

R5 J CANOPY PARK - COMPREHENSIVE PLAN FLUM AMENDMENT

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN BY CHANGING THE FUTURE LAND USE CATEGORY PURSUANT TO SECTION 2.4.1 OF THE LAND DEVELOPMENT REGULATIONS, AND PURSUANT TO FLORIDA STATUTES, SECTIONS 163.3181 AND SECTION 163.3187, BY CHANGING THE FUTURE LAND USE DESIGNATION FOR A PARCEL OF LAND LOCATED AT 701 WEST AVENUE, AND WHICH IS COMPRISED OF LESS THAN 10 ACRES, FROM THE CURRENT DESIGNATION OF CD-2, "COMMERCIAL, MEDIUM INTENSITY", TO THE FUTURE LAND USE CATEGORY OF ROS, "RECREATION AND OPEN SPACE;" PROVIDING FOR INCLUSION IN THE COMPREHENSIVE PLAN; TRANSMITTAL; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.

Applicable Area:

# MIAMI BEACH

## COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission

FROM: Eric Carpenter, City Manager

DATE: November 20, 2024 10:10 a.m. First Reading Public Hearing

TITLE: CANOPY PARK - COMPREHENSIVE PLAN FLUM AMENDMENT  
AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN BY CHANGING THE FUTURE LAND USE CATEGORY PURSUANT TO SECTION 2.4.1 OF THE LAND DEVELOPMENT REGULATIONS, AND PURSUANT TO FLORIDA STATUTES, SECTIONS 163.3181 AND SECTION 163.3187, BY CHANGING THE FUTURE LAND USE DESIGNATION FOR A PARCEL OF LAND LOCATED AT 701 WEST AVENUE, AND WHICH IS COMPRISED OF LESS THAN 10 ACRES, FROM THE CURRENT DESIGNATION OF CD-2, "COMMERCIAL, MEDIUM INTENSITY", TO THE FUTURE LAND USE CATEGORY OF ROS, "RECREATION AND OPEN SPACE;" PROVIDING FOR INCLUSION IN THE COMPREHENSIVE PLAN; TRANSMITTAL; 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 January 2025.

### **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).

### **ANALYSIS**

As part of the Development Agreement for the 500 Alton Road project (Five Park), 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 public. On August 23, 2022, 82% of the City's electorate 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.

When the Canopy Park parcel became city owned, the zoning for the property changed to Government Use (GU). In this regard, section 7.2.1.1.b of the LDRs specifies that all city-owned properties are zoned GU, although they may not be designated as such on the zoning map:

2. *GU properties. Except as otherwise provided in section 7.2.16, all city-owned properties are zoned GU although they may not be designated on the map.*

A separate, companion ordinance would formally amend the zoning map, and re-zone Canopy Park as GU.

The future land use designation of the Canopy Park site is also still commercial, medium intensity and did not automatically convert to another future land use classification. In this regard, the proposed ordinance would re-classify the future land use designation of the park to “Recreation and Open Space Including Waterways (ROS).” The ROS future land use designation in the 2024 Comprehensive Plan provides for the following:

#### ***POLICY RLU 1.1.19 RECREATION AND OPEN SPACE INCLUDING WATERWAYS (ROS)***

*Purpose: To provide development opportunities for existing and new recreation and open space facilities, including waterways.*

*Uses which may be permitted: Recreation and open space facilities, including waterways.*

*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 0.5.*

*Undesignated Fisher Island Lots: Fisher Island lots that are not otherwise designated are hereby designated Recreation and Open Space.*

The proposed Future Land Use Map (FLUM) amendment is required to be processed concurrently with the companion Zoning Map amendment, as they are interrelated; however, separate motions must be made for each ordinance.

#### **COMPREHENSIVE PLAN AMENDMENT AND REVIEW PROCESS**

The total land area involved in this application is 3.0 acres (130,683 square feet). Under Section 163.3187 F.S., land use map amendments of less than 10 acres in size may be considered “small-scale” amendments, which require only one public hearing before the City Commission, which shall be an adoption hearing. Upon adoption, the local government shall send a copy of the adopted small-scale amendment to the State Land Planning Agency so that the Agency can maintain a complete and up-to-date copy of the City’s Comprehensive Plan.

#### **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).

#### **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: 11/5/2024.  
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 January 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**

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 Tanya K. Bhatt

**Co-sponsor(s)**

**Condensed Title**

10:10 a.m. 1<sup>st</sup> Rdg PH, Canopy Park - Comprehensive Plan FLUM Amendment. (Bhatt) PL

## Canopy Park - Comprehensive Plan FLUM Amendment

**AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN BY CHANGING THE FUTURE LAND USE MAP PURSUANT TO SECTION 2.4.1 OF THE LAND DEVELOPMENT REGULATIONS, AND PURSUANT TO SECTIONS 163.3181 AND SECTION 163.3187, FLORIDA STATUTES, BY CHANGING THE FUTURE LAND USE DESIGNATION FOR A PARCEL OF LAND LOCATED AT 701 WEST AVENUE, AND WHICH IS COMPRISED OF LESS THAN 10 ACRES, FROM THE CURRENT DESIGNATION OF CD-2, "COMMERCIAL, MEDIUM INTENSITY," TO THE FUTURE LAND USE CATEGORY OF ROS, "RECREATION AND OPEN SPACE"; PROVIDING FOR INCLUSION IN THE COMPREHENSIVE PLAN, TRANSMITTAL, 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 future land use map as CD-2 (commercial, medium intensity), which was the future land use classification at the time of the original Development Agreement; and

**WHEREAS**, this Ordinance changes the future land use classification of Canopy Park to ROS, Recreation and Open Space; and

**WHEREAS**, Policy 1.1 of the Future Land Use Element of the Comprehensive Plan, in pertinent part, 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) [r]egulate 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 any future use 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. 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 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 ROS, "Recreation and Open Space."

**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. 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.**

This Ordinance shall take effect 10 days after adoption.

**PASSED AND ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2024.

ATTEST:

\_\_\_\_\_  
Rafael E. Granado, City Clerk

\_\_\_\_\_  
Steven Meiner, Mayor

First Reading: November 20, 2024  
Second Reading: January \_\_, 2025

APPROVED AS TO  
FORM AND LANGUAGE  
AND FOR EXECUTION

Verified by: \_\_\_\_\_  
Thomas R. Mooney, AICP  
Planning Director

  
\_\_\_\_\_  
City Attorney NK

11/21/2024  
Date

## EXHIBIT A

(Legal Description)

LAND DESCRIPTION: (PARK)

A PORTION OF LOTS 1 THROUGH 14, INCLUSIVE, AND A PORTION OF LOTS 23 THROUGH 32, INCLUSIVE, BLOCK 2, "AMENDED PLAT FLEETWOOD SUBDIVISION", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 28 AT PAGE 34, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHEAST CORNER OF SAID LOT 1;

THENCE SOUTH 89°37'30" WEST ALONG THE SOUTH LINE OF SAID LOT 1, A DISTANCE OF 111.13 FEET TO A POINT ON A TANGENT CURVE CONCAVE TO THE NORTHEAST;

THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 15.00 FEET, A CENTRAL ANGLE OF 73°36'39" AND AN ARC DISTANCE OF 19.27 FEET;

THENCE NORTH 16°45'51" WEST, A DISTANCE OF 51.32 FEET;

THENCE NORTH 11°41'42" WEST, A DISTANCE OF 50.99 FEET;

THENCE NORTH 00°22'51" WEST ALONG THE WEST LINE OF SAID BLOCK 2, A DISTANCE OF 250.00 FEET;

THENCE NORTH 89°37'30" EAST ALONG THE NORTH LINE OF SAID LOT 7, A DISTANCE OF 10.00 FEET;

THENCE NORTH 00°22'51" WEST ALONG A LINE 10 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF SAID BLOCK 2, A DISTANCE OF 350.00 FEET;

THENCE NORTH 89°37'00" EAST ALONG THE NORTH LINE OF SAID LOT 14, A DISTANCE OF 140.00 FEET;

THENCE SOUTH 00°22'51" EAST ALONG THE EAST LINE OF SAID LOTS 14 THROUGH 11, A DISTANCE OF 200.00 FEET;

THENCE NORTH 89°37'30" EAST ALONG THE NORTH LINE OF SAID LOT 23, A DISTANCE OF 170.00 FEET;

THENCE SOUTH 00°22'51" EAST ALONG THE EAST LINE OF SAID BLOCK 2, A DISTANCE OF 495.00 FEET TO A POINT ON A TANGENT CURVE CONCAVE TO THE NORTHWEST;

THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 15.00 FEET, A CENTRAL ANGLE OF 90°00'21" AND AN ARC DISTANCE OF 23.56 FEET;

THENCE SOUTH 89°37'30" WEST ALONG THE SOUTH LINE OF SAID LOT 32, A DISTANCE OF 155.00 FEET TO THE POINT OF BEGINNING.

LESS: (FLORIDIAN PARKING)

A PORTION OF LOTS 11, 12, 13 AND 14, BLOCK 2, "AMENDED PLAT FLEETWOOD SUBDIVISION", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 28 AT PAGE 34, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHEAST CORNER OF SAID LOT 14;

THENCE SOUTH 00°22'51" EAST ALONG THE EAST LINE OF SAID LOTS 11, 12, 13 AND 14, A DISTANCE OF 176.36 FEET;

THENCE SOUTH 89°37'30" WEST, A DISTANCE OF 15.61 FEET;

THENCE SOUTH 00°22'51" EAST, A DISTANCE OF 23.64 FEET;

THENCE SOUTH 89°37'30" WEST, A DISTANCE OF 81.57 FEET;

THENCE NORTH 00°22'51" WEST, A DISTANCE OF 17.55 FEET;

THENCE SOUTH 89°37'30" WEST, A DISTANCE OF 23.62 FEET;

THENCE NORTH 00°22'51" WEST, A DISTANCE OF 110.22 FEET;

THENCE NORTH 89°37'30" EAST, A DISTANCE OF 1.91 FEET;

THENCE NORTH 00°22'51" WEST, A DISTANCE OF 19.84 FEET;

THENCE SOUTH 89°37'30" WEST, A DISTANCE OF 4.90 FEET;

THENCE NORTH 00°22'51" WEST, A DISTANCE OF 3.43 FEET;

THENCE SOUTH 89°37'30" WEST, A DISTANCE OF 8.01 FEET;

THENCE NORTH 00°22'51" WEST, A DISTANCE OF 48.95 FEET;

THENCE NORTH 89°37'30" EAST ALONG THE NORTH LINE OF SAID LOT 14, A DISTANCE OF 131.80 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE, LYING AND BEING IN MIAMI-DADE COUNTY, FLORIDA.

ALSO LESS: (BLOCK 600 DEVELOPMENT SITE)

LOTS 29 THROUGH 32, INCLUSIVE, LESS THE WEST 9.40 FEET THEREOF, BLOCK 2, "AMENDED PLAT FLEETWOOD SUBDIVISION", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 28 AT PAGE 34, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SAID LOT 32;

THENCE NORTH 89°37'30" EAST ALONG THE SOUTH LINE OF SAID LOT 32, A DISTANCE OF 9.40 FEET TO THE POINT OF BEGINNING;

THENCE NORTH 00°22'51" WEST ALONG A LINE 9.40 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF SAID LOTS 29 THROUGH 32, A DISTANCE OF 210.00 FEET;

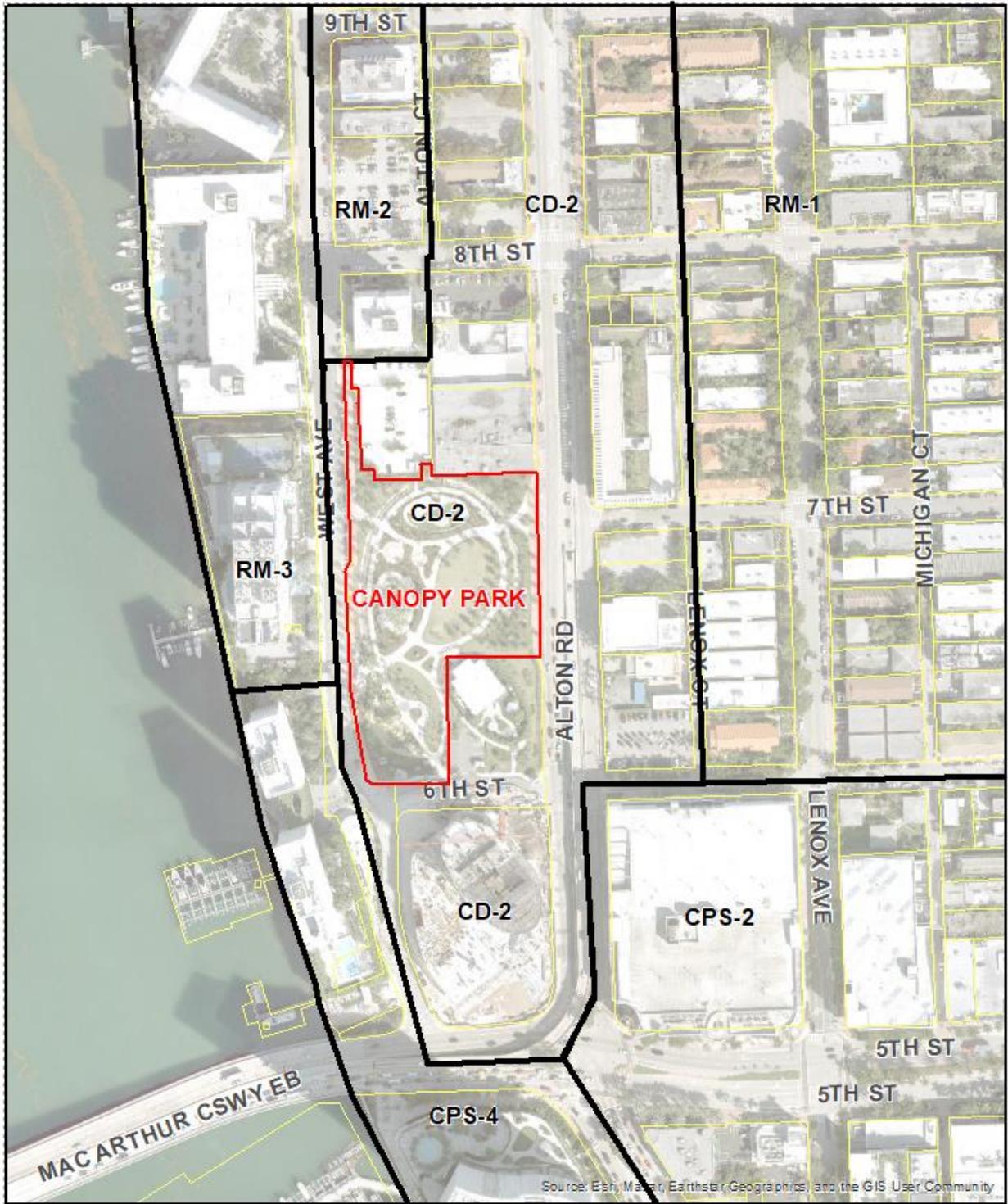
THENCE NORTH  $89^{\circ}37'30''$  EAST ALONG THE NORTH LINE OF SAID LOT 29, A DISTANCE OF 160.60 FEET;

THENCE SOUTH  $00^{\circ}22'51''$  EAST ALONG THE EAST LINE OF SAID LOTS 29 THROUGH 32, A DISTANCE OF 195.00 FEET TO A POINT ON A TANGENT CURVE CONCAVE TO THE NORTHWEST;

THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 15.00 FEET, A CENTRAL ANGLE OF  $90^{\circ}00'21''$  AND AN ARC DISTANCE OF 23.56 FEET;

THENCE SOUTH  $89^{\circ}37'30''$  WEST ALONG THE SOUTH LINE OF SAID LOT 32, A DISTANCE OF 145.60 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE, LYING AND BEING IN MIAMI-DADE COUNTY, FLORIDA.



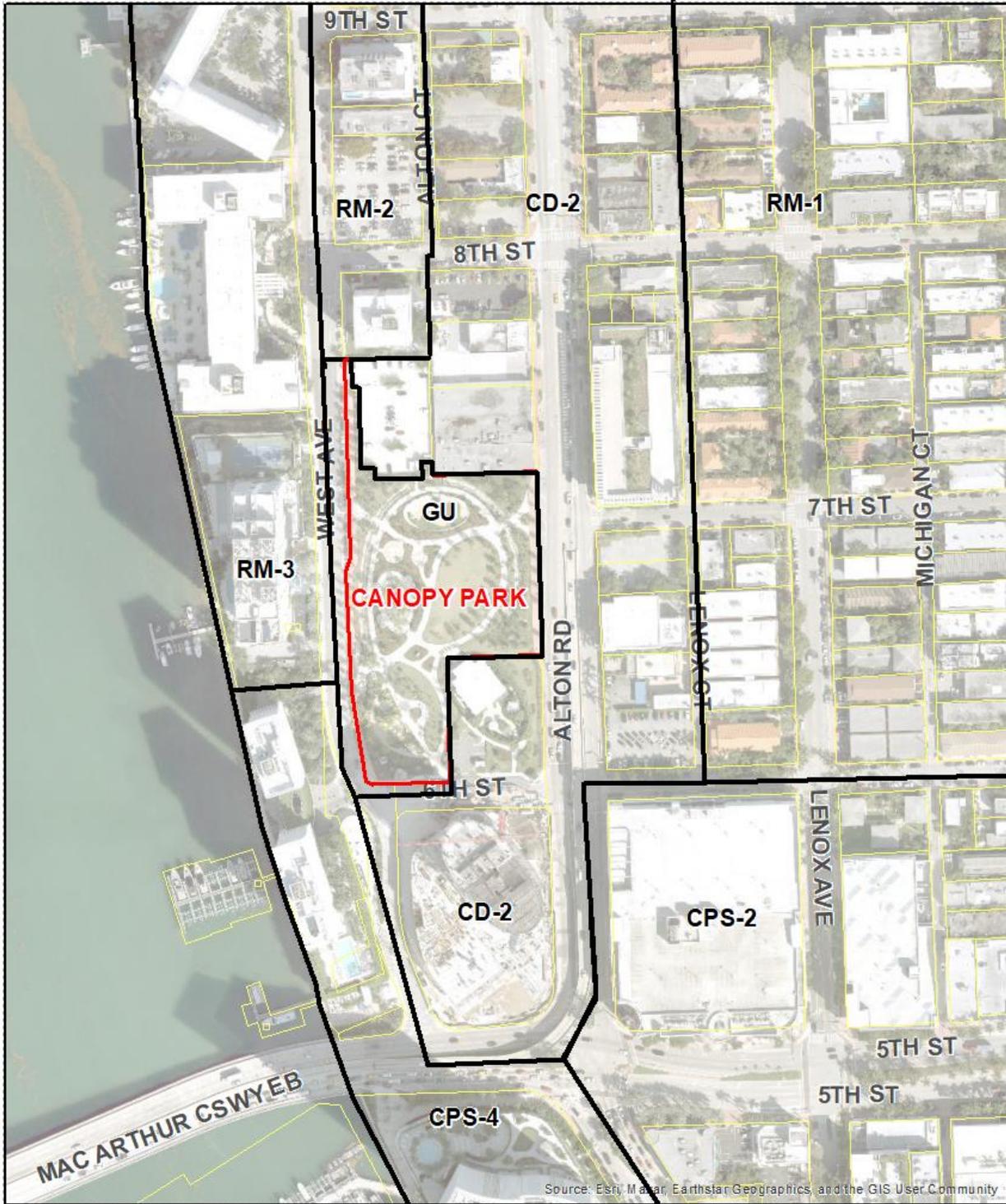
Source: Esri, Mapbox, Earthstar, Geographics, and the GIS User Community

**MIAMI BEACH**  
PLANNING DEPARTMENT

**ZONING MAP / FUTURE  
LAND USE MAP (EXISTING)**



1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139 P 305.673.7550 [www.miamibeachfl.gov](http://www.miamibeachfl.gov)

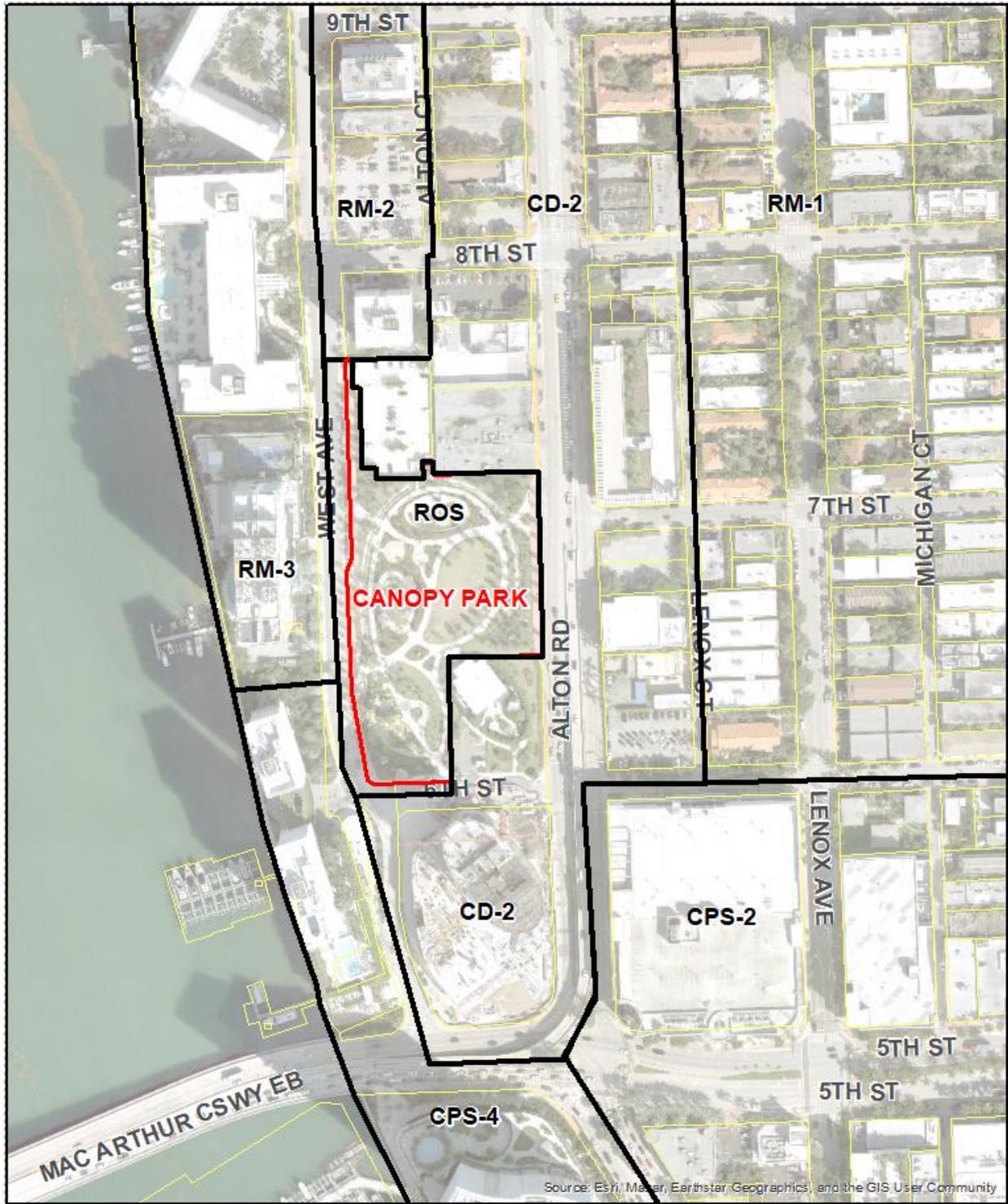


**MIAMI BEACH**  
**PLANNING DEPARTMENT**

1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139 P 305.673.7550 [www.miamibeachfl.gov](http://www.miamibeachfl.gov)

**ZONING MAP**  
**(PROPOSED)**





**MIAMIBEACH**  
 PLANNING DEPARTMENT

**FUTURE LAND USE MAP  
 (PROPOSED)**



1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139 P 305.673.7550 [www.miamibeachfl.gov](http://www.miamibeachfl.gov)

# Reshaping Doral: The impact of 10 proposed charter amendments on the 2024 ballot

BY VERÓNICA EGUI BRITO  
vegui@elnuevoherald.com

In the politically charged atmosphere of Doral, voters are being asked not just to elect three out of five council members in the Nov. 5 election, but also to decide on several key amendments to the city's charter.

One of the most significant proposals, Amendment 8, could drastically change how council members are elected by eliminating runoff elections.

Currently, Doral's charter mandates a runoff election if no candidate secures more than 50% of the total votes. The amendment seeks to eliminate runoff elections, except in the case of a tie, and instead elect the candidates that receive the most votes, regardless of whether they achieve an outright majority. If passed, critics worry about the prospect of reduced representation, as candidates could win with less than half of the voters' support.

Jose Smith, a former city attorney for Miami Beach and North Miami Beach, and currently a special magistrate for North Miami, says eliminating runoff elections could increase the risk of electoral corruption. He said the change may lead to the rise of "ghost" candidates — those whose names appear on the ballot but aren't actively campaigning, with the goal of diverting votes away from a

legitimate candidate to influence the outcome of the election.

"Democracy is fundamentally based on majority rule. While it may not be illegal to eliminate runoff elections, elected officials should govern with a majority vote from their constituents," Smith said. "The recent Frank Artilles case illustrates this concern, where ghost candidates can fragment the vote and mislead voters".

Recently, former Florida Sen. Frank Artilles was found guilty of campaign finance violations. The case involved political

operatives and a "ghost candidate" who likely influenced a close election, part of a plan to help state Senate Republicans win District 37 seat in 2020.

Ivette Gonzalez Petkovich, one of the five members of the city's Charter Review Committee who voted in favor of putting the amendment on the ballot, said her focus was on voter representation — specifically, how many people actually participate in these elections.

She shared her experi-

SEE DORAL, 6N7

## MIAMI-DADE COUNTY PUBLIC HEARING

MIAMI-DADE COUNTY COMMUNITY ZONING APPEALS BOARD 10 will hold a Public Hearing on the following zoning applications on **October 28, 2024, at 6:30p.m.** at **Kendall Village Center, Civic Pavilion, 8625 SW 124 Avenue, Miami, FL.**

### THIS IS AN IN-PERSON MEETING

#### I. Sunset Review

**APPLICANT: FREIRE'S GROUP APD CARE, LLC. / KERLY BASULTO Z2024000006**

The applicant seeks to permit a group home to be spaced less than required by code from another existing group home.

SPECIAL EXCEPTION to permit a proposed group home to be spaced 950' (1,000' required) from an existing group home.

A spacing survey is on file and may be examined in the Department of Regulatory and Economic Resources, entitled "Radial Sketch" as prepared by Landmark Surveying & Associates, dated stamped received January 22, 2024, and consisting of 1 (one) sheet.

**LOCATION:** 2425 SW 115 Avenue, Miami-Dade County, Florida

**SIZE OF PROPERTY:** 0.42 Acre

This is an in-person meeting. Interested parties may appear in person to participate. For inquiries regarding virtual access, please call (786) 414-2600, e-mail [ZONINGmeetings@miamidade.gov](mailto:ZONINGmeetings@miamidade.gov), or visit our website at <https://www.miamidade.gov/zoning/community-council-10.asp>

For legal ads online, go to <http://legalads.miamidade.gov>

## CITY OF MIAMI BEACH NOTICE OF PUBLIC HEARING

### CANOPY PARK - COMPREHENSIVE PLAN FLUM AMENDMENT ORDINANCE AMENDING THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN BY CHANGING THE FUTURE LAND USE CATEGORY AND DESIGNATION FOR A PARCEL OF LAND LOCATED AT 701 WEST AVENUE, WHICH IS COMPRISED OF LESS THAN 10 ACRES, FROM THE CURRENT DESIGNATION OF CD-2, "COMMERCIAL, MEDIUM INTENSITY", TO THE FUTURE LAND USE CATEGORY OF ROS, "RECREATION AND OPEN SPACE"

### NOVEMBER 20, 2024 CITY COMMISSION MEETING

NOTICE IS HEREBY GIVEN that on **November 20, 2024, at 10:10 a.m.**, or as soon thereafter as the matter can be heard, the Mayor and City Commissioners of the City of Miami Beach will hold a **First Reading/Public Hearing** on the following proposed Ordinance:

#### CANOPY PARK - COMPREHENSIVE PLAN FLUM AMENDMENT

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN BY CHANGING THE FUTURE LAND USE CATEGORY PURSUANT TO SECTION 2.4.1 OF THE LAND DEVELOPMENT REGULATIONS, AND PURSUANT TO FLORIDA STATUTES, SECTIONS 163.3181 AND SECTION 163.3187, BY CHANGING THE FUTURE LAND USE DESIGNATION FOR A PARCEL OF LAND LOCATED AT 701 WEST AVENUE, AND WHICH IS COMPRISED OF LESS THAN 10 ACRES, FROM THE CURRENT DESIGNATION OF CD-2, "COMMERCIAL, MEDIUM INTENSITY", TO THE FUTURE LAND USE CATEGORY OF ROS, "RECREATION AND OPEN SPACE;" PROVIDING FOR INCLUSION IN THE COMPREHENSIVE PLAN; TRANSMITTAL; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE. *This Ordinance is being heard pursuant to Chapter 2, Article IV of the Resiliency Code. Inquiries may be directed to the Planning Department at 305.673.7550.*

During the **November 20, 2024, Commission Meeting**, the City of Miami Beach will host a Hybrid Commission Meeting. During the Hybrid Commission Meeting, the City Commission will be physically present in the **Commission Chamber, located at 1700 Convention Center Drive, 3<sup>rd</sup> Floor, Miami Beach, Florida 33139.**

Members of the public who wish to attend this Commission Meeting or provide public comment in person may appear at the Commission Chamber. Applicants and members of the public who wish to participate or provide comment virtually during the Commission Meeting may join the webinar at: <https://miamibeachfl.gov/zoom-us/j/81392857671> or via telephone at: 1.305.224.1968 (U.S.) or 888.475.4499 (Toll-Free). Webinar ID: 81392857671#. Members of the public wanting to speak virtually on an Item during the meeting must click the "raise hand" icon if using the Zoom app or press \*9 on the telephone to raise their hand.

INTERESTED PARTIES are invited to take part in this meeting or be represented by an agent. The public may submit written comments on Commission Meeting Items by either submitting an eComment through the agenda page at <https://www.miamibeachfl.gov/city-hall/city-clerk/agenda> and clicking the comment bubble icon in the "Current and Upcoming Meetings" section or by emailing [CityClerk@miamibeachfl.gov](mailto:CityClerk@miamibeachfl.gov) with the Agenda Item Number in the subject line. Comments received, in either format, will be accepted until 5:00 p.m. the day before the meeting. All submissions will be forwarded to the Mayor and Commissioners and included in the meeting record.

Copies of Agenda Items are available for public inspection at: <https://www.miamibeachfl.gov/city-hall/city-clerk/agenda>. This meeting, or any item therein, may be continued, and under such circumstances, additional legal notice need not be provided.

Pursuant to Section 286.0105, Fla. Stat., the City hereby advises the public that if a person decides to appeal any decision made by the City Commission concerning any matter considered at its meeting or its hearing, such person must ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. This notice does not constitute consent by the City for the introduction or admission of otherwise inadmissible or irrelevant evidence, nor does it authorize challenges or appeals not otherwise allowed by law.

To request this material in an alternate format, a sign language interpreter (five-day notice required), information on access for persons with disabilities, and/or any accommodation to review any document or participate in any City-sponsored proceedings, call 305.604.2ADA (2232) and select 1 for English or 2 for Spanish; TTY users may call via 711 (Florida Relay Service).

The City Commission Meeting will be broadcast live on Miami Beach TV (MBTV), viewable on the City's website at <https://www.miamibeachfl.gov/government/mbtv/>, as well as on Breezeline Cable channel 660 or 2004 (HD), AT&T U-verse channel 99, Hotwire Communications channel 395, and Roku device on PEG-TV channel, and on social media at <https://www.facebook.com/cityofmiamibeach>.

To review the *Business Impact Estimates* for the above proposed Ordinance, please visit <https://www.miamibeachfl.gov/city-hall/city-clerk/meeting-notices/>.

#### **Parking**

Meeting attendees can park at the City Hall Garage, 1755 Meridian Avenue, Miami Beach, FL 33139.

Rafael E. Granado, City Clerk  
City of Miami Beach  
[CityClerk@miamibeachfl.gov](mailto:CityClerk@miamibeachfl.gov)  
305.673.7411

MIAMIBEACH

AD: 11202024-01