



# MEMORANDUM

AGENDA ITEM #6b

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DATE: JUNE 7, 2010

TO: COUNCIL MEMBERS

FROM: STAFF

SUBJECT: VILLAGE OF BISCAYNE PARK PROPOSED COMPREHENSIVE PLAN AMENDMENT  
DCA #10-1ER

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## Community Profile

The Village of Biscayne Park is located in Northeast Miami-Dade County and consists of 385 acres (.6 square miles). It is bounded by unincorporated Miami-Dade County to the east and west, the City of North Miami to the north, and the Village of Miami Shores to the south. The Village or "Village of Homes" was incorporated in 1933. The 2009 population was estimated to be 3,198, a 2.2 percent reduction in population from the 2000 Census. The Village is a diverse, primarily residential community made up of an array of cultures, household types, and incomes. The general location of the Village is shown in Attachment 1.

## Amendment Review

The South Florida Regional Planning Council (SFRPC) review of proposed Comprehensive Plan amendments for consistency with the *Strategic Regional Policy Plan for South Florida (SRPP)* primarily addresses effects on regional resources or facilities identified in the *SRPP* and extra jurisdictional impacts that would be inconsistent with the Comprehensive Plan of the affected local government (§163.3184(5), Fla. Stat.). The Council's review of amendments is conducted in two stages: (1) proposed or transmittal and (2) adoption. Council staff reviews the contents of the amendment package once the Department of Community Affairs certifies its completeness.

Objections and Comments relate to specific inconsistencies with relevant portions of the *SRPP*, which was adopted pursuant to Rule 29J-2.009, Fla. Administrative Code. Council staff will work with local governments to address Objections and Comments identified during the review of a proposed amendment between the transmittal and the adoption of the amendment.

The SFRPC did not prepare the amendment package and, therefore, is not precluded from commenting on the proposed Plan or Element pursuant to Section 163.3184(5), Florida Statutes (F.S.), or Rule 9J-11.0084, Florida Administrative Code (F.A.C.); or commenting on the adopted amendment pursuant to Section 163.32465(4)(b), F.S.

The Florida Department of Community Affairs (DCA) notified SFRPC that the amendment package was complete on: May 4, 2010.

The amendment review must be transmitted to DCA on: June 2, 2010.

The amendment review will be transmitted to DCA on: May 28, 2010.

### **Staff Analysis**

Proposed Amendment #10-1ER contains the Evaluation and Appraisal Report (EAR)-based text amendments to the Village of Biscayne Park Comprehensive Plan. The Village's EAR was found sufficient on November 25, 2008, by the South Florida Regional Planning Council, who was delegated the Village's EAR review by the Florida Department of Community Affairs (DCA).

### **EAR-Based Comprehensive Plan Amendments**

In 1998, the State of Florida revised the statutory requirements for EARs to allow local governments to base their analysis on the key local issues they are facing to further the community's goals consistent with statewide, minimum standards. The Report is not intended to require a comprehensive rewrite of the Elements within the local plan, unless a local government chooses to do so. The Village's EAR identified the following specific issues to be addressed through EAR-based amendments:

1. Multi-Modal Transportation System;
2. Infrastructure and Facility Needs;
3. Built and Natural Environment;
4. Fiscal Management; and
5. Intergovernmental Coordination

Eight (8) Elements of the Village of Biscayne Park Comprehensive Plan would be amended and updated in accordance with the EAR recommendations, including a response to changes to State Statutes, the Florida Administrative Code, and the *Strategic Regional Policy Plan for South Florida (SRPP)*.

No changes in land use are proposed in this amendment package.

### Future Land Use Element

Key proposed changes to this Element would direct the Village to manage lands through implementation and enforcement of the Village Land Development Regulations (LDRs) and ensure the LDRs are consistent with the residential densities identified in the Comprehensive Plan. New Policies 2.6 through 2.8 would provide mechanisms for coordination with adjacent jurisdictions, the Miami-Dade County School Board, and military operations. Multi-modal transportation facilities would be incorporated into Objective 4 to ensure compatibility with land uses. New Policy 4.2 would direct the Village to adopt LDRs to regulate and protect existing and future energy-efficient electric power generation and transmission systems. New Objective 5 and related Policies would require an increase in use of natural vegetation and materials in new development and redevelopment.

### Housing Element

Key proposed changes to this Element would direct the Village to encourage energy-efficient design and construction in the development and redevelopment of housing. Policy 2.1 would be amended to monitor housing conditions on an ongoing basis to identify and address substandard units; and Policy 2.3 would require the Village to coordinate with Miami-Dade County's Historic Preservation Office and the Florida Department of State to conduct a survey and inventory of historically, architecturally, and archaeologically significant sites and buildings. Objective 3 and related amendments would be amended to ensure housing that is affordable to and meets the needs of residents through an affordable housing needs assessment during the next EAR (Round Three).

### Transportation Element

Key proposed changes to this Element would direct the Village to focus on a local multi-modal transportation system and mass transit; coordinate with the State and County on Level of Service (LOS) Standards; and maintain safe and efficient transportation circulation by through traffic, traffic laws, and traffic calming and control techniques. New Policy 5.5 would require the Village to limit greenhouse gas emissions through a number of implementation strategies.

### Public Facilities Element

The Village Public Facilities Element contains the Sanitary Sewer, Solid Waste, Drainage, Potable Water, and Aquifer Sub-Elements. Key proposed changes to this Element would require the Village to maintain the existing system of septic tanks in accordance with current standards until and unless a centralized sewage system is provided; support the County's efforts to provide a balanced program of solid waste disposal that includes recycling and resource recovery; continue to comply with stormwater LOS Standards; coordinate with the City of North Miami and appropriate agencies to develop a Water Supply Facilities Work Plan; encourage the use of low volume water fixtures, encourage natural plant materials, and enforce South Florida Water Management District's Water Shortage Plan; and coordinate with Miami-Dade County to protect and recharge the aquifer.

The Village adopted its Water Supply Facilities Work Plan and related amendments on April 6, 2010 (DCA #10-RWSP1), and they are currently under review for compliance (See Council Agenda #7B).

### Recreation and Open Space Element

Key proposed changes to this Element would incorporate new Policies (1.4 through 1.7) to increase parking and biking facilities at Ed Burke Recreation Center, provide multi-modal links between key areas, and designate an exercise route that converges at the Ed Burke Recreation Center. New Policies 4.3 through 4.5 would direct the Village to provide improved access to Biscayne Canal, improve the Ed Burke Recreation Center by expanding classroom and outdoor gathering space, and expand the "butterfly park" theme to all green areas through the planting of new trees and flowers. A LOS Standard for recreation has been proposed at 3.75 acres per 1,000 residents.

### Conservation Element

Key proposed changes to this Element would direct the Village to update its Water Supply Facilities Work Plan within 10 months of an update to the South Florida Water Management District's Lower East Coast Water Supply Plan (*LECWSP*) and the City of North Miami's Work Plan. New Policies 3.2 through 3.7 would encourage the addition of shade and native trees, minimize overhead utility conflicts with street trees, and increase the age diversity of the Village's urban forest by planting new trees. New Objective 4 and related Policies would outline implementation strategies to reduce greenhouse gas emissions and conserve energy resources.

### Intergovernmental Coordination Element

The key proposed change to this Element would direct the Village to coordinate its Comprehensive Plan with the plans of adjacent communities and agencies providing services to or having jurisdiction within regarding land use, transportation, natural resources, utility services, conservation, air quality, and public schools.

## Capital Improvements Element

Key proposed changes to the this Element would direct the Village to replace capital equipment and facilities as infrastructure becomes unserviceable. New Policies 1.3 through 1.5 would require monitoring of the existing public works yard, consider allocating a fire station with the new, expanded Village Hall, and seek opportunities to expand and ensure the protection of the Village Hall complex. New LOS Standards for capital facilities are proposed and consistent with the other Elements of the Comprehensive Plan. New Policy 2.8 directs the Village to incorporate applicable capital improvements identified in the *LECWSP* or the North Miami Work Plan into its Capital Improvements Schedule. Policy 2.9 would direct the Village to identify alternative funding sources to implement projects needed to maintain and enhance LOS Standards. In addition, a Five-Year Capital Improvements Schedule is proposed for Fiscal Years 2009/1- through 2013/14.

**The Village of Biscayne Park Commission unanimously approved (5-0) the proposed EAR-based text amendments at its March 16, 2010 meeting.**

## Impact Analysis

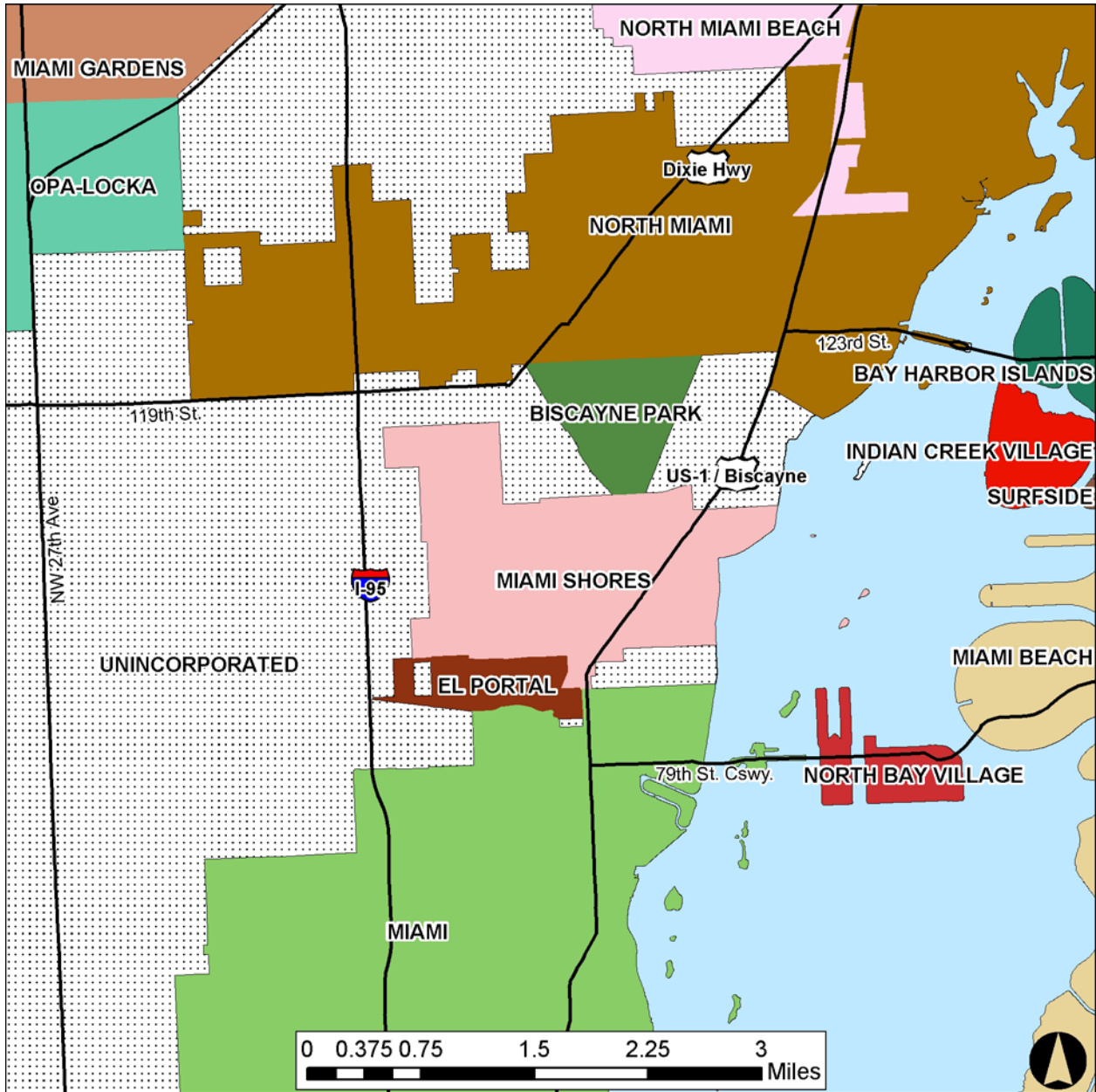
Staff analysis confirms that the Village of Biscayne Park proposed amendment package #10-1ER would not result in compatibility, extra-jurisdictional, or affordable housing issues; or impact significant regional resources and facilities, natural resources, transportation systems, emergency preparedness plans, and local mitigation strategies.

Since a further detailed impact analysis is not applicable to the review of the proposed amendments, the related analysis sections found in the Department of Community Affairs (DCA) Amendment Review Form C-7 (Sections 9 through 18) have not been included in this staff report.

## Recommendation of Consistency with Strategic Regional Policy Plan (SRPP)

**Find the Village of Biscayne Park proposed amendment package #10-1ER generally consistent with the *Strategic Regional Policy Plan for South Florida*. Approve this agenda item for transmittal to the Florida Department of Community Affairs.**

Attachment 1



COMPREHENSIVE PLAN AMENDMENTS

Location Map

Village of Biscayne Park  
Proposed Amendment #10-1ER

Sources: FDEP, SFWMD, Miami-Dade County, SFRPC.

Note: For planning purposes only. All distances are approximate.