

C4 K REFERRAL TO THE PLANNING BOARD - ORDINANCE AMENDING THE
COMPREHENSIVE PLAN TO CHANGE THE FUTURE LAND USE
CLASSIFICATION OF PRIDE PARK.

Applicable Area:

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission

FROM: Eric Carpenter, City Manager

DATE: October 30, 2024

TITLE: REFERRAL TO THE PLANNING BOARD - ORDINANCE AMENDING THE COMPREHENSIVE PLAN TO CHANGE THE FUTURE LAND USE CLASSIFICATION OF PRIDE PARK.

RECOMMENDATION

The Administration recommends that the Mayor and City Commission (City Commission) refer the attached draft ordinance to the Planning Board.

BACKGROUND/HISTORY

On March 13, 2024, at the request of Commissioner Alex Fernandez, the City Commission referred a proposal to modify the future land use classification of Pride Park (C4 M) to the Land Use and Sustainability Committee (LUSC). On May 1, 2024, the item was deferred to a future LUSC date, with no discussion. On September 5, 2024, the LUSC discussed the proposal and recommended that the City Commission refer an ordinance to the Planning Board.

ANALYSIS

Pride Park is currently classified as Public Facilities - Convention Center Facilities (PF-CCC) on the City's Future Land Use Map (FLUM). The purpose of this designation is to provide development opportunities for facilities necessary to support the convention center.

Although open space, the area of Pride Park remains under the Civic and Convention Center (CCC) zoning classification, which allows the land area to be utilized for purposes of establishing a larger unified site that includes City Hall, the Convention Center and future hotel, the Holocaust Memorial and the Botanical Gardens. The benefits of having a larger overall site include the potential future expansion of the convention center, as well as the ability to meet minimum off-street parking requirements within the public garages on the larger site. For example, as a single development site, the minimum parking requirement for adjacent facilities may be satisfied within those garages and parking facilities located in the CCC district, due to inclusion within the larger unified site.

The attached draft ordinance creates a new future land use category of "Recreation and Open Space - Civic and Convention Center (ROS-CCC)," which would be specific to Pride Park. This new category would be similar to the Recreation and Open Space (ROS) FLUM category, and require that Pride Park remain as open, park space. It would also be consistent with the underlying zoning designation of CCC, and allow for a continued, unified site.

APPLICATION FEE WAIVER

The subject amendment is proposed on a comprehensive 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.

Should this proposal be referred to the Planning Board, the Administration recommends that the City Commission determine that the proposed amendment is necessary based on circumstances unique to the proposed amendment and waive the applicable fees.

FISCAL IMPACT STATEMENT

No Fiscal Impact

Does this Ordinance require a Business Impact Estimate? No
(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-notice/>

FINANCIAL INFORMATION

Not Applicable

CONCLUSION

The Administration recommends the following:

1. The City Commission refer the attached draft ordinance to the Planning Board.
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

South 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 Alex Fernandez

Co-sponsor(s)

Condensed Title

Ref: PB - Amend Comprehensive Plan, Change Future Land Use Classification of Pride Park.
(Fernandez) PL

Pride Park - Comprehensive Plan FLUM Amendment

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN PURSUANT TO SECTION 2.4.1 OF THE LAND DEVELOPMENT REGULATIONS, BY AMENDING THE “RESILIENT LAND USE & DEVELOPMENT ELEMENT,” GOAL RLU 1, ENTITLED “LAND USE,” OBJECTIVE RLU 1.1, ENTITLED “ESTABLISHMENT OF FUTURE LAND USE CATEGORIES” AT TABLE RLU 1.1, AND BY CREATING POLICY RLU 1.1.18.b ENTITLED “RECREATION AND OPEN SPACE - CIVIC AND CONVENTION CENTER (ROS-CCC); AND PURSUANT TO FLORIDA STATUTES, SECTIONS 163.3181 AND SECTION 163.3187, AMENDING THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN BY CHANGING THE FUTURE LAND USE DESIGNATION FOR A PARCEL OF LAND LOCATED AT PRIDE PARK, WHICH IS COMPRISED OF LESS THAN 10 ACRES, FROM THE CURRENT DESIGNATION OF “PUBLIC FACILITIES - CONVENTION CENTER FACILITIES (PF-CCC),” TO THE FUTURE LAND USE CATEGORY OF RECREATION AND OPEN SPACE - CIVIC AND CONVENTION CENTER (ROS-CCC); PROVIDING FOR INCLUSION IN THE COMPREHENSIVE PLAN; TRANSMITTAL; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.

WHEREAS, as part of the re-development of the Miami Beach Convention Center an approximately ____-acre public park was designed and constructed adjacent to the convention center; and

WHEREAS, the park, located at _____ Convention Center Drive, is a municipal park, operated by the City for the benefit of the general public; and

WHEREAS, On _____, ____% of the City’s electorate voted to name the park as “Pride Park.”; and

WHEREAS, the property is currently classified on the future land use map as Public Facilities - Convention Center Facilities (PF-CCC); and

WHEREAS, the subject ordinance will change the future land use classification to a newly created category of Recreation and Open Space - Civic and Convention Center (ROS-CCC); and

WHEREAS, Policy 1.1 of the Future Land Use Element partially states that the City shall “[c]ontinue to administer land development regulations (LDR) consistent with s.163.3202, Florida Statutes that shall contain specific and detailed provisions required to implement the adopted Comprehensive Plan and which as a minimum:...(2) Regulate the use of land and water consistent with this Element and ensure the compatibility of adjacent land uses and provide for open space;” and

WHEREAS, changing the comprehensive plan designation of the subject parcel, as provided herein, is necessary to ensure that the development of the site is consistent with the approved park use; and

WHEREAS, the City of Miami Beach has the authority to enact laws which promote the public health, safety, and general welfare of its citizens; and

WHEREAS, the amendment set forth below is necessary to accomplish all of the above objectives.

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

SECTION 1. The following amendments to the City’s 2040 Comprehensive Plan Resilient Land Use & Development Element are hereby adopted:

RESILIENT LAND USE & DEVELOPMENT ELEMENT

* * *

GOAL RLU 1: LAND USE

* * *

Objective RLU 1.1: Establishment of Future Land Use Categories

The City hereby adopts future land use map categories to provide for an efficient distribution and compatible pattern of land uses, and to maintain and enhance the character of the community.

Table RLU 1.1

The following table is a reference guide that depicts the policy number, and maximum densities and intensities for each future land use map (FLUM) category.

(* = Refer to policy for limits)

FLUM Category	Density Limits (Units Per Acre)	Intensity Limits (Floor Area Ratio)	Reference (Policy #)
*	*	*	
Public Facility: Convention Center Facilities (PF-CCC)	N/A	2.75	RLU 1.1.18.a
<u>Recreation and Open Space</u> Convention Center (ROS-CCC)	N/A	2.75	RLU 1.1.18.b

* * *

POLICY 1.1.18.a PUBLIC FACILITY: CONVENTION CENTER FACILITIES (PF-CCC)

Purpose: To provide development opportunities for existing convention center and facilities necessary to support the convention center.

Uses which may be permitted: Convention facilities.

Intensity Limits: Intensity may be limited by such set back, height, floor area ratio and/or other restrictions as the City Commission acting in a legislative capacity determines can effectuate the purpose of this land use category and otherwise implement complementary public policy. However, in no case shall the intensity exceed a floor area ratio of 2.75.

POLICY 1.1.18.b RECREATION AND OPEN SPACE - CIVIC AND CONVENTION CENTER (ROS-CCC)

Purpose: To provide development opportunities for existing and new recreation and open space facilities to support the convention center.

Uses which may be permitted: Recreation and open space facilities, and temporary uses related to events at the Miami Beach Convention Center.

Intensity Limits: Intensity may be limited by such set back, height, floor area ratio and/or other restrictions as the City Commission acting in a legislative capacity determines can effectuate the purpose of this land use category and otherwise implement complementary public policy. However, in no case shall the intensity exceed a floor area ratio of 2.75. The allowable intensity from any parcel designated ROS-CCC can be utilized in any parcel designated PF-CCC.

SECTION 2. COMPREHENSIVE PLAN FUTURE LAND USE MAP AMENDMENT

The following amendment to the City of Miami Beach 2040 Comprehensive Plan, Future Land Use Map designation for the property described herein is hereby approved and adopted and the Planning Director is hereby directed to make the appropriate change to the City of Miami Beach 2040 Comprehensive Plan, Future Land Use Map:

A parcel of land generally located at _____ (Miami-Dade County Folio _____), of approximately _____ square feet (_____ acres), as depicted in Exhibit "A," from the current "Public Facilities - Convention Center Facilities (PF-CCC)" designation to the proposed designation of "Recreation and Open Space - Civic and Convention Center (ROS-CCC)."

SECTION 3. REPEALER

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

SECTION 4. SEVERABILITY

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

SECTION 5. INCLUSION IN COMPREHENSIVE PLAN

It is the intention of the City Commission that the Comprehensive Plan's Future Land Use Map be amended in accordance with the provisions of this Ordinance.

SECTION 5. TRANSMITTAL.

The Planning Director is hereby directed to transmit this ordinance to the appropriate state, regional, and county agencies as required by applicable law.

SECTION 6. EFFECTIVE DATE.

EXHIBIT A