



## INTRODUCTION

The Town of Cutler Bay Coastal Management Element is to protect natural coastal resources, to protect lives and property from natural disasters, to improve public access to Biscayne Bay, and to preserve any historical sites that may be in the coastal area.

The goals, objectives and policies that are contained in this Element build upon past planning, evaluation and monitoring efforts through Miami-Dade County. Completed and ongoing studies were reviewed to update the County's Coastal Management Element as recent as the 2006 Evaluation and Appraisal Report based amendments, the Governor's Commission on a Sustainable South Florida, Post Hurricane Wilma assessments, and the 2006 South Florida Regional Hurricane Evacuation Traffic Study.

The Coastal Management Element has also been written to comply with the directives of Chapter 163, Florida Statutes (F.S.), and Administrative Rule 9J-5.012 and to be consistent with the Miami-Dade Comprehensive Development Master Plan, the State Comprehensive Plan and the Strategic Regional Policy Plan for South Florida. It has most importantly been written to reflect the uniqueness of the coast along the Eastern border of the Town of Cutler Bay.

House Bill 1359, which was passed in 2006, changed the definition of the Coastal High Hazard Area (CHHA) from a Category 1 Hurricane Evacuation Zone to a Category 1 Storm Surge Zone. Local governments have until July 1, 2008 to adopt these new changes into the Coastal Element and Future Land Use Map of their Comprehensive Plans.

At the writing of this Growth Management Plan, the South Florida Regional Planning Council staff is working on an all-hazards regional evacuation study. This study is part of the Statewide Regional Evacuation Study Program that includes updated storm surge mapping, which will provide the data and analysis necessary to redefine the CHHA for South Florida. This study will also provide local governments with the data and analysis they need to amend their comprehensive plans. This study's expected completion date is summer 2008. Due to the fact that this data will not be available until after the Cutler Bay Growth Management Plan is anticipated to be adopted, a policy is included to amend this Coastal Management Element utilizing the updated evacuation model when it is completed.

Exhibit T-11 in the Transportation Element identifies the current hurricane evacuation zones in Miami-Dade County. Zones A, B and C. The Town of Cutler Bay jurisdictional boundaries fall within all Zones. Zone A, the Coastal High Hazard Area, encompasses the County's Atlantic beaches and barrier islands, including the cities of Miami Beach, Surfside, Sunny Isles Beach and Golden Beach. In Cutler Bay this consists of a small uninhabited area in the north east corner of the Town.

Basically, the portion of the Town of Cutler Bay east of Old Cutler Road is located within Zone B, requiring residents to evacuate in the event of a category 3 or stronger storm. The rest of the Town being under Zone C would be required to evacuate in the event of a category 4 or 5 storm. However, evacuation is encouraged during any major storm event. The ability of the Town's roadway system to allow evacuation in a safe and timely manner is integral to the function of the emergency management system, and the health and safety of the Town's residents. As the Town and its neighboring communities and municipalities continue to develop and redevelop, increased permanent, seasonal and temporary populations must be evacuated.

Storm risk data and these evacuation boundaries are continually reevaluated by OEM and may be changed whenever deemed appropriate for emergency management purposes. For the most part, these existing objectives and policies were retained from the County's Coastal Management Element and have been adapted for the purposes of relating to the Town of Cutler Bay.



**GOAL 1:** Provide for the conservation, environmentally sound use and protection of all natural and historic resources; limit public expenditures in areas subject to destruction by natural disasters; and protect human life and property in the coastal area of the Town of Cutler Bay.

### Objective CM-1

**Protect, conserve and enhance coastal wetlands and living marine resources within the coastal area of the Town of Cutler Bay.**

### Monitoring Measures CM-1

Policy implementation status.

**Policy CM-1A:** The Town of Cutler Bay will limit the impacts of development and redevelopment upon wetlands, water quality, water quantity, wildlife habitat and living marine resources through the development review process.

**Policy CM-1B:** Threatened or endangered species shall be identified on potential development sites by the preparation of an environmental report to record the occurrence of listed plant and animal species. The environmental report will be reviewed during the development review process and when necessary, the development application will describe measures that will be taken to protect species in accordance with state and federal guidelines.

**Policy CM-1C:** Consistent with the Miami-Dade County Comprehensive Development Master Plan, coastal mangroves and scrub forests within and adjacent to Biscayne National Park shall be designated as "Mangrove Protection Areas". In these areas, no cutting, trimming, pruning or other alteration of mangrove shall be permitted except for purposes of surveying or for projects that are : 1) necessary to prevent or eliminate a threat to public health, safety or welfare; 2) water dependent; or 3) clearly in the public interest and where no reasonable upland alternative exists. In such cases, the trimming or alteration shall be kept to a minimum, and done in a manner which preserves the functions of the mangrove system, and does not reduce or adversely affect habitat used by endangered or threatened species. 4) required for natural system restoration and enhancement.

**Policy CM-1D:** The Town will coordinate with the county and state agencies to implement natural surface water flow regimes into and through coastal wetland systems will be restored and maintained to the maximum extent possible.

**Policy CM-1E:** Where shoreline access is to be provided through Mangrove Protection Areas, elevated boardwalks, designed to minimize the impact of wetland vegetation, shall be utilized.

**Policy CM-1F:** Where development or redevelopment is to occur, mangrove forest, coastal hammock or other natural vegetative communities shall be maintained, protected, and incorporated into landscape plans.

**Policy CM-1G:** Wherever low grade wetlands are degraded or destroyed, a wetland within the Town with an equal or greater amount of habitat value shall be created or restored, maintained and monitored for three years or until such time as a viable self-perpetuating wetland habitat is established. Created habitats shall be perpetually maintained free of invasive exotic vegetation. Habitats of endangered or threatened species shall not be degraded or destroyed.



**Policy CM-1H:** Replanting of mangroves and marsh grasses shall be used, as appropriate, to enhance parks and other public or semi-public areas along the coastline.

**Policy CM-1I:** The Town will assist county and state agencies in enforcement and monitoring of compliance with the Florida Department of Environmental Protection (FDEP) Coastal Construction Control Line (CCCL) regulations established in August 1997.

**Policy CM-1J:** The Town will take into consideration the results from long-term monitoring of water quality, benthic habitats, and living resources performed by Miami-Dade County and the South Florida Water Management District (SFWMD) to be consistent with Florida Water Policy (Chapter 62-40.430, F.A.C.) and State water quality regulations (Chapter 62-43.430, F.A.C.) to improve future coastal restoration and enhancement activities coordinated by the Town.

**Policy CM-1K:** The Town will coordinate with Miami-Dade County, SFWMD, the US Environmental Protection Agency (EPA), and the US Army Corp of Engineers to ensure that all regulatory programs administered through each of these agencies is integrated, as applicable, into the Town of Cutler Bay Land Development Regulations.

## Objective CM-2

**The Town will support Miami-Dade County to reduce the number of instances water quality standards are exceeded for coastal and estuarine waters.**

### Monitoring Measures CM-2

Policy implementation status.

**Policy CM-2A:** The Town shall work with Miami-Dade County, Florida Department of Environmental Protection and South Florida Water Management District in consultation with the National Park Service to pinpoint sources of environmental degradation, refine existing water quality standards, and develop new standards for sediments and their toxic components.

**Policy CM-2B:** The Town shall support the County in their efforts to identify and monitor all businesses in the Coastal Planning Area (east of Old Cutler Road) of the Town that generate more than 55 gallons of hazardous or industrial wastes per year. The Land Development Regulations should include standards to require hazardous waste to be pretreated on-site and a hazardous spill plan to be maintained on-site.

**Policy CM-2C:** The Town will maintain standards for stormwater management techniques that emphasize retention, infiltration, back-sloping and berming in order to hydrate the coastal area.

**Policy CM-2D:** The Town will regulate point and non-point sources of pollution into the stormwater system through the appropriate management techniques.



### Objective CM-3

The Town shall increase the amount of shoreline and public access locations in Cutler Bay by the Year 2012.

#### Monitoring Measures CM-3

Policy implementation status.

**Policy CM-3A:** The Town shall seek to provide for limited passive access to the shoreline while assuring that activities associated with the land use minimize impact to the natural areas.

**Policy CM-3B:** The Town will place a high priority on the acquisition of unprotected coastal lands for use as passive parks and preserves.

**Policy CM-3C:** The Town will maintain standards for siting future water-related uses that address land use compatibility, availability of upland support services, existing protective status of ownership, hurricane contingency planning, protection of water quality, water depth, environmental disruptions, mitigation actions, availability for public use, economic need, and feasibility.

**Policy CM-3D:** Where new developments along the coastal fringes occur, the Town will work with developers, Miami-Dade County and Biscayne National Park to include environmentally compatible shoreline access facilities such as walkways, piers and elevated viewing areas where appropriate.

### Objective CM-4

Through compliance with Federal Emergency Management Agency (FEMA) regulations and by targeting repetitive flood loss and vulnerable properties for mitigation, the Town will reduce natural hazard impacts.

#### Monitoring Measures CM-4

Policy implementation status.

**Policy CM-4A:** The Town will regulate floodplain development to ensure that the national standards are met.

**Policy CM-4B:** The Town will continue to participate in the Federal Emergency Management Agency's National Flood Insurance Program.

**Policy CM-4C:** The Town will continue to maintain records consistent with the Federal Insurance Administration's listing of community selection factors for assistance in purchasing properties under Section 1362 of the National Flood Insurance Act.

**Policy CM-4D:** The Town shall minimize the disturbance of natural shorelines that provide stabilization and protect landward areas from storm impacts.



## Objective CM-5

**The Town will support the protection of endangered and threatened animal species and the restoration and management of coastal habitats to improve wildlife values.**

### Monitoring Measures CM-5

Policy implementation status.

**Policy CM-5A:** Areas that are used for nesting, feeding or congregation by endangered and threatened species shall be protected from alteration and human activities that would further imperil those species.

**Policy CM-5B:** The Town will support Miami-Dade County in their efforts to establish, or reestablish wildlife corridors in appropriate coastal locations within Cutler Bay, if any are identified.

**Policy CM-5C:** Travel corridors used by endangered or threatened species shall be protected to the extent possible from alteration and human activities that would further imperil those species.

## Objective CM-6

**The Town will continue to cooperate with Miami-Dade Office of Emergency Management (OEM) related to maintaining or lowering the existing time period required to complete the evacuation of people from flood vulnerable Coastal Areas prior to the arrival of sustained tropical storm force winds.**

### Monitoring Measures CM-6

Policy implementation status.

**Policy CM-6A:** The Town shall provide land use and population data, as appropriate, to the OEM for inclusion in the most current Comprehensive Emergency Management Plan (CEMP).

**Policy CM-6B:** The Town shall participate in regular coordination meetings of local and regional evacuation planning professionals and maintain a liaison with Miami-Dade County OEM during a state of emergency to participate in the County's administration through the State of Florida emergency warning system.

**Policy CM-6C:** The Town shall coordinate with officials from the OEM to identify "Persons with Special Needs" and inform these individuals of evacuation transportation and shelter services that may be available to them.

**Policy CM-6D:** The Town shall help disseminate the public education program developed by the OEM prior to the hurricane season to notify households of their need to evacuate and seek safe shelter outside of evacuation areas in the event of a hurricane. The public education program will also be used to convey emergency preparedness information including encouraging residents to be better prepared and more self-reliant.

**Policy CM-6E:** The Town shall coordinate with OEM to maintain an efficient and timely evacuation process in the case of a hurricane or tropical storm in accordance with Florida Administrative Code 27P-6.



## COASTAL MANAGEMENT ELEMENT

**Policy CM-6F:** The Town shall examine the feasibility of requiring, or adding as an option for new residential construction, a structurally reinforced “safe room” for use as a private storm shelter. For existing residences, the Town shall encourage retrofitting a safe room on a voluntary basis. The Town shall also explore incentives and other measures to encourage the wind and/or floor hardening of structures.

**Policy CM-6G:** As deemed necessary, the Town will work with County, regional, state and federal agencies to improve evacuation route capacities through improved design and reconstruction of the street network, signage and expansion of public transportation systems and services.

**Policy CM-6H:** The Town will cooperate with OEM to coordinate damage assessments with assistance from other local, regional, state and federal governmental agencies.

### Objective CM-7

The Town will coordinate with the Miami-Dade County Office of Emergency Management (OEM) to develop and implement post-disaster redevelopment and hazard mitigation plans that reduce or eliminate exposure of life and property to natural hazards towards the protection of health, safety, and welfare.

### Monitoring Measures CM-7

Policy implementation status.

**Policy CM-7A:** If inconsistencies are found with the policies under this objective and the post disaster redevelopment and hazard mitigation plans of the Miami-Dade County Office of Emergency Management (OEM), the Town will notify and coordinate with OEM.

**Policy CM-7B:** After a hurricane but prior to re-entry of the population into evacuated areas, the Town Council shall meet to hear preliminary damage assessments, appoint a Recovery Task Force and consider a temporary moratorium or an expedited permitting process of building activities not necessary for the public health, safety and welfare.

**Policy CM-7C:** The Recovery Task Force shall include the Town Manager, Planning Director, Building Official and other members as directed by the Town Council. Staff shall be provided by the department whose directors are Task Force members.

**Policy CM-7D:** The Recovery Task Force shall review and decide upon emergency building permits; coordinate with Miami-Dade County, state and federal officials to prepare disaster assistance applications; analyze and recommend to the Town Council hazard mitigation options including reconstruction or relocation of damaged public facilities; develop a redevelopment plan; and recommend amendments to the Growth Management Plan and other appropriate policies and procedures.

**Policy CM-7E:** Immediate repair and clean-up actions needed to protect the public health and safety include repairs to potable water, wastewater and power facilities; removal of building and/or vegetative debris; stabilization or removal of structures about to collapse; and minimal repairs to make dwellings habitable such as minor roof repairs and other weatherproofing/security measures. These actions shall receive first priority in permitting decisions. Long term redevelopment activities shall be postponed until the Recovery Task Force has completed its tasks.



**Policy CM-7F:** If rebuilt, structures which suffer damage in excess of fifty (50) percent of their appraised value shall be rebuilt to meet all current requirements, including those enacted since construction of the structure.

**Policy CM-7G:** Following a natural disaster and prior to the implementation of long-term development, the Town shall do the following: Based upon the damage assessment report prepared by the Town of Cutler Bay Public Works Department, the Town shall consult with the Town Manager, Planning Director and Building Official to evaluate options for damaged public facilities including abandonment, repair in place, relocation, and repair with structural modification, to determine the most strategic approach to long-term development. The evaluation shall include but not be limited to issues pertaining to damage caused by natural disaster, cost to construct repairs, cost to relocate, cost to structurally modify, limitations of right-of-way, and maintenance costs.

**Policy CM-7H:** The Town shall comply with the requirements of Section 163.3178, F.S. in pre-disaster planning and post-disaster redevelopment activities in order to:

1. Reduce the flood risk in coastal areas resulting from high tide events, storm surge, flash floods, stormwater runoff, and related impacts of sea level rise;
2. Remove coastal real property from FEMA flood zone designations;
3. Be consistent with the flood resistant construction requirements of the Florida Building Code and federal flood plain management regulations;
4. Require construction seaward of the coastal construction line to be consistent with Chapter 161, F.S.;
5. Achieve flood insurance premium discounts for residents through participation in the National Flood Insurance Program Community Rating System Program.

## Objective CM-8

**The Town will reduce the exposure of life and property to hurricanes through the planning and implementation of pre-disaster hazard mitigation measures. Pre-disaster planning for post-disaster redevelopment shall direct population concentrations away from the undeveloped identified high-risk areas during post-disaster redevelopment.**

## Monitoring Measures CM-8

Policy implementation status.

**Policy CM-8A:** The Town shall develop a Town Emergency Response Plan and update it every two years to provide comprehensive pre-disaster planning for pre- and post-disaster activities, development and redevelopment consistent with the County's Comprehensive Emergency Management Plan.

**Policy CM-8B:** The Town shall provide input into the County's Comprehensive Emergency Management Plan as appropriate.

**Policy CM-8C:** During pre-disaster planning, hazard mitigation proposals shall be developed by the Town in conjunction with other agencies and, where appropriate, included in the Town's Emergency Response Plan or the Growth Management Plan.



**Policy CM-8D:** As the Town locates facilities, the Town shall determine the feasibility and necessity of relocating public buildings away from high-risk areas. The Town shall develop a formal process and guidelines for evaluation alternative to the replacement or repair of public facilities damaged by hurricanes such as abandonment, relocation, or repair and reconstruction with structural modifications. The costs; environmental impacts; mitigative effects; community impacts; economic development issues; employment effects; legal issues; consistency with local, regional and state plans; time period for implementation; and availability of funds should be evaluated for each alternative.

**Policy CM-8E:** The Coastal High Hazard Area (CHHA), as shown on Exhibit FLU-8, is defined as the areas below the elevation of the category 1 storm surge line, as established by a Sea, Lake and Overland Surges from Hurricanes (SLOSH) computerized storm surge model.

**Policy CM-8F:** In advance of a storm, the Town shall identify areas suitable and unsuitable for post-disaster relief staging areas, debris storage, disposal or burning. Debris shall not be located in wetlands, parklands with adjacent natural areas or other areas identified as unsuitable for such activities. Debris shall not be burned in the airsheds of Biscayne National Park and Everglades National Park.

### Objective CM-9

**During post-disaster recovery and redevelopment, the Town shall implement its Emergency Response Plan (ERP) and applicable Growth Management Plan policies and assist hurricane damaged areas with recovery and hazard mitigation measures that reduce the potential for future loss of life and property.**

### Monitoring Measures CM-9

Policy implementation status.

**Policy CM-9A:** To facilitate post-disaster recovery and redevelopment following a major hurricane and consistent with available personnel and funding, the Town shall maintain and implement an Emergency Response Plan (ERP).

**Policy CM-9B:** If an area in need of major post-disaster redevelopment is determined to be a high-risk area for development, permitted post-disaster densities and intensities shall not exceed the permitted pre-storm densities and intensities.

**Policy CM-9C:** The Town will coordinate with existing resource protection plans through appropriate regulatory procedures.

**Policy CM-9D:** The Town will enforce applicable recommendations of post-disaster hazard mitigation plans required under Section 406 of the Disaster Relief Act of 1974.

**Policy CM-9E:** Long-term redevelopment following a major hurricane event shall be conducted in accordance with standards maintained by the Florida Department of Natural Resources.

**Policy CM-9D:** All post-disaster reconstruction of structures with damage shall be reconstructed to insure compliance with the most current version of the Florida Building Code.

**Policy CM-9G:** During post-disaster redevelopment, structures that suffer repeated damage to pilings, foundations, or load bearing walls shall be required to rebuild landward of their present location and/or be structurally modified to meet current building codes.





**Policy CM-9H:** The Town will coordinate with Miami-Dade County and the State of Florida to ensure that damaged infrastructure is replaced and/or improved concurrent with redevelopment.

## Objective CM-10

**Eliminate unsafe and inappropriate development, and mitigate the flood risk to existing and planned development, in coastal areas that are of high risk of flooding due to storm surge, high tide events, flash flood, stormwater runoff, and sea level rise.**

### Monitoring Measures CM-10

Implementation status of policies CM-10A – CM-10DE.

**Policy CM-10A:** The Town of Cutler Bay shall require that new development and redevelopment in areas that are of high risk of flooding due to storm surge, high tide events, flash flood, stormwater runoff, and sea level rise incorporate building design specifications, engineering solutions, site development techniques, and management practices that reduce risk and losses due to flooding.

**Policy CM-10B:** The Town of Cutler Bay shall require that new development and redevelopment in areas with a high risk of flooding due to storm surge, high tide events, flash flood, stormwater runoff, and sea level rise meets or exceed the flood-resistant construction requirements of the Florida Building Code.

**Policy CM-10C:** The Town of Cutler Bay shall require that construction activities seaward of the Coastal Construction Control Line established pursuant to S, 161.053, F.S., be consistent with Chapter 161, F.S.

**Policy CM-10D:** The Town of Cutler Bay shall continue to participate in the National Flood Insurance Program Community Rating System in order to achieve premium discounts for Town residents.

**Policy CM-10E:** The Town shall continue to participate in and comply with National Flood Insurance Program (NFIP) regulations.

**Policy CM-10F:** The Town shall continue to participate in the Community Rating System (CRS) program, which involves managing and documenting activities that the Town performs to gain points under FEMA's CRS Program. This voluntary program rewards communities that improve their flood protection activities with flood insurance discounts for its residents.

## Objective CM-11

**The Town shall continue to reduce flood risks.**

### Monitoring Measures CM-11

Implementation status of policies CM-11A – CM-11G.

**Policy CM-11A:** The Town shall continue to prohibit development within floodplains, specifically 100-year flood V and VE zones.

**Policy CM-11B:** The Town shall prioritize areas that require stormwater system upgrades as outlined in the Town's Stormwater Management Master Plan adopted August 20, 2008, as amended, to ensure that all new development(s) will include and meet the Town's adopted level of service standard for the drainage.



## COASTAL MANAGEMENT ELEMENT

**Policy CM-11C:** The Town shall provide adequate funding to continue to implement Town projects and programs funded by Stormwater Utility Fees to reduce hazards associated with flooding.

**Policy CM-11D:** The Town shall continue the Town's Drainage System Maintenance Program which involves storm drain cleaning, mowing of Town rights-of-way, swale areas, street sweeping services, and jet vacuuming clogged drainage systems.

**Policy CM-11E:** The Town shall continue flood inspections which are used to prioritize various drainage projects being designed for construction improvements.

**Policy CM-11F:** The Town shall encourage the design and construction of Capital Improvement Projects that require Town engineers use proven methods to design drainage systems that will provide flood protection, and add water quality improvements to the system, and to reduce pollution found in stormwater runoff. As part of development application review, engineers in this program shall review the designs of private developers, and also create their own designs for the Town's drainage systems being constructed.

**Policy CM-11G:** The Town will continue to participate in the Local Mitigation Strategy (LMS) program, which aids in disaster recovery. The LMS is a community-wide group that assesses a community's potential vulnerabilities in the event of a disaster, and develops activities or projects that would reduce those vulnerabilities. If a disaster does occur, the LMS has ready lists of related projects a community can implement to prevent or reduce damages from a similar disaster. The Town shall strive to complete or participate in activities or projects that proactively reduce vulnerabilities.

### Objective CM-12

**The Town shall continue to Promote Flood Awareness and analyze areas that are vulnerable to flooding.**

### Monitoring Measures CM-12

Implementation status of policies CM-12A – CM-12C.

**Policy CM-12A:** The Town shall continue to comply with the Town of Cutler Bay's floodplain management ordinances 10-04, 09-06, 06-10 and 16-02 which include the 44% rule. This rule requires compliance with current elevation requirements, and other floodplain requirements if any structure is damaged or improved to an amount greater than 44% of the structure's market value. In addition, the ordinances require that all new construction and substantially improved buildings be built to a finished floor elevation of 1 foot above the base flood elevation established by FEMA (BFE + 1).

**Policy CM-12B:** The Town shall continue to work with local, state and federal partners to target repetitive loss properties for acquisition or mitigation of flood hazard through hard and soft structural, and non-structural adaptation strategies including elevating existing structures.

**Policy CM-12C:** The Town shall continue to prohibit development within floodplains in recognition of the important following functions they perform: allowing rainfall to drain, filtering stormwater runoff, reducing flooding, and recharging the regions drinking water supply.