VILLAGE OF PALMETTO BAY

Mayor Karyn Cunningham
Vice Mayor Leanne Tellam
Council Member Patrick Fiore (Seat 1)
Council Member Steve Cody (Seat 2)
Council Member Marsha Matson (Seat 3)

Village Manager Nick Marano
Village Attorney John C. Dellagloria
Village Clerk Missy Arocha

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

AGENDA
ZONING HEARING
MONDAY, SEPTEMBER 18, 2023 – 7:00 PM

VILLAGE HALL MUNICIPAL CENTER
9705 EAST HIBISCUS STREET, PALMETTO BAY, FL 33157
(305) 259-1234

---

1. **CALL TO ORDER, ROLL CALL, INVOCATION, PLEDGE OF ALLEGIANCE, AND DECORUM STATEMENT, IN THAT ORDER:** Any person making impertinent or slanderous remarks, or who becomes boisterous, while addressing the Council may be barred from further appearance before the Council by the Mayor, unless permission to continue or again address the Council is granted by a majority vote of the Council. Applauding speakers shall be discouraged. Heckling or verbal outbursts in support or opposition to a speaker, or his or her remarks, shall be prohibited. No signs or placards shall be allowed in the Council meeting. Persons exiting the Council meeting shall do so quietly. All cellular telephones and beepers are to be silenced during the meeting.

2. **REQUEST, PETITIONS, AND PUBLIC COMMENTS** Individuals wishing to speak on matters on the agenda and on items pertinent to the Village may do so by speaking during this section of the agenda. The Mayor will recognize those persons who wish to speak. Each speaker must sign-in prior to speaking on the designated public commentary sign-in sheet. Items for public hearing provided for within the agenda shall not be a topic of discussion during this section of the agenda. Please limit your comments to three (3) minutes or less. Public comments made by members of the public are important to the Village Council. Speakers will address the Village Council with respect.

3. APPROVAL OF MINUTES

A. Zoning Hearing (July 17, 2023)

4. MAJOR PROJECTS UPDATE

5. PUBLIC HEARING ITEMS

A. **Applicant:** CHRIST FELLOWSHIP PALMETTO BAY CAMPUS, LLC
Location: 8900 SW 168TH STREET, PALMETTO BAY, FL
Property Folio: 33-5033-000-0060
Application: V-23-007
Request: VARIANCE WAIVING THE MAXIMUM SIGN AREA ALLOWED BY SECTION 30-90 STYLED "SIGNAGE" OF THE VILLAGE LAND DEVELOPMENT CODE, FOR THREE (3) WALL SIGNS PROPOSED TO BE 53.47, 40.5, AND 33.3 SQUARE FEET WHERE THE ALLOWABLE AREA IS SIX (6) SQUARE FEET PER EACH USE ONSITE.

B. **Applicant:** VILLAGE OF PALMETTO BAY
Application: RZ-23-007
Request: AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO, FLORIDA, AMENDING CHAPTER 30, SECTION 30-10.3 OF THE CODE OF ORDINANCES STYLED: "APPLICABILITY AND VESTED RIGHTS", REGARDING APPLICATION EXPIRATION; AMENDING CHAPTER 30, SECTION 30-30.3 OF THE CODE STYLED "ADMINISTRATION DEVELOPMENT APPROVALS", BY CREATING LIVE LOCAL ACT COMPLIANCE AND APPLICATION REQUIREMENTS, AND PROVIDING AN EFFECTIVE DATE. *(Sponsored by Mayor Karyn Cunningham)*

6. DISCUSSION

A. Comprehensive Plan amendments and presentation of Draft Goals, Objectives, and Policies.

7. NEXT MEETING AND ADJOURNMENT

- ZONING HEARING (Monday, October 16, 2023 at 7:00 PM)

WE, THE VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, HEREBY COMMIT OURSELVES TO MAINTAINING CIVILITY IN OUR PUBLIC AND POLITICAL DISCOURSE AND PLEDGE TO THE FOLLOWING PRINCIPLES:

- We will respect the right of all citizens in our community to hold different opinions;
- We will avoid rhetoric intended to humiliate or question the wisdom of those whose opinions are different from ours;
- We will strive to understand differing perspectives;
- We will choose our words carefully;

- We will speak truthfully without accusation and we will avoid distortion;
- We will speak out against violence, prejudice, and incivility in all of their forms, whenever and wherever they occur.

NOTICE OF APPEAL RIGHTS

Pursuant to Florida Statutes 286.0105, the Village hereby advises the public that if a person decides to appeal any decision made by the Council with response to any matter considered at its meeting or hearing, he or she will need a record of the proceedings, and that for such purpose, the affected person may need to ensure that verbatim record of the proceedings is made, which record includes testimony and evidence upon which the appeal is to be based. This notice does not constitute consent by the Village for the introduction or admission of otherwise inadmissible or irrelevant evidence, nor does it authorize challenges or appeals not otherwise allowed.

AMERICAN DISABBILITIES ACT OF 1990

This meeting is open to the public. In accordance with the American Disabilities Act of 1990, persons needing special accommodation or a sign language interpreter to participate in this proceeding should contact the Village Clerk at (305) 259-1234 no later than four (4) days prior to the meeting. Hearing Assistance Devices are available with the Village Clerk.

AGENDA ITEM NO. 3.A

Item Cover Page

ZONING HEARING AGENDA ITEM REPORT

DATE:	September 18, 2023
SUBMITTED BY:	Missy Arocha, Village Clerk's Office
ITEM TYPE:	Minutes
AGENDA SECTION:	**APPROVAL OF MINUTES**
SUBJECT:	Zoning Hearing (July 17, 2023)
SUGGESTED ACTION:	

ATTACHMENTS:
Minutes-2023-07-17-Zoning
Exhibit A-Public Comments Form

MINUTES
ZONING HEARING
MONDAY, JULY 17, 2023 – 7:00 PM
VILLAGE HALL COUNCIL CHAMBERS
9705 EAST HIBISCUS STREET, PALMETTO BAY, FL 33157

---

1. CALL TO ORDER, ROLL CALL, INVOCATION,PLEDGE OF ALLEGIANCE, AND DECORUM STATEMENT, IN THAT ORDER: Any person making impertinent or slanderous remarks, or who becomes boisterous, while addressing the Council may be barred from further appearance before the Council by the Mayor, unless permission to continue or again address the Council is granted by a majority vote of the Council. Applauding speakers shall be discouraged. Heckling or verbal outbursts in support or opposition to a speaker, or his or her remarks, shall be prohibited. No signs or placards shall be allowed in the Council meeting. Persons exiting the Council meeting shall do so quietly. All cellular telephones and beepers are to be silenced during the meeting.

The Zoning Hearing was called to order at 7:07 PM.

The following members of the Village Council were present during roll call:
Mayor Karyn Cunningham
Vice Mayor Leanne Tellam
Councilmember Patrick Fiore
Councilmember Steve Cody
Councilmember Marsha Matson

The following Charter Officials were in attendance:
Village Attorney John C. Dellagloria
Village Manager Nick Marano
Village Clerk Missy Arocha

Councilmember Steve Cody led the pledge of allegiance.

2. REQUESTS, PETITIONS, AND PUBLIC COMMENTS

The following in-person speaker spoke during public comments:

- Vitality Falcovitch (9380 SW 167th Terrace) – thanked the Village Council for their public service.

- Diana Sanchez (17461 SW 73rd Court) – addressed her concerns regarding the Village Center property located on Old Cutler Road and its future land use on the law recently enacted on affordable housing and questioned what Palmetto Bay intends to do with the property moving forward and the impact to traffic if 480 units were to be built on that land.

- Patricio Gonzalez (7420 SW 174th Street) – addressed his concerns on the handful of engendered species that live inside the environment near the Village Center and urged the Council to not support additional apartment/condo units on the Village Center property.

- Carlos Sanchez (17461 SW 73rd Court) – opposed to the developer building apartments/condos on the Village Center property and urged the Council to consider the highly sensitive area known as the “44 acres”.

There were no public comments submitted by form.

3. APPROVAL OF MINUTES

A. Zoning Hearing (June 26, 2023)

Councilmember Steve Cody **motioned** to approve the minutes. Seconded by Vice Mayor Leanne Tellam. **All voted in favor (5-0). The motion passed unanimously.**

4. MAJOR PROJECTS UPDATE

Community and Economic Development Director, Heidi Siegel presented a Powerpoint Presentation on the Village's major projects status report dated July 2023. The presentation demonstrated recent applications received, projects under construction, recently approved building permits, approved projects pending building permits and construction, and approved projects pending building permit applications, and the 2023 Florida legislative session land use related bills (i.e., HB 89-Building Construction, SB 102-Housing "Live Local Act", HB 111-flooding and sea level rise vulnerability studies, SB 170-local ordinances, SB 250-natural emergencies, HB 327-fire sprinkler system projects, SB 540-local government comprehensive plans, SB 718-local government, HB 1379-environmental protection, and SB 2500-appropriations budget).

Following Director Siegel's presentation, she answered questions raised by the members of the Village Council regarding the presentation.

5. PUBLIC HEARING ITEMS

A. **Applicant:** JOSS & ALINA FRANCO / FRANCO PALMETTO BAY PLAT
Location: 16901 SW 93RD COURT
Property Folio: 33-5033-002-0223
Application: PL-23-002
Request: APPROVAL OF A TENTATIVE REPLAT OF LOTS 3, 4, 5, 6, BLOCK 4 OF PERRINE HEIGHTS SUBDIVISION CREATING THE FRANCO PALMETTO BAY PLAT WHICH WILL CONSIST OF FOUR PARCELS.

Item 5A was moved by Councilmember Steve Cody and seconded by Councilmember Patrick Fiore.

Clerk Missy Arocha read the public hearing item by title.

Attorney John Dellagloria provided an explanation on the quasi-judicial proceedings.

The Village Council provided their disclosures (i.e., ex-parte communications).

Clerk Missy Arocha swore in the witnesses that wished to testify for all the public hearing items 5A and 5B.

STAFF PRESENTATION:
Community and Economic Development Director, Heidi Siegel presented a PowerPoint Presentation on the tentative plat approval. The presentation explained the applicant's request, lot history, request of tentative plat, development application review committee information, and staffs' recommendation. The Village staff recommended that the Village Council approve the proposed plat as follows:

- Upon approval of the tentative plat, the applicant may proceed to Miami-Dade County Plat Committee.

- Upon approval by the County's Plat Committee, the County will continue its review.
- The County assists the Village in meeting Florida Statute 177.081(1) requirements of a professional surveyor reviewing the proposed plat prior to Village Council final review.
- Once the County has completed its review the applicant returns to the Village Council for final plat consideration.

Following the presentation, Ms. Siegel answered questions raised by the members of the Council regarding the application.

APPLICANT'S PRESENTATION:
Applicant Jose Franco thanked the Village Council and urged the Council to vote in support of the tentative plat approval, as demonstrated by Heidi Siegel in the staff presentation.

COUNCIL QUESTIONS/DISCUSSION:
Following the applicant's presentation, Councilmember Steve Cody questioned if the applicant resolved the variance issue as sought at the prior zoning hearing.

Director Siegel responded that the applicant was not seeking a variance.

No additional Council discussion was held.

No one wished to speak in support or in opposition to the public hearing item.

The question was called in favor of the Resolution via a roll call vote:

- Councilmember Patrick Fiore - YES
- Councilmember Steve Cody - YES
- Councilmember Marsha Matson - YES
- Vice Mayor Leanne Tellam - YES
- Mayor Karyn Cunningham - YES

All voted in favor (5-0). The Resolution passed unanimously.

B. **Applicant:** PALMETTO BAY ACADEMY
Location: 16637 SOUTH DIXIE HIGHWAY, PALMETTO BAY, FL
Property Folio: 33-5028-004-0101
Application: SU-23-002
Request: ESTABLISHMENT OF A PRIVATE SCHOOL AND MODIFICATION OF AN EXISTING SITE KNOWN AS PALMETTO BAY ACADEMY EDUCATION, LLC, TO PERMIT A MAXIMUM OF THIRTY-SIX (36) STUDENTS IN GRADES 9-12 LOCATED AT 16637 SOUTH DIXIE HIGHWAY.

Item 5B was moved by Councilmember Patrick Fiore and seconded by Vice Mayor Leanne Tellam.

Clerk Missy Arocha read the public hearing item by title.

The Village Council provided their disclosures (i.e., ex-parte communications) and Vice Mayor Leanne Tellam reported that the applicant and she had held communication regarding the public hearing item.

Attorney John Dellagloria instructed Vice Mayor Leanne Tellam to fill out an ex-parte disclosure form within 15 days and is permissible to engage in the discussion and vote on the public hearing item.

STAFF PRESENTATION:
Community and Economic Development Director, Heidi Siegel presented a PowerPoint Presentation on the establishment of a private school and modification of an existing site. The presentation described an analysis of the applicant's request and staffs' recommendation. The Village staff recommended

conditional approval of the application to establish a private school with the following conditions:

- The approval is for an approximately 5,600 square foot space for The Palmetto Bay Academy private school with a maximum onsite student population of 36 students and operating hours shall be 8am to 4pm.
- The applicant will receive all necessary permits, business licenses, state education approval and business tax receipts to operate legally and renew all approvals as necessary for the duration of the business.
- The site plan shall expand the entrance gate for 2-way traffic to a minimum of twenty (20) feet width and implement a turning circle/ round-about at the beginning of the rear parking lot to separate and efficiently facilitate drop off traffic from parked cars.
- Site lighting shall be added along the drop off lane that adequately illuminates all drop off areas from traffic and sidewalks.
- A final landscape/open space plan that meets the Land Development Code requirements to the greatest extent possible shall be submitted to the Director of Community and Economic Development for technical review and approval within 90 days of final approval by Village Council.
- Bicycle racks shall be added to the site plan to provide the required 4 bicycle spaces required by code.

There were no Council questions following staffs' presentation.

APPLICANT'S PRESENTATION:
Mr. John Eubanks (18810 Franjo Road), the applicant, introduced himself as the head of school for Palmetto Bay Academy and introduced all the parents and students that were in attendance during the meeting. He explained that the majority of the families in attendance were Palmetto Bay residents.

Mrs. Maggie Eubanks (18810 Franjo Road), School Director, explained that the school overgrew over the last two decades from a home-based, college preparatory tutoring relationship to an entity that, during the pandemic, supported over 40 high-need students through one of the most challenging periods in their lives through seamless distance and hybrid education. She demonstrated a PowerPoint presentation that explained the mission and vision of Palmetto Bay Academy.

There were no questions for the applicant by the Council after the applicant's presentation.

No one wished to speak in support or in opposition to the public hearing item.

COUNCIL DISCUSSION:
Vice Mayor Leanne Tellam spoke in support of the application and reported that she has heard of three stories from residents of the Village that had great success for their children in attendance at the academy. She urged the Council to support the application.

The question was called in favor of the Resolution via a roll call vote:

- Mayor Karyn Cunningham - YES
- Vice Mayor Leanne Tellam - YES
- Councilmember Marsha Matson - YES
- Councilmember Steve Cody - YES
- Councilmember Patrick Fiore - YES

All voted in favor (5-0). The Resolution passed unanimously.

C. **Applicant:** VILLAGE OF PALMETTO BAY
Application: RZ-23-006
Request: AN ORDINACE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO CONSTRUCTION NOISE; AMENDING CHAPTER 30, ZONING SECTION 30-

60.29 NOISES; UPDATING DEFINITIONS RELATED TO ZONING DISTRICTS AND THE VILLAGE RECOGNIZED HOLIDAYS; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE. *(SPONSORED BY ADMINISTRATION)*

Item 5C was moved by Councilmember Steve Cody and seconded by Vice Mayor Leanne Tellam.

Clerk Missy Arocha read the public hearing item by title.

No one wished to speak in support of or opposed to the public hearing item.

Community and Economic Development Director, Heidi Siegel explained that the proposed amendment to the Ordinance adds language to state that the restrictions extend to “any other holiday recognized by the Village Council through Resolution or Ordinance”-minor cleanup of zoning districts that do not exist in the Village were included in the amendment.

Councilmember Steve Cody questioned if a holiday is recognized by the federal government, but not listed in the Ordinance, would the noise requirements still apply.

Dr. Siegel responded yes.

There was no Council discussion.

The question was called in favor of the Ordinance on Second Reading via a roll call vote:

- Councilmember Steve Cody - YES
- Vice Mayor Leanne Tellam - YES
- Councilmember Patrick Fiore - YES
- Mayor Karyn Cunningham - YES
- Vice Mayor Leanne Tellam - YES

All voted in favor (5-0). The Ordinance passed unanimously.

6. ADJOURNMENT

Councilmember Steve Cody motioned to adjourn the meeting. Councilmember Patrick Fiore seconded the motion. **All voted in favor (5-0). The motion passed unanimously.**

The meeting was adjourned at 8:09 p.m.

_____

The meeting minutes were approved this 18th day of September, 2023.

Attest:

_____ _____

Mayor Karyn Cunningham Village Clerk Missy Arocha

Written and prepared by: Village Clerk Missy Arocha

From: noreply@civicplus.com
To: Melissa Dodge; Missy Arocha
Subject: [EXT] Online Form Submittal: Public Comments Form
Date: Monday, July 17, 2023 5:09:47 PM

CAUTION: EXTERNAL SENDER -- Please avoid opening any unexpected attachments or clicking any strange links.

Public Comments Form

Online Public Comments Form	Meeting Agenda
Meeting Date	July 17, 2023
Meeting Type	Zoning Hearing
The box below must be checked for Zoning Hearings ONLY	Check here if you affirm that the information provided herein is true and accurate
Name	Eric Tullberg
Email Address	e341@bellsouth.net
Address	7884 SW 179 Tr.
City	Palmetto Bay
State	Miami-Dade
Zip Code	33157
Meeting Agenda Link	Agenda Center
	(Section Break)
General Public Comments -"Requests, Petitions & Public Comments Submitted"	*Field not completed.*
	(Section Break)
Agenda Item No.	5-A
Comments (type your comments in the box below)	Putting 4 Duplexes on a 1/2 Acre lot (.52 Acre) is too crowded. There will not be enough room to park the resident's cars. I note that the frontage multiplied by the depth in the table does not equal the listed Sq. footage. (38.37x110=4221 sq.ft.)

	Three duplexes would be more reasonable.
Agenda Item No.	*Field not completed.*
Comments (type your comments in the box below)	*Field not completed.*
Agenda Item No.	*Field not completed.*
Comments (type your comments in the box below)	*Field not completed.*
Agenda Item No.	*Field not completed.*
Comments (type your comments in the box below)	*Field not completed.*
Agenda Item No.	*Field not completed.*
Comments (type your comments in the box below)	*Field not completed.*
Agenda Item No.	*Field not completed.*
Comments (type your comments in the box below)	*Field not completed.*
Agenda Item No.	*Field not completed.*
Comments (type your comments in the box below)	*Field not completed.*

Email not displaying correctly? View it in your browser.

AGENDA ITEM NO. 5.A

Item Cover Page

ZONING HEARING AGENDA ITEM REPORT

DATE: September 18, 2023

SUBMITTED BY: Alexander Adams, Community and Economic Development

ITEM TYPE: Resolution

AGENDA SECTION: **PUBLIC HEARING ITEMS**

SUBJECT:

Applicant: CHRIST FELLOWSHIP PALMETTO BAY CAMPUS, LLC
Location: 8900 SW 168TH STREET, PALMETTO BAY, FL
Property Folio: 33-5033-000-0060
Application: V-23-007
Request: VARIANCE WAIVING THE MAXIMUM SIGN AREA ALLOWED BY SECTION 30-90 STYLED "SIGNAGE" OF THE VILLAGE LAND DEVELOPMENT CODE, FOR THREE (3) WALL SIGNS PROPOSED TO BE 53.47, 40.5, AND 33.3 SQUARE FEET WHERE THE ALLOWABLE AREA IS SIX (6) SQUARE FEET PER EACH USE ONSITE.

SUGGESTED ACTION:

ATTACHMENTS:
V-23-007 Christ Felowship Sign Varinace Zoning Hearing Staff Memo 9-18-23.doc
Attachments-Signage Variance
V-23-007 Christ Fellowship Sign Varinace Resolution 9-18-23JD.docx

MEMORANDUM

To: Honorable Mayor and Village Council	Date: September 18, 2023
From: Heidi Siegel, CED Director	Re: V-23-007/ Signage Variance at 8900 SW 168 Street

A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO ZONING; PURSUANT TO SECTION 30-30.6, VARIANCES, DIVISION 30-90., SIGN REGULATIONS, AND SECTION 30-50.4., E-M, ESTATES MODIFIED ZONING DISTRICT, AUTHORIZING A VARIANCE REQUEST WAIVING THE MAXIMUM SIGN AREA FOR THREE (3) WALL SIGNS PROPOSED TO BE 53.47, 40.5, AND 33.3 SQUARE FEET WHERE THE ALLOWABLE AREA IS SIX (6) SQUARE FEET PER EACH USE ONSITE AND PROVIDING AN EFFECTIVE DATE.

OVERVIEW

FILE:	V-23-007
APPLICANT:	Christ Fellowship Palmetto Bay LLC
PROPERTY OWNER:	Christ Fellowship Palmetto Bay LLC
ADDRESS:	8900 SW 168 Street, Palmetto Bay, Florida 33157
FOLIO:	33-5033-000-0060
LOT SIZE:	383,763 square feet
BUILDING SIZE:	99,629 square feet (approximately)
FLUM:	Estate Density Residential (EDR)
ZONING:	E-M, Estate Modified Zoning District
EXISTING USE:	Religious Facility, Community Organization, and School

BACKGROUND

The applicant Christ Fellowship Palmetto Bay LLC requests the approval of application V-23-007 to permit three (3) wall signs larger than permitted by code in the E-M Estates Modified zoning district for a property located at 8900 SW 168 Street. The property has recently undergone renovations and improvements to modernize the buildings and improve the landscaping.

The Village's Land Development Code regulates signage through Section 30-90. The Code allows wall signs for specific uses and/or specific zoning districts. Specific uses include religious facilities, schools and universities in residential districts, wall signs for residential and multi-family developments and shopping centers. Section 30-90.17(b) states that "religious facilities, schools, universities, and governmental uses may in addition provide a flat, wall, awning, or canopy attached building sign per use, not to exceed six square feet per attached sign."

The applicant is proposing three (3) wall signs located on several buildings within their campus at SW 168th St. All three of these signs will be facing internal parking and sidewalks for internal wayfinding of the various ministries and associated programming uses. The site is an 8.8 acre campus that includes a church, school, and other community activities. None of the proposed signs will project directly towards any public right of way.

Sign #1 is to be located on the eastern facing wall above an existing car port loading/unloading canopy structure. The sign is horizontal illuminated lettering with a small logo at one end. Sign #2 is located on a southern facing wall and is not illuminated. The text is two line tall and also has the same logo at the end of the text lines. Sign #3 is located on a secondary building structure on a western facing wall and also is not illuminated. This sign is for an associated not-for-profit located onsite, is 3 lines in height and depicts a heart shape logo to the right.

ANALYSIS

Section 30-30.6 of the Village's Land Development Code addresses variances and establishes criteria for the evaluation by Village Council for variance applications. A variance is authorized to be granted by the Village Council, after quasi-judicial public hearing. A variance may be granted for signage. After the hearing, the Village Council shall adopt a development order approving, approving with modifications and/or conditions, or denying the variance request.

A variance application may be considered under the requirements of practical difficulty as set forth in Section 30-30.6. Any approval or approval with modifications and/or conditions, of a variance based on practical difficulty shall require a majority vote of the members of the Village Council present at the meeting. To authorize any variance application from the requirements of the Code on the basis of practical difficulty, the Council shall balance the rights of property owners in the Village as a whole against the need of the individual property owner to deviate from the requirements of this chapter based on an evaluation of the factors below. All of the factors should be considered and given their due weight; however, no single factor is a determining factor.

Evaluation Factors (Section 30-30.6(e)(1):

a. Whether the village has received written support of the specifically identified variance requests from adjoining property owners.

    - The applicant has not provided any variance signature cards from adjacent property owners. The application has been properly posted on site and notification postcards were mailed to all neighbors within a 2,5000-foot radius. To date, the Village has not received any responses.

b. Whether approval of the variance would be compatible with development patterns in the village.

- The property is zoned E-M and the Village's Code is very restrictive regarding signage in the residential single-family neighborhoods. Religious Facilities are an allowed use and additional signage has been grated at other private schools and religious sites also located in residential zoning districts. Similar religious campuses with schools and other uses have undergone council approval for signage on buildings.

c. Whether the essential character of the neighborhood would be preserved.

- The subject property has historically operated as a religious facility since 1961 and later added a school in the 1970s before the Village of Palmetto Bay was incorporated. The campus is set back from all major roadways and residential buildings to add some buffering in scale. The proposed signs are minimal with text lettering and small logos. Furthermore, the proposed signs provide a modern look to the buildings.

d. Whether the variance can be approved without causing substantial detriment to adjoining properties.

- The subject property is adjacent to a single-family residential neighborhood located to the south. As a condition of this permit, we are asking that the applicant complete the tree/shrub buffer to the adjacent single family homes.

e. Whether the variance would do substantial justice to the property owner as well as to other property owners justifying a relaxation of this chapter to provide substantial relief.

- The introduction of wall signage internal to the site will allow visitors to the site to find the multiple buildings and uses located on the campus. The site has created an internal main street to keep as much traffic as possible off the surrounding residential streets. The proposed wall signs will allow visitors to park near the area that they intend to visit.

f. Whether the plight of the applicant is due to unique circumstances of the property and/or applicant which would render conformity with the strict requirements of this chapter unnecessarily burdensome.

- The Village's signage code does not contemplate large wall signs in campus environments. The variance process allow these types of signs to be looked at on a case-by-case basis. In this case, all signage is internal to the campus.

g. Whether the special conditions and circumstances which exist are the result of actions beyond the control of the applicant.

- As enumerated above, the Code does not contemplate wall signs within campus environments. Signage will not face the surrounding community or neighborhoods.

h. No variance shall be granted without the concurrence of the owner of property contiguous to the property line (preferred) requiring the variance, unless a hardship exists.

- No signature cards were submitted with this application and the village has not received any public comments at the time of this report. The application has been properly posted on site and notification postcards were mailed to all neighbors within a 2,500-foot radius. To date, the Village has not received an objection.

Development Application Review Committee (DARC)
Section 30-30.2(d) of the Land Development Regulations states that no application shall proceed to public hearing without final sign off by applicable Village departments, where appropriate.

The proposed signage variance was reviewed by the Village's Zoning, Public Services, and Floodplain Management.

Zoning:	At time of building permit, site plan shall include proposed landscaping to buffer residential neighborhood.
Public Services:	No impact to surrounding streets.
Floodplain Management:	No special flood requirements will be required at the time of sign installation.

STAFF RECOMMENDATION

The Land Development Code states that the Village Council may impose conditions and safeguard in granting any variance. The Village Council may prescribe appropriate modifications and/or conditions, including a variance approval expiration date or expiration event, to mitigate the proposed variance and to ensure safeguards in conformity with the Comprehensive Plan and the Code. The Village Council shall prescribe a reasonable time limit within which the action for which the variance is required shall begin, and such time shall not exceed 365 days from the date of the development order, after which a new variance application must be made unless an application for development permit has been filed.

Village staff recommends that the Village Council, conditionally approve application V-23-007 to allow the three (3) wall signs at 8900 SW 168 Street with the following conditions:

1. The approval is for plans prepared by Signalite dated 5-16-23.
2. The approval is for one wall sign to be located on the eastern façade above the existing drop off canopy measuring 42.91 SF text "Christ Fellowship" and 10.56 SF logo.
3. The approval is for a second wall sign to be located on the south façade, near the southwest corner of the building measuring 28.52 SF text "Christ Fellowship Academy" and 9 SF logo.

4. The approval is for a third wall sign to be located on the western façade of a freestanding building facing an internal entry driveway measuring 23.25 SF text "Caring for Miami a heart for people" and 5.50 SF logo.
5. Enhance landscaping to buffer surrounding residences. Extend the current buffers around the SW portion of the site along SW 90 Av and SW 170 St. Plant trees and shrubs along the western half of the south property border (SW 170 Street) and the southern 1/3 of the east property border (SW 90 Avenue) consistent with the current property buffer installed along the remainder of SW 170 Street and SW 89 Avenue that consists of oak trees and podocarpus hedge.
6. The wall sign variance shall be valid for 180 days to obtain a building permit. The Community and Economic Development Director shall have the discretion to grant an additional 60 days.

ATTACHMENTS

Attachment A: Application / Letter of Intent
Attachment B: Property Survey
Attachment C: Sign Plan

Attachment A
Application / Letter of Intent

V

Village of Palmetto Bay
APPLICATION FOR VARIANCE (PUBLIC HEARING)

Date: _____
Application No: V-23-007

Petitioner / Applicant: Christ Fellowship Palmetto Bay Campus LLC

Petitioner / Applicant Address: 8900 SW 168 Street

Phone: 305-238-5818 E-mail: dsutton@cfmiami.org

Petitioner's Relation to Subject Property: Owner

If Petitioner is not Owner, Name of Owner: N/A

Address of Owner: 8900 SW 168 Street

Signature of Petitioner: _____

RECEIVED
Zoning Department
July 11, 2023
Village of Palmetto Bay
Building & Zoning Department
By: AC

Address of Property: 8900 SW 168 Street

Folio: 33-5033-000-0060

SUBMITTAL REQUIREMENTS:

- Letter of Intent outlining the variance request and how the request meets the review criteria in Section 30-30.6(e) of the Village's Land Development Regulations.
- Current Survey of Site including legal description
- Building elevations, site plan, and landscape plan, if applicable
- Signature approval card signed by contiguous neighbors (preferred)

OWNER / AGENT CERTIFICATE:

This is to certify that I am the owner/agent of the subject lands described above in the application for variance, and that all information supplied herein is true and correct to the best of my knowledge. By signing this application, owner/agent specifically agrees to allow access to described property at reasonable times by Village personnel, for the purpose of verification of information provided by owner/agent.

Signature of owner/agent: _____

Sworn to and subscribed before me this 23 day of May 2023 by Deborah Sutton.

☑ He/She is personally known to me or

☐ He/She has presented _____ as identification.

Signature of Notary Public Jacqueline S Rivera
Type or Print Name Jacqueline S Rivera

Jacqueline S Rivera
Comm.:HH 267616
Expires: May 24, 2026
Notary Public - State of Florida

FOR STAFF USE ONLY
Fee Paid: _____ Date: _____
Zoning Hearing Date: 9/18/23 ( ) Approved ( ) Denied ( ) Approved with conditions

Revision 12/2022

LIMITED LIABILITY COMPANY

Signed, witnessed, executed and acknowledged on this 2 day of May, 2023.

IN WITNESS WHEREOF, Christ Fellowship Palmetto Bay Campus, LLC (Corporate name) has caused these presents to be signed in its name by its proper officials.

Witnesses:

Signature
Deana Siljee
Print Name

Michelle Wellinghoff
Signature
Michelle Wellinghoff
Print Name

Christ Fellowship Palmetto Bay Campus, LLC
Name of LLC
Address:
8900 SW 168 Street
Palmetto Bay, FL 33157

By Deborah Sutton
Chief Financial Officer

Print Name: Deborah Sutton

[*Note: All others require attachment of original corporate resolution of authorization]

STATE OF Florida

COUNTY OF Miami Dade

The foregoing instrument was acknowledged before me by means of physical presence [✓] or online notarization [ ] by Deborah Sutton (Name) the CFO (Title) of Christ Fellowship Baptist Church (Name) LLC, on behalf of the LLC.

He/She is personally known to me or has produced _____, as identification.

Witness my signature and official seal this 2 day of May, 2023 in the County and State aforesaid.

Jacqueline S Rivera
Signature
Notary Public-State of Florida
Jacqueline S Rivera
Print Name

My Commission Expires:

Jacqueline S Rivera
Comm.:HH 267616
Expires: May 24, 2026
Notary Public - State of Florida

[f:/forms/Acknowledgment Limited Liability Company (4/24/23)]

V-23-007
RECEIVED
Zoning Department
July 11, 2023
Village of Palmetto Bay
Building & Zoning Department
By: AQ

RESPONSIBILITIES OF THE APPLICANT AFFIDAVIT

I AM AWARE THAT:

1. The Public Works Department, the Department of Environmental Resources Management (DERM), and other County agencies review and critique zoning hearing applications which may affect the scheduling and outcome of my hearing. These reviews may require additional hearings before DERM's Environmental Quality Control Board (EQCB), or other County boards, and/or the proffering of agreements to be recorded. I am also aware that I must comply promptly with any DERM or Public Works conditions and advise this office in writing if my application will be withdrawn.
2. Filing fees may not be the total cost of a hearing. Some requests require notices to be mailed to property owners up to a mile from the subject property and I am responsible for paying the additional radius mailing costs. In addition to mailing costs, I am responsible for additional fees related to application changes, plan revisions, deferrals, re-advertising, etc., that may be incurred. I understand that fees must be paid promptly. Applicants withdrawn within 60 days of the filing are eligible for a refund of 50% of the hearing fee but after that time hearings withdrawn or returned will be ineligible for a refund. Refunds must be requested in writing.
3. The Florida Building code requirements may affect my ability to obtain a building permit even if my zoning application is approved; and a building permit will probably be required. I am responsible for obtaining any required permits and inspections for all structures and additions proposed, or built without permits. And that a Certificate of Use (C.U.) must be obtained for the use of the property after it has been approved at Zoning Hearing. Failure to obtain the required permits and/or C.U., Certificates of Completion (C.C.) or Certificate of Occupancy (C.O.) will result in enforcement action against any occupant and owner. Submittal of the Zoning Hearing application may not forestall enforcement action against the property.
4. The 3rd District Court of Appeal has ruled that zoning application inconsistent with the Comprehensive Plan (CP) cannot be approved by a zoning board based upon considerations of fundamental fairness. Therefore, I acknowledge that if the hearing request is inconsistent with the CP and I decide to go forward then my hearing request can only be denied or deferred, but not approved.
5. Any covenant to be proffered must be submitted to the Village Attorney, on County form, at least 1 month prior to the hearing date. The covenant will be reviewed and the applicant will be notified if changes or corrections are necessary. Once the covenant is acceptable, the applicant is responsible to submit the executed covenant with a current 'Opinion of Title' within 1 week of the hearing. Village Attorney can advise as to the additional requirements applicable to foreign corporations. Documents submitted to the Village Attorney must carry a cover letter indicating subject matter, application number and hearing date. Village Attorney may be reached at (305) 760-8543.

(Applicant's Signature)

Deborah Sutton
(Print Name)

Sworn to and subscribed to before me this 2 day of May, 2023. Affiant is personally known to me or has produced _____ as identification.

(Notary Public) Jacqueline S Rivera
My commission expires: 5/24/2026

Jacqueline S Rivera
Comm.:HH 267616
Expires: May 24, 2026
Notary Public - State of Florida

FORM ZH-0107-04

V-23-007
RECEIVED
Zoning Department
July 11, 2023
Village of Palmetto Bay
Building & Zoning Department
By: AG

DISCLOSURE OF INTEREST

If a CORPORATION owns or leases the subject property, list principal stockholders and percent of stock owned by each. [Note: Where principal officers or stockholders consist of other corporation(s), trust(s), partnership(s) or other similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

CORPORATION NAME: Christ Fellowship Palmetto Bay Campus, LLC - Member: Christ Fellowship Property Ministries, Inc.

NAME AND ADDRESS	Percentage of Stock
Christ Fellowship Palmetto Bay Campus LLC 8900 SW 168 Street Palmetto Bay, FL 33157	
Christ Fellowship Property Ministries, Inc. - LLC Member - 501(c)(3) 8900 SW 168 Street Palmetto Bay, FL 33157	100%

If a TRUST or ESTATE owns or leases the subject property, list the trust beneficiaries and the percent of interest held by each. [Note: Where beneficiaries are other than natural persons, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

TRUST/ESTATE NAME: _____

NAME AND ADDRESS	Percentage of Stock

If a PARTNERSHIP owns or leases the subject property, list the principals including general and limited partners. [Note: Where the partner(s) consist of another partnership(s), corporation(s), trust(s) or other similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: _____

NAME AND ADDRESS	Percentage of Stock

If there is a CONTRACT FOR PURCHASE, by a Corporation, Trust of Partnership list purchasers below, including principal officers, stockholders, beneficiaries or partners. [Note: Where principal officers, stockholders, beneficiaries or partners consist of other corporations, trusts, partnerships or other similar entities, further disclosure shall be made to identify natural persons having the ultimate ownership interests].

FORM ZH-0107-07

RECEIVED
Zoning Department
July 11, 2023
Village of Palmetto Bay
Building & Zoning Department
By: AG

V-23-007

V-23-007

RECEIVED
Zoning Department
July 11, 2023
Village of Palmetto Bay
Building & Zoning Department
By: MC

Caring for Miami, Inc.
8900 SW 168 Street
Palmetto Bay, FL 33157
501(c)(3) Corporation
Registered Agent: Deborah M. Sutton
8900 SW 168 Street
Palmetto Bay, FL 33157

Christ Fellowship Academy, Inc.
8900 SW 168 Street
Palmetto Bay, FL 33157
501(c)(3) Corporation
Registered Agent: Deborah M. Sutton
8900 SW 168 Street
Palmetto Bay, FL 33157

V-23-007

RECEIVED
Zoning Department
July 11, 2023
Village of Palmetto Bay
Building & Zoning Department
By: AB

Jerry B. Proctor, P.A.

July 10, 2023

E-Mail

Mr. Nick Marano
Village Manager
Village of Palmetto Bay
9705 E. Hibiscus Street
Palmetto Bay, FL 33157

Re: Christ Fellowship Palmetto Bay Campus, LLC
Zoning Application
Property: 8900 SW 168 Street
Folio No.: 33-5033-000-0060

Dear Mr. Marano:

This firm represents Christ Fellowship Palmetto Bay Campus, LLC ("Christ Fellowship"), owner and operator of the church and ancillary facilities at 8900 SW 168 Street (the "Property"). Christ Fellowship is filing this application for a variance from Section 30-90.17(b) to permit a total of three (3) wall signs of 53.47, 40.5, and 33.3 square feet, respectively, in size, where a maximum of 6 square feet is permitted in the Village's Code of Ordinances. The Property is zoned E-M (Estate Modified Single Family District) and is designated for Estate Modified Single Family (E-M) on the Village's Comprehensive Plan – Land Use Map. The Property was originally approved for church use in 1961, with private school usage approved in the 1970's. The Property is approximately 8.8 Acres in size.

Background

Christ Fellowship operates all aspects of their ministry from four (4) "Pods" of Buildings on the Property, with primary access to their campus off SW 168 Street into the principal off-street parking areas of the Property. Numerous visitors to the Christ Fellowship campus over the years have expressed a desire for better internal direction on the site, from the main parking areas to the four pods of buildings. The proposed wall signs would be located along sizable building facades described below, and the proportion of the sign to the overall façade is complementary to the campus design. In all instances, the signs would be located over 100 feet from the nearest residence.

Proposed Signage

Proposed Sign #1 would indicate "Christ Fellowship", with a small logo, in 53.47 square feet along a façade of 144.3 feet in length, in plain view of the easterly parking lot.

Proposed sign 2 would be located on a 2-story building. It would be on the South side of the southernmost building, adjacent to an additional parking area, and would be 40.5 square feet in size. This sign would indicate "Christ Fellowship Academy", the name of the school on the Property. Christ Fellowship Academy, Inc. is a wholly-owned subsidiary of the Property owner.

Proposed Sign #3 would be on the west wall of the building located just east of the main campus access driveway. It would indicate "Caring for Miami". Caring For Miami, Inc. is also a 501(c)(3) corporation and is a wholly-owned subsidiary of the Property Owner. The sign would be 33.3 square feet in size on the north elevation wall of a 2-story building. Caring for Miami distributes pre-packaged food to low-income residents through a program with the Miami-Dade County School System.

Justification

Approval of the requested variances of sign size does not change the underlying church use of the Property and is in the public interest, as it will facilitate more efficient movement of visitors within the site, both in vehicles and as pedestrians. The variances are part of the "permitted variances" list in Section 30-30.6(b). In addition, we believe that the size, number of buildings, and number of visitors to the Property justify an enhanced level of wall signage within the Property for the purposes of wayfinding and enhanced safety, not to promote the facility to the general public. We also believe that these conditions are unique to the Property, and therefore compliant with Section 30-30.6(a). In addition, the signs are aesthetically preferable to detached signs.

Pursuant to Section 30.30.6(e), this proposed sign program does not disrupt the church's compatibility with the surrounding area, or the essential character of the neighborhood. The variances would relieve a burdensome condition on the church campus where visitors desire better direction to access the services the church offers.

Christ Fellowship is an integral part of the Palmetto Bay community, providing valuable services to the community on a campus that has grown substantially over the past 6 decades. We appreciate the opportunity to request minimal relief to allow the church to more efficiently continue its mission.

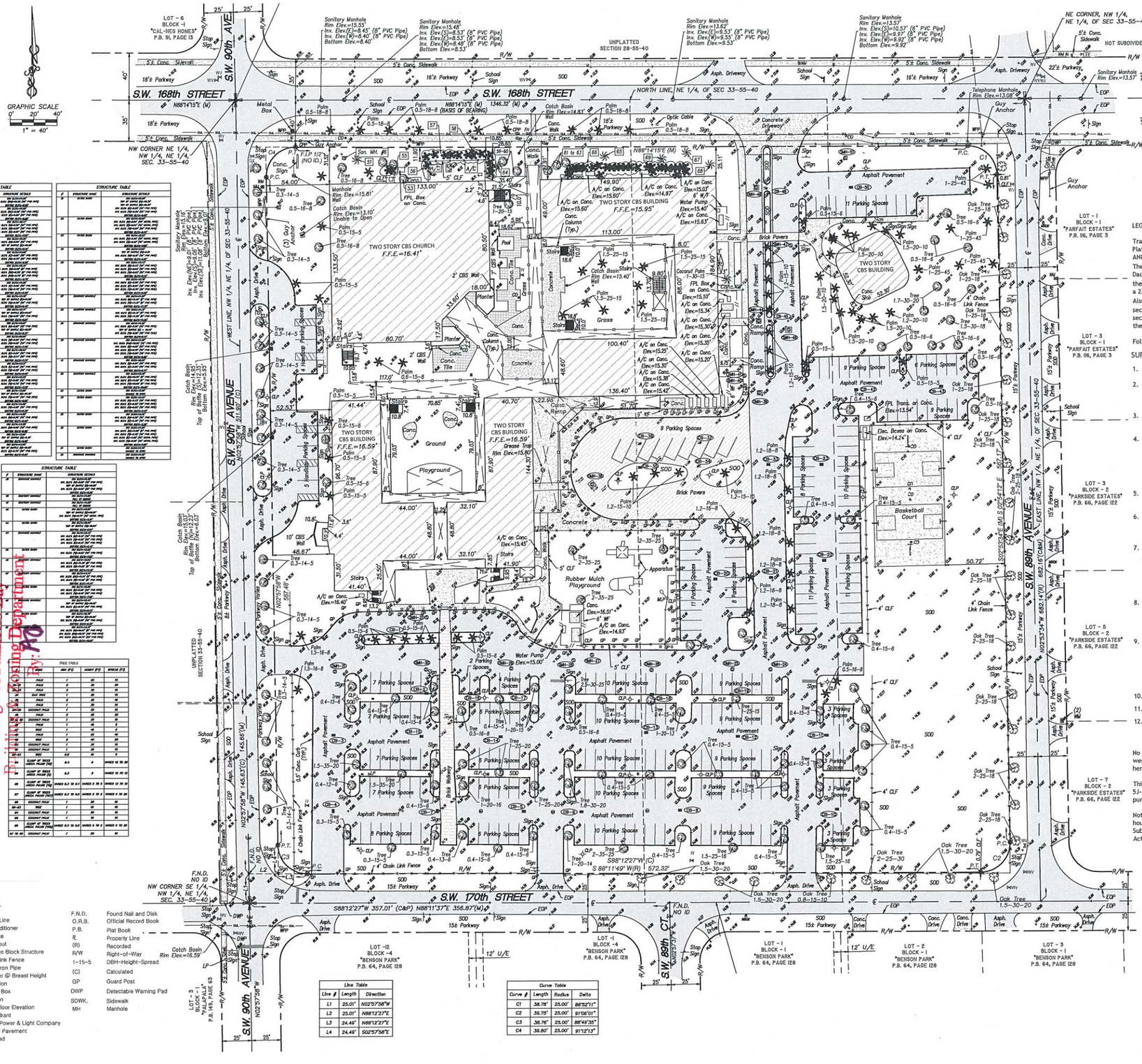
Thank you for your consideration of this application.

Sincerely,

Jerry B. Proctor, P.A.
Jerry B. Proctor
President

Attachment B
Property Survey

RECEIVED
Zoning Department
JUL 11, 2023
Village of Palmetto Bay
Building & Zoning Department
By: AG
V-2023-007



VICINITY MAP

NOT TO SCALE

LEGAL DESCRIPTION:

Tract A of "FIRST BAPTIST CHURCH OF PERRINE SUBDIVISION", according to the plat thereof, as recorded in Plat Book 89 at Page 55 of the Public Records of Miami-Dade County, Florida.
AND
The West ½ of the NE ¼ of the NW ¼ of the NE ¼ of Section 33, Township 55 South, Range 40 East, Dade-County, Florida, Less the North 40 feet, the West 25 feet and the South 25 feet thereof, And Also Less the area bounded by the South line of the North 40 feet of the of the NE ¼ of said section 33 and bounded by a 25 foot radius arc, concave to the Southeast, said arc being tangent to both of the last described lines, And Also Less the area bounded by the East line of the West 25 feet of the NE ¼ of the NW ¼ of the NE ¼ of said section 33, and bounded by the North line of the South 25 feet of the NE ¼ of the NW ¼ of the NE ¼ of said section 33, and bounded by a 25 foot radius arc, concave to the Northeast, said arc being tangent to both of the last described lines.

Folio No. 33-5033-000-0060

SURVEYOR'S REPORT:

1. Last day of field work was performed on December 8, 2022.
2. Avino & Associates, Inc. and certifying Land Surveyor accept no responsibility for Rights-of-Way Easements, Restrictions of Record or other matters affecting title to lands surveyed other than those recited in current Deed and/or other instruments of record furnished by Client.
3. Bearings shown hereon are based on an assumed Bearing of N88°14'15"E along the centerline of SW 168th Street, said line to be considered a well monumented line.
4. By scaled determination the subject property appears to lie in Flood Zone X, Elevation N/A, as per Federal Emergency Management Agency (FEMA) Community-Panel Number 120687, Map No. 12086C0602, Suffix L, Revised Date: 09-11-2009. An accurate Zoned determination should be made by the preparer of the map, the Federal Emergency Management Agency, or the Local Government Agency having jurisdiction over such matters prior to any judgments being made from the Zone as noted. The referenced Federal Emergency Management Agency Map states in the notes to the user that "this map is for insurance purposes only".
5. The Survey depicted herein is not intended to show the location or existence of any Wetland or Jurisdictional areas, or areas of protected species of vegetation either natural or cultivated.
6. Any use of this Survey for purposes other than which it was intended, without written verification, will the user's sole risk and without liability to the surveyor. Nothing herein shall be construed to give any rights or benefits to anyone than those certified to.
7. Vertical Control: Field-measured control for elevation information shown upon survey maps or reports shall be based on a level loop or closure to a second benchmark. Closure in feet must be accurate to a standard of plus or minus 0.05 ft. times the square root of the distance in miles. All surveys and maps or reports with elevation data shall indicate the datum and a description of the benchmark(s) upon which the survey is based. Minor elevation data may be obtained on an assumed datum provided the base elevation of the datum is obviously different than the established datum.
8. Horizontal Control: The minimum relative distance accuracy for this type of Survey is 1 foot in 10,000 feet. The accuracy obtained by measurement and calculation of closed geometric figures was found to exceed this requirement. Well-identified features as depicted on the Survey Map were measured to an estimated horizontal positional accuracy of 1/10 foot. .
9. Since no other information other than what is cited in the Sources of Data were furnished, the Client is hereby advised that there may legal restrictions on the Subject Property that are not shown on the Survey Map or contained within this Report that may be found in the Public Records of Miami-Dade County, or the records of any other public and private entities as their jurisdictions may appear. The Surveyor makes no representation as to ownership or possession of the Subject Property by any entity or individual who may appear of public record.
10. Fence ownership not determined.
11. Legal descriptions provided by client or attesting title company.
12. Boundary survey means a drawing and/ or a graphic representation of the survey work performed in the field, could be drawn at a shown scale and/or not to scale; the walls or fences may be exaggerated for clarity purposes.

No excavation or determination was made as to how the Subject Property is served by utilities. No improvements were located, other than those shown. No underground foundations and/or improvements were located or shown hereon.

This notice is required by the "Standards of Practice for Land Surveying in the State of Florida," pursuant to Chapter 5J-17, Florida Administrative Code and as adopted by the Florida Board of Professional Surveyors and Mappers pursuant to Chapter 472, Florida Statutes.

Notice is hereby given that Sunshine State One Call of Florida, Inc. must be contacted at 1-800-432-4770 at least 48 hours in advance of any construction, excavation or demolition activity within, upon, abutting or adjacent to the Subject Property. This Notice is given in compliance with the "Underground Facility Damage Prevention and Safety Act," pursuant to Chapter 556.101-111 of the Florida Statutes.

LEGEND

Tile, Concrete, Chain Link Fence, Right of Way Lines, Center Line, Monument Line, Iron Fence, Utility Wood Power Pole, Electric Box, MW Meter Water, WV Water Valve, GV Gas Valve, Conc. Columns, Wood Columns, Property Corner, Unknown Manhole, Spot Elevation, Light Pole, Palm (No Identified), Coconut Palm, Oak Tree, Tree (No Identified), Fire Hydrant, Guard Post, Sign

SURVEYOR'S CERTIFICATE:

This is to certify to the herein named firm and/or persons that the "Boundary & Topographic Survey" of the herein described property is true and correct to the best of our knowledge and belief as surveyed under our direction. I further certify that this survey meets the Standards of Practice Requirements as set forth in Chapter 5J-17, Florida Administrative Code, as adopted by the Florida Board of Professional Surveyors and Mappers pursuant to 472.027 Florida Statute.

NOTICE: Not valid without the signature and original raised seal of a Florida Licensed Surveyor and Mapper. Additions or deletions to Survey Maps by other than the signing party are prohibited without the written consent of the signing party.

ABBREVIATIONS

ASPH.	Asphalt	F.N.D.	Found Nail and Disk
℄	Center Line	O.R.B.	Official Record Book
A/C	Air Conditioner	P.B.	Plat Book
CONC.	Concrete	℞	Property Line
CO	Clean-out	(R)	Recorded
CBS	Concrete Block Structure	R/W	Right-of-Way
CLF	Chain Link Fence	1-15-5	DBH-Height-Spread
F.I.P.	Found Iron Pipe	(C)	Calculated
DBH	Diameter @ Breast Height	GP	Guard Post
Dim.	Dimension	DWP	Detectable Warning Pad
EB	Electric Box	SDWK.	Sidewalk
ELEV.	Elevation	MH	Manhole
F.F.E.	Finish Floor Elevation		
FH	Fire Hydrant		
FPL	Florida Power & Light Company		
EOP	Edge of Pavement		
(M)	Measured		

Line Table

Line #	Length	Direction
L1	25.01'	N02°57'58"W
L2	25.01'	N88°12'27"E
L3	24.49'	N88°12'27"E
L4	24.49'	S02°57'58"E

Curve Table

Curve #	Length	Radius	Delta
C1	38.78'	25.00'	88°52'11"
C2	39.75'	25.00'	91°06'01"
C3	38.76'	25.00'	88°49'35"
C4	39.80'	25.00'	91°12'13"

TREE TABLE

TREE	MIN DIA	MAX DIA	SPREAD DIA
PALM	1	30	10
PALM	1	30	10
OAK TREE	1	30	10
PALM	1	30	10
PALM	1	30	10
PALM	1	30	10
COCONUT PALM	1	30	40
PALM	1	30	10
TREE	1	30	10
COCONUT PALM	1	30	40
COCONUT PALM	1	30	40
TREE	1	30	10
GUMMY AT SPECIES UNDER PALM (TYP)	0.5	3	SPREAD 10 TO 20
COCONUT PALM	0.5	3	SPREAD 10 TO 20
GUMMY AT SPECIES UNDER PALM (TYP)	SPREAD 0.5 TO 0.5	SPREAD 3 TO 5	SPREAD 10 TO 20
GUMMY AT SPECIES UNDER PALM (TYP)	SPREAD 0.5 TO 0.5	SPREAD 3 TO 5	SPREAD 10 TO 20
COCONUT PALM	1	30	30
TREE	1	30	10
COCONUT PALM	1	30	30
COCONUT PALM	1	30	30
COCONUT PALM	1	30	30
COCONUT PALM	1	30	30

Aviñó & ASSOCIATES
ENGINEERS • PLANNERS • SURVEYORS
1950 SW. 57TH AVENUE, SUITE 207
WEST MIAMI, FLORIDA 33144
TEL. (305) 265-5035
FAX. (305) 265-5033
EB = 5095 ; LB = 5095
e-mail: pavino@avinoandassociates.com

Project Name:

CFM PALMETTO BAY

8900 SW 168 ST
Palmetto Bay, FLorida 33157

Property Owner:

CHRIST FELLOWSHIP PALMETTO BAY CAMPUS LLC

Revisions

No.	Description	Date
1	TREE UPDATE	05/11/2023
2	UPDATE	04/28/2023
3	UPDATE	12/05/2022

WRITTEN DIMENSIONS ON THIS DRAWING SHALL HAVE PRECEDENCE OVER SCALED DIMENSIONS. CONTRACTOR SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS AND CONDITIONS ON THE JOB AND THIS OFFICE MUST BE NOTIFIED OF ANY VARIATION FROM THE DIMENSIONS.

BOUNDARY AND TOPOGRAPHIC SURVEY

LAND SURVEYOR & MAPPER

JORGE RODOLFO AVIÑO, LICENSE NUMBER, No. 4996, STATE OF FLORIDA, PROFESSIONAL SURVEYOR & MAPPER

Jorge R. Avi55, PSM No. 4996
Land Surveyor & Mapper

Project No. 18137.00
Scale: AS SHOWN
Date: 12/09/2022
Drawn: A.B.
Checked: J.R.A.
Submittal:
Cad File:

Drawing Title:

SU-1

Sheet No. 1 OF 1

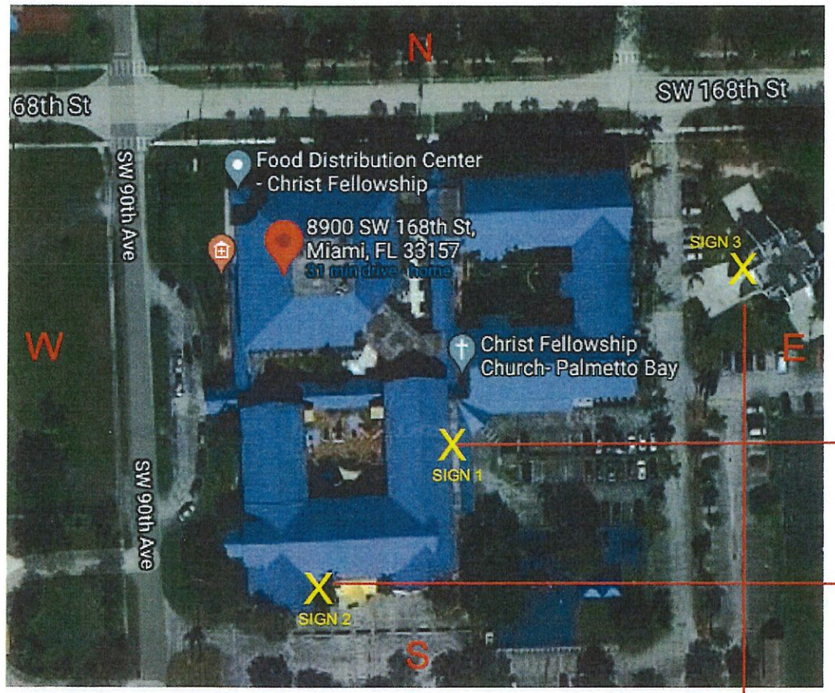
© 2022 AVIÑO & ASSOCIATES, INC. ALL RIGHTS RESERVED. EXCLUSIVE PROPERTY OF AVIÑO & ASSOCIATES, INC., NOR ARE THEY TO BE ASSIGNED TO ANY PARTY WITHOUT FIRST SECURING DUE WRITTEN PERMISSION AND CONSENT.

Attachment C
Sign Plan

V-23-007
RECEIVED
Zoning Department
July 11, 2023
Village of Palmetto Bay
Building & Zoning Department
By: AB

SIGN TYPE : SITE PLAN

SITE PLAN - PROPOSED SIGN LOCATIONS
OUTDOOR SIGNS



SITE PLAN
OUTDOOR SIGN

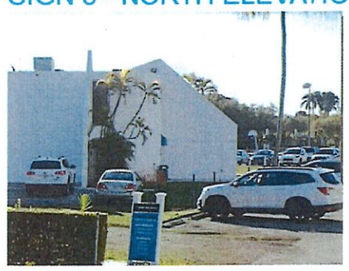
SIGN 1 - EAST ELEVATION (NEW LOCATION)



SIGN 2 - EAST ELEVATION



SIGN 3 - NORTH ELEVATION



SIGNALITE
CONTRACTORS
LIC. # EC13008031

SIGN TYPE: WALL SIGN

DATE: 05.16.2022

CUSTOMER: CHRIST FELLOWSHIP
PALMETTO BAY

JOB SITE: 8900 SW 168TH ST
PALMETTO BAY, FL 33157

CONTRACT# 02 14198

SIGNAGE PLANS #:
02 14198

DESIGN REVISION:

VS	05.16.2022

CUSTOMER APPROVAL

NAME:

DATE:

OUTDOOR	☒
INDOOR	☐
ILLUMINATED	☒
NON ILLUMINATED	☐
120 v	☐
277 v	☐
OTHER TBD	☒
SINGLE SIDED	☒
DOUBLE SIDED	☐
WALL MOUNTED	☒
FREE STANDING	☐
PROJECTED	☐
HANGING	☐
OTHER	☐

USASIGNS
Since 2001

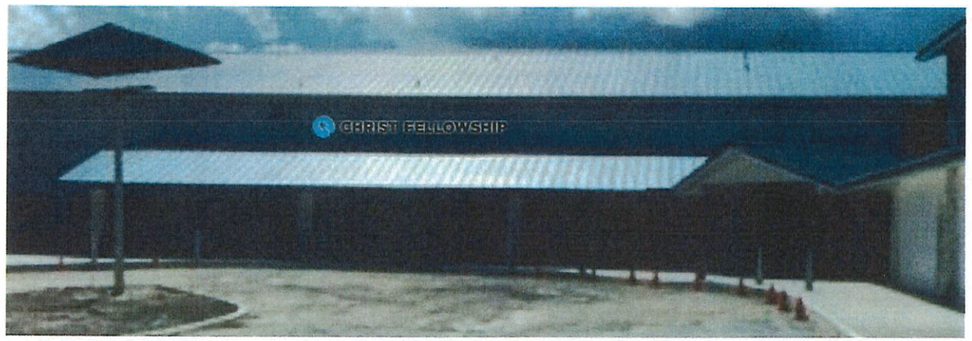
The designs, drawings, concepts and/or renderings depicted herein are the exclusive & sole property of USA SIGNS, Inc., and may not be reproduced, shown, used or changed in any way, without expressed written consent. No part of this drawing shall be duplicated, altered, exhibit in any manner or used for any purpose. Exceptions are logos supplied by the client. Color portrayed are representation unless noted.

SP #02 14198

V-23-007
RECEIVED
Zoning Department
July 11, 2023
Village of Palmetto Bay
Building & Zoning Department
By: AB

SIGN TYPE :LED ILLUMINATED - LED ILLUMINATED BACK LIT REVERSE CHANNEL LETTER @ WALL

SIGN 1 @EAST ELEVATION
OUTDOOR WALL SIGN





TOTAL SIGN SIZE: 53.47 SF

"CHRIST FELLOWSHIP" : 1'-8" X 25'-9"= 42.91
CIRCLE LOGO: 3'-3" X 3'-3" = 10.56

GENERAL STRUCTURAL NOTES:

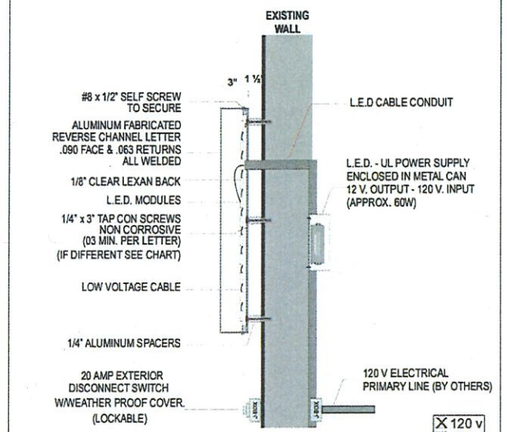
1. Design is based on 175 mph 3 seconds gust design wind speed per FBC 2020 7th Edition. Exposure C.
2. Reference Specifications, Codes and Standars: FBC 2020 - 7th Edition / ASCE 7-16 / FBC 107.2.1/ NEC 2017 ..
3. Sealing holes in facade for prevent water intrusion.

Engineer:

ALEJANDRO VARGAS PE
1025 CEDAR FALLS DR.
WESTON, FL 33327

LICENSE No: 63894

MOUNTING DETAIL



ELECTRICAL INFORMATION

- ALL ELECTRICAL COMPONENTS ARE U.L. LISTED.
- (2) U.L.POWER SUPPLY 12V/60HZ-100W
- 120 VOLTS W/#12 THWN WIRE
- GFCI PROTECTION REQUIRED FOR SECONDARY AS PER NEC 600.23 (B)
- SIGN GROUNDED ACCORDING TO NEC 250 = BONDED
- DEDICATED 20 AMPS, CIRCUIT #6 ELECTRICAL PANEL ALL METAL PAINTED AS PER SECTION 3.004.4D (RACEWAY)
- EXTERNAL DISCONNECT SWITCH LOCATED ACCORDING TO NEC 600.6
- TIME CLOCK (20 AMP) NEAR ELECTRICAL PANEL OR SWIWEL MOUNT LIGHT CONTROL (BY OTHERS)

COMBINATION OF PHOTOCELL AND/OR TIMER
OR ASTRONOMICAL TIMER FBC 2020 - 7TH EDITION
NEC 2017 C405.2.5

Anchor Schedule

** ALL FASTENERS SHALL BE SPACED EVENLY**

	WALL MATERIAL	ANCHOR TYPE	QTY or SPACING
MOUNTING ANCHORS	CONCRETE (3ski) or HOLLOW MASONRY	1/4" THREADED RODS WITH MIN 2" EMBED IN ADHESIVE	MIN (3) PER LETTER
		1/4" TAPCONS (OR EQUIV) WITH 1.75" EMBED	MIN (3) PER LETTER
		1/4" EXPANSION ANCHORS WITH 2.5" EMBED	MIN (3) PER LETTER
	1/2" PLYWOOD (NO ACCESS BEHIND)	1/4" TOGGLE BOLTS	MIN (3) PER LETTER
		1/4" WOOD SCREWS, FULL EMBED	MIN (3) PER LETTER
	METAL STUDS OR METAL PANELS	#14 METAL SCREWS TO MIN 18ga STEEL OR 0.090" ALUM	MIN (3) PER LETTER
	HOLLOW WALL (BLOCKING BEHIND)	1/4" THRUBOLTS OR LAGS TO SOLID BLOCKING BEHIND	MIN (3) PER LETTER

SIGNALITE
CONTRACTORS
LIC. # EC13008031

SIGN TYPE: WALL SIGN
DATE: 05.16.2022
CUSTOMER: CHRIST FELLOWSHIP
PALMETTO BAY
JOB SITE: 8900 SW 168TH ST
PALMETTO BAY, FL 33157
CONTRACT# 02 14198
SIGNAGE PLANS #: 02 14198
DESIGN REVISION:
VS 05.16.2022
CUSTOMER APPROVAL
NAME:
DATE:

OUTDOOR	X
INDOOR	
ILLUMINATED	X
NON ILLUMINATED	
120 v	
277 v	
OTHER TBD	X
SINGLE SIDED	X
DOUBLE SIDED	
WALL MOUNTED	X
FREE STANDING	
PROJECTED	
HANGING	
OTHER	

USASIGNS
Since 2001

The designs, drawings, concepts and/or renderings depicted herein are the exclusive & sole property of USA SIGNS, Inc., and may not be reproduced, shown, used or changed in any way, without expressed written consent. No part of this drawing shall be duplicated, altered, exhibit in any manner or used for any purpose. Exceptions are logos supplied by the client.. Color portrayed are representation unless noted.

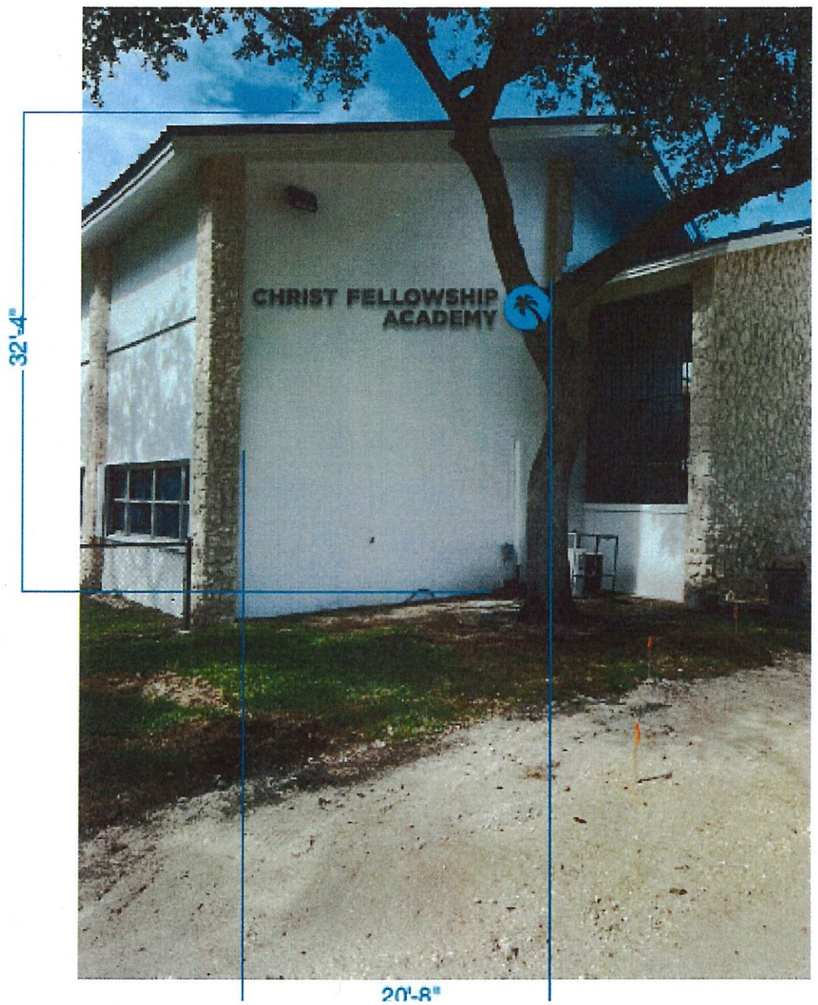
SP #02 14198

V-23-007

RECEIVED
Zoning Department
July 11, 2023
Village of Palmetto Bay
Building & Zoning Department
By: AB

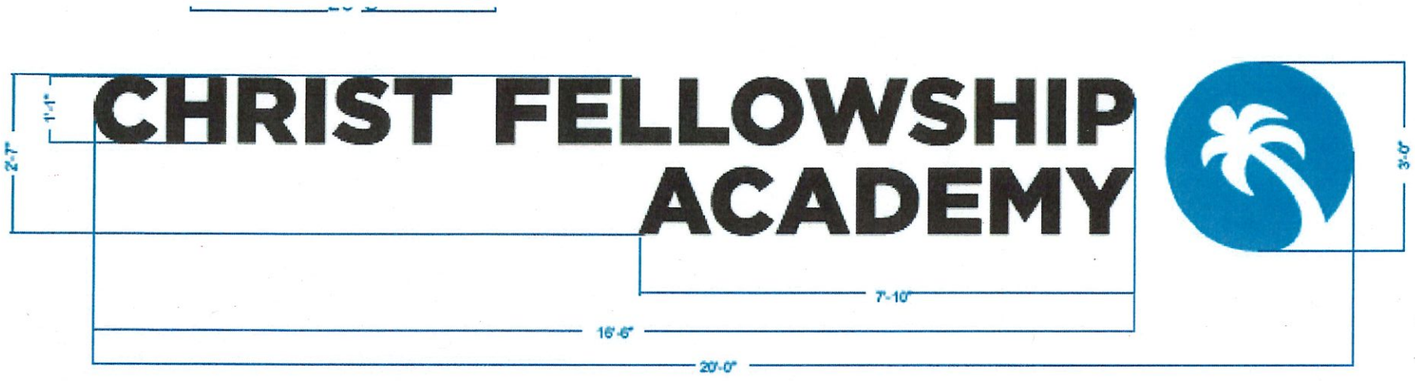
25'-9"
30'-0"

SIGN 2 – EAST

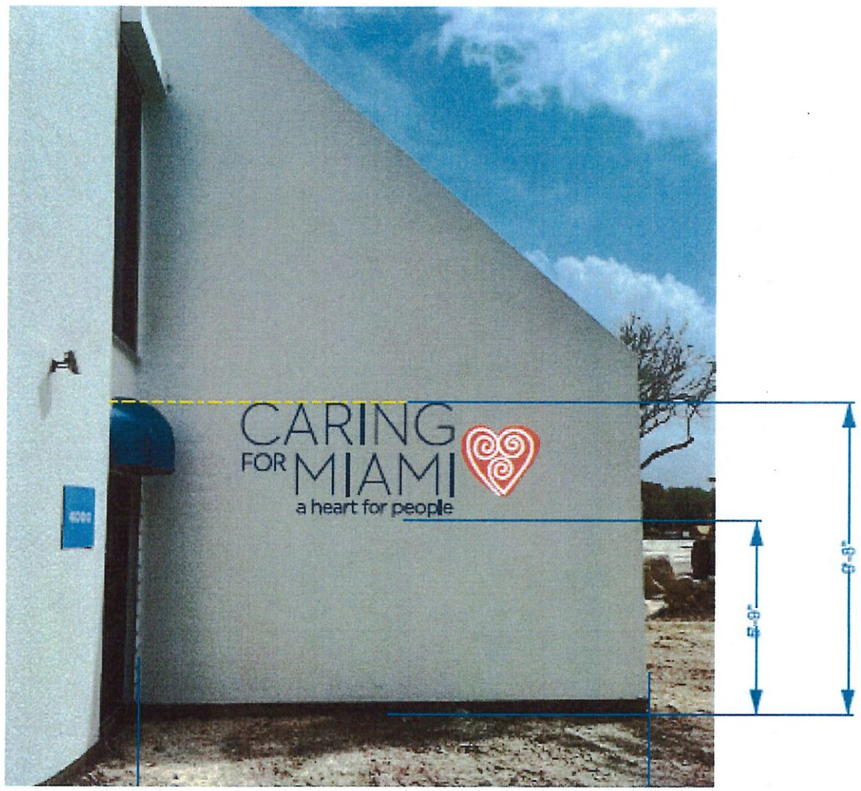


V-23-007

RECEIVED
Zoning Department
July 11, 2023
Village of Palmetto Bay
Building & Zoning Department
By: AO

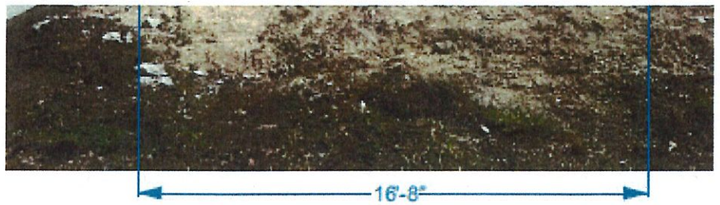


SIGN 3: NORTH



V-23-007

RECEIVED
Zoning Department
July 11, 2023
Village of Palmetto Bay
Building & Zoning Department
By: AG





Thanks,

Katya Caceres
Senior Project Manager

USA SIGNS, Inc.
7230 NW 46th Street, Miami, FL 33166
M. 305.206.3573 - P: 305.470.2333 - 305.436.9544
www.usasigns.us

USASIGNS
Since 2001

RESOLUTION NO. 2023-____
ZONING APPLICATION VPB-23-007

A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO ZONING; PURSUANT TO SECTION 30-30.6, VARIANCES, DIVISION 30-90., SIGN REGULATIONS, AND SECTION 30-50.4., E-M, ESTATES MODIFIED ZONING DISTRICT, AUTHORIZING A VARIANCE REQUEST WAIVING THE MAXIMUM SIGN AREA FOR THREE (3) WALL SIGNS PROPOSED TO BE 53.47, 40.5, AND 33.3 SQUARE FEET WHERE THE ALLOWABLE AREA IS SIX (6) SQUARE FEET PER EACH USE ONSITE AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the applicant, Christ Fellowship Palmetto Bay Campus LLC, has applied for a variance to permit three walls signs larger than permitted by code; and

WHEREAS, the subject property is located at 8900 SW 168 Street and is designated as folio number 33-5030-000-0060; and

WHEREAS, the property is designated E-M Estate Modified Zoning District on the Village of Palmetto Bay Zoning Map, as adopted on July 19, 2021 by Ordinance 2021-13; and

WHEREAS, the ad-hoc Development Application Review Committee comprised of professional Village Staff reviewed the proposed variance; and

WHEREAS, the Mayor and Village Council of the Village of Palmetto Bay conducted a public hearing on the application at Village Hall, 9705 East Hibiscus Street on September 18, 2023; and

WHEREAS, the Village Council finds, based on substantial competent evidence in the record, that the application for the variance is consistent with the Village of Palmetto Bay's Comprehensive Plan and the applicable Land Development Regulations; and

WHEREAS, based on the foregoing finding, the Village Council determined to grant/deny the variance, as provided in this Resolution.

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

Section 1. A public hearing on the present application was held on September 18, 2023 in accordance with the Village's "Quasi-judicial Hearing Procedures". Pursuant to the testimony and evidence presented during the hearing, the Village Council makes the following findings of fact, conclusions of law, and final order.

Section 2. Findings of fact.

1. That the subject property is located at 8900 SW 168 Street and is designated as folio number 33-5030-000-0060.

2. After hearing testimony from Village Staff, the applicant, the owner and the public, the Village Council accepted the findings of Village Staff as it relates to compliance with the following provisions of the Village's Code of Ordinances: Section 30-30.6, Variances, Division 30-90., Sign Regulations, and Section 30-50.4, E-M, Estate Modified Zoning District.

3. The application for the variance is consistent with the Village's Comprehensive Plan, as further specified in the Planning and Zoning Division Staff Report.

4. The Village Council adopts and incorporates by reference the Planning and Zoning Division Staff Report.

Section 3. Conclusions of Law.

The application for the variance was reviewed pursuant to Section 30-30.6, Variances, Division 30-90., Sign Regulations, and Section 30-50.4, E-M, Estate Modified Zoning District of the Village's Code of Ordinances and was found to be consistent.

Section 4. Order.

The Village Council approves/denies the application for three wall signs larger than permitted by code at 8900 SW 168 Street (Folio #33-5030-000-0060), to permit the construction of three wall signs; consistent with Section 30-30.6 "Variances", Sign Regulations, and Section 30-50.4, E-M, Estate Modified Zoning District of the Village Zoning Code, as more particularly described in the attached application and site plan that is included in the public hearing package with the following conditions:

1. The approval is for plans prepared by Signalite dated 5-16-23.
2. The approval is for one wall sign to be located on the eastern façade above the existing drop off canopy measuring 42.91 SF text "Christ Fellowship" and 10.56 SF logo.
3. The approval is for a second wall sign to be located on the south façade, near the southwest corner of the building measuring 28.52 SF text "Christ Fellowship Academy" and 9 SF logo.
4. The approval is for a third wall sign to be located on the western façade of a freestanding building facing an internal entry driveway measuring 23.25 SF text "Caring for Miami a heart for people" and 5.50 SF logo.
5. Enhance landscaping to buffer surrounding residences. Extend the current buffers around the SW portion of the site along SW 90 Av and SW 170 St. Plant trees and shrubs along the western half of the south property border (SW 170 Street) and the southern 1/3 of the east property border (SW 90 Avenue) consistent with the current property buffer installed along the remainder of SW 170 Street and SW 89 Avenue that consists of oak trees and podocarpus hedge.
6. The wall sign variance shall be valid for 180 days to obtain a building permit. The Community and Economic Development Director shall have the discretion to grant an additional 60 days.

This is the final order.

Section 5. Record.

The record shall consist of the notice of hearing, the Planning and Zoning Division Staff Report, the application, all documents submitted by the applicant and the owner to the Village of Palmetto Bay in connection with the

application, the testimony and documents presented at the public hearing, and the tape and minutes of the hearing.

Section 6. This Resolution shall take effect immediately upon approval.

PASSED AND RESOLVED this 18th day of September 2023.

Attest:

_____	_____
Missy Arocha	Karyn Cunningham
Village Clerk	Mayor

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

_____
John C. Dellagloria
Village Attorney

FINAL VOTE AT ADOPTION:

Council Member Patrick Fiore	____
Council Member Steve Cody	____
Council Member Marsha Matson	____
Vice-Mayor Leanne Tellam	____
Mayor Karyn Cunningham	____

AGENDA ITEM NO. 5.B

Item Cover Page

ZONING HEARING AGENDA ITEM REPORT

DATE: September 18, 2023

SUBMITTED BY: Heidi Siegel, Community and Economic Development

ITEM TYPE: Discussion

AGENDA SECTION: **PUBLIC HEARING ITEMS**

SUBJECT:

Applicant: VILLAGE OF PALMETTO BAY
Application: RZ-23-007
Request: AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO, FLORIDA, AMENDING CHAPTER 30, SECTION 30-10.3 OF THE CODE OF ORDINANCES STYLED: "APPLICABILITY AND VESTED RIGHTS", REGARDING APPLICATION EXPIRATION; AMENDING CHAPTER 30, SECTION 30-30.3 OF THE CODE STYLED "ADMINISTRATION DEVELOPMENT APPROVALS", BY CREATING LIVE LOCAL ACT COMPLIANCE AND APPLICATION REQUIREMENTS, AND PROVIDING AN EFFECTIVE DATE. *(Sponsored by Mayor Karyn Cunningham)*

SUGGESTED ACTION:

ATTACHMENTS:
Staff Memo RZ-23-007 SB102 Ordinance.docx
Ordinance - RZ 23 007.doc
Attachment A.pdf

To: Honorable Mayor and Village Council

Date: September 18, 2023

From: Heidi Siegel, AICP, CED Director

Re: RZ-23-007 / Amending Section 30-10.3 Regarding Application Expiration Thresholds and Amending Section 30-30.3 Creating Live Local Act Compliance Requirements

AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AMENDING CHAPTER 30, SECTION 30-10.3 OF THE CODE OF ORDINANCES STYLED: "APPLICABILITY AND VESTED RIGHTS", REGARDING APPLICATION EXPIRATION; AMENDING CHAPTER 30, SECTION 30-30.3 OF THE CODE STYLED "ADMINISTRATIVE DEVELOPMENT APPROVALS", BY CREATING LIVE LOCAL ACT COMPLIANCE AND APPLICATION REQUIREMENTS, AND PROVIDING AN EFFECTIVE DATE. *(Sponsored by Mayor Karyn Cunnigham)*

BACKGROUND

The Village Council and Staff continuously seek opportunities to update and correct inconsistencies in the Village's Land Development Regulations. The Florida Legislature passed Senate Bill 102, known as the Live Local Act, during the 2023 legislative session (Attachment A). The Act became effective July 1, 2023. The Live Local Act preempts certain local government authority, including stating that all affordable housing projects that fall under the Live Local Act must be reviewed administratively. As of the date of this report, September 8, 2023, the Village has not received any applications under the mandates of the Live Local Act.

The Live Local Act further preempts some provisions of local comprehensive plans, zoning and land development regulation provisions for certain development projects that contain at least 40 percent affordable housing units. However, the Live Local Act does not specify how a proposed development is intended to evidence compliance with the affordable housing requirements necessary to benefit from the preemptions afforded under the Act during the application phase or during the 30-year tax exemption period of the development; nor does the Act set forth any penalties for non-compliance. Additionally, the Act does not define certain key terms. This absence of clarity could lead to misinterpretation of the Village Code by some applicants.

The proposed amendments to Section 30-30.3 are intended to be proactive. They set

parameters, define key terms to set forth parameters regarding zoning district, height and density, allows the Village to require proof of compliance with the affordable requirements necessary to benefit from the Live Local Act.

Specifically the proposed amendments:

- Creates a subsection that addresses Live Local Act Compliance (Sec. 30-30.3.d).

- Defines certain terms including “allowed”, “height within one mile”, “highest allowed density”, “highest currently allowed height”, and specifically identifies which Village zoning districts meet the definition for “commercial zoning district” and “mixed-use zoning district”.

    - The Live Local Act states that the Village must allow projects under the Act in its “commercial” and “mixed-use” zoning districts. These can be seen as ambiguous terms. The proposed amendments seek to provide clear definitions of what is considered “commercial” and “mixed-use” zoning districts in the Village Land Development Regulations.

        - The delineation of these zoning districts further helps to preserve the Village single-family zoning districts, existing low scale transitional zoning districts such as the R-2 Two-Family Residential District, R-TH Townhouse District, R-3 Four Unit Apartment District, R-3M Apartment District, R-4L Limited Apartment District, and the R-5 Office District.

- Creates a process for approval. The Live Local Act preempts the Village public hearing requirements and mandates that the Village shall review any application under the Act administratively in an expedited manner.

    - To avoid any misuse of these mandates, the proposed amendments specify a requirement of the applicant to demonstrate commitment to Miami-Dade County’s Affordable Housing standards for income qualification and commitment to project monitoring and inspection during the full minimum 30 years of operation under the Act. These requirements also include requiring an audit of the project every year to verify they still meet the affordable housing standards.

    - Establishes a reasonable timeframe for administrative review (sixty days) and specifies that the applicant has sixty days to provide a response. These review time periods are only valid if a valid contract for purchase if there is not full ownership of the site, in place.

- Requires an affidavit confirming a 30-year commitment, as required by the Act, to provide affordable housing and monetary cap on all rent charges including any and all other fees as may be assessed to the occupants of units deemed to be affordable consistent with Fla Stat. 420.0004.

- Requires an affidavit agreeing to an annual audit of affordable housing income requirements of all tenants by a certified public accounting firm paid for by the petitioner, or their successors.

- Requirement of an affidavit indicating the petitioners' commitment to comply with specific chapters of the Village Code applicable to the project (i.e., tree and landscaping, green building standards, public art, etc.) at the time of permitting.

- Requirement to project a project narrative which demonstrates compliance with section 166.04151(7)(a)- (g}, Florida Statutes.

- Requirement of an Affidavit of Commitment and Restrictive Covenants for the project to be recorded in the public records of Miami-Dade County.

    - These documents shall: (i) have terms acceptable to the Village, (ii) run with and be binding upon the land for no less than thirty (30) years from the issuance of a certificate of occupancy for the last principal structure of the project (iii) be enforceable by the Village; (iv) detail the affordable housing and project conditions and restrictions required by this section, the Live Local Act and on the approval of the project; (v) provide for monitoring, and compliance requirements; and (vi) provide for the Village's enforcement remedies.

- Establishes fees for applications.

- Creates a timeline for the duration of approvals received through this process.

The Act further requires every municipality By October 1, 2023, and every 3 years thereafter, to prepare an inventory list of all real property within its jurisdiction to which the municipality or any dependent special district within its boundaries holds fee simple title which is appropriate for use as affordable housing. The Village of Palmetto Bay does not hold any fee simple properties that are appropriate for use as affordable housing. All Village owned properties are programmed for municipal operations and/or public parks. Village staff will present a resolution stating these facts at the October regular Council meeting for the Village Council to consider. This information will be provided on the Village website following the October meeting.

Additionally, there is an opportunity to improve language in the Land Development Regulations that address response times required by applicants. The proposed amendments further clarify

the responsibility of all development applications to respond in a reasonable timeframe. Ordinance 2022-07 was passed by the Village Council on March 21, 2022. The ordinance created a timeline for certain development applications. The proposed amendments clarify and expand the language to allow staff clarity to properly enforce the intent.

RECOMMENDATION

The Village staff recommends that the Village Council approve the attached ordinance on first reading.

Attachment:

Attachment A: Live Local Act

ORDINANCE NO. 2023-_____

AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AMENDING CHAPTER 30, SECTION 30-10.3 OF THE CODE OF ORDINANCES STYLED: "APPLICABILITY AND VESTED RIGHTS", REGARDING APPLICATION EXPIRATION; AMENDING CHAPTER 30, SECTION 30-30.3 OF THE CODE STYLED "ADMINISTRATIVE DEVELOPMENT APPROVALS", BY CREATING LIVE LOCAL ACT COMPLIANCE AND APPLICATION REQUIREMENTS, AND PROVIDING AN EFFECTIVE DATE. *(Sponsored by Mayor Karyn Cunnigham)*

WHEREAS, the Village Council has identified "accessible, efficient and transparent government energized by engaged and informed residents" as a focus area; and

WHEREAS, the Village Council continuously reviews its services to residents and business owners; and

WHEREAS, the Village Council desires to update Chapter 30 of the Land Development Regulations of the Code of Ordinances to address development applications; and

WHEREAS, the Florida Legislature passed Senate Bill 102, known as the Live Local Act, during the 2023 legislative session; and

WHEREAS, the Live Local Act states that all affordable housing projects that fall under the Act must be reviewed administratively; and

WHEREAS, the Live Local Act further preempts some provisions of local comprehensive plans, zoning and land development regulation provisions for certain development projects that contain at least 40 percent affordable housing units, with the project being affordable housing units for at least a 30-year period; and

WHEREAS, the Live Local Act does not provide specific definitions to key terms within the Act; and

WHEREAS, the Live Local Act does not specify how a proposed development is intended to evidence compliance with the affordable housing requirements necessary to benefit from the preemptions afforded under the Act during the application phase or during the 30 year tax exemption period of the development; nor does the Act set forth any penalties for non-compliance; and

WHEREAS, the Live Local Act does not specify how a proposed development is intended to evidence compliance with the affordable housing requirements necessary to benefit from the preemptions afforded under the Act during the application phase or during the 30 year tax exemption period of the development; nor does the Act set forth any penalties for non-compliance; and

WHEREAS, the Community and Economic Development Department staff has consulted with other municipalities and municipal representatives who have similar concerns; and

WHEREAS, the Village Council deems it necessary for the general welfare of the Village to amend the Village of Palmetto Bay Land Development Regulations in order to provide certification standards and implementation criteria for development proposed in conformance with the Live Local Act; and

WHEREAS, the proposed amendments to Chapter 30 of the Code of Ordinances allows the Village to require proof of compliance with the affordable requirements necessary to benefit from the Live Local Act; and

WHEREAS, the proposed amendments further clarify the responsibility of all development applications to the Village to respond in a reasonable timeframe.

NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE OF PALMETTO BAY, FLORIDA, THAT:

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

Section 2. Chapter 30 "Zoning" of the Code of Ordinances is hereby amended to read as follows:

(Additional text is shown as underlined; deleted text is shown as ~~strikethrough)~~

Section 30-10.3 Applicability and vested rights

***

(g) *Application approval.* Development applications requiring ~~either~~ a public hearing ~~or administrative approval~~ shall expire after 180 days if the applicant has not scheduled a community workshop and public hearing. Development applications seeking administrative approval shall become null and void after 120 days if the applicant has not provided a complete response to a determination of non-compliance consistent with Section 30-30.3. A new application and fee shall be required and the submission shall conform to all the requirements of Chapter 30 at the time of resubmission. ~~or received an administrative determination after the community planning and development department determines the application is complete. If a public hearing is required, upon receipt of an official staff recommendation to the village council, development applications will expire 180 days after the application can be scheduled and after meeting notice and public workshop requirements~~ The above time frames shall be extended once only for a maximum of thirty days, unless an extension is requested by the village.

***

Sec. 30-30.3. Administrative development approvals.

***

(d) *Live Local Act Compliance.* Projects that seek

administrative approval consistent with Section 166.04151(7) Florida Statutes, shall demonstrate a commitment to affordable housing at the time of administrative site plan review submission.

(1) Definitions. For the purposes of this subsection, the following definitions are provided for terminology not defined in Florida Statutes with respect to implementation consistent with the Village of Palmetto Bay Land Development Regulations:

Allowed as used in Fla Stat. 166.04151 shall mean as allowed under the provisions of the Village land development regulations at the time of a proposal is submitted for development subject to Fla Stat. 166.04151.

Commercial as used in Fla. Stat. 166.04151 shall mean only the commercial zoning districts of the Village which are only properties zoned B-1 Limited Business District, B-2 Business District, and Old Cutler Neighborhood Commercial District and no other zoning district.

Height within one mile as used in Fla Stat. 166.04151 shall mean one mile as can be traveled by human beings along the public streets of the Village within the normal permitted lanes of travel from the center point of the proposed development site and shall not mean a straight-line distance as a bird might be able to travel.

Highest allowed density as used in Fla Stat. 166.04151 shall mean 54 units per acre as this is the highest residential density currently allowed and is expressed in units per gross acre and shall not mean density as used elsewhere in Chapter 166 Fla Stat. when referring to intensity terminology applied to floor area ratio.

Highest currently allowed height as used in Fla Stat. 166.04151 shall only mean such height

allowed by right within the Village and not heights allowed if such height would require special approval under the Village land development regulations of the proposed project under the Live Local Act.

Industrial as used in Fla Stat 166.04151 shall not apply in the Village, as no industrial zoning district exists within the Village.

Mixed Use as used in Fla Sta. 166,04151 shall mean only the mixed use zoning districts of the Village which are only properties zoned Downtown and Village Mixed Use and no other zoning district.

(2) Process for Approval. The approval process for a qualifying development located within an eligible zoning district, shall include payment of a fee, and if application is not made by the owner of record, then a contract or agreement to purchase (that permits black-out of the financial purchase details) but is clear as to dates of effectiveness and due diligence periods, an application on a form provided by the Village, site development plans, and affidavit of commitment to Miami-Dade County's Affordable Housing standards for income qualification, monitoring, and inspection during the full minimum 30 years of operation including acknowledgement of the auditing requirements for eligibility of all tenants living within the designated affordable housing units in order to establish compliance with the provisions of the Live Local Act and penalties for non-compliance as further outlined below. Upon application, the Village shall complete a sufficiency review of the materials submitted and provide a response that the application is complete or specifically what items are still required at a date sixty (60) days after submittal. The applicant shall then provide the items that are required for the sufficiency review which shall then begin another sufficiency review period that shall be completed at a date sixty

(60) days following re-submittal and so on until a complete application is provided. A contract to purchase must be in full force and effect during the sufficiency and review periods established within this Section. If any due diligence period or other contract matter expires within such time periods, then the Village shall not begin or complete the sufficiency review or application review.

(3) Minimum Requirements. The minimum requirements for certification of compliance with the Live Local Act are as follows:

a. Site Development Plan that meets the requires of Section 30-30.2. - General application requirements.

b. An affidavit confirming a 30-year commitment to provide affordable housing and monetary cap on all rent charges including any and all other fees as may be assessed to the occupants of units deemed to be affordable consistent with Fla Stat. 420.0004; an affidavit attesting to agreement and acceptance as to the annual audit requirements by a certified public accounting firm paid for by the petitioners, or its successors, attesting to satisfaction of the such income and total rental fees and affidavit attesting to agreement and understanding that violations of such commitments shall be subject to a fine of no less than $5,000.00 per day for each violation determined by the annual audit and for each day the annual audit is not received by the Village after March 1st of every year and affidavit agreement that any such fines shall constitute a lien on said property if not paid to the Village within 60 days of receipt of the audit by the Village by March 1st of every year and agreement to reimburse the Village for any legal expenses in the enforcement of these provisions.

c. An affidavit indicating the petitioners' commitment

to comply with specific chapters of the Village Code applicable to the project (i.e., tree and landscaping, green building standards, public art, etc.) at the time of permitting.

d. Compliance with all land development regulations applicable to the zoning district in which the project is proposed, except only as otherwise preempted by the Live Local Act with respect to height and density.

e. Project Narrative. The application shall contain a narrative which demonstrates compliance with section 166.04151(7)(a)- (g}, Florida Statutes.

f. Affidavit of Commitment and Restrictive Covenants. As a condition of approval and prior to any site or building permits for the project being requested or obtained, the applicant (and the property owner, if different from the applicant) must execute and have recorded in the public records of Miami-Dade County, Florida, an Affidavit of Commitment and Restrictive Covenants. Such Affidavit of Commitment and Restrictive Covenants shall: (i) have terms acceptable to the Village, (ii) run with and be binding upon the land for no less than thirty (30) years from the issuance of a certificate of occupancy for the last principal structure of the project (iii) be enforceable by the Village; (iv) detail the affordable housing and project conditions and restrictions required by this section, the Live Local Act and on the approval of the project; (v) provide for monitoring, and compliance requirements; and (vi) provide for the Village's enforcement remedies. Mortgage holders will be required to execute and record a subordination of their lien interest to such Affidavit of Commitment and Restrictive Covenants prior to or simultaneously with the recording of the Affidavit of Commitment and Restrictive Covenants. The Village will provide the monitoring and compliance

forms upon submittal of the application, deemed complete and sufficient.

g. Agent Authorization. An affidavit with the property owner's notarized authorization.

(4) Timeframe for Review and Issuance of Approval: Upon receipt of a complete application, the Village will complete its review and provide a response sixty (60) days from receipt of such materials as required by this subsection.

(5) Fee: The fee for a qualifying development will be $2,500 plus: $750 per acre or portion thereof and $250 per 10 units or portion thereof and $225 per 5,000 sq. ft. or portion thereof or as otherwise amended within the adopted Fee Schedule from time to time by the Village Council at public hearing.

(6) Duration of Approval: An approval received through this process shall have three (3) months from the date of approval to apply for a building permit with the Village. The application process and certification of compliance with the Live Local Act shall begin again if a building permit has not been issued by the Village within six (6) months of submittal of a building permit. This approval made be extended for an additional three (3) months at the discretion of the Community and Economic Development Director for one time based on building permit application sufficiency.

~~(d)~~ (e) *Administrative (de minimus) variances.*

***

~~(e)~~ (f) *Scrivener's errors.*

***

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

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

Section 5. 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 6. Effective Date. This Ordinance shall take effect immediately upon enactment.

PASSED ON FIRST READING this ___day of _____, 2023.

PASSED AND ADOPTED ON SECOND READING this _____ day of _____, 2023.

Attest: _____ _____

Missy Arocha	**Karyn Cunningham**
Village Clerk	**Mayor**

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

_____

John C. Dellagloria

Village Attorney

VOTE ON FIRST READING:

Mayor Karyn Cunningham ___

Council Member Steven Cody ___

Council Member Marsha Matson ___

Vice-Mayor Leanne Tellam ___

Council Member Patrick Fiore ___

FINAL VOTE AT ADOPTION ON SECOND READING:

Mayor Karyn Cunningham ___

Council Member Steven Cody ___

Council Member Marsha Matson ___

Vice-Mayor Leanne Tellam ___

Council Member Patrick Fiore ___

Attachment A
Live Local Act

An act relating to housing; providing a short title; amending s. 125.0103, F.S.; deleting the authority of local governments to adopt or maintain laws, ordinances, rules, or other measures that would have the effect of imposing controls on rents; amending s. 125.01055, F.S.; revising applicability for areas of critical state concern; specifying requirements for, and restrictions on, counties in approving certain housing developments; providing for future expiration; amending s. 125.379, F.S.; revising the date by which counties must prepare inventory lists of real property; requiring counties to make the inventory lists publicly available on their websites; authorizing counties to use certain properties for affordable housing through a long-term land lease; revising requirements for counties relating to inventory lists of certain property for affordable housing; providing that counties are encouraged to adopt best practices for surplus land programs; amending s. 166.04151, F.S.; revising applicability for areas of critical state concern; specifying requirements for, and restrictions on, municipalities in approving applications for certain housing developments; providing for future expiration; amending s. 166.043, F.S.; deleting the authority of local governments to adopt or maintain laws, ordinances, rules, or other measures that would have the effect of imposing controls on rents; amending s.

166.0451, F.S.; revising the date by which municipalities must prepare inventory lists of real property; requiring municipalities to make the inventory lists publicly available on their websites; authorizing municipalities to use certain properties for affordable housing through a long-term land lease; revising requirements for municipalities relating to inventory lists of certain property for affordable housing; providing that municipalities are encouraged to adopt best practices for surplus land programs; amending s. 196.1978, F.S.; providing an exemption from ad valorem taxation for land that meets certain criteria; providing applicability; providing for future repeal; defining terms; providing an ad valorem tax exemption for portions of property in a multifamily project if certain conditions are met; providing that vacant units may be eligible for the exemption under certain circumstances; specifying percentages of the exemption for qualified properties; specifying requirements for applying for the exemption with the property appraiser; specifying requirements for requesting certification from the Florida Housing Finance Corporation; specifying requirements for the corporation in reviewing requests, certifying property, and posting deadlines for applications; specifying requirements for property appraisers in reviewing and granting exemptions and for improperly granted exemptions; providing a penalty; providing limitations on eligibility; specifying requirements

for a rental market study; authorizing the corporation to adopt rules; providing applicability; providing for future repeal; creating s. 196.1979, F.S.; authorizing local governments to adopt ordinances to provide an ad valorem tax exemption for portions of property used to provide affordable housing meeting certain requirements; specifying requirements and limitations for the exemption; providing that vacant units may be eligible for the exemption under certain circumstances; specifying requirements for ordinances granting an exemption; specifying requirements for a rental market study; providing that ordinances must expire within a certain timeframe; requiring the property appraiser to take certain action in response to an improperly granted exemption; providing a penalty; providing applicability; amending s. 201.15, F.S.; suspending, for a specified period, the General Revenue Fund service charge on documentary stamp tax collections; providing for specified amounts of such collections to be credited to the State Housing Trust Fund for certain purposes; providing for certain amounts to be credited to the General Revenue Fund under certain circumstances; prohibiting the transfer of such funds to the General Revenue Fund in the General Appropriations Act; providing for the future expiration and reversion of specified statutory text; amending s. 212.08, F.S.; revising the total amount of community contribution tax credits which may be granted for certain projects; defining terms;

providing a sales tax exemption for building materials used in the construction of affordable housing units; defining terms; specifying eligibility requirements; specifying requirements for applying for a sales tax refund with the Department of Revenue; specifying requirements for and limitations on refunds; providing requirements for the department in issuing refunds; authorizing the department to adopt rules; providing applicability; amending s. 213.053, F.S.; authorizing the department to make certain information available to the corporation to administer the Live Local Program; creating s. 215.212, F.S.; prohibiting the deduction of the General Revenue Fund service charge on documentary stamp tax proceeds; providing for future repeal; amending s. 215.22, F.S.; conforming a provision to changes made by the act; providing for the future expiration and reversion of specified statutory text; amending s. 220.02, F.S.; specifying the order of application of Live Local Program tax credits against the state corporate income tax; amending s. 220.13, F.S.; specifying requirements for the addition to adjusted federal income of amounts taken as a credit under the Live Local Program; amending s. 220.183, F.S.; conforming a provision to changes made by the act; amending s. 220.186, F.S.; providing applicability of Live Local Program tax credits to the Florida alternative minimum tax credit; creating s. 220.1878, F.S.; providing a credit against the state corporate income tax under the Live Local

Program; specifying requirements and procedures for making eligible contributions and claiming the credit; amending s. 220.222, F.S.; requiring returns filed in connection with the Live Local Program tax credits to include the amount of certain credits; amending s. 253.034, F.S.; modifying requirements for the analysis included in land use plans; making technical changes; amending s. 253.0341, F.S.; requiring that local government requests for the state to surplus conservation or nonconservation lands for any means of transfer be expedited throughout the surplusing process; amending s. 288.101, F.S.; authorizing the Governor, under the Florida Job Growth Grant Fund, to approve state or local public infrastructure projects to facilitate the development or construction of affordable housing; providing for future repeal; amending s. 420.0003, F.S.; revising legislative intent for, and policies of, the state housing strategy; revising requirements for the implementation of the strategy; revising duties of the Shimberg Center for Housing Studies at the University of Florida; requiring the Office of Program Policy Analysis and Government Accountability to evaluate specified strategies, policies, and programs at specified intervals; specifying requirements for the office's analyses; authorizing rule amendments; amending s. 420.503, F.S.; revising the definition of the term "qualified contract" for purposes of the Florida Housing Finance Corporation Act; amending s.

420.504, F.S.; revising the composition of the corporation's board of directors; providing specifications for filling vacancies on the board of directors; amending s. 420.507, F.S.; specifying a requirement for the corporation's annual budget request to the Secretary of Economic Opportunity; providing for the future expiration and reversion of specified statutory text; amending s. 420.5087, F.S.; revising prioritization of funds for the State Apartment Incentive Loan Program; creating s. 420.50871, F.S.; specifying requirements for, and authorized actions by, the corporation in allocating certain increased revenues during specified fiscal years to finance certain housing projects; providing construction; providing for future repeal; providing a directive to the Division of Law Revision; creating s. 420.50872, F.S.; defining terms; creating the Live Local Program; specifying responsibilities of the corporation; specifying the annual tax credit cap; specifying requirements for applying for tax credits with the department; providing requirements for the carryforward of credits; specifying restrictions on, and requirements for, the conveyance, transfer, or assignment of credits; providing requirements and procedures for the rescindment of credits; specifying procedures for calculating underpayments and penalties; providing construction; authorizing the department and the corporation to develop a cooperative agreement; authorizing the department to

adopt rules; requiring the department to annually notify certain taxpayers of certain information; creating s. 420.5096, F.S.; providing legislative findings; creating the Florida Hometown Hero Program for a specified purpose; authorizing the corporation to underwrite and make certain mortgage loans; specifying terms for such loans and requirements for borrowers; authorizing loans made under the program to be used for the purchase of certain manufactured homes; providing construction; amending s. 420.531, F.S.; authorizing the Florida Housing Corporation to contract with certain entities to provide technical assistance to local governments in establishing selection criteria for proposals to use certain property for affordable housing purposes; amending s. 420.6075, F.S.; making technical changes; amending s. 553.792, F.S.; requiring local governments to maintain on their websites a policy relating to the expedited processing of certain building permits and development orders; amending s. 624.509, F.S.; specifying the order of application of Live Local Program tax credits against the insurance premium tax; amending s. 624.5105, F.S.; conforming a provision to changes made by the act; creating s. 624.51058, F.S.; providing a credit against the insurance premium tax under the Live Local Program; providing a requirement for making eligible contributions; providing construction; providing applicability; exempting a certain initiative from certain evacuation time constraints;

specifying that certain comprehensive plan amendments are valid; authorizing certain local governments to adopt local ordinances or regulations for certain purposes; authorizing the department to adopt emergency rules; providing for future expiration of such rulemaking authority; providing appropriations; providing a declaration of important state interest; providing effective dates.

Be It Enacted by the Legislature of the State of Florida:

Section 1. This act may be cited as the "Live Local Act."

Section 2. Section 125.0103, Florida Statutes, is amended to read:

125.0103 Ordinances and rules imposing price controls~~; findings required; procedures~~.—

(1)(a) Except as hereinafter provided, a ~~no~~ county, municipality, or other entity of local government may not ~~shall~~ adopt or maintain in effect an ordinance or a rule that ~~which~~ has the effect of imposing price controls upon a lawful business activity that ~~which~~ is not franchised by, owned by, or under contract with, the governmental agency, unless specifically provided by general law.

(b) This section does not prevent the enactment by local governments of public service rates otherwise authorized by law, including water, sewer, solid waste, public transportation, taxicab, or port rates, rates for towing of vehicles or vessels from or immobilization of vehicles or vessels on private property, or rates for removal and storage of wrecked or

disabled vehicles or vessels from an accident scene or the removal and storage of vehicles or vessels in the event the owner or operator is incapacitated, unavailable, leaves the procurement of wrecker service to the law enforcement officer at the scene, or otherwise does not consent to the removal of the vehicle or vessel.

(c) Counties must establish maximum rates which may be charged on the towing of vehicles or vessels from or immobilization of vehicles or vessels on private property, removal and storage of wrecked or disabled vehicles or vessels from an accident scene or for the removal and storage of vehicles or vessels, in the event the owner or operator is incapacitated, unavailable, leaves the procurement of wrecker service to the law enforcement officer at the scene, or otherwise does not consent to the removal of the vehicle or vessel. However, if a municipality chooses to enact an ordinance establishing the maximum rates for the towing or immobilization of vehicles or vessels as described in paragraph (b), the county's ordinance does ~~shall~~ not apply within such municipality.

(2) ~~No law, ordinance, rule, or other measure which would have the effect of imposing controls on rents shall be adopted or maintained in effect except as provided herein and unless it is found and determined, as hereinafter provided, that such controls are necessary and proper to eliminate an existing housing emergency which is so grave as to constitute a serious menace to the general public.~~

~~(3) Any law, ordinance, rule, or other measure which has the effect of imposing controls on rents shall terminate and~~

~~expire within 1 year and shall not be extended or renewed except by the adoption of a new measure meeting all the requirements of this section.~~

~~(4) Notwithstanding any other provisions of this section, no controls shall be imposed on rents for any accommodation used or offered for residential purposes as a seasonal or tourist unit, as a second housing unit, or on rents for dwelling units located in luxury apartment buildings. For the purposes of this section, a luxury apartment building is one wherein on January 1, 1977, the aggregate rent due on a monthly basis from all dwelling units as stated in leases or rent lists existing on that date divided by the number of dwelling units exceeds $250.~~

~~(5)~~ A ~~No~~ municipality, county, or other entity of local government may not ~~shall~~ adopt or maintain in effect any law, ordinance, rule, or other measure that ~~which~~ would have the effect of imposing controls on rents ~~unless:~~

~~(a) Such measure is duly adopted by the governing body of such entity of local government, after notice and public hearing, in accordance with all applicable provisions of the Florida and United States Constitutions, the charter or charters governing such entity of local government, this section, and any other applicable laws.~~

~~(b) Such governing body makes and recites in such measure its findings establishing the existence in fact of a housing emergency so grave as to constitute a serious menace to the general public and that such controls are necessary and proper to eliminate such grave housing emergency.~~

~~(c) Such measure is approved by the voters in such municipality, county, or other entity of local government~~.

~~(6) In any court action brought to challenge the validity of rent control imposed pursuant to the provisions of this section, the evidentiary effect of any findings or recitations required by subsection (5) shall be limited to imposing upon any party challenging the validity of such measure the burden of going forward with the evidence, and the burden of proof (that is, the risk of nonpersuasion) shall rest upon any party seeking to have the measure upheld.~~

(3)~~(7)~~ Notwithstanding any other provisions of this section, municipalities, counties, or other entities of local government may adopt and maintain in effect any law, ordinance, rule, or other measure which is adopted for the purposes of increasing the supply of affordable housing using land use mechanisms such as inclusionary housing ordinances.

Section 3. Subsections (5) and (6) of section 125.01055, Florida Statutes, are amended, and subsection (7) is added to that section, to read:

125.01055 Affordable housing.—

(5) Subsection (4) ~~(2)~~ does not apply in an area of critical state concern, as designated in s. 380.0552.

(6) Notwithstanding any other law or local ordinance or regulation to the contrary, the board of county commissioners may approve the development of housing that is affordable, as defined in s. 420.0004, including, but not limited to, a mixed-use residential development, on any parcel zoned for ~~residential,~~ commercial~~,~~ or industrial use~~. If a parcel is zoned for commercial or industrial use, an approval pursuant to this subsection may include any residential development project, including a mixed-use residential development project~~, so long

as at least 10 percent of the units included in the project are for housing that is affordable ~~and the developer of the project agrees not to apply for or receive funding under s. 420.5087~~. The provisions of this subsection are self-executing and do not require the board of county commissioners to adopt an ordinance or a regulation before using the approval process in this subsection.

(7)(a) A county must authorize multifamily and mixed-use residential as allowable uses in any area zoned for commercial, industrial, or mixed use if at least 40 percent of the residential units in a proposed multifamily rental development are, for a period of at least 30 years, affordable as defined in s. 420.0004. Notwithstanding any other law, local ordinance, or regulation to the contrary, a county may not require a proposed multifamily development to obtain a zoning or land use change, special exception, conditional use approval, variance, or comprehensive plan amendment for the building height, zoning, and densities authorized under this subsection. For mixed-use residential projects, at least 65 percent of the total square footage must be used for residential purposes.

(b) A county may not restrict the density of a proposed development authorized under this subsection below the highest allowed density on any unincorporated land in the county where residential development is allowed.

(c) A county may not restrict the height of a proposed development authorized under this subsection below the highest currently allowed height for a commercial or residential development located in its jurisdiction within 1 mile of the proposed development or 3 stories, whichever is higher.

(d) A proposed development authorized under this subsection must be administratively approved and no further action by the board of county commissioners is required if the development satisfies the county's land development regulations for multifamily developments in areas zoned for such use and is otherwise consistent with the comprehensive plan, with the exception of provisions establishing allowable densities, height, and land use. Such land development regulations include, but are not limited to, regulations relating to setbacks and parking requirements.

(e) A county must consider reducing parking requirements for a proposed development authorized under this subsection if the development is located within one-half mile of a major transit stop, as defined in the county's land development code, and the major transit stop is accessible from the development.

(f) For proposed multifamily developments in an unincorporated area zoned for commercial or industrial use which is within the boundaries of a multicounty independent special district that was created to provide municipal services and is not authorized to levy ad valorem taxes, and less than 20 percent of the land area within such district is designated for commercial or industrial use, a county must authorize, as provided in this subsection, such development only if the development is mixed-use residential.

(g) Except as otherwise provided in this subsection, a development authorized under this subsection must comply with all applicable state and local laws and regulations.

(h) This subsection does not apply to property defined as recreational and commercial working waterfront in s.

342.201(2)(b) in any area zoned as industrial.

(i) This subsection expires October 1, 2033.

Section 4. Section 125.379, Florida Statutes, is amended to read:

125.379 Disposition of county property for affordable housing.—

(1) By October 1, 2023 ~~July 1, 2007~~, and every 3 years thereafter, each county shall prepare an inventory list of all real property within its jurisdiction to which the county or any dependent special district within its boundaries holds fee simple title which ~~that~~ is appropriate for use as affordable housing. The inventory list must include the address and legal description of each such real property and specify whether the property is vacant or improved. The governing body of the county must review the inventory list at a public hearing and may revise it at the conclusion of the public hearing. The governing body of the county shall adopt a resolution that includes an inventory list of such property following the public hearing. Each county shall make the inventory list publicly available on its website to encourage potential development.

(2) The properties identified as appropriate for use as affordable housing on the inventory list adopted by the county may be used for affordable housing through a long-term land lease requiring the development and maintenance of affordable housing, offered for sale and the proceeds used to purchase land for the development of affordable housing or to increase the local government fund earmarked for affordable housing, ~~or may be~~ sold with a restriction that requires the development of the property as permanent affordable housing, or ~~may be~~ donated to a

nonprofit housing organization for the construction of permanent affordable housing. Alternatively, the county or special district may otherwise make the property available for use for the production and preservation of permanent affordable housing. For purposes of this section, the term "affordable" has the same meaning as in s. 420.0004(3).

(3) Counties are encouraged to adopt best practices for surplus land programs, including, but not limited to:

(a) Establishing eligibility criteria for the receipt or purchase of surplus land by developers;

(b) Making the process for requesting surplus lands publicly available; and

(c) Ensuring long-term affordability through ground leases by retaining the right of first refusal to purchase property that would be sold or offered at market rate and by requiring reversion of property not used for affordable housing within a certain timeframe.

Section 5. Subsections (5) and (6) of section 166.04151, Florida Statutes, are amended, and subsection (7) is added to that section, to read:

166.04151 Affordable housing.—

(5) Subsection (4) ~~(2)~~ does not apply in an area of critical state concern, as designated by s. 380.0552 or chapter 28-36, Florida Administrative Code.

(6) Notwithstanding any other law or local ordinance or regulation to the contrary, the governing body of a municipality may approve the development of housing that is affordable, as defined in s. 420.0004, including, but not limited to, a mixed-use residential development, on any parcel zoned for

~~residential,~~ commercial~~,~~ or industrial use~~. If a parcel is zoned for commercial or industrial use, an approval pursuant to this subsection may include any residential development project, including a mixed-use residential development project~~, so long as at least 10 percent of the units included in the project are for housing that is affordable ~~and the developer of the project agrees not to apply for or receive funding under s. 420.5087~~. The provisions of this subsection are self-executing and do not require the governing body to adopt an ordinance or a regulation before using the approval process in this subsection.

(7)(a) A municipality must authorize multifamily and mixed-use residential as allowable uses in any area zoned for commercial, industrial, or mixed use if at least 40 percent of the residential units in a proposed multifamily rental development are, for a period of at least 30 years, affordable as defined in s. 420.0004. Notwithstanding any other law, local ordinance, or regulation to the contrary, a municipality may not require a proposed multifamily development to obtain a zoning or land use change, special exception, conditional use approval, variance, or comprehensive plan amendment for the building height, zoning, and densities authorized under this subsection. For mixed-use residential projects, at least 65 percent of the total square footage must be used for residential purposes.

(b) A municipality may not restrict the density of a proposed development authorized under this subsection below the highest allowed density on any land in the municipality where residential development is allowed.

(c) A municipality may not restrict the height of a proposed development authorized under this subsection below the

highest currently allowed height for a commercial or residential development located in its jurisdiction within 1 mile of the proposed development or 3 stories, whichever is higher.

(d) A proposed development authorized under this subsection must be administratively approved and no further action by the governing body of the municipality is required if the development satisfies the municipality's land development regulations for multifamily developments in areas zoned for such use and is otherwise consistent with the comprehensive plan, with the exception of provisions establishing allowable densities, height, and land use. Such land development regulations include, but are not limited to, regulations relating to setbacks and parking requirements.

(e) A municipality must consider reducing parking requirements for a proposed development authorized under this subsection if the development is located within one-half mile of a major transit stop, as defined in the municipality's land development code, and the major transit stop is accessible from the development.

(f) A municipality that designates less than 20 percent of the land area within its jurisdiction for commercial or industrial use must authorize a proposed multifamily development as provided in this subsection in areas zoned for commercial or industrial use only if the proposed multifamily development is mixed-use residential.

(g) Except as otherwise provided in this subsection, a development authorized under this subsection must comply with all applicable state and local laws and regulations.

(h) This subsection does not apply to property defined as

recreational and commercial working waterfront in s. 342.201(2)(b) in any area zoned as industrial.

(i) This subsection expires October 1, 2033.

Section 6. Section 166.043, Florida Statutes, is amended to read:

166.043 Ordinances and rules imposing price controls~~; findings required; procedures~~.—

(1)(a) Except as hereinafter provided, a ~~no~~ county, municipality, or other entity of local government may not ~~shall~~ adopt or maintain in effect an ordinance or a rule that ~~which~~ has the effect of imposing price controls upon a lawful business activity that ~~which~~ is not franchised by, owned by, or under contract with, the governmental agency, unless specifically provided by general law.

(b) This section does not prevent the enactment by local governments of public service rates otherwise authorized by law, including water, sewer, solid waste, public transportation, taxicab, or port rates, rates for towing of vehicles or vessels from or immobilization of vehicles or vessels on private property, or rates for removal and storage of wrecked or disabled vehicles or vessels from an accident scene or the removal and storage of vehicles or vessels in the event the owner or operator is incapacitated, unavailable, leaves the procurement of wrecker service to the law enforcement officer at the scene, or otherwise does not consent to the removal of the vehicle or vessel.

(c) Counties must establish maximum rates which may be charged on the towing of vehicles or vessels from or immobilization of vehicles or vessels on private property,

removal and storage of wrecked or disabled vehicles or vessels from an accident scene or for the removal and storage of vehicles or vessels, in the event the owner or operator is incapacitated, unavailable, leaves the procurement of wrecker service to the law enforcement officer at the scene, or otherwise does not consent to the removal of the vehicle or vessel. However, if a municipality chooses to enact an ordinance establishing the maximum rates for the towing or immobilization of vehicles or vessels as described in paragraph (b), the county's ordinance established under s. 125.0103 does ~~shall~~ not apply within such municipality.

(2) ~~No law, ordinance, rule, or other measure which would have the effect of imposing controls on rents shall be adopted or maintained in effect except as provided herein and unless it is found and determined, as hereinafter provided, that such controls are necessary and proper to eliminate an existing housing emergency which is so grave as to constitute a serious menace to the general public.~~

~~(3) Any law, ordinance, rule, or other measure which has the effect of imposing controls on rents shall terminate and expire within 1 year and shall not be extended or renewed except by the adoption of a new measure meeting all the requirements of this section.~~

~~(4) Notwithstanding any other provisions of this section, no controls shall be imposed on rents for any accommodation used or offered for residential purposes as a seasonal or tourist unit, as a second housing unit, or on rents for dwelling units located in luxury apartment buildings. For the purposes of this section, a luxury apartment building is one wherein on January~~

~~1, 1977, the aggregate rent due on a monthly basis from all dwelling units as stated in leases or rent lists existing on that date divided by the number of dwelling units exceeds $250.~~

~~(5)~~ A ~~No~~ municipality, county, or other entity of local government may not ~~shall~~ adopt or maintain in effect any law, ordinance, rule, or other measure that ~~which~~ would have the effect of imposing controls on rents ~~unless:~~

~~(a) Such measure is duly adopted by the governing body of such entity of local government, after notice and public hearing, in accordance with all applicable provisions of the Florida and United States Constitutions, the charter or charters governing such entity of local government, this section, and any other applicable laws.~~

~~(b) Such governing body makes and recites in such measure its findings establishing the existence in fact of a housing emergency so grave as to constitute a serious menace to the general public and that such controls are necessary and proper to eliminate such grave housing emergency.~~

~~(c) Such measure is approved by the voters in such municipality, county, or other entity of local government~~.

~~(6) In any court action brought to challenge the validity of rent control imposed pursuant to the provisions of this section, the evidentiary effect of any findings or recitations required by subsection (5) shall be limited to imposing upon any party challenging the validity of such measure the burden of going forward with the evidence, and the burden of proof (that is, the risk of nonpersuasion) shall rest upon any party seeking to have the measure upheld.~~

(3)~~(7)~~ Notwithstanding any other provisions of this

section, municipalities, counties, or other entity of local government may adopt and maintain in effect any law, ordinance, rule, or other measure which is adopted for the purposes of increasing the supply of affordable housing using land use mechanisms such as inclusionary housing ordinances.

Section 7. Section 166.0451, Florida Statutes, is amended to read:

166.0451 Disposition of municipal property for affordable housing.—

(1) By October 1, 2023 ~~July 1, 2007~~, and every 3 years thereafter, each municipality shall prepare an inventory list of all real property within its jurisdiction to which the municipality or any dependent special district within its boundaries holds fee simple title which ~~that~~ is appropriate for use as affordable housing. The inventory list must include the address and legal description of each such property and specify whether the property is vacant or improved. The governing body of the municipality must review the inventory list at a public hearing and may revise it at the conclusion of the public hearing. Following the public hearing, the governing body of the municipality shall adopt a resolution that includes an inventory list of such property. Each municipality shall make the inventory list publicly available on its website to encourage potential development.

(2) The properties identified as appropriate for use as affordable housing on the inventory list adopted by the municipality may be used for affordable housing through a long-term land lease requiring the development and maintenance of affordable housing, offered for sale and the proceeds ~~may be~~

used to purchase land for the development of affordable housing or to increase the local government fund earmarked for affordable housing, ~~or may be~~ sold with a restriction that requires the development of the property as permanent affordable housing, or ~~may be~~ donated to a nonprofit housing organization for the construction of permanent affordable housing. Alternatively, the municipality or special district may otherwise make the property available for use for the production and preservation of permanent affordable housing. For purposes of this section, the term "affordable" has the same meaning as in s. 420.0004(3).

(3) Municipalities are encouraged to adopt best practices for surplus land programs, including, but not limited to:

(a) Establishing eligibility criteria for the receipt or purchase of surplus land by developers;

(b) Making the process for requesting surplus lands publicly available; and

(c) Ensuring long-term affordability through ground leases by retaining the right of first refusal to purchase property that would be sold or offered at market rate and by requiring reversion of property not used for affordable housing within a certain timeframe.

Section 8. Effective January 1, 2024, subsection (1) of section 196.1978, Florida Statutes, is amended, and subsection (3) is added to that section, to read:

196.1978 Affordable housing property exemption.—

(1)(a) Property used to provide affordable housing to eligible persons as defined by s. 159.603 and natural persons or families meeting the extremely-low-income, very-low-income, low-

income, or moderate-income limits specified in s. 420.0004, which is owned entirely by a nonprofit entity that is a corporation not for profit, qualified as charitable under s. 501(c)(3) of the Internal Revenue Code and in compliance with Rev. Proc. 96-32, 1996-1 C.B. 717, is considered property owned by an exempt entity and used for a charitable purpose, and those portions of the affordable housing property that provide housing to natural persons or families classified as extremely low income, very low income, low income, or moderate income under s. 420.0004 are exempt from ad valorem taxation to the extent authorized under s. 196.196. All property identified in this subsection must comply with the criteria provided under s. 196.195 for determining exempt status and applied by property appraisers on an annual basis. The Legislature intends that any property owned by a limited liability company which is disregarded as an entity for federal income tax purposes pursuant to Treasury Regulation 301.7701-3(b)(1)(ii) be treated as owned by its sole member. If the sole member of the limited liability company that owns the property is also a limited liability company that is disregarded as an entity for federal income tax purposes pursuant to Treasury Regulation 301.7701-3(b)(1)(ii), the Legislature intends that the property be treated as owned by the sole member of the limited liability company that owns the limited liability company that owns the property. Units that are vacant and units that are occupied by natural persons or families whose income no longer meets the income limits of this subsection, but whose income met those income limits at the time they became tenants, shall be treated as portions of the affordable housing property exempt under this

subsection if a recorded land use restriction agreement in favor of the Florida Housing Finance Corporation or any other governmental or quasi-governmental jurisdiction requires that all residential units within the property be used in a manner that qualifies for the exemption under this subsection and if the units are being offered for rent.

(b) Land that is owned entirely by a nonprofit entity that is a corporation not for profit, qualified as charitable under s. 501(c)(3) of the Internal Revenue Code and in compliance with Rev. Proc. 96-32, 1996-1 C.B. 717, and is leased for a minimum of 99 years for the purpose of, and is predominantly used for, providing housing to natural persons or families meeting the extremely-low-income, very-low-income, low-income, or moderate-income limits specified in s. 420.0004 is exempt from ad valorem taxation. For purposes of this paragraph, land is predominantly used for qualifying purposes if the square footage of the improvements on the land used to provide qualifying housing is greater than 50 percent of the square footage of all improvements on the land. This paragraph first applies to the 2024 tax roll and is repealed December 31, 2059.

(3)(a) As used in this subsection, the term:

1. "Corporation" means the Florida Housing Finance Corporation.

2. "Newly constructed" means an improvement to real property which was substantially completed within 5 years before the date of an applicant's first submission of a request for certification or an application for an exemption pursuant to this section, whichever is earlier.

3. "Substantially completed" has the same meaning as in s.

192.042(1).

(b) Notwithstanding ss. 196.195 and 196.196, portions of property in a multifamily project are considered property used for a charitable purpose and are eligible to receive an ad valorem property tax exemption if such portions:

1. Provide affordable housing to natural persons or families meeting the income limitations provided in paragraph (d);

2. Are within a newly constructed multifamily project that contains more than 70 units dedicated to housing natural persons or families meeting the income limitations provided in paragraph (d); and

3. Are rented for an amount that does not exceed the amount as specified by the most recent multifamily rental programs income and rent limit chart posted by the corporation and derived from the Multifamily Tax Subsidy Projects Income Limits published by the United States Department of Housing and Urban Development or 90 percent of the fair market value rent as determined by a rental market study meeting the requirements of paragraph (m), whichever is less.

(c) If a unit that in the previous year qualified for the exemption under this subsection and was occupied by a tenant is vacant on January 1, the vacant unit is eligible for the exemption if the use of the unit is restricted to providing affordable housing that would otherwise meet the requirements of this subsection and a reasonable effort is made to lease the unit to eligible persons or families.

(d)1. Qualified property used to house natural persons or families whose annual household income is greater than 80

percent but not more than 120 percent of the median annual adjusted gross income for households within the metropolitan statistical area or, if not within a metropolitan statistical area, within the county in which the person or family resides, must receive an ad valorem property tax exemption of 75 percent of the assessed value.

2. Qualified property used to house natural persons or families whose annual household income does not exceed 80 percent of the median annual adjusted gross income for households within the metropolitan statistical area or, if not within a metropolitan statistical area, within the county in which the person or family resides, is exempt from ad valorem property taxes.

(e) To receive an exemption under this subsection, a property owner must submit an application on a form prescribed by the department by March 1 for the exemption, accompanied by a certification notice from the corporation to the property appraiser.

(f) To receive a certification notice, a property owner must submit a request to the corporation for certification on a form provided by the corporation which includes all of the following:

1. The most recently completed rental market study meeting the requirements of paragraph (m).

2. A list of the units for which the property owner seeks an exemption.

3. The rent amount received by the property owner for each unit for which the property owner seeks an exemption. If a unit is vacant and qualifies for an exemption under paragraph (c),

the property owner must provide evidence of the published rent amount for each vacant unit.

4. A sworn statement, under penalty of perjury, from the applicant restricting the property for a period of not less than 3 years to housing persons or families who meet the income limitations under this subsection.

(g) The corporation shall review the request for certification and certify property that meets the eligibility criteria of this subsection. A determination by the corporation regarding a request for certification does not constitute final agency action pursuant to chapter 120.

1. If the corporation determines that the property meets the eligibility criteria for an exemption under this subsection, the corporation must send a certification notice to the property owner and the property appraiser.

2. If the corporation determines that the property does not meet the eligibility criteria, the corporation must notify the property owner and include the reasons for such determination.

(h) The corporation shall post on its website the deadline to submit a request for certification. The deadline must allow adequate time for a property owner to submit a timely application for exemption to the property appraiser.

(i) The property appraiser shall review the application and determine if the applicant is entitled to an exemption. A property appraiser may grant an exemption only for a property for which the corporation has issued a certification notice.

(j) If the property appraiser determines that for any year during the immediately previous 10 years a person who was not entitled to an exemption under this subsection was granted such

an exemption, the property appraiser must serve upon the owner a notice of intent to record in the public records of the county a notice of tax lien against any property owned by that person in the county, and that property must be identified in the notice of tax lien. Any property owned by the taxpayer and situated in this state is subject to the taxes exempted by the improper exemption, plus a penalty of 50 percent of the unpaid taxes for each year and interest at a rate of 15 percent per annum. If an exemption is improperly granted as a result of a clerical mistake or an omission by the property appraiser, the property owner improperly receiving the exemption may not be assessed a penalty or interest.

(k) Units subject to an agreement with the corporation pursuant to chapter 420 recorded in the official records of the county in which the property is located to provide housing to natural persons or families meeting the extremely-low-income, very-low-income, or low-income limits specified in s. 420.0004 are not eligible for this exemption.

(l) Property receiving an exemption pursuant to s. 196.1979 is not eligible for this exemption.

(m) A rental market study submitted as required by paragraph (f) must identify the fair market value rent of each unit for which a property owner seeks an exemption. Only a certified general appraiser as defined in s. 475.611 may issue a rental market study. The certified general appraiser must be independent of the property owner who requests the rental market study. In preparing the rental market study, a certified general appraiser shall comply with the standards of professional practice pursuant to part II of chapter 475 and use comparable

property within the same geographic area and of the same type as the property for which the exemption is sought. A rental market study must have been completed within 3 years before submission of the application.

(n) The corporation may adopt rules to implement this section.

(o) This subsection first applies to the 2024 tax roll and is repealed December 31, 2059.

Section 9. Section 196.1979, Florida Statutes, is created to read:

196.1979 County and municipal affordable housing property exemption.—

(1)(a) Notwithstanding ss. 196.195 and 196.196, the board of county commissioners of a county or the governing body of a municipality may adopt an ordinance to exempt those portions of property used to provide affordable housing meeting the requirements of this section. Such property is considered property used for a charitable purpose. To be eligible for the exemption, the portions of property:

1. Must be used to house natural persons or families whose annual household income:

a. Is greater than 30 percent but not more than 60 percent of the median annual adjusted gross income for households within the metropolitan statistical area or, if not within a metropolitan statistical area, within the county in which the person or family resides; or

b. Does not exceed 30 percent of the median annual adjusted gross income for households within the metropolitan statistical area or, if not within a metropolitan statistical area, within

the county in which the person or family resides;

2. Must be within a multifamily project containing 50 or more residential units, at least 20 percent of which are used to provide affordable housing that meets the requirements of this section;

3. Must be rented for an amount no greater than the amount as specified by the most recent multifamily rental programs income and rent limit chart posted by the corporation and derived from the Multifamily Tax Subsidy Projects Income Limits published by the United States Department of Housing and Urban Development or 90 percent of the fair market value rent as determined by a rental market study meeting the requirements of subsection (4), whichever is less;

4. May not have been cited for code violations on three or more occasions in the 24 months before the submission of a tax exemption application;

5. May not have any cited code violations that have not been properly remedied by the property owner before the submission of a tax exemption application; and

6. May not have any unpaid fines or charges relating to the cited code violations. Payment of unpaid fines or charges before a final determination on a property's qualification for an exemption under this section will not exclude such property from eligibility if the property otherwise complies with all other requirements for the exemption.

(b) Qualified property may receive an ad valorem property tax exemption of:

1. Up to 75 percent of the assessed value of each residential unit used to provide affordable housing if fewer

than 100 percent of the multifamily project's residential units are used to provide affordable housing meeting the requirements of this section.

2. Up to 100 percent of the assessed value if 100 percent of the multifamily project's residential units are used to provide affordable housing meeting the requirements of this section.

(c) The board of county commissioners of the county or the governing body of the municipality, as applicable, may choose to adopt an ordinance that exempts property used to provide affordable housing for natural persons or families meeting the income limits of sub-subparagraph (a)1.a., natural persons or families meeting the income limits of sub-subparagraph (a)1.b., or both.

(2) If a residential unit that in the previous year qualified for the exemption under this section and was occupied by a tenant is vacant on January 1, the vacant unit may qualify for the exemption under this section if the use of the unit is restricted to providing affordable housing that would otherwise meet the requirements of this section and a reasonable effort is made to lease the unit to eligible persons or families.

(3) An ordinance granting the exemption authorized by this section must:

(a) Be adopted under the procedures for adoption of a nonemergency ordinance by a board of county commissioners specified in chapter 125 or by a municipal governing body specified in chapter 166.

(b) Designate the local entity under the supervision of the board of county commissioners or governing body of a

municipality which must develop, receive, and review applications for certification and develop notices of determination of eligibility.

(c) Require the property owner to apply for certification by the local entity in order to receive the exemption. The application for certification must be on a form provided by the local entity designated pursuant to paragraph (b) and include all of the following:

1. The most recently completed rental market study meeting the requirements of subsection (4).

2. A list of the units for which the property owner seeks an exemption.

3. The rent amount received by the property owner for each unit for which the property owner seeks an exemption. If a unit is vacant and qualifies for an exemption under subsection (2), the property owner must provide evidence of the published rent amount for the vacant unit.

(d) Require the local entity to verify and certify property that meets the requirements of the ordinance as qualified property and forward the certification to the property owner and the property appraiser. If the local entity denies the exemption, it must notify the applicant and include reasons for the denial.

(e) Require the eligible unit to meet the eligibility criteria of paragraph (1)(a).

(f) Require the property owner to submit an application for exemption, on a form prescribed by the department, accompanied by the certification of qualified property, to the property appraiser no later than March 1.

(g) Specify that the exemption applies only to the taxes levied by the unit of government granting the exemption.

(h) Specify that the property may not receive an exemption authorized by this section after expiration or repeal of the ordinance.

(i) Identify the percentage of the assessed value which is exempted, subject to the percentage limitations in paragraph (1)(b).

(j) Identify whether the exemption applies to natural persons or families meeting the income limits of sub-subparagraph (1)(a)1.a., natural persons or families meeting the income limits of sub-subparagraph (1)(a)1.b., or both.

(k) Require that the deadline to submit an application for certification be published on the county's or municipality's website. The deadline must allow adequate time for a property owner to make a timely application for exemption to the property appraiser.

(l) Require the county or municipality to post on its website a list of certified properties for the purpose of facilitating access to affordable housing.

(4) A rental market study submitted as required by paragraph (3)(c) must identify the fair market value rent of each unit for which a property owner seeks an exemption. Only a certified general appraiser, as defined in s. 475.611, may issue a rental market study. The certified general appraiser must be independent of the property owner who requests a rental market study. In preparing the rental market study, a certified general appraiser shall comply with the standards of professional practice pursuant to part II of chapter 475 and use comparable

property within the same geographic area and of the same type as the property for which the exemption is sought. A rental market study must have been completed within 3 years before submission of the application.

(5) An ordinance adopted under this section must expire before the fourth January 1 after adoption; however, the board of county commissioners or the governing body of the municipality may adopt a new ordinance to renew the exemption. The board of county commissioners or the governing body of the municipality shall deliver a copy of an ordinance adopted under this section to the department and the property appraiser within 10 days after its adoption. If the ordinance expires or is repealed, the board of county commissioners or the governing body of the municipality must notify the department and the property appraiser within 10 days after its expiration or repeal.

(6) If the property appraiser determines that for any year during the immediately previous 10 years a person who was not entitled to an exemption under this section was granted such an exemption, the property appraiser must serve upon the owner a notice of intent to record in the public records of the county a notice of tax lien against any property owned by that person in the county, and that property must be identified in the notice of tax lien. Any property owned by the taxpayer and situated in this state is subject to the taxes exempted by the improper exemption, plus a penalty of 50 percent of the unpaid taxes for each year and interest at a rate of 15 percent per annum. If an exemption is improperly granted as a result of a clerical mistake or an omission by the property appraiser, the property

owner improperly receiving the exemption may not be assessed a penalty or interest.

(7) This section first applies to the 2024 tax roll.

Section 10. Section 201.15, Florida Statutes, is amended to read:

201.15 Distribution of taxes collected.—All taxes collected under this chapter are hereby pledged and shall be first made available to make payments when due on bonds issued pursuant to s. 215.618 or s. 215.619, or any other bonds authorized to be issued on a parity basis with such bonds. Such pledge and availability for the payment of these bonds shall have priority over any requirement for the ~~payment of service charges or~~ costs of collection and enforcement under this section. ~~All taxes collected under this chapter, except taxes distributed to the Land Acquisition Trust Fund pursuant to subsections (1) and (2), are subject to the service charge imposed in s. 215.20(1).~~ Before distribution pursuant to this section, the Department of Revenue shall deduct amounts necessary to pay the costs of the collection and enforcement of the tax levied by this chapter. The costs ~~and service charge~~ may not be levied against any portion of taxes pledged to debt service on bonds to the extent that the costs ~~and service charge~~ are required to pay any amounts relating to the bonds. All of the costs of the collection and enforcement of the tax levied by this chapter ~~and the service charge~~ shall be available and transferred to the extent necessary to pay debt service and any other amounts payable with respect to bonds authorized before January 1, 2017, secured by revenues distributed pursuant to this section. All taxes remaining after deduction of costs shall be distributed as

follows:

(1) Amounts necessary to make payments on bonds issued pursuant to s. 215.618 or s. 215.619, as provided under paragraphs (3)(a) and (b), or on any other bonds authorized to be issued on a parity basis with such bonds shall be deposited into the Land Acquisition Trust Fund.

(2) If the amounts deposited pursuant to subsection (1) are less than 33 percent of all taxes collected after first deducting the costs of collection, an amount equal to 33 percent of all taxes collected after first deducting the costs of collection, minus the amounts deposited pursuant to subsection (1), shall be deposited into the Land Acquisition Trust Fund.

(3) Amounts on deposit in the Land Acquisition Trust Fund shall be used in the following order:

(a) Payment of debt service or funding of debt service reserve funds, rebate obligations, or other amounts payable with respect to Florida Forever bonds issued pursuant to s. 215.618. The amount used for such purposes may not exceed $300 million in each fiscal year. It is the intent of the Legislature that all bonds issued to fund the Florida Forever Act be retired by December 31, 2040. Except for bonds issued to refund previously issued bonds, no series of bonds may be issued pursuant to this paragraph unless such bonds are approved and the debt service for the remainder of the fiscal year in which the bonds are issued is specifically appropriated in the General Appropriations Act or other law with respect to bonds issued for the purposes of s. 373.4598.

(b) Payment of debt service or funding of debt service reserve funds, rebate obligations, or other amounts due with

respect to Everglades restoration bonds issued pursuant to s. 215.619. Taxes distributed under paragraph (a) and this paragraph must be collectively distributed on a pro rata basis when the available moneys under this subsection are not sufficient to cover the amounts required under paragraph (a) and this paragraph.

Bonds issued pursuant to s. 215.618 or s. 215.619 are equally and ratably secured by moneys distributable to the Land Acquisition Trust Fund.

(4) After the required distributions to the Land Acquisition Trust Fund pursuant to subsections (1) and (2), the lesser of 8 percent of the remainder or $150 million in each fiscal year shall be paid into the State Treasury to the credit of the State Housing Trust Fund and shall be expended pursuant to s. 420.50871. If 8 percent of the remainder is greater than $150 million in any fiscal year, the difference between 8 percent of the remainder and $150 million shall be paid into the State Treasury to the credit of the General Revenue Fund. ~~and deduction of the service charge imposed pursuant to s. 215.20(1),~~ The remainder shall be distributed as follows:

(a) The lesser of 20.5453 percent of the remainder or $466.75 million in each fiscal year shall be paid into the State Treasury to the credit of the State Transportation Trust Fund. Notwithstanding any other law, the amount credited to the State Transportation Trust Fund shall be used for:

1. Capital funding for the New Starts Transit Program, authorized by Title 49, U.S.C. s. 5309 and specified in s. 341.051, in the amount of 10 percent of the funds;

2. The Small County Outreach Program specified in s. 339.2818, in the amount of 10 percent of the funds;

3. The Strategic Intermodal System specified in ss. 339.61, 339.62, 339.63, and 339.64, in the amount of 75 percent of the funds after deduction of the payments required pursuant to subparagraphs 1. and 2.; and

4. The Transportation Regional Incentive Program specified in s. 339.2819, in the amount of 25 percent of the funds after deduction of the payments required pursuant to subparagraphs 1. and 2. The first $60 million of the funds allocated pursuant to this subparagraph shall be allocated annually to the Florida Rail Enterprise for the purposes established in s. 341.303(5).

(b) The lesser of 0.1456 percent of the remainder or $3.25 million in each fiscal year shall be paid into the State Treasury to the credit of the Grants and Donations Trust Fund in the Department of Economic Opportunity to fund technical assistance to local governments.

Moneys distributed pursuant to paragraphs (a) and (b) may not be pledged for debt service unless such pledge is approved by referendum of the voters.

(c) An amount equaling 4.5 percent of the remainder in each fiscal year shall be paid into the State Treasury to the credit of the State Housing Trust Fund. The funds shall be used as follows:

1. Half of that amount shall be used for the purposes for which the State Housing Trust Fund was created and exists by law.

2. Half of that amount shall be paid into the State

Treasury to the credit of the Local Government Housing Trust Fund and used for the purposes for which the Local Government Housing Trust Fund was created and exists by law.

(d) An amount equaling 5.20254 percent of the remainder in each fiscal year shall be paid into the State Treasury to the credit of the State Housing Trust Fund. Of such funds:

1. Twelve and one-half percent of that amount shall be deposited into the State Housing Trust Fund and expended by the Department of Economic Opportunity and the Florida Housing Finance Corporation for the purposes for which the State Housing Trust Fund was created and exists by law.

2. Eighty-seven and one-half percent of that amount shall be distributed to the Local Government Housing Trust Fund and used for the purposes for which the Local Government Housing Trust Fund was created and exists by law. Funds from this category may also be used to provide for state and local services to assist the homeless.

(e) The lesser of 0.017 percent of the remainder or $300,000 in each fiscal year shall be paid into the State Treasury to the credit of the General Inspection Trust Fund to be used to fund oyster management and restoration programs as provided in s. 379.362(3).

(f) A total of $75 million shall be paid into the State Treasury to the credit of the State Economic Enhancement and Development Trust Fund within the Department of Economic Opportunity.

(g) An amount equaling 5.4175 percent of the remainder shall be paid into the Resilient Florida Trust Fund to be used for the purposes for which the Resilient Florida Trust Fund was

created and exists by law. Funds may be used for planning and project grants.

(h) An amount equaling 5.4175 percent of the remainder shall be paid into the Water Protection and Sustainability Program Trust Fund to be used to fund wastewater grants as specified in s. 403.0673.

(5) Notwithstanding s. 215.32(2)(b)4.a., funds distributed to the State Housing Trust Fund and expended pursuant to s. 420.50871 and funds distributed to the State Housing Trust Fund and the Local Government Housing Trust Fund pursuant to paragraphs (4)(c) and (d) ~~paragraph (4)(c)~~ may not be transferred to the General Revenue Fund in the General Appropriations Act.

(6) After the distributions provided in the preceding subsections, any remaining taxes shall be paid into the State Treasury to the credit of the General Revenue Fund.

Section 11. The amendments made by this act to s. 201.15, Florida Statutes, expire on July 1, 2033, and the text of that section shall revert to that in existence on June 30, 2023, except that any amendments to such text enacted other than by this act must be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of the text which expire pursuant to this section.

Section 12. Paragraph (p) of subsection (5) of section 212.08, Florida Statutes, is amended, and paragraph (v) is added to that subsection, to read:

212.08 Sales, rental, use, consumption, distribution, and storage tax; specified exemptions.—The sale at retail, the rental, the use, the consumption, the distribution, and the

storage to be used or consumed in this state of the following are hereby specifically exempt from the tax imposed by this chapter.

(5) EXEMPTIONS; ACCOUNT OF USE.—

(p) *Community contribution tax credit for donations.*—

1. Authorization.—Persons who are registered with the department under s. 212.18 to collect or remit sales or use tax and who make donations to eligible sponsors are eligible for tax credits against their state sales and use tax liabilities as provided in this paragraph:

a. The credit shall be computed as 50 percent of the person’s approved annual community contribution.

b. The credit shall be granted as a refund against state sales and use taxes reported on returns and remitted in the 12 months preceding the date of application to the department for the credit as required in sub-subparagraph 3.c. If the annual credit is not fully used through such refund because of insufficient tax payments during the applicable 12-month period, the unused amount may be included in an application for a refund made pursuant to sub-subparagraph 3.c. in subsequent years against the total tax payments made for such year. Carryover credits may be applied for a 3-year period without regard to any time limitation that would otherwise apply under s. 215.26.

c. A person may not receive more than $200,000 in annual tax credits for all approved community contributions made in any one year.

d. All proposals for the granting of the tax credit require the prior approval of the Department of Economic Opportunity.

e. The total amount of tax credits which may be granted for

all programs approved under this paragraph and ss. 220.183 and 624.5105 is $25 ~~$14.5~~ million in the 2023-2024 ~~2022-2023~~ fiscal year and in each fiscal year thereafter for projects that provide housing opportunities for persons with special needs or homeownership opportunities for low-income households or very-low-income households and $4.5 million in the 2022-2023 fiscal year and in each fiscal year thereafter for all other projects. As used in this paragraph, the term "person with special needs" has the same meaning as in s. 420.0004 and the terms "low-income person," "low-income household," "very-low-income person," and "very-low-income household" have the same meanings as in s. 420.9071.

f. A person who is eligible to receive the credit provided in this paragraph, s. 220.183, or s. 624.5105 may receive the credit only under one section of the person's choice.

2. Eligibility requirements.—

a. A community contribution by a person must be in the following form:

(I) Cash or other liquid assets;

(II) Real property, including 100 percent ownership of a real property holding company;

(III) Goods or inventory; or

(IV) Other physical resources identified by the Department of Economic Opportunity.

For purposes of this sub-subparagraph, the term "real property holding company" means a Florida entity, such as a Florida limited liability company, that is wholly owned by the person; is the sole owner of real property, as defined in s.

192.001(12), located in this ~~the~~ state; is disregarded as an entity for federal income tax purposes pursuant to 26 C.F.R. s. 301.7701-3(b)(1)(ii); and at the time of contribution to an eligible sponsor, has no material assets other than the real property and any other property that qualifies as a community contribution.

b. All community contributions must be reserved exclusively for use in a project. As used in this sub-subparagraph, the term "project" means activity undertaken by an eligible sponsor which is designed to construct, improve, or substantially rehabilitate housing that is affordable to low-income households or very-low-income households; designed to provide housing opportunities for persons with special needs; designed to provide commercial, industrial, or public resources and facilities; or designed to improve entrepreneurial and job-development opportunities for low-income persons. A project may be the investment necessary to increase access to high-speed broadband capability in a rural community that had an enterprise zone designated pursuant to chapter 290 as of May 1, 2015, including projects that result in improvements to communications assets that are owned by a business. A project may include the provision of museum educational programs and materials that are directly related to a project approved between January 1, 1996, and December 31, 1999, and located in an area which was in an enterprise zone designated pursuant to s. 290.0065 as of May 1, 2015. This paragraph does not preclude projects that propose to construct or rehabilitate housing for low-income households or very-low-income households on scattered sites or housing opportunities for persons with special needs. With respect to housing,

contributions may be used to pay the following eligible special needs, low-income, and very-low-income housing-related activities:

(I) Project development impact and management fees for special needs, low-income, or very-low-income housing projects;

(II) Down payment and closing costs for persons with special needs, low-income persons, and very-low-income persons;

(III) Administrative costs, including housing counseling and marketing fees, not to exceed 10 percent of the community contribution, directly related to special needs, low-income, or very-low-income projects; and

(IV) Removal of liens recorded against residential property by municipal, county, or special district local governments if satisfaction of the lien is a necessary precedent to the transfer of the property to a low-income person or very-low-income person for the purpose of promoting home ownership. Contributions for lien removal must be received from a nonrelated third party.

c. The project must be undertaken by an "eligible sponsor," which includes:

(I) A community action program;

(II) A nonprofit community-based development organization whose mission is the provision of housing for persons with special needs, low-income households, or very-low-income households or increasing entrepreneurial and job-development opportunities for low-income persons;

(III) A neighborhood housing services corporation;

(IV) A local housing authority created under chapter 421;

(V) A community redevelopment agency created under s.

163.356;

(VI) A historic preservation district agency or organization;

(VII) A local workforce development board;

(VIII) A direct-support organization as provided in s. 1009.983;

(IX) An enterprise zone development agency created under s. 290.0056;

(X) A community-based organization incorporated under chapter 617 which is recognized as educational, charitable, or scientific pursuant to s. 501(c)(3) of the Internal Revenue Code and whose bylaws and articles of incorporation include affordable housing, economic development, or community development as the primary mission of the corporation;

(XI) Units of local government;

(XII) Units of state government; or

(XIII) Any other agency that the Department of Economic Opportunity designates by rule.

A contributing person may not have a financial interest in the eligible sponsor.

d. The project must be located in an area which was in an enterprise zone designated pursuant to chapter 290 as of May 1, 2015, or a Front Porch Florida Community, unless the project increases access to high-speed broadband capability in a rural community that had an enterprise zone designated pursuant to chapter 290 as of May 1, 2015, but is physically located outside the designated rural zone boundaries. Any project designed to construct or rehabilitate housing for low-income households or

very-low-income households or housing opportunities for persons with special needs is exempt from the area requirement of this sub-subparagraph.

e.(I) If, during the first 10 business days of the state fiscal year, eligible tax credit applications for projects that provide housing opportunities for persons with special needs or homeownership opportunities for low-income households or very-low-income households are received for less than the annual tax credits available for those projects, the Department of Economic Opportunity shall grant tax credits for those applications and grant remaining tax credits on a first-come, first-served basis for subsequent eligible applications received before the end of the state fiscal year. If, during the first 10 business days of the state fiscal year, eligible tax credit applications for projects that provide housing opportunities for persons with special needs or homeownership opportunities for low-income households or very-low-income households are received for more than the annual tax credits available for those projects, the Department of Economic Opportunity shall grant the tax credits for those applications as follows:

(A) If tax credit applications submitted for approved projects of an eligible sponsor do not exceed $200,000 in total, the credits shall be granted in full if the tax credit applications are approved.

(B) If tax credit applications submitted for approved projects of an eligible sponsor exceed $200,000 in total, the amount of tax credits granted pursuant to sub-sub-sub-subparagraph (A) shall be subtracted from the amount of available tax credits, and the remaining credits shall be

granted to each approved tax credit application on a pro rata basis.

(II) If, during the first 10 business days of the state fiscal year, eligible tax credit applications for projects other than those that provide housing opportunities for persons with special needs or homeownership opportunities for low-income households or very-low-income households are received for less than the annual tax credits available for those projects, the Department of Economic Opportunity shall grant tax credits for those applications and shall grant remaining tax credits on a first-come, first-served basis for subsequent eligible applications received before the end of the state fiscal year. If, during the first 10 business days of the state fiscal year, eligible tax credit applications for projects other than those that provide housing opportunities for persons with special needs or homeownership opportunities for low-income households or very-low-income households are received for more than the annual tax credits available for those projects, the Department of Economic Opportunity shall grant the tax credits for those applications on a pro rata basis.

3. Application requirements.—

a. An eligible sponsor seeking to participate in this program must submit a proposal to the Department of Economic Opportunity which sets forth the name of the sponsor, a description of the project, and the area in which the project is located, together with such supporting information as is prescribed by rule. The proposal must also contain a resolution from the local governmental unit in which the project is located certifying that the project is consistent with local plans and

regulations.

b. A person seeking to participate in this program must submit an application for tax credit to the Department of Economic Opportunity which sets forth the name of the sponsor; a description of the project; and the type, value, and purpose of the contribution. The sponsor shall verify, in writing, the terms of the application and indicate its receipt of the contribution, and such verification must accompany the application for tax credit. The person must submit a separate tax credit application to the Department of Economic Opportunity for each individual contribution that it makes to each individual project.

c. A person who has received notification from the Department of Economic Opportunity that a tax credit has been approved must apply to the department to receive the refund. Application must be made on the form prescribed for claiming refunds of sales and use taxes and be accompanied by a copy of the notification. A person may submit only one application for refund to the department within a 12-month period.

4. Administration.—

a. The Department of Economic Opportunity may adopt rules necessary to administer this paragraph, including rules for the approval or disapproval of proposals by a person.

b. The decision of the Department of Economic Opportunity must be in writing, and, if approved, the notification shall state the maximum credit allowable to the person. Upon approval, the Department of Economic Opportunity shall transmit a copy of the decision to the department.

c. The Department of Economic Opportunity shall

periodically monitor all projects in a manner consistent with available resources to ensure that resources are used in accordance with this paragraph; however, each project must be reviewed at least once every 2 years.

d. The Department of Economic Opportunity shall, in consultation with the statewide and regional housing and financial intermediaries, market the availability of the community contribution tax credit program to community-based organizations.

(v) *Building materials used in construction of affordable housing units.*—

1. As used in this paragraph, the term:

a. "Affordable housing development" means property that has units subject to an agreement with the Florida Housing Finance Corporation pursuant to chapter 420 recorded in the official records of the county in which the property is located to provide affordable housing to natural persons or families meeting the extremely-low-income, very-low-income, or low-income limits specified in s. 420.0004.

b. "Building materials" means tangible personal property that becomes a component part of eligible residential units in an affordable housing development. The term includes appliances and does not include plants, landscaping, fencing, and hardscaping.

c. "Eligible residential units" means newly constructed units within an affordable housing development which are restricted under the land use restriction agreement.

d. "Newly constructed" means improvements to real property which did not previously exist or the construction of a new

improvement where an old improvement was removed. The term does not include the renovation, restoration, rehabilitation, modification, alteration, or expansion of buildings already located on the parcel on which the eligible residential unit is built.

e. "Real property" has the same meaning as provided in s. 192.001(12).

f. "Substantially completed" has the same meaning as in s. 192.042(1).

2. Building materials used in eligible residential units are exempt from the tax imposed by this chapter if an owner demonstrates to the satisfaction of the department that the requirements of this paragraph have been met. Except as provided in subparagraph 3., this exemption inures to the owner at the time an eligible residential unit is substantially completed, but only through a refund of previously paid taxes. To receive a refund pursuant to this paragraph, the owner of the eligible residential units must file an application with the department. The application must include all of the following:

a. The name and address of the person claiming the refund.

b. An address and assessment roll parcel number of the real property that was improved for which a refund of previously paid taxes is being sought.

c. A description of the eligible residential units for which a refund of previously paid taxes is being sought, including the number of such units.

d. A copy of a valid building permit issued by the county or municipal building department for the eligible residential units.

e. A sworn statement, under penalty of perjury, from the general contractor licensed in this state with whom the owner contracted to build the eligible residential units which specifies the building materials, the actual cost of the building materials, and the amount of sales tax paid in this state on the building materials, and which states that the improvement to the real property was newly constructed. If a general contractor was not used, the owner must make the sworn statement required by this sub-subparagraph. Copies of the invoices evidencing the actual cost of the building materials and the amount of sales tax paid on such building materials must be attached to the sworn statement provided by the general contractor or by the owner. If copies of such invoices are not attached, the cost of the building materials is deemed to be an amount equal to 40 percent of the increase in the final assessed value of the eligible residential units for ad valorem tax purposes less the most recent assessed value of land for the units.

f. A certification by the local building code inspector that the eligible residential unit is substantially completed.

g. A copy of the land use restriction agreement with the Florida Housing Finance Corporation for the eligible residential units.

3. The exemption under this paragraph inures to a municipality, county, other governmental unit or agency, or nonprofit community-based organization through a refund of previously paid taxes if the building materials are paid for from the funds of a community development block grant, the State Housing Initiatives Partnership Program, or a similar grant or

loan program. To receive a refund, a municipality, county, other governmental unit or agency, or nonprofit community-based organization must submit an application that includes the same information required under subparagraph 2. In addition, the applicant must include a sworn statement signed by the chief executive officer of the municipality, county, other governmental unit or agency, or nonprofit community-based organization seeking a refund which states that the building materials for which a refund is sought were funded by a community development block grant, the State Housing Initiatives Partnership Program, or a similar grant or loan program.

4. The person seeking a refund must submit an application for refund to the department within 6 months after the eligible residential unit is deemed to be substantially completed by the local building code inspector or by November 1 after the improved property is first subject to assessment.

5. Only one exemption through a refund of previously paid taxes may be claimed for any eligible residential unit. A refund may not be granted unless the amount to be refunded exceeds $500. A refund may not exceed the lesser of $5,000 or 97.5 percent of the Florida sales or use tax paid on the cost of building materials as determined pursuant to sub-subparagraph 2.e. The department shall issue a refund within 30 days after it formally approves a refund application.

6. The department may adopt rules governing the manner and format of refund applications and may establish guidelines as to the requisites for an affirmative showing of qualification for exemption under this paragraph.

7. This exemption under this paragraph applies to sales of

building materials that occur on or after July 1, 2023.

Section 13. Subsection (24) is added to section 213.053, Florida Statutes, to read:

213.053 Confidentiality and information sharing.—

(24) The department may make available to the Florida Housing Finance Corporation, exclusively for official purposes, information for the purpose of administering the Live Local Program pursuant to s. 420.50872.

Section 14. Section 215.212, Florida Statutes, is created to read:

215.212 Service charge elimination.—

(1) Notwithstanding s. 215.20(1), the service charge provided in s. 215.20(1) may not be deducted from the proceeds of the taxes distributed under s. 201.15.

(2) This section is repealed July 1, 2033.

Section 15. Paragraph (i) of subsection (1) of section 215.22, Florida Statutes, is amended to read:

215.22 Certain income and certain trust funds exempt.—

(1) The following income of a revenue nature or the following trust funds shall be exempt from the appropriation required by s. 215.20(1):

(i) Bond proceeds or revenues dedicated for bond repayment~~, except for the Documentary Stamp Clearing Trust Fund administered by the Department of Revenue~~.

Section 16. The amendment made by this act to s. 215.22, Florida Statutes, expires on July 1, 2033, and the text of that section shall revert to that in existence on June 30, 2023, except that any amendments to such text enacted other than by this act must be preserved and continue to operate to the extent

that such amendments are not dependent upon the portions of the text which expire pursuant to this section.

Section 17. Subsection (8) of section 220.02, Florida Statutes, is amended to read:

220.02 Legislative intent.—

(8) It is the intent of the Legislature that credits against either the corporate income tax or the franchise tax be applied in the following order: those enumerated in s. 631.828, those enumerated in s. 220.191, those enumerated in s. 220.181, those enumerated in s. 220.183, those enumerated in s. 220.182, those enumerated in s. 220.1895, those enumerated in s. 220.195, those enumerated in s. 220.184, those enumerated in s. 220.186, those enumerated in s. 220.1845, those enumerated in s. 220.19, those enumerated in s. 220.185, those enumerated in s. 220.1875, those enumerated in s. 220.1876, those enumerated in s. 220.1877, those enumerated in s. 220.1878, those enumerated in s. 220.193, those enumerated in s. 288.9916, those enumerated in s. 220.1899, those enumerated in s. 220.194, those enumerated in s. 220.196, those enumerated in s. 220.198, and those enumerated in s. 220.1915.

Section 18. Paragraph (a) of subsection (1) of section 220.13, Florida Statutes, is amended to read:

220.13 "Adjusted federal income" defined.—

(1) The term "adjusted federal income" means an amount equal to the taxpayer's taxable income as defined in subsection (2), or such taxable income of more than one taxpayer as provided in s. 220.131, for the taxable year, adjusted as follows:

(a) *Additions.*—There shall be added to such taxable income:

1. a. The amount of any tax upon or measured by income, excluding taxes based on gross receipts or revenues, paid or accrued as a liability to the District of Columbia or any state of the United States which is deductible from gross income in the computation of taxable income for the taxable year.

b. Notwithstanding sub-subparagraph a., if a credit taken under s. 220.1875, s. 220.1876, ~~or~~ s. 220.1877, or s. 220.1878 is added to taxable income in a previous taxable year under subparagraph 11. and is taken as a deduction for federal tax purposes in the current taxable year, the amount of the deduction allowed shall not be added to taxable income in the current year. The exception in this sub-subparagraph is intended to ensure that the credit under s. 220.1875, s. 220.1876, ~~or~~ s. 220.1877, or s. 220.1878 is added in the applicable taxable year and does not result in a duplicate addition in a subsequent year.

2. The amount of interest which is excluded from taxable income under s. 103(a) of the Internal Revenue Code or any other federal law, less the associated expenses disallowed in the computation of taxable income under s. 265 of the Internal Revenue Code or any other law, excluding 60 percent of any amounts included in alternative minimum taxable income, as defined in s. 55(b)(2) of the Internal Revenue Code, if the taxpayer pays tax under s. 220.11(3).

3. In the case of a regulated investment company or real estate investment trust, an amount equal to the excess of the net long-term capital gain for the taxable year over the amount of the capital gain dividends attributable to the taxable year.

4. That portion of the wages or salaries paid or incurred

for the taxable year which is equal to the amount of the credit allowable for the taxable year under s. 220.181. This subparagraph shall expire on the date specified in s. 290.016 for the expiration of the Florida Enterprise Zone Act.

5. That portion of the ad valorem school taxes paid or incurred for the taxable year which is equal to the amount of the credit allowable for the taxable year under s. 220.182. This subparagraph shall expire on the date specified in s. 290.016 for the expiration of the Florida Enterprise Zone Act.

6. The amount taken as a credit under s. 220.195 which is deductible from gross income in the computation of taxable income for the taxable year.

7. That portion of assessments to fund a guaranty association incurred for the taxable year which is equal to the amount of the credit allowable for the taxable year.

8. In the case of a nonprofit corporation which holds a pari-mutuel permit and which is exempt from federal income tax as a farmers' cooperative, an amount equal to the excess of the gross income attributable to the pari-mutuel operations over the attributable expenses for the taxable year.

9. The amount taken as a credit for the taxable year under s. 220.1895.

10. Up to nine percent of the eligible basis of any designated project which is equal to the credit allowable for the taxable year under s. 220.185.

11. Any amount taken as a credit for the taxable year under s. 220.1875, s. 220.1876, ~~or~~ s. 220.1877, or s. 220.1878. The addition in this subparagraph is intended to ensure that the same amount is not allowed for the tax purposes of this state as

both a deduction from income and a credit against the tax. This addition is not intended to result in adding the same expense back to income more than once.

12. The amount taken as a credit for the taxable year under s. 220.193.

13. Any portion of a qualified investment, as defined in s. 288.9913, which is claimed as a deduction by the taxpayer and taken as a credit against income tax pursuant to s. 288.9916.

14. The costs to acquire a tax credit pursuant to s. 288.1254(5) that are deducted from or otherwise reduce federal taxable income for the taxable year.

15. The amount taken as a credit for the taxable year pursuant to s. 220.194.

16. The amount taken as a credit for the taxable year under s. 220.196. The addition in this subparagraph is intended to ensure that the same amount is not allowed for the tax purposes of this state as both a deduction from income and a credit against the tax. The addition is not intended to result in adding the same expense back to income more than once.

17. The amount taken as a credit for the taxable year pursuant to s. 220.198.

18. The amount taken as a credit for the taxable year pursuant to s. 220.1915.

Section 19. Paragraph (c) of subsection (1) of section 220.183, Florida Statutes, is amended to read:

220.183 Community contribution tax credit.—

(1) AUTHORIZATION TO GRANT COMMUNITY CONTRIBUTION TAX CREDITS; LIMITATIONS ON INDIVIDUAL CREDITS AND PROGRAM SPENDING.—

(c) The total amount of tax credit which may be granted for all programs approved under this section and ss. 212.08(5)(p) and 624.5105 is $25 ~~$14.5~~ million in the 2023-2024 ~~2022-2023~~ fiscal year and in each fiscal year thereafter for projects that provide housing opportunities for persons with special needs as defined in s. 420.0004 and homeownership opportunities for low-income households or very-low-income households as defined in s. 420.9071 and $4.5 million in the 2022-2023 fiscal year and in each fiscal year thereafter for all other projects.

Section 20. Subsection (2) of section 220.186, Florida Statutes, is amended to read:

220.186 Credit for Florida alternative minimum tax.—

(2) The credit pursuant to this section shall be the amount of the excess, if any, of the tax paid based upon taxable income determined pursuant to s. 220.13(2)(k) over the amount of tax which would have been due based upon taxable income without application of s. 220.13(2)(k), before application of this credit without application of any credit under s. 220.1875, s. 220.1876, ~~or~~ s. 220.1877, or s. 220.1878.

Section 21. Section 220.1878, Florida Statutes, is created to read:

220.1878 Credit for contributions to the Live Local Program.—

(1) For taxable years beginning on or after January 1, 2023, there is allowed a credit of 100 percent of an eligible contribution made to the Live Local Program under s. 420.50872 against any tax due for a taxable year under this chapter after the application of any other allowable credits by the taxpayer. An eligible contribution must be made to the Live Local Program

on or before the date the taxpayer is required to file a return pursuant to s. 220.222. The credit granted by this section must be reduced by the difference between the amount of federal corporate income tax, taking into account the credit granted by this section, and the amount of federal corporate income tax without application of the credit granted by this section.

(2) A taxpayer who files a Florida consolidated return as a member of an affiliated group pursuant to s. 220.131(1) may be allowed the credit on a consolidated return basis; however, the total credit taken by the affiliated group is subject to the limitation established under subsection (1).

(3) Section 420.50872 applies to the credit authorized by this section.

(4) If a taxpayer applies and is approved for a credit under s. 420.50872 after timely requesting an extension to file under s. 220.222(2):

(a) The credit does not reduce the amount of tax due for purposes of the department's determination as to whether the taxpayer was in compliance with the requirement to pay tentative taxes under ss. 220.222 and 220.32.

(b) The taxpayer's noncompliance with the requirement to pay tentative taxes shall result in the revocation and rescindment of any such credit.

(c) The taxpayer shall be assessed for any taxes, penalties, or interest due from the taxpayer's noncompliance with the requirement to pay tentative taxes.

Section 22. Paragraph (c) of subsection (2) of section 220.222, Florida Statutes, is amended to read:

220.222 Returns; time and place for filing.—

(2)

(c)1. For purposes of this subsection, a taxpayer is not in compliance with s. 220.32 if the taxpayer underpays the required payment by more than the greater of $2,000 or 30 percent of the tax shown on the return when filed.

2. For the purpose of determining compliance with s. 220.32 as referenced in subparagraph 1., the tax shown on the return when filed must include the amount of the allowable credits taken on the return pursuant to s. 220.1878.

Section 23. Subsection (5) of section 253.034, Florida Statutes, is amended to read:

253.034 State-owned lands; uses.—

(5) Each manager of conservation lands shall submit to the Division of State Lands a land management plan at least every 10 years in a form and manner adopted by rule of the board of trustees and in accordance with s. 259.032. Each manager of conservation lands shall also update a land management plan whenever the manager proposes to add new facilities or make substantive land use or management changes that were not addressed in the approved plan, or within 1 year after the addition of significant new lands. Each manager of nonconservation lands shall submit to the Division of State Lands a land use plan at least every 10 years in a form and manner adopted by rule of the board of trustees. The division shall review each plan for compliance with the requirements of this subsection and the requirements of the rules adopted by the board of trustees pursuant to this section. All nonconservation land use plans, whether for single-use or multiple-use properties, shall be managed to provide the greatest benefit to

the state. Plans for managed areas larger than 1,000 acres shall contain an analysis of the multiple-use potential of the property which includes the potential of the property to generate revenues to enhance the management of the property. In addition, the plan shall contain an analysis of the potential use of private land managers to facilitate the restoration or management of these lands and whether nonconservation lands would be more appropriately transferred to the county or municipality in which the land is located for the purpose of providing affordable multifamily rental housing that meets the criteria of s. 420.0004(3). If a newly acquired property has a valid conservation plan that was developed by a soil and conservation district, such plan shall be used to guide management of the property until a formal land use plan is completed.

(a) State conservation lands shall be managed to ensure the conservation of this ~~the~~ state's plant and animal species and to ensure the accessibility of state lands for the benefit and enjoyment of all people of this ~~the~~ state, both present and future. Each land management plan for state conservation lands shall provide a desired outcome, describe both short-term and long-term management goals, and include measurable objectives to achieve those goals. Short-term goals shall be achievable within a 2-year planning period, and long-term goals shall be achievable within a 10-year planning period. These short-term and long-term management goals shall be the basis for all subsequent land management activities.

(b) Short-term and long-term management goals for state conservation lands shall include measurable objectives for the

following, as appropriate:

1. Habitat restoration and improvement.

2. Public access and recreational opportunities.

3. Hydrological preservation and restoration.

4. Sustainable forest management.

5. Exotic and invasive species maintenance and control.

6. Capital facilities and infrastructure.

7. Cultural and historical resources.

8. Imperiled species habitat maintenance, enhancement, restoration, or population restoration.

(c) The land management plan shall, at a minimum, contain the following elements:

1. A physical description of the land.

2. A quantitative data description of the land which includes an inventory of forest and other natural resources; exotic and invasive plants; hydrological features; infrastructure, including recreational facilities; and other significant land, cultural, or historical features. The inventory shall reflect the number of acres for each resource and feature, when appropriate. The inventory shall be of such detail that objective measures and benchmarks can be established for each tract of land and monitored during the lifetime of the plan. All quantitative data collected shall be aggregated, standardized, collected, and presented in an electronic format to allow for uniform management reporting and analysis. The information collected by the Department of Environmental Protection pursuant to s. 253.0325(2) shall be available to the land manager and his or her assignee.

3. A detailed description of each short-term and long-term

land management goal, the associated measurable objectives, and the related activities that are to be performed to meet the land management objectives. Each land management objective must be addressed by the land management plan, and if practicable, a land management objective may not be performed to the detriment of the other land management objectives.

4. A schedule of land management activities which contains short-term and long-term land management goals and the related measurable objective and activities. The schedule shall include for each activity a timeline for completion, quantitative measures, and detailed expense and manpower budgets. The schedule shall provide a management tool that facilitates development of performance measures.

5. A summary budget for the scheduled land management activities of the land management plan. For state lands containing or anticipated to contain imperiled species habitat, the summary budget shall include any fees anticipated from public or private entities for projects to offset adverse impacts to imperiled species or such habitat, which fees shall be used solely to restore, manage, enhance, repopulate, or acquire imperiled species habitat. The summary budget shall be prepared in such manner that it facilitates computing an aggregate of land management costs for all state-managed lands using the categories described in s. 259.037(3).

(d) Upon completion, the land management plan must be transmitted to the Acquisition and Restoration Council for review. The council shall have 90 days after receipt of the plan to review the plan and submit its recommendations to the board of trustees. During the review period, the land management plan

may be revised if agreed to by the primary land manager and the council taking into consideration public input. The land management plan becomes effective upon approval by the board of trustees.

(e) Land management plans are to be updated every 10 years on a rotating basis. Each updated land management plan must identify any conservation lands under the plan, in part or in whole, that are no longer needed for conservation purposes and could be disposed of in fee simple or with the state retaining a permanent conservation easement.

(f) In developing land management plans, at least one public hearing shall be held in any one affected county.

(g) The Division of State Lands shall make available to the public an electronic copy of each land management plan for parcels that exceed 160 acres in size. The division shall review each plan for compliance with the requirements of this subsection, the requirements of chapter 259, and the requirements of the rules adopted by the board of trustees pursuant to this section. The Acquisition and Restoration Council shall also consider the propriety of the recommendations of the managing entity with regard to the future use of the property, the protection of fragile or nonrenewable resources, the potential for alternative or multiple uses not recognized by the managing entity, and the possibility of disposal of the property by the board of trustees. After its review, the council shall submit the plan, along with its recommendations and comments, to the board of trustees. The council shall specifically recommend to the board of trustees whether to approve the plan as submitted, approve the plan with

modifications, or reject the plan. If the council fails to make a recommendation for a land management plan, the Secretary of Environmental Protection, Commissioner of Agriculture, or executive director of the Fish and Wildlife Conservation Commission or their designees shall submit the land management plan to the board of trustees.

(h) The board of trustees shall consider the land management plan submitted by each entity and the recommendations of the Acquisition and Restoration Council and the Division of State Lands and shall approve the plan with or without modification or reject such plan. The use or possession of any such lands that is not in accordance with an approved land management plan is subject to termination by the board of trustees.

(i)1. State nonconservation lands shall be managed to provide the greatest benefit to the state. State nonconservation lands may be grouped by similar land use types under one land use plan. Each land use plan shall, at a minimum, contain the following elements:

a. A physical description of the land to include any significant natural or cultural resources as well as management strategies developed by the land manager to protect such resources.

b. A desired development outcome.

c. A schedule for achieving the desired development outcome.

d. A description of both short-term and long-term development goals.

e. A management and control plan for invasive nonnative

plants.

f. A management and control plan for soil erosion and soil and water contamination.

g. Measureable objectives to achieve the goals identified in the land use plan.

2. Short-term goals shall be achievable within a 5-year planning period and long-term goals shall be achievable within a 10-year planning period.

3. The use or possession of any such lands that is not in accordance with an approved land use plan is subject to termination by the board of trustees.

4. Land use plans submitted by a manager shall include reference to appropriate statutory authority for such use or uses and shall conform to the appropriate policies and guidelines of the state land management plan.

Section 24. Subsection (1) of section 253.0341, Florida Statutes, is amended to read:

253.0341 Surplus of state-owned lands.—

(1) The board of trustees shall determine which lands, the title to which is vested in the board, may be surplused. For all conservation lands, the Acquisition and Restoration Council shall make a recommendation to the board of trustees, and the board of trustees shall determine whether the lands are no longer needed for conservation purposes. If the board of trustees determines the lands are no longer needed for conservation purposes, it may dispose of such lands by an affirmative vote of at least three members. In the case of a land exchange involving the disposition of conservation lands, the board of trustees must determine by an affirmative vote of

at least three members that the exchange will result in a net positive conservation benefit. For all nonconservation lands, the board of trustees shall determine whether the lands are no longer needed. If the board of trustees determines the lands are no longer needed, it may dispose of such lands by an affirmative vote of at least three members. Local government requests for the state to surplus conservation or nonconservation lands, whether for purchase, ~~or~~ exchange, or any other means of transfer, must ~~shall~~ be expedited throughout the surplusing process. Property jointly acquired by the state and other entities may not be surplused without the consent of all joint owners.

Section 25. Subsection (2) of section 288.101, Florida Statutes, is amended to read:

288.101 Florida Job Growth Grant Fund.—

(2) The department and Enterprise Florida, Inc., may identify projects, solicit proposals, and make funding recommendations to the Governor, who is authorized to approve:

(a) State or local public infrastructure projects to promote:

1. Economic recovery in specific regions of this ~~the~~ state;~~,~~

2. Economic diversification;~~,~~ or

3. Economic enhancement in a targeted industry.

(b) State or local public infrastructure projects to facilitate the development or construction of affordable housing. This paragraph is repealed July 1, 2033.

(c) Infrastructure funding to accelerate the rehabilitation of the Herbert Hoover Dike. The department or the South Florida

Water Management District may enter into agreements, as necessary, with the United States Army Corps of Engineers to implement this paragraph.

(d) ~~(c)~~ Workforce training grants to support programs at state colleges and state technical centers that provide participants with transferable, sustainable workforce skills applicable to more than a single employer, and for equipment associated with these programs. The department shall work with CareerSource Florida, Inc., to ensure programs are offered to the public based on criteria established by the state college or state technical center and do not exclude applicants who are unemployed or underemployed.

Section 26. Section 420.0003, Florida Statutes, is amended to read:

(Substantial rewording of section. See s. 420.0003, F.S., for present text.)

420.0003 State housing strategy.—

(1) LEGISLATIVE INTENT.—It is the intent of this act to articulate a state housing strategy that will carry the state toward the goal of ensuring that each Floridian has safe, decent, and affordable housing. This strategy must involve state and local governments working in partnership with communities and the private sector and must involve financial, as well as regulatory, commitment to accomplish this goal.

(2) POLICIES.—

(a) *Housing production and rehabilitation programs.*— Programs to encourage housing production or rehabilitation must be guided by the following general policies, as appropriate for the purpose of the specific program:

1. State and local governments shall provide incentives to encourage the private sector to be the primary delivery vehicle for the development of affordable housing. When possible, state funds should be heavily leveraged to achieve the maximum federal, local, and private commitment of funds and be used to ensure long-term affordability. To the maximum extent possible, state funds should be expended to create new housing stock and be used for repayable loans rather than grants. Local incentives to stimulate private sector development of affordable housing may include establishment of density bonus incentives.

2. State and local governments should consider and implement innovative solutions to housing issues where appropriate. Innovative solutions include, but are not limited to:

a. Utilizing publicly held land to develop affordable housing through state or local land purchases, long-term land leasing, and school district affordable housing programs. To the maximum extent possible, state-owned lands that are appropriate for the development of affordable housing must be made available for that purpose.

b. Community-led planning that focuses on urban infill, flexible zoning, redevelopment of commercial property into mixed-use property, resiliency, and furthering development in areas with preexisting public services, such as wastewater, transit, and schools.

c. Project features that maximize efficiency in land and resource use, such as high density, high rise, and mixed use.

d. Mixed-income projects that facilitate more diverse and successful communities.

e. Modern housing concepts such as manufactured homes, tiny homes, 3D-printed homes, and accessory dwelling units.

3. State funds should be available only to local governments that provide incentives or financial assistance for housing. State funding for housing should not be made available to local governments whose comprehensive plans have been found not in compliance with chapter 163 and who have not entered into a stipulated settlement agreement with the department to bring the plans into compliance. State funds should be made available only for projects consistent with the local government's comprehensive plan.

4. Local governments are encouraged to enter into interlocal agreements, as appropriate, to coordinate strategies and maximize the use of state and local funds.

5. State-funded development should emphasize use of developed land, urban infill, and the transformation of existing infrastructure in order to minimize sprawl, separation of housing from employment, and effects of increased housing on ecological preservation areas. Housing available to the state's workforce should prioritize proximity to employment and services.

(b) *Public-private partnerships.*—Cost-effective public-private partnerships must emphasize production and preservation of affordable housing.

1. Data must be developed and maintained on the affordable housing activities of local governments, community-based organizations, and private developers.

2. The state shall assist local governments and community-based organizations by providing training and technical

assistance.

3. In coordination with local activities and with federal initiatives, the state shall provide incentives for public sector and private sector development of affordable housing.

(c) *Preservation of housing stock.*—The existing stock of affordable housing must be preserved and improved through rehabilitation programs and expanded neighborhood revitalization efforts to promote suitable living environments for individuals and families.

(d) *Unique housing needs.*—The wide range of need for safe, decent, and affordable housing must be addressed, with an emphasis on assisting the neediest persons.

1. State housing programs must promote the self-sufficiency and economic dignity of the people of this state, including elderly persons and persons with disabilities.

2. The housing requirements of special needs populations must be addressed through programs that promote a range of housing options bolstering integration with the community.

3. All housing initiatives and programs must be nondiscriminatory.

4. The geographic distribution of resources must provide for the development of housing in rural and urban areas.

5. The important contribution of public housing to the well-being of citizens in need shall be acknowledged through efforts to continue and bolster existing programs. State and local government funds allocated to enhance public housing must be used to supplement, not supplant, federal support.

(3) IMPLEMENTATION.—The state, in carrying out the strategy articulated in this section, shall have the following duties:

(a) State fiscal resources must be directed to achieve the following programmatic objectives:

1. Effective technical assistance and capacity-building programs must be established at the state and local levels.

2. The Shimberg Center for Housing Studies at the University of Florida shall develop and maintain statewide data on housing needs and production, provide technical assistance relating to real estate development and finance, operate an information clearinghouse on housing programs, and coordinate state housing initiatives with local government and federal programs.

3. The corporation shall maintain a consumer-focused website for connecting tenants with affordable housing.

(b) The long-range program plan of the department must include specific goals, objectives, and strategies that implement the housing policies in this section.

(c) The Shimberg Center for Housing Studies at the University of Florida, in consultation with the department and the corporation, shall perform functions related to the research and planning for affordable housing. Functions must include quantifying affordable housing needs, documenting results of programs administered, and inventorying the supply of affordable housing units made available in this state. The recommendations required in this section and a report of any programmatic modifications made as a result of these policies must be included in the housing report required by s. 420.6075. The report must identify the needs of specific populations, including, but not limited to, elderly persons, persons with disabilities, and persons with special needs, and may recommend

statutory modifications when appropriate.

(d) The Office of Program Policy Analysis and Government Accountability (OPPAGA) shall evaluate affordable housing issues pursuant to the schedule set forth in this paragraph. OPPAGA may coordinate with and rely upon the expertise and research activities of the Shimberg Center for Housing Studies in conducting the evaluations. The analysis may include relevant reports prepared by the Shimberg Center for Housing Studies, the department, the corporation, and the provider of the Affordable Housing Catalyst Program; interviews with the agencies, providers, offices, developers, and other organizations related to the development and provision of affordable housing at the state and local levels; and any other relevant data. When appropriate, each report must recommend policy and statutory modifications for consideration by the Legislature. Each report must be submitted to the President of the Senate and the Speaker of the House of Representatives pursuant to the schedule. OPPAGA shall review and evaluate:

1. By December 15, 2023, and every 5 years thereafter, innovative affordable housing strategies implemented by other states, their effectiveness, and their potential for implementation in this state.

2. By December 15, 2024, and every 5 years thereafter, affordable housing policies enacted by local governments, their effectiveness, and which policies constitute best practices for replication across this state. The report must include a review and evaluation of the extent to which interlocal cooperation is used, effective, or hampered.

3. By December 15, 2025, and every 5 years thereafter,

existing state-level housing rehabilitation, production, preservation, and finance programs to determine their consistency with relevant policies in this section and effectiveness in providing affordable housing. The report must also include an evaluation of the degree of coordination between housing programs of this state, and between state, federal, and local housing activities, and shall recommend improved program linkages when appropriate.

(e) The department and the corporation should conform the administrative rules for each housing program to the policies stated in this section, provided that such changes in the rules are consistent with the statutory intent or requirements for the program. This authority applies only to programs offering loans, grants, or tax credits and only to the extent that state policies are consistent with applicable federal requirements.

Section 27. Subsection (36) of section 420.503, Florida Statutes, is amended to read:

420.503 Definitions.—As used in this part, the term:

(36) "Qualified contract" has the same meaning as in 26 U.S.C. s. 42(h)(6)(F) in effect on the date of the preliminary determination certificate for the low-income housing tax credits for the development that is the subject of the qualified contract request, unless the Internal Revenue Code requires a different statute or regulation to apply to the development. The corporation shall deem a bona fide contract to be a qualified contract at the time the bona fide contract is presented to the owner and the initial ~~second earnest money~~ deposit is deposited in escrow in accordance with the terms of the bona fide contract, and, in such event, the corporation is deemed to have

fulfilled its responsibility to present the owner with a qualified contract.

Section 28. Subsection (3) and paragraph (a) of subsection (4) of section 420.504, Florida Statutes, are amended to read:

420.504 Public corporation; creation, membership, terms, expenses.—

(3) The corporation is a separate budget entity and is not subject to control, supervision, or direction by the department ~~of Economic Opportunity~~ in any manner, including, but not limited to, personnel, purchasing, transactions involving real or personal property, and budgetary matters. The corporation shall consist of a board of directors composed of the Secretary of Economic Opportunity as an ex officio and voting member, or a senior-level agency employee designated by the secretary, one member appointed by the President of the Senate, one member appointed by the Speaker of the House of Representatives, and eight members appointed by the Governor subject to confirmation by the Senate from the following:

(a) One citizen actively engaged in the residential home building industry.

(b) One citizen actively engaged in the banking or mortgage banking industry.

(c) One citizen who is a representative of those areas of labor engaged in home building.

(d) One citizen with experience in housing development who is an advocate for low-income persons.

(e) One citizen actively engaged in the commercial building industry.

(f) One citizen who is a former local government elected

official.

(g) Two citizens of the state who are not principally employed as members or representatives of any of the groups specified in paragraphs (a)-(f).

(4)(a) Members of the corporation shall be appointed for terms of 4 years, except that any vacancy shall be filled for the unexpired term. Vacancies on the board shall be filled by appointment by the Governor, the President of the Senate, or the Speaker of the House of Representatives, respectively, depending on who appointed the member whose vacancy is to be filled or whose term has expired.

Section 29. Subsection (30) of section 420.507, Florida Statutes, is amended to read:

420.507 Powers of the corporation.—The corporation shall have all the powers necessary or convenient to carry out and effectuate the purposes and provisions of this part, including the following powers which are in addition to all other powers granted by other provisions of this part:

(30) To prepare and submit to the Secretary of Economic Opportunity a budget request for purposes of the corporation, which request must ~~shall~~, notwithstanding the provisions of chapter 216 and in accordance with s. 216.351, contain a request for operational expenditures and separate requests for other authorized corporation programs. The request must include, for informational purposes, the amount of state funds necessary to use all federal housing funds anticipated to be received by, or allocated to, the state in the fiscal year in order to maximize the production of new, affordable multifamily housing units in this state. The request need not contain information on the

number of employees, salaries, or any classification thereof, and the approved operating budget therefor need not comply with s. 216.181(8)-(10). The secretary may include within the department's budget request the corporation's budget request in the form as authorized by this section.

Section 30. The amendment made by this act to s. 420.507(30), Florida Statutes, expires July 1, 2033, and the text of that subsection shall revert to that in existence on June 30, 2023, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.

Section 31. Subsection (10) of section 420.5087, Florida Statutes, is amended to read:

420.5087 State Apartment Incentive Loan Program.—There is hereby created the State Apartment Incentive Loan Program for the purpose of providing first, second, or other subordinated mortgage loans or loan guarantees to sponsors, including for-profit, nonprofit, and public entities, to provide housing affordable to very-low-income persons.

(10) The corporation may prioritize a portion of the program funds set aside under paragraph (3)(d) for persons with special needs as defined in s. 420.0004(13) to provide funding for the development of newly constructed permanent rental housing ~~on a campus~~ that provides housing for persons in foster care or persons aging out of foster care pursuant to s. 409.1451. Such housing shall promote and facilitate access to community-based supportive, educational, and employment services and resources that assist persons aging out of foster care to

successfully transition to independent living and adulthood. The corporation must consult with the Department of Children and Families to create minimum criteria for such housing.

Section 32. Section 420.50871, Florida Statutes, is created to read:

420.50871 Allocation of increased revenues derived from amendments to s. 201.15 made by this act.—Funds that result from increased revenues to the State Housing Trust Fund derived from amendments made to s. 201.15 made by this act must be used annually for projects under the State Apartment Incentive Loan Program under s. 420.5087 as set forth in this section, notwithstanding ss. 420.507(48) and (50) and 420.5087(1) and (3). The Legislature intends for these funds to provide for innovative projects that provide affordable and attainable housing for persons and families working, going to school, or living in this state. Projects approved under this section are intended to provide housing that is affordable as defined in s. 420.0004, notwithstanding the income limitations in s. 420.5087(2). Beginning in the 2023-2024 fiscal year and annually for 10 years thereafter:

(1) The corporation shall allocate 70 percent of the funds provided by this section to issue competitive requests for application for the affordable housing project purposes specified in this subsection. The corporation shall finance projects that:

(a) Both redevelop an existing affordable housing development and provide for the construction of a new development within close proximity to the existing development to be rehabilitated. Each project must provide for building the

new affordable housing development first, relocating the tenants of the existing development to the new development, and then demolishing the existing development for reconstruction of an affordable housing development with more overall and affordable units.

(b) Address urban infill, including conversions of vacant, dilapidated, or functionally obsolete buildings or the use of underused commercial property.

(c) Provide for mixed use of the location, incorporating nonresidential uses, such as retail, office, institutional, or other appropriate commercial or nonresidential uses.

(d) Provide housing near military installations in this state, with preference given to projects that incorporate critical services for servicemembers, their families, and veterans, such as mental health treatment services, employment services, and assistance with transition from active-duty service to civilian life.

(2) From the remaining funds, the corporation shall allocate the funds to issue competitive requests for application for any of the following affordable housing purposes specified in this subsection. The corporation shall finance projects that:

(a) Propose using or leasing public lands. Projects that propose to use or lease public lands must include a resolution or other agreement with the unit of government owning the land to use the land for affordable housing purposes.

(b) Address the needs of young adults who age out of the foster care system.

(c) Meet the needs of elderly persons.

(d) Provide housing to meet the needs in areas of rural

opportunity, designated pursuant to s. 288.0656.

(3) Under any request for application under this section, the corporation shall coordinate with the appropriate state department or agency and prioritize projects that provide for mixed-income developments.

(4) This section does not prohibit the corporation from allocating additional funds to the purposes described in this section. In any fiscal year, if the funds allocated by the corporation to any request for application under subsections (1) and (2) are not fully used after the application and award processes are complete, the corporation may use those funds to supplement any future request for application under this section.

(5) This section is repealed June 30, 2033.

Section 33. The Division of Law Revision is directed to replace the phrase "this act" wherever it occurs in s. 420.50871, Florida Statutes, as created by this act, with the assigned chapter number of this act.

Section 34. Section 420.50872, Florida Statutes, is created to read:

420.50872 Live Local Program.—

(1) DEFINITIONS.—As used in this section, the term:

(a) "Annual tax credit amount" means, for any state fiscal year, the sum of the amount of tax credits approved under paragraph (3)(a), including tax credits to be taken under s. 220.1878 or s. 624.51058, which are approved for taxpayers whose taxable years begin on or after January 1 of the calendar year preceding the start of the applicable state fiscal year.

(b) "Eligible contribution" means a monetary contribution

from a taxpayer, subject to the restrictions provided in this section, to the corporation for use in the State Apartment Incentive Loan Program under s. 420.5087. The taxpayer making the contribution may not designate a specific project, property, or geographic area of this state as the beneficiary of the eligible contribution.

(c) "Live Local Program" means the program described in this section whereby eligible contributions are made to the corporation.

(d) "Tax credit cap amount" means the maximum annual tax credit amount that the Department of Revenue may approve for a state fiscal year.

(2) RESPONSIBILITIES OF THE CORPORATION.—The corporation shall:

(a) Expend 100 percent of eligible contributions received under this section for the State Apartment Incentive Loan Program under s. 420.5087. However, the corporation may use up to $25 million of eligible contributions to provide loans for the construction of large-scale projects of significant regional impact. Such projects must include a substantial civic, educational, or health care use and may include a commercial use, any of which must be incorporated within or contiguous to the project property. Such a loan must be made, except as otherwise provided in this subsection, in accordance with the practices and policies of the State Apartment Incentive Loan Program. Such a loan is subject to the competitive application process and may not exceed 25 percent of the total project cost. The corporation must find that the loan provides a unique opportunity for investment alongside local government

participation that would enable creation of a significant amount of affordable housing. Projects approved under this section are intended to provide housing that is affordable as defined in s. 420.0004, notwithstanding the income limitations in s. 420.5087(2).

(b) Upon receipt of an eligible contribution, provide the taxpayer that made the contribution with a certificate of contribution. A certificate of contribution must include the taxpayer's name; its federal employer identification number, if available; the amount contributed; and the date of contribution.

(c) Within 10 days after issuing a certificate of contribution, provide a copy to the Department of Revenue.

(3) LIVE LOCAL TAX CREDITS; APPLICATIONS, TRANSFERS, AND LIMITATIONS.—

(a) Beginning in the 2023-2024 fiscal year, the tax credit cap amount is $100 million in each state fiscal year.

(b) Beginning October 1, 2023, a taxpayer may submit an application to the Department of Revenue for an allocation of the tax credit cap for tax credits to be taken under either or both of s. 220.1878 or s. 624.51058.

1. The taxpayer shall specify in the application each tax for which the taxpayer requests a credit and the applicable taxable year. For purposes of s. 220.1878, a taxpayer may apply for a credit to be used for a prior taxable year before the date the taxpayer is required to file a return for that year pursuant to s. 220.222. For purposes of s. 624.51058, a taxpayer may apply for a credit to be used for a prior taxable year before the date the taxpayer is required to file a return for that prior taxable year pursuant to ss. 624.509 and 624.5092. The

Department of Revenue shall approve tax credits on a first-come, first-served basis.

2. Within 10 days after approving or denying an application, the Department of Revenue shall provide a copy of its approval or denial letter to the corporation.

(c) If a tax credit approved under paragraph (b) is not fully used for the specified taxable year for credits under s. 220.1878 or s. 624.51058 because of insufficient tax liability on the part of the taxpayer, the unused amount may be carried forward for a period not to exceed 10 taxable years. For purposes of s. 220.1878, a credit carried forward may be used in a subsequent year after applying the other credits and unused carryovers in the order provided in s. 220.02(8).

(d) A taxpayer may not convey, transfer, or assign an approved tax credit or a carryforward tax credit to another entity unless all of the assets of the taxpayer are conveyed, assigned, or transferred in the same transaction. However, a tax credit under s. 220.1878 or s. 624.51058 may be conveyed, transferred, or assigned between members of an affiliated group of corporations if the type of tax credit under s. 220.1878 or s. 624.51058 remains the same. A taxpayer shall notify the Department of Revenue of its intent to convey, transfer, or assign a tax credit to another member within an affiliated group of corporations. The amount conveyed, transferred, or assigned is available to another member of the affiliated group of corporations upon approval by the Department of Revenue.

(e) Within any state fiscal year, a taxpayer may rescind all or part of a tax credit allocation approved under paragraph (b). The amount rescinded must become available for that state

fiscal year to another eligible taxpayer as approved by the Department of Revenue if the taxpayer receives notice from the Department of Revenue that the rescindment has been accepted by the Department of Revenue. Any amount rescinded under this paragraph must become available to an eligible taxpayer on a first-come, first-served basis based on tax credit applications received after the date the rescindment is accepted by the Department of Revenue.

(f) Within 10 days after approving or denying the conveyance, transfer, or assignment of a tax credit under paragraph (d), or the rescindment of a tax credit under paragraph (e), the Department of Revenue shall provide a copy of its approval or denial letter to the corporation.

(g) For purposes of calculating the underpayment of estimated corporate income taxes under s. 220.34 and tax installment payments for taxes on insurance premiums or assessments under s. 624.5092, the final amount due is the amount after credits earned under s. 220.1878 or s. 624.51058 for contributions to eligible charitable organizations are deducted.

1. For purposes of determining if a penalty or interest under s. 220.34(2)(d)1. will be imposed for underpayment of estimated corporate income tax, a taxpayer may, after earning a credit under s. 220.1878, reduce any estimated payment in that taxable year by the amount of the credit.

2. For purposes of determining if a penalty under s. 624.5092 will be imposed, an insurer, after earning a credit under s. 624.51058 for a taxable year, may reduce any installment payment for such taxable year of 27 percent of the

amount of the net tax due as reported on the return for the preceding year under s. 624.5092(2)(b) by the amount of the credit.

(4) PRESERVATION OF CREDIT.—If any provision or portion of this section, s. 220.1878, or s. 624.51058 or the application thereof to any person or circumstance is held unconstitutional by any court or is otherwise declared invalid, the unconstitutionality or invalidity does not affect any credit earned under s. 220.1878 or s. 624.51058 by any taxpayer with respect to any contribution paid to the Live Local Program before the date of a determination of unconstitutionality or invalidity. The credit must be allowed at such time and in such a manner as if a determination of unconstitutionality or invalidity had not been made, provided that nothing in this subsection by itself or in combination with any other provision of law may result in the allowance of any credit to any taxpayer in excess of $1 of credit for each dollar paid to an eligible charitable organization.

(5) ADMINISTRATION; RULES.—

(a) The Department of Revenue and the corporation may develop a cooperative agreement to assist in the administration of this section, as needed.

(b) The Department of Revenue may adopt rules necessary to administer this section, s. 220.1878, and s. 624.51058, including rules establishing application forms, procedures governing the approval of tax credits and carryforward tax credits under subsection (3), and procedures to be followed by taxpayers when claiming approved tax credits on their returns.

(c) By August 15, 2023, and by each August 15 thereafter,

the Department of Revenue shall determine the 500 taxpayers with the greatest total corporate income or franchise tax due as reported on the taxpayer's return filed pursuant to s. 220.22 during the previous calendar year and notify those taxpayers of the existence of the Live Local Program and the process for obtaining an allocation of the tax credit cap. The Department of Revenue shall confer with the corporation in the drafting of the notification. The Department of Revenue may provide this notification by electronic means.

Section 35. Section 420.5096, Florida Statutes, is created to read:

420.5096 Florida Hometown Hero Program.—

(1) The Legislature finds that individual homeownership is vital to building long-term housing and financial security. With rising home prices, down payment and closing costs are often significant barriers to homeownership for working Floridians. Each person in Florida's hometown workforce is essential to creating thriving communities, and the Legislature finds that the ability of Floridians to reside within the communities in which they work is of great importance. Therefore, the Legislature finds that providing assistance to homebuyers in this state by reducing the amount of down payment and closing costs is a necessary step toward expanding access to homeownership and achieving safe, decent, and affordable housing for all Floridians.

(2) The Florida Hometown Hero Program is created to assist Florida's hometown workforce in attaining homeownership by providing financial assistance to residents to purchase a home as their primary residence. Under the program, a borrower may

apply to the corporation for a loan to reduce the amount of the down payment and closing costs paid by the borrower by a minimum of $10,000 and up to 5 percent of the first mortgage loan, not exceeding $35,000. Loans must be made available at a zero percent interest rate and must be made available for the term of the first mortgage. The balance of any loan is due at closing if the property is sold, refinanced, rented, or transferred, unless otherwise approved by the corporation.

(3) For loans made available pursuant to s. 420.507(23)(a)1. or 2., the corporation may underwrite and make those mortgage loans through the program to persons or families who have household incomes that do not exceed 150 percent of the state median income or local median income, whichever is greater. A borrower must be seeking to purchase a home as a primary residence; a first-time homebuyer and a Florida resident; and employed full-time by a Florida-based employer. The borrower must provide documentation of full-time employment, or full-time status for self-employed individuals, of 35 hours or more per week. The requirement to be a first-time homebuyer does not apply to a borrower who is an active duty servicemember of a branch of the armed forces or the Florida National Guard, as defined in s. 250.01, or a veteran.

(4) Loans made under the Florida Hometown Hero Program may be used for the purchase of manufactured homes, as defined in s. 320.01(2)(b), which were constructed after July 13, 1994; which are permanently affixed to real property in this state, whether owned or leased by the borrower; and which are titled and financed as tangible personal property or as real property.

(5) This program is intended to be evergreen, and

repayments for loans made under this program shall be retained within the program to make additional loans.

Section 36. Subsection (3) is added to section 420.531, Florida Statutes, to read:

420.531 Affordable Housing Catalyst Program.—

(3) The corporation may contract with the entity providing statewide training and technical assistance to provide technical assistance to local governments to establish selection criteria and related provisions for requests for proposals or other competitive solicitations for use or lease of government-owned real property for affordable housing purposes. The entity providing statewide training and technical assistance may develop best practices or other key elements for successful use of public property for affordable housing, in conjunction with technical support provided under subsection (1).

Section 37. Section 420.6075, Florida Statutes, is amended to read:

420.6075 Research and planning for affordable housing; annual housing report.—

(1) The research and planning functions of the department shall include the collection of data on the need for affordable housing in this state and the extent to which that need is being met through federal, state, and local programs, in order to facilitate planning to meet the housing needs in this state and to enable the development of sound strategies and programs for affordable housing. To fulfill this function, the Shimberg Center for Housing Studies ~~Affordable Housing~~ at the University of Florida shall perform the following functions:

(a) Quantify affordable housing needs in this ~~the~~ state by

analyzing available data, including information provided through the housing elements of local comprehensive plans, and identify revisions in the housing element data requirements that would result in more uniform, meaningful information being obtained.

(b) Document the results since 1980 of all programs administered by the department which provide for or act as incentives for housing production or improvement. Data on program results must include the number of units produced and the unit cost under each program.

(c) Inventory the supply of affordable housing units made available through federal, state, and local programs. Data on the geographic distribution of affordable units must show the availability of units in each county and municipality.

(2) By December 31 of each year, the Shimberg Center for Housing Studies ~~Affordable Housing~~ shall submit to the Legislature an updated housing report describing the supply of and need for affordable housing. This annual housing report shall include:

(a) A synopsis of training and technical assistance activities and community-based organization housing activities for the year.

(b) A status report on the degree of progress toward meeting the housing objectives of the department's agency functional plan.

(c) Recommended housing initiatives for the next fiscal year and recommended priorities for assistance to the various target populations within the spectrum of housing need.

(3) The Shimberg Center for Housing Studies ~~Affordable Housing~~ shall:

(a) Conduct research on program options to address the need for affordable housing.

(b) Conduct research on training models to be replicated or adapted to meet the needs of community-based organizations and state and local government staff involved in housing development.

Section 38. Paragraph (a) of subsection (1) of section 553.792, Florida Statutes, is amended to read:

553.792 Building permit application to local government.—

(1)(a) Within 10 days of an applicant submitting an application to the local government, the local government shall advise the applicant what information, if any, is needed to deem the application properly completed in compliance with the filing requirements published by the local government. If the local government does not provide written notice that the applicant has not submitted the properly completed application, the application shall be automatically deemed properly completed and accepted. Within 45 days after receiving a completed application, a local government must notify an applicant if additional information is required for the local government to determine the sufficiency of the application, and shall specify the additional information that is required. The applicant must submit the additional information to the local government or request that the local government act without the additional information. While the applicant responds to the request for additional information, the 120-day period described in this subsection is tolled. Both parties may agree to a reasonable request for an extension of time, particularly in the event of a force majeure or other extraordinary circumstance. The local

government must approve, approve with conditions, or deny the application within 120 days following receipt of a completed application. A local government shall maintain on its website a policy containing procedures and expectations for expedited processing of those building permits and development orders required by law to be expedited.

Section 39. Subsection (7) of section 624.509, Florida Statutes, is amended to read:

624.509 Premium tax; rate and computation.—

(7) Credits and deductions against the tax imposed by this section shall be taken in the following order: deductions for assessments made pursuant to s. 440.51; credits for taxes paid under ss. 175.101 and 185.08; credits for income taxes paid under chapter 220 and the credit allowed under subsection (5), as these credits are limited by subsection (6); the credit allowed under s. 624.51057; the credit allowed under s. 624.51058; all other available credits and deductions.

Section 40. Paragraph (c) of subsection (1) of section 624.5105, Florida Statutes, is amended to read:

624.5105 Community contribution tax credit; authorization; limitations; eligibility and application requirements; administration; definitions; expiration.—

(1) AUTHORIZATION TO GRANT TAX CREDITS; LIMITATIONS.—

(c) The total amount of tax credit which may be granted for all programs approved under this section and ss. 212.08(5)(p) and 220.183 is $25 ~~$14.5~~ million in the 2023-2024 ~~2022-2023~~ fiscal year and in each fiscal year thereafter for projects that provide housing opportunities for persons with special needs as defined in s. 420.0004 or homeownership opportunities for low-

income or very-low-income households as defined in s. 420.9071 and $4.5 million in the 2022-2023 fiscal year and in each fiscal year thereafter for all other projects.

Section 41. Section 624.51058, Florida Statutes, is created to read:

624.51058 Credit for contributions to the Live Local Program.—

(1) For taxable years beginning on or after January 1, 2023, there is allowed a credit of 100 percent of an eligible contribution made to the Live Local Program under s. 420.50872 against any tax due for a taxable year under s. 624.509(1) after deducting from such tax deductions for assessments made pursuant to s. 440.51; credits for taxes paid under ss. 175.101 and 185.08; credits for income taxes paid under chapter 220; and the credit allowed under s. 624.509(5), as such credit is limited by s. 624.509(6). An eligible contribution must be made to the Live Local Program on or before the date the taxpayer is required to file a return pursuant to ss. 624.509 and 624.5092. An insurer claiming a credit against premium tax liability under this section is not required to pay any additional retaliatory tax levied under s. 624.5091 as a result of claiming such credit. Section 624.5091 does not limit such credit in any manner.

(2) Section 420.50872 applies to the credit authorized by this section.

Section 42. The Department of Economic Opportunity's Keys Workforce Housing Initiative, approved by the Administration Commission on June 13, 2018, is considered an exception to the evacuation time constraints of s. 380.0552(9)(a)2., Florida Statutes, by requiring deed-restricted affordable workforce

housing properties receiving permit allocations to agree to evacuate at least 48 hours in advance of hurricane landfall. A comprehensive plan amendment approved by the Department of Economic Opportunity to implement the initiative is hereby valid and the respective local governments may adopt local ordinances or regulations to implement such plan amendment.

Section 43. (1) The Department of Revenue is authorized, and all conditions are deemed met, to adopt emergency rules under s. 120.54(4), Florida Statutes, for the purpose of implementing provisions related to the Live Local Program created by this act. Notwithstanding any other law, emergency rules adopted under this section are effective for 6 months after adoption and may be renewed during the pendency of procedures to adopt permanent rules addressing the subject of the emergency rules.

(2) This section expires July 1, 2026.

Section 44. For the 2023-2024 fiscal year, the sum of $100 million in nonrecurring funds from the General Revenue Fund is appropriated to the Florida Housing Finance Corporation to implement the Florida Hometown Hero Housing Program established in s. 420.5096, Florida Statutes, as created by this act.

Section 45. For the 2023-2024 fiscal year, the sum of $252 million in nonrecurring funds from the Local Government Housing Trust Fund is appropriated in the Grants and Aids - Housing Finance Corporation (HFC) - State Housing Initiatives Partnership (SHIP) Program appropriation category to the Florida Housing Finance Corporation.

Section 46. For the 2023-2024 fiscal year, the sum of $150 million in recurring funds and $109 million in nonrecurring

funds from the State Housing Trust Fund is appropriated in the Grants and Aids - Housing Finance Corporation (HFC) - Affordable Housing Programs appropriation category to the Florida Housing Finance Corporation. The recurring funds are appropriated to implement s. 420.50871, Florida Statutes, as created by this act.

Section 47. For the 2022-2023 fiscal year, the sum of $100 million in nonrecurring funds from the General Revenue Fund is appropriated to the Florida Housing Finance Corporation to implement a competitive assistance loan program for new construction projects in the development pipeline that have not commenced construction and are experiencing verifiable cost increases due to market inflation. These funds are intended to support the corporation's efforts to maintain the viability of projects in the development pipeline as the unprecedented economic factors coupled with the housing crisis makes it of upmost importance to deliver much-needed affordable housing units in communities in a timely manner. Eligible projects are those that accepted an invitation to enter credit underwriting by the corporation for funding during the period of time of July 1, 2020, through June 30, 2022. The corporation may establish such criteria and application processes as necessary to implement this section. The unexpended balance of funds appropriated to the corporation as of June 30, 2023, shall revert and is appropriated to the corporation for the same purpose for the 2023-2024 fiscal year. Any funds not awarded by December 1, 2023, must be used for the State Apartment Incentive Loan Program under s. 420.5087, Florida Statutes. This section is effective upon becoming a law.

Section 48. The Legislature finds and declares that this act fulfills an important state interest.

Section 49. Except as otherwise expressly provided in this act and except for this section, which shall take effect upon becoming a law, this act shall take effect July 1, 2023.

AGENDA ITEM NO. 6.A

Item Cover Page

ZONING HEARING AGENDA ITEM REPORT

DATE:	September 18, 2023
SUBMITTED BY:	Heidi Siegel, Community and Economic Development
ITEM TYPE:	Discussion
AGENDA SECTION:	**DISCUSSION**
SUBJECT:	Comprehensive Plan amendments and presentation of Draft Goals, Objectives, and Policies.

SUGGESTED ACTION:

ATTACHMENTS:

Staff Memo Draft Comp Plan Council Discussion 09082023.docx
Comprehensive Plan Draft Combined Documents.pdf

To: Honorable Mayor and Village Council

Date: September 18, 2023

From: Heidi Siegel, AICP, CED Director

Re: Draft Comprehensive Plan Discussion

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 a draft Comprehensive Plan that allows the Village to come into compliance with State requirements and create a Comprehensive Plan that reflects the unique nature of the Village (Attachment A).

PUBLIC PARTICIPATION

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. (Attachment D)

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.

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 (Attachment C) to a document that is engaging and user friendly. A sample of the format of the final document can be found in Attachment B. The draft document, Attachment A, will be converted into this format following review and discussion by Council.

- 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 hidden 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. Policies that reflect public and Village Council feedback are demonstrated in red in the attached draft document.

- Clearly states which goals, objectives, and policies that are required by the State of Florida to be included.

- 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 will include 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.

- Removes the Franjo Activity Center land use category and creates the Downtown land use category to provide consistency with the Downtown Zoning District.

- Removes the Business and Office land use category and creates a Commercial land use category to better reflect the Village's business districts.

- Removes the Medium-High Density Residential category. This category was not in use in the Village and only provided confusion.

- Expands the Institutional land use category to Institutional Public Facilities land use category. This allows for certain properties to be properly designated.

- 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.

- As part of the amendment process, the Future Land Use Map (Attachment E) will be updated.

    - 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

Following feedback from the Village Council and public comments at the September 18, 2023, discussion, Village staff will work with the consultant to finalize the document. The adoption of the comprehensive plan will require two future public hearings.

Section 30-30.8 (Amendment to the comprehensive plan) of the Land Development Regulations require the amendments to be reviewed by the Village Council acting as the Local Planning Agency. Notice of the required public hearings related to comprehensive plans is pursuant to Florida Statute 163.3184. The first public hearing shall be held at the transmittal stage. It shall be held on a weekday at least 7 days after the day that the first newspaper advertisement.

After the first public hearing, the Village Council shall approve a resolution that will be transmitted to the State for appropriate review. Once the proposed amendments are approved by the State, an additional public hearing by the Village Council acting as the Local Planning Agency will be held for adoption of the comprehensive plan. The second public hearing shall be held on a weekday at least 5 days after the day that the second advertisement is published in a newspaper.

It is the intent of Village staff to provide a direct mailing to each property in the Village to notify them of the upcoming hearings due to the proposed changes to the Future Land Use Map. Additionally, Village social media and newsletters will be used.

ATTACHMENTS

Attachment A: Draft Goals, Objectives, and Policies
Attachment B: Example of final format
Attachment C: Palmetto Bay 2010 Comprehensive Plan
Attachment D: Interactive website public participation summary
Attachment E: Proposed Future Land Use Map

Attachment A
Draft Goals, Objectives, and Policies

CHAPTER 1: CONSERVATION AND SUSTAINABILITY ELEMENT

Goal 1A: ***Promote Sustainability.*** **The Village shall promote sustainability, recycling, water reclamation, and healthy air quality in order to protect the community's natural resources and high quality of life.**

Objective 1A.1: ***Promote Sustainability and Green Infrastructure*****. The Village shall promote sustainability, environmental consciousness, and the utilization of green infrastructure.**

Policy 1A.1.1: *Minimum Green Standards*. The Village shall require a minimum green building standards for all new development, remodels, and tenant improvements for commercial, mixed-use and government projects to promote energy efficiency, water conservation, resource efficiency, waste reduction, and pollution prevention.

Policy 1A.1.2: *Incentives.* The Village shall encourage developments, through incentives, to utilize energy efficient designs and the use of renewal materials.

Policy 1A.1.3: *Green Local Government*. The Village shall maintain its *Florida Green Building Coalition Certified Green Local Government* status.

Policy 1A.1.4: *Green Infrastructure.* The Village shall promote the use of nature-based or green infrastructure solutions to address resiliency, where feasible. The Village shall explore the development of a Green Infrastructure Master Plan and consider coordinating with a green infrastructure consultant for municipal buildings and spaces in order to provide for enhanced and connected wildlife habitat, stormwater management systems, and recreational opportunities.

Policy 1A.1.5: *Green Jobs.* The Village may explore strategies to leverage the Village's natural and economic assets to attract green jobs and related nature-based industries.

Policy 1A.1.6: *Sustainable Pest Management.* The Village may promote sustainable pest management methods that aim to minimize risk to both environmental and human health through the limited use of chemicals.

Policy 1A.1.7: *Sustainability Focused Events.* The Village shall encourage more programming focused on sustainability such as recycling drives, tree giveaways and tree planting events.

Policy 1A.1.8: *Brownfield Redevelopment.* The Village may pursue grant funding for the clean-up and reuse of brownfield sites or future brownfield sites. (See Future Land Use Element).

Policy 1A.1.9: *Renewable Energy.* The Village shall encourage the use of renewable energy and solar panels within the community and maximize the use of solar energy at public and park facilities where feasible.

Policy 1A.1.10: *Green Business Certification.* The Village shall consider the creation of a Green Business Certification Program and encourage businesses to participate.

DRAFT

Policy 1A.1.11: *Sustainable Community Plan.* The Village shall develop and maintain a Sustainable Community Action Plan that guides sustainability measures for the Village over time.

Policy 1A.1.12: *Lighting.* The Village shall consider adoption of a lighting ordinance to minimize glare, light pollution and carbon emissions and mitigate negative impacts to natural habitats.

Objective 1A.2: *Promote Recycling.* The Village shall promote the recycling of materials in order to protect environmental and community health.

Policy 1A.2.1: *Recycling.* The Village shall assist the Miami-Dade County Department of Public Work Waste Management (PWWM) in promoting and encouraging residents and businesses to recycle solid waste to the maximum extent possible.

Policy 1A.2.2: *Recycling Initiatives.* The Village shall consider expanding recycling containers, including battery recycling bins, in all publicly owned properties including all parks, the Public Services Department, Village Hall, and 900 Perrine.

Policy 1A.2.3: *Recycling Awareness.* The Village shall increase awareness and education campaigns on the importance of recycling and reduction of consumption of materials and the positive impacts it has on the environment and shall encourage recycling drives and battery recycling depots.

Policy 1A.2.4: *Recycling Drives*. The Village shall consider funding for the bi-annual recycling drives hosted by the Village and for community outreach and recycling education efforts.

Policy 1A.2.5: *Reduce Litter.* The Village shall analyze the feasibility of an independent funding account to continue providing services for residents that divert waste from landfills and reduce litter within the community.

Policy 1A.2.6: *Hazardous Waste Management.* The Village shall maintain regulations restricting the use of hazardous materials and assist the Miami-Dade County Department of PWWM and Department of Environmental Resource Management (DERM) in the implementation of a comprehensive program for the proper storage, recycling, collection, and disposal of hazardous and toxic wastes in the community in order to protect the environment.

Objective 1A.3: *Protect Air Quality, Minerals, and Soils.* The Village shall sustain its high ambient air quality as well as protect its minerals and soils.

Policy 1A.3.1: *Air Quality*. The Village shall coordinate with county and state agencies to ensure federal air quality standards are not exceeded in order to maintain and improve the existing air quality.

Policy 1A.3.2: *Improve Air Quality.* The Village shall coordinate with local officials and universities to participate in studies that can help improve the overall air quality of the Village

Policy 1A.3.3: *Lower Greenhouse Gas Emissions*. The Village shall identify and execute projects that will help lower greenhouse gas emissions in the community including creating a greenhouse gas inventory and executing a *Greenhouse Gas Emissions Study* in order to preserve the residents' high quality of life.

Policy 1A.3.4: *Reduce Vehicle Emissions*. The Village shall promote the reduction of vehicle emissions by supporting land uses that promote walking, biking, transit, and alternative modes of transportation, as well as encourage infill development that limits the need for automobile use, increases trip capture, and reduces traffic congestion (*See Transportation and Future Land Use Elements*).

Policy 1A.3.5: *Initiatives.* The Village shall identify and execute initiatives that invest in Village electric and/or hybrid vehicles in efforts to reach net zero emissions.

Policy 1A.3.6: *Combat Erosion*. The Land Development Regulations (LDR) shall incorporate performance standards which combat soil erosion and the generation of fugitive dust particles. This includes requiring that measures be taken during land clearing and building operations to combat soil erosion and excessive dust.

Goal 1B: ***Protect the Community's Flora and Fauna:*** In order to enhance the sustainability of the community and the quality of its natural systems, the Village shall protect, promote, and appropriately manage its diverse flora and fauna.

Objective 1B.1: *Protect and Enhance Flora and Fauna.* The Village shall manage its environmentally sensitive natural systems including native habitats and open space through intentional land use planning and regulations.

Policy 1B.1.1: *Environmental Protection.* As sustainability and environmental protection are priorities for the Village, the LDR shall maintain criteria that protects the Village's natural resources from the adverse impact of development.

Policy 1B.1.2: *Open Space.* The Land Development Regulations (LDR) shall maintain open space requirements for developments and the Village shall seek to expand parks and pocket parks.

Policy 1B.1.3: Open Space Connectivity. The Village shall promote connectivity of the community's open spaces and connectivity of wildlife corridors in order to minimize habitat fragmentation.

Policy 1B.1.4: *Permits.* The LDR shall require that all local, state, and federal permits that are required pertaining to flora and fauna species be obtained prior to development.

Policy 1B.1.5: *Endangered or Threatened Species*. The Village shall continue to ensure that Federally and State listed endangered, threatened, or special concern species are protected, and their habitats are conserved and enhanced where possible.

Policy 1B.1.6: *Protection of Vegetation.* Existing mature vegetation and native vegetation shall be retained and protected in developments where possible.

Policy 1B.1.7: *Restoration Efforts*. The Village shall encourage the restoration of degraded sensitive habitat in order to reestablish natural diversity and habitat connectivity.

Policy 1B.1.8: *Natural Resource Management.* The Village shall have standards in place to manage its flora and fauna as well as coordinate with Miami-Dade County in regard to the County's *Natural Areas Management Plan*.

Objective 1B.2: ***Promote Proper Landscaping and Tree Protection*****. In order to protect vegetation, tree canopy, shading, and the beautiful design of the built environment, the Village shall regulate landscaping and tree protection standards within the community.**

Policy 1B.2.1: *Village Landscape Code*. The Village shall consider enhancing the landscaping standards in the Land Development Regulations (LDR), including maintenance requirements, to maintain the existing aesthetic and high quality of life in the community. Native vegetation shall be encouraged and enhanced where feasible.

Policy 1B.2.2: *Florida Friendly Landscaping.* The Village shall encourage the use of Florida Friendly landscaping in developments which uses low-maintenance water-saving plants and environmentally sustainable practices.

Policy 1B.2.3: *Removal of Undesirable Exotic Vegetation*. The LDR shall require the removal of all nuisance and invasive exotic vegetation as defined by the Florida Exotic Pest Plant Council (FLEPPC) prior to development and minimize the use of invasive species.

Policy 1B.2.4: *Coordination.* Consistent with F.S. 163.177(6)(d)g, the Village shall maintain cooperation with adjacent local governments to conserve, appropriately use, and protect unique vegetative communities located within more than one local jurisdiction.

Policy 1B.2.5: *Tree Protection.* Trees shall be retained and protected where possible.

New Policy The Village shall review the Land Development Regulations to expand and improve the Village's landscape requirements.

*Policy 1B.*2.6: *Street Tree Master Plan.* The Village shall maintain and conduct regular reviews of the Street Tree Master Plan which creates roadways with planted medians and right-of-way landscaping for an attractive street environment including a tree canopy cover. Additionally, street trees shall be maintained and trimmed in front of signage to protect community safety.

*Policy 1B.*2.7: *Tree City USA.* The Village shall participate in the Tree City USA program and support the maintenance and continued installation of trees which will enhance the urban forest and tree canopy cover in the community and improve shading.

Objective 1B.3: ***Designate Lands for Protection*****. The Village shall maintain and seek to expand lands designated for environmental protection to uphold a sustainable and environmentally friendly community.**

Policy 1B.3.1: *Protect Designated Areas*. Areas reserved for conservation uses or restricted development, including parks or lands designated as 'Environmental Protection' and 'Water Management and Recreation' on the Future Land Use Map (FLUM), shall remain protected.

Policy 1B.3.2: *Expansion of Parks System*. The Village shall protect existing parks and natural preserves and seek to expand its parks and natural preserves, including identifying opportunities adjacent to the Biscayne Bay (*See Parks and Recreation Element*).

Policy 1B.3.3: *Acquisition of Buffer Areas.* The Village may consider the purchase of strategic coastal properties for preservation, passive recreation, and shoreline access to serve as open

space buffers to protect against sea-level rise, storm surge, and king tides as well as to better sustain ecological systems. as well as investigate and sponsor grant applications for this purpose, if feasible.

Policy 1B.3.4: *Environmentally Endangered Lands.* The Village shall continue to coordinate with Miami-Dade County to implement the Environmentally Endangered Lands (EEL) program to protect lands acquired through the EEL program and secure additional lands for conservation as appropriate.

Goal 1C: ***Protect Surface Waters, Wetlands, and Coastal Resources.*** **The Village shall protect the community's surface waters, wetlands, and coastal resources in order to protect water quality and preserve important natural resources.**

Objective 1C.1: *Protect Surface Waters and Wetlands*. The LDR shall limit adverse impacts or alterations to surface waters and wetlands to the greatest extent possible.

Policy 1C.1.1: *Delineation.* The Land Development Regulations (LDR) shall require that a proposed development conduct a delineation of the landward extent of wetlands and other surface waters, when applicable, which shall be formally approved by the South Florida Water Management District (SFWMD), the Florida Department of Environmental Protection (FDEP), and/or the US Army Corps of Engineers (USACE).

Policy 1C.1.2: *Protect Natural Canals and Ponds*. The LDR shall include performance criteria designed to regulate against land development activities which adversely impact water quality, contribute to shoreline erosion and sedimentation, or otherwise threaten the long-term health and existence of the Village's surface waters including its natural canals and ponds.

Policy 1C.1.3: *Protect Wetlands*. The LDR shall require that wetlands, as defined by F.S. 373.421 and 373.019(27), including their adjacent buffers, be protected to the maximum extent possible. If impacts are proposed, the Village shall evaluate these based on the type of the wetland, function, size, conditions/location, and overall resource value.

Policy 1C.1.4: *Wetland Buffers*. Development on uplands adjacent to wetlands shall preserve a wetland buffer which will act as a barrier between wetlands and development and enhance mangroves and other critical habitats.

Policy 1C.1.5: *Regulatory Tools*. The Village shall protect wetlands through the dedication of conservation easements, through the designation of 'Environmental Protection' on the Future Land Use Map (FLUM), or through requiring compensatory wetland mitigation where feasible.

Policy 1C.1.6: *Potential Impacts*. If impacts to a wetland are proposed, these impacts shall be consistent with South Florida Water Management District (SFWMD) regulations. Activities in wetland areas may be permitted provided all applicable federal, state, regional, and local external environmental agency permits have been obtained.

Policy 1C.1.7: *Restoration*. The Village may pursue restoration efforts for its surface waters and shall coordinate with the appropriate state and county agencies to ensure that natural

surface water flow regimes into and through coastal wetland systems are restored and maintained to the maximum extent possible.

Objective 1C.2: ***Protect Marine and Coastal Resources*****. The Village shall protect and conserve its living marine resources, coastal habitats, and estuarine water quality.**

Policy 1C.2.1: *Regulate Adverse Impacts*. The Land Development Regulations (LDR) shall include performance criteria designed to regulate against the adverse impacts of development on estuarine water quality and habitat including, but not limited to, living marine organisms, seagrass, coastal hammocks, coastal marshes, marine wetlands, and mangroves.

Policy 1C.2.2: *Mitigation*. The Village shall identify issues outside of its jurisdiction that affect the Village's coastal vulnerability area and Biscayne Bay and participate in projects that create solutions to mitigate these affects which would otherwise impact the residents' quality of life.

Policy 1C.2.3: *Mangrove Protection Areas*. The Village shall continue to protect areas designated as 'Mangrove Protection Areas' by Miami-Dade County in accordance with their regulations.

Policy 1C.2.4: *Restoration.* The results of coastal water quality and living marine resources performed by Miami-Dade County and South Florida Water Management District (SFWMD) shall be monitored by the Village Sustainability staff. .

Policy 1C.2.5: *Replanting.* The Village shall encourage the replanting of mangroves and marsh grasses including to enhance public or semi-public shorelines.

Policy 1C.2.7: *Protection of Shoreline and Coast*. The Village shall have measures in place that protect Biscayne Bay and its shorelines and enhance public access to the Bay and water-based facilities (*See Costal Management Element*). The LDR shall require development along the shoreline to be required to revegetate, stabilize, and enhance damaged shorelines by planting native vegetation.

Policy 1C.2.8: *Minimize Impacts.* For shoreline access, the Village shall encourage elevated boardwalks that minimize the impact to coastal vegetation.

Policy 1C.2.9: *Water Impact Statements.* The Village shall require Water Impact Statements from property developers in order to regulate adverse effects construction can have on the environment, including the floodplain, aquifer and Biscayne Bay.

Goal 1D: ***Protect Potable Water Quality and Supply*****. The Village shall encourage water conservation and ensure that the community has a quality, dependable potable water supply.**

Objective 1D.1: ***Protect Potable Water Supply. The Village shall ensure that there is a sufficient potable water supply to meet the needs of the community.***

Policy 1D.1.1: *Coordination*. The Village shall continue to coordinate with its water service provider, Miami-Dade County Water and Sewer Department (WASD), to ensure that potable

water service to the Village will meet the adopted level-of-service (LOS) standard throughout the planning period (*See Infrastructure Element*).

Policy 1D.1.2: *Potable Water Availability*. The Land Development Regulations (LDR) shall require that no development orders be issued until it can be determined that adequate potable water supplies and facilities are available.

Policy 1D.1.3: *Smart Growth*. The Village shall guide smart growth patterns by encouraging future development and redevelopment in areas that are already served, or programmed to be served, by WASD potable water facilities.

Objective 1D.2: *Promote Potable Water Conservation.* The Village shall promote potable water conservation in order to be environmentally conscious about water resources and ensure residents needs are being met.

Policy 1D.2.1: *Water Conservation.* The Village shall actively enact regulations to ensure all residents and businesses reduce and conserve potable and non-potable water to the maximum extent possible.

Policy 1D.2.2: *Irrigation*. The Village shall not require irrigation and set permanent water restrictions if irrigation is used in order to conserve water resources and shall encourage the use non-potable and/or reclaimed water for landscaping and lawn care.

Policy 1D.2.3: *Coordination*. The Village shall Coordinate with Miami-Dade County Water and Sewer Department (WASD) and South Florida Water Management District (SFWMD) to implement water demand management requirements as well as cooperate with these entities for mandated emergency water conservation measures.

Policy 1D.2.4: *Regulations*. The Land Development Regulations (LDR) shall maintain regulations regarding water restriction, State of Florida Yards and Neighbors Program, and Florida Friendly landscaping in an effort to conserve water within the community.

Objective 1D.3: *Protect Water Quality*. The LDR shall maintain regulations and monitoring techniques to protect water quality and preserve and enhance the functions of natural groundwater aquifer recharge and natural drainage features.

Policy 1D.3.1: *Water Quality Protection*. Water quality shall be protected, including through stormwater best management practices and requirements that mandate acceptable paving and drainage plans, adequate open (pervious) space areas, and stormwater detention and retention in development projects. All development projects shall use retention, infiltration, and detention systems as required by the Land Development Regulations (LDR), state, and regional standards.

Policy 1D.3.2: *Water Quality Standards*. The Village shall continue to enforce all Florida Department of Environmental Protection (FDEP), South Florida Water Management District (SFWMD), and Miami-Dade County water quality standards in order to protect, conserve, maintain, and improve the water quality of the community's water bodies and natural groundwater resources.

Policy 1D.3.3: *Coordination.* The Village shall coordinate with the Miami-Dade County and FDEP to conduct routine water quality tests in and adjacent to waterways and advocate for improvements where necessary to maintain acceptable water quality. The Village shall

also continue to coordinate with the Biscayne Bay Commission to protect the water quality of the Bay against stormwater impacts.

Policy 1D.3.4: *Septic to Sewer.* In order to protect water quality, the Village shall continue to support the conversion of septic tanks to centralized services and support the expansion of sanitary sewer service within the Village.

Policy 1D.3.5: *Groundwater Recharge.* The Village shall utilize the Stormwater Master Plan and LDR regulations to ensure that private development and public infrastructure projects maintain required surface water quality standards and serve to recharge the groundwater aquifer. The Village shall also monitor and identify any groundwater recharge deficiencies and coordinate with local, state, and federal agencies in protecting the functions of natural groundwater recharge areas and natural drainage features in the community.

Policy 1D.3.6*:* *Projects.* The Village shall identify and participate in projects outside of its jurisdiction for issues that could negatively affect the Village's groundwater systems in order to create solutions to mitigate these affects.

Policy 1D.3.7: *Protection of Waterwells.* The LDR shall contain performance criteria designed to protect potable water supply and quality by restricting land development within public water well cones of influence in order to avoid potential adverse impacts on potable water resources.

Policy 1D.3.8: *Low Impact Development (LID).* The Village shall promote environmentally friendly, LID strategies and best management practices that further protect water quality (*See Future Land Use Element).*

DRAFT

CHAPTER 2: COASTAL MANAGEMENT ELEMENT

Consistent with Florida Statutes (F.S.) 163.3177 the purpose of the Coastal Management Element of the Comprehensive Plan is to restrict and mitigate development activities that may damage or destroy coastal resources and to develop process that ensure new development or redevelop is designed to protect human life, and critical infrastructure, and to limit public expenditures in areas that are subject to natural disaster.

Goal 2A — Flood Protection and Resiliency

Protect the Village's communities, residents, and critical assets from the effects of climate change and avoid loss of coastal zone resources through the identification of resilience strategies to reduce the risk of flooding from sea level rise, high-tide events, storm surge flash floods and stormwater runoff. Ensure that the protection of critical assets and communities from these events are considered in current and future planning and development scenarios, pursuant to F.S. 162.3177 (6)(g)(10).

Objective 2A.1 **Develop, maintain, and implement a Resilience Action Plan to include a Vulnerability Assessment, Adaptation Strategies, and Adaptation Action Areas.**

Policy 2A .1.1 *Integrate.* Integrate the results of the Resilience Action Plan into Palmetto Bay's and the County's Hazard Mitigation Plans to further assist the Village in emergency preparedness, response, and recovery, and community awareness.

Policy 2A.1.2 *Reduce Risk of Flood.* Incorporate Adaptation Strategies and Adaptation Action Areas into the Village's Comprehensive Plan to reduce the risk of flooding from sea level rise, high-tide events, storm surge flash floods and stormwater runoff.

Policy 2A.1.3 *Maintain*. The Village of Palmetto Bay's Vulnerability Assessment and Resilience Action Plan shall be updated every five years, consistent with F.S. 380.093 F.S.

Policy 2A.1.4 *Identify Resources*. Pursue additional funding options for the recommended projects from the Resilience Action Plan to adapt the Village's critical assets and mitigate the impacts from Climate Change. As funding becomes available, include the projects in the Village's Capital Improvement Plan (CIP).

Policy 2A.1.5 *Improve*. Implement and integrate resilience strategies, protocols, and projects into the planning processes of Adaptation Action Areas. Document these efforts to improve the Village's Community Rating System (CRS) rating.

DRAFT

Policy 2A.1.6 *Encourage Nature Based Solutions*. Encourage the implementation of living shorelines and nature-based solutions to promote species diversity and sustainability, protect the coastline from erosion, and to restore altered beach and coastal systems pursuant to F.S. 163.3177(2)(e).

Policy 2A.1.7 *Evaluate.* Require state funded construction projects that are considered "at-risk due to sea level rise" per the statutory definition, to conduct a Sea Level Impact Projection Study consistent with F.S. 380.0937. Require the implementation of alternative design solutions to reduce the risk of property and danger to human lives and loss of property from flooding, sea level rise, storm surge, and high-tide events.

Objective 2A.2 Reduce natural hazard impacts through compliance with Federal Emergency Management Agency (FEMA) regulations and by targeting repetitive flood loss and vulnerable properties for mitigation.

Policy 2A.2.1 *Ensure Consistency*. Any variance requested under the Land Development Regulations for required flood elevations shall not be approved unless allowable under Florida Building Code (FBC) and is documented to be in the best interest of public health, safety, and welfare of Palmetto Bay.

Policy 2A.2...2 *Protect.* The Village shall minimize the disturbance of natural shorelines that provide stabilization and protect landward areas from storm impacts.

Policy 2A.2.3 *Participate*. The Village will participate in the FEMA's National Flood Insurance Program (NFIP), and the Community Rating System pursuant to F.S. 163.3178(2)(f)(6)

Policy 2A.2.4 *Fund.* The Village shall provide annual funding to maintain and enhance the Community Rating System to assist in reducing flood insurance rates for residents.

Policy 2A.2.5 *Maintain*. The Village shall maintain records consistent with the Federal Insurance Administration's listing of community selection factors for assistance in purchasing properties under Section 1362 of the National Flood Insurance Act

Policy 2A.2.6 *Elevation Certificates.* Surveyors and mappers shall submit FEMA elevation certificates to the Florida Division of Emergency Management, pursuant to F.S. 427.0366.

Goal 2B <u>Coastal High Hazard Area (CHHA)</u>

Protect human life and limit public expenditures that subsidize private development within the CHHA, as defined in F.S. 163.3178(2)(h).

Objective 2B.1 Discourage new development in the Coastal High Hazard Area (CHHA) and where necessary, ensure that development is low-density, built consistent with or exceeds building requirements, and is compatible with the existing character, protects the public and critical assets, while minimizing degradation of and harmful impacts to the public and natural environment.

Policy 2B.1.1 *Acknowledge*.The Village of Palmetto Bay recognizes that the boundaries of its Coastal High Hazard Area (CHHA) shall be the area below the elevation of the category 1 storm surge line as established by a computerized storm surge model, such as SLOSH. The Village of Palmetto Bay CHHA boundary is derived from the Florida Statewide Regional Evacuation Study.

Policy 2B.1.2 *Protect.* The Village shall further protect coastal areas by studying areas contiguous to the CHHA for rezoning to conservation or parks land use.

Policy 2B.1.3 *Removal of property.* Consistent with F.S. 163.3178 (2)(f)(1), develop and update land development techniques and best practices that will result in the removal of coastal real property from flood zones designation established by Federal Emergency Management Agency (FEMA).

Policy 2B.1.5 *Limit.* The Village shall ensure that existing residential development remains at a low density and shall encourage more dense development outside of CHHA and away from the shoreline to reduce the impacts of flooding, sea level rise and storm surge on community properties and assets.

Policy 2B.1.4 *Discourage growth*. The Village shall consider the creation and adoption of development and redevelopment strategies and techniques, such as the Transfer of Development Rights, that discourage growth within the CHHA.

Policy 2B.1.5 *State Standards.* Protect public investments in areas vulnerable to natural disasters by constructing improvements in accordance with standards maintained by the Florida Department of Environmental Protection (FDEP).

Policy 2B.1.6 *Coastal Construction Control Line.* Pursuant to F.S. 161 require that all construction activities that fall within the Coastal Construction Control line established pursuant to F.S. 161.053, also be consistent with F.S. 161.

Policy2B.1.7 *Consistency with Florida Building Code.* Consistent with F.S. 163.3178(2)(f)(4), require the enforcement of flood resistant construction requirements that are consistent with, or more stringent than, regulations contained in the Florida Building Code and applicable floodplain management Federal regulations set forth in 44 C.F.R, part 60.

Policy2B.1.8 *Reduce Hurricane Evacuation Clearance Time.* Consistent with F.S. 163.3178(8)(a), the Village will reduce or maintain a maximum hurricane evacuation clearance time of 10.0 hours for the Hurricane Vulnerability Area (HVA) measured using the methodology assumed in the South Florida Regional Planning Council "Hurricane Evacuation Study." To this end, no comprehensive plan amendments or development applications should be approved that increase densities or intensities beyond those depicted on the Future Land Use Map for lands within the HVA without proper analysis to determine compliance with this policy for hurricane evacuation clearance time. A 12-hour evacuation time to shelter is maintained for a category 5 storm event as measured on the Saffir-Simpson scale and provide shelter space reasonably expected to accommodate expected needs.

Policy2B.1.9 *Evaluate Hurricane Evacuation Impacts.* In accordance with F.S. 163.3178 (8)(a), all proposed large-scale amendments to this Comprehensive Plan and/or applications for development review shall be evaluated for significant impacts to evacuation routes and times and for significant impacts to current available off-site sheltering capacities. If the evaluation indicates inadequate capacity to accommodate the new

development, appropriate mitigation activities may be accepted through a developer agreement to satisfy the generated demand.

Policy 2B.1.10 *Establish Resilience Review Protocols*. Consider the impacts of climate change, sea level rise, storm surge, king tides and flooding on new and redevelopment in the CHHA through the development of a risk-based review protocol for new development or redevelopment withing the CHHA and contiguous areas.

Policy 2B.1.11 *Preserve Historical Resources*. Provide for the retention, rehabilitation, and protection of designated historic, cultural, and archaeological resources in the CHHA. The Village will ensure that proposed developments and redevelopment activities eliminate or mitigate the adverse impacts to designated historic, cultural and archaeological resources, pursuant to F.S. 3177 (6)(g)(9).

Policy 2B.1.12 *Green Building Requirements*. Encourage the use of pervious materials for landscaping, patios, and driveways and other green building techniques to reduce stormwater runoff and mitigate flooding.

Objective 2B.2 Limit investment in new infrastructure in the Coastal High Hazard Area (CHHA) and focus new infrastructure in areas necessary to meet adopted levels of service. Ensure that infrastructure is designed to mitigate against flooding, sea level rise and storm surge, while minimizing degradation of and harmful impacts to the public and natural environment.

Policy 2B.2.1 *Limit Infrastructure Improvements*. The Village will ensure that infrastructure within the Coastal High Hazard Area (CHHA) is provided in accordance with the adopted level of service standards set forth in the Transportation Element, Infrastructure Element, and Capital Improvements Element to serve development and redevelopment that enhances coastal resource preservation, community safety, and safe evacuation.

Policy 2B.2.2 *Focus Infrastructure Improvements*. Infrastructure investments and improvements shall be diverted from the CHHA to be focused in support of development and economic activity along the US-1 corridor.

Policy 2B.2.3. *Limit Public Funding.* The Village shall not utilize public funds for infrastructure expansion or improvements in the CHHA unless such funds are necessary to:

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

Policy2B.2.4 *Maintain*. Notwithstanding the provisions under Policy 2B.2.3, expenditures for flood control, natural resource enhancements, or the maintenance of existing utilities and services, including fire and recreation, shall be permitted in the CHHA

Policy2B.2.5 *Planned Government Infrastructure.* Infrastructure improvements related to wetland restoration, flood mitigation or improved government facilities and projects within

the CHHA shall be identified and phased in accordance with the Capital Improvements Element, as adopted and amended.

Policy 2B.2.6 *Privately-owned Facilities*. The Village will not accept operation and maintenance responsibility for private roads or facilities located within the CHHA.

Policy 2B.2.7 *Protect.* A priority for infrastructure improvements targeted for the CHHA shall be to construct these new public facilities and services to a standard that reduces exposure to human life through natural hazards and/or improves evacuation clearance times. Infrastructure improvements focused on regional restoration efforts shall be prioritized.

Policy 2B.2.8 *Stormwater Master Plan Consistency*. Require supporting infrastructure for new development or redevelopment within the CHHA that is consistent with the Stormwater Master Plan and considers current and future flooding estimates and at-risk areas as identified in the VA.

Policy 2B.2.9 *Preserve*. Consistent with F.S.3178(2)(c), protect and preserve the estuarine ecosystem and water quality of the Village's coastal area and Biscayne Bay through the control of stormwater runoff from point sources and non-point sources, and the implementation of projects and programs in the National Pollution Discharge Elimination System (NPDES) to reduce water pollution.

Policy 2B.2.10 *Encourage*. Encourage the use of nature-based stormwater solutions for new or redevelopment in the CHHA and develop a library of nature-based solution resources for applicant considerations.

Objective 2B.3 Direct Population concentrations away from the Coastal High Hazard Area (CHHA), by discouraging new growth and limiting densities and intensities.

Policy 2B.3.1 *Discourage growth*. The Village shall direct population concentrations away from the known or predicted Coastal High Hazard Area (CHHA) as defined in F.S. 163.3178 (2)(h) by not locating infrastructure beyond that which is necessary to service development potential depicted on the Future Land Use Map.

Policy 2B.3.2 *Maintain*. The Village shall not increase densities or intensities in the CHHA beyond those depicted on the Future Land Use Map.

Policy 2B.3.3 *Limit*. Infill or redevelopment densities or intensities in the CHHA shall not exceed those depicted in the adopted Future Land Use Map.

Policy 2B.3.4 Infrastructure such as water and sewer upgrades shall be prioritized outside of the CHHA.

Goal 2C <u>Emergency Management, Post Disaster Redevelopment, and Hazard Mitigation</u>. Collaborate with the Miami-Dade County Office of Emergency Management (OEM) to minimize hurricane evacuation times and ensure adequate shelter capacity for residents during mandatory hurricane evacuation orders. Assist

OEM in the development and implementation of post-disaster redevelopment and hazard mitigation plans that reduce or eliminate exposure of life and property to natural hazards towards the protection of health, safety, and welfare within the Village.

Objective 2C.1 **Continue to cooperate and share information with the Miami-Dade County Office of Emergency Management (OEM) to maintain or reduce predicted hurricane evacuation times, ensure adequate shelter capacity for residents during mandatory hurricane evacuation orders and keep the public informed**

Policy 2C.1.1 *Provide Data*. Provide land use and population data, as appropriate, to the Miami-Dade County Office of Emergency Management (OEM) for inclusion in the most current Comprehensive Emergency Management Plan (CEMP).

Policy 2C.1.2 *Coordinate.* Deficiencies in hurricane evacuation times or facilities that arise in the future shall be analyzed, planned for, and reflected by amendments to this Comprehensive Plan after close coordination with officials for the Miami-Dade County OEM.

Policy 2C.1.3 *Participate.* The Village of Palmetto Bay will continue to participate in regular coordination meetings of local and regional evacuation planning professionals and maintain a liaison with the Miami-Dade County Emergency Operations Center during a state of emergency to participate in the County's administration through the State of Florida emergency warning system.

Policy 2C.1. 4 *Identify Vulnerable Populations*. Continue to coordinate with officials for the Miami-Dade County OEM to identify "Persons with Special Needs" and inform these individuals of evacuation transportation and shelter services that may be available to them.

Policy 2C.1.5 *Inform the Public.* Help disseminate the public education program developed by the Miami-Dade County OEM prior to the hurricane season to notify households of their need to evacuate and seek safe shelter in the event of a hurricane. The public education program will also be used to convey emergency preparedness information.

Policy2C.1.6 *Maintain Timely Evacuation*s. The Village shall coordinate with the Miami-Dade County OEM to maintain an efficient and timely evacuation process in the case of a hurricane or tropical storm in accordance with Rules 9G-6 and 9G-7 of the Florida Administrative Code.

Policy 2C.1.7 *Improve Evacuation Routes*. The Village will work with county, regional, state, and federal agencies to improve critical evacuation route facilities, as identified in the Vulnerability Assessment, and improve signage and the availability of public transportation systems and services.

Policy 2C.1.8 *Coordinate Damage Assessments*. The Village will cooperate with the Miami-Dade County OEM to coordinate damage assessments with assistance from other federal, state, regional, and local governmental agencies.

Objective2C.2. ***Post Disaster Redevelopment and Hazard Mitigation.*** **Continue to participate in the development and implementation of Post Disaster Redevelopment and Hazard Mitigation Plans with Miami-Dade County Office of Emergency Management (OEM) and ensure that redevelopment is consistent with state and County requirements to protect the health, safety and welfare of Village residents.**

Policy 2C.2.1 *Coordinate.* The Village will coordinate with Miami-Dade County regarding existing resource protection plans (such as the Manatee Protection Plan) through appropriate regulatory procedures.

Policy 2C.2. .2 *Enforce.* The Village shall enforce applicable recommendations of post disaster hazard mitigation plans required under Section 405 of the Federal Disaster Relief Act of 1974.

Policy 2C.2.3 *Comply.* Long-term redevelopment following a major hurricane event shall be conducted in accordance with standards maintained by the Florida Department of Environmental Protection.

Policy 2C.2.4 *Redevelopment Plan*. Participate in the preparation and adoption of a county-wide post disaster redevelopment plan that establishes an orderly process for reviewing private and public redevelopment proposals to restore the economic and social viability of the Village in a timely fashion.

Policy 2C.2.5 *Eliminate*. As opportunities arise, eliminate unsafe conditions, inappropriate uses and redevelopment in the Coastal High Hazard Area (CHHA) in accordance with recommendations in the post-disaster redevelopment plan.

Policy 2C.2.6 *Village Flood Plain Management Regulations*. If rebuilt, structures with damage exceeding forty-nine percent (49%) of pre-storm market value shall be constructed to ensure compliance with the most current version of the Florida Building Code.

Policy 2C.2.7 *Rebuilding.* During post-disaster redevelopment, structures that suffer repeated damage to pilings, foundations, or load bearing walls shall be required to rebuild landward of their present location and/or be structurally modified to meet current flood criteria, elevations, and building codes standards.

Policy 2C.2.8 *Temporary Building Moratoriums*. Temporary building moratoriums may be declared in the CHHA when fifty percent (50%) or more of the homes and businesses have been destroyed in order to assess impacts and options for redevelopment.

Policy 2C.2.9 *Infrastructure Replacement.* Critical infrastructure located in the CHHA that is damaged or needs to be replaced shall be evaluated to see if the location can be moved inland outside of the CHHA or replaced taking into consideration sea level rise, larger typical storm types and larger flood events due to global warming effects.

Policy 2C.2. 10 *Identify Repetitive Flooding*. Areas that have sustained repetitive insurance claims due to flooding, storm surge, building technology or other factors that could be mitigated must be considered for resiliency upgrades or acquisition in accordance with F.S. 163.3177(6)(g)(10)

Policy 2C.2.11 *Integrate.* Incorporate the results of the Vulnerability Assessment and Resilience Action Plan into the Hazard Mitigation Plan to reflect at-risk communities and assets and to implement recommended adaptation strategies.

Goal 2D Public Access to the Shoreline

Consistent with F.S. 163.3178(2)(g), the Village shall continue to maintain and preserve the amount of shoreline devoted to public accessible uses in Palmetto Bay to promote water-based tourism and recreational activities.

Objective 2D.1 Encourage Maintenance of Existing Access Locations and Encourage the Provision of New Access Locations the Shoreline to Promote Water-based Recreational Activities.

Policy 2D.1.1 *Protect*. The Village shall ensure that new and existing public access locations to the shoreline do not degrade or endanger the natural environment.

Policy 2D.1.2 *Maintain*. The Village shall encourage maintenance of existing recreational access locations to the shoreline.

Policy 2D.1.3 *Prioritize*. The Village will continue to place a high priority on promoting water-related land uses and new locations for public access along the shoreline to support water-based recreational activities and tourism.

Policy 2D.1.4 Incentivize. Establish standards within the Land Development Regulations that incentivize the creation of future public access locations for water-related recreational activities.

Objective 2D.2 Identify Opportunities to Acquire Additional Coastal Properties.

Policy 2D.2.1 Prioritize. The Village will continue to place a high priority on the acquisition of unprotected coastal lands for use as parks and preserves that provide public access for residents and visitors alike to the shoreline.

Policy 2D.2.2 *Identify*. Consistent with F.S. 163.3178(7), the Village shall coordinate with Miami-Dade County in the identification and prioritization of coastal properties suitable for acquisition as part of the state's land acquisition programs.

DRAFT

CHAPTER 3: FUTURE LAND USE ELEMENT

GOAL 3A ***Future Land Uses.*** **The Village shall establish and maintain Future Land Uses that enable sustainable, predictable, and efficient infill growth within the Village.**

Objective 3A.1: ***Protect Sense of Place*****. The Village shall establish and maintain Future Land Use categories that protect the Village's existing high quality of life and sense of place.**

Policy 3A.1.1: *Density.* Residential development shall be limited by density, measured as allowable dwelling units per gross acre (DUA), per FS 163.3177(6)(a). All residential densities stipulate the maximum densities permitted for development on the land, however, the maximum density is not guaranteed by right once all regulations are applied to the site.

Policy 3A.1.2: *Intensity.* Non-residential development shall be limited by intensity, measured by height, square footage, or as Floor Area Ratio (FAR), whichever is less. All non-residential intensities stipulate the maximum intensities permitted for development on the land however, the maximum intensity is not guaranteed by right once all regulations are applied to the site.

Policy 3A.1.3: *Future Land Use Map* (*FLUM).* The Village shall establish and maintain Future Land Use categories**.** These categories shall be used to designate lands on the FLUM in order to accommodate, at a minimum, the projected residential population growth based on medium projections through the 20-year planning period as required by Florida Statutes 163.3177(1)(f)(3).

Objective 3A.2: ***Establish Residential Future Land Uses.*** **The residential land use categories shall designate residential uses in successive density.**

Policy 3A.2.1: *Estate Density Residential (EDR).* The residential densities allowed in the EDR category shall not exceed a maximum of 2.5 dwelling units per gross acre (DUA). The EDR category shall be comprised primarily of detached single-family homes on relatively large lots. Consistent with Policy 8B.1.2, the Village shall evaluate the appropriateness of allowing accessory Dwelling Units (ADUs) in this land use category (*See Housing Element*).

Policy 3A.2.2: *Low Density Residential (LDR).* The residential densities allowed in the LDR category shall not exceed a maximum of 6 DUA. This category shall be comprised primarily of detached single-family housing and townhouses.

Policy 3A.2.3: *Low-Medium Density Residential (LMDR).* The residential densities allowed in the LMDR category shall not exceed a maximum of 13 DUA. The LMDR category shall be comprised primarily of single-family homes, townhouses, and low-rise condominiums/apartments.

Policy 3A.2.4: *Medium Density Residential (MDR).* The residential densities allowed in the MDR category shall not exceed a maximum of 23 DUA. The MDR category shall be comprised primarily of townhouses, low-rise condominiums/apartments, and medium-rise condominiums/apartments, with ground floor retail allowed.

Policy 3A.2.5: *Supporting Residential Utilities.* The Land Development Regulations (LDR) shall allow small-scale public facilities and utilities intended to serve the immediate needs of a residential community to be permitted on compatible sites in all residential land use categories subject to adequate design and buffering.

Objective 3A.3: *Establish Non-Residential and Mixed-Use Future Land Uses.* The non-residential and mixed-use land use categories shall promote the efficient use of land in areas with adequate existing utilities to provide for economic development opportunities.

Policy 3A.3.1: *Commercial (C).* The non-residential intensity allowed in the Commercial category shall be 0.4 floor area ratio (FAR) for the 1st story plus 0.11 FAR for each additional story up to five (5) stories. The residential densities allowed shall not exceed a maximum of 24 DUA. The Commercial category shall be comprised primarily of commercial, general retail sales, office, storage, and restaurants and bars and may include hotels. Each hotel room shall be measured at 0.5 of a dwelling units per gross acre (DUA).

Policy 3A.3.2: *Neighborhood Compatible (NC).* The NC is a category that may be utilized as a transition between commercial and residential land use districts and 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. The non-residential intensity shall not exceed a maximum of 0.4 FAR for a 1-story building and 0.6 for a 2-story building while residential density shall not exceed a maximum of 13 DUA.

Policy 3A.3.3: *Downtown (D).* The Downtown category shall encourage development or redevelopment that seeks to facilitate multi-use and mixed-use projects which encourage mass transit, reduce the need for automobile travel, provide incentives for quality development, provide for the efficient use of land and infrastructure, provide for urban civic open space, and give definition to a pedestrian urban form. The Downtown category is intended to support a residential to non-residential balance that increases opportunities for transportation demand management alternatives, including, but not limited to walking and transit, reduced vehicle miles traveled, and reduced single use trips. The Downtown category shall serve as a significant multifamily, employment, office, and commercial center of the Village as well as implement the following:

- Focus on the effective mix of office, service, retail, entertainment, residential, community facilities, open space, and transportation uses that will promote a lively, livable, and successful downtown area;
- Encourage a pedestrian oriented core;

- Promote alternative forms of transportation as an alternative to the automobile;
- Require wider sidewalks and bicycle lanes;
- Encourage the integration of transportation and transit systems with land use;
- Allow for development and redevelopment activities at varying density and intensity ranges, and allow for the transfer of densities and intensities to properties within the boundaries of the Downtown, as may be permitted by the Village;
- Promote compact, innovative land development; and
- Promote creative situating of buildings, transportation routes, and open space to create vistas that will unite the downtown areas.

The Downtown Category shall permit a total of 2,500 residential dwelling units. The maximum density and intensity for each sector of the Downtown is as follows:

- Main Street Sector – 32 DUA; Single Use Commercial and Stacked Apartment: Max. 50 ft Height / Min. 2 stories / Max. 4 stories; Mixed-use: Max. 65 ft. Height / Min. 2 stories / Max. 5 stories
- Island Sector – 54 DUA; Max. 65 ft. Height / Min. 2 stories / Max. 5 stories
- Eureka Sector – 43 DUA; Max. 65 ft. Height / Min. 2 stories / Max. 5 stories
- Neighborhood Sector – 24 DUA; Max. 36 ft. Height / Min. 2 stories / Max. 3 stories. Single-Family Detached buildings are exempt from 2 story minimum.

Community facilities will continue to be permitted with the Downtown designation. Industrial uses and those uses which are determined to be detrimental to the goals of the Downtown are prohibited. The Village may use innovative land development regulations such as transit and pedestrian-oriented development, transfer development rights, development bonuses and minimum land use densities/intensities to ensure an appropriate land use pattern for the Downtown. These regulations shall promote effective multi-modal transportation.

Policy 3A.3.4: *Village Mixed Use (VMU).* The land use designation is designed to encourage compact, mixed-use development comprised of business, office, residential, civic, institutional, recreation, open space, and hotel. Development must emphasize the efficient reuse of existing infrastructure, preservation of natural systems, integration of pedestrian and bicycle facilities, and an urban form characterized by close-knit neighborhoods and sense of community. The minimum VMU parcel size is 25.0 gross acres. Each parcel must also adhere to a unified "Development Plan" established through a public charrette process to specify the permitted uses, densities/intensities, building scale and types, and design features and controls. Residential density shall range from a minimum of 5.0 to a maximum of 10.0 dwelling units per gross acre, subject to the approved Development Plan. Non-residential intensities should average a floor area ratio (FAR) of 0.5; subject to limits adopted as part of an approved "Master Plan".

The mix of uses proposed in any "Master Plan" accepted by the Village Council for a VMU site will be adopted into the Future Land Use Element of this Comprehensive Plan during the next regularly scheduled amendment cycle.

The Palmetto Bay Village Center is an 80.0 acre site located northeast of the intersection of SW 184th Street and Old Cutler Road and is subject to the Master Plan accepted by the Village Council in October 2004. Approximately 39 acres of that land is designated "Village Mixed Use" which may include the following maximum development potential:

- Multifamily residential, including but not limited to Apartment Building, Rowhouse/Townhouse, and/or Senior Living Facilities – up to 400 units
- Commercial – incidental and supporting uses
- Office – up to 315,000 square feet (including ancillary uses).
- Any increase in commercial square footage or residential units approved by Transfer of Development rights pursuant to applicable Code shall not exceed maximum permitted land use density by more than 25%.

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

Policy 3A.3.5: *Institutional Public Facilities (IPF).* The maximum non-residential intensity allowed in the IPF category shall be 0.4 FAR for the 1st story, plus 0.11 FAR for each additional story up to 6 stories. The residential densities allowed in the IPF category shall not exceed a maximum of 13 DUA. The IPF category is intended to be comprised primarily of public and semi-public services including hospitals, offices, schools and colleges, medical facilities, fire-rescue stations, libraries, solid waste transfer stations, utility plants and facilities, and government offices and facilities. Internally integrated business/office areas, up to 10% of the total development floor area, may also be allowed. This category also allows for public private partnerships on Village owned parcels. Major utility facilities should be located away from residential areas and completely screened from surrounding uses.

Objective 3A.4: *Establish Environmental and Recreational Future Land Uses.* The environmental and recreational future land use categories shall designate areas that preserve natural resources or promote parks and recreational uses.

Policy 3A.4.1 *Environmental Protection (ENV).* The ENV category shall designate environmentally-sensitive lands. No development except low intensity, passive recreational uses shall be permitted.

Policy 3A.4.2: *Parks, Recreation, and Schools (PKS).* The PKS category shall designate passive and active park sites and school sites with ancillary support uses also allowed. Parks and schools should be integrated into the surrounding neighborhoods and provide for accessible non-vehicular routes of entry (*See Recreation and Open Space Element and Educational Facilities Element*).

Policy 3A.4.3: *Water Management and Recreation (WMR)*. The WMR land use category shall be for lands approved by the South Florida Water Management District. The purpose of the WMR category is to designate areas that are to be utilized for water management, maintenance of waterways, and stormwater management/flood control and may capture recreational uses in the vicinity of these water management resources such as trails or access points into parks. No residential or non-residential development shall be permitted.

GOAL 3B: ***SMART GROWTH PATTERNS.*** **The Village shall guide patterns of land uses through smart growth principles in order to retain the Village's unique sense of place, high quality of life, and sustainability.**

Objective 3B.1: ***Guide the Future Uses of Land.*** **Smart growth principles and interpretive text shall guide where each category is assigned on the Future Land Use Map (FLUM).**

Policy 3B.1.1: *Smart Growth.* The Village shall promote smart growth principles that guide future growth in an intentional way that preserves the existing residential character of the community, encourages economic stability, and discourages land use patterns indicative of urban sprawl. This includes encouraging infill development in otherwise built-up areas and guiding density and intensity development in proximity of US-1 around nodes of existing activity in order to promote compact building design, walkability, and a mix of uses, as well as the efficient use of public transit, existing utility capacity, and resources.

Policy 3B.1.2: *Transitions and Compatibility.* The assignment of Future Land Use categories on the Future Land Use Map (FLUM) shall promote orderly land use transitions and the Land Development Regulations (LDR) shall have standards in place requiring developments to be designed in a way that enhances the identity, appearance, and vitality of the community while utilizing appropriate compatibility measures, such as buffering, to protect single-family residential areas.

Policy 3B.1.3: *Waterfront.* Consistent with F.S. 163.3177(6)(a)3.c., a high priority shall be placed on maintaining existing water-dependent and water-related land uses for public access along the shoreline. The LDR shall allow appropriate flexibility to encourage and enhance public access in the Village's coastal waterfront.

Policy 3B.1.4: *Economic Development.* The Village will encourage economic infill development along US-1 targeteing locally owned businesses that foster economic development that result in responsible growth for the Village.

Policy 3B.1.5: *Transfer of Development Rights.* The Village shall maintain standards in the LDR that permit and regulate the transfer of development rights (TDRs). TDRs may be used to, but not limited to, preserve environmentally sensitive lands, to increase available park

land, preserve existing low density residential neighborhoods, to facilitate appropriate redevelopment and revitalization, or to facilitate economic development.

Objective 3B.2 ***Maintain a Sustainable Community.*** **The Village shall designate the future uses of land in an intentional way that promotes a mix of the built and natural environment and creates a sustainable community.**

Policy 3B.2.1: *Environmental Protection*. The LDR shall maintain standards to protect and enhance, to the maximum extent possible, environmentally important natural systems, wildlife habitats and corridors, and historical and archeological resources (*See Conservation and Sustainability Element*).

Policy 3B.2.2: *Low Impact Development (LID).* The Village shall encourage land and water resource best management practices and promote environmentally friendly, low-impact designs with greater permeability closer to the coastal area, where complete utilities may not yet be provided.

Policy 3B.2.3: *Coastal High Hazard Area (CHHA).* Densities or intensities in the CHHA, as defined by Florida State Statute (F.S.), shall not be increased beyond those depicted on the Future Land Use Map (FLUM) (*See Coastal Management Element*).

Policy 3B.2.4: *Tree Cover.* In order to promote a sustainable and beautiful community, the LDR shall encourage existing mature vegetation and distinctive trees to be retained and protected in developments for the health of these natural resources and to retain the existing tree canopy cover (*See Conservation and Sustainability Element*)

Policy 3B.2.5: *Tree-lined Streets.* The Land Development Regulations (LDR) shall promote the maintenance of tree-lined streets in accordance with the Street Tree Master Plan and promote the planting of new trees and proper landscaping. (*See Conservation and Sustainability Element*).

GOAL 3C: ***Implement and Monitor the FLUM*: The Village shall implement and Monitor the FLUM, considering all Elements of this Comprehensive Plan.**

Objective 3C.1: ***Implement Large-Scale Planning*. The Village shall implement and monitor the Future Land Use categories on the Future Land Use Map (FLUM), which are designed to be general categories for large-scale planning over the comprehensive planning 20-year period of time.**

Policy 3C.1.1: *Implementation.* The Village shall implement the Future Land Use Map (FLUM) and this Comprehensive Plan, designed to adequately plan for the projected population, utility capacity, roads, schools, parks, and other infrastructure needed to sustain the Village's residents, businesses, and visitors.

Policy 3C.1.2: *Outdated Development Patterns.* Consistent with F.S. 163.3164(5), the Land Development Regulations (LDR) shall address antiquated subdivisions that have been

recorded or approved more than 20 years ago and that have substantially failed to be built and in which the continued buildout would cause an imbalance of land uses and would be detrimental to the local and regional economies and environment, hinder current planning practices, and lead to inefficient and fiscally irresponsible development patterns as determined by the respective jurisdiction in which the subdivision is located.

Policy 3C.1.3: *Monitoring.* The FLUM shall be analyzed annually to see if there have been any substantial changes to the planned future conditions. The Village Council shall receive a report from the Village staff about any proposed changes to the categories on the FLUM at the first public zoning hearing of each year.

GOAL 3D: ***Regulate Village Design*. The Village shall encourage architectural design that protects the Village's unique sense of place and create identifiable neighborhoods.**

Objective 3D.1: *Promote Design Standards.* The Land Development Regulations (LDR) shall promote design standards in commercial, mixed-use, and multi-family districts to allow for enhanced details and aesthetics in order to protect the community's appearance and promote a high quality of life for its residents.

Policy 3D.1.1: *High Quality of Life.* The Land Development Regulations (LDR) shall regulate design standards for specific districts, zoning categories, or geographic areas as deemed appropriate in order to maintain the high quality of life of residents.

Policy 3D.1.2: *Architecture.* The LDR shall identify appropriate architectural design elements for commercial, mixed-use, and multi-family districts.

Policy 3D.1.3: *Mixed-Use Character.* The Village shall encourage creative, yet proven, land development techniques for mixed-use developments, such as complete streets standards, to create pedestrian oriented streets, and internal to site development on sites adjacent to US-1 in order to enhance the character and functionality of those spaces.

Policy 3D.1.4: *Street Design*. The LDR shall regulate context-sensitive street design for within the community (*See Transportation Element*).

Policy 3D.1.5: *Removal of Off-Site Signage Distractions*. The Village shall prohibit all off-site advertising signage visible from the public right of way to prevent distracted driving dangers and encourage the enhancement of aesthetic landscaping that provides shaded sidewalks, streets and parking areas. The Village shall provide an amortization schedule for the removal of all existing off-site advertising signage including, but not limited to, billboards, kiosks, or other types of advertising on or visible from the public right-of-way in order to enhance safety, reduce distracted driving, and protect the unique character of the community's tree lined family friendly streets, and small Village aesthetic quality.

Policy 3D.1.6: *Safety.* The LDR shall utilize the principles of Crime Prevention Through Environmental Design (CPTED), or other similar programs, in regulating the design of buildings and placement of uses in order to increase the safety of neighborhoods and the community.

Policy 3D.1.7: *US-1 Aesthetic Entrance Overlay.* The Village shall consider the creation of a US-1 Aesthetic Entrance Overlay with the boundary to be determined by a safe streets analysis in order to make roadways safer for all users.

Policy 3D.1.8: The LDR shall address unique design features such as entry identification statements, waterway vistas, and public open space in order to maintain the Village's high quality of life.

Objective 3D.2: *Create and Maintain Master Plans.* The Village shall create and maintain Master Plans to allow for entire planned areas to be designed.

Policy 3D.2.1: *Maintain Existing Master Plans.* The Village shall maintain existing Master Plans including, but not limited to, the Resilience Action Plan, Bicycle and Pedestrian Master Plan, Stormwater Master Plan, and Street Tree Master Plan.

Policy 3D.2.3: *US-1 Gateway Boulevard Study.* The Village shall consider conducting a US-1 Gateway Boulevard Study that applies urban design, architectural design, and landscape regulations to this gateway street.

Goal 3E: *Implement Regulations through the* Land Development Regulations (*LDR*). The Village shall implement this Comprehensive Plan through the LDR (a.k.a. Zoning Code) which shall provide clear and concise regulations for implementing the Village's future vision.

Objective 3E.1: *Implement and Maintain the LDR.* The Village shall implement and maintain the LDR so that it is consistent with this Future Land Use Element and other applicable Elements of this adopted Comprehensive Plan.

Policy 3E.1.1: *Uses.* The Land Development Regulations (LDR) shall further regulate the placement of land uses and provide further restrictions as necessary to allow for proper transitions and the efficient use of the land based on the Village's vision.

Policy 3E.1.2: *Zoning.* The LDR shall maintain zoning districts that implement the intent of the Future Land Use categories and shall further define the allowed uses, density, intensity, setbacks, lot coverage, massing, and design guidelines within individual zoning districts, except as pre-empted by F.S. including, but not limited to:

- Consistent with F.S. 163.3208(4), new distribution electric substations shall be permitted in all FLUM categories (except preservation, conservation, or historic preservation).

- Consistent with F.S. 163.32051(3), floating solar facilities shall be a permitted use in the appropriate FLUM categories and the LDR shall promote the expanded use of floating solar facilities.

- Consistent with F.S. 559.955, a home-based business that operates from a residential property may operate in an area zoned for residential use.

- Consistent with F.S. 381.986, regulation of cultivation, processing, and delivery of marijuana by medical marijuana treatment centers is preempted to the state except as provided for in F.S. 381.986(11).

- Consistent with F.S. 509.032(7)(b), a local law, ordinance, or regulation may not prohibit vacation rentals or regulate the duration or frequency of rental of vacation rentals.

Policy 3E.1.3: *Developments.* The Village shall continue to include appropriate regulations in the LDR that require developments to address local topography, flooding frequency, soil, adequate drainage and storm water management, open space, vehicle parking, safe and convenient on-site traffic flow, and other applicable conditions.

Policy 3E.1.4: *Design.* The LDR shall incorporate and maintain regulations regarding the continual efforts associated with Tree USA, the Landscape Mitigation program, and the Art in Public Places (AIPP) program.

Policy 3E.1.5: *Schools.* Consistent with F.S. 163.3177(6)(a)3.d., schools shall be an allowable use in the Parks, Recreation, and Schools future land use category and the LDR shall encourage the location of schools proximate to residential areas as well as use opportunities to co-locate schools with public facilities such as parks, libraries, and community centers, however, adverse impacts to the tranquility of the residents shall be minimized to the maximum extent possible (*See Educational Facilities Element*).

Objective 3E.2: *Monitor the Land Development Regulations (LDR).* The Village shall monitor the LDR to incorporate appropriate changes as needed.

Policy 3E.2.1: *Monitoring*. The Land Development Regulations (LDR), including zoning districts, shall be monitored and maintained to stay in compliance with this Comprehensive Plan and may be updated at any regularly scheduled monthly Village Council zoning hearing.

Policy 3E.2.2: *Village Council*. The Village Council shall sit as the Local Planning Agency (LPA) as they have determined this will be in the best interest of the public and they will hear all applications for revisions to the LDR including its maps.

DRAFT

CHAPTER 4: RECREATION AND OPEN SPACE ELEMENT

Goal 4A ***Provide highest quality Parks Recreation and Open Space.*** **The Village shall provide parks, recreation and open space that benefits the community and retains the Village's brand as the Village of Parks.**

Objective 4A.1 ***Meet the Parks and Recreation Level of Service (LOS) Standard.*** **The Village shall provide a balanced, comprehensive system of active and passive parks consisting of pocket parks, greenways, trails, nature preserves, open spaces, public-private plazas, and recreational facilities that meet the needs of our residents.**

Policy 4A.1.1 *Capital Improvements.* Consistent with the Capital Improvements Element, the Village shall review the parks portion of the Capital Improvement Program (CIP) prior to preparation of the annual capital budget each year in order to incorporate new recreation sites, facilities, improvements, repairs, and general preventive maintenance into the budget request, as needed.

Policy 4A.1.2 *LOS Standard.* Through the maintenance and expansion of existing park facilities and the acquisition and/or development of new parks and open space, the Village shall achieve:

- A Village-wide Level of Service (LOS) Standard of 3.0 acres per 1,000 residents; and
- A separate LOS of .25 acres per 1,000 residents for developments within the Downtown area.

Policy 4A.1.3 *Parks Master Plan.* The Village shall maintain a Parks Master Plan in order to plan for future recreational needs and ensure the LOS standard is being met.

Objective 4A.2 ***Location and Design of Parks.*** **The Village shall regulate the design of parks and locate parks so that they are equally distributed throughout the community.**

Policy 4A.2.1 *Distribution of Parks*. The Village shall maintain a balance of active parks, passive parks, and natural areas to meet the needs of Village residents, and seek future opportunities to increase the number of parks/pocket parks and public-private plazas within ¼ to ½-mile distance of neighborhoods.

Policy 4A.2.2 *Quality of Parks.* The Village shall ensure recreational facilities are well-managed, and well-maintained, and that quality recreation programs are available to all residents. This shall be partially achieved by keeping an up-to-date inventory of park facilities and sites, and surveying the park and recreational needs of Village residents on a regular basis.

Policy 4A.2.3 *Design of Parks.* Public parks and facilities shall be designed and constructed compatible with the character and quality of onsite natural resources. All plans for development or redevelopment of parkland resources shall incorporate creative concepts of urban design and landscape with unique natural features of the site. The designs shall provide a circulation system to minimize conflict between pedestrians

DRAFT

and vehicles, and adequate landscape and screening to protect the integrity of established residential areas and enhance community appearance.

Policy 4A.2.4 *Promote Sustainable Development Concepts*. The Village shall utilize native plants and Florida Friendly Landscape techniques when landscaping is added or updated in parks, recreation facilities, and open spaces. The Village shall also utilize low-impact development strategies to reduce stormwater runoff from parks and recreation facilities as well as provide for adequate trash bins and promote recycling and signage discouraging littering at parks.

Policy Recycling. All public spaces shall provide adequate trash and recycling bins with signage discouraging littering at parks.

Policy 4A.2.5 *Mixed-Use Developments.* The Village shall ensure ample parks and open space is a key component in the development of mixed-use areas.

Policy 4A.2.6 *Landscaping.* The Village shall keep a maintenance schedule for updating the landscaping within all Village parks in order to provide for appropriate tree canopy, provide support for the indigenous flora and fauna, and provide for drought resistant, indigenous trees in parks.

Policy 4A.2.7 *Community-Oriented Programming.* The Village may activate public recreation spaces by providing community events, public art, or community centers as appropriate.

Policy 4A.2.8 *Recreational and Educational Programs.* The Village shall work with civic and non-profit groups to provide recreation programs, such as baseball, soccer, and softball, for residents within public parks and may use park and recreation resources for year-round environmental education as well as other adaptive educational programs for all age groups.

Policy 4A.2.9 *Waterways.* The Village may assess high priority waterway networks, including boating, kayak, and canoe trail ways, and other water transportation options in recreation planning and may analyze the need for additional boat ramp and parking facilities.

Objective 4A.3 ***Park Land Acquisition.*** **The Village shall continue to explore opportunities to acquire land necessary for maintaining and enhancing the parks, strategically located in order to maximize accessibility to residents served.**

Policy 4A.3.1 *Vacant Property Inventory.* The Village shall prepare on an annual basis a vacant property inventory to identify potential properties for future parks and/or linear open spaces and especially for pocket parks.

Policy 4A.3.2: *Priority Sites.* The Village shall give high priority to acquisition of lands in the Coastal High Hazard Area (CHHA), in or adjacent to jurisdictional wetlands, in floodplains, in conservation lands, in environmentally sensitive lands, and other similar areas for passive recreational land, provided that that the Village determines that recreational use of these sites would not endanger the public health, safety, welfare, environment, marine life, or flora and fauna.

Policy 4A.3.3 *Acquired Site Developments*. Development of the acquired sites shall be consistent with specific plans designed to:

- achieve cost efficiency;
- fulfill the spatial and functional needs of the intended uses;
- enhance the appearance of the Village; and
- establish highly visible Village focal points which reinforce a sense of community.

Policy 4A.3.4 *Waterfront Access.* The Village shall protect existing and seek to expand its parks, trails, and natural preserves adjacent to Biscayne Bay (See Conservation and Sustainability Element).

Policy 4A.3.5 *Grant Funding.* The Village may maximize grant funding for all future Village parks and recreation projects.

GOAL 4B ***Provide Access.*** **The Village shall make public recreational facilities highly accessible to bicycles and pedestrians whenever feasible.**

Objective 4B.1 ***Maintain Park Accessibility.*** **The Village shall provide for accessibility to all parks and recreation spaces.**

Policy 4B.1.1 *Mobility Access.* The Village shall ensure bicycle and pedestrian access where feasible to all recreation sites and internal pedestrian access to all recreation facilities. Whenever possible, site access shall be connected to existing sidewalks and pathways providing access to the community at large.

Policy 4B.1.2 *Bicycle Facilities.* As future roadway improvements are analyzed and designed, the Village shall provide for non-motorized transportation needs using Florida Department of Transportation (FDOT) design standards for on street and off-street bicycle facilities.

Policy 4B.1.3 *Universal Design*. In planning and designing park entrances, buildings, circulation, and facilities, access for all user regardless of abilities shall be provided through universal design to ensure equitable access.

Policy 4B.1.4 *Parking.* The Village shall continue to look for opportunities to provide parking spaces and bicycle racks at recreation sites where they are deemed lacking or inadequate.

Policy 4B.1.5 *Trails.* The Village will pursue the expansion of the existing network of shared use paths and trails to connect the Village's parks, schools, public facilities, transit corridors and mixed-use areas in a comprehensive, connected system with our neighboring municipalities. The Village will collaborate with Miami-Dade County parks, trails, and bicycle lanes within the village limits.

Policy 4B.1.6 *Wayfinding*. The Village may add uniform wayfinding and similar signage, using consistent design themes and language, to all parks that are currently not marked and may install park system maps at all parks as may be necessary. The Village will collaborate with Miami-Dade County parks and trails to provide consistent wayfinding along all County designated routes.

Policy 4B.1.7 The Village will prioritize Safe Routes to Parks and identify projects within the 5-year CIP (See Capital Improvements Element).

CHAPTER 5: EDUCATIONAL FACILITIES ELEMENT

Goal 5A: Develop, operate, and maintain the highest quality system of public education in cooperation with Miami-Dade County Public Schools.

Objective 5A.1 **Coordinate with Miami-Dade County Public Schools towards the reduction of the overcrowding which currently exist in Miami-Dade County Public Schools, while striving to attain an optimum level of service..**

Policy 5A1.1 Continue to coordinate with Miami-Dade County Public Schools through the Village's Education Compact.

Policy 5A1.2 Continue to coordinate with Miami-Dade County Public Schools to implement the Interlocal Agreement for Public School Facility Planning in Miami-Dade County.

Policy 5A1.3 The Village will work with all public schools to identify joint use agreements for parks and open spaces after hours and on weekends to be utilized by Village residents.

Policy 5.1.4 Miami-Dade County shall collect Impact fees from new development. with proof given to the Village prior to issuance of building permits, for transfer to Miami-Dade County Public Schools to offset the impacts of these additional students on the capital facilities of the school system.

Policy 5.1.5 Cooperate with Miami-Dade County Public Schools in their efforts to maintain and/or improve the established Level of Service (LOS) Standards, for Public Educational Facilities, as established for the purposes of school concurrency.

Policy 5.1.6 Miami-Dade County Public Schools comments shall be sought and considered on comprehensive growth management plan amendments and other land use and zoning decisions which could impact the school district, consistent with the terms of the state mandated Interlocal Agreement pursuant to F.S. 1013.33 and 163.31777.

Policy 5.1.7 In accordance with F.S. 163.3174(1), the School Board of Miami-Dade County shall be invited to appoint a non-voting member to the Village's Local Planning Agency.

Policy 5.1.8 The Village will, through the Staff Working Group of the Interlocal Agreement for Public School Facilities, coordinate with Miami-Dade County Public Schools, Miami-Dade County, and other applicable cities to review annually the Educational Facilities Element and School enrollment projections.

Objective 5.2 **The Village of Palmetto Bay shall coordinate new residential development with the future availability of public school facilities consistent with the adopted level of service standards for public school concurrency, to ensure the inclusion of those projects necessary to address existing deficiencies in the 5-year schedule of capital Improvements, and meet future needs based upon achieving and maintaining the adopted level of service standards throughout the planning period.**

Policy 5.2.1 The Village will continue to coordinate with Miami-Dade County in its efforts to implement school concurrency. The Miami-Dade County School Concurrency related policies and school Levels of Service are hereby adopted by reference.

DRAFT

Policy 5.2.2 In the selection of sites for future educational facility development, the Village encourages Miami-Dade County Public Schools to consider whether a school is in close proximity to residential areas and is in a location that would provide a logical focal point for community activities.

`Policy 5.2.7 The Village shall encourage and cooperate with Miami-Dade County Public Schools in their effort for public school siting reviews to help accomplish the objectives and policies of this element and other elements of the Comprehensive Plan. The Village shall cooperate with Miami-Dade County Public Schools to establish provisions for a scoping or pre-application meeting as part of the educational facilities review process, if determined to be warranted.

Policy 5.2.8 The Village will continue to cooperate with Miami-Dade County Public Schools in utilizing Miami-Dade County Public Schools as emergency shelters during county emergencies.

Policy 5.2.9 The Village will prioritize Safe Routes to Schools at all K-12 schools within the Village.

DRAFT

CHAPTER 6: INFRASTRUCTURE ELEMENT

(A) Potable Water Sub-Element

Goal 6A A quality, dependable potable water supply sufficient to meet the existing and future needs of Village residents and businesses on a timely basis, at a reasonable cost and in compliance with utility regulatory standards

Objective 6A.1 ***Potable Water Level of Service.*** **Coordinate effectively with the Village's water service provider, Miami-Dade County Water and Sewer Department (WASD) to ensure that potable water service to the Village will meet or exceed the adopted Level of Service (LOS) Standard throughout the planning period.**

Policy 6A.1.1 The Village shall provide development reports as requested to Miami-Dade County Water and Sewer Department (WASD) that summarize expected impact on the potable water system and its capacity.

Policy 6A.1.2 Monitor, and assess periodically, the planning, capital programming, and construction programs of the Miami-Dade County WASD, as well as service complaints, to help ensure that Village residents, businesses and other Village users are provided with potable water services in compliance with the adopted Level of Service (LOS) Standard.

Policy 6A.1.3 All Village development order approvals must ensure that the Village's adopted potable water LOS standard will be maintained from planning through constructions and operation.

Policy 6A.1.4 The Village shall update its Water Supply Facilities Work Plan as appropriate based on Miami-Dade County updates to the County's Water Supply Facilities Work Plan.

Objective 6A.2 ***Existing Water Facilities and Efficient Expansion.*** **Coordinate with the Miami-Dade Water and Sewer Department (WASD) to help ensure cost-efficient use of existing facilities and coordinate prudent future expansion plans consistent with projected needs to accommodate development at the densities and intensities proscribed in the Future Land Use Element.**

Policy 6A.2.1 Due to climate change and sea level rise, the village will work with Miami-Dade County and other government agencies in accessing future areas of water and sewer expansion due to failing septic systems and saltwater intrusion.

Policy 6A.2.2 The Village will assist Miami-Dade County in implementing mandatory installation of water and sewer infrastructure if located "a reasonable proximity to development" as defined by Miami-Dade County or programmed to be served, by Miami-Dade County Water and Sewer Department (WASD) potable water and/or sewer facilities.

Policy 6A.2.3 Coordinate with the Miami-Dade County WASD to provide potable water service to those areas within municipal limits that are currently dependent upon private wells

to satisfy potable water needs, including prioritizing those areas that may be subject to salt water intrusion and those areas indicated in Map X-X of the Infrastructure Element Data, Inventory, and Analysis Report.

Policy 6A.2.4 Update the Village Land Development Regulations (LDR) as appropriate to require development applicants to cover the costs of any necessary infrastructure upgrades to allow connections to Miami-Dade County WASD service.

Policy 6A.2.5 Coordinate Village population projections, commercial growth, land use changes, and development approvals with the Miami-Dade County WASD to assist that agency in effectively planning Palmetto Bay's future potable water needs.

Policy 6A.2.6 Include the review and comment of the Miami-Dade County WASD in the development review process for village Plan amendments, rezoning's, site plan, and plat approvals to help ensure the cost-efficient use of existing County water facilities and extension of new water service.

Objective 6A.3 ***Water Conservation.*** **Actively encourage and help all residents in Palmetto Bay to conserve potable and non-potable water to the maximum extent possible.**

Policy 6A.3.1 The Village shall serve as a central distribution point for South Florida Water Management District (SFWMD), Florida Department of Environmental Protection (FDEP) and Miami-Dade County Water and Sewer Department (WASD) news releases, social media posts, brochures, and public presentations on ways for homeowners, businesses, and industry to conserve all forms of water resources.

Policy 6A.3.2 Coordinate with the Miami-Dade County WASD to install treated re-used (grey) water lines in Village of Palmetto Bay for use on rights-of way and other appropriate landscaped areas within the Village limits. WASD does not have any planned re-use projects within the Village of Palmetto Bay.

Policy 6A.3.3 The Village's Land Development Regulations (LDR) shall contain regulations requiring the use of all feasible water-saving devices in new and renovation building construction.

Policy 6A.3.4 Encourage the use of water-saving "Florida Friendly" plants, watering techniques and landscape designs in existing and future developed areas of the Village.

Policy 6A.3.5 Do everything possible to encourage homeowners and businesses in the Village of Palmetto Bay to use non-potable and/or reuse water for landscaping and lawn care, based on availability of reuse water from the Miami-Dade County WASD.

Policy 6A.3.6 Cooperate fully with emergency water conservation measures mandated by the SFWMD.

(B). Sanitary Sewer Sub Element

Goal 6B Environmentally-sound and cost effective wastewater treatment and distribution facilities that protect public health and safety and meet the village's current and future needs

Objective 6B. ***Sanitary Sewer level of service.*** **Coordinate effectively with the Villages wastewater service provider (WASD), to ensure that wastewater service to the Village will meet or exceed the adopted level-of-service standard thorough the planning period.**

Policy 6B.1.1 Development in the Village shall meet the adopted level of service standard established by the Miami-Dade County Water and Sewer Department (WASD) for sanitary sewer service. Specifically, the following shall apply.

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

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

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

Policy 6B.1.2 Monitor the planning, capital programming, and construction programs of the Miami-Dade County WASD to help ensure that Village of Palmetto Bay residents, businesses and other Village users are provided with sanitary sewer services in compliance with the adopted Level of Service (LOS) Standard throughout the planning period.

Policy 6B.1.3 All Village development order approvals must ensure the Village's adopted sanitary sewer LOS standard will be maintained from planning through to construction and operation.

Objective 6B.2 ***Existing Wastewater Facilities and Efficient Expansion*****. Coordinate with the Miami-Dade Water and Sewer Department (WASD) to help ensure the cost-efficient use of existing facilities and coordinate prudent future expansion plans consistent with projected needs to accommodate development at the densities and intensities prescribed in the Future Land Use Element.**

Policy 6B.2.1 Encourage future development into areas that are already served, or programmed to be served, by Miami-Dade County Water and Sewer Department (WASD) sanitary sewer facilities.

Policy 6B.2.2 Coordinate Village population projections, commercial growth, land use changes, and development approvals with the Miami-Dade County WASD to assist that agency in effectively planning Palmetto Bay's future wastewater needs.

Policy 6B.2.3 Include the review and comment of Miami-Dade County WASD in the development review process for Village Plan amendments, rezoning's site plan and plat approvals to help ensure the cost-efficient use of existing County sanitary sewer facilities and extension of new central sewer service.

Objective 6B.3 ***Treated Wastewater Re-Use.*** **Coordinate with the Miami-Dade County Water and Sewer Department (WASD) to promote reuse of treated wastewater and other by-products for public open space and golf course irrigation, fertilization, and aquifer recharge.**

Policy 6B.3.1 Coordinate with the Miami-Dade County WASD to install treated re-used (grey) water lines in Village of Palmetto Bay for use on rights-of-way and other appropriate landscaped areas within the municipal limits.

Policy 6B.3.2 Coordinate with SFWMD on application of Florida-friendly landscape standards and practices per Florida Statutes Sec. 373-185 on all publicly owned and/or maintained landscape areas within the Village.

Policy 6B.3.3 Update the Village Land Development Regulations (LDR) to require development applicants to fully investigate and use, if viable, grey water in project open space and recreation irrigation.

(C) Stormwater Management (Drainage) Sub-Element

Goal 6C Protect the health and safety of the public by ensuring storm water management facilities and services are properly maintained, environmentally-sound, cost-effective, and meet the community's present and future demands.

Objective 6C.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 Level of Service (LOS) Standards over the planning period.**

Policy 6C.1.1 The storm water management Level of Service (LOS) Standards for Village of Palmetto Bay are: Water Quality Standard. Stormwater facilities shall be designed to meet the design and performance standards established in Ch. 62-302.500,Florida Administrative Code, with treatment of first one (1) inch of rainfall runoff Water Quality Standard. Where two or more standards impact a specific development, the most restrictive standard shall apply:

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

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

Policy 6C.1.2 The Village shall continue to allocate annual funds collected through the Stormwater Utility fund to address existing stormwater deficiencies identified in the Stormwater Master Plan.

Policy 6C.1.3 Review all development proposals to make sure that, if the proposed projects are constructed, the Village's adopted stormwater management LOS standards will be maintained.

Policy 6C.1.4 All structures shall be constructed at or above the minimum floor elevations specified in the most recent edition of the Florida Building Code (FBC) or Chapter 11-C of the Code of Miami-Dade County.

Policy 6C.1.5 Inspect and approve, if acceptable, the stormwater management facilities installed by developers, contractors and public agencies in Palmetto Bay.

Policy 6C.1.6 The Village shall encourage the use of green infrastructure, low-impact development, and other similar best management practices that minimize impacts from land development on stormwater sewer infrastructure systems.

Objective 6C.2 ***Future Growth Needs.*** **Accommodate the future growth needs of the Village through proper planning and effective coordination with the appropriate water management agencies.**

Policy 6C.2.1 Update the Stormwater Master Plan every five (5) years in order to ensure that future growth needs of the Village are prudently accommodated and planned for.

Policy 6C.2.2 Encourage future development into areas that are already served, or programmed to be served, by under-capacity storm water management facilities.

Policy 6C.2.3 Actively coordinate the Village's stormwater planning, programing, and construction with the Federal Emergency Management Agency (FEMA), Miami-Dade County Department of Regulatory and Economic Resources, and the Miami-Dade County Public Works Department.

Objective 6C.3 ***Recharge Groundwater and Water Quality*****. Use the Stormwater Master Plan process and prudent land development regulations to ensure that private development and public infrastructure projects maintain required surface water quality standards and serve to recharge the groundwater aquifer.**

Policy 6C.3.1 A primary objective of the Stormwater Master Plan is protection of surface water quality through Land Development Regulations (LDR) requirements that mandate acceptable pacing and drainage plans, adequate open (pervious) space areas, and Stormwater detention and retention in private development projects.

Policy 6C.3.2 Review the LDR on a regular basis to ensure that all feasible options are being utilized to protect water quality and enhance groundwater recharge.

Objective 6C.4 ***Stormwater System Maintenance.*** **Implement a proactive maintenance program for all public facilities to ensure that all current and future stormwater management facilities operate at designed capacity.**

Policy 6C.6.1 Require private developers to install on-site stormwater management systems and provide stormwater maintenance plans that define responsibilities for the Village and for applicants or their designated successors.

Policy 6C.4.2 The Village's Management program shall be reviewed annually and updated as needed to ensure timely maintenance of existing and future stormwater facilities.

Policy 6C.4.3 Conduct annual inspections of stormwater facilities and coordinate with Miami-Dade County, South Florida Water Management District (SFWMD), and Federal Emergency Management Agency (FEMA) in reporting annual findings.

(D) Solid Waste Sub-Element

Goal 6D

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

Objective 6D.1 ***Existing and Future Needs*. Coordinate with Miami-Dade County Department of Public Works Waste Management (PWWM), the entity responsible for solid waste collection and disposal, to help ensure maintenance of a safe, dependable, and efficient solid waste collection and disposal system for Village of Palmetto Bay residents and businesses and in compliance with the adopted level of service.**

Policy 6D.1.1 The adopted Level of Service standards maintained by the Miami-Dade County Department of Public Works Waste Management (PWWM), for solid waste services within Village of Palmetto Bay are 9.9 pounds/capita/day to maintain solid waste disposal capacity sufficient to accommodate waste flows committed to the system through long-term interlocal agreements or contracts along with anticipated non-committed waste flows for a period of five (5) years in accordance with the County's Comprehensive Development Master Plan.

Policy 6D.1.2 Monitor the solid waste planning, capital programming and construction programs of Miami-Dade County by attending the Quarterly Solid Waste meetings to help ensure that Village of Palmetto Bay residents, businesses and other users are provided with solid waste services in compliance with the adopted Level of Service (LOS) standard throughout the planning period.

Policy 6D.1.3 Review all development proposals to make sure that if the proposed projects are constructed, the Village's adopted solid waste LOS standard will be maintained.

Policy 6D.1.4 Coordinate Village population projections, commercial growth, land use changes, and development approvals with the Miami-Dade County solid waste agency to assist them in effectively planning for Village of Palmetto Bay's future solid waste collection and disposal.

Policy 6D.1.5 Prioritize diligent monitoring of construction sites and vacant lots as a code enforcement focus to prevent or abate illegal dumping activities.

Objective 6D.2 ***Recycling*. Assist the Miami-Dade County Department of Public Works Waste Management (PWWM) in promoting good recycling habits among the Village's residents and businesses.**

Policy 6D.2.1 Use all available means to help the Miami-Dade County Department of Public Work Waste Management (PWWM) achieve its goal for countywide recycling in compliance with State mandated waste stream reduction objectives.

Policy 6D.2.2 Conduct an on-going informational campaign using social media, existing leaflets and brochures available at Village Hall and other public locations describing the benefits of recycling and the collection rules which must be followed to properly recycle.

Objective 6D.3 ***Hazardous and Toxic Materials.*** **Assist the Miami-Dade County Department of Public Work Waste Management (PWWM) in the continuing implementation of a comprehensive program for their proper storage, recycling, collection, and disposal of hazardous and toxic wastes in the Village of Palmetto Bay.**

Policy 6D.3.1 Help the County's Department of Public Work Waste Management (PWWM) conduct an on-going education program for residents and businesses in the Village on the proper storage and handling of hazardous and toxic materials through distribution of available brochures and pamphlets at public locations and other means.

Policy 6D.3.2: Prepare and maintain an up-to-date list of all businesses in the Village that store, use and/or dispose of hazardous and toxic materials and/or waste, and monitor these establishments to ensure they have a current waste management and spill clean-up plan.

Policy 6D.3.3 Coordinate with the Miami-Dade County Fire-Rescue Department to ensure they have a viable rapid response plan and proper equipment for responding effectively to hazardous and toxic waste spills in the Village.

(E) Natural Groundwater Aquifer Recharge Sub-Element

Goal 6E **Continue to support and monitor state, county, and South Florida Water Management District efforts to protect, conserve, and manage the quality and quantity of natural groundwater resources.**

Objective 6E.1 ***Recharge Deficiencies.*** **In coordination with state, regional, and county water management agencies, correct any documented recharge deficiencies identified in Village of Palmetto Bay by the Stormwater Master Plan and outside agencies.**

Policy 6E.1.1 As part of the Stormwater Master Plan process, identify groundwater recharge deficiencies, if any, in the Village.

Policy 6E.1.2 Maintain and enhance, where appropriate, the capacity and period of natural surface water drainage and recharge.

Objective 6E.2 ***Recharge Areas*****. Assist State, Regional, and County efforts, where appropriate, in protecting the functions of natural groundwater recharge areas and natural drainage features in Village of Palmetto Bay.**

Policy 6E.2.1 Continue to enforce the Village's on-site water retention and pervious open space standards for new development and redevelopment projects.

Policy 6E.2.2 All Development projects shall use retention, infiltration, and detention systems as required by the Village Code, and applicable State and Regional Standards

CHAPTER 7: TRANSPORTATION ELEMENT

GOAL 7A ***Safe and Balanced System*. Palmetto Bay's transportation system will support all modes of travel in appropriate locations, and will enable alternative forms of travel in transportation project and management decisions.**

Objective 7A.1: *Enable alternative transportation as viable options*. The Village will continue to diversify its travel options and enable more travel to be made in non-driving modes of transportation on all trips.

Policy 7A.1.1: The Village shall apply Transportation Demand Management (TDM) measures as a means of reducing drive-alone vehicle travel, especially during peak hour trips.

Policy 7A.1.2: Any improvements to bicycle and/or pedestrian infrastructure required of development applicants shall be completed and constructed prior to issuance of a Certificate of Occupancy.

Policy 7A.1.3: The Village shall maintain an inventory of sidewalks, including status of completion or construction, and overall condition.

Policy 7A.1.4: *Completion of bicycle route system.* The Village shall implement dedicated bicycle facilities as recommended in the Village's Transportation Master Plan or any future successors to this plan.

Policy 7A.1.5: *Last-mile connectivity.* The Village shall prioritize capital projects that provide last-mile connectivity to fixed-route transit or to high-capacity transit stations.

Policy 7A.1.6: The Village shall continue to target improvements to the pedestrian network to improve consistency with the Americans with Disabilities Act (ADA).

Policy 7A.1.7: The Village shall explore, pursuant to State law, the use of golf carts and other light electric vehicles (LEVs) designed for personal transportation on streets owned and maintained by the Village.

Policy 7A.1.8: The Village shall coordinate and work with the Miami-Dade County School Board to prepare traffic control and safety plans for the schools within the Village, proactively seeking funding (whether locally-based or outside the Village) to implement Safe Routes to School plan recommendations.

Objective 7A.2: *Mode Priorities for Capacity Improvement Projects.* The Village shall identify mode priorities in any capital projects that affect the transportation capacity of a street or thoroughfare.

Policy 7A.2.1: The Village will prioritize pedestrian safety and accessibility in any capital projects related to transportation capacity, ensuring that adequate facilities are provided consistent with any Village-wide plans for pedestrian systems.

Policy 7A.2.2: The Village will prioritize meeting the transportation Level of Service (LOS) Standards requirements defined in Objective 7B.1 and its supporting policies with a focus on intersection LOS first, then corridor LOS second.

Policy 7A.2.3: The Village will ensure that all signal-controlled intersections feature high-visibility pedestrian crossings, as defined by the Federal Highway Administration, pedestrian signals, and detectable warning ramps consistent with the Americans with Disabilities Act.

Objective 7A.3 ***Implement Bicycle and Pedestrian Master Plan.*** **Continue to implement the 2023 Village Bicycle and Pedestrian Master Plan Update.**

Policy 7A.3.1: *Walk-to-School Day.* The Village shall encourage and enable an annual Walk-to-School Day.

Policy 7A.3.2: *Safe Routes to School.* The Village shall implement Safe Routes to Schools programming using education, engineering and enforcement strategies.

Policy 7A.3.3: *Bike-to-Work Week/Day.* The Village shall encourage and enable an annual Bike-to-Work Week/Day.

Policy 7A.3.4: *Bicycle Education.* The Village shall encourage bicycle education programming in the form of seminars, workshops, tabling events, brochures, etc. at local institutions such as schools and libraries.

Policy 7A.3.5: *Cool Down Palmetto Bay*. The Village shall collaborate with Miami-Dade County programs, such as Adopt-A-Tree, and use the Miami-Dade County Landscape Manual to strategically integrate native trees with high shade coverage along major road corridors.

Policy 7A.3.6 *Bicycle Parking Ordinance*. The Village shall consider adoption of a bicycle parking ordinance that ensures development will accommodate pathways to bicycle facilities, with full visibility to public entranceways, that are accessible and well maintained.

Policy 7A.3.7: *Sidewalks Ordinance*. The Village shall consider adoption of a Sidewalks Ordinance to ensure sidewalks are maintained by adjacent property owners and kept clear of obstructions.

Policy 7A.3.8: *New Development Ordinance*. The Village shall consider adoption of a new Ordinance that subjects new development to sidewalk requirements, including new sidewalk construction and addition to existing facilities.

Policy 7A.3.9: *Walk, Peddle or Roll to the Park*. The Village shall encourage the use of non-motorized transport to parks and natural areas.

DRAFT

GOAL 7B: *Transportation and Land Use Connection.*

Transportation infrastructure will balance adequate capacity to support the travel demand from new development while fitting appropriately into established neighborhoods and other character areas.

Objective 7B.1: ***Meet transportation levels 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 (LOS) Standards contained in this element.**

Policy 7B.1.1: All intersections and roadways under Village jurisdiction shall meet or exceed Level of Service (LOS) Standard "D" for peak-hour and daily conditions.

Policy 7B.1.2: The Village will conduct studies to determine reasonable and appropriate LOS standards for intersections and roadways based on land development patterns.

Policy 7B.1.3: Development in Village- and Miami-Dade-County-designated station areas and urban centers shall be exempted from the LOS standards of Policy 7A.1.1.

Policy 7B.1.4: The Village shall apply Transportation Demand Management (TDM) measures as a means of reducing vehicle travel impacts that exceed adopted LOS standards and shall require development to consider TDM options before proposal of roadway or other capital improvements that increase vehicle-carrying capacity.

Policy 7B.1.5: The Village shall prioritize projects in its five-year Capital Improvement Plan that address any deficiencies that may remain after other policy measures in this objective, such as exemption at station areas and in urban centers or through use of TDM measures, have been applied.

Objective 7B.2 ***Coordinate transportation with Future Land Use.*** **The Village shall coordinate transportation with the Future Land Use Map of this Comprehensive Plan for general adequate facilities.**

Policy 7B.7.1: The Village shall recognize station areas on high-capacity transit corridors within or adjacent to the Village limits, and shall consider these areas first for higher-density development.

Policy 7B.7.2: The Village shall coordinate with Florida Department of Transportation (FDOT) and Miami-Dade County in the development and implementation of the Village's design standards that would be applicable to State and County roadways in order to enhance the transportation corridors in the Village.

Policy 7B.7.3: The Village Land Development Regulations (LDR) shall maintain standards to manage driveway access in areas of any non-residential future land use designations such that

DRAFT

frequent spacing of driveways does not contribute to reduced infrastructure performance or compromised safety.

Objective 7B.3 ***Protect neighborhoods.*** **The Village shall prioritize the protection of neighborhood character in its single-family residential areas, and will reduce transportation-related impacts that compromise this character.**

Policy 7B.3.1: The Village will not plan, design, or program projects increasing vehicle-carrying capacity in single-family residential areas.

Policy 7B.3.2: The Village shall preserve and protect single-family residential areas from non-local traffic through implementation of traffic calming measures as defined by the Village, and if necessary approved by the County.

Policy 7B.3.3: The Village shall have the ability to perform traffic calming studies in neighborhoods and residential areas to determine if existing conditions justify the implementation of these measures.

GOAL 7C: ***Village-led transportation improvements and decisions are consistent with those of its agency partners*****: The Village's own contributions to its transportation network and actions to manage it will support and complement those from private developers and from partner agencies (including Florida Department of Transportation ((FDOT)), the Miami-Dade County Transportation Planning Organization ((TPO)), and Miami-Dade Transit).**

Objective 7C.1: ***Consistency and coordination with partners*****. The Village shall plan, design, and implement its own transportation capital projects, programs, and other investments in a manner compatible with those of its partner agencies.**

Policy 7C.1.1: The Village shall designate a transportation liaison to coordinate with Miami-Dade County departments, especially Transportation, Transit, and the Office of Emergency Management.

Policy 7C.1.2: The Village shall designate a transportation liaison with South Florida Commuter Services, or any successor organization performing similar transportation management association functions, to identify and engage any Transportation Demand Management (TDM) services appropriate and applicable to the Village.

Policy 7C.1.7: The Village shall contribute funding to South Florida Commuter Services to add or increase TDM services or options available to the Village, and this funding may be derived from development contributions used to mitigate transportation impacts, per Policy 7B.1.4.

Policy 7C.1.3: The Village shall strive for safe, continuous pedestrian facilities to be provided within one-quarter mile of any fixed-route transit service or high-capacity transit stations or on adjacent to the US 1 corridor.

Policy 7C.1.4: Evacuation operations for emergency events, such as weather-related emergencies, shall begin within four hours of issuance of an emergency order by the County Administrator.

Policy 7C.1.5: The Village's transportation liaison will designate a support plan for Village-maintained streets that connect to County and State routes designated as emergency evacuation routes. The Village will prioritize use of these streets for evacuation purposes and will suspend other activities on these streets upon issuance of an emergency order by the County administrator.

Objective 7C.2: ***Engagement of partners to facilitate achieving Village goals, objectives, and policies*****. The Village shall coordinate with partner agencies to ensure that applicability of the goals, objectives, and policies of this Element can extend beyond right-of-way and districts outside of Village ownership and maintenance.**

Policy 7C.1.1: The Village shall coordinate with Miami-Dade Transit to identify last-mile connection needs.

Policy 7C.1.2: The Village transportation liaison will coordinate with Miami-Dade County and Florida Department of Transportation (FDOT) to designate locations where Low Emission Vehicle (LEV) use is permitted on County and State transportation facilities, consistent with Policy 7A.1.7.

DRAFT

CHAPTER 8: HOUSING ELEMENT

Goal 8A: ***Maintain Safe, High-Quality Neighborhoods.*** **The Village shall protect and enhance the community character and safety of neighborhoods.**

Objective 8A.1: ***Protect Neighborhood Safety.*** **The Village shall have programs in place that protect the safety of residents and neighborhoods.**

Policy 8A.1.1: *Crime Prevention Through Environmental Design (CPTED).* The Land Development Regulations (LDR) shall utilize the principles of Crime Prevention Through Environmental Design (CPTED), or other similar programs, in regulating the design of buildings and placement of uses in order to increase the safety of neighborhoods and the community (*See Future Land Use Element*).

Policy 8A.1.2: *Building Safety.* Consistent with F.S. 163.3177(6)(f)1.b., the Village is required to maintain and enforce minimum Florida Building Code and LDR standards that regulate the elimination or rehabilitation of unsafe and substandard housing units in order to maintain existing housing in a state of good repair and aesthetically pleasing with the surrounding community.

Policy 8A.1.3: *Safe Access.* The Village shall enhance community parks and the safe access to parks and schools from residential neighborhoods (*See Parks and Recreation Element and Educational Facilities Element*).

Objective 8A.2: ***Maintain Community Character*****. The Village shall protect the community's sense of place and existing community character and established neighborhoods.**

Policy 8A.2.1: *Neighborhood Aesthetics and Livability.* The Village shall protect and promote quality housing, community aesthetics, walkability, and livability to maintain a vibrant community.

Policy 8A.2.2: *Design.* The Village shall maintain sustainability design guidelines for neighborhoods including street trees, sidewalks, bike lanes, and trails (*See Future Land Use Element*).

Policy 8A.2.3: *Neighborhood Character.* The Village shall protect existing neighborhoods from commercial intrusion to maintain the character of the community.

Policy 8A.2.4: *Compatibility.* The Land Development Regulations (LDR) shall promote the compatibility of other uses in proximity of residential housing and regulate proper screening and landscape buffering standards.

Policy 8A.2.5: *Historical Resources*. The Village shall encourage the protection of designated historical and archeological housing, structures, and sites through appropriate LDR regulations, review procedures, and historic designations and may encourage the

rehabilitation and adaptive reuse of designated historically significant housing. (*See Parks and Recreation Element*).

GOAL 8B: ***Multigenerational Housing Opportunities.*** **The Village shall plan for multi-generational housing options for residents and their families.**

Objective 8B.1: ***Multi-generational Housing.*** **The Village shall support aging-in-place and multi-generational housing strategies that encourage residents to remain in their neighborhoods as they age and as needs evolve.**

Policy 8B.1.1: *Aging-in-Place Housing Options.* The Land Development Regulations (LDR) shall include aging-in-place strategies such as shared housing options, sub-units under one roof, and other assisted living arrangements that may allow a single family to care for relatives onsite in all residential zoning districts.

Policy 8B.1.2 *Accessory Dwelling Units.* The Village shall evaluate the appropriateness of allowing accessory dwelling units as "granny flats" in the Estate Density Residential category provided they are not permitted to be rented, and incorporate adequate setbacks, parking, drainage, septic system, and other requirements and level of service standards are maintained.

Policy 8B.1.3: *Senior Housing.* The Village shall identify and support existing senior housing stock, including affordable senior housing, and plan for additional senior housing options such as continuum of care, condos, or senior-only affordable and market rate rentals.

GOAL 8C: ***Mixed-Use Neighborhoods*****. Support a diverse mix of housing and mixed-use neighborhoods along US-1.**

Objective 8C.1: ***New Housing.*** **The Village shall designate density through mixed-use housing developments along US-1 in order to provide a variety of housing types in close proximity to jobs and supporting facilities.**

Policy 8C.1.1: *Housing Variety*: Consistent with F.S. 163.3177(6)(f)3., the Village is required to maintain housing implementation programs that encourage adequate sites for a housing supply of various types, sizes, and costs with new development guided towards infill along US-1 and continue to partner with private and nonprofit sectors to address housing needs in order to accommodate the anticipated population through the 20-year planning horizon.

Policy 8.C.1.2: *Smart Growth.* The Village shall encourage smart growth and infill development and redevelopment of residential housing along US-1.

Policy 8C.1.3: *Livability.* The Village shall promote livability by supporting new housing options that are well-integrated with the community's mobility network, accessible to services, and in proximity to employment centers and parks.

Policy 8C.1.4: *Mitigation*. The Village shall consider traffic impacts when reviewing new multi-family housing developments to mitigate traffic impacts. Additionally, the improvement of mobility options for all types of users may be required for offsite and onsite mitigation based on the review of traffic impacts associated with these new developments (*See Transportation Element*).

Policy 8C.1.5: *Attainable Housing*. Consistent with F.S. 163.3177(6)(f)1.d, F.S. 163.3177(6)(f)1.g, F.S. 163.3177(6)(f)3, the Village is required to plan for adequate sites for future housing including attainable and affordable housing, especially along US-1, where community residents, including but not limited to teachers, government workers, and senior citizens can live where they work and have access to every day needs and transit.

Policy 8C.1.6: *Consistency with State Requirements.* Consistent with F.S. 163.3177(6)(f)1.d., the Village is required to continue to provide opportunities for mobile homes, group homes, and foster care facilities in residential zoning districts, provided that they meet design compatibility standards. Consistent with F.S. 163.3177(6)(f)1.e., the Village is also required to provide residents with the ability to relocate when residents are displaced by Village actions, through public development or redevelopment.

GOAL 8D: ***Sustainable Housing.*** The Village shall promote sustainable housing measures in order to protect neighborhoods and the residents' quality of life.

Objective 8D.1: ***Sustainability*. Consistent with the Village's broader sustainability goals, the Village shall guide housing away from coastal areas and encourage sustainable housing design and construction methods.**

Policy 8D.1.1: *Coastal Sustainability and Resiliency.* The Village shall guide housing development away from the Coastal High Hazard Area (CHHA). Any development and rehabilitation of housing near the coast and/or within the CHHA shall be consistent with the policies outlined in the *Coastal Management Element* of this Comprehensive Plan to ensure the long-term resiliency and safety of neighborhoods.

Policy 8D.1.2: *Mitigation.* Where feasible, the Village shall coordinate with the appropriate state, federal, and other applicable entities to support property owners in the mitigation of risks from natural hazards and flooding such as elevating existing homes and support property owners in the repair of housing after a hazard event (*See Coastal Management Element*).

Policy 8D.1.3: *Sustainable Housing Design*. The Land Development Regulations (LDR) may incorporate strategies to address housing design and construction methods that increase energy efficiency and encourage the use of renewable resources. The LDR may also provide incentives for housing developments that meet recognized green building criteria (i.e., LEED).

DRAFT

CHAPTER 9: PROPERTY RIGHTS ELEMENT

GOAL 9A: *Respect Property Rights.* The Village shall consider judicially acknowledged and constitutionally protected private property rights in its local decision making.

Objective 9A.1: *Property Rights*. Consistent with F.S. 163.3177(i)(1), the Village is required to ensure that private property rights are considered in its local decision making amongst other factors required by the Comprehensive Plan and Land Development Regulations.

Policy 9A.1.1: *Physical Possession and Control*. The Village shall consider in its local decision making the right of a property owner to physically possess and control his or her interests in the property, including easements, leases, or mineral rights.

Policy 9A.1.2: *Personal Use of Property.* The Village shall consider in its local decision making the right of a property owner to use, maintain, develop, and improve his or her property for personal use or for the use of any other person, subject to state law and local ordinances.

Policy 9A.1.3: *Privacy.* The Village shall consider in its local decision making the right of the property owner to privacy and to exclude others from the property to protect the owner's possessions and property.

Policy 9A.1.4: *Disposal of Property.* The Village shall consider in its local decision making the right of a property owner to dispose of his or her property through sale or gift.

DRAFT

CHAPTER 10: PUBLIC PARTICIPATION ELEMENT

Goal 10A: *Public Participation.* The Village's decision making will be reliable and predictable to promote sound, long-term investments in the community.

Objective 10A.1: *Public Participation Processes.* The Village must provide for opportunities for all persons to be heard on actions that:

- **Amend the Village's Comprehensive Plan;**
- **Change the zoning designation of property within the Village;**
- **Approve a site plan at a public hearing;**
- **Require a variance; or**
- **Quasi-judicial actions.**

Policy 10A.1.2: *Public Hearings.* Action items identified in Objective 10A.1 must occur in a public hearing meeting and adhere to the standards of this policy.

A. *Any Person may Participate*. The Village recognizes that planning and development decisions affect complex systems and have impacts that occur beyond the site of development. Any person may participate in and be a party to a hearing on a decision this policy governs.

Policy 10A.1.3: *Right to Evaluate Proposed Decisions.* The Village respects the right of people, including elected officials, to fairly evaluate proposed decisions that this objective governs.

DRAFT

CHAPTER 11: CAPITAL IMPROVEMENTS ELEMENT

Goal 11 Provision of High-Quality road, utility and infrastructure facilities and services and public education facilities necessary to correct current deficiencies and accommodate new development and redevelopment for the residents and businesses for Palmetto Bay consistent with the level-of-service standards establish in this comprehensive plan.

Objective 11.1 ***Capital Improvement Funding Availability*. Ensure that adequate fiscal resources are available to ensure that public facility improvements required for existing development, redevelopment, and planned future growth can be made concurrent with development impacts.**

Policy 11.1.1: Prepare and adopt a Five-Year Capital Improvement Program (CIP) and One-Year Capital Budget as part of the Village's annual budgeting process, along with an annual review and update, as necessary of the Capital Improvements Element (CIE). The annual update of the CIE's financially feasible Capital Improvements Schedule should demonstrate that level of service standards will be maintained during the next five-year period.

Policy 11.1.2: Prior to the issuance of new development orders, ensure_public capital revenues and/or secured developer commitments are in place to provide all public facilities at adopted level-of-service standards, including but not limited to water supply concurrency requirements.

Policy 11.1.3: Seek grants and private development contributions, whenever possible, to provide additional capital revenues for the implementation of the Five-Year Schedule of Capital Improvements.

Policy 11.1.4: Assess impact fees and other appropriate techniques for new development to bear a reasonable proportionate cost for public facility improvements required by new development and partially relieve the burden for capital improvements from property tax collections and existing residents.

Policy 11.1.5: Include proportionate share mitigation methodologies in the Village's Code of Ordinances, and provide options for mitigation of impacts on public school facilities in the Village's concurrency management program and Interlocal Agreement for Public Facility Planning between the Village, Miami-Dade County Public Schools, Miami-Dade County and the Cities in Miami-Dade County, consistent with the requirements of Chapter 163, Florida Statutes. These mitigation options might include, but are not limited to, one or more of the following: contribution of land; the construction, expansion, or payment for land acquisition or construction of a permanent public school facility; or, the creation of a mitigation bank based on the

construction of a permanent public school facility in exchange for the right to sell capacity credits.

Objective 11.2 ***Public Facilities*. Provide high-quality roads and infrastructure facilities and services, including public educational facilities necessary to meet the existing needs and accommodate planned future growth at the adopted level-of-service standards.**

Policy 11.2.1 All Village decisions regarding land use planning and development will ensure the availability of public facilities and services necessary to support such development at the adopted level-of-service standards concurrent with the associated impacts by means of Village's Land Development Regulations (LDR) and in compliance with the Village's Water Supply Plan.

Policy 11.2.2 Working with road, utility, and infrastructure service providers within the Village, help ensure that necessary capital improvements are constructed for reconstruction, redevelopment and future growth.

Policy 11.2.3 Manage the land development process so public facility needs do not exceed the Village's ability to fund and provide, or require the provision of, needed improvements. This shall be accomplished through development and implementation of the Village LDR.

Policy 11.2.4 Include the capital improvement projects identified in the other Elements of this Plan in the 5-Year Schedule of Capital Improvements with priority for implementation according to the following guidelines:

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

Policy 11.2.5 Through appropriate public facility funding mechanisms and impact fees, assess new development and higher intensity redevelopment, a pro rata share of the public facility costs necessary to accommodate the impacts of the development at the adopted levels-of service. Public facilities include potable water, sanitary sewer, solid waste, drainage, parks, roadways, and public educational facilities.

Policy 11.2.6 Repair and upgrade capital facilities managed by the Village according to generally accepted engineering principles and guidelines, and ensure that facilities and service providers are held to the same standards.

Policy 11.2.7 The Miami-Dade County Public Schools and Miami-Dade County have the responsibility for providing school concurrency related improvements and should continually seek to expand the funding sources available to meet those requirements.

Policy 11.2.8 The Miami-Dade County School Board's latest adopted district facilities work plan should be evaluated on an annual basis to ensure that the level of service standards will continue to be achieved and maintained throughout the planning period.

Policy 11.2.9 The Miami-Dade County Public Schools Facilities Work Program is incorporated by reference into this Element, except as expressly excluded during the annual adoption of the Schedule of Projects. The Village is not financially responsible for those capital projects funded, maintained and/or under the control of other agencies or jurisdictions.

Policy 11.2.9 Continue to implement the Village Street Tree Master Plan, dated June 21, 2006, and update the plan as needed and appropriate.

Objective 11.3 ***Concurrency and Level-of-Service Standards (LOS) Standards*. Make the availability of high-quality public facilities at adopted Level of Service (LOS) Standards concurrent with the impacts of development, an important basis for future land planning and capital decisions.**

Policy 11.3.1 *Sanitary Sewer, Solid Waste, Drainage and Potable Water:* As discussed in Element 6 (Infrastructure), prior to the issuance of any development order for new development or redevelopment, sanitary sewer, solid waste, drainage and potable water facilities needed to support the development at adopted Level of Service (LOS) Standards all must meet one of the following timing requirements:

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

Parks & Recreation: As discussed in Element 4 (Parks, Recreation and Open Space), prior to the issuance of any development order for new development, park and recreation public facilities needed to support the development at adopted LOS standards must meet one of the following timing requirements:

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

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

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

c. The necessary facilities and services are guaranteed in an enforceable development agreement, pursuant to F.S. 163.3220, or an agreement or development order issued pursuant to F.S. Chapter 380, to be in place or under actual construction not more than one year after issuance of a certificate of occupancy or its functional equivalent; or

d. Necessary covenants are executed.

Transportation: As discussed in Element 7 (Transportation), prior to the issuance of any development order for new development or redevelopment, transportation public facilities needed to support the development at adopted LOS standards must meet one of the following timing requirements:

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

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

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

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

Policy 11.3.2 Public facilities and services must meet or exceed the LOS standards established in this Element of the Comprehensive Plan. Public facilities must be available at the adopted LOS standards when needed for development. If facilities are not available at the time of approval, development orders or permits are to be conditions on the availability of public facilities and services, or the necessary Facilities must be guaranteed either in an enforceable development agreement adopted pursuant to F.S. Chapter 163, or in development order issued pursuant to F.S. Chapter 380.

Policy 11.3.3 Evaluate proposed Plan amendments and requests for new development or redevelopment according to the following guidelines:

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

Policy 11.3.4 Future development will be required to contribute a proportionate cost of facility improvements to maintain required LOS standards through the payment of applicable fees and charges pursuant to Village codes and ordinances in affect at the time.

Policy 11.3.5 Any proposed development that is deemed to generate a minimal impact (as defined in F.S. subsection 163.3189 (6)), shall not be required to establish transportation concurrency.

Policy 11.3.6 A comprehensive plan amendment shall be required to eliminate, defer, or delay construction of any facility listed in the Five-Year Schedule of Capital Improvements.

Objective 11.4 ***Debt Management.*** **Develop and implement a debt management program if necessary, to assist the Village in providing adequate and timely revenues for scheduled capital improvements.**

Policy 11.4.1 Incur debt within generally accepted municipal finance principles and guidelines, and only in relation to the Village's ability to pay for a new capital asset or to significantly extend the life expectancy of a capital asset.

Policy 11.4.2 When evaluating the debt to be incurred for a facility, the increase in operating costs for that new or additional facility must also be considered.

Policy 11.4.3 The Village will not provide a public facility, nor accept the provision of a public facility by others, if it is unable to pay for the subsequent annual operation and maintenance costs of the facility.

Policy 11.4.4 The Village's total debt service expenditures shall be no more than 10% of total revenue.

Policy 11.4.5 The Village's outstanding capital indebtedness shall be no more than five (5) percent of its property tax base.

DRAFT

Table 11.1
Recommended Level of Service (LOS) Standards for the Village of Palmetto Bay

Public Facility	Level of Service Standard
Sanitary Sewer[A]	The Village shall coordinate with Miami-Dade County Water and Sewer District (WASD) to understand LOS standards that Miami-Dade County adopts and, as a client agency of WASD, will provide quarterly development reports to WASD to quantify system impacts and understand implications for LOS standards.
Solid Waste[A]	The Village shall coordinate with Miami-Dade County Solid Waste Management to understand LOS standards that Miami-Dade County adopts and, as a client agency of Solid Waste Management, will provide quarterly development reports to quantify system impacts and understand implications for LOS standards.
Potable Water[A]	The Village shall coordinate with Miami-Dade County Water and Sewer District (WASD) to understand LOS standards that Miami-Dade County adopts and, as a client agency of WASD, will provide quarterly development reports to WASD to quantify system impacts and understand implications for LOS standards.
Stormwater Drainage	Stormwater facilities shall be designed to meet the design and performance standards established in Chapter 62-25, 25.025 of the Florida Administrative Code with treatment of first one inch (1") of rainfall runoff to meet water quality standards required by Chapter 62-302, 862-302.500 of the Florida Administrative Code. Were two or more standards impact a specific development, the most restrictive standard shall apply. a. Post-development runoff shall not exceed the pre-development runoff rate for a 25 year storm event, up to and including an event with a 24-hour duration. b. Treatment of the runoff from the first one inch (1”) of rainfall on-site or the first half inch (0.5”) of runoff, whichever is greater.
Flood Protection	The minimum acceptable Flood Protection Levels of Service (FPLOS) standards for Miami-Dade County shall be protection from the degree of flooding that would result from a duration of one day from a ten-year storm, with exceptions in previously developed canal basins, where additional development to this base standard would pose a risk to existing development. All structures shall be constructed at, or above, the minimum floor elevation specified in the federal flood Insurance Rate Maps for Miami-Dade County or as specified in Chapter 11-C of the Miami-Dade County Code, whichever is higher.
Recreation /Open Space	3.0 acres per 1,000 population A separate LOS of .25 acres per 1,000 residents for developments within the Downtown area.

DRAFT

Transportation - UIA TCEA[B]	All development applications within the Urban Infill Area Transportation Concurrency Exception Area are exempt from transportation concurrency requirements; however the following level of service thresholds are established for reviewing projects within the UIA TCEA: a. The Level of Service (LOS) Standard threshold within the UIA is LOS E (100% capacity) b. Where public transit service exists in the UIA operating with headways of 20 minutes or less, roadway located less than one-half mile of the service may operate at 120% of their capacity. c. Roadways parallel to exceptional transit service (i.e. commuter rail/express bus) are defined within an acceptable level of service at 150% of their capacity. These thresholds are used for evaluation of transportation impacts; however, in all cases, only development applications that result in an increase in peak period traffic on an FIHS roadway operating below the adopted level of service standard, now or in the future, would require a proposed project to implement and maintain trip reduction measure sufficient to reduce travel by single occupant automobiles so that they resultant increase in traffic volume does not exceed two percent of the defined maximum service volume.
Transportation-UDB[C]	All major roadways within the Urban Development Boundary must operate at LOS D except State urban minor arterials (SUMA), which may operate at LOS E.
Schools[C]	The Village shall coordinate with the Miami-Dade County Public School Board (School Board) to understand LOS standards that Miami-Dade County adopts and, as a client agency of the School Board, will provide quarterly development reports to the School Board to quantify system impacts and understand implications for LOS standards.

Notes:

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

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

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

FIVE-YEAR SCHEDULE OF CAPITAL IMPROVEMENTS

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

PLAN MONITORING, EVALUATION AND APPRAISAL

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

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

DRAFT

CHAPTER 12: INTERGOVERNMENTAL COORDINATION ELEMENT

Goal 12: Establish and improve intergovernmental relationships with public, quasi-public, private and non-profit entities involved in planning and development activities, resource protection and allocation, and utility and infrastructure provision, including coordination of plans and programs affecting the Village of Palmetto Bay and its neighboring communities.

Objective 12.1 ***Non-Transportation Coordination Activities and Participation.*** **Maintain and enhance, where possible, intergovernmental coordination initiatives and activities with governmental agencies, quasi-public companies, local service providers and non-profits, such as Miami-Dade County, South Florida Water Management District, and Miami-Dade County School Board, to maximize the capital improvement, service and financial benefits from those entities to the residents and businesses of Palmetto Bay.**

Policy 12.1.2 Participate in federal, state, regional, and county workshops, meetings, and public hearings relating to topics affecting the Village of Palmetto Bay and its environs, including but not limited to water supply.

Policy 12.1.3 Maintain effective lines of communication with county, regional, and state agencies charged with setting levels-of-service and/or permitting requirements, and initiating maintenance and capital improvement projects for public facilities and water supply located in and around the Village of Palmetto Bay.

Policy 12.1.4 The Village Manager or his/her designee shall disseminate information on proposed comprehensive plan and/or land development regulation amendments by the Village, to neighboring cities, Miami-Dade County, and other governmental agencies in addition to publication requirements.

Policy 12.1.5 The Village Manager or his/her designee shall prepare and review the level-of-service reports in order to provide the affected service providers and other entities with information to evaluate and coordinate level-of-service standards, including but not limited to water supply.

Policy 12.1.6 In situations where other public or private entities are providing a public facility or service within the Village of Palmetto Bay for roads, water, sewer, drainage, parks, solid waste or public educational facilities, the Village will coordinate its adopted level-of-service standard with such service provider within the parameters allowed by the Capital Improvements Element of this plan. The Village shall further coordinate with all other parties to the "Amended and Restated Interlocal Agreement for Public School Facility Planning" to establish level-of-service standards (including interim LOS standards) for public school facilities and any amendments affecting public school concurrency.

Policy 12.1.7 The Village's Comprehensive Plan will be coordinated with the State of Florida Comprehensive Plan, and the Miami-Dade County Comprehensive Development Master Plan.

Policy 12.1.10 Continue to coordinate with the Miami-Dade County Department of Regulatory and Economic Resources and the South Florida Water Management District on surface water quality monitoring and water quality in Biscayne Bay.

Policy 12.1.11 Continue to coordinate with the US Department of Environmental Protection, US Army Corps of Engineers, South Florida Water Management District, and Miami-Dade County Department of Management Regulatory and Economic Resources to ensure that all regulatory programs administered through each of these agencies is integrated, as applicable, into the Village of Palmetto Bay Land Development Regulations.

Policy 12.1.12 Continue to cooperate with Miami-Dade County to maintain or reduce predicted hurricane evacuation times and ensure adequate shelter capacity for residents during mandatory hurricane evacuation orders by:

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

Policy 12.1.13 Coordinate with the USDA Horticulture Research Station and Florida Power and Light (FPL) regarding future plans for their properties or changes in their operations.

Policy 12.1.14 Provide effective coordination with appropriate agencies through interlocal agreement, joint planning and service agreements, special legislation or joint meetings or work groups when needed to further intergovernmental coordination.

Policy 12.1.15 Utilize the conflict resolution procedures established by the South Florida Regional Planning Council, the dispute resolution process as established by F.S. 186.509, and/or Miami-Dade County conflict resolution forums, where appropriate, to bring closure in a timely manner to intergovernmental disputes.

Policy 12.1.16 Pursue resolution of development and growth management issues with impacts transcending the Village's political jurisdiction. Issues of regional and state significance shall be coordinated with the South Florida regional Planning Council, the South Florida Water Management District, and/or state agencies having jurisdictional authority. Issues to be pursued include, but are not limited to, the following:

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

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

Objective 12.2 ***Transportation and Transit Coordination Needs*. Coordinate with governmental agencies providing all types of transportation facilities and services to Palmetto Bay to ensure the Village receives its fair share of funding and improvements.**

Policy 12.2.1 Work with officials at the Florida Department of Transportation (FDOT), Miami-Dade County Metropolitan Planning Organization (MPO), and Miami-Dade County to promote the inclusion of projects in their plans, programs, and development regulations that adequately provide future capacity for moving people safely and efficiently through the Palmetto Bay.

Policy 12.2.2 Solicit the expenditure of County Road Impact Fees on facilities that best benefit the Villages of Palmetto Bay through participation in the Miami-Dade County MPO's policy and technical coordinating committees.

Policy 12.2.3 Coordinate with officials at Miami-Dade Transit, the Miami-Dade MPO, and FDOT to ensure that safe, continuous pedestrian and bicycle linkages are within all future projects within one-quarter (1/4) mile of transit stops located within the Village to connect residents and visitors with public transit for completing higher order trips.

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

Policy 12.2.7 Work with Miami-Dade Transit and the Office of Public Transportation Management to improve transit service within the Village and make public transit a more viable alternative to automobile travel, and increase the number of Miami-Dade Transit bus routes operating within the village that participate in the Agency's Bike and Ride Program.

Policy 12.2.12 Support efforts by Miami-Dade Transit to consider improvements to the existing transit system including, but not limited to, increased routes, frequency of service, and reliability.

Policy 12.2.13 Coordinate with members of Miami-Dade Transit and the Citizens' Independent Transportation Trust to implement public transportation improvements, including but not limited to public transit, as identified in the Peoples Transportation Plan. Funding for these improvements will come from the half-cent sales tax referendum approved by Miami-Dade County voters in 2002.

Objective 12.3 ***Communicate Village Plans to Affected Outside Entities*. Village of Palmetto Bay's plans and programs proposed in the Comprehensive Plan or through other approved policy documents that impact adjacent communities, Miami-Dade County, the region and the State shall be fully communicated and considered through effective coordination mechanisms.**

Policy 12.3.1 Review of proposed development within the Village of Palmetto Bay shall include findings, where appropriate, indicating any significant impacts on adjacent communities, including unincorporated Miami-Dade County, and their comprehensive plans. Special attention will be given to proposed development on the Village borders.

Policy 12.3.2 Identify, develop, and pursue areas where intergovernmental land use planning and level-of-service agreements are needed between the Village and adjacent or affected governments.

Policy 12.3.3 The Village shall, as needed, review and coordinate with neighboring jurisdictions the Village of Palmetto Bay's land use plans and facility planning for water, sewer, roads, and any other public facilities that may have an impact on other entities or cause inconsistencies between comprehensive plans.

Policy 12.3.4 Continue to participate in cooperative planning programs with other governmental agencies.

Policy 12.3.5 When proposed annexation areas are considered, coordinate with all potential-impacted unincorporated communities, adjacent municipalities, and Miami-Dade County.

Objective 12.4 ***Coordinate with Other Agencies for Recreation.*** **The Village shall coordinate with appropriate agencies regarding recreation and open space.**

Policy 12.4.1 *Coordination.* The Village shall coordinate planning for recreational improvements with each level of government, including Miami-Dade County School Board, Miami-Dade County, and the private sector in order to promote enhanced recreational opportunities, including environmental educational activities, in a cost-effective manner.

Policy 12.4.2 *Natural Areas.* The Village shall coordinate with county, state, and federal agencies and landowners to protect and enhance the natural areas and environmentally sensitive lands (especially Biscayne National Park and Charles Deering Estate) within the Village.

Policy 12.4.3 *Trails.* The Village shall coordinate with the Miami-Dade County Metropolitan Planning Organization (MPO) to upgrade the multiuse trail along the east side of Old Cutler Road (i.e. "Old Cutler Trail") within the municipal boundaries to become a viable link within the trail network planned between downtown Miami and points south.

Policy 12.4.4 *Adjacent Parkland.* The Village shall coordinate with Miami-Dade County to ensure that sufficient parkland is provided in the areas adjacent to the Village to reduce non-resident burdens upon Village activities.

Policy 12.4.5 *Park Site.* The Village shall coordinate with Miami-Dade County on plans to develop a potential park site on all surplus designated lands that are located within the Village.

Policy 12.4.6 *Greenways.* The Village shall actively participate in the planning and update of Miami-Dade County's regional greenways system.

DRAFT

Attachment B
Example of Final Format



Conservation & Sustainability Element

The Conservation and Sustainability Element of the Comprehensive Plan serves as a guide for the Village to protect and enhance its natural environment. The Goals, Objectives, and Policies of this Element meet the requirements of the Florida Statutes, but also go further and act as the lens through which this entire Comprehensive Plan was developed. This Element's first goal, to Promote Sustainability, acts as a driver for all subsequent elements in this document.

The Objectives and Policies in the Conservation and Sustainability Element are driven by the four overarching Goals below:

DRAFT



Promote Sustainability

The village shall promote sustainability, recycling, and healthy air quality in order to protect the community's natural resources and high quality of life.



Protect the Community's Flora and Fauna

In order to enhance the sustainability of the community and the quality of its natural systems, the Village shall protect, promote, and appropriately manage its diverse flora and fauna.



Protect Surface Waters, Wetlands, and Coastal Resources

The Village shall protect the community's surface waters, wetlands, and coastal resources in order to protect water quality and preserve important natural resources.



Protect Potable Water Quality and Supply

The Village shall encourage water conservation and ensure that the community has a quality, dependable potable water supply.



I Promote Sustainability

The Village shall promote sustainability, recycling, and healthy air quality in order to protect the community's natural resources and high quality of life.

Objective A: Promote Sustainability and Green Infrastructure

The village shall promote sustainability, environmental consciousness, and the utilization of green infrastructure.

Policies:

- **CON I.A.1: Minimum Green Standards**
  The Village shall require a minimum green building standards for all new development, remodels, and tenant improvements for commercial, mixed-use and government projects to promote energy efficiency, water conservation, resource efficiency, waste reduction, and pollution prevention.
- **CON I.A.2: Incentives**
  The Village shall encourage developments, through incentives, to utilize energy efficient designs and the use of renewal materials.
- **CON I.A.3: Green Local Government**
  The Village shall maintain its *Florida Green Building Coalition Certified Green Local Government* status.
- **CON I.A.4: Green Infrastructure**
  The Village shall promote the use of nature-based or green infrastructure solutions to address resiliency, where feasible. The Village shall explore the development of a Green Infrastructure Master Plan and consider coordinating with a green infrastructure consultant for municipal buildings and spaces in order to provide for enhanced and connected wildlife habitat, stormwater management systems, and recreational opportunities.
- **CON I.A.5: Green Jobs**
  The Village may explore strategies to leverage the Village's natural and economic assets to attract green jobs and related nature-based industries.
- **CON I.A.6: Sustainable Pest Management**
  The Village may promote sustainable pest management methods that aim to minimze risk to both environmental and human health through the limited use of chemicals.
- **CON I.A.7: Sustainability Focused Events**
  The Village shall encourage more programming focused on sustainability such as recycling drives, tree giveaways, and tree planting events.
- **CON I.A.8: Brownfield Redevelopment**
  The Village may pursue grant funding for the clean-up and reuse of brownfiled sites or future brownfield sites. (See Future Land Use Element).
- **CON I.A.9: Renewable Energy**
  The Village shall encourage the use of renewable energy and solar panels with the community and maximize the use of solar energy at public and park facilities where feasible.
- **CON I.A.10: Green Business Certification**
  The Village shall consider the creation of a Green Business Certification Program and encourage businesses to participate.
- **CON I.A.11: Sustainable Community Plan**
  The Village shall develop and maintain a Sustainable Community Action Plan that guides sustainability measures for the Village over time.
- **CON I.A.12: Lighting**
  The Village shall consider adoption of a lighting ordinance to minimize glare, light pollution, and carbon emissions and mitigate negative impacts to natural habitats.

DRAFT

Objective B: Promote Recycling

The Village shall promote the recycling of materials in order to protect environmental and community health.

Policies:

- **CON I.B.1: Recycling**
  The Village shall assist the Miami-Dade County PWWM in promoting and encouraging residents and businesses to recycle solid waste to the maximum extent possible.
- **CON I.B.2: Recycling Initiatives**
  The Village shall consider expanding recycling containers, including battery recycling bins, in all publicly owned properties including all parks, the Public Services Department, Village Hall, and 900 Perrine.
- **CON I.B.3: Recycling Awareness**
  The Village shall increase awareness and education campaigns on the importance of recycling and reduction of consumption of materials and the positive impacts it has on the environment and shall encourage recycling drives and battery recycling depots.
- **CON I.B.4: Recycling Drives**
  The Village shall consider funding for the bi-annual recycling drives hosted by the Village and for community outreach and recycling education efforts.
- **CON I.B.5: Reduce Litter**
  The Village shall analyze the feasibility of an independent funding account to continue providing services for residents that divert waste from landfills and reduce litter within the community.
- **CON I.B.6: Hazardous Waste Management**
  The Village shall maintain regulations restricting the use of hazardous materials and assist the Miami-Dade County Department of Public Work Waste Management (PWWM) in the implementation of a comprehensive program for the proper storage, recycling, collection, and disposal of hazardous and toxic wastes in the community in order to protect the environment.



DRAFT

Objective C: Protect Air Quality, Minerals, and Soils

The Village shall sustain its high ambient air quality as well as protect its minerals and soils.

Policies:

- **CON I.C.1: Air Quality**
  The Village shall coordinate with county and state agencies to ensure federal air quality standards are not exceeded in order to maintain and improve the existing air quality.
- **CON I.C.2: Improve Air Quality**
  The Village shall coordinate with local officials and universities to participate in studies that can help improve the overall air quality of the Village
- **CON I.C.3: Lower Greenhouse Gas Emissions**
  The Village shall identify and execute projects that will help lower greenhouse gas emissions in the community including creating a greenhouse gas inventory and executing a Greenhouse Gas Emissions Study in order to preserve the residents' high quality of life.
- **CON I.C.4: Reduce Vehicle Emissions**
  The Village shall promote the reduction of vehicle emissions by supporting land uses that promote walking, biking, transit, and alternative modes of transportation, as well as encourage infill development that limits the need for automobile use, increases trip capture, and reduces traffic congestion. (*See Transportation and Future Land Use Elements*).
- **CON I.C.5: Initiatives**
  The Village shall identify and execute initiatives that invest in Village electric and/or hybrid vehicles in efforts to reach net zero emissions.
- **CON I.C.6: Combat Erosion**
  The Land Development Regulations (LDR) shall incorporate performance standards which combat soil erosion and the generation of fugitive dust particles. This includes requiring that measures be taken during land clearing and building operations to combat soil erosion and excessive dust.

DRAFT



II Protect the Community's Flora and Fauna

In order to enhance the sustainability of the community and the quality of its natural systems, the Village shall protect, promote, and appropriately manage its diverse flora and fauna.

Objective A: Protect and Enhance Flora and Fauna

The Village shall manage its environmentally sensitive natural systems including native habitats and open space thorugh intentional land use planning and regulations.

Policies:

- **CON II.A.1: Environmental Protection**
  As sustainability and environmental protection are priorities for the Village, the LDR shall maintain criteria that protects the Village's natural resources from the adverse impact of development.
- **CON II.A.2: Open Space**
  The LDR shall maintain open space requirements for developments and the Village shall seek to expand parks and pocket parks.
- **CON II.A.3: Open Space Connectivity**
  The Village shall promote connectivity of the community's open spaces and connectivity of wildlife corridors in order to minimize habitat fragmentation.
- **CON II.A.4: Permits**
  The LDR shall require that all local, state, and federal permits that are required pertaining to flora and fauna species be obtained prior to development.
- **CON II.A.5: Endangered or Threatened Species**
  The Village shall continue to ensure that Federally and State listed endangered, threatened, or special concern species are protected, and their habitats are conserved and enhanced where possible.
- **CON II.A.6: Protection of Vegetation**
  Existing mature vegetation and native vegetation shall be retained and protected in developments where possible.
- **CON II.A.7: Restoration Efforts**
  The Village shall encourage the restoration of degraded sensitive habitat in order to reestablish natural diversity and habitat connectivity.
- **CON II.A.8: Natural Resource Management**
  The Village shall have standards in place to manage its flora and fauna as well as coordinate with Miami-Dade County in regard to the County's Natural Areas Management Plan.



DRAFT

Objective B: Promote Proper Landscaping and Tree Protection

In order to protect vegetation, tree canopy, shading, and the beautiful design of the built environment, the Village shall regulate landscaping and tree protection standards within the community.

Policies:

- **CON II.B.1: Village Landscape Code**
  The Village shall consider enhancing the landscaping standards in the LDR, including maintenance requirements, to maintain the existing aesthetic and high quality of life in the community. Native vegetation shall be encouraged and enhanced where feasible.
- **CON II.B.2: Florida Friendly Landscaping**
  The Village shall encourage the use of Florida Friendly landscaping in developments which uses low-maintenance water-saving plants and environmentally sustainable practices.
- **CON II.B.3: Removal of Undesirable Exotic Vegetation**
  The LDR shall require the removal of all nuisance and invasive exotic vegetation as defined by the Florida Exotic Pest Plant Council (FLEPPC) prior to development and minimize the use of invasive species.
- **CON II.B.4: Coordination**
  Consistent with F.S. 163.177(6)(d)g, the Village shall maintain cooperation with adjacent local governments to conserve, appropriately use, and protect unique vegetative communities located within more than one local jurisdiction.
- **CON II.B.5: Tree Protection**
  Trees shall be retained and protected where possible.
- **CON II.B.6: Street Tree Master Plan**
  The Village shall maintain and conduct regular reviews of the Street Tree Master Plan which creates roadways with planted medians and right-of-way landscaping for an attractive street environment including a tree canopy cover. Additionally, street trees shall be maintained and trimmed in front of signage to protect community safety.
- **CON II.B.7: Tree City USA**
  The Village shall participate in the Tree City USA program and support the maintenance and continued installation of trees which will enhance the urban forest and tree canopy cover in the community and improve shading.

DRAFT



Objective C: Designate Lands for Protection

The Village shall maintain and seek to expand lands designated for environmental protection to uphold a sustainable and environmentally friendly community.

Policies:

- **CON II.C.1: Protect Designated Areas**
  Areas reserved for conservation uses or restricted development, including parks or lands designated as 'Environmental Protection' and 'Water Management and Recreation' on the Future Land Use Map (FLUM), shall remain protected.
- **CON II.C.2: Expansion of Parks System**
  The Village shall protect existing parks and natural preserves and seek to expand its parks and natural preserves, including identifying opportunities adjacent to the Biscayne Bay (*See Recreation and Open Space Element*).
- **CON II.C.3: Acquisition of Buffer Areas**
  The Village may consider the purchase of strategic coastal properties for preservation, passive recreation, and shoreline access to serve as open space buffers to protect against sea-level rise, storm surge, and king tides as well as to better sustain ecological systems. as well as investigate and sponsor grant applications for this purpose, if feasible.
- **CON II.C.4: Environmentally Endangered Lands**
  The Village shall continue to coordinate with Miami-Dade County to implement the Environmentally Endangered Lands (EEL) program to protect lands acquired through the EEL program and secure additional lands for conservation as appropriate.



DRAFT

III Protect Surface Waters, Wetlands, and Coastal Resources

The Village shall protect the community's surface waters, wetlands, and coastal resources in order to protect water quality and preserve important natural resources.

Objective A: Protect Surface Waters and Wetlands

The LDR shall limit adverse impacts or alterations to surface waters and wetlands to the greatest extent possible.

Policies:

- **CON III.A.1: Delineation**

  The LDR shall require that a proposed development conduct a delineation of the landward extent of wetlands and other surface waters which be formally approved by the South Florida Water Management District (SFWMD), the Florida Department of Environmental Protection (FDEP), and/or the US Army Corps of Engineers (USACE).

- **CON III.A.2: Protect Natural Canals and Ponds**

  The LDR shall include performance criteria designed to regulate against land development activities which adversely impact water quality, contribute to shoreline erosion and sedimentation, or otherwise threaten the long-term health and existence of the Village's surface waters including its natural canals and ponds.

- **CON III.A.3: Protect Wetlands**

  The LDR shall require that wetlands, as defined by F.S. 373.421 and 373.019(27), including their adjacent buffers, be protected to the maximum extent possible. If impacts are proposed, the Village shall evaluate these based on the type of the wetland, function, size, conditions/ location, and overall resource value.

- **CON III.A.4: Wetland Buffers**

  Development on uplands adjacent to wetlands shall preserve a wetland buffer which will act as a barrier between wetlands and development. The LDR shall require that this buffer be in accordance with the minimum standards set by SFWMD.

- **CON III.A.5: Regulatory Tools**

  The Village shall protect wetlands through the dedication of conservation easements, through the designation of 'Environmental Protection' on the FLUM, or through requiring compensatory wetland mitigation where feasible.

- **CON III.A.6: Potential Impacts**

  If impacts to a wetland are proposed, these impacts shall be consistent with SFWMD regulations. Activities in wetland areas may be permitted provided all applicable federal, state, regional, and local external environmental agency permits have been obtained.

- **CON III.A.7: Restoration**

  The Village may pursue restoration efforts for its surface waters and shall coordinate with the appropriate state and county agencies to ensure that natural surface water flow regimes into and through coastal wetland systems are restored and maintained to the maximum extent possible.possible.



DRAFT

Objective B: Protect Marine and Coastal Resources

The Village shall protect and conserve its living marine resources, coastal habitats, and estuarine water quality.

Policies:

- **CON III.B.1: Regulate Adverse Impacts**
  The LDR shall include performance criteria designed to regulate against the adverse impacts of development on estuarine water quality and habitat including, but not limited to, living marine organisms, seagrass, coastal hammocks, coastal marshes, marine wetlands, and mangroves.
- **CON III.B.2: Mitigation**
  The Village shall identify issues outside of its jurisdiction that affect the Village's coastal vulnerability area and Biscayne Bay and participate in projects that create solutions to mitigate these affects which would otherwise impact the residents' quality of life.
- **CON III.B.3: Mangrove Protection Areas**
  The Village shall continue to protect areas designated as 'Mangrove Protection Areas' by Miami-Dade County in accordance with their regulations.
- **CON III.B.4: Restoration**
  The results of coastal water quality and living marine resources performed by Miami-Dade County and SFWMD shall be monitored and the Village shall promote beach nourishment and coastal restoration and enhancement activities.
- **CON III.B.5: Replanting**
  The Village shall encourage the replanting of mangroves and marsh grasses including to enhance public or semi-public shorelines.
- **CON III.B.6: Protection of Shoreline and Coast**
  The Village shall have measures in place that protect Biscayne Bay and its shorelines and enhance public access to the Bay and water-based facilities (See Costal Management Element). The LDR shall require development along the shoreline to be required to revegetate, stabilize, and enhance damaged shorelines by planting native vegetation.
- **CON III.B.7: Minimize Impacts**
  For shoreline access, the Village shall encourage elevated boardwalks that minimize the impact to coastal vegetation.
- **CON III.B.8: Water Impact Statements**
  The Village shall require Water Impact Statements from construction in order to regulate adverse effects some construction can have on the environment, including the floodplain, aquifer, and Biscayne Bay.

DRAFT



IV Protect Potable Water Quality and Supply

The Village shall encourage water conservation and ensure that the community has a quality, dependable potable water supply.

Objective A: Protect Potable Water Supply

The Village shall ensure that there is a sufficient potable water supply to meet the needs of the community.

Policies:

- **CON IV.A.1: Coordination**
  The Village shall continue to coordinate with its water service provider, Miami-Dade County Water and Sewer Department (WASD), to ensure that potable water service to the Village will meet the adopted level-of-service (LOS) standard throughout the planning period (*See Infrastructure Element*).
- **CON IV.A.2: Potable Water Availability**
  The LDR shall require that no development orders be issued until it can be determined that adequate potable water supplies and facilities are available.
- **CON IV.A.3: Smart Growth**
  The Village shall guide smart growth patterns by encouraging future development and redevelopment in areas that are already served, or programmed to be served, by WASD potable water facilities.

DRAFT

Objective B: Promote Potable Water Conservation

The Village shall promote potable water conservation in order to be environmentally conscious about water resources and ensure residents' needs are being met.

Policies:

- **CON IV.B.1: Water Conservation**
  The Village shall actively enact regulations to ensure all residents and businesses reduce and conserve potable and non-potable water to the maximum extent possible. .
- **CON IV.B.2: Irrigation**
  The Village shall not require irrigation and set permanent water restrictions if irrigation is used in order to conserve water resources and shall encourage the use non-potable and/or reclaimed water for landscaping and lawn care.
- **CON IV.B.3: Coordination**
  The Village shall Coordinate with Miami-Dade County WASD and SFWMD to implement water demand management requirements as well as cooperate with these entities for mandated emergency water conservation measures.
- **CON IV.B.4: Regulations**
  The LDR shall maintain regulations regarding water restriction, State of Florida Yards and Neighbors Program, and Florida Friendly landscaping in an effort to conserve water within the community.

Objective C: Protect Water Quality

The LDR shall maintain regulations and monitoring techniques to protect water quality and preserve and enhance the functions of natural groundwater aquifer recharge and natural drainage features.

Policies:

- **CON IV.C.1: Water Quality Protection**

  Water quality shall be protected including through stormwater best management practices and requirements that mandate acceptable paving and drainage plans, adequate open (pervious) space areas, and stormwater detention and retention in development projects. All development projects shall use retention, infiltration, and detention systems as required by the LDR, state, and regional standards.

- **CON IV.C.2: Water Quality Standards**

  The Village shall continue to enforce all FDEP, SFWMD, and Miami-Dade County water quality standards in order to protect, conserve, maintain, and improve the water quality of the community's water bodies and natural groundwater resources.

- **CON IV.C.3: Coordination**

  The Village shall coordinate with the Miami-Dade County and FDEP to conduct routine water quality tests in and adjacent to waterways and advocate for improvements where necessary to maintain acceptable water quality. The Village shall also continue to coordinate with the Biscayne Bay Commission to protect the water quality of the Bay against stormwater impacts.

- **CON IV.C.4: Septic to Sewer**

  In order to protect water quality, the Village shall continue to support the conversion of septic tanks to centralized services and support the expansion of sanitary sewer service within the Village.

- **CON IV.C.5: Groundwater Recharge**

  The Village shall utilize the Stormwater Master Plan and LDR regulations to ensure that private development and public infrastructure projects maintain required surface water quality standards and serve to recharge the groundwater aquifer. The Village shall also monitor and identify any groundwater recharge deficiencies and coordinate with local, state, and federal agencies in protecting the functions of natural groundwater recharge areas and natural drainage features in the community.

- **CON IV.C.6: Projects**

  The Village shall identify and participate in projects outside of its jurisdiction for issues that could negatively affect the Village's groundwater systems in order to create solutions to mitigate these affects.

- **CON IV.C.7: Protection of Waterwells**

  The LDR shall contain performance criteria designed to protect potable water supply and quality by restricting land development within public water well cones of influence in order to avoid potential adverse impacts on potable water resources.

- **CON IV.C.8: Low Impact Development (LID)**

  The Village shall promote environmentally friendly, LID strategies and best management practices that further protect water quality (*See Future Land Use Element*).

DRAFT



Implementation Snapshot

Review and amend the LDR's as needed to support the Policies of the Conservation and Sustainability Element.

Establish an incentive program that may consist of a range of mechanisms to encourage energy efficient designs such as expedited permitting or limited term ad valorem tax exemptions.

Develop a Green Infrastructure Master Plan, coordinating with a green infrastructure consultant for municipal buildings and spaces in order to provide for enhanced and connected wildlife habitat, stormwater management systems, and recreational opportunities.

Evaluate enhancing the landscape requirements within the LDR's to include maintenance requirements, to maintain the existing aesthetic and high quality of life in the community.

Evaluate enhancing water conservation regulations to ensure all residents and businesses reduce and conserve potable and non-potable water to the maximum extent possible.

Amend the Code of Ordinances to further enable and encourage the use of green stormwater infrastructure.

DRAFT



Provide funding to host community events and / or promote recycling.

Study the creation of a Green Business Certification Program and encourage businesses to participate.

Develop and maintain a Sustainable Community Action Plan that guides sustainability measures for the Village over time.

Adopt a more stringent lighting ordinance to minimize glare, light pollution and carbon emissions and mitigate negative impacts to natural habitats.

Consider expanding recycling containers, including battery recycling bins, in all publicly owned properties including all parks, the Public Services Department, Village Hall, and 900 Perrine.

Develop a greenhouse gas inventory and execute a Greenhouse Gas Emissions Study.

Participate in the Tree City USA Program.

DRAFT



Attachment C
2010 Comprehensive Plan

Village of Palmetto Bay
Comprehensive Plan

Prepared for:

The Village of Palmetto Bay

9705 East Hibiscus Street
Palmetto Bay, Florida 33157

Prepared by:

Kimley»Horn

1777 Main Street
Suite 200
Sarasota, FL 34236

TABLE OF CONTENTS

1.0 FUTURE LAND USE ELEMENT 1-1

2.0 TRANSPORTATION ELEMENT 2-1

3.0 HOUSING ELEMENT 3-1

4.0 INFRASTRUCTURE ELEMENT 4-1

5.0 COASTAL MANAGEMENT 5-1

6.0 CONSERVATION ELEMENT 6-1

7.0 RECREATION AND OPEN SPACE ELEMENT 7-1

8.0 INTERGOVERNMENTAL COORDINATION ELEMENT 8-1

9.0 CAPITAL IMPROVEMENTS ELEMENT 9-1

10.0 EDUCATIONAL FACILITIES ELEMENT 10-1

11.0 WATER SUPPLY FACILITIES ELEMENT 11-1

1.0 Future Land Use Element

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

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

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

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

Low-Medium Density Residential (LMDR): This category allows a range in density from a minimum of 5.0 to a maximum of 13.0 dwelling units per gross acre. The types of housing typically found in areas designated as low-medium density include single-family homes, townhouses, and low-rise condominiums /apartments. Zero-lot line single-family developments in this category shall not exceed a density of 7.0 units per gross acre.

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

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

Office and Residential (OR): Uses allowed in this category include both professional and clerical offices, hotels, motels, and residential uses. Developments under this category must be compatible with any existing, zoned or Plan-designated adjacent and nearby land uses. The maximum

scale and intensity of development shall be based on, and compatible with, the proximity and scale of adjacent and nearby residential uses. Points of ingress and egress, including service drives, for office and hotel uses must be located away from adjacent and nearby residential uses. The residential portions of OR sites must also be designed to transition to adjacent existing residential parcels with substantial and effective visual and acoustic buffering. Residential density may be approved up to one density category higher than the average land use density of adjacent parcels. If no residentially-designated parcels exist adjacent to an OR parcel or no higher density categories exist on the Village FLUM, the maximum density allowed shall be 13.0 units per gross acre.

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

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

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

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

areas. The Business and Office land use category intensity requirements are applied to all development in this category.

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

Village Mixed Use (VMU): The land use designation is designed to encourage compact, mixed-use development comprised of business, office, residential, civic, institutional, recreation, open space, and hotel. Development must emphasize the efficient reuse of existing infrastructure, preservation of natural systems, integration of pedestrian and bicycle facilities, and an urban form characterized by close-knit neighborhoods and sense of community. The minimum VMU parcel size is 25.0 gross acres. Each parcel must also adhere to a unified "Development Plan" established through a public charrette process to specify the permitted uses, densities/intensities, building scale and types, and design features and controls. Residential density shall range from a minimum of 5.0 to a maximum of 10.0 dwelling units per gross acre, subject to the approved Development Plan. Non-residential intensities should average a floor area ratio (FAR) of 0.5; subject to limits adopted as part of an approved "Master Plan".

The mix of uses proposed in any "Master Plan" accepted by the Village Council for a VMU site will be adopted into the Future Land Use Element of this Comprehensive Plan during the next regularly scheduled amendment cycle.

Franjo Activity Center (FAC): This designation encourages development or redevelopment that seeks to facilitate multi-use and mixed-use projects that encourage mass transit, reduce the need for automobile travel, provide incentives for quality development, provide for the efficient use of land and infrastructure, provide for urban civic open space, and give definition to a pedestrian urban form. The Franjo Activity Center is intended to support the achievement of a residential to non-residential balance that increases the opportunities for transportation demand management alternatives including but not limited to walking and transit, reduced vehicle miles traveled, and reduced single use trips. The Franjo Activity Center shall serve as a significant, multifamily, employment, office and commercial center of the Village.

Development within the Franjo Activity Center shall:

1. Focus on the effective mix of office, service, retail, entertainment, residential, community facilities, open space and transportation uses that will promote a lively, livable, and successful downtown area;
2. Encourage a pedestrian oriented core;
3. Promote mass transit and other forms of transportation as an alternative to the automobile that will link to the Miami-Dade mass transit system and the Village's local I-bus service or any predecessor service thereto;
4. Encourage the integration of transportation and transit systems with land use;
5. Allow for development and redevelopment activities at varying density and intensity ranges, and allow for the transfer of densities and intensities

for properties within the boundaries of the FAC, as may be permitted by the Village;
6. Promote compact, innovative land development;
7. Promote creative situating of buildings, transportation routes, and open space to create vistas that will unite the downtown areas, link the downtown with the rest of Franjo Activity Center area, and

Total densities and intensities of development within the Franjo Activity Center shall be as follows:

- Residential Land Uses – 5,661 dwelling units, of which 1,246 are to be held in reserve by the Village to be allocated by the Village at the time of site plan approval;
- Commercial/Office/Retail – 1,500,000 square feet, of which 500,000 square feet are held in reserve to be allocated by the Village at the time of site plan approval.
- Urban Open Space/ Recreation Uses with a level of service within the FAC of .25 acres per 1,000 residents within the FAC.

Community facilities will continue to be permitted with the FAC designation. Industrial uses and those uses which are determined to be detrimental to the goals of the FAC Master Plan are prohibited.

The Village may use innovative land development regulations such as transit and pedestrian-oriented development, transfer development rights, development bonuses and minimum land use densities/intensities to ensure an appropriate land use pattern for the Franjo Activity Center. These regulations shall encourage the integration of transportation and transit systems with land use in order to promote effective multi-modal transportation.

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

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

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

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

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

Policy 1.1.2 For the purpose of gross residential density determinations within land use categories, water bodies and non-residential use area are not included.

Policy 1.1.3 The Palmetto Bay Village Center is an 80.0 acre site located northeast of the intersection of SW 184th Street and Old Cutler Road and is subject to the Master Plan accepted by the Village Council in October 2004. Approximately 39 acres of that land is designated "Village Mixed Use" which may include the following maximum development potential:

- Multifamily residential, including but not limited to Apartment Building, Rowhouse/Townhouse, and/or Senior Living Facilities up to 400 units
- Commercial – incidental and supporting uses
- Office – up to 315,000 square feet (including ancillary uses).
- Any increase in commercial square footage or residential units approved by Transfer of Development Rights pursuant to applicable Code shall not exceed maximum permitted land use density by more than 25%.

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

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

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

Policy 1.1.6 Home occupations may be approved in all residential land use categories as a conditional use provided the activity is secondary and incidental to the primary residential uses, maintains a residential appearance, does not

adversely impact the surrounding neighborhood, and complies with all other applicable criteria contained in the Village Land Development Code (LDC).

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

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

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

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

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

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

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

Objective 1.2 **Land Development Code**

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

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

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

Policy 1.2.3 Updates to the LDC should be made to reflect changes made to the Master Village Design Plan, incorporating regulations regarding the continual efforts associated with Tree USA, Landscape Mitigation Program, AIPP program for Arts, in addition to addressing such unique design features as entry identification statements, beautification of transportation corridors, bike and pedestrian ways, landscape palettes, waterway vistas, public buildings, architectural guidelines, and public open space.

Policy 1.2.4 Allow appropriate flexibility in the new LDC to encourage and enhance public access in the Village's coastal waterfront, such as clustering and density incentives.

Policy 1.2.5 Provide for a code enforcement system in the new Code that maintains and enhances the quality standards of the community, and is very responsive to resident and business owner inquires and needs.

Policy 1.2.6 Continue to include appropriate regulations in the LDC to property address local topography, flooding frequency, soil, and other applicable environmental conditions in development approvals. In addition, provide for adequate drainage and storm water management, open space, vehicle parking, and safe, convenient on-site traffic flow.

Policy 1.2.7 Coordinate regulations for the subdivision of property in the Village of Palmetto Bay with the Miami-Dade County Public Works Department.

Policy 1.2.8 Preserve existing water-dependent and water-related uses within the Villages and establish standards within the Land Development Code for siting future water-dependent and water-related uses that address land use compatibility, availability of upland support services, existing protective status or ownership, hurricane contingency planning, protection of water quality, water depth, environmental disruptions, mitigation actions, availability for public use, economic need, and feasibility.

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

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

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

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

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

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

Policy 1.3.6 Identify alternative level-of-service components which support Complete Street elements such as bicycle capacity, pedestrian facilities, and multimodal options.

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

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

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

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

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

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

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

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

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

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

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

Policy 1.5.3 Actively support all public efforts to purchase additional coastal parcels for preservation, passive recreation and shoreline access. Investigate and sponsor grant applications for this purpose, if feasible.

Policy 1.5.4 Protect and enhance the lush flora and fauna of the Village through strong community landscaping guidelines, land development regulations, and code enforcement.

Policy 1.5.5 Retain and strengthen regulations protecting surface water, groundwater and air quality by implementing the standards for these resources establish by applicable regional, state, and federal environmental agencies.

Policy 1.5.6 Potable Water. No development orders shall be issued unless it can be determined that adequate potable water supplies and facilities are available.

Policy 1.5.7 Concurrency relating water supply shall be completed prior to the anticipated date of issuance of a certificate of occupancy in compliance with Policy 11.5.8. The Village shall consult with Miami-Dade County to determine that water supplies will be available at the time the certificate of occupancy is issued.

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

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

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

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

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

Objective 1.7 **Street Tree Master Plan**

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

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

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

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

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

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

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

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

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

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

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

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

Policy 1.7.12 Continue participation in the Tree City USA program and provide additional street tree placement in conjunction thereto.

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

2.0 Transportation Element

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

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

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

1. All development applications within the Urban Infill Area Transportation Concurrency Exception Area are exempt from transportation concurrency requirements; however the following level of service thresholds are established for reviewing projects within the UIA TCEA: (1) Where no public mass transit service exists, roadways shall operate at or above Level of Service E (100% of capacity), (2) Where mass transit service having headways of 20 minutes or less is provided within a half-mile distance, roadways shall operate at Level of Service of 120% of capacity (3) Where extraordinary transit service, such as express bus service exists, parallel roadways within a half-mile shall operate at no greater than 150% of their capacity; and
2. Between the UDB and UIA: (1) Where no public mass transit service exists, roadways shall operate at or above Level of Service D (90% of capacity) (2) Where mass transit service having headways of 20 minutes or less is provided within a half-mile distance, roadways shall operate at Level of Service E (100% of capacity) (3) Where extraordinary transit service, such as express bus service exists, parallel roadways within a half-mile shall operate at no greater than 120% of their capacity

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Objective 2A.3 Increase Vehicle Occupancy

Increase the vehicle occupancy rate from the current 1.34 persons per vehicle to 1.41 persons per vehicle by 2020 for commuting residents of Palmetto Bay.

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

Objective 2A.4 Community and neighborhood Protection

Development and expansion of the transportation system within Palmetto Bay should be done in a way that does not adversely impact community and neighborhood integrity.

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

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

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

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

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

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

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

Policy 2A.4.6 Coordinate with the Miami-Dade County MPO for the implementation of the Miami-Dade County Grade Separation Feasibility Study and the US 1 Intersection Improvements Study.

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

Policy 2A.5.1 By January 2015, the Village Sidewalk Inventory should be reviewed and updated. Sidewalks in accordance with recommendations from the updated Village Sidewalk Inventory should be constructed to address missing links and/or gaps in the current sidewalk network. Gaps within the sidewalk network, located in front of vacant lots should be constructed in accordance with approved site plan for future development.

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

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

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

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

Policy 2A.5.6 Continue to implement on-street bicycle lanes recommended in the Village of Palmetto Bay Transportation Master Plan (adopted October 2004) with assistance from Miami-Dade County and the Florida Department of Transportation.

Policy 2A.5.7 Work with representatives for Miami-Dade Transit to increase the number of MDT bus routes operating within the Village that participate in the Agency's Bike and Ride Program.

Policy 2A.5.8 Participate in pedestrian and bicycle planning programs of the Miami-Dade County MPO and District VI of the FDOT.

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

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

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

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

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

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

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

Policy 2B.2.2 The Village will act upon the conclusions and reasonable recommendations if feasible, made in the local transit circulator study report to implement a local transit circulator service that provides a viable alternative to the single-occupant automobile for short trips within the Village.

Policy 2B.2.3 Act upon the conclusions and reasonable recommendations made in the local transit circulator study report to implement the school transit circulator service focused on providing a viable alternative to automobiles for picking up and dropping off students.

Policy 2B.2.4 Provide incentives, such as increased allowable density or reduced parking requirements, to developers of all residential, commercial, and/or general

office land uses within identified mixed-use land use categories that place public transit facilities within their parcels.

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

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

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

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

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

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

Policy 2C.1.2 The Village will coordinate with the County to identify ways to reinforce the neighborhood character of the land uses depicted in the Future Land Use Map and discourage the avoidable intrusion of "cut-through" along County right-of-way SW 87th Avenue, between SW 184th Street and SW 168th Street, through implementation of traffic calming and other streetscape improvements. The Village will work with the County to identify methods to minimize cut-through traffic and or minimize its impacts.

Policy 2C.1.3 Continue to coordinate with Miami-Dade County to determine the feasibility of widening major roads to enhance access to the Florida Turnpike, from two lanes to five lanes with bicycle lanes and sidewalks relieve pressure on the already over-capacity section of Old Cutler Road, within municipal boundaries. Furthermore, emphasis for improvements to these corridors should also consider a streetscape master plan with common signage, landscaping, street lighting, and pavement treatments that help reinforce these corridors as a gateway into Palmetto Bay.

Policy 2C.1.4 Continue to coordinate with Miami-Dade County and the Miami-Dade County Metropolitan Planning Organization (MPO) to support redevelopment of the portion of southwest Palmetto Bay located along the South Dade Busway as a transit oriented center. The extents of the transit oriented center are illustrated as Franjo Activity Center land use categories on the Future Land Use Map.

Objective 2C.2 **State and County Roads.**
The Village shall monitor traffic volumes on existing State and County maintained roads that cross Palmetto Bay and require in connection with future development that roadway improvements be undertaken by the developer as a condition to issuance of necessary permits to ensure that the goals, objectives, and policies of this element are met.

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

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

Policy 2C.3.1 The Village's Garden Club will continue to provide assistance to the Village's Tree Board Advisory Committee as an added incentive for supporting the Village's Tree City USA designation and further support for the Village's Street Tree Master Plan. The group is encouraged to meet regularly to monitor and maintain activities associated with implementation of projects within the Street Tree Master Plan and initiatives identified by the Tree Board Advisory Committee.

3.0 Housing Element

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

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

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

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

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

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

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

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

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

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

Policy 3.1.9 By January 2020, evaluate the appropriateness of allowing accessory apartments (aka: granny flats) in existing neighborhoods provided adequate setbacks, parking, drainage, septic system, and other requirements and level of service standards are maintained.

Policy 3.1.10 Support the utilization of county, state, and federal housing programs to provide home repair and/or home purchase opportunities for current and future residents.

Policy 3.1.11 Encourage local employers to offer their assistance in meeting the housing needs of cost-burden employees.

Policy 3.1.12 Partner with the South Florida regional Planning Council in their efforts to increase public awareness of affordable housing issues through an educational program highlighting the positive benefits of good urban and

building design on affordable housing and addressing other common misconceptions associated with affordable housing.

Policy 3.1.13 The Village has created a Medium Density Residential and a Medium High Density Residential Future Land Use Designation. The designated areas are adjacent to US 1 and reflect existing densities of the current zoning districts. These proposed designations would reflect existing and future commitments to provide affordable and work force housing units.

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

Policy 3.2.1 By January2016, finalize the Village's role in a regional solution (Regional Fair Share) to ensure the availability of adequate affordable housing for all income ranges within a reasonable commute distance from employment centers.

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

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

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

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

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

Policy 3.3.2 By January 2016, an assessment of the existing affordable housing permitting process should be performed to determine if a decrease in cost and/or increase in efficiency of providing affordable housing is needed.

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

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

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

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

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

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

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

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

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

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

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

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

4.0 Infrastructure Element

(A) Potable Water Sub-Element

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

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

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

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

b. Water shall be delivered to users at a pressure no less than 20 pounds per square inch (psi) and no greater than 100 psi. Unless otherwise approved by the Miami-Dade Fire Rescue Department, minimum fire flows based on the land use served shall be maintained as follows:

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

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

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

Policy 4A.1.2 Monitor, and assess periodically, the planning, capital programming, and construction programs of the Miami-Dade County WASD, as well as service complaints, to help ensure that Village residents, businesses and other

Village users are provided with potable water services in compliance with the adopted LOS standard.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Policy 4A.3.7 All future development will be required to comply with water use efficiency techniques for indoor water use in accordance with Section 8-31, 31-84 and 8A-381 of the Code of Miami-Dade County.

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

Policy 4A.3.9 All permit applications for multifamily residential developments shall be required to include a sub-meter for each individual dwelling, per Section 8A-381(c) of the Miami-Dade County Code.

(B). Sanitary Sewer Sub Element

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Objective 4B.3 **Treated Wastewater Re-Use**
Coordinate with the Miami-Dade County Water and Sewer Department (WASD) to promote reuse of treated wastewater and other by-products for public open space and golf course irrigation, fertilization, and aquifer recharge.

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

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

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

(C) Stormwater Management (Drainage) Sub-Element

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

Objective 4C.1 **Maintain Adopted Level-of-Service Standards**
Coordinate with the Federal Emergency Management Agency (FEMA), South Florida Water Management District (SFWMD), and Miami-Dade County to ensure the Village's storm water management system meets or exceeds adopted LOS design standards over the planning period.

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

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

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

Policy 4C.1.2 The Village shall continue to allocate annual funds collected through the Stormwater Utility fund to address existing stormwater deficiencies identified in the Stormwater Master Plan.

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

Policy 4C.1.4 All structures shall be constructed at or above the minimum floor elevations specified in the most recent edition of the Florida Building Code (FBC) or Chapter 11-C of the Code of Miami-Dade County.

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

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

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

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

Policy 4C.2.3 Actively coordinate the Villages stormwater planning, programing, and construction with the Federal Emergency Management District (SFWMD), Miami-Dade County Department of Regulatory and Economic Resources, and the Miami-Dade County Public Works Department.

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

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

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

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

Policy 4C.4.1 Management program shall be reviewed annually and updated as needed to ensure timely maintenance of existing and future stormwater facilities.

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

(D) Solid Waste Sub-Element

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

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

Policy 4D.1.1 The adopted Level of Service standards maintained by the Miami-Dade County Department of Public Works Waste Management (PWWM), for solid waste services within Village of Palmetto Bay are 9.9 pounds/capita/day to maintain solid waste disposal capacity sufficient to accommodate waste flows committed to the system through long-term interlocal agreements or contracts

along with anticipated non-committed waste flows for a period of five (5) years in accordance with the County's Comprehensive Development Master Plan.

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

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

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

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

Objective 4D.2 **Recycling**

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

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

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

Objective 4D.3 **Hazardous and Toxic Materials**

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

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

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

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

(E) Natural Groundwater Aquifer Recharge Sub-Element

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

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

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

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

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

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

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

5.0 Coastal Management

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Policy 5.2.3 The Village will continue to place a high priority on maintaining existing water-dependent and water-related land uses for public access. Priority will be

given in land planning by the Village for water-dependent land uses along the shoreline.

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

Objective 5.3 **Flood Protection**

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

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

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

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

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

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

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

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

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

Policy 5.4.3 The Village will reduce or maintain a maximum hurricane evacuation clearance time of 10.0 hours for the Hurricane Vulnerability Area (HVA) measured using the methodology assumed in the South Florida Regional Planning Council "Hurricane Evacuation Study." To this end, no comprehensive plan amendments or development applications should be approved that increase densities or intensities beyond those depicted on the Future Land Use Map for lands within the HVA without property analysis to determine compliance with this policy for hurricane evacuation clearance

time. A 12-hour evacuation time to shelter is maintained for a category 5 storm event as measured on the Saffir-Simpson scale and shelter space reasonably expected to accommodate is available.

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

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

Policy 5.4.6 Policy 5.4.5The Village of Palmetto Bay recognizes that the boundaries of its Coastal High Hazard Area (CHHA) shall be the area below the elevation of the category 1 storm surge line as established by a Sea, Lake, and Overland Surges from Hurricanes (SLOSH) computerized storm surge model. The Village of Palmetto Bay CHHA boundary is derived from the Florida Statewide Regional Evacuation Study.

Objective 5.5 **Coastal High Hazard Area (CHHA)-Infrastructure**

Ensure that infrastructure in the Coastal High Hazard Area (CHHA), as defined in Section 163.3178(2)(h), F.S. as the area below the elevation of the category 1 storm surge line as established by a Sea, Lake, and Overland Surges from Hurricanes (SLOSH) computerized storm surge model, is provided in accordance with the adopted level of service standards set forth in the Transportation Element, Infrastructure Element, and Capital Improvements Element to serve development and redevelopment towards coastal resource preservation and safe evacuation.

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

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

Policy 5.5.2 Notwithstanding the provisions under Policy 5.5.1, expenditures for flood control, natural resource enhancements, or the maintenance of existing

utilities and services, including fire and recreation, shall be permitted in the Coastal high Hazard Area (CHHA).

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

Policy 5.5.4 A priority for infrastructure improvements targeted for the Coastal High Hazard Area (CHHA) shall be to construct these new public facilities and services to a standard that reduces exposure to human life through natural hazards and/or improves evacuation clearance times.

Objective 5.6 **Coastal High Hazard Areas (CHHA) – Population**
Direct Population concentrations away from the Coastal High Hazard Area (CHHA), as defined in Section 163.3178(2)(h), F.S. as the area below the elevation of the category 1 storm surge line as established by a Sea, Lake, and Overland Surges from Hurricanes (SLOSH) computerized storm surge model.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Policy 5.8.8 Temporary building moratoriums may be declared in the Coastal High Hazard Area (CHHA) when fifty percent (50%) or more of the homes and businesses

have been destroyed in order to assess impacts and feasibility of redevelopment.

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

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

6.0 Conservation Element

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

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

Policy 6.1.1 Coordinate with county and state agencies to ensure Federal air quality standards are not exceeded in order to maintain and improve the existing air quality.

Policy 6.1.2 By January 2016, Land Development Regulations should be revised, related combating erosion, the generation of excessive dust from building sites and cleared areas, and nuisance odors from industrial and business uses.

Policy 6.1.3 Utilize standards in the Land Development Regulations (revise by September 2006) that combat erosion, the generation of excessive dust from building sites and cleared areas, and nuisance odors from industrial and business uses.

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

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

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

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

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

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

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

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

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

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

Policy 6.2.10 The Village's Land Development Code (LDC) shall contain regulations requiring the use of all feasible water-saving devises in new and renovation building construction.

Policy 6.2.11 Encourage the use of water-saving "Florida Friendly" plants, watering techniques and landscape designs in existing and future developed areas of the Village.

Policy 6.2.12 Do everything possible to encourage homeowners and businesses in the Village of Palmetto Bay to use non-potable and/or reuse water for landscaping and lawn care.

Policy 6.2.13 Coordinate with the Miami-Dade County Water and Sewer Department (WASD) to install treated re-used (grey) water lines in Village of Palmetto Bay for use on rights-of way and other appropriate landscaped areas within the Village limits. MDWASD does not have any planned re-use projects within the Village of Palmetto Bay.

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

Policy 6.2.15 All future development will be required to comply with water use efficiency techniques for indoor water use in accordance with Section 8-31, 31-84 and 8A-381 of the Code of Miami-Dade County.

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

Policy 6.2.17 All permit applications for multifamily residential developments shall be required to include a sub-meter for each individual dwelling, per Section 8A-381(c) of the Miami-Dade County Code.

Objective 6.3 **Surface Water Quality**

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

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

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

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

Policy 6.3.4 Maintain regulations and monitoring techniques within the Land Development Regulations to ensure that adequate stormwater management standards for pervious area, retention and detention are included from the SFWMD and Miami-Dade County Department of Regulatory and Economic Resources, and that the drainage LOS standard adopted in this Comprehensive Plan is met.

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

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

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

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

Policy 6.4.4 Regulate surface water management and flood damage prevention by maintaining regulations in~~to~~ the Land Development Regulations consistent with program policies of the Federal Insurance Administration.

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

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

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

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

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

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

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

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

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

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

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

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

Objective 6.6 **Wetland Protection**

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

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

1. Such an activity is necessary to prevent or eliminate a public hazard;

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

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

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

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

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

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

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

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

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

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

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

Policy 6.7.7 Landscape plans should take into consideration the potential impact of mature vegetation on significant views so that future removal of view blacking trees will not be necessary.

Policy 6.7.8 Trees should be planted along residential streets, in parking lots requiring landscaping, and in other pervious areas as the opportunity arises and in accordance with the Village's Street Tree Master Plan. Trees should be retained whenever possible and maintained using Best Management Practices as appropriate for each tree type.

Policy 6.7.9 The exotic pest plant and nuisance species listed in Section 24-49.4 of the Code of Miami-Dade County, shall not be sold, propagated, or planted within the Village. If existing on a development site, they shall be removed prior to development or redevelopment and developed parcels shall be maintained to prevent the growth or accumulation of prohibited species.

Policy 6.7.10 The exotic plant species listed in the County's adopted Landscape Manual as amended may not be planted within 500 feet of native plant communities in the village. These plant species have been documented by the Florida Exotic Pest Plant Council, the Miami-Dade County Parks, Recreation and Open Spaces Department's Natural Areas Management Program, and the Miami-Dade County Division of Environmental Resources Management to be invasive pests in natural areas of Miami-Dade County.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

7.0 Recreation and Open Space Element

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

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

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

Policy 7.1.2 Through the maintenance and expansion of existing park facilities and the acquisition and/or development of new parks and open space, achieve: (1) a village-wide level of service (LOS) standard of 5.0 acres per 1,000 residents by 2025; and (2) a separate LOS of .25 acres per 1,000 residents for developments within the Franjo Activity Center area.

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

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

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

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

Policy 7.1.7 Continue to coordinate with the Miami-Dade County MPO to upgrade the multiuse trail along the east side of Old Cutler Road (i.e. "Old Cutler Trail") within the municipal boundaries to become a viable link within the trail network planned between downtown Miami and points south.

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

Policy 7.1.9 Develop a maintenance schedule for updating the landscaping within all Village parks to provide additional tree canopy, and provide support for the indigenous flora and fauna, while adhering to the intent of the Village's Street Tree Master Plan, dated June 21, 2006, including by providing drought resistant, indigenous trees in the parks.

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

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

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

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

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.

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

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

Policy 7.3.2 Coordinate with Miami-Dade County on plans to develop a potential park site on all surplus designated lands that are located within the Village.

Policy 7.3.3 Actively participate in the planning and update of Miami-Dade County's regional greenways system.

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

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

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

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

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

(1) achieve cost efficiency;

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

Policy 7.4.2 The Village shall prepare on an annual basis a vacant property inventory to identify potential properties for future parks and/or linear open spaces.

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

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

8.0 Intergovernmental Coordination Element

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Policy 8.2.4 Coordinate with the Miami-Dade County MPO concerning their US 1 Grade Separation Study currently underway for the entire county to understand the impacts for grade separation for east-west travel within the Village and its impacts to the character of Palmetto Bay.

Policy 8.2.5 In conjunction with the Florida Department of Transportation, complete by January 2015, pedestrian improvements for targeted intersections along US 1 including, but not limited to, freshly painted crosswalks and/or more appropriate paving materials, better lighting for nighttime use, and improved "count down" pedestrian signals.

Policy 8.2.6 Coordinate with the Miami-Dade County MPO to upgrade the multiuse trail along the east side of Old Cutler Road (i.e. "Old Cutler Trail") within municipal boundaries to become a viable link within the trail network planned between downtown Miami and points south.

Policy 8.2.7 Work with Miami-Dade Transit and the Office of Public Transportation Management to improve transit service within the Village and make public transit a more viable alternative to automobile travel, and increase the number of MDT bus routes operating within the village that participate in the Agency's Bike and Ride Program.

Policy 8.2.8 The Village Manager shall direct the transportation liaison established within this Element to meet with the Miami-Dade Office of Emergency Management at least every twelve months to coordinate on evacuation plans and related issues and report back to the Manager.

Policy 8.2.9 Continued coordination with the Florida Department of Transportation to implement a master landscape plan for the US 1 transportation corridor, within municipal boundaries to further reinforce the character of Palmetto Bay through urban design.

Policy 8.2.10 Participate in pedestrian and bicycle planning programs of the Miami-Dade County MPO and District IV of the FDOT.

Policy 8.2.11 Continue to coordinate with Miami-Dade County and the Miami-Dade County Metropolitan Planning Organization (MPO) to support redevelopment of the portion of southwest Palmetto Bay located along the South Dade Bus way as a transit oriented center. The extents of the transit oriented center are illustrated as "Neighborhood Mixed-Use" and "Mixed-Use Corridor" land use categories on the Future Land Use Map and further described in the Final Southwest Palmetto Bay Charente Report adopted by the Village Council in October 2004.

Policy 8.2.12 Support efforts by Miami-Dade Transit to consider improvements to the existing transit system including, but not limited to, increased routes, frequency of service, and accuracy of scheduling.

Policy 8.2.13 Coordinate with members of Miami-Dade Transit and the Citizens' Independent Transportation Trust to implement public transportation improvements, including but not limited to public transit, as identified in the Peoples Transportation Plan. Funding for these improvements will come from the half-cent sales tax referendum approved by Miami-Dade County voters in 2002.

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

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

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

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

for water, sewer, roads, and any other public facilities that may have an impact on other entities or cause inconsistencies between comprehensive plans.

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

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

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

9.0 Capital Improvements Element

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

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

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

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

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

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

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

Objective 9.2 **Public Facilities**

Provide high-quality roads and infrastructure facilities and services, including public educational facilities necessary to meet the existing needs and accommodate planned future growth at the adopted level-of-service standards.

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

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

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

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

1. Protects public health, safety, and welfare;

2. Fulfills existing legal commitments of the Village to provide facilities and services;

3. Corrects an existing public facility deficiency identified in this Plan;

4. Permits the most efficient and effective use of existing and/or future facilities;

5. Provides new capacity to accommodate future growth consistent with this Plan;

6. Prevents or reduces future improvement costs; and

7. Promotes cost effective use of time and revenue (related projects)

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

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

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

Policy 9.2.8 The Miami-Dade County School Board's latest adopted district facilities work plan should be evaluated on an annual basis to ensure that the level of

service standards will continue to be achieved and maintained throughout the planning period.

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

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

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

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

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

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

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

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

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

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

c. The necessary facilities and services are guaranteed in an enforceable development agreement, pursuant to Section 163.3220, FS, or an agreement or development order issued pursuant to Chapter 380, F.S, to be in place or under actual construction not more than one year after issuance of a certificate of occupancy or its functional equivalent.

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

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

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

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

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

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

development agreement adopted pursuant to Chapter 163, F.S. or in development order issued pursuant to Chapter 380, F.S.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Notes:

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

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

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

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

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

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

Five-Year Schedule of Capital Improvements

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

CONCURRENCY MANAGEMENT AND PUBLIC FACILITY MONITORING

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

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

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

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

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

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

PLAN MONITORING, EVALUATION AND APPRAISAL

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

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

10.0 Educational Facilities Element

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

11.0 Water Supply Facilities Element

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Policy 11.2.9 Before approval of a building permit or change of use, the Village will ensure that a Water Supply Certification letter has been issued by the MDWASD to ensure adequate water supply is available for the proposed use.

Objective 11.3 **Water Conservation**

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

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

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

Policy 11.3.3 The Village shall implement water-saving "Florida Friendly" and/or "Florida Friendly" Plantings, watering techniques, and landscape design ordinances

in existing and future developed areas of the Village including adopting the Florida Yards and Neighbors Program, modify the Village's landscaping ordinances and implementing emergency water restriction policies. The Village has already adopted water restriction ordinances, State of Florida Yards and Neighbors Program, and modified its landscaping ordinances relating Florida Friendly plantings.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Attachment D
Interactive Website
Public Participation Summary

Palmetto Bay Comprehensive Plan Update

Social PinPoint Website Summary:

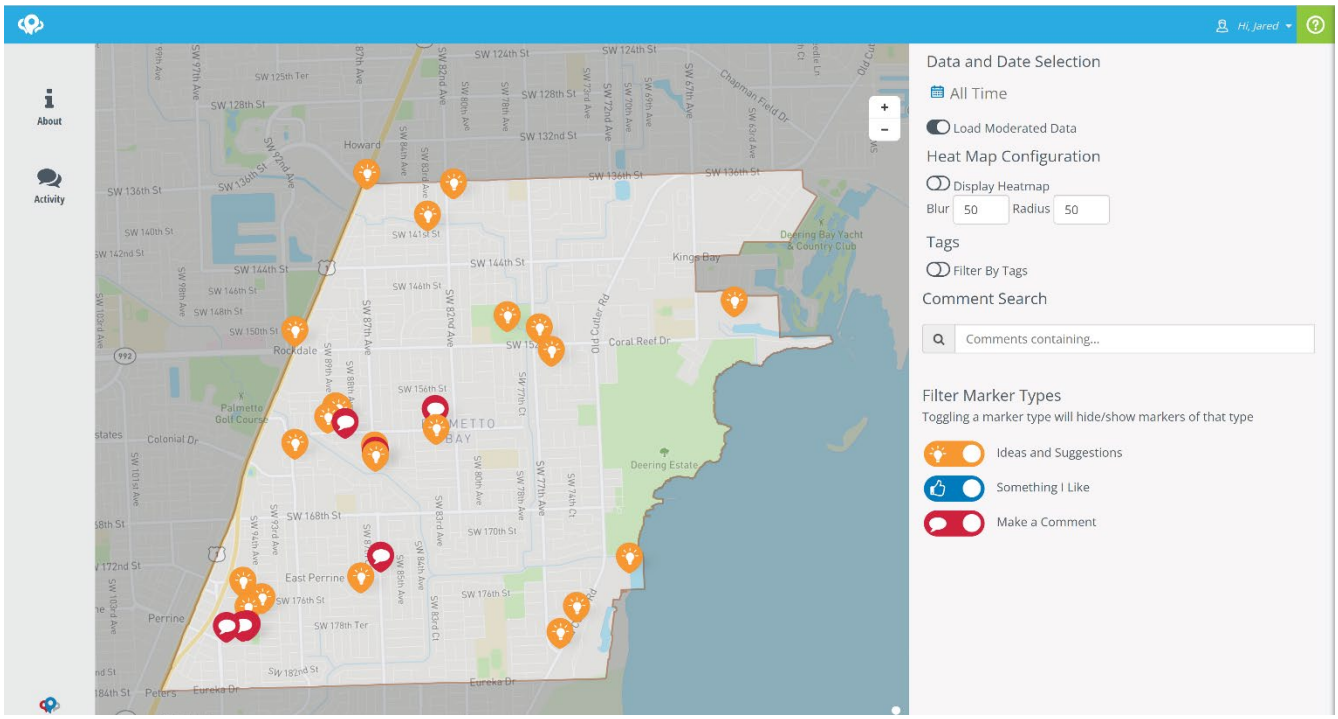
Active Dates: March 03 – July 03, 2023

User Data:

Engagement Summary

1245	283	0:51	21	36
Total Visits	Unique Users	Avg Time (min)	Unique Stakeholders	Comments

Map Graphic:



Map Comments:

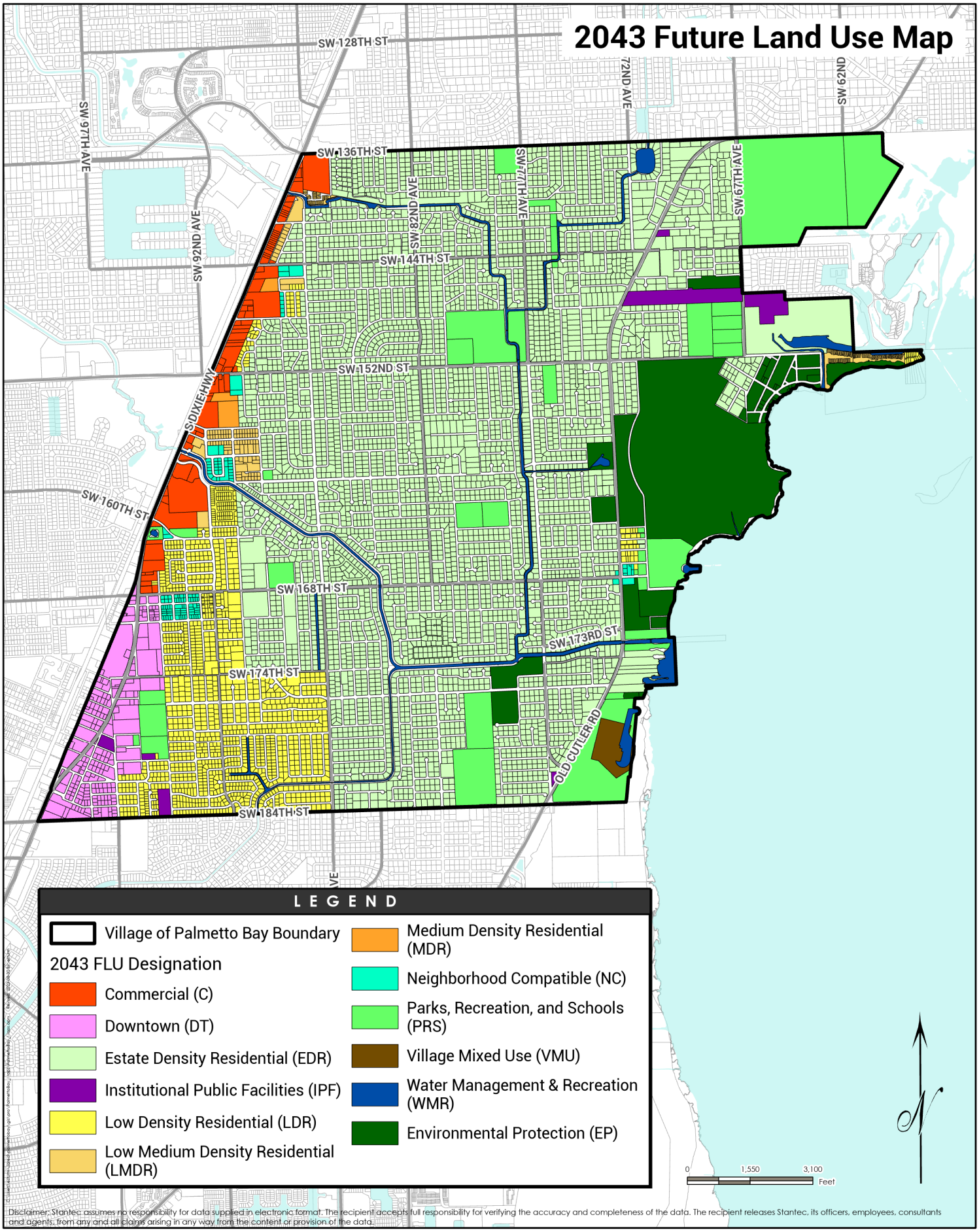
Comments	Up Votes	Down Votes
Very dangerous intersection. Cars are speeding and ignoring stop sign. Accidents are bound to happen	3	0
Speed bumps or speeding signs need to be placed. There are many walkers, bikers, children, etc. crossing or entering/exiting park. Speed bumps are in place on 94th and should be here too.	6	1
Playground needs major improvements and repairs need to be done in a timely manner. The state of the playground is unacceptable.	4	0
Love the sidewalk additions down 92nd Ave. Would like to see the neighborhood around the park also have a continuous sidewalk. Depending on the block on 94th and 93rd the sidewalk comes and goes. Would be beneficial to families to to the park or dog walkers who cannot walk in the park.	7	0
Would like to add 2 speed bumps on 161 street as many vehicles from ford and other dealerships drive by at lightening speeds. There are over 10 young children in this block.	2	0
Consider adding No Thru Traffic signs at the entry into the neighborhood at 77th and Old Cutler. This would be part of an effort to try to reduce the number of speeding vehicles that bypass the traffic signal at 176th and Old Cutler during the morning rush hour. These vehicles cut through the neighborhood and re-join Old Cutler from 174th further slowing Old Cutler northbound traffic. Making 174th one way heading west only from 7-9am might also help.	0	0
People speed on this road and do donuts right in from of Casa De Campo, behind Brandsmart. Dangerous for people walking or trying to cross the street.	0	0
Cars constantly on the street making deliveries or waiting for someone. This is a dangerous situation	0	0
Trees need to be regularly trimmed in from of stop signs and speed bumps so they can be seen	0	0
Cars constantly parked in the street for deliveries or pick ups is dangerous.	0	0

Comments	Up Votes	Down Votes
Tree branches keep damaging power lines. We should look to transition power lines underground.	3	0
Bi-directional traffic along Old Cutler backs up for miles between Eureka Dr. and 168th St. Traffic circles may help flow, but locals PB residents attempting to turn onto Old Cutler will be challenged due to traffic density. We need to work with other municipalities and find ways encouraging drivers living south of Palmetto Bay to find reasonable alternatives to cutting through the Village for their morning/evening commute.	3	0
No right turn sign between 7-9am. Cut-through traffic uses this to avoid the no right turn signs on 87th Ave. Some even do u-turns on 176 St and 176 Terr in order to head south and make a legal left turn to avoid 87th Ave north. Let's connect the inadequate grid by building bridges over the canal to allow for more north/south options for all drivers.	4	0
Palmetto Bay needs a way to have it's residents enjoy the bay. How about creating a bay front type park or walking area.	10	0
I would like to see a left turn arrow added to the stop light at SW 82nd Avenue and SW 136th Street.	0	0
I would like to see a left turn arrow added to the traffic light at SW 82nd Avenue and SW 136th Street.	4	0
Build the bridge here	7	2
The playground at Palmetto Bay Park needs to be re-done. It is worn out and needs to be replaced. Also the ground over around and under the equipment has deteriorated. It all needs to be replaced. Repairs have been made on parts of the equipment however other parts have remained broken or not replaced .(equipment not replaced are the swings .)	0	0
Build the bridge and stop holding District 3 hostage.	7	2
Park should include educational material within the playground that is interactive. For example: include something that would teach the ASL Alphabet	2	0
Add a roundabout	0	1

Comments	Up Votes	Down Votes
A Palmetto Bay resident only dry boat storage of about 100 boats. Would be resident only and not visible from the street. Being dry stack no ramp traffic is created. No other municipality has this	0	1
All trash cans needs a lid. Half have them and half do not. On windy days the bags invert sending litter across the park.	0	0
We would like to make this piece of land into a neighborhood green space. Should have more shade trees, section for neighborhood garden, a small splash pad, a natural walking path, sustainable landscaping that minimizes maintenance, xeriscaping that also continues to serve as flood mitigation for the neighborhood with pervious non paved areas.	0	0
Would like to have more traffic calming devices in our neighborhoods. Encourage outdoor play and activity.	0	0
Please pass ordinance to protect our streets. There are many other connectivity methods for our resident and those of our neighbors to minimize traffic and increase connectivity. Building a bridge and adding more pavement is not the way.	0	0
Better tree canopy along our us 1 boundary as well as parking lots. Make it aesthetically pleasing using native trees and plants to help make us 1 walkable for residents to get to local businesses. Also improves the look and feel of the community.	0	0
My suggestions as a long time Palmetto Bay Resident. More bridges across canals to alleviate traffic congestion. More amenities at coral reef Park. Finish downtown Palmetto Bay to attract more dining, nightlife and entertainment to the area.	0	0
Discouraged the use of cars. Encourage walking and bike riding with better/more sidewalks and bike lanes. Install electric charging stations. Improve the overall appearance of the businesses that line US1.	0	0
A Longer green light for westbound traffic crossing US-1 would be nice.	0	0

Comments	Up Votes	Down Votes
Our Public Works Department Building has no Handicapped Parking available. The cars at this location are all over the lawn green space and lined up along this road, cars park on the sidewalk blocking the pedestrian. Parking Improvements are much needed here as well as following codes and leading by example. Please Improve Parking and Beautify our Building Department. City Hall also needs added parking or a parking garage.	0	0
No more speed humps	0	0
Provide a Sunday morning sound ordinance at Coral Reef Park. I'm suggesting no loud music that can be heard at surrounding homes until 10:00 a.m.	0	0
Add additional stop sign due to speeding.	0	0
Village should add shade canopy with trees or other to protect waiting commuters and vehicles from heat and sun. Additionally there should be charging stations for commuters with EVs. Preferably a solar powered charging station that can triple for charging, shade, and neighborhood power.	0	0
We should have a neighborhood pocket park/green space. It should be 70%shaded with native tree canopy, charging benches, small walking trail, maybe a small splash pad for the neighborhood kids, native flower garden, nothing paved - permeable to help with water drainage mitigate flooding/ponding.	0	0

Attachment E
Proposed Future Land Use Map



DRAFT for Discussion Purposes 9/8/2023