

# INTRODUCTION

The Comprehensive plan serves as the guiding policy document which governs land use development, concurrency, and LOS standards for the Village's public facilities and services. The Document includes an extensive data, inventory, and analysis of the Village's facilities (Roads, parks, drainage, etc.) together with goals, objectives, and policies to provide or improve upon such facilities to reach, maintain, and/or exceed LOS standards through 2025.

## CHAPTER 1. FUTURE LAND USE ELEMENT

### FUTURE LAND USE ELEMENT GOAL

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.

#### **Objective 1: Coordination of land uses with topography and soils.**

Maintain existing development and achieve new development and redevelopment which is consistent with the goal above and which otherwise coordinates future land uses with topography and soil conditions and the availability of facilities and services.

Monitoring and Evaluation: The Village shall monitor the following policies:

#### **Policy 1.1:**

The Village shall maintain, improve and enforce land development code provisions which are consistent with the Future Land Use Map, including the land uses and the densities and intensities specified thereon and described below:

#### **Single Family Residential:**

The residential densities allowed in this category shall not exceed 2.5 dwelling units per gross acre. This density category is characterized solely by detached single family homes on relatively large lots.

#### **Multi-family Residential:**

Multi-family units or single family detached and attached units at a density up to 6.0 units per acre except where Department of Environmental Resources regulations including septic tank standards require a lower density. Floor area ratios may be incorporated in development code regulations.

**Restricted Commercial:**

Office, food including restaurants, wine and craft beer bars and light retail uses that are compatible with nearby housing; residential uses that are compatible with nearby commercial. The floor area ratio shall not exceed 1.0. Residential uses are permitted on the second floor and above in conjunction with a mixed use buildings provided that the scale and intensity is not out of character with adjacent nearby development, and the project does not negatively affect any area neighborhoods. The maximum floor to area ratio for mixed use projects with deed restrictions is 3.0

**General Commercial:**

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

**Institutional:**

Schools, universities, churches, administrative facilities for school boards, churches and similar institutions; municipal buildings and public utility installations. The floor area ratio shall not exceed 2.0.

**Recreation:**

Village parks and recreational facilities, the Miami Shores Golf Course and similar and complimentary uses including food service establishments in conjunction with the previously listed uses. The floor area ratio shall not exceed 1.0. Incidental uses shall not exceed 50%.

**Future Designation of Areas Annexed from Unincorporated Miami-Dade:**

Land that is annexed from Miami-Dade County enters the village with its current Miami-Dade County future land use and zoning designation. The Miami-Dade County development regulations apply until such time as Miami Shores Village adopts an amendment to its comprehensive plan to include the annexed area and adopts a new Miami Shores Village zoning designation for the annexed area.

- Comprehensive Plan Future Land Use designation and Zoning District Designation
  - a. The future land use and zoning designation for areas annexed from Miami-Dade County will be amended to an appropriate Miami Shores Village future land use and zoning designation.
  - b. Miami Shores Village may create new future land use or zoning designations for annexed areas where the existing development or potential future development would not be consistent with any existing Miami Shores Village future land use or zoning designation.

- c. Miami Shores Village will consider the existing Miami-Dade County comprehensive plan and zoning regulations in when developing new designations for annexed areas.

**Policy 1.2:**

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

**Policy 1.3:**

The Village shall maintain and/or improve land development code provisions governing subdivisions, signs and floodplain protection. Such provisions shall be consistent with this plan and with the applicable Florida statutory and administrative code guidelines.

**Policy 1.4:**

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

**Policy 1.5:**

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

**Policy 1.6:**

The Village shall maintain and/or improve land development code standards to maintain current densities in single family residential districts.

**Policy 1.7:**

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

**Policy 1.8:**

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

### **Policy 1.9:**

The Village will continue to work with transit agencies and coordinate the park system and pedestrian connections with opportunities to improve and expand new walkways. The Village will continue to work with transportation agencies to implement the FEC Greenway or FEC corridor greenway improvements. The Village will work with Miami-Dade County and other groups to ensure that the greenway and parks and systems within the Village effectively linked to proposed regional trails. The Village will continue to advocate for funding for these trails identified in the Miami-Dade Planning Organization 2040 Long Range Transportation Plan.

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

Direct future growth and development and redevelopment so as to minimize the intrusion of incompatible land uses into single family residential areas.

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

#### **Policy 2.1:**

Maintain a future land use map pattern and zoning pattern which keeps multi-family, office, commercial and other incompatible uses out of single family residential areas.

#### **Policy 2.2:**

Maintain a future land use map pattern and a traffic circulation pattern which direct through traffic to Biscayne Boulevard and other arterials and collectors and away from local residential streets.

#### **Policy 2.3:**

Utilize vehicular barricades to block traffic on Biscayne Boulevard and other arterials and collectors from entering local streets except for local access. Consider other traffic control strategies which will contribute to the safety and character of residential streets.

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

In general, encourage the redevelopment and renewal of any areas which are at risk to become blighted. In particular: 1) encourage private investment in the revitalization of the "Main Street" business commercial area along N.E. 2nd Avenue; 2) encourage private investment in the revitalization and redevelopment of the general commercial area located along Biscayne Boulevard between 91st Street and 93rd Street; 3) encourage private investment in the revitalization and redevelopment of the Biscayne Boulevard/105th Street residential area; and 4) encourage private investment in the redevelopment of the area previously occupied by the Biscayne Kennel Club; and 5)

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

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

**Policy 3.1:**

Maintain, and improve where appropriate, zoning regulations which permit the concentration of appropriate “Main Street” business commercial uses and parking in and around the established “Main Street” business commercial area along N.E. 2nd Avenue. Blighted neighborhoods or areas may be characterized by a prevalence of older structures with major deficiencies and deterioration of potential high residential vacancies, wide spread abandonment of properties, litter, and poor maintenance of the property.

**Policy 3.2:**

Maintain, and improve where appropriate, zoning regulations which permit the concentration of general commercial uses and parking in and around the established general business area located along Biscayne Boulevard between 91st Street and 93rd Street.

**Policy 3.3:**

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

**Policy 3.4**

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

- The Village shall identify blighted areas and areas that are at risk to become blighted and shall designate these areas as Special Multi-Use Redevelopment Area.
- New development within the NE 2<sup>nd</sup> Avenue overlay area shall be consistent with the guidelines of the Future Land Use Element and the Future Land Use Map and consistent with the zoning districts appropriate to these designations:
  1. Development or the use of land, within the Special Multi-Use Redevelopment Area, that is not specifically permitted within the existing Future Land Use Map or zoning map designation will not be permitted absent appropriate amendment of said maps.

2. The Village may bring the zoning map into conformity with the Future Land Use Map as appropriate and necessary after adoption of this comprehensive plan.
  3. Development sites shall be accessible to and/or provide essential public services at levels of service adopted within the Comprehensive Plan.
  4. Commercial land use designations and accompanying proposals shall consider compatibility between commercial and surrounding land uses, including, but not limited to, traffic circulation, pedestrian access, hours of operation, and visual impacts.
  5. Designation of a Special Multi-Use Redevelopment Area shall not be utilized as justification for amending the Comprehensive Plan to permit uses not compatible with the neighborhoods surrounding the Special Multi-Use Redevelopment Area.
- The Village supports innovative planned development and mixed land use development techniques in order to promote development that is consistent with the goals and objectives of the comprehensive plan and compatible with the surrounding neighborhoods:
    1. The Village shall focus public and private efforts to renew blighted areas and/or prevent areas from becoming blighted.
    2. The Village shall maintain and improve where appropriate, zoning regulations for mixed land use patterns that permit and regulate general commercial uses, residential uses, institutional uses, or, a planned development type mix of commercial, institutional and residential uses in Special Multi-Use Redevelopment Areas as designated on the Future Land Use Map.
    3. The Village shall evaluate proposed mixed-use development for compatibility with existing and proposed uses within the redevelopment area and with neighboring properties
    4. The Village shall implement appropriate land use regulations to achieve compatibility of development.
    5. The Village shall implement land development regulations that include requirements for natural vegetation and other appropriate buffers that screen residential and other land uses when new or expanded development is proposed and shall implement other measures as necessary to protect the neighboring residential properties.
    6. The Village shall implement zoning regulations that include protection of the surrounding neighborhoods from the noise, light, and visual effects of the mixed-use district keeping the ambient noise or night light originating from the mixed-use property to levels at or

below the background levels at the boundaries of the surrounding residential properties.

7. The Village will consider the effect of building height within the development area on neighboring properties when considering proposed development.
8. The Village will work with the private sector to improve the housing mix within the special mixed-use area including the provision of mixed-use neighborhoods and accommodation for affordable housing.

**Policy 3.5:**

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

**Policy 3.6:**

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

**Policy 3.7:**

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

**Policy 3.8:**

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

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

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

**Policy 4.1:**

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

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

In general, ensure protection of natural resources. In particular, ensure that storm-water systems which discharge into surface water bodies do not further degrade the 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) 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.

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

**Policy 5.1:**

The Village shall implement any NPDES program which may now or may be in the future applicable to the Village under relevant inter-local agreements with Miami-Dade County based on NPDES rules.

**Policy 5.2:**

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

**Policy 5.3:**

The Village shall maintain and enforce storm water management standards which require that future development provide for on-site storm water retention at least to the standards cited in Objective 5. .

**Policy 5.4:**

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

**Policy 5.5:**

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

**Policy 5.6:**

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

**Policy 5.7:**

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

**Policy 5.8:**

The Village shall utilize drought tolerant plant materials to the extent feasible on the natural area portions of the Miami Shores Golf Course.



**Policy 5.9:**

The Village shall maintain desirable development code provisions designed to help ensure protection for the limited natural vegetative communities which may be found in the Village.

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

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

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

**Policy 6.1:**

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

**Policy 6.3:**

The Planning Director shall perform historic preservation monitoring activities, referring all demolition and rehabilitation applications pertaining to Landmark properties to the Historic Preservation Review Board to avoid, if possible, loss of any historic resources.

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

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

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

**Policy 7.1:**

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

**Policy 7.2:**

The Village shall regulate all future development within its jurisdiction in accordance with the Future Land Use Map which is consistent with the Interagency Hazard Mitigation Team Report, FEMA 955-DR-FL, August 1992. The Village shall periodically review and revise the Future Land Use Map in light of future interagency

hazard mitigation reports in order to reduce or eliminate uses which are inconsistent therewith.

**Policy 7.3:**

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

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

Discourage the proliferation of urban sprawl.

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

**Policy 8.1:**

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

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

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

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

**Policy 9.1:**

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

**Objective 10: Innovative development regulations.**

Encourage the use of innovative land development regulations which may include provisions for planned unit developments and other mixed use development techniques.

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

**Policy 10.1:**

The Village shall periodically review and consider the recent published literature on “innovative” land development regulations in relation to its own land development regulations and determine if there are “innovative” techniques including planned unit developments and other mixed use development techniques which offer reasonable

promise for accomplishing substantive (rather than process) objectives of the Village.

**Policy 10.2:** Create an age friendly initiative. An age friendly initiative would plan for a community for all ages, where older adults in Miami-Dade can stay active and healthy with dignity and enjoyment by creating and adopting long-term policies which affect, community health and design.

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

The Village shall allow for public schools on sites designated “Institutional” and “Mixed Use Residential/Institutional” on the Future Land Use Map. In addition, the Village shall encourage the collocation of schools, libraries, parks and community centers.

**Policy 11.1.**

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

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

In determining the boundaries of any future land use map designation the following rules shall apply:

- A. Boundaries indicated as approximately the centerline of streets, highways, or alleys shall be construed to follow such centerlines;
- B. Boundaries indicated as approximately following platted plot lines shall be construed as following such plot lines;
- C. Whenever any street, alley or other public way is vacated by official action of the village council, the future land use designation adjoining each side of such street, alley, or public way shall be automatically extended to the center of such vacation and all area included in the vacation shall then and henceforth be subject to all regulations of the extended designation;
- D. Where the streets or alleys on the ground differ from the streets or alleys as shown on the future land use map, the streets or alleys on the ground shall control;
- E. Boundaries indicated as approximately following Village limits shall be construed as following Village limits;
- F. Boundaries indicated as following railroad lines shall be construed to be midway between the right-of-way lines;
- G. Boundaries indicated as following the centerline of all canals, streams or drainage ways shall be construed to follow such centerline and boundaries indicated as following shore lines shall be construed to follow such shore lines, and in the event of a change in the shore line shall be constructed to move with the actual shore line; and
- H. Distances not specifically indicated on the future land use map shall be determined by the scale of the map.

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

Miami Shores Village will continue to promote the use of development and redevelopment principles, strategies and engineering solutions contained in the Florida Building Code, the Land Development Regulations and the Flood Damage Prevention Ordinance in order to:

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

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

- A. reduce the flood risk in coastal areas resulting from high tide events, storm surge, flash floods, storm water runoff, and related impacts of sea level rise;
- B. reduce potential damage for properties located in FEMA flood zone designations;
- C. be consistent with the flood resistant construction requirements of the Florida Building Code and federal flood plain management regulations;
- D. if so designated, require construction seaward of the coastal construction line to be consistent with Chapter 161, F.S.;
- E. the Village participates in and supports the National Flood Insurance Program Rating System to reduce the chance of damage from flooding and to achieve flood insurance premium discounts for property owners in Miami Shores Village, and the Village encourages other municipalities to join for the same benefits.