



## **Attachment "A"**

### **Consultant Report and Attachments**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF  
CUTLER BAY, FLORIDA AMENDING THE TOWN'S  
COMPREHENSIVE PLAN BY CLARIFYING THE MIXED USE  
REQUIREMENTS WITHIN THE TOWN; PROVIDING FOR  
TRANSMITTAL; PROVIDING FOR CONFLICTS; PROVIDING FOR  
SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

## MEMORANDUM

Date: July 24, 2017  
To: Honorable Mayor and Town Council  
From: Joseph M. Corradino AICP, Planning Consultant  
Subject: Amending the Town's Comprehensive Plan  
CC: Ralph G. Casals, CFM, Town Manager  
Kathryn Lyon, AICP, CFM, Planning and Zoning Director

### REQUESTS

**AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AMENDING THE TOWN'S COMPREHENSIVE PLAN BY CLARIFYING THE MIXED USE REQUIREMENTS WITHIN THE TOWN; PROVIDING FOR THE TRANSMITTAL; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.**

### BACKGROUND AND ANALYSIS

Incorporated in 2006, as a new municipality, the Town of Cutler Bay undertook the essential task of preparing for the future through adopting its first Growth Management Plan (GMP) which lays out goals, objectives, policies and community vision, many of which would later be implemented in the specific zoning standards of the Town's Land Development Regulations (LDR's). The Town's Growth Management Plan was envisioned as different than that of Miami- Dade County. For example, one difference was that the Town's Transit Corridor and Mixed Use Districts WOULD allow residential as a use as a matter of right. It was never the Town's intent to require residential as a use, but to permit it as a potential use if desired by the applicants. Therefore, the above referenced mixed use districts in the GMP provided for density and intensity of residential so that in the future, when it was allowed by zoning, the Town would not need to amend the GMP.

To further explain this point, if residential uses were required in the mixed use districts, the population of the Old Cutler Road Mixed Use District would be much higher than projected. The supporting Data and Analysis, Volume II of the GMP (pages FLU 25 – 28), states the future population projections for the Metropolitan Statistical Area 7.1 show a need for additional housing in this area of the County (the "Data and Analysis"). The projections show that between years 2015 – 2020 there will be a more rapid increase of population, as this area becomes a gateway to an increasingly urban South

Miami-Dade. The analysis specifies that “this is a reflection of the development of the Urban Center.” To plan for development maximums, which is a required exercise to ensure adequate infrastructure exists, the land use supply demand analysis shows that the density for the Old Cutler Road mixed use area could have a maximum of 1,080 units. This certainly does not equate to each mixed use building on Old Cutler Road having a residential component. Similarly, the Data and Analysis also shows that it was never intended that each mixed use building on US1 have a residential component.

## **SUMMARY OF REVISIONS**

### **1. Future Land Use Element (Page FLU-3)**

Table FLU-1 is revised to provide clarity that residential uses may be permitted, but are not required.

## **AGENCY COMMENTS**

On June 23, 2017, the Florida Department of Economic Opportunity (DEO) provided the Town with a letter stating that the agency had completed its review of the proposed amendments (Amendment No. 17-1ESR) pursuant to Section 163.3184(2) and (3) and identified no comments related to the important state resources within the Department’s authorized scope of review that will be adversely impacted by the amendments, if adopted.

Other reviewing agencies were provided copies of the proposed amendments and had the opportunity to provide comments. Of the nine reviewing agencies, comments were received from Miami-Dade County Water and Sewer Department (WASD). The comments were of a technical nature and were all related to the data and analysis regarding water and sewer. To address the WASD comments, the data and analysis for Amendment No. 17-1ESR is further supported with the Town’s updated Water Supply Facilities Work Plan 2015 Update.

## **RECOMMENDATION**

Staff recommends **Approval** of the proposed Amendment to the Town Comprehensive Plan, on second reading, in order to clarify the mixed use requirements. Given that the proposed amendments is simply a clarification, the Data and Analysis is sufficient to support the amendments.

## **ATTACHMENTS:**

- Attachment “A” – Strikethrough and Underline of Table FLU-1, Future Land Use Element
- Attachment “B” – Florida Department of Economic Opportunity Letter, June 23, 2017 and other agency review letters received

# Future Land Use



## Goal 1

PROTECT AND IMPROVE THE TOWN'S BUILT AND NATURAL ENVIRONMENT THROUGH THE USE OF LAND IN A MANNER THAT ENHANCES EXISTING NEIGHBORHOODS, CONSERVES RESOURCES, ENSURES THE AVAILABILITY OF PUBLIC FACILITIES AND SERVICES, AND REALIZES THE COMMUNITY'S VISION FOR ITS FUTURE.

### Objective FLU-1: Future Land Use Map

The Future Land Use Map (Exhibit FLU-1A) depicts the Town's vision for its current and future development through the provision and location of specific future land use districts. All development and redevelopment in the Town shall be in accordance with the Map, as it may be amended from time to time.

#### Monitoring Measures FLU-1

1. Number of development orders deemed consistent with the Comprehensive Plan.
2. Number of applications to amend the Future Land Use Map.
3. Number, type and acreage of Future Land Use Map amendments.

Policy FLU-1A: The Town's short term planning horizon shall be 5 years and the long term shall be 2020. The Future Land Use Map shall contain an adequate supply of land in each district to meet the demands of the existing and future population up to the projected 2020 population of 60,000, and the Town shall ensure that infrastructure and services are or will be made available to meet the needs of this projected population. In the event that the Town's land area increases or decreases, the projected 2020 population will be adjusted accordingly.

Policy FLU-1B: The Town, through its Future Land Use Map and Land Development Regulations, will ensure that land uses are located in conjunction with appropriate topographic and soil conditions.

Policy FLU-1C: The Town's Land Development Regulations shall conform to, and implement, the use, intensity and density standards prescribed for the land use districts provided on the Future Land Use Map, and detailed in Table FLU-1.

Policy FLU-1D: The Town's Planning Director shall be the principal administrative interpreter of the Growth Management Plan. In the event of a dispute regarding the location of a boundary line on the Future Land Use Map, the Planning Director shall make the final determination regarding the location of said boundary.

Additions to existing code text are shown by underline; deletions from existing code text are shown by ~~strike through~~.

Table FLU-1  
Land Use Districts, Intensity and Density Standards

District	Uses	Density and Intensity
Conservation	Public or private lands protected for conservation or recreational purposes via ownership or regulatory mechanisms	n/a
Parks and Recreation	Public and private parks, open space, and outdoor recreational facilities	Maximum Floor Area Ratio of 1.75
Water	Natural and man-made water bodies for stormwater drainage and retention, recreation, flood control, and natural resource protection and enhancement	n/a
Institutional	Governmental facilities, educational facilities, communications facilities, religious institutions, fraternal organizations, hospitals, and congregate care and nursing homes	Maximum Floor Area Ratio of 1.75. Maximum height of, 38 feet. Architectural features can exceed maximum height limitations.
Transportation and Roadways	Roadways, right-of-ways, and transportation infrastructure	n/a
District	Uses	Density and Intensity
Estate Density Residential	Residential units and public schools	One (1) to 2.5 units per gross acre, maximum Floor Area Ratio of 4.0 for public schools and religious institutions <b>Estate Density-Conservation</b> One (1) to 2.5 units per gross acre, until such time as the land is transferred in ownership for conservation purposes or other public use, or otherwise protected from development via conservation mechanisms. Schools and religious institutions are not allowed.
Low Density Residential	Residential units, public schools and religious institutions	2.5 to 5 units per gross acre, maximum Floor Area Ratio of 4.0 for public schools and religious institutions <b>Low Density-Conservation</b> 2.5 to <u>5</u> units per gross acre, until such time as the land is transferred in ownership for conservation purposes or other public use, or otherwise protected from development via conservation mechanisms. Schools and religious institutions not allowed.
Medium Density Residential	Residential units, public schools and religious institutions	5 to 13 units per gross acre, maximum Floor Area Ratio of 4.0 for public schools and religious institutions. <b>Medium Density-Conservation</b> 5 to 13 units per gross acre, until such time as the land is transferred in ownership for conservation purposes or other public use, or otherwise protected from development via conservation mechanisms. Schools and religious institutions not allowed.



Additions to existing code text are shown by underline; deletions from existing code text are shown by ~~strike through~~.

District	Uses	Density and Intensity
Mixed Use	<p><u>Uses allowed in this category include sSales and service activities, <u>restaurants</u>, professional and clerical offices, hotels, motels, medical buildings and offices, cultural and entertainment uses, community facilities, institutional, parks and open space, <del>and residential uses</del>, <u>and similar uses</u> in a high quality mixed use environment. <u>Residential uses are encouraged, but are not required.</u> Vertical mixed use buildings are allowed in all underlying zoning districts in the Mixed Use districts, with the sales and service components being located on the ground floors and residential and office uses being located on higher floors. Horizontal mixed use development (different uses in <u>the same or</u> different buildings on the same site or block face) is allowed, with specific <u>mix of uses</u> determined by the underlying zoning district. Vertical mixed use buildings shall be encouraged on sites that can accommodate the mix of uses under the prescribed parameters, while horizontal mixed use development is encouraged on sites that cannot otherwise accommodate vertical mixed use. <u>A parcel of land greater than 25,000 square feet shall have two or more of the above uses.</u></u></p>	<p><b>US-1 Corridor</b> Mix of uses; <del>with r</del><u>Residential uses when provided shall be comprising</u> no less than 20 percent and no greater than 80 percent of the total floor area of a vertical mixed use building, and no less than 20 percent and no more than 80 percent of the buildings on a development site or block face. Floor Area Ratio (FAR) of 2.5 multi-family residential at up to 75 units per gross acre. Maximum building height of 72 feet, with no more than three stories, 35 feet adjacent to residentially zoned areas. Architectural features can exceed maximum height limitations.</p> <p><b>Old Cutler Road Corridor</b> Mix of uses; <del>with r</del><u>Residential uses when provided shall be comprising</u> no less than 20 percent and no greater than 80 percent of the total floor area of a vertical mixed use building, and no less than 20 percent and no more than 80 percent of the buildings on a development site or block face. Floor area ratio of 2.0, multi-family residential density at 30 units per gross acre. Maximum building height of four stories, 45 feet for the frontage and three stories, 35 feet for the remainder. Architectural features can exceed maximum height limitations.</p> <p><b>Lakes-by-the-Bay Mixed-Use Site</b> Commercial, office, community facilities, and recreation open space uses that serve the surrounding residential communities. Floor Area Ratio of .5, maximum building height of two stories, 35 feet. Architectural features can exceed maximum height limitations.</p> <p><b>Institutional Uses</b> Maximum FAR of .5 for Institutional uses in the US-1 and Old Cutler Road corridors, and .4 in the Lakes- by-the-Bay Mixed-Use sites.</p>
District	Uses	Density and Intensity
Town Center	<p><u>Uses allowed in this category include sSales and service activities, <u>restaurants</u>, professional and clerical offices, hotels, motels, medical buildings and offices, cultural and entertainment uses, community facilities, governmental facilities, institutional uses, parks and open space, <del>and residential uses</del>, <u>and similar uses</u> integrated both horizontally and vertically in a high quality, design-unified, mixed- use environment. <u>Residential uses are encouraged, but are not required.</u> Horizontal and vertical mixed use development is allowed, in accordance with the frontage and use requirements incorporated into the land development regulations. <u>A parcel of land greater than 25,000 square feet shall have two or more of the above uses.</u></u></p>	<p><b>Core</b> A maximum building height, of 18 stories, floor area ratio of 3.8 and density of 250 units per gross acre. Architectural features can exceed maximum height limitations.</p> <p><b>Center</b> Floor Area Ratio of 2.5, 150 units per gross acre. Maximum building height of 15 stories. Architectural features can exceed maximum height limitations.</p> <p><b>Edge</b> Floor Area Ratio of 1.0, 50 units per gross acre. Maximum building height of eight stories. Architectural features can exceed maximum height limitations.</p> <p><b>Institutional Uses</b> Maximum Floor Area Ratio of .8 for Institutional uses in the Town Center.</p>

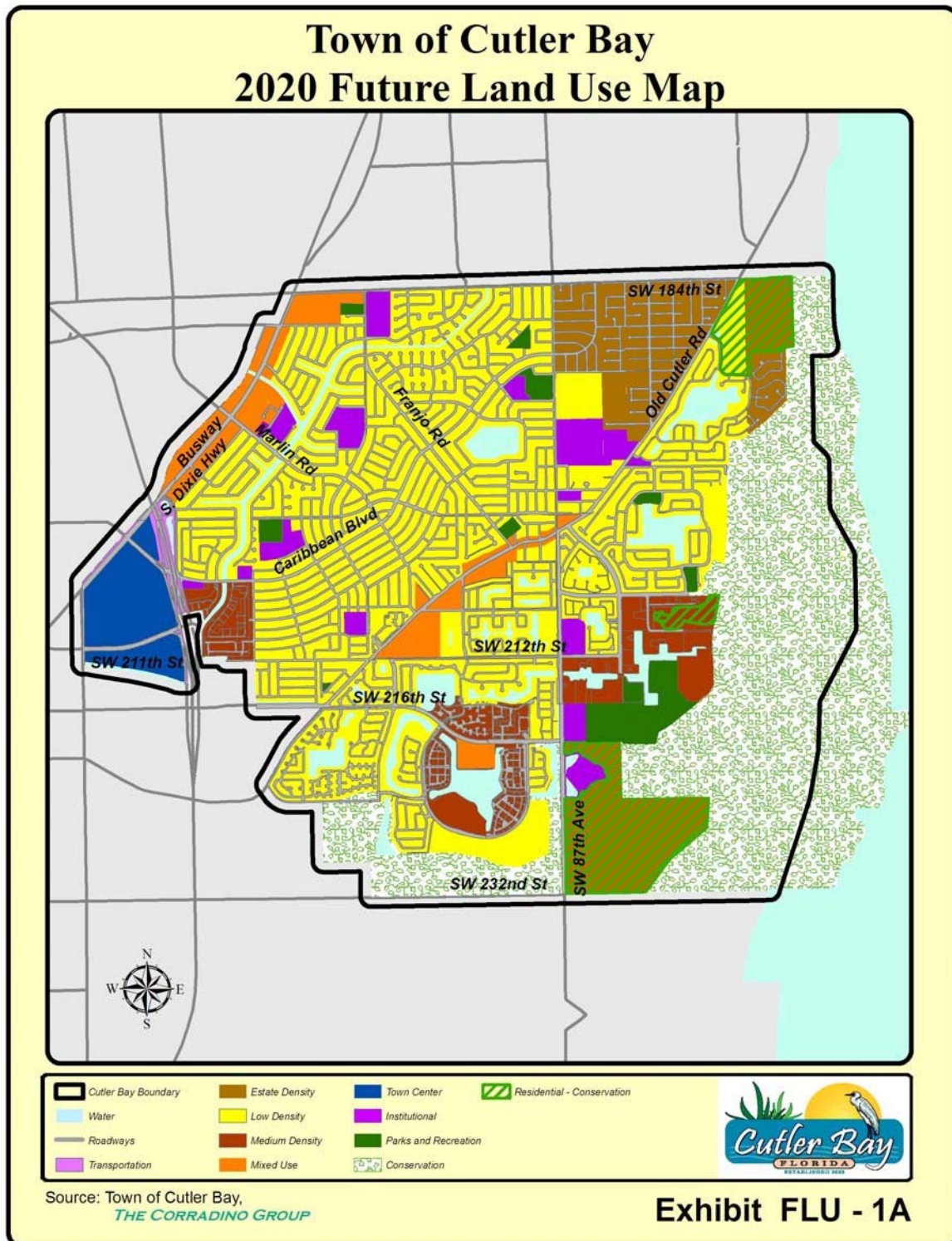




# Future Land Use



Exhibit FLU-1A  
Future Land Use Map



# Future Land Use



## Objective FLU-2: Town Center

The area designated "Town Center" on the Future Land Use Map shall be redeveloped as a high quality, design-unified, mixed use downtown for Cutler Bay.

### Monitoring Measures FLU-2

1. Number and type of development orders that have been approved in the District that implement the Town Center designation.
2. Adoption of Land Development Regulations to implement the Town Center designation

Policy FLU-2A: Development and redevelopment in the Town Center shall provide for the development of a well-designed and compatible area that provides attractive places to live, work and shop and that is accessible via the full range of transportation options, including transit, automobiles, bicycles, and pedestrians.

Policy FLU-2B: The Town shall implement improved multi-modal transportation access to, from and within the Town Center.

Policy FLU-2C: Building heights in the Town Center shall be regulated through the Land Development Regulations in order to implement a unified design, and provide appropriate densities and intensities. The building heights plan implementing the Town Center as provided in Ordinance 06-21 shall be superseded by the building heights plan provided in Table FLU-1, until such time as the Town adopts new LDRs for the Town Center Future Land Use designation.

Policy FLU-2D: The mix of uses and street frontages in the Town Center shall be regulated through the Land Development Regulations in order to ensure its redevelopment as a functional mixed-use downtown area for Cutler Bay, and to ensure that a variety of uses and functions are provided within a compact area.

Policy FLU-2E: The Town shall implement unified high quality urban design in the Town Center in accordance with the adopted regulating plan for the area, as it is periodically amended.

Policy FLU-2F: The Town shall ensure the provision of open space, park space, entrance features, and focal points in the Town Center.

Policy FLU-2G: The Town shall coordinate with Miami-Dade County, as appropriate, to implement strategies to provide multimodal transportation linkages between, to and from the South Dade Government Center, new Performing Arts Center, and other uses in the Town Center that might reduce the need for internal vehicular trips.

Policy FLU-2H: The Town shall coordinate with Miami-Dade County, as appropriate, to implement strategies to better incorporate the South Dade Government Center, new Performing Arts Center, and other County facilities into the Town Center Area.



# Future Land Use



Policy FLU-2I: The Town shall implement strategies to improve access to Black Creek Canal through pedestrian walkways, open spaces, and other mechanisms.

Policy FLU-2J: The Town shall investigate strategies to promote the development of a hotel complex and meeting facilities in the Town Center Area.

# Future Land Use



## Objective FLU-3: Mixed Use Districts

The areas designated "Mixed Use" on the Future Land Use Map may ~~shall~~ be developed or redeveloped through the Land Development Regulations as design unified horizontal and vertical mixed use areas in accordance with adopted plans and studies that reflect the community's vision.

### Monitoring Measures FLU-3

1. Number and type of development orders that have been approved in the District that implement the Mixed Use designation.
2. Adoption of Land Development Regulations to implement the Mixed Use designation.

Policy FLU-3A: Areas designated mixed use may ~~shall~~ contain commercial, office, ~~residential~~, community, institutional, ~~and~~ recreation and open space, residential, or similar uses uses integrated vertically or horizontally, in accordance with Policy FLU-1C.

Policy FLU-3B: By 2010 the Town shall evaluate the feasibility of developing a focus study and/or charrette plan to address the development and redevelopment of the areas designated "Mixed-Use" along the US-1 corridor north of the Town Center District.

Policy FLU-3C: The area located along the Old Cutler Road corridor and designated "Mixed Use" on the Future Land Use Map ~~shall~~ may be redeveloped as a place where living, working, shopping, and civic activities can take place within a town center type environment.

Policy FLU-3D: New development and redevelopment along Old Cutler Road ~~shall~~ may consist of a variety of buildings and uses that will encourage pedestrian activity with wide sidewalks, balconies, outdoor cafes, squares, and plazas.

Policy FLU-3E: The Town, through the Land Development Regulations, shall implement the development of a civic district and public gathering space along the Old Cutler Road corridor.

Policy FLU-3F: The Town shall provide improved multi-modal transportation circulation and streetscapes within the Old Cutler Road corridor and adjacent areas through the implementation of capital projects, intergovernmental coordination, and other mechanisms as appropriate.

Policy FLU-3G: The Town shall implement unified high quality, well-designed horizontal and vertical mixed use development on the Old Cutler Road corridor.

# Future Land Use



## Objective FLU-4: Residential Districts

The Town shall protect, maintain and improve its residential districts, as designated on the Future Land Use Map.

### Monitoring Measures FLU-4

1. Adoption of Land Development Regulations to protect neighborhoods and provide transitions.
2. Status of neighborhood improvement strategies.

Policy FLU-4A: The Town shall implement strategies to provide appropriate transitions between its residential districts and the higher intensity Mixed Use, Town Center, and Institutional districts through its Land Development Regulations and other appropriate mechanisms.

Policy FLU-4B: The Town shall ensure the provision of multi-modal transportation access between its residential neighborhoods, the Town Center, and mixed-use districts along US-1 and Old Cutler Road.

Policy FLU-4C: Development and redevelopment in the residential districts shall be regulated to ensure compatibility with the existing neighborhood, implement the recommendations of neighborhood improvement plans or initiatives that may be adopted, and prevent the encroachment of incompatible uses. When considering redevelopment proposals, maintaining consistency with existing densities and intensities shall be a major factor. Please see Objective LU-5 and its implementing policies for information regarding development compatibility criteria.

Policy FLU-4D: The Town shall implement strategies to improve residential neighborhoods.

Policy FLU-4E: When a parcel located in the Residential-Conservation Overlay District is in negotiation for purchase for conservation or public use, density may be transferred to areas within the Town Center or Mixed Use districts through the appropriate regulatory mechanisms.

Policy FLU-4F: When a parcel located in the Residential-Conservation Overlay District is purchased for conservation or public use, or is otherwise protected from development via conservation mechanisms that compensate the owner for development rights, its Future Land Use designation shall convert to Conservation.



Department of Regulatory and Economic Resources  
Planning Division, Metropolitan Planning Section  
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June 20, 2017

Town of Cutler Bay c/o  
Ms. Scarlet Hammons, AICP  
The Corradino Group  
4055 NW 97 Avenue  
Doral, Florida 33178

Re: Transmittal of Proposed Town of Cutler Bay Growth Management Plan Amendments; DEO  
No. 17-1ESR

Dear Ms. Hammons:

The Miami-Dade County Department of Regulatory and Economic Resources (Department) has reviewed the proposed Town of Cutler Bay Growth Management Plan Amendments. Our review is conducted to identify points of consistency or inconsistency with the goals, objectives, policies and relevant provisions of the Miami-Dade County Comprehensive Development Master Plan (CDMP), and whether the proposed amendments impact County public facilities and services.

The proposed text amendments will clarify the mixed-use requirements within the Mixed-Use and Town Center Future Land Use Districts, and additional text amendments to Table FLU-3 and Table FLU-5 of the Future Land Use Element. Based on the information provided and the County CDMP's goals, objectives and policies, the proposed Growth Management Plan amendments are generally consistent with the County's CDMP. The Miami-Dade Water and Sewer Department has provided courtesy comments which are attached for your reference.

Thank you for the opportunity to comment on the Town's Growth Management Plan amendments. If you or any member of your staff have any questions, please contact me or Kimberly Brown, AICP, Section Supervisor, at 305-375-2835.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jerry Bell".

Jerry Bell, AICP  
Assistant Director for Planning

JB:KB:smd

c: Ray Eubanks, Florida DEO  
Maria Valdes, MDWASD

Attachment

## Dorsey, Mark (RER)

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**From:** Sanchez, Alfredo B. (WASD)  
**Sent:** Wednesday, June 14, 2017 8:23 AM  
**To:** Dorsey, Mark (RER)  
**Cc:** Valdes, Maria A. (WASD)  
**Subject:** RE: Town of Cutler Bay 17-1ESR

**Categories:** Red Category

Good morning Mark:

Below please find WASD's comments on the subject Town of Cutler Bay 17-1ESR Growth Management Plan Amendment:

- The Town of Cutler Bay is using old population data from the 2000 Census when there is more current information from the 2010 Census that was used by WASD in their revised 2015, 20-year Water Supply Facilities Work Plan to provide population projection data.
- Page FLU-14 – (Table FLU-2) population projections for the Town of Cutler Bay are much higher than that projected under WASD 's revised 2015 Water Supply Facilities Work Plan due to old 2000 census projections used by the Town of Cutler Bay.
- Page FLU-17-Under Potable water section: reads as (User LOS -Maintain capacity to produce and deliver 155 gallons per capita per day (gpd) (referenced as a level of service by them). The County does not have a per capita as a level of service. This is incorrect to be referenced as a level of service. Additionally, under **Regional Treatment** current text should be replace with: The regional treatment system shall operate with a rated maximum daily capacity no less than 2 percent above the maximum daily flow for the preceding year, and an average daily capacity 2 percent above the average daily system demand for the preceding 5 years.
- Page FLU-17-Under Potable water section: (revise reference of 172 and 205 million gallons per day ) to reflect current permitted capacity as follows: The Alexander Orr Water Treatment Plant has a current permitted capacity of 214.74 million gallons per day.
- Page FLU-17- Under Sanitary Sewer: The County does not have nor does it use the following as a level of service for sewer – ( LOS Standard – 100 gallons per capita per day (gpd) ).
- Page FLU-18- Under Sanitary Sewer: Please revise from 112 to 112.5 million gallons per day as the South District Wastewater Treatment Plant current permitted capacity. In addition, also revise that the plant's capacity will increase to 131 million gallons per day by 2010 to by 2024.
- Page FLU-18- Under Sanitary Sewer: Replace text of (South Sewer District Plant) with South District Wastewater Treatment Plant.

Cordially,

Alfredo B. Sanchez, Engineer



Planning and Water Certification Section  
**Miami-Dade Water and Sewer Department**  
3071 SW 38 Ave., Suite 554-6 Miami, FL 33146  
Phone: (786) 552-8237 Fax: (786) 552-8640  
[miamidade.gov/water](http://miamidade.gov/water)  
**Connect With Us** on [Twitter](#) | [Facebook](#)



**From:** Dorsey, Mark (RER)  
**Sent:** Friday, May 26, 2017 2:35 PM  
**To:** Brown, Helen (RER) <Helen.Brown@miamidade.gov>; Valdes, Maria A. (WASD) <Maria.Valdes@miamidade.gov>; Velazquez, Christine (RER) <Christine.Velazquez@miamidade.gov>; Sanchez, Alfredo B. (WASD) <Alfredo.Sanchez@miamidade.gov>; Sandanasamy, Vinod (RER) <Vinod.Sandanasamy@miamidade.gov>  
**Cc:** Brown, Kimberly (RER) <Kimberly.Brown@miamidade.gov>  
**Subject:** Town of Cutler Bay 17-1ESR  
**Importance:** High

Good Afternoon,

Please see the Town of Cutler Bay 17-1ESR Growth Management Plan Amendment. The proposed amendment clarifies certain requirements within the Mixed Use Future Land Use District. Our comments are due to the Town on 6/23/17. Please provide your comments, if any, to me no later than **Wednesday, June 14, 2017**.

Sincerely,

*Mark*

**Stephen M. Dorsey, AICP**, Principal Planner  
**Department of Regulatory and Economic Resources**  
**Planning Division, Metropolitan Planning Section**  
111 NW 1st Street, Suite 1210 Miami, Florida 33128-1927  
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*Florida Department of Transportation*

**RICK SCOTT  
GOVERNOR**

1000 NW 111th Avenue  
Miami, Florida 33172-5800

**MIKE DEW  
SECRETARY**

June 13, 2017

Ms. Scarlet R. Hammons, AICP  
Town of Cutler Bay Planning Consultant  
The Corradino Group, Inc.  
4055 NW 97<sup>th</sup> Avenue, Suite 200  
Miami, Florida 33178

**Subject: Comments for the Proposed Comprehensive Plan Amendment, Cutler Bay - #17-1ESR**

Dear Ms. Hammons:

The Florida Department of Transportation, District Six, completed a review of the *Proposed Comprehensive Plan Amendment, Cutler Bay - #17-1ESR*. The District has reviewed the amendment package per *Chapter 163 - Florida Statutes* and has found no adverse impacts to transportation resources and facilities of State importance.

Please contact me at 305-470-5445 if you have any questions concerning our response.

Sincerely,

Kenneth Jeffries  
Transportation Planner

Cc: Harold Desdunes, P.E., Florida Department of Transportation, District 6  
Dat Huynh, P.E., Florida Department of Transportation, District 6  
Ray Eubanks, Department of Economic Opportunity  
Karen Hamilton, South Florida Regional Council  
Isabel Moreno, South Florida Regional Planning Council



# MEMORANDUM

AGENDA ITEM #IV.C

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DATE: JUNE 26, 2017

TO: COUNCIL MEMBERS

FROM: STAFF

SUBJECT: LOCAL GOVERNMENT COMPREHENSIVE PLAN PROPOSED AND ADOPTED AMENDMENT  
CONSENT AGENDA

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Pursuant to Section 163.3184, Florida Statutes, Council review of amendments to local government comprehensive plans is limited to 1) adverse effects on regional resources and facilities identified in the *Strategic Regional Policy Plan for South Florida (SRPP)* and 2) extra-jurisdictional impacts that would be inconsistent with the comprehensive plan of any affected local government within the Region.

A written report containing an evaluation of these impacts, pursuant to Section 163.3184, Florida Statutes, is to be provided to the local government and the State Land Planning Agency within 30 calendar days of receipt of the amendment.

Council staff has not identified adverse effects to regional resources and facilities or extra-jurisdictional impacts that would result from the following map and text amendments.

## Recommendation

Find the proposed and adopted plan amendments from the local governments listed in the tables below generally consistent with the *Strategic Regional Policy Plan for South Florida*.

Approve this report for transmittal to the local governments with a copy to the State Land Planning Agency.



South Florida Regional Planning Council  
3440 Hollywood Boulevard, Suite 140, Hollywood, Florida 33021  
954.985.4416 Phone, 954.985-4417 FAX  
[www.sfregionalcouncil.org](http://www.sfregionalcouncil.org)

## PROPOSED AMENDMENTS

Local Government and Plan Amendment Number	Proposed	Adopted	Council Review Date	Local Government Transmittal or Adoption Public Hearing and Meeting	Governing Body Adoption Vote
Broward County 17-5ESR (received 05-30-17)	√	N/A	06-26-17	05-23-17	8-0 (1 absent)
<p>1. The proposed amendment to the Broward County Comprehensive Plan seeks to revise land uses within the Broward County Land Use Plan for consistency between the City of Plantation and the County Plan.</p> <p>2. PC 17-8 is a map amendment that aims to change the land use designation of an approximately 35.1-acre site from Commercial to a Dashed-Line Area consisting of 21.6 acres of Commercial and 13.5 acres of Irregular (20) Residential. The new designation would result in 702 new dwelling units. The amendment area is generally bound by University Drive to the east, Broward Boulevard to the south, and NW 82<sup>th</sup> Avenue to the west.</p> <p>3. This amendment does not create any adverse impact to state or regional resources/facilities.</p>					
Miami Dade County 17-2ESR (received 05-22-17)	√	N/A	06-26-17	04-26-17	8-0
<p>1. This application contains two proposed amendments to the Miami-Dade County Comprehensive Plan. Application 6 is a combination of map and text revisions. The Land Use Plan map amendment seeks to re-designate an approximately 7.54-acre parcel adjacent to the Douglas Road Metro-Rail station from Community Urban Center to Metropolitan Urban Center. The amendment would promote transit oriented design by facilitating the development of 1,878 multifamily units, 152,504 square feet of retail, 425,000 square feet of office space and 400 hotel units next to a train station. The amendment site is generally located at the Northwest corner of Douglas Road/NW 37<sup>th</sup> Avenue and South Dixie Highway/US1.</p> <p>2. The related text amendment would add language to the Urban Center text of the Land Use Element, related to the Douglas Road Metrorail Station proposed development. Application 8 is a text amendment to the Land Use Element that would reduce the minimum Area Median Income threshold from 65% to 60% to provide consistency with the County's recently adopted Workforce Housing Development Program.</p> <p>3. These amendments do not create any adverse impact to state or regional resources/facilities.</p>					

Local Government and Plan Amendment Number	Proposed	Adopted	Council Review Date	Local Government Transmittal or Adoption Public Hearing and Meeting	Governing Body Adoption Vote
Monroe County 17-1ACSC (received 05-22-17)	√	N/A	06-26-17	04-12-17	4-1
<p>1. The proposed amendment to the Monroe County Comprehensive Plan seeks the following changes: to revise the height limit policy to provide an exception to the height limit for wind turbines owned and operated by a public utility, address non-habitable architectural decorative features within the Ocean Reef Master Planned Community, and provide exceptions to the height limit to protect property from flooding and reduce flood insurance costs by establishing standards when a structure can elevate above FEMA base flood elevation and including a maximum height limit.</p> <p>2. The Ocean Reef Master Planned Community is a gated housing development inaccessible to the surrounding communities. Some of its character results from non-habitable architectural decorative features. It is located at the northern tip of Key Largo, bordered on three sides by water and the fourth side by federal and state protected land.</p> <p>3. This amendment does not create any adverse impact to state or regional resources/facilities, although Monroe County is in an area of critical concern.</p>					
Monroe County 17-2ACSC (received 06-05-17)	√	N/A	06-26-17	05-17-17	5-0
<p>1. The proposed amendment to the Monroe County Comprehensive Plan seeks to revise the Future Land Use Map from “Residential High” to “Mixed Use/Commercial.” The site currently supports light industrial use (including a 9,963 auto parts/repair building with associated outdoor storage) which is not currently allowed under the existing designation. The change in designation would eliminate nonconformity between current site uses and the comprehensive plan.</p> <p>2. The amendment site is located at 5713 First Avenue, South Stock Island, Mile Marker 5.</p> <p>3. This amendment does not create any adverse impact to state or regional resources/facilities, although Monroe County is in an area of critical concern.</p>					
Town of Cutler Bay 17-1ESR (received 05-25-17)	√	N/A	06-26-17	05-17-17	5-0
<p>1. The proposed amendment to the Town of Cutler Bay Comprehensive Plan clarifies requirements for mixed-use developments, within the mixed-use future land use district. The proposed revisions provide greater guidance for the inclusion (optional) of residential uses.</p> <p>2. This amendment does not create any adverse impact to state or regional resources/facilities.</p>					



Local Government and Plan Amendment Number	Proposed	Adopted	Council Review Date	Local Government Transmittal or Adoption Public Hearing and Meeting	Governing Body Adoption Vote
City of Doral 17-1ESR (received 06-05-17)	√	N/A	06-26-17	05-24-17	5-0
<p>1. The proposed text amendment to the City of Doral Comprehensive Plan seeks to amend the adopted Comprehensive Plan Future Land Use Element (FLUE) Policy 2.1.2 for the “Downtown Mixed Use” (DMU) future land use category regarding the permitted mix of uses. The text amendment expands on the current development standards for the DMU land use category to allow for development programs to use a combination of at least two uses from “retail/business”, “office”, and “residential”, meaning all developments will need to allow for at least two of the uses when developing within that land use designation. The proposed amendment does not change the maximum density or intensity currently permitted, but only the uses.</p> <p>2. The amendment area applies to all designated DMU land uses at City of Doral.</p> <p>3. This amendment does not create any adverse impact to state or regional resources/facilities.</p>					
City of Florida City 17-1ESR (received 05-22-17)	√	N/A	06-26-17	04-25-17	5-0
<p>1. The proposed amendment to the City of Florida City Comprehensive Plan seeks to approve the City’s 10-year water supply facilities work plan into the City’s Comprehensive Development Master Plan.</p> <p>2. This amendment does not create any adverse impact to state or regional resources/facilities.</p>					
City of Hialeah Gardens 17-1ESR (received 05-30-17)	√	N/A	06-26-17	02-07-17	3-1 (1 absent)
<p>1. The proposed amendment to the City of Hialeah Gardens Comprehensive Plan seeks to change the land use designation of a 1.46-acre triangular parcel from BU (General Business) to HDR (High Density Residential). This amendment will facilitate the development of senior housing.</p> <p>2. The amendment area is 1.46 acres and is between NW 103<sup>rd</sup> and Samari Lakes, and between City Hall and HDR Development, Santa Navila.</p> <p>3. This amendment does not create any adverse impact to state or regional resources/facilities.</p>					

Local Government and Plan Amendment Number	Proposed	Adopted	Council Review Date	Local Government Transmittal or Adoption Public Hearing and Meeting	Governing Body Adoption Vote
City of Key West 17-1ACSC (received 05-30-17)	√	N/A	06-26-17	04-04-17	6-0 (1 absent)
<p>1. The proposed text amendment to the City of Key West Comprehensive Plan seeks to eliminate the one year residency requirement for affordable housing applicant eligibility in Chapter 3, Policy 3-1.1.8, sub-part 3.</p> <p>2. This amendment does not create any adverse impact to state or regional resources/facilities.</p>					
City of Key West 17-2ACSC (received 06-19-17)	√	N/A	06-26-17	06-06-17	6-0 (1 absent)
<p>1. The proposed amendment to the City of Key West Comprehensive Plan seeks to create a method to transfer Building Permit Allocations not utilized within the City to the Lower Keys area of Monroe County, for beneficial use purposes and/or affordable housing that will directly benefit the City of Key West as determined by the City Commission. The amendment would also operate as a one-time transfer of 104 previously un-allocated BPAS units to Monroe County for allocation and use at the workforce housing project known as “The Quarry”.</p> <p>2. The one-time transfer that is part of this amendment would be used at the project known as “The Quarry”, which is located on Rockland Key, about four miles east of Key West, and at approximately mile markers 8-9.5 on U.S. 1.b</p> <p>3. This amendment does not create any adverse impact to state or regional resources/facilities.</p>					
City of Layton 17-1ACSC (received 06-19-17)	√	N/A	06-26-17	05-04-17	*TBP
<p>1. The proposed amendment seeks to revise the City of Layton Comprehensive Plan by incorporating EAR based amendments and the water supply facilities work plan. The amendments also include the conservation designation of the Peter F. Riley Conservation area from a property donation in June 2012. The property is 50.2 acres and undevelopable in perpetuity. The plan also includes an amendment to address the peril of Flood state requirement to ensure development and redevelopment meet flood resistant building requirements.</p> <p>2. This amendment does not create any adverse impact to state or regional resources/facilities.</p>					

Local Government and Plan Amendment Number	Proposed	Adopted	Council Review Date	Local Government Transmittal or Adoption Public Hearing and Meeting	Governing Body Adoption Vote
City of Miami Beach 17-1ESR (received 05-22-17)	√	N/A	06-26-17	05-12-17	7-0
<p>1. The proposed amendment to the City of Miami Beach Comprehensive Plan seeks to prohibit gambling and casino uses in all future land use categories in the City.</p> <p>2. This amendment does not create any adverse impact to state or regional resources/facilities.</p>					
City of Plantation 17-3ESR (received 05-30-17)	√	N/A	06-26-17	11-30-16	5-0
<p>1. The proposed amendment to the City of Plantation Comprehensive Plan seeks to change the Future Land Use Map from “Commercial” to “Commercial and Residential” all within a dashed like area with an overall density of 20 dwelling units per acre on both City of Plantation and Broward County’s Land Use Maps. This new designation would permit up to 701 new dwelling units on site and 350,670 sq. ft. of commercial space.</p> <p>2. The subject property of 35.067 acres is generally located north of W. Broward Blvd, west of N. University Drive, and east of NW 82<sup>nd</sup> Avenue in Plantation.</p> <p>3. This amendment does not create any adverse impact to state or regional resources/facilities, however, staff recommends the applicant to work with the City and County to address any deficiencies with water distribution and sewer capacity as a result of the additional dwelling units and commercial space.</p>					
Village of Virginia Gardens 17-1ESR (received 05-25-17)	√	N/A	06-26-17	04-20-17	5-0
<p>1. The proposed text amendment to the Village of Virginia Gardens Comprehensive Plan seeks to create new future land use categories and add three new land use categories to accommodate existing industrial uses within the future annexation area. The new categories are “Industrial and Office”, “Restricted Industrial and Office”, and “Transportation” (Including Terminals).</p> <p>3. This amendment does not create any adverse impact to state or regional resources/facilities and the new categories are compatible with both Miami-Dade Land Use Element.</p>					

## ADOPTED AMENDMENTS

Local Government and Plan Amendment Number	Proposed	Adopted	Council Review Date	Local Government Transmittal or Adoption Public Hearing and Meeting	Governing Body Adoption Vote
Broward County 17-2ESR (received 06-19-17)	N/A	√	06-26-17	06-13-17	5-0
<p>1. The adopted amendment revises the Broward County Comprehensive Plan to amend the future land use designation of a Dashed-Line Area consisting of 513.9 acres of Irregular (2.16) Residential and 44.3 acres of Commercial to a Dashed-Line Area consisting of 509.2 acres of Irregular (2.243) Residential and 49.0 acres of Commerce. This will allow for an overall increase in residential density in the area from 2.16 to 2.243 (increase of 125 dwelling units total). The amendment area is approximately 558.2 acres and is generally located on the east side of Southwest 172nd Avenue, between Pembroke Road and Pines Boulevard.</p> <p>2. This amendment was previously reviewed by the Council and was determined to not create any adverse impact to state or regional resources/facilities.</p> <p>3. The local government adopted the amendment as proposed.</p>					
Monroe County 16-5ACSC (received 06-05-17)	N/A	√	06-26-17	05-17-17	5-0
<p>1. The adopted amendment to the Monroe County Comprehensive Plan seeks to provide a maximum net density of one dwelling unit per platted plot with the transfer of one Transferable Development Rights (TDR) for the development of one Tier 3 platted lot with a Residential Low (RL). The amendment would only affect Tier 3 platted lots with a Residential Low designation.</p> <p>2. This amendment was previously reviewed by the Council and was determined to not create any adverse impact to state or regional resources/facilities.</p> <p>3. The local government adopted the amendment as proposed.</p>					
City of Deerfield Beach 16-1ESR (received 05-25-17)	N/A	√	06-26-17	05-16-17	5-0
<p>1. The adopted amendment to the City of Deerfield Beach Comprehensive Plan seeks to change the land use designation on a 119.7 gross acre parcel to Local Activity Center (LAC) to allow for increased local retail and more housing choices within a walkable neighborhood that has close access to the beach and I-95. The affected amendment area is generally located north of SE 7<sup>th</sup> Street, south of the Hillsboro Canal, east of Dixie Highway, and west of NE and SE 6<sup>th</sup> Avenue. It is noted that the Florida Department of Transportation (FDOT) submitted technical assistance comments on this amendment, and made recommendations for increased coordination with the FDOT to address failing segments on the Strategic Intermodal System in the affected area.</p>					

Local Government and Plan Amendment Number	Proposed	Adopted	Council Review Date	Local Government Transmittal or Adoption Public Hearing and Meeting	Governing Body Adoption Vote
<p>2. This amendment was previously reviewed by the Council and was determined to not create any adverse impact to state or regional resources/facilities.</p> <p>3. The local government adopted the amendment as proposed.</p>					
Town of Pembroke Park 16-1ER (received 06-13-17)	N/A	√	06-26-17	03-08-17	5-0
<p>1. The Town of Pembroke Park's adopted amendment application includes an updated Water Supply Facilities Work Plan and Evaluation and Appraisal Report (EAR) revisions. The EAR based amendments include corrections to the Future Land Use Map and required updates. The EAR related revisions include updates to: 1) Objectives and Policies supportive of grant funds for the creation of a passive park, 2) Concurrency requirements, 3) Five Year Capital Improvement Program and 4) Data and Information.</p> <p>2. This amendment was previously reviewed by the Council and was determined to not create any adverse impact to state or regional resources/facilities.</p> <p>3. The Town revised the amendment from proposed based on the ORC report from the Department of Economic Opportunity, and technical assistance comments from the Florida Department of Transportation. The following changes were made: planning horizons, ITE trip generation rates, FDOT LOS standards, identification of vacant areas, and changes in the names of organizations were corrected, and clarity was improved in the descriptions of the maps.</p> <p>4. The additional revisions do not create any adverse impacts.</p>					
City of Plantation 17-1ESR (received 06-13-17)	N/A	√	06-26-17	05-24-17	5-0
<p>1. The adopted map amendment revises the City of Plantation Comprehensive Plan to allow for 10.84 acres of property to change from "Commercial" to "Commercial and Residential all within a dashed like area with an overall density of 25 dwelling units per acre". The new designation will allow 271 apartments and a parking garage.</p> <p>2. This amendment was previously reviewed by the Council and was determined to not create any adverse impact to state or regional resources/facilities.</p> <p>3. City of Plantation adopted the amendment as proposed.</p>					



Local Government and Plan Amendment Number	Proposed	Adopted	Council Review Date	Local Government Transmittal or Adoption Public Hearing and Meeting	Governing Body Adoption Vote
Village of Virginia Gardens 16-1ESR (received 05-25-17)	N/A	√	06-26-17	01-19-17	5-0
<p>1. The adopted amendment revises the Village of Virginia Gardens Comprehensive Plan to adopt a 10-year water supply facilities work plan and capital improvements, conservation, intergovernmental coordination, and infrastructure elements amendments to ensure coordination with the regional water supply plans and update data for the 10-year planning period to address state requirements.</p> <p>2. This amendment was previously reviewed by the Council and was determined to not create any adverse impact to state or regional resources/facilities.</p> <p>3. Village of Virginia Gardens made the following changes based on input from review agencies: section 3.7 (Conservation), 4.0 (Intergovernmental Coordination), 5.0 (Capital Improvements), 6.0 (Goals, Objectives, and Policies), and Table 3 (MDWASD- Water Supply CIE Projects, Village of Virginia Gardens).</p> <p>4. The additional revisions do not create any adverse impacts.</p>					

\*TBP = To Be Provided

**Rick Scott**  
GOVERNOR



**Cissy Proctor**  
EXECUTIVE DIRECTOR

June 23, 2017

The Honorable Peggy R. Bell  
Mayor, Town of Cutler Bay  
10720 Caribbean Blvd. Suite 105  
Cutler Bay, FL 33189

Dear Mayor Bell:

The Department of Economic Opportunity has completed its review of the proposed comprehensive plan amendments for the Town of Cutler Bay, Amendment No. 17-1ESR, which were received on May 25, 2017. We have reviewed the proposed amendments pursuant to Sections 163.3184(2) and (3), Florida Statutes (F.S.), and identified no comments related to important state resources and facilities within the Department's authorized scope of review that will be adversely impacted by the amendments if adopted.

Pursuant to Section 163.3184(3)(b), F.S., other reviewing agencies have the authority to provide comments directly to Cutler Bay. If other reviewing agencies provide comments, we recommend the Town consider appropriate changes to the amendments based on those comments. If unresolved, such reviewing agency comments could form the basis for a challenge to the amendments after adoption.

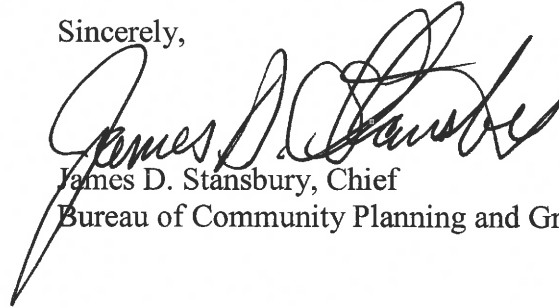
The Town should act by choosing to adopt, adopt with changes, or not adopt the proposed amendments. Also, please note that Section 163.3184(3)(c)1, F.S., provides that if the second public hearing is not held within 180 days of your receipt of agency comments, the amendments shall be deemed withdrawn unless extended by agreement with notice to the Department and any affected party that provided comment on the amendments. For your assistance, we have enclosed the procedures for adoption and transmittal of the comprehensive plan amendments.

Florida Department of Economic Opportunity | Caldwell Building | 107 E. Madison Street | Tallahassee, FL 32399  
850.245.7105 | [www.floridajobs.org](http://www.floridajobs.org)  
[www.twitter.com/FLDEO](https://twitter.com/FLDEO) | [www.facebook.com/FLDEO](https://www.facebook.com/FLDEO)

An equal opportunity employer/program. Auxiliary aids and service are available upon request to individuals with disabilities. All voice telephone numbers on this document may be reached by persons using TTY/TTD equipment via the Florida Relay Service at 711.

If you have any questions concerning this review, please contact Taurean J. Lewis, at (850) 717-8470, or by email at [Taurean.Lewis@deo.myflorida.com](mailto:Taurean.Lewis@deo.myflorida.com).

Sincerely,

A handwritten signature in black ink, appearing to read "James D. Stansbury". The signature is fluid and cursive, with a long horizontal stroke at the end.

James D. Stansbury, Chief  
Bureau of Community Planning and Growth

JDS/tj

Enclosure: Procedures for adoption of comprehensive plan amendments

cc: Kathryn Lyon, AICP, CFM, Planning and Zoning Director, Department of Community  
Development, Town of Cutler Bay  
Isabel Cosio Carballo, Karen Hamilton, and Isabel Moreno, South Florida Regional Council

**SUBMITTAL OF ADOPTED COMPREHENSIVE PLAN AMENDMENTS  
FOR EXPEDITED STATE REVIEW**

Section 163.3184(3), Florida Statutes

**NUMBER OF COPIES TO BE SUBMITTED:** Please submit three complete copies of all comprehensive plan materials, of which one complete paper copy and two complete electronic copies on CD ROM in Portable Document Format (PDF) to the Department of Economic Opportunity and one copy to each entity below that provided timely comments to the local government: the appropriate Regional Planning Council; Water Management District; Department of Transportation; Department of Environmental Protection; Department of State; the appropriate county (municipal amendments only); the Florida Fish and Wildlife Conservation Commission and the Department of Agriculture and Consumer Services (county plan amendments only); and the Department of Education (amendments relating to public schools); and for certain local governments, the appropriate military installation and any other local government or governmental agency that has filed a written request.

**SUBMITTAL LETTER:** Please include the following information in the cover letter transmitting the adopted amendment:

\_\_\_\_\_ Department of Economic Opportunity identification number for adopted amendment package;

\_\_\_\_\_ Summary description of the adoption package, including any amendments proposed but not adopted;

\_\_\_\_\_ Identify if concurrency has been rescinded and indicate for which public facilities. (Transportation, schools, recreation and open space).

\_\_\_\_\_ Ordinance number and adoption date;

\_\_\_\_\_ Certification that the adopted amendment(s) has been submitted to all parties that provided timely comments to the local government;

\_\_\_\_\_ Name, title, address, telephone, FAX number and e-mail address of local government contact;

\_\_\_\_\_ Letter signed by the chief elected official or the person designated by the local government.

**ADOPTION AMENDMENT PACKAGE:** Please include the following information in the amendment package:

\_\_\_\_\_ In the case of text amendments, changes should be shown in strike-through/underline format.

\_\_\_\_\_ In the case of future land use map amendments, an adopted future land use map, **in color format**, clearly depicting the parcel, its future land use designation, and its adopted designation.

\_\_\_\_\_ A copy of any data and analyses the local government deems appropriate.

**Note:** If the local government is relying on previously submitted data and analysis, no additional data and analysis is required;

\_\_\_\_\_ Copy of the executed ordinance adopting the comprehensive plan amendment(s);

Suggested effective date language for the adoption ordinance for expedited review:

The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the Department of Economic Opportunity notifies the local government that the plan amendment package is complete. If timely challenged, this amendment shall become effective on the date the Department of Economic Opportunity or the Administration Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the Department of Economic Opportunity.

\_\_\_\_\_ List of additional changes made in the adopted amendment that the Department of Economic Opportunity did not previously review;

\_\_\_\_\_ List of findings of the local governing body, if any, that were not included in the ordinance and which provided the basis of the adoption or determination not to adopt the proposed amendment;

\_\_\_\_\_ Statement indicating the relationship of the additional changes not previously reviewed by the Department of Economic Opportunity in response to the comment letter from the Department of Economic Opportunity.