

CHAPTER 6. COASTAL MANAGEMENT ELEMENT

COASTAL MANAGEMENT ELEMENT GOAL

Provide for the conservation of natural resources, the environmentally sound use of natural resources, the protection of human life and property, and the prompt re-establishment of economic and social viability following any natural disaster.

Objective 1: Protect living marine resources and maintain and improve estuarine water quality by implementing drainage improvements.

In general, protect, conserve or enhance living marine resources, coastal barriers, and wildlife habitat; and maintain or improve estuarine environmental quality. The “In particular” portion of Future Land Use Element Objective 5 is incorporated herein by reference.

Monitoring and Evaluation: Record of the Village’s coordination with Miami-Dade County and monitoring of development impact on the estuarine environment. Annual record of programs undertaken to protect and enhance 100 percent of coastal biological communities through the year 2025.

Policy 1.1:

Policies 5.1 through 5.9 of the Future Land Use Element are incorporated herein by reference.

Objective 2: Protect coastal wetlands and living marine resource including manatees and sea turtles.

In general, protect, conserve, or enhance living marine resources. In particular: 1) minimize human-induced loss of manatees, fisheries, wildlife, wildlife habitat, marine habitat and environmentally sensitive land; and 2) retain the natural waterfront estuarine wetland stretches of the Biscayne Canal. This objective shall be measured by implementation of its supporting policies.

Monitoring and Evaluation: Progress towards meeting this objective shall also be measured by the implementation of the following policies.

Policy 2.1:

The Village shall contact Miami-Dade County Department of Regulatory and Economic Resources, Environmental Plan Review Division (DRER, EPRD) if any adverse impact is observed relative to the sea grass beds in adjacent water.

Policy 2.2:

The Village shall prohibit dredging or filling that would result in the destruction of grass/algae flats, hard bottom or other benthic communities in any waters within the municipal limits of the Village.

Policy 2.3:

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, waterway or bay or within the Village.

Policy 2.4:

The Village shall require all new shoreline development affecting marine habitats to be reviewed by the Miami-Dade County Department of Regulatory and Economic Resources, Environmental Plan Review Division (DRER, EPRD).

Policy 2.5:

In general, the Village shall coordinate with existing resource protection plans of other governmental agencies, including the Miami-Dade County Division of Environmental Resource Management, the South Florida Water Management District, the Florida Fish and Wildlife Conservation Commission, the Florida Department of Environmental Protection, the U.S. Army Corps of Engineers, the U.S. Fish and Wildlife Service and others. In particular, the Village shall coordinate with Miami-Dade County and with the Florida Department of Environmental Protection in the monitoring of coastal waters and sediments. Also, the Village shall retain ownership of land adjacent to water resources in order to provide maximum opportunity to carry out the directives of existing resource protection plans or shall ensure that private development of this land provides the maximum opportunity to carry out the directives of existing resource protection plans.

Policy 2.6:

The Village shall cooperate with Federal, state and county programs designed to ensure the required use, proper maintenance and proper functioning of dockside pump out facilities.

Policy 2.7:

The Village shall preserve in a natural or near natural state the canal banks of Biscayne Canal where it passes through the area that is presently the location of the Miami Shores Golf Course. The Village shall ensure that any loss of habitat which results from unavoidable alteration of the natural canal banks is mitigated.

Objective 3: Prioritize shore line land uses.

The amount of Biscayne Bay shoreline devoted to single family residential development and open space shall be preserved. Water dependent and/or water-related uses as officially defined by the State of Florida shall not be developed because they would be incompatible with the existing long-established land use pattern.

Monitoring and Evaluation: Annual record of development permits issued for water-dependent uses.

Policy 3.1:

The Village shall restrict development in accordance with the Future Land Use Map of this plan.

Objective 4: Direct population concentrations away from the coastal high hazard areas, hurricane vulnerability zone and limit coastal high hazard area, hurricane vulnerability zone infrastructure expenditures.

Direct population concentrations away from the coastal high hazard areas, hurricane vulnerability zone and limit the expenditure of Village funds on infrastructure within the Coastal High Hazard Area, hurricane vulnerability zone if such infrastructure would have the effect of directly subsidizing development which is significantly more intensive than authorized by this Plan.

The Coastal High Hazard Area which affects those lands shown as attachment “A” of the Phase 1 Flood Vulnerability Assessment completed February 2018, by Coastal Risk Consulting. The assessment is adopted as the best available data for mapping the Coastal High Hazard Area (CHHA) in Miami Shores Village. Application of Mitigation and the application of development and redevelopment policies in the CHHA pursuant to S. 380.27(2) of the Florida Statutes, and any rules adopted thereunder, shall be at the discretion of the Village.

Monitoring and Evaluation: Annual record of Village actions to direct away or reduce the population of the hurricane vulnerability zone. Progress towards meeting this objective shall also be measured by the implementation of the following policies.

Policy 4.1:

The Village shall restrict development in accordance with the Future Land Use Map of the plan. It is the legislative judgment of the Village that the Future Land Use Map provides the most appropriate way to limit development in the coastal high hazard areas, hurricane vulnerability zone consistent with reasonable property rights and long-established land use patterns.

Policy 4.2:

The Village shall limit its funding of public infrastructure expansion if such funding and such expansion would have the direct effect of subsidizing a specific private development in the Village.

Policy 4.3:

Objective 4 and Policy 4.2 above shall not be implemented in such a way as to preclude the Village’s plans to improve drainage facilities or reconfigure streets in order to provide adequate infrastructure to serve the Future Land Use Plan development pattern or development for which rights were vested prior to enactment of the Plan.

Objective 5: Hurricane evacuation.

The Village shall maintain the highest attainable level of service for out of county hurricane evacuation for a category 5 storm event as measured on the Saffir-Simpson scale. The Village shall maintain the highest level of service for evacuation to shelters reasonably expected to accommodate the residents evacuating.

Monitoring and Evaluation: Annual record of public actions taken within the Village, which contribute to reduction in hurricane evacuation times.

Policy 5.1:

The Village shall cooperate in the formulation and implementation of Miami-Dade County management plans designed to reduce the time period for evacuation in the event of a hurricane.

Policy 5.2:

The Village shall periodically update its hurricane evacuation plan, which is based on the following approaches: 1) directional control of traffic flow with appropriate signage and police directions; 2) posting of police officers at strategic points; 3) notification of residents using a loudspeaker mounted on a police car; and 4) coordination with Miami-Dade County Communications Centers, both main and regional, as well as, the Miami-Dade Emergency Operations Center.

Policy 5.3:

The Village shall conduct an ongoing hurricane evacuation information program to make all residents aware of evacuation needs and plans.

Policy 5.4:

The Village shall maintain its traffic level of service which in turn is based upon the Future Land Use Map, thereby achieving a reasonable hurricane evacuation time.

Policy 5.5:

The Village shall prepare a hurricane emergency plan based upon the experience of Hurricane Andrew; the plan shall be in concert with the Miami-Dade Office of Emergency Management and Homeland Security's "Comprehensive Emergency Management Plan," Revised: June 2013 and the South Florida Regional Evacuation Study Program 2010, and any revisions thereto.

Objective 6: Protection of historic resources.

In general, ensure the protection of historic resources. The "in particular" portion of Future Land Use Element Objective 6 is incorporated herein by reference.

Monitoring and Evaluation: Record of the Village's preservation of historic resources.

Policy 6.1:

Future Land Use Element Policies 6.1 through 6.4 are incorporated herein by reference.

Objective 7: Level of service and public facility timing.

The Village shall achieve and maintain Level of Service standards through a concurrency management system with a phased capital improvement schedule.

Monitoring and Evaluation: Annual record of improvements or maintenance of existing infrastructure to meet adopted levels of service. Record of level of service results.

Policy 7.1:

The Village shall evaluate 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 7.2:

The Village shall monitor the need for drainage system improvements.

Policy 7.3:

The Village shall design infrastructure with due consideration to the potential rise in sea level.

Policy 7.4:

The Village shall deny any Future Land Use Map density increases in the hurricane vulnerability zone.

Objective 8: Hazard mitigation.

In general, the Village shall regulate development so as to minimize and mitigate hazards resulting from hurricanes. In particular, the Village shall ensure that all construction and reconstruction complies with applicable regulations designed to minimize hurricane impact on buildings and their occupants.

Monitoring and Evaluation: Record of participation in Miami-Dade County Emergency Preparedness meetings, activities and programs. Annual record of development permits issued in the hurricane vulnerability zone, demonstrating the application of specific standards that result in a reduction in the exposure of human life and property to natural disasters. Progress towards meeting this objective shall also be measured by the implementation of the following policies.

Policy 8.1:

All new construction shall comply with the Florida Building Code.

Policy 8.2:

When a structure is renovated at a cost in excess of 50 percent of the structure's pre-renovation assessed value, then the renovation shall be sufficient to fully meet the Florida Building Code and all other otherwise applicable regulations. Damage to or improvement of a structure in the flood plain at a cost in excess of 50 percent of the structure's pre-renovation assessed value, shall require compliance with the Florida Building Code and the Village Code of Ordinances for substantial damage/improvement in a flood plain.

Policy 8.4

The Village shall maintain and improve land development code standards for floodplain protection. Floodplain protection regulations shall be consistent with applicable standards promulgated by the South Florida Water Management District, the South Florida Regional Planning Council, the Miami-Dade County Department of Regulatory and Economic Resources, Environmental Plan Review Division (DRER, EPRD), the Florida Department of Environmental Protection, and/or other agencies with relevant jurisdiction and/or information.

Objective 9: Biscayne Bay preservation.

Assist the efforts of Miami-Dade County, the Florida Department of Environmental Protection and the National Park Service to preserve and enhance the State-designated Biscayne Bay Aquatic Preserve.

Monitoring and Evaluation: Annual Record of the Village coordination with Florida Department of Environmental Protection and National Park Services concerning the preservation and restoration projects for the Biscayne Bay. Progress towards meeting this objective shall also be measured by the implementation of the following policies.

Policy 9.1:

Policies 5.1 through 5.8 of the Future Land Use Element are adopted herein by reference..

Policy 9.2:

The Village shall cooperate with the regulatory functions of the Florida Department of Environmental Protection and the National Park Service.

Objective 10: Post-Disaster Redevelopment Procedures.

The Village shall implement post disaster procedures articulated in the following policies:

Policy 10.1:

The Directors of Public Works and Building shall initiate a series of damage surveys within eight hours after cessation of hurricane winds; first priority shall be the Hurricane Vulnerability Zone, *i.e. east of NE 2nd Avenue.*

Policy 10.2:

The Building Director shall make written report to the Miami-Dade Office of Emergency Management (OEM) within eight hours of cessation of hurricane winds.

Policy 10.3:

The Public Works Director shall complete the relative FEMA forms to damage to public facilities and debris removal following a substantial wind event.

Policy 10.4:

The Building Director shall begin the assessment of business and residential structural damage within 48 hours of cessation of hurricane winds, working with the Department of Emergency Management.

Policy 10.5:

The following criteria shall be used to rate damage: 1) "Destroyed," meaning the cost of repair, replacement or relocation exceeds 50 percent of pre-disaster replacement value; 2) "Major Damage," meaning the cost of repair, replacement or relocation is between 25 and 50 percent of pre-disaster replacement value; and 3) "Minor Damage," meaning the cost of repair, replacement or relocation is less than 25 percent of pre-disaster value.

Policy 10.6:

Within 5 days after lifting the state of emergency, the Building Director shall begin: 1) issuing Permits for “Minor Damage” repairs and 2) ordering demolition of “Destroyed” structures that pose an immediate threat (after insurance assessment).

Policy 10.7:

Within 5 days after lifting the state of emergency, the Public Works Director shall begin application preparation for State/Federal rebuilding assistance for Village infrastructure (including but not limited to streets, sidewalks, drainage and trees, plus the seawall).

Policy 10.8:

Within 30 days, the Building Director shall begin: 1) granting Permit requests for buildings with “Major Damage” and 2) make preliminary decisions on the rebuilding of “Destroyed” structures subject to the policies under Objective 11.

Objective 11: Post-Disaster Redevelopment Plan.

Redevelopment following a hurricane disaster shall be consistent with the following policies; and include new policies in the Coastal Management Element to address the requirements of Section 163.3178(2)(f), of the Florida Statutes.

Policy 11.1:

Seawalls shall be rebuilt as necessary.

Policy 11.2:

The repair or replacement of hurricane damaged buildings in the FEMA VE Velocity Zone shall be subject to the Florida Building Code and all requirements of the Miami Shores Village Code of Ordinances and provided further that repair or replacement of a building may require that the building be elevated to be consistent with, or more stringent than, the flood-resistant construction requirements in the Florida Building Code and applicable flood plain management regulations set forth in 44 C.F.R part 60, and the Miami Shores Village Code of Ordinances.

Policy 11.3:

The repair or replacement of hurricane damaged buildings in the Hurricane Vulnerability Zone (east of NE 2nd Avenue) shall be subject to the Florida Building Code and all requirements of the Miami Shores Village Code of Ordinances and provided further that repair or replacement of a building may require that the building be elevated to be consistent with, or more stringent than, the flood-resistant construction requirements in the Florida Building Code and applicable flood plain management regulations set forth in 44 C.F.R part 60, and the Miami Shores Village Code of Ordinances.

Policy 11.4:

For the purpose of this Comprehensive Plan, the “Hurricane Vulnerability Zone” shall be defined as the area within Storm Surge Planning Zone C between Biscayne Bay and NE 2nd Avenue which is not in the “Coastal High Hazard Area” as

established in the regional hurricane evacuation study applicable to the Miami Shores Village.

Policy 11.5:

It is the intent of the Village to rebuild infrastructure in its present location unless it is physically or financially impossible to do so, or unless some other superior opportunity presents itself.

Policy 11.6:

The Village hereby makes a policy determination that single family residential structures may be built on lots planned and zoned for single family use even if currently or previously existing structures on said lots have suffered “repeated damage” by hurricanes or other natural actions. This determination shall apply to all single family lots including lots which may lie in the VE Zone. It is the legislative judgment of the Village that such development must be permitted in order to allow reasonable property rights. Furthermore, the Village is aware that the issue of “repeated damage” will remain a non-issue in Miami Shores Village since the past 100 years has not produced a sufficient number of severe hurricanes to establish Miami Shores Village as a locale for “repeated damage”. However, as recent storms in Mexico Beach have demonstrated, past storm history is a poor predictor of future storm events. Even areas which have longstanding history of relative safety from storms may be unexpectedly and severely devastated.

Policy 11.7:

The Village shall when feasible seek to eliminate inappropriate and unsafe development in the coastal areas. The Village shall employ redevelopment practices, strategies, engineering solutions and best practices to reduce the flood risk for the areas identified in the Vulnerability Assessment. These strategies shall help mitigate the effects of high tide events, storm surge, flash flood, storm water runoff and the related impact of sea level rise. In addition to the new recently adopted Free Board regulations requiring all new construction to be a minimum of two feet above the established FEMA floodplain elevation, and the adopted higher seawall regulations the Village shall consider any fiscally responsible mitigations techniques.

Objective 12: Flood risk reduction.

Miami Shores Village is not located within a coastal high hazard area or affected by a category 1 storm surge line as established by the Sea, Lake and Overland Surges from Hurricanes (SLOSH) computerized storm surge model .

The village recognizes the need to reduce the risk and severity of flooding from all sources including but not limited to storm surge, high tide events, sea level rise, and flash flood and storm water runoff.

Policy 12.1:

Miami Shores Village will comply with the requirements of Section 163.3178, F.S. in pre-disaster planning and post-disaster redevelopment activities.

Policy 12.2:

Miami Shores Village will encourage the use of best practices development and redevelopment principles, strategies, and engineering solutions that will result in the removal of coastal and non-coastal real property from flood zone designations established by the Federal Emergency Management Agency, and be consistent with, or more stringent than, the flood-resistant construction requirements in the Florida Building Code and applicable flood plain management regulations set forth in 44 C.F.R part 60.

Policy 12.3:

Miami Shores Village has adopted the Federal Emergency Management (FEMA) flood maps for the village.

The village will provide flood zone and flood insurance information.

Policy 12.4:

Miami Shores Village participates in the National Flood Insurance Program (NFIP) and the Community Rating System (CRS)

The village will investigate ways to improve its CRS rating that are reasonable and fiscally responsible to reduce flood risk and in order to achieve premium discounts for Village residents.

Policy 12.5:

Miami Shores Village has adopted the Florida Building Code standards for FEMA flood zones.

The Village will continue to use the flood plain provisions of the Florida Building Code to assure new development at topographic elevations sufficient to minimize flood effects and be consistent with, or more stringent than, the flood-resistant construction requirements in the Florida Building Code and applicable flood plain management regulations set forth in 44 C.F.R part 60.

The Village will enforce the FBC requirement as amended that requires a higher minimum structural elevation for properties located within a Velocity Zone.

The Village has added more restrictive language by requiring that new construction and changes of use be elevated above the crown of the road or street abutting the building side to reduce the risk and severity of flooding in areas included in flood zones and also in all areas outside flood zones that are not covered by FEMA requirements and Florida Building Code regulations.

Policy 12.6:

Nonstructural flood mitigation measures will be employed to reduce or eliminate flood risk and flood damages.

Miami Shores Village will apply the FEMA requirements and Florida Building Code regulations to construction in FEMA flood zones.

The village will continue to use the flood plain provisions of the Florida Building Code to assure new development at topographic elevations sufficient to minimize flood impact.

The village encourages individuals and businesses located in flood zones to purchase flood insurance to mitigate the after effects of flooding by helping to recover from and replace items damaged by a flood.

The Village will investigate inserting a provision in the Flood Damage Prevention ordinance requiring a higher minimum floor elevation for properties located outside velocity zones that are still located within a flood zone.

The village has added requirements that are more restrictive than the FBC by requiring that new construction and changes of use be elevated above the crown of the road or street abutting the building site to reduce the risk and severity of flooding in areas included in flood zones and also in all areas outside flood zones that are not covered by FEMA requirements and Florida Building Code regulations.

Policy 12.7:

Miami Shores Village will require any construction activities seaward of the coastal construction control lines established pursuant to s. 161.053, F.S., be consistent with chapter 161 if a coastal construction control line is established for Miami Shores Village.

The village will continue to expand its storm water system infrastructure and to upgrade its storm water system infrastructure by implementing water quality and flood control improvements as required.

