

Ron DeSantis
GOVERNOR



Meredith Ivey
ACTING SECRETARY

March 3, 2023

RESPONSE VIA E-MAIL ONLY

Ms. Claudia C. Hasbun, AICP, Director
Miami Shores Village
10050 NE 2nd Avenue
Miami Shores, FL 33138

Dear Ms. Hasbun:

Thank you for submitting Miami Shores Village's proposed comprehensive plan amendments for our review. The reference number for this amendment is 23-02ER.

We have conducted an inventory of the proposed plan amendment package to verify the inclusion of all required materials for the proposed amendments. The submission package appears to be complete, and your proposed plan amendments will be reviewed pursuant to Chapter 163.3184(4)(d), Florida Statutes. Once the review is underway, you may be asked to provide additional supporting documentation by the review team to ensure a thorough review. The State Land Planning Agency's Objection, Recommendation and Comment (ORC) report will be mailed to you on or about April 29, 2023.

If you have any questions, please contact Terri Stoutamire, Plan Processor at (850) 717-8513 or by email at terri.stoutamire@deo.myflorida.com. You may also contact James Stansbury, Bureau Chief, who will be overseeing the review of the amendments, at 850-717-8512.

Sincerely,

Barbara Powell, Deputy Bureau Chief
Bureau of Community Planning and Growth

BP/ts

cc: External Agencies

Florida Department of Economic Opportunity | Caldwell Building | 107 E. Madison Street | Tallahassee, FL 32399
(850) 245.7105 | www.FloridaJobs.org | www.Twitter.com/FLDEO | www.Facebook.com/FLDEO

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Miami Shores

Claudia C. Hasbun, AICP
Planning, Zoning and Resiliency
Director

10050 N.E. SECOND AVENUE
MIAMI SHORES, FLORIDA 33138-2382
TELEPHONE: (305) 795-2207
FAX: (305) 756-8972

February 28, 2023

James Stansbury, Chief
Bureau of Comprehensive Planning
Department of Economic Opportunity
107 East Madison Street
Caldwell Bldg., MSC 160
Tallahassee, Florida 32399-4120

RE: State Coordinated Review of Proposed Miami Shores Village Comprehensive Plan Amendment (Future Land Use Element and Future Land Use Map) – Re-Transmittal

Dear Mr. Stansbury:

Miami Shores Village (“the Village”) is pleased to re-transmit the proposed ordinance to amend Future Land Use Element (“FLUE”) text and Future Land Use Map (“FLUM”) of the Miami Shores Village 2025 Comprehensive Plan (“the Comprehensive Plan”) pursuant to Sec. 163.3184(4), F.S., State Coordinated Review Process. The amendment (Exhibit 12 – version of the Ordinance) was considered during a public hearing of the Local Planning Agency/Planning and Zoning Board on July 13, 2022, and initially approved for transmittal to the Florida Department of Economic Opportunity (“DEO”) by the Village Council on first reading at a regular meeting held on December 14, 2022. The amendment package was returned by DEO because the Village’s Property Rights Element had not been adopted by that date. Further, Village staff were advised that there was a deficiency with the December 14, 2022, legal notice. To cure both issues, a re-hearing of the first reading for the text and FLUM amendments was held on February 21, 2023.

Miami Shores Village is not located in an area of critical state concern (Big Cypress, Green Swamp, Key West and the Florida Keys, Apalachicola Bay); Orange, Lake or Seminole County, or; the Wekiva River Protection Area. The amendment was not adopted under a joint planning agreement.

A summary of the background and purpose of this amendment is provided below:

- In late 2021, Miami Shores Village staff noticed certain discrepancies between the text of the Future Land Use Element (“the FLUE”) and the Future Land Use Map (“the

FLUM”) of the Comprehensive Plan, which apparently emerged during a statutory Evaluation and Appraisal Review (EAR) of the Comprehensive Plan conducted in 2018-2019.

- Upon identifying the first discrepancies, the Village immediately notified the Florida Department of Economic Opportunity and outlined a strategy to resolve the issues.
- To facilitate the process, the Village enacted a temporary moratorium on all new development (excluding single-family homes) and retained the services of a consultant that specializes in comprehensive plans, land use planning and regulatory issues to complete a detailed examination of the FLUE and the FLUM along with supporting, relevant documentation; to determine and assess the extent of the issues; and to recommend changes necessary to ensure internal and external cohesion between the policy and mapped components of the FLUM; and to prepare the FLUE and FLUM for the at-the-time imminent (now ongoing) EAR-based amendment process.
- The consultant’s extensive examination of the FLUE and the FLUM revealed additional irregularities beyond the initial discrepancies noted between the text and the map. The most substantial was that maximum densities in the Single Family and Multifamily Residential future land use categories were reduced without documented analysis, rational basis, or property owner input, resulting in an inaccurate representation of the built environment; nonconforming density and/or lot size status for vast portions of the Village (which are at near build-out); and unattainable lot sizes, since the maximum lower densities conflict with the minimum lot size standard in the Zoning Code and with existing platted lot sizes.
- Other issues noted in the adopted 2025 Comprehensive Plan for which no background documentation or rationale could be found, include but are not limited to:
 - Land in the area annexed by the Village in 2008 received a Village land use and zoning designation years later and the process seems to have excluded the majority of the property owners.
 - The FLUE identified certain areas of the Village (“Main Street” (NE 2nd Ave), the area along Biscayne Blvd between 91st and 93rd St.; certain sites at Biscayne Blvd. and 105th Street, and the area west of Barry University previously occupied as the Biscayne Kennel Club) as targets for “redevelopment and renewal,” and overlaid a couple of these areas with a Special Multiuse Redevelopment Area designation, but provided no density or intensity parameters and little to no guidance for how to effectively implement these designations.
 - In addition to these and other text-related issues, erroneous designations in the FLUM were found that could put property owners (and the Village) at risk by leading to incorrect property assessments and zoning conflicts.
 - The Coastal High Hazard Area (CHHA) line disappeared from the FLUM in 2018. As the former CHHA boundary is greatly out of date, the Village intends to include a separate new CHHA map within the Coastal Management Element (as appropriate) as part of the EAR-based amendment process.

Additional information can be found on the [project website](#). The proposed amendment considered a variety of data and analyses collected and/or prepared by the consultant, as well as the vision and important findings and recommendations provided in the Village's recently adopted [Strategic Management Plan](#) and [Age-Friendly Action Plan](#), the [2018 Environmental Vulnerability Study](#), and the 2016 [Downtown Architectural Design Manual, Parking & Streetscape Analysis](#), which are relevant to future land use and development patterns. These plans and studies, along with other applicable Village documents, will also play an important role in the preparation of amendments to the remaining elements of the Comprehensive Plan as part of the ongoing EAR-based amendment process.

We have included with this submittal copies of agendas, memoranda, presentations, and other documentation of data and analysis that provides the basis for the proposed amendment, as well as input provided by the public, as follows:

1. MSV Agency Transmittal List
2. Council Agenda – February 21, 2023 First Reading
3. Comprehensive Plan Council Memo
4. Exhibit A – Data & Analysis
5. Exhibit B – Concurrency Analysis
6. Exhibit C – Summary Results – November 30, 2022 Workshop
7. Ordinance – First Reading FLU (Clean Version)
- 7a. Ordinance – First Reading FLU (Color coded)
8. Sign-In Sheets – 022123
9. Ecomments – 022123
10. Miami Herald and Daily Business Review Ads – February 10, 2023
11. MSV Planning Board LPA Meeting Agenda – 071322
12. MSV Planning Board LPA Ordinance (Reviewed and Modified)
13. MSV Planning Board Sign-In Sheet
14. MSV LPA Hearing Ad – 070522
15. Open House Board Transcripts
16. Comprehensive Plan Presentation – 011822
17. Joint Council/Planning Board Workshop – 062822
18. Comprehensive Plan Public Informational Workshop – 092522
19. MSV Comprehensive Plan First Reading – 101822
20. Participatory Workshop Meeting - 113022

Prior to this re-transmittal, we have been coordinating with staff in your office, and will continue to do so through the formal review period to address any potential concerns.

Please contact me, as the Village's Planning, Zoning & Resiliency Director, if you have any questions or need additional information:

Claudia C. Hasbun, AICP, Director
Planning, Zoning & Resiliency Department
Miami Shores Village
10050 NE 2nd Avenue
Miami Shores, FL 33138

Office: 305.762.4864
Mobile: 305.205.3270
hasbunc@msvfl.gov

Thank you for your assistance in this matter.

Sincerely,



Claudia C. Hasbun, AICP

cc: Barbara Powell, DEO
Morgan Runion, Department of Education
Plan Review, Department of Environmental Protection
Alissa S. Lotane, Department of State
Shereen Yee Fong, Department of Transportation District Six
Isabel Cosio Carballo, South Florida Regional Planning Council
Kathe Lerch, South Florida Regional Planning Council
Terry Manning, South Florida Water Management District
Jerry H. Bell, Miami-Dade Regulatory and Economic Resources
Christia E. Alou, Village of El Portal
Mario Diaz, Village of Biscayne Park
Lakisha Hull, City of Miami
Mayor and Council of Miami Shores Village (cc from Manager)
Esmond Scott, Village Manager
Ysabely Rodriguez, Village Clerk
Sarah Johnston, Weiss Serota Helfman Cole + Bierman, Village Attorney
Chanae Wood, Weiss Serota Helfman Cole + Bierman, Village Attorney
Silvia Vargas, FAICP, Calvin, Giordano & Associates
Alex A. David, AICP, Calvin, Giordano & Associates

Attachments

**Miami Shores Village
Agency Transmittal List**

State and Regional Agencies

Department of Economic Opportunity, Bureau of Comprehensive Planning
State Land Planning Agency

Caldwell Building

107 East Madison – MSC 160

Tallahassee, FL 32399-4120

Attention: James Stansbury, Chief

Email: James.Stansbury@deo.myflorida.com and <https://floridajobs.secure.force.com/cp/>

Department of Economic Opportunity
Bureau of Comprehensive Planning
Barbara Powell, Plan Processing Administrator

107 East Madison Street

Caldwell Bldg., MSC 160

Tallahassee, Florida 32399

Email: barbara.powell@deo.myflorida.com

Department of Education
Office of Education Facilities
325 West Gaines Street, Suite 1014

Tallahassee, FL 32399-0400

Attention: Morgan Runion

Email: CompPlans@fldoe.org

Department of Environmental Protection
Office of Intergovernmental Programs
2600 Blair Stone Road, Mail Station 47

Tallahassee, Florida 32399-2400

Attention: Plan Review

Email: Plan.Review@dep.state.fl.us

Department of State
Bureau of Historic Preservation
500 South Bronough Street

Tallahassee, Florida 32399-0250

Attention: Alissa S. Lotane, State Historic Preservation Officer

Email: CompliancePermits@DOS.MyFlorida.com

Department of Transportation, District Six
Intermodal Systems Development
1000 NW 111 Avenue, Room 611-A
Miami, Florida 33172
Attention: Shereen Yee Fong, Transportation Planner IV
Email: Shereen.Yeefong@dot.state.fl.us

South Florida Regional Planning Council
One Oakwood Boulevard, Suite 221
Hollywood, Florida 33020
Attention: Isabel Cosio Carballo, Executive Director
Email: isabelc@sfrpc.com, klerch@sfrpc.com and sfadmin@sfrpc.com

South Florida Water Management District
3301 Gun Club Road, MSC 4223
West Palm Beach, Florida 33406
Attention: Terry Manning, AICP, Policy and Planning Analyst, Water Supply Coordination
Email: SFLOCALGOVPLAN@sfwmd.gov

Local Agencies

Miami-Dade County
Department of Regulatory and Economic Resources, Planning Division
111 NW First Street, 12th Floor
Miami, Florida 33128
Attention: Jerry H. Bell, AICP, Assistant Director for Planning
Email: jerry.bell@miamidade.gov

Village of El Portal
Attn: Village Manager
Christia E. Alou, Esq.
500 NE 87th Street
El Portal, FL 33138
villagemanager@villageofelportal.org

Village of Biscayne Park
Attn: Village Manager
Mario A. Diaz
600 NE 114 Street Biscayne Park, FL 33161
villagemanager@biscayneparkfl.gov

City of Miami
Attn: Lakisha Hull, Director
Planning Department
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