

To: Miami River Commission
From: Sue Trone, Chief of Comprehensive Planning
Date: July 10, 2023
RE: Proposed amendments to the Miami River Sub-Element of the Miami Comprehensive Neighborhood Plan (MCNP) as part of the evaluation and appraisal review (EAR)-based amendments to the comprehensive plan

Dear Director,

The City of Miami notified the Department of Economic Opportunity (DEO) that updates to the Miami Comprehensive Neighborhood Plan (MCNP) are required through the evaluation and appraisal review (EAR)-based process. The Florida Administrative Code established that this information was due to the DEO no later than November 1, 2022. To comply with all state requirements, the City submitted this information on October 31, 2022.

Public Outreach

The Planning Department has been conducting public outreach in various parts of the city to solicit feedback from residents. Meetings held so far include:

- May 23 @ West End Park
- May 31 @ Shenandoah Park
- June 6 @ Hadley Park
- June 13 on Zoom
- June 26 @ Virrick Park

The Planning Department has presented this effort to the Climate Resilience Committee and asked members to provide feedback. We anticipate the opportunity to work with the public in District 1 in July.

Updates Relative to the Miami River Sub-Element

Given the effort that went into the most recent update to the Miami River Sub-Element, adopted in 2010, little change is recommended at this time. The Planning Department has provided some updates that primarily address outdated information. This is to say, the updates offered recommend striking some information because some information is no longer relevant. Policies that tie to other elements for internal consistency within the MCNP are flagged below for ease of review.

A summary of the proposed amendments follows:

1. Line 84: Correction of a typo. (This is not part of the Port of Miami River Sub-Element)

2. Line 119: Objective PA-3.1: This objective references Policy LU-1.3.3 and Goal CM-3. These are listed here:

Policy LU-1.3.3

Pursuant to Ch.163.3177(6)(a),F.S., the City shall maintain regulatory incentives and criteria that encourage the preservation of recreational and commercial Working Waterfronts as defined in Ch.342.07,F.S., particularly in the “Port of Miami River” Subelement to guide future development within the Miami River Corridor.

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Goal CM-3

Pursuant to Section 163.3178(2)(g), F.S., The City will maintain strategies that will be used to preserve and adequate supply of land for recreational and commercial Working Waterfront uses defined in Section 342.07, F.S.1

3. Line 133: “large scale” is stricken. “expedited state review” is underlined. This is because in 2011 the Florida Legislature replaced the Large Scale amendment process for comprehensive planning with the Expedited State Review process. This is codified in Sec. 163.3184 (3), Florida Statute.
4. Lines 139-140: “by a reviewer selected by the Planning Department” is added text. This text is recommended language to Policy PA-3.1.2 which memorializes the no-net-loss policy for Category A properties within the working waterfront. This proposed language is offered with expectation of creating an arm’s length between the analyst and the reviewer. Moreover, the City’s adopted fees for the the Planning Department recently were amended to charge a separate fee for this service. This is recommended for additional clarity for applicants, stakeholders to working waterfronts, and the City of Miami which is responsible for administering the policy.
5. Line 215: “and Policy IC-2.1.30” is stricken. This policy was repealed in a previous ordinance and this should have been stricken at that time.

6. Lines 260-261: This amendment addresses the outdated reference to the FL Department of Community Affairs (strike out "Community Affairs") and updates it to "Economic Opportunity".
7. Line 285: Policy PA-3.3.8: Strike entire policy. This policy refers to Enterprise Zone tax incentives which no longer exist.
8. Line 300: Renumber Policy PA-3.3.9 to 3.3.8. Strike specific policies to make the policy more generalized and less necessary to update based on state-level changes to Brownfield policies.
9. Line 324: Renumber Policy PA-3.3.10 to 3.3.9. Strike specific policies to make them more generalized.
10. Line 330: Renumber Policy PA-3.3.11 to 3.3.10
11. Line 340: Renumbered
12. Lines 357-368: Strike policies for annual reporting.
13. Line 370: Policy PA-3.4.1: Propose a new policy for monitoring on loss or gain of recreational and commercial Working Waterfront land and uses to be presented to the City Commission at a public hearing and report within one year of adoption and then in seven (7) year increments thereafter.

Next Steps

A legal review will commence later in July. All amendments will be brought to the Planning, Zoning, and Appeals Board (PZAB) on September 6, 2023. City Commission will be asked to vote on the amendments at a proposal hearing (first reading) by October 19, 2023. Transmittal for state coordinated review will commence no later than October 31, 2023.

Request

Request input on proposed updates from the Planning Department regarding the enclosed amendment.

Respectfully,

Sue Trone