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To: Honorable Mayor and Village Council

Date: December 18, 2023

From: Heidi Siegel, AICP, CED Director

Re: CP-23-001 / Amended  
Comprehensive Plan Dated  
December 2023, Associated Map  
Series, and Updated Data  
Inventory And Analysis / 1<sup>st</sup>  
Reading (Transmittal Ordinance)

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## BACKGROUND

Florida Administrative Code Rule Chapter 73C-49 requires municipalities to evaluate its Comprehensive Plan at least every seven years to determine whether the need exists to amend the comprehensive plan to reflect changes in state requirements since the last time the comprehensive plan was updated. A Comprehensive Plan is a policy document that reflects a local government's broad land-use policies and establishes the municipality's levels of service required for new development.

On July 19, 2022, the Village Council adopted Resolution No. 2022-66 accepting the Comprehensive Plan Evaluation and Appraisal Report (EAR). The EAR outlined the required statutory amendments.

Prior to this current process, the Village had not completed a thorough Comprehensive Plan update since 2010. Furthermore, the Village's Comprehensive Plan still reflected many "copy and paste" policies from the Miami-Dade County Comprehensive Development Master Plan that do not reflect the Village's sense of place and vision.

On January 9, 2023, the Village of Palmetto Bay engaged with Stantec to update the Village's Comprehensive Plan. Village staff has worked closely with Stantec to create an updated Comprehensive Plan that allows the Village to come into compliance with State requirements and reflect the unique nature of the Village.

## PUBLIC PARTICIPATION/PRESENTATIONS/NOTIFICATION

The Comprehensive Plan update included public participation. The public were presented with different mediums to provide feedback early in the process. On April 1, 2023, a public workshop was held. A postcard went to every property in the Village and there were multiple social media and newsletter items inviting the public. The meeting was also streamed live over social media.

Over 25 participants were in attendance. Participants were divided into three groups where they focused on each element (chapter) of the Comprehensive Plan. This activity was well received and provided a lot of detailed insight from residents and property owners.

Additionally, an interactive website was launched that allowed users to provide comments on an interactive map. Other users could click an icon to agree or disagree with the comments provided on the map. 283 unique users visited the interactive website and there was a total of 36 comments.

On May 15, 2023, the Village Council held a discussion regarding the Comprehensive Plan at the Zoning Hearing. The Council provided feedback and suggestions for inclusion in the plan.

On September 18, 2023, staff presented to the Village Council the draft Comprehensive Plan update. This included changes to the Future Land Use Map and updated Goals, Objectives, and Policies.

The Village's Code of Ordinances and Florida Statutes have specific hearing and notification requirements for Comprehensive Plan Amendments. Section 30-20.1 of the Village's Land Development Regulations designates the Village Council as the Local Planning Agency. The Local Planning Agency recommends to the Village Council, via Resolution, amendments to the adopted Comprehensive Plan.

The first reading of the Comprehensive Plan amendment ordinance is at a public hearing, also known as the "Transmittal Hearing". Florida Statute 163.3184(11) requires an affirmative vote of not less than a majority of the members of the governing body present at the hearing for the transmittal phase. The hearing shall be held at least seven (7) days after the public hearing is advertised. The December 18, 2023 hearing was advertised in the Miami Herald on December 11, 2023.

Section 30-30.11(i) of the Land Development Regulations provides additional notification requirements. In addition to recognizing the above requirements of Florida Statute 163.3184(11), the Village Code requires the Village to provide mailed notice to owners of record within a 2,500-foot radius of a property subject to Future Land Use Map amendments. Due to the location throughout the Village of the minor map changes being proposed, a postcard was sent to every property owner in the Village on November 30, 2023.

## OVERVIEW OF AMENDMENTS

As stated above, Village staff recognized the comprehensive plan amendment process as an opportunity to exceed the typical State of Florida comprehensive plan update requirements and create a unique document. Below is a partial list of these updates and changes. It should be noted that the proposed amendments do not increase the overall density or height in the Village.

- The format will be updated to change the document from a typical policy document to a document that is engaging and user friendly.

- The required and voluntary elements (chapters) were reorganized to reflect the Village's commitment to sustainability, resiliency, and environmental stewardship. Typically, a comprehensive plan is ordered in a way that begins with Future Land Use followed by Transportation with Conservation and Recreation located in the middle. The proposed comprehensive plan begins with the Conservation and Sustainability Element, followed by Coastal Management, Future Land Use and Recreation.
- The proposed comprehensive plan incorporates feedback received from the public and the Village Council.
- Clearly states which goals, objectives, and policies that are required to be included by the State of Florida.
- Introduction of the mandatory Property Rights Element.
- Introduction of a Public Participation Element. This is not mandatory but reflects the Village's commitment to public involvement.
- The Conservation and Sustainability element introduces forward-thinking concepts such as consideration of a green business certification program, exploration of a green infrastructure master plan, take actions to assist in improving air quality for residents, and requiring water impact statements for new developments.
- The Coastal Management element acknowledges the Community Rating System program and the Village's commitment to lowering the rank.
- The Transportation element incorporates an Objective to implement the Village's Bicycle and Pedestrian Master Plan and further includes nine policies that came directly from the master plan.
- Highlights the "Village of Parks" desire for more pocket parks, walkability and access to waterways.
- The final comprehensive plan document includes expanded information to make it more user-friendly and provide a clear land-use vision for the Village. This includes a purpose and intent for each element, definitions, demographic data, maps, implementation strategies, and goals, objectives, and policies in one cohesive document.
- Creates a new land use category: Neighborhood Compatible (NC). The Neighborhood Compatible land use category may be utilized as a transition between commercial and residential land use districts. This new category shall encourage neighborhood compatible development that fosters a community where one can work, live, and play and may include residential, business, office, residential, civic, and institutional uses. This new land use category does not change the existing zoning on these effective

parcels. Any future zoning changes will follow the zoning map amendment requirements. (Page 62 of the Comprehensive Plan)

- Removes the Franjo Activity Center land use category and creates the Downtown land use category to provide consistency with the Downtown Zoning District. The Downtown land use category maintains the 2,500 residential unit cap that was in the Franjo Activity Center land use category. This new land use category does not change the existing zoning on these effective parcels. Any future zoning changes will follow the zoning map amendment requirements. (Page 63 of the Comprehensive Plan)
- Removes the Business and Office land use category and creates a Commercial land use category to better reflect the Village's business districts. This new land use category does not change the existing zoning on these effective parcels. Any future zoning changes will follow the zoning map amendment requirements. (Page 62 of the Comprehensive Plan)
- Removes the Medium-High Density Residential category. This category was not in use in the Village and only caused confusion.
- Expands the Institutional land use category to Institutional Public Facilities land use category. This allows for certain properties to be properly designated. (Page 64 of the Comprehensive Plan)
- Establishes Environmental Protection, Parks, Recreation, and Schools, and Water Management and Recreation (WMR) individual land use categories. As a result, the Civic Use, Environmental Protection, Parks and Recreation, Environmentally Protected Parks, Agricultural Use, Water Bodies land use categories are renamed or removed. (Page 64 of the Comprehensive Plan)
- As part of the amendment process, the Future Land Use Map has been updated. (Page 50 of the Comprehensive Plan)
  - To reflect the Village's commitment to parks, schools and environmental conservation several properties will be redesignated. For example, all Village parks and schools within the Village have historically been designated residential land use. These proposed changes further protect these properties.
  - Some properties that are currently low-scale residential or office use will be redesignated to Neighborhood Compatible to create appropriate transition areas from the commercial corridor to the residential neighborhoods.

## NEXT STEPS

The Comprehensive Plan amendments will follow the Expedited State Review Process as outlined in 163.3184 Florida Statutes. The Village shall transmit the proposed amended plan within ten working (10) days after the initial public hearing to the State Land Planning Agency

(Department of Commerce). Following this transmittal, all review agencies will send comments directly to the Village and the State Land Planning Agency within 30 days after receipt of the proposed amended plan. The Village shall also receive a letter of comment from the State Land Planning Agency within the 30 days of receipt of the proposed amended plan.

The Village then must hold the second public hearing within 180 days after receipt of the State's comments. This public hearing will adopt the Comprehensive Plan. The Village then must transmit the final plan to the State within ten working (10) days after the second public hearing.

### RECOMMENDATION

Village Staff recommends the Village Council transmit the amended Comprehensive Plan dated December 2023, the associated map series, and updated data inventory and analysis to the Florida Department of Commerce.

### ATTACHMENTS

Attachment A: Proposed Village of Palmetto Bay Amended Comprehensive Plan Dated December 2023, Associated Map Series, and Updated Data Inventory and Analysis