PORTS, AVIATION AND 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.
Policy PA-1.1.4
The Port shall prepare guidelines that will serve as design criteria for the construction, renovation and landscaping of its facilities and such guidelines must comply with all City of Miami Code requirements.

Policy PA-1.1.5
The City shall, through its land development regulations, cooperate with Miami-Dade County and its Port of Miami operation to mitigate adverse structural and non-structural impacts from the Port of Miami upon adjacent natural resources and land uses.

Policy PA-1.1.6
The City shall, through its land development regulations, cooperate with Miami-Dade County and its Port of Miami operation to protect and conserve natural resources.

Goal PA-2 Miami International Airport
Ensure that the development and expansion of Miami-Dade County’s Miami International Airport is compatible with and furthers the physical development of the City of Miami.

Objective PA-2.1
The City of Miami, through its land development regulations, shall coordinate land use in areas of the city adjacent to Miami International Airport with the transportation related activity which occurs within that facility to ensure compatible and complimentary land uses and activities. Through such land development regulations, the City will mitigate negative impacts to neighborhoods that might result from airport activities, while protecting the airport’s economic function, operation, and potential improvements.

Policy PA-2.1.1
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 development goals of Miami-Dade County and Miami International Airport.
Policy PA-2.1.2

All surface transportation improvements providing access to Miami International Airport and impacting upon transportation within the City of Miami must be compatible with the needs, goals and objectives of the City and such improvements will be financed with the appropriate share of County, state and federal funds.

Policy PA-2.1.3

The City shall, through its land development regulations, ensure that zoning within the city protects existing aviation flight paths.
Port of Miami River Sub-Element

Goal PA-3 Port of Miami River Sub-Element

The Port of Miami River\(^1\) shall be encouraged to continue operation as a valued and economically viable component of the City’s maritime industrial base.

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

Objective PA-3.1 (PLANNING AND ZONING). The City shall protect the Port of Miami River from encroachment by non water-dependent or non water-related land uses, and shall regulate the Port of Miami River’s expansion and redevelopment in coordination with applicable future land use and coastal management goals, objectives, policies (See Policy LU-1.3.3 and Goal CM-3).

Policy PA-3.1.1

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

Policy PA-3.1.2

Category A

The City may adopt a comprehensive plan future land use map (FLUM) amendment for properties designated “Industrial” on the FLUM, along the Miami River only if the proposed amendment complies with this sub-element. The future land use designation for any of the properties identified “Industrial” therein may be amended only through the large-scale expedited state review comprehensive plan amendment process. Applications for such amendments shall demonstrate that either of the following conditions exists:
1. The Development – redevelopment as industrial is not economically feasible based on a market
and site analysis using a professionally acceptable methodology that has been peer reviewed by
a reviewer selected by the Planning Department; or
2. The Proposal includes an equivalent transfer or expansion of industrially designated property offsite
to another location on the Miami River within the City of Miami.

Policy PA-3.1.3
Category B
All Category “B” properties shall maintain a working waterfront use. Additionally, the City shall require
that any residential development with a density greater than duplex residential or any mixed use
development include Working Waterfront use component per Ch. 342.07, F.S. or other amenities that is
accessible to the public which promotes the enjoyment of the Miami River unless prohibited by the
Miami-Dade Department of Environmental Resource Management (DERM).

Policy PA-3.1.4
The City shall encourage the establishment and maintenance of Working Waterfront uses along the
banks of the Miami River, and to discourage encroachment by incompatible uses.

Policy PA-3.1.5
The City shall encourage the development and expansion of the Port of Miami River Working
Waterfront consistent with the future land use, coastal management and conservation elements of the
City’s comprehensive plan.

Policy PA-3.1.6
The City shall encourage only those developments, rezoning, and land use amendments in the vicinity
of the Working Waterfront lands designated “Industrial” on the adopted future land use map that are
compatible and suitable with the existing “Industrial” use of property.

Policy PA-3.1.7
The City shall, through its land development regulations, adopt and enforce appropriate setbacks and
buffering requirements for Non-Working Waterfront properties along the Miami River in order to
protect the existing Working Waterfront use from encroachment of incompatible and unsuitable
uses.

Policy PA-3.1.8
There shall be no net loss of recreational wet-slips along the Miami River.

Policy PA-3.1.9
The City shall require from new residential development and redevelopment located along the Miami River a recorded covenant acknowledging and accepting the presence of the existing Working Waterfront 24-hour operations as permitted.

Policy PA-3.1.10
In its commitment to support the Port of Miami River, the City of Miami shall continue its support of the dredging of the River.

Policy PA-3.1.11
The City of Miami shall facilitate and expedite municipal permitting for water-dependent, water-related, commercial, industrial and recreational working waterfronts along the Miami River by expediting the application process for such uses.

Objective PA-3.2
(TRANSPORTATION). The City shall encourage with appropriate agencies the coordination of surface transportation access to the Port of Miami River Working Waterfront with the traffic and mass transit system shown on the traffic circulation map series.

Policy PA-3.2.1
The City shall through the Transportation Element of the comprehensive plan, encourage the coordination of the intermodal surface and water transportation access service to the Port of Miami River Working Waterfront (See Policy TR-2.2.12 and Policy IC-2.1.30).

Objective PA-3.3
(ECONOMIC DEVELOPMENT & COORDINATION). The City shall coordinate its Port of Miami River Working Waterfront planning activities with the multiple regulators and stakeholders who have an interest in the Miami River.

Policy PA-3.3.1
Give the Miami River’s multi jurisdictional and regulatory nature, the City shall coordinate with:

1. The United States Army Corp of Engineers regarding the dredging, navigation, and commerce on the Miami River; and
2. The United States Coast Guard regarding security and safety on the Miami river; and
3. The Miami-Dade County Planning Department to evaluate the interdependence and effectiveness of the County’s Port of Miami River sub-element in its comprehensive plan with that of that of the
City’s; and

4. The Miami-Dade County’s Department of Environmental Resource Management and the Manatee Protection Plan Committee regarding the protection of manatees and establishment of new wet and dry marine slips on or near the Miami River; and

5. The Miami-Dade County Property Appraiser to ensure that all Port of Miami River Working Waterfront properties are assessed by the “current use” pursuant to Section 4, Article VII of the Florida constitution and S.193.704, Fla. Stat.

Policy PA-3.3.2
The City shall remain an active member of the Miami River Commission, as established by Ch.163.06, F.S. and shall continue to request and consider from the Miami River Commission written recommendations related to policy, planning, development and other River issues within the scope established by the Florida Legislature.

Policy PA-3.3.3
Within 18 months of adoption of this policy, the City shall consider approving a joint planning agreement with the Miami River Commission and Miami-Dade County to revise and adopt the “Miami River Corridor Urban Infill Plan” as the strategic plan for the Miami River.

Policy PA-3.3.4
Within three years of the adoption of this policy, the City along with Miami River stakeholders, property owners and businesses shall consider submitting an application to the Florida Department of Community Affairs Economic Opportunity, Waterfronts Florida Partnership Program, for assistance in protecting and promoting the Miami River traditional Working Waterfront.

Policy PA-3.3.5
The City shall coordinate with Miami River stakeholders, property owners and businesses to prepare reasonable Working Waterfront code compliance and enforcement policies to eliminate unsafe, abandoned, and blighted conditions along the river banks.

Policy PA-3.3.6
The City of Miami shall provide technical assistance to Working Waterfront businesses along the Miami River.
Policy PA-3.3.7
The City shall work to improve the economic vitality of the Miami River in cooperation with other concerned public and governmental agencies and organizations. (See Miami-Dade County’s Comprehensive Development Master Plan, Port of Miami River Sub-element Policy PMR-1C)

Policy PA-3.3.8
The City will work with property owners along the Miami River to secure Enterprise Zone tax incentives to businesses for creation of jobs and revitalization. Such incentives consist of the following and are based on availability:

Enterprise Zone Incentives
1. Jobs Tax Credit
2. Business Equipment Sales Tax Refund
3. Building Materials Sales Tax Refund
4. Property Tax Credit
5. Community Contribution Tax Credit Program

Policy PA-3.3.98
The City will continue to use Brownfield redevelopment Area strategies to stimulate economic revitalization to Working Waterfronts. Such incentives consist of the following and are based on availability:

a. Financial Incentives
   i. 35% Voluntary Cleanup Tax Credits
   ii. $2500 Brownfields Bonus Refund
   iii. Low-interest loans
   iv. Sales Tax Credit on Building Materials
   v. Up to 5 years of State Loan Guarantees of Loan Loss Reserves
   vi. Site Specific Activities Grant, and National Brownfields Assessment, Revolving Loan Fund, Cleanup Grants, and HUD Brownfield Economic Development Loans

b. Regulatory Benefits
   i. Risk Based Corrective Action
   ii. Cleanup Liability Protection
   iii. Review of Voluntary Cleanup Projects at FDEP Conducted Separately From Enforcement Mandated Cleanups by Responsible Parties
   iv. Expedited Review and Response to Technical Reports and Correspondence
   v. CERCLA Site Clearance Issued by EPA, and
   vi. Lender Liability Protection to the extend allowed by applicable laws

Policy PA-3.3.109
The City will continue to use various economic strategies, such as the City’s Enterprise Zone, Empowerment Zone, Commercial Business Corridors, and Brownfield Redevelopment Area strategies, or future/successor economic incentives to stimulate economic revitalization, and
encourage employment opportunities within the Port of Miami River. (Policy LU-1.3.7.).

Policy PA-3.3.10

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

Policy PA-3.3.11

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

Objective PA-3.4

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

Policy PA-3.4.1

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

Policy PA-3.4.2

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

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