



# MEMORANDUM

AGENDA ITEM #6b

DATE: FEBRUARY 4, 2008  
TO: COUNCIL MEMBERS  
FROM: STAFF  
SUBJECT: TOWN OF CUTLER BAY PROPOSED COMPREHENSIVE PLAN

## Introduction

On January 3, 2008 Council staff received the proposed Town of Cutler Bay Comprehensive Plan for review of consistency with the *Strategic Regional Policy Plan for South Florida (SRPP)*. Staff review is undertaken pursuant to the Local Government Comprehensive Planning and Land Development Regulation Act, Chapter 163, Part II, Florida Statutes (F.S.), and Rules 9J-5 and 9J-11, Florida Administrative Code (F.A.C.).

## Community Profile

The Town of Cutler Bay, Miami-Dade County's newest municipality (number 35), was created November 8, 2005 and is located in southeastern Miami-Dade County. The population in 2007 was estimated to be 40,468 and is projected to grow to 50,000 by 2015. The area covers approximately 9.7 square miles. The boundaries are approximately as follows: on the North by SW 184 Street (Eureka Drive) from the Florida Turnpike to Biscayne Bay; on the West from SW 184 Street following U.S. 1 to SW 112 (Allapattah Road) and then along SW 126 (Hanlin Mills Drive); on the South by SW 216 Avenue and along historic Old Cutler Road, taking a right on SW 224 Street going east to Biscayne Bay. The Eastern Border follows the coastline of Biscayne Bay from SW 184 Street to SW 224 Street. The Town is comprised of approximately 6,523 acres of land, with the acreage consisting of approximately 39% residential; 30% parks, conservation, and water bodies, 16% vacant protected lands; 6% vacant land; 5% commercial; 6% Industrial; 2% Institutional; 16% Transportation/Roadways; and less than 1% other uses. Notable landmarks in the Town include the Southland Mall (formally the Cutler Ridge Mall), the South Dade Government Center and the South Dade Regional Library.

Additional information regarding the Town or the Region may be found on the Council's web site, [www.sfrpc.com](http://www.sfrpc.com).

## Summary of Staff Analysis

In accordance with Chapter 163, F.S., the newly incorporated Town has prepared its proposed comprehensive plan, the Town of Cutler Bay Growth Management Plan. The Miami-Dade County Comprehensive Development Master Plan is deemed to be the controlling plan for the Town until such time as the Town's adopted plan is found to be in compliance with the requirements of Chapter 163, F.S.

The proposed comprehensive plan includes all required elements in accordance with Chapter 163, F.S. The general location of the Town is depicted in Attachment 1 and the proposed Future Land Use Map is depicted in Attachment 2.

A detailed analysis of the proposed comprehensive plan is included in the attached staff report.

Staff analysis indicates that the proposed Comprehensive Plan provides planning methodology to assess land use patterns and growth for the Town. The planning process in the goals, objectives and policies is supported by the data and analysis included to support the plan. Staff analysis indicates that with the exception of the Infrastructure, Conservation, Intergovernmental Coordination and Capital Improvement Elements, the Plan is generally compatible with the goals and policies of the *Strategic Regional Policy Plan for South Florida (SRPP)*.

### Objection

Staff analysis indicates that the proposed comprehensive plan policies do not include language requiring the Town to develop its own 10 year Water Supply Facilities Work Plan for the provision of water supply facilities that are needed to serve existing and proposed development within the Town. Until this issue is resolved, the proposed Infrastructure, Conservation, Intergovernmental Coordination, and Capital Improvements Elements are incompatible with the goals and policies of the *SRPP*, particularly with the following goal and policy addressing the regional water supply:

**Goal 7** Protect, conserve and enhance the Region's water supply.

**Policy 7.2** Water suppliers, in coordination with the SFWMD should address long term water supply alternatives, which include the possibility of utilizing Areawide or regional water supply systems as a substitute for, or a means of augmenting, the present non-regional systems.

### Recommendation

Council staff recommends that prior to adoption, the City revise the policies in the Infrastructure, Conservation, Intergovernmental Coordination, and Capital Improvements Elements to provide for the development of a 10 Year Water Supply Facilities Work Plan.

Staff will continue to work with the City staff throughout the amendment process.

The Town Council voted 5-0 to approve the proposed Comprehensive Plan and to transmit the plan to the Florida Department of Community Affairs for review at its November 14, 2007 meeting.

### Recommendation

Find the Town of Cutler Bay proposed Growth Management Plan generally consistent with the *Strategic Regional Policy Plan for South Florida*, with the exception of the Infrastructure, Conservation, Intergovernmental Coordination, and Capital Improvements Elements. Find the Infrastructure, Conservation, Intergovernmental Coordination, and Capital Improvements Elements generally inconsistent with the *Strategic Regional Policy Plan for South Florida*, particularly with Goal 7 and Policy 7.2, related to water supply planning. Approve this staff report for transmittal to the Florida Department of Community Affairs.

**Proposed Comprehensive Plan Review  
Staff Report  
For  
Town of Cutler Bay**

**South Florida Regional Planning Council  
February 2008**

## PROPOSED TOWN OF CUTLER BAY COMPREHENSIVE PLAN

### Summary of Staff Analysis

Staff review is undertaken pursuant to the Local Government Comprehensive Planning and Land Development Regulation Act, Chapter 163, Part II, Florida Statutes (F.S.), and Rules 9J-5 and 9J-11, Florida Administrative Code (F.A.C.).

In accordance with Chapter 163, F.S., the newly incorporated Town of Cutler Bay has prepared its proposed comprehensive plan. The Miami-Dade County Comprehensive Development Master Plan is deemed to be the controlling plan for the Town until such time as the Town's adopted plan is found to be in compliance with the requirements of Chapter 163, F.S.

The proposed comprehensive plan includes all required elements in accordance with Chapter 163, F.S. The general location of the Town is depicted in Attachment 1 and the proposed Future Land Use Map is depicted in Attachment 2.

The Town Council voted 5-0 to approve the proposed Comprehensive Plan and to transmit the plan to the Florida Department of Community Affairs for review at its November 14, 2007 meeting.

A detailed analysis of the proposed comprehensive plan is included below.

### **Future Land Use Element**

The analysis below summarizes the contents of the Future Land Use Element (FLUE) and Future Land Use Map (FLUM):

- The Town was substantially built out at the time of incorporation in 2005, and has a limited supply of vacant, developable land. One in four acres is either reserved for conservation purposes or privately owned protected land. Single-family residential development is the predominant use, with commercial development concentrated along US-1 and Old Cutler Road.
- The guiding principles of the FLUE and Planning program are preservation and enhancement of existing residential neighborhoods, resource protection and enhancement, and redevelopment of commercial areas as mixed-use activity centers.
- Early planning efforts in the Town include the "Downtown Cutler Ridge Charrette," held in September 2002 and the Old Cutler Road Charrette," held in 2003. In addition, a Strategic Plan for the Town was adopted in 2006.
- The Town envisions the promotion and integration of smart growth principles that enable preservation of natural resources, livable communities, walkable neighborhoods, compact mixed use developments, connectivity to transit, redevelopment opportunities, and the creation of a civic district for public gathering and commerce.
- Future redevelopment opportunities will be focused along U.S.1 and Old Cutler Road where a mixed-use, design-unified town center will serve as the focal point for the community.
- The Town has opted to utilize more general and balanced land use categories. These categories will guide future land use patterns based on the need to preserve natural areas and direct new development into an urban form that balances automobile and pedestrian needs, and encourages the development of mixed-uses. Accordingly, the areas along Old Cutler Road and US-1 that were designated as "Commercial Shopping Centers" and "Business and Office" on the County's Future Land Map are now designated as "Town Center" and "Mixed Use".

## **Coastal Management Element**

The coastal planning area for Cutler Bay lies generally east of Old Cutler Road from the northern to the southern boundaries of the Town for evaluation of hurricane evacuation and hazard mitigation matters. The analysis below summarizes the contents of the Coastal Management Element:

- The natural habitat located within the coastal planning area provides protection, food, water and nesting materials for the rich diversity of local wildlife that live within the Town and neighboring Biscayne Bay National Park; and
- The Town is prone to coastal flooding from hurricane storms as it is located entirely within a hurricane storm surge evacuation zone as designated by the Miami-Dade County Office of Emergency management (primarily zones B and C).

Goals, objectives and policies included in the Element are intended to:

- Conserve, appropriately use and protect all natural and historic resources, coastal wetlands, coastal wildlife and habitat, living marine resources and marine habitat;
- Limit public expenditures in areas subject to destruction by natural disasters;
- Cooperate with the Miami-Dade County Office of Emergency Management to maintain or lower the existing time period required to complete evacuation and protect human life; and
- Complete an Emergency Response Plan in 2008.

## **Transportation Element**

The Town has developed a Transportation Element with policies that are supportive of the objectives of addressing transportation levels of service with a multi-modal approach. Objectives and policies recognize the concurrency responsibility and the need for management of Level of Service requirements as well as moving to more transit, pedestrian and bicycle modes. These objectives and policies are intended to address the following areas shown below:

- Level of Service Standards;
- Alternative Modes of Transportation;
- Safe and Convenient Pedestrian and Bicycle Network;
- A Transportation System Coordinated with Land Uses;
- Coordination of transportation Plans of Other Jurisdictions;
- A Transportation System to Enhance and Preserve Town Neighborhoods;
- Concurrency and Growth Management;
- Transportation that services Regional and Local Interests;
- Hurricane Evacuation and Disaster Preparedness;
- Elderly and Transit Dependent Transportation Services;
- Capital Improvement Program; and
- Financing.

## **Housing Element**

The Town's Housing Element is intended to provide general housing data related to the condition of housing in the Town and to provide guidance on appropriate plans and policies to meet identified or projected needs in the housing supply for very low, low, and moderate income households, group homes, foster care facilities and households with special housing needs. Available data indicates that:

- The Town has 10,800 housing units, consisting of 8,451 single-family units, 2,322 multi-family homes and 27 mobile home/other units;
- Approximately 20% of the Town's housing units were built before 1960;
- Approximately 68% of the housing is owner-occupied, 31% of the housing is renter-occupied and less than 1% of the units are vacant;
- Approximately 33% of renters and 32% of the households in owner-occupied housing pay more than 30% of their income for housing, making them cost-burdened;
- A total of 2,018 housing units receive some type of governmental assistance;
- There are no public housing projects within the Town;
- There are 16 adult congregate living facilities with a capacity of 97 and three skilled nursing facilities with a combined capacity of 283 in the Town; and

The Town is encouraging affordable housing through the policies in the Housing Element. Policies have been included for:

- Enforcing restrictions placed on property relating to density bonuses which were granted to further the achievement of affordable, workforce or elderly housing when reviewing the conversions of residential units to condominium units;
- Providing for mixed-use developments that allow residential development along transit corridors;
- Ensuring that when incentives are offered to provide affordable, workforce, elderly and special needs housing, the units remain affordable upon future transfer of ownership; and
- Including provisions for density bonuses for affordable housing, up to a 20% density increase.

#### Comment

The housing data and analysis is primarily based on year 2000 Census data, with some updated information. The data and analysis section of the Housing Element includes a statement that the Element will be updated at the time of the first Evaluation and Appraisal Report (EAR). However, the Housing Element should be updated within a reasonable timeframe after the Affordable Housing Needs Assessment (AHNA), to be completed by the Shimberg Center for Affordable Housing at the University of Florida, becomes available, and not wait for the EAR, which will be in approximately 7 years.

#### Recommendation

The City should include a policy in the Housing Element that commits the Town to begin the process of updating the Housing Element of the Comprehensive Plan within 6 months of the Affordable Housing Needs Assessment being completed by the Shimberg Center for Affordable Housing at the University of Florida.

#### **Infrastructure Element**

The Town of Cutler Bay does not provide sanitary sewer, potable water or solid waste services itself. These services are provided by others, specifically:

- Sanitary Sewer – Miami-Dade County Water and Sewer Department (WSD)
- Solid Waste – Miami-Dade County Department of Solid Waste Management (DSWM)
- Potable Water – Miami-Dade County Water and Sewer Department (WSD)

The Town recognizes that its Growth Management Plan will increase the demand on public services at a greater rate than projected by the Miami-Dade County Comprehensive Development Master Plan. As a result, the Infrastructure Element focuses on strong coordination with those entities to maintain the

current and adopted level of service standard. The analysis below summarizes the contents of the Infrastructure Element.

### Sanitary Sewer

Three objectives and supporting policies are included that would call for:

- Establishment of level of service standards for current and future development;
- Ensuring cost-efficient use of existing facilities and coordination of future expansion plans to accommodate development proscribed in the Future Land Use element; and
- Promotion of reuse of treated wastewater.

### Solid Waste

Three objectives and supporting policies are included that would call for:

- Cooperation with Miami-Dade County DSWM and private waste haulers to ensure safety, efficiency, and compliancy with adopted level of service standards;
- Promotion of good recycling habits among residents and business owners; and
- Assistance in proper disposal of hazardous materials.

### Drainage

The Town of Cutler Bay aims to become the sole provider of drainage services for its residents and is currently in the process of developing a Stormwater Master Plan to create a Stormwater Utility and Management System. The drainage goal is supported by five objectives and supporting policies are directed at a stormwater management system that would:

- Correct stormwater deficiencies and maintain adopted level of service standards;
- Accommodate future growth needs;
- Ensure development and infrastructure projects maintain surface water quality standards and promote aquifer recharge; and
- Implement a maintenance program for current and future facilities.

### Comment

The Comprehensive Plan could be strengthened if the Town included a policy that once the Stormwater Master Plan is completed, the Comprehensive Plan will be updated to incorporate the plan.

### Potable Water

The Town is a retail consumer of potable water services provided by Miami-Dade County WASD. The potable water goal is supported by three objectives and supporting policies that would commit the Town to cooperate and support its provider utilities in:

- Establishment of level of service standards;
- Ensuring cost-efficient use of existing facilities and coordination of future expansion plans to accommodate development proscribed in the Future Land Use element; and
- Promotion of potable and non-potable water conservation.

## Natural Groundwater Resources

The South Florida Water Management District (SFWMD) and Miami-Dade County regulate the groundwater resource areas in the Town, including those designated areas a part of the Comprehensive Everglade Restoration Plan (CERP). The Town recognizes the need for coordination with these entities to protect, conserve, and manage the quality and quantity of natural groundwater resources, recharge areas, and drainage features within Cutler Bay.

### **Intergovernmental Coordination Element**

The analysis below summarizes the contents of the Intergovernmental Coordination Element:

- The plan includes objectives and policies that commit to improving communication and coordination with public and private entities implementing plans and programs that affect the Town;
- The goals and policies commit the Town to ensuring the impacts of development in the Town's Comprehensive Plan, on development in all adjacent jurisdictions, the region, and the State to be addressed through coordination mechanisms.
- The objectives and polices promote consistency with the *Strategic Regional Policy Plan for South Florida*, Miami-Dade County Comprehensive Development Master Plan, and other state, regional and local plans; and
- The goals and policies commit the Town to effectively communicating with county, regional, and state agencies with special emphasis on setting level-of-service standards and/or permitting requirements, and initiating maintenance and capital improvement projects located with the Town.

### **Conservation Element**

The analysis below summarizes the contents of the Conservation Element:

- Policies have been included to cooperate with Miami-Dade County, the Florida Department of Environmental Protection and the South Florida Water Management District for the implementation of water demand management and water quality policies and programs. The Town will launch a public education campaign on water conservation and water quality issues;
- The Town shall conserve, appropriately use and protect natural functions of fisheries, wildlife, wildlife habitat and marine habitat through coordination with county, regional, and federal agencies or programs; and
- The Town commits to being recognized as a sustainable community through initiatives defined by the Florida Green Development Standard. The Town will include in its Land Development Regulations such provisions as rooftop stormwater collection, significant contributions to the tree canopy, and increase public green space.

### **Parks, Recreation and Open Space Element**

The analysis below summarizes the contents of the Parks and Recreation Element:

- The Town will adopt an Active Open Space Level of Service Standard in order to maintain a coordinated system of parks, recreational land and open spaces serving the residents of Cutler Bay at a Level-of-Service of 3.0 acres per 1,000 residents through the year 2020.
- The Town will develop and implement a Park and Recreation Master Plan that reflects the current and emerging needs of the community of Cutler Bay.
- The Town will provide improved access to parks and recreational facilities within Cutler Bay.



- In coordination with the Coastal Management Element, the Town shall place a high priority in the acquisition of unprotected coastal lands for use as parks and preservation that provide access for resident and visitors to the shoreline.

### **Educational Facilities Element**

The proposed element includes:

- Intergovernmental co-ordination with Miami Dade County School Board;
- Concurrency standards for public school facilities, including establishing a goal of achieving 100% Permanent FISH capacity in all public school facilities by January 1, 2018;
- Policies to address school siting, including land use compatibility;
- The Town proposes to enter into a joint use agreement for co-sharing of educational facilities; and,
- Provisions for use of public schools as emergency shelters.

### Comment

Staff review of the proposed element indicates that Exhibits EF-1A through EF-2D are illegible and should be enlarged. Prior to adoption, the Town should coordinate with Miami-Dade County Public Schools, Miami-Dade County, its municipalities and Council staff to ensure that the amendment is consistent with the proposed *Interlocal Agreement (ILA)*.

### **Capital Improvements Element**

The analysis below summarizes the contents of the Capital Improvements Element:

- The element identifies capital improvement needs and revenues and funding sources.
- Objectives and policies commit the Town to maximize fiscal resources available to the Town for the necessary public facility improvements.
- Objectives and policies commit the Town to provide the necessary capital improvements, correct service deficiencies, and accommodate planned future growth consistent with the adopted level-of-service standards.
- Objectives and policies commit the Town to develop and maintain a Concurrency Management System;
- The element includes a Five-Year Schedule of Capital Improvements; and
- The element establishes criteria to prioritize improvements in the Five Year Schedule of Capital Improvements.

### Comment

The Capital Improvements Element does not clarify what capital improvement projects are level-of-service standards related.

### Recommendation

The Town should revise the Capital Improvement Element to identify capital improvement projects that are necessary to maintain the adopted level-of-service standards for public services in the next five years.

### Objection

Staff analysis indicates that the proposed comprehensive plan policies do not include language requiring the Town to develop its own 10 year Water Supply Facilities Work Plan for the provision of

water supply facilities that are needed to serve existing and proposed development within the Town. Until this issue is resolved, the proposed Infrastructure, Conservation, Intergovernmental Coordination, and Capital Improvements Elements are incompatible with the goals and policies of the *SRPP*, particularly with the following goal and policy addressing the regional water supply:

**Goal 7** Protect, conserve and enhance the Region's water supply.

**Policy 7.2** Water suppliers, in coordination with the SFWMD should address long term water supply alternatives, which include the possibility of utilizing Areawide or regional water supply systems as a substitute for, or a means of augmenting, the present non-regional systems.

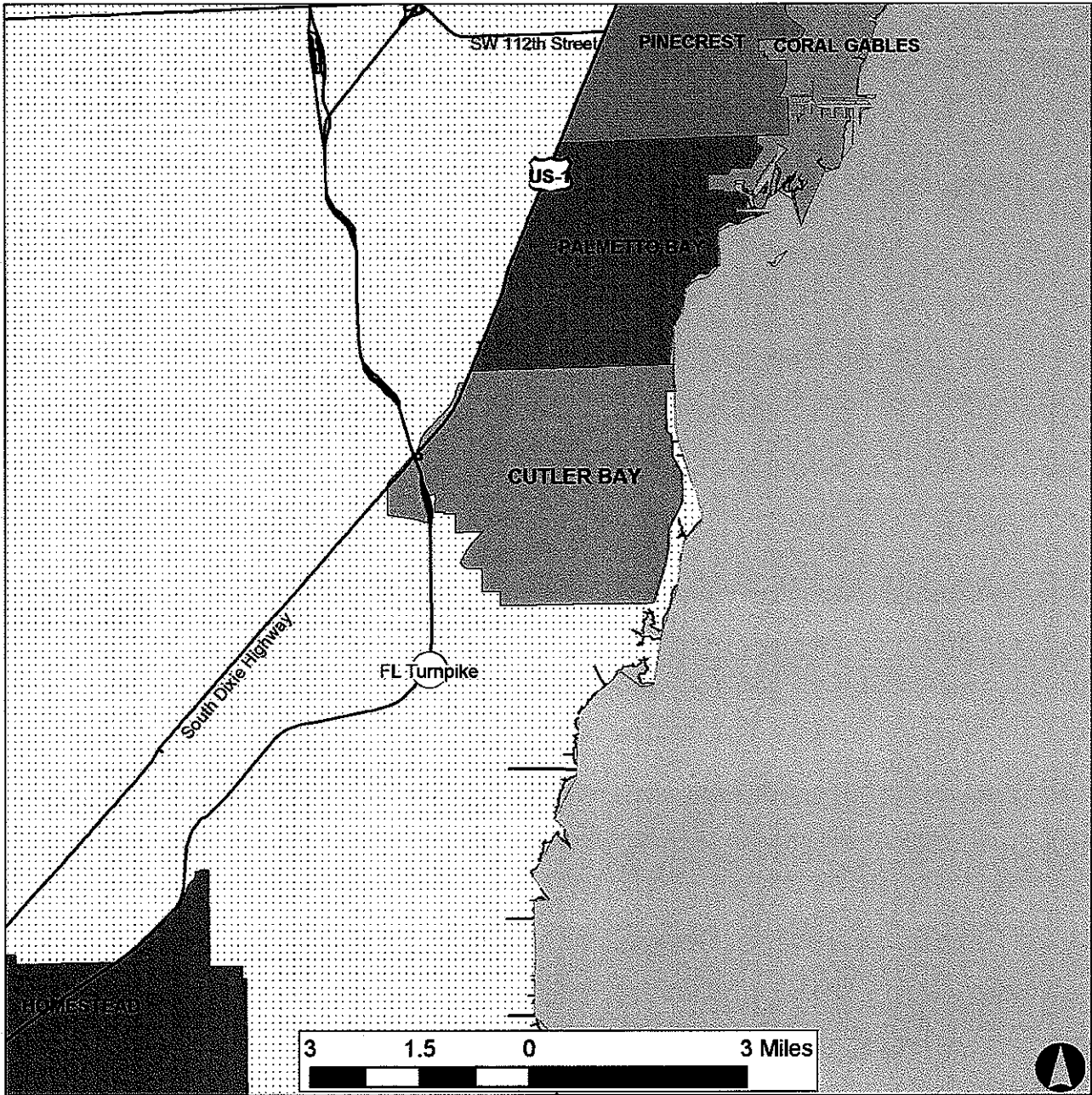
#### Recommendation

Council staff recommends that prior to adoption, the City revise the policies in the Infrastructure, Conservation, Intergovernmental Coordination, and Capital Improvements Elements to provide for the development of a 10 Year Water Supply Facilities Work Plan.

#### Conclusion

Staff analysis confirms that the proposed Town of Cutler Bay Growth Management Plan is compatible with the goals and policies of the *SRPP*, with the exception of the policies relating to water supply, as noted above. Staff will continue to work with the Town's staff throughout the adoption process.

Attachment 1



COMPREHENSIVE PLAN AMENDMENTS

Location Map

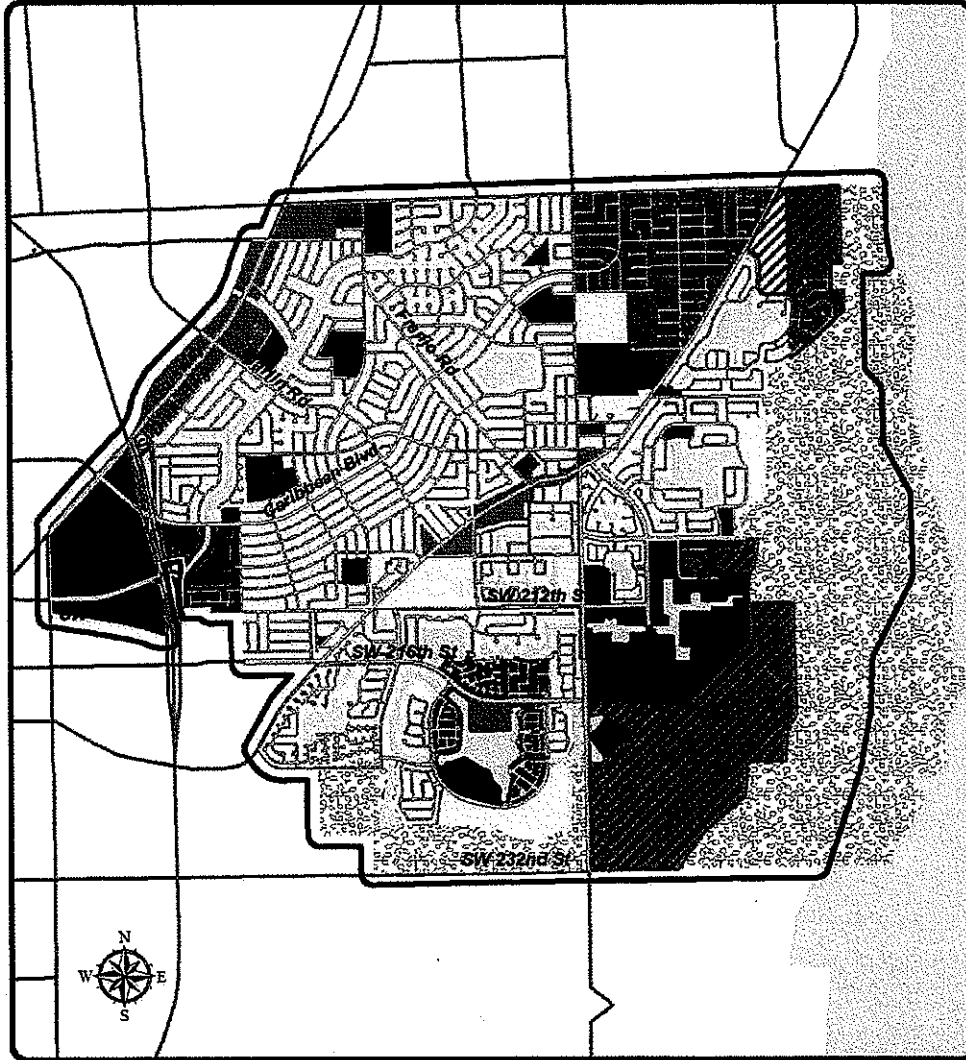
Town of Cutler Bay  
Proposed Comprehensive Plan

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

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

Attachment 2

## Town of Cutler Bay Future Land Use Map



Cutler Bay Boundary	Estate Density	Town Center	Residential - Conservation
Water	Low Density	Institutional	
Roadways	Medium Density	Parks and Recreation	
Transportation	Mixed Use	Conservation	



Source: Town of Cutler Bay,  
THE CORRADINO GROUP

**Exhibit FLU - 1A**

### COMPREHENSIVE PLAN AMENDMENTS

#### Future Land Use Map

Town of Cutler Bay  
Proposed Comprehensive Plan

Sources: Town of Cutler Bay

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