proposal would adversely affect the property values in the affected area, or adversely affect the general welfare.

Analysis: See Criteria 1 and 4 of this analysis and the attached Studies. The downtown district is located along the southwestern edge of the Village. The overall layout of the downtown district is designed to divert unintended impacts that may occur away from the interior portions of the Village. Its standards are tailored to reflect market realities within a sustainable framework of infrastructure to support commercial, office, and retail development, and market rate housing. It is believed the net effect will be an increase in overall property values. This outcome will likely result in a shift of the share of real estate tax burden away from the Village's, single family residential communities' current 80% contribution ratio.

Finding: Consistent.

Criteria (8) Whether the proposal would result in an orderly and compatible land use pattern. Any positive and negative effects on land use pattern shall be identified.

Analysis: See Criteria 1, 4, and 7 and the attached Studies. In addition to that already stated in the above reviews, traffic patterns have been established to eliminate cut-through traffic into the interior portions of the Village from the downtown district.

Finding: Consistent.

Criteria (9) Whether the proposal would be in conflict with the public interest, and whether it is in harmony with the purpose and intent of Chapter 30.

Analysis: See Criteria 1, 2, 3, 4, 7, and 8, and the attached Studies. Based on the above reviews and the attached Studies, the request is in harmony with Chapter 30.

Finding: Consistent.

Criteria (10) Other matters which the Local Planning Agency or the Village Council in its legislative discretion may deem appropriate.

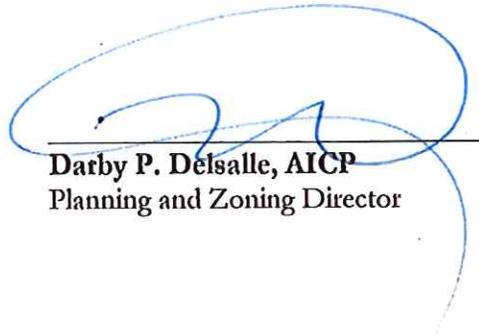
Finding: Decision for the Village Council.

FISCAL/BUDGETARY IMPACT:

Ad valorem revenue generated by the anticipated development is provided for the Lampert Market Study.

RECOMMENDATION:

Staff recommends approval.



Darby P. DeSalle, AICP
Planning and Zoning Director

EXHIBITS A - C
PROVIDED ON DISK

1
2 WHEREAS, the Mayor and Village Council have since commenced with the fulfillment of
3 the vision of the DRTF as supported by the findings of the Studies, by adopting new downtown
4 provisions and the rezoning certain lands therein, in order to promote the development of the
5 Village's southwest corner; and
6

7 WHEREAS, on December 14, 2015, the Mayor and Village Council completed the first
8 phase of the zoning initiative and now desire apply the Downtown Urban Village land development
9 regulations to those lands described at Attachment A; and
10

11 WHEREAS, pursuant to Chapter 166, *Florida Statutes*, new zoning provisions, and a change
12 of zoning, otherwise known as a district boundary change, of more than 10 acres, requires a public
13 hearing on second reading, and a Local Planning Agency public hearing prior to approval of the
14 rezoning by ordinance; and
15

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

19 WHEREAS, on _____, 2016, the Local Planning Agency approved the proposed
20 amendment; and
21

22 WHEREAS, to approve a zoning code and/or zoning map amendment, the request must
23 be consistent with the Village's Comprehensive Plan and a basic finding of compatibility to Code
24 Section 30-30.7(b) must be rendered by the Mayor and Village Council; and
25

26 WHEREAS, the Mayor and Village Council, now desire to enact land development
27 regulations for lands within the downtown area as provided at Attachment A, and to rezone the
28 certain lands within Village's downtown area accordingly, as further described at Attachment B.
29

30 **BE IT ENACTED BY THE MAYOR AND VILLAGE COUNCIL OF THE**
31 **VILLAGE OF PALMETTO BAY, FLORIDA, AS FOLLOWS:**
32

33 Section 1. Compliance with Code Section 30-30.7(b). The Mayor and Village
34 Council find the downtown zoning land development regulations and rezoning consistent with Code
35 Section 30-30.7(b) of the Code of Ordinances.
36

37 Section 2. Compliance with FS Chapter 166. The Village Council, in compliance
38 with Chapter 166, *Florida Statutes*, after the first reading and Local Planning Agency hearing,
39 approved the request to rezone.
40

41 Section 3. Creation of Downtown Land Development Regulations. Section 30-
42 50.23 is amended within the Village's Code of Ordinances to read as provided at Attachment A of
43 this ordinance.
44

1 **Section 4. Codification.** It is the intention of the Village Council and it is hereby
2 ordained the provisions of this Ordinance shall become and be made part of the Code of
3 Ordinances of the Village of Palmetto Bay, Florida, that sections of this Ordinance may be
4 renumbered or re-lettered to accomplish such intentions, and that the word "Ordinance" shall be
5 changed to "Section" or other appropriate word.

6
7 **Section 5. Rezoning.** That all lands as described and so designated at Attachment B of
8 this ordinance are rezoned accordingly and be so reflected on the Village of Palmetto Bay's Official
9 Zoning Map.

10
11 **Section 6. Conflicting Provisions.** The provisions of the Code of Ordinances of the
12 Village of Palmetto Bay, Florida and all ordinances or parts of ordinances in conflict with the
13 provisions of this ordinance are hereby repealed.

14
15 **Section 7. Severability.** The provisions of this Ordinance are declared to be severable,
16 and if any sentence, section, clause or phrase of this Ordinance shall, for any reason, be held to be
17 invalid or unconstitutional, such decision shall not affect the validity of the remaining sentences,
18 sections, clauses or phrases of the Ordinance, but they shall remain in effect. It is the legislative
19 intent that this Ordinance shall stand notwithstanding the invalidity of any part.

20
21 **Section 8. Effective Date.** This ordinance shall take effect immediately upon
22 enactment.

23
24
25 PASSED and ENACTED this ____ day of _____, 2016.

26
27 First Reading: _____

28
29 Second Reading: _____

30
31
32
33 Attest: _____
34 Meighan Alexander
35 Village Clerk

Eugene Flinn
Mayor

36
37 APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE
38 USE AND RELIANCE OF THE VILLAGE OF PALMETTO BAY ONLY:

39
40
41
42 _____
43 Dexter W. Lehtinen
44 Village Attorney

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FINAL VOTE AT ADOPTION:

Council Member Katyn Cunningham _____

Council Member Tim Schaffer _____

Council Member Larissa Siegel Lara _____

Vice-Mayor John DuBois _____

Mayor Eugene Flinn _____

ATTACHMENT A
DUV AMENDMENT

VILLAGE OF PALMETTO BAY

Village of Palmetto Bay Illustrative Vision Plan



VILLAGE OF PALMETTO BAY

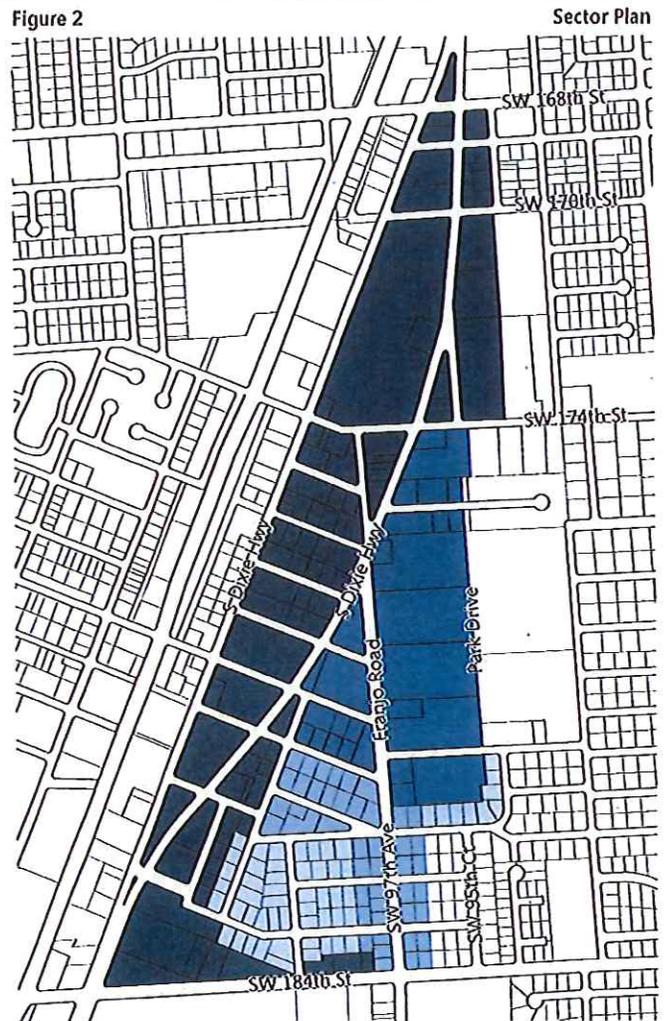
Rowhouse typologies are introduced, with the ability to provide a mixed-use component to the district but remain compatible with higher intensity residential typologies like Stacked Apartment buildings. Single-Family houses may be developed as a more urban typology like sideyard and courtyard houses, which maintain the street edge and continue to respect the public realm.

Landscaping should be consistent with the neighborhood scale of the district with shade trees planted in landscape islands or planting strips and some shallow-depth landscaping in any setbacks separating building entrances and frontage features from the public sidewalks.

Parking is permitted both on-site and off-site within the NV Sector.

Key

(DV)	Downtown Village	
(DG)	Downtown General	
(UV)	Urban Village	
(NV)	Neighborhood Village	



Section 2.03 New Streets Plan

The New Streets Plan, Figure 3, shows the location and number of new streets needed to create the improved network of streets prescribed by the Village of Palmetto Bay Illustrative Vision Plan. All new streets shall be located in the same general location as shown in the New Streets Plan and developed under the standards established by these regulations.

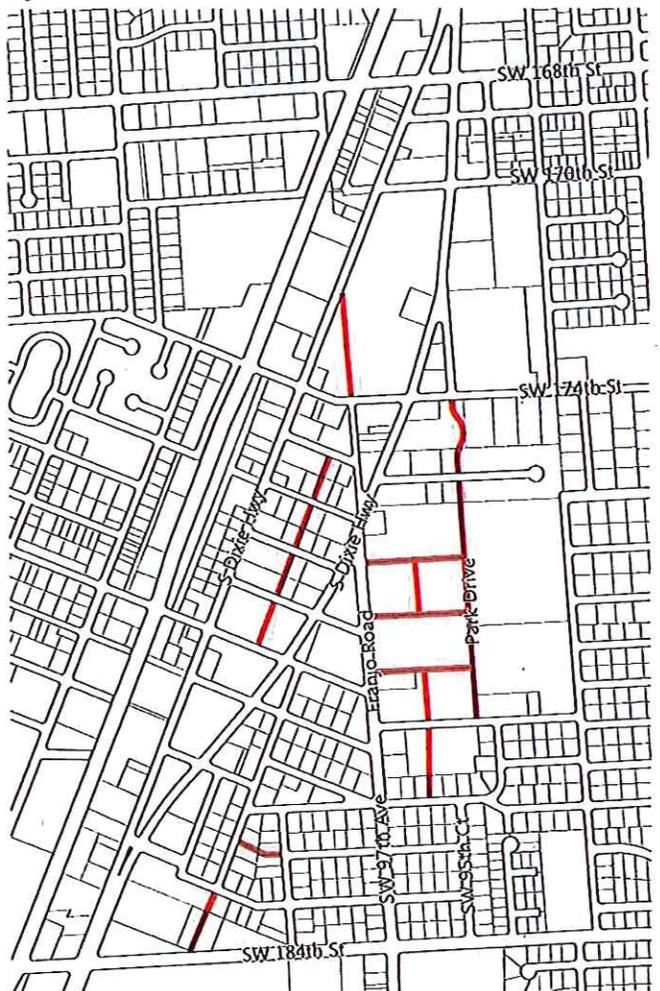
Key

New Street



Figure 3

New Streets Plan



VILLAGE OF PALMETTO BAY

Section 2.04 Public Open Spaces Plan

The Public Open Spaces Plan, Figure 4, shows the number and location of public open spaces proposed to create an improved network of open spaces within the future vision of the Village of Palmetto Bay. The general proportion and size of each public space shall be controlled by Table 1.

Key

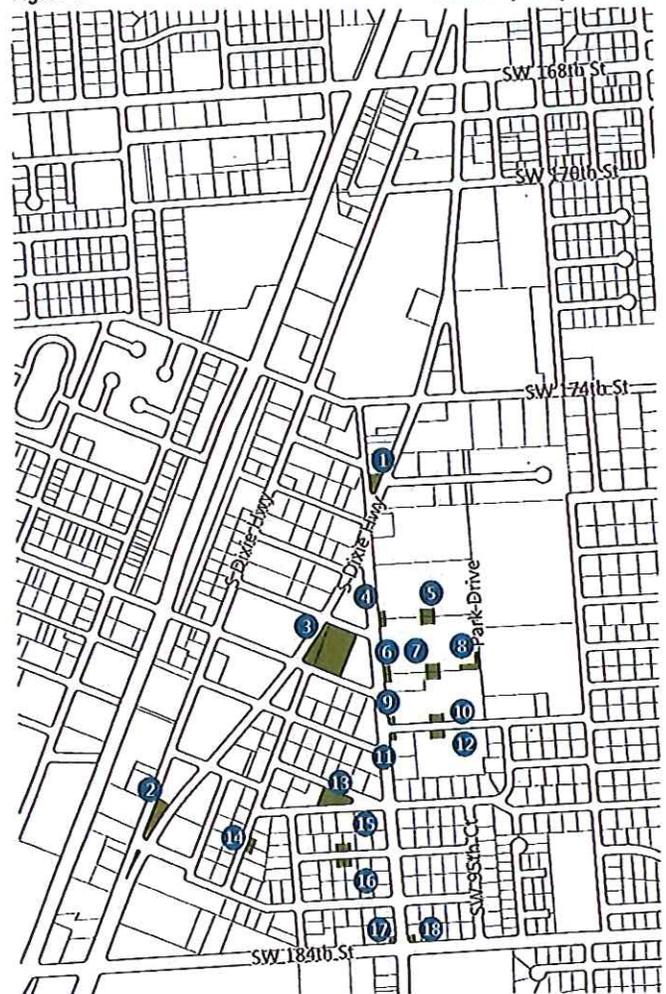
Public Open Space 

Table 1 Open Space Areas

Open Space	Area
1	7,500 sq.ft.
2	14,000 sq.ft.
3	70,000 sq.ft.
4	4,800 sq.ft.
5	9,600 sq.ft.
6	4,800 sq.ft.
7	9,600 sq.ft.
8	8,000 sq.ft.
9	2,400 sq.ft.
10	4,800 sq.ft.
11	2,400 sq.ft.
12	4,800 sq.ft.
13	16,000 sq.ft.
14	4,800 sq.ft.
15	4,800 sq.ft.
16	4,800 sq.ft.
17	2,400 sq.ft.
18	2,400 sq.ft.

Figure 4

Public Open Spaces Plan



Section 2.05 Street Hierarchy Plan

The Street Hierarchy, Figure 5, plan illustrates the types of streets, both existing and new, to be constructed/redeveloped within the Village of Palmetto Bay. Streets designed according to the standards within these regulations contain many new character elements that will contribute to the improved street network and ped/bike character of the Downtown Urban Village (DUV).

For all street types, a build-to line shall be established consistent with the street type that is identified in Figure 62 and the corresponding standards illustrated in Sec.5.01 A-E. For the stoop and porch frontage types in Sec.4.05 D-E, within the Urban Village (UV) and Neighborhood Village (NV) sectors, the setbacks shall be 10 feet.

The following streets and corresponding Figure 5, outline the hierarchy of streets from top priority down. This hierarchy of streets is important for development where frontage and access shall be considered.

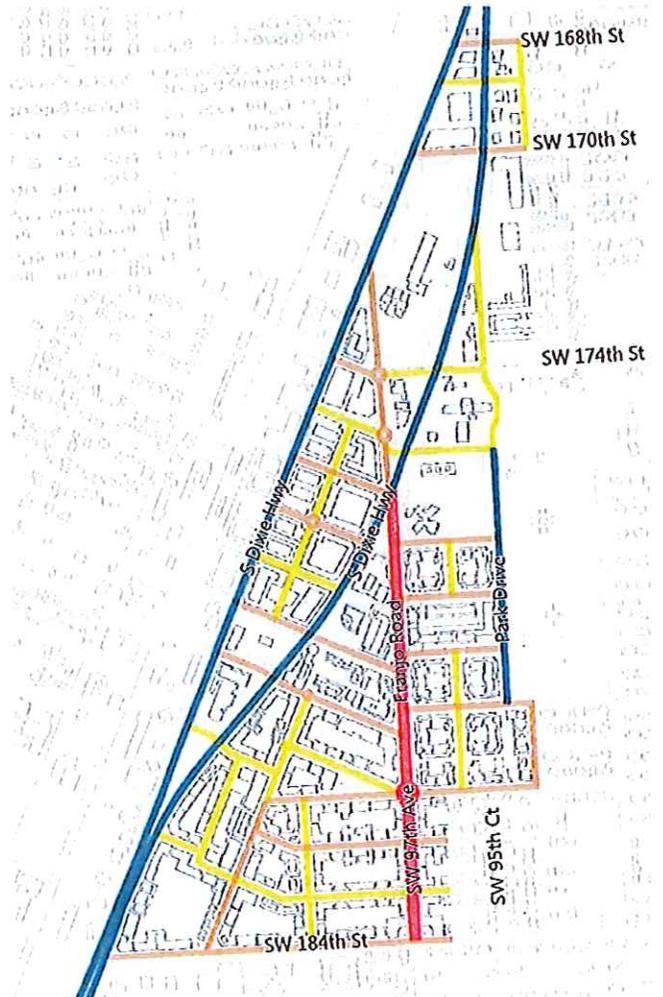
Key

- Priority 'A' Street
- A Street
- Priority 'B' Street
- B Street



Figure 5

Street Hierarchy Plan



Section 2.06 Residential Density Plan

The Residential Density Plan, Figure 6, illustrates the range of densities that shall be permitted on the parcels within the Downtown Urban Village (DUV). All densities shall be based on the gross lot area, meaning that parcels shall be extended to the center line of the street for the purpose of calculating the lot area.

- A. **Minimum Average Unit Size:** In total, a mixture of unit sizes and types shall be provided in all residential components of development. The number of units in a multi-family building to be constructed in the Downtown Urban Village (DUV) shall meet the minimum average required unit size of 750 sq.ft. minimum. This will encourage development of mainly one (1), two (2) and three (3) bedroom residential units. The minimum unit size for any residential units that shall be permitted within the DUV is 625 sq.ft. min.

Key

- 24 du/ac max. base density (gross)
- 14 du/ac max. base density (gross)

Maximum Base Density: Maximum base density refers to the number of initial residential units permitted per acre before adding available reserve residential units and/or TDR residential units.

Multi-Family Units	Area (min.)
Studio	625 sq.ft.
1 Bedroom	650 sq.ft.
2 Bedroom	850 sq.ft.
3 Bedroom	1,100 sq.ft.



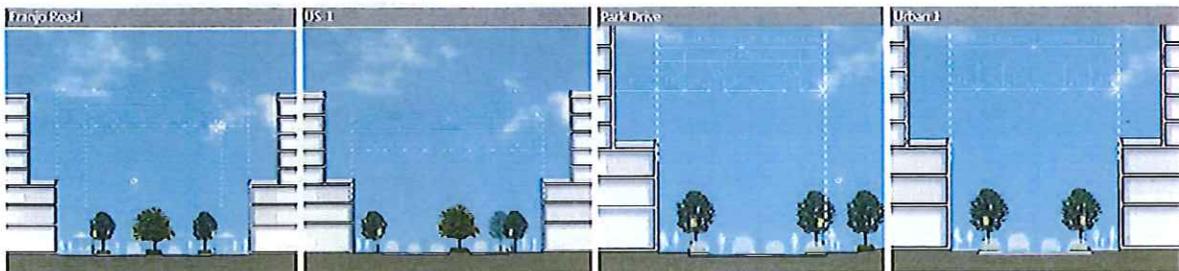
B. Downtown General (DG)

Sector Summary

DG Downtown General							
Building Types	Lot Size W x D	Residential Density*	Building Height	Uses by Story		Private Open Space	
				1st	2nd+		
Flexible Block	160'x160' (min.)	24 du/ac	4 stories (min.) 5 stories (max.) 8 stories (with bonus)	C-R/O/R	C-R/O/R	15% of site	
Flex Building	80'x100' (min.)	24 du/ac	4 stories (min.) 5 stories (max.) 8 stories (with bonus)	C-R/O/R	C-R/O/R	15% of site	
*Maximum Base Density: Maximum base density refers to the number of initial residential units permitted per acre before adding available reserve and/or TDR units.							
Streets and Building Placement							
Street Type	ROW	Build To Line		Sidewalk	Bike Lanes	Uses (at Street)	Glazing (at Street)
		Primary	Secondary				
Franjo Road (FR)	70'	50' (from centerline of road, up to 2 stories)	65' (from centerline of road, >2 stories)	20'	Yes	C-R	70% (min)
US-1 (US1)	100'	50' (from centerline of road, up to 2 stories)	65' (from centerline of road, >2 stories)	16'	N/A	C-R O R	70% min. (C-R/O only)
Urban 1 (TS-U1)	50' or 60'	30' (from centerline of road, up to 2 stories)	45' (from centerline of road, >2 stories)	10'	N/A	C-R O R	70% min. (C-R/O only)



Key: Commercial-Retail: C-R Office: O Residential: R



C. Urban Village (UV)

Sector Summary

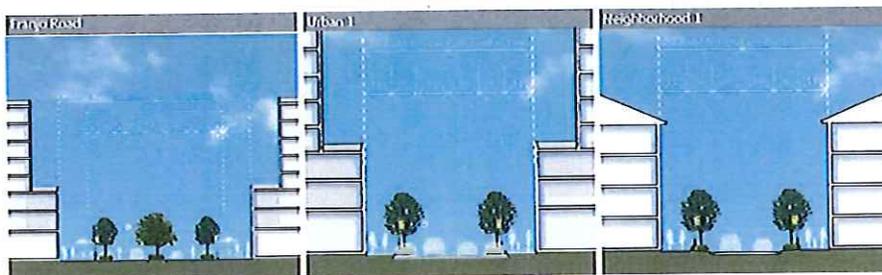
UV Urban Village		Building Types	Lot Size W x D	Residential Density*	Building Height	Uses by Story	Private Open Space
	Flexible Block	160'x160'	24 du/ac	3 stories (min.) 5 stories (max.) 8 stories (with bonus)	1st 2nd+	C-R/O/R C-R/O/R	15% of site
	Flex Building	80'x100'	24 du/ac	3 stories (min.) 5 stories (max.) 6 stories (with bonus)	1st 2nd+	C-R/O/R C-R/O/R	15% of site
	Row-house	80'- 125'x100'	24 du/ac	2 stories (min.) 3 stories (max.)	1st 2nd+	C-R/O/R R	400 sq.ft. per unit
	Stacked Apartment Building	80'-200'x 100'	24 du/ac	2 stories (min.) 4 stories (max.)	1st 2nd+	R R	10% of site
	Single-Family House	45'- 100'x100'	24 du/ac	3 stories (max.)	1st 2nd+	R R	10% of site

*Maximum Base Density: Maximum base density refers to the number of initial residential units permitted per acre before adding available reserve and/or TDR units.

Streets and Building Placement

Street Type	ROW	Build To Line		Sidewalk	Bike Lanes	Uses (at Street)	Glazing (at Street)
		Primary	Secondary				
Franjo Road (FR)	70'	50' (from centerline of road, up to 2 stories)	65' (from centerline of road, > 2 stories)	20'	Yes	C-R	70% (min)
Urban 1 (TS-U1)	50' or 60'	30' (from centerline of road)	45' (from centerline of road)	10'	N/A	C-R O R	70% min. (C-R/O only)
Neighborhood 1 (TS-N1)	50' or 60'	30' (from centerline of road)	45' (from centerline of road)	10'	N/A	R	N/A

Key: Commercial-Retail: C-R Office: O Residential: R



D. Neighborhood Village (NV)

Sector Summary

NV Neighborhood Village							
	Building Types	Lot Size WxD	Residential Density ^a	Building Height	Uses by Story		Private Open Space
	Flex Building	80'x100'	24 du/ac	3 stories (min.) 5 stories (max.) 6 stories (with bonus)	1st 2nd+	C-R/O/R O/R	15% of site
	Row-house	80'- 125'x100'	24 du/ac	2 stories (min.) 3 stories (max.)	1st 2nd+	C-R/O/R R	400 sq.ft. per unit
	Stacked Apartment Building	80'-200'x 100'	24 du/ac	2 stories (min.) 4 stories (max.)	1st 2nd+	R R	10% of site
	Single-Family House	45'- 100'x100'	24 du/ac	3 stories (max.)	1st 2nd+	R R	10% of site

^aMaximum Base Density: Maximum base density refers to the number of initial residential units permitted per acre before adding available reserve and/or TDR units.

Streets and Building Placement

Street Type	ROW	Build-To-Line		Sidewalk	Bike Lanes	Uses (at Street)	Glazing (at Street)
		Primary	Secondary				
Urban 1 (TS-U1)	50' or 60'	30' (from centerline of road)	45' (from centerline of road)	10'	N/A	C-R O R	70% min. (C-R/O only)
Neighborhood 1 (TS-N1)	50' or 60'	30' (from centerline of road)	45' (from centerline of road)	10'	N/A	R	N/A

Key: Commercial-Retail: C-R Office: O Residential: R



30-50.23.5 Street Connectivity Standards

Section 5.01 Purpose

This section identifies the standards, by which all streets both new and existing, shall be met with regards to the dedication, construction and/or redevelopment by both the Village of Palmetto Bay and its individual property owners, in addition to any other public entities/stakeholders.

All construction of new and redevelopment of existing right-of-ways shall be the responsibility of the individual property owners and are intended to support the Village of Palmetto Bay's future vision for a highly connected, multi-modal, ped/bike-friendly, network of streets within the Downtown Urban Village (DUV). Property owners shall be responsible for the portion of the right-of-way on all sides of development, considered street frontage.

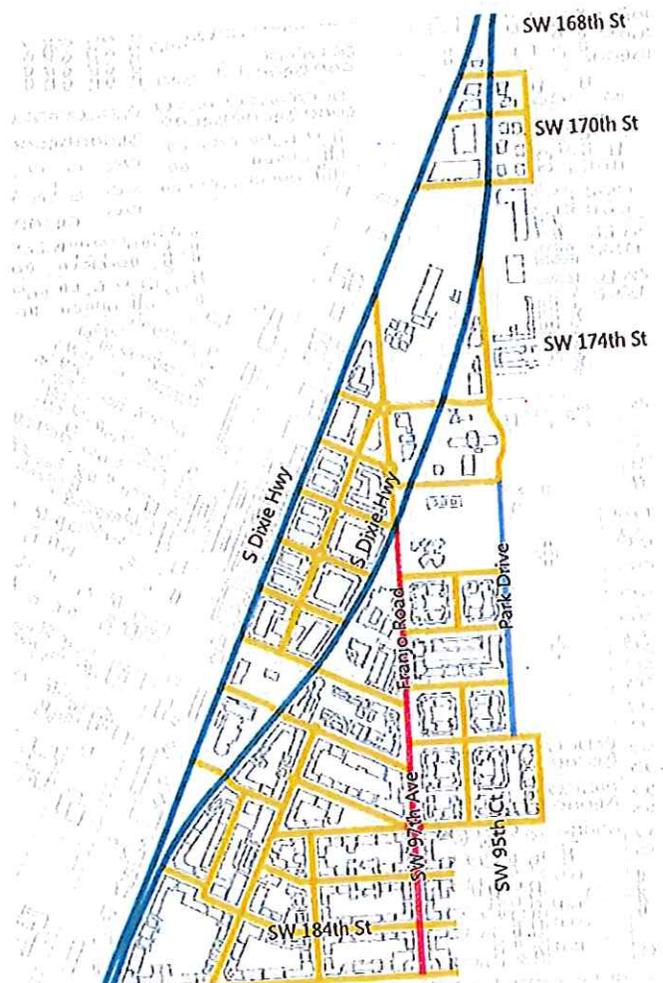
The intention of this section is to provide the tools necessary for property owners and potential developers to determine the type of street and the elements within the right of way necessary to achieve the Village of Palmetto Bay's vision for the Downtown Urban Village (DUV). The size, location and treatment of the elements that compose the right of way shall determine the relevant build-to line, in which property owners and developers shall base plans for their parcels and apply all parameters of development.

Key

(FR)	Franjo Road	
(US1)	US-1	
(P)	Park Drive	
(TS)	Typical Street	

Figure 62

Street Type Plan



ATTACHMENT B
DUV REZONING MAP

ATTACHMENT B

