

# The City of Aventura



Local Planning Agency  
Susan Gottlieb, Mayor

Enbar Cohen  
Teri Holzberg  
Billy Joel  
Michael Stern  
Howard Weinberg  
Luz Urbacz Weinberg

City Manager  
Eric M. Soroka, ICMA-CM

City Clerk  
Teresa M. Soroka, MMC

City Attorney  
Weiss Serota Helfman  
Pastoriza Cole & Boniske

## LOCAL PLANNING AGENCY AGENDA

**JULY 8, 2014 - 6 PM**

Aventura Government Center  
19200 West Country Club Drive  
Aventura, Florida 33180

1. CALL TO ORDER\ROLL CALL
2. PLEDGE OF ALLEGIANCE
3. APPROVAL OF MINUTES: FEBRUARY 4, 2014
4. PUBLIC HEARING: MOTION RECOMMENDING ADOPTION OF THE FOLLOWING ORDINANCES:

**AN ORDINANCE OF THE CITY OF AVENTURA, FLORIDA, ADOPTING THE 2014 EVALUATION AND APPRAISAL BASED AMENDMENTS TO THE CITY OF AVENTURA COMPREHENSIVE PLAN; AUTHORIZING TRANSMITTAL TO REVIEW AGENCIES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

5. ADJOURNMENT

This meeting is open to the public. In accordance with the Americans with Disabilities Act of 1990, all persons who are disabled and who need special accommodations to participate in this meeting because of that disability should contact the Office of the City Clerk, 305-466-8901, not later than two days prior to such proceeding. Anyone wishing to appeal any decision made by the City of Aventura Local Planning Agency with respect to any matter considered at such meeting or hearing will need a record of the proceedings and, for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Agenda items may be viewed at the Office of the City Clerk, City of Aventura Government Center, 19200 West Country Club Drive, Aventura, Florida, 33180. Anyone wishing to obtain a copy of any agenda item should contact the City Clerk at 305-466-8901. One or more members of the City of Aventura Advisory Boards may also be in attendance.



**MINUTES  
LOCAL PLANNING AGENCY  
MEETING  
FEBRUARY 4, 2014 6 PM**

Government Center  
19200 W. Country Club Drive  
Aventura, Florida 33180

1. **CALL TO ORDER/ROLL CALL:** The meeting was called to order at 6:01 p.m. by Mayor Susan Gottlieb. Present were Commissioners Enbar Cohen, Teri Holzberg, Billy Joel, Michael Stern, Luz Urbáez Weinberg (arrived 6:08 pm), Vice Mayor Howard Weinberg, Mayor Gottlieb, City Manager Eric M. Soroka, City Clerk Teresa M. Soroka and City Attorney David M. Wolpin. As a quorum was determined to be present, the meeting commenced.
2. **PLEDGE OF ALLEGIANCE:** Led by Enid Weisman.
3. **APPROVAL OF MINUTES:** A motion to approve the minutes of the November 5, 2013 LPA Hearing was offered by Commissioner Holzberg, seconded by Commissioner Joel, and unanimously passed.
4. **PUBLIC HEARING: MOTION RECOMMENDING ADOPTION OF THE FOLLOWING ORDINANCE:** Mr. Wolpin read the following ordinance by title:

**AN ORDINANCE OF THE CITY OF AVENTURA, FLORIDA AMENDING SECTION 31-144 "BUSINESS ZONING DISTRICTS" OF THE CITY'S LAND DEVELOPMENT REGULATIONS BY AMENDING SECTION 31-144(C)(5)A., COMMUNITY BUSINESS (B2) DISTRICT TO ALLOW INCREASED LOT COVERAGE FOR SHOPPING CENTERS WITH MORE THAN 1,000,000 SQUARE FEET OF GROSS LEASABLE AREA, WITH HEIGHT NOT GREATER THAN FIVE STORIES AND THAT PROVIDE A CENTRALIZED MULTI MODAL TRANSPORTATION FACILITY WHICH IS ENCLOSED WITHIN A PARKING STRUCTURE AND WHICH MAY BE USED BY CITY TRANSIT PROVIDERS, COUNTY TRANSIT PROVIDERS, ANY OTHER GOVERNMENT ENTITIES REQUESTING USE OF THE FACILITY AND PRIVATE TRANSIT PROVIDERS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR AN EFFECTIVE DATE.**

A motion to recommend adoption of this item was offered by Commissioner Stern, and seconded by Commissioner Enbar Cohen. Community Development Director Joanne Carr addressed the Commission and entered the staff report into the record. Mayor Gottlieb opened the public hearing. The following individual(s) addressed the Commission: Jeffrey Bercow, Esq., 200 S. Biscayne Blvd. There being no further speakers, the public hearing was closed. The motion to recommend adoption was unanimously passed.

5. **ADJOURNMENT:** There being no further business to come before the Local Planning Agency, the meeting adjourned at 6:14 p.m.

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Teresa M. Soroka, MMC, City Clerk

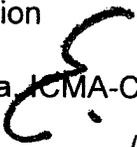
Approved by the LPA on \_\_\_\_\_.

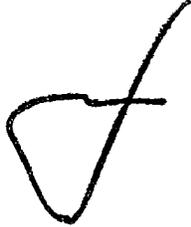
**CITY OF AVENTURA**

**COMMUNITY DEVELOPMENT DEPARTMENT**

**MEMORANDUM**

TO: City Commission

FROM: Eric M. Soroka, ICMA-CM  
City Manager 

BY: Joanne Carr, AICP   
Community Development Director 

DATE: June 30, 2014

SUBJECT: Adoption of 2014 Evaluation and Appraisal Based Amendments  
to the City of Aventura Comprehensive Plan and Authorizing Transmittal  
of the Amendments to Review Agencies  
(03-CPA-05)

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July 8, 2014 Local Planning Agency Meeting Agenda Item 4  
July 8, 2014 First Reading at City Commission Meeting Agenda Item 7  
October 7, 2014 Second Reading at City Commission Meeting Agenda Item    

**RECOMMENDATION**

It is recommended that the City Commission approve the 2014 evaluation and appraisal based amendments to the City's Comprehensive Plan attached as Applications 1 through 9 inclusive in Exhibit "A" to the adopting ordinance attached to this report and approve transmittal of the amendments to the Florida Department of Economic Opportunity and other review agencies.

**BACKGROUND**

Section 163.3191 of the Florida Statutes provides that the City shall conduct an evaluation and appraisal of its Comprehensive Plan at least once every seven years, according to the schedule issued by the State. The evaluation and appraisal is required to determine if amendments are necessary to reflect changes in State requirements since the last update and to reflect changes in local conditions. If changes are necessary, the City is required to notify the State according to a schedule issued under Rule Chapter 73C-49 of the Florida Administrative Code. The current schedule provides that notification to the State of pending amendments to our Plan was due on January 1, 2014.

At its workshop meeting of November 14, 2013, the City Commission recommended amendments to the Plan. The State was notified, as required, by letter of November 18, 2013, that amendments will be prepared and transmitted for review. The proposed amendments are due to the State on or before January 1, 2015.

The recommendations have been incorporated into the attached ordinance as Applications numbered 1 through 9 inclusive as amendments to the Introduction, Future Land Use Element and its map series, Transportation Element and its map series, Housing Element, Infrastructure Element, Capital Improvements Element, Intergovernmental Co-ordination Element, Conservation and Coastal Management Element and Education Element and its map series.

The following are highlights of the amendments:

#### Application #1 – Introduction

- Adds a description of changes to Chapter 163, F.S. since the last evaluation and appraisal of the Plan
- Updates the Future Land Use, Transportation, Parks and Recreation, Housing, Redevelopment and Education Element introductory data to 2014

#### Application #2 – Future Land Use Element

- Deletes all references to Rule 9J 5 of the Florida Administrative Code, which has been repealed
- Modifies Policy 3.1 to provide that the City will vigorously promote implementation of the City's Green Building Program for all new development and redevelopment
- Modifies the Comprehensive Plan Monitoring and Evaluation and Appraisal Program to reflect current provisions of the State Statute
- Updates the Future Land Use Map and the Vacant Land Map

#### Application #3 – Transportation Element

- Deletes all references to Rule 9J5 of the Florida Administrative Code, which has been repealed
- Revises Policy 1.2 to provide that the City will continue to maintain impact fees and other methods by which developers can mitigate impacts to the transportation system by contributing funds for alternative modes of transportation, particularly the City's Circulator System, pursuant to the City's Transportation Mitigation Impact Fee Ordinance No. 2008-08, as amended
- Updates the map series to 2030

#### Application #4 – Housing Element

- Deletes all references to Rule 9J5 of the Florida Administrative Code, which has been repealed
- Deletes existing Policies 1.4, 1.5 and 1.7 to eliminate outdated study language
- Renumbers Policy 1.6 to 1.4
- Updates new Policy 1.4 to insert language to support public and private efforts to provide an adequate supply of housing units that are affordable to households of all incomes and ethnicities
- Inserts new Policy 1.5 to support public and private sector efforts to reduce the housing cost burden to the maximum extent possible based on local conditions

#### Application #5 – Infrastructure Element

- Updates Objective 4 and its measure for reduction of per capita water consumption to be consistent with the Water Supply Plans and Comprehensive Plans of our water suppliers, Miami Dade County and North Miami Beach and with the South Florida Water Management District's Lower East Coast Water Supply Plan
- Amends Policy 3.1 to provide that minimum floor elevation is based on City of Aventura Code

#### Application #6 – Capital Improvements Element

- Deletes all references to Rule 9J5 of the Florida Administrative Code, which has been repealed
- Updates references from the 2007 to the 2013 Miami-Dade County Comprehensive Development Plan sections
- Revises Policy 4.19 to adopt by reference the City's annual update to our Capital Improvements Program

#### Application #7 – Intergovernmental Co-ordination Element

- Adds a new policy to provide that the City will support and coordinate with local, county, regional, State and Federal initiatives on climate change, sustainability and resilient communities.
- Adds a new policy to provide that the City will assess, jointly with local, county, regional, State and Federal initiatives, planning tools to implement climate change adaptation strategies, sustainability and resiliency.

#### Application #8 – Conservation and Coastal Management Element

- Deletes all references to Rule 9J5 of the Florida Administrative Code, which has been repealed
- Updates reference in Policy 10.6 from "Ordinance No. 92-99 of Miami-Dade County, Florida" to "the Florida Building Code".

- Revises Objective 5 and its measure in the Conservation Element to be consistent with the Infrastructure Element on reduction of per capita water consumption

#### Applications #9 - Education Element

- Inserts the date of Miami-Dade County support data, inventory and analysis
- Updates the map series to be consistent with the map series in the Educational Element of the Miami-Dade County Comprehensive Development Master Plan adopted in October, 2013

After adoption on first reading and approval of transmittal, the amendments will be sent to the State of Florida Department of Economic Opportunity (DEO) and other review agencies including the South Florida Regional Planning Council, the South Florida Water Management District, the Florida Department of Transportation, Miami-Dade County, Department of Education and our neighboring municipalities. The review will follow the State Coordinated Review Amendment Process under Section 163.3184 of the Florida Statutes. Within 30 days of receipt of the amendments, the agencies will provide their review comments to the Department of Economic Opportunity. Within 60 days, the State will provide an Objections, Recommendations and Comments Report (ORC) to the City. The City will respond to any items contained in that report. The adopting ordinance, as revised if necessary, will be presented to the City Commission for second and final reading. The Comprehensive Plan will then be updated to include all adopted amendments.

**ORDINANCE NO. 2014-**

**AN ORDINANCE OF THE CITY OF AVENTURA, FLORIDA, ADOPTING THE 2014 EVALUATION AND APPRAISAL BASED AMENDMENTS TO THE CITY OF AVENTURA COMPREHENSIVE PLAN; AUTHORIZING TRANSMITTAL TO REVIEW AGENCIES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Florida Legislature intends that local planning be a continuous and ongoing process; and

**WHEREAS**, Section 163.3191, Florida Statutes, directs local governments to periodically assess the adopted Plan to determine if it adequately addresses changing conditions and state policies and rules; and

**WHEREAS**, Section 163.3191, Florida Statutes, directs local governments to adopt needed amendments to ensure that the plan provides appropriate policy guidance for growth and development; and

**WHEREAS**, the City has reviewed its Comprehensive Plan and has determined that amendments are necessary to meet community goals and to reflect changes in State law; and

**WHEREAS**, the City has timely notified the State of Florida, Department of Economic Opportunity, in accordance with the Evaluation and Appraisal Notification Schedule in Section 163.3191, that such changes are necessary, and;

**WHEREAS**, the City has completed its proposed evaluation and appraisal based amendments consistent with the requirements of Chapter 163, Part II, F.S., and;

**WHEREAS**, the Local Planning Agency has reviewed the 2014 evaluation and appraisal based amendments to the Comprehensive Plan, held an advertised public

hearing, provided for public participation in the process and rendered its recommendation to the City Commission; and

**WHEREAS**, the City Commission, upon first reading of this Ordinance, authorized transmission of the evaluation and appraisal based amendments to the State of Florida Department of Economic Opportunity and review agencies for the purpose of a State Co-ordinated Review in accordance with Sections 163.3184 and 163.3191, Florida Statutes.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA, AS FOLLOWS:**

**Section 1. Recitals.** The foregoing facts and recitations contained in the preamble to this Ordinance are hereby adopted and incorporated by reference as if fully set forth herein.

**Section 2. Amendments to the Comprehensive Plan.** The 2014 evaluation and appraisal based amendments to the City of Aventura Comprehensive Plan, attached as Exhibit "A" to this Ordinance and as revised to address any objections, recommendations and comments provided by the Department of Economic Opportunity and review agencies, are hereby adopted.

**Section 3. Severability.** The provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

**Section 4. Inclusion in the Comprehensive Plan.** It is the intention of the City Commission and it is hereby ordained that the provisions of Exhibit "A" to this Ordinance shall become and made part of the Comprehensive Plan of the City of Aventura.

**Section 5. Transmittal.** The City Clerk is directed to transmit the amendments to the State of Florida Department of Economic Opportunity and other review agencies.

**Section 6. Effective Date.** This Ordinance shall be effective pursuant to Chapter 163 of the Florida Statutes.

The foregoing Ordinance was offered by Commissioner \_\_\_\_\_, who moved its adoption on first reading. This motion was seconded by Commissioner \_\_\_\_\_ and upon being put to a vote, the vote was as follows:

Commissioner Enbar Cohen	_____
Commissioner Teri Holzberg	_____
Commissioner Michael Stern	_____
Commissioner Howard Weinberg	_____
Commissioner Luz Urbaz Weinberg	_____
Vice Mayor Billy Joel	_____
Mayor Susan Gottlieb	_____

The foregoing Ordinance was offered by Commissioner \_\_\_\_\_, who moved its adoption on second reading. This motion was seconded by Commissioner \_\_\_\_\_ and upon being put to a vote, the vote was as follows:

Commissioner Enbar Cohen	_____
Commissioner Teri Holzberg	_____
Commissioner Michael Stern	_____
Commissioner Howard Weinberg	_____
Commissioner Luz Urbaz Weinberg	_____
Vice Mayor Billy Joel	_____
Mayor Susan Gottlieb	_____

PASSED AND ADOPTED on first reading this 8<sup>th</sup> day of July, 2014.

PASSED AND ADOPTED on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
SUSAN GOTTLIEB, MAYOR

ATTEST:

\_\_\_\_\_  
TERESA M. SOROKA, MMC  
CITY CLERK

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:

\_\_\_\_\_  
CITY ATTORNEY

This ordinance was filed in the Office of the City Clerk this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
CITY CLERK

**EXHIBIT 'A'**

**Note: Additions to existing text are shown in underline format. Deletions are shown in strike-through format.**

**APPLICATION No. 1  
CITY OF AVENTURA COMPREHENSIVE PLAN INTRODUCTION AMENDMENTS**

1. Add a description of the 2014 amendments to the Plan, as follows:

In 2011, Chapter 163 of the Florida Statutes governing comprehensive planning was revised. The former "Local Government Comprehensive Planning & Land Regulation Act" was changed to the "Community Planning Act". Along with other modifications, the requirement for evaluation and appraisal of comprehensive plans was modified. While still providing that the City shall evaluate its Plan at least once every seven years, the process was modified to allow local governments to determine if amendments are necessary to the Plan to reflect changes in State law and to reflect changes in local conditions. If amendments are determined to be necessary, the City notifies the State of its determination by letter, which letter is due to the State on a schedule prescribed by Rule, and then transmits the amendments within one year for review under the State Coordinated Review process.

The City Commission has reviewed the Plan and has determined that amendments are necessary to reflect changes in State law and to reflect changes in local conditions. The City has notified the State, as required by Chapter Rule 73C-49 of the Florida Administrative Code, of its determination.

Generally, the 2014 amendments to the Plan include the following:

1. Delete all references to Rule 9J5 of the Florida Administrative Code, which was repealed in its entirety.
2. Update the Future Land Use Element to include the new evaluation and appraisal procedures in the Community Planning Act.
3. Update the map series in the Future Land Use Element, Transportation Element and Education Element.
4. Add a new policy to the Future Land Use Element to encourage green building practices as provided in Article VI of Chapter 14 of the City Code.
5. Add new policies to the Intergovernmental Coordination Element to provide that the City will coordinate with and participate in Federal, State, County and local initiatives on climate change, sustainability and resilient communities.
6. Updates existing policy and adds a new policy to our Housing Element to support public and private sector efforts to provide an adequate supply of housing units that are affordable to

households of all incomes and ethnicities and to support efforts to reduce the housing cost burden.

7. Updates the Objective on reduction of per capital water use and its measure in the Infrastructure Element and in the Conservation Element to be consistent with the plans of our water suppliers, Miami-Dade County and North Miami Beach and with the South Florida Water Management District plan.

2. Update the introductory data from the date of the last evaluation and appraisal, as follows:

### **Future Land Use**

In 2014, there are 536.78 acres of residential uses, 305.50 acres of commercial uses, 2.04 acres of industrial uses, 8.81 acres of community facilities, 265.57 acres of recreational lands, 284.87 acres in utilities and rights of way, 92.68 acres of vacant land and 531.61 acres of water in the City. The changes in existing land use in the City since 2005 are attributable to the transition of approximately 12.89 acres of commercial land to residential uses, acquisition of 8.5 acres of recreational lands, conversion of a 7.39 acre commercial site to mixed use zoning and construction on 11.82 acres of former vacant land.

### **Transportation**

Public transportation within the City of Aventura is currently accomplished via fixed-route service provided by the Miami-Dade Transit Agency, Broward County Mass Transit, and a local city operated shuttle bus system. As of ~~2005~~ 2014, the City's shuttle bus system boasts an average monthly ridership of ~~9,000~~ 25,000 and has had a total ridership of ~~457,138~~ 2,916,150 since its inception in 1999. The inter-county fixed-route Tri-Rail commuter service is accessible to the residents of Aventura through use of the Golden Glades station. Public transportation needs are also addressed through the use of paratransit services. The Florida East Coast (FEC) Railroad runs along the western border of the City and may provide future passenger rail service.

### **Parks and Recreation**

The City of Aventura's Parks and Recreation Element is intended to inventory and plan for recreation and open space facilities within the City of Aventura that are accessible to the public. Currently, the City possesses more than adequate recreational facilities. However, the City's desire to provide residents with full service amenities point to future expansions and improvements to the City's recreation/open space inventory. The Goals, Objectives and Policies aim to maintain the current level of service by acquiring and utilizing open space within the City. Since 2005, the City has acquired two new park sites: one 7.0 acre park on NE 207 and one 1.5 acre site on NE 188 Street.

### **Housing**

Housing in Aventura ranges from condominiums and luxury townhouses to single family homes and upscale rental communities, with designs often reflecting a Mediterranean influence. The majority of the housing stock within the City of Aventura is characterized by high-rise multi-family condominium development. Approximately fifty (50) condominium developments existed within the City upon

adoption of the 1998 Plan. As of 2005 2014, there are approximately ~~eighty-three (83)~~ ninety-two (92) condominium developments.

### **Redevelopment Element**

~~In 2005,~~ The City faces a number of challenges related to development and redevelopment. There have been growing concerns about the intensity of development and overbuilding in the City and the impacts of this development on quality of life. In particular, the City faces heavy traffic congestion which is raising concerns about emergency management and the public health, safety and welfare. In addition, compatibility of new development and redevelopment with existing development, building heights and maintaining the quality of the built environment were all cited as concerns during the EAR-scoping process. The redevelopment goal is to provide for redevelopment and economic development in the City that accommodates growth while maintaining and improving the integrity of the built and natural environment, promotes an identifiable aesthetic urban character and maintains or improves economic vitality in order to maintain a low municipal property tax rate.

### **Education Element**

This Element was added in September of 2008 after adoption by City Commission and publication of a Notice of Intent to find in compliance by the Department of Community Affairs (now Department of Economic Opportunity). The intent of the Element is comply with the State mandate that public school concurrency be adopted by all Florida school boards, counties and non-exempt municipalities by the end of 2008.

**APPLICATION No. 2  
CITY OF AVENTURA COMPREHENSIVE PLAN FUTURE LAND USE ELEMENT  
AMENDMENTS**

**Note: Additions to existing Goals, Objectives and Policies are shown in underlined text.  
Deletions are shown in strike-through text.**

1. Amend Objective 3 to delete reference to Rule 9J5, FAC, as follows:

Objective 3

The Future Land Use Plan shall emphasize concentration and intensification of development around centers of activity, development of well-designed communities containing a variety of uses, housing types and public services, renewal and rehabilitation of blighted areas. ~~{9J5.06(3)(b)(2)}~~

2. Amend Policy 3.1, as follows:

Policy 3.1. In planning and designing al new development and redevelopment, the City shall vigorously promote implementation of the guidelines contained in the redevelopment plans, the Redevelopment Element, and the Land Development Regulations and the Green Building Program set out in Article VI of Chapter 4 of the City Code. ~~and the~~

3. Amend Objective 4 to delete the year reference and to delete the reference to Rule 9J5, FAC, as follows:

Decisions regarding the location, extent and intensity of future land use in Aventura will be based upon suitable environmental conditions, compatibility with the natural and built environment, the minimization of adverse impacts to neighborhoods, the ability to maintain a hurricane evacuation clearance time of 12 hours or less, and the financial feasibility of providing ~~by the year 2015,~~ services at levels of service (LOS) that meet or exceed the minimum standards adopted in the Capital Improvements Element. ~~{9J5.006(3)(b)(1)}~~

4. Amend Policy 4.1 to delete the reference to Rule 9J5, FAC, as follows:

All development orders authorizing new, or significant expansion of existing land uses, shall be contingent upon the provision of services at or above the Level of Service (LOS) standards specified in the Capital Improvements Element (CIE) at the same time as the land uses are authorized. ~~{9J5.006(e)3}~~

5. Amend Policy 4.4 to add language for the new evaluation and appraisal process in Chapter 163 and to delete the reference to Rule 9J5, FAC, as follows:

The Community Development Department shall coordinate and centralize the compilation of monitoring information necessary to make determinations regarding existing and projected Levels of Services and to ~~prepare Evaluation and Appraisal Reports~~ evaluate and appraise the provisions of the Comprehensive Plan for submittal to the State land planning agency, as required by Chapter 163, F.S. and ~~Rule 9J5, F.A.C.~~

6. Amend Objective 6 to add the new planning horizon for the 2014 evaluation and appraisal, as follows:

Aventura shall, by the year ~~2015~~ 2025 continue to reduce the number of land uses inconsistent with the uses designated on the LUP map or with the character of the surrounding community. ~~{9J5.006(3)(b)3}~~

7. Amend Policy 6.2 to delete the reference to Rule 9J5, FAC, as follows:

Through implementation of the land development regulations, neighborhoods shall be protected from intrusion by uses that would disrupt or degrade the health, safety, tranquility, character, and overall welfare of the neighborhood. ~~{9J5.006(3)(e)2}~~

8. Amend Policy 6.4 to delete the reference to Rule 9J5, FAC, as follows:

Through its planning, regulatory, capital improvements and intergovernmental coordination activities, Aventura shall ensure that suitable land is provided for the placement of utility facilities necessary to support proposed development. Necessary utility facilities may be located in all land use categories. ~~{9J5.006(3)(b)9}~~

9. Amend Objective 10 to delete the reference to Rule 9J5, FAC, as follows:

Aventura shall continue to maintain, update and enhance the municipal code, administrative regulations and procedures, to ensure that future land use and development is consistent with the Plan, and to promote better planned development and communities with well-designed buildings. ~~{9J5.006(3)(b)10}~~

10. Amend Policy 10.2 to delete the reference to Rule 9J5, FAC, as follows:

Aventura shall continue to investigate, maintain and enhance methods, standards and regulatory approaches that facilitate sound, compatible mixing of uses in projects and communities. ~~{9J5.006(3)(b)3}~~

11. Amend Policy 10.3 to delete the reference to Rule 9J5, FAC, as follows:

The City shall implement land development regulations, as may be amended from time to time, that include provisions for: ~~{9J5.006(3)(e)4}~~ ...

12. Amend Policy 13.3 to delete the target year reference in the policy and make the policy ongoing, as follows:

~~By 2007, or the earliest feasible date, t~~ The City shall coordinate with the appropriate agencies to ensure that updated data and methodologies are being utilized in hurricane evacuation clearance time formulas, and encourage the use of consistent evacuation time standards by northeast Miami-Dade County and southeast Broward County municipalities.

13. Amend the requirements for evaluation and appraisal of the Comprehensive Plan based on changes to Chapter 163, Florida Statutes, as follows:

*AVENTURA COMPREHENSIVE PLAN MONITORING EVALUATION AND APPRAISAL PROGRAM*

~~In order to enable the preparation of the periodic Evaluation and Appraisal Report (EAR) required by Section 163.3191, Florida Statutes (F.S.), the Minimum Criteria Rule (Rule 9J-5. Florida Administrative Code [F.A.C.]) requires that local comprehensive plans contain adopted procedures for monitoring and evaluating the Plan and its implementation (Sections 9J-5.005(1)(c)(5), and 9J-5.005(7), F.A.C.). This section outlines the substantive components of Aventura's monitoring program pertinent to the objectives, policies and parameters referenced in the Aventura Comprehensive Plan.~~

~~The administrative requirements for monitoring and preparation of the EAR that are outlined in Section 9J-5.005(7), F.A.C. are discussed in the following section.~~

An important part of the implementation of the Aventura Comprehensive Plan will be the programs for monitoring of progress and evaluation of accomplishments. These programs are set forth in the Elements of the Plan. Each objective in the Plan is followed by a measure that will be utilized in order to evaluate the effectiveness of the City's progress towards accomplishing the stated objective. The monitoring program will consist of periodic reviews of the stated measurable objectives. The intervals for these reviews and the assignment of responsibility are described below.

**Intervals**

The periodic review of measurable objectives will occur prior to, and in anticipation of, the next regularly scheduled evaluation and appraisal Report. At least every seven years, the City shall, pursuant to Rule Chapter 73C-49 of the Florida Administrative Code, determine whether the need exists to amend the Comprehensive Plan to reflect changes in state requirements since the last time the comprehensive plan was updated and to reflect changes in local conditions.

### **Land Use Monitoring And Evaluation And Appraisal Reporting Procedures**

~~In order to enable the preparation of the periodic Evaluation and Appraisal Report (EAR) required by Section 163.3191, Florida Statutes (F.S.), the Minimum Criteria Rule (Rule 9J-5. Florida Administrative Code [F.A.C.]) requires that local comprehensive plans contain adopted procedures for monitoring and evaluating the Plan and its implementation (Sections 9J-5.005(1)(c)(3), and 9J-5.005(7), F.A.C.). Additional requirements include the successful implementation of level of service standards, requirements that service be available at the time of development, and require the maintenance of monitoring and reporting programs. The administrative requirements for monitoring and preparation of EAR as outlined in Section 9J-5.005(7), F.A.C., are included in this section of the Plan. In order to avoid redundancy they are not repeated in other Plan elements. However, each Plan element contains a presentation of the monitoring requirements for each specific objective in that element.~~

~~This section also outlines the substantive components of Aventura's monitoring program pertinent to the objectives, policies and parameters referenced in the Future Land Use Element. This program will be refined over the reporting period, as more experience is gained.~~

If, after the periodic review of the Plan as prescribed by Rule Chapter 73C-49, Florida Administrative Code, the City determines that amendments to the Comprehensive Plan are necessary, the City shall notify the state land planning agency by letter of this determination. The City shall prepare and transmit the proposed amendments to the state land planning agency within one year of the date of such determination. Amendments will be subject to the State Co-ordinated Review process set out in Chapter 163, F.S.

### **EAR Contents and Formulation Procedure**

~~Aventura EAR reports will contain an assessment and evaluation of successes and failures in accomplishing the adopted Objectives of the Plan as measured against the measures listed in the monitoring programs contained in each of the Plan elements. The EAR shall report findings specific to each element based on the measures and will address:~~

~~-  
A description of the public participation process used in preparing the report;~~

~~-  
Updating appropriate baseline data and measurable objectives accomplished since adoption of the Plan;~~

- ~~1. Accomplishments during the reporting period, describing the degree to which the goals, objectives and policies have been successfully reached;~~
- ~~2. Obstacles or problems which resulted in underachievement of goal, objectives, or policies;~~
- ~~3. New or modified and reformulated goals, objectives, or policies needed to correct discovered problems;~~

- ~~4. The extent to which unanticipated and unforeseen problems and opportunities occurred between the date of adoption and the date of the EAR;~~
- ~~5. The effect on the Plan of changes to: Chapter 187, F.S., the state comprehensive plan; Chapter 163, Pt. II, F.S.; the minimum criteria contained in Chapter 9J-5, F.A.C.; and the South Florida Regional Policy Plan;~~
- ~~6. The major problems of development, physical deterioration, and the location of land uses and the social and economic effects of such uses;~~
- ~~7. The identification of any actions that are taken or needed to be taken to address the planning issues identified in the EAR;~~
- ~~8. Proposed or anticipated plan amendments necessary to address or implement the identified changes.~~
- ~~9. Other requirements of Florida comprehensive planning law.~~
- ~~10. The EAR will also contain a schedule for the adoption of any proposed amendments within one year after the EAR itself is adopted.~~

~~The activities related to preparation of the EAR will commence approximately one (1) year prior to the date established for adoption of the EAR. The following activities are anticipated:~~

- ~~• Community Development Department will compile information regarding measured and monitored objectives and policies.~~
- ~~• A draft report will be circulated to city departments and any independent service providers for comment and recommendation.~~
- ~~• A revised draft EAR will be distributed to the public. Advertised public workshop(s) will be conducted to solicit and obtain public input and recommendations.~~
- ~~• The proposed EAR will be transmitted to the City Manager, Local Planning Agency, and City Commission.~~
- ~~• The City Commission will take timely action to adopt the EAR with or without changes, or to reject it as prescribed by applicable regulations.~~

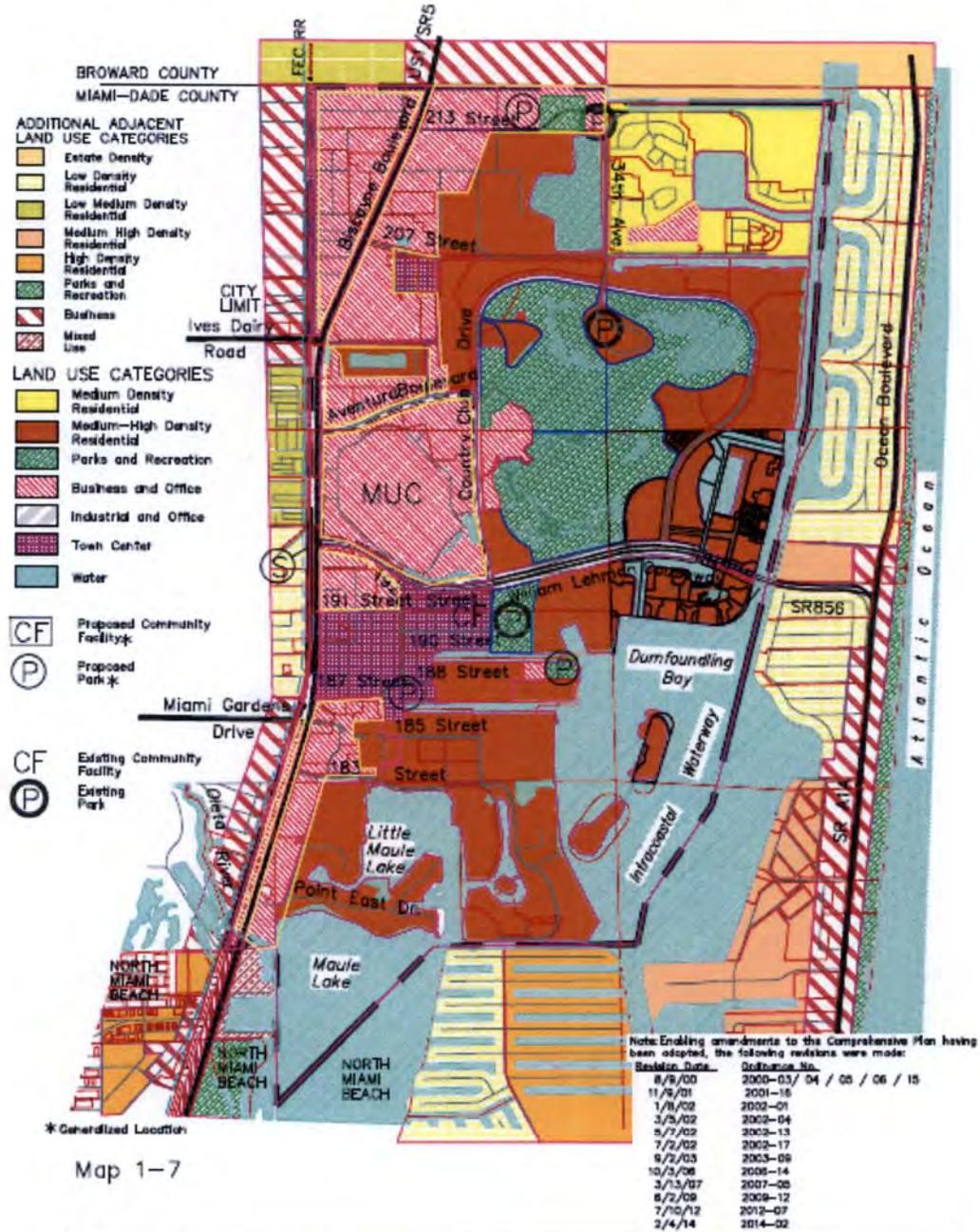
~~EAR based amendments will be initiated by the Community Development Department during the Plan amendment filing period which occurs concurrent with or immediately following the adoption of the EAR. The EAR will be transmitted to the Florida Department of Community Affairs when the related Plan amendments are transmitted to the State for its review of the amendments.~~

Aventura's procedures for locally evaluating and adopting Plan amendments, EAR evaluation and appraisal based and otherwise, will include public notice through newspaper advertisement; courtesy (not required) mailed notice to owners of property within an area subject to a privately filed application to amend the land use designation on the Land Use Plan Map and owners of property adjacent to such an area; dissemination of reports describing proposed amendments; opportunities for public written and oral comment and consideration of comments; and duly noticed public hearings.

14.. Amend the Adopted Future Land Use Plan Map Series as follows:

- a. Include the updated Future Land Use Map, Map 1-7, to show all land use changes from 2005 to the date of this evaluation and appraisal.
- b. Add reference to the 2014 evaluation and appraisal to Map 1-8.
- c. Add reference to the 2014 evaluation and appraisal to Map 1-9.
- d. Include an updated Vacant Land Map, Map 1-10, to show all vacant land as of the date of this evaluation and appraisal.

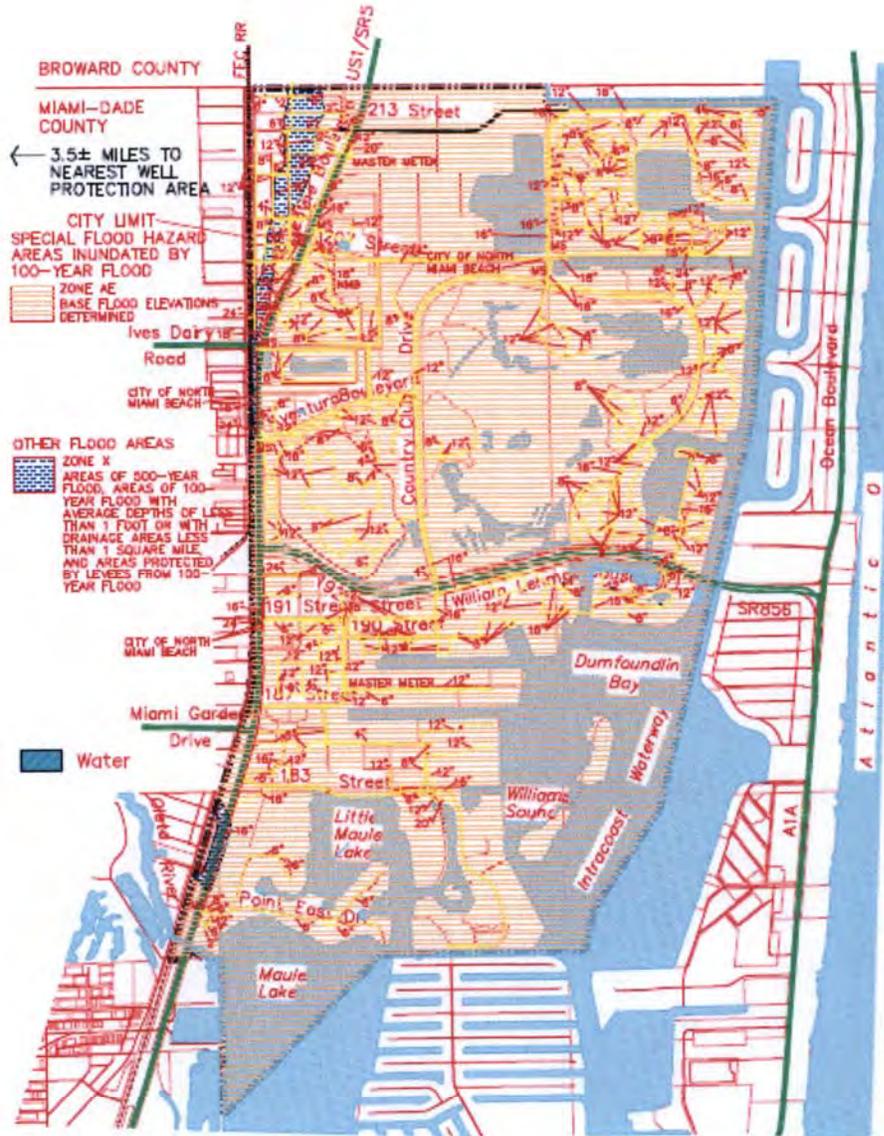
**MAP 1-7, FUTURE LAND USE PLAN MAP**



Future Land Use Map  
 With Adjacent Land Uses &  
 Parks & Open Space  
 City of Aventura Comprehensive Plan – 1998  
 2014 Evaluation & Appraisal  
 Adopted December 1998



**MAP 1-8, EXISTING FLOODPLAINS WITH POTABLE WATER FACILITIES AND WELLHEAD PROTECTION AREAS**



Map 1-8 (Future Series)

Existing Floodplains With Potable Water Facilities & Wellhead Protections Areas  
 City of Aventura Comprehensive Plan – 1998  
 EAR. 2005  
 EABA 2014

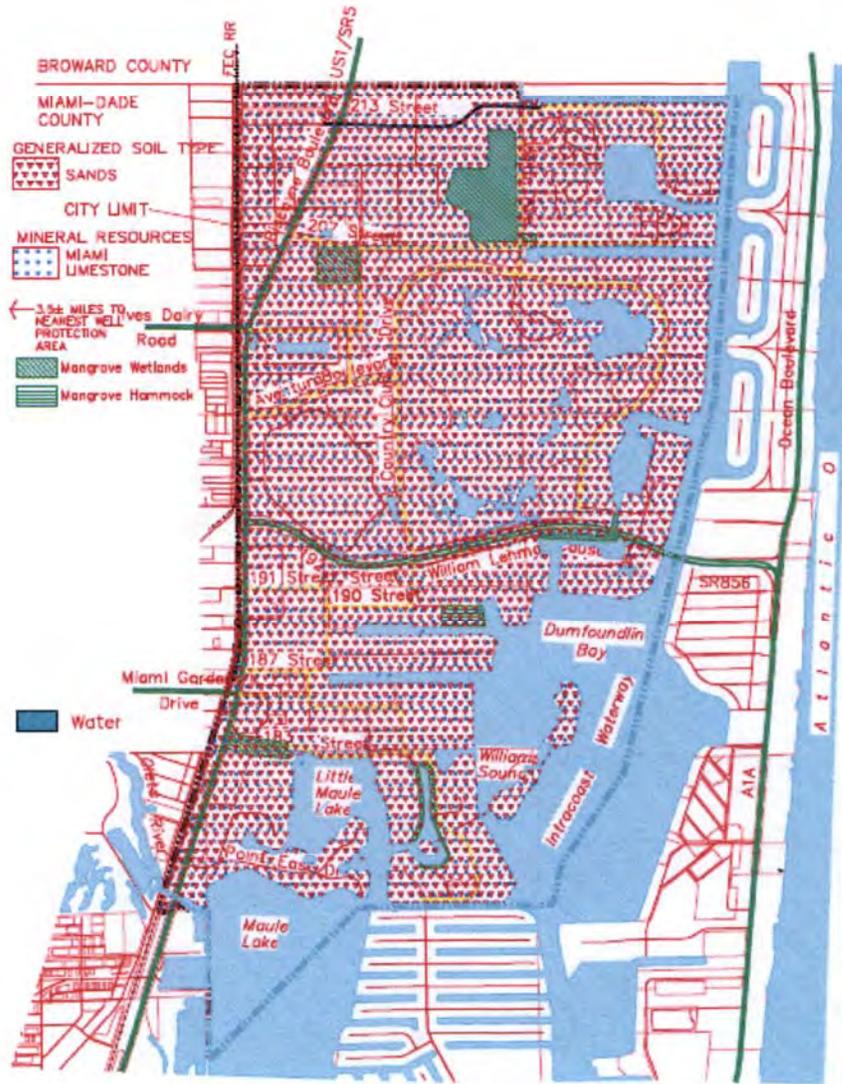
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**Ivey, Harris & Walls, Inc.**  
 880 S. Orlando Ave., Suite 200 Water Park, FL 32709  
 Phone: 407-625-0880 Fax: 407-359-7886  
 Job: 938.01 Revised: 9/27/07

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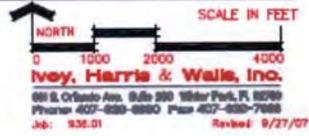
**MAP 1-9, SOILS & MINERALS WITH EXISTING WETLANDS**



Map 1-9 (Future Series)

Soils & Minerals  
 With Existing Wetlands

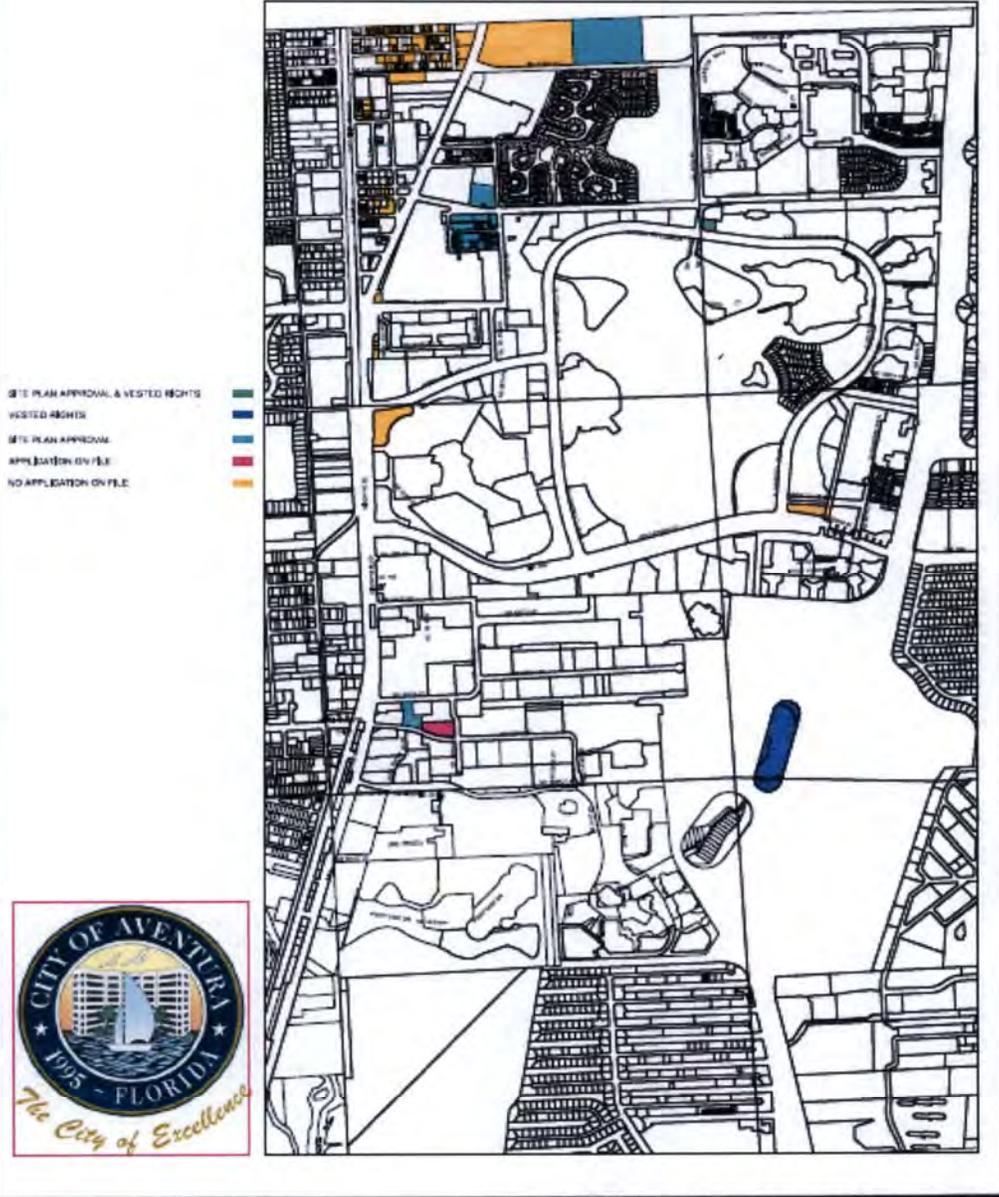
City of Aventura Comprehensive Plan – 1998  
 EAR 2005  
 EABA 2014



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**MAP 1-10, VACANT LANDS IN CITY OF AVENTURA**

**THE CITY OF AVENTURA**  
 AS OF JULY 2014



**CITY OF AVENTURA**  
 19200 WEST COUNTRY CLUB DRIVE  
 AVENTURA, FL 33180

DRAWN BY:	AK
DATE:	8/28/14
SCALE:	1" = 400'
PROJECT NO.:	001
CAD FILE:	CA01

**VACANT  
 LAND MAP**

**APPLICATION No. 3  
CITY OF AVENTURA COMPREHENSIVE PLAN TRANSPORTATION ELEMENT  
AMENDMENTS**

**Note: Additions to existing Goals, Objectives and Policies are shown in underlined text.  
Deletions are shown in strike-through text.**

1. Delete the reference to Rule 9J5 in the Transportation Goal, as follows:

To provide a safe and efficient multimodal transportation system appropriate to serve the needs of the city; to promote the use of alternative transportation methods encouraging scaled pedestrian and bicycle facilities, public transit, adequate parking facilities, paratransit, and other modes of transportation; to coordinate the transportation system with the land use plan, and other appropriate agencies; and to protect rights-of-way. ~~{9J-5.019(4)(a)}~~

2. Delete the reference to Rule 9J5 in Objective 1, as follows:

~~As per 9J-5.005(8)(j),~~ The City of Aventura adopts the level of service standard as described in the Miami-Dade County Comprehensive Development Master Plan, described as follows:

The minimum acceptable peak-period LOS for all State roads and on all City roads shall be the following:

- a) Where no public mass transit service exists, roadways shall operate at or above LOS E;
- b) Where mass transit service having headways of 20 minutes or less is provided within ½ mile distance, roadways shall operate at no greater than 120 percent of their capacity;
- c) Where extraordinary transit service such as commuter rail or express bus service exists parallel roadways within ½ mile shall operate at no greater than 150 percent of their capacity.

3. Delete the reference to Rule 9J5 in Policy 1.3, as follows:

In conformity with the established Miami-Dade County Transportation Exception Area, that area located within the boundaries of the City of Aventura is designated as a Transportation Concurrency Exception Area as specified in ~~Section 9J-5(6),~~ Florida Statutes. The geographic location and extent of the City's Transportation Concurrency Exception Area, which is all land within the corporate boundary of the City of Aventura, shall be maintained on the "Future Function Classification and Number of Lanes" map.

4. Delete the reference to Rule 9J5 in Policy 1.5, as follows:

The City will develop transportation management strategies, such as but not limited to, traffic calming techniques and traditional neighborhood design concepts, to improve efficiency, and enhance the safety of the pedestrian, bicycles, and transit riders within the context of an integrated multi-modal transportation system. [9J-5.019(4)(e)7]

5. Delete the reference to Rule 9J5 in Policy 1.6, as follows:

Annual transit trips per capita will be utilized to determine the achievement of the mobility goals of the City. [9J-5.019(4)(e)10]

6. Remove the target date and add City ordinance reference to Policy 1.12, as follows:

~~By 2007, or at the earliest feasible date, t~~ The City of Aventura will develop continue to maintain impact fees and other methods by which developers can mitigate impacts to the transportation system by contributing funds for alternative modes of transportation, particularly the expansion, operation and maintenance of the Circulator System, pursuant to its Transportation Mitigation Impact Fee Ordinance No. 2008-08, as amended.

7. Delete the reference to Rule 9J5 in Objective 2, as follows:

As part of the internal consistency requirement of the Comprehensive Plan elements, the transportation system outlined in this element will be coordinated with the Future Land Use Map or map series to ensure that the transportation modes are consistent with the land uses in the area by the Plan's adoption. [9J-5.019(4)(b)2]

8. Delete the reference to Rule 9J5 in Policy 2.1, as follows:

Parking strategies will be developed that encourage a multi-modal transportation system including scaled pedestrian and bicycle facilities, public transit, paratransit, and other modes of transportation. [9J-5.019(4)(e)3]

9. Delete the reference to Rule 9J5 in Policy 2.2, as follows:

Through implementation of the Future Land Use Plan and Land Development Regulations, the use of bicycles and pedestrian activities will be promoted and encouraged with particular emphasis given to the Town Center. [9J-5.019(4)(e)5]

10. Delete the reference to Rule 9J5 in Policy 2.3, as follows:

Through the implementation of the multi-modal transportation strategies, demand management programs will be established to modify peak hour travel demands, and reduce the number of vehicle miles traveled. [9J-5.019(4)(e)6]

11. Delete the reference to Rule 9J5 in Policy 2.4, as follows:

Public transportation will be encouraged through implementation of local transit service and its incorporation in to the Town Center, as identified on the Future Land Use Plan Map. ~~{9J-5.019(4)(e)12}~~

12. Delete the reference to Rule 9J5 in Policy 2.5, as follows:

Through implementation of linking local streets to provide residents with internal alternative routes, local traffic will be encouraged to use alternative routes developed to protect the interregional and intrastate functions of the Florida Intrastate Highway System. ~~{9J-5.019(4)13}~~

13. Delete the reference to Rule 9J5 in Objective 3, as follows:

As part of the implementation of the programs outlined in this element coordination of the transportation system with the Miami-Dade Metropolitan Planning Organization, Florida Transportation Plan, and the Florida Department of Transportation Adopted Work Program will be evaluated annually as part of the annual update of the concurrency management system. ~~{9J-5.019(4)(b)3}~~

14. Delete the reference to Rule 9J5 in Policy 3.1, as follows:

Through the annual evaluation of the plans and programs of the other applicable agencies applicable roadway and transit service improvements for future multi-modal needs will be identified and addressed. ~~{9J-5.019(4)(e)8}~~

15. Delete the reference to Rule 9J5 in Policy 3.2, as follows:

Transportation coordination related mechanisms, appropriate agreements, and strategies will be utilized to implement the area wide transportation, land use, parking, and other provisions of the multi-modal plan. ~~{9J-5.019(4)(e)11}~~

16. Delete the reference to Rule 9J5 in Policy 3.3, as follows:

Through implementation of this element and required agency coordination mechanisms, appropriate strategies will be developed to address improvements to the Aventura Mall transit terminal and development of a Town Center intermodal terminal, as well as access to aviation, rail and seaport facilities. ~~{9J-5.019(4)(e)14}~~

17. Delete the reference to Rule 9J5 in Objective 4, as follows:

Through coordination of the City's multi-modal transportation plan with the applicable public transit service and the Miami-Dade Metropolitan Planning Organization, efficient public transit service will be determined by the ridership. ~~{9J-5.019(4)(b)4}~~

18. Delete the reference to Rule 9J5 in Policy 4.1, as follows:

The City shall implement a local public transit system. ~~{9J-5.019(4)(e)9}~~

19. Delete the reference to Rule 9J5 in Objective 5, as follows

Through implementation of the Future Land Use Plan describing land use densities and intensities, existing and future rights-of-way, such as the eastern extension of Miami Gardens Drive and the realignment of NE 29th Avenue, will be protected from building encroachment. ~~{9J-5.019(4)(b)5}~~

20. Delete the reference to Rule 9J5 in Policy 5.1, as follows

In coordination with the Miami-Dade Metropolitan Planning Organization, and the Florida Department of Transportation rights-of-way acquisition timetables and protection mechanisms will be established for the easterly extension of Miami Gardens Drive and the realignment of NE 29th Avenue. ~~{9J-5.019(4)(c)4}~~

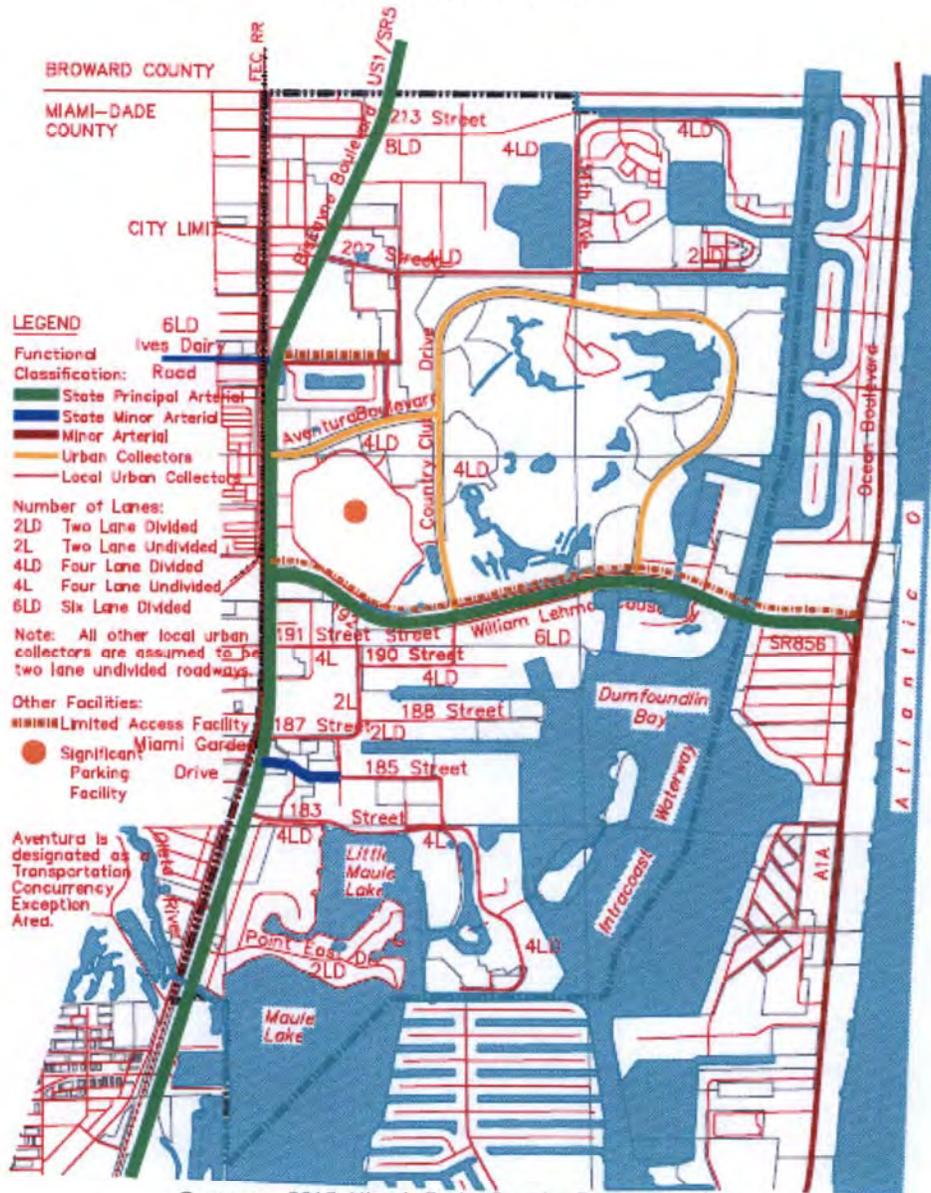
21. Remove the target date and provide for ongoing maintenance of Policy 6.1 in the Land Development Regulations, as follows:

~~By 2007, or at the earliest feasible date, t~~ The City shall provide in review and amend its Land Development Regulations ~~in order to provide~~ a cohesive blueprint for development and redevelopment in the City to ensure that new development enhances mobility options and that redevelopment does not further degrade transportation levels of service.

22. Amend the Adopted Transportation Map Series as follows:

- a. Revise Map 2-5 to update the timeframe to 2030 and update the reference source date.
- b. Revise Map 2-6 to update the reference source date.
- c. Revise Map 2-7 to update the timeframe to 2030 and update the reference source date.
- d. Revise Map 2-8 to update the reference source date.

### MAP 2-5, FUTURE FUNCTIONAL CLASSIFICATION AND NUMBER OF LANES



Source: 2013 Miami-Dade County Comprehensive Development Master Plan

Map 2-5

Future Functional Classification and Number of Lanes – 2030  
 City of Aventura Comprehensive Plan – 1998  
 EAR, 2005  
 EABA, 2014

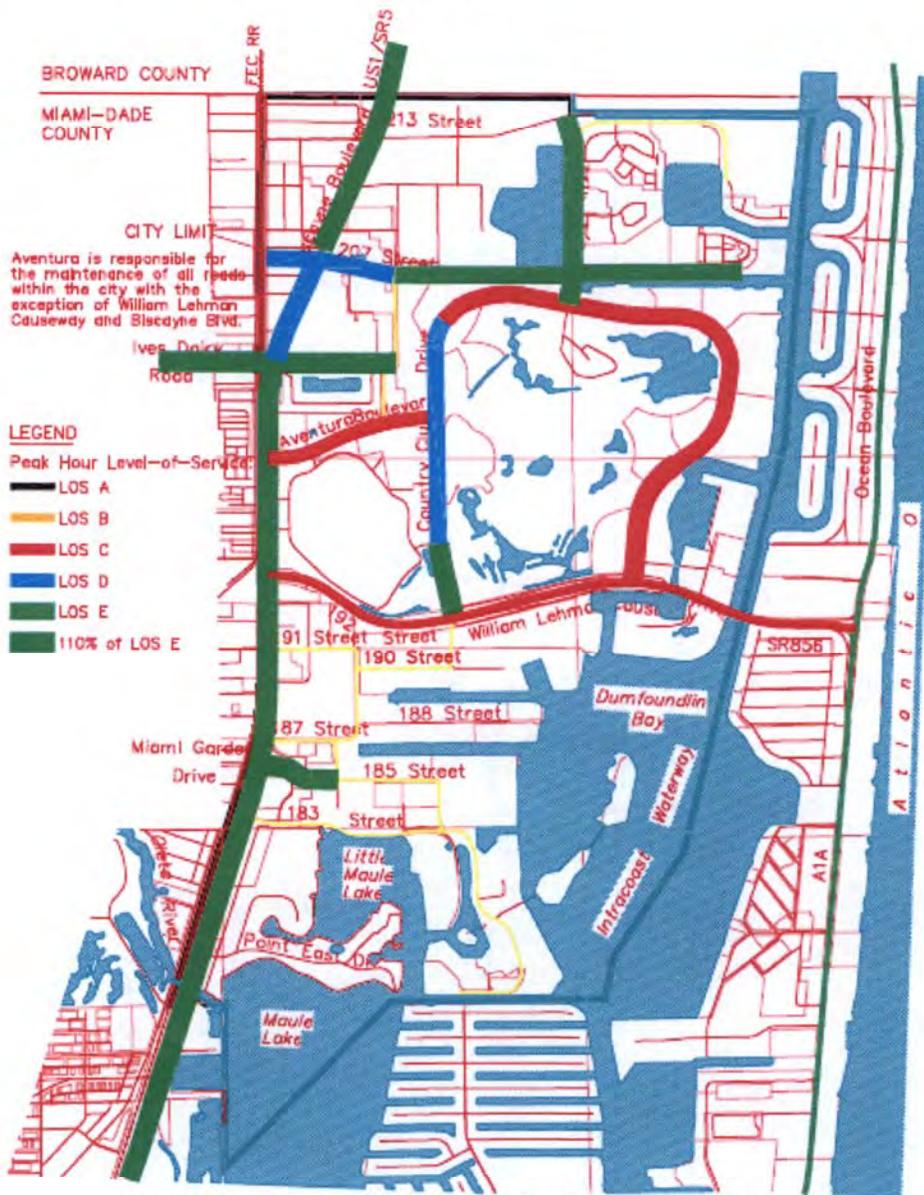
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**Ivey, Harris & Walls, Inc.**  
 688 S. Orlando Ave., Suite 200, Winter Park, FL 32789  
 Phone: 407-929-9880 Fax: 407-929-7888  
 Job: 936.01 Revised 9/21/07

**Map 2-6, FUTURE TRAFFIC VOLUMES AND LEVELS OF SERVICE  
 2030**



Map 2-6

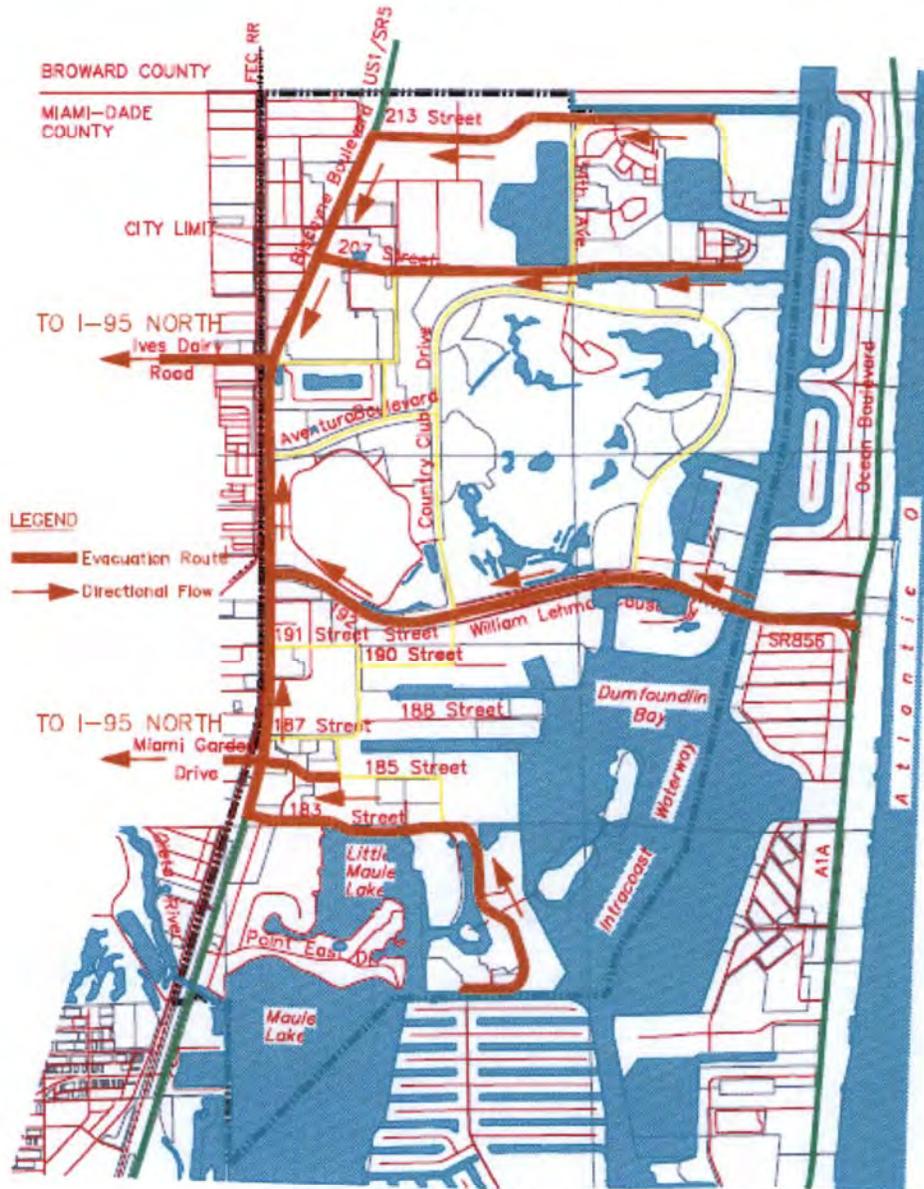
Source: 2013 Miami-Dade Comprehensive Development Master Plan

Future Traffic Volumes and Levels of Service – 2030

City of Aventura Comprehensive Plan – 1998  
 EAR. 2005  
 EABA. 2014



### MAP 2-7, FUTURE HURRICANE EVACUATION ROUTES 2030



Source: 2013 Miami-Dade County Comprehensive  
 Development Master Plan

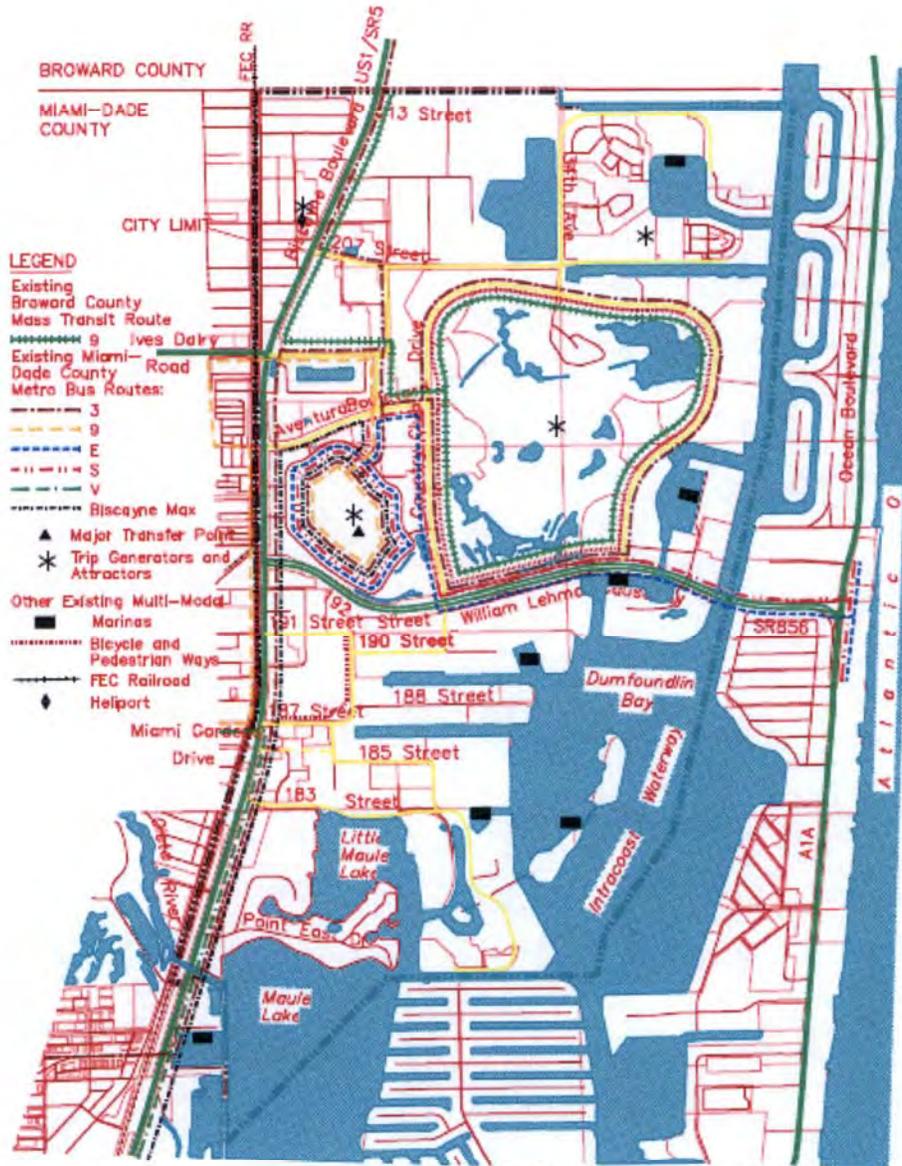
Map 2-7

### Future Hurricane Evacuation Routes - 2030

City of Aventura Comprehensive Plan - 1998  
 EAR, 2005  
 EABA, 2014

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**Ivey, Harris & Walls, Inc.**  
 681 E. Orlando Ave., Suite 200, Winter Park, FL 32789  
 Phone: 407-929-8880 Fax: 407-929-7888  
 Job: 936.01 Revised 9/27/07

**MAP 2-8 FUTURE MULTI-MODAL TRANSPORTATION  
 2030**



Source: 2013 Miami-Dade Comprehensive Master Plan.

Map 2-8

**Future  
 Multi-Modal Transportation**

City of Aventura Comprehensive Plan - 1998  
 EAR. 2005  
 EABA. 2014



**APPLICATION No. 4  
CITY OF AVENTURA COMPREHENSIVE PLAN HOUSING ELEMENT  
AMENDMENTS**

**Note: Additions to existing Goals, Objectives and Policies are shown in underlined text.  
Deletions are shown in strike-through text.**

1. Delete the reference to Rule 9J5, FAC, in the Housing Goal, as follows:

To achieve a balanced and affordable range of housing stock; to encourage the diversification and distribution of the housing stock; to eliminate substandard structures; and to conserve a good quality housing stock. ~~{9J-5-010(3)(a)}~~

2. Delete the reference to Rule 9J5, FAC, in Objective 1, as follows:

Within one year of Plan adoption, provide the framework for a housing program that encourages the creation and preservation of affordable housing for all current and anticipated future Aventura residents. ~~{9J-5-010(3)(b)1}~~

3. Delete the reference to Rule 9J5, FAC, in Policy 1.1, as follows:

Through implementation of the housing program, and the Intergovernmental Coordination Element Aventura will coordinate with appropriate private and non-profit agencies to improve housing production. ~~{9J-5-010(3)(e)1}~~

4. Delete the reference to Rule 9J5, FAC, in Policy 1.2, as follows:

Through the comprehensive planning process and the development of the Land Development Regulations (LDRs) a streamlined permitting process will be established; providing for efficient review with minimal delays and costs. ~~{9J-5-010(3)(e)2}~~

5. Delete existing Policies 1.4, 1.5 and 1.7 that contain outdated study references.

**~~Policy 1.4~~**

~~The City of Aventura shall actively participate in the joint Florida Department of Community Affairs/South Florida Regional Planning Council "Regional Affordable Housing Strategy".~~

**~~Policy 1.5~~**

~~Once the final recommendations of the joint Florida Department of Community Affairs/South Florida Regional Planning Council "Regional Affordable Housing Strategy" are issued, the City shall incorporate these recommendations into a citywide affordable housing policy, to the maximum~~

~~extent consistent with existing land use, design, urban service, transportation, environmental and social conditions in the City, including consideration of applicable goals, objectives and policies. This policy will be incorporated in the form of an amendment to the adopted comprehensive plan. The amendment will be initiated within six months, or the first available amendment cycle, following completion of the "Regional Affordable Housing Strategy".~~

...

**Policy 1.7**

~~The City shall coordinate, as appropriate, with the South Florida Regional Planning Council in the development and implementation of the Regional Housing Plan.~~

6. Revise and renumber Policy 1.6 to include new study language, as follows:

**Policy 1.64**

The City shall support public and private sector efforts, including the Seven50 Southeast Florida Prosperity Plan and its Regional Analysis of Impediments to Fair Housing, Social Equity Analysis and Opportunity Index for the seven counties of Southeast Florida, to provide an adequate supply of housing units that are affordable to households of all incomes and ethnicities in proportions that are reflective of the housing demand and needs, and encourage developers to provide a variety of housing types, including housing affordable to City residents of all income levels and ethnicities, in residential projects and communities.

7. Insert new Policy 1.5 to include new study language, as follows:

**Policy 1.5**

The City shall support public and private sector efforts to reduce the housing cost burden to the maximum extent possible consistent with existing land use, design, urban service, transportation, environmental and social conditions in the City.

8. Delete reference to Rule 9J5, FAC, from Objective 2, as follows:

Through the comprehensive planning process and the development of LDRs a code enforcement system to eliminate substandard housing, encouraging the rehabilitation or improvement of existing housing, while accounting for potentially historically significant housing will be established in LDR's. ~~[9J-5.010(3)(b)2], [9J-5.010(3)(b)5]~~

9. Delete the reference to Rule 9J5, FAC, from Policy 2.1, as follows:

Aventura does not contain any historically significant housing at this time, however, the City recognizes its responsibility to ensure that the quality, stability, and maintenance of the housing stock be addressed in the City's housing program. ~~[9J-5.010(3)(e)3]~~

10. Delete the reference to Rule 9J5, FAC, from Policy 2.2, as follows:

The following classifications will be used to determine the condition of the housing stock, once the condition of a structure is determined the appropriate conservation, rehabilitation and demolition strategy will be implemented. ~~{9J-5.010(3)(e)4}~~

11. Delete the reference to Rule 9J5, FAC, from Objective 3, as follows:

Due to high and increasing property values and the scarcity of developable land, the City will coordinate with the private sector in order to encourage the provision of a variety of housing types, including housing affordable to City residents of all income levels, in residential and Town Center communities throughout the City. There are no sites available for mobile homes. ~~{9J-5.010(3)(b)3}~~

12. Delete the reference to Rule 9J5, FAC, from Policy 3.1, as follows:

The City of Aventura, through its Land Development Regulations and other appropriate mechanisms, shall implement appropriate criteria allowing diverse housing types including housing affordable to City residents of all income levels and ensure the provision of services to support the housing stock through the concurrency management ordinance. Aventura is an urban area, therefore, there are no rural uses or need for farmworker housing. ~~{9J-5.010(3)(e)5}~~

13. Delete the reference to Rule 9J5, FAC, from Policy 3.2, as follows:

Through implementation of the Future Land Use Plan and implementing LDRs sufficient densities are delineated to allow affordable housing. Due to the extent of existing development sites appropriate for affordable housing are limited. ~~{9J-5.010(3)(e)11}~~

14. Delete the reference to Rule 9J5, FAC, from Objective 4, as follows:

Through the implementation of the Future Land Use Plan and the LDRs, adequate categories to allow group homes and foster care facilities licensed or funded by the Florida Department of Health and Rehabilitative Services will be implemented by LDRs. ~~{9J-5.010(3)(b)4}~~

14. Delete the reference to Rule 9J5, FAC, from Policy 4.1, as follows:

Through the implementation of the Future Land Use Plan and the LDRs, Aventura will encourage the establishment of group homes and foster care facilities in a manner consistent with Chapter 419, F.S. to guide the development of these licensed facilities in a non-discriminatory manner. Based on the concurrency management system adequate infrastructure and public facilities will be in place. ~~{9J-5.010(3)(e)6}~~

15. Delete the reference to Rule 9J5, FAC, from Objective 5, as follows:

In the event that the implementation of the housing program results in the elimination of substandard occupied housing the City of Aventura will provide relocation housing to those displaced, as necessary and required. ~~{9J-5.010(3)(b)6}~~

16. Delete the reference to Rule 9J5, FAC, from Policy 5.1, as follows:

The City of Aventura will provide appropriate relocation housing for any displaced individuals. ~~[9J-5.010(3)(e)9]~~

17. Delete the reference to Rule 9J5, FAC, from Objective 6, as follows:

Upon plan adoption, and as part of the on-going formulation of the City of Aventura's operating policies and procedures, an affordable housing implementation program shall be maintained. ~~[9J-5.010(3)(b)7]~~

18. Delete the reference to Rule 9J5, FAC, from Policy 6.1, as follows:

Where applicable the City will utilize, and in a coordination effort, encourage housing providers to utilize federal, state and county subsidy programs. ~~[9J-5.010(3)(e)7]~~

19. Delete the reference to Rule 9J5, FAC, from Policy 6.2, as follows:

Due to the unusually high property values, coupled with limited vacant land, the City of Aventura's housing program may require the City to consider entering into an interlocal agreement to provide a framework for the provision of affordable housing. ~~[9J-5.010(3)(e)10]~~

**APPLICATION No. 5  
CITY OF AVENTURA COMPREHENSIVE PLAN INFRASTRUCTURE ELEMENT  
AMENDMENTS**

**Note: Additions to existing Goals, Objectives and Policies are shown in underlined text.  
Deletions are shown in strike-through text.**

1. Amend Objective 4 to coordinate with Miami-Dade County and North Miami Beach Comprehensive Plans and Water Supply Plans goals and policies and with the South Florida Water Management District, Lower East Coast Water Supply Plan, as follows:

The City shall coordinate with the water conservation programs developed and implemented by its water suppliers, Miami-Dade County and North Miami Beach and by the South Florida Water Management District, Lower East Coast Water Supply Plan, using best management practices ~~develop and implement a comprehensive water conservation program~~ to ensure that a sufficient, economical supply of fresh water is available to meet current and future demand for potable water without degrading the environment.

*Measure:* ~~Reduce Per capita water consumption by 10% by 2005; percent water unaccounted for: peak day to average day water demand ratio; amount of water and wastewater that is reused or reclaimed on an annual basis, as published annually by Miami-Dade County Water and Sewer Department.~~

2. Amend Policy 3.1 of Objective 3, to provide that minimum floor elevation is based on City of Aventura Code, as follows:

The Stormwater Management (Drainage) Level of Service (LOS) standards for Aventura contains both a Flood Protection (FP) and Water Quality (WQ) component. The minimum acceptable Flood Protection Level of Service (FPLOS) standards for Aventura shall be protection from the degree of flooding that would result for a duration of one day from a ten-year storm, with exceptions in previously developed canal basins as provided below, where additional development to this base standard would pose a risk to existing development. All structures shall be constructed at, or above, the minimum floor elevation specified in the federal Flood Insurance Rate Maps for Aventura, or as specified in the ~~Miami-Dade County~~ City of Aventura Code, whichever is higher.

**APPLICATION No. 6  
CITY OF AVENTURA COMPREHENSIVE PLAN CAPITAL IMPROVEMENTS  
ELEMENT AMENDMENTS**

**Note: Additions to existing Goals, Objectives and Policies are shown in underlined text.  
Deletions are shown in strike-through text.**

1. Delete the reference to Rule 9J5, FAC, in the Capital Improvement Goal, as follows:

Aventura shall, in a fiscally prudent manner, plan for and manage its facilities and infrastructure in order to adequately serve current and future residents while efficiently using and maintaining existing public investments, and making timely provision of required new capital investment. ~~{9J-5.016(3)(a)}~~

2. Delete the reference to Rule 9J5, FAC, in Objective 1 as follows:

The Capital Improvements Element (CIE) shall provide for necessary replacement of existing facilities, upgrading of facilities when necessary to maintain adopted level of service (LOS) standards, and for new facility investments which are needed and affordable. ~~{9J-5.016(3)(b)1}~~

3. Delete the reference to Rule 9J5, FAC, in Policy 1.2, as follows:

The City will continue to adopt an annual capital budget which contains the projects from the Five-year Schedule of Improvements for the corresponding year. ~~{9J-5.016(3)(e)7}~~

3. Delete the reference to Rule 9J5, FAC, in Policy 1.3, as follows:

Aventura will manage its long-term general obligation debt in such a manner that the ratio of the debt service millage to the City millage does not exceed 10 percent. ~~{9J-5.016(3)}~~

4. Delete the reference to Rule 9J5, FAC, in Objective 2, as follows:

Upon adoption of this Plan land use decisions will be made in the context of available fiscal resources such that scheduling and providing capital facilities for new development will not degrade adopted service levels and/or negatively impact hurricane evacuation clearance times. ~~{9J-5.016(3)(b)(4)}~~

5. Delete the reference to Rule 9J5, FAC, in Policy 2.2, as follows:

Service and facility impacts of new development must be identified and quantified so that sufficient public facilities will be planned and programmed to be available when needed. All development orders authorizing new, or significant expansion of existing urban land uses, shall be contingent upon the provision of services at the levels of service which meet or exceed the adopted LOS

standards except as otherwise provided in the concurrency management system of the CIE. ~~[9J-5.016(3)(e)6]~~

6. Delete the reference to Rule 9J5, FAC, in Policy 2.3, as follows:

Development Orders that were reviewed for concurrency and approved, by Miami-Dade County, prior to the adoption of this Comprehensive Plan shall be considered vested unless or until such a determination expires. ~~[9J-5.016(3)(e)5]~~

7. Delete the reference to Rule 9J5, FAC, in Policy 2.4, as follows:

The Five-Year Capital Improvements Program, or the City's contract providers as appropriate, shall incorporate the identified capital investments from each functional element and will be based on the following LOS standards: ~~[9J-5.016(3)(e)4]~~

8. Delete the reference to Rule 9J5, FAC, in Traffic Circulation section of Policy 2.4 and update reference to Miami Dade County Comprehensive Development Plan, as follows:

#### Traffic Circulation

~~As per 9J-5.005(8)(j),~~ ~~†~~ The City of Aventura adopts the level of service standard as described in the Miami-Dade County Comprehensive Development Plan, Traffic Circulation Subelement 1997 2013, Objective 4 TC-1 Policy ~~4B~~ TC-1B, as it relates to Urban Infill Areas (UIA) ~~[9J-5.019(4)(e)1]~~, and more particularly described as follows: ...

9. Delete the reference to Rule 9J5, FAC, in Objective 3, as follows:

Future development will be permitted only when the adopted level of service standards for those services listed in the CIE will be upgraded or maintained at adopted levels of service, or when demonstrated negative impacts on hurricane evacuation clearance times will be mitigated, by ensuring that adequate fiscal resources are made available including, the proportionate cost of improvements necessitated by the development. ~~[9J-5.016(3)(b)3]~~

10. Delete the reference to Rule 9J5, FAC, in Policy 3.1, as follows:

Appropriate funding mechanisms will be adopted and applied by Aventura in order to assure the fiscal resources to maintain acceptable levels of service. Such funding mechanisms include impact fees, user fees, special tax districts, general obligation bonds, and special purpose authorities, or others as appropriate and feasible. ~~[9J-5.016(3)(e)8]~~

11. Delete the reference to Rule 9J5, FAC, in Objective 4, as follows:

Annually, the City will prepare a five-year Capital Improvement Program (CIP) analyzing all anticipated capital expenditures and identifying associated funding sources. ~~[9J-5.016(3)(b)1 & 4]~~

12. Delete the reference to Rule 9J5, FAC, in Policy 4.1, as follows:

Future capital expenditures necessitated by changes in population, changes in development, growth, redevelopment or changes in economic base will be calculated and included in the Capital Improvement Program update process. [~~9J-5.016(3)(c)-1~~]

13. Delete the reference to Rule 9J5, FAC, in Policy 4.6, as follows:

The City will maintain all of its assets at a level adequate to protect the City's capital investment and to minimize future maintenance and replacement costs. [~~9J-5.016(3)(c)3~~]

14. Delete the reference to Rule 9J5, FAC, in Policy 4.7, as follows:

The City will identify the estimated cost of capital projects and prepare a funding projection that considers revenues and operating costs to be included in the Capital Improvement Program document that is submitted to the City Commission for approval. [~~9J-5.016(3)(c)9~~]

15. Revise Policy 4.18 to adopt by reference the Miami-Dade County Public Schools Facilities Work Program, as amended from year to year, as follows:

To address financial feasibility associated with school concurrency, Miami-Dade County Public Schools Facilities Work Program for educational facilities, as formally adopted by Miami-Dade County Public Schools in September, 2007, as amended, is hereby adopted by reference as part of the Capital Improvement Element.

16. Revise Policy 4.19 to adopt by reference the City's annual update to our Capital Improvements Program, as follows:

The City of Aventura 2009/10—2013/14 Capital Improvement Program and the Capital Improvements Schedule included therein, contains a schedule of projects that the City shall implement in order to meet its adopted Level of Service standards and ensure the financial feasibility of this Comprehensive Plan. The 2009/10—2013/14 Capital Improvements Program, as adopted annually by the City Commission is hereby adopted by reference as part of the Capital Improvements Element.

17. Update Section 12) of Concurrency Management System text to reference the most current Miami-Dade County Comprehensive Development Master Plan, as follows:

#### **CONCURRENCY MANAGEMENT SYSTEM**

...

- 12) A proposed development will not be denied a concurrency approval for transportation facilities provided that the development is otherwise consistent with the adopted Comprehensive Plan and it meets the following criteria pursuant to Section 163.3180, F.S.:

- The proposed development is located within the Urban Infill Area (UIA), as adopted and described in the 1997 Miami-Dade County Comprehensive Development Master Plan Capital Improvements Element and the Transportation Element, Traffic Circulation Subelement Policy 4B.TC-1D.

**APPLICATION No. 7  
CITY OF AVENTURA COMPREHENSIVE PLAN INTERGOVERNMENTAL  
COORDINATION ELEMENT AMENDMENTS**

**Note: Additions to existing Goals, Objectives and Policies are shown in underlined text.  
Deletions are shown in strike-through text.**

1. Add Policy 1.26 and 1.27 to the Intergovernmental Coordination Element, as follows:

Policy 1.26

The City shall support and coordinate with local, county, regional, State and Federal initiatives on climate change, sustainability and resilient communities.

Policy 1.27

The City shall assess, jointly with local, county, regional, State and Federal initiatives, planning tools to implement climate change adaptation strategies, sustainability and resiliency.

**APPLICATION No. 8  
CITY OF AVENTURA COMPREHENSIVE PLAN CONSERVATION AND COASTAL  
MANAGEMENT ELEMENT AMENDMENTS**

**Note: Additions to existing Goals, Objectives and Policies are shown in underlined text.  
Deletions are shown in strike-through text.**

1. Delete the reference to Rule 9J5, FAC, in the Coastal Management Goal, as follows:

To protect, conserve, or enhance the coastal resources; such that where appropriate, development activities that would damage or destroy the resources are restricted; human life in the coastal area is protected; and that public expenditures in areas subject to natural disaster are limited. ~~{9J-5.012(2)(a)}~~

2. Delete the reference to Rule 9J5, FAC, in Objective 1, as follows:

The City will continue to meet or exceed the minimum air quality standards established by the Department of Environmental Protection. ~~{9J-5.013(2)(b)1}~~

3. Delete the reference to Rule 9J5, FAC, in Objective 2, as follows:

As part of the internal consistency requirement of the Comprehensive Plan elements the conservation efforts to protect water sources and waters that flow into estuarine waters or oceanic waters will be coordinated with the Infrastructure Element, on site drainage standards will ensure that private properties retain at least the first inch of stormwater on site and permit no more run-off after development than before development. ~~{9J-5.013(2)(b)2} and {9J-5.012(3)(b)2}~~

4. Delete the reference to Rule 9J5, FAC, in Policy 2.1, as follows:

Through implementation of the land use plan and implementing land development regulations sufficient restrictions will be in place to direct, activities and land uses known to affect the quality and quantity of identified water sources adversely, away from these sources, including natural groundwater recharge areas, wellhead protection areas and surface waters used as a source of public water supply. Implementation of the Stormwater Utility Program will ensure that the storm sewer system standards will be maintained as delineated in the Infrastructure Element. ~~{9J-5.013(2)(c)1 and 6} and {9J-5.012(3)(c)1 and 2}~~

5. Delete the reference to Rule 9J5, FAC, in Policy 2.2, as follows:

Aventura will adhere to and promote emergency water conservation efforts in accordance with the South Florida Water Management District's plan. ~~{9J-5.013(2)(c)4}~~

6. Delete the reference to Rule 9J5, FAC, in Objective 3, as follows:

Through implementation of the land use plan and subsequent land development regulations the remaining native vegetative communities and appropriate minerals and soils conditions will be conserved and implementation mechanisms will be developed. ~~{9J-5.013(2)(b)3}~~

7. Delete the reference to Rule 9J5, FAC, in Policy 3.1, as follows:

Currently, there are no areas within the City limits that are suitable for mineral extraction, and due to the level of existing and expected development it is not expected that there will be any, however, it is recognized that conservation, protection and appropriate use of natural resources is necessary. ~~{9J-5.013(2)(c)2}~~

8. Delete the reference to Rule 9J5, FAC, in Policy 3.2, as follows:

Through implementation of the land use plan and implementing land development regulations any remaining native vegetative communities, including environmentally sensitive lands, will be protected from development activities. ~~{9J-5.013(2)(c)3}~~ and ~~{9J-5.013(2)(c)9}~~

9. Delete the reference to Rule 9J5, FAC, in Objective 4, as follows:

Through its intergovernmental coordination mechanisms Aventura will work to conserve, protect and appropriately use marine habitat, wildlife habitat, wildlife and fisheries consistent with the South Florida Regional Planning Council Policy Plan, and any applicable state or federal regulation, the City will adopt conservation procedures as part of its land development regulations. ~~{9J-5.013(2)(b)4}~~

10. Delete the reference to Rule 9J5, FAC, in Policy 4.1, as follows:

Those known development activities that adversely affect the survival of endangered and threatened wildlife will be restricted in a manner consistent with applicable state and federal regulations. ~~{9J-5.013(2)(e)5}~~

11. Delete the reference to Rule 9J5, FAC, in Policy 4.2, as follows:

By the adoption of the City's conservation ordinance natural functions of existing soils, fisheries, wildlife habitats, rivers, bays, lakes, harbors, marine habitats, including wetlands and estuarine marshes will be protected. ~~{9J-5.013(2)(e)6}~~

12. Delete the reference to Rule 9J5, FAC, in Policy 4.3, as follows:

As part of the internal consistency requirement of the Comprehensive Plan elements areas identified in the Parks and Recreation Element as existing natural reservations will be protected. ~~{9J-5.013(2)(e)7}~~

13. Delete the reference to Rule 9J5, FAC, in Policy 4.4, as follows:

Based on the determinations made by the City's conservation regulations environmentally sensitive lands will be designated. ~~{9J-5.013(2)(e)9}~~

14. Delete the reference to Rule 9J5, FAC, in Policy 4.5, as follows:

In an effort to protect natural resources, hazardous wastes will be handled in a manner consistent with applicable state and federal regulations. ~~{9J-5.013(2)(e)10}~~

15. Delete the reference to Rule 9J5, FAC, in Policy 4.6, as follows:

In an effort to further the goals and objectives of the Conservation Sub-element, and consistent with the policies established by the Intergovernmental Coordination Element the City of Aventura will cooperate with adjacent local governments in the common effort to protect natural resources and the environment. ~~{9J-5.013(2)(e)8}~~

16. Delete the reference to Rule 9J5, FAC, in Objective 5, as follows:

Realizing that there is limited remaining coastal wildlife habitat in Aventura, such remaining areas shall be protected from development and when practical enhanced by development. ~~{9J-5.012(3)(b)1}~~

17. Delete the reference to Rule 9J5, FAC, in Objective 6, as follows:

Preserve the existing and planned sites for water-dependent uses; assure that any related marina construction or expansion meets appropriate location standards. ~~{9J-5.012(3)(b)3}~~

18. Delete the reference to Rule 9J5, FAC, in Policy 6.1, as follows:

Any new marina, marina expansion or similar water-dependent use shall meet the following criteria: ~~{9J-5.012(3)(e)9}~~

19. Delete the reference to Rule 9J5, FAC, in Objective 8, as follows:

Limit City funds for infrastructure within the city limits that would have the effect of directly subsidizing development which is significantly more intensive than authorized by this Plan. ~~{9J-5.012(3)(b)5 and 6}~~

20. Delete the reference to Rule 9J5, FAC, in Policy 8.1, as follows:

The City shall limit its funding of public infrastructure expansion if such funding and such expansion would have the effect of directly subsidizing a specific private development that is significantly more intensive than authorized by this Plan. ~~{9J-5.012(3)(e)7}~~

21. Delete the reference to Rule 9J5, FAC, in Objective 9, as follows:

Maintain or reduce the current estimated hurricane evacuation clearance time of less than 12 hours.  
[9J-5.012(3)(b)7]

22. Delete the reference to Rule 9J5, FAC, in Policy 9.1, as follows:

The City shall maintain and implement the strategy in the event of a hurricane of the established “pick up points” to facilitate the evacuation. [9J-5.012(3)(c)4]

23. Delete the reference to Rule 9J5, FAC, in Policy 9.2, as follows:

The City shall maintain the adopted levels of service on the local roadways based on the future land use plan to achieve a reasonable evacuation time. [9J-5.012(3)(c)4]

24. Update reference in Policy 10.6, Habitable Structures, as follows:

Policy 10.6

The City shall utilize the following criteria to distinguish between immediate repair and clean up actions and long-term redevelopment subsequent to a natural disaster.

...

Habitable Structures:

Immediate repair shall include removal of debris and vegetation; stabilization or removal of structures about to collapse and minimal repairs to make dwellings and other structures habitable, such as minor roofing repair and other weatherproofing/security measures. In these instances, building permits shall not be necessary prior to performing the work but retroactive permits shall be required in accordance with the provisions set forth in ~~Ordinance No. 92-99 of Miami-Dade County, Florida (Exhibit 1)~~ the Florida Building Code.

25. Revise Policy 10.12 to delete Chapter reference, as follows:

Notwithstanding the preceding policies, no regulation, permitting procedure or post disaster redevelopment planning shall be approved or applied to property, as the case may be, so as to constitute a taking or inordinately burden an existing use of real property or a vested right to a specific use of real property within the meaning of the Bert J. Harris, Jr. Private Property Rights Protection Act, ~~Chapter 95-181, Laws of Florida, codified as Section 70.001, Florida Statutes.~~

26. Delete reference to Rule 9J5, FAC, in Policy 10.14, as follows:

The City shall implement its local mitigation strategy in accordance with the guidelines provided in the *Local Mitigation Strategy: A Guidebook for Florida Cities and Counties* in order to fulfill the State requirements of ~~Rule 9J-5.012, F.A.C.~~ relating to post-disaster planning, repair, and reconstruction.

27. Delete reference to Rule 9J5, FAC, in the Conservation Goal, as follows:

To achieve a balanced environmental system that conserves, encourages the thoughtful use, and protection of resources, and natural environmental systems while considering the existing built environment. ~~{9J-5.013(2)(a)}~~

28. Revise date in Objective 5 of the Conservation Element to be consistent with the Comprehensive Plans and Water Supply Plans for Miami-Dade County and North Miami Beach, and with the South Florida Water Management District Lower East Coast Water Supply Plan, as follows:

**OBJECTIVE 5**

Reduce per capita water consumption rates ~~by at least 10% through 2015~~ consistent with the water conservation programs developed and implemented by its water suppliers, Miami-Dade County and North Miami Beach and by the South Florida Water Management District, Lower East Coast Water Supply Plan using best management practices to ensure that a sufficient, economical supply of fresh water is available to meet current and future demand for potable water without degrading the environment.

*Measure:* Per capita water consumption; percent water unaccounted for; peak day to average day water demand ratio; amount of water and wastewater that is reused or reclaimed on an annual basis, as published annually by Miami-Dade County Water and Sewer Department.

**APPLICATION No. 9  
CITY OF AVENTURA COMPREHENSIVE PLAN EDUCATION ELEMENT**

**Note: Additions to existing Goals, Objectives and Policies are shown in underlined text.  
Deletions are shown in strike-through text.**

1. Amend the Education Element Map Series Introductory Text, as follows:

Consistent with Section 163.3177(12)(g), Florida Statutes, maps showing existing and future conditions are included in the element. A map series - Figures 1B ~~and 2B~~ - has been included which indicates the location of existing and proposed public schools and ancillary facilities over the 5-year planning period. This map series was prepared by Miami-Dade County and is included, along with maps for existing and proposed public schools in four areas of the County that are generally equivalent to the proposed Educational Impact Fee Benefit District, in the County's Educational Element. The map has been revised by the City of Aventura to show the location of the Aventura City of Excellence School (ACES). The entire map series prepared by Miami Dade County as part of its support data, inventory and analysis ~~dated July 3, 1997 for the~~ October, 2013 CDMP amendments are hereby adopted by reference.

Map locations of future public school facilities are general and do not prescribe a land use on a particular parcel of land.

2. Update the Adopted Education Element Map Series, as follows:

**FIGURE 1B ~~AND 2B~~: EDUCATION ELEMENT MAP SERIES**

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~~Figure 1B Existing Educational and Ancillary Facilities  
Located in the Northeast Area 2007  
Revised to show Aventura City of Excellence School~~

~~Figure 2B Proposed Education and Ancillary Facilities  
Located in the Northeast Area 2012/13~~

Figure 1B Proposed, Existing and Ancillary Education Facilities  
Located in the Northeast Area – 2011-2016  
(Revised by the City of Aventura to show the  
Location of the Aventura City of Excellence School)

**FIGURE 1 B**  
**PROPOSED, EXISTING AND ANCILLARY EDUCATION FACILITIES**  
**LOCATED IN THE NORTHEAST AREA**  
**2011-2016**

