

MEMORANDUM

AGENDA ITEM #III.D

DATE:

APRIL 1, 2013

TO:

COUNCIL MEMBERS

FROM:

STAFF

SUBJECT: LOCAL GOVERNMENT COMPREHENSIVE PLAN PROPOSED AND ADOPTED

AMENDMENT CONSENT AGENDA

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) extrajurisdictional 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.

Staff analysis confirms that the proposed and/or adopted amendments identified in the Table below are generally consistent with and supportive of the Goals and Policies of the SRPP. Attached are the separate amendment review forms that will be sent to the local government and State Land Planning Agency. Exhibit A, attached, is a general location map of those amendments listed below that includes a Future Land Use Map amendment.

Local Government and Plan Amendment Number	Proposed	Adopted	Attach -ment	Proposed Council Review Date and Consistency Finding	Local Government Transmittal or Adoption Public Hearing and Meeting	Governing Body Adoption Vote
Broward County #13-1ESR	N/A	>	1	Jan. 7, 2013 Consistent	Feb. 26, 2013	8-0
Hialeah #13-1ESR	N/A	>	2	Jan. 7, 2013 Consistent	Feb. 26, 2013	6-1
Key West #13-1ER	N/A	>	3	Nov. 8, 2012 Consistent	March 5, 2013	7-0
Marathon #13-1ACSC	N/A	>	4	Jan. 7, 2013 Consistent	Feb. 26, 2013	5-0
Marathon #13-2ACSC	N/A	~	5	Nov. 8, 2012 Consistent	Jan. 8, 2013	5-0
Miami-Dade County #13-1ESR	N/A	~	6	Feb. 4, 2013 Consistent	March 6, 2013	10-0

Local Government and Plan Amendment Number	Proposed	Adopted	Attach -ment	Proposed Council Review Date and Consistency Finding	Local Government Transmittal or Adoption Public Hearing and Meeting	Governing Body Adoption Vote
Monroe County #13-1ACSC	N/A	•	7	Dec. 3, 2012 Consistent	Feb. 20, 2013	5-0
Sunrise #13-1ESR	~	N/A	8	N/A	Feb. 26, 2013	5-0

Recommendation

Find the proposed and adopted plan amendments from the local governments of Broward County, Hialeah, Key West, Marathon, Miami-Dade County, Monroe County and Sunrise 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.

Exhibit A

Future Land Use Map (FLUM) Amendments

for the April 1, 2013 Council Meeting

General Location Map



FLORIDA REGIONAL COUNCILS ASSOCIATION LOCAL GOVERNMENT COMPREHENSIVE PLAN AMENDMENT REVIEW FORM 01

South Florida Regional Planning Council Agenda Item and Date: III.D; April 1, 2013.

Local Government Amendment Number: Broward County adopted #13-1ESR.

Date Comments due to Local Government: March 31, 2013.

Date Mailed to Local Government and State Land Planning Agency: Prior to March 31, 2013, with final Council Action on April 1, 2013.

Pursuant to Section 163.3184, Florida Statutes, Council review of amendments to local government comprehensive plans is limited to adverse effects on regional resources and facilities identified in the Strategic Regional Policy Plan for South Florida (SRPP) and extrajurisdictional 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.

DESCRIPTION OF AMENDMENT

The adopted amendment package changes approximately 15.0-acres of land from 10.8-acres of "Low-Medium (10 dwelling units per acre) Residential" and 4.2-acres of "Estate (1 dwelling unit per acre) Residential" to "Medium (16 dwelling units per acre) Residential", located at the northwest corner of Stirling Road and SW 70th Avenue within the Town of Davie. Adjacent planned uses include Estate, Low Medium, and Irregular Residential to the west and south, Estate Residential to the north, and Commercial and Low Residential to the east. The site is currently an active nursery and will be restricted to 224 dwelling units and require a 6-acre buffer on the north-end of the site.

The amendment is related to the Town of Davie State Land Planning Agency adopted amendment number #13-1ESR, which the Council found to be generally consistent on March 4, 2013.

In the absence of comments or objections from the appropriate review agencies, no additional changes were made between transmittal and adoption and no adverse effects to regional resources and facilities or extrajurisdictional impacts would result from the amendment.

1. ADVERSE EFFECTS TO SIGNIFICANT REGIONAL RESOURCES AND FACILITIES IDENTIFIED IN THE STRATEGIC REGIONAL POLICY PLAN.

Not Applicable.

2. EXTRAJURISDICTIONAL IMPACTS INCONSISTENT WITH ANY COMPREHENSIVE PLANS OF LOCAL GOVERNMENTS WITHIN THE REGION.

FLORIDA REGIONAL COUNCILS ASSOCIATION LOCAL GOVERNMENT COMPREHENSIVE PLAN AMENDMENT REVIEW FORM 01

South Florida Regional Planning Council Agenda Item and Date: III.D; April 1, 2013.

Local Government Amendment Number: City of Hialeah adopted #13-1ESR

Date Comments due to Local Government: April 13, 2013.

Date Mailed to Local Government and State Land Planning Agency: Prior to April 13, 2013.

Pursuant to Section 163.3184, Florida Statutes, Council review of amendments to local government comprehensive plans is limited to adverse effects on regional resources and facilities identified in the Strategic Regional Policy Plan for South Florida (SRPP) and extrajurisdictional 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.

DESCRIPTION OF AMENDMENT

The adopted amendment package contains two amendments to the City's Future Land Use Map.

Application 1 | Paraiso Gardens

This amendment changes a 4.15-acre vacant property from Industrial to Medium Density Residential, located at 34th Avenue and West 80th Street. The change permits 96 residential units within six, two story buildings.

Application 2 | Palm West Park Apartments

This amendment changes a 3.98-acre vacant property from Industrial to High Density Residential, located at 76th Street between West 24th and 25th Streets. The change permits 116 units within 12, two-story buildings. Although City staff expressed concern that the project would not be in character with the surrounding Industrial land use categories, infrastructure and public services are sufficient to support the development.

In the absence of comments or objections from the appropriate review agencies, no additional changes were made between transmittal and adoption and no adverse effects to regional resources and facilities or extrajurisdictional impacts would result from the amendment.

1. ADVERSE EFFECTS TO SIGNIFICANT REGIONAL RESOURCES AND FACILITIES IDENTIFIED IN THE STRATEGIC REGIONAL POLICY PLAN.

Not Applicable.

2. EXTRAJURISDICTIONAL IMPACTS INCONSISTENT WITH ANY COMPREHENSIVE PLANS OF LOCAL GOVERNMENTS WITHIN THE REGION.

FLORIDA REGIONAL COUNCILS ASSOCIATION LOCAL GOVERNMENT COMPREHENSIVE PLAN AMENDMENT REVIEW FORM 01

South Florida Regional Planning Council Agenda Item and Date: III.D; April 1, 2013.

Local Government Amendment Number: City of Key West adopted #13-1ER.

Date Comments due to Local Government: April 14, 2013.

Date Mailed to Local Government and State Land Planning Agency: Prior to April 14, 2013.

Pursuant to Section 163.3184, Florida Statutes, Council review of amendments to local government comprehensive plans is limited to adverse effects on regional resources and facilities identified in the Strategic Regional Policy Plan for South Florida (SRPP) and extrajurisdictional 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.

DESCRIPTION OF AMENDMENT

The adopted amendment package contains the City of Key West's 2005 and 2007 Evaluation and Appraisal Report (EAR)-based text and map amendments. Nine (9) Elements and the Future Land Use Map have been amended and updated in accordance with both EAR recommendations, including a response to changes in State Statutes. The Data, Inventory, and Analysis for all Elements of the Plan have also been updated and include an affordable housing needs analysis, population estimates, hurricane evacuation analysis, land use analysis, and a Level of Service (LOS) analysis.

To see the proposed Council staff report for more details of the important changes made to the City's Comprehensive Plan, please view the November 8, 2012 staff report by clicking here.

In response to the State Land Planning Agency's Objection, Recommendation, and Comments (ORC) Report, the City adopted the following revisions to its EAR-based amendment package:

- Incorporated Policies identified in the City's Water Supply Plan into the Conservation and Intergovernmental Coordination Element for consistency;
- Cleaned up language in the Future Land Use Element to clarify the distinction between zoning districts and Future Land Use Districts; corrected the reference from Monroe County Model to Transportation Interface for Modeling Evacuations (TIME) Model related to how the permit allocation system for permanent and transient residential units are determined;
- Deleted references to Dense Urban Land Area designation as it is no longer applicable;
- Corrected inconsistencies between changes to LOS standards in the Public Facilities and Capital Improvements Elements;
- Corrected inconsistencies related to wetland protection within the Conservation Element;
- Incorporated the 48-hour hurricane evacuation procedures into the Coastal Management Element;
 and
- Referenced the adoption of the 2012 Stormwater Master Plan into the Public Facilities Element.

In addition, the City incorporated new Policy 1-1.6.4 which address the standards and processes that define and limit the development of the Peary Court Housing Complex, which was previously adopted and found to be in compliance by the State Land Planning Agency (amendment #12-ACSC).

Otherwise, no additional changes were made between transmittal and adoption and no adverse effects to regional resources and facilities or extrajurisdictional impacts would result from the amendment.

1. ADVERSE EFFECTS TO SIGNIFICANT REGIONAL RESOURCES AND FACILITIES IDENTIFIED IN THE STRATEGIC REGIONAL POLICY PLAN.

Not Applicable.

2. EXTRAJURISDICTIONAL IMPACTS INCONSISTENT WITH ANY COMPREHENSIVE PLANS OF LOCAL GOVERNMENTS WITHIN THE REGION.

FLORIDA REGIONAL COUNCILS ASSOCIATION LOCAL GOVERNMENT COMPREHENSIVE PLAN AMENDMENT REVIEW FORM 01

South Florida Regional Planning Council Agenda Item and Date: III.D; April 1, 2013.

Local Government Amendment Number: City of Marathon adopted #13-1ACSC.

Date Comments due to Local Government: April 3, 2013.

Date Mailed to Local Government and State Land Planning Agency: Prior to April 3, 2013.

Pursuant to Section 163.3184, Florida Statutes, Council review of amendments to local government comprehensive plans is limited to adverse effects on regional resources and facilities identified in the Strategic Regional Policy Plan for South Florida (SRPP) and extrajurisdictional 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.

DESCRIPTION OF AMENDMENT

The adopted amendment package changes an approximately 1.19-acre site (comprised of five parcels) from "Residential Medium" to "Mixed Used Commercial", located at 4900 Overseas Highway, near Mile Marker 49.5 in the City of Marathon. The site currently contains a hotel and one residential unit. Adjacent future land uses include "Residential Medium" to the east and "Mixed Use Commercial" to the south and west. The amendment provides for consistency with the Applicant's Conditional Use Permit and Development Agreement which allows the development of the site to include a total of 113 transient units.

In the absence of comments or objections from the appropriate review agencies, no additional changes were made between transmittal and adoption and no adverse effects to regional resources and facilities or extrajurisdictional impacts would result from the amendment.

1. ADVERSE EFFECTS TO SIGNIFICANT REGIONAL RESOURCES AND FACILITIES IDENTIFIED IN THE STRATEGIC REGIONAL POLICY PLAN.

Not Applicable.

2. EXTRAJURISDICTIONAL IMPACTS INCONSISTENT WITH ANY COMPREHENSIVE PLANS OF LOCAL GOVERNMENTS WITHIN THE REGION.

FLORIDA REGIONAL COUNCILS ASSOCIATION LOCAL GOVERNMENT COMPREHENSIVE PLAN AMENDMENT REVIEW FORM 01

South Florida Regional Planning Council Agenda Item and Date: III.D; April 1, 2013.

Local Government Amendment Number: City of Marathon adopted #13-2ACSC.

Date Comments due to Local Government: March 27, 2013.

Date Mailed to Local Government and State Land Planning Agency: Prior to March 27, 2013, with final Council Action on April 1, 2013.

Pursuant to Section 163.3184, Florida Statutes, Council review of amendments to local government comprehensive plans is limited to adverse effects on regional resources and facilities identified in the Strategic Regional Policy Plan for South Florida (SRPP) and extrajurisdictional 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.

DESCRIPTION OF AMENDMENT

The adopted amendment package contains the following text and map amendments to the City of Marathon Comprehensive Plan.

Ordinance 2012-10 Map Amendment (Knight's Key Village)

The adopted map amendment changes approximately 7.75-acres of land (comprised of 39 parcels) from "Residential Medium" to "Residential High", located south of Overseas Highway at Mile Marker 47 in the City of Marathon. The majority of the parcels are currently single-family and duplex dwelling units, with a few vacant and scarified parcels. Adjacent planned uses include "Mixed Use Commercial" to the north and east and the Atlantic Ocean to the south and west. The amendment restores the parcels to their historic Monroe County "Residential High" land use.

In response to the State Land Planning Agency's Objection, Recommendation, and Comments (ORC) Report, the City removed three parcels that were found to contain wetlands. Otherwise, no additional changes were made between transmittal and adoption and no adverse effects to regional resources and facilities or extrajurisdictional impacts would result from the amendment.

Ordinance 2012-12 Text Amendment (Transfer of Density and Building Rights)

The adopted text amendments create incentives for limiting increases in density through Transferable Development Rights (TDRs). Policy 1-3.5.16(b) now requires that:

- Residential density shall only be transferable from a Future Land Use Map (FLUM) category of lower density to one of higher density (no Conservation designations) and the receiver property must be less environmentally sensitive than the sender site;
- TDRs shall not exceed 20 percent of the existing FLUM, otherwise the property owner must seek a FLUM change which would allow greater residential density;
- The TDRs must be recorded on the title of both the sender and receiver sites; and
- Lands for which all residential density has been removed must have an environmental maintenance program or be transferred to an appropriate land management entity.

Changes to Policy 1-3.5.16(c) for Transferable Building Rights are similar, except that TBRs may be "banked" with the City for a period not to exceed two (2) years.

In response to the State Land Planning Agency's Objection, Recommendation, and Comments (ORC) Report, the City included additional language to Policy 1-3.2.4 "Density Increase Provisions", to clarify that property owners who seek a FLUM change that would allow a greater residential density shall not assume the request

will be granted by the City. If the change is granted, the difference in changed density shall be achieved through a transfer of TDR not to exceed the density established in Table 1-1, "Future Land Use Densities and Intensities". This new revision is intended to make a clear connection between FLUM amendments and the TDR program. Otherwise, no additional changes were made between transmittal and adoption and no adverse effects to regional resources and facilities or extrajurisdictional impacts would result from the amendment.

1. ADVERSE EFFECTS TO SIGNIFICANT REGIONAL RESOURCES AND FACILITIES IDENTIFIED IN THE STRATEGIC REGIONAL POLICY PLAN.

Not Applicable.

2. EXTRAJURISDICTIONAL IMPACTS INCONSISTENT WITH ANY COMPREHENSIVE PLANS OF LOCAL GOVERNMENTS WITHIN THE REGION.

FLORIDA REGIONAL COUNCILS ASSOCIATION LOCAL GOVERNMENT COMPREHENSIVE PLAN AMENDMENT REVIEW FORM 01

South Florida Regional Planning Council Agenda Item and Date: III.D; April 1, 2013.

Local Government Amendment Number: Miami-Dade County adopted #13-1ESR

Date Comments due to Local Government: April 21, 2013.

Date Mailed to Local Government and State Land Planning Agency: April 21, 2013.

Pursuant to Section 163.3184, Florida Statutes, Council review of amendments to local government comprehensive plans is limited to adverse effects on regional resources and facilities identified in the Strategic Regional Policy Plan for South Florida (SRPP) and extrajurisdictional 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.

DESCRIPTION OF AMENDMENT

The adopted amendment package contains one Future Land Use Map and one Future Land Use text amendment to the County's Comprehensive Development Master Plan.

County Application 2, Map Amendment | Pan American Coral Terrace, LTD.

This amendment changes the future land use for approximately 20 gross acres of land from "Business and Office and Industrial and Office" to "Business and Office", located on the south side of SW 24th Street, between SW 69th Court and SW 71st Avenue. The site is located in the County's Urban Infill Area (UIA) and has been vacant for 13 years. According to the County staff report, the amendment presents an opportunity for infill development and the requested land use designation changes would be consistent with the surrounding area. Surrounding planned uses include "Business and Office" to the north, and "Industrial and Office" to the east, south, and west. The amendment also revises the Restrictions Table in the Land Use Element to include a proffered Declaration of Restrictions, prohibiting residential development and limiting the site to a maximum 200,000 square feet of development. In addition, the Applicant has entered into a Consent Agreement with the County to undergo contamination remediation prior to development of the site.

County Application 4, Text Amendment | FIR Investment, Corp.

This amendment revises the "Open Land Subarea 1" (Snake-Biscayne Canal Basin) to allow the currently prohibited activity of truck washing at commercial vehicle storage facilities within the subarea. Certain conditions, including strict environmental ground water monitoring, must be met in order to engage in truck washing.

No comments or objections were raised from the appropriate review agencies. However, additional changes were made between transmittal and adoption to County Application 4. In summary, a truck washing property can not be located within 1,400 feet of a body of water (previously 500) and clarifies the applicability of the violations provision. No adverse effects to regional resources and facilities or extrajurisdictional impacts would result from either the map or text amendments.

1. ADVERSE EFFECTS TO SIGNIFICANT REGIONAL RESOURCES AND FACILITIES IDENTIFIED IN THE STRATEGIC REGIONAL POLICY PLAN.

Not Applicable.

2. EXTRAJURISDICTIONAL IMPACTS INCONSISTENT WITH ANY COMPREHENSIVE PLANS OF LOCAL GOVERNMENTS WITHIN THE REGION.

FLORIDA REGIONAL COUNCILS ASSOCIATION LOCAL GOVERNMENT COMPREHENSIVE PLAN AMENDMENT REVIEW FORM 01

South Florida Regional Planning Council Agenda Item and Date: III.D; April 1, 2013.

Local Government Amendment Number: Monroe County adopted #13-1ACSC.

Date Comments due to Local Government: April 10, 2013.

Date Mailed to Local Government and State Land Planning Agency: April 10, 2013.

Pursuant to Section 163.3184, Florida Statutes, Council review of amendments to local government comprehensive plans is limited to adverse effects on regional resources and facilities identified in the Strategic Regional Policy Plan for South Florida (SRPP) and extrajurisdictional 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.

DESCRIPTION OF AMENDMENT

The adopted amendment package contains a text amendment to the Future Land Use Element of the 2010 Monroe County Comprehensive plan. The text change incorporates a new "Commercial" future land use category, corresponding Commercial zoning categories and establishes density and intensity standards. The County plan previously had no exclusive commercial future land use category. The new category does not contribute to increases in density and hurricane evacuation times. The amendment addresses the County's 2012 Evaluation and Appraisal Report recommendation to implement economic sustainability through the allowance of more commercial uses.

In the absence of comments or objections from the appropriate review agencies, no additional changes were made between transmittal and adoption and no adverse effects to regional resources and facilities or extrajurisdictional impacts would result from the amendment.

1. ADVERSE EFFECTS TO SIGNIFICANT REGIONAL RESOURCES AND FACILITIES IDENTIFIED IN THE STRATEGIC REGIONAL POLICY PLAN.

Not Applicable.

2. EXTRAJURISDICTIONAL IMPACTS INCONSISTENT WITH ANY COMPREHENSIVE PLANS OF LOCAL GOVERNMENTS WITHIN THE REGION.

FLORIDA REGIONAL COUNCILS ASSOCIATION LOCAL GOVERNMENT COMPREHENSIVE PLAN AMENDMENT REVIEW FORM 01

South Florida Regional Planning Council Agenda Item and Date: III.D; April 1, 2013.

Local Government Amendment Number: City of Sunrise proposed #13-1ESR.

Date Comments due to Local Government: March 31, 2013.

Date Mailed to Local Government and State Land Planning Agency: Prior to March 31, 2013, with final Council Action on April 1, 2013.

Pursuant to Section 163.3184, Florida Statutes, Council review of amendments to local government comprehensive plans is limited to adverse effects on regional resources and facilities identified in the Strategic Regional Policy Plan for South Florida (SRPP) and extrajurisdictional 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.

DESCRIPTION OF AMENDMENT

The proposed amendment package contains text amendments to Future Land Use Element (FLUE) of the City's Comprehensive Plan. The changes would revise the maximum height and intensity standards for the "Industrial", "Commercial", and "Office Park" land use categories.

The Floor Area Ratio (FAR) for the Commercial and Office Park land use categories that are greater than four stories (maximum of 20) would be revised from 1.00 to 2.0 FAR. The Industrial land use category would also be revised from a 1.0 to 2.0 FAR and its maximum building height would change from 15 to 20 stories. In addition, any proposed mixed use developments that combine two or more use types (hotel, retail commercial or offices) may increase the maximum permitted FAR from 1.5 to 3.0 subject to the granting of a Special Exception by the City Commission.

The City's intent of the amendment is to allow the flexibility of development of a more urban form in Western Sunrise.

Comment

Council staff has been made aware that the Florida Department of Transportation (FDOT IV) District IV will be formally submitting comments to the City with a concern that the proposed increased intensity standards may produce unintended negative transportation impacts. FDOT IV will be requesting the City provide additional Data and Analysis to explain better the reasoning behind the amendment and identify potential impacts on transportation facilities.

Staff recommends the City of Sunrise coordinate with FDOT IV, to provide them with a better understanding of the amendment's intent and impact prior to adoption to alleviate the District's concerns. Council staff is available to assist both parties.

The City of Sunrise Community Development Department provided supplemental information indicating the application of the height and FAR increases primarily would be within approved Developments of Regional Impact, where the Development Order has set the maximum intensity of development categories. Council staff has not identified adverse effects to regional resources and facilities or extrajurisdictional impacts that would result from the text amendment.

1. ADVERSE EFFECTS TO SIGNIFICANT REGIONAL RESOURCES AND FACILITIES IDENTIFIED IN THE STRATEGIC REGIONAL POLICY PLAN.

2.	EXTRAJURISDICTIONAL	IMPACTS	INCONSISTENT	WITH AN'	Y COMPREHENSIVE	PLANS	OF
1.0	OCAL GOVERNMENTS WI	THIN THE	REGION.				

Not Applicable.

The Council requests the local government please send a copy of the adopted version of the amendment.