

Canopy Park - Zoning District Change

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 A PARCEL OF LAND LOCATED AT 701 WEST AVENUE, AND WHICH IS COMPRISED OF LESS THAN 10 ACRES, FROM THE CURRENT ZONING CLASSIFICATION OF CD-2, "COMMERCIAL, MEDIUM INTENSITY," TO GU, "GOVERNMENT USE"; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, as part of the Development Agreement for the 500 Alton Road project, the Developer designed, constructed, and conveyed a 3.0-acre public park to the City of Miami Beach; and

WHEREAS, the park, located at 701 Alton Road, is a municipal park owned and operated by the City for the benefit of the general public; and

WHEREAS, on August 23, 2022, 82% of the City's voters voted to name the park as "Canopy Park"; and

WHEREAS, the Canopy Park property is currently classified on the zoning map and future land use map as CD-2 (commercial, medium intensity), which was the zoning and future land use classification at the time of the original Development Agreement; and

WHEREAS, Section 7.2.1.1.b of the Land Development Regulations (LDRs) specifies that all City-owned properties are zoned GU, although they may not be designated as such on the zoning map; and

WHEREAS, this Ordinance changes the zoning district classification of Canopy Park to GU, Government Use; and

WHEREAS, the amendment set forth below is necessary to formally accomplish the proposed zoning district change.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA:

SECTION 1. ZONING MAP AMENDMENT.

The following amendment to the City's zoning map designation for the property described herein is hereby approved and adopted and the Planning Director is hereby directed to make the appropriate changes to the zoning map of the City:

A parcel of land generally located at 701 West Avenue (Miami-Dade County Folio 02-4203-001-0095), of approximately 130,768 square feet (3.002 acres) in size,

as depicted in Exhibit "A," from the current CD-2, "Commercial, Medium Intensity" designation to the proposed designation of GU, "Government Use".

SECTION 2. REPEALER.

All Ordinances or parts of Ordinances in conflict herewith be and the same are hereby repealed.

SECTION 3. SEVERABILITY.

If any section, subsection, clause or provision of this Ordinance is held invalid, the remainder shall not be affected by such invalidity.

SECTION 4. CODIFICATION.

It is the intention of the City Commission that the Official Zoning District Map, referenced in Section 7.2.1.2 of the Miami Beach Resiliency Code be amended in accordance with the provisions of this Ordinance.

SECTION 5. EFFECTIVE DATE.

This ordinance shall take effect 31 days after adoption to correspond to the adoption date of the Future Land Use Map of the City's Comprehensive Plan.

PASSED AND ADOPTED this ____ day of _____, 2024.

ATTEST:

Steven Meiner, Mayor

Rafael E. Granado, City Clerk.

First Reading: November 20, 2024

Second Reading: January ____, 2025

Verified by: _____
Thomas R. Mooney, AICP
Planning Director

APPROVED AS TO
FORM AND LANGUAGE
& FOR EXECUTION

City Attorney NK
Date 11/12/2024