



Miami Shores Village

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

January 18, 2023

Barbara Powell, Plan Processing Administrator
Bureau of Comprehensive Planning
Department of Economic Opportunity
barbara.powell@deo.myflorida.com
107 East Madison Street
Caldwell Bldg., MSC 160
Tallahassee, Florida 32399

Re: Miami Shores Village Property Rights Element adoption transmittal - Amendment **No. 22-01ER**

Dear Mr. Eubanks,

Please accept this transmittal of the enclosed adopted ordinance amending the Miami Shores Village 2025 Comprehensive Plan. The proposed amendment is being submitted pursuant to Section 163.3184 (2) & (4), Florida Statutes.

The attached ordinance **No. 2023-01** adopted on January 17, 2023, amends the Village Comprehensive Plan by adding a Property Rights Element as required by and in conformity with Section 163.3177(6), Florida Statutes (2021). The attached ordinance was considered during public hearings on the following dates:

- July 13, 2022: Local Planning Agency/Planning Board – No public comment. Outcome of Hearing: Recommendation of approval to the Village Commission, 5-0.
- Village Council (1st reading) – July 19, 2022. No public comment. Outcome of Hearing: Adoption on 1st reading, 5-0.
- Village Council (2nd reading) – January 17, 2023, see public comments. Outcome of Hearing: Adoption on 2nd reading, 4-0.

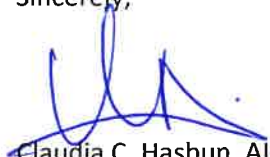
Together with the ordinance, we have included all pertinent memoranda and proof of advertising for the public hearings. At this stage, the Village will address the received ORC comments during the upcoming EAR which is due for first reading on July 1, 2023.

A copy of this adoption is being sent to the Departments of Education, Environmental Protection, State, Transportation (District 6), Miami-Dade County Planning, adjacent municipalities, the South Florida Regional Planning Council, and the South Florida Water Management District.

Please feel free to contact me regarding this amendment:

Claudia C. Hasbun, AICP
Planning, Zoning & Resiliency Director
10050 NE 2 Avenue
Miami Shores, Fl 33138
305.762.4864
hasbunc@msvfl.gov

Sincerely,



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

cc: South Florida Regional Planning Council
South Florida Water Management District
Miami-Dade County Planning
Village of El Portal
Village of Biscayne Park
City of Miami
Florida Department of Transportation (District 6)
Florida Department of Environmental Protection
Florida Department of State
Florida Department of Education

ATTACHMENTS:

- A. Adopted Village Ordinance
- B. Public hearing ads
- C. Village Council Agenda (January 17, 2023)
- D. Village Council Public Comments (January 17, 2023)
- E. Review Agency Letters and DEO ORC

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

28 **WHEREAS**, the Village Council finds that this Ordinance is necessary and in the
29 best interest of the public health, safety, and welfare of the Village.

30 **NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE VILLAGE COUNCIL**
31 **OF MIAMI SHORES VILLAGE, FLORIDA, AS FOLLOWS:**¹

32 **Section 1. Recitals Adopted.** That each of the above recitals are true and
33 correct and incorporated herein by this reference.

34 **Section 2. Amendment to the Comprehensive Plan.** That the Village
35 Comprehensive Plan is hereby amended as provided in Exhibits "A", which is incorporated and
36 made a part hereof by this reference:

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

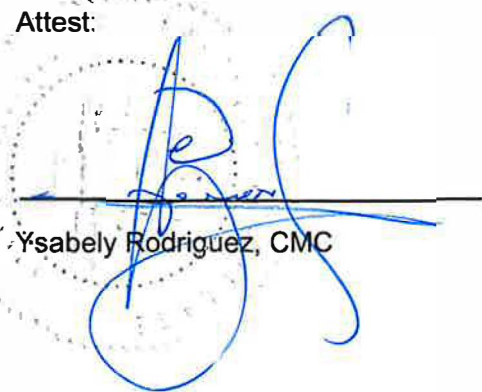
¹ Coding: ~~Strike through words~~ are deletions to the existing words. Underlined words are additions to the existing words. Changes between first and second reading are indicated with ~~double strikethrough~~ and double underline.

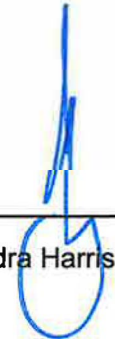
43 **Section 4. Conflicts.** That all ordinances or parts of ordinances, resolutions or
44 parts of resolutions, in conflict herewith, are repealed to the extent of such conflict.

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

49 **Section 6. Effective Date.** That this Ordinance shall be effective immediately
50 upon passage by the City Council on second reading, except that the effective date of
51 this plan amendment, if the amendment is not timely challenged, shall be 31 days after
52 the state land planning agency notifies the local government that the plan amendment
53 package is complete. If the amendment is timely challenged, this amendment shall
54 become effective on the date the state land planning agency or the Administration
55 Commission enters a final order determining this adopted amendment to be in
56 compliance. No development orders, development permits, or development dependent
57 on this amendment may be issued or commence before it has become effective.

58 **PASSED** on first reading on the 19 day of July , 2022. **PASSED AND**
59 **ADOPTED** on second reading on the 17 day of January, 2023.

60 Attest:
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65 Ysabely Rodriguez, CMC


For

Sandra Harris

66 Village Clerk

Mayor

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69 APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

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73 Weiss, Serota, Helfman, Cole + Bierman, P.L.

74 Village Attorney

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| FINAL VOTES AT ADOPTION | |
|------------------------------------|---------------|
| Council Member Alice Burch | <u>Yes</u> |
| Council Member Timothy Crutchfield | <u>Yes</u> |
| Council Member Wesley Castellanos | <u>Yes</u> |
| Vice Mayor Daniel Marinberg | <u>Yes</u> |
| Mayor Sandra Harris | <u>Absent</u> |

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EXHIBIT A

MIAMI SHORES VILLAGE, FLORIDA
2025 COMPREHENSIVE PLAN

Goals, Objectives, Policies

Approved: July 1~~5~~, 2008

Amended: January 6, 2009

Amended: July 6, 2010

Amended: November 2, 2010

Amended: April 17, 2011

Amended: November 6, 2012

Amended: November 19, 2013

Amended: October 2, 2018

Amended: March 5, 2019

Amended: _____, 2023

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CHAPTER 4. PROPERTY RIGHTS ELEMENT

Goal:
Miami Shores Village (the "Village") will make decisions with respect for property rights and with respect for people’s rights to participate in decisions that affect their lives and property.

Objective 1:
The Village will respect judicially acknowledged and constitutionally protected private property rights.

Policy 1.1:
The Village will consider in its decision-making the right of a property owner to physically possess and control his or her interests in the property, including easements, leases, or mineral rights.

Policy 1.2:
The Village will consider in its decision-making the right of a property owner to use, maintain, develop, and improve his or her property for personal use or for the use of any other person, subject to state law and local ordinances.

Policy 1.3:
The Village will consider in its decision-making the right of the property owner to privacy and to exclude others from the property to protect the owner’s possessions and property.

Policy 1.4:
The Village will consider in its decision-making the right of a property owner to dispose of property through sale or gift.

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Florida Democratic Party chairman resigns with list of grievances after dismal election

BY GRETHEL AGUILA
gaguila@miamiherald.com

Calling stunning losses in the November election the “nail in the coffin,” Florida Democratic Party Chairman Manny Diaz resigned effective immediately Monday evening in a widely distributed email that served as a broadside against those he blamed for the party’s fading relevance.

Diaz, a former Miami mayor, was elected to the job two years ago by party activists to help turn things around in the nation’s most populous

swing state after a disappointing 2020 election. Instead, by his own definition, he leaves with Republicans firmly in control and the party in shambles.

“After much reflection, I regret to inform you that I have chosen to retire as FDP Chair, effective immediately,” Diaz wrote in the 2,500-word email, distributed at 5:30 p.m. “It has been a pleasure and honor to work with you, and, rest assured, I will continue to fight with you to get Democrats elected.”

Rather than spearhead a resurgence, Diaz watched the last two years as registered Florida Republican

voters rose in number to surpass registered Florida Democrats for the first time in state history, Republicans secured super-majorities in the state House and Senate, and the GOP swept races for state cabinet positions. Perhaps most notably, in a state known for hard-fought elections at the top of the ballot, Republican Gov. Ron DeSantis won reelection by nearly 20 points.

Diaz faced calls to resign. But in his email, he blamed Washington operatives, cash woes and decades of problems for the party’s collapse. He



Diaz

also ran through a list of problems the state’s Democrats are facing, including a lack of voter engagement and unclear messaging.

Diaz wrote that he “found obstacles to securing the resources and a long-standing, systemic and deeply entrenched culture resistant to change; one where individual agendas are more

important than team; where self-interest dominates and bureaucracies focus on self-preservation.”

The party, Diaz said, doesn’t have the money to support candidates — or to perform minimal functions. Volunteers are nearly extinct, he said, and the party has had to rely on paid canvassers, which created an industry of people who work “for the money and the benefits, not for a cause.”

The party began paying workers a \$15 minimum wage, Diaz said, but they still pushed back, asking for more. And he said he

couldn’t fire underperforming staff.

“When reflecting on our disappointments during the past 20 years, one must follow the money,” Diaz said in the statement. “Who received the investments? What was the return on these investments?”

Diaz said that during his tenure, the party’s resistance to change exposed a broken system. And he believes Democrats will keep losing elections until that’s resolved.

“Maybe it is not about trying to fix something that is broken,” Diaz said. “Maybe it is about starting over and creating something better.”

Grethel Aguila:
@GrethelAguila

FROM PAGE 1A

REEFS

the coast of military bases to reduce the amount of damage they take when they’re pummeled by waves.

“A lot of people are surprised that the [Defense Department] is doing this, but there are more than 1,700 military installations that are on coasts worldwide, and when they’re impacted by storms, it causes billions of dollars of damage,” said Catherine Campbell, the DARPA program manager in charge of the project, “so we’re looking for ways that we can reduce the wave energy so we don’t have these severe impacts from storms.”

If they work, civilians could use them, too. Andrew Baker, a University of Miami marine biology and ecology professor and one of the principal investigators for the project, says he’d like to see hybrid reefs used in Miami-Dade County to protect barrier islands like Miami Beach and Key Biscayne from flooding and erosion. “If you’re going to do this anywhere in the world and you want to get the maximum bang for your buck, there’s no better place than Southeast Florida because we’re just so vulnerable,” Baker said.

REEFS BREAK UP DAMAGING WAVES

Coral and oyster reefs protect coastlines against flooding and erosion by breaking up big waves. When a wave bumps into a reef, some of its energy gets lost to friction as the water whirls through the rough surface of the reef. Another chunk of the wave’s energy gets redirected upward, causing the wave to break through the surface in a white, foamy crest that dissipates even more power.

All told, a well-placed reef can absorb as much as 97% of a wave’s energy, according to one 2014

meta-analysis published in Nature Communications that combined data from 27 previous research papers on reefs and wave energy.

Smaller waves reduce the amount of pounding that beaches, seawalls and coastal building foundations take on a daily basis. During hurricanes, smaller waves cut down the extent of flooding during storm surge, which can determine whether or not the water splashes over a seawall or laps up to the ground floor of a building.

But as climate change makes oceans warmer and more acidic, most of the world’s reefs are dying. Roughly half of the coral reefs that existed in 1950 are now gone, according to a 2021 paper from U.S. and Canadian scientists. Warmer seas, combined with overfishing and pollution, have also taken a toll on oyster reefs. The decline of these reefs leaves the coastlines they used to protect more vulnerable to flooding.

PLAYING ‘REEFENSE’

That prompted the Defense Department to create a \$19.4 million grant this year to fund the “Reefense” program, which aims to design hybrid reefs that can be built and installed quickly to protect military bases and coastal communities. UM is leading one part of the project, dubbed X-REEFS, which involves 29 professors at 11 universities developing hybrid coral reefs for the Atlantic Ocean. (The University of Hawaii is leading a similar project for coral reefs in the Pacific Ocean, while Rutgers is leading a team focused on oyster reefs in the Gulf of Mexico.)

The base of these hybrid reefs will be made up of artificial concrete structures designed to mimic the wave-breaking ability of natural reefs. These structures will stack together like LEGO bricks, have rough surfaces to help corals and oysters cling onto them, and be



Catherine Lachnit, a master’s degree student, works with urchins in the lab on Dec. 15 at the University of Miami’s Rosenstiel School of Marine, Atmospheric, and Earth Science.

hollow and full of holes, which will cut down on material costs and also increase the amount of wave energy they absorb.

The concrete structures are beneficial because they can be installed quickly and immediately start breaking up waves. But the researchers will cover them with living corals or oysters that can slowly grow bigger and increase the amount of wave energy they absorb. Plus, the living part of the reef gives the entire structure the ability to repair itself, because the corals or oysters will grow back if they get damaged by debris or a storm.

The military is also investing in speeding up the growth of corals and oysters and making sure they stay healthy, so that the hybrid reefs can expand “at least as fast as the healthiest reefs found in nature,” according to a 2021 project overview.

One team of Miami-based X-REEFS team is researching ways to make the artificial reefs friendly environments for corals while warding off the algae that compete with these creatures for habitat. Some scientists are developing anti-algal coatings for the concrete structures. Others, like UM marine biology

master’s student Catherine Lachnit, are raising sea urchins to live on the reefs. The urchins graze on algae like undersea billy goats, keeping the area clear for corals.

Another team of researchers, led by Baker, is working on biologically engineering corals so that they won’t simply die when they’re placed in the warming oceans. “We recognize that you can’t use corals, which are a climate change-sensitive organism, to solve a problem that is becoming worse because of climate change,” Baker said.

To toughen up the corals, the researchers plan to cross-breed hardy populations that have adapted to live in warm parts of the sea, like the southern coast of Cuba and the Mexican Caribbean Coast, using an aquatic version of in vitro fertilization, among other strategies.

HYBRID REEF PILOTS ARE COMING TO KEYS, MIAMI BEACH

The hybrid reefs showed promise during early lab tests in UM’s massive wind and wave tank on Virginia Key, which holds 38,000 gallons of water and can simulate Category 5 hurricane conditions.

The scientists put an artificial reef structure at the bottom of the tank and covered it with a smattering of small staghorn coral skeletons. The hybrid reef cut wave energy between 11% and 98%, depending on the reef design and the types of waves the researchers threw at it, according to a paper the researchers published in 2021.

The coral accounted for up to half of the hybrid reef’s wave stopping power in the study. But planting more coral reefs in the wild also brings environmental benefits. Local governments up and down Florida’s coastlines have been creating artificial reefs for decades, using everything from old ships to concrete rubble, but the goal with those has mainly been to attract divers and recreational anglers while reducing pressure on struggling natural reefs.

“Artificial reefs are not new, and to some degree even hybrid reefs are not new,” Baker said. “What’s new about all of this is thinking about: How do we do this in the best possible way? What’s the best design to reduce wave energy?”

Later this month, University of Miami researchers will install two small,

20 foot long hybrid reefs off the coast of Miami Beach near 80th Street to see how the structure performs in the real world. (This test is funded by a separate research grant from the University of Miami and the City of Miami Beach and is not part of the Reefense program, although it dovetails nicely with UM’s military research.)

In November, the Reefense scientists plan to begin building a 50 meter (160 foot) long hybrid reef that they’ll install off the coast from the Key West naval air base, where the runways of Boca Chica Field stretch almost into the sea. In early 2026, the researchers will build another 50 meter stretch of hybrid reef next to the first one, incorporating any new concrete designs, algae-fighting tactics or harder corals they’ve developed along the way.

By then, according to the goals laid out in the DARPA grant, the team will have developed a technique for building hybrid reefs that can knock down 90% of wave energy at a cost of less than \$300 per cubic meter of reef. If they succeed, they’ll have created a blueprint that city and state governments and the U.S. Army Corps of Engineers could use to install miles of artificial reefs to protect coastlines in areas where coral and oyster reefs naturally grow.

“Ultimately the goal is, whatever we learn from this, we want to scale it up and use it in other areas including here, closer to home, in Miami-Dade County or Broward,” said Baker.

This climate report is funded in part by a collaboration of private donors, Florida International University and the Knight Foundation. The Miami Herald retains editorial control of all content.

Nicolás Rivero:
@NicolásFuRivero



NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Miami Shores Village Council will hold a public hearing on second and final reading on **January 17, 2023 at 6:30 p.m.** The hearing shall be held at **9900 NE 2nd Avenue, Miami Shores, FL 33138.** The Miami Shores Village Council proposes to consider the following ordinance:

AN ORDINANCE OF THE VILLAGE COUNCIL OF MIAMI SHORES VILLAGE, FLORIDA, AMENDING THE VILLAGE COMPREHENSIVE PLAN BY ADDING A PROPERTY RIGHTS ELEMENT, PURSUANT TO SECTION 163.3177(6), FLORIDA STATUTES (2023); PROVIDING FOR SEVERABILITY; PROVIDING FOR TRANSMITTAL; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

The application may be amended based upon the request of the applicant prior to the public hearings or may be amended at the public hearings prior to final decision of the Village Council. Copies of the ordinance and supporting documentation may be inspected by the public at the Office of the Village Clerk, located at Village Hall, 10050 NE 2nd Avenue, Miami Shores, FL 33138 between the hours of 8:30 am and 5:00 pm.

Any and all interested parties may appear at the above meetings and be heard with respect to the proposed item.

Persons wishing to appeal any decision considered at such hearing will need a record of the proceedings and for such purpose may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is based. (Chapter 286.0105), Florida Statutes Persons with disabilities requiring accommodations in order to participate should contact the Village Clerk at 305-795-2207 Ext: 4870 at least three business days in advance to request such accommodations.



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Attention: Ms. Ysabely (Billing) Rodriguez

MIAMI SHORES VILLAGE
 10050 NE 2ND AVE
 MIAMI, FL 33138



NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Miami Shores Village Council will hold a public hearing on second and final reading on January 17, 2023 at 8:30 p.m. The hearing shall be held at 8800 NE 2nd Avenue, Miami Shores, FL 33138. The Miami Shores Village Council proposes to consider the following ordinance:

AN ORDINANCE OF THE VILLAGE COUNCIL OF MIAMI SHORES VILLAGE, FLORIDA, AMENDING THE VILLAGE COMPREHENSIVE PLAN BY ADDING A PROPERTY RIGHTS ELEMENT, PURSUANT TO SECTION 143.3777(8), FLORIDA STATUTES (2023), PROVIDING FOR SEVERABILITY, PROVIDING FOR TRANSMITTAL, PROVIDING FOR CONFLICTS, AND PROVIDING FOR AN EFFECTIVE DATE.

The application may be amended based upon the request of the applicant prior to the public hearings or may be amended at the public hearings prior to final decision of the Village Council. Copies of the ordinance and supporting documentation may be inspected by the public at the Office of the Village Clerk, located at Village Hall, 15060 NE 2nd Avenue, Miami Shores, FL 33138 between the hours of 8:30 am and 8:00 pm.

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**PUBLISHED DAILY
 MIAMI-DADE-FLORIDA**

**STATE OF FLORIDA
 COUNTY OF MIAMI-DADE**

Before the undersigned authority personally appeared: Stefani Beard, who on oath says that he/she is CUSTODIAN OF RECORDS of The Miami Herald, a daily newspaper published at Miami in Miami-Dade County, Florida; that the attached copy of the advertisement that was published was published in said newspaper in the issue(s) of:

Publication: Miami Herald

1 insertion(s) published on:

01/10/23

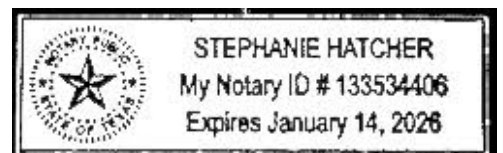
Affiant further says that the said Miami Herald is a newspaper published at Miami, in the said Miami-Dade County, Florida and that the said newspaper has heretofore been continuously published in said Dade County, Florida each day and has been entered a second class mail matter at the post office in Miami, in said Miami-Dade County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he/she has neither paid or promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper(s).

Stefani Beard

Sworn to and subscribed before me this 18th day of January in the year of 2023

Stephanie Hatcher

Notary Public in and for the state of Texas, residing in Dallas County



Extra charge for lost or duplicate affidavits.
 Legal document please do not destroy!



VILLAGE COUNCIL MEETING
TUESDAY, JANUARY 17, 2023
9900 NE 2ND AVENUE
MIAMI SHORES, FL 33138
6:30 PM

1. CALL TO ORDER

2. MOMENT OF SILENCE / PLEDGE OF ALLEGIANCE

3. ROLL CALL

4. ORDER OF BUSINESS - ADDITIONS, DELETIONS, & DEFERRALS

5. PUBLIC COMMENTS - 2-Minute Time Limit

6. APPOINTMENT TO VACANT OFFICE OF COUNCILMEMBER

- 6.A. APPOINTMENT OF A NEW COUNCILMEMBER TO SERVE ON THE VILLAGE COUNCIL UNTIL APRIL 11, 2023 (SPONSORED BY: MAYOR SANDRA HARRIS).

[Memorandum](#)
[Bellinson, Andrew.pdf](#)
[Castellanos, Wesley.pdf](#)
[Fischer, Dianne.pdf](#)
[McCormick, Toni.pdf](#)
[Menge, Robert.pdf](#)

7. CONSENT AGENDA - *All items listed within this section entitled "Consent Agenda" are considered to be self-explanatory and are not expected to require additional review or discussion, unless a member of the Village Council requests, in which case, the item will be removed from the Consent Agenda and considered along with the regular order of business.*

- 7.A. APPROVAL OF THE DECEMBER 28, 2022 SPECIAL MEETING MINUTES (STAFF: VILLAGE CLERK).

[Minutes](#)

- 7.B. A RESOLUTION OF THE COUNCIL OF MIAMI SHORES VILLAGE, FLORIDA; APPROVING AND AUTHORIZING THE VILLAGE MANAGER OR DESIGNEE TO EXECUTE AN AGREEMENT WITH CHEN MOORE AND ASSOCIATES, INC., PURSUANT TO REQUEST

FOR QUALIFICATIONS NO. 2022-04-01 "ENGINEERING AND ARCHITECTURAL DESIGN SERVICES FOR MIAMI SHORES VILLAGE BAYFRONT PARK" IN AN ESTIMATED AMOUNT OF \$376,670; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE. (PUBLIC WORKS DIRECTOR)

[Memorandum](#)

[Resolution](#)

[Exhibit "A" Proposal](#)

- 7.C. A RESOLUTION OF THE VILLAGE COUNCIL OF MIAMI SHORES VILLAGE, FLORIDA, APPROVING AND ADOPTING THE PROGRAM FOR PUBLIC INFORMATION ("PPI") DOCUMENT, AND FLOOD INSURANCE COVERAGE IMPROVEMENT PLAN; AUTHORIZING VILLAGE OFFICIALS TO EXECUTE AND IMPLEMENT THE NECESSARY DOCUMENTS AND PROGRAM PLANS; AND PROVIDING FOR AN EFFECTIVE DATE (STAFF: NEIGHBORHOOD SERVICES DIRECTOR).

[Memorandum](#)

[Resolution](#)

8.ORDINANCE(S) ON SECOND READING- PUBLIC HEARING

- 8.A. AN ORDINANCE OF THE VILLAGE COUNCIL OF MIAMI SHORES VILLAGE, FLORIDA, AMENDING THE VILLAGE COMPREHENSIVE PLAN BY ADDING A PROPERTY RIGHTS ELEMENT, PURSUANT TO SECTION 163.3177(6), FLORIDA STATUTES (2023); PROVIDING FOR SEVERABILITY; PROVIDING FOR TRANSMITTAL; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE (STAFF: PLANNING & ZONING DIRECTOR).

[Memorandum](#)

[DEO Report](#)

[Ordinance](#)

9.DISCUSSION & POSSIBLE ACTION ITEMS

- 9.A. DISCUSSION AND POSSIBLE ACTION REGARDING THE MIAMI SHORES VILLAGE COMPREHENSIVE PLAN PROPERTY RIGHTS ELEMENT- A REVISION ON SECOND READING (SPONSORED BY: COUNCILMEMBER ALICE BURCH).

[Memorandum](#)

[MSV Comp Plan Property Rights new with objectives.pdf](#)

- 9.B. PROPOSED 2022-2023 CHARTER REVIEW COMMITTEE ("CRC" or "Committee) FINAL RECOMMENDATIONS (STAFF: VILLAGE ATTORNEY).

[Memorandum](#)

[Exhibit A- CRC Minutes.pdf](#)

[Exhibit B- Draft Resolution.pdf](#)

10.MANAGER'S REPORT

- 10.A. DISCUSSION AND POSSIBLE ACTION REGARDING LEGISLATIVE PRIORITIES (STAFF: VILLAGE MANAGER).

11.ATTORNEY'S REPORT

12.ANNOUNCEMENTS

13.VILLAGE COUNCIL COMMENTS

14.ADJOURNMENT

The board may consider and act upon such other business as may come before it. In the event this agenda must be revised, such revised copies will be available to the public at Village Hall.

Pursuant to Chapter 286.0105, Florida Statutes, if a person decides to appeal any matter considered at such meeting or hearing, the individual may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

Miami Shores Village complies with the provisions of the Americans with Disability Act. If you are a disabled person requiring any accommodations or assistance, including materials in accessible format, a sign language interpreter, or assistive listening devices, please notify the Village Clerk's office of such need at least 5 days in advance.

In accordance with Village Code and section 2-11.1(s) of the Miami-Dade County Code, any person engaging in lobbying activities, as defined therein, must register at the Village Clerk's Office before addressing said board.

Village Council

Meeting Time: 01-17-23 18:30

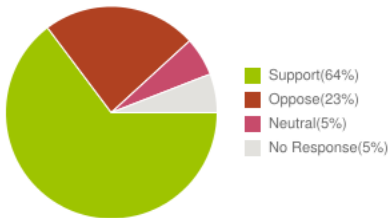
eComments Report

| Meetings | Meeting Time | Agenda Items | Comments | Support | Oppose | Neutral |
|-----------------|-------------------|--------------|----------|---------|--------|---------|
| Village Council | 01-17-23 18:30 | 22 | 17 | 11 | 4 | 1 |

Sentiments for All Meetings

The following graphs display sentiments for comments that have location data. Only locations of users who have commented will be shown.

Overall Sentiment



Village Council

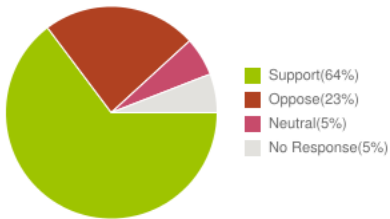
01-17-23 18:30

| Agenda Name | Comments | Support | Oppose | Neutral |
|--|----------|---------|--------|---------|
| 5) PUBLIC COMMENTS | 6 | 3 | 2 | 1 |
| 6.A) APPOINTMENT OF A NEW COUNCILMEMBER TO SERVE ON THE VILLAGE COUNCIL UNTIL APRIL 11, 2023 (SPONSORED BY: MAYOR SANDRA HARRIS). | 5 | 4 | 1 | 0 |
| 8.A) AN ORDINANCE OF THE VILLAGE COUNCIL OF MIAMI SHORES VILLAGE, FLORIDA, AMENDING THE VILLAGE COMPREHENSIVE PLAN BY ADDING A PROPERTY RIGHTS ELEMENT, PURSUANT TO SECTION 163.3177(6), FLORIDA STATUTES (2023); PROVIDING FOR SEVERABILITY; PROVIDING FOR TRANSMITTAL; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE (STAFF: PLANNING & ZONING DIRECTOR). | 3 | 1 | 1 | 0 |
| 9.B) PROPOSED 2022-2023 CHARTER REVIEW COMMITTEE ("CRC" or "Committee) FINAL RECOMMENDATIONS (STAFF: VILLAGE ATTORNEY). | 3 | 3 | 0 | 0 |

Sentiments for All Agenda Items

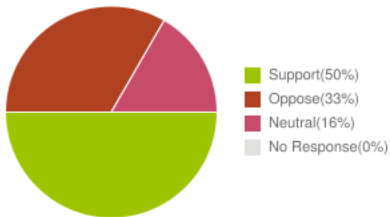
The following graphs display sentiments for comments that have location data. Only locations of users who have commented will be shown.

Overall Sentiment



Agenda Item: eComments for 5) PUBLIC COMMENTS

Overall Sentiment



max sturman

Location:

Submitted At: 3:23pm 01-17-23

I'm Max Wolfe Sturman residing at 107 ne 96 street. I am personally insulted that a sitting Miami Shores Village Council member attempted to publicly expose one of our long standing Village residents with information that could have only been obtained illegally, as this information had been previously expunged from the record. I am also extremely disappointed that the Village attorney failed in his duties to prevent this accusation to be heard.

Publicly attacking our neighbor was inexcusable and an abuse of power by our Council member and was totally inappropriate. Our Village Council members need to represent our residents in a professional, friendly and positive manner at all times and owes a public apology to the Village.

Guest User

Location:

Submitted At: 3:05pm 01-17-23

Why did John Ise, Chairman of the Recreation Board refer a resident inquiring on the Miami Shores Village Community Facebook page to Biscayne Park to start a basketball class? Since there is availability at our own basketball courts at the community center at the moment, couldn't something be done to accommodate them? Why are we telling our own residents to bring their ideas and their children to Biscayne Park? He should worry more about the recreation center than the comprehensive plan and Barry university. The name of the resident requesting assistance was Ana Hanssen. Regards, Sonia Rocio, resident

Guest User

Location:

Submitted At: 2:48pm 01-17-23

Giselle Kovac 290 ne 98th st

I am writing in support of Wesley Castellanos for the council's vacant seat. Additionally I encourage the council to approve the Property Rights Element as proposed by the Village Planning and Zoning Director. Thank you to all council members and staff for your hard work and dedication.

Guest User

Location:

Submitted At: 1:37pm 01-17-23

The meeting minutes from the January 3, 2023 Village Council Meeting are missing from the agenda. Why were the minutes from this meeting not included? There were many important items included at that meeting that need to be documented. Sincerely, Joe Pembroke

Guest User

Location:

Submitted At: 11:02am 01-17-23

My name is Doug Turkel (tur-KELL). My wife and I have lived in the Shores for over 27 years, and we're thrilled to have raised our family here. I am writing in strong support of Andrew Bellinson to fill the council seat of Crystal Wager. I have known Andy for 20 years, and he is one of the most thoughtful, caring and intelligent people I have the pleasure of knowing. As a family man, his love for his wife and his children is second to none. His love for this village is indisputable, and I know how important it was for him to raise his family in a community like ours, where we care deeply about each other and our neighbors.

As a successful attorney and businessman, Andy has the insight, tenacity and vision to think both inside and outside the box, with his clients' best interest always top of mind. Andy has the ability to communicate his vision effectively. And just as significantly, he understands the importance of listening...truly listening, when people need to be heard (which seems to be an under appreciated skill these days). We would be lucky to have someone with his thoughtfulness, rationality and values, serve as a member of the Miami Shores Village Council.

Guest User

Location:

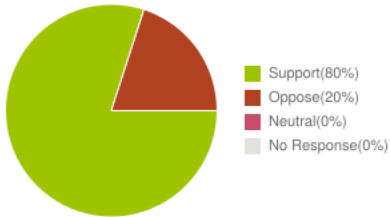
Submitted At: 9:39pm 01-15-23

As a resident of Miami Shores, I strongly support Mr. Wesley Castellanos to fill the council seat recently vacated by Ms. Crystal Wagar. As an architect/general contractor, chair of the Village's Historic Preservation Board, and long-term resident, Mr. Castellanos is uniquely qualified to serve in this capacity. I urge the Councilmembers to

support Mr. Castellano for this opportunity.
Respectfully submitted, Michael Bell

Agenda Item: eComments for 6.A) APPOINTMENT OF A NEW COUNCILMEMBER TO SERVE ON THE VILLAGE COUNCIL UNTIL APRIL 11, 2023 (SPONSORED BY: MAYOR SANDRA HARRIS).

Overall Sentiment



max sturman

Location:

Submitted At: 3:09pm 01-17-23

I'm Max Wolfe Architect residing at 107 ne 96 street. My family has lived in this area for 42 years, I've coached baseball at the rec center, been a scout master, and served on the P & Z Board - because Miami Shores has always represented quality village & family living. Most importantly, I have had the opportunity to work alongside many neighborhood individuals, including Mr. Robert Menge, who has always supported Miami Shores.

I strongly urge the Council to select Robert Menge as a Miami Shores Village council member.

Mr. Menge supports positive neighborhood growth, which is inevitable everywhere in South Florida. He supports transparent, measured & disciplined planning efforts, including complete community involvement.

His vast experience coordinating local, county, state and federal agencies with environmental and infra-structural issues and his local experience with planning and zoning for commercial and residential project impacts uniquely qualify Mr. Menge for our Village Council membership. In particular, he will be able to review and guide the Village Council concerning the development and resolution of our Comprehensive Plan issues and impacts.

Please support Mr. Menge's application to serve on the Village Council.

John Timinsky

Location:

Submitted At: 3:04pm 01-17-23

Dear Honorable Mayor and Council Members,

Please consider Mr. Robert MENGE to fill the vacant Council Member position. I truly believe Mr. MENGE can bring balance to our City Council with his decades of experience in environmental science and engineering.

Thank-you,

John Timinsky

Guest User

Location:

Submitted At: 2:13pm 01-17-23

Since the Council is scheduled to vote on a replacement council member tonight the Charter Review item should be reviewed at a special meeting to ensure the full participation of all council members. I doubt that all of the candidates were given the opportunity for agenda review for tonight's meeting. We cannot expect a newly appointed member to vote on such an important issue within a hour of their appointment. Thank you. Colman Branston

Alejandro Barreras

Location:

Submitted At: 11:47am 01-17-23

I'm writing to support the candidacy of Wesley Castellanos to serve on the council. Mr. Castellanos is a dedicated resident who has served the Village well, and whose professional experience will be very valuable on the council.

Alejandro Barreras
437 NE 102 Street

Guest User

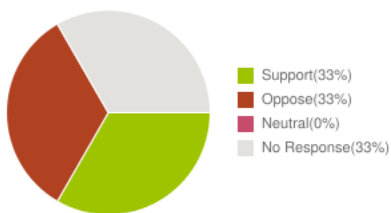
Location:

Submitted At: 6:44pm 01-15-23

My name is Jeffrey Saadeh and live at 261 NE 102nd St. I would like to recommend the appointment of Wesley Castellanos to the village council. Due to his his previous service to the Village as chair of the MSV Historic Preservation Board, and as a resident and business owner, Wesley will make an excellent addition to the board. With his knowledge and expertise acquired as a licensed architect and general contractor, Wesley is uniquely qualified to help the Village navigate through the Comprehensive Plan and Zoning discussions, and make the best decisions possible for the entire Village community. Thank you for your time.

Agenda Item: eComments for 8.A) AN ORDINANCE OF THE VILLAGE COUNCIL OF MIAMI SHORES VILLAGE, FLORIDA, AMENDING THE VILLAGE COMPREHENSIVE PLAN BY ADDING A PROPERTY RIGHTS ELEMENT, PURSUANT TO SECTION 163.3177(6), FLORIDA STATUTES (2023); PROVIDING FOR SEVERABILITY; PROVIDING FOR TRANSMITTAL; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE (STAFF: PLANNING & ZONING DIRECTOR).

Overall Sentiment



max sturman

Location:

Submitted At: 3:25pm 01-17-23

I'm Max Wolfe Architect residing at 107 ne 96 street. I do NOT support the PROPERTY RIGHTS ELEMENT of the Comprehensive Plan as presented. This PROPERTY RIGHTS ELEMENT protection, as required by Florida State law, must be amended to apply to ALL property owners of Miami Shores, not just Barry University.

My family has lived here for 42 years, I've coached baseball at the rec center, been a scout master, and served on the P & Z Board - because Miami Shores has always represented quality village & family living

Neighborhood growth, which is inevitable everywhere in South FI, requires transparent, measured & disciplined long range planning efforts with complete community involvement

Privately, I have been the architect for many projects with developers and owners who have successfully created neighborhood aspirational goals for their communities

This council was elected to represent the villagers and our lifestyles, dreams and families, period

It's also very disappointing that this process has been nudged forward by Village Staff who do not live in or have a

stake in Miami shores

It appears that this council had pre-determined goals and objectives prior to ever beginning this process of "correction of errors" in the Comp Plan, which makes us wonder what is happening behind the scenes

This comp plan should absolutely be a "what's best for the entire community comp plan" - not what's best for highest economic, density, and traffic growth plan

Please consider what you're voting on very seriously

Ronnie Guillen

Location:

Submitted At: 3:15pm 01-17-23

Ronnie Guillen, 230 NE 102 Street. If nothing else the Village has been consistent with its non-compliance of the public notice requirements. First, and once again, the notice requirements are jurisdictional and strict compliance is required. For meetings of the local planning agency, which includes Planning and Zoning but also this Council when acting in its role as the local planning agency, the pertinent statute requires ten-day notice for every single meeting where any amendment to the comprehensive plan is being considered during the planning stage. The notice for the July 13, 2022 meeting of the Planning and Zoning Board in which the property rights element was considered was published with less than 10 days notice.

During the transmittal stage, i.e first reading, the notice statute further contemplates that the item to be considered and voted on, in this case the property rights element, will be available for public inspection at least 7 days before the transmittal meeting. The notice for the July 19, 2022 council meeting on first reading of the property rights element was published on July 12, 2022; but Planning and Zoning did not meet to consider the property rights element until the evening of July 13, 2022. So the property rights element which council considered on first reading simply could not have been available for public inspection for the requisite number of days.

Lastly, for today's meeting, the notice has once again fallen short of the statutory requirement. In the past, Miami Shores has always posted notice of meetings for comprehensive plan amendments in a newspaper of general circulation, i.e. the Miami Herald. For tonight's meeting, the notice was published in the Daily Business Review – a newspaper geared to the legal profession and which does not qualify as one of general circulation. The applicable statute also specifically states that the notice cannot be published in the portion of the newspaper where legal notices and classified advertisements appear. But that is what Miami Shores did for the notice of tonight's meeting.

Alejandro Barreras

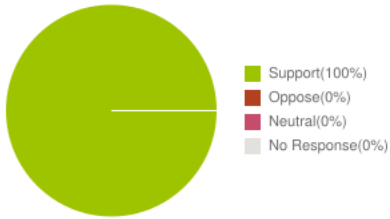
Location:

Submitted At: 11:53am 01-17-23

I support the adoption of this ordinance adding a property rights element to the comprehensive plan. The objective and policies outlined here comprehensively protect the rights of property owners. I find the language of the other ordinance to be vague, broad and excessive; with the potential to lead to unnecessary delays and obstructions.

Alejandro Barreras
437 NE 102 Street

Overall Sentiment



Guest User

Location:

Submitted At: 2:08pm 01-17-23

I am writing in support of the charter amendments, especially regarding the sale of village real estate and the 40 foot height limit for new buildings. The residents may not have had a vote on the Comp Plan, but the Council can give the residents their right to vote on these initiatives and to have their voices heard on the future of Miami Shores. Please vote to include all of the amendments on the next election ballot. Thank you. Colman Branston

Guest User

Location:

Submitted At: 1:47pm 01-17-23

I would like to thank the Charter Review Committee for their dedication and hard work reviewing the Charter and proposing amendments. I am 100% in favor of adopting all of the proposed amendments and I urge the Council to give the residents a voice in the future of the Village. Also since there are so many amendments to review and little public outreach on the specifics, please consider holding a special meeting to review them with the residents. The review of the Village Charter was long overdue and I believe the proposed amendments should be discussed openly to gain maximum input. Sincerely, Joe Pembroke

Daniel Brady

Location:

Submitted At: 12:18pm 01-17-23

I had taken the opportunity to attend and watch by ZOOM several meetings of the charter review committee. I found the committee to be thoughtful in there discussions and had a keen sense of the Village. The Council should be congratulated for appointing such a strong group of volunteers.

The resolution you have before you tonight reflects the work of the committee. The recommendations are well founded and improve the Village's Charter. They reflect a reasoned and cautious review of the current Charter and make sound recommendations.

I strongly encourage the Council to approve the Charter update as presented in the resolution. I believe that three items are of particular importance and urge you to adopted them as presented. The citizens bill of rights makes it clear that the will of the people should be the guiding principle in making government policy, no matter what level of government. The recognition in the Charter that decisions regarding the sale or leasing Village owned property rests with the residents of the Village (through a referendum), will take a way an ongoing concern of many resident regarding the future of village assets. Finally, at creation of maximum height for building structures in the Charter, would give residence comfort that a fixed standard would be enacted, and not subject the whims of developers.

Thank you for your attention, and approve the resolution as presented on the agenda.

Ron DeSantis
GOVERNOR



Dane Eagle
SECRETARY

September 20, 2022

The Honorable Sandra Harris
Mayor, Miami Shores Village
10050 Northeast 2nd Avenue
Miami Shores, Florida 33138

Dear Mayor Harris:

The Department of Economic Opportunity (“Department”) has completed its review of the proposed comprehensive plan amendment for Miami Shores Village (Amendment No. 22-01ER), which was received and determined complete on July 25, 2022. We have reviewed the proposed amendment in accordance with the state coordinated review process set forth in Sections 163.3184(2) and (4), Florida Statutes (F.S.), for compliance with Chapter 163, Part II, F.S.

The attached Objections, Recommendations, and Comments Report outlines our findings concerning the amendment. The Department does not identify any objections to the proposed amendment. However, the Department is providing three comments. The comments are offered to assist the local government but will not form the basis for a determination of whether the amendment, if adopted, is “In Compliance” as defined in Section 163.3184(1)(b), F.S. Copies of comments received by the Department from reviewing agencies, if any, are also enclosed.

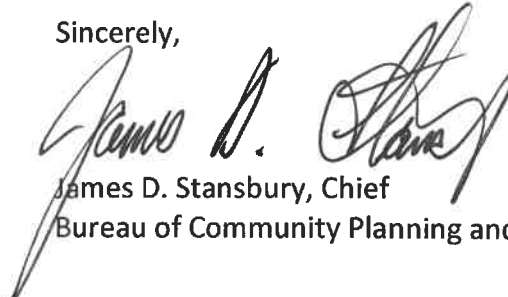
The Village should act by choosing to adopt, adopt with changes, or not adopt the proposed amendment. For your assistance, we have enclosed the procedures for adoption and transmittal of the comprehensive plan amendment. **The second public hearing**, which shall be a hearing on whether to adopt one or more comprehensive plan amendments, **must be held within 180 days** of your receipt of the Department’s attached report, or the amendment will be deemed withdrawn unless extended by agreement with notice to the Department and any affected party that provided comment on the amendment pursuant to Section 163.3184(4)(e)1., F.S.

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

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

Department staff is available to assist the Village to address the comments. If you have any questions related to this review, please contact Melissa Corbett, CFM, FCCM, Planning Analyst, by telephone at (850) 717-8505 or by email at Melissa.Corbett@deo.myflorida.com.

Sincerely,



James D. Stansbury, Chief
Bureau of Community Planning and Growth

JDS/mc

Enclosures: Objections, Recommendations, and Comments Report
Procedures for Adoption
Reviewing Agency Comments

cc: Claudia C. Hasbun, AICP, Planning, Zoning & Resiliency Director, Miami Shores Village
Isabel Cosio Carballo, MPA, Executive Director, South Florida Regional Planning Council

**Objections, Recommendations and Comments Report
Proposed Comprehensive Plan Amendment
Miami Shores Village 22-01ER**

The Department has identified three comments regarding Miami Shores Village's proposed comprehensive plan amendment. The comments are provided below, along with recommended actions the Village could take to resolve issues of concern. Comments are offered to assist the local government and will not form the basis for a compliance determination.

Department staff has discussed the basis of the report with Village staff and is available to assist the Village to address the comments.

Comment 1: Capital Improvements Element - Capital Improvements Schedule:

The Village's proposed amendment does not incorporate an updated Five-Year Schedule of Capital Improvements into the Village's Comprehensive Plan. The Five-Year Schedule of Capital Improvements is a required component of the Capital Improvements Element and must be updated on an annual basis pursuant to Sections 163.3177(3)(a)4, F.S. and (3)(b), F.S. The Village should consider revising the amendment to incorporate the updated Five-Year Schedule of Capital Improvements, which identifies capital improvement projects to be implemented in the first five (5) years following adoption of the Capital Improvements Plan and include the entity responsible for the projects, into the Capital Improvements Element. Alternatively, as DEO understands that additional Evaluation and Appraisal Review (EAR)-based amendments shall be forthcoming, the Village could update its Schedule in a future amendment pursuant to Section 163.3177(3)(b), F.S.

Comment 2: Map Series – Coastal High Hazard Area (CHHA) Map:

Pursuant to Section 163.3178(2)(h), F.S., the CHHA is defined as the area below the elevation of the Category 1 storm surge line as established by Sea, Lake, and Overland Surges from Hurricanes (SLOSH) computerized storm surge modeling. The proposed amendment does not include an updated Coastal High Hazard Area (CHHA) map within the Comprehensive Plan as required by Section 163.3177(6)(a)10.c.VI., F.S. Prior to adoption, an updated CHHA map should be included with the date and correct data source of the CHHA data utilized in the map legend, e.g., 2017-2018, Florida Division of Emergency Management SLOSH Model data. As the Village has indicated that additional EAR-based amendments shall be forthcoming, this updated map can be incorporated in a future amendment. The 2017-2018 SLOSH model data may be obtained from the Florida Division of Emergency Management or the County's Emergency Management Division. Department staff can also assist the Village in obtaining the required data.

Comment 3: Planning Horizon:

The proposed Comprehensive Plan amendment does not reflect an updated planning horizon for the Village's Comprehensive Plan. Section 163.3177(5)(a), F.S. requires comprehensive plans to establish at least two (2) planning periods, one covering the first 5-year period occurring after the plan's adoption and one covering at least a 10-year period. Additional planning periods for specific components, elements, land use amendments, or projects shall be permissible and accepted as part of the planning process. Prior to adoption, the amendment should be revised to incorporate appropriate planning horizons. The Plan must cover at least two planning periods, one covering at least the first 5-year period occurring after the Plan's adoption and one covering at least a 10-year period. Alternatively, updated planning horizons can be included in subsequent EAR-based amendments, which the Village has indicated will shortly be forthcoming.

SUBMITTAL OF ADOPTED COMPREHENSIVE PLAN AMENDMENTS

FOR STATE COORDINATED REVIEW

Section 163.3184(4), Florida Statutes

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

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

_____ Department of Economic Opportunity identification number for adopted amendment package;

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

_____ Ordinance number and adoption date;

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

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

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

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

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

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

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

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

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

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

"The effective date of this plan amendment, if the amendment is not timely challenged, shall be the date the state land planning agency posts a notice of intent determining that this amendment is in compliance. If the amendment is timely challenged, or if the state land planning agency issues a notice of intent determining that this amendment is not in compliance, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or development dependent on this amendment may be issued or commence before it has become effective. "

_____ List of additional changes made in the adopted amendment that the Department of Economic Opportunity did not previously review;

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

_____ Statement indicating the relationship of the additional changes not previously reviewed by the Department of Economic Opportunity to the ORC report from the Department of Economic Opportunity.

From: [CompPlans](#)
To: HasbunC@msvfl.gov; [DCPexternalagencycomments](#)
Subject: [EXTERNAL] - RE: Miami Shores Village transmittal package Property Rights Element
Date: Wednesday, July 27, 2022 3:19:18 PM
Attachments: [image001.png](#)
[image002.png](#)

Dear Ms. Hasbun,

The Office of Educational Facilities within the Florida Department of Education has reviewed the Miami Shores Village 22-01ER proposed comprehensive plan amendment in accordance with sections 163.3180 and 163.3184, Florida Statutes. Based on review of the submitted materials, staff have no comments on the proposed amendment. If you have any questions or need additional information, please contact me.

Sincerely,

Morgan Runion, AICP
Office of Educational Facilities
Florida Department of Education

From: Runion, Morgan <Morgan.Runion@fldoe.org>
Sent: Wednesday, July 27, 2022 3:16 PM
To: [CompPlans](#) <CompPlans@fldoe.org>
Subject: FW: Miami Shores Village transmittal package Property Rights Element

From: Weigly, Mark <Mark.Weigly@fldoe.org>
Sent: Wednesday, July 27, 2022 3:13 PM
To: Claudia Hasbun <HasbunC@msvfl.gov>
Cc: Runion, Morgan <Morgan.Runion@fldoe.org>
Subject: RE: Miami Shores Village transmittal package Property Rights Element

Please email future Comp Plan Amendments for Department of Education's (DOE) review to CompPlans@fldoe.org. You may also remove any DOE staff from your email list. This will keep you from updating your email list in the event of personnel changes at the department.

Thank you,
Mark

Mark A. Weigly, Architect, LEED AP, FCP
Educational Facilities Construction Planning Manager
Office of Educational Facilities
325 West Gaines Street, Suite 1014
Tallahassee, FL 32399

850-245-9296 Office
850-245-9304 Fax



From: Claudia Hasbun <HasbunC@msvfl.gov>
Sent: Monday, July 25, 2022 4:16 PM
To: Eubanks, Ray <Ray.Eubanks@deo.myflorida.com>; James.Stansbury@deo.myflorida.com;
Weigly, Mark <Mark.Weigly@fldoe.org>; Plan.Review@dep.state.fl.us;
Jason.Aldridge@DOS.MyFlorida.com; Shereen.Yeefong@dot.state.fl.us; isabelc@sfrpc.com;
jerry.bell@miamidade.gov; villagemanager@villageofelportal.org;
villagemanager@biscayneparkfl.gov
Cc: Claudia Hasbun <HasbunC@msvfl.gov>; Esmond K. Scott <ScottE@msvfl.gov>; Tanya Wilson
<WilsonT@msvfl.gov>
Subject: Miami Shores Village transmittal package Property Rights Element

Good afternoon Mr. Eubanks,

Please see below confirmation of the Village of Miami Shores transmittal confirmation.

In addition, attached is our notification for external agencies review.

Please feel free to reach out with any questions regarding this amendment.

Sincerely,

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

Miami Shores Village | 10050 N.E. 2nd Avenue | Miami Shores, FL 33138
Tel: (305) 762.4864 | cel: (305) 205.3270 | hasbunc@msvfl.gov | www.msvfl.gov
Follow us on: [Twitter](#) | [Facebook](#) | [Instagram](#)



From: noreply@salesforce.com <noreply@salesforce.com> **On Behalf Of** Comprehensive Plan Site Guest User

Sent: Monday, July 25, 2022 4:08 PM

To: Claudia Hasbun <HasbunC@msvfl.gov>

Subject: Comprehensive Plan - Acknowledgement of your Upload.

Hello,

A Comprehensive plan amendment is uploaded.

From: hasbunc@msvfl.gov

Local Government: Miami Shores

Amendment Type: State Coordinated Review

Amendment Stage: Proposed

Your comprehensive plan amendment has been successfully uploaded to the Departments comprehensive plan amendment submittal portal.

You will be receiving an acknowledgement letter once the amendment package has been processed.

From Comprehensive plan Support Team



Florida Department of Transportation

RON DESANTIS
GOVERNOR

1000 NW 111th Avenue
Miami, FL 33172-5800

JARED W. PERDUE, P.E.
SECRETARY

July 27, 2022

Ms. Claudia C. Hasbun, AICP
Planning, Zoning & Resiliency Director
Miami Shores Village
10050 NE Second Avenue
Miami, Florida 33138

**Subject: Comments for the Miami Shores Comprehensive Plan Amendment
FDEO #22-01ER**

Dear Ms. Hasbun:

Pursuant to Section 163.3184(3), Florida Statutes (F.S.), in its role as a reviewing agency as identified in Section 163.3184(1)(c), F.S., the Florida Department of Transportation, District Six, reviewed the proposed amendment to Miami Shore's Comprehensive Plan. The amendment would add a Property Rights Element that contains the goals, objectives, and polices required by recent statutory changes (Section 163.3177(6)(i), Florida Statutes).


The District reviewed the amendment package per Chapter 163 Florida Statutes and found the proposed amendment would not adversely impact transportation resources and facilities of state importance.

In addition, the District's number one priority is safety for all road users with an ultimate goal of zero fatalities and serious injuries. It is recommended that Miami Shores continue to identify and address the safety needs of all modes of travel, including public transportation. The District encourages the Village to include pedestrian and bicycle facilities to promote a safe walkable and connected community consistent with ss. 163.3177, Florida Statutes.

Thank you for coordinating on the review of this proposed amendment with FDOT. If you have any questions, please do not hesitate to contact me by email at shereen.yeefong@dot.state.fl.us or at 305-470-5393.

Ms. Claudia C. Hasbun
July 27, 2022
Page 2

Sincerely,

DocuSigned by:

B06CD08755954DD
Shereen Yee Fong
Transportation Planner IV

Cc: Daniel Iglesias, P.E., Florida Department of Transportation, District 6
Dat Huynh, P.E., Florida Department of Transportation, District 6
Kenneth Jeffries, Florida Department of Transportation, District 6
Ray Eubanks, Department of Economic Opportunity
Isabel Cosio Carballo, South Florida Regional Planning Council
Kathe Lerch, South Florida Regional Planning Council

From: [Plan Review](#)
To: [Eubanks, Ray](#); [DCPexternalagencycomments](#)
Cc: [Plan Review](#)
Subject: [EXTERNAL] - Miami Shores 22-01ER Proposed
Date: Friday, August 19, 2022 3:51:44 PM
Attachments: [image002.png](#)

To: Ray Eubanks, DEO Plan Review Administrator

Re: Miami Shores 22-01ER – State Coordinated Review of Proposed Comprehensive Plan Amendment

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

Based on our review of the submitted amendment package, the Department has found no provision that, if adopted, would result in adverse impacts to important state resources subject to the Department's jurisdiction.

Please submit all future amendments by email to plan.review@floridadep.gov. If your submittal is too large to send via email or if you need other assistance, contact Lindsay Weaver at (850) 717-9037.





Department of Regulatory and Economic Resources
Planning Division, Metropolitan Planning Section
111 NW 1 Street • Suite 1250
Miami, Florida 33128-1902
305-375-2835 Fax: 305-375-2560
www.miamidade.gov/planning

August 31, 2022

Claudia C. Hasbun, AICP
Planning, Zoning & Resiliency Director
Miami Shores Village
10050 NE 2 Avenue
Miami Shores, Florida 33183

Re: Transmittal of proposed Miami Shores Village Property Rights Element (DEO 22-01ER)

Dear Ms. Hasbun,

The Miami-Dade County Department of Regulatory and Economic Resources (Department) has reviewed Miami Shores Village's Comprehensive Plan amendment to include a Property Rights Element as required per Florida Statute 163.3177(6)(i)2. Our review is conducted to identify points of consistency or inconsistency with the goals, objectives, policies, and relevant provisions of the Miami-Dade County Comprehensive Development Master Plan (CDMP), and whether the proposed amendments impact County public facilities and services.

Based on the information provided, CDMP's goals, objectives and policies, the proposed Property Rights Element is consistent with the County's CDMP. If you or any member of your staff have any questions, please contact me or Garrett Rowe, Chief, Metropolitan Planning Section, at 305-375-2835.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jerry Bell".

Jerry Bell, AICP
Assistant Director for Planning

JB:GR:smd

c: Ray Eubanks, Florida DEO