

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission

FROM: Eric Carpenter, City Manager

DATE: February 26, 2025 5:02 p.m. First Reading Public Hearing**

TITLE: OCEAN TERRACE MXE ZONING DISTRICT CHANGE TO CD-2 – ZONING MAP AMENDMENT
AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE OFFICIAL ZONING DISTRICT MAP, REFERENCED IN SECTION 7.2.1.2 OF THE MIAMI BEACH RESILIENCY CODE, ENTITLED “DISTRICT MAP,” PURSUANT TO SECTION 2.5.1, ENTITLED “CHANGE TO ZONING DISTRICT BOUNDARIES (REZONING),” BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE MXE (MIXED-USE ENTERTAINMENT) DISTRICT LOCATED IN NORTH BEACH ALONG OCEAN TERRACE BETWEEN 73RD AND 75TH STREETS, AND WHICH IS COMPRISED OF LESS THAN 10 ACRES, FROM THE CURRENT ZONING CLASSIFICATION OF MXE “MIXED USE ENTERTAINMENT,” TO CD-2, “COMMERCIAL, MEDIUM INTENSITY”; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY AND AN EFFECTIVE DATE.

RECOMMENDATION

The Administration recommends that the Mayor and City Commission (City Commission) approve the subject ordinance at First Reading and schedule a Second Reading public hearing for April 23, 2025.

BACKGROUND/HISTORY

On May 15, 2024, at the request of Commissioner Tanya K. Bhatt, the City Commission referred a proposal to modify the zoning classification of the Ocean Terrace area (C4 AD) to the Land Use and Sustainability Committee (LUSC) and the Planning Board. On June 10, 2024 the item was deferred to the July 9, 2024 LUSC meeting with no discussion and on July 9, 2024, the item was deferred to the September 5, 2024 meeting, with no discussion.

On September 5, 2024, the LUSC discussed the item and recommended that the Planning Board transmit the proposed ordinances to the City Commission with favorable recommendations.

ANALYSIS

The City’s zoning map includes two Mixed-Use Entertainment (MXE) zoning districts – one in South Beach, along Collins Avenue and Ocean Drive; and the other in North Beach, along Ocean Terrace. The MXE designation was created, in part, to incentivize redevelopment, especially for hotel and entertainment uses.

The properties to the west of the North Beach MXE district are currently zoned CD-2 (commercial, medium intensity district). To ensure consistency and compatibility of future development, the attached ordinance proposes to re-zone this district in North Beach from MXE to CD-2. A separate, companion amendment to the future land use map will change the future land use designation from MXE to CD-2. For reference, maps illustrating the existing and proposed zoning and future land use designations are attached.

This change will not result in more intense development than is currently permitted in the subject area. The redevelopment projects underway along Ocean Terrace would not be impacted by a re-zoning from MXE to CD-2.

PLANNING BOARD REVIEW

On January 7, 2025, the Planning Board held a public hearing and transmitted the proposed ordinance to the City Commission with a favorable recommendation (7-0).

APPLICATION FEE WAIVER

The subject amendment is proposed on a comprehensive, citywide basis, and not on behalf of a private applicant or third party. Pursuant to section 2.4.1.c of the Land Development Regulations of the City Code, amendments to the City Code require the payment of the applicable fees in section 2.2.3.5, 2.2.3.6, and appendix A to the City Code. These fees may be waived by a five-sevenths (5/7ths) vote of the City Commission, based upon one or more of the following circumstances:

1. The City Commission determines that the proposed amendment is necessary due to a change in federal or state law, or to implement best practices in urban planning, or based on circumstances unique to the proposed amendment.
2. Upon the written recommendation of the City Manager acknowledging a documented financial hardship of a property owner(s) or developer(s).
3. If requested, in writing, by a non-profit organization, neighborhood association, or homeowner's association for property owned by any such organization or association, so long as the request demonstrates that a public purpose is achieved by enacting the applicable amendment.

The Administration recommends that the City Commission waive the applicable fees based on circumstances unique to the proposed amendment.

FISCAL IMPACT STATEMENT

No Fiscal Impact

Does this Ordinance require a Business Impact Estimate? Yes
(FOR ORDINANCES ONLY)

If applicable, the Business Impact Estimate (BIE) was published on:

See BIE at: <https://www.miamibeachfl.gov/city-hall/city-clerk/meeting-notices/>

FINANCIAL INFORMATION

Not Applicable

CONCLUSION

The Administration recommends the following:

1. The City Commission approve the subject ordinance at First Reading and schedule a Second Reading public hearing for April 23, 2025.
2. In accordance with section 2.4.1.c.1 of the Land Development Regulations of the City Code, the City Commission waive the applicable fees based on circumstances unique to the

proposed amendment.

Applicable Area

North Beach

Is this a “Residents Right to Know” item, pursuant to City Code Section 2-17?

Yes

Is this item related to a G.O. Bond Project?

No

Was this Agenda Item initially requested by a lobbyist which, as defined in Code Sec. 2-481, includes a principal engaged in lobbying? No

If so, specify the name of lobbyist(s) and principal(s):

Department

Planning

Sponsor(s)

Commissioner Tanya K. Bhatt

Co-sponsor(s)

Condensed Title

5:02 p.m. 1st Rdg PH, Ocean Terrace MXE Zoning District Change to CD-2–Zoning Map Amendment. (Bhatt) PL 5/7

Previous Action (For City Clerk Use Only)