

Sponsored By: Hernstadt  
Planning Commission Public Hearing Date: November 19, 2012  
City Council Public Hearing Dates: November 27, 2012  
Transmittal Date: November 27, 2012 for Transmittal  
City Council Adoption Date: February 26, 2013

CITY OF MARATHON, FLORIDA  
ORDINANCE 2012-16

**AN ORDINANCE OF THE CITY OF MARATHON, FLORIDA AMENDING THE FUTURE LAND USE MAP FROM RESIDENTIAL MEDIUM (RM) TO MIXED USE COMMERCIAL (MUC) FOR PROPERTY LOCATED AT 4900 OVERSEAS HIGHWAY, LEGALLY DESCRIBED AS LOTS 9-13, BLOCK 1, VACA VILLAGE SUBDIVISION HAVING REAL ESTATE NUMBERS 00327990-000000, 00328000-000000, 00328010-000000, 00328020-000000, 00328030-000000; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR TRANSMITTAL OF THIS ORDINANCE TO THE STATE DEPARTMENT OF ECONOMIC OPPORTUNITY.**

**WHEREAS**, pursuant to the provisions of Chapters, 163, 166 and 380 *Florida Statutes*, the City of Marathon, Florida (the “City”) proposes to amend the City’s Future Land Use Map (the “Map”) to change the land use district designation of property owned by HTG Crystal Cove, LLLP, legally described as Lots 9 – 13, Block 1, Vaca Village Subdivision having Real Estate Numbers 00327990-000000, 00328000-000000, 00328010-000000, 00328020-000000, 00328030-000000 (the “Property”); and

**WHEREAS**, amending the Map designation of the Property furthers the goals, objectives and policies of the City Comprehensive Plan (the “Plan”); and

**WHEREAS**, pursuant to Chapter 163, *Florida Statutes*, and Sections 101.02 and 102.22 of the Code, the Planning Commission sitting as the Local Planning Agency publicly considered the proposed Map amendment on November 19<sup>th</sup>, 2012 at a duly noticed public hearing, and has recommended approval of the proposed Map amendment to the City Council; and

**WHEREAS**, pursuant to the same legislative provisions, the City Council considered the recommendation of the Planning Commission, accepted public input, and deliberated on the proposed Map amendment on November 27<sup>th</sup>, 2012 at a duly noticed public hearing, and voted to transmit the Map amendment to the Florida Department of Economic Opportunity (the Agency) for review; and

**WHEREAS**, in accordance with Section 166.041, *Florida Statutes*, notice of the public hearings concerning the proposed Map amendment has been provided to the general public; and

WHEREAS, the City Council finds that approval of the proposed Map amendment is in the best interest of the City and complies with applicable laws and is consistent with the South Florida Regional Plan, the State Plan, Chapter 163, *Florida Statutes*, the principles for guiding development in the Florida Keys Area of Critical State Concern, the goals, objectives, and policies of the Plan, Chapter 102, Article 6 of the Code, and promotes and protects the health, safety and welfare of the residents of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA THAT:

**Section 1.** The above recitals are true, correct, and incorporated herein by this reference.

**Section 2.** The FLUM Map designation of the Property is amended from its current designation of Residential Medium (RM) to Mixed Use Commercial (MUC), as illustrated on the attached Exhibit 1.

**Section 3.** The City shall timely transmit the revised Map reflecting the Map amendment, and all data and analysis supporting the Map amendment, to the Agency, in its capacity as the State Land Planning Agency, as required by Chapters 163 and 380, *Florida Statutes*.

**Section 4.** That upon its effective date, the revised FLUM Map shall replace the City's Official FLUM Map to the fullest extent allowed by law.

**Section 5.** The provisions of this Ordinance constitute an amendment to the City's Plan. Accordingly, the City staff forwarded a copy of this Ordinance to the Agency for approval pursuant to Chapter 163 and Sections 380.05(6) and (11), *Florida Statutes*.

**Section 6.** The Agency completed its review of the proposed Ordinance and did not identify any objections or comments to the proposed amendments. Based upon the Agency's review of the proposed Ordinance, staff is directed to return this Ordinance for second and final reading and adoption.

**Section 8.** The effective date of this plan amendment, if the amendment is not timely challenged, shall be the date the state land planning agency posts a notice of intent determining that this amendment is in compliance. If timely challenged, or if the state land planning agency issues a notice of intent determining that this amendment is not in compliance, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the State Land Planning Agency."

ENACTED BY THE CITY COUNCIL OF THE CITY OF MARATHON,  
FLORIDA, THIS 26 DAY OF FEBRUARY, 2013.

THE CITY OF MARATHON, FLORIDA

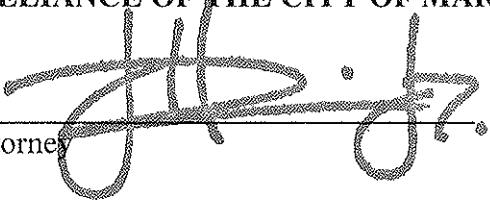
  
\_\_\_\_\_  
Mayor Mike Cinque

AYES: Snead, Bull, Ramsay, Keating, Cinque  
NOES: None  
ABSENT: None  
ABSTAIN: None

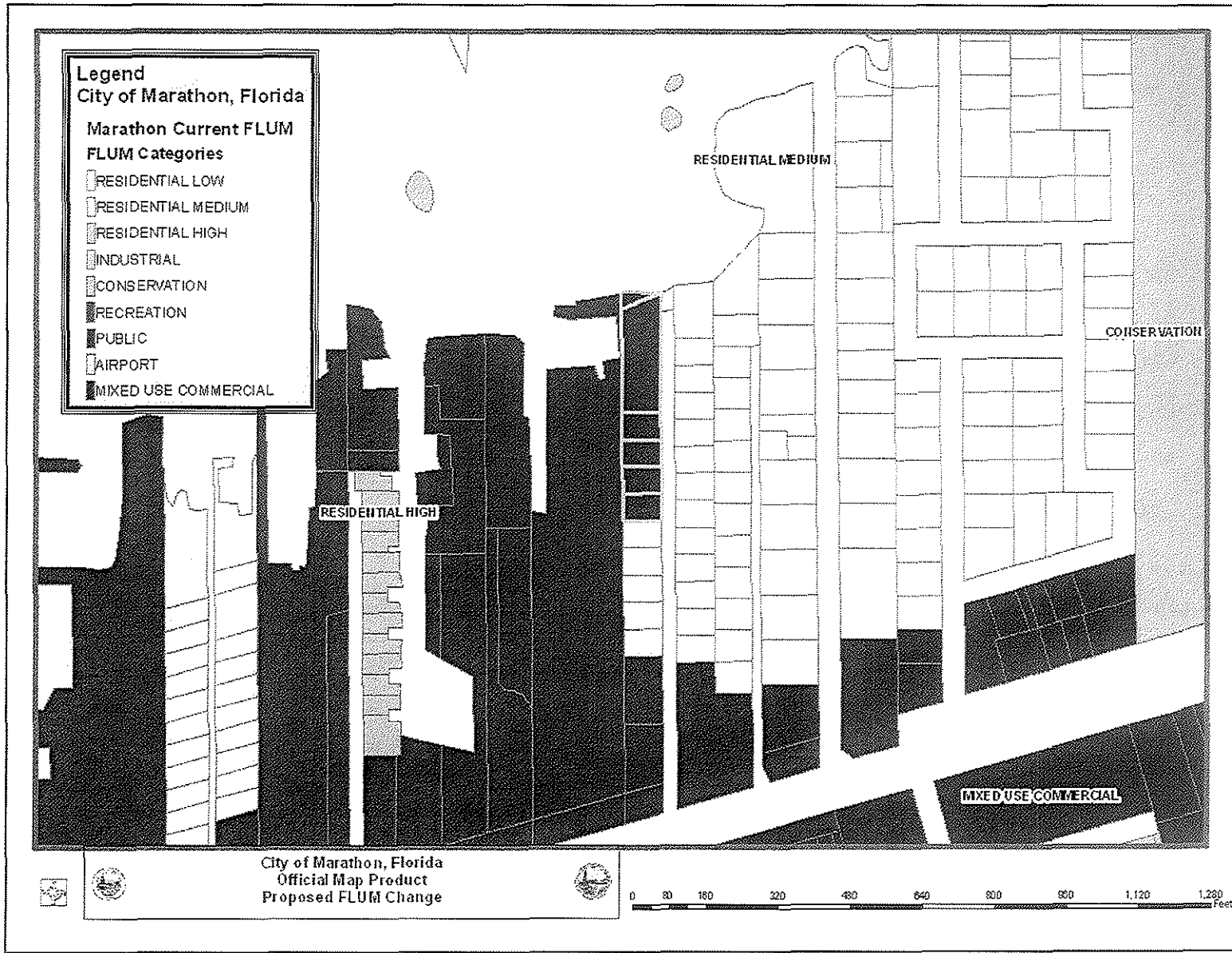
ATTEST:

  
\_\_\_\_\_  
Diane Clavier, City Clerk

APPROVED AS TO FORM AND LEGALITY FOR THE USE  
AND RELIANCE OF THE CITY OF MARATHON, FLORIDA ONLY:

  
\_\_\_\_\_  
City Attorney

# Exhibit 1



APL 2012 14

Rick Scott  
GOVERNOR



Jesse Panuccio  
EXECUTIVE DIRECTOR

FLORIDA DEPARTMENT of  
ECONOMIC OPPORTUNITY

February 1, 2013

The Honorable Mike Cinque  
Mayor, City of Marathon  
9805 Overseas Highway  
Marathon, Florida 33050

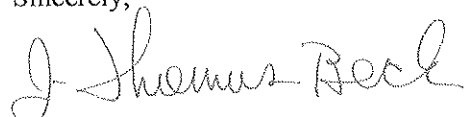
Dear Mayor Cinque:

The State Land Planning Agency (the Agency) has completed its review of the proposed comprehensive plan amendment for the City of Marathon (Amendment No. 13-1ACSC), which was received and determined complete on December 10, 2012. We have reviewed the proposed amendment in accordance with the state coordinated review process set forth in Sections 163.3184(2) and (4), Florida Statutes (F.S.), for compliance with Chapter 163, Part II, F.S. The Agency does not identify any objections or comments to the proposed amendments and this letter serves as the Objections, Recommendations and Comments Report. Review comments received by the Department from the appropriate reviewing agencies are enclosed.

The City should act by choosing to adopt, adopt with changes, or not adopt the proposed amendment. Also, please note that Section 163.3184(4)(e)1, F.S., provides that if the second public hearing is not held and the amendment adopted within 180 days of your receipt of agency comments, the amendment shall be deemed withdrawn unless extended by agreement with notice to the state land planning agency and any affected party that provided comment on the amendment. For your assistance, we have enclosed the procedures for final adoption and transmittal of the comprehensive plan amendment.

If you have any questions related to this review, please contact Jeannine Kelsick, at (850) 717-8495, or by email at [jeannine.kelsick@deo.myflorida.com](mailto:jeannine.kelsick@deo.myflorida.com).

Sincerely,

*for*   
Mike McDaniel, Chief  
Bureau of Community Planning

MM/jk

Enclosures: Review Agency Comments  
Adoption Procedures

cc: George Garrett, Director, Marathon Planning Department  
James F. Murley, Executive Director, South Florida Regional Planning Council

Florida Department of Economic Opportunity | The Caldwell Building | 107 E. Madison Street | Tallahassee, FL | 32399-4120  
866.FLA.2345 | 850.245.7105 | 850.921.3223 Fax | [www.FloridaJobs.org](http://www.FloridaJobs.org) | [www.twitter.com/FLDEO](http://www.twitter.com/FLDEO) | [www.facebook.com/FLDEO](http://www.facebook.com/FLDEO)

An equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities. All voice telephone numbers on this document may be reached by persons using TTY/TDD equipment via the Florida Relay Service at 711.

SUBMITTAL OF  
ADOPTED COMPREHENSIVE PLAN AMENDMENTS  
FOR STATE COORDINATED REVIEW

Section 163.3184(4), Florida Statutes

May 2011

NUMBER OF COPIES TO BE SUBMITTED: Please submit three complete copies of all comprehensive plan materials, of which one complete paper copy and two complete electronic copies on CD ROM in Portable Document Format (PDF) to the State Land Planning Agency and one copy to each entity below that provided timely comments to the local government: the appropriate Regional Planning Council; Water Management District; Department of Transportation; Department of Environmental Protection; Department of State; the appropriate county (municipal amendments only); the Florida Fish and Wildlife Conservation Commission and the Department of Agriculture and Consumer Services (county plan amendments only); and the Department of Education (amendments relating to public schools); and for certain local governments, the appropriate military installation and any other local government or governmental agency that has filed a written request.

SUBMITTAL LETTER: Please include the following information in the cover letter transmitting the adopted amendment:

\_\_\_\_\_ State Land Planning Agency identification number for adopted amendment package;

\_\_\_\_\_ Summary description of the adoption package, including any amendments proposed but not adopted;

\_\_\_\_\_ Ordinance number and adoption date;

\_\_\_\_\_ Certification that the adopted amendment(s) has been submitted to all parties that provided timely comments to the local government;

\_\_\_\_\_ Name, title, address, telephone, FAX number and e-mail address of local government contact;

\_\_\_\_\_ Letter signed by the chief elected official or the person designated by the local government.

ADOPTION AMENDMENT PACKAGE: Please include the following information in the amendment package:

\_\_\_\_\_ In the case of text amendments, changes should be shown in strike-through/underline format;

\_\_\_\_\_ In the case of future land use map amendment, an adopted future land use map, **in color format**, clearly depicting the parcel, its existing future land use designation, and its adopted designation;

\_\_\_\_\_ A copy of any data and analyses the local government deems appropriate.

**Note:** If the local government is relying on previously submitted data and analysis, no additional data and analysis is required;

\_\_\_\_\_ Copy of executed ordinance adopting the comprehensive plan amendment(s);

Suggested effective date language for the adoption ordinance for state coordinated review:

The effective date of this plan amendment, if the amendment is not timely challenged, shall be the date the state land planning agency posts a notice of intent determining that this amendment is in compliance. If timely challenged, or if the state land planning agency issues a notice of intent determining that this amendment is not in compliance, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the state land planning agency.

\_\_\_\_\_ List of additional changes made in the adopted amendment that the State Land Planning Agency did not previously review;

\_\_\_\_\_ List of findings of the local governing body, if any, that were not included in the ordinance and which provided the basis of the adoption or determination not to adopt the proposed amendment;

\_\_\_\_\_ Statement indicating the relationship of the additional changes not previously reviewed by the State Land Planning Agency to the ORC report from the State Land Planning Agency.



## SOUTH FLORIDA WATER MANAGEMENT DISTRICT

December 13, 2012

Mr. Ray Eubanks  
Administrator, Plan Review & Processing  
Florida Department of Economic Opportunity  
Division of Community Planning and Development  
107 East Madison Street  
Tallahassee, Florida 32399-4120

Dear Mr. Eubanks:

**Subject: City of Marathon, DEO Amendment #13-1ACSC  
Comments on Proposed Comprehensive Plan Amendment**

The South Florida Water Management District (District) has completed its review of the proposed amendment package submitted by the City of Marathon (City). The amendment package consists of one proposed Future Land Use Map amendment. There appear to be no regionally significant water resource issues; therefore, the District forwards no comments on the proposed amendment package.

The District offers its technical assistance to the City and the Department of Economic Opportunity in developing sound, sustainable solutions to meet the City's future water supply needs and to protect the region's water resources. Please forward a copy of adopted amendments to the District. For assistance or additional information, please contact Terry Manning, Policy and Planning Analyst, at (561) 682-6779 or [tmanning@sfwmd.gov](mailto:tmanning@sfwmd.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Rod A. Braun", is written over a horizontal line.

Rod A. Braun  
Director  
Office of Intergovernmental Programs

RAB/tm

c: George Garrett, Marathon  
Christine Hurley, Monroe County  
Rebecca Jetton, DEO  
Rachel Kalin, SFRPC  
Terry Manning, SFWMD





*Florida Department of Transportation*

RICK SCOTT  
GOVERNOR

1000 NW 111 Avenue  
Miami, Florida 33172-5800

ANANTH PRASAD, P.E.  
SECRETARY

January 8, 2013

Ray Eubanks, Plan Processing Administrator  
Department of Economic Opportunity  
Community Planning and Development  
107 East Madison Street  
Caldwell Building, MSC 160  
Tallahassee, Florida 32399

**Subject: Comments for the Proposed Comprehensive Plan Amendment,  
Marathon #13-1ACSC**

Dear Mr. Eubanks:

The Florida Department of Transportation, District Six, completed a review of the *Proposed Comprehensive Plan Amendments, City of Marathon #13-1ACSC*. The District has reviewed the amendment package per *Chapter 163 Florida Statutes* and has found no adverse impacts to transportation resources and facilities of state importance. Please contact Ken Jeffries at 305-470-5445 if you have any questions concerning our response.

Sincerely,

A handwritten signature in cursive script, reading "Phil Steinmiller".

Phil Steinmiller  
District Planning Manager

Cc: Harold Desdunes, PE, Florida Department of Transportation, District 6  
Aileen Boucle, AICP, Florida Department of Transportation, District 6  
George Garrett, City of Marathon  
Mayte Santamaria, Monroe County



# Florida Department of Environmental Protection

Marjory Stoneman Douglas Building  
3900 Commonwealth Boulevard  
Tallahassee, Florida 32399-3000

Chris  
Stahl  
Environmental  
Programs  
Secretary

December 14, 2012

Mr. Ray Eubanks  
Plan Review Administrator  
Department of Economic Opportunity  
Bureau of Community Planning  
Caldwell Building  
107 East Madison Street MSC 160  
Tallahassee, FL 32399-6545

**Re: Marathon 13-1 ACSC Proposed; Comprehensive Plan Amendment Review**

Dear Mr. Eubanks:

The Office of Intergovernmental Programs of the Florida Department of Environmental Protection (Department) has reviewed the above-referenced amendment proposal under the procedures of Chapter 163, *Florida Statutes*. The Department conducted a detailed review that focused on potential adverse impacts to important state resources and facilities, specifically: air and water pollution; wetlands and other surface waters of the state; federal and state-owned lands and interest in lands, including state parks, greenways and trails, conservation easements; solid waste; water and wastewater treatment; and, where applicable, the Everglades ecosystem.

Based on our review of the proposed amendment, the Department has found no provision that requires comment under laws that form the basis of the Department's jurisdiction. Thank you for the opportunity to comment on the proposed amendment package. Should you have any questions or require further assistance, please call me at (850) 245-2169.

Sincerely,

Chris Stahl  
Office of Intergovernmental Programs

/cjs

# FLORIDA DEPARTMENT OF EDUCATION



## STATE BOARD OF EDUCATION

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Pam Stewart  
Commissioner of Education



December 18, 2012

Mr. D. Ray Eubanks, Plan Processing Administrator  
Division of Community Development  
Department of Economic Opportunity  
107 East Madison Street  
Tallahassee, Florida 32399-4120

Dear Mr. Eubanks:

Re: Marathon 13-1 ACSC

Thank you for the opportunity to review the City of Marathon 13-1ACSC amendment package. According to the department's responsibilities under Section 163.3184(3), Florida Statutes, I reviewed the amendment considering provisions of Chapter 163, Part II, F.S., and to determine whether the proposal, if adopted, would have potential to create adverse effects on public school facilities.

The package proposes amendments related to the Crystal Bay Resort development. Based on the data and analysis provided only transient dwelling units would be permitted on the affected parcel. Because the proposed amendment does not appear to have the potential to create adverse effects on public school facilities or sites, I offer no comment.

Again, thank you for the opportunity to review and comment. If I may be of assistance, please contact me at (850) 245-9312 or [Tracy.Suber@fldoe.org](mailto:Tracy.Suber@fldoe.org).

Sincerely,

A handwritten signature in black ink that reads "Tracy D. Suber".

Tracy D. Suber  
Growth Management & Facilities Policy Liaison

TDS/

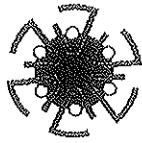
cc: Mr. Jeff Barrow, Monroe County School District  
Ms. Rebecca Jetton, DEO/State Land Planning Agency

THOMAS H. INSERRA  
DIRECTOR, OFFICE OF EDUCATIONAL FACILITIES

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325 W. GAINES STREET • SUITE 1014 • TALLAHASSEE, FLORIDA 32399-0400 • (850) 245-0494 • FAX (850) 245-9304

[www.fldoe.org](http://www.fldoe.org)



# MEMORANDUM

AGENDA ITEM #III.D

DATE: JANUARY 7, 2013

TO: COUNCIL MEMBERS

FROM: STAFF

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

Pursuant to Section 163.3184, Florida Statutes, Council review of amendments to local government comprehensive plans is limited to 1) adverse effects on regional resources and facilities identified in the *Strategic Regional Policy Plan for South Florida (SRPP)* and 2) extrajurisdictional impacts that would be inconsistent with the comprehensive plan of any affected local government within the Region.

A written report containing an evaluation of these impacts, pursuant to Section 163.3184, Florida Statutes, is to be provided to the local government and the State Land Planning Agency within 30 calendar days of receipt of the amendment.

Staff analysis confirms that the proposed and/or adopted amendments identified in the Table below are generally consistent with and supportive of the Goals and Policies of the *SRPP*. Attached are the separate amendment review forms that will be sent to the local government and State Land Planning Agency.

Local Government and Plan Amendment Number	Proposed	Adopted	Attachment	Proposed (Council) Review Date and Consistency Finding	Local Government Transmittal or Adoption, Public Hearing and Meeting	Governing Body Adoption Vote
Broward County 13-1ESR	✓	N/A	1	N/A	11/27/12	9-0
Davie #13-1ESR	✓	N/A	2	N/A	5/23/12	4-1
Davie #12-1ESR	N/A	✓	3	8/6/12 Consistent	11/7/12	5-0
Hialeah #13-1ESR	✓	N/A	4	N/A	11/18/12	6-1
Marathon #13-1ACSC	✓	N/A	5	N/A	11/27/12	5-0
Pompano Beach #12-1ESR	N/A	✓	6	June 4, 2012 Consistent	11/13/12	6-0
Coral Springs (TBD)	✓	N/A	7	N/A	12/4/12	5-0

\*\*The State Land Planning Agency determined the amendment would be processed as adopted.

**Recommendation**

**Find the proposed and adopted plan amendments from the local governments of Broward County, Town of Davie, City of Hialeah, City of Marathon, City of Pompano Beach, and City of Coral Springs generally consistent with the *Strategic Regional Policy Plan for South Florida*. Approve this report for transmittal to the local governments with a copy to the State Land Planning Agency.**

Attachment 1

FLORIDA REGIONAL COUNCILS ASSOCIATION  
LOCAL GOVERNMENT COMPREHENSIVE PLAN AMENDMENT REVIEW FORM 01

South Florida Regional Planning Council Agenda Item and Date: III.D; January 7, 2013.

Local Government Amendment Number: Broward County proposed #13-IESR.

Date Comments due to Local Government: January 3, 2013.

Date Mailed to Local Government and State Land Planning Agency: Prior to January 3, 2013 with final Council Action on January 7, 2013.

*Pursuant to Section 163.3184, Florida Statutes, Council review of amendments to local government comprehensive plans is limited to adverse effects on regional resources and facilities identified in the Strategic Regional Policy Plan for South Florida (SRPP) and extrajurisdictional impacts that would be inconsistent with the comprehensive plan of any affected local government within the region. A written report containing an evaluation of these impacts, pursuant to Section 163.3184, Florida Statutes, is to be provided to the local government and the state land planning agency within 30 calendar days of receipt of the amendment.*

**DESCRIPTION OF AMENDMENT**

The proposed amendment package contains a Land Use Plan map amendment to the Broward County Comprehensive Plan.

**Land Use Plan Map Amendment**

This map amendment would change approximately 15.0 acres of land from "Low-Medium (10 dwelling units per acre) Residential" and "Estate (1 dwelling unit per acre) Residential" to "Medium (16 dwelling units per acre) Residential", located at the northwest corner of Stirling Road and SW 70<sup>th</sup> Avenue. The amendment is also being reviewed concurrently with an amendment to the Town of Davie (see Attachment 2).

The amendment site is currently an active nursery. Existing uses include a nursery to the west, single-family residential, retail and protected natural land to the east, multi- and single-family residential to the south, and a nursery to the north. Planned uses include Estate, Low-Medium, Medium, and Irregular Residential to the west and south, Estate Residential to the north, and Commercial and Low Residential to the east. The current land use designation would allow for a maximum of 112 residential units. County staff acknowledges the Town will be restricting the development to 224 units and require a 6-acre buffer adjacent to the amendment site to the north.

No adverse effects to regional resources and facilities or extrajurisdictional impacts would result from the map amendments.

**1. ADVERSE EFFECTS TO SIGNIFICANT REGIONAL RESOURCES AND FACILITIES IDENTIFIED IN THE STRATEGIC REGIONAL POLICY PLAN.**

Not Applicable.

**2. EXTRAJURISDICTIONAL IMPACTS INCONSISTENT WITH ANY COMPREHENSIVE PLANS OF LOCAL GOVERNMENTS WITHIN THE REGION.**

Not Applicable.

The Council requests the local government please send a copy of the adopted version of the amendment.

Attachment 2

FLORIDA REGIONAL COUNCILS ASSOCIATION  
LOCAL GOVERNMENT COMPREHENSIVE PLAN AMENDMENT REVIEW FORM 01

South Florida Regional Planning Council Agenda Item and Date: III.D; January 7, 2013.

Local Government Amendment Number: Town of Davie proposed #13-1ESR.

Date Comments due to Local Government: January 1, 2013.

Date Mailed to Local Government and State Land Planning Agency: Prior to January 1, 2013 with final Council Action on January 7, 2013.

*Pursuant to Section 163.3184, Florida Statutes, Council review of amendments to local government comprehensive plans is limited to adverse effects on regional resources and facilities identified in the Strategic Regional Policy Plan for South Florida (SRPP) and extrajurisdictional impacts that would be inconsistent with the comprehensive plan of any affected local government within the region. A written report containing an evaluation of these impacts, pursuant to Section 163.3184, Florida Statutes, is to be provided to the local government and the state land planning agency within 30 calendar days of receipt of the amendment.*

**DESCRIPTION OF AMENDMENT**

The proposed amendment package contains a Future Land Use Map amendment to the Town's Comprehensive Plan

**Palm Ranch Apartments | Map Amendment**

This map amendment would change approximately 15.03 acres of land from "Estate Residential 1 dwelling unit per acre" and "Low-Medium Residential 10 dwelling units per acre" to "Residential 16 dwelling units per acre", located at the northwest corner of Stirling Road and SW 70<sup>th</sup> Avenue. The amendment is also being reviewed concurrently with its companion from Broward County (see Attachment 1).

The amendment site is currently an active nursery. Existing uses include a vacant nursery to the west, commercial and stormwater retention to the east, medium-density residential to the south, and a nursery to the north. Planned uses include Low-Medium and Medium Residential to the west and south, Estate Residential to the north, and Commercial and Low Residential to the east. The current land use designation would allow for a maximum of 112 residential units. The proposed change and Applicant's intent would be to demolish the nursery and build 240 multi-family apartment units. The Town Council approved the amendment for transmittal subject to a deed restriction limiting development to 224 units and a 6-acre buffer on the north site of the subject site.

No adverse effects to regional resources and facilities or extrajurisdictional impacts would result from the map amendments.

**1. ADVERSE EFFECTS TO SIGNIFICANT REGIONAL RESOURCES AND FACILITIES IDENTIFIED IN THE STRATEGIC REGIONAL POLICY PLAN.**

**Not Applicable.**

**2. EXTRAJURISDICTIONAL IMPACTS INCONSISTENT WITH ANY COMPREHENSIVE PLANS OF LOCAL GOVERNMENTS WITHIN THE REGION.**

**Not Applicable.**

**The Council requests the local government please send a copy of the adopted version of the amendment.**

Attachment 3

FLORIDA REGIONAL COUNCILS ASSOCIATION  
LOCAL GOVERNMENT COMPREHENSIVE PLAN AMENDMENT REVIEW FORM 01

South Florida Regional Planning Council Agenda Item and Date: III.D; January 7, 2013.

Local Government Amendment Number: Town of Davie adopted #12-1ESR.

Date Comments due to Local Government: December 14, 2012.

Date Mailed to Local Government and State Land Planning Agency: Comments were sent to the Town prior to December 14, 2012 with final Council Action on January 7, 2013.

*Pursuant to Section 163.3184, Florida Statutes, Council review of amendments to local government comprehensive plans is limited to adverse effects on regional resources and facilities identified in the Strategic Regional Policy Plan for South Florida (SRPP) and extrajurisdictional impacts that would be inconsistent with the comprehensive plan of any affected local government within the region. A written report containing an evaluation of these impacts, pursuant to Section 163.3184, Florida Statutes, is to be provided to the local government and the state land planning agency within 30 calendar days of receipt of the amendment.*

**DESCRIPTION OF AMENDMENT**

The adopted amendment package contains text revisions to the Town of Davie's Comprehensive Plan. The text amendments include a revision to Policy 4.1.13 of the Transportation Element to clarify that revisions to the Local Road Master Plan may be made by Town Resolution. The text of the Public School Facility and Capital Improvements Elements were amended to reflect changes in school concurrency requirements.

No changes made between transmittal and adoption No adverse effects to regional resources and facilities or extrajurisdictional impacts would result from the amendment.

**1. ADVERSE EFFECTS TO SIGNIFICANT REGIONAL RESOURCES AND FACILITIES IDENTIFIED IN THE STRATEGIC REGIONAL POLICY PLAN.**

Not Applicable.

**2. EXTRAJURISDICTIONAL IMPACTS INCONSISTENT WITH ANY COMPREHENSIVE PLANS OF LOCAL GOVERNMENTS WITHIN THE REGION.**

Not Applicable.



Attachment 4

FLORIDA REGIONAL COUNCILS ASSOCIATION  
LOCAL GOVERNMENT COMPREHENSIVE PLAN AMENDMENT REVIEW FORM 01

South Florida Regional Planning Council Agenda Item and Date: III.D; January 7, 2013.

Local Government Amendment Number: City of Hialeah proposed #13-1ESR.

Date Comments due to Local Government: December 29, 2012.

Date Mailed to Local Government and State Land Planning Agency: Prior to December 29, 2012 with final Council Action on January 7, 2013.

*Pursuant to Section 163.3184, Florida Statutes, Council review of amendments to local government comprehensive plans is limited to adverse effects on regional resources and facilities identified in the Strategic Regional Policy Plan for South Florida (SRPP) and extrajurisdictional impacts that would be inconsistent with the comprehensive plan of any affected local government within the region. A written report containing an evaluation of these impacts, pursuant to Section 163.3184, Florida Statutes, is to be provided to the local government and the state land planning agency within 30 calendar days of receipt of the amendment.*

**DESCRIPTION OF AMENDMENT**

The proposed amendment package contains two amendments to the City's Future Land Use Map.

**Application 1 | Paraiso Gardens Map Amendment**

This application seeks to amend the land use of a 4.15-acre vacant property located at 34<sup>th</sup> Avenue and West 80<sup>th</sup> Street, from Industrial to Medium Density Residential. The proposed change would allow 96 residential units within six, two-story buildings to be constructed along with 228 parking spaces and a 22-foot driveway. The surrounding planned uses are industrial to the north, east and west, and low density residential to the south.

**Application 2 | Palm West Park Apartments Map Amendment**

This application seeks to amend the land use of a 3.98-acre vacant property located at 76<sup>th</sup> Street between West 24<sup>th</sup> and 25<sup>th</sup> Avenues, from Industrial to High Density Residential. The proposed change would allow 116 units within a twelve, two-story building complex. All surrounding planned uses are Industrial. The City staff report expressed concern that the project is not in character with existing and planned uses, however, infrastructure and public services are sufficient to support the proposed development.

**Comment**

Council staff recommends the City and Applicant work together prior to adoption to discuss how the development will be buffered from the surrounding industrial uses, include public safety features, and linkages to nearby community amenities.

No adverse effects to regional resources and facilities or extrajurisdictional impacts would result from the map amendments.

**1. ADVERSE EFFECTS TO SIGNIFICANT REGIONAL RESOURCES AND FACILITIES IDENTIFIED IN THE STRATEGIC REGIONAL POLICY PLAN.**

Not Applicable.

**2. EXTRAJURISDICTIONAL IMPACTS INCONSISTENT WITH ANY COMPREHENSIVE PLANS OF LOCAL GOVERNMENTS WITHIN THE REGION.**

Not Applicable

The Council requests the local government please send a copy of the adopted version of the amendment.

Attachment 5

FLORIDA REGIONAL COUNCILS ASSOCIATION  
LOCAL GOVERNMENT COMPREHENSIVE PLAN AMENDMENT REVIEW FORM 01

South Florida Regional Planning Council Agenda Item and Date: III.D; January 7, 2013.

Local Government Amendment Number: City of Marathon proposed #13-1ACSC.

Date Comments due to Local Government: January 1, 2013.

Date Mailed to Local Government and State Land Planning Agency: Prior to January 1, 2013 with final Council Action on January 7, 2013.

*Pursuant to Section 163.3184, Florida Statutes, Council review of amendments to local government comprehensive plans is limited to adverse effects on regional resources and facilities identified in the Strategic Regional Policy Plan for South Florida (SRPP) and extrajurisdictional impacts that would be inconsistent with the comprehensive plan of any affected local government within the region. A written report containing an evaluation of these impacts, pursuant to Section 163.3184, Florida Statutes, is to be provided to the local government and the state land planning agency within 30 calendar days of receipt of the amendment.*

**DESCRIPTION OF AMENDMENT**

The proposed amendment package contains a map amendment to the Future Land Use Map of the City's Comprehensive Plan.

**Ordinance 2012-16 | Map Amendment (HTG Crystal Cove Resort, LLP)**

This map amendment would change the future land use from "Residential Medium (RM)" to "Mixed Use Commercial (MU)" for approximately 1.19 acres of land, comprised of five parcels (Lots 9-13), located at 4900 Overseas Highway, near Mile Marker 49.5.

The five subject parcels are part of a 7.3-acre property (with 6.1 acres of upland) that is developed with commercial transient uses (hotel/motel) and one residential unit; the property is scarified and contains minimal vegetation. The City staff report states that in 2004 and 2005 the City approved a Conditional Use Permit and Development Agreement that allow redevelopment of the overall site with transient uses, and acknowledge that the site has been a hotel for more than 50 years. The owner has submitted an application to revise the Conditional Use Permit and Development Agreement to allow additional development on the site for a total of 113 transient units. The proposed redevelopment is not consistent with the current future land use on the five subject parcels, which the City staff report states were incorrectly designated when the City first prepared its Future Land Use Map (2005) and zoning maps (2007). The proposed amendment would rectify this inconsistency. Adjacent future land uses include Residential Medium to the east and Mixed Use Commercial to the south and west, with Florida Bay to the north.

The additional transient units sought by the owner would take advantage of an authorization by the Governor and Cabinet, acting as the Administration Commission, that allows the City to permit up to 200 transient units. Marathon adopted an ordinance to guide the allocation of the units, which establishes, among other things, that the recipient property must be shovel-ready and have a certain number of existing transient units, that and the owners must make additional investments to the property. If the transient credits are not used within the time allocated by Marathon, the credits revert to the City.

No adverse effects to regional resources and facilities or extrajurisdictional impacts would result from the proposed map amendment.

**1. ADVERSE EFFECTS TO SIGNIFICANT REGIONAL RESOURCES AND FACILITIES IDENTIFIED IN THE STRATEGIC REGIONAL POLICY PLAN.**

Not Applicable.

**2. EXTRAJURISDICTIONAL IMPACTS INCONSISTENT WITH ANY COMPREHENSIVE PLANS OF LOCAL GOVERNMENTS WITHIN THE REGION.**

**Not Applicable.**

Attachment 6

FLORIDA REGIONAL COUNCILS ASSOCIATION  
LOCAL GOVERNMENT COMPREHENSIVE PLAN AMENDMENT REVIEW FORM 01

South Florida Regional Planning Council Agenda Item and Date: III.D; January 7, 2013.

Local Government Amendment Number: City of Pompano Beach adopted #12-IESK.

Date Comments due to Local Government: December 29, 2012.

Date Mailed to Local Government and State Land Planning Agency: Prior to December 29, 2013 with final Council Action on January 7, 2013.

*Pursuant to Section 163.3184, Florida Statutes, Council review of amendments to local government comprehensive plans is limited to adverse effects on regional resources and facilities identified in the Strategic Regional Policy Plan for South Florida (SRPP) and extrajurisdictional impacts that would be inconsistent with the comprehensive plan of any affected local government within the region. A written report containing an evaluation of these impacts, pursuant to Section 163.3184, Florida Statutes, is to be provided to the local government and the state land planning agency within 30 calendar days of receipt of the amendment.*

**DESCRIPTION OF AMENDMENT**

The adopted amendment package contains revisions to the City of Pompano Beach Comprehensive Plan Future Land Use Element and Future Land Use Map. The map amendment establishes a Downtown Pompano Transit Oriented Corridor land use designation, design and procedure guidelines, and its application to a 269-acre area in downtown Pompano Beach. The text amendment includes a list of uses for the Downtown Pompano Transit Oriented Corridor.

Changes were made between transmittal and adoption to address conditions suggested by Broward County. No adverse effects to regional resources and facilities or extrajurisdictional impacts would result from the amendment.

**1. ADVERSE EFFECTS TO SIGNIFICANT REGIONAL RESOURCES AND FACILITIES IDENTIFIED IN THE STRATEGIC REGIONAL POLICY PLAN.**

Not Applicable.

**2. EXTRAJURISDICTIONAL IMPACTS INCONSISTENT WITH ANY COMPREHENSIVE PLANS OF LOCAL GOVERNMENTS WITHIN THE REGION.**

Not Applicable.

Attachment 7

FLORIDA REGIONAL COUNCILS ASSOCIATION  
LOCAL GOVERNMENT COMPREHENSIVE PLAN AMENDMENT REVIEW FORM 01

South Florida Regional Planning Council Agenda Item and Date: III.D; January 7, 2013.

Local Government Amendment Number: City of Coral Springs proposed (Number to be Assigned).

Date Comments due to Local Government: January 20, 2013.

Date Mailed to Local Government and State Land Planning Agency: Prior to January 20, 2013 with final Council Action on January 7, 2013.

*Pursuant to Section 163.3184, Florida Statutes, Council review of amendments to local government comprehensive plans is limited to adverse effects on regional resources and facilities identified in the Strategic Regional Policy Plan for South Florida (SRPP) and extrajurisdictional impacts that would be inconsistent with the comprehensive plan of any affected local government within the region. A written report containing an evaluation of these impacts, pursuant to Section 163.3184, Florida Statutes, is to be provided to the local government and the state land planning agency within 30 calendar days of receipt of the amendment.*

**DESCRIPTION OF AMENDMENT**

The proposed amendment package contains a Land Use Plan map amendment to the City of Coral Springs Comprehensive Plan.

**Land Use Plan Map Amendment**

This map amendment would change approximately 90.8 acres of land from "Recreation Open Space-Golf" (88.21 acres) and "Medium (8-20 dwelling units per acre) Residential" (2.62 acres) to:

- Moderate (2.00-7.99 du/acre) Residential - (circumscribed at 3.7 du/acre) (51.68 acres);
- Moderate (2.00-7.99 du/acre) Residential - (circumscribed at 3.9 du/acre) (21.00 acres);
- Medium (8.00-20.00 du/acre) Residential - (circumscribed at 12.7 du/acre) (13.31 acres);
- Recreation and Open Space (P) ( 4.84 acres)

The amendment site is currently vacant, but was formerly the Broken Woods Country Club, the first golf course along with its associated amenities to open within the City of Coral Springs. The clubhouse closed its doors in June 2003. Currently, the site is vacant and the only remaining structure onsite is a shed located on the maintenance parcel. In April 2007, the clubhouse burned down and the existing concrete slab remains on the south parcel along with abandoned tennis courts.

The adjacent uses are RM-20 (Medium Density Multiple-Family) to the north and east and RM-30 (Medium High Density Multiple-Family) to the south and west.

The amendment would authorize 436 residential units that include 188 single-family, zero lot line homes; 80 Townhouses; and 168 garden apartments (3-story buildings). Based upon the Traffic Study, the proposed project has a significant impact and reduces the Level of Service (LOS) below acceptable levels on only one link in the surrounding roadway network. That link is along University Drive from the north parcel driveway to Cardinal Road. There are other links in the Traffic Study where LOS is reduced by the year 2016 but these are caused by the background conditions and are not attributed to project traffic. The petitioner has voluntarily agreed to construct northbound and southbound left turn lanes at Sample Road and NW 85 Avenue to mitigate the impact of increased traffic on NW 38 Drive and NW 85 Avenue. In addition, the petitioner has agreed to mitigate the impact of project traffic on University Drive between the north parcel driveway and Cardinal Road. The amendment would not adversely affect any other adopted LOS standards.

No adverse effects to regional resources and facilities or extrajurisdictional impacts would result from the map amendments.

**1. ADVERSE EFFECTS TO SIGNIFICANT REGIONAL RESOURCES AND FACILITIES IDENTIFIED IN THE STRATEGIC REGIONAL POLICY PLAN.**

**Not Applicable.**

**2. EXTRAJURISDICTIONAL IMPACTS INCONSISTENT WITH ANY COMPREHENSIVE PLANS OF LOCAL GOVERNMENTS WITHIN THE REGION.**

**Not Applicable.**

**The Council requests the local government please send a copy of the adopted version of the amendment.**

Rick Scott  
GOVERNOR



Jesse Panuccio  
EXECUTIVE DIRECTOR

April 30, 2013

The Honorable Mike Cinque  
Mayor, City of Marathon  
9805 Overseas Highway  
Marathon, Florida 33050

Dear Mayor Cinque:

The Department of Economic Opportunity has completed its review of the comprehensive plan amendment for the City of Marathon adopted by Ordinance No. 2012-16 on February 26, 2013 (Amendment No. 13-1ACSC), which was received and determined complete on March 19, 2013. We have reviewed the amendment in accordance with the state coordinated review process set forth in Sections 163.3184(2) and (4) Florida Statutes (F.S.) and have determined that the adopted amendment meets the requirements of Chapter 163, Part II, F.S., for compliance, as defined in Section 163.3184(1)(b), F.S. The Department of Economic Opportunity is therefore issuing a Notice of Intent to find the comprehensive plan amendment "In Compliance." A copy of the Notice of Intent has been posted on the Department of Economic Opportunity's Internet website. You may access the Notice of Intent at <http://dca.deo.myflorida.com/finddocumentsonline/>.

The Department of Economic Opportunity's Notice of Intent to find a plan amendment "In Compliance" shall be deemed to be a final order if no timely petition challenging the amendment has been filed. If this plan amendment is challenged by an affected person, the amendment will not become effective until the Department of Economic Opportunity or the Administration Commission enters a final order determining the amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commenced before it has become effective.

If you have any questions related to this review, please contact Barbara Powell, at (850) 717-8504, or by email at [Barbara.powell@deo.myflorida.com](mailto:Barbara.powell@deo.myflorida.com).

Sincerely,

William B. Killingsworth  
Director, Division of Community Development

WBK/bep

Enclosure: Notice of Intent

cc: George Garrett, Director, Marathon Planning Department  
Mr. James F. Murley, Executive Director, South Florida Regional Planning Council

STATE OF FLORIDA  
DEPARTMENT OF ECONOMIC OPPORTUNITY, THE STATE LAND PLANNING  
AGENCY  
NOTICE OF INTENT TO FIND THE  
CITY OF MARATHON  
COMPREHENSIVE PLAN AMENDMENTS  
IN COMPLIANCE  
DOCKET NO. 13-1ACSC-NOI-4406-(A)-(I)

The Department gives notice of its intent to find the Amendments to the Comprehensive Plan for the City of Marathon, adopted by Ordinance No. 2012-16 on February 26, 2013, IN COMPLIANCE, pursuant to Section 163.3184(4), F.S.

If a timely petition challenging the Amendments was not filed within thirty (30) days after the local government adopted the Amendments, the Amendments become effective upon the posting of this Notice of Intent on the Department's Internet Website. If a timely petition was filed, the Amendments do not become effective until the Department or the Administration Commission enters a final order determining that the Amendments are in compliance.



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William B. Killingsworth  
Director, Division of Community Development  
Department of Economic Opportunity  
107 East Madison Street  
Tallahassee, Florida 32399