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PORTS, AVIATIONAND RELATED FACILITIES

Goal PA-1 Port of Miami

Ensure that the development and expansion of Miami-Dade County's Port of Miami is compatible with and furthers the physical development of Miami's greater downtown area while mitigating negative impacts to neighborhoods, yet protecting the Port's economic function, operation, and potential improvements.

Objective PA-1.1

The City of Miami, through its land development regulations, shall coordinate land use in areas of the city adjacent to the Port of Miami with the transportation related activity which occurs within the port to ensure compatibility and complementary land uses and activities while mitigating negative impacts to neighborhoods, yet protecting the Port's economic function, operation, and potential improvements.

Policy PA-1.1.1

The City of Miami shall, through its land development regulations, encourage facility improvement which will further both the land development, coastal management and conservation goals and objectives of the City of Miami and the port development goals of Miami-Dade County and the Port of Miami.

Policy PA-1.1.2

The City shall, through its land development regulations, encourage the availability of an adequate amount of commercial and industrial land to complement planned expansions of port activity, and will establish a "free trade zone" within adequate proximity to the Port of Miami.

Policy PA-1.1.3

All surface transportation improvements providing access to the Port must be compatible with the needs, goals and objectives of the City of Miami as related to the development of the greater downtown area, and such improvements will be financed with an appropriate share of County, state and federal funds.

40 Policy PA-1.1.4

41 The Port shall prepare guidelines that will serve as design criteria for the construction, renovation and
42 landscaping of its facilities and such guidelines must comply with all City of Miami Code requirements.

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46 Policy PA-1.1.5

47 The City shall, through its land development regulations, cooperate with Miami-Dade County and its Port of
48 Miami operation to mitigate adverse structural and non-structural impacts from the Port of Miami upon
49 adjacent natural resources and land uses.

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53 Policy PA-1.1.6

54 The City shall, through its land development regulations, cooperate with Miami-Dade County and its Port of
55 Miami operation to protect and conserve natural resources.

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59 Goal PA-2 Miami International Airport

60 **Ensure that the development and expansion of Miami-Dade County's Miami International Airport is**
61 **compatible with and furthers the physical development of the City of Miami.**

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65 Objective PA-2.1

66 **The City of Miami, through its land development regulations, shall coordinate land use in areas of the city**
67 **adjacent to Miami International Airport with the transportation related activity which occurs within that**
68 **facility to ensure compatible and complimentary land uses and activities. Through such land**
69 **development regulations, the City will mitigate negative impacts to neighborhoods that might result from**
70 **airport activities, while protecting the airport's economic function, operation, and potential**
71 **improvements.**

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75 Policy PA-2.1.1

76 The City of Miami shall, through its land development regulations, encourage facility improvement which will
77 further both the land development, coastal management and conservation goals and objectives of the City of
78 Miami and the development goals of Miami-Dade County and Miami International Airport.

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82 Policy PA-2.1.2

83 All surface transportation improvements providing access to Miami International Airport and

84 impacting ~~upon~~ transportation within the City of Miami must be compatible with the needs, goals and

85 objectives of the City and such improvements will be financed with the appropriate share of County,

86 state and federal funds.

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90 Policy PA-2.1.3

91 The City shall, through its land development regulations, ensure that zoning within the city

92 protects existing aviation flight paths.

93 **Port of Miami River Sub-Element**

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95 Goal PA-3 Port of Miami River Sub-Element

96 **The Port of Miami River¹ shall be encouraged to continue operation as a valued and economically**
97 **viable component of the City's maritime industrial base.**

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101 ¹The "Port of Miami River" is a shallow draft riverine port consisting of independent, privately-owned
102 small shipping companies, fisheries, vessel repair facilities marinas and other Recreational and
103 Commercial Working Waterfront uses, as defined in Ch. 342.07, F.S., located along the banks of the
104 Miami River and its tributaries and canals where Working Waterfront uses are located. The Port of
105 Miami River is not a deepwater port as defined in Ch. 403.021(9), F.S. The Port of Miami River extends
106 from the salinity dam in unincorporated Miami-Dade County to Biscayne Bay in the City of Miami, as
107 identified in Appendix PA- 1.

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111 Objective PA-3.1

112 **(PLANNING AND ZONING). The City shall protect the Port of Miami River from encroachment by**
113 **non water-dependent or non water-related land uses, and shall regulate the Port of Miami River's**
114 **expansion and redevelopment in coordination with applicable future land use and coastal**
115 **management goals, objectives, policies (See Policy LU-1.3.3 and Goal CM-3).**

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119 Policy PA-3.1.1

120 The City shall maintain a Working Waterfront Table of Properties to guide future development within
121 the Miami River Corridor. The Table shall clearly depict the location and description of all
122 properties of recreational and commercial working waterfront uses on the River, as defined in Ch.
123 342.07 F.S. (hereinafter referenced as the "Working Waterfront"). The Table shall classify working
124 waterfront properties into Categories "A" and "B". The Table shall be incorporated as supporting data
125 and analysis within Appendix PA-1.

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129 Policy PA-3.1.2

130 Category A

131 The City may adopt a comprehensive plan future land use map (FLUM) amendment for properties
132 designated "Industrial" on the FLUM, along the Miami River only if the proposed amendment
133 complies with this sub-element. The future land use designation for any of the properties identified
134 "Industrial" therein may be amended only through the ~~large-scale~~ expedited state review
135 comprehensive plan amendment process. Applications for such amendments shall demonstrate
136 that either of the following conditions exists:

137

- 138 1. The Development – redevelopment as industrial is not economically feasible based on a market
139 and site analysis using a professionally acceptable methodology that has been peer reviewed by
140 a reviewer selected by the Planning Department; or
141 2. The Proposal includes an equivalent transfer or expansion of industrially designated property offsite
142 to another location on the Miami River within the City of Miami.

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Policy PA-3.1.3
Category B

148 All Category “B” properties shall maintain a working waterfront use. Additionally, the City shall require
149 that any residential development with a density greater than duplex residential or any mixed use
150 development include Working Waterfront use component per Ch. 342.07, F.S. or other amenities that is
151 accessible to the public which promotes the enjoyment of the Miami River unless prohibited by the
152 Miami-Dade Department of Environmental Resource Management (DERM).

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Policy PA-3.1.4

156 The City shall encourage the establishment and maintenance of Working Waterfront uses along the
157 banks of the Miami River, and to discourage encroachment by incompatible uses.

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Policy PA-3.1.5

163 The City shall encourage the development and expansion of the Port of Miami River Working
164 Waterfront consistent with the future land use, coastal management and conservation elements of the
165 City’s comprehensive plan.

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Policy PA-3.1.6

169 The City shall encourage only those developments, rezoning, and land use amendments in the vicinity
170 of the Working Waterfront lands designated “Industrial” on the adopted future land use map that are
171 compatible and suitable with the existing “Industrial” use of property.

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Policy PA-3.1.7

176 The City shall, through its land development regulations, adopt and enforce appropriate setbacks and
177 buffering requirements for Non-Working Waterfront properties along the Miami River in order to
178 protect the existing Working Waterfront use from encroachment of incompatible and unsuitable
179 uses.
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Policy PA-3.1.8

185 There shall be no net loss of recreational wet-slips along the Miami River.

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189 Policy PA-3.1.9

190 The City shall require from new residential development and redevelopment located along the Miami
191 River a recorded covenant acknowledging and accepting the presence of the existing Working
192 Waterfront 24-hour operations as permitted.

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194 Policy PA-3.1.10

195 In its commitment to support the Port of Miami River, the City of Miami shall continue its support of
196 the dredging of the River.

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199 Policy PA-3.1.11

200 The City of Miami shall facilitate and expedite municipal permitting for water-dependent, water-
201 related, commercial, industrial and recreational working waterfronts along the Miami River by
202 expediting the application process for such uses.

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205 Objective PA-3.2

206 **(TRANSPORTATION). The City shall encourage with appropriate agencies the coordination of**
207 **surface transportation access to the Port of Miami River Working Waterfront with the traffic and**
208 **mass transit system shown on the traffic circulation map series.**

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212 Policy PA-3.2.1

213 The City shall through the Transportation Element of the comprehensive plan, encourage the
214 coordination of the intermodal surface and water transportation access service to the Port of Miami
215 River Working Waterfront (See Policy TR-2.2.12 and ~~Policy IC-2.1.30~~).

216

217 Objective PA-3.3

218 **(ECONOMIC DEVELOPMENT & COORDINATION). The City shall coordinate its Port of Miami**
219 **River Working Waterfront planning activities with the multiple regulators and stakeholders who**
220 **have an interest in the Miami River.**

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224 Policy PA-3.3.1

225 Give the Miami River's multi jurisdictional and regulatory nature, the City shall coordinate with:

226

227 1. The United States Army Corp of Engineers regarding the dredging, navigation, and commerce on
228 the Miami River; and

229 2. The United States Coast Guard regarding security and safety on the Miami river; and

230 3. The Miami-Dade County Planning Department to evaluate the interdependence and effectiveness
231 of the County's Port of Miami River sub-element in its comprehensive plan with that of that of the

- 232 City's; and
- 233 4. The Miami-Dade County's Department of Environmental Resource Management ~~and the~~
- 234 ~~Manatee Protection Plan Committee~~ regarding the protection of manatees and establishment of
- 235 new wet and dry marine slips on or near the Miami River; and
- 236 5. The Miami-Dade County Property Appraiser to ensure that all Port of Miami River Working
- 237 Waterfront properties are assessed by the "current use" pursuant to Section 4, Article VII of the
- 238 Florida constitution and S.193.704, Fla. Stat.

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242 Policy PA-3.3.2

243 The City shall remain an active member of the Miami River Commission, as established by Ch.163.06,

244 F.S. and shall continue to request and consider from the Miami River Commission written

245 recommendations related to policy, planning, development and other River issues within the scope

246 established by the Florida Legislature.

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250 Policy PA-3.3.3

251 Within 18 months of adoption of this policy, the City shall consider approving a joint planning agreement

252 with the Miami River Commission and Miami-Dade County to revise and adopt the "Miami River Corridor

253 Urban Infill Plan" as the strategic plan for the Miami River.

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258 Policy PA-3.3.4

259 Within three years of the adoption of this policy, the City along with Miami River stakeholders,

260 property owners and businesses shall consider submitting an application to the Florida Department of

261 ~~Community Affairs~~ Economic Opportunity, Waterfronts Florida Partnership Program, for

262 assistance in protecting and promoting the Miami River traditional Working Waterfront.

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266 Policy PA-3.3.5

267 The City shall coordinate with Miami River stakeholders, property owners and businesses to

268 prepare reasonable Working Waterfront code compliance and enforcement policies to eliminate

269 unsafe, abandoned, and blighted conditions along the river banks.

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273 Policy PA-3.3.6

274 The City of Miami shall provide technical assistance to Working Waterfront businesses along the

275 Miami River.

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279 Policy PA-3.3.7

280 The City shall work to improve the economic vitality of the Miami River in cooperation with other
281 concerned public and governmental agencies and organizations. (See Miami-Dade County's
282 Comprehensive Development Master Plan, Port of Miami River Sub-element Policy PMR-1C)

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285 ~~Policy PA-3.3.8~~

286 ~~The City will work with property owners along the Miami River to secure Enterprise Zone tax~~
287 ~~incentives to businesses for creation of jobs and revitalization. Such incentives consist of the~~
288 ~~following and are based on availability:~~

289

290 ~~Enterprise Zone Incentives~~

291

292 ~~1. Jobs Tax Credit~~

293 ~~2. Business Equipment Sales Tax Refund~~

294 ~~3. Building Materials Sales Tax Refund~~

295 ~~4. Property Tax Credit~~

296 ~~5. Community Contribution Tax Credit Program~~

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300 ~~Policy PA-3.3.9~~

301 ~~The City will continue to use Brownfield redevelopment Area strategies to stimulate~~
302 ~~economic revitalization to Working Waterfronts. Such incentives consist of the following and~~
303 ~~are based on availability:~~

304

305 ~~a. Financial Incentives~~

306 ~~i. 35% Voluntary Cleanup Tax Credits~~

307 ~~ii. \$2500 Brownfields Bonus Refund~~

308 ~~iii. Low-interest loans~~

309 ~~iv. Sales Tax Credit on Building Materials~~

310 ~~v. Up to 5 years of State Loan Guarantees of Loan Loss Reserves~~

311 ~~vi. Site-Specific Activities Grant, and National Brownfields Assessment, Revolving Loan Fund,~~

312 ~~Cleanup Grants, and HUD Brownfield Economic Development Loans~~

313

313 ~~b. Regulatory Benefits~~

314 ~~i. Risk Based Corrective Action~~

315 ~~ii. Cleanup Liability Protection~~

316 ~~iii. Review of Voluntary Cleanup Projects at FDEP Conducted Separately From~~

317 ~~Enforcement Mandated Cleanups by Responsible Parties~~

318 ~~iv. Expedited Review and Response to Technical Reports and Correspondence~~

319 ~~v. CERCLA Site Clearance Issued by EPA, and~~

320 ~~vi. Lender Liability Protection to the extent allowed by applicable laws~~

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324 ~~Policy PA-3.3.10~~

325 ~~The City will continue to use various economic strategies, such as the City's Enterprise Zone,~~
326 ~~Empowerment Zone, Commercial Business Corridors, and Brownfield Redevelopment Area~~
327 ~~strategies, or future/successor economic incentives to stimulate economic revitalization, and~~

328 encourage employment opportunities within the Port of Miami River. (Policy LU-1.3.7.).

329

330 Policy PA-3.3.104

331 The City will foster or develop and implement job training, vocational, and educational programs to
332 assist the City's existing and future residents, and water dependent and water related businesses along
333 the Miami River, in achieving economic self-sufficiency, and will continue to work with appropriate State
334 and County agencies to direct training programs and other technical assistance to support minority and
335 semi- skilled residents of the City including, without limitation, their involvement in recreational and
336 commercial working waterfronts along the Miami River as defined by Ch.342.07, F.S. (Policy LU-1.3.8.)

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340 Policy PA-3.3.112

341 The City, through its Intergovernmental Coordination Policies, shall support and coordinate with
342 other governmental agencies having jurisdiction over the River to support and enhance the Miami
343 River's economic importance and viability. The functions of the Miami River shall be consistent with
344 the future goals and objectives of the City's Comprehensive Plan, particularly with respect to
345 the unique characteristics of the Miami River's location and its economic position and functioning
346 within the local maritime industry.

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350 Objective PA-3.4

351 **(MONITORING & EFFECTIVENESS). The City shall monitor track the effectiveness of its goals,**
352 **objectives, and policies designated to preserve and promote the Port of Miami River as a valued**
353 **and economically viable component of the City's maritime industrial base.**

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357 Policy PA-3.4.1

358 ~~City staff shall prepare, or cause to be prepared, an annual report on the status of the Planning and~~
359 ~~Zoning, Economic Development and Coordination, and Transportation Objectives and Policies~~
360 ~~contained in this Sub-element, which shall be presented to the City Commission at a dully noticed~~
361 ~~public hearing.~~

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365 Policy PA-3.4.2

366 ~~City staff shall prepare, or cause to be prepared, an annual report on the loss or gain of recreational~~
367 ~~and commercial Working Waterfront lands and uses, which shall be presented to the City~~
368 ~~Commission at a dully noticed public hearing.~~

369

370 Policy PA-3.4.1 City staff shall prepare, or cause to be prepared, a report on the loss or gain of
371 recreational and commercial Working Waterfront lands and uses to be presented to the City
372 Commission at a dully noticed public hearing within one (1) year of adoption of this policy, and in
373 seven (7) year increments thereafter.