

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission
FROM: Eric Carpenter, City Manager
DATE: February 3, 2025 9:20 a.m. Second Reading Public Hearing

TITLE: UNIFIED DEVELOPMENT SITE - LDR TEXT AMENDMENT
AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE MIAMI BEACH RESILIENCY CODE, BY AMENDING CHAPTER 2, ENTITLED "ADMINISTRATIVE AND REVIEW PROCEDURES," ARTICLE II, ENTITLED "GENERAL DEVELOPMENT APPLICATION SUBMISSION AND REVIEW," SECTION 2.2.3.4, ENTITLED "UNIFIED DEVELOPMENT SITE," BY INCLUDING REQUIREMENTS FOR THE TRANSFER OF FLOOR AREA FOR PROPERTIES THAT ARE SUBJECT TO THE TERMS OF A DEVELOPMENT AGREEMENT WITH THE CITY AND WHICH CONTAIN PROPERTIES WITH DIFFERENT ZONING CLASSIFICATIONS, AS WELL AS PROPERTIES LOCATED IN THE ALTON ROAD GATEWAY; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

RECOMMENDATION

The Administration recommends that the Mayor and City Commission (City Commission) adopt the subject ordinance.

BACKGROUND/HISTORY

On May 15, 2024, at the request of Commissioner Tanya K. Bhatt, the City Commission referred a proposal pertaining to the zoning and future land use designation of Canopy Park (C4 AC) to the Land Use and Sustainability Committee (LUSC) and the Planning Board. On June 10, 2024, the LUSC discussed the item and recommended that the Planning Board approve the proposed ordinances, including a new future land use designation of Recreation Open Space (ROS).

A text amendment to Chapter 2 of the Land Development Regulations of the City Code (LDRs) was also proposed and included as part of the recommendation for the proposed re-zoning of the park property. The intent of this text amendment is to address the previous movement of applicable floor area within the Alton Gateway overlay.

ANALYSIS

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. The park, located at 701 Alton Road, is a municipal park, operated by the city for the benefit of the general public. On August 23, 2022, 82% of the City's voters voted to name the park as "Canopy Park."

Canopy Park is currently classified on the city zoning map and future land use map as CD-2 (Commercial, Medium Intensity), which is the zoning and future land use classification at the time of the original development agreement. The park is also located within the Alton Gateway overlay. Separate, companion ordinances are being proposed to change the zoning district for Canopy Park to GU (Government Use) and change the future land use classification to ROS (Recreation

and Open Space).

This subject ordinance, which is an amendment to Section 2.2.3.4 of the Land Development Regulations of the Code (LDRs) for unified development sites, would allow floor area to be distributed over multiple zoning districts, in accordance with the provisions of an applicable development agreement with the City. When the development agreement creating Canopy Park was approved, the entire overlay was located within the C-PS2, CD-2 and RM-2 zoning districts. Since the maximum FAR (2.0) was the same for a residential use in all three districts, all the available floor area from the portion of the site that is now a public park was moved to other parts of the site to accommodate the new residential tower and the proposed detached retail structure.

The amendment set forth in the attached ordinance will address the distribution of floor area for properties that are subject to the terms a development agreement with the City. This is a companion text amendment to the proposed change in zoning classification and the future land use designation of Canopy Park, which are being considered as separate ordinances.

PLANNING BOARD REVIEW

On September 24, 2024, the Planning Board held a public hearing and transmitted the proposed ordinance to the City Commission with a favorable recommendation (7-0).

UPDATE

The subject ordinance was approved by the City Commission at First Reading on November 20, 2024, with no changes.

FISCAL IMPACT STATEMENT

No Fiscal Impact Expected

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

If applicable, the Business Impact Estimate (BIE) was published on: 11/5/2024.
See BIE at: <https://www.miamibeachfl.gov/city-hall/city-clerk/meeting-notice/>

FINANCIAL INFORMATION

Not Applicable

CONCLUSION

The Administration recommends that the City Commission adopt the subject ordinance.

Applicable Area

Citywide

**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

9:20 a.m. 2nd Rdg, Unified Development Site - LDR Text Amendment. (Bhatt) PL 5/7