



VILLAGE OF KEY BISCAYNE
**EVALUATION AND APPRAISAL REPORT (EAR) OF THE
KEY BISCAYNE MASTER PLAN**

e. Conservation and Coastal Management

(1) Purpose of Conservation and Coastal Management Plan.

The purpose of the Conservation and Coastal Management Element is to:

“...Preserve and enhance the significant natural features in Key Biscayne; to conserve and manage the environmental resources and man-made uses in the coastal area of the Village; and to minimize human and property loss due to hurricanes.”

(2) Summary Assessment.

The scope of the Conservation and Coastal Management section is extensive. The Village has implemented or is in the process of implementing policies and objectives in all sub-categories, with the exception of historic preservation. No historic preservation policy to protect Mackle homes or any other structures within Village limits has been implemented because there are currently no structures that meet the state or national age and significance requirements for national historic designation.

(3) Recommended Amendments to the Conservation and Coastal Management Element.

The following ordinance affecting the Conservation and Coastal Management Element has been passed since the Comprehensive Plan was adopted.

Ord. 2005-5 amended Section 30-102 Governmental Use District of Chapter 30 of the Land Development Code by adding a schedule of permitted uses and regulations for public beaches.

The following amendments to the Conservation and Coastal Management Element are being suggested as part of the Evaluation and Appraisal Report. (See Section 6 Conclusions and Recommendations)

- An addition to should be made to state that the Village will continue to explore new ways to integrate green technologies into public facilities. (See Section 6 Conclusions and Recommendations, Recommendation CCM1)
- Language and dates referenced in the following objective should be updated:



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- Policy 2.2.3: Continue to evaluate the need for and efficacy of alternate financing methods for beach renourishment and dune development.
- Objective 2.4 Historic Preservation: Prepare a list of potentially significant historic structures and a preservation strategy by **2010**.
- Objective 3.3: Post Disaster Redevelopment: Adopt a post-disaster redevelopment plan by 2010.
- Policy 3.3.1: Prepare a post-disaster redevelopment plan based on the Hurricane Andrew experience and in consultation with the South Florida Regional Planning Council (SFRPC) and MDC OEM by 2010.

(See Section 6 Conclusions and Recommendations, Recommendation CCM2)

- Update Policy 3.3.1 to read:
 - Policy 3.3.1 Update the disaster response plan based on the Hurricane Andrew experience and in consultation with the South Florida Regional Planning Council (SFRPC) and MDC OEM by 1996. **The Village is in the process of coming up with a more comprehensive plan that covers pre-storm, evacuation, and post storm guidelines.**

(See Section 6 Conclusions and Recommendations, Recommendation CCM3)

- In coordination with recommendation I2, add a policy to the Conservation and Coastal Management Element that the Village will “assess projected water needs and sources for at least a 10-year planning period, considering the South Florida Water Supply Plan.” (See Section 6 Conclusions and Recommendations, Recommendation CCM4)

(4) Evaluation of Goals, Objectives, and Policies of the Conservation and Coastal Management Plan.

See matrix on pages 46-49.

(5) Conservation and Coastal Management Plan Land Development Code Ordinances.



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- Section 10-23(1):** Restrict or prohibit uses which are dangerous to health, safety and property due to water or erosion hazards, or which result in damaging increases in erosion or in Flood heights or velocities
- Section 10-42(f):** Description of the type, extent and depth of proposed fill and the elevation in relation to Mean Sea Level of the top surface of the fill;
- Section 10-42(h):** Plot plan, drawn to scale, illustrating the locations of all proposed construction, fill, excavating, and other aspects of the Development;
- Section 10-44(d)(5):** The necessity of the facility to a waterfront location, in the case of a functionally dependent facility.
- Section 10-61(10):** Adequate drainage paths shall be provided around Structures to guide stormwater runoff away from them.
- Section 10-63:** *Standards for Coastal High Hazard Areas (V-zones):* Located within the Areas of Special Flood Hazard are areas designated as Coastal High Hazard Areas, which are denoted with a "V" prefix on the Flood Insurance Rate Map. These areas, called "velocity zones," have special Flood hazards associated with wave action; therefore, the following provisions shall apply....:
- Section 10-63(7):** *Protection of Sand Dunes and Mangrove Stands.* There shall be no alteration of Sand Dunes or Mangrove Stands which would increase potential Flood damage.
- Section 30-80(f)(6)f:** Details of the proposed drainage system, including drainfield cross sections and lengths, catch basin types and sizes, designated retention/detention area cross sections, and the like.
- Section 30-80(f)(9)e:** Demonstration that the proposed Development will not adversely affect any endangered or threatened plant or animal species, and will to the greatest extent possible, protect natural areas, native species, potable water well-fields, and dune systems, and will provide effective erosion control, and will protect against hazardous waste.
- Section 30-100:** *Island Residential (waterfront) District*
- Section 30-100(b):** *Development Regulations*
- Section 30-100(e):** *Setback Regulations (minimum)*
- Section 30-100(f)(11):** *Pavers and walkways in Side and Rear Yards.* Pavers or other walkway material may be placed within the Side or Rear Yard so long as they do not materially affect the drainage characteristics of the area. The maximum width of the



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walkway is five feet but in no instance shall the Setback be less than four feet.

Section 30-100:30-112: Schedule of District Use and Setback Regulations

Section 30-102(e): *Permitted Recreational Activities.* Subject to the approval of a Beach Management Plan pursuant to subsection (f) and the supplementary regulations in subsection (g) the activities as described below shall be considered Main Permitted Uses on lands within the GU District which are seaward of the Erosion Control Line (as identified in Section 1.03 of the Village Charter) where such activities occur as ancillary and supportive of principal uses conducted on the upland contiguous privately owned property.

Section 30-102(g)6: None of the permitted activities including the storage of any equipment shall be maintained or conducted within five feet of the dune as defined pursuant to Section 161.54, Florida Statutes, or within 15 feet of the waterline, unless overnight storage on the public beach is approved pursuant to a Beach Management Plan.

Section 30-103: *Hotel Resort District*

Section 30-107(d)(8): Construction or subsequent operation of any new or expanded marina shall not destroy or degrade hammocks, pinelands, salt marshes, mangrove protection areas, seagrass, hard bottom communities, or habitats used by endangered or threatened species, unless approved by the appropriate regulatory agencies.

Section 30-160: *Purpose of Concurrency Management* The purpose of this article is to ensure that the infrastructure necessary to serve new Development is Available concurrently with the impacts of that new Development. Impact is measured against the adopted minimum acceptable levels of service with respect to: (a) roads, (b) sanitary sewer, (c) solid waste, (d) drainage (e) potable water and (f) parks and open space.

Section 30-230(f): Contribute to the processes of air movement, air purification, oxygenation regeneration, ground water recharge, stormwater runoff retention, while aiding in the abatement of noise, glare, heat, air pollution and dust generated by impervious areas.

Section 30-235(f): *Removal of trees on public lands.* No trees shall be removed from any public land including, but not limited to Rights-of-Way and swale areas, without the approval of the Building, Zoning and Planning Director.



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	CONSERVATION AND COASTAL MANAGEMENT (<i>Conservation and Coastal Management goals, objectives and policies are combined because they are complimentary.</i>)		
Goal 1	To preserve and enhance the significant natural features in Key Biscayne.		
Objective 1.1	Air Quality: Improve air quality to achieve or maintain applicable standards as established by the US Environmental Protection Agency (EPA).	Implemented: ongoing. Through intergovernmental coordination, the Village supports Miami-Dade County's efforts to improve air quality	
Policy 1.1.1	Maintain compliance with traffic LOS standard thereby avoiding congestion that would adversely impact air quality.	Implemented: ongoing. Crandon Boulevard improvements and plans for Harbor Drive at the Village entrance have addressed congestion and air quality issues.	
Policy 1.1.2	Control emissions from all hazardous waste facilities to comply with Lowest Achievable Emission Rates, including vapor control systems to control hydrocarbon emissions at gas stations.	Implemented: ongoing. Through intergovernmental coordination, the Village supports Miami-Dade County's efforts to improve air quality	
Objective 1.2	Water Pollution: Upgrade drainage system so outfalls into Biscayne Bay (and adjacent canals) fully meet NPDES standards and Chapters 17-25 and 17-302.500, F.A.C., by 1998. Upgrade private property on-site drainage standards to ensure retention of at least the first one inch of stormwater, and no more runoff after development than before.	Implemented: ongoing.	
Policy 1.2.1	Based on capital cost implications of DMP, activate the stormwater utility assessment as a basis for bonding by 1998. Update DMP to upgrade storm sewer system to meet standards of Objective 1.1 of the Infrastructure Element.	Implemented.	
Policy 1.2.2	By statutory deadline or sooner, enact and enforce LDC provisions regarding detention, runoff, erosion control, pervious open space minimums, swales, drainage LOS, beach dune protection and other land protection measures.	Implemented: ongoing.	Ordinances: 10-23(1);10-61(10); 10-63(7); 30-80(f),(6),f; 30-80(f),(9),e; 30-100(b); 30-102(e); 30-100(f),(11); 30-102(g),6; 30-160; 30-230(f); 30-235 (f)
Policy 1.2.3	Refer any development permit applications for storage of hazardous waste to MDC.	Implemented: ongoing.	
Objective 1.3	Vegetative and Soil Resources: Achieve zero net loss of mangroves.	Implemented: ongoing. There is no official Village map of mangroves. However, housing projects are evaluated on a case-by-case basis including a review of landscape. Should a project significantly infringe on environmental features, the Village would deny approval where appropriate.	
Policy 1.3.1	By statutory deadline or sooner, enact and enforce estuarine waterfront protection provisions in the LDC in accordance with state of Florida Department of Environmental Protection (FDEP) and waterfront policies of DERM.	Implemented: ongoing.	Ordinances: 10-44(d),(5);10-63(7);30-107(d),(8)
Policy 1.3.2	Contact DERM if any adverse impact is observed relative to the limited sea grass beds in adjacent Bay waters.	Implemented: ongoing.	
Objective 1.4	Sea Turtle Preservation: Strive to achieve zero human-induced loss of manatees and/or sea turtle eggs.	Implemented: ongoing.	
Policy 1.4.1	Village police will report speeding violations in manatee protection areas to County and State marine police, and publicize the MDC manatee telephone hotline to the public.	Implemented: ongoing.	
Policy 1.4.2	By statutory deadline or sooner, enact and enforce land development provisions to minimize light on beach areas where sea turtles nest.	Implemented: ongoing.	
Objective 1.5	Floodplains: Achieve construction of all new building first floors at or above FEMA specified flood regulations and also, for non-residential uses only, in accordance with FEMA approved waterproof construction specifications.	Implemented: ongoing. The Village has a base flood elevation ordinance that is consistent with FEMA's requirements.	Chapter 10
Policy 1.5.1	Village Manager shall design and promulgate specific management techniques to ensure effective enforcement of FEMA regulations. Flood damage prevention regulations shall be enforced by the Village.	Implemented: ongoing.	
Objective 1.6	Emergency Water Conservation: Reduce per capita water consumption by at least 10% in the event of a water supply emergency (pending upon near term ability to measure Village-wide consumption).	Implemented: ongoing.	
Policy 1.6.1	Enact and enforce emergency water conservation based on South Florida Water Management District (SFWMD) model ordinance and requirements.	Implemented: ongoing.	
Objective 1.7	Conservation of Wildlife and Habitat: Achieve zero degradation of fisheries, wildlife, wildlife habitat, marine habitat and environmentally sensitive land.	Implemented: ongoing.	



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Policy 1.7.1	Cooperate with US Army Corps of Engineers (ACE) for beach renourishment as necessary to minimize damage to offshore grass flats, terrestrial and marine animal habitats and dune vegetation.	Implemented: <i>ongoing</i> . Related ordinances were passed as a result of the Long Range Beach Renourishment Plan (1997). Ordinance 2002-6 amended Sec. 30-100(f)(3) Docks and Mooring Piles. It regulated docking facilities within single family districts so as to prevent projects detrimental to the equitable, safe, and adequate navigation of all waterways in the Village.	
Policy 1.7.2	Limit permits (within Village jurisdiction) for beach restoration or renourishment borrow areas to those that do not negatively affect offshore reefs or grass flats.	Implemented: <i>ongoing</i> . Addressed in Long Range Beach Renourishment Plan (1997).	
Policy 1.7.3	By statutory deadline or sooner, enact and enforce LDC provisions requiring minimum building setbacks from the ocean. Prevent encroachment on beach front according to the Dune Restoration Area of the FLUM and the Coastal Construction Control Line.	Implemented: <i>ongoing</i> .	Ordinances: Section 30-100:30-112
Policy 1.7.4	Prohibit dredging or filling that would result in the destruction of grass/algae flats, hard bottom or benthic communities within Village limits.	Implemented . This applies only in canals or in natural harbors (e.g. Hurricane Harbor; within the Yacht Club). The Village limits end at shoreline on Bayside. Measured at high tide, the beach along the Atlantic seaward is property of the State. Bayside water is County property up to the southern portion of the island, where it is national parkland.	
Policy 1.7.5	Prohibit deposit of solid waste or industrial waste that create a health or environmental hazard.	In progress .	
Policy 1.7.6	Maintain standing as a bird sanctuary, and prohibit destruction of any bird except by those persons with a valid permit for scientific purposes issued by the US Fish and Wildlife Service.	Implemented . Cape Florida State Park/Bill Baggs is officially recognized as a bird sanctuary.	
Policy 1.7.7	Require all new shoreline development affecting marine habitats to be reviewed by DERM.	Implemented: <i>ongoing</i> . The Village has received preliminary approval by DERM.	
Policy 1.7.8	Give preference to salt tolerant landscaping over traditional materials in the enactment of the landscape requirements of the LDC.	In progress . The Village adopted County regulations to address landscaping, but has amended them to meet its needs. An amendment passed on 5/9/00 required 30 percent native plant materials to be used.	
Policy 1.7.9	Prohibit and require eradication of invasive species on all sites of new and redevelopment projects.	Implemented . The Village used County regulations to address invasive species, but has amended its ordinances to meet local needs. On 5/9/00 the Village adopted and has subsequently enforced six regulations to respond to this issue.	
Policy 1.7.10	Coordinate with County and FDEP in monitoring coastal waters and sediments.	Implemented: <i>ongoing</i> . The Village has created a volunteer beach clean-up program that coincides with a national annual coastal clean-up effort.	
Policy 1.7.11	Cooperate and comply with Federal, state and county programs and mandates regarding dockside pump out facilities.	Implemented: <i>ongoing</i> .	
Policy 1.7.12	Promote beautification with an annual clean-up drive for the beaches and shorelines.	Implemented: <i>ongoing</i> . The Village has created a volunteer beach clean-up program that coincides with a national annual coastal clean-up effort.	
Policy 1.7.13	Enact and enforce an emergency water conservation plan, through a water shortage ordinance consistent with SFWMD.	In progress .	
Policy 1.7.14	Officially designate DERM mangrove areas within the Village (see Figure V-1, Data and Analysis) as environmentally sensitive lands which shall be protected from development unless their ecological value is replaced via mitigation.	In progress .	
Goal 2	To conserve and manage the environmental resources and man-made uses in the coastal area of Key Biscayne.		
Objective 2.1	Water -Dependent and Water-Oriented Uses: Preserve existing and planned sites for water-dependent and water-oriented ocean hotel resort uses, and assure that marina expansion or development meets appropriate location standards.	Implemented: <i>ongoing</i> . The zoning code has a designation for private clubs with ocean or bay frontage.	
Policy 2.1.1	By statutory deadline or sooner, enact and enforce zoning districts based on Multi-family Residential, Ocean Resort Hotel, Waterfront Recreation and Open Space Land Use Plan categories, and consistent with density limits in the FLUM.	Implemented: <i>ongoing</i> . Using the County as its base model for Zoning Districts, the Village added two new categorizations on 5/9/00: PUD and Hotel Resort (HR), both of which offer incentives. The Public Recreation and Open Space District is also available should the Village own or have a long term lease (5 years or longer) on a parcel and desire to use the land for public recreation or open space purposes.	These districts permitted Beach Park public access.
Policy 2.1.2	New water-dependent uses shall meet specified criteria incorporated in LDC by statutory deadline or sooner.	Implemented . After using County code as its model, the Village recently adopted a resolution for beachfront activities in May of 2005.	



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Objective 2.2	Beaches and Dunes: Achieve no new major development or redevelopment seaward of the Coastal Construction Control Line and restore a naturally vegetated dune along the entire Atlantic Ocean frontage of the Village.	Implemented: <i>ongoing</i> .	
Policy 2.2.1	By statutory deadline or sooner, enact and enforce minimum oceanfront setbacks, including protection of the proposed dune system, as part of the LDC.	Implemented: <i>ongoing</i> .	Ordinances: 30-100; 30-103
Policy 2.2.2	By statutory deadline or sooner, enact and enforce dune development and vegetation requirements as part of the LDC in conjunction with any new beachfront development and redevelopment.	Implemented: <i>ongoing</i> .	Ordinances: 10-63(7); 30-80(f),(9), e; 30-102(g), 6; 30-107(d), (8)
Policy 2.2.3	Evaluate the need for and efficacy of alternate financing methods for beach renourishment and dune development by 1996.	Implemented: <i>ongoing</i> . Between 1995 and 2002, the Miami-Dade County Department of Environmental Resource Management included Key Biscayne as one of three areas targeted for beach restoration projects. According to the M-D EAR, Key Biscayne had 63.6 acres of beach restored.	
Objective 2.3	Beach Public Access: Achieve one municipal beach access point open to the general public by 2004.	Implemented.	
Policy 2.3.1	Enforce an existing development agreement with a private property owner to provide beach access open to the general public.	Implemented. The Village has an agreement on an easement with the Grand Bay Resort.	
Objective 2.4	Historic Preservation: Prepare a list of potentially significant historic structures and a preservation strategy by 1999.	Not implemented. There is no local designation process, nor a list of historic properties because there are no structures on the Island older than 50 years and of significant historical merit. The structure associated with Nixon was eligible, but it was demolished in the summer of 2004. A cottage on the Matheson property was restored in a manner consistent with how it was originally built to represent typical local tourist lodgings of the time. A plaque was erected to acknowledge its historical significance. However, at this point in time, the cottage is not eligible for official local, state, or national designation because of its age.	
Policy 2.4.1	Designate candidates for historic preservation based on age, architecture and function, and draft a preservation strategy.	Not implemented. There are no historic structures older than 50 years and therefore none that meet the requirements of the National Register.	
Objective 2.5	Biscayne Bay Preservation: Assist the County, FDEP and National Park Service (NPS) to preserve and enhance Biscayne Bay Aquatic Preserve.	In progress. Septic tanks are in the process of being replaced with sanitary sewers and new water pipes. The Village is in the grant-raising phase of the project.	
Policy 2.5.1	Contribute to the improvement of Biscayne Bay through implementation of DMP, replacing septic tanks with sanitary sewers tied into the County system and/or upgrading of septic tank and drainfield standards, mandating on-site stormwater detention and marina siting standards according to Infrastructure Element and this Element.	In progress. Sanitary sewer project will be completed by 2008.	
Policy 2.5.2	Contribute to the improvement of Biscayne Bay water quality through cooperation and consultation with the Biscayne Bay Shoreline Development Review committee, FDEP and the NPS.	Not implemented.	
Goal 3	To minimize human and property loss due to hurricanes.		
Objective 3.1	Coastal High-Hazard Area Land Use and Infrastructure: Limit Village funds on infrastructure within the Village (all of which is in the coastal high-hazard area) that contributes to significantly more intense development than authorized by this plan.	Implemented: <i>ongoing</i> . Infrastructure is based on the maximum density of development permitted by the zoning code.	
Policy 3.1.1	Limit funding of public infrastructure expansion if the effect is a direct subsidy to a specific private development in the Village.	Implemented: <i>ongoing</i> . The Village does not subsidize private development; it pays for its own infrastructure needs.	
Policy 3.1.2	Objective 3.1 and Policy 3.1.1 should not preclude plans to extend sewer lines, improve drainage facilities or reconfiguration of streets to provide adequate infrastructure to serve Future Land Use Plan development or prior vested development rights.	Implemented.	
Objective 3.2	Hurricane Evacuation: Maintain the current estimated 13 hour hurricane evacuation clearance time based on pre-Hurricane Andrew planning and post-Hurricane Andrew experience.	Implemented: <i>ongoing</i> .	
Policy 3.2.1	Maintain traffic LOS, based on FLUM, to achieve a reasonable hurricane evacuation time.	Implemented: <i>ongoing</i> .	
Policy 3.2.2	Prepare a hurricane emergency plan by 1995, based on the Hurricane Andrew experience and in concert with 1991 County Emergency Operations Plan and 1991 US COE hurricane evacuation study.	Implemented. In June 2001, the Hurricane Information Manual was adopted in order to assist Village residents to plan and prepare for a hurricane and its aftermath.	
Objective 3.3	Post-Disaster Redevelopment: Adopt a post-disaster redevelopment plan by 1996.	In progress.	



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Policy 3.3.1	Prepare a post-disaster redevelopment plan based on the Hurricane Andrew experience and in consultation with the South Florida Regional Planning Council (SFRPC) and MDC OEM by 1996.	In progress.	
Policy 3.3.2	The adopted plan will specify that during post-disaster redevelopment, the Building Department will distinguish between actions needed to promote public health and safety with immediate clean-up and long term repair activities and redevelopment areas.	In progress.	
Policy 3.3.3	During recovery periods, use post-disaster redevelopment plan to reduce or eliminate future exposure of life and property to hurricanes, incorporate recommendation of interagency hazard mitigation reports and recommend any amendments to MP.	In progress.	
Policy 3.3.4	Unsafe conditions and inappropriate uses identified in recovery phase will be eliminated as opportunities arise.	Implemented.	
Objective 3.4	Level of Service and Public Facility Timing: Achieve LOS standards by concurrency and a capital improvement schedule.	Implemented: <i>ongoing</i> . During the site plan review process, the Village reviews LOS and concurrency to ensure the project is consistent with them.	
Policy 3.4.1	Implement concurrency management system with phased capital improvement schedule to achieve and maintain LOS standards concurrent with the impact of development.	Implemented: <i>ongoing</i> .	
Objective 3.5	Hurricane Damage Avoidance: Minimize damage from any hurricane storm surge. See Policies for measurability.	Implemented: <i>ongoing</i> .	
Policy 3.5.1	By statutory deadline or sooner, enact and enforce LDC provisions requiring minimum setbacks from the ocean and compliance with the CCCL regulations.	Implemented: <i>ongoing</i> .	Ordinances: 30-100(e)
Policy 3.5.2	Enforcement of new residential construction at or above flood elevation specified by FEMA, and new non-residential construction at or above flood elevation specified by FEMA or in accordance with FEMA approved waterproof construction specifications.	Implemented: <i>ongoing</i> .	
Policy 3.5.3	By statutory deadline or sooner, enact and enforce LDC provisions limiting the amount of fill added to a property in conjunction with development or redevelopment to minimize stormwater runoff.	Implemented: <i>ongoing</i> .	Ordinances: 30-230(f); 10-61(10); 10-42(f); 10-42(h)
Policy 3.5.4	Monitor changes to and recommend County Emergency Operations Plan (EOP) hazard mitigation reports as basis for amending MP and LDC as appropriate.	Not implemented. Zoning in the LDC reflects the MP.	
Policy 3.5.5	Reduce permitted population densities according to FLUM to coordinate with 1991 MDC EOP (local) and lower Southeast Florida Hurricane Evacuation Plan (regional).	Not implemented. The Village is maintaining levels, but not reducing them.	
Policy 3.5.6	Limit funding of public infrastructure expansion if the effect is a direct subsidy to a specific private development in the Village.	Implemented: <i>ongoing</i> .	
Objective 3.6	Commercial Redevelopment: Revitalize, by 2004 at least one Crandon Boulevard property that has a blighting impact on the Village and is likely to sustain significant hurricane damage.	Implemented. The CVS shopping center was previously a vacant grocery store before being renovated in 2003. The parking lot, landscaping, and façades were all redone. The building at 800 Crandon Boulevard was a decaying service station site before it was demolished and replaced with a new hardware store in 2001. 560 Crandon was demolished in 2005; the site is currently being cleaned up for an office building.	
Policy 3.6.1	By statutory deadline or sooner, enact and enforce LDC standards to conform with flood damage prevention regulations outlined by Conservation and Coastal Management Policy 3.5.2.	Implemented: <i>ongoing</i> .	Ordinances: 10-63



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f. Recreation and Open Space

(1) Purpose of Recreation and Open Space Plan.

The purpose of the Recreation and Open Space Plan is to:

“...Provide a desirable level of public recreation and open space facilities together with supplemental private recreation and open space facilities.”

(2) Summary Assessment.

Prior to and at the time of incorporation the Village was not in compliance with the Miami-Dade County LOS standards for public recreation and open space facilities. This deficiency was an important catalyst in the move to incorporate. Since incorporation, the Ocean Club and Grand Bay (approved for development prior to incorporation) heightened the recreation and open space deficiency.

Since the Master Plan was adopted, the Village has attained additional parks and recreation acreage. However, with the increase in population, it has not been enough to raise the level of service to meet its standard of 2.5 acres per 1000 people. The Village is currently actively exploring its options and monitoring near- and medium-term changes to its present state (e.g. its agreement with Miami-Dade County for use of facilities Calusa Park expires in 2008); Upon adopting a new program for acquiring parks and recreation space, the Village will need to incorporate appropriate objectives and policies into the Master Plan.

(3) Recommended Amendments to the Recreation and Open Space Element.

No ordinances affecting the Recreation and Open Space Element have been passed since the Comprehensive Plan was adopted.

The following amendments to the Recreation and Open Space Element are being suggested as part of the Evaluation and Appraisal Report. (See Section 6 Conclusions and Recommendations)

- The following objective should be amended to read:
 - Objective 1.5 Public-Private Coordination: Explore and implement a fully coordinated system of recreation resources.

(See Section 6 Conclusions and Recommendations, Recommendation ROS1)



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- The following policy should be amended to read:
 - Policy 1.3.5 Explore means of revenue raising to support public trust acquisition of recreation lands and open space and preservation of historic landmarks by **2010**.
(See Section 6 Conclusions and Recommendations, Recommendation ROS2)
- Add a policy that the Village shall “[p]repare a strategy for buying land in the Village to be dedicated as recreational space.” (See Section 6 Conclusions and Recommendations, Recommendation ROS3)
- Add a policy that the Village shall “[n]egotiate use agreements with Miami-Dade County and the City of Miami for Village residents to have access to parkland outside Key Biscayne.” (See Section 6 Conclusions and Recommendations, Recommendation ROS4)
- Add a policy that the Village shall “[r]eview and revise current regulations to require that any future development proposed in the Village that contains apartments to provide public open space on- or off-site in the amount necessary to serve the demand created by the projected population increase.” (See Section 6 Conclusions and Recommendations, Recommendation ROS5)
- Add a policy that the Village shall “[e]xplore instituting an impact fee for new single-family detached and residential duplex construction.” (See Section 6 Conclusions and Recommendations, Recommendation ROS6)
- Add a policy to “[p]ursue the renovation of available space at Calusa Park into active playing fields.” If it is in accordance with the Calusa Park Master Plan, connect the playing fields to Harbor Drive via a pathway, building a mangrove boardwalk to Biscayne Bay, and construct a boardwalk to the Tennis Stadium at Crandon Park. (See Section 6 Conclusions and Recommendations, Recommendation ROS7)
- Add a policy to “[w]ork with the Miami-Dade County Parks and Recreation Department to develop a public tennis program at



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the Tennis Center at Crandon Park.” (See Section 6 Conclusions and Recommendations, Recommendation ROS8)

- Add a policy to “[c]ontinue to buy land in the Village and/or lease land on a long term basis for recreation and open space purposes.” (See Section 6 Conclusions and Recommendations, Recommendation ROS9)
- Add a policy to “[a]cquire land for a bayfront park. .” (See Section 6 Conclusions and Recommendations, Recommendation ROS10)
- Add a policy to “[e]xtend the lease with St. Agnes Catholic Church and provide for the general public’s use of this facility.” (See Section 6 Conclusions and Recommendations, Recommendation ROS11)
- Add a policy to “[e]nter into public/private partnerships which result in recreation and open space in locations zoned for institutional and commercial use.” (See Section 6 Conclusions and Recommendations, Recommendation ROS12)
- Add a policy to “[a]ccept developer contributions and donations of property should opportunities arise that are advantageous to all parties.” (See Section 6 Conclusions and Recommendations, Recommendation ROS13)
- Add a policy to “[i]nclude 530 Crandon Boulevard in the inventory of recreation and open space lands when its current use as a staging area is complete. (See Section 6 Conclusions and Recommendations, Recommendation ROS14)

(4) Evaluation of Goals, Objectives, and Policies of the Recreation and Open Space Element.

See matrix on following page.

(5) Recreation and Open Space Plan Land Development Code Ordinances.

Section 30-100(b): *Development Regulations:* Minimum Pervious Area

Section 30-100(e): *Development Regulations:* Setback Regulations



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Section 30-108: PROS Public Recreation and Open Space District

RECREATION AND OPEN SPACE			
Goal 1	Provide a desirable level of public recreation and open space facilities together with supplemental private recreation and open space facilities.		
Objective 1.1	Waterfront Access: Achieve one municipal ocean beach access point by 2004.	Implemented.	
Policy 1.1.1	Enforce an existing development agreement with a private property owner to provide beach access open to the general public as a condition for development approval.	Implemented: <i>ongoing</i> . The Village offers FAR incentives for offering beach access easements.	
Objective 1.2	School Playfield Access: Assure resident access to the elementary school playfield by 1995.	Implemented.	
Policy 1.2.1	Seek joint use agreement with School Board to assure resident access to the school's playfields.	Implemented.	
Objective 1.3	Public Recreation Facilities: Achieve park and recreation lands (with facilities) of at least 2.5 acres per 1,000 people permanent population.	In progress.	
Policy 1.3.1	Reserve for recreation use all Village-owned land designated on the FLUM and seek additional acreage to meet standard of 2.5 acres per 1,000 people permanent population (concurrency/LOS standard) through purchase, long-term lease and/or donation.	In progress. Although the Village still does not meet the standard of 2.5 acres per 1,000 persons, it has added parks and recreation space to its roster (Village Green, Village Lake and Beachfront Parks, St. Agnes fields) and has some prospects (Key Biscayne Presbyterian Church, Village Civic Center Park)	
Policy 1.3.2	By statutory deadline, conduct a feasibility study of obtaining additional sites needed to achieve and maintain LOS standard.	Implemented.	
Policy 1.3.3	Continue to pursue acquisition (purchase or lease) of park land to meet LOS standard outlined in Capital Improvement Schedule.	In progress. As mentioned above, the Village is pursuing opportunities with the Key Biscayne Presbyterian Church and an undeveloped parcel adjacent to the civic center.	
Policy 1.3.4	As acquisition of park tracts is assured, finalize detailed planning for facilities such as ball fields, playgrounds and community center and initiate a phased implementation plan.	In progress. The Village has hired SWA consultants to assemble a potential capital improvements list, including parks and recreation projects. The committee comprised of resident volunteers is in the process of prioritizing the projects based and estimating costs.	
Policy 1.3.5	Explore a recreation impact fee to help finance acquisitions and improvements by 1994.	Not implemented.	
Objective 1.4	Open Space: Achieve some passive public open space in the central part of Village, some semi-public open space on the waterfront plus private open space in conjunction with any new private development.	Implemented. The Village has built the Village Green and Beach Park. If development generates a demand on open space and public recreation facilities, it is required to submit open space as part of its plan.	
Policy 1.4.1	By statutory deadline or sooner, enact and enforce as part of LDC minimum front, side and rear residential setbacks and a no less than 30% pervious open space minimum of total site area for the average single family residential site.	Partially implemented. After using County code as the standard, the Village passed setback and open space ordinances for SF-R on 10/24/00. However, it has not passed setback and open space requirements for other districts.	Ordinances: 30-100(b); 30-100(e)
Policy 1.4.2	By statutory deadline or sooner, enact and enforce LDC zoning to implement Waterfront Recreation and Open Space category to preserve open space uses such as the beach club and yacht club. Pervious space requirement will be no less than 15% of entire site.	Implemented: <i>ongoing</i> . After using County code as the standard, the Village added a new district to its LDC on 5/9/00: Public Recreation and Open Space.	Ordinances: 30-108
Policy 1.4.3	Evaluate the desirability of developing a village center in tandem with central area public open space.	Implemented. Key Biscayne is working toward creating a Village center. The buildings have been completed, but the amenities are still under construction.	
Objective 1.5	Public-Private Coordination: Achieve a fully coordinated system of recreation resources by 2004.	In progress.	
Policy 1.5.1	Complete an inventory of private and semi-public recreational facilities to finalize the plan described in Policy 1.3.3.	Implemented.	



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g. Intergovernmental Coordination

(1) Purpose of Intergovernmental Coordination Plan.

The purpose of the Intergovernmental Coordination Plan is to:

“Maintain or establish processes to assure coordination with other governmental entities where necessary to implement the Master Plan.”

(2) Summary Assessment.

The Village has active relationships with Miami-Dade County and the School Board to implement policies and objectives related to education, parks and recreation, water and sewer provision, and water quality. In certain cases, the Village has yet to meet its LOS standards. However, as with the provision of sanitary sewer service, the Village is jointly involved with the Miami-Dade Water and Sewer Authority in the planning stage of the project; with the provision of adequate parks and recreation space, the Village continues to keep open dialogue with appropriate County agencies while simultaneously seeking alternative means to provide adequate services to its residents.

(3) Recommended Amendments to the Intergovernmental Coordination Element.

No ordinances affecting the Intergovernmental Coordination Element have been passed since the Comprehensive Plan was adopted.

The following amendments to the Intergovernmental Coordination Element are being suggested as part of the Evaluation and Appraisal Report. (See Section 6 Conclusions and Recommendations)

- The following policy should be amended to read:
 - Policy 1.2.1 As is relevant, consider and attempt to consummate the following interlocal agreements on an ongoing basis.

(See Section 6 Conclusions and Recommendations, Recommendation IC1)

- The following policy should be amended to remove references to annexation because it is no longer relevant to existing conditions



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and needs. The Village has not attempted to annex any land, nor does it foresee doing so. It should be amended to:

- Policy 1.1.3 Use informal mediation process of SFRPC conflicts with other governmental entities.

(See Section 6 Conclusions and Recommendations, Recommendation IC2)

- The following policy should be amended to read:
 - Policy 1.5.2 Explore means of revenue raising to support public trust acquisition of recreation lands and open space and preservation of historic landmarks by **2010**.

(See Section 6 Conclusions and Recommendations, Recommendation IC3)

- Add a policy that the Village shall “[c]ollaborate with Miami-Dade County and the City of Miami to create a program for annual evaluation of affordable housing needs within incorporated and unincorporated areas. (See Section 6 Conclusions and Recommendations, Recommendation IC4)
- Add a policy that the Village shall “[p]articipate in South Florida Regional Planning Council’s initiatives directed toward educating local governments of new techniques, especially programs applicable to the region and/or the county, for promoting affordable housing. (See Section 6 Conclusions and Recommendations, Recommendation IC5)
- Add a policy that the Village shall “[e]valuate the feasibility of establishing an affordable housing fee trust fund in partnership with Miami-Dade County or the City of Miami (via interlocal agreements) to fund affordable housing programs and projects in Miami-Dade or the City of Miami. (See Section 6 Conclusions and Recommendations, Recommendation IC6)
- Add a policy that the Village shall [e]nsure that land use designations and zoning districts that foster diverse housing types to serve the needs of the local population, including single family, duplex, and multi-family units. (See Section 6 Conclusions and Recommendations, Recommendation IC7)



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(4) Evaluation of Goals, Objectives, and Policies of the Intergovernmental Coordination Plan.

See matrix on following page.

(5) Intergovernmental Coordination Plan Land Development Code Ordinances.

There are no ordinances directly related to Intergovernmental Coordination policies.



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INTERGOVERNMENTAL COORDINATION			
Goal 1	To maintain or establish processes to assure coordination with other governmental entities where necessary to implement this plan.		
Objective 1.1	Coordination with the County Plan and School Board: Achieve consistency between Village Plan, MDC Comprehensive Plan and City of Miami Comprehensive Plan (and amendments); achieve coordination with Dade County School Board plans.	In progress.	
Policy 1.1.1	Monitor the MDC Comprehensive Plan process as County Plan is updated and revised in conjunction with its Evaluation and Appraisal Review (EAR).	Implemented: <i>ongoing</i> . Where the County makes decisions that affect the Village, such as on Virginia Key, in Crandon Park or at the Seaquarium, the Village monitors its actions.	
Policy 1.1.2	Maintain active dialogue with School Board staff concerning any Village elementary school plans.	Implemented: <i>ongoing</i> .	
Policy 1.1.3	Use informal mediation process of SFRPC to resolve annexation and other conflicts with other governmental entities.	Obsolete. The Village has not attempted to annex any land nor does it foresee doing so.	
Policy 1.1.4	Review and compare proposed development in City of Miami and MDC with proposed development of Village Comprehensive Plan; and, where appropriate, respond at public hearings, through memoranda, or through the SFRPC mediation process.	Implemented: <i>ongoing</i> .	
Objective 1.2	Master Plan Impact and Implementation Coordination: Coordinate developmental impact of MP with other jurisdictions.	Implemented: <i>ongoing</i> . Where other jurisdictions make decisions that affect the Village, such as on Virginia Key, in Crandon Park or at the Seaquarium, the Village monitors their actions.	
Policy 1.2.1	Consider and attempt to consummate the following interlocal agreements by 1999.		
	<i>Extension of Sewers: Coordinate and cooperate with appropriate County agencies.</i>	In progress.	
	<i>Solid Waste Disposal: Coordinate and cooperate with County Solid Waste Management Department.</i>	Implemented: <i>ongoing</i> .	
	<i>Lease of Calusa Park: Village maintains park to benefit all County residents and meet Village recreation LOS.</i>	Partially implemented.	
	<i>Lease of Virginia Key Site(s) for Recreation: Village commits to develop and maintain sites to meet Village recreation LOS.</i>	Implemented. The Village is a member of the Virginia Key Master Plan Committee, which is guiding the development of Virginia Key.	
	<i>Expansion of Calusa Park in to Crandon Park: Accommodate play fields to meet Village recreation LOS (requires that Village petition MDC to modify its current plan for Crandon Park).</i>	Not implemented. Although the Village still does not meet the standard of 2.5 acres per 1,000 persons, it has added parks and recreation space to its roster (Village Green, Village Lake and Beachfront Parks, St. Agnes fields) and has some prospects (Key Biscayne Presbyterian	
	<i>Bill Baggs State Park: Agreement with FDEP to provide play fields to meet Village recreation LOS (requires that Village petition state government agency to modify its current plan for Bill Baggs State Park).</i>	Not implemented. The agreement was rejected by the legislature.	
	<i>Key Biscayne Elementary School: Make playground available for Village use.</i>	Implemented. The Village maintains the property in exchange for its use during certain hours.	
	<i>Crandon Boulevard: Improved streetscape</i>	Implemented. <i>ongoing</i> . The Crandon Boulevard Master Plan is in Phase II of construction.	
Policy 1.2.2	Maintain dialogue with Metro-Dade Planning Dept. and other County agencies relative to limiting land use intensity.	Implemented: <i>ongoing</i> . Where the County makes decisions that affect the Village, such as on Virginia Key, in Crandon Park or at the Seaquarium, the Village monitors their actions.	
Policy 1.2.3	Assist in providing information regarding services such as waste, water, sewers, transit and hurricane response to residents.	In progress.	
Policy 1.2.4	Improve Biscayne Bay water quality by the following:	In progress.	
	<i>Implementation of Master Drainage Plan.</i>	In progress.	
	<i>Replacement of septic tanks with sanitary sewers tied into County system.</i>	In progress.	
	<i>Mandating on-site stormwater detention.</i>	Implemented. Ordinances specify the retention of runoff on-site.	
	<i>Marina siting standards.</i>	Implemented.	
Policy 1.2.5	Improve Biscayne Bay water quality by coordination with BBSDRC, FDEP and MDC.	Implemented: <i>ongoing</i> .	
Objective 1.3	Level of Service Standards Coordination: Ensure coordination with Metro-Dade County in establishing LOS standards for sewage and potable water.	Implemented: <i>ongoing</i> .	
Policy 1.3.1	Monitor changes to LOS standards of Metro-Dade County and adjust own LOS standards accordingly.	In progress.	



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h. Capital Improvements

(1) Purpose of Capital Improvements Plan.

The purpose of the Intergovernmental Coordination Plan is to:

“...To undertake capital improvements necessary to provide adequate infrastructure and a high quality of life, within sound fiscal practices.”

(2) Summary Assessment.

The Village has been diligent about implementing objectives and policies in the capital improvements section, annually updating its capital improvements budget, monitoring levels of service, and adhering to Coastal High Hazard Area limitations. The Village is examining the feasibility and implications of adjusting the parameters of the debt cap requirements.

The Annual Plan and Five-Year Capital Improvements Plan are the primary tools for implementing the Comprehensive Plan policies and initiatives. In particular, the Capital Improvements Plans should contain line items to solve Key Biscayne's persistent insufficiency of recreation space, including the immediate need for playing fields. To this end, the Village Council has approved consideration of the following financing strategies:

- FY08 Budget funds an Environmental and Recreational Planning Study for Calusa Park at \$135,000
- FY08 and each succeeding year should include 25 percent of the budget surplus up to the \$1.0 million for recreation and open space facilities
- SBR/Fortune Voluntary contribution of \$7.0 million
- FY07 funded line items of \$480,000 for playing fields, \$300,000 for recreational amenities, (\$250,000 currently designated)
- In order to achieve playing fields on Virginia Key, the Village must set aside substantial funds to actively participate in the decision making process.
- Absent debt cap relief through long term borrowing, the projected financing restraints due to pending property tax relief, and the rejection, consider alteration to the debt cap and grant funding.

The Capital Improvements Plan/Capital Outlay Allocations Analysis: FY 2006-2007 follows.



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CAPITAL OUTLAY ALLOCATIONS ANALYSIS - FY 2006-2007**

ITEM	DESCRIPTION	B		D	E
		PROJECTED AT 9/30/06	FISCAL 2007 ALLOCATION	RESERVED IN GEN FUND	TOTALS
1	Fire Equipment	38,647	10,000	0	48,647
2	Fire Vehicle Replacement	39,605	45,000	50,000	134,605
3	Beach Renourishment	374,924	250,000	0	624,924
4	Tree Replacement Program	25,000	0	0	25,000
5	School Parking	0	0		0
6	Calusa Park	0	0		0
5	Future Land Acquisition/Playing Fields	0	0	456,403	456,403
6	Art in Public Places	85,301	0	0	85,301
4	Maintenance Reserve- Community Center	37,305	212,695	0	250,000
5	Maintenance Reserve- Police/Admin Building	50,000	175,000	25,000	250,000
6	Maintenance Reserve- Fire Station	50,000	175,000	25,000	250,000
7	Community Center Equipment Replacements	41,633	158,367	50,000	250,000
8	Evaluation & Appraisal Report	0	0		0
9	Harbor Drive Drainage	0	0		0
8	Grapetree Drive Uplighting	10,000	90,000	0	100,000



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9	Ocean Lane Drive Improvements	0	0	0	0
17	Playground Equipment	0	0		0
9	Union Labor Contract	250,000	50,000	0	300,000
10	Emergency Hurricane Reserves	0	1,510,507	2,489,493	4,000,000
11	Additional Working Capital Reserves	0	400,000	600,000	1,000,000
12	Drainage- Glenridge/Woodcrest/Buttonwood	0	300,000	0	300,000
13	Contingencies	331,410	0	0	331,410
13	Master Plan Initiatives		1,110,778	500,000	1,610,778
14	Galen Drive Lighting		150,000		
14	Inspector Fees			275,000	275,000
15	Capital Lease			404,471	404,471
16	Prepaid items			204,248	204,248
17	Compensated Absences			334,644	334,644
18	Law Enforcement Seizures			326,827	326,827
19	Special Disaster Relief Reserve			13,192	13,192
15	Sunrise Drive Lighting		150,000		
	TOTAL	1,333,825	<u>4,787,347</u>	5,754,278	11,575,450



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(3) Recommended Amendments to the Capital Improvements Element.

No ordinances affecting the Capital Improvements Element have been passed since the Comprehensive Plan was adopted.

The following amendments to the Capital Improvements Element are being suggested as part of the Evaluation and Appraisal Report. (See Section 6 Conclusions and Recommendations)

In compliance with Chapter 163, F.S. (5)(d), provisions should be included for granting concurrency exceptions. (See Section 6 Conclusions and Recommendations, Recommendation C11)

- The date referenced in the following policy should be updated:
 - Policy 1.5.2: Explore a recreational impact fee for all new development to help fund acquisitions and improvements by 1994.

(See Section 6 Conclusions and Recommendations, Recommendation C12)

- Add a policy that the Village shall “[i]mplement a tracking system that measures increases in population resulting from development and redevelopment and provide results to Miami-Dade County the Water and Sewer Authority on a regular basis.” (See Section 6 Conclusions and Recommendations, Recommendation C13)
- Add a policy that the Village shall “[e]stablish criteria for updating and prioritizing projects within the CIP tied to concurrency requirements.” (See Section 6 Conclusions and Recommendations, Recommendation C14)
- Add a policy that the Village shall “Shift from an annual to five-year CIP.” (See Section 6 Conclusions and Recommendations, Recommendation C15)

(4) Evaluation of Goals, Objectives, and Policies of the Capital Improvements.

See matrix on following pages.

(5) Capital Improvements Plan Land Development Code Ordinances.

Section 30-160: 30-166: *Concurrency Management*



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Section 30-163: *Level of service standards:* For the purpose of concurrency determinations, the Village has adopted a master plan that provides the Level of Service Standards (LOS) for public facilities and services: roads, sanitary sewer, solid waste, drainage, potable water, and parks and recreation. All developments that are subject to a finding of must be consistent with these standards.



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CAPITAL IMPROVEMENTS			
Goal 1	To undertake capital improvements necessary to provide adequate infrastructure and a high quality of life, within sound fiscal practices.		
Objective 1.1	The Annual Capital Improvement Program Process: Use this Element to monitor public facility needs as a basis for annual capital budget and 5-year program preparation.	Implemented: <i>ongoing</i> . The Village does this as part of the budget process.	
Policy 1.1.1	Staff and engineering studies to form basis for preparation of a 5-year capital improvement program, with one year capital budget, in order to further MP elements.	Implemented. The Village does a one year Capital Improvement Budget and a fiscal budget every five years.	
Policy 1.1.2	Capital improvement program to include drainage facility program based on 1993 DMP.	Implemented.	
Policy 1.1.3	Public safety, quality of life, LOS, redevelopment and Biscayne Bay enhancement projects will be used as criteria for setting priorities that include financial feasibility or budget impact assessments.	Partially Implemented. The Village does not enhance Biscayne Bay because it is the County's responsibility.	
Policy 1.1.4	Maximize use of designated funds (such as drainage utility and sewer assessments) in order to free general funds for other Village projects such as park land acquisition and streetscape work.	Implemented: <i>ongoing</i> . The Village does this as part of its Capital Improvement Budget.	
Policy 1.1.5	Pursue a prudent policy in terms of borrowing for capital improvements or other purposes.	Implemented: <i>ongoing</i> .	
Objective 1.2	Level of Service and Land Use Decisions: Use FLUP, financial analyses in this Element and LOS standards to review development applications and to prepare annual schedule of capital improvements.	Implemented. All development is consistent with adopted LOS standards.	
Policy 1.2.1	Maintain the following peak hour LOS standards.		
	<i>Streets: Regulate the timing of development to maintain peak hour LOS standards (Arterial: LOS "E", Collectors: LOS "B", Local Service Streets: LOS "A"). LOS along Crandon Boulevard could potentially fall slightly below "E" near north Village limits.</i>	Implemented: <i>ongoing</i> .	
	<i>Sanitary Sewers in Sewered Areas: Not to exceed 98% of County treatment system's rated capacity. Average sewage generation standard of 140 gallons per capita per day.</i>	Implemented: <i>ongoing</i> .	
	<i>Sanitary Sewers in Unsewered Areas: Permit septic tanks only in compliance with county and state standards.</i>	In progress. The Village is in the planning stage of the process of converting all non-sewered areas to sewer.	
	<i>Potable Water: Not to exceed 98% of County treatment and storage system's rated capacity, with at least 20 lbs. per sq. inch at property line and average 280 gallons per capita per day.</i>	Implemented: <i>ongoing</i> .	
	<i>Drainage: Nonresidential development and redevelopment accommodate runoff to meet Federal, state and local requirements.</i>	Implemented: <i>ongoing</i> .	
	<i>Solid Waste: County system maintains a minimum of 5 years capacity; Village use generation rate of 5.2 lbs. per person per day.</i>	Implemented: <i>ongoing</i> .	
	<i>Recreation: Maintain a LOS standard of at least 2.5 acres of park land per 1,000 persons permanent population.</i>	In progress. Prior to and since incorporation, the Village has been below a LOS standard of 2.5 acres of parks and recreation space per 1000 persons. However, the Village is in an ongoing pursuit to achieve this goal.	
Objective 1.3	Infrastructure in Coastal High Hazard Area: Do not fund infrastructure that would have the effect of subsidizing significantly more intense development than outlined by this Plan.	Implemented: <i>ongoing</i> . The Village does not subsidize private development; it pays for its own infrastructure needs.	



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Policy 1.3.1	Capital improvement program schedule shall not include projects that would achieve significantly more intensive development than authorized by this plan by directly causing developer applications for Land Use Plan or zoning map amendments .	Implemented: <i>ongoing</i> .	
Objective 1.4	Concurrency: Assure provision of public facilities concurrent with development impacts through a concurrency management system in the 1994 LDC.	In progress.	
Policy 1.4.1	By statutory deadline or sooner, enact and enforce a concurrency management system that meets 9J-5.0055 as part of LDC.	Implemented: <i>ongoing</i> .	Ordinances: 30-160: 30-166
	1. Measure conformance with LOS standards for water, solid waste and drainage, recreation, and traffic.	Implemented: <i>ongoing</i> .	
	2. Concurrency Monitoring System	Implemented: <i>ongoing</i> . The Land Development Code requires a review of concurrency during every building permit application review.	
	3. Capacity Reservation	Implemented: <i>ongoing</i> .	
	4. Administration	Implemented: <i>ongoing</i> .	
	5. Project Impact or Demand Measurement	Implemented: <i>ongoing</i> .	
Objective 1.5	Funding Capital Improvements: The LDC concurrency management system shall reflect both the existing approved Development of Regional Impact (DRI) orders.	Implemented.	
Policy 1.5.1	The concurrency management system formulas shall include the public facility demands to be created by the two DRI projects as "committed" and capital improvement schedule shall include the project implications of this demand to assure concurrency.	Implemented.	Ordinances: 30-163
Policy 1.5.2	Explore a recreational impact fee for all new development to help fund acquisitions and improvements by 1994.	Not implemented.	
Policy 1.5.3	The Village shall not give approval to new projects that create need for expanded capital improvement unless the project pays a proportional share of the costs of these improvements following legally prescribed criteria for such fees.	Implemented.	



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4. Major Local Issues

In 1998, the State of Florida modified statutory requirements for the EAR, permitting local governments to identify key local issues and use them as the basis upon which to measure the performance of the Master Plan.

A subcommittee of the Village's 2020 Vision/EAR Committee—the EAR Advisory Subcommittee—was delegated the task of identifying key local issues to be addressed in the EAR. To this end, the subcommittee held a series of meetings in May and June 2005, involving lively, exhaustive dialogue among the members—many of whom were similarly involved in the pre-incorporation work and the work preceding the Village's 1995 Master Plan—as well as close coordination with the initial round of visioning activities that led to the formulation of the Vision Statement.

The resulting set of major issues, described in the following pages, was unanimously approved by the EAR Subcommittee and then by the 2020 Vision/EAR Committee at its June 15, 2005 meeting. The list was subsequently ratified by the Village Council via Resolution No. 2005-28 on July 5, 2005. The list of issues was also shared with adjacent local governments and State and regional agencies. The twelve major issues are below:

- Issue a:** ***Definition, Preservation and Enhancement of Key Biscayne's Unique Village Character and Quality of Life***

- Issue b:** ***The Need for Additional Local Parks, Recreation Space and Open Space***

- Issue c:** ***Calusa Park, Crandon Park, Bill Baggs Cape Florida State Park and Virginia Key - Interlocal Cooperation Relative to Village Issues***

- Issue d:** ***Implications of Redevelopment***

- Issue e:** ***Traffic Volume, Operations and Safety***

- Issue f:** ***Sustainability of Local Retail and Services***

- Issue g:** ***Vulnerability to Damage from Tropical Storms and Hurricanes***

- Issue h:** ***Need to Improve or Replace Infrastructure***



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- Issue i: Implications of Debt Cap***
- Issue j: Conservation, Coastal Management and Environmental Protection***
- Issue k: Land Development in the Context of Master Plan Goals, Objectives, and Policies***
- Issue l: Historic, Cultural and Educational Resources and Needs***



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***a. Definition, Preservation and Enhancement of Key Biscayne's
Unique Village Character and Quality of Life***

What are the defining qualities and conditions that give the Village of Key Biscayne its unique identity and sense of place? What pressures and conditions exist that may threaten the preservation and enhancement of those defining qualities? In the face of redevelopment pressures, escalating land and housing costs, and ongoing demographic shifts, there is growing concern among the community about whether the Village will be able to retain its small town character, casual charm and ambiance, and diverse population.

***(1) Assessment of success in implementing Master Plan
objectives related to issue.***

Goal 1 of the 1995 Master Plan Future Land Use Element attempted to summarize the community's view of the residential character and quality it sought to preserve based on feedback it received from a survey questionnaire mailed to 5,000 local addresses. Complete results were included in the 1995 Master Plan; excerpts are below.

- 84 percent of those who responded wanted residential development to be at the lowest density possible, consistent with the protection of reasonable property rights;
- 84 percent also said they favored either no more retail development or only "a very limited amount";
- 85 percent of the respondents felt the same way about additional office development;
- 58 percent of the respondents wanted public beach access although most wanted it limited to Village residents. The majority of those stating an opinion wanted a bay-front park;
- 61 percent opposed developments which place apartments above retail uses;
- 74 percent favored some kind of architectural review process.

The Village has closely followed and complied with the interrelated goals, objectives and policies that complement the Master Plan's



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definition of the desired community character. Among other things, the Village (1) adopted land development regulations consistent with the Master Plan, (2) retained professional and trained staff and implemented procedures to enforce the adopted codes and provide guidance to those seeking development approvals, (3) acquired and improved the Village Green and other parks, (4) negotiated set-asides for additional parks and open space, (5) developed the Civic Center complex, including the Community Center, (6) promoted communication through an interactive website, community television and other means, (7) solicited community involvement through advisory committees and otherwise, (8) performed numerous streetscape and landscape improvements, and other beautification measures, and (9) has undertaken the 2020 Vision initiative. Experience, reflection, and more active community involvement have enabled citizens to produce a finer grained vision statement--that more accurately reflective of the true Key Biscayne character and quality of life valued by residents.

(2) Description of changed circumstances (if any) related to issue since Master Plan was prepared/updated.

The Crandon Boulevard Master Plan Citizen's Advisory Committee held a series of visioning exercises to inform the street's design concept. Results show that sentiment for the Village's character has remained largely unchanged over the past decade: residents want to preserve the human scale of the Village, the shady, often native vegetation; the juxtaposition of elegance and relaxation; and the breezy, ocean-side appearance.

In some respects, however, the Village's goals have evolved. For example, public sentiment about retail needs and traffic circulation appear to have changed, as reflected in the EAR public participation and 2020 Vision SWOT exercises. This is demonstrated through a commitment to traffic interconnection (between Fernwood Road and the commercial centers along Crandon Boulevard, and between the commercial centers) that was not evident in 1995.

(3) Recommended Amendments to the Master Plan.

- Add a policy that the Village shall [p]rovide land use designations and zoning districts that foster diverse housing types to serve the needs of the local population, including



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single family, duplex, and multi-family units. (See Section 6 Conclusions and Recommendations, Recommendation H9)

- Language and dates referenced in the following objective should be updated:
 - Objective 2.4 Historic Preservation: Prepare a list of potentially significant historic structures and a preservation strategy by **2010**.

(See Section 6 Conclusions and Recommendations, Recommendation CCM2)

- Add a policy that the Village shall “[p]repare a strategy for buying land in the Village to be dedicated as recreational space.” (See Section 6 Conclusions and Recommendations, Recommendation ROS3)

b. The Need for Additional Local Parks, Recreation Space and Open Space

In spite of recent major initiatives to create new parks and recreational facilities, the Village continues to have an unmet need within the Village limits for recreational and open space amenities for the existing residents—particularly the growing population base of families with children. Deficiencies include passive parks, multi-purpose playing fields, ball fields, neighborhood-scale parks, mini-parks, and other recreational facilities. In addition, the Village, though located on an island, has limited public access to Biscayne Bay and the Atlantic Ocean. Given the near-built-out condition of the community and escalating property values, the Village faces a number of challenges in providing additional park sites, playing fields and other recreational opportunities.

(1) Assessment of success in implementing Master Plan objectives related to issue:

Prior to and after incorporation, the Village has identified recreation and open space as one of the highest priorities toward sustaining and improving the quality of life in the community. While the Village has been successful in acquiring additional recreational facilities, it still has a projected 3.32 acre shortfall relative to the 2.5 acres per 1,000 residents level of service standard. ~~The Village’s Level of Service standard for parks and recreation space—as measured by total acreage—continues to go unmet.~~



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Table 8: Key Biscayne Parks and Recreation Level of Service

	Total Acreage Parks & Recreation Space	Population	Level of Service Standard (acres/1000 people)	Actual Level of Service (acres/1000 people)	Shortfall (acres)
1995	14.5	8,841	2.5	1.64	7.6
2000	21.8 24.58	11,160	2.5	1.96 2.20	6.2 3.32

Calculation of Level of Service in 1995

When the Master Plan was adopted in 1995, three facilities in Key Biscayne contributed to the calculation of the level of service¹⁰: the Crandon Boulevard Tree Farm, the Key Biscayne Community School (now known as the Key Biscayne K-8 Center); and Calusa Park. According to the Master Plan, these three facilities together totaled 14.5 usable acres, corresponding, in 1995, to a parks and recreation level of service of 1.64 acres per 1,000 permanent residents.

- The first, the **9.2-acre Crandon Boulevard “Tree Farm,”** was purchased in the early 1990s by the Village to serve as the “Village Green,” a passive recreation facility with a playground and a path encircling multi-purpose fields. By developing this facility, the Village partially met Objective 1.4 of the Recreation and Open Space Element, which seeks to “achieve open space.”
- The second, **Key Biscayne Community School,** provided the Village with **2.3 acres** of recreational space. Shortly following the adoption of the Master Plan, and consistent with Objective 1.2 of the Recreation and Open Space Element, the Village signed a formal joint use agreement with Miami-Dade County Public Schools regarding use of Key Biscayne K-8 Center’s fields. The Village’s Parks and Recreation Department maintains all of the school’s grounds in exchange for unrestricted,

¹⁰ The Village is not able to include towards its acreage count Miami-Dade County’s Crandon Park to the north, the State of Florida’s Bill Baggs Cape Florida Park to the south and the privately owned, limited access 2.4-acre Key Biscayne Beach Club and 4.5-acre Key Biscayne Yacht Clubs (both are within Village limits) because the facilities are neither under its jurisdiction, part of an interlocal agreement nor, in the cases of the private clubs, openly accessible to the general public.



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public access to the fields at the conclusion of the school day.

- The third facility, **Calusa Park**, is inside the Village's northern boundary yet part of Miami-Dade County's Crandon Park. Among its 7.5 total acres, it provided **3.0 acres** of usable playfields and recreational facilities and 4.5 acres of mangroves and other vegetation. The Village does not own the Park, but has an interlocal agreement for its nonexclusive use with Miami-Dade County¹¹. At the time the Master Plan was adopted, the Village anticipated expanding Calusa Park at its own expense in order to provide additional acres of parkland and space suitable for active recreation uses. However, an agreement with the County was not reached; the County was in the process of developing its own Crandon Park Master Plan to determine future uses of park assets.

Parks, Recreation and Open Space Changes between 2000-2005

The composition of the Village's parks, open and recreation space has changed over the past decade. In accordance with recommendations in the Master Plan,¹² the Village has

- Built a new community center on the northwest sector of the Civic Center site;
- Added the 2.8-acre Key Biscayne Lake Park located at the corner of East Enid Drive and Crandon Boulevard;
- Renovated and upgraded beach access at the 2.0 acre Beach Park (The improvements are designed to

¹¹ Through its interlocal agreement with Miami-Dade County, the Village of Key Biscayne Parks and Recreation Department is responsible for administering the management of both Calusa and parts of Crandon Park, including weekly inspections for maintenance and safety concerns.

¹² The Master Plan also recommended the acquisition of the residential and commercial blocks between West McIntyre Street, West Enid Drive, Glenridge Road, and Crandon Boulevard (totaling 6.7 acres) for open space and recreation facilities and the development of the Enid/Crandon/Seaview Drive parcel (10.2 acres) into a recreation facility. The Village did not acquire these blocks as originally described. Instead, since 1995, property has been acquired between Fernwood and West McIntyre Street south of the Village Green for the construction of the Community Center; on the south side of West McIntyre Street between Fernwood Road and Crandon Boulevard for the development of the Fire Station and Village Hall; and between West McIntyre Street and Crandon Boulevard south of the Sun Trust Bank site for the development of a passive park. This last parcel, however, remains vacant. The Civic Center Master Plan contemplated a theater or cultural center on this parcel, based on feedback from residents. A final decision on the use of this parcel has not yet been made; however, at 0.33 acres in area, the parcel is not large enough to accommodate playfields or other active recreation facilities.



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concentrate most of the activity along the beach in order to maximize residents' access to the ocean)¹³ and

- Completed a beach renourishment project that added approximately 11 acres of sand to the shoreline bordering the Village's eastern limit. The pre-renourishment beach was 18.48 acres. The post-renourishment beach was approximately 29.53 acres upon project completion in 2001. Floor Area Ratio incentives for providing beach access easements have been added to the Zoning Code.

In addition to recommendations in the Master Plan, the Village:

- Entered into a joint use agreement with St. Agnes Catholic Church in 2004 that formalized Village use of the Church's 2.1-acre playing field. In exchange for use of the Church's fields, the Village Parks and Recreation Department contributed \$400,000 in improvements, including lights for the field and refurbished drainage, sod and irrigation systems. In addition, the Village annually pays St. Agnes \$36,000 in lease fees.
- Acquired 0.4 acres of pedestrian friendly pocket parks and mini-plazas (reclaimed from pavement) as part of the Crandon Boulevard Master Plan.
- Added bike lands on Crandon Boulevard and Harbor Drive
- Built the Monaco Reflecting Pools, an art in public places project comprised of two reflecting pools surrounded by lighting and a landscaped area. The passive space, which is amid a highly urbanized environment, provides Village residents an opportunity for contemplation and appreciation of the artwork.
- Decided to convert 530 Crandon Boulevard to recreation space upon the completion of the Crandon Boulevard Phase II Streetscape Program and installation of sewers when the property will not longer be used for construction staging.

The Village lost approximately 0.28 acres of playing fields at the renamed Key Biscayne K-8 Center (formerly known as the Key Biscayne Community School) in 2004 to the construction of a new

¹³ The land for Lake Park and Beach Park was deeded to the Village by the Ocean Club in 2001 and 2002, respectively.



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Middle School facility at the southwest corner of the campus. The building was completed in June 2005.

Calculation of 2007 Level of Service in 2005

The following facilities were determined by the EAR subcommittee to contribute to the 2007 ~~2005~~ Parks, Recreation, and Open Space Level of Service.

**Table 9: Parks and Recreation Facilities Counted in 2007
 2005 Level of Service Calculations¹**

Parks and Recreation Space	Acreage
Calusa Park ^{A,B}	3.00
Village Green	9.50
Key Biscayne K-8 Center ^C	2.02
East End Lake Park	2.78
Beach Park	2.00
Pocket Parks	0.39
St. Agnes Field	2.13
Community Center	1.95
Library Park	1.17
Hacienda Canal Pocket Park	0.03
TOTAL:	21.8 24.58

A Calusa Park is within the Village limits and is used by Key Biscayne residents, but is under the jurisdiction of Miami-Dade County. Its inclusion in the calculation of LOS is assuming and subject to implementation of the Calusa Park Improvement Plan.

B The 3.0 acres includes open space and recreational facilities, but excludes protected mangrove areas.

C The acreage count for the Key Biscayne K-8 Center has changed over the past decade due to renovations and expansions to the original K-5 facility between 1995-1997 and the construction of a new Middle School building to serve grades 6-8 in 2004-2005.

Today, the level of service is estimated at ~~4.96~~ 2.20 acres per 1,000 residents, based on the estimated 2003 population of 11,160 persons. To meet its objective of 2.5 acres per 1,000 residents, the Village needs a total of 27.9 acres parks and recreation space. Moreover, to meet the needs of the projected build-out population of 11,425, the Village would need to secure approximately 28.6 total acres of parks, recreation and open space by 2015.

Particular deficiencies lie in active recreation facilities, ball fields, and neighborhood passive parks, particularly with a view of



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Biscayne Bay and emphasizing a bay-oriented natural resource experience. Ball fields are the greatest challenge due to the large contiguous area required and possible impact on neighbors. Bay oriented open space may be achieved through view corridors, easements, public-private partnerships, long-term leased land and/or land acquisition. The plan for meeting Level of Service—including the provision for specific types of recreational deficiencies as well as funding sources—will be part of the Annual and Five-Year Capital Improvement Plans adopted by the Village Council.

Immediate monitoring steps are 1) file an EAR amendment that highlights specific goals and financing sources 2) coordinate with the State Department of Community Affairs for maximum compliance flexibility in view of projected declining tax revenues and our desire to minimize tax burdens while still addressing long-term goals and 3) convene a volunteer Implementation Committee to monitor short- and long-term achievement of overarching EAR-Master Plan/2020 Vision Plan concurrency goals.

(2) *Description of changed circumstances (if any) related to issue since Master Plan was prepared/updated.*

Since the completion of the Master Plan, the amount of potential land available for conversion to parks and recreation space has decreased. Vacant or redevelopable lots once for sale and possibly suitable for public pocket parks and bay access points have since been purchased and privately developed. Factoring in values of the land and existing structures, these parcels would be extremely costly to acquire and convert to public use today.

In conjunction with its visioning process, the Village of Key Biscayne is evaluating an extensive list of capital improvement projects, including several projects relevant to the protection and enhancement of the Village's parks and recreation space. In January 2006, a subset of members of the 2020 Vision/EAR Committee's EAR Subcommittee was asked to prioritize and estimate the cost of each project. Upon consideration of input from the community, members of the EAR Subcommittee, and the full citizen's advisory committee, the following projects were labeled as high priority:

- Civic Center Park (use of this now vacant parcel at 560 Crandon Boulevard is to be determined at a later date, in the context of all the Vision Plan projects).



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- Bay Access (20 foot wide Matheson Drive View Corridor to Bay)
- Community Parks/Playing Fields (Option 1: Key Biscayne Presbyterian Church (through a joint use agreement)—enhancements include a Bayfront Park, Playing Field, Canal Bay Access Park, Mangrove Interpretive Park, floating fishing pier over water; Option 2: Bayfront Park on Harbor Drive—enhancements include a sandy beach, small shade structure, sitting areas, pier, trees and grass)
- Calusa Park (mangrove nature trail with bay access and new baseball and soccer fields—in addition to existing tennis, courts, bathrooms and a parking lot)
- Neighborhood Parks (overlook in right-of-way on Crandon Boulevard at Pines Canal; short interior street ROW demolition, trees, grass, benches, pedestrian-scale lights)
- Nature Trails (Presbyterian Church bay area to St. Agnes Church; at rear or 7-11 Shopping Center through Calusa Park to Crandon Park Tennis; and St. Agnes Playing Field to 7-11 Shopping Center)

An Annual Plan and a Five-Year Capital Improvement Plan are the vehicles to solve the shortfall in Level of Service. It is recommended that the FY 08 Village Budget include funds to engage the services of environmental and recreation planners to develop a site plan and funding strategies for Calusa Park. Once playing fields are addressed the remaining public recreation and open space goals can be addressed immediately and over time, with greater flexibility.

(3) Recommended Amendments to the Master Plan.

- The following objective should be amended to read:
 - Objective 1.5 Public-Private Coordination: Explore and implement a fully coordinated system of recreation resources.

(See Section 6 Conclusions and Recommendations, Recommendation ROS1)

- The following policy should be amended to read:
 - Policy 1.3.5 Explore means of revenue raising to support public trust acquisition of recreation lands and open space and preservation of historic landmarks by **2010**.



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(See Section 6 Conclusions and Recommendations,
Recommendation ROS2/IC3)

- Add a policy that the Village shall “[p]repare a strategy for buying land in the Village to be dedicated as recreational space.” (See Section 6 Conclusions and Recommendations, Recommendation ROS3)
- Add a policy that the Village shall “[n]egotiate use agreements with Miami-Dade County and the City of Miami for Village residents to have access to parkland outside Key Biscayne.” (See Section 6 Conclusions and Recommendations, Recommendation ROS4)
- Add a policy that the Village shall “[r]eview and revise current regulations to require that any future development proposed in the Village that contains apartments to provide public open space on- or off-site in the amount necessary to serve the demand created by the projected population increase.” (See Section 6 Conclusions and Recommendations, Recommendation ROS5)
- Add a policy that the Village shall “[e]xplore instituting an impact fee for new single-family detached and residential duplex construction.” (See Section 6 Conclusions and Recommendations, Recommendation ROS6)
- The date referenced in the following policy should be updated:
 - Policy 1.5.2: Explore a recreational impact fee for all new development to help fund acquisitions and improvements by 1994.
(See Section 6 Conclusions and Recommendations, Recommendation CI2)
- Add a policy to “[p]ursue the renovation of available space at Calusa Park into active playing fields.” If it is in accordance with the Calusa Park Master Plan, connect the playing fields to Harbor Drive via a pathway, building a mangrove boardwalk to Biscayne Bay, and construct a boardwalk to the Tennis Stadium at Crandon Park. (See Section 6 Conclusions and Recommendations, Recommendation ROS7)



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- Add a policy to “[w]ork with the Miami-Dade County Parks and Recreation Department to develop a public tennis program at the Tennis Center at Crandon Park.” (See Section 6 Conclusions and Recommendations, Recommendation ROS8)
- Add a policy to “[c]ontinue to buy land in the Village and/or lease land on a long term basis for recreation and open space purposes.” (See Section 6 Conclusions and Recommendations, Recommendation ROS9)
- Add a policy to “[a]cquire land for a bayfront park. .” (See Section 6 Conclusions and Recommendations, Recommendation ROS10)
- Add a policy to “[e]xtend the lease with St. Agnes Catholic Church and provide for the general public’s use of this facility.” (See Section 6 Conclusions and Recommendations, Recommendation ROS11)
- Add a policy to “[e]nter into public/private partnerships which result in recreation and open space in locations zoned for institutional and commercial use.” (See Section 6 Conclusions and Recommendations, Recommendation ROS12)
- Add a policy to “[a]ccept developer contributions and donations of property should opportunities arise that are advantageous to all parties.” (See Section 6 Conclusions and Recommendations, Recommendation ROS13)
- Add a policy to “[i]nclude 530 Crandon Boulevard in the inventory of recreation and open space lands when its current use as a staging area is complete. (See Section 6 Conclusions and Recommendations, Recommendation ROS14)

c. Calusa Park, Crandon Park, Bill Baggs Cape Florida State Park and Virginia Key - Interlocal Cooperation Relative to Village Issues

Despite a recent extension of the interlocal agreement for use of Crandon Park as a whole, Calusa Park—a portion of Crandon Park but also an “appurtenance” to the Village—remains an underutilized



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resource. Considering that Virginia Key, Crandon Park and Bill Baggs Cape Florida State Park abut the Village and affect local conditions, interlocal cooperation with the City of Miami, Miami-Dade County, State of Florida Department of Environmental Protection and other agencies will be critical to forestall problems and find solutions to local and regional problems related to park access, usage, and visitation issues. As one of three governments involved in creating the Virginia Key Master Plan, the Village must continue to work with Miami-Dade County and the City of Miami to ensure that the Master Plan includes facilities necessary to meet the needs of Key Biscayne residents.

(1) Assessment of success in implementing Master Plan objectives related to issue.

The Key Biscayne Master Plan devotes an entire chapter to intergovernmental coordination to strengthen its relationships with other jurisdictions and protect its interests amidst regional change. Where the State, the County, and the City of Miami make decisions that affect Key Biscayne, the Village Council monitors their actions and maintains ongoing communication with them.

- The Village Council has participated in ongoing dialogue with the State, the County, and the City of Miami to address traffic, safety, and redevelopment concerns generated by Virginia Key, the Causeway, and Crandon and Bill Baggs Cape Florida Parks.
- The Village is a member of the Virginia Key Master Plan Committee. According to the City of Miami Planning Department, the Virginia Key Master Plan's intent is to develop meaningful waterfront and public open space areas; to offer policies for the use, development and management of land; and to protect and enhance natural resources while providing the necessary infrastructure and traffic flow to serve future development.
- The 3-acres of open space usable for recreation at Calusa Park, outside north edge of Key Biscayne's municipal limits, are located within the boundaries of Miami-Dade County's much larger Crandon Park. This publicly accessible part of Calusa Park's 9 acres is largely a clearing surrounded by mangroves on three sides and consisting of tennis courts, a playground, open space, a pavilion with public restrooms and a parking lot. The Village has attempted to reach agreements with



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Miami Dade County for improvements to Calusa that would add a soccer/baseball playing field, without result to date. However, the Village plans to upgrade the pavilion/restroom facility and modify the tennis courts into multipurpose sports courts, to meet both Crandon Park Master Plan and Village needs, has been approved.

- The Village negotiated an extension to the Crandon Park agreement providing for use of lighted playing fields on a scheduled basis.
- The Village attempted to negotiate with the State of Florida a possible solution to its open space and playing fields deficiencies by dedicating a portion of the area adjacent to the north entrance of Bill Baggs Cape Florida Park to local recreational needs, subject to appropriate controls and defined uses. However, an agreement, which would have added a nature trail with bay access and soccer and other playing fields, was not met.

(2) Description of changed circumstances (if any) related to issue since Master Plan was prepared/updated.

See preceding section, C(1).

(3) Recommended Amendments to the Master Plan.

- The following policy should be amended to read:
 - Policy 1.2.1 As is relevant, consider and attempt to consummate the following interlocal agreements on an ongoing basis.

(See Section 6 Conclusions and Recommendations, Recommendation IC1)

- The following policy should be amended to read:
 - Policy 1.5.2 Explore means of revenue raising to support public trust acquisition of recreation lands and open space and preservation of historic landmarks by **2010**.

(See Section 6 Conclusions and Recommendations, Recommendations ROS2/IC3)

- Add a policy that the Village shall “[n]egotiate use agreements with Miami-Dade County and the City of Miami for Village residents to have access to parkland outside Key Biscayne.”



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(See Section 6 Conclusions and Recommendations,
Recommendation ROS4)

d. Traffic Volume, Operations and Safety

The Village has made great strides in improving traffic safety through the use of traffic calming devices in certain areas of the Village. However, in other areas of the Village, excessive traffic speed and cut-through traffic remain a problem, particularly in places lacking sidewalks and crosswalks for pedestrian safety. Changing demographics, growth, and commerce have resulted in local traffic congestion. In addition, expected increases in visitation to the regional attractions located on or near Key Biscayne—particularly during holiday weekends and for special events—raise concerns about ever-increasing traffic congestion on Crandon Boulevard, the Village’s main conduit for ingress and egress, as well as about traffic speed, cut-through traffic, and public safety on residential streets.

(1) *Assessment of success in implementing Master Plan objectives related to issue.*

As recognized in the Crandon Boulevard Master Plan, the level of congestion has great potential to increase. First, while new development will be limited, older single-family homes within residential areas are being redeveloped into larger homes for larger families with more cars. Second, given that the current build out of some commercial developments is below the allowable 0.50 Floor Area Ratio, an increase in the commercial square footage is possible. Third, the Ocean Club condominium development currently has a very low average occupancy rate, but is likely to see a significant increase. Lastly, because Crandon Boulevard is the sole access to Bill Baggs Cape Florida Park and the only thoroughfare traversing Key Biscayne, the road already experiences heavy through-traffic.

Crandon Boulevard, the Village’s only principal urban arterial roadway¹⁴ and the only road within Village limits that remains under Miami-Dade County jurisdiction, is the first street to undergo major improvements since the adoption of the Master Plan. The study that resulted in the 2004 Crandon Boulevard Master Plan was approved and funded by the Village of Key Biscayne and Miami-Dade County in an interlocal agreement dated February, 8,

¹⁴ This designation was granted by the Federal Highway Administration and the Florida Department of Transportation.



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2002. The study sought to address the following goals: improved public safety, easing of traffic congestion, traffic calming, pedestrianization, improved mass transit, and improved streetscape and landscape elements. Based upon the recommendations provided by the Village Council, the Crandon Boulevard Master Plan Committee, an 18-member citizen advisory committee appointed by the Village Council, worked with consultants and members of the public to achieve these goals. The Committee made its recommendations to the Council, who approved the Master Plan in 2004. The Miami-Dade County Commission followed with its approval. In February 2005, the Village began the first phase of construction at the intersection of Crandon Boulevard, West McIntyre Street, and Galen Drive in front of the Civic Center. Phase II of the project began in July 2005 along Harbor Drive from Fernwood Road to the intersection with Crandon Boulevard. Harbor Drive is one of the Village's two collector streets. Phase II also includes improvements from the entry block of Crandon Boulevard to West McIntyre Street to the southern end of Crandon Boulevard at the entrance to Bill Baggs Cape Florida State Park. Public safety and street improvements in Phase II include:

- Redesigned intersections where Crandon Boulevard meets cross streets and condominium entranceways. Features include tightened corner radii and contrasting pavers in pedestrian crosswalks and infields;
- A new eight foot wide sidewalk on each side of Crandon Boulevard;
- Curb and gutters on the commercial frontage along Crandon Boulevard and Harbor Drive;
- Improvements on Crandon Boulevard and Harbor Drive that will increase the flow of traffic;
- A large traffic circle on Harbor Drive and Fernwood Road that will increase the flow of traffic;
- New traffic lights that will maintain the flow of traffic on Crandon Boulevard;
- Marked bicycle path on each side of Crandon Boulevard;
- Shade trees along the swale and additional palm trees in the median on Crandon Boulevard; and
- New bus shelters and benches along the east side of Crandon Boulevard and bus stops with benches along



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the west side for the entire length of the Boulevard within the Village limits.

Phase I intersection improvements at the Crandon Boulevard intersection with West McIntyre Street and Galen Drive, as well as between Crandon Boulevard and Village Green Way along West McIntyre Street, were paid for by funds appropriated from “the Civic Center Project” budget. Phase II is funded primarily by the proceeds of a half-penny transit tax approved by Miami-Dade County voters in 2002, that was awarded to qualifying municipalities on a yearly basis; the Village leveraged its share of these funds to raise approximately \$2.3 million of the \$4.0 million estimated costs. The surtax funds are supplemented by contributions from developers currently redeveloping or planning to redevelop commercial properties in the Village of Key Biscayne. The State of Florida contributed \$1 million in additional funding in acknowledgement that Bill Baggs Cape Florida State Park, one of the most highly visited parks in the state, generates a lot of traffic on Crandon Boulevard, the Park’s only access. Specific funding for the implementation of Phase III had not been identified at the time of adoption of the Crandon Boulevard Master Plan. However, County and State sources are expected to be available.

Four local roads serve important functions in Key Biscayne’s circulation network, in addition to Harbor Drive and West Mashta drive, which are designated collector roads by FDOT standards. Fernwood Road, one of three north/south roads in the municipality, separates the commercial district from the residential area. As such, it will need to be explored for improvements. West Wood Drive, West McIntyre Street and West Heather Drive all collect traffic from tangential Village streets and direct it to Harbor Drive and Crandon Boulevard. To date, the Village has made minor improvements to some east/west roads east of Crandon Boulevard (East Enid Drive, Seaview Drive and Grapetree Drive), but none was part of a comprehensive strategic plan to improve the network. A coordinated scope for improvements is necessary.

Multimodal Transportation

In 1999, the Village of Key Biscayne Chamber of Commerce undertook a study to explore the feasibility of a free trolley service in Key Biscayne geared toward seniors. Survey results indicated that the majority of respondents supported a trolley service, but believed it should be paid for by private enterprise rather than the Village. Based on this feedback, the Village proceeded to contact



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the Miami-Dade Transit Authority (MDTA) to initiate the process of creating an interlocal agreement and applying for a circular route certification of transportation. Prior to formalizing any agreements, the Chamber of Commerce sought to procure a trolley for a trial testing period; trolley vendor quotes were prohibitively expensive and the project was deemed to be unfeasible due to the high costs involved for comparatively low projected ridership.

In February 2004, the trolley concept was revisited by the Crandon Boulevard Master Plan Committee. MDTA, a consultant to the Crandon Boulevard Master Plan Committee, suggested broadening target ridership from seniors to a mix of ages. Upon reviewing the recommendation, the Committee determined that "a trolley service owned and operated by the Village of Key Biscayne would entail extensive costs for equipment, personnel, and maintenance, and not have sufficient riders to make it economically feasible at this time. A more detailed study in the future could be performed to determine if a different trolley/shuttle passenger mix, such as children attending island public and private schools, seniors, and MDTA bus riders, could be feasibly accommodated. The Miami-Dade County Metropolitan Planning Organization Municipal Program has planning fund available for such studies, and interested municipalities can compete for these planning funds."

(2) Description of changed circumstances (if any) related to issue since Master Plan was prepared/updated.

According to the February 2004 Traffic and Parking Impacts of Commercial Development study commissioned by the Crandon Boulevard Zoning and Redevelopment Committee, during the past 10 years, intra-Village traffic grew by 15 percent while traffic along Crandon Boulevard north of Harbor Drive (beyond northern Village limits) had only a 5 percent increase. The growth of the intra-village traffic is the direct result of new construction and redevelopment including the Ritz-Carlton Hotel (formerly the Grand Bay Resort), the Grand Bay Residences (condominiums and single family homes), the Ocean Club, and a proportional increase in drivers per household.

Many of the larger commercial properties that front on Crandon Boulevard are bounded along their rear property line by Fernwood Road. The Village has been considering the possibility of allowing driveway connections from Fernwood for these properties. Such



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connections are expected to produce a redistribution of traffic from Crandon Boulevard to Fernwood Road of 5 to 10 percent and a more limited redistribution along the intersecting side streets.

Since adoption of the Master Plan, the Village has started funding a senior transport service. Administered by the parks and recreation department, the service transports seniors to any location on the Key, including Crandon and Bill Baggs Cape Florida State Parks.

(3) *Recommended Amendments to the Master Plan.*

- A policy should be written under Objective 1.1 scheduling a traffic study to assess the impact of internally generated traffic congestion. (See Section 6 Conclusions and Recommendations, Recommendation TC1)
- A policy should be written under Objective 1.1 scheduling a traffic study to assess the LOS of collector and local streets. (See Section 6 Conclusions and Recommendations, Recommendation TC2)
- In Policy 1.1.1, change the designation for arterial roadways from LOS "E" to LOS "D." (See Section 6 Conclusions and Recommendations, Recommendation TC3)
- Designate Fernwood Road as a transitional road between residential and commercial. At the rear lot line of specific commercial centers on Crandon Boulevard, require that access points be opened where appropriate to pedestrians, golf carts and, on a limited basis, to vehicular traffic. (See Section 6 Conclusions and Recommendations, Recommendation TC4)
- Place and coordinate the update of electric signs at the intersection of Highway 95 and US Route 1 South that inform visitors if Bill Baggs Park is at capacity or accepting additional visitors. (See Section 6 Conclusions and Recommendations, Recommendation TC5)
- To better encompass the spectrum of transportation facilities, the Traffic Circulation Element shall be renamed the Transportation Element. (See Section 6 Conclusions and Recommendations, Recommendation TC6)



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- To the new Transportation Element, the Village should add a policy to “[u]pdate the transportation maps every three years.” (See Section 6 Conclusions and Recommendations, Recommendation TC7)
- To the new Transportation Element, the Village should add a policy to “[c]oordinate the Future Land Use Map with the transportation system. (See Section 6 Conclusions and Recommendations, Recommendation TC8)
- To the new Transportation Element, the Village should add a policy to “[e]stablish numerical indicators to measure achievement of mobility goals.” (See Section 6 Conclusions and Recommendations, Recommendation TC9)
- To the new Transportation Element, the Village should add a policy to “[c]onduct a public transit feasibility study.” (See Section 6 Conclusions and Recommendations, Recommendation TC10)

e. Implications of Redevelopment

Due to ever-escalating property values and the unavailability of vacant land, pressures for redevelopment continue to grow. Redevelopment issues remain a major concern of the Village. The replacement of homes built in the 1950s and 1960s with new homes has resulted in increases in population and vehicular traffic, as well as in visual impacts related to the scale and massing of new buildings. In addition, existing, older rental apartment buildings will either be substantially renovated or demolished and replaced with new condominium buildings. The conversion of apartment buildings affects the availability of housing at price points that might attract seniors, young adults and others that would enhance the diversity of the community. Similarly, concerns exist about the impacts that redevelopment of the Sonesta Resort and the Silver Sands Motel sites might have on density, building mass, traffic, and local businesses.

(1) *Assessment of success in implementing Master Plan objectives related to issue.*

When the Master Plan was adopted in 1995, the trend of sound, existing, modestly-scaled houses being demolished in order to build excessively proportioned houses with modern amenities was emerging in Key Biscayne. Redevelopment’s three pronged effect



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on the island—the alteration of the affordability and diversity of housing stock, appearance, and levels of traffic—has been addressed over the last decade in varying degrees.

Affordability and Diversity

Appreciating property values and redevelopment continues to reduce the affordability and diversity of housing in Key Biscayne. In recent years several rental properties have been converted to condominiums, thereby diminishing the availability of rental units. As the older housing stock is converted into much larger, more expensive structures, the ability to purchase property on Key Biscayne is increasingly elusive as well. In the Village, these trends most directly affect the elderly and young families with intentions to move within the island to different units, but not necessarily the means to be able to afford the taxes associated with doing so.

Through a variety of mechanisms, the Village has made and is in the process of making efforts to curb this trend. For example, it

- Converted the zoning designation of several properties on Fernwood Road to be Two-Family in order to diversify the housing stock. Several of these properties are rentals.
- Permits group housing in all multi-family districts.
- Monitors the production of housing the larger metro area to ensure regional needs are met.
- Through the 2020 Vision process, continues to discuss the needs of its elderly population and will continue to explore the feasibility of providing incentives for the provision of assisted living facilities in the Key.
- Explores innovative solutions to increase the affordability and diversity of the stock while maintaining compliance with Coastal High Hazard Area regulations.

However, the Village's ability to provide affordable housing is constrained by several factors:

- As a Coastal High Hazard Area within floodplain designation AE, the Village is not permitted to approve any development applications that would serve to increase density beyond what exists or is allowed by current zoning and/or vested rights



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- The Village is almost entirely built out. Purchasing property from the very limited supply of vacant land would be costly and burden the debt cap. This is in conflict with Policy 1.3.1 of the Capital Improvements Element of the Master Plan, which states that the “capital improvement program schedule shall not include projects that would achieve significantly more intensive development than authorized by this plan by directly causing developer applications for Land Use Plan or zoning map amendments.” Policy 1.5.3 of the same element follows “the Village shall not give approval to new projects that create need for expanded capital improvement unless the project pays a proportional share of the costs of these improvements following legally prescribed criteria for such fees.”
- Because the Village is bordered by Biscayne Bay to the west, county-owned Calusa and Crandon Parks to the north, the Atlantic Ocean to the East, and Bill Baggs Cape Florida State Park to the south, annexation is not an option.

The University of Florida’s Shimberg Center for Affordable Housing, under contract with the State of Florida Department of Community Affairs, prepares an Affordable Housing Needs Assessment (AHNA) for each municipality in the State in order to assist in the development and evaluation of comprehensive plan housing elements. The AHNA provides information about household size, income (as measured against the median), ownership status, and other indicators.

While the AHNA is a suitable source of information on affordable housing in many municipalities in Florida, it is not for a small community with finite land resources such as Key Biscayne. It is critical to note the AHNA’s caveats. According to the Shimberg Center’s September 2005 *Affordable Housing Needs Assessment: Population and Household Projection Methodology* report, the most important base data for preparing estimates and projections of housing demand is population data. However population information is difficult to project for small jurisdictions such as Key Biscayne. Therefore, the accuracy of housing affordability forecasts in this case is compromised for the following reasons:



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- Population projections are based on previous trends in a jurisdiction and do not take into account potentially trend-reversing characteristics such as limited land availability.
- Population estimates and projections for small areas are particularly vulnerable to being skewed by variables such as in- and out- migration of population, land availability, zoning, infrastructure availability, and other factors that have a large impact at the local level.
- In a smaller city like Key Biscayne, the impact of growth is magnified under certain projection techniques.
- Several avenues are closed off to a method that must project an age distribution at the jurisdiction (or other small area) level. Cohort-component and econometric techniques require detail generally lacking at this geographic level.
- In general, the complexity of a calculation and its margin of error is increased by adding levels of detail (total population vs. age, sex, and income detail), decreasing the size of the place (nation vs. county vs. census tract), and increasing the time since the last base point (estimate for 5 years since the last census vs. 20 year projection vs. 50 year projection). Estimating and projecting a population's composition is especially problematic for small geographic areas such as Key Biscayne because it requires the consideration of all three factors: detail, size, and horizon.

According to the AHNA, the Village will have the following (Tables 11 and 12) demand for affordable housing over the next twenty years. To reiterate, due to the caveats stated above, the Village deems these figures to be exaggerated.

Table 11: Affordable Housing Demand in Key Biscayne



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	Year 2005	Year 2010	Year 2015	Year 2020	Year 2025
Total Number of Households	4439	4694	5038	5377	5560
Renter Households/% of Total	1243/28%	1280/27%	1354/27%	1416/26%	1468/26%
Owner Households/% of Total	3196/72%	3414/73%	3684/73%	3961/74%	4182/75%
Very Low Income renter Households/% of Total Rentals	445/36%	467/36%	500/37%	528/37%	552/38%
Low Income Owner Households/% of Total Rentals	255/21%	260/20%	277/20%	287/20%	294/20%
Moderate Income Renter Households/% of Total Rentals	238/19%	244/19%	254/19%	265/19%	276/19%
Total Low and Moderate Income Renter Households/% of Total Rentals	938/75%	971/76%	1031/76%	1080/76%	1122/76%
Very Low Income Owner Households/% of Total	527/16%	570/17%	634/17%	708/18%	784/19%
Low Income Owner Households/% of Total Owned	426/13%	463/14%	514/14%	569/14%	609/15%
Moderate Income Owner Households/% of Total Owned	558/17%	594/17%	652/18%	701/18%	738/18%
Total Low and Moderate Income Owner Households/% of Total Owned	1511/47%	1627/48%	1800/49%	1978/50%	2131/51%

Source: Affordable Housing Needs Assessment, Shimberg Center for Affordable Housing, 2005

In order to accommodate local housing needs based on the Shimberg Assessment's household size, tenure and income projections, Key Biscayne would need to have the following quantities and distributions of units between 2005 and 2025.

Table 12: Projected Demand of Renter- and Owner-Occupied Units by Income based on AHNA Data



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		2005	2010	2015	2020	2025
Very Low Income Units	Rental	445	467	500	528	552
	Owner	527	570	634	708	784
Total Very Low Income Units		972	1,037	1,134	1,236	1,336
Low Income Units	Rental	255	260	277	287	294
	Owner	426	463	514	569	609
Total Low Income Units		451	723	791	856	903
Moderate Income Units	Rental	238	244	254	265	276
	Owner	558	594	652	701	738
Total Moderate Income Units		796	838	906	966	1,014
Middle/Upper Income Units	Rental	305	309	323	336	346
	Owner	1,685	1,787	1,884	1,983	2,051
Total Middle/Upper Income Units		1990	2,096	2,207	2,319	2,397

Source: Affordable Housing Needs Assessment, Shimberg Center for Affordable Housing, 2005

Highlighting one of the AHNA's caveats critical to Key Biscayne, estimates are based on historic and current population figures and growth trends that do not necessarily reflect actual local conditions. The AHNA data projects, upon continuous increase, a Village population of 14,068 in 2025. However, the Village of Key Biscayne is currently very close to build-out and more likely to follow the growth trend predicted for the Village by Miami-Dade County, which forecasts a leveling of population in 2010 at approximately 11,425 residents. The Shimberg Center estimates this population sometime between 2005 and 2010; therefore, the Village's demand for housing units between 2015 and 2025 will probably be closer to the estimated demand between 2005 and 2010.

The condition of the existing housing is a complementary facet of providing adequate affordable housing. The Shimberg Center for Affordable Housing defines substandard units as those that have one or more of the following characteristics: no heating fuel; incomplete kitchen and/or plumbing, and/or overcrowded units. In addition, substandard units may have code violations and/or structural issues. The data reflect Key Biscayne's superior quality of residential units. See Table 13

Table 13: Substandard Housing, 2000



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Overcrowded Units (Occupied Units)		No Heating Fuel Used (Occupied Units)		Lacking Complete Kitchen Facilities (All Units)		Lacking Complete Plumbing Facilities	
Number	Percentage	Number	%	Number	%	Number	%
282	6.6	194	4.6	7	0.1	27	0.4

Source: Affordable Housing Needs Assessment, Shimberg Center for Affordable Housing, 2005

Appearance

To maintain the appearance of the Village’s residential areas and limit structures disproportionate to their lot sizes from being built, the Land Development Code regulates the maximum lot coverage, the maximum floor area ratio, setbacks, and the maximum number of stories in residential zones. The Village’s landscape ordinances reinforce the regulation of the exterior appearance of structures: “Landscape design shall enhance architectural features, relate structural design to the site, visually screen dissimilar uses and unsightly views, reduce noise impacts from roadways and incompatible uses, strengthen vistas and reinforce neighborhood site design and architecture.” (Article IX. Sec. 30-233.(1)). Compliance with these regulations is tracked during the site plan review process. No historic preservation policy to protect older residential stock such as Mackle homes or any other structures on the island has been implemented; however, there are currently no structures that meet the state or national age and significance requirements for state or national historic designation.

Traffic

Evidence reported in the February 2004 Traffic and Parking Impacts of Commercial Development study indicates that traffic congestion has increased over the past decade. While the Village has continuously met level of service standards for most roads on the island, a few locations—specifically, select intersections along Crandon Boulevard with Harbor Drive, West Wood Drive, and the Key Colony Condominium entrance—have worsened.

The Crandon Boulevard Master Plan Implementation Project, which is currently under construction, will correct these deficiencies. The Master Plan recommends a reduction in curb cuts and a roundabout at the intersection of Fernwood Road and Harbor Drive (the primary collector street for much of the local and commuter traffic from the main single family residential neighborhood on the west side of the Village) to alleviate traffic generated by the three day schools in the area. Additionally,



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congested and unsafe turn lanes have been redesigned to better accommodate demands generated by surrounding uses and signal timing has been adjusted.

(2) *Description of changed circumstances (if any) related to issue since Master Plan was prepared/updated.*

The Master Plan was written prior to the complete construction of the Grand Bay Resort and Residences and the Ocean Club, the two very influential Developments of Regional Impact on Key Biscayne. The Plan recognized that the residential intensity for the two DRI tracts would be critically important in determining the “build out” population of the Village and therefore, it would need to be reassessed upon completion of construction to verify its accuracy.

According to the February 2004 Crandon Boulevard Master Plan, while the Village of Key Biscayne is nearly fully developed, the potential exists for redevelopment-induced increases in future traffic volumes on Crandon Boulevard. First, there is a vacant commercial parcel across from Key Colony. Second, an increase in commercial square footage is possible for some of the existing commercial developments given that their current build-out is below the allowable 0.50 Floor Area Ratio. Third, older single-family homes within residential areas are being redeveloped into larger homes for larger families with more cars. Last, the Ocean Club condominium development, which currently has a very low average yearly occupancy rate of approximately 30 percent, could see an increase in occupancy over the next decade (like the Key Colony development experienced in the 1990s).

As demand increases in an area of finite supply, both commercial and residential rental rates and property values are increasing. Key Biscayne has become unaffordable for current segments of the population. Seniors who have lived in the Village for decades, maintained the same tax rate on their property, and would like to downsize, often can’t afford to purchase a new property for which they would have to pay today’s tax rate. Many smaller, “daily needs” businesses, whose typical revenue could not support the rents commanded by local commercial properties, have also been priced out of the market.

(3) *Recommended Amendments to the Master Plan.*



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- A policy should be written under Objective 1.1 scheduling a traffic study to assess the impact of internally generated traffic congestion. (See Section 6 Conclusions and Recommendations, Recommendation TC1)
- A policy should be written under Objective 1.1 scheduling a traffic study to assess the LOS of collector and local streets. (See Section 6 Conclusions and Recommendations, Recommendation TC2)
- Designate Fernwood Road as a transitional road between residential and commercial. At the rear lot line of specific commercial centers on Crandon Boulevard, require that access points be opened where appropriate to pedestrians, golf carts and, on a limited basis, to vehicular traffic. (See Section 6 Conclusions and Recommendations, Recommendation TC4)
- Add a policy that the Village shall “[m]onitor current and future housing needs and explore innovative solutions to increase the affordability and diversity of the stock while maintaining compliance with Coastal High Hazard Area and Floodplain regulations.” (See Section 6 Conclusions and Recommendations, Recommendation H1)
- The following objective should be amended to read:
 - Objective 1.4. The Local Planning Agency (LPA) shall define and seek opportunities to promote affordable housing of a type and at a price range consistent with Key Biscayne local market and general market conditions.
(See Section 6 Conclusions and Recommendations, Recommendation H2)
- The following objective should be amended to read:
 - Objective 1.6 Development of Affordable Housing in Nearby Communities. Develop ongoing interlocal coordination with other jurisdictions and non-governmental agencies for the provision of affordable housing.
(See Section 6 Conclusions and Recommendations, Recommendation H3)



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- Remove Objective 1.1 because it is no longer relevant to existing conditions and needs. There were and are no vacant properties along Crandon Boulevard. There were two sites originally developed as small, low-density hotels and replaced with more than 250 units.
 - Objective 1.1 New Construction: Cooperate with private sector to build at least 250 well designed and diversified units on vacant residentially designated areas along Crandon Boulevard by 2004.

(See Section 6 Conclusions and Recommendations, Recommendation H4)

- Add a policy that the Village shall “[e]xplore federal, state, and local housing subsidy programs as means to provide housing opportunities for low-income persons and families, where appropriate. (See Section 6 Conclusions and Recommendations, Recommendation H5)
- Add a policy that the Village shall “[c]ollaborate with Miami-Dade County and the City of Miami to create a program for annual evaluation of affordable housing needs within incorporated and unincorporated areas. (See Section 6 Conclusions and Recommendations, Recommendation H6)
- Add a policy that the Village shall “[p]articipate in South Florida Regional Planning Council’s initiatives directed toward educating local governments of new techniques, especially programs applicable to the region and/or the county, for promoting affordable housing. (See Section 6 Conclusions and Recommendations, Recommendation H7)
- Add a policy that the Village shall “[e]valuate the feasibility of establishing an affordable housing fee trust fund in partnership with Miami-Dade County or the City of Miami (via interlocal agreements) to fund affordable housing programs and projects in Miami-Dade or the City of Miami. (See Section 6 Conclusions and Recommendations, Recommendation H8)
- Add a policy that the Village shall [e]nsure that land use designations and zoning districts that foster diverse housing types to serve the needs of the local population, including single family, duplex, and multi-family units. (See Section 6 Conclusions and Recommendations, Recommendation H9)



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f. Sustainability of Local Retail and Services

For the community to remain sustainable in the long-term, it must be able to provide basic services that satisfy basic community needs. Increasing property values and rent levels threaten the economic viability of small merchants, services, and retailers who provide important local services.

(1) *Assessment of success in implementing Master Plan objectives related to issue.*

There are two primary components to consider in an assessment of the provision of daily, basic goods and services: the quantity of retail and the type of retail. Research conducted for the 1995 Master Plan and, a decade later, for the Analysis of Retail and Service Space (September 2005) and the Traffic and Parking Impacts of Commercial Development (February 2004) studies indicates a consistency in the quantity: Key Biscayne has more square feet of retail building area than its residents alone are able to support and, despite parking shortages, shopping centers, office space and retail space have high levels of occupancy. Traffic Circulation Objective 1.2 in Part II of the Master Plan seeks to “limit commercial development and redevelopment to arterial road frontage plus Harbor Drive collector street frontage from Fernwood Road to Crandon Boulevard.” The Village has implemented this objective by adding a Commercial district to the Land Development Code. All commercial development and redevelopment is contained within that zone. As denoted on the Future Land Use map, the district is primarily located along Crandon Boulevard.

The Master Plan addresses the issue of quality very minimally. Part I indicates a need for additional filling stations and food and drug store space, but develops the topic no further. Part II does provide policies or objectives to encourage and stimulate the provision of basic retail services.

In May 2004, the Village Council created the Crandon Boulevard Zoning and Development Committee in order to address use, design, and development regulations for commercial properties located in the entry block. The Committee’s work resulted in changes to the Land Development Code. Ordinance 2005-19, passed in November 2005, amended Section 30-101 “Commercial Districts” of Chapter 30 “Zoning”. The Ordinance supports the



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inclusion of businesses geared toward the service of local needs. Additionally, it altered permitted uses, setbacks, maximum number of stories, floor area ratios, lot coverage, minimum lot area, and setback requirements in C-1 Commercial Areas. In order to deemphasize the visual prominence of parking, the ordinance added floor area ratio bonuses for the use of subterranean or setback parking garages. Floor area ratio bonuses were also offered for the use of preferred design elements, site locations, uses, parking configurations, and landscaping.

(2) *Description of changed circumstances (if any) related to issue since Master Plan was prepared/updated.*

There continues to be a notable lack of small merchants and retailers providing local services. Rent levels price out of the market all but the most financially profitable businesses—such as banks, financial services, and real estate agents. Over the past decade the problem has been exacerbated by an increase in rent disproportionately higher than the natural increase in the rate of inflation.

(3) *Recommended Amendments to the Master Plan.*

The following policy should be amended to read:

- Policy 1.2.1: As is relevant, consider and attempt to consummate the following interlocal agreements on an ongoing basis.

(See Section 6 Conclusions and Recommendations, Recommendation IC1)

g. Vulnerability to Damage from Tropical Storms and Hurricanes

The Village, located on a low-lying barrier island in an AE flood hazard zone, is vulnerable to wind damage and storm surge damage from tropical weather systems. A protective shoreline dune system partially addresses this vulnerability along the Atlantic Ocean Coast since gaps in the dune system exist to provide beach access. Residential lots with seawalls facing Biscayne Bay can be breached by storm-induced waves traveling across the shallow bay waters. The health, safety and welfare of residents is a major concern. Many, particularly the elderly, are reluctant or unable to evacuate the Village during tropical storm and hurricane events.



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(1) *Assessment of success in implementing Master Plan objectives related to issue.*

Property

Goal 3 of the Conservation and Coastal Management Element of the Master Plan is devoted to minimizing human and property loss due to hurricanes. Through the Land Development Code and Master Plan, the Village

- Restricts the intensity of development through its Land Development Code, thereby preventing densities inappropriate for a Coastal High Hazard Area (Conservation and Coastal Management Objective 3.1).
- Adopted traffic LOS standards that, based on Future Land Use Management (FLUM) policies, achieve a reasonable hurricane evacuation time.
- Devised a concurrency management system with a phased capital improvement in order to achieve and maintain LOS standards concurrent with impact of development (Conservation and Coastal Management Objective 3.4).
- Enacted and enforces Land Development Code provisions requiring minimum setbacks from the ocean, requires new construction at or above flood elevations specified by FEMA, restricts the amount of fill according to Land Development Code provisions, and limits funding of public infrastructure expansion¹⁵ (Objective 3.5).
- Has maintained permitted population densities to coordinate with local and regional hurricane evacuation plans according the zoning in the Master Plan.
- Adopted regulations based on FEMA requirements to ensure adequate drainage paths around structures to guide storm water runoff; zone-appropriate first floor elevations for all new residential and non-residential buildings; the siting of all buildings in compliance with Florida Coastal Zone Protection Act of 1985; and the prohibition of structural fill.

¹⁵ Funding is limited if the effect of the expansion is a direct subsidy to a specific private development in the Village.



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In coordination with the implementation of the Master Plan's policies and objectives, the Village has made substantial efforts to comply with and exceed national and state requirements.

Since 1998, the Village has participated in the Community Rating System (CRS), a part of the National Flood Insurance Program. It has achieved a CRS classification of "6," placing it among the top ten communities in the state of Florida and reducing its flood insurance premiums for residents by 20 percent.

The Village's Floodplain Management Plan, which was prepared with the aid of a State Emergency Management Preparedness and Assistance grant and adopted by the Village Council in April 1998, was showcased as a national model by FEMA in 2003. Its storm drainage capacity system has demonstrated a capacity to cope with torrential rain storms of greater than 60 year intervals in recurring frequency.

People

Policy 1.2.3 of the Intergovernmental Coordination Element of the Master Plan states that the Village shall assist in providing information regarding services such as waste, water, sewers, transit and hurricane response to residents.

In June 2001, a Hurricane Information Manual was adopted in order to assist Village residents in planning and preparation for a hurricane and its aftermath (Conservation and Coastal Management Policy 3.2.2). Based on experiences from Hurricane Andrew in 1992, the 1991 County Emergency Operations Plan and the 1991 US Corps of Engineers Hurricane Evacuation Study, it addresses what to do before and after the storm, including general, outdoor and indoor safety tips. The information was compiled through consultation with the Miami-Dade County Department of Code Compliance, the Miami-Dade County Office of Emergency Management, the Broward County Office of Emergency Management, the Monroe County Office of Emergency Management, and the American Red Cross and has been distributed to the public through several news outlets

In early 2006 a committee will convene to address the vulnerability of residents during and after severe storms. Comprised of residents and the fire chief, it will explore how to best identify



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- residents requiring special assistance, including contact information, relevant medical history and needs, next-of-kin and/or care-givers;
- those available to aid residents in need;
- the role the Village will play in ensuring required medication is available for the duration of the disaster and recovery period;
- evacuation procedures;
- a transportation plan with an emphasis on those who are not independently mobile;
- evacuation sites with adequate services and supplies;
- off-island housing, as necessary, during storm recovery periods;
- generators and other alternative sources of power;
- the role the community center and schools may play as shelters for those who are unable to evacuate;
- a means by which to store necessary supplies during a period when services on the Key are absent.

The committee will look into establishing a data center to centrally store information and an entity to maintain it and creating a schedule that prioritizes the severity residents' needs.

(2) Description of changed circumstances (if any) related to issue since Master Plan was prepared/updated.

See previous section.

(3) Recommended Amendments to the Master Plan.

- Language and dates referenced in the following objective should be updated:
 - Policy 2.2.3: Continue to evaluate the need for and efficacy of alternate financing methods for beach renourishment and dune development.
 - Objective 3.3: Post Disaster Redevelopment: Adopt a post-disaster redevelopment plan by 2010.
 - Policy 3.3.1: Prepare a post-disaster redevelopment plan based on the Hurricane Andrew experience and in



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consultation with the South Florida Regional Planning Council (SFRPC) and MDC OEM by 2010.

(See Section 6 Conclusions and Recommendations, Recommendation CCM2)

h. Need to Improve or Replace Infrastructure

Sewer System

A portion of the Village remains on individual septic systems. The Master Plan indicates that limited periodic percolation of sewage effluent occurs with ground saturation during periods of heavy rains, and requires that sanitary sewers must be installed by 2008 to replace the individual septic tanks. How will the Village achieve this objective?

Overhead Utilities

Although the present network of overhead utilities is not considered functionally deficient, placing all utilities underground will aid in storm recovery, as well as improve the aesthetics of the Village.

Roadway Network

Parts of the Village road network suffer from a proliferation of potholes and require improved road maintenance.

Village-wide Streetscape and Landscape Improvements

The Village has begun implementing the recently completed master plan for the improvement of Crandon Boulevard. The need for a similar initiative to consistently enhance all local roads and civic spaces has also been identified, to achieve the desired Village character and appearance.

(1) Assessment of success in implementing Master Plan objectives related to issue.

Water and Sewer Systems

The 1995 Master Plan presented four alternatives the Village's existing mix of sewerred and non-serviced areas (houses currently on septic):

- Install sanitary sewers throughout the entire Village, prioritizing service residential streets adjacent to Biscayne Bay (such as southern Harbor Drive) ahead of others.



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- Initiate a petition among the property owners demanding service from the County.¹⁶
- Set up, in compliance with State statute, a special taxing district and sewer collection system with sewage channeled through WASD trunk lines.
- Use the Village's general fund to pay for the entire project.

The Master Plan endorsed the first option and the Village is currently pursuing the installation of a sewer system throughout the entire Village. Key Biscayne is cooperating with the County to produce financial and engineering plans for an extension of the sewer and water systems. As of October 2005, the planning portion of the project was 33 percent complete; the Public Works Department foresees construction to commence in by spring of 2006.

The Sewer Project has been divided into two phases, each of which contains two unserved areas. The duration of each phase is estimated to last between eight and twelve months.

According to the Miami-Dade Water and Sewer Authority (MDWASA), once the main water line and connections are in place, it will provide the residents with a prudent time frame in which to connect to the lines. Residents will be responsible for expenses incurred from treating and removing their septic tank and making the connection. The Village of Key Biscayne Public Works Department is still waiting to find out from the MDWASA the amount residents will be charged for these procedures.

¹⁶ At the time the Master Plan was written, the Metro-Date Water and Sewer Department (WASD) was responsible for the collection and treatment of the sewage from the lines of the Village.



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Table 14: Sanitary Sewer and Water Conversion Project Progress

Zone	Percent Complete	Detailed Status
Zone 1		
Sanitary Sewer	75	The new survey has been brought into all of the drawings and flows to the pump station are currently being verified and that no upgrades to the pump station are required. A site visit was conducted in September 2005 to verify structure types and businesses and to look at project conditions (tree sizes, driveway types, etc.)
Water		Pipe material types must be verified for those portions where the consultant does not have sufficient data, which will require input from the Village. A site visit was conducted in September to confirm that the new water lines should be put in the pavement, as opposed to in the swale where construction would impact decorative driveways and landscaping.
Zone 4		
Sanitary Sewer	75	As of September 2005, the new survey was brought into all of the drawings; the flows to the pump station were being verified, as was the sufficiency of the pump stations as they are now and without upgrades.
Water		As of September 2005, the pipe material types needed to be verified for those portions where the consultant did not have sufficient data, which will require input from the Village. A site visit was conducted in September of 2005 to confirm that the new water lines should be put in the pavement, as opposed to in the swale where construction would impact decorative driveways and landscaping.
Zone 2/3		
Sanitary Sewer	25	As of September of 2005, the new survey had been brought into all of the drawings and flows to the pump station were in the process of being verified. A site visit was conducted in September to verify structure types and businesses and to look at project conditions (tree sizes, driveway types, etc.)
Water		As of September of 2005, the pipe material types had to be verified for those portions where the consultant did not have sufficient data, which will require input from the Village. A site visit was conducted in September during which the consultant was determining whether the new water lines should be put in the pavement or in the swale, where construction would impact decorative driveways and landscaping.



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In light of recently publicized challenges faced by MDWASA, the Village will work with the Authority to respond to and amend the project's timeline so the County may achieve its goal of delivering adequate water and sanitary sewer service to its residents. However, as of February 2006, the Village anticipates that the project will go out to bid in April or May of 2006 as permitting reaches completion.

Overhead Utilities

As part of its objective to maintain existing development and achieve new development and redevelopment which is consistent with community character (Future Land Use Objective 1.1), the Village made a policy to enact Land Development Code provisions governing subdivisions. The subdivision code was to require that certain utilities be installed underground.

In July 2005, the Village requested a cost estimate from Florida Power and Light to bury all power lines west of Crandon Boulevard and along Galen Drive on the east side. The Village Manager inquired about any state or federal subsidies currently being offered to government entities considering similar projects and the Director of Public Works expressed his support for dividing the project into distinct zones. In January 2006, FPL provided the Village with an estimate of \$11 million to complete the project. Communication is ongoing. FLP projects that it will pay for 25 percent of the project; costs incurred may be passed on to customers via surcharges.

Roadway Network

The Village's major arterial, Crandon Boulevard, is being improved according to the Crandon Boulevard Master Plan. Details are in Section 4.D(1) *Traffic Volume, Operations and Safety*. The Village is also in the process of seeking public input regarding parking, beach access, and safety improvements on Ocean Lane Drive; most recently, it held a public workshop on October 17th, 2005.

Streetscape and Landscape Improvements

Major streetscape and landscape improvements are being made to Crandon Boulevard, West McIntyre Street, and Harbor Drive as a result of the Crandon Boulevard Master Plan. The Departments of Public Works and Building, Zoning and Planning as well as the Manager's Office and consultants are working on a comprehensive plan to address landscaping in public areas. Improvements include



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a redesign of the Village entrance, pocket parks/mini plazas, street furniture, locations of public art, signalization, street lighting, traffic, street name signage, and utilities.

(2) *Description of changed circumstances (if any) related to issue since Master Plan was prepared/updated.*

A survey to all residents administered by the Key Biscayne Village Council during the Master Planning process yielded results regarding prioritization of infrastructure improvements compared to preferences expressed recently indicates opinion has not shifted much over the past decade.¹⁷ In the original survey, three quarters of participants rated “extending sanitary sewers to all areas of the Village” as desirable or higher; 94.8 percent rated “improving storm drainage throughout the Village” as desirable or higher (with a notably high percentage, 32.23 percent, indicating that it is a “first priority”); and installing street lights, installing special pavements, and installing curbs, rated in descending order of importance from there (57.5 percent; 46.0 percent, and 40.7 percent respectively).

(3) *Recommended Amendments to the Master Plan.*

- Place and coordinate the update of electric signs at the intersection of Highway 95 and US Route 1 South that inform visitors if Bill Baggs Park is at capacity or accepting additional visitors. (See Section 6 Conclusions and Recommendations, Recommendation TC5)
- The language and dates referenced in the following policies should be updated:
 - Policy 1.2.1 Complete financial and engineering feasibility plan to extend sanitary sewers to unsewered areas by **2008**, and complete implementation by **2010**.(See Section 6 Conclusions and Recommendations, Recommendation I1)
- Add a policy that the Village shall “[u]pdate the Master Plan within 18 months of the South Florida Water Management District updating its regional water supply plan, highlighting alternative water supply projects, and completing the required

¹⁷ The survey was sent to all Villages households and returned by approximately 20 percent.



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“Work Plan Amendment.” (See Section 6 Conclusions and Recommendations, Recommendation I2)

- Add a policy that the Village shall “[s]eek and obtain a written statement from the Miami-Dade Water and Sewer Authority regarding the availability of water to serve all proposed development projects, including current and projected demand, remaining permitted water withdrawals, facility capacity, and scheduled capital improvement projects.” (See Section 6 Conclusions and Recommendations, Recommendation I3)
- Add a policy that the Village shall “[e]stablish a single-point-of-contact at the South Florida Water Management District and Miami-Dade Water and Sewer Authority to determine the extent to which the Village will be involved in the planning, financing, construction, and operation of water supply facilities that will serve the community.” (See Section 6 Conclusions and Recommendations, Recommendation I4)

i. Implications of Debt Cap

Although the Village has a strong and growing tax base, its *debt capacity* is finite and may hinder the Village’s ability to implement capital initiatives, including park development, sewer extensions and placement of utilities underground, in a timely manner. Should the Village consider amending the debt cap as currently defined in the Village Charter?

(1) *Assessment of success in implementing Master Plan objectives related to issue.*

The Village of Key Biscayne is subject to a debt cap ordinance and also a provision to allow possible referendum on new debt issuance where any capital project is involved.

The debt cap provision at present limits debt to one percent of current assessed value as provided by the county property appraiser. The debt cap schedule provided shows the current year and projections for future periods as assessed valuation changes and debt is anticipated to be incurred.

The referendum requires a 30 day period between the first reading and second readings of any ordinance that would permit issuance of debt that relates to any capital project.



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(2) Description of changed circumstances (if any) related to issue since Master Plan was prepared/updated.

See the preceding section, i(1).

(3) Recommended Amendments to the Master Plan.

- The language and dates referenced in the following policies should be updated:
 - Objective 1.1: *Continue* to upgrade drainage system so outfalls in Biscayne Bay (and adjacent canals) fully meet NPDES standards and Chapters 17-25 and 17-302.500, F.A.C. *Continue* to upgrade private property on-site drainage standards to ensure retention of at least the first one inch of stormwater, and no more runoff after development than before.
 - Policy 1.2.1 Complete financial and engineering feasibility plan to extend sanitary sewers to unsewered areas by **2008**, and complete implementation by **2010**.
 - Objective 1.3: Future Needs; Solid Waste: Continue to achieve the most cost-effective solid waste collection system.
 - Objective 1.5: Water Conservation: Continue working toward reducing the average daily per capita water consumption by 5%.

(See Section 6 Conclusions and Recommendations, Recommendation I1)

- In compliance with Chapter 163, F.S. (5)(d), provisions should be included for granting concurrency exceptions. (See Section 6 Conclusions and Recommendations, Recommendation CI1)

j. Conservation, Coastal Management and Environmental Protection

The residents of Key Biscayne place a high priority on protecting, enhancing, and, in some cases, restoring important natural resources that are not only intrinsic to the community's barrier island identity, but also contribute to the quality of life of both residents and visitors.

(1) Assessment of success in implementing Master Plan objectives related to issue.



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The first goal of the Master Plan's Conservation and Coastal Management Element is "to preserve and enhance the significant natural features" including

- Vegetative and soil resources (Conservation and Coastal Management Objective 1.3): Achieve zero net loss of mangroves);
- Sea turtles, manatees (Conservation and Coastal Management Objective 1.4: Strive to achieve zero human-induced loss of manatees and/or sea turtle eggs; and
- Wildlife and habitat (Conservation and Coastal Management 1.7: Achieve zero degradation of fisheries, wildlife, wildlife habitat, marine habitat and environmentally sensitive land.

According to the 2003 Miami Dade County EAR, the Key Biscayne Special Management Zone artificial reef site off the Atlantic coast is the only designated environmental protection area related to beaches and artificial reefs near the Village. The Special Management Zone was designated in 1991 and contains 2,203.5 acres.

Over the last decade, the Village of Key Biscayne has:

- Enacted and enforced estuarine waterfront protection provisions in the LDC in accordance with state DEP and waterfront policies of Department and Environmental Resource Management (DERM). The Biscayne Bay Shoreline Development Review Committee was established as an interlocal entity to review all development permits (except single family and duplex houses) for tracts fronting the Bay;
- Communicated with DERM on occasions where any adverse impacts are observed relative to the sea grass beds in adjacent Bay waters;
- Reported speeding violations in manatee protection areas to County and State marine police. The entire western shore of Key Biscayne is designated as a Manatee Protection Area, which means that boat speeds above seven miles an hour and water skiing are prohibited;
- Enacted and enforced LDC provisions in order to minimize night-time artificial light on beach areas where sea turtles nest;



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- Enacted and enforced LDC provisions regarding detention, runoff, minimum pervious open spaces, and drainage level-of-service standards;
- Researched and implemented beach renourishment projects. In 1997, Coastal Systems International, as a consultant to the Village, produced the "Long Range Beach Nourishment Plan for The Village of Key Biscayne, Dade County" in cooperation with a Council-appointed citizen's Beach Task Force. Its purpose was to present a long-range beach nourishment plan to address the eroded shoreline along the Village. The 2000-2001 project, overseen by the US Army Corps of Engineers, placed a reported 420,000 cubic yards of sand. The nourishment was designed to mitigate the long-term sand into the deeply dredged Government Cut channel north of Key Biscayne that formerly reached the island via longshore drift. The design of the beach fill template was developed based on the historical erosion rate, critical areas of erosion, location of nearshore seagrasses, and projected nourishment interval. Members of the Village's Beach Task force conducted research to identify appropriate sand characteristics required ensure compatibility of the new sand imported from offshore borrow areas with existing beach materials. As of 2006, the Village's Public Works Department and consultants are in the process of researching the next phase of beach renourishment.

(2) Description of changed circumstances (if any) related to issue since Master Plan was prepared/updated.

Refer to previous section, I(1).

(3) Recommended Amendments to the Master Plan.

- Language and dates referenced in the following objective should be updated:
 - Policy 2.2.3: Continue to evaluate the need for and efficacy of alternate financing methods for beach renourishment and dune development.

(See Section 6 Conclusions and Recommendations, Recommendation CCM2)



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k. Land Development in the Context of Master Plan Goals, Objectives, and Policies

The Village Master Plan includes future land use descriptions which include maximum lot coverage and building heights, landscaping requirements, and sign regulations. Does the Master Plan, with its present level of detail, articulate standards for development and landscaping that are consistent with and that enhance the desired ambiance and character of the Village?

(1) *Assessment of success in implementing Master Plan objectives related to issue.*

Goal 1 of the Future Land Use Element of the Master Plan states:

“Achieve desired community character: Key Biscayne should be a residential community. Development policies should protect residential character. Future residential development should be at the lowest densities consistent with protection of reasonable property rights. Hotels should be permitted in order to provide ocean access opportunities and respect an established land use pattern; however, they should be modest in size so as to not overpower the community's residential character. Other commercial development should be sized to meet the needs of residents and hotel guests. Office development should be limited to the minimum amount practical in light of existing development patterns.”

The Village has codified this goal in the Land Development Code.

- Section 30-80 outlines site plan review procedures:
 - a) *Purpose.* Site Plan review is designed to achieve the following objectives:
 - (1) To insure that infrastructure (water, sewer, and roads) is in place at the time the project is completed, as mandated by Florida's Growth Management law;
 - (2) To encourage logic, imagination, and variety in the design process;
 - (3) To insure that projects are compatible, both aesthetically and functionally, with the surrounding area;



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- (4) To promote excellence in urban design; and
- (5) To encourage buildings that are consistent with the high quality environment associated with the Village.

- Section 30-233 outlines landscape plan review criteria:
 - (1) “Landscape design shall enhance architectural features, relate structural design to the site, visually screen dissimilar uses and unsightly views, reduce noise impacts from roadways and incompatible uses, strengthen vistas and reinforce neighborhood site design and architecture...(5) Street trees shall be used to shade roadways and provide visual order. All street tree planting shall conform to the Village’s street tree planting system.”
- Section 30-190 outlines sign criteria:
 - “Regulations are intended to preserve the unique aesthetic character of the Village and ensure that signs are compatible with their surroundings. It is further intended to protect property values, create a better business climate, enhance the physical appearance of the community, preserve the natural beauty of the Village and improve vehicular and pedestrian safety and reduce visual pollution.”

Regulations have not prevented a major shift in scale of residential development. Recommendations from the Crandon Boulevard Commercial Development and Zoning Standards, which include quantifiable design bonuses to encourage buildings that contain architectural interest and reduce visual impact and zoning controls to ensure larger developments on assembled lots are designed within a Village setting, have recently been adopted and will soon be applied.

(2) *Description of changed circumstances (if any) related to issue since Master Plan was prepared/updated.*

See previous section.

(3) *Recommended Amendments to the Master Plan.*

When the property tax issue is resolved by the State Legislature, and therefore the Village Council is able identify funding for items



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in the Capital Improvement Plan and approve projects generated during the 2020 Vision process, 2020 Vision Plan projects will be added to the Comprehensive Plan as amendments.

I. Historic, Cultural and Educational Resources and Needs

The Village of Key Biscayne has a number of historic and cultural resources and institutions that document the community's history and contribute to its identity by providing important social, educational, and community-building functions. For instance, the historic Silver Sands hotel, located at 301 Ocean Drive and built in the late 1950s, is typical of motel developments in Florida built during that era. It is the sole remaining structure of its type in Key Biscayne and one of the few remaining in southern Florida. It may be worthy of exploration for historic designation in the near future, possibly standing on its own as a historic local, state, or national landmark.

In the past, these resources have been overlooked or undervalued. There is, however, a growing awareness of the need to address issues related to enhancement, utilization, expansion, and/or preservation of these resources and institutions for the benefit of the community as a whole.

(1) Assessment of success in implementing Master Plan objectives related to issue.

Historic Structures

Objective 2.6 of the Future Land Use Element, Objective 1.5 of the Housing Element, and Objective 2.4 of the Conservation and Coastal Management Element of the Master Plan all specify that no later than 1999, Key Biscayne was to prepare a list of potentially significant historic structures and a strategy for their preservation. The Village has not done so because, currently, there are no structures eligible for national or state historic designation due to age and significance requirements.

However, the historic Mackle homes, which at one time occupied nearly all of the dry lots west of Crandon Boulevard, were built during the 1950s and 1960s and have reached or are approaching the 50-year age requirement for official historic designation. Particularly as many of them have been demolished or substantially remodeled, preserving one or more in that original state would convey the island's history and culture.



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Historic Roads

Crandon Boulevard was designated an Historic Highway by the State of Florida and by Miami-Dade County in the late 1980s. This was the product of a 1987 citizen protest rejecting the County's attempts to install a pedestrian underpass and preemptively abrogate any future efforts to widen the road.

During the Crandon Boulevard master Planning process, the historic designation was amended in order to permit improvements to be made.

(2) *Description of changed circumstances (if any) related to issue since Master Plan was prepared/updated.*

In conjunction with its visioning process, Key Biscayne is evaluating an extensive list of capital improvement projects. In January 2006, a committee was formed to rank the priority and estimate the cost of each project. Upon consideration of input from the community and the 2020 Vision/EAR Committee, the following projects were labeled as high priority and relevant to the protection and enhancement of the Village's history, culture, and educational stature.

- Civic Center Park
- Beach Improvements via renourishment
- Nature Trails connecting Presbyterian Church bay area to St. Agnes Church
- High School on Virginia Key

A library expansion/renovation was placed in a secondary tier of importance. An artwork in public places program, theater, museum, lifelong learning program, and beach walk were placed in a tertiary tier, indicating that Village residents perceive most resource intensive cultural projects to be long-term rather than immediate goals.

(3) *Recommended Amendments to the Master Plan.*

- Language and dates referenced in the following objective should be updated:
 - Objective 2.4 Historic Preservation: Prepare a list of potentially significant historic structures and a preservation strategy by **2010**.



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(See Section 6 Conclusions and Recommendations,
Recommendation CCM2)



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5. Consistency with Florida Growth Management Laws

F.S. 163.3191 (2)(f), requires that the Evaluation and Appraisal Report assess relevant changes in growth management laws since the date of the Master Plan's adoption for consistency with the Key Biscayne's Master Plan. The assessment was based upon the only version, to date, of the Village's Master Plan (1995).

a. State Comprehensive Plan, Chapter 187, F.S.

F.S. 163.3191 requires that the EAR evaluate relevant changes in growth management laws, including the State of Florida Comprehensive Plan, since the date that the Village's Comprehensive Plan was adopted. The following section indicates the manner in which Key Biscayne is complying with the adopted State of Florida Comprehensive Plan (Chapter 187, Florida Statutes).

(1) *Manner of Compliance with State Comprehensive Plan Elements*

Children

(a) *Goal.*—Florida shall provide programs sufficient to protect the health, safety , and welfare of all of its children.

Response – Addressed through the Master Plan's ongoing intergovernmental coordination efforts involving public school and parks and recreation planning.

Families

(a) *Goal.* -- Florida shall strengthen the family and promote its economic independence.

Response – Addressed through ongoing intergovernmental coordination efforts, the Master Plan's Land Use Element, and the Vision Plan.

The Elderly

(a) *Goal.* – Florida shall improve the quality of life for its elderly citizens by promoting improved provision of services, with an emphasis on independence and self-sufficiency.

Response – All Multi-Family Districts in the LDC permit adult living facilities. The Parks and Recreation



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Department coordinates senior-oriented programs at the Key Biscayne Community Center and the Village coordinates a free senior transportation program. In 2006, a committee comprised of residents and led by the fire chief will convene to coordinate a program to assist the elderly during and after severe storms.

Housing

(a) *Goal.* – *The public and private sectors shall increase the affordability and availability of housing for low-income and moderate-income persons, including citizens and rural areas, while at the same time encouraging self-sufficiency of the individual and assuring environmental and structural quality and cost-effective operations.*

Response – This is addressed in the Master Plan’s Housing Element, but several additional policies are being recommended in the EAR.

Health

(a)1. *Goal.*—Healthy residents who protect their own health and the health of others and who actively participate in recovering their own health when they become ill.

(b)1. *Goal.*—An environment which supports a healthy population and which does not cause illness.

(c)1. *Goal.*—Health care services which are of high quality, reasonably accessible, and adequate to meet the needs of the public.

(d)1. *Goal.*—Health costs which are contained to a level appropriate to the financial resources of the state and its residents.

Response – Addressed, in part, in the Master Plan’s Conservation and Coastal Management and Recreation and Open Space Elements. The Key Biscayne Community Center encourages healthy living by making its facilities and programs available to residents of the Village.



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Public Safety

(a) *Goal.* – Florida shall protect the public by preventing, discouraging, and punishing criminal behavior, lowering the highway death rate, and protecting lives and property from natural and manmade disasters.

Response – Addressed, in part, in the Master Plan’s Capital Improvements (Objective 1.1) Element. Emergency Management is addressed in the Conservation and Coastal Management Element.

Water Resources

(a) *Goal.* – Florida shall assure the availability of an adequate supply of water for all competing uses deemed reasonable and beneficial and shall maintain the functions of natural systems and the overall present level of surface and ground water quality. Florida shall improve and restore the quality of waters not presently meeting water quality standards.

Response – As noted in the EAR, the Village shall coordinate, as appropriate with Miami-Dade County to implement the Water Supply Facilities Workplan. Water Resources are addressed in the Master Plan’s Infrastructure (Objectives 1.4; 1.5), Conservation and Coastal Management (Objectives 1.2, 1.6), Intergovernmental Coordination, and Capital Improvements (Objective 1.2) Elements. The EAR is recommending additional policies that will aid the Village in helping the State to achieve this goal. See Section 6. Conclusions and Recommendations.

Coastal and Marine Resources

(a) *Goal.* – Florida shall ensure that development and marine resource use and beach access improvements in coastal areas do not endanger public safety or important natural resources. Florida shall, through the acquisition and access improvements, make available to the state’s population additional beaches and marine environment, consistent with sound environmental planning.

Response – Addressed in the Master Plan’s Conservation and Coastal Management Element



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Natural Systems and Recreational Lands

(a) *Goal.* – Florida shall protect and acquire unique natural habitats and ecological systems, such as wetlands, tropical hardwood hammocks, palm hammocks, and virgin longleaf pine forest, and restore degraded natural systems to a function condition.

Response – Addressed in the Master Plan’s Conservation and Coastal Management and Recreation and Open Space Elements.

Air Quality

(a) *Goal.* –Florida shall comply with all national air quality standards by 1987, and by 1992 meet standards which are more stringent than 1985 state standards.

Response – Addressed in the Master Plan’s Conservation and Coastal Management Element (Objective 1.1).

Energy

(a) *Goal.* –Florida shall reduce its energy requirements through enhanced conservation and efficiency measures in end-use sectors, while at the same time promoting an increased use of renewable energy resources.

Response – Addressed through ongoing intergovernmental coordination efforts. The Village will continue to explore innovate ways to integrate green technologies in public facilities.

Hazardous and Non-hazardous Materials and Waste

(a) *Goal.* –All solid waste, including hazardous waste, wastewater, and all hazardous materials, shall be properly managed, and the use of landfills shall eventually be eliminated.

Response – Addressed in the Master Plan’s Conservation and Coastal Management Element (Objective 1.2).

Mining

(a) *Goal.* –Florida shall protect its air, land, and water resources from the adverse effects of resource extraction



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and ensure that the disturbed areas are reclaimed or restored to beneficial use and soon as reasonably possible.

Response – There is no mining in the Village.

Property Rights

(a) *Goal.* – Florida shall protect private property rights and recognize the existence of legitimate and often competing public and private interests in land use regulations and other government action.

Response – Addressed in the Master Plan’s Future Land Use Element.

Land Use

(a) *Goal.* – In recognition of the importance of preserving the natural resources and enhancing the quality of life of the state, development shall be directed to those areas which have in place, or have agreements to provide, the land and water resources, fiscal abilities, and service capacity to accommodate growth in an environmentally acceptable manner.

Response – Addressed in the Master Plan’s Future Land Use, Infrastructure, Conservation and Coastal Management, and Capital Improvements Elements. The EAR is recommending additional policies that will aid the Village in helping the State to achieve this goal. See Section 6. Conclusions and Recommendations.

Urban and Downtown Revitalization

(a) *Goal.* – In recognition of the importance of Florida’s vital urban centers and of the need to develop and redevelop downtowns to the state’s ability to use existing infrastructure and to accommodate growth in an orderly, efficient, and environmentally acceptable manner, Florida shall encourage the centralization of commercial, government, retail, residential, and cultural activities within downtown areas.

Response – The commercial area of Key Biscayne is well-established and confined. Numerous studies have been undertaken with the goal of enhancing and strengthening the downtown core.



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Public Facilities

(a) *Goal.* – Florida shall protect the substantial investments in public facilities that already exist and shall plan for and finance new facilities to serve residents in a timely, orderly, and efficient manner.

Response – Addressed in the Master Plan’s Capital Improvements Element (Objective 1.1, 1.5). The EAR is recommending additional policies that will aid the Village in helping the State to achieve this goal. See Section 6. Conclusions and Recommendations.

Cultural and Historical Resources

(a) *Goal.* – By 1995, Florida shall increase access to its historical and cultural resources and programs and encourage the development of cultural programs of national excellence.

Response – Addressed in the Master Plan’s Future Land Use, Housing, and Conservation and Coastal Management Elements

Transportation

(a) *Goal.* – Florida shall direct future transportation improvements to aid in the management of growth and shall have a state transportation system that integrates highway, air, mass transit, and other transportation modes.

Response – Addressed in the Master Plan’s Traffic Circulation Element. The EAR is recommending additional policies that will aid the Village in helping the State to achieve this goal. See Section 6. Conclusions and Recommendations.

Governmental Efficiency

(a) *Goal.* – Florida governments shall economically and efficiently provide the amount and quality of services required by the public.

Response – Addressed in the Master Plan’s Capital Improvements Element (Objective 1.1, 1.5)



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The Economy

(a) *Goal.* – Florida shall promote an economic climate which provides economic stability, maximizes job opportunities, and increase per capita income for its residents.

Response – The per capita income of Key Biscayne, \$54,213, exceeds the per capita income of Miami-Dade County by \$35,716.

Agriculture

(a) *Goal.* –Florida shall maintain and strive to expand its food, agriculture, ornamental horticulture, aquaculture, forestry, and related industries in order to be a healthy and competitive force in the national and international marketplace.

Response – There is no agriculture in the Village.

Tourism

(a) *Goal.* – Florida will attract at least 55 million tourists annually by 1995 and shall support efforts by all areas of the state wishing to develop or expand tourist-related economies.

Response – The Village is located between two major local and regional attractions: Bill Baggs Cape Florida State Park, located to the south, had 565,976 visitors between 2002-2003 and 567,657 visitors between 2003-and 2004; Miami-Dade County-owned Crandon Park to the north had 833,114 visitors in 2003 and 755,297 visitors in 2004.

Employment

(a) *Goal.* – Florida shall promote economic opportunities for its unemployed and economically disadvantaged residents.

Response – Key Biscayne is not an employment center, but rather mostly a bedroom community.

Plan Implementation

(a) *Goal.* – Systematic planning capabilities shall be integrated into all levels of government in Florida with particular emphasis on improving intergovernmental coordination and maximizing citizen involvement.



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***Response – Addressed in Master Plan’s
Intergovernmental Coordination Element.***

**(2) *Recommended Amendments to Achieve Compliance
with the State Comprehensive Plan Elements***

While the Master Plan addresses several of the applicable goals of the State Comprehensive Plan, several additional policies are being recommended that would augment the Village’s ability to further the State’s goals. These suggested policies pertain to Housing Goal (a); Water Resources Goal (a); Land Use Goal (a); Public Facilities Goal (a); and Transportation Goal (a) and are listed in section 6 of this document, Conclusions and Recommendations.



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***b. Local Government Comprehensive Planning and Land
Development Regulation Act, Chapter 163 (Part II), F.S.***

In July 2005 the State of Florida adopted additional amendments to Chapter 163 and its growth management requirements. A table indicating the manner in which the Village of Key Biscayne is addressing the requirements of Chapter 163, Florida Statutes, is below.

***(1) Manner of Compliance with Local Government
Comprehensive Planning and Land Development
Regulation Act, Chapter 163 (Part II), F.S.***

See table on followings pages.