VILLAGE OF PALMETTO BAY

Mayor Karyn Cunningham
Vice Mayor Mark Merwitzer
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
LOCAL PLANNING AGENCY MEETING
MONDAY, OCTOBER 20, 2025 – 7:00 PM

(PRIOR TO THE ZONING HEARING)
VILLAGE HALL MUNICIPAL CENTER
9705 EAST HIBISCUS STREET, PALMETTO BAY, FL 33157
(305) 259-1234

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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. **REQUESTS, 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. PUBLIC HEARING ITEMS

A. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, SITTING AS THE LOCAL PLANNING AGENCY; RECOMMENDING A CHANGE TO THE FUTURE LAND USE MAP DESIGNATION FOR THE PROPERTY GENERALLY LOCATED SOUTH OF SW 168 STREET BETWEEN SW 88TH AVE AND SW 88TH CT, KNOWN AS "THE WOODS," FROM "ESTATE DENSITY RESIDENTIAL" TO "PARKS AND RECREATION"; AND PROVIDING FOR AN EFFECTIVE DATE. *(Sponsored by Mayor Karyn Cunningham)*

4. COUNCIL COMMENTS

5. NEXT MEETING AND ADJOURNMENT

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

LOCAL PLANNING AGENCY MEETING AGENDA ITEM REPORT

DATE: October 20, 2025

SUBMITTED BY: Javier Gonzalez, Community and Economic Development

ITEM TYPE: Resolution

AGENDA SECTION: **PUBLIC HEARING ITEMS**

SUBJECT: A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, SITTING AS THE LOCAL PLANNING AGENCY; RECOMMENDING A CHANGE TO THE FUTURE LAND USE MAP DESIGNATION FOR THE PROPERTY GENERALLY LOCATED SOUTH OF SW 168 STREET BETWEEN SW 88TH AVE AND SW 88TH CT, KNOWN AS "THE WOODS," FROM "ESTATE DENSITY RESIDENTIAL" TO "PARKS AND RECREATION"; AND PROVIDING FOR AN EFFECTIVE DATE. *(Sponsored by Mayor Karyn Cunningham)*

SUGGESTED ACTION:

ATTACHMENTS:
CP-25-001 The Woods FLUM Amendmen LPA Resolution.docx
CP-25-001 The Woods LPA Staff Report.docx
Attachment A - FLUM.pdf
Attachment B - Public Notice.pdf

RESOLUTION NO. 2025-____

A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, SITTING AS THE LOCAL PLANNING AGENCY; RECOMMENDING A CHANGE TO THE FUTURE LAND USE MAP DESIGNATION FOR THE PROPERTY GENERALLY LOCATED SOUTH OF SW 168 STREET BETWEEN SW 88TH AVE AND SW 88TH CT, KNOWN AS "THE WOODS," FROM "ESTATE DENSITY RESIDENTIAL" TO "PARKS AND RECREATION"; AND PROVIDING FOR AN EFFECTIVE DATE. *(Cosponsored by Mayor Cunningham and Councilmember Steve Cody)*

WHEREAS, the Village Council, acting as the Local Planning Agency (LPA) pursuant to Section 30-20.1 of the Village Code is considering a Small-Scale Amendment to the Future Land Use Map (FLUM) for the two County-owned parcels identified by Folio Nos. 33-5033-000-0040 and 33-5033-000-0050 (approx. 8.69 acres); and

WHEREAS, the proposed amendment would change the FLUM designation from "Estate Density Residential" ("EDR") to "Parks and Recreation" ("PR"); and

WHEREAS, the properties are legally dedicated to public use as a passive park through a long-term lease between Miami-Dade County and the Village of Palmetto Bay, which constitutes a change in legal conditions mandating this FLUM update; and

WHEREAS, the LPA has reviewed the proposed amendment against the criteria set forth in Section 30-30.8(b) and finds that the amendment achieves consistency by resolving the conflict between the development-oriented EDR category (FLU I.B.1) and the property's mandated use as a public park; and

WHEREAS, the LPA further finds that the amendment supports the public interest by securing the long-term preservation of open space, aiding in stormwater retention, and maintaining the natural character of the land, consistent with the public purpose of the lease; and

WHEREAS, the LPA determines the amendment is compatible with the surrounding residential uses and protecting adjacent property values and benefiting the general welfare; and

WHEREAS, the LPA finds that the proposed FLUM amendment is in harmony with the purpose and intent of the Village's Comprehensive Plan.

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

Section 1. Findings. The above recitals are hereby adopted and incorporated as findings of fact and conclusions of the Local Planning Agency.

Section 2. Recommendation. The Village Council, sitting as the Local Planning Agency, recommends approval and transmittal of the proposed Small-Scale Amendment to the Future Land Use Map (FLUM) changing the designation of the subject property from “Estate Density Residential” to “Parks and Recreation”, as depicted in Exhibit A of the accompanying Ordinance, to the Village Council for final legislative adoption.

Section 3. Effective Date. This Resolution shall take effect immediately upon approval.

PASSED AND RESOLVED this 20th day of October, 2025.

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 Mark Merwitzer ____

Mayor Karyn Cunningham ____

VILLAGE OF PALMETTO BAY, FLORIDA
PLANNING AND ZONING DEPARTMENT

9705 East Hibiscus Street • Palmetto Bay, Florida 33157
Phone: 305-259-1243 • Fax: 305-259-1290 • www.palmettobay-fl.gov

Date: October 20, 2025

To: Honorable Mayor and Village Council (Local Planning Agency)

From: Javier Gonzalez, AICP, CFM, Planning and Zoning Director

Subject: Comprehensive Plan Future Land Use Map Amendment: The Woods

Application: CP 25-001

REQUEST

The Village of Palmetto Bay seeks approval for an amendment to the Future Land Use Map (FLUM) to change the designation of the property known as "The Woods," located at the Southwest corner of SW 168 Street and SW 88 Avenue intersection, from Estate Density Residential ("EDR") to Parks and Recreation ("PR"). This proposed designation reserves the property exclusively for public park uses, which prohibit residential and institutional development.

GENERAL INFORMATION

Owner	Miami-Dade County
Applicant	Village of Palmetto Bay
Property Address	Generally located at the southwest corner of the SW 168 Street and SW 88 Avenue intersection
Site Acreage	8.69 Acres (378,535 sq. ft.)
Folio Number	33-5033-000-0040 & 33-5033-000-0050
Future Land Use	Estate Density Residential
Zoning District	Agricultural Zoning District (AG)
Proposed Future Land Use	Parks and Recreation
Existing Land Use	Vacant land

ADJACENT FUTURE LAND USE MAP AND ZONING DISTRICT CLASSIFICATION

Direction	Future Land Use	Zoning District	Existing Land Use
North	Estate Density Residential	AG	School
East	Estate Density Residential	E-M	Single-Family Residential
South	Estate Density Residential	E-M	Single-Family Residential
West	Estate Density Residential	E-M	Single-Family Residential

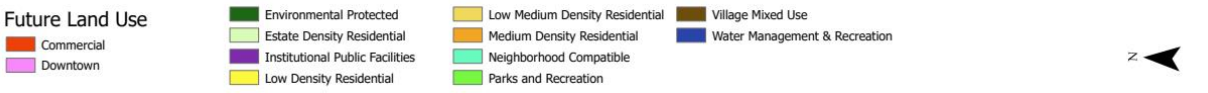
A map illustrating the current FLUM and proposed FLUM designation is provided below.



Current Future Land Use



Proposed Future Land Use



Current site conditions are illustrated in the following image:



BACKGROUND

The Village of Palmetto Bay is seeking this Future Land Use Map (FLUM) amendment for the two adjacent parcels known as "The Woods," which are currently designated for private development as Estate Density Residential (EDR), a category intended for up to 2.5 dwelling units per acre. This designation is inconsistent with the property's actual and legally mandated status, as Miami-Dade County, through Resolution No. R-968-19 (September 4, 2019), declared the land surplus and restricted its use.

Specifically, the County subsequently entered into a long-term interlocal lease agreement with the Village, which strictly dedicates the property to public benefit exclusively as a passive park. The Parks and Recreation (PR) designation, FLU I.D.2, strictly applies to passive and active public park sites and explicitly prohibits residential and institutional uses such as schools. Therefore, the proposed change to PR is necessary to align the Comprehensive Plan with the land's permanent, legally restricted public use and securing the property as open space.

AMENDMENTS TO THE COMPREHENSIVE PLAN (FLUM) CRITERIA FOR REVIEW

The review of Amendments to the Comprehensive Plan is governed by the criteria established in Section 30-30.8 of the Village of Palmetto Bay Land Development Code. All proposed amendments, regardless of the source, shall be evaluated by the Planning and Zoning Department, the Local Planning Agency and the Village Council. If the amendment is proposed by the Village, the Village shall prepare the necessary information for the amendment to be reviewed pursuant to the requirements of F.S. § 163.3161. In evaluating proposed amendments, the Village Council shall consider the following criteria:

(1) Whether the proposal is internally consistent with the comprehensive plan, including the adopted infrastructure minimum levels of service standards and the concurrency management program.

The proposal achieves consistency. The current EDR designation is inconsistent with the property's legally dedicated public park status. The change to PR (FLU I.D.2) resolves this conflict, as the PR category explicitly designates passive and active public park sites in line with the terms of the County lease.

(2) Whether, and the extent to which, land use and development conditions have changed since the effective date of the existing comprehensive plan, and whether the changes support or work against the proposed amendment.

Conditions have changed significantly. The formal execution of the Lease Agreement and its subsequent First Amendment (post-dating the Comprehensive Plan) legally committed the land to permanent passive public park use, creating a new condition that requires the FLUM update.

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

The proposal will not result in incompatible land uses. Changing the designation to PR is highly compatible with the surrounding residential uses. The PR designation is strictly for public park uses, prohibiting residential development, commercial activity, and institutional facilities like schools. The

passive park use preserves open space, aids in stormwater retention, and prohibits development, thereby protecting the neighborhood character.

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

The proposal will not adversely affect property values; permanent open space and public park access is generally recognized as a benefit that stabilizes or increases nearby residential values. The change benefits the general welfare by securing a dedicated public amenity.

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

The proposal will result in an orderly and compatible land use pattern. It ensures that the Comprehensive Plan accurately reflects the functional use and legal restriction of a key public parcel. There are no negative impacts.

(6) Whether the proposal would be in conflict with the public interest, and whether it is in harmony with the purpose and interest of the comprehensive plan.

The proposal is not in conflict with the public interest and is in harmony with the Comprehensive Plan, particularly concerning parkland dedication and open space preservation, fully supporting Palmetto Bay as "The Village of Parks."

(7) Whether the proposed amendment meets the requirements of F.S. § 163.3161, entitled "The Local Government Comprehensive Planning and Land Development Regulation Act."

The amendment meets the statutory requirements. The core intent of the Community Planning Act is that "no public or private development shall be permitted except in conformity with comprehensive plans" Because the existing EDR designation is incompatible with the property's mandated public park status, the amendment to PR is essential to ensure the FLUM conforms to the property's established public use and legal restrictions.

(8) Other matters which the local planning agency or the village council, in its legislative discretion, may deem appropriate.

The Village Council's desire to protect the property from private development, ensuring the preservation of open space, stormwater retention, and natural character, is best achieved by this amendment.

NOTICE REQUIREMENTS

The Village of Palmetto Bay Land Development Code requires public notice for all Comprehensive Plan amendments. Requirements include:

1. Publication in a local newspaper in accordance with Florida Statute 163.3184.
2. Mailing to property owners within a 2,500-foot radius of the affected property.

The legal advertisement and mailing notices are included in Attachment B.

RECOMMENDATION

Staff recommend that the Local Planning Agency review these findings and recommend to the Village Council that they approve the proposed amendment to the Comprehensive Plan's Future Land Use Map. This recommendation is based on the finding that the change is compatible with the surrounding area, achieves consistency with the Comprehensive Plan's goals and policies, and is in compliance with the Land Development Code and Florida Statutes.

ATTACHMENTS

Attachment A – Future Land Use Map
Attachment B – Public Notice



Current Future Land Use



Proposed Future Land Use

Future Land Use

- Commercial
- Downtown
- Environmental Protected
- Estate Density Residential
- Institutional Public Facilities
- Low Density Residential
- Low Medium Density Residential
- Medium Density Residential
- Neighborhood Compatible
- Parks and Recreation
- Village Mixed Use
- Water Management & Recreation

N

INVITATION TO BID

Miami-Dade County, through its managing agent Royal American Management, Inc., is seeking qualified bidders to provide Architecture and/or Engineering, Resiliency, and Energy Assessment services for its mitigation program across nineteen apartment and housing communities. These projects will be federally assisted through the Miami-Dade County Department of Housing & Community Development with Community Development Block Grant funds as CDBG-MIT, Federal Register Notice (84 FR 45838, 8/30/19) and awarded by the Florida Department of Commerce. Bidders must comply with all applicable federal, state, and local regulations.

To request a bid package,
contact Miami-Dade County's agent:
Royal American Management, Inc.
Email: contracting@royalamerican.com

A **mandatory pre-bid meeting will be held at:**
Lakeside Towers Apartments
7555 SW 152nd Avenue
Miami, FL 33193
Date: September 9, 2025
Time: 9:00 a.m. EST

Bid Opening:
Lakeside Towers Apartments
October 8, 2025
1:00 p.m. EST



VILLAGE OF PALMETTO BAY
NOTICE OF HYBRID LOCAL PLANNING AGENCY (LPA) MEETING AND PUBLIC HEARING

(PRIOR TO THE ZONING HEARING)

NOTICE IS HEREBY GIVEN that the Village Council of the Village of Palmetto Bay, sitting in its capacity as the Local Planning Agency, will hold a hybrid Local Planning Agency Meeting on **MONDAY, OCTOBER 20, 2025, at 7:00 p.m.**, (prior to the Zoning Hearing) at Village Hall Municipal Center located at 9705 East Hibiscus Street, Palmetto Bay, Florida 33157.

The purpose of the public meeting is to consider and make recommendations to the Village Council regarding legislation described below. PLEASE NOTE that the Village Council will hold a public hearing and a First Reading of the Ordinance immediately following the meeting of the Local Planning Agency.

The purpose of the LPA public hearing is to consider the adoption of the following legislation:

Applicant: VILLAGE OF PALMETTO BAY
Location: VILLAGE-WIDE
Application: CP-25-001
Request: A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, SITTING AS THE LOCAL PLANNING AGENCY; RECOMMENDING A CHANGE TO THE FUTURE LAND USE MAP DESIGNATION FOR THE PROPERTY GENERALLY LOCATED SOUTH OF SW 168TH STREET BETWEEN SW 88TH AVENUE AND 88TH COURT, KNOWN AS "THE WOODS", FROM "ESTATE DENSITY RESIDENTIAL" TO "PARKS AND RECREATION"; AND PROVIDING FOR AN EFFECTIVE DATE. (Sponsored by Councilmember Steve Cody)

All persons are invited to appear and be heard. The documents pertaining to this Hearing may be inspected at the Department of Planning & Zoning at Village Hall, 9705 East Hibiscus Street, Palmetto Bay, Florida, during regular working hours. Any meeting may be opened and continued, and, under such circumstances, additional legal notice would not be provided. Any person may contact Village Hall for more information.

This meeting will be conducted using a teleconferencing platform and broadcast live. Members of the public may attend the meeting physically in-person at Village Hall Municipal Center and/or watch the virtual meeting live via the Village's official Facebook page, YouTube Channel and/or our Granicus web stream the Village website at on www.palmettobay-fl.gov.

For people wishing to participate virtually and provide public comments, please refer to the options described below:

Public comments forum (Option 1): Prior to the meeting, the public can submit a web form available at this address: Form Center • Public Comments Form

From submissions received before 5:00 PM, the day of the meeting, should be read out loud by the Clerk during the public comment section of the meeting. All forms are made part of the record and are distributed to the members of the Village Council.

Public comments forum (Option 2): Residents can review agenda item details and indicate their position on an agenda item using the **e-comment feature** under the agenda tab of the Village website. The e-comment feature may be used from any device. Residents will need to create an account and log into the system and from there, residents can leave comments on agenda items and read other comments.

Public comments forum (Option 3): Public attendees wishing to provide real-time, audible public comments during the meeting may do so using GoToWebinar's desk-top, laptop, tablet, or smartphone app. Once registered, attendees will receive GTW session information and call-in telephone numbers for those wishing to use a tele-phone. Telephone attendees may not participate in public comments as the system has no way to mute or unmute. Attendees wishing to speak during public comment time must use the GoToWebinar application on their desktop, laptop, or smart device. Attendees may not use a webcam whatsoever. In lieu, if there is no availability to participate through the online seminar, please submit your public comment using the web form as described above.

Please register to attend the session as follows:

https://attendee.gotowebinar.com/register/1565203630309723483

After registering, you will receive a confirmation email containing information about joining the online seminar.

Pursuant to Section 286.0105, F.S., if any person decides to appeal any decision by the Village Council with regard to this or any matter, he/she will need to ensure that a verbatim record of the proceedings is made, which record includes the 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 evidence, nor does it authorize challenges or appeals not otherwise allowed by law.

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodation (or hearing impaired) to participate in this proceeding or to review any documents relative thereto should contact the Village for assistance at (305) 259-1234 no later than seven (7) days prior to the proceedings.

www.palmettobay-fl.gov