

1 **ORDINANCE NO. _____ - 2022**
2

3 **AN ORDINANCE OF THE VILLAGE COUNCIL OF**
4 **MIAMI SHORES VILLAGE, FLORIDA, AMENDING**
5 **THE VILLAGE COMPREHENSIVE PLAN BY**
6 **AMENDING THE FUTURE LAND USE ELEMENT**
7 **AND FUTURE LAND USE MAP (FLUM) FOR**
8 **PROPERTIES LOCATED IN MIAMI SHORES**
9 **VILLAGE; PROVIDING FOR TRANSMITTAL;**
10 **PROVIDING FOR CONFLICTS; PROVIDING FOR**
11 **SEVERABILITY; AND PROVIDING FOR AN**
12 **EFFECTIVE DATE.**

13

14 **WHEREAS**, Miami Shores Village (the “Village”) Council recognizes that,
15 periodically, it is necessary to amend the Village Comprehensive Plan (the “Plan”) in order
16 to ensure that the Plan is current and consistent with the Village’s planning and regulatory
17 needs; and

18 **WHEREAS**, amendments to the Comprehensive Plan are permitted in accordance
19 with Village and State regulations governing such amendments; and

20 **WHEREAS**, the Village identified a number of inconsistencies, errors and obsolete
21 provisions within and between the text of the goals, objectives and policies in the Plan’s
22 Future Land Use Element and Future Land Use Map (“FLUM”); and

23 **WHEREAS**, on March 2022, the Village contracted with Calvin, Giordano &
24 Associates, Inc. (the “Consultant”) to provide recommendations to resolve the
25 inconsistencies, errors, and obsolescence in the Plan; and

26 **WHEREAS**, after conducting an extensive public outreach process in coordination
27 with the Village, the Consultant prepared detailed analyses to substantiate and validate
28 proposed amendments to the Plan’s Future Land Use Element text and FLUM that
29 resolve the issues raised; and

30 **WHEREAS**, the Village Council finds that the proposed amendments will help
31 strengthen the Village's long-term ability to protect its residential neighborhoods, revitalize
32 targeted areas, and improve overall community character and quality of life; and

33 **WHEREAS**, the Planning Board, sitting as the Local Planning Agency, reviewed
34 the Ordinance, and voted to recommend approval of the Ordinance; and

35 **WHEREAS**, the Village Council has reviewed the Ordinance at a duly noticed
36 public hearing in accordance with law and determined that it is consistent with the Village
37 Comprehensive Plan; and

38 **WHEREAS**, the Village Council finds that the proposed Ordinance serves to
39 further enhance the protection of the public health, safety and welfare.

40 **NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND VILLAGE
41 COUNCIL OF MIAMI SHORES VILLAGE, FLORIDA, AS FOLLOWS:**¹

42 **Section 1. Recitals Adopted.** That each of the above stated recitals is hereby
43 confirmed, adopted, and incorporated herein and made a part hereof by reference.

44 **Section 2. Amendment to the Comprehensive Plan.** That the Village
45 Comprehensive Plan is hereby amended as provided in Exhibit "A," which is incorporated
46 and made a part hereof by this reference.

¹ Strikethrough words are deletions to the existing text. Underlined words are additions to the existing text. Changes between first and second reading are indicated with highlighted double strikethrough and double underline. Strikethrough words are deletions to the existing text. Text highlighted in yellow reflects FL DEO courtesy comments from 07/12/22. Text highlighted in cyan reflects revisions recommended by the Planning Board on 07/13/22. Text highlighted in green (with matrix) reflects revision recommended by CGA at Planning Board on 07/13/22. Text highlighted in pink reflects revisions recommended by the Village Council at the Council meeting on 07/19/2022. Text highlighted in dark green reflects revisions recommended by the Village Council at the Council meeting on 10/06/2022. The highlighted in red reflects revisions recommended by the Village Council at the Council meeting on 11/15/2022.

47 **Transmittal.** The City Clerk is authorized to transmit the Comprehensive Plan
48 Amendments adopted by this Ordinance to the Department of Economic Opportunity
49 (DEO) and all other units of local government or governmental agencies required by
50 Florida Statutes, Section 163.3184.

51 **Section 3. Conflicting Provision.** Any provisions of the Code of Ordinances of
52 Miami Shores Village, Florida, in conflict with the provisions of this Ordinance are hereby
53 repealed, but only to the extent of such conflict.

54 **Section 4. Severability.** That the provisions of this Ordinance are declared to
55 be severable and if any section, sentence, clause, or phrase of this Ordinance shall, for
56 any reason, be held to be invalid or unconstitutional, such decision shall not affect the
57 validity of the remaining sections, sentences, clauses, and phrases of this Ordinance, but
58 they shall remain in effect, it being the legislative intent that this Ordinance shall stand
59 notwithstanding the invalidity of any part.

60 **Section 5. Inclusion in the Village Comprehensive Plan.** That it is the
61 intention of the Village Council and it is hereby ordained that amendments indicated in
62 Exhibit A this Ordinance shall become and be made a part of the Miami Shores Village
63 Comprehensive Plan.

64 **Section 6. Effective Date.** That this Ordinance shall be effective immediately
65 upon passage by the Village Council on second reading, except that the effective date of
66 the comprehensive plan amendments approved by this Ordinance shall be the date a
67 final order is issued by the DEO or Administrative Council finding the plan amendments
68 in compliance in accordance with Section 163.3184, Florida Statutes, whichever occurs

70 earlier. The DEO notice of intent to find the plan amendments in compliance shall be
71 deemed to be the final order if no timely petition challenging the plan amendment is filed.

72
73 **PASSED and ADOPTED** this _____ day of _____, 2022.
74

75 First Reading: _____, 2022
76 Second Reading: _____, 2022
77
78

79 Attest:
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81
82

83 Ysabely Rodriguez, CMC
84 Village Clerk
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Sandra Harris
Mayor

88 APPROVED AS TO FORM AND LEGAL SUFFICIENCY:
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92 Weiss, Serota, Helfman, Cole + Bierman, P.L.
93 Village Attorney
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FINAL VOTES AT ADOPTION

Council Member Alice Burch	_____
Council Member Katia Saint Fleur	_____
Council Member Crystal Wagar	_____
Vice Mayor Daniel Marinberg	_____
Mayor Sandra Harris	_____

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122 **EXHIBIT A**
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124 **MIAMI SHORES VILLAGE, FLORIDA**
125 **2025 COMPREHENSIVE PLAN**
126

127 **Goals, Objectives, Policies**
128

129 **Approved: July 1, 5, 2008**
130

131 **Amended: January 6, 2009**
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133 **Amended: July 6, 2010**
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135 **Amended: November 2, 2010**
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137 **Amended: April 17, 2011**
138

139 **Amended: November 6, 2012**
140

141 **Amended: November 19, 2013**
142

143 **Amended: October 2, 2018**
144

145 **Amended: March 5, 2019**
146

147 **Amended: _____, 2022**
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149 ***
150

151 **INTRODUCTION**
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153 The Comprehensive pPlan serves as the guiding policy document which that governs
154 land use development, concurrency, and LOS standards for the Village's public facilities
155 and services. The Ddocument includes an extensive data, inventory, and analysis of the
156 Village's facilities (Roads, parks, drainage, etc.) together with goals, objectives, and
157 policies to provide or improve upon such facilities to reach, maintain, and/or exceed LOS
158 standards through 2025.
159

150 **CHAPTER 1. FUTURE LAND USE ELEMENT**

151 **FUTURE LAND USE ELEMENT GOAL**

152 Ensure that the balance, character and location of future land uses provides for the
153 highest possible long-term economic and quality of life benefits, while preserving and
154 restoring natural resources, residential strengthening and enhancing overall community
155 character, including the Village's residential neighborhoods, and providing appropriate
156 levels of public services to meet the needs of the Village's present and future population.

157 **Objective 1: Coordination of land uses with topography and soils Planning for the**
158 **Village's Future.**

159 Maintain existing development and achieve new development and redevelopment
160 which is consistent with the goal above and which otherwise coordinates future land
161 uses with topography and soil conditions and the availability of facilities and services.
162 Monitoring and Evaluation: The Village shall monitor the
163 following policies: Establish land use categories and a Future Land Use Map (FLUM)
164 that provide for compatible and coordinated land uses, allowing for the protection of
165 natural resources and the preservation of community character and overall scale, as
166 well as capitalizing on the Village's redevelopment and economic development
167 opportunities.

168 **Policy 1.1:**

169 The Village is an established community that is nearing build out. Therefore, the
170 Village's Future Land Use designations and FLUM shall describe, assign, and depict
171 land for existing, well-established land uses as well as aspirational future land uses
172 determined to be in the long-term public interest of the Village.

173 **Policy 1.2:**

174 The Village~~FLUM~~ shall maintain, improve contain and identify enforce land
175 development code provisions which are consistent with the Future Land Use Map,
176 including the land uses and the densities and intensities specified thereon and
177 described below: appropriate locations for the following land use categories:

178 **Single Family Residential:**

179 This land use designation, intended for permanent detached single-family
180 dwellings, is reflected primarily in the Village's existing neighborhoods of detached
181 single-family homes built on individual platted lots. The residential densities
182 allowed in this designation shall not exceed vary between a minimum of
183 two and a half (2.5) and a maximum of ten (10) nine (9) dwelling units per gross
184 acre. This density category is characterized solely by detached single family
185 homes on relatively large lots. This density range acknowledges the built
186 environment and the wide variety of lot sizes that has existed historically in Miami
187 Shores, from large estates to small lots. No platted lot shall be reduced in size from
188 that currently platted. This shall not limit the right to build on an existing platted lot,
189 nor does it prevent the combination of smaller lots to make larger ones.

190 **Multi-family Residential:**

191 Multi-family units or single family detached and This land use designation is
192 intended primarily for apartment and condominium developments, but may also
193 include other types of attached units such as duplexes. Areas outlined for this land
194 use accommodate multifamily dwellings at a density up to 6.0 ~~thirty-one (31)~~
195 dwelling units per gross acre ~~or single family detached units at a density up to six~~
196 ~~(6) per gross acre~~ except where Florida Department of Environmental
197 Resources Protection regulations including related to septic tanks standards may
198 require a lower density. Floor area ratios may be incorporated in development
199 code regulations the Zoning Code. Whenever possible, land for multifamily
200 residential development should be located so as to provide a transition between
201 lower density residential areas and areas developed and/or designated for more
202 dense or intense uses. Zoning regulations shall be implemented to preserve the
203 existing densities of developed properties within established multi-family
204 residential districts.

205 **Mixed Use:**

206 Mixed Use land use designations are intended to accommodate a coordinated,
207 integrated and balanced range of retail, office, service, residential, and civic land
208 uses. Permitted building heights shall be specified in the Zoning Code. In addition,
209 regulations regarding density and intensity in zoning districts for areas designated
210 as Mixed Use shall provide incentives for mixed-use development. Development
211 shall be considered Mixed Use when no one use is less than 20% or no greater
212 than 80% of the net overall square footage of a development.

213 There are ~~two three~~ distinct sub-designations that provide different levels of Mixed
214 Use, as described in the following pages. Specific types of retail, service, office
215 and auto-related uses that may be permitted, conditioned, or prohibited in each
216 sub-designation are defined in the Zoning Code. Within the ~~two three~~ sub-
217 designations, urban form may include the following variations:
218

- Vertical mixed use, where retail, service and civic uses are located on the ground floor of a building, with office and/or residential uses located on upper floors.
- Horizontal (attached) mixed use, where separate uses are located side by side in the same building.
- Horizontal (detached) mixed use, where separate uses are located in separate buildings within the same site.

219 2. Main Street Mixed Use Miami-Shores Downtown District Sub-designation: The
220 Mixed Use ~~Main Street~~ Miami-Shores Downtown District land use sub-
221 designation shall accommodate retail, office, service and residential dwelling units
222 with an emphasis on vertical mixed use development that is characteristic of
223 traditional main streets in business districts and downtown areas. Along with
224 governmental, arts, culture and entertainment uses, the use mix in this land use
225 sub-designation shall promote development of a compact, pedestrian-oriented

area that provides opportunities for live-work lifestyles and supports the creation of a place that reflects a unique and memorable destination for the Village residents and visitors. The following criteria shall apply in the Mixed Use-Main StreetMiami-Shores Downtown District sub-designation:

1. Base density and intensity: Twenty-five (25) dwelling units per gross acre and floor area ratio (FAR) of 1.5.
2. Density and intensity limits: Density up to thirty-five (35) dwelling units per gross acre and floor area ratio of up to 2.5 may be granted in the form of bonuses for development projects that provide community benefits. Such benefits may include but shall not be limited to historic building designation; donation of public art, parkland or civic spaces in excess of minimum code requirements; provision of senior or workforce housing; and/or community contribution fees toward central sanitary sewer or other capital investments, the nature of which shall be specified in the Zoning Code.
3. Range of uses: Business and professional offices, retail sales and service establishments, eating and drinking establishments including outdoor dining, artisanal retail, and a variety of attached multifamily residential uses. Auto-related uses shall be discouraged and may be restricted through the Zoning Code.
4. Compatibility: Mixed use projects shall be encouraged to ensure that the scale and intensity is not out of character with adjacent residential uses and the development is appropriately buffered. The existing parking lots shall serve as buffers between the single-family areas and any other uses. Transition standards and regulations shall be specified in the Zoning Code to ensure the protection of the Single-Family Residential designation.
5. Use mix target: The overall mix of uses in the Mixed Use-Main Street district shall be about 40% residential and 60% non-residential determined in the Zoning Code. In vertical mixed-use projects, residential uses shall be permitted on the second floor and above and the ground floor must allow retail, service, dining, or office uses. Horizontal mixed-use projects shall include at least two of the use categories listed in subsection 3 above.
6. The Zoning Code regulations implementing this category shall encourage a compact and walkable environment to reduce vehicle miles of travel and encourage use of public transit.
7. Unified architectural and streetscape themes shall be encouraged for all developments within the Mixed Use-DMS sub-designation Main Street Corridor category, with incentives provided to reduce on-site parking, promote active forms of transportation, and minimize environmental impacts. For parcels that are assembled into a larger, multi-building development, on-site structured parking is preferred.
8. Building height: The height limitation shall be not to exceed four (4) stories.

2. Neighborhood Sub-designation: The Mixed Use-Neighborhood (MUN) land use sub-designation shall accommodate small-scale retail, commercial, service and/or residential dwelling units in patterns that offer residents the ability to live, shop, work, study, and play in one place. Mixed Use-Neighborhood includes a mixture

282 of housing types and residential densities integrated with goods and services, both
283 in vertical and/or horizontal mixed-use developments, with the goal of creating
284 complete communities for residents. The following criteria shall apply in the Mixed
285 Use-Neighborhood sub-designation:

- 286 1. Base density and intensity: Thirty (30) dwelling units per gross acre and FAR
287 of 1.5.
- 288 2. Density and intensity limits: Density up to thirty-five (35) dwelling units per gross
289 acre and floor area ratio of up to 2.5 may be granted in the form of bonuses for
290 development projects that provide community benefits. Such benefits may
291 include but shall not be limited to donation of parkland or civic spaces; inclusion
292 of senior or workforce housing; and/or community contribution fees toward
293 central sanitary sewer or other capital investments, the nature of which shall be
294 specified in the Zoning Code.
- 295 3. Range of uses: Various types of residential uses including single detached,
296 attached and multifamily units; educational services; business and professional
297 offices; neighborhood-serving retail; service establishments; and eating and
298 drinking establishments. Auto-oriented and Auto-dependent uses are
299 prohibited uses are discouraged and may be restricted through the Zoning
300 Code. Auto oriented and auto-related land uses are directly related to
301 automobile services or accommodations, these type of uses are built around
302 the automobile discouraging pedestrian-friendly designs.
- 303 4. Compatibility: Mixed use projects shall be encouraged to ensure that the scale
304 and intensity is not out of character with adjacent residential uses and the
305 development is appropriately buffered.
- 306 5. Overall mix target: The overall mix of uses in Mixed Use-Neighborhood districts
307 shall be about 70% residential and 30% non-residential determined in the
308 Zoning Code. For vertical mixed-use projects, the ground floor must allow for
309 retail, service, dining, educational and/or office uses. Horizontal mixed-use
310 projects shall include at least two of the use categories listed in subsection 3
311 above.
- 312 6. The Zoning Code regulations implementing this category shall encourage a
313 compact and walkable environment to reduce vehicle miles of travel and
314 encourage use of public transit.
- 315 7. Unified architectural and streetscape themes shall be encouraged for all
316 developments within the Mixed Use-Neighborhood sub-designation
317 Neighborhood Use Corridor category, with incentives provided to reduce on-
318 site parking, promote active forms of transportation, and minimize
319 environmental impacts. For parcels that are assembled into a larger, multi-
320 building development, on-site structured parking is preferred.
- 321 8. Building height: The height limitation shall be not to exceed five (5) stories.

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325 3. Corridor Sub-designation: The Mixed Use-Corridor land use sub-designation
326 shall accommodate a wide range of residential, commercial, service,
327 entertainment, and civic uses. This designation is intended to support walking,
328 bicycling, and transit-friendly development patterns along the Village's southern

portion of the Biscayne Boulevard corridor, capitalizing on the proximity of the anticipated commuter rail station of Miami-Dade County's SMART PLAN at 79th Street, while at the same time supporting the conversion of underutilized or outdated commercial areas for conversion to mixed-use development. The following criteria shall apply in the Mixed Use Corridor sub-designation:

1. Base density and intensity: Forty (40) dwelling units per gross acre and FAR of 2.0.
2. Density and intensity limits: Density up to sixty-five (65) dwelling units per gross acre and floor area ratio of up to 3.0 may be granted in the form of bonuses for development projects on sites that are at least 1.0 acres and provide community benefits. Such benefits may include but shall not be limited to donation of parkland or civic spaces; inclusion of senior or workforce housing; and/or community contribution fees toward central sanitary sewer or other capital investments, the nature of which shall be specified in the Zoning Code.
3. Range of uses: Various types of residential use types, including attached and multifamily units; lodging; business and professional offices, retail and service establishments; eating and drinking establishments, including breweries andbut not limited to outdoor dining; and arts and entertainment uses. Auto-related uses may be subject to additional standards and requirements in order to mitigate impacts on the public realm.
4. Compatibility: The above range of uses shall be permitted in conjunction with mixed use buildings or horizontal mixed-use projects, provided that the project provides appropriate scale and intensity transitions to adjacent development and buffers to surrounding residential neighborhoods. Transition and buffer requirements shall be specified in the Zoning Code.
5. Overall mix target: The overall mix of uses in the Mixed Use Corridor sub-designation Mixed Use Main Street districts shall be about 60% non-residential and 40% residential determined in the Zoning Code. For vertical mixed-use projects, at least the ground floor must allow retail, service or office uses. Horizontal mixed-use projects shall include at least two of the use categories listed in subsection 3 above.
6. The Zoning Code regulations implementing this category shall encourage a compact and walkable environment to reduce vehicle miles of travel and encourage use of public transit.
7. Unified architectural and streetscape themes shall be encouraged for all developments within the Mixed Use Corridor sub-designation category, with incentives provided to reduce on-site parking, promote active forms of transportation, and minimize environmental impacts. For parcels that are assembled into a larger, multi-building development, on-site structured parking is preferred.

371 **Restricted Commercial:**

372 This land use designation is intended to support light retail, office and services
373 Office, food including restaurants, wine and craft beer bars and light retail uses
374 that are compatible with **and support** nearby housing; residential uses that are

375 compatible with nearby commercial. The floor area ratio shall not exceed 1.0.
376 Residential uses are permitted on the second floor and above in conjunction with
377 a mixed use buildings provided that the scale and intensity is not out of character
378 with adjacent nearby development, and the project does not negatively affect any
379 area neighborhoods. The maximum floor to area ratio for mixed use projects with
380 deed restrictions is 3.0. Land uses in the Restricted Commercial designation
381 typically experience relatively low volumes of clients or visitors and have low trip-
382 generation rates. The following criteria shall apply in the Restricted Commercial
383 designation:

- 384 1. Maximum intensity: FAR of 2.0.
- 385 2. Range of uses: Small-scale business and professional offices, light retail and
386 service establishments. Auto-oriented and auto-dependent uses are prohibited.
- 387 3. Restricted Commercial areas may be allowed closer to residential
388 neighborhoods.
- 389 4. Pedestrian connectivity is encouraged between Restricted Commercial and
390 surrounding residential developments.
- 391 5. The Zoning Code regulations implementing this category shall encourage
392 heavy landscaping and screening for parking areas, trash storage and other
393 site characteristics that might impact adjacent residential uses. Further,
394 Restricted Commercial sites shall be developed with adequate parking and
395 vehicular access that does not rely on neighborhood streets.

397 **General Commercial:**

398 This land use designation is intended to support light industrial, commercial, retail,
399 office and/or services. Land uses in the General Commercial designation are
400 intended to sustain a broader and intense nature of uses due to the proximity to
401 major corridors. The following criteria shall apply in the General Commercial
402 designation:

- 403 1. Maximum intensity: FAR of 3.0.
- 404 2. Range of uses: Medium to high-scale business, professional offices,
405 commercial, retail and service establishments. Auto-oriented and auto-related
406 uses are permitted.
- 407 3. General Commercial areas shall not be allowed adjacent to Single-Family
408 Residential designation.
- 409 4. Pedestrian and bicycle connectivity is encouraged between General
410 Commercial and surrounding multi-family residential and restricted commercial
411 developments.
- 412 5. The Zoning Code regulations implementing this category shall encourage
413 heavy landscaping and screening for parking areas, trash storage and other
414 site characteristics that might impact adjacent uses. Further, General
415 Commercial sites shall be developed with adequate parking and vehicular
416 access that does not rely on neighborhood streets.

418 **General Commercial:**

419 A broader range of office, food, studio arts, personal care and retail uses than the
420 Restricted Commercial category but no heavy highway or distribution kinds of
421 uses. The maximum floor to area ratio is 1.0.

422 **Government and Institutional:**

423 This land use designation is intended to accommodate a full range of community
424 support facilities, including governmental buildings and facilities, public utility
425 installations, parking, public and private educational, medical, religious, civic,
426 cultural Schools, universities, churches, medicadministrative facilities for school
427 boards, churches and similar institutions; municipal buildings and public utility
428 installations. The floor area ratio in this land use designation shall not exceed 2.0.

429 **Parks and Recreation:**

430 This land use designation is intended to accommodate recreation and open space
431 uses that serve public recreation needs, including Village parks and recreational
432 facilities, the Miami Shores Golf Course Country Club and Golf Course and similar
433 compatible and complimentary uses including food service establishments in
434 conjunction with the previously listed uses. The floor area ratio in this land use
435 designation shall not exceed 1.0. The extent of all incidental uses shall not exceed
436 50% of the land area of any individual park. In general, any development within
437 this category shall be low intensity in character with a minimum of impervious
438 surface coverage and retain as much natural vegetation and landscape as
439 possible.

440 **Water and Conservation Areas:**

441 This land use designation is intended to identify areas which may exhibit unique
442 or special environmental characteristics. Public conservation areas are intended
443 solely for preservation and/or recreational use. No residential or commercial
444 development may occur other than that typically related to park service and
445 security functions.

446 **Policy 1.3:**

447 The maximum densities/intensities described above are not guaranteed for all sites
448 within each category. The Village's Zoning Map and Zoning Code may impose more
449 restrictive guidelines for development based on zoning district and design criteria,
450 which may include but is not limited to suitable geologic conditions coordination of
451 future land uses with topography and soil conditions and the availability of adequate
452 facilities and services.

453 **Policy 1.4:**

454 The Village shall coordinate future land uses and any resulting development or
455 redevelopment with topography and soil conditions and the availability of adequate
456 facilities and services.

457 **Policy 1.45:**
458 Sufficient land shall be provided in the Future Land Use Map (FLUM) for various
459 types of residential development and the community facilities required to adequately
460 meet the housing needs of the present and projected population.

461 **Policy 1.56:**
462 The Village shall maintain current versions of the Existing and Future Land Use
463 Maps through zoning changes, permitting activity and fieldwork (if necessary), and
464 shall set a schedule for map updates and maintaining updated maps online.

465 **Policy 1.57: Future Designation of Areas Annexed from**
466 **Unincorporated Miami-Dade:**

467 Land that is annexed from Miami-Dade County shall enters the Village with its
468 current Miami-Dade County future land use and zoning designation. The Miami-
469 Dade County development regulations shall apply until such time as Miami Shores
470 the Village adopts an amendment to its this Comprehensive pPlan to include the
471 annexed area and adopts a new an appropriate Miami Shores Village zoning
472 designation for the annexed area.

- 473 • Comprehensive Plan Future Land Use designation and Zoning District
474 Designation
 - 475 a. The future land use and zoning designation for areas annexed from Miami-
476 Dade County will shall be amended to an appropriate Miami Shores Village
477 future land use and zoning designation.
 - 478 b. Miami Shores The Village may create new future land use or zoning
479 designations for annexed areas where the existing development or potential
480 future development would not be consistent with any existing Miami Shores
481 Village future land use or zoning designation.
 - 482 c. Miami Shores The Village will shall consider the existing Miami-Dade County
483 comprehensive plan and zoning regulations in when developing new
484 designations for annexed areas.

485 **Policy 1.278:**
486 The Village shall regulate all development in accordance with the Future Land Use
487 Map (Map 1.4), including the land uses and the densities and intensities specified
488 thereon and in Policy 1.1, all of which are incorporated by reference into this Policy
489 1.2.

490 **Policy 1.389:**
491 The Village shall maintain and/or improve land development Zoning Code
492 provisions governing subdivisions, signs and floodplain protection. Such provisions
493 shall be consistent with this plan and with the applicable Florida statutory and
494 administrative code guidelines.

495 **Policy 1.4910:**

496 The Village shall maintain and improve as part of the ~~Land Development Zoning~~
497 Code a concurrency management system. The Village shall ensure that the public
498 facilities necessitated by a development (in order to meet level of service standards
499 specified in the Infrastructure Element) will be in place no later than the anticipated
500 date of issuance by Miami Shores of a temporary certificate of occupancy or
501 certificate of occupancy by the Village.

502 **Policy 1.51011:**

503 The Village shall maintain and/or improve land development code standards and
504 incentives to achieve new development, renovated development and/or
505 redevelopment that meet high standards for drainage and storm-water
506 management, open space and landscaping, and on-site circulation and parking
507 and other development standards in keeping with the goals, objectives and policies
508 of this plan.

509 **Policy 1.61112:**

510 The Village shall maintain and/or improve ~~land development cZoning Code~~
511 standards to maintain ~~current~~ densities in single family residential districts current
512 as of July 1, 2022

513 **Policy 1.71213:**

514 In its discretion, the Village may enact zoning regulations which allow the
515 appropriate mixing of residential and non-residential uses in mixed use, commercial
516 and institutional land use categories.

517 **Policy 1.8:**

518 As a matter of policy, the Village will compare the Future Land Use Map referred to
519 in Policy 1.1 and the land use densities and intensities set forth in Policy 1.1 with
520 the land uses and intensities found in the report entitled Transit/Land Use
521 Relationship Report as interpreted in part by the state land planning agency.

522 **Policy 1.91314:**

523 The Village ~~will shall~~ continue to work with transportation and transit agencies and
524 coordinate the improvement and expansion of the Village's park system and
525 pedestrian connections with opportunities to improve and expand new walkways.
526 ~~The Village will continue to work with transportation agencies to through~~
527 opportunities such as implement the FEC Greenway or FEC corridor greenway
528 improvements. The Village ~~will shall~~ work with Miami-Dade County and other
529 groups to ensure that the greenway and parks and systems within the Village
530 effectively linked to proposed regional trails. The Village ~~will shall~~ continue to
531 advocate for funding for these trails identified in the Miami-Dade Planning
532 Organization 20402045 Long Range Transportation Plan.

534 **Policy 1.15**

535 In addition, any project, building or structure previously approved by the Village
536 Council, through the adoption of any resolution or ordinance, shall be vested in its
537 right to be developed at its previously approved density and intensity,
538 notwithstanding the maximum densities and intensities contained in Policy 1.2.

539 **Policy 1.16**

540 In the event of destruction and/or redevelopment of any lawfully existing structure
541 exceeding the maximum density and/or intensity contained in Policy 1.2, the
542 structure may be restored or reconstructed to its original density and/or intensity
543 upon a filing of a vested rights determination application, which shall be approved
544 based on criteria outlined in the Zoning Code.

545 **Objective 2: Protection of single family residential areas.**

546 Direct future growth and development and redevelopment so as to minimize the
547 intrusion of incompatible developments, buildings or land uses into single family
548 residential areas.

549 Monitoring and Evaluation: ~~The existing Future Land Use Map (FLUM) is consistent
550 with this objective. Upon an application request to amend the FLUM, the Village shall
551 evaluate application for consistency with the FLUM. Achievement of this objective
552 shall also be quantified by the implementation of the following policies:~~

553 **Policy 2.1:**

554 Maintain a future land use map pattern FLUM and zoning patterns ~~which~~ that keeps
555 multi-family, office, commercial and other incompatible uses out of single family
556 residential areas.

557 [Future Land Use District Compatibility Matrix](#)

DISTRICT ADJACENCY	SINGLE FAMILY RESIDENTIAL	MULTI-FAMILY RESIDENTIAL	MIXED USE-DOWNTOWN	MIXED USE-NEIGHBORHOOD	GENERAL COMMERCIAL	RESTRICTED COMMERCIAL	GOVT AND INSTITUTIONS	PARKS AND RECREATION	WATER & CONSERVATION AREAS
SINGLE FAMILY RESIDENTIAL	■	■	■	■	■	■	■	■	■
MULTI-FAMILY RESIDENTIAL	■	■	■	■	■	■	■	■	■
MIXED USE-DOWNTOWN	■	■	■	■			■	■	■
MIXED USE-NEIGHBORHOOD	■	■		■			■	■	■
GENERAL COMMERCIAL		■			■	■	■	■	■
RESTRICTED COMMERCIAL	■	■			■	■	■	■	■
GOVERNMENT AND INSTITUTIONS	■	■	■	■	■	■	■	■	■
PARKS AND RECREATION	■	■	■	■	■	■	■	■	■
WATER & CONSERVATION AREAS	■	■	■	■	■	■	■	■	■

"Compatible land use" means any use of lands, buildings, and structures which is harmonious to the uses and activities being conducted on the adjoining lands and properties and which does not adversely affect or unreasonably impact the use or enjoyment of the adjoined land.

■ Land use designations compatible for adjacency

558

559

560 **Policy 2.2:**

561 Maintain a future land use map pattern and Guide and support a traffic circulation
 562 pattern which that directs through traffic to Biscayne Boulevard and other arterials
 563 and collectors and away from local residential streets.

564 **Policy 2.3:**

565 Utilize vehicular barricades to block traffic on Biscayne Boulevard and other arterials
 566 and collectors from entering local streets except for local access. Consider, as
 567 necessary, other traffic control strategies such as pedestrian crossings, speed
 568 bumps, barricades to block streets, turn prohibitions, stop signs, and raised
 569 pavement markers, and temporary barricades to block streets which will contribute
 570 to the safety and character of residential streets. Any previously existing street
 571 barricades not temporary in nature shall be maintained to the extent permitted by
 572 applicable law.

573 **Policy 2.4:**

574 Update the Zoning Code to promote compatibility of scale, height, massing, and
 575 overall character through the provision of clear standards, including but not limited
 576 to maximum height, maximum land coverage, maximum floor area ratio, minimum
 577 setbacks, minimum lot size, minimum green space, parking and landscaping
 578 requirements, for the development of single-family residential uses.

579 **Policy 2.5:**

580 Consider consolidating the number of zoning districts and permitted land uses in the
581 Zoning Code.

582 **Policy 2.6:**

583 Create locational and design criteria in the Zoning Code to assure that new and
584 expanded uses are compatible with existing residential uses.

585

586 **Objective 3: Redevelopment and renewal.**

587 In general, encourage the redevelopment and renewal of any areas which are may be
588 at risk to become blighted deteriorating. In particular, 1) encourage target incentives
589 and capital investment to leverage private investment in the revitalization of the
590 following areas consistent with their intended character, as reflected by their Future
591 Land Use designations in the FLUM:

592 1). “Main Street,” Downtown Miami Shores encompassing the business commercial
593 area along N.E. 2nd Avenue;

594 2). encourage private investment in the revitalization and redevelopment of the general
595 commercial area located along the Biscayne Boulevard corridor between 91st 87th
596 Street and 93rd Street;

597 3). encourage private investment in the revitalization and redevelopment of the
598 Biscayne Boulevard/105th Street residential area; and

599 4). encourage private investment in the redevelopment of the area west of Barry
600 University previously occupied by the Biscayne Kennel Club; and,

601 5) encourage private investment in the revitalization and redevelopment of the Special
602 Multi-Use District that promotes a coordinated and balanced range of land uses that
603 provide for a mix of commercial, residential and institutional land uses.

604 **Monitoring and Evaluation**: The Village Manager, or
605 appropriate designee, shall identify and monitor the number of sites deemed slum and
606 blighted areas. Achievement of this objective shall also be quantified by the
607 implementation of the following policies:

608 **Policy 3.1:**

609 Maintain, and improve where appropriate, zoning regulations which permit the
610 concentration of an appropriate “Main Street” business commercial mix of uses and
611 parking in and around the established “Main Street” business commercial area along
612 N.E. 2nd Avenue. The Village shall support and incentivize the inclusion of
613 residential uses along “Main Street”. Blighted neighborhoods or areas may be
614 characterized by a prevalence of older structures with major deficiencies and
615 deterioration of potential high residential vacancies, wide spread abandonment of
616 properties, litter, and poor maintenance of the property.

617 **Policy 3.2:**

618 ~~Maintain, and improve where appropriate, Create or adjust zoning regulations which~~
619 ~~permit to encourage the concentration of general commercial mixed uses and~~
620 ~~parking in and around the established general business area located along Biscayne~~
621 ~~Boulevard between 91st87th Street and 93rd Street.~~

622 **Policy 3.3:**

623 ~~Maintain, and improve where appropriate, zoning regulations which permit general~~
624 ~~commercial uses or a planned development type mix of commercial and a variety of~~
625 ~~residential uses west of the Biscayne Boulevard/105th Street intersection.~~

626 **Policy 3.4**

627 ~~The Special Multi-Use Redevelopment Area designation is an overlay to the Future~~
628 ~~Land Use Map that is applied to areas of the Village that are at risk to become~~
629 ~~blighted and where mixed use development may be appropriate.~~

- 630 • ~~The Village shall identify blighted areas and areas that are at risk to become~~
631 ~~blighted and shall designate these areas as Special Multi-Use~~
632 ~~Redevelopment Area.~~
- 633 • ~~New development within the NE 2nd Avenue overlay area shall be consistent~~
634 ~~with the guidelines of the Future Land Use Element and the Future Land Use~~
635 ~~Map and consistent with the zoning districts appropriate to these~~
636 ~~designations:~~
 - 637 1. ~~Development or the use of land, within the Special Multi-Use~~
638 ~~Redevelopment Area, that is not specifically permitted within the~~
639 ~~existing Future Land Use Map or zoning map designation will not be~~
640 ~~permitted absent appropriate amendment of said maps.~~
 - 641 2. ~~The Village may bring the zoning map into conformity with the Future~~
642 ~~Land Use Map as appropriate and necessary after adoption of this~~
643 ~~comprehensive plan.~~
 - 644 3. ~~Development sites shall be accessible to and/or provide essential~~
645 ~~public services at levels of service adopted within the~~
646 ~~Comprehensive Plan.~~
 - 647 4. ~~Commercial land use designations and accompanying proposals~~
648 ~~shall consider compatibility between commercial and surrounding~~
649 ~~land uses, including, but not limited to, traffic circulation, pedestrian~~
650 ~~access, hours of operation, and visual impacts.~~
 - 651 5. ~~Designation of a Special Multi-Use Redevelopment Area shall not be~~
652 ~~utilized as justification for amending the Comprehensive Plan to~~
653 ~~permit uses not compatible with the neighborhoods surrounding the~~
654 ~~Special Multi-Use Redevelopment Area.~~

655 The Village shall supports innovative, sustainable and resilient planned
656 development and mixed land use development techniques in order to promote
657 development that is achieve consistency with the goals and objectives of ~~the~~this

658 eComprehensive pPlan, promote a livable, walkable community with a high
659 quality of life standard, and compatibility with the surrounding neighborhoods:

- 660 1. The Village shall focus support public and private efforts to renew
661 blighted revitalize deteriorating areas and/or prevent areas from
662 becoming blighted deteriorating.
- 663 2. The Village shall maintain and improve where appropriate, zoning
664 regulations for mixed land use patterns that permit and regulate
665 general commercial uses, residential uses, institutional uses, or, a
666 planned development type mix of commercial, institutional and
667 residential uses in Special Multi-Use Redevelopment Areas as
668 designated on the Future Land Use Map to create a healthy mix of
669 land uses in proximity to one another.
- 670 3. The Village shall evaluate all proposed mixed-use development for
671 compatibility with existing and proposed uses within the
672 redevelopment area and with on neighboring properties.
- 673 4. The Village shall implement appropriate land use regulations to
674 achieve compatibility of development.
- 675 5. The Village shall implement appropriate land development zoning
676 regulations that include including, but not limited to requirements for
677 massing, building height, setbacks, natural vegetation and other
678 appropriate buffers that screen residential and other land uses when
679 new or expanded development is proposed and shall implement
680 other measures as necessary to protect the neighboring residential
681 properties.
- 682 6. The Village shall implement zoning regulations that include
683 protection of the surrounding protect residential neighborhoods from
684 the potential noise, light, and visual effects of the mixed-use district
685 new development, keeping the ambient noise or night light
686 originating from the mixed-use property to levels at or below the
687 background levels at the boundaries of the surrounding residential
688 properties.
- 689 7. The Village will consider the effect of building height within the
690 development area on neighboring properties when considering
691 proposed development.
- 692 7. 8. The Village will work with the private sector to improve expand the
693 housing mix within the special mixed-use area including the provision
694 of mixed-use neighborhoods and accommodation for affordable,
695 workforce, and age-friendly housing.

696 **Policy 3.5:**

697 Promote well designed neighborhoods with walkable concepts and a variety of uses.

698 **Policy 3.6:**

699 Maintain, and improve where appropriate, zoning regulations which permit a
700 planned development type mix of a variety of residential, office, commercial and/or
701 institutional types and compatible uses for large tracts of land.

702 **Policy 3.7:**

703 Maintain, and improve where appropriate, zoning regulations which require
704 landscape treatments to improve the appearance of at grade parking areas.

705 **Policy 3.8:**

706 Maintain, and improve where appropriate, the quality of streetscapes in the business
707 areas.

708

709 **Objective 4: Elimination or reduction of uses which are inconsistent with**
710 **community character.**

711 In general, encourage the elimination or reduction of uses which are inconsistent with
712 the community's character and future land uses.

713 **Policy 4.1:**

714 Inconsistent uses as referred to in Objective 4 above are hereby defined as any
715 uses which are located on a site where they would not be permitted by this
716 comprehensive plan.

717 **Objective 5: Ensure protection of natural resources.**

718 In general, ensure protection of natural resources. In particular, ensure that storm-
719 water systems which discharge into surface water bodies do not further degrade the
720 ambient water quality. This will be accomplished by: 1) upgrading the drainage system
~~if necessary so that storm water outfalls into Biscayne Bay (and adjacent canals) fully~~
~~meet National Pollution Discharge Elimination System (NPDES) standards (as may be~~
~~applicable now or as may be applicable in the future under relevant inter-local~~
~~agreements between the Village and Miami-Dade County, or otherwise pursuant to~~
~~NPDES rules); and/or 2) upgrading the drainage system to the extent financially~~
~~feasible to meet the standards of Chapter 17-25, FAC and of Chapter 17-302.500,~~
~~FAC; and 3) Furthermore, maintaining or upgrading on-site drainage standards to~~
~~ensure that private properties retain at least the first one inch of storm water on site~~
~~and permit no more runoff after development than before development, if no other~~
~~mitigation measures or improvements are added.~~

731 Monitoring and Evaluation: The Village shall continue the on-going monitoring of the
732 drainage systems and coordinate upgrades, as necessary, with appropriate entities.
733 Progress towards meeting this objective shall also be measured by the implementation
734 of the following policies:

735 **Policy 5.1:**

736 The Village shall implement any upgrade its drainage system so that storm water
737 outfalls into Biscayne Bay (and adjacent canals) fully meet National Pollution
738 Discharge Elimination System (NPDES) standards program which that may now or
739 may be in the future be applicable to the Village under relevant inter-local
740 agreements with Miami-Dade County based on NPDES rules or otherwise, to the
741 extent financially feasible, meet the standards of Sections 62-302.500 and 62-
742 600.520, FAC.

743 **Policy 5.2:**

744 Following completion of any improvements pursuant to Policy 5.1 above, the Village
745 shall monitor the Village's stormwater drainage system to determine what
746 additional actions may be necessary to improve the storm drainage system.

747 **Policy 5.3:**

748 The Village shall maintain and enforce storm water management standards which
749 require that future development provide for on-site storm water retention of at least
750 to the standards cited in Objective 5 the first one inch (1") of stormwater on site and
751 permit no more runoff after development than before development of a site.

752 **Policy 5.4:**

753 The Village shall prohibit the deposit of solid waste or industrial waste including
754 spent oils, gasoline by-products or greases accumulated at garages, filling stations
755 and similar establishments that create a health or environmental hazard upon any
756 vacant, occupied or unoccupied premises, parkway or park, and in any canal or
757 waterway within the Village.

758 **Policy 5.5:**

759 The Village shall monitor Bayfront properties to ensure that there is no storm-water
760 drainage into Biscayne Bay.

761 **Policy 5.6:**

762 The Village shall not establish new point source discharge of Sstorm-water into
763 coastal waters, except in pursuit of a comprehensive upgrading of the Sstorm-water
764 system which has or will have the effect of substantially improving surface water
765 quality in accordance with the standards set forth in Objective 5 above.

766 **Policy 5.7:**

767 New development shall comply with the sanitary sewer requirements contained
768 within the Infrastructure Element, Objective 3.

769 **Policy 5.8:**

770 The Village shall utilize drought tolerant plant materials to the extent feasible on the
771 natural area portions of the Miami Shores Country Club and Golf Course and water-
772 efficient landscaping in all Village parks and public spaces.

773 **Policy 5.9:**

774 The Village shall ~~maintain desirable support and incentivize~~ development code
775 provisions designed to help ensure protection for the limited natural vegetative
776 communities which may be found in the Village.

777 **Policy 5.10:**

778 ~~The Village shall facilitate calculations, through the Zoning Code, that implement~~
779 ~~and track the management and storage of surface water on residential areas.~~

780

781 **Objective 6: Protection of historic resources.**

782 In general, ensure the protection of historic resources. In particular, conserve local
783 structures and sites which are of historic significance.

784 Monitoring and Evaluation: The Village shall periodically inventory the loss of historic
785 resources. ~~In furtherance of this objective, the Village shall monitor the following~~
786 policies:

787 **Policy 6.1:**

788 The Village's Historic Preservation **Review** Board shall continue to review all
789 building or demolition permit applications for those properties designated "historic
790 landmarks".

791 **Policy 6.32:**

792 The Planning, ~~Zoning and Resiliency~~ Director shall ~~perform historic preservation~~
793 ~~monitoring activities~~ ~~monitor development activities that could impact the~~
794 ~~preservation of local historic resources~~, referring all demolition and rehabilitation
795 applications pertaining to Landmark properties to the Historic Preservation Review
796 Board to avoid, if possible, loss of any historic resources.

797 **Policy 6.3:**

798 ~~Historic resources shall continue to be protected through designation by the County~~
799 ~~or the State.~~

800 **Policy 6.4:**

801 ~~Adaptive reuse of historic structures shall be given priority over activities that would~~
802 ~~harm or destroy the historic value of such resources in conformance with the Zoning~~
803 ~~Code and the policies of this Comprehensive Plan.~~

804

805 **Objective 7: Coordination of population with hurricane evacuation plans.**

806 Coordinate population densities with the applicable local or regional coastal evacuation
807 plan and coordinate future land uses by encouraging the elimination or reduction of
808 land uses which are inconsistent with applicable interagency hazard mitigation report
809 recommendations.

810 Monitoring and Evaluation: The Village shall coordinate with the South Florida
811 Regional Planning Council to utilize the regional hurricane evacuation model. The
812 Village shall also coordinate plans with Miami-Dade County and adjacent
813 municipalities as needed. This objective shall also be measured by implementation of
814 its supporting policies.

815 **Policy 7.1:**

816 The Village shall coordinate with the South Florida Regional Planning Council to
817 utilize the regional hurricane evacuation model. The Village shall also coordinate
818 local evacuation plans with Miami-Dade County and adjacent municipalities as
819 needed.

820 **Policy 7.2:**

821 The Village Manager or designee shall annually assess the Village's existing and
822 permitted population densities to determine if changes are significant enough to
823 transmit such data to the Miami-Dade Office of Emergency Management to assist
824 in their hurricane evacuation planning.

825 **Policy 7.23:**

826 The Village shall regulate all future development within its jurisdiction in accordance
827 with the a Future Land Use Map which is consistent with the Interagency Hazard
828 Mitigation Team Report, FEMA 955-DR-FL, August 1992 Florida Enhanced State
829 Hazard Mitigation Plan 2018 or subsequent approved updates thereof. The Village,
830 and shall periodically review and revise the Future Land Use Map in light of future
831 consistent with interagency hazard mitigation reports in order FLUM to reduce or
832 eliminate uses which are inconsistent therewith.

833 **Policy 7.45:**

834 Enhance the efforts of the Miami-Dade Office of Emergency Management by
835 providing it with relevant information.

836 **Objective 8: Discourage the proliferation of urban sprawl.**

837 Discourage the proliferation of urban sprawl.

838 Monitoring and Evaluation: Achievement of this objective shall be quantified by the
839 implementation of its policy:

840 **Policy 8.1:**

841 Policy 1.1 is incorporated as Policy 8.1 by reference. Policy 1.1 incorporates the
842 Future Land Use Map and defines the regulatory significance of its land use
843 categories. It is a legislative determination of the Village that dDevelopment
844 according to the Future Land Use Map will shall be used to discourage urban sprawl
845 by continuing to provide and enhance residential and employment opportunities in
846 the Village, which is inside the Miami-Dade County Urban Infill Boundary.

847 **Objective 9: Drainage and sewer system land needs.**

848 Ensure the availability of suitable land for drainage and sanitary sewer system facilities
849 needed to support planned infrastructure improvements.

850 Monitoring and Evaluation: ~~The Village shall continue its ongoing program to identify~~
851 ~~locations for drainage and sewer facilities. This objective shall be quantified by the~~
852 ~~implementation of its policies:~~

853 **Policy 9.1:**

854 The Village shall not vacate any road rights-of-ways without either a) determining
855 that the vacated right-of-way is not necessary to accommodate future storm and/or
856 sanitary sewer facilities; or b) reserving appropriate utility easements.

857 **Policy 9.2:**

858 ~~The Village shall continue its ongoing program to assist Miami-Dade County in~~
859 ~~identifying and making available land appropriate for sewer and drainage facilities.~~

860 **Policy 9.3:**

861 ~~The Village shall continue to coordinate with Miami-Dade County to connect~~
862 ~~remaining areas of the Village to central sanitary sewer.~~

863 **Policy 9.4:**

864 ~~The Village shall assist and support Miami-Dade County in planning for and~~
865 ~~pursuing all available federal, state and private funding sources necessary to~~
866 ~~implement the policies of this Comprehensive Plan, including, as appropriate, the~~
867 ~~preparation of studies and master plans.~~

868 **Objective 10: Innovative development regulations.**

869 Encourage ~~the use of innovative land development regulations which may include~~
870 ~~provisions for patterns, including but not limited to planned unit, age-friendly, energy~~
871 ~~efficient developments and other mixed use development techniques, while promoting~~
872 ~~the use of sustainable and resilient construction practices.~~

873 Monitoring and Evaluation: ~~The Village shall evaluate the development environment~~
874 ~~and Land Development Regulations, and adopt Land Development Regulations that~~
875 ~~include effective policies and innovative strategies. This objective shall also be~~
876 ~~measured by implementation of its supporting policy.~~

877 **Policy 10.1:**

878 The Village shall periodically review and consider the recent published literature on
879 “innovative” and ~~best new practices for land development zoning~~ regulations in
880 relation to its own land development regulations ~~and the local and regional~~
881 ~~development environment~~, and determine if there are “innovative” techniques
882 ~~including planned unit developments and other mixed use development techniques~~
883 ~~which, if any, may be suited to the Village and may offer reasonable promise for~~
884 ~~accomplishing substantive (rather than process) goals and objectives of the Village.~~

885 **Policy 10.2:**

886 Create The Village shall adopt and implement an age-friendly community initiative.
887 An age-friendly initiative would plan for will allow the Village to become a community
888 for where people of all ages, where older adults in Miami-Dade can stay are able to
889 live active and healthy lives for as long as possible with dignity and enjoyment by
890 creating and adopting long term policies which affect, through age-supportive
891 community health and development patterns, building design, accessibility to
892 services, and opportunities to stay engaged and to contribute.

893 **Policy 10.3:**

894 The Village shall allow and encourage innovative land use development patterns,
895 including mixed uses at appropriate locations designated in the FLUM, through the
896 provision of bonus density and/or floor area in specific future land use categories,
897 as well as other regulatory incentives to be determined in the Zoning Code, and
898 which may help the Village achieve substantive goals and objectives of the Village.

899 **Policy 10.4:**

900 The Village shall encourage development measures that include climate adaptation
901 and mitigation designs through the Zoning Code.

902 **Policy 10.5:**

903 The Village shall encourage attractive parking design and efficient use of parking.
904 For Main Street, complete a comprehensive parking study and, if appropriate, revise
905 parking standards in the Zoning Code, including consideration of maximum on-site
906 parking requirements, shared and on-street parking incentives and approvals, fee-
907 in-lieu of construction options, parking lot design and connectivity, neighborhood
908 compatibility and new technologies to reduce stormwater and other environmental
909 impacts.
910

911 **Objective 11: Criteria for school siting and collocation of schools, libraries, parks
912 and community centers.**

913 The Village shall allow for public schools to be located on sites designated
914 "Government and Institutions" and "Mixed Use Residential/Institutional-
915 Neighborhood" on the Future Land Use Map. In addition, the Village shall encourage
916 the collocation of schools, libraries, parks and community centers.

917 **Policy 11.1.**

918 Proposed schools sites shall be consistent with the Village Comprehensive Plan
919 Future Land Use Map, shall be compatible with adjacent land uses, and shall be
920 located away from heavy industry, railroads, and similar land uses to avoid noise,
921 odor, dust, and traffic hazards. Similarly, site planning for schools shall incorporate
922 appropriate landscaping and buffers in order to minimize adverse impacts on
923 adjacent neighborhoods.

925 **Objective 12: Future Land Use Map Designations.**

- 926 In determining the boundaries of any future land use map designation the following
927 rules shall apply:
- 928 A. Boundaries indicated as approximately the centerline of streets, highways, or alleys
929 shall be construed to follow such centerlines;
- 930 B. Boundaries indicated as approximately following platted plot lines shall be
931 construed as following such plot lines;
- 932 C. Whenever any street, alley or other public way is vacated by official action of the
933 ~~Village~~ Council, the future land use designation adjoining each side of such
934 street, alley, or public way shall be automatically extended to the center of such
935 vacation and all area included in the vacation shall then and henceforth be subject
936 to all regulations of the extended designation;
- 937 D. Where the streets or alleys on the ground differ from the streets or alleys as shown
938 on the future land use map, the streets or alleys on the ground shall control;
- 939 E. Boundaries indicated as approximately following Village limits shall be construed
940 as following Village limits;
- 941 F. Boundaries indicated as following railroad lines shall be construed to be midway
942 between the right-of-way lines;
- 943 G. Boundaries indicated as following the centerline of all canals, streams or drainage
944 ways shall be construed to follow such centerline and boundaries indicated as
945 following shore lines shall be construed to follow such shore lines, and in the event
946 of a change in the shore line shall be constructed to move with the actual shore
947 line; and
- 948 H. Distances not specifically indicated on the future land use map shall be determined
949 by the scale of the map.
- 950

951 **Objective 13: Flood Risk Reduction.**

952 ~~Miami Shores~~ The Village will continue to promote the use of development and
953 redevelopment principles, strategies and engineering solutions contained in the Florida
954 Building Code,. The Village shall insure consistency and coordination with objectives and
policies of the Coastal Management Element and with the Land Development Regulations
Zoning Code and the Flood Damage Prevention Ordinance in order to:

- 955 A. reduce the over-all flood risk resulting from or associated with high-tide events,
956 storm surge, flash floods, storm water runoff and the impacts related to sea-level
957 rise.

960 **Policy 13.1:**

961 The Village ~~will~~ shall comply with the requirements of Sec. 163.3178, FS in pre-
962 disaster planning and post-disaster redevelopment activities in order to:

- 963 A. reduce the flood risk in coastal areas resulting from high tide events, storm
964 surge, flash floods, storm water runoff, and related impacts of sea level rise;
- 965 B. reduce potential damage for properties located in FEMA flood zone
966 designations;

- 967 C. be consistent with the flood resistant construction requirements of the Florida
968 Building Code and federal flood plain management regulations;
969 D. if so designated, require construction seaward of the coastal construction line
970 to be consistent with Chapter 161, F.S.;
971 E. the Village participates in and supports the National Flood Insurance Program
972 Rating System to reduce the chance of damage from flooding and to achieve
973 flood insurance premium discounts for property owners in ~~Miami Shores~~ the
974 Village, and the Village encourages other municipalities to join for the same
975 benefits.

976 **Policy 13.2:**

977 Require that first floor elevations be constructed at FEMA's required minimum flood
978 elevation at mean low tide to allow maximum protection during flood conditions.

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980 ***
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982

983

984

APPENDIX A

985

COMPREHENSIVE PLAN MAP SERIES

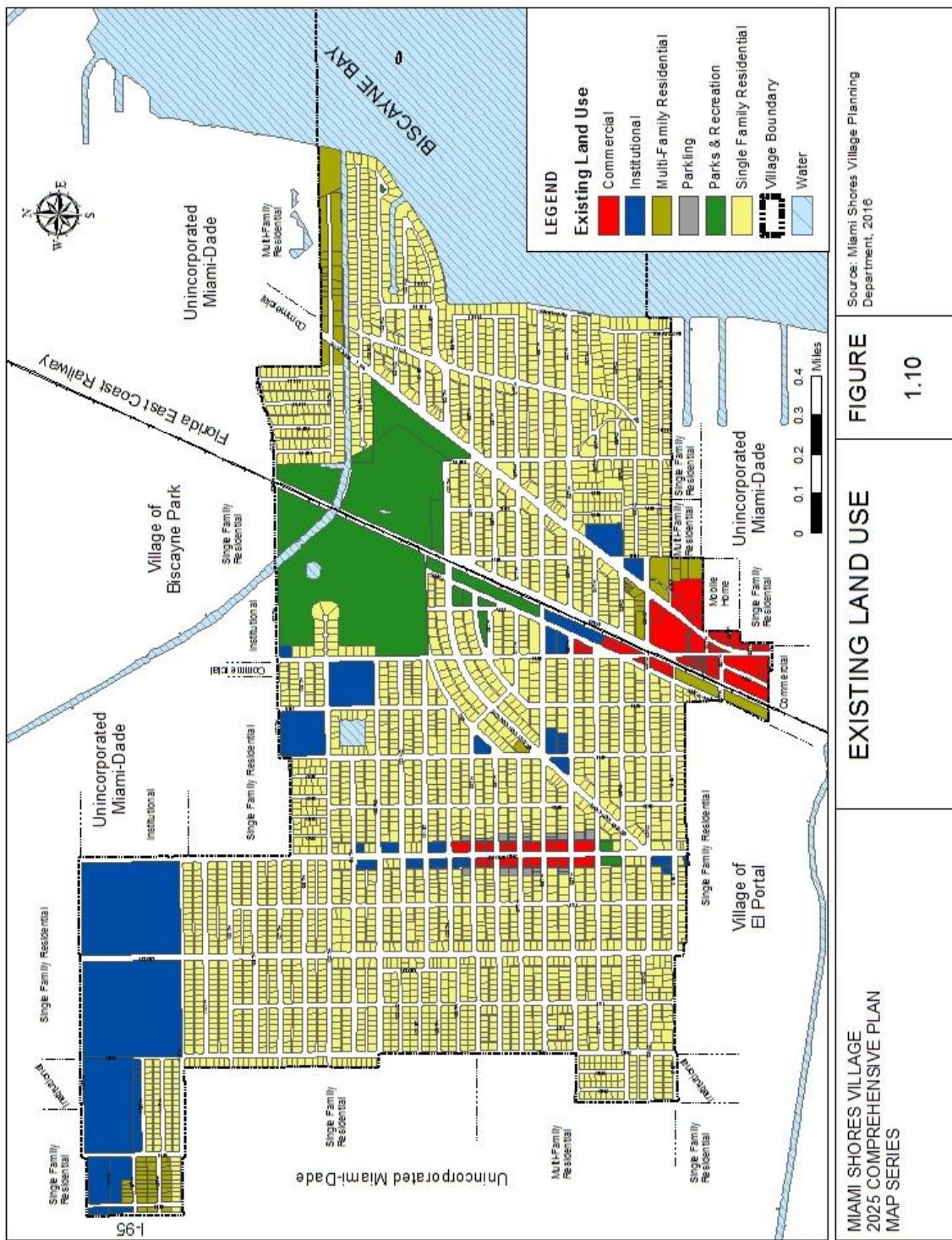
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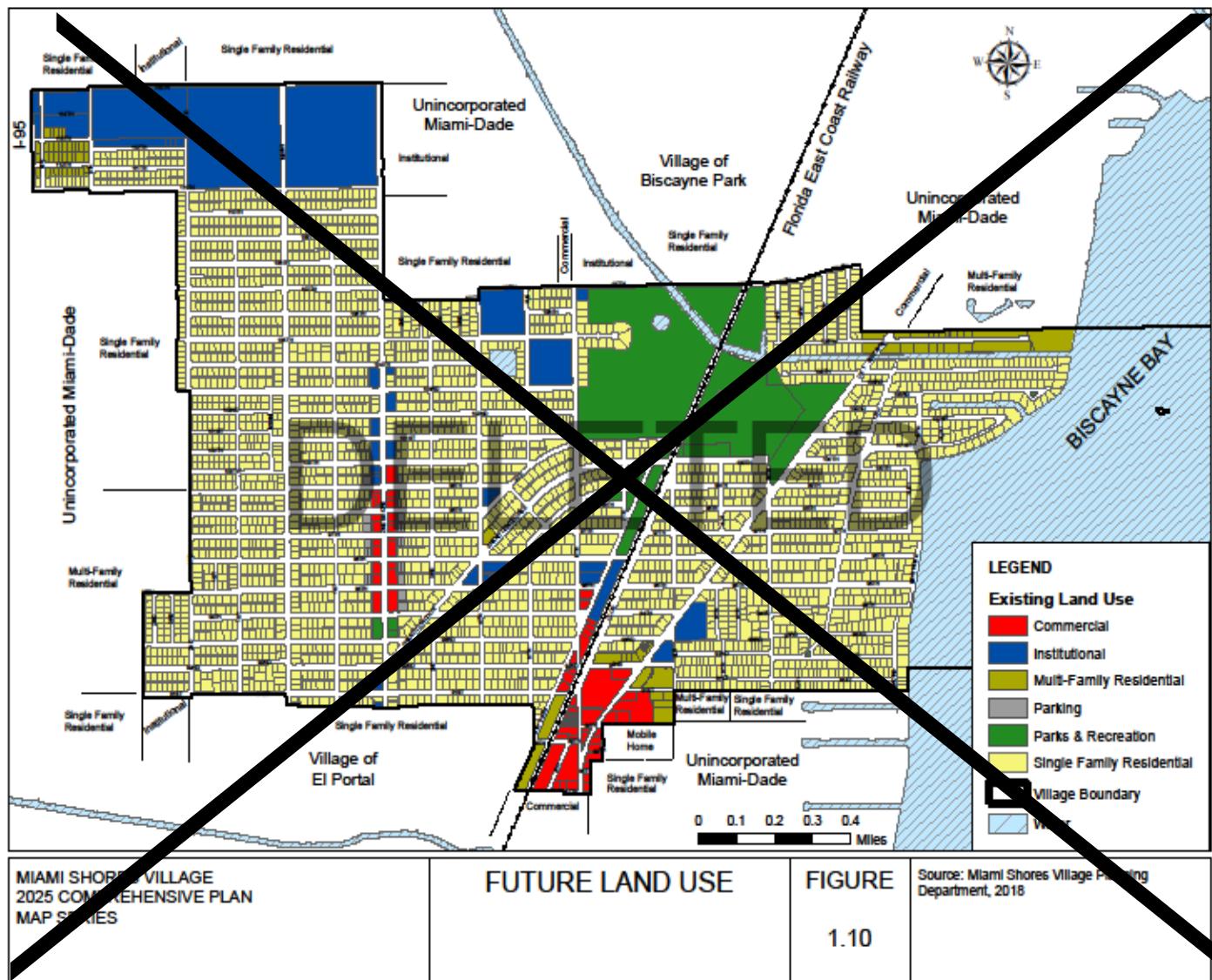
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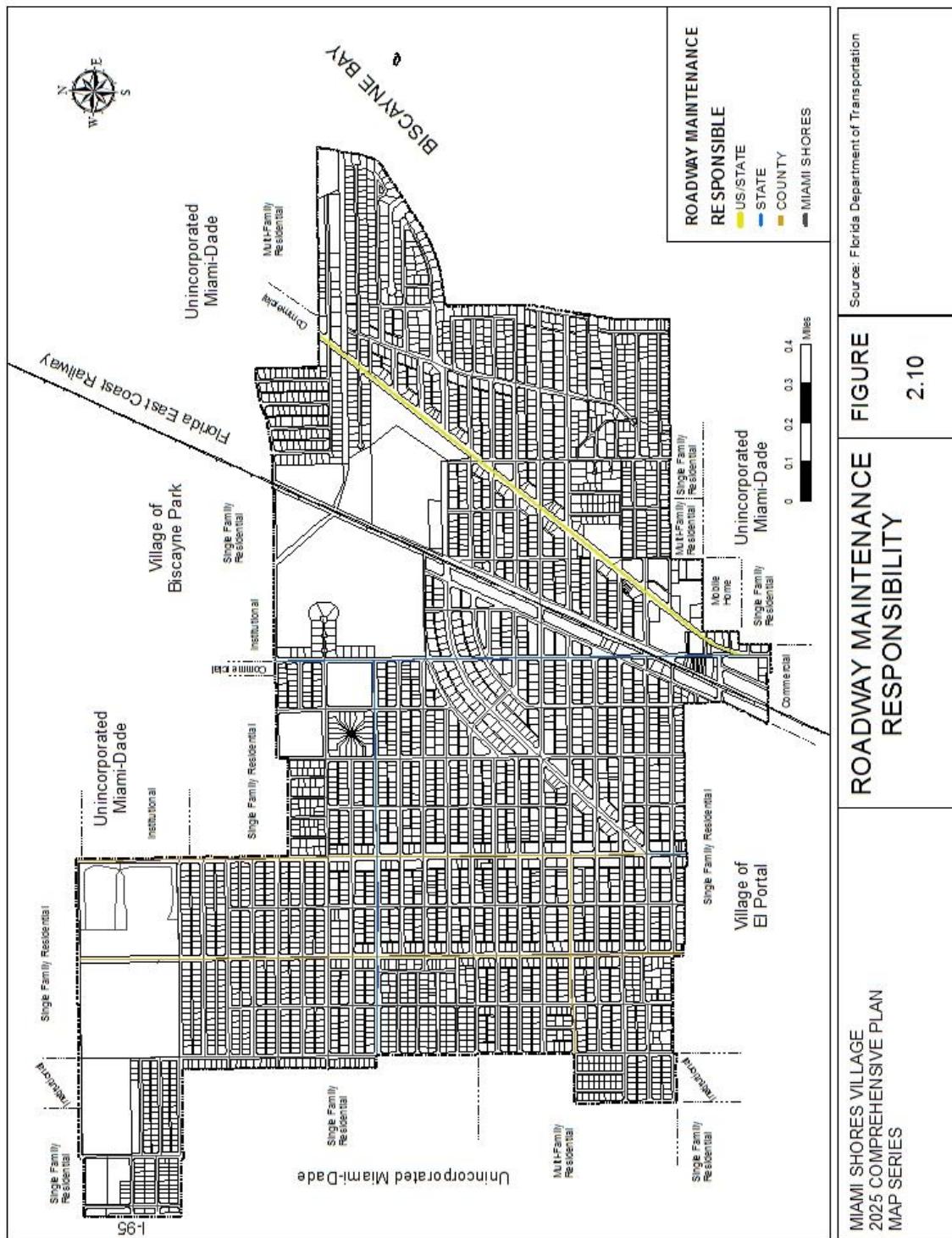
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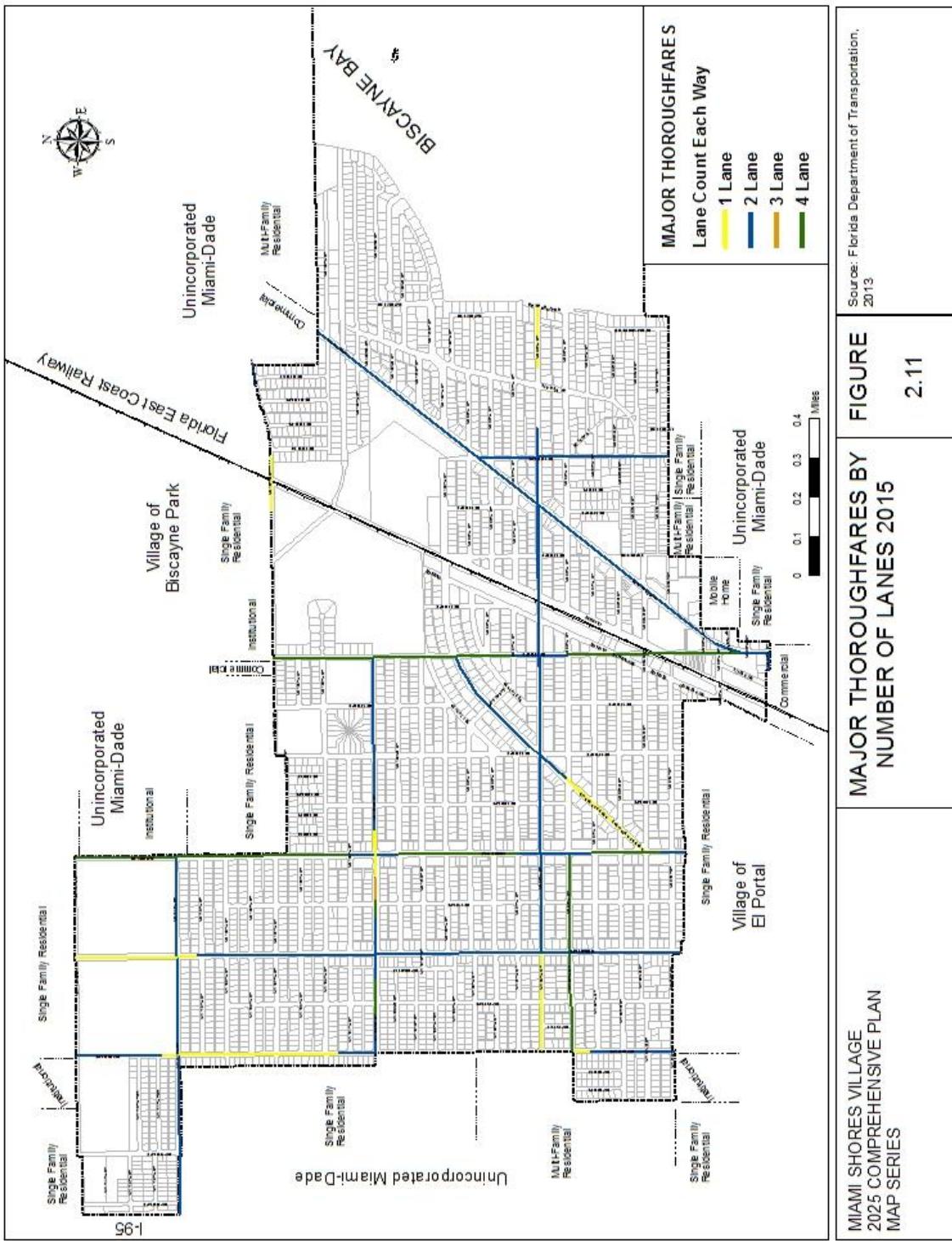
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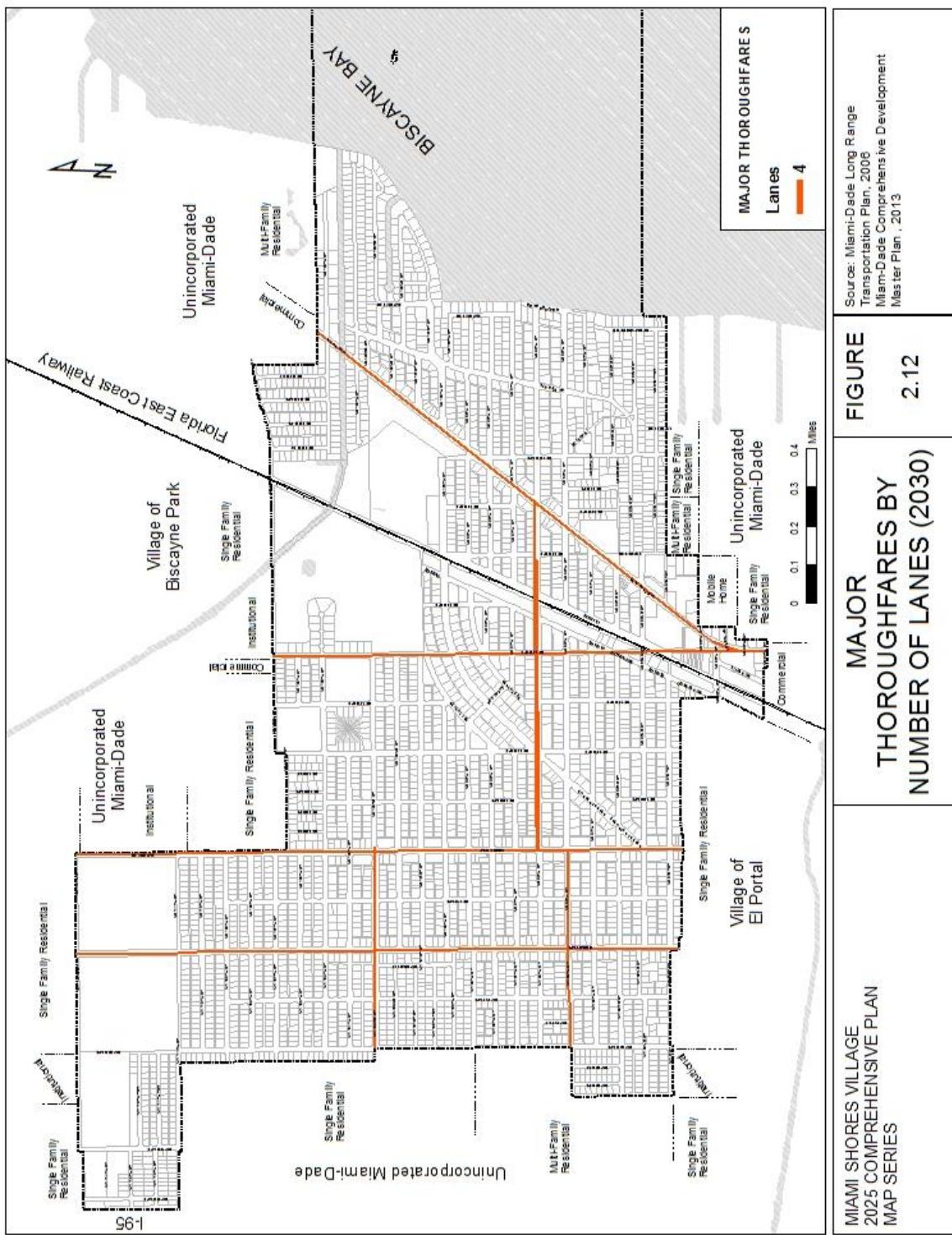
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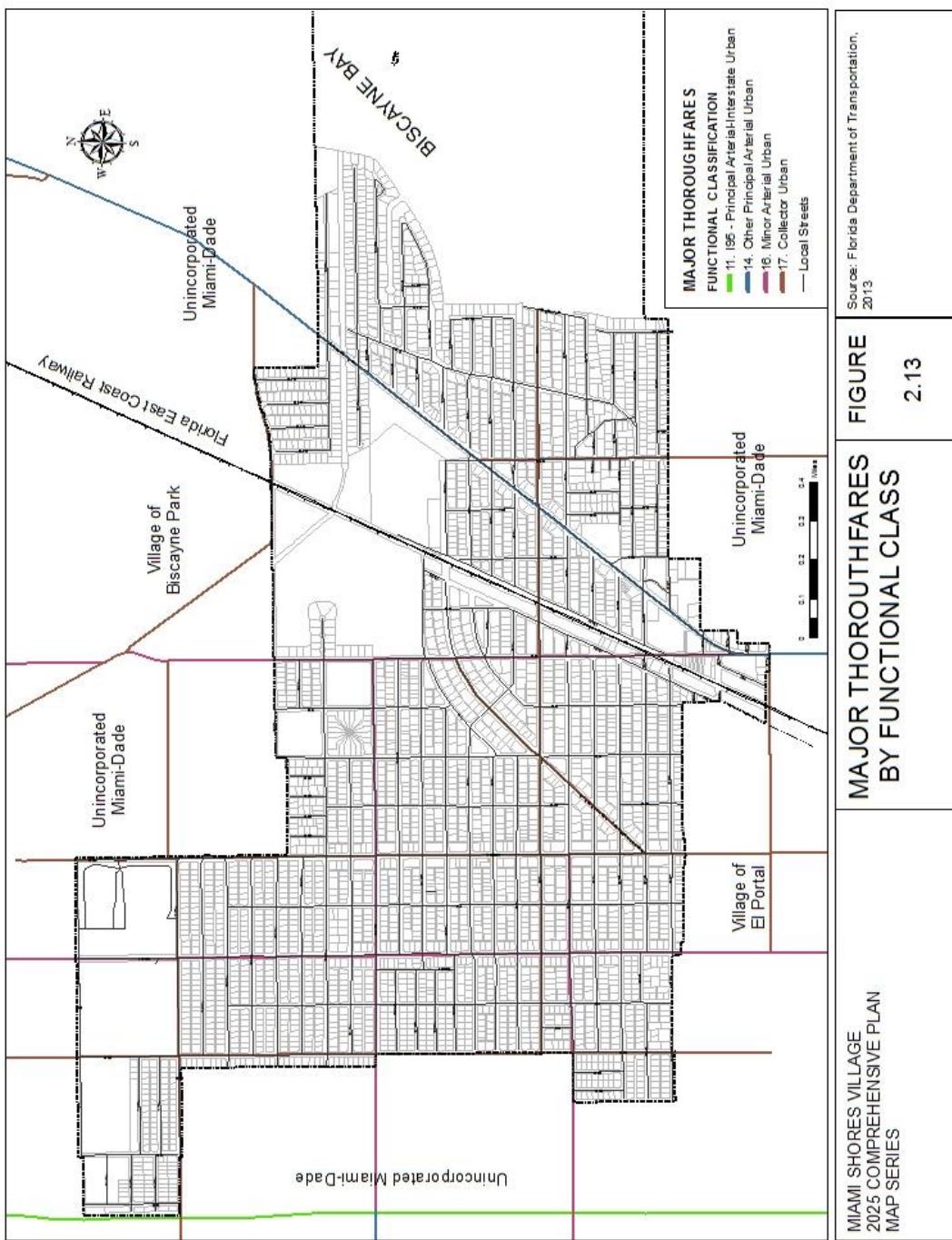


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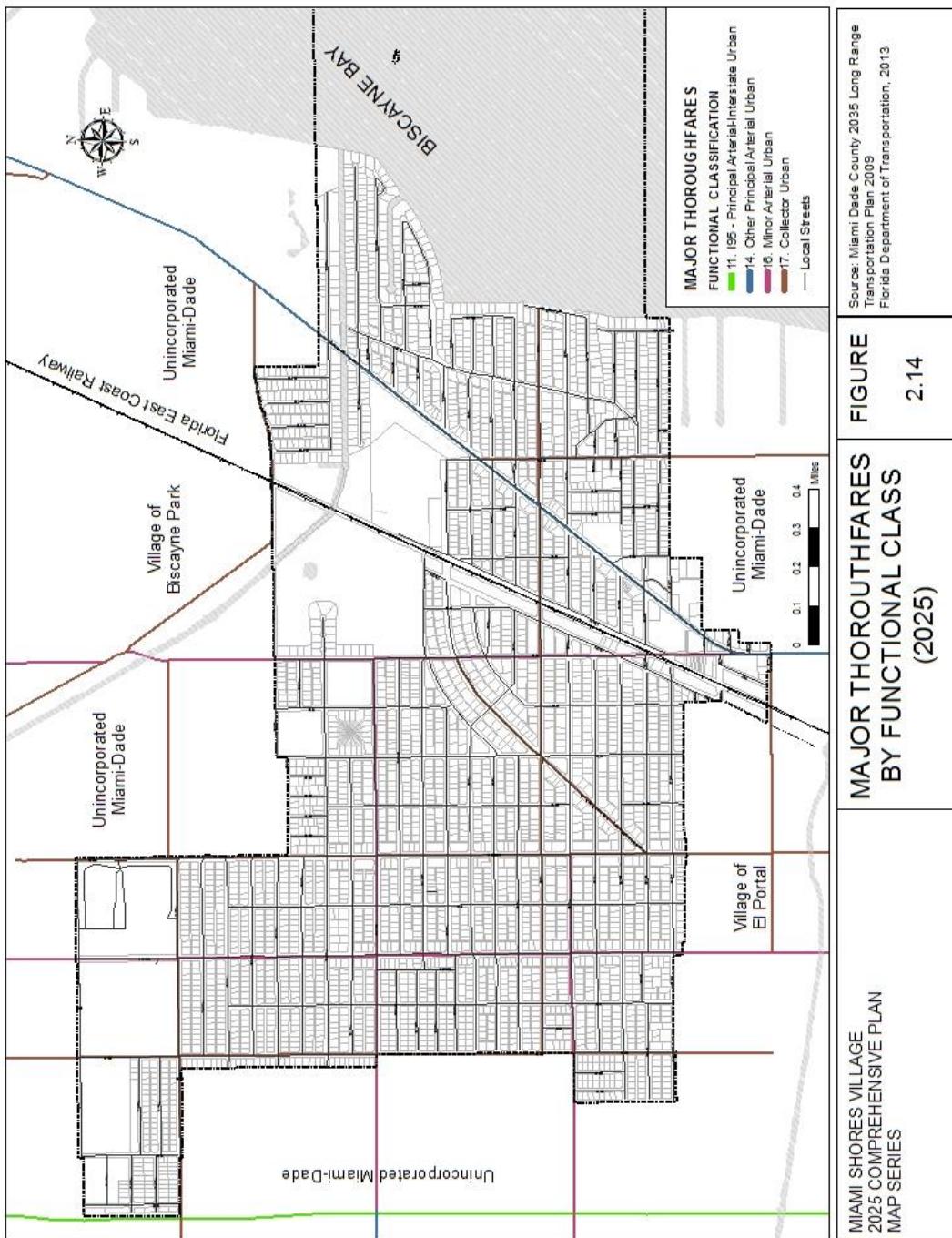




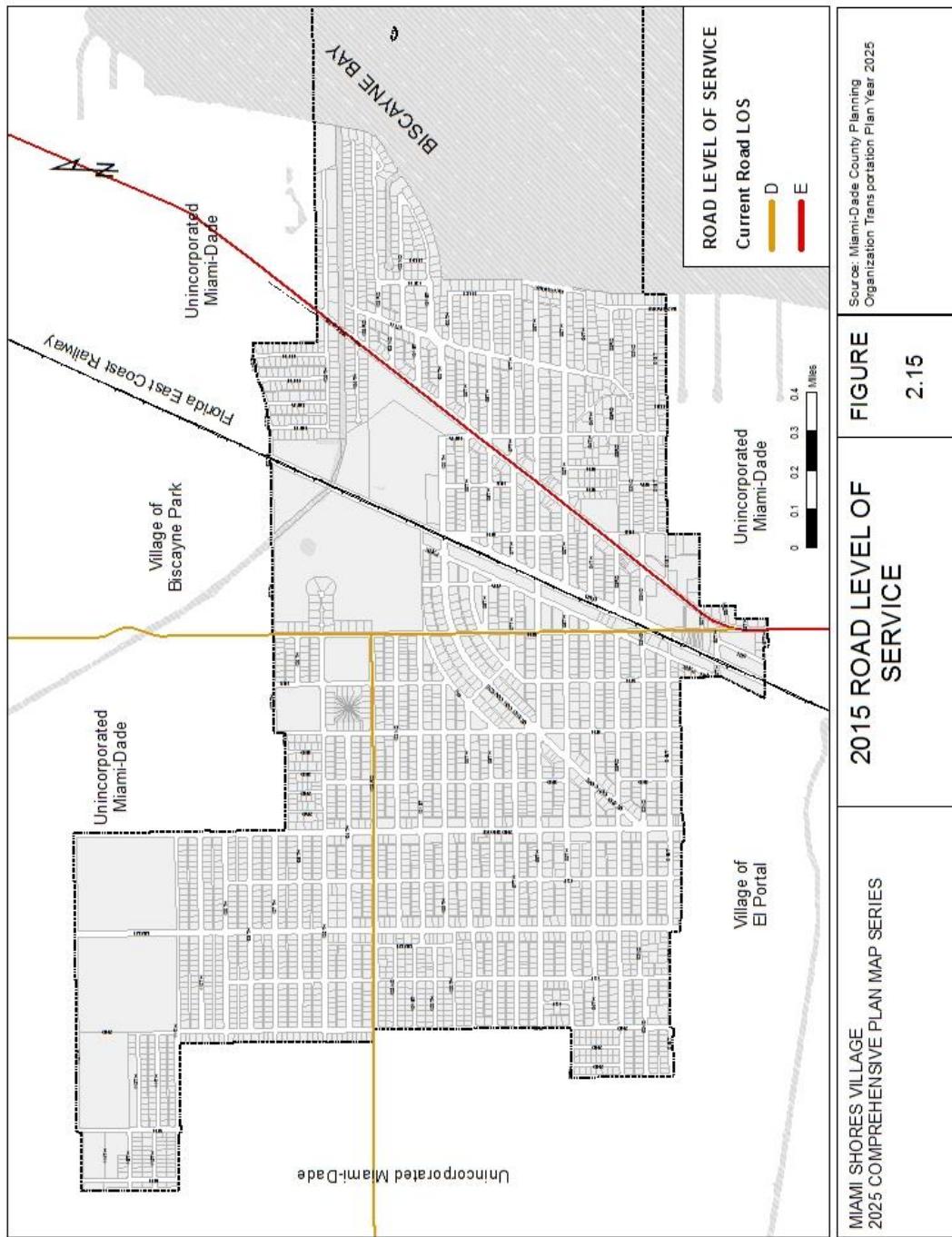


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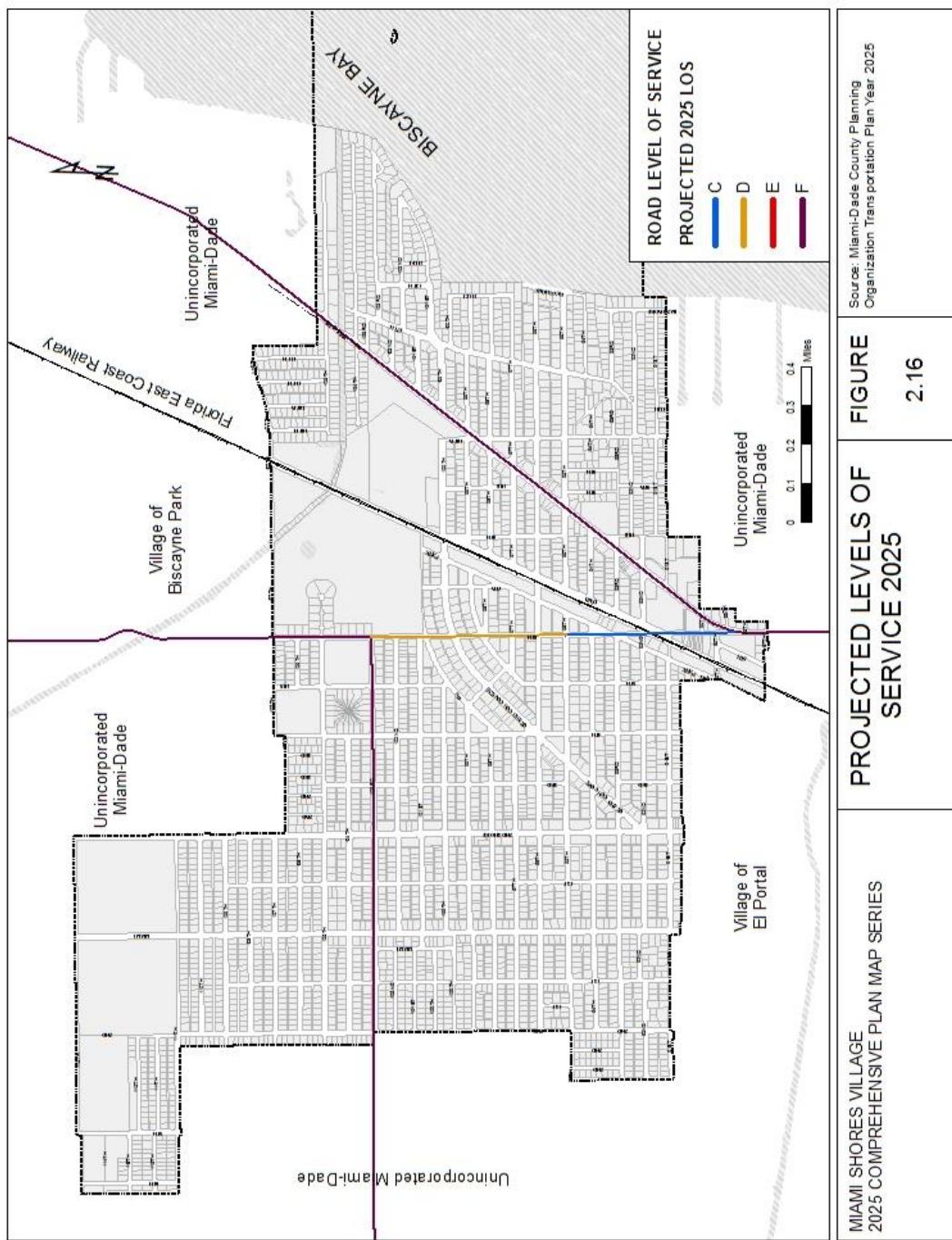
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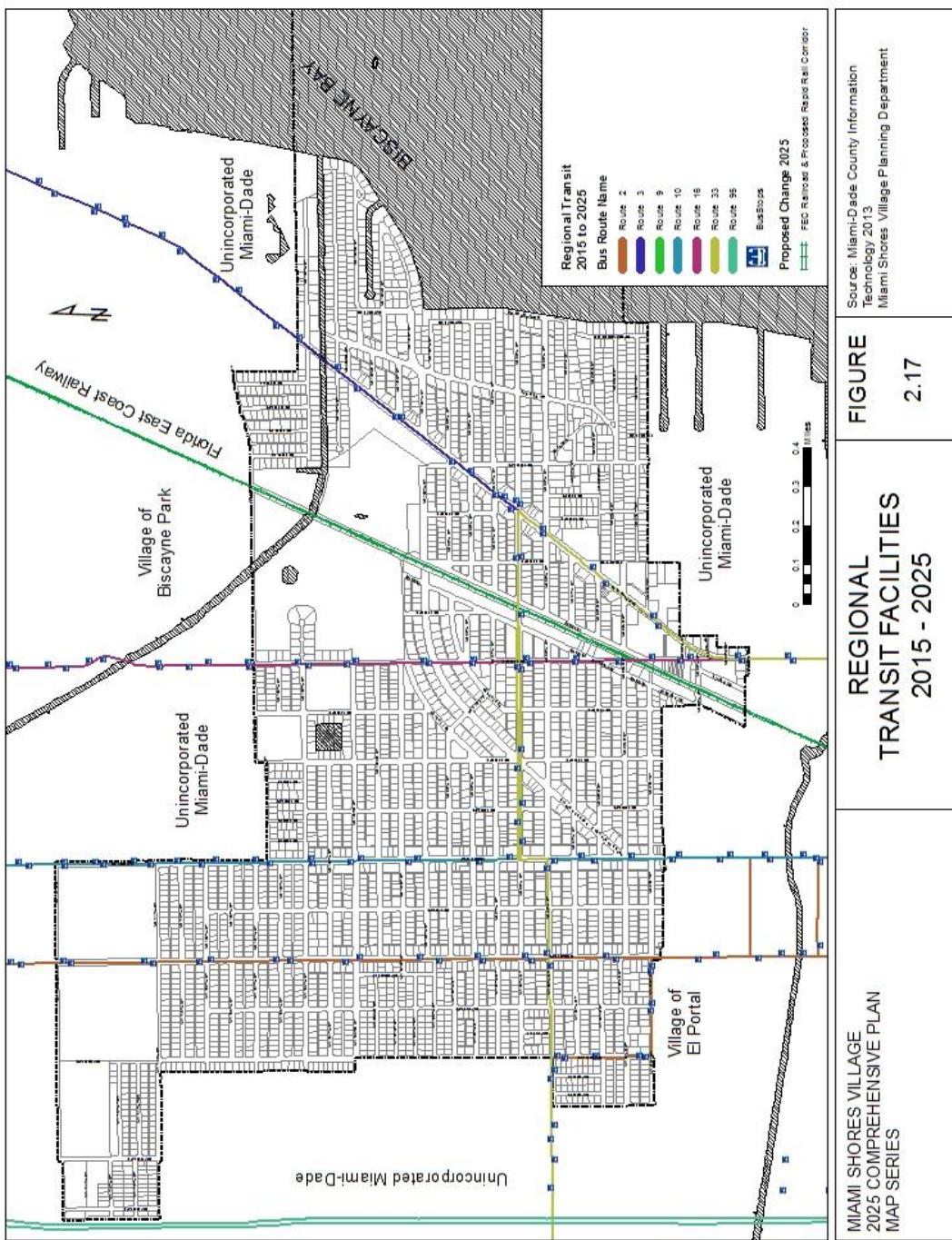


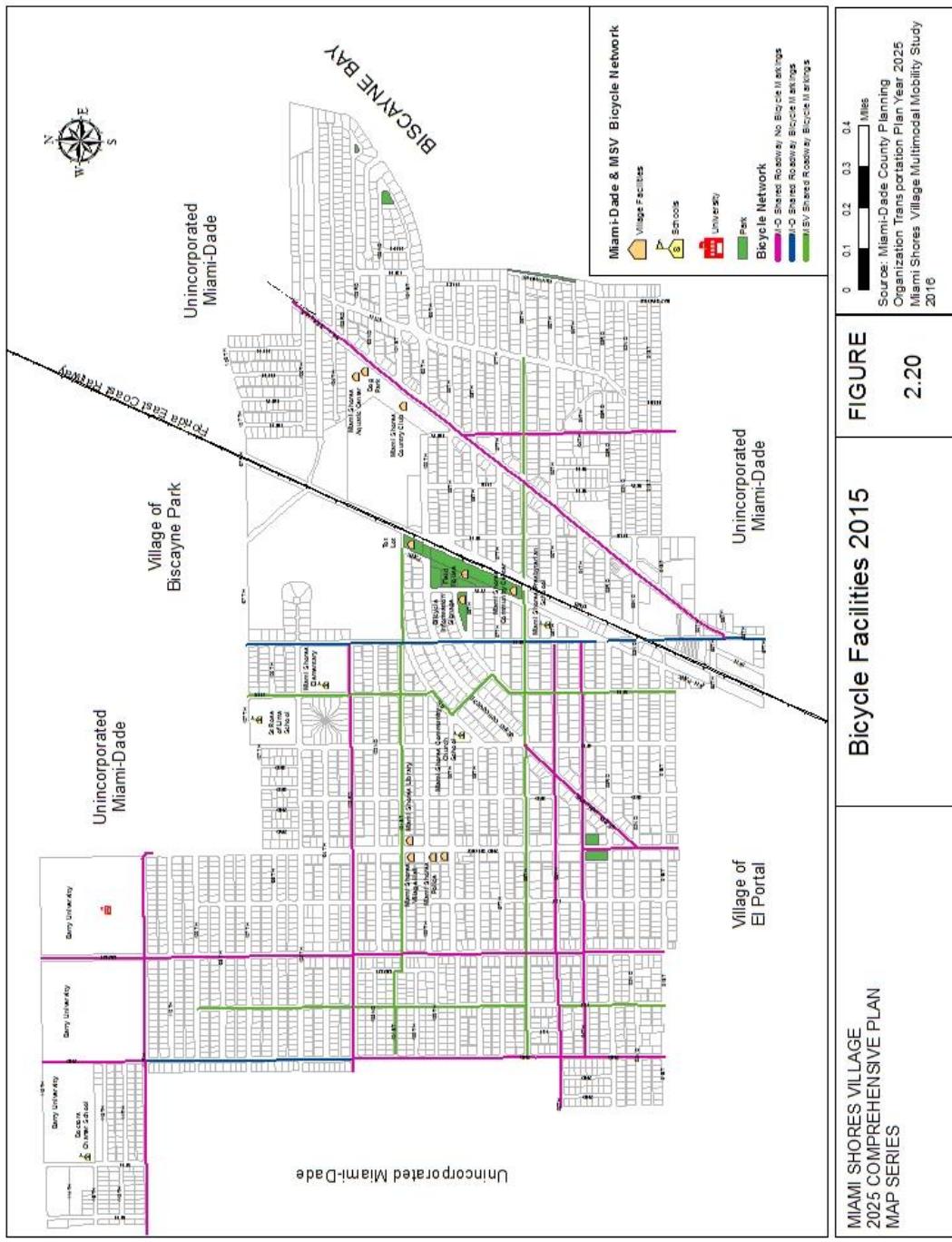
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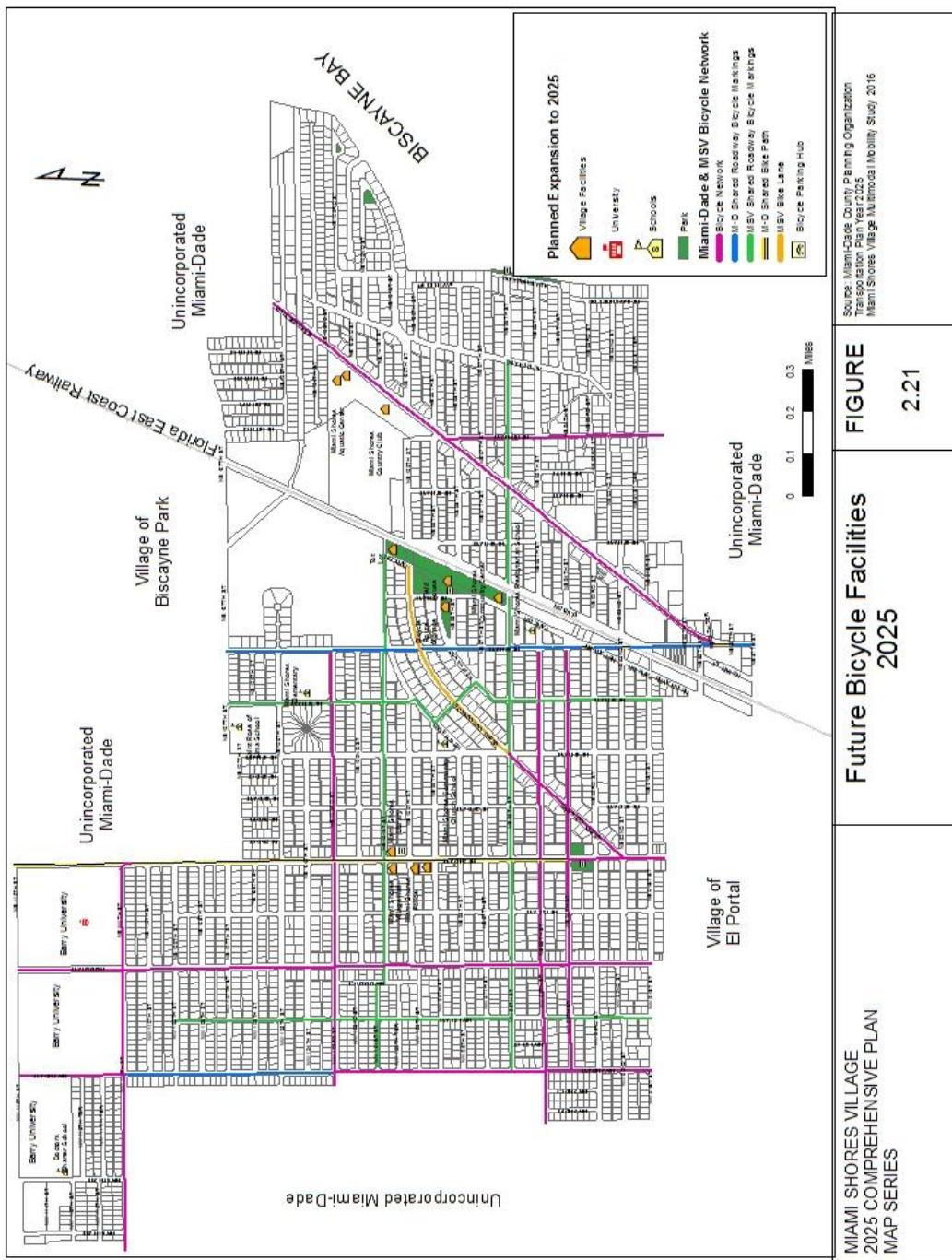


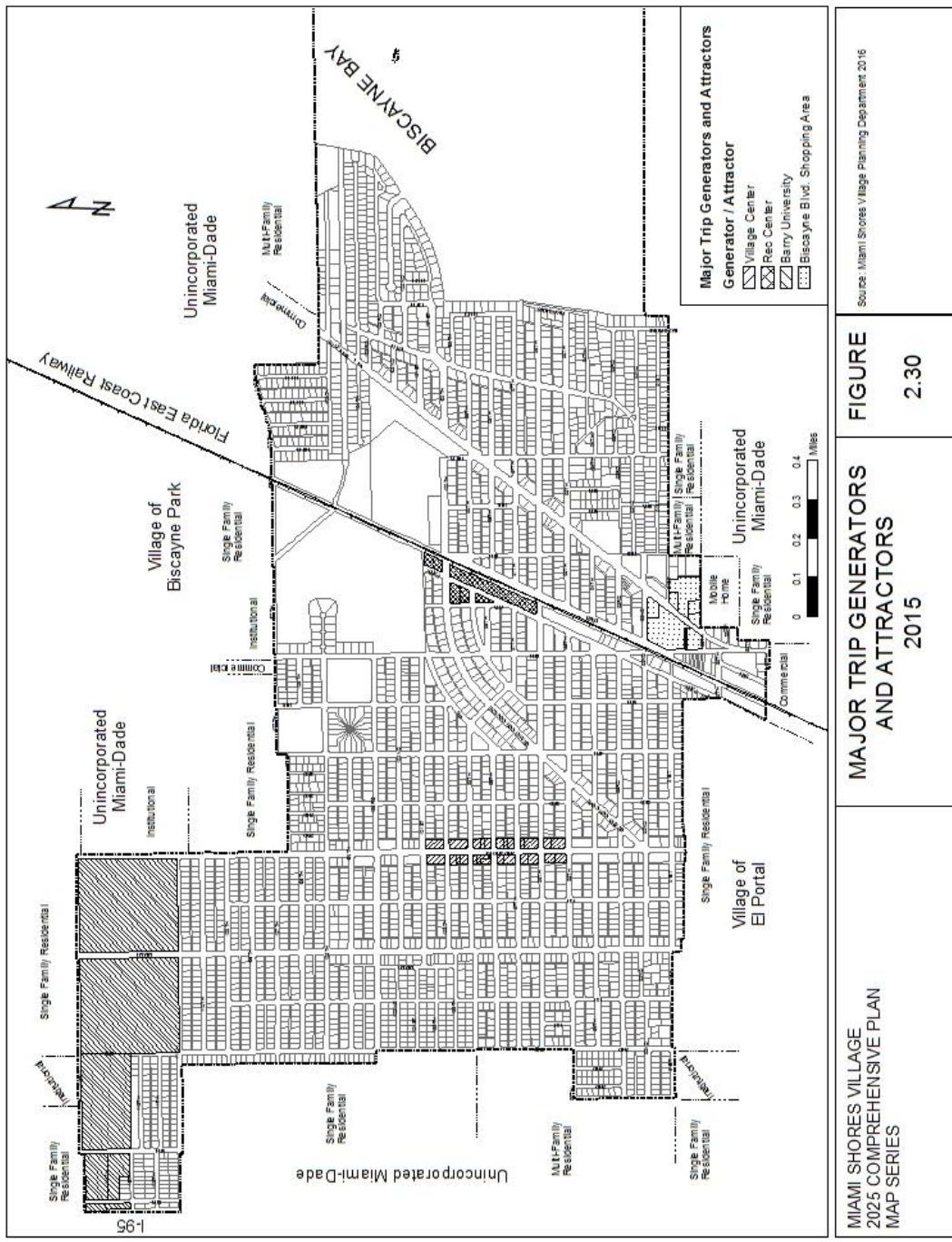
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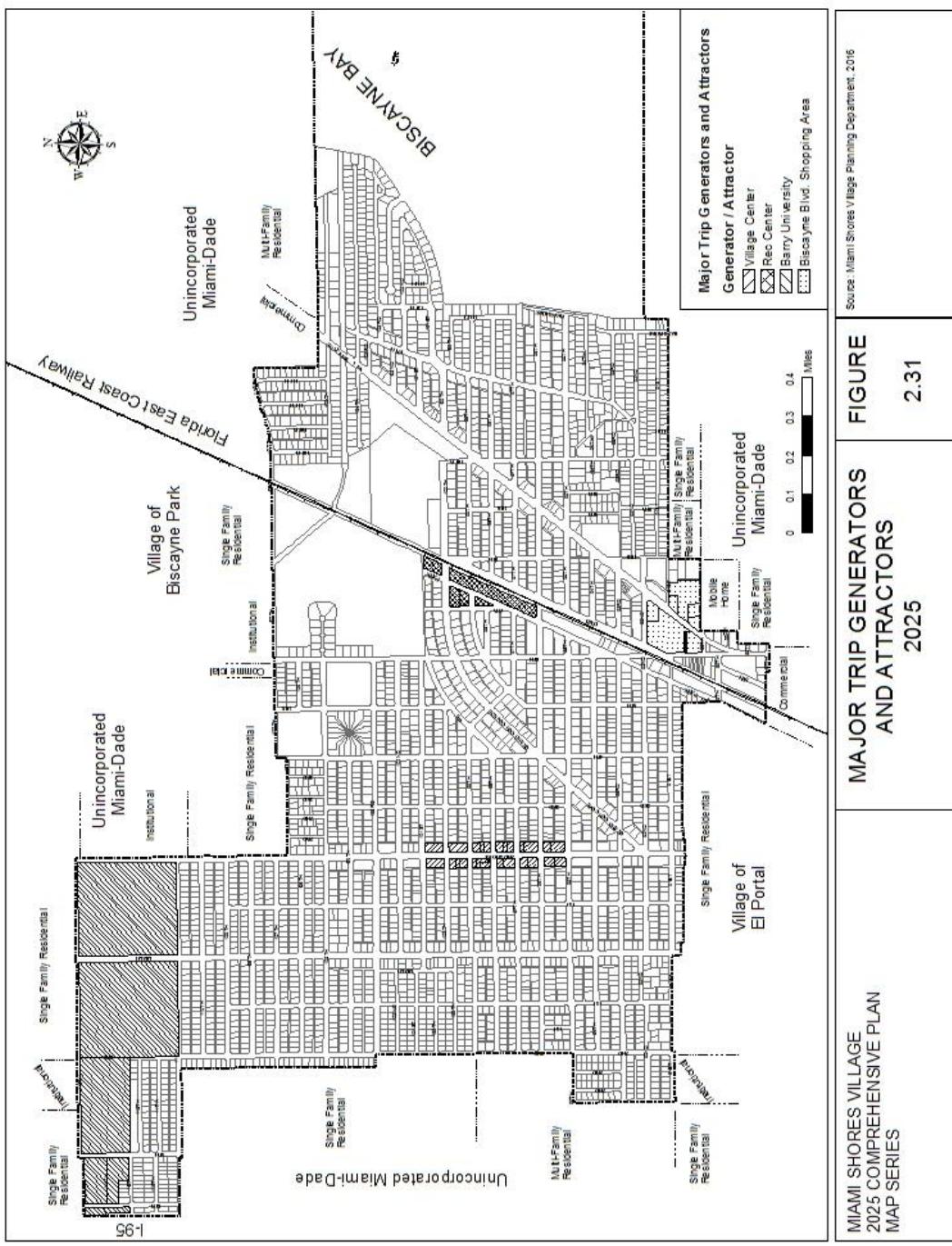


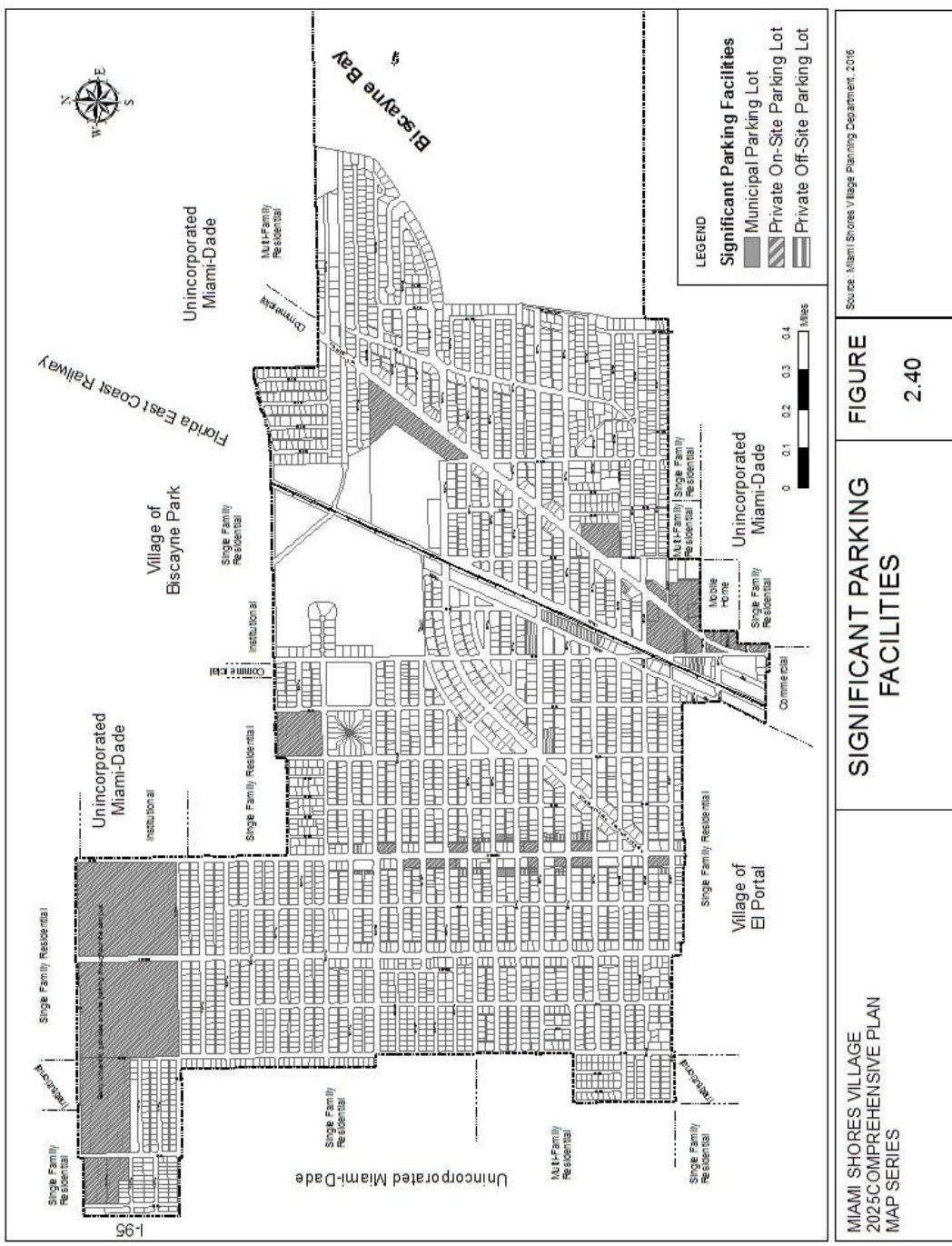


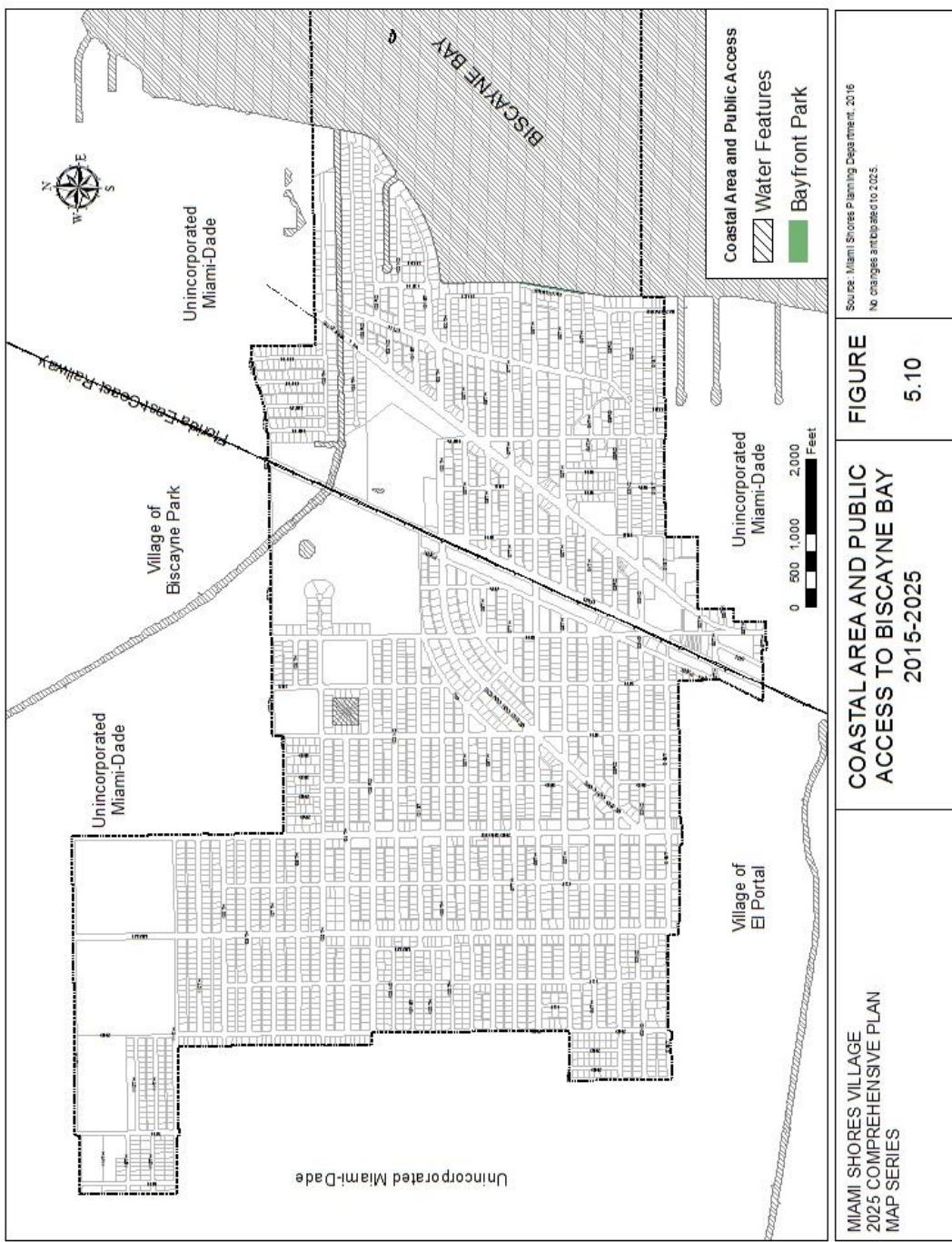


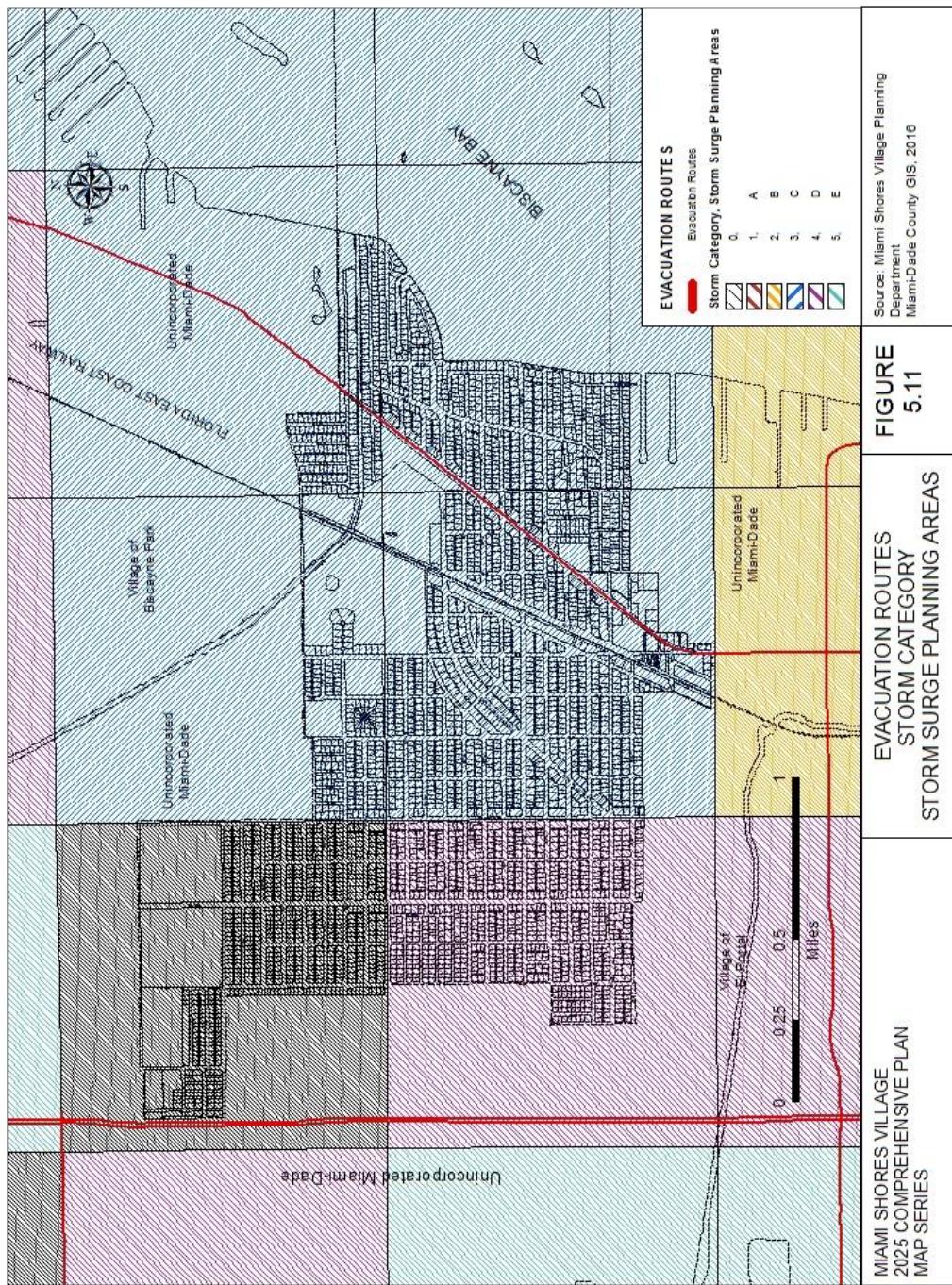


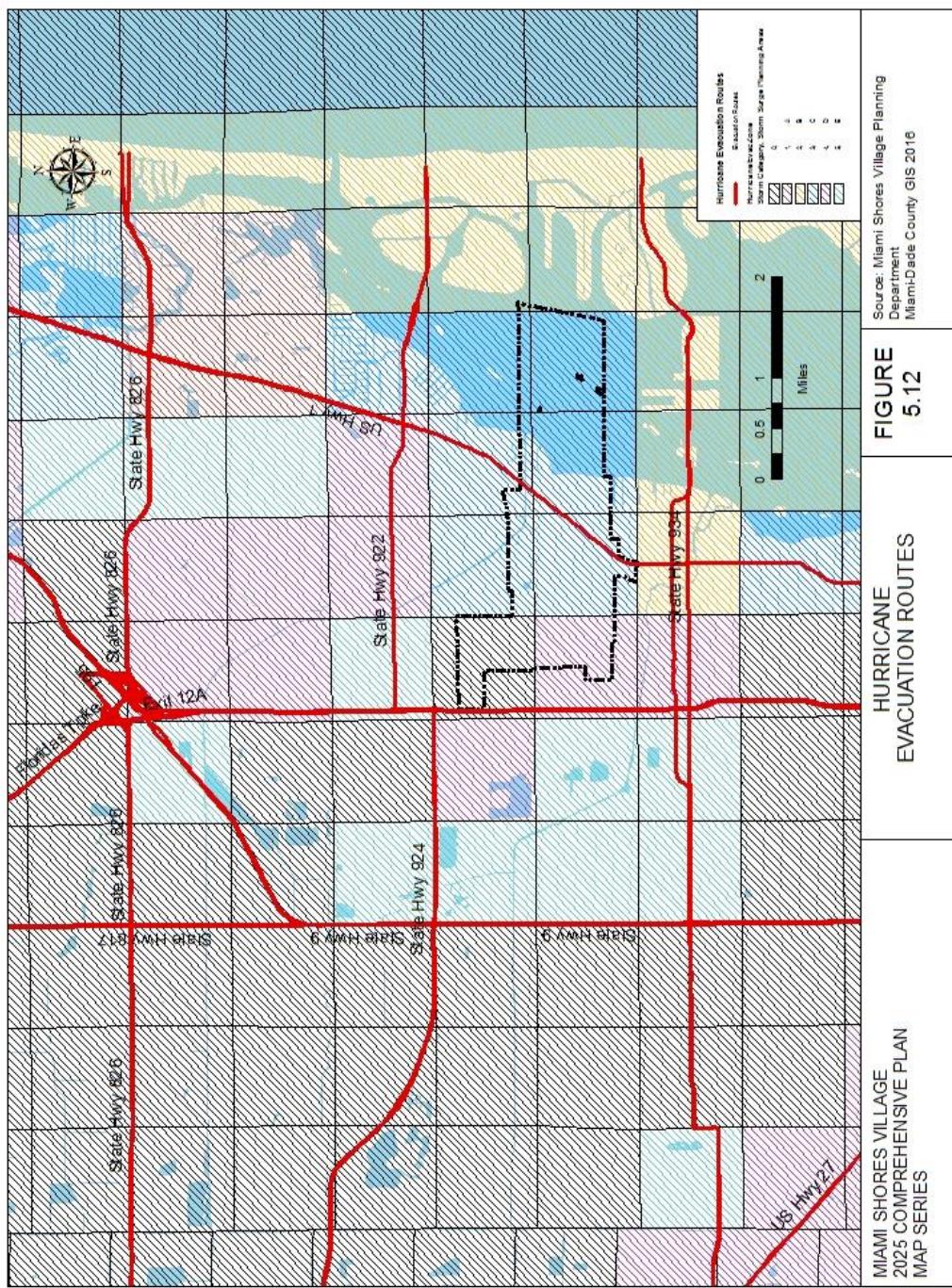












Considerations for the Comprehensive Plan draft ordinance discussed during the November 15, 2022 Council meeting.

Line 165	To add “ <u>and overall scale</u> ” after community character
Line 182	To strikethrough <u>ten (10)</u> and add <u>nine (9)</u>
Line 186	Add limitation language to lot splitting “ <u>No platted lot shall be reduced in size from that currently platted. This shall not limit the right to build on an existing platted lot, nor does it prevent the combination of smaller lots to make larger ones.</u> ”
Line 191	To add 2010 multi-family land use density “multi-family units up to 31 dwelling units per acre or single-family detached units at a density up to 6 dwelling units per acre”
Line 254	To strikethrough <u>be encourage to</u>
Line 255	Add “ <u>The existing parking lots shall serve as buffers between the single-family areas and any other uses</u> ”
Line 296	To add definition for Auto-oriented and auto-dependent uses: “Land uses directly related to automobile services or accommodations, these type of uses are built around the automobile discouraging pedestrian-friendly designs.”
Line 297	To strikethrough <u>be encourage to</u>
Line 563	To add “ <u>Any previously existing street barricades not temporary in nature shall be maintained to the extent permitted by applicable law.</u> ”

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From Councilwoman Burch 11/28/2022

1 MSV Comp Plan other cities. Tale of two cities 09/2022

2

3 From Biscayne Times Corridor news September 2022

4

North Miami Gears up for Change by Samantha Morrell

5

6 Notable: Scott Galvin, "Development has happened everywhere around us, whether
7 that's Midtown, Wynwood, Overtown," Galvin said. "Everybody's got all this new
8 stuff, and North Miami is untouched. It's time for some of the development that you
9 see in other parts of the county and state to come to North Miami."

10

11 "The momentum coursing through the city was made possible when neighborhood
12 and transit overlay districts were incorporated into its 2015 comprehensive plan,
13 now allowing higher density in hot spots that would have otherwise been
14 characterized as low-density residential."

15

16 From Biscayne Times Corridor news September 2022

17

18 "NMB Snyder Tennis Courts Future in Balance ; private developers invited to
reimagine property" by Mark Sell
19 Residents want a say in what happens to 10 acres of land along the Biscayne
20 Corridor.

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47 AB Comments on Agenda Item 7A:

48 One of the primary directives to cities submitting Comprehensive Plans to the Dept of
49 Economic Opportunity to comply with FS 163.3184 is to hear from you, the property owner.
50 In 2018, there was a lawsuit against the Village, generally for not hearing what you, the
51 property owner had to say.

52

53 This time it was going to be different. However, the reason we needed to correct the
54 "irregularities and non-conformities" in our last Comp Plan, was that we were challenged by
55 a developer for a change of zoning for a property. I think the average person that I've heard
56 from was that they were living comfortably in their single-family home understanding that
57 it was:

58

- A) A built-out residential community, meaning they were not going to expect increased densities in their Village and
- B) They did not trust us as a Council to understand that, now that we almost voted for what has come to be known as "the gas station proposal" and
- C) That the last Comp Plan submittal might have been irregular and non-conforming, but now the densities that we've added through our consultant's recommendation leaves them with discomfort and trepidation. So, on 4/18/2022, CGA held a workshop, and heard comments, however, according to these folks, the comments were not heard.
- D) Now, the densities that we intended to submit, with the single-family home residential density corrected, express densities for mixed use that are not acceptable to the Village residents generally.

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60 Let's consider submitting this Amendment with these changes so that we can end the
61 Moratorium and move on to the next Comprehensive Plan which is due in July 2023!

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63 1.Remove Densities for Downtown, keeping the Floor Area Ratios.

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65 2.Remove Floor heights from Downtown. Currently three stories are allowed. Attempt to
66 add vested rights for 9705 NE 2nd Avenue.

67

68 3.Remove Densities and floor height for the Mixed Use Neighborhood near Barry. Currently
69 three stories are allowed. Add a cap of 352 units to the acreage. That comes out to 16
70 dwelling units per acre. Invite Barry's representatives to go through the Planning and
71 Zoning application by removing the moratorium once this Comprehensive Plan Amendment
72 is submitted. Then neighbors, and all of us, will know more about their plan.

73

74 4.Return the Multifamily Residential zoning to 10500 Biscayne Blvd.
75 Work feverishly on the Zoning Code so that it is developed with resident input in time for
76 the Comprehensive Plan due in July, 2023. This will help develop trust that the
77 "constitution-like" Comp Plan will be backed up by the updated Zoning Code.

78

79 5.Change 10500 Biscayne Blvd. back to the Consultant-recommended Multi-Family
80 residential.

81

From Councilwoman Burch 11/28/2022

93 6. Change line 182 under Single Family Residential to a max of 8.7, which allows for
94 minimum lot sizes going forward of 5,000 square feet, which allows for the setbacks that
95 make our neighborhoods special.

96
97 Memo to Colleagues 11-01-22
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99 I remember hearing about the Village Clerk telling a candidate who thought that Miami
100 Shores was a fairly easy place to hold office. The person speculated that there would be no
101 'hot seats'. "All the seats are hot" Ysabely replied. Truly they are. One cannot shift the
102 responsibility for moving forward to others in the community that we serve. I believe I
103 cannot relinquish that job to a Task Force. I apologize to Staff if I misled them that this may
104 be a way to resolve Comp Plan issues. After looking long and hard at the idea proffered in
105 the Manager's Friday memo, I don't see a Task Force as a solution.

106
107 I think it would help to be honest with my motivation. I want to listen to the majority of
108 residents on an issue. I'm sure I wasn't elected on the strength of my understanding of
109 zoning issues. I also did not hear a mandate to raise funds through growth. If there was a
110 demand for growth, or density and intensity, I did not hear it. Since it has been awhile since
111 2019 and a lot has changed, your motivation may be different. Perhaps growing our tax base
112 was on the minds of some, and in a way, although my colleagues may scoff at my thinking, I
113 do believe we have done that despite the fact that we've not grown in housing units. Merely
114 by being Miami Shores, a 90-year-old stellar place to live, our values have grown 16.5% in
115 one year. We are not finished realizing the growth in property-assessed values because at
116 every Planning and Zoning meeting, someone is re-using a lot to build something new with
117 a higher property value.

118
119 I was taught through the Good Government Initiative that initiatives enjoy success when
120 they are brought forward with a sense of good timing. Are we sensing as a community that
121 we need more growth? Does foot traffic on NE 2nd Avenue have an expiration date? Does a
122 developer have their eyes on building residences right now? Currently, there are two
123 buildings redesigning their NE 2nd Avenue facades for new businesses that are coming in.
124 One owner is remodeling. We know we can always have more density. But we can't always
125 have less.

126
127 It is for me, like touching a hot poker to say no to Barry University's desired density for
128 their own property. I advocate for a low density there because of my experience. I already
129 told the story of the Preserve townhouse community. Not long ago, a woman wanted to do a
130 small scale amendment. She went about it just right, in my opinion. She knew that to rezone,
131 she had to reach out to neighbors and try to get them on board with her idea. She wanted to
132 convince neighbors that she would protect them. She loved Miami Shores and designed a
133 building that would fit the neighborhood. She showed the folks. She planned for traffic and
134 parking. Neighbors came to the meeting to tell us that they wanted her as a neighbor. I
135 really hope that Barry can accomplish something like that approach. Then, they can come
136 back for more.

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138 All that said, I'd like to make the compromises necessary to finish the Comprehensive Plan
139 in a better way this time around. I want it to be a Plan we can be proud of. Let's work
140 together and do our jobs.

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FUTURE LAND USE ELEMENT GOAL:

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Ensure that the character and location of future land uses provides high economic and quality of life benefits while preserving natural resources, residential character and appropriate levels of public services.

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(this is the 2010 and 2018 original Goal; concise and accurate)

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Establish land use categories and a Future Land Use Map (FLUM) that provide for compatible and coordinated land uses, allowing for the protection of natural resources, the preservation of community character, and overall scale.

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(this deletes the idea of capitalizing on MSV's growth opportunities for this fix)

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Two and a half (2.5) and a maximum of nine (9) dwelling units per gross acre.

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estates to small lots. No platted lot shall be reduced in size from that currently platted. This shall not limit the right to build on an existing platted lot, nor does it prevent the combination of smaller lots to make larger ones. (*consider "Parcels of Record")

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255 Family Residential designation. The existing parking lots shall serve as buffers
256 between the single-family areas and any other uses.
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271 (Delete this line; floor height shall be in the zoning code. After review, I cannot find public comment that
272 necessitates ensuring floor height. Most public comment insists on 3 stories)
273 (Consider changing lines 273-315 to accommodate the Barry site by describing the Mixed Use
274 Residential/Institutional as a future land use as described in the 2010 plan: "Single-family attached and
275 multifamily units at a density up to 6.0 units per acre and/or institutional uses at a floor area ratio not greater
276 than 1.0" Consider changing FAR to 1.5. Eliminate bonus density for this fix. Eliminate commercial service idea.
277 One does not need the "range of uses", however, include "compatibility" description as in lines 297-299. If
278 consultants deem lines 306-314 important language in the near term to describe the category, include that
279 language but delete line 315 in favor of zoning code height limitation. Public comment does not favor 5 stories.
280 This fix allows for Barry/Lennar to come forward with a small scale amendment.
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296 Define Auto-oriented and Auto-dependent uses.
297 (Sample suggested) Compatibility: Any approved mixed-use projects shall
298 ensure that the scale and intensity is in character with adjacent residential uses
299 and that such projects are appropriately buffered from pre-existing uses.
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Restricted Commercial:

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(I would prefer to use the 2010 definition for this fix:

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"Office and light retail uses that are compatible with nearby housing; residential

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uses that are compatible with nearby commercial. The floor area ratio shall not

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exceed 1.0." Consider an FAR of 1.5. Lines 380-381 seem unnecessary; lines 382-

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388 help to define protections.)

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General Commercial: What is a “medium to high-scale business”? Lines 396-397:
Why are we going from an FAR of 1.0 to 3.0 in this fix? I need to understand the
rationale for this change. Largely, it includes built-out commercial development,
i.e. Tropical Chevrolet and Shores Square LLC. Does this FAR change
accommodate some larger multi-story commercial development? If so, where?

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I would like to include, after “effectively link to proposed regional trails” the words, “such as the Flagler Trail.” since the Village has preliminarily approved and funded a study for same.

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Perhaps this or the next policy would accommodate an insertion point dealing with the “Parcels of Record” language that I have enclosed with this document, with a view toward guaranteeing the right of rebuild of single-family homes after a natural disaster.

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557 N.B: Policy 2.3. In my view, it is the responsibility of our own attorneys to
558 adequately research, provide background, as well as supporting legal opinions,
559 relating to this policy. A draft policy rewrite by our legal staff of Policy 2.3
560 should be circulated to Council as soon as possible ahead of all anticipated
561 meetings or possible future discussion of the Comprehensive Plan changes.

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567 Here we already say that maximum height shall be in the zoning code, thus
568 eliminating the need for lines 271 and 315.

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583 1. Miami Shores Downtown District encompassing the business commercial
584 area along Northeast 2nd Avenue

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601 "an appropriate Miami Shores Downtown District mix of uses "

602 the established Miami Shores Downtown District area

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604 residential uses along the Miami Shores Downtown District.

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611 I think "and parking" should be left in.

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675 potential noise, light and visual effects of any new development

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'ongoing'

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Suggestion: with appropriate entities, such as FIU's Crest Center, and University
of Miami's Rosenstiel School.

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Correct to delete 'Review'

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Circa 2020-2021, Council specifically denied the request for HPB reviews of demolition applications. Please check this.

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851 In this regard, may I please request again the minutes of the Septic to Sewer
852 meeting which took place in recent months between and among the Village
853 Manager, Deputy Village Manager, and MDC Water and Sewer Authority?

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870 I am in favor of striking “and best new practices for zoning regulations” instead
871 inserting “innovative” zoning regulations in relation to the Village’s Future Land
872 Use Development Goal. (end)

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886 Strike “~~through the provision of bonus density and/or floor area~~”

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895 For Miami Shores Downtown District,

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897 Strike “~~fee-in-lieu of construction options~~” and parking lot design and
898 connectivity, with full consideration of neighborhood compatibility. Use new
899 technology to reduce stormwater and other environmental impacts.

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The Village allows

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Strike and “~~Mixed Use Neighborhood~~” in favor of Mixed Use
Residential/Institutional.

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Please note that this Ordinance is referred to, it may not be current with FEMA maps

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https://librarystage.municode.com/fl/miami_shores_village/ordinances/code_of_ordinances?nodeId=391374

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DM Comments	
Line 206-208	Delete last sentence "Development shall be considered...."
Line 256-258	Delete first sentence "The overall mix of uses..."
Line 258	Change "residential uses" to "residential dwellings, offices, and medical services"
Line 259	Change to "ground floor <u>shall</u> allow retail, <u>non-medical</u> services and offices, and dining uses" [GOAL TO ELIMINATE MEDICAL USES GROUND LEVEL]
Line 260-261	Delete last sentence "Horizontal mixed-use projects shall include..."
Line 264	Add to end of sentence "and non-motorized vehicles."
Line 266	"Mixed Use-DMS" should be "Mixed Use-MSDD" . Do a "search" for DMS because it appears in a couple places throughout and replace with MSDD
Line 267	Change "to reduce on-site parking" to "to encourage off-street parking"
Line 271	Change "four (4) stories" to "40 feet"
Line 300	Delete first sentence "The overall mix of uses...."
Line 303	Add "residential" as a use as well. Mixed use should be allowed but not required, so if it is all residential, this would be permissible should someone choose not to have any commercial element there.
Line 303-305	Delete last sentence, "Horizontal mixed-use project shall include..."
Line 308	Add to end of sentence "and non-motorized vehicles."
Line 311	Change "to reduce on-site parking" to "to encourage off-street parking"
Line 315	Change "five (5) stories" to "50 feet"
Line 365	Add "indoor and outdoor dining"
Line 378	Add "dining"
Line 388	Change "that does not rely" to "minimizing reliance"
Line 496	Change "land development" to "Zoning"
Line 601	Change "Main Street" to "Downtown Miami Shores"
Line 603	Change to "The Village shall support and <u>if appropriate</u> incentivize the inclusion of..."
Line 895	Change Main Street to Downtown Miami Shores
Add category/FLUM change	Either make 105 th and Biscayne a separate category that permits Multifamily and Restricted Commercial uses, or just make it multifamily and provide a special multiuse overlay as had existed previously to allow for commercial uses. Height limit to be added for 35 feet.