



# V I L L A G E   O F   K E Y   B I S C A Y N E

## Department of Building, Zoning and Planning

*Village Council*  
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Franklin H. Caplan, *Vice Mayor*  
Luis F. de la Cruz  
Gary R. Gross  
Allison McCormick  
Brett G. Moss  
Katie Petros

### MEMORANDUM

*Director*  
Sergio T. Ascunce

*Chief Building Official*  
Eugenio M. Santiago, P.E., CFM

DATE: October 9, 2018  
TO: Honorable Mayor and Council Members  
FROM: Andrea Agha, Village Manager *AAA*  
RE: Evaluation and Appraisal Report Based  
Amendments to the Comprehensive Plan

### RECOMMENDATION

It is recommended that pursuant to the continuing professional engineering services agreement with The Corradino Group, the Village Council authorize the Village Manager to issue a work order to The Corradino Group for the Evaluation and Appraisal Report (EAR) Based Amendments to the Village's Comprehensive Plan, in an amount not to exceed \$55,000.

### BACKGROUND

On June 5, 2018, Council approved the EAR of the Key Biscayne Comprehensive Plan. The EAR is a periodic analysis of the goals, objectives, and policies set forth in the Village's Master Plan (comprehensive plan) required by State law.

On June 29, 2018, a Notification Letter was submitted to the State Department of Economic Opportunity (DEO). The Notification Letter stated that the Village of Key Biscayne had evaluated its Comprehensive Plan to determine if any amendments were required to address growth management legislation that has been adopted since 2008, the date the last EAR Based Amendments were adopted. The EAR Based Amendments are due to the DEO on June 29, 2019.

Based on this evaluation, the Village has determined that amendments to the Future Land Use, Transportation, Capital Improvements, Conservation and Coastal Management, Intergovernmental Coordination, Infrastructure, Housing, Recreation and Open Space, Public Schools and Facilities, and amendments to ensure coordination with the regional water supply plan are required to address State statutory requirements at this time.

Updates are needed for Housing and Transportation Elements to address the five (5) and ten (10) year planning periods

Funds are budgeted in FY19 Zoning and Planning Division.

Reviewed by Mr. Chad Friedman from Weiss Serota Helfman Cole & Bierman as to form and legal sufficiency.

**RESOLUTION NO. 2018-\_\_\_\_\_**

**A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, AUTHORIZING THE VILLAGE MANAGER TO ISSUE A WORK ORDER TO THE CORRADINO GROUP, INC. TO PERFORM THE 2018 EVALUATION AND APPRAISAL REPORT (EAR) BASED AMENDMENTS; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Village of Key Biscayne (“Village”) issued Request for Qualifications No. 2016-02-09 (“RFQ”) for continuing professional engineering services; and

**WHEREAS**, pursuant to the RFQ, the Village Council selected the Corradino Group, Inc. (the “Consultant”) as one of the consultants to provide continuing professional services relating to general civil engineering, transportation planning and engineering, environmental engineering, and landscape architecture, and authorized the Village Manager to execute an agreement with Corradino; and

**WHEREAS**, pursuant to the continuing professional engineering services agreement, Consultant has provided a proposal, attached as Exhibit “A,” (the “Proposal”) to perform the 2018 Evaluation and Appraisal Report (EAR) Based Amendments (the “Project”); and

**WHEREAS**, the Village Council desires to authorize the Village Manager to issue a work order for the Project consistent with the Proposal and the professional services agreement entered into between the Village and Consultant; and

**WHEREAS**, the Village Council finds that this Resolution is in the best interest and welfare of the residents of the Village.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, AS FOLLOWS:**

**Section 1.** **Recitals Adopted.** That each of the recitals stated above is hereby adopted and confirmed.

**Section 2.** **Authorization.** That the Village Manager is hereby authorized to issue a work order to Consultant for the Project that is consistent with the Proposal in an amount not to exceed \$55,000.00.

**Section 3.** **Effective Date.** That this Resolution shall be effective immediately upon adoption hereof.

PASSED AND ADOPTED this 9<sup>th</sup> day of October, 2018.

\_\_\_\_\_  
MAYRA PEÑA LINDSAY, MAYOR

ATTEST:

\_\_\_\_\_  
JENNIFER MEDINA, CMC, VILLAGE CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

\_\_\_\_\_  
WEISS SEROTA HELFMAN COLE & BIERMAN, P.L.  
VILLAGE ATTORNEY

# THE CORRADINO GROUP, INC.

CORRADINO

ENGINEERS · PLANNERS · PROGRAM MANAGERS · ENVIRONMENTAL SCIENTISTS

Mr. Sergio T. Ascunce  
 Director  
 Building, Zoning & Planning Department  
 Village of Key Biscayne  
 88 West McIntyre Street, Suite 250  
 Key Biscayne, Florida 33149

July 27, 2018

RE: Evaluation and Appraisal Report (EAR) Based Amendments to the Comprehensive Plan

Dear Mr. Ascunce,

This letter is a proposal to perform the 2018 Evaluation and Appraisal Report (EAR) Based Amendments to the Comprehensive Plan for the Village of Key Biscayne. The EAR Based amendments will be based on the Notification Letter which was submitted to the State Department of Economic Opportunity (DEO) on June 29, 2018, pursuant to Section 163.3184(4), Florida Statutes. This document will be used to formulate the amendment application with the addition of amendments that are required by State Statute to comply with recent changes in Florida's laws.

The Notification Letter stated that the Village had evaluated its Comprehensive Plan to determine if any amendments are required to address growth management legislation that has been adopted since 2008, the date the last EAR Based amendments were adopted. Based on this evaluation, the Village has determined that amendments to the Future Land Use, Transportation, Capital Improvements, Conservation and Coastal Management, Intergovernmental Coordination, Infrastructure, Housing, Recreation and Open Space, Public Schools and Facilities, and amendments to ensure coordination with the regional water supply plan are required to address State statutory requirements at this time. Updates are needed for Housing and Transportation Elements to address the 5 and 10-year planning periods. Pursuant to Section 163.3191(2), Florida Statutes, the Village has one (1) year from notification of receipt of the EAR to transmit the proposed EAR Based Amendments to the Comprehensive Plan to DEO. The transmittal is due to DEO by June 29, 2019.

Corradino can produce the Evaluation and Appraisal Report (EAR) Based Amendments to the Comprehensive Plan for \$55,000.00 and submit it to the State by June 29, 2019. We propose to commence the project on October 1, 2018.

### ***The Scope of Services:***

#### **Task I. Public Outreach**

Corradino will conduct a series of meetings and workshops in order to gather data and satisfy the public input component of EAR Based Amendments. In addition to addressing changes in State Statutes, EAR Based Amendments should address any issues that are seen as important to the local community. The public outreach meetings will consist of one (1) workshop to listen to the community's concerns and comments, the primary goal will be to solicit feedback. Two (2) public hearings will round out the public outreach component. The first public hearing will be the initial reading, authorizing transmittal to the DEO and the review agencies. The second public hearing will be to finalize and adopt the Amendments.

## **Task 2. Mapping**

Corradino will update all required Comprehensive Plan map series including Future Land Use map series and the Transportation map series, including addressing the next 5 and 10-year planning periods. Recreation and Open Space and Coastal High Hazard maps will also be created. The maps will be updated utilizing GIS mapping software.

*Coastal High Hazard Map*

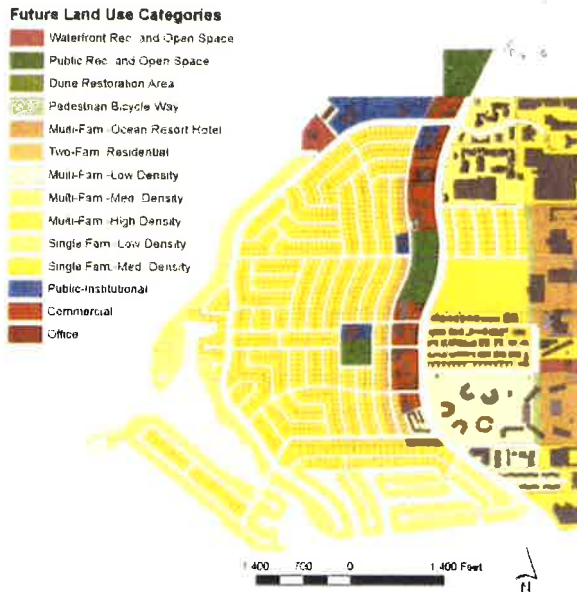


## **Task 3. Land Use Element**

The Land Use Element will be revised to amend outdated Objectives and Policies that address current local conditions that are of importance to the Village and the region. The Village is essentially built-out, with only a handful of vacant single family residential lots remaining. All future growth will be in the way of redevelopment on existing platted lots. The Village anticipates no changes to densities or to the Future

Land Use that currently exists. Commercial development is not likely to change in any significant way, Crandon Boulevard is developed. The Future Land Use Map for this planning period is the same as from the previous period.

Figure 1: Key Biscayne Future Land Use Map



Key Biscayne Vacant Parcels  
Legend  
Vacant Parcel  
Key Biscayne Municipal Limits  
0 0.13 0.25 0.5 Miles

The Land Use Element will be updated to provide consistency with the current Land Development Regulations. Land Use policy updates may include provisions for subdivisions, signs and floodplain protection; landscaping regulations; pedestrian access; development standards; septic tank, sewer lift station and stormwater lift station regulations; on-site drainage detention; concurrency management; Interagency Hazard Mitigation; historic structures; master drainage plan; allow for use of alternate renewable sources of energy; and greenhouse gas emissions and energy conservation.

#### Task 4. Transportation Element

The Transportation Element will be revised to amend outdated Objectives and Policies that address current local conditions that are of importance to the Village and the region. Crandon Boulevard is a County-owned facilities and remains the only major arterial in the Village. All local roads belong to the Village. The Village has completed many roadway projects since incorporation to address transportation issues such as speeding, pedestrian safety, bicyclist safety, and golf-cart integration. New policies will be added to address transportation issues, including intergovernmental coordination for Rickenbacker Causeway and Bear Cut Bridge, as they relate to sea level rise and hardening including repairs to ensure bridges don't fail if experiencing a significant storm surge, continued expansion of bicycle and pedestrian infrastructure, climate change and general pollutant mitigation, and transit services, including "FreeBee". The reduction of greenhouse gases established in Objective 1.6 will also be amended to include criteria pollutants, EPA concurrency and reporting, electric vehicle fleet expansion, and electric vehicle charging stations.

### **Task 5. Housing Element**

The Housing Element will be revised to amend outdated Objectives and Policies that address current local conditions that are of importance to the Village and the region. These amendments include, but are not limited to, providing consistency between the Land Development Regulations (LDRs) and the Comprehensive Plan, fostering diverse housing types, improvements in energy efficiency for new housing and redevelopment of existing housing, creating urban design guidelines, and managing varying land elevations impacted by flood and/or run-off hazard. While the density of units is presumed to remain the same over this planning period, the population could continue to increase, especially in the single-family neighborhoods. Many existing, modestly sized residential structures are being redeveloped into substantially larger homes containing additional bedrooms. Future growth will be in the form of redevelopment. Resiliency policies to guide future LDR revisions will be evaluated and included as necessary.

### **Task 6. Infrastructure Element**

The Infrastructure Element will be revised to amend outdated Objectives and Policies that address current local conditions that are of importance to the Village and the region. Level of Service (LOS) standards will be amended for services including sewer, potable water, drainage, and solid waste. An amendment to Stormwater Management will include updates adopted in the in the most recent Stormwater Improvement Implementation Plan for consistency between regulating documents, in addition to setting timeline horizons for assessments and updates to the Stormwater Utility assessment and Drainage Master Plan. The Village has both sewer service and properties on septic tank. As such, policies will be included that address requirements for septic tank users to connect to the sanitary sewer system. The Infrastructure Element will be further amended by adding language and/or policies on Sustainability of Solid Waste Systems, Resiliency Planning, beach protection infrastructure, the potential to elevate roads at Crandon Park, and Water Supply Planning.

### **Task 6a. Water Supply Plan**

Section 163.3177(6)(d)3, Florida Statutes, establishes requirements for analyzing current and projected water sources for a 10-year period to include consideration of demands for industrial, agricultural and potable water use and the quality and quantity of water available to meet these demands and the existing levels of conservation, use and protection policies of the Regional Water Management District. A Water Supply Plan will be created for compliance with Statutory requirements and the South Florida Water Management District adopted plans.

### **Task 7. Conservation and Coastal Management Element**

The Conservation and Coastal Management Element will be revised to amend outdated Objectives and Policies that address current local conditions that are of importance to the Village and the region. New Objectives and Policies will be prepared for Hurricane Preparedness, as it relates to the maintenance of tree canopy and pre/post storm debris cleanup. Policies are recommended to enforce manatee and turtle protection for the preservation of endangered species are recommended, as is the expansion of Historic Structures which may include the establishment of a historic district, zones, or waterfront. The Village is to 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.

### **Task 8. Recreation and Open Space Element**

The Recreational and Open Space Element will be revised to amend outdated Objectives and Policies that address current local conditions that are of importance to the Village and the region. Due to the built-out condition of the island, there is the lack of available space for active recreation. The plan will update the Level of Service (LOS) as needed, and establish new policies establishing the need for a new Parks



Master Plan and the creation of a GIS based inventory for all private and semi-public recreational facilities. A review of policies for ensuring maintenance of LOS standards will be conducted.

#### **Task 9. Intergovernmental Coordination Element**

The Intergovernmental Coordination Element will be revised to amend outdated Objectives and Policies that address current local conditions that are of importance to the Village and the region. The Village works closely with other agencies, such as Miami-Dade County Public Schools, Miami-Dade County, City of Miami and City of Miami Beach for community services. New policies will be created to support regional coordination to combat current issues, such as sea level rise, resiliency, climate change, waste management reduction and recycling, additional traffic safety and multi-modal options. Policies to initiate intergovernmental coordination with all transportation planning authorities to address the integrity and future funding for improvements to the Bear Cut Bridge and the Rickenbacker Causeway and to continue coordination with the County, the City of Miami Beach and City of Miami for maintenance of traffic during programmed events and future uses on Virginia Key that will impact traffic on the Rickenbacker Causeway will be added. As with any jurisdiction, continued diplomacy through participation in regional organizations, such as the Miami-Dade League of Cities and the South Florida Regional Planning Council, aid municipalities with potential funding sources and opportunities for collaboration. As such, policy will be added to support to support these coordination efforts.

#### **Task 10. Capital Improvement Element**

The Capital Improvement Element will be revised to include current year capital improvement projects within the Village, including Village sponsored projects and other regional agency projects. The projects will be presented in table format and will reflect the current fiscal year and the capital expenditures and revenue sources for the next five (5) years (if known). Revised policies should reflect general standard of automatic update, upon adoption by Council, of the CIP Element. The table will also include unfunded future projects.

#### **Task 11. Public Schools and Facilities Element**

The Public Schools and Facilities Element will be revised to amend outdated Objectives and Policies that address current local conditions that are of importance to the Village and the region. New policies will be added to initiate intergovernmental coordination for the potential use of the "Old Frost Museum" as a future high school and on the future of Key Biscayne K-8 Education Center, which could include amenities such as a new performing arts center and modern library. School safety, security, and monitoring needs call for more robust policies to ensure student and community protection.

#### **Task 12. Data and Analysis Updates**

The Data and Analysis Updates will revise population, transportation, housing, and other tables and statistics as needed to support the Comprehensive Plan policies and ensure compliance with 5 and 10 year data thresholds mandated by Florida State Statutes. Levels of Service will be evaluated to ensure that they still appropriate to the Village's needs and demands. All supporting data and analysis will be reviewed on an element by element basis to ensure all information is up to date and any obsolete analysis is revised to reflect today's data.

#### **Task 13. Prepare Draft Report**

Based on the work from Tasks 2 through 13, the report will be prepared in a draft format and will include an introduction which summarizes the revisions per element. The draft will be in a format acceptable for the first public hearing and for transmittal to the State agencies for review and comment.

**Task 14. Adoption and Transmittal for State Review**

Corradino will present the documents at the first public hearing for the Village to authorize and approve transmittal of the amendments to the DEO as well as the State coordinated review agencies.

After agency review, the Corradino team will revise the proposed amendments to address the objections, recommendations and comments (ORC), if any, and will present the amendments to the Village Council for adoption in an advertised second public hearing. Adopted copies will then be transmitted to DEO and review agencies for their records.

**Task 15. Final Report**

Once the technical work has been completed, the final report will be undertaken. The final product will be a graphically modern, easy to read updated Comprehensive Plan. The adopted version is required by the State to show the changes (deleted text, added text, revisions) utilizing the "strike-through and underline" format to easily track the changes. This format is a requirement of the review agencies, and a valuable historical reference for the Village, however, it can be cumbersome to a day-to-day user. The final deliverable to the Village will be a "clean" version, without strike-through or underline and will be presented with high quality graphic design. The Village will receive paper copies of the updated Comprehensive Plan and electronic copies in Adobe PDF and Microsoft Word.

**Project Schedule**

Tasks 1 through 15 as described above will be performed based on the following schedule and will not exceed the cost estimate provided below. The schedule for some tasks will overlap; however, the schedule will not exceed twelve (12) months total.

Please feel free to contact me should you have any comments, questions, or concerns.

Sincerely,



Joseph M. Corradino, AICP  
President  
The Corradino Group, Inc.