



# MEMORANDUM

AGENDA ITEM #IV.C

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DATE: APRIL 25, 2022

TO: COUNCIL MEMBERS

FROM: STAFF

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

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Pursuant to the 1974 Interlocal Agreement creating the South Florida Regional Planning Council (Council), the Council is directed by its member counties to “assure the orderly, economic, and balanced growth and development of the Region, consistent with the protection of natural resources and environment of the Region and to protect the health, safety, welfare and quality of life of the residents of the Region.”

In fulfillment of the Interlocal Agreement directive and its duties under State law, the Council reviews local government Comprehensive Plan amendments for consistency with the *Strategic Regional Policy Plan for South Florida (SRPP)*. Pursuant to Section 163.3184, Florida Statutes as presently in effect, Council review of comprehensive plan amendments is limited to 1) adverse effects on regional resources and facilities identified in the SRPP and 2) extra-jurisdictional impacts that would be inconsistent with the comprehensive plan of any affected local government within the Region. 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 Economic Opportunity certifies its completeness.

A written report of Council’s evaluation 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.

## 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.



**PROPOSED AMENDMENTS**

Local Government and Plan Amendment Number	Proposed	Adopted	Council Review Date	Local Government Transmittal or Adoption Public Hearing and Meeting
City of Hallandale Beach 22-01ESR * (Received 02-24-22)	✓	N/A	04-25-22	02-16-22
Islamorada, Village of Island 22-01ACSC * (Received 03-29-22)	✓	N/A	04-25-22	12-16-21
<p>1. The proposed amendments to the above-mentioned Comprehensive Plans reflect the creation of a Property Rights Element, to comply with House Bill 59 Section 163.3177(6)(i), Florida Statutes, effective July 1, 2021. The proposed amendment intends to meet the requirements of the Bill, including language regarding the right of a property owner to: physically possess and control his or her interests in the property, including easements, leases, or mineral rights; use, maintain, develop, and improve his or her property for personal use or for the use of any other person, subject to state law and local ordinances; privacy and to exclude others from the property to protect the owner's possessions and property; and dispose of his or her property through sale or gift.</p> <p>2. These amendments affect the counties and municipalities named above.</p> <p>3. These amendments do not create any adverse impact to state or regional resources/facilities. If any agency provides comments on these proposed amendments, the local governments should consult with the pertinent agency to address the comments prior to adoption.</p>				
City of Aventura 22-01ER * (Received 04-07-22)	✓	N/A	04-25-22	04-05-22
<p>1. The proposed amendments to the City of Aventura's Comprehensive Plan contains are as follows:</p> <ul style="list-style-type: none"> <li>a. "Peril of Flood" based amendments that require local governments to plan for coastal flooding and the related impacts of sea level rise.</li> <li>b. "Property Rights Element" amendments to reflect comments received from the Department of Economic Opportunity from the first round of such amendments, and to fully comply with House Bill 59 Section 163.3177(6)(i), Florida Statutes, effective July 1, 2021. The proposed amendment intends to meet the requirements of the Bill, including language regarding the right of a property owner to: physically possess and control his or her interests in the property, including easements, leases, or mineral rights; use, maintain, develop, and improve his or her property for personal use or for the use of any other person, subject to state law and local ordinances; privacy and to exclude others from the property to protect the owner's possessions and property; and dispose of his or her property through sale or gift.</li> </ul>				

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<p>c. "EAR" based amendments to update the Comprehensive Plan to reflect current land use and transportation issues within the City.</p> <p>2. These amendments affect the City of Aventura.</p> <p>3. These amendments do not create any adverse impact to state or regional resources/facilities and the amendment seeks to protect Natural Resources of Regional Significance as identified in the Strategic Regional Policy Plan. If any agency provides comments on this amendment, the City should consult with the pertinent agency to address them prior to adoption. The City is required to revise its Water Supply Facilities Work Plan (Work Plan) and should coordinate with the South Florida Water Management District (SFWMD) to ensure full consistency with all elements of the most recent Lower East Coast Water Supply Plan Update approved by the SFWMD District Board. It is noted that the Council is referenced as the "South Florida Planning Council", whereas the correct current name is the "South Florida Regional Planning Council".</p>				
City of Coral Gables 22-02ESR (Received 03-11-22)	✓	N/A	04-25-22	01-11-22
<p>1. The proposed amendments to the City of Coral Gables' Comprehensive Plan update the Recreation and Open Space Element; Capital Improvements Element and all corresponding map series; minor updates to the Community Recreation Master Plan and the City's Strategic Plan; Mixed-Use Overlay District map; and Future Land Use Element. The Comprehensive Plan's designation of maximum number of floors in the Future Land Use Element will be amended to reflect that it shall not apply to Planned Area Developments (PADs). In instances where density is limited, an additional height bonus will be available for qualifying PADs within the Central Business District (CBD).</p> <p>2. These amendments affect the City of Coral Gables.</p> <p>3. These amendments do not create any adverse impact to state or regional resources/facilities. The City is required to revise its Water Supply Facilities Work Plan (Work Plan) and should coordinate with the South Florida Water Management District (SFWMD) to ensure full consistency with all elements of the most recent Lower East Coast Water Supply Plan Update approved by the SFWMD District Board.</p>				
City of Margate 22-01ESR * (Received 03-11-22)	✓	N/A	04-25-22	01-11-22
<p>1. The proposed amendments to the City of Margate's Comprehensive Plan would:</p> <p>a. Incorporate a Property Rights Element to comply with House Bill 59 Section 163.3177(6)(i), Florida Statutes, effective July 1, 2021. The proposed amendment intends to meet the requirements of the Bill, including language regarding the right of a property owner to: physically possess and control his or her interests in the property, including easements, leases, or mineral rights; use, maintain, develop, and improve his or her property for personal use or for the use of any other person, subject to state law and local ordinances; privacy and to exclude others from the property to protect the owner's possessions and property; and dispose of his or her property through sale or gift;</p>				

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<ul style="list-style-type: none"> <li>b. Amend the Future Land Use, Transportation, Recreation and Open Space and Conservation Elements for consistency with the Broward County Land Use Plan; and</li> <li>c. Amend the Future Land Use Element with text changes identified as ‘housekeeping items’ by the City.</li> </ul> <ul style="list-style-type: none"> <li>2. These amendments affect the City of Margate.</li> <li>3. These amendments do not create any adverse impact to state or regional resources/facilities. Council staff recommends addressing all technical assistance comments provided by the South Florida Water Management District (SFWMD) to ensure full consistency with all elements of the most recent Lower East Coast Water Supply Plan Update approved by the SFWMD District Board.</li> </ul>				

**ADOPTED AMENDMENTS**

Local Government and Plan Amendment Number	Proposed	Adopted	Council Review Date	Local Government Transmittal or Adoption Public Hearing and Meeting
City of Coral Gables 22-01ESR * (Received 03-10-22)	N/A	✓	04-25-22	03-08-22
Town of Cutler Bay 22-01ESR * (Received 03-23-22)	N/A	✓	04-25-22	03-16-22
City of Fort Lauderdale 21-01ESR * (Received 03-02-22)	N/A	✓	04-25-22	02-15-22
City of Miami 21-01ESR * (Received 03-04-22)	N/A	✓	04-25-22	02-10-22
City of Pembroke Pines 21-01ESR * (Received 03-07-22)	N/A	✓	04-25-22	03-02-22
Village of Pinecrest 21-01ESR * (Received 02-22-22)	N/A	✓	04-25-22	02-08-22
<p>1. The adopted amendments to the above-mentioned Comprehensive Plans reflect the creation of a Property Rights Element, to comply with House Bill 59 Section 163.3177(6)(i), Florida Statutes, effective July 1, 2021. The proposed amendment intends to meet the requirements of the Bill, including language regarding the right of a property owner to: physically possess and control his or her interests in the property, including easements, leases, or mineral rights; use, maintain, develop, and improve his or her property for personal use or for the use of any other person, subject to state law and local ordinances; privacy and to exclude others from the property to protect the owner's possessions and property; and dispose of his or her property</p>				

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<p>through sale or gift. If any agency provides comments on these adopted amendments, the local governments should consult with the pertinent agency to address the comments.</p> <ol style="list-style-type: none"> <li>2. These amendments affect the counties and municipalities named above.</li> <li>3. These amendments do not create any adverse impact to state or regional resources/facilities.</li> <li>4. Council reviewed these amendments when proposed.</li> </ol>				
City of Doral 22-01ESR (Received 04-04-22)	N/A	✓	04-25-22	03-23-22
<ol style="list-style-type: none"> <li>1. The adopted amendment to the City of Doral’s Comprehensive Plan amends the Future Land Use Element entitled “Doral Décor District” (DDD) to modify permitted uses, eliminate retail and service percentage restrictions, and establish total number of dwelling units permitted and eliminate the Community Mixed Use Opportunity Area land use category; amends the Future Land Use map to rename the Doral Design District Core to “Doral Décor District” (DDD).</li> <li>2. This amendment affects the City of Doral.</li> <li>3. This amendment does not create any adverse impact to state or regional resources/facilities.</li> <li>4. Council reviewed this amendment when proposed.</li> </ol>				
City of Hialeah 21-04ESR (Received 03-22-22)	N/A	✓	04-25-22	03-08-22
<ol style="list-style-type: none"> <li>1. The adopted amendment amends the City of Hialeah’s Comprehensive Plan to update the Goals, Objectives, and Policies of the Recreation and Open Space Element, and replaces the existing data, inventory and analysis.</li> <li>2. This amendment affects the City of Hialeah.</li> <li>3. This amendment does not create any adverse impact to state or regional resources/facilities.</li> <li>4. The Council reviewed this amendment when proposed.</li> </ol>				
City of Lighthouse Point 20-01ESR (Received 02-26-22)	N/A	✓	04-25-22	02-08-22
<ol style="list-style-type: none"> <li>1. The adopted amendment to the City of Lighthouse Point’s Comprehensive Plan revises the maximum intensity, specifically the height of buildings, to no more than fifty feet in the Commercial Recreation land use designation. The amendment will facilitate the development of recreational uses such as tennis courts in the Commercial Recreation land use category.</li> <li>2. This amendment affects the City of Lighthouse Point.</li> <li>3. This amendment does not create any adverse impact to state or regional resources/facilities.</li> </ol>				

Local Government and Plan Amendment Number	Proposed	Adopted	Council Review Date	Local Government Transmittal or Adoption Public Hearing and Meeting
4. The Council reviewed this amendment when proposed.				
City of Marathon 21-02ACSC (Received 02-28-22)	N/A	✓	04-25-22	01-11-22
<ol style="list-style-type: none"> <li>1. This adopted amendment to the City of Marathon’s Comprehensive Plan incorporates the City’s 10-Year Water Supply Facilities Work Plan to be consistent with the South Florida Water Management District Lower East Coast Water Supply Plan.</li> <li>2. This amendment affects the City of Marathon.</li> <li>3. This amendment does not create any adverse impact to state or regional resources/facilities.</li> <li>4. The Council reviewed this amendment when proposed.</li> </ol>				
City of Miami Beach 21-01ESR (Received 03-28-22)	N/A	✓	04-25-22	01-20-22
<ol style="list-style-type: none"> <li>1. The adopted amendments to the City of Miami Beach’s Comprehensive Plan incorporate: <ol style="list-style-type: none"> <li>a. The City’s 10-Year Water Supply Facilities Work Plan to be consistent with the South Florida Water Management District Lower East Coast Water Supply Plan; and</li> <li>b. The Property Rights Element to fully comply with House Bill 59 Section 163.3177(6)(i), Florida Statutes, effective July 1, 2021. The proposed amendment intends to meet the requirements of the Bill, including language regarding the right of a property owner to: physically possess and control his or her interests in the property, including easements, leases, or mineral rights; use, maintain, develop, and improve his or her property for personal use or for the use of any other person, subject to state law and local ordinances; privacy and to exclude others from the property to protect the owner's possessions and property; and dispose of his or her property through sale or gift.</li> </ol> </li> <li>2. These amendments affect the City of Miami Beach.</li> <li>3. These amendments do not create any adverse impact to state or regional resources/facilities.</li> <li>4. The Council reviewed these amendments when proposed.</li> </ol>				