MIAMIBEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission
FROM: Commissioner Alex Fernandez
DATE: February 21, 2024

SUBJECT: REFERRAL TO THE LAND USE AND SUSTAINABILITY COMMITTEE AND FINANCE AND ECONOMIC RESILIENCY COMMITTEE - DISCUSS RETAINING A CONSULTANT TO CONDUCT AN INTENSITY AND DENSITY CAPACITY ANALYSIS, INCLUDING ANALYSIS AND RECOMMENDATIONS FOR INDIVIDUAL ZONING DISTRICTS.

RECOMMENDATION

In 2008, the City commissioned a Major Project Impact Analysis and Mitigation Study Policy Memorandum in order to assist the City in "developing a comprehensive planning and regulatory system to evaluate the impacts and then appropriately mitigate Major Development Projects, or 'MDPs' (commercial and mixed-use projects of 50,000 square feet in size or greater)." The Policy Memorandum, issued in July 2008 and prepared by Clarion Associates, is attached to this memorandum as Exhibit A. The Policy Memorandum includes an analysis, by zoning district, of built vs. available FAR and density. The analysis also included data on residential vs. nonresidential development.

I would like the City Commission to refer an item to the Land Use and Sustainability Committee ("LUSC") to consider retaining a consultant to conduct an intensity and density capacity analysis, including a close review of individual zoning districts. The 2008 Policy Memorandum can serve as a starting point, or provide a framework, for this analysis. Any new study should update the data in the 2008 Policy Memorandum. For zoning districts that have limited capacity or no additional capacity for development, the City should consider how to mitigate impacts of development on residents' quality of life.

Given that this will have a fiscal impact, I am also requesting that the City Commission refer this matter to the Finance and Economic Resiliency Committee, either as an amendment to the FY 2024 budget or as part of the FY 2025 budget process.

SUPPORTING SURVEY DATA

.

FINANCIAL INFORMATION

.

Applicable Area

Citywide

Is this a "Residents Right to Know" item, pursuant to City Code Section 2-14?	**Does this item utilize G.O. Bond Funds?**
Yes	No

Legislative Tracking

Commissioner Alex Fernandez

ATTACHMENTS:

	Description
🗋	Final Growth Management Report

MIAMIBEACH

Major Project Impact Analysis & Mitigation

POLICY MEMORANDUM

July 2008

CLARION ASSOCIATES
1526 East Franklin Street
Suite 102
Chapel Hill, NC 27516
919.967.9188
www.clarionassociates.com
In association with
TischlerBise
Glatting Jackson

TABLE OF CONTENTS

PART I: INTRODUCTION 3

A. Context 3
B. Project Description 3
C. Structure Of Policy Options Memorandum 4
D. Part Two: Implementation 4

PART II: PROJECT GOALS 5

A. Overarching Goal 5
B. Off-Street Parking Goal 5
C. Public Transportation Goal 5
D. Transportation (Roads) Goal 6
E. Public Parks and Open Space Goal 6
F. Public School Goal 6
G. Neighborhood Context and Compatibility Goal 6
H. Costs of Growth Goal 6
I. Review Procedure Goal 6
J. Workforce Housing Goal 7

PART III: EXISTING CONDITIONS 8

A. General Context 8
B. Planning Context 8
C. Growth and Development Trends 10
D. Off-Street Parking 12
E. Public Transportation 12
F. Roads 13
G. Public Parks and Open Space 14
H. Public Schools 15
I. Neighborhood Context and Compatibility 16
J. Workforce Housing 17
K. Sustainability Concepts 18
L. Growth Management Initiatives Over the Past Decade 18
M. Land Development Regulation Amendments 19

PART IV: OPTIONS 21

A. Regulatory Options 21
B. Planning and Programmatic Options 40
C. Funding Options 42

PART V: RECOMMENDATIONS 44

A. Regulatory Amendments – the Conditional Use Procedure for MDPs 44
B. Planning and Programmatic Initiatives 47
C. Funding 48

PART VI: APPENDIX 50

EXECUTIVE SUMMARY

During its consideration of growth management issues of the last few years, the City Commission has identified the need to take a more comprehensive approach to managing the city's growth and development, including new major development projects. This Major Development Project Impact Analysis and Mitigation Study Policy Memorandum is intended to assist the city in developing a comprehensive planning and regulatory system to evaluate the impacts and then appropriately mitigate Major Development Projects, or "MDPs" (commercial and mixed-use projects of 50,000 square feet in size or greater). The memorandum proposes a series of options and recommendations for the city's consideration, and includes 5 major sections:

- Part I: Introduction
- Part II: Project Goals
- Part III: Existing Conditions
- Part IV: Options
- Part V: Recommendations

Background

The report is one of the elements of the city's efforts to manage growth and protect citizens' quality of life. The report examines recent trends in the city's growth through an analysis of existing conditions, demographics, and city policies. The report also explores the city's development potential based on the future land use map and zoning designations. The amount of new development that could be accommodated is significant. Based on existing zoning, the city is able to accommodate an additional **7,827 dwelling units**, and an additional **8,000,000 square feet of nonresidential development**. Given recent trends, much of this new development could be in the form of major development projects (MDPs).

One of the first steps in this project was the identification of the key impacts on the city likely to result from new MDPs. The Planning Board identified a series of eight impact areas and associated project goals in January of 2007. The key impact areas include aspects such as parking, traffic congestion, neighborhood compatibility, open space protection, and several others (See Part II of the memorandum for more details.).

The project goals, along with the results of the existing conditions analysis, serve as the basis for the range of policy and regulatory options proposed for the city's consideration in Part IV of the memorandum. The policy and regulatory options take three primary forms: regulatory approaches, planning and programmatic options, and funding alternatives. Part IV of this policy memorandum makes a series of recommendations on the policy and regulatory options.

Recommendations

1. Revisions to the current regulatory approach to the review and approval of new MDPs, including:
   - A new major development project review process;
   - Application of MDP process requirements in all zoning districts;
   - Revision of the current MDP definition;
   - Incorporation of new design and compatibility standards;
   - New incentives for sustainable development;
   - Flexible parking standards;

- Pedestrian circulation requirements;
- New employer-sponsored transportation demand management programs;
- New requirements for localized transportation impact analysis;
- Use of mitigation fees for local improvements; and
- Consideration of new workforce housing provision incentives or requirements.

2. Continued utilization of several planning and programmatic approaches to growth concerns, such as:
   - Continued efforts on the city initiative for local transit circulators;
   - Incorporation of on- and off-island park and ride facilities;
   - Continued implementation of public parking structure programs; and
   - Exploration of Intelligent Transportation Systems (ITS).

3. A series of new funding mechanisms, including:
   - Broadening the scope of the in-lieu parking fee;
   - Utilization of a transportation impact fee to help fund transit and support alternative modes of transportation;
   - Consider an impact fee for park/open space acquisition;
   - Recalibration of water and sewer fees; and
   - Consideration of voluntary proffers for supplementary school programs.

Next Steps

The next step in the process is consideration of the various recommendations by the City Commission, and direction regarding the preferred alternatives. Implementation of the preferred recommendations could take the form of LDR amendments, comprehensive plan amendments, or other city programs. Phase II of this project deals with implementation and could begin shortly.

PART I: INTRODUCTION

A. Context

The City of Miami Beach enjoyed a renaissance in recent decades, and is now experiencing the growth pains that come with rapid development and redevelopment. In part due to its rising popularity as a place to be entertained, to vacation, to work, and to live, city residents now suffer traffic congestion, a loss of open space, and a general decline in quality of life.



Miami Beach has become a very desirable place to live, vacation, and work.

Over the past decade, Miami Beach residents made aggressive efforts to address these and other growth concerns by enacting legislative reforms and ballot initiatives, and initiating studies to explore options for maintaining a high quality of life while encouraging economic development. City residents approved two charter amendments that limit building floor areas and densities to 2001 levels, unless specific increases are approved by voter referendum. The city also adopted a series of Land Development Regulation amendments that reduced allowable building heights and allowable floor areas. Despite these efforts, public perceptions of "runaway" growth and development continue. In 2004, the city received its first application for a large retail (big box) store, and in response, the City Commission conducted its first Growth Management Workshop. One of the action items resulting from the workshop was the introduction of a non-binding ballot referendum asking voters if they supported changes to the Comprehensive Plan to place annual limits on the construction of new buildings that are 50,000 square feet in size or larger (referred to as "Major Development Projects" or MDPs).[1]

The referendum passed with over 70 percent of the vote, and the city revised its conditional use procedure to provide rules and review guidelines for proposed MDPs. The conditional use procedure for MDPs is a process designed to help the city consider the range of impacts expected to result from proposed Major Development Projects and mitigate those impacts. As of June 1, 2008, the city has reviewed six MDPs under the revised process, with some success.

B. Project Description

This *Major Project Impact Analysis and Mitigation Study* is the next step in the city's efforts to better manage growth. Its purpose is to assist the city in developing a comprehensive planning and regulatory system to evaluate the impacts and then appropriately mitigate MDPs. The project will be completed

[1] Major Development Projects (MDPs) are currently defined as nonresidential and mixed-use developments of 50,000 square feet of gross floor area or more located within the light industrial district or one of the commercial zoning districts in the city.

through a two-step process. Part One involves development of a policy framework for both planning and regulatory efforts the city might adopt to evaluate and mitigate MDPs. Part Two involves implementation of the policy direction provided by the city, based on the policy framework.

C. Structure Of Policy Options Memorandum

The focal point of Part One: Policy Framework, involves development and review of this *Policy Options Memorandum* as it relates to planning for, regulating, and mitigating Major Development Projects. The *Policy Options Memorandum* includes five sections:

- Section I: Introduction, is this Introduction.
- Section II: Project Goals, sets out the goals the city has identified for the project and its review and evaluation of MDPs.2 These goals define what constitutes a MDP, and then identify the impacts from MDPs that are important to evaluate. The impacts identified are: off-street parking; public transportation; roads; public parks and open space; public schools; neighborhood context and compatibility; costs of growth; and workforce housing for essential employees.
- Section III: Existing Conditions, provides relevant background information on the city, including its development context, recent trends in growth and development, the condition of relevant infrastructure, (roads, off-street parking, parks and open space, and schools), relevant LDR amendments, and other recent growth management efforts undertaken to address perceived growth problems.
- Section IV: Options, then sets out the different options available to the city in planning for and evaluating MDPs. The options are divided into three categories: regulatory options; planning and programmatic options, and funding options.
- Section V: Recommendations, then concludes the Memorandum by including a series of recommendations on the options.

The *Policy Options Memorandum* will be made available to the public for review, and subsequently a work session will be scheduled with the City Commission to discuss the policy options and recommendations, and then get direction from the Commission on which policy option(s) they want to implement. This worksession is tentatively scheduled for July 14, 2008.

D. Part Two: Implementation

After direction is received from the City Commission on which policy option(s) they want to implement to address and evaluate MDPs, Part Two: Implementation, begins. It involves the implementation of the policy option(s)/recommendations selected by the City Commission. It could include Comprehensive Plan amendments, regulatory modifications, and/or changes to laws and programs related fiscal issues.

[2] These goals were identified by the Planning Board during a work session on the project conducted in January, 2007.

PART II: PROJECT GOALS

Based on preliminary meetings with city staff and the Planning Board in January, 2007, the following goals are included as goals for the project.

A. Overarching Goal

The overarching goal of the Impact Analysis and Mitigation Project is to develop a planning and regulatory system to evaluate the impacts of Major Development Projects (MDPs) within the city and then appropriately mitigate these impacts.

MDPs are defined at this time as nonresidential and mixed-use developments of 50,000 square feet of gross floor area or more located within one of the commercial zoning districts in the city.

The impacts of MDPs that are important to evaluate and then appropriately mitigate are:

1. Off-street Parking,
2. Public Transportation,
3. Roads,
4. Public Parks and Open Space,
5. Public Schools,
6. Neighborhood Context and Compatibility,
7. Costs of Growth,
8. Review Procedure, and
9. Workforce Housing.

Project goals for each of these areas of impact and mitigation are identified below:

B. Off-Street Parking Goal

The goal for off-street parking is to ensure a continued efficient use of parking resources by MDPs while minimizing impacts to neighborhoods and other critical areas. To ensure an efficient use of parking, mitigation should consider parking supply provided through both public and private facilities. Mitigation should foster shared parking opportunities between land uses and transit service improvements for greater access to offsite parking facilities.



An upper-story parking garage wrapped by ground-level retail uses.

C. Public Transportation Goal

The goal for public transportation is to ensure MDPs participate in creating a transit-conducive environment where transit service is a meaningful alternative to automobile travel. This participation could take the form of funding for improvements and infrastructure, as well as site-specific design

elements such as transit right-of-way, pedestrian connections, building orientation, and the provision of transit waiting areas.

D. Transportation (Roads) Goal

The goal for transportation (roads) is to ensure there is adequate capacity on the road system to accommodate development from MDPs. This can be done as follows:

- Identify ways that MDPs can contribute to the maximization of city-wide roadway capacity;
- Ensure that MDPs are designed and located in ways that minimize dependence upon the automobile; and
- Identify viable alternatives to the current Transportation Concurrency Management Area (TCMA) structure (including multimodal LOS standards for alternative forms of transportation, the use of transportation zones, transportation concurrency exemption areas, etc.) that allow some development to occur in the future while maintaining the city's quality of life.



Commercial streets in Miami Beach are often congested in areas around lodging and dining uses.

E. Public Parks and Open Space Goal

The goal for public parks and open space is to ensure the continued maintenance of the minimum required level of service standard for recreation facilities of 6 acres per 1,000 people, and 10 acres per 1,000 people for parks and open spaces in general, as established by the Comprehensive Plan.

F. Public School Goal

The goal for public schools is to ensure the city is maintaining minimum levels of school concurrency (where appropriate) and receiving the appropriate funding for school renovation and enhancement. Funding sources could include MDPs and the county's school impact fees.

G. Neighborhood Context and Compatibility Goal

The goal for neighborhood context and compatibility is to recognize and protect the context of existing development patterns during review of proposed MDPs and ensure the character of the neighborhood in which the MDP is located is maintained.



Neighborhood compatibility is a key issue for many city residents.

H. Costs of Growth Goal

The goal for cost of growth is to consider tools to ensure new growth pays its fair share for capital facilities.

I. Review Procedure Goal

It was also agreed the project should evaluate the

city's current approach to review of MDPs and explore options for modification and enhancement of the regulatory review process such as the inclusion of new design standards for MDPs related to compatibility and transitions to better address the key impact areas.

J. Workforce Housing Goal

The workforce housing goal is to evaluate the city's capacity to address the need for essential employees created by MDPs, and explore mitigation options. Essential employees include: hospitality employees; arts, entertainment, and recreation employees; health care employees; education employees; retail trade employees; and public service employees.

PART III: EXISTING CONDITIONS

The following conditions are relevant to evaluating the city's options for accommodating the impacts from new Major Development Projects (MDPs).

A. General Context

The City of Miami Beach occupies approximately 7 square miles. It is located on a barrier island and is home to almost 85,000 permanent residents. It enjoys a warm climate, an excellent beach front, the world's largest collection of historic art deco buildings, a diverse population, proximity to one of the world's most cosmopolitan cities, and a wide range of restaurants, night life, and other attractions. Miami Beach experienced remarkable change over the past 30 years. Prior to 1980, portions of the city were in decline; however, the late 1980s and 1990s brought significant investment, development, and redevelopment. Much of this development occurred in South Beach and on lands with waterfront access. This investment fueled remarkable growth, particularly in terms of visitor and seasonal resident populations, through the first seven years of the 21st Century. Over the past decade, the city also began to experience growth problems: increased traffic congestion, perceived loss of visual access to the water and loss of open space, and a sharp increase in land prices. For the most part, these growth pains are due to the city's success as a tourist and visitor destination, and its high end resort vacation amenities.



Miami Beach is a barrier island seven square miles in size.

The growth problems, while typical to many South Florida communities, are especially challenging in Miami Beach for the following reasons:

- The city is accessible by only four bridges, and as a result, suffers restricted traffic flows;
- Land costs are very high;
- The city is largely built-out, with very little remaining undeveloped land;
- Numerous historic properties and build-out conditions make the addition of infrastructure capacity difficult or impractical; and
- The city is frequently subject to large influxes of population during special events.

B. Planning Context

For the purposes of capital improvements, neighborhood, and traffic planning, the city is divided into three sub-areas: North Beach (the area located between the northern city limit line and 63rd Street); Middle Beach (the area between 63rd Street and 23rd Street), and South Beach (the area from 23rd Street to the southern tip of the island and the four islands along the Venetian Causeway).

North Beach includes about 689 acres of developable land (excluding rights-of-way), or about 20 percent of the city's developable land area. While the area is predominantly single-family in character, most of the land (281 developable acres, or around 40 percent of the developable land) is designated for residential mixed or multi-family development. Single-family zoning occupies 256 developable acres, or almost 38 percent of the developable North Beach area, and nonresidential zoning occupies the remaining 22 percent. It is concentrated along 71st Street.

Middle Beach occupies almost half (1,631 aces or 48 percent) of the city's developable land area in the city. There are two somewhat distinct characters in Middle Beach: the first includes waterfront areas characterized by high-intensity residential uses; the second consists of the remaining residential areas that are single-family in character. More than 48 percent of the developable land in Middle Beach (over 785 acres) is classified as single-family zoning. Middle Beach also contains almost 400 acres (24 percent of the area's developable acreage) that is designated for governmental/institutional uses.

South Beach occupies about 32 percent of the city's developable land (approximately developable 1,092 acres), but includes the largest proportion of high density/intensity development in the city. Almost half of its developable land (49 percent or 528 acres) is designated for nonresidential uses. It enjoys the most established character of the sub-areas, and houses the largest collection of historic structures. South Beach includes the most tourism-related uses and the tallest structures in the city. South Beach also suffers the greatest parking and traffic congestion problems, contains the least open space, and has the highest land values. In contrast to the other sub-areas, only 18 percent (around 206 developable acres) of South Beach is designated for single-family uses.



The City of Miami Beach is divided into three distinct areas for planning purposes.

C. Growth and Development Trends

1. Population

According to the US Census, the permanent population in Miami Beach has declined since the 1980s, to a low of **84,086 people** in 2005 (see Table 1). However, the number of housing units began to increase after 2000 (62,119 in 2005, an increase of 2,300 units since 2000). These figures may indicate that family size is decreasing (a common trend across the nation), and/or that the number of second homes and vacation homes in the city is increasing.

Table 1: Population and Housing Data

Year	Permanent Population (# of persons)	Number of Housing Units (# of units)
1980	96,298	64,129
1990	92,639	62,413
2000	87,933	59,723
2005	84,086	62,119 [1]

Source: US Census

[1] The city tax roll indicates 65,411 housing units as of 1/1/05

The city's "*Environmental Scan*" Document provides information on the city's average daily population, which provides a snapshot of the total number of people in the city on any given day, and consequently takes into account the seasonal resident and visitor populations. It indicates the average daily population in Miami Beach on any given day in 2005 was **163,422 people**, almost double the permanent population from the Census (see Table 2). The average daily population steadily increased from 2001 to 2005, and is expected to continue growing. If current trends continue, the city can expect further impacts on its infrastructure from seasonal residents, tourists, nonresident workers, and other "day trippers," even though the number of permanent residents may continue declining.

Table 2: Average Daily Population in 2005

Permanent Residents	Seasonal Residents	Residents Leaving for Work	Nonresident Workers	Hotel Guests	Other Tourists	Non-Tourist Beach Visitors	Average Daily Population
93,535 [1]	14,339	(28,551)	26,236	26,986	8,675	22,202	**163,422**

Source: City of Miami Beach "Environmental Scan" [1] Source: BEBR

2. New Nonresidential Development

The growth in nonresidential floor area in recent years is substantial. According to the *Miami Beach Statistical Abstract 2000-2006* (prepared by the Economic Development Department), the city added over one million square feet of new or redeveloped nonresidential floor area over the period 2000 to 2004. Of the 1,093,530 gross square feet of new nonresidential floor area added between 2000 and 2004, approximately 40 percent was for offices, 25 percent for hotels, and 25 percent for structured parking. This amount of growth over a four year period is significant, even in a highly urbanized environment. It contributes to the perception that the growth rate of the city is explosive.



New nonresidential development in the city.

Two phenomenon that also deserve attention are the recent development trend involving the conversion of existing residential developments to mixed-use development, and consolidation of small groups of residential units within existing residential structures into larger living units within the same structure (thereby decreasing the total number of existing residential units). Whether the trend will continue is unknown. However, these phenomenon contribute to the notion that the growth pressures being experienced by the city are a result of a growing nonresidential sector and not in-migration to the city by new residents (which is contrary to most resident's perceptions).

3. Development Potential

The ultimate development potential in the city is the total number of dwelling units and nonresidential square feet that can be built based on the land use designations in the adopted Future Land Use Map and Comprehensive Plan. It is important to understand Miami Beach's current "development potential" so that one knows whether it is realistic to expect many MDPs in the future (If there is limited "development potential" left, there will not be many applications for MDPs).

In estimating development potential, it is important to understand the fact that the city's Comprehensive Plan is somewhat unique in that it is not calibrated to reflect the maximum floor area ratios adopted by the city. The Comprehensive Plan also includes a variety of density bonuses that are no longer available, except by referendum. To answer the question of how much development can be accommodated in the city, the Clarion team worked with city staff to determine the city's ultimate development potential based on the existing zoning district classifications.

Table 3: Ultimate Development Potential, identifies the estimated remaining development potential under the city's zoning in place as of January 21, 2007. It shows that based on existing zoning, the city is able to accommodate an additional 7,827 dwelling units, and an additional 8,000,000 square feet of nonresidential development under the current Future Land Use Map. The amount of new development that could be accommodated is significant. [3]

Table 3: Ultimate Development Potential

Zoning Designation	Existing Development	Estimated Buildout	Available Capacity
Residential (units)	65,183	73,010	7,827
Nonresidential (square feet)	21,711,308	29,719,667	8,008,359

SOURCE: City of Miami Beach (2005 tax roll, GIS, permitting data)

[3] The Existing Development data in the table is derived from a series of city documents. They include the 2005 tax roll, the 2000-2006 Statistical Abstract prepared by the Economic Development Department, and the city's GIS maps. Because the city's data on existing development is collected at the city level only, there are no distinctions regarding the level of existing development by city sub-area (North, Middle, or South Beach). The estimated build out figure is derived based on a combination of the maximum allowable density for the zoning districts as described in the Land Development Regulations, and the staff-generated "imputed densities" based on maximum allowable floor area for zoning districts that lack a maximum allowable density. In the case of mixed-use districts, assumptions are made regarding the relative percentage of floor area designated for residential or nonresidential use. Appendix A of this Policy Options Memorandum contains a spreadsheet that includes the figures and assumptions related to the development potential data. The development potential data is not intended to be a definitive source for population estimates or capital facilities planning. As is discussed here, it is provided as a basis to determine whether and the degree to which potential exists for the development of new MDPs.

D. Off-Street Parking



Efficient use of existing off-street parking resources is important.

Off-street parking is one of the primary transportation concerns associated with existing and proposed MDPs. According to the city's *"Environmental Scan"* document, there are approximately 13,588 public parking spaces (on-street 8,333 metered spaces, and 5,255 spaces in attended lots or garages) in the city.

The Parking Supply/Demand Analysis completed in 2003 by Walker Parking Consultants documents the use of parking facilities within the city. This analysis examines both on-street parking and public structures and shows that the existing parking deficiencies are most severe in the Middle Hotel, Lincoln Road and Ocean Drive areas. The deficiencies occur primarily during the evening and weekend hours and are largely attributable to an influx of visitors and tourists during these periods. Additionally, the study found that while parking shortages are found in the core areas of these districts, parking facilities in other portions of the district are underutilized. When all the parking facilities are evaluated in aggregate, each of the three sub-areas currently has enough parking to meet the existing peak demand within that area. This suggests that a key issue for parking is the efficient use of existing parking facilities through increased use of remote parking areas.

It is suggested that as redevelopment continues to occur in these areas, the demand for parking facilities will grow more acute. Overall parking deficits are projected for all three areas by 2013. However, due to development patterns, there are few opportunities for additional public parking facilities.

It is important to recognize that other areas of Miami Beach also experience localized parking deficiencies while maintaining an overall parking supply sufficient to meet existing demand; in general the localized parking shortages are oriented around hotel and retail/restaurant land uses. The parking supply/demand analysis estimates for the year 2013 indicate most areas of the city are projected to have parking shortages. However, it is important to note that these projections are based on existing conditions and do not account for any changes in parking policies.

Given these conditions, the mitigation of parking impacts for MDPs should also address (in addition to the use of remote parking areas) both the efficient use of off-street parking as well as the demand for parking facilities. While there is not a strong cause-effect relationship between the current parking deficiencies and recent MDPs, opportunities still exist for MDPs to help improve parking conditions. MDPs should promote shared parking opportunities between land uses, as well as provide improvements to transit service to provide access to offsite parking facilities.

E. Public Transportation

The City of Miami Beach is currently served by 16 Miami-Dade Transit bus routes that extend the length

of the city and provide connections to the Miami metropolitan area. These existing routes operate with close headways (15 to 20 minutes during most periods) and provide transit service 24 hours a day.

A city-sponsored shuttle (the Electrowave) was implemented in 2000 to provide a local transit circulator. Since 2005, the route has ceased operation, and a similar service (Route R/118) is now provided during weekdays by Miami-Dade Transit. In recent years, there have also been initiatives for light rail and streetcar systems within the city. However, these initiatives were not successful due to a lack of widespread community support and a perception of low ridership for the existing routes. As a result, current plans for transit within the city are oriented around improvements to the existing bus service.



The city-sponsored transit system is no longer operated.

Given this context, MDPs should work to encourage transit use, both through design elements and policy incentives. In particular, MDPs should employ elements to encourage transit use for employees and existing city residents. Increased transit use by these groups will serve to reduce the roadway impacts associated with these projects. Additionally, the mitigation for MDPs should incorporate transit to provide access to remote parking facilities; this will serve to reduce the demand for off-street parking and the need for additional facilities.

F. Roads

There are 140 miles of paved streets and 33 miles of alleys (paved and unpaved) in the city. The city has an adopted level of service for all intersections and manages roadway capacity through its concurrency management system. In 1998, 17 of the 64 major intersections (27 percent of the total) operated at or below LOS D during the Peak PM Hour. Based on an origin/destination study completed in September of 2006, most of the traffic congestion is in the Middle and South Beach areas.


Expansion of roadway capacity is difficult in Miami Beach.

Miami Beach manages roadway capacity through its concurrency system and three Transportation Concurrency Management Areas (TCMAs) that together encompass all areas of the city. The transportation improvements associated with the TCMA implementation are outlined in the 1999 Municipal Mobility Plan. This plan developed a "project bank" of transportation improvements that address all modes, including vehicular travel, transit service, and pedestrian/bicycle facilities. In terms of roadway improvements, the Municipal Mobility Plan recommends small-scale intersection improvements and residential traffic calming projects; this is due to the city's physical constraints, which make most large-scale roadway projects infeasible.

For transportation concurrency purposes, as MDPs occur within the city, the projects pay transportation mitigation fees that are then applied toward the transportation improvements identified in the project bank for the applicable TCMA. Because the city's concurrency management system allows payments-in-lieu and other forms of mitigation, many citizens have the perception that concurrency is not an effective tool for managing growth in the city.

The Coastal Communities Master Plan has recently been completed, and addresses transportation needs for Miami Beach and other cities to the north. The origin/destination study completed in September, 2006, (as part of the Coastal Communities Master Plan) found that most of the traffic congestion in the city occurs in the Middle Beach and South Beach areas. The final product from the master plan will be a series of recommended transportation improvements; the improvements that are within the city limits will constitute the new project bank for Miami Beach's TCMAs.

While several small-scale improvements have been completed as part of the existing project bank, these projects have not measurably improved roadway operating conditions in the city. This is due to several factors:

- The multi-modal nature of many of the city's corridors results in conflicts between vehicular capacity and urban character. The same land use and design factors that foster an environment conducive to pedestrian and transit activity (for example, placing buildings close to the street) also reduce roadway design speeds and vehicular capacity. Corridors such as Alton Road that have high levels of pedestrian activity are also the corridors with the highest levels of traffic congestion.

- The Miami Beach roadway network is mature, with few opportunities for new roadway connections or large-scale roadway expansions without disruption to existing neighborhoods. For nearly all major roadways, the right-of-way is constrained by adjacent buildings along the corridor.

Due to these conditions, roadway mitigation opportunities for MDPs should focus on localized safety and operations-related improvements for vehicles, bicyclists, and pedestrian safety. Additionally, MDPs should provide funding for large-scale roadway projects within the city as they are identified as part of the Coastal Communities Master Plan and the updated project bank.


Lummus Park beach access.

G. Public Parks and Open Space

According to the city's *Environmental Scan* document, there are at least 50 recreation and open space sites throughout the city, comprising more than 726 acres of open space. Approximately 50 percent of the total acreage is occupied by special purpose parks. While the city has three golf courses, the city has only one regulation baseball field and one regulation softball field, and suffers from a shortage of large open-format field space. The majority of the island's eastern shoreline is occupied by beach front that is supported by excellent public access and an adjacent linear park in three areas (South Pointe Park, Lummus Park, and North Shore Open Space Park). The shoreline area around Lummus Park also includes an improved pedestrian walkway that stretches for almost two miles

that connects many of the hotel and tourist related uses along Ocean Drive.

The city has a citywide adopted level of service standard for recreation facilities of six acres per 1,000 permanent residents, and has adopted the National Park and Recreation Association's minimum recommended requirement of 10 acres per 1,000 people for the entire system of parks and open space.

Middle Beach has the largest proportion of parks and open space in the city, with 15 acres per 1,000 residents. North Beach provides just over 6 acres per 1,000 people, and South Beach is well below the level of service standard with only 2.86 acres of parks and open space per 1,000 residents. While the parks and open space resources seem somewhat low (particularly in South Beach), the city has numerous private recreation facilities such as pools, hotel facilities, outdoor dining venues, the beach, access to the beach, golf courses, and urban gathering spaces such as Lincoln Road or Ocean Drive that do provide some recreational benefits to residents and visitors. There are currently no park or open space set-aside requirements in the city for new development, including MDPs.

New MDPs offer the opportunity to obtain additional private common open space resources as part of the development process. In addition, the MDP development process may offer the opportunity to advance connections between existing open space resources through pedestrian trails, greenways, or similar features. Urban plazas and public gathering spaces are another way for the city to leverage additional open space resources from MDPs. There is also the possibility of utilizing some form of parkland/open space impact fee to help the city acquire new open space lands.

Finally, it should be noted that in addition to the need for physical land and facilities, the city has identified the need for additional operating and maintenance funds to run the open space resources and programs it offers.

H. Public Schools

The City of Miami Beach is located within Region Two of the consolidated Miami-Dade Public School System, and contains four public elementary schools, one middle school, and one high school. The city has 7,111 students enrolled in public schools in 2006. Table 5: City of Miami Beach School Enrollment, shows that school enrollment figures are expected to increase slightly in the future. This information is somewhat at odds with the trends in permanent population, which is declining, and could continue to decline in the future. It is interesting that the projections call for an increase in the number of elementary school students and a decline in the number of high school students, which may be interpreted as an expectation for an increase in the number of younger families in coming years. Regardless, the percent increase in the number of students (five percent) over the nine year period is not dramatic, and will likely have little impact on the school system.

Table 5: City of Miami Beach School Enrollment

	Year 2006	Year 2010	Year 2015
Elementary	3,892	4,308	4,524
Middle	1,112	1,101	1,273
High	2,107	1,845	1,691
TOTAL	**7,111**	**7,254**	**7,488**

SOURCE: City of Miami Beach Growth Management Outline Document

The state now mandates that local governments add schools to their concurrency management efforts. Consistent with the new mandate, the county has prepared a new school concurrency system. The city

participated in the county's design of the school concurrency system, and is participating in the program now that it has been adopted by the county. It is expected that this is sufficient to help manage any school-related impacts from new MDPs.

I. Neighborhood Context and Compatibility

Miami Beach faces some challenges in terms of maintaining land use compatibility as development and redevelopment occurs. The city is built out. There is little vacant land. Views from waterfront lots are spectacular and consequently they are expensive. In addition, new development is often configured to take advantage of views and maximize investment return. The city's terrain is narrow, flat, and there is almost no topographic relief. Soil conditions and the phenomena of severe storms conspire to keep trees and vegetation relatively short when compared with building heights.



New waterfront development (background) differs from the older, more modest development in the city.

Miami Beach was settled in the early 20th century, and saw significant development occur in the first half of the 20th century. Consequently, there are a number of historic structures and established neighborhoods of single family homes, many built before FEMA regulations were adopted, requiring buildings to elevate above base flood elevation. The vast majority of structures were built before advances in fire fighting technology, and are low to mid-rise structures of four stories or less. New development, like high rise buildings or large retail centers, while well designed, often stands in stark contrast to the shorter and more compact early building forms. Additionally, commercial and mixed-use development tends to locate in a linear fashion along transportation corridors or shorelines.

Due in part to land costs and the lack of vacant land, redevelopment of existing uses is the primary form of development in the city over the last few years. Despite the city's efforts at addressing development potential, many opportunities for incompatible redevelopment remain.


This lot could be redeveloped with a five-story mixed-use building of up to 100,000 square feet.

The net result of these conditions are a series of potential jarring transitions in building height and size where low-rise, small buildings are located directly adjacent to large high-rise structures. Recent trends in development have led to increasing public perception of loss of open space, high densities, and over-development.

An example of this phenomenon is found on a lot abutting Alton Road near 18th Street (and shown in the image to

the left), where today there is a single story building. The lot is 50,000 square feet in size, and the current zoning allows an FAR of 2.0 if developed as a mixed use project.4 The existing structure is 6,000 square feet in size. It could be redeveloped as a structure of up to five stories and 100,000 square feet in size. The structure is adjacent to many existing single-family homes, and typifies many redevelopment opportunities throughout the city.

The city has design guidelines that are applied by the Design Review Board during site plan review, along with additional standards for historic districts and historic buildings. The revisions to the conditional use procedure designed to address major development requests do examine design and compatibility issues, but these reviews lack substantive standards, and the conditional use procedure is limited to new MDPs located only within several nonresidential districts. New design standards for MDPs, transition standards, compatibility requirements, and modifications to the current review process could help address many of these potential compatibility conflicts in Miami Beach.

J. Workforce Housing

According to the Economic Development Department, in 2000, only 39 percent of the employees working in Miami Beach resided in the city. By 2006, that number dropped to 37 percent. The city's Environmental Scan Document indicates that growth in the labor force over the period from 2000 to 2005 (8.3 percent) has outpaced population growth, so more nonresident workers are filling jobs in the city, which may contribute to the decrease in the number of resident workers.


Median home prices in 2006 were $1.14 million.

In 2005, almost 39 percent of the jobs in the city are in the accommodation and food services sector, which is also one of the lowest paying occupations in the city according to the Environmental Scan Document. Average wages in the city in 2005 are approximately $31,000 annually. According to the American Community Survey, median household income was $33,763 in 2005. According to the Miami Beach Statistical Abstract for 2000-2006, the median price for a single family home in 2006 was $1,140,000.

The city participates in the HOME and SHIP programs, and spends over $2.3 million on affordable housing initiatives. As of 2005, the city has over 1,308 affordable rental housing units, and 1,500 housing units receiving Section 8 Program funds. While many of the city's housing assistance programs are successful, rising house values are making it more difficult for employees with modest incomes to reside in the city. Many communities in South Florida are exploring techniques for requiring new development such as MDPs to share in the cost of providing workforce housing for essential workers—civil servants, teachers, health care workers, and other essential personnel.

K. Sustainability Concepts


Roof gardens count towards open space requirements in some districts.

Many communities across the country are becoming more interested in sustainability and the integration of sustainable concepts into their development regulations. Balanced approaches to sustainability include a combination of impediment removal, incentives for more sustainable development practices, and new regulations. For example, removal of impediments may involve modifications to current regulations to allow roof-top solar collectors, allowance for small-scale site-serving wind turbines, or the ability to site a greenhouse as an accessory use, even in historic districts. There are also incentives that can be offered, such as crediting roof-top gardens toward open space requirements as is done currently in the Performance Standards districts, providing accelerated credit towards landscaping requirements for the planting of fruit trees, or encouraging mixed-use development. There are also regulatory aspects that may be considered, such as requiring a solar orientation analysis, mandatory xeriscape standards, additional tree canopy retention requirements, requirements for signage lighting to be extinguished after closing time, roof coloration standards, and requirements for better pedestrian circulation. These and other strategies are available for consideration during the MDP review process.

L. Growth Management Initiatives Over the Past Decade

The city has spent the last decade trying to address growth concerns through changes to policy, procedure, and regulations. Brief descriptions of these efforts are outlined below:

1997 Charter Amendment

In 1997, the City Commission modified the city's charter to prohibit any changes in the maximum floor area ratio for all buildings on lots adjacent to a water body (i.e., Atlantic Ocean, Government Cut, Indian Creek, or Biscayne Bay) beyond the floor area ratio specified in the Land Development Regulations in existence on June 3, 1997 (including floor area specified in all development agreements). This was then updated in 2001, to reflect the changes in zoning after the initial referendum. Today, changes to maximum floor area ratio on a lot are possible only through approval of a public referendum.


Allowable building heights were reduced in 1998/99.

1998/1999 City-wide Downzoning and Lot Aggregation Limits

In 1998/1999, the city reduced the development potential of the city by 40 percent, or about 6,000 dwelling units. Much of this reduction in development potential was achieved by reductions in allowable building height and rezoning certain areas.

In addition, the city instituted limitations on the

ability to assemble or aggregate lots and take advantage of increased floor area. These limitations were adopted in the West Avenue Bay Front Overlay District, and in some portions of the South Pointe area below 5th Street. In the West Avenue Overlay District, the maximum developable lot area was limited to no more than two side-by-side contiguous lots. In South Pointe, lots aggregated after the effective date of the regulation could no longer take advantage of higher building height standards associated with wider lot widths.

2000 Concurrency Management System

In 2000, the city adopted a city-wide concurrency management system (a comprehensive approach to ensuring adequate infrastructure capacity) that focused primarily on roadway capacity and traffic level of service.

2004 Charter Amendment

On March 9, 2004, the city amended its charter again to apply the floor area ratio limitations described in the 1997 charter amendment to all lots in the city (not just those adjacent to water bodies).

2004 Ballot Initiative

The city was faced with an application for a big-box retail development application in 2004 that caused great concern in the community. It led the City Commission to conduct a growth management workshop to explore the city's alternatives for growth management. This workshop led to the placement of a non-binding referendum on the 2004 ballot asking voters about the need to further regulate MDPs. Voters were asked:

> *"Should the Miami Beach Comprehensive Plan be amended to establish annual limits on the construction of new buildings that are larger than 50,000 square feet where appropriate"?*

In November of 2004, 72 percent of city voters approved the referendum, and shortly afterward, the city began to amend the Land Development Regulations to establish a new review procedure and review criteria for developments of 50,000 or more square feet. This policy memorandum is also being developed in response to this ballot initiative.

M. Land Development Regulation Amendments

Prior to the approval of the 2004 ballot initiative regarding new developments of 50,000 square feet or more, the design and impacts of new development were reviewed by either the Design Review Board or the Historic Preservation Board. These reviews were largely limited to the structure or site, and did not address larger issues of context or impact on neighborhoods from new development. In response, the city adopted a series of amendments to the conditional use procedure (Sections 118-191 to 118-197) in the Land Development Regulations during the first half of 2006.

These amendments established requirements for new construction of 50,000 square feet or more within specified commercial districts (i.e., CD-1, CD-2, CD-3, MXE, C-PS-1, C-PS-2, C-PS-3, and C-PS-4) and the L-1 Light Industrial District to obtain conditional use approval from the Planning Board (following a public hearing).

The conditional use approval process includes seven criteria for the decision-making body to use in considering the application, including consistency with the Comprehensive Plan, safeguards to protect surrounding properties and property values, and provisions discouraging the concentration of similar

types of uses. Reviews of projects 50,000 square feet in size or more have an additional eleven criteria, including:

- Whether the scale of the use is compatible with the urban character of the surrounding area, and how any adverse impacts from the scale of the structure will be addressed;
- Whether the structure's proximity to similar-sized structures or residential uses creates an adverse impact, and how the impact will be mitigated;
- Whether a cumulative effect from the proposed structure (when considered along with adjacent and nearby structures) arises, and how it will be addressed;
- Whether a traffic circulation analysis and plan is provided that details how traffic associated with the proposal obtains ingress and egress into the surrounding neighborhood, traffic circulation around the neighborhood, traffic flows through intersections and arterials proximate to the development, and how any negative impacts are mitigated; and
- Whether or not the proposed security, customer circulation, parking, delivery, and business operations plans required as part of the application address any negative impacts associated with the development.


A recently-approved major development project.

In addition to the various review guidelines listed above, the Planning Board may also apply additional conditions of approval during a conditional use review.

In addition to review by the Planning Board, the conditional use review process for these large-scale buildings also includes a review of design features by the Design Review Board (or the Historic Preservation Board in historic districts).

Since the adoption of this conditional use procedure in mid-2006, the city has reviewed six major project proposals using the revised conditional use procedure.

PART IV: OPTIONS

The options available for addressing the goals established for evaluating and addressing the impacts of Major Development Projects (MDPs) are outlined below. The options are organized into three categories: regulatory options; planning and programmatic options; and financial options.

A. Regulatory Options

The regulatory options outlined for consideration are organized into six general areas. The first involves a restructuring as well as substantive revisions to the existing conditional use procedure used to review MDPs. The second addresses appearance and compatibility issues. The third involves changes to deal with the transportation impacts from MDPs. The fourth addresses park and open space impacts. The fifth involves ways to address workforce housing issues. The sixth involves the concept of rate of growth controls. Each is identified below, and then discussed in more detail in the subsequent parts of this section.

- Amend Conditional Use Procedure for MDPs;
- Appearance and Compatibility Standards;
  - Design standards;
  - Transitional standards;
  - Sustainability standards;
- Expand the lot aggregation prohibitions;
- Transportation-Related Provisions;
- Park and Open Space Requirements;
- Workforce Housing Requirements for MDPs; and
- Rate of Growth Program.

1. Amend Conditional Use Procedure for MDPs

As is discussed in Section III, Existing Conditions, the city began using the conditional use procedure to review MDPs of 50,000 square feet or more in specified commercial districts (i.e., CD-1, CD-2, CD-3, MXE, C-PS-1, C-PS-2, C-PS-3, and C-PS-4) and the I-1 Light Industrial District in 2006. The process requires the Planning Board to review and make a decision on an MDP application following a public hearing and review by the Design Review Board or Historic Protection Board. Under the procedure, the Planning Board is required to consider 18 different review "guidelines" in its deliberations to approve, approve with conditions, or disapprove MDPs. Many of the guidelines focus on the impacts of MDPs on their surroundings. In addition to consideration of the "guidelines," the Board is authorized to apply additional



This grocery store is an example of the high quality of design in the city.

conditions of approval to a proposed project. While the revisions to the conditional use procedure are a strong step forward in addressing the impacts from MDPs, the city should consider changes to the definition of MDPs, broadening the applicability of the review process, making various procedural improvements, and adding substantive standards to make the process function even more effectively. Each of these is outlined below.

Modify Definition

The current LDRs do not include a definition for a "major project" or a "major development project." Instead the LDRs rely on language in each of the zoning district chapters that set out a distinct review process for structures of 50,000 square feet in size or larger. We suggest the city add a definition of "Major Development Project" to Section 114-1 that specifically defines what constitutes a major development project.

As is discussed above, the current conditional use procedure is applied to all new structures of 50,000 square feet in size or larger within specified commercial districts (i.e., CD-1, CD-2, CD-3, MXE, C-PS-1, C-PS-2, C-PS-3, and C-PS-4) and the I-1 Light Industrial District. For purposes of the MDP review process, the city counts all floor area included within the structure, including structured parking garage areas, loading areas, utility vaults, and other non-habitable space, in the calculation of the 50,000 square foot threshold.

Consideration should be given to refining this definition of structure, to be more in conformance with the city's definition of floor area, possibly excluding or discounting areas associated with uninhabitable areas below or partially below grade, to provide an incentive for constructing underground parking. Other desired features (e.g., urban plazas, transit facilities, parking areas, pools, decks, and patios) might also be excluded or discounted in order to provide additional incentives.



The MDP definition could be revised to exclude parking spaces as an incentive for structured parking.

The city might also consider establishing different thresholds for what constitutes a MDP based on the type of use or uses to be developed. For example, a use expected to generate less traffic than a typical 50,000 square-foot retail center might have a higher threshold (in terms of square feet). Under this approach, the definition of "Major Development Project" would be amended to establish thresholds based on external trip generation rates of the project. The downside to this approach is that it does not fully account for appearance, mass, and scale issues.

Finally, the city might also want to consider establishing location-sensitive thresholds for MDPs, between the North, Middle, and South Beach areas.

Broaden Applicability

As mentioned previously, the current conditional use procedure only applies to structures of 50,000 square feet in size or larger located within some specified commercial districts (i.e., CD-1, CD-2, CD-3, MXE, C-PS-1, C-PS-2, C-PS-3, and C-PS-4) and the I-1 Light Industrial District. The city should

consider broadening the application of the MDP process to the entire city, or at a minimum, broadening the regulation's application to include the zoning districts that allow multi-family uses. Consideration should also be given to whether or not public buildings should be subject to the MDP review process.

Procedural Improvements

In terms of basic procedural improvements, several changes should also be considered by the city. For example, the process currently requires a mandatory pre-application conference with the planning staff prior to submitting an application for a MDP. This requirement should be modified to include meeting with staff from other city departments involved in the review process (e.g., Public Works and Transportation). This expanded pre-application conference gives applicants an opportunity to familiarize themselves with the process, timeframes, submittal requirements, and the city's minimum expectations for the quality of development for the MDP. It also provides city staff an opportunity to familiarize themselves with a proposed MDP early in the process.

Second, to make these suggestions more understandable, we suggest the city consider amending Chapter 118 of the LDRs to establish a new Major Development Project Permit (MDP) process. The MDP permit process would follow the same procedure as is used for the conditional use procedure, but would have its own article in Chapter 118 (the LDRs). This would allow the MDP to undergo further refinements and modifications over time without affecting the city's traditional conditional use procedure.

Substantive Standards

The current conditional use procedure includes a variety of review "guidelines." However, several important components of what one might consider needs to be included in these guidelines is missing. First, in many instances the guidelines are not sufficiently specific, making them difficult to apply. The current provisions do not include substantive standards that explain how development complies with the review guidelines. For example, the guidelines indicate that a project is evaluated based on whether or not the proximity of a proposed structure to other similar structures or residential uses creates adverse impacts, and how those impacts are mitigated; however, the regulation does not specify what "proximity" is, what "similar structures" are, what impacts are "adverse," how much impact needs to occur before it is considered adverse, or acceptable techniques for mitigating impacts. Second, the existing "guidelines" lack specific types of design guidelines/standards that are relevant to ensuring the appearance of the MDP is consistent with the city's aesthetic goals and compatible with the context in which the MDP is located.



Substantive standards (like height compatibility) would help limit negative impacts from new MDPs.

We recommend the city consider establishing new objective and measurable design and transitional standards to apply to the review of MDPs. The types of design and transitional standards that the city might develop are discussed in the next section on Appearance and Compatibility Standards.

2. Appearance and Compatibility Standards

The city's current standards include a design review procedure (Section 118-251, LDRs) that sets out a series of 17 design review criteria applied by the Design Review Board to each application requiring issuance of a Building Permit (except for development in historic districts, which undergoes a separate review by the Historic Preservation Board). These review criteria address whether proposed development: is compatible with its environment; enhances the appearance of surrounding properties; allows for easy ingress and egress; minimizes glare from exterior lighting; has orientation and massing that is compatible with surrounding areas; addresses the visual impacts of structured parking; includes appropriate roof-mounted equipment screening; and several other design-related aspects. However, while these design review requirements are applied as part of the design review process (in addition to the conditional use review for MDPs), these criteria are more design-oriented and do not include the type of specific, measurable standards that can be used to objectively evaluate proposed development as part of the MDP process. We suggest the MDP process incorporate the current design review provisions in a modified fashion that allows a more objective review by the Design Review Board or Historic Protection Board. The following sections provide more detail on the types of objective, measurable standards that could be included in the MDP review process.



Another example of high quality design in the city.

(a) Design Standards

Over the past five years, a number of communities have embraced the idea of adopting specific, measurable design standards in their development codes to improve the appearance of multi-family, commercial, mixed-use, and "big-box" development. Such measures are taken to ensure new development maintains a minimum community aesthetic and remains compatible with its context. We suggest the city consider the development of these type of design standards for its review of MDPs.[5]

Of course, the first question asked if the city considers the development of such a set of design standards is what types of design standards are appropriate? We suggest the following, which are discussed in more detail below:

- Site and Building Layout Standards – to address how buildings relate to their site and surroundings;
- Building Height Standards – relative to adjacent structures;
- Access and Circulation Standards – as a means of encouraging cross-access and pedestrian orientation; and
- Building Design Standards – to ensure buildings are compatible with their context.

Site & Building Layout

Site and building layout standards address how buildings relate to their site and surroundings. For MDPs, there are several different types of such standards that could result in higher quality MDP

[5] The city's criteria used in the conditional use process are review guidelines; however, the MDP process should include more substantive standards.

developments that are more consistent with the development context within which they are located.

One is "step-back" standards that require developments adjacent to shorter buildings (or single-family neighborhoods) to create a more gradual transition in building heights as the development moves away from the neighborhood or area with shorter buildings.

A second involves standards to modulate a building's street-facing façade to provide the appearance of a series of smaller building volumes. This technique helps reduce the perceived scale of monolithic structures, and helps ensure compatibility with smaller adjacent buildings, as well as adjacent single-family neighborhoods and moderate density multi-family areas.

A third is a standard requiring the long axis of new structures to be consistent in orientation with the majority of other buildings on the same block face. This is done to maintain the compatibility of new buildings with existing and surrounding structures.

A fourth involves standards that address the perception of mass associated with large buildings to ensure that new structure(s) maintain the existing visual rhythm of building-wall-to-open-area that is established along a block face by existing development.

Finally, continuity in building form or floor plate configuration is another technique that allows larger buildings to fit more seamlessly into established contexts. Standards that specify continuation of established floor plate and height to width ratios help ensure that new MDPs are sympathetic to adjacent structures.



The old City Hall in Philadelphia is actually a 7-story building designed to appear much shorter.

Building Height

The current LDRs control maximum building height by zoning district along with further limitations based on a lot's proximity to the waterfront or other features. While this approach is similar to that used by many local governments, it does not recognize context. One option for consideration is a contextual building height standard that ties maximum building height of MDPs to 125 percent of the average adjacent building height, with the ability to increase the maximum height by an additional ten percent beyond the average (up to the standard for the district) with the inclusion of façade treatments and window placements configured to conceal the true height of the building. The image of the old City Hall in Philadelphia shows how this may be accomplished. The building is a seven-story structure, but through creative design and window configuration, it appears to have three primary stories and an ornate roof.

Access and Circulation

Access and Circulation standards are used to encourage cross-access and ensure buildings have a pedestrian orientation. Based on the traffic congestion and parking problems in the city, it is important

that MDPs provide direct connections to existing and planned sidewalks and trails and provide cross-access to adjacent and compatible uses, rather than being "walled off" or isolated from them.

The city should consider adding access and circulation standards that ensure, wherever possible, MDP vehicular ways provide direct vehicular access (cross access) to adjacent compatible developments in order to allow vehicles to move from one development to another without use of a public street.

It is also suggested that in order to foster pedestrian activity, sidewalks serving the primary facades of MDPs be a minimum of 15 feet wide to accommodate pedestrian amenities like benches, al fresco dining, or other street furnishings while not interfering with the flow of pedestrian traffic. Decorative sidewalk paving treatments and materials should be used along the facades of MDPs, for pedestrian street crossings, and as a means of emphasizing gateway elements of a development or different sections of the same development.

Wherever possible, front setbacks should be minimized, and primary facades should be built to the street and include canopies or other elements that overhang the sidewalk to provide shade and shelter from the weather.

Building Design

Many of the review criteria in the current LDRs refer to the need for buildings to be designed to minimize negative impacts on adjacent areas. One of the most effective standards to achieve this objective is to require four-sided architecture, or require all sides of a new MDP to incorporate architectural detailing consistent with the front facade. This standard helps to prevent monolithic blank walls facing adjacent development.

Another key aspect for maintaining compatibility is roof form. One option for the city to consider is a requirement for the roof form and pitch of MDPs to be similar to or compatible with the roof form of existing structures located on the same block face.

The city might also consider a standard that buildings of three stories or more have a well-defined base and cap. A recognizable base may consist of, but is not limited to: thicker walls, ledges, or sills; integrally-textured materials such as stone or other masonry; integrally-colored and patterned materials such as smooth-finished stone or tile; or lighter or darker colored materials, mullions, or panels. A recognizable top may consist of, but is not limited to: cornice treatments, other than just colored stripes or bands, with integrally-textured materials such as stone or other masonry or differently colored materials; sloping roof with overhangs and brackets; stepped parapets; or aligned openings and articulations.



Roof "caps" are an important aspect of a structure's architecture.

To reduce the scale and mass of MDPs and add visual interest, standards should be considered that require the length of the facade to be articulated by incorporating a variety of architectural elements, such as: recessed or projecting bays; balconies; arcades; stoops; prominent entry features; changes in

materials; changes in colors; or similar elements.

Another standard that should be considered for traditional buildings is an encouragement for window and door openings to have a vertical orientation and be vertically aligned between floors.

Another requires MDPs be constructed (through the use of materials, design elements, or architectural details) to emphasize the proportion of height to width so building facades are vertically oriented as a means of minimizing the perceived scale and mass of the structure.

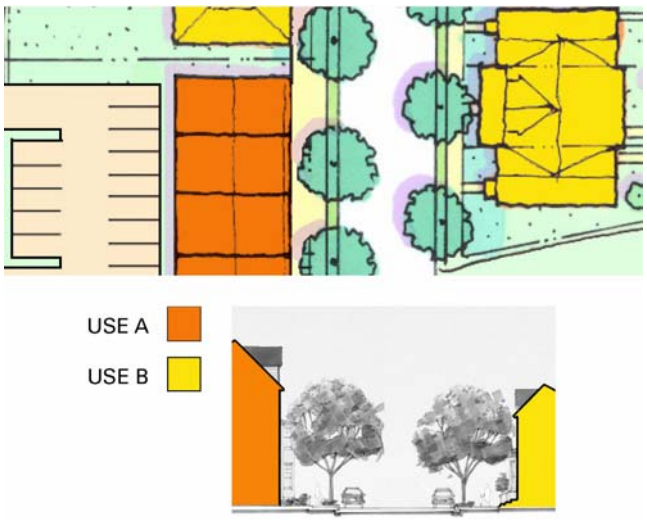
Finally, the city could consider standards requiring above-grade surface parking to be wrapped with habitable space when adjacent to a public street or residential use. This technique helps minimize the negative impacts from vehicular lights and noise while helping maintain a consistent urban fabric.

(b) Transitional Standards

Transitional standards may be used in addition to or in-lieu of design standards. They are intended to address conflicts between incompatible land uses that abut one another. This is done through development/design standards that require development to establish a more gradual transition between different uses. Some of the basic techniques include:

- Establishing a continuum of use intensity on a site where uses of moderate intensity are sited between high intensity uses and low intensity uses (e.g. office uses between retail and detached residential);
- Taller buildings or portions of buildings are clustered away from the adjacent lower-rise uses (e.g., towards the center of the site) and stepping down the height of these buildings as they approach these edges; and
- Graduation of building height and mass in the form of building step-backs or other techniques so that structures with a higher intensity have a comparable scale with adjacent structures housing lower intensity uses.

Another technique which might be considered to address compatibility between structures on different sides of a street is to establish requirements that MDPs harmonize the façade width and height between opposing facades of structures housing different use types such that neither façade exceeds the other's dimensions by more than 125 percent (as shown in the diagram to the right).



Façade modulation into a series of smaller units is one way to help larger structures fit in areas with smaller structures.

Another method to address situations where the facades of MDPs are much larger than incompatible existing structures (such as single-family homes) are standards that require the MDPs to utilize similarly sized and patterned architectural features on the larger structures such as windows, doors, awnings, arcades, pilasters, cornices, wall offsets, building materials, and other building articulations included on the lower intensity use. This technique helps maintain a street rhythm and minimizes the jarring impact of incompatible architecture.

In addition to architectural techniques, there are some basic placement and orientation standards that could be considered to help maintain effective transitions. For example, the city could consider standards that locate off-street parking, loading, service, and utility areas to the rear of structures, or adjacent to similar site features on surrounding sites. In cases where the location of these features is not flexible, standards could be developed that require the buffering of surface parking areas, loading areas, and other areas of potential conflict, as well as standards that limit exterior lighting or sources of noise or disturbance from building facades facing lower intensity uses.



The example on the top shows improper transition from one use type to another.

Standards that prevent abrupt changes in roof form by allowing adjacent incompatible uses to utilize similar roof types, slopes, or other arrangements should be considered. Finally, standards that require MDPs to orient porches, balconies, outdoor space, and other site attributes such as vending machines away from adjacent incompatible uses (such as single-family homes) should be considered to alleviate compatibility problems. The above illustration demonstrates effective use of transition features by utilizing similar roof form, materials, and building scale.

(c) Sustainability Standards

Sustainability concepts (e.g., energy conservation, carbon reduction, resource protection, food safety, LEED requirements, etc.) are becoming increasingly popular with local governments and are starting to be mandated by state governments. With increasing evidence regarding global warming and sea level rise, the idea of incorporating sustainability concepts into development and the development review process is becoming increasingly relevant. Incorporation of sustainability concepts is something the city might consider including in the review of MDPs. We suggest the sustainability concepts the city should consider incorporating into the MDP process include:

- Green roofs;
- Mandatory xeriscape;
- Energy conservation standards; and
- Food protection provisions.



Green Roofs

Provisions that allow for or require green roofs, or provide incentives for development to include green roofs, are one of the most widely accepted techniques for incorporating sustainability concepts into development. Green roofs help address stormwater runoff quantity and quality, and help dampen urban heat island effects. Communities that adopt mandatory open space set-

asides often provide credit towards the open space requirements for green roofs. These standards are well suited to MDPs since such structures often have large expansive roofs.

Mandatory Xeriscape

Mandatory xeriscaping includes standards that require development to use native, endemic plantings for required landscaping, and to plant required plantings in ways that minimize the need for watering. Some xeriscaping standards allow water-harvesting devices such as cisterns and rain barrels as allowable accessory uses. These standards are particularly well-suited to the city based on its tropical climate and the difficulty of providing the island with fresh water.

Energy Conservation

There are a number of standards that could be included in the review of MDPs that result in greater energy conservation. Energy conservation standards could include provisions to allow solar collectors on roofs with expedited review and approval (being careful to address design issues in historic districts). Such standards can be supplemented with standards that require a solar orientation analysis be provided for larger buildings like major developments to ensure that the buildings will not impede solar access for other lots.



New technology is allowing roof top solar collectors to become smaller.

Allowances for small-scale on-site wind turbine electricity-generating systems are another way that the city could support sustainable development concepts.

Finally, some local governments provide incentives for obtaining LEED (Leadership in Energy and Environmental Design) certification, or require all public structures to be built to LEED standards. MDPs could receive credit toward open space provision or some other incentives for obtaining LEED certification.

Food Supply Protection

Some communities remove impediments to the establishment of community gardens by allowing such uses as accessory uses to almost all principal uses. In addition to community gardens, the city might adjust its plant list requirements to allow the crediting of fruit trees towards landscaping requirements.

(d) Expand the Lot Aggregation Prohibitions

As mentioned in Section III, Existing Conditions, the city has adopted limitations on the ability to aggregate lots, or take advantage of additional floor area associated with aggregated lots in targeted areas. Another option in a comprehensive approach to addressing MDPs is to broaden application of these standards to other areas.

3. Transportation-Related Provisions

Options for addressing transportation impacts related to MDPs include:

- Modifications to the off-street parking provisions of Sections 130-31 through 130-286;
- Adding new pedestrian circulation provisions;
- Adopting new transportation demand management regulations;

- Making potential modifications to the concurrency management system in Chapter 122; and
- Including a more site-specific traffic impact analysis (and mitigation) for the areas in close proximity to MDPs.

Off-Street Parking

One policy option to address the parking supply for MDPs is to revisit the city's parking ordinance and the amount of on-site parking required for new MDPs. The ordinance revisions should account for factors such as the project's land use, geographic location and the supply of public parking around the project site. Parking requirements for bicycles and carpool/rideshare vehicles should be added to the city's line-up of parking requirements. MDPs should provide designated parking for these alternative modes, with the required amount dependent on the type of land use.



This parking structure is well-screened and fits its surroundings.

Additionally, any ordinance revisions should consider the use of maximum (in addition to minimum) parking requirements, depending on the development context. The use of parking maximums is a policy option the city should consider. Parking maximums are often implemented in order to limit the parking supply and encourage non-auto means of travel such as walking and mass transit. Parking maximums are currently used in downtown Orlando and the City of Gainesville; in both cities, parking maximums are used in conjunction with minimum parking requirements. Outside of Florida, parking maximums are used in Cambridge, Massachusetts; San Francisco; Portland, Oregon; Seattle, Washington; Franklin, Tennessee; Rock Hill, South Carolina; Nashville, Tennessee; Anchorage, Alaska; Fort Collins, Colorado; and in areas where a pedestrian-friendly and transit-friendly environment is desired.

Increased flexibility in meeting parking requirements is a second change that is suggested for the city's current parking regulations. In nonresidential areas, the city can explore further opportunities for shared parking as part of new MDP project reviews. Additional standards can be added to Section 130-221 to make shared parking more effective and efficient. Building upon the recently completed parking study, the city can target areas that have parking deficiencies and work with developers in these areas (as well as existing landowners) to implement shared parking agreements. There is also an opportunity to utilize a deferred parking standard that allows a new development to provide 80 percent of the total required parking with the understanding that the uses' parking needs will be re-evaluated at some date in the near future (e.g., 16 months after issuance of a Certificate of Occupancy), and if the additional parking is not needed, then it does not have to be constructed. This approach allows a greater maximization of land and allows new development to exert more management of its parking needs.

In areas where available land is limited, the implementation of off-site parking requirements is an important policy to regulate MDPs. Section 130-36 allows for off-site parking, but it must be within 1,200 feet of the use it is associated with. One option for the city to consider is allowing central park and ride (or park and walk) facilities located outside the city, or in areas proximate to the causeways

that serve parking needs for uses in heavily visited areas such as Lincoln Road, Ocean Drive, and the Collins Waterfront Historic District. Placing parking structures outside of these areas also helps to reduce a MDPs' impact on vehicular traffic.



Park and ride or park and walk facilities for employees would help address parking and traffic problems.

The city currently allows an in-lieu parking impact fee to be paid for development within the city's historic districts. The current fee is $35,000 per parking space and is used to provide public parking facilities close to the district. This approach could be expanded to include other areas of the city; alternatively, new MDPs could be required to accommodate parking demand through a combination of on-site parking and off-site parking (through in-lieu fees). The in-lieu fees could also be used to provide transit connections to existing or proposed parking facilities. In South Florida, the Town of Davie currently offers an in-lieu parking option, which is limited to 25 percent of the total parking demand. The rate was established at $2,500 in 2004, rising at 5 percent per year. Developers can also provide excess spaces for public use (with certain restrictions to ensure that they are truly useful to the public) and can receive $5,000 per public space provided.[6]

Pedestrian Circulation

On a more general level, the city's zoning regulations should be reviewed to either limit or prohibit auto-oriented land uses that detract from a pedestrian-friendly environment. These regulations can be location-based depending on the level of existing and proposed transit service. Alternatively, incentives can be provided for development types that promote transit use.


Pedestrians on Lincoln Road.

The majority of the development within the city is designed in a pedestrian-friendly manner, which in turn, is conducive to transit use. Pedestrian design standards should be formalized and incorporated into the MDP review process to address site design, the orientation of building entrances and parking facilities, and architectural features such as awnings and areas for bus stops. One technique for ensuring greater attention to pedestrian orientation is a requirement that new MDPs include a pedestrian circulation plan that gives equal weight to pedestrian and non-motorized modes of transportation as is typically given to on-site vehicular circulation. These kinds of plans typically address on-site pedestrian circulation as well as the methods to ensure efficient pedestrian travel through or across the site; they focus on sidewalk and trail connections, building orientation to ensure a quality pedestrian environment, human-scale design to ensure visual interest, and techniques to control the interface between pedestrians and motorized vehicles.

[6] NOTE: The LDRs would likely benefit from a consolidation of the various parking standards located in Section 130 as well as in several of the district-specific standards.

Transportation Demand Management

Another option to reduce MDP parking demand and the need for roadway capacity is to require transportation demand management. Demand management requirements can be incorporated into the existing MDP review process. Examples of demand management requirements include:

- Requiring off-peak start and end times for shifts;
- Requiring employers to provide free or discounted transit passes for employees;
- Rideshare/ridematching/carpool programs;
- Transit improvements (including guaranteed ride home programs);
- Car sharing programs for major employers; and
- Requiring developers to provide pedestrian and bicycle amenities.

Currently, both the Cities of Orlando and Gainesville incorporate transportation demand management requirements into their review process for major development projects. For example, the City of Orlando requires major employment generators to provide discounted transit passes for employees. The City of Gainesville evaluates the potential for ridesharing and vanpooling programs to be implemented as part of new projects.

Salt Lake City requires the submission of a carpool plan for uses with more than 100 employees. The plan must illustrate a proximate location for carpool spaces at the development site as a means to motivate car sharing. Salt Lake City also employs bicycle parking as a means to offset parking demand by requiring the number of bicycle parking spaces equal five percent of the total number of automobile parking spaces. Bicycle parking standards regulate the appearance, location, and condition of the bike racks for purposes of maintaining bike security, rider safety, and design aesthetics.

Some cities choose to make driving less appealing by making parking more expensive. Increasing the price of parking is reported by the Victoria Transport Policy Institute's *Transportation Demand Management Encyclopedia* as being the most effective TDM measure. The City of Santa Cruz, California, increased the cost of parking in two highly traveled areas of the city. In addition to the increase, the city also made pricing more uniform between lots and meters. These initiatives served to reduce time in searching for parking spots and increased accessibility to key destinations.

Increased success often results from implementing several or all of these congestion-fighting strategies. For example, Knoxville, Tennessee intentionally coupled positive and negative driving incentives by increasing parking fees and improving transit availability through adjusted routes and scheduling.

The city should consider a comprehensive package of regulatory changes that require new MDPs to provide transportation demand management programs in addition to fostering alternative modes of transport, encouraging transit, and better managing both the demand and supply sides of off-street parking.

Transportation Concurrency

Another way to potentially address the transportation impacts of MDPs is to modify the city's concurrency management provisions. Of course, such modifications also affect all other forms of development in the city. We suggest that there are three primary policy options related to the structure of the city's concurrency system. These options are as follows:

1. Maintain the existing Transportation Concurrency Management Area (TCMA) structure;

2. Adopt a Transportation Concurrency Exception Area (TCEA); or
3. Adopt a Multimodal Transportation District (MMTD).

All three options are provided for through the Florida Statutes as ways to satisfy state concurrency requirements. Each is discussed below.

Transportation Concurrency Management Area

The city adopted the Transportation Concurrency Management Areas (TCMA) concept in all areas within the City to implement its transportation concurrency management program. As defined by the Florida Statutes, the purpose of TCMAs is:

> *"to promote infill development or redevelopment within selected portions of urban areas in a manner that supports the provision of more efficient mobility alternatives, including public transit. As a coordinated approach to land use and transportation development, it may employ the use of an areawide level of service standard and an accommodation of proposed, multiple, viable alternative travel paths or modes for common trips."*

Under a TCMA, roadways are still subject to level of service standards. However, these standards are based on average areawide conditions rather than conditions for a specific roadway segment. In the case of Miami Beach's TCMA, the allowable development is limited by a pre-defined number of trips available within each zone.

The framework established as part of the existing TCMA allows the city great flexibility in the allowable mitigation for MDPs, such as some of the roadway improvements on West Avenue that were required as part of the approval of the Waverly and other development projects, and paid for through a concurrency agreement with the developers.

Examples of mitigation options that should be considered as part of every project are:

- Intersection improvements (for example, traffic signal upgrades and right-of-way dedication) to increase the capacity of the existing roadway network; and
- Intelligent transportation systems (ITS) improvements to increase the efficiency of the existing roadway network.



The city has had some success with intersection improvements.

At a minimum, MDP review should address these issues to determine whether opportunities for intersection or ITS improvements exist and can be implemented. This range of mitigation approaches is a key element of the TCMA process and is consistent with all three concurrency options.

An important advantage of the TCMA is that it allows the city to ration the amount of development desired within various districts of the Ccity. When the TCMA is established or updated, each district is allocated a certain amount of trips, which equates to a certain development intensity depending on the land use. However, this structure is also a shortcoming of the TCMA system, in that it is generally an

"all or nothing" approach. Under standard concurrency, if a roadway is below its adopted Level of Service, development affecting that segment is stopped until roadway improvements are identified. Since TCMAs are structured around entire areas rather than specific roadways, it is possible for development in a district to be prohibited because no trips are available. If this occurs, a series of transportation improvements (rather than a single improvement) is required to provide additional capacity and allow development to continue.

Transportation Concurrency Exception Area (TCEA)

The primary difference between a Transportation Concurrency Exception Area (TCEA) and a TCMA is that all transportation concurrency requirements are waived for development projects within the TCEA. The implementation of a TCEA occurs through a comprehensive plan amendment and requires a community commitment to develop a *sustainable non-auto transportation system* (for example, mass transit and bicycle/pedestrian facilities). As a result, the requirements for the adoption of a TCEA are more stringent than those associated with a TCMA. However, the advantage of the TCEA structure is that development within an area is not arbitrarily constrained, as can happen under a TCMA. This allows the city more flexibility in accommodating MDPs within the city.

It is important to note that the TCEA is not intended as a blanket transportation approval for all projects within the designated area – local governments still enforce requirements that are used to regulate development. These development requirements include policies related to parking and public transportation, as well as mitigation needs for localized roadway impacts.

It should also be noted that in the same instance Transportation Concurrency Exception Areas (TCEAs) are used in combination with TCMAs. For example, the City of Orlando maintains a TCEA for its downtown core, while the rest of the city is governed by a series of TCMAs. This structure was established because of the city's constrained roadway network in the CBD and the adjacent historical neighborhoods. However, the city still wanted to encourage additional development in its core but with an emphasis on pedestrian character rather than roadway capacity. Consequently, a TCEA was created.

Within Miami Beach, a TCEA could be established for areas where the city wants to encourage development, but where existing constraints and neighborhood character make the roadway improvements necessary to satisfy concurrency undesirable. Examples include the South Beach and Lincoln Road areas. Under such an arrangement, the remainder of the city could be governed by the existing TCMA. In addition, development projects, including MDPs, located in the TCEA would have to be designed with a pedestrian character. To ensure this occurs, the city would have to clarify the minimum requirements for "pedestrian character," and include these as standards.

Multimodal Transportation Districts

Multimodal transportation districts (MMTD) are a new option provided by the Florida Statutes for satisfying transportation concurrency. MMTDs include Level of Service standards for roadways, bicycle and pedestrian facilities, as well as for transit. This statutory provision is intended to encourage mixed-use and pedestrian-scaled development in emerging activity centers. Within these areas, the land uses and development form supports future mass transit service. The only adopted MMTD is in Destin, Florida.

The MMTD is intended for emerging activity centers that wish to encourage more high-density development without the restrictions of traditional concurrency requirements. It appears Miami Beach is

urbanized to the point this concurrency management concept would not be beneficial to the city.

The existing TCMA provides for all of the benefits associated with the MMTD because it allows the kind of concurrency exemptions and supports the modal choice promoted by the MMTD.

Based on these reasons, there may not be any compelling reasons to depart from the current approach to concurrency management

Targeted Transportation Impact Analysis

Regardless of possible changes to the concurrency management system, an additional option for the city to consider is to establish a requirement that MDPs prepare a traditional Traffic Impact Analysis (TIA) that focuses the study area and mitigation requirements on roadways and intersections within a short distance (e.g., 1/4 mile) of the proposed MDP development. This tool allows for the city to maintain its existing transportation concurrency management system, while at the same time ensuring that MDPs do not have an adverse impact on the traffic conditions on the roads/intersections in the areas immediately surrounding the MDPs.

4. Park and Open Space Requirements

The LDRs contain no provisions for the set-aside of open space on an MDP site, or for the provision of Public Gathering Places. It is suggested the city consider both of these options for new MDPs.

Open Space Set-Aside

Open space set-aside standards are regulatory provisions that require new developments to set aside a portion of the development site as private common open space for use by the owners/residents of the development. The open space set-asides normally consist of two different types of open space: (1) passive open space set-asides, which many times consist of environmentally sensitive lands or natural areas, or (2) active open space, which is usually open space used for active recreation purposes. Neither type of open space set-aside is credited toward the city's minimum level of service standards for parks; however, they provide for needed open areas on a development site. It is typical for open space set-aside standards to require that open space set-asides be located so as to connect to adjacent public recreation lands (parks or greenways) to the maximum extent practicable. It is also typical for open space set-aside standards to prioritize the types of lands to be set-aside for open space (e.g., environmentally sensitive lands, culturally significant sites, etc.). The standards also usually establish a minimum and maximum amount of open space set-aside that may be designated for active recreation uses and set out the criteria for how such lands are to be located on the site (i.e., centrally-located, useable, accessible, adequate size, etc.).

Public Gathering Spaces

Public gathering spaces are important open space resources in urban areas. They typically could include plazas, public art, fountains, or other constructed focal points. The city might consider requiring MDPs include at least one public gathering space in addition to open space



Public gathering spaces are important elements of the urban landscape.

set-asides. If this is done, it is suggested that Public Gathering Spaces include at least four of the following elements: seating elements; specialized or decorative paving features; pedestrian lighting beyond the level required to illuminate public rights-of-way; arcades, canopies, awnings, or overhangs to shield pedestrians; street furnishings, including but not limited to planters, waste receptacles, bicycle racks, drinking fountains, or shelters for persons utilizing public transit; or informational kiosks.

5. Workforce Housing Requirements for MDPs

If the city is interested in encouraging or requiring that MDPs provide reasonable housing opportunities for the essential employees that serve such development (hospitality employees; arts, entertainment, and recreation employees; health care employees; education employees; retail trade employees; and public administration employees), we suggest a strategy be based, to the greatest extent possible, on the experience of other communities in the country that have implemented successful workforce housing programs. What their experiences teach is that all effective workforce housing programs are tackled comprehensively, and are multi-dimensional in nature, meaning they include a number of different strategies that include development incentives, dedicated funding, and sometimes mandatory initiatives for the production of affordable workforce housing. However, because the focus of this project is on the evaluation of MDPs, the discussion focuses on development incentives and mandatory mitigation options, not dedicated funding [7]

Optional Development Incentives for Workforce Housing

There are several regulatory development incentives that might be considered by the city to encourage the production of workforce housing for essential employees. These options include waiver of use and dimensional standards; reduction of parking and landscaping requirements; and use of an ombudsman.[8]

Waiver of Use and Dimensional Standards

The waiver of use and dimensional standards in certain areas of the city for MDPs that provide a certain amount of workforce housing for essential employees might make development of these units more attractive. In Key West, Islamorada, Aspen/Pitkin County, Colorado and Teton County, Wyoming (Jackson Hole), the local governments have waived density, use, and dimensional standards when commercial developers integrate workforce housing units on the second and third levels of their developments. In Tallahassee, developers are given more design options for developing affordable units. And in California, the density bonus legislation mandates local governments waive certain

[7] No local government workforce housing program has been effective without the use of a substantial dedicated public source of funding for the provision of workforce housing units. Consequently, if Miami Beach is serious about providing workforce housing to essential employees, it is important the city pursue a substantial dedicated source of funding for essential employee workforce housing, along with other policy options. With that said, it should be recognized that given the present fiscal environment in the state and the city, there are limited realistic taxation options available for local governments to fund workforce housing initiatives. These options might include an optional sales tax; general funds revenues; or possibly additional SHIP funding. The optional sales tax has been used by some local governments outside Florida to fund workforce housing. However, in Florida, this would require legislative amendments to sales tax laws in order to gain authorization to use a local option sales tax to construct workforce housing. General funds may be used for any legal purpose, and the provision of workforce housing is certainly legitimate. All of this points out that there are limited dedicated funding options available to the city (and all local governments in Florida) for workforce housing.

[8] Many communities use density bonuses as a development incentive to encourage the private sector to develop workforce housing; however, this is not considered here as a policy option due to the 1997 and 2004 charter amendments that prohibits any changes in the maximum floor area ratio for all buildings except by a public referendum.

dimensional, landscaping and parking requirements when a developer builds a certain amount of affordable housing.

Reduction of Parking and Landscaping Requirements

Another incentive for development of workforce housing for essential workers is to reduce the off-street parking and landscaping requirements placed on developers of the units. As mentioned above, the California density bonus legislation allows for a reduction in parking standards and landscaping. The Tallahassee inclusionary regulations also allow for the developer of affordable units to request such reductions, which are then considered by the review board. Reductions in parking standards, in particular, potentially result in significant economic benefits to developers, so it is suggested that these types of incentives be seriously considered by the city – especially since the reduction of parking is a transportation issue of concern for MDPs.



Provision of workforce housing is very challenging in Miami Beach.

Ombudsman

Another option is for the city to consider the appointment of an ombudsman who educates members of the development community about options and incentives they might pursue to build workforce housing units for essential employees, and then assists such applicants with the development permitting processes for developments that include workforce housing for essential employees. This person is generally a planning/zoning professional hired by the city. Manatee County is presently using an ombudsman for workforce housing purposes.

Mandatory Workforce Housing Mitigation Options

Another option Miami Beach might consider is the adoption of some form of mandatory workforce housing mitigation requirements for essential workers – an inclusionary housing program, a linkage fee program, or both. If this is done, the preferred option is to do it on a more comprehensive basis, applying it to more than just MDPs.

An inclusionary requirement is a land use regulation that requires a certain percentage of new residential development built be affordable housing for the essential employees that serve the development to offset the need for affordable essential worker housing created by the residential development. Linkage fees are fees imposed on non-residential development in order to offset the need for essential worker housing created by the nonresidential development. In both instances, the basis for the inclusionary requirement, or the need for the fee, is "linked" to the development through a nexus/support study, which quantifies the degree of impact or need for essential worker housing created. Some more recent local government mandatory workforce housing mitigation requirements integrate the inclusionary and linkage concepts through a comprehensive mandatory workforce housing mitigation requirement based on the need for workforce (essential worker) housing created by new development or redevelopment.

Today there are five locally-initiated mandatory workforce housing mitigation programs in Florida– one in Key West, one in Islamorada, one in Palm Beach County, one in Boca Raton, and a fifth in

Tallahassee. Because California is far out in front of the rest of the nation in addressing workforce housing affordability issues, it is important to note that in California there are a number of mandatory affordable housing mitigation programs. Based on our review, there are at least 120 inclusionary programs in place in California, and 19 linkage fee programs.

Experience teaches that a mandatory mitigation program for essential worker housing (either an inclusionary program, a linkage program, or both), standing alone, is not going to solve the workforce housing problem in a community. It must be implemented in conjunction with incentive-based programs, as well as a substantial source of dedicated funding to be effective.

Finally, if either type of mitigation program is adopted by the city, it needs to be supported by a Support Study which provides the technical background or "nexus" for the mitigation program.

6. Rate of Growth Program

Like many fast-growing communities, the sheer pace of development and change is an important issue in Miami Beach. It is clear that the rate of development impacts the community. It has direct impacts on the character of the city, the condition of roads, the provision of services, as well as the potential to create fiscal imbalances. It has indirect impacts on community livability and quality of life, which, while they are more difficult to quantify, are no less real.

Section III, Existing Conditions, recognizes that while Miami Beach is not facing significant resident population growth, there will continue to be significant growth in the city's seasonal population, as well as shoppers and persons visiting the city's restaurants and entertainment establishments – and consequently, significant increases in development.



Some citizens expressed interest that in this process there be discussion about the feasibility of using a rate of growth mechanism as a growth management tool to help ensure that future growth does not outpace the city's ability to mange new development in an orderly fashion, maintain character within the existing neighborhoods, and provide adequate levels of infrastructure – especially roads.

Background

Rate-of-growth regulations are adopted by a number of local governments throughout the country to ensure orderly and well-managed growth when development is occurring at a rate that outstrips the community's ability to adequately accommodate it. Growth rate regulations provide time for the community to plan for and respond to the demands of growth and formulate more comprehensive, long-range planning solutions. A rate control program must be clearly intended to support a community direction, outlined in a comprehensive plan. Otherwise, it is nothing more than a slow way to get to an unknown (and possibly undesirable) outcome.

In the mid 1970's, Petaluma, California, pioneered the use of a permit allocation system, and that model is studied and applied in many other places around the country. Today, a number of such systems exist and many have withstood legal challenge. Such regulations typically specify an annual rate of growth for the community, either as a flat annual percentage (say, 2 or 3 percent), or in

numbers of new residential and/or tourist units, and/or the amount of new commercial space. The rate does not have to be identified with scientific precision; rather, one that is based on an analysis of infrastructure demand, community character limits, carrying capacity limits, hurricane evacuation limits, or other planning bases, and is therefore rationally related to local needs, should pass legal muster.

An example of a community that has adopted such a rate of growth regulation in Florida is Monroe County. The ordinance adopted by Monroe County allows an allocation of approximately 200 new residential units per year, split between all the local governments within the county. This number is identified in the county's comprehensive plan as a reasonable rate of growth, based on the local governments' ability to evacuate citizens in time of a hurricane event.

Another local government, Boulder, Colorado, adopted a rate of growth regulation that allows for a two percent annual rate of growth. Other communities use rate-of-growth regulation variations by introducing quotas, or hybridized systems with adequate public facilities regulations.

Evaluating a Rate Control System for Miami Beach

In Miami Beach, the factors that might justify some form of rate control system include the city's significant recent development rate and future development estimates, coupled with the community goals of protecting neighborhood or community character, road congestion levels, or hurricane evacuation limits. There might be other reasonable planning bases.

On the one hand, these infrastructure challenges and quality-of-life impacts might make some type of rate control system appear tempting. Slowing down the rate of growth allows the city to better manage the character, quality, and pace of development, as well as to limit new development's impact on roads and road congestion.



On the other hand, however, a number of factors weigh against adopting any type of rate control system. First, while a growth rate regulation might improve the ability of the city to better mange development's impact on the existing character of neighborhoods, development quality and traffic congestion, it does not necessarily completely alleviate those problems; it just slows them down.

Second, to be most effective, a rate-of-growth regulation needs to apply to development already approved. That, however, appears unrealistic in Miami Beach.

Third, a rate of growth regulation, if properly designed, requires additional amendments to the existing comprehensive plan to create the foundation for a rate of growth program. Such amendments need to, at a general level, identify the rate at which the city continues to grow and still maintain desired community character and provide public facilities and services.

Fourth, the politics of adopting a growth-rate regulation are highly complex. Growth control ordinances are often complex systems that prioritize competing development interests. The political challenges involved in adopting such a system are often challenging.

Fifth and finally, the city needs to consider the unintended consequences that rate of growth regulations have in communities. At a minimum, rate of growth regulations add complexity to the development review process, which in Miami Beach means making an already complex permit process even more complex. Furthermore, even though it is not demonstrated definitively, many in the planning and growth management profession believe that such regulations result in increased development costs generally, and consequently drive up the costs of all development. Certainly, it cannot be denied that many of the communities that adopt such regulations have high development costs, relative to comparable communities.

After weighing the considerations discussed above, we suggest a rate control system is probably not the most appropriate tool for the city. Instead, there are other alternatives available to address the challenges created by MDPs and to help address appearance, compatibility, transportation, park/open space, and workforce housing issues related to MDPs.

In summary, growth rate control systems are tools used for a range of legitimate public purposes, yet should be implemented only based upon a carefully developed strategy whose consequences are fully understood. There should be sufficient political will to adopt the tool in the area where it will have the most impact. Ultimately the decision as to whether to implement a rate of growth control system is a determination that is made by the local elected officials within their legislative discretion. The real challenge is to determine whether such a system is the best course of action for the city in light of the issues raised above.

B. Planning and Programmatic Options

Planning and programmatic options are policy options available to the city that are not regulatory in nature, but involve planning and program initiatives. The planning and programmatic options identified in this Policy Options Memo all relate to transportation and focus on alleviating traffic through public transportation and parking. They include:

- City-sponsored Transit;
- Park and Ride facilities;
- City-Sponsored Transportation Demand Management;
- Public Parking Structures; and
- Intelligent Transportation Systems.

City-Sponsored Transit

As is discussed in Section III, Existing Conditions, Miami Beach used to operate the Electrowave shuttle, a local transit circulator. However, program management was given to the County transit system, and in 2005 was terminated by the County. A more focused local circulator system, as is prescribed in the Coastal Communities Transit Plan, might prove to be an important tool to address some of the traffic congestion problems in the city. Miami Beach's development form is linear in nature, and much of the commercial development is oriented in corridors (e.g., Alton Avenue., Ocean Drive, Lincoln Road, Collins Avenue, etc.); parts of the city are very densely developed, and parts of the city have evolved into cohesive districts (e.g., Collins Waterfront, Lincoln Road Mall, Ocean Drive/Lummus Park area). These kinds of features appear ideal for supporting an effective circulator transit system. In addition, the level of traffic congestion, at least at peak times such as nights and weekends, might make transit a viable alternative to driving. Given these circumstances, the city might consider working towards expanding and enhancing a local circulator transit system that uses smaller-scale vehicles that serve a small number or fixed routes with very little headway or wait times between stops. This might provide an alternative to private automobiles, and if coordinated with additional parking strategies (centralized city-

owned parking facilities, regulations to encourage shared parking, off-site parking, and modified parking pricing) might be effective at addressing some of the traffic congestion problems. As an incentive, if adquate funding could be identified, the city might consider providing the service for free, as is done in Portland.



Park and Ride Facilities

Another program initiative for dealing with automobile congestion is to provide mobility options that keep cars from even driving into Miami Beach, or as an alternative, establishing centralized locations at entry areas into the city where cars coming into the city park safely and inexpensively before creating congestion. This kind of park and ride solution is used with great success in such communities as Seattle, Boston, Washington, DC, and San Jose, California, and should be seriously considered in Miami Beach. Of course, a key component of this strategy is to ensure transit is available to move people from the parking areas to places of work, entertainment, and recreation, at a pace and expense that is comparable to use of the private automobile.

Another option the city might want to consider is the use of a water ferry service that carries visitors or employees from the mainland to key waterfront destinations in the city, where they access other forms of public transportation without need for a car.

City-Sponsored Transportation Demand Management

Another option used by cities with difficult traffic congestion problems is transportation demand management strategies for employees working in the city. For example, the City of San Ramon, California, funds vanpooling by paying a driver a one-time $1,000 bonus and the vanpool fare for all riders for the first three months. Carpoolers are offered a similar gasoline reimbursement. The Guaranteed Ride Home Program provides a taxi voucher to transit riders so that they are assured timely travel during family or other emergencies. The City of San Ramon also makes its driving alternatives clear and accessible to many citizens by publishing them on the city's website. These kinds of programs might be effective for city employees, as well as the employees of businesses within new MDPs built in the city.

Planning for Public Parking Structures

Another program initiative the city might consider is providing centralized parking structures in areas proximate to major parking demand (as is currently done in for the Collins Waterfront area). The city would need to complete a parking study to identify sites for such facilities; build the structures using bonds, general revenues, or through public/private partnerships; adjust the local land development regulations in areas adjacent to the structures to support the use of the structures (through parking exemptions, on-site parking caps, and similar provisions); and charge new developments (such as MDPs) an in-lieu fee to defray the costs of construction.

Intelligent Transportation Systems

Greater use and refinement of Intelligent Transportation Systems (ITS) might also minimize the perceived impacts from traffic congestion by facilitating better traffic flow. Such measures might also be used

effectively in combination with some of the other options described here to further facilitate use of publicly-provided parking facilities. This is a tool the city should make certain it is using to its maximum advantage.

C. Funding Options

In addition to the Regulatory Options and Planning and Programmatic Options, there are several Funding Options that are available to support infrastructure needs related to the review of Major Development Projects. They primarily involve in-lieu or impact fees for public transportation, parks/open space, and off-street parking facilities, and the recalibration of water and sewer fees. There is also some discussion about how to address the need for operating costs for public schools.

1. In-Lieu Fee for Parking

As is discussed in Section III: Existing Conditions, the city currently provides for in-lieu parking fees for all new construction within historic districts, and for intensification of uses in existing buildings citywide. One policy option to address the cost of parking is to broaden the scope of the in-lieu parking program to other areas of the city. As discussed earlier, the city would need to complete a parking study to identify sites for such facilities; build the structures using bonds, general revenues, or through public/private partnerships; adjust the local land development regulations in areas adjacent to the structures to support the use of the structures; and charge new developments an in-lieu fee to defray the costs of construction.

2. Transportation Impact Fee

A transportation impact fee is suggested if the city wishes to implement transportation improvements such as build bus shelters, purchase buses, install traffic signals, build bike paths, and encourage related activities that result in capacity expansion and mobility enhancement. The City of North Miami is about to implement this type of fee as well as a parking impact fee.

3. Transit Funding

Funding for transit improvements can be addressed through the existing concurrency mitigation fees or a new transportation impact fee, as previously discussed. Transit improvements funded through the fees could be in the form of capital equipment, new transfer facilities, improved bus service, or additional local circulators to serve Miami Beach residents. These types of improvements are documented in the existing Municipal Mobility Plan and also addressed as part of the Coastal Communities Master Plan.

For subsidizing transit operating expenses, which are precluded from funding through impact fees, some form of an annual tax might be explored. Given the amount of potential new employment generators, an extra tax of a few pennies on a BID (Business Improvement District) assessment could provide bus operating subsidies for specific high-use areas.

4. Park/Open Space Fees

Since it is impractical for the city to annex more parks/open space land, it will be very costly to maintain its park land and open space standards. To do so would likely require buying/condemning some developed property. An impact fee for a land component for parks/open space could be in excess of $10,000 per housing unit. Given this relatively moderate value per new residential unit, this figure may be reasonable from a political perspective. If not, serious consideration should be given to requiring unit-based set asides (see discussion in open space set-asides in Section IV (A), Regulatory Options).

In addition, a park impact fee could be calculated for park improvements, facilities, administrative space, equipment and vehicles to maintain the current level of service. This fee would apply against residential and lodging units.

5. School Impact Fees and Operating Costs

The School District has recently revised the manner in which school impact fees are calculated. They are now more proportionate to the demand by type of housing unit. For example, the impact fee for high rise units is now a small percentage of what it is for a single family unit. Although the records indicate there is still a significant amount of residential development in Miami Beach, most of the new units are high rise units that will be occupied by seasonal residents. A major implication is that additional capacity needs for school capacity from new growth is likely to be very limited, or decrease. On the other hand, while it appears additional school capacity is not needed, according to city staff, supplemental school operating expenditures are needed for after-school instruction and programs.

Public school operations and funding is the responsibility of the School District. In terms of funding needs for school operations, impact fees are not able to be used since they are for capital school capacity needs only. To address this issue of school operating costs, it is suggested the city discuss the possibility for supplemental funding with the School District as it continues to collect impact fees for the District. However, when a significant residential project is proposed, city staff believes voluntary proffers on the part of the developer, to help enhance supplemental school programs, could help to make developments more attractive.

6. Recalibration of Water & Sewer Fees

The city is responsible for water supply and distribution. For sewer, the city is responsible for the provision of pump stations and collection lines. The new nonresidential square footage and multifamily units in the city will have system capacity needs. This will have additional capital cost implications. At the present time there are water and sewer impact fees for capital capacity costs. The operating and maintenance costs are reflected in monthly service charges. The service charges have been updated on a fairly regular basis.

The water and sewer impact fees have been in effect since 1995. For the smallest meter size, 5/8 inch, the water impact fee is $155 and the sewer impact fee is $235. An 8 inch meter is $12,400 and $18,800 respectively. Based on new fees just completed for several surrounding jurisdictions, it appears the fees are hundreds, if not thousands of dollars too low, per 5/8 inch meter. It is suggested they should be recalibrated and consideration given to calling them system capacity fees. These capacity fees would be adopted separately from impact fees. Unless new growth pays more of its fair share for its utilization of system capacity, rates will have to make up the difference.

PART V: RECOMMENDATIONS

There are multiple combinations of options the city might pursue in refining how it treats Major Development Projects (MDPs). Furthermore, given the breadth of impacts from MDPs the city identifies as important to evaluate/mitigate in its goals for the project, any revisions to the existing policy framework for MDPs needs to be sufficiently broad to ensure all these areas of impact/mitigation are addressed. At the same time, it is also important that the policy framework accomplish three other objectives: (1) focus on achieving efficiency, by not creating either regulatory or programmatic overlap; (2) fit into the context of the city and its existing programs and regulations; and (3) support the city's other growth management goals.

The impacts of MDPs identified in Section II: *Project Goals* that are important to evaluate and then appropriately mitigate in the review of MDPs are:

1. Off-street Parking;
2. Public Transportation;
3. Roads;
4. Public Parks and Open Space;
5. Public Schools;
6. Neighborhood Context and Compatibility;
7. Costs of Growth;
8. Review Procedure; and
9. Workforce Housing for Essential Employees.

The recommended policy framework includes a combination of regulatory, planning and programmatic, and funding options to ensure these goals are accomplished. They are outlined below.

A. Regulatory Amendments – the Conditional Use Procedure for MDPs

Initially, the city should amend the current conditional use procedure for MDPs. The amendments should include the following changes.

1. Define "Major Development Project"

A definition for Major Development Project should be created and codified, which further refines the MDP concept, to include developments with the intensities and densities which require further review and analysis, and mitigation of potential impacts. The current threshold of 50,000 square feet or more of structure should be refined further, and the concept of excluding certain uninhabitable areas, such as underground parking, green roofs, and similar desirable features should be considered. Additional consideration should be given to further revisions to make the definition more specific to various different uses in the future.

2. Different Thresholds in Planning Area

Establishment of different thresholds for what constitutes a MDP based on the type of use or uses to be developed, or where the MDP is proposed to be built in the city (South Beach, Middle Beach, or North Beach).

3. Broaden Application

Establishment of a distinct Major Development Project review process, and broaden its application beyond that of the conditional use procedure for MDPs from specified commercial districts (i.e., CD-1, CD-2, CD-3, MXE, C-PS-1, C-PS-2, C-PS-3, and C-PS-4) and the I-1 Light Industrial District to the entire city. As an alternative, the procedure should be broadened to include zoning districts that allow multi-family uses.

4. Relocate MDP Procedure to Chapter 118, LDRs

Relocation of the procedure for MDPs to Chapter 118, LDRs. (This allows the MDP procedure to undergo further refinements and modifications over time without affecting the city's traditional conditional use procedure.)

5. Modify and Add Substantive Standards for Review of MDPs

Modification of the existing substantive review standards and the addition of new substantive review standards to make the standards more specific and objective, and to better address goals involving appearance and compatibility, off-street parking, pedestrian circulation, transportation impacts, open space, and workforce housing for essential workers. Specifically, the new standards should address:

- Appearance and Compatibility;
- Off-street Parking;
- Pedestrian Circulation;
- Transportation Demand Management;
- A Traffic Impact Analysis;
- Open Space Set-Asides;
- Public Gathering Place Set-Asides; and
- Workforce Housing for Essential Employees

6. Appearance and Compatibility

The appearance and compatibility standards should consist of design standards, transitional standards, and sustainability standards.

7. Design Standards

The design standards should continue to be applied by the Design Review Board or Historic Preservation Board (as appropriate), and should include:

- Site and Building Layout Standards to address how buildings relate to their site and surroundings;
- Building Height Standards relative to adjacent structures, to ensure buildings are compatible with their context;
- Access and Circulation Standards to encourage cross-access and pedestrian orientation; and
- Building Design Standards to ensure buildings are compatible with their context.

8. Transitional Standards

The transitional standards should be used in addition to the design standards and be reviewed and approved by the Design Review Board or Historic Preservation Board (as appropriate). They should be used to address conflicts between incompatible land uses that abut one another. This should be done through development/design standards that require development to establish a more gradual transition between different uses. Some of the basic techniques should include:

- Establishing a continuum of use intensity on a site where uses of moderate intensity are sited between high intensity uses and low intensity uses (e.g. office uses between retail and detached residential);
- Clustering taller buildings or portions of buildings away from the adjacent lower-rise uses (e.g., towards the center of the site) and stepping down the height of these buildings as they approach these edges; and
- Graduation of building height and mass in the form of building step-backs or other techniques so that structures with a higher intensity have a comparable scale with adjacent structures housing lower intensity uses.

9. Sustainability Standards

The sustainability standards should incorporate some basic sustainability concepts. They should include:

- Provisions that allow for green roofs, and allow OSS credit for green roofs;
- Mandatory xeriscape requirements; and
- Energy conservation standards that allow solar collectors on roofs (even in historic districts), allowances for small-scale on-site wind turbine electricity-generating systems, and incentives for obtaining LEED (Leadership in Energy and Environmental Design) certification.

10. Off-street Parking

The off-street parking standards should do the following:

- Revise and modernize the amount of on-site parking required for new MDPs (the revised standards should account for factors such as the project's land use, geographic location and the supply of public parking around the project site;
- Add requirements for carpool/rideshare vehicles;
- Establish parking requirements for bicycles;
- Consider adding parking maximums (in addition to minimum parking requirements), especially for surface parking lots;
- Add provisions that increase flexibility to provide parking, like shared parking and deferred parking;
- Add other off-site parking provisions that are more flexible than current Section 130-36 which allows for off-site parking within 1,200 feet of the use it is associated with. One option might be to allow central parking facilities to be located outside the city, or in areas proximate to the causeways that serve parking needs for uses in heavily visited areas such as Lincoln Road, Ocean Drive, and the Collins Waterfront Historic District.
- Establish additional in-lieu fee programs for parking.

11. Pedestrian Circulation

The Pedestrian Circulation standards should address site design, the orientation of building entrances and parking facilities, and architectural features such as awnings and areas for bus stops, to ensure MDPs are pedestrian-friendly. (The city might also consider requiring a pedestrian circulation plan be prepared so as to review compliance with the standards.)

12. Transportation Demand Management

The Transportation Demand Management standards should require all MDPs establish TDM programs which are approved as part of the MDP. The city might want to consider a minimum reduction in external travel that is required to be achieved through TDM practices. Examples of TDM requirements that could be used include:

- Requiring off-peak start and end times for shifts;
- Requiring employers to provide free or discounted transit passes for employees;
- Rideshare/ridematching/carpool programs;
- Transit improvements (including guaranteed ride home programs);
- Car sharing programs for major employers; and
- Requiring developers to provide pedestrian and bicycle amenities.

13. Targeted Transportation Impact Analysis

A Transportation Impact Analysis (TIA) requirement that focuses its study area and mitigation requirements for MDPs on roadways and intersections within a short distance (e.g., 1/4 mile) of the proposed MDP development. Similar to current practices, the TIA would address existing and proposed operating conditions and would be separate from the transportation concurrency evaluation. This allows for the city to maintain its existing transportation concurrency management system, while at the same time ensuring that MDPs do not have an adverse impact on the traffic conditions on the roads/intersections in the areas immediately surrounding the MDPs. This approach also provides more flexibility for the city in determining the scope of issues addressed through the TIA. For example, whereas the concurrency system only addresses operating roadway conditions during the weekday PM peak hour, the TIA can include an analysis of evening and weekend conditions, depending on the land use and project location.

14. Open Space Set-Asides

Open Space Set-Aside standards that require a minimum amount of both passive and active open space set-asides (OSS), and a maximum amount of active OSS. The OSS standards should include criteria that require OSS be located to connect to adjacent public recreation lands (parks or greenways), to the maximum extent practicable, as well as locational criteria for how such lands are to be located on the site (i.e., centrally-located, useable, accessible, adequate size, etc.).

15. Public Gathering Place Set-Asides

Public Gathering Place Set-Aside standards that require MDPs include at least one public gathering space in addition to OSS standards, with at least four of the following elements: seating elements; specialized or decorative paving features; pedestrian lighting beyond the level required to illuminate public rights-of-way; arcades, canopies, awnings, or overhangs to shield pedestrians; street furnishings, including but not limited to planters, waste receptacles, bicycle racks, drinking fountains, or shelters for persons utilizing public transit; or informational kiosks.

16. Workforce Housing

Workforce housing provisions for essential workers (hospitality employees; arts, entertainment, and recreation employees; health care employees; education employees; retail trade employees; and public administration employees) that allow a MDP developer who builds a certain amount of residential units that are restricted for essential employees to request the Planning Board to waive certain dimensional standards and/or reduce the off-street parking and landscaping requirements placed on developers of the units. (The standards would provide the Planning Board final decision-making authority on this issue, to ensure the MDP project, if such waivers are granted, is compatible with surrounding development.)

B. Planning and Programmatic Initiatives

It is also suggested the city initiate the following planning and programmatic initiatives to support the

regulatory effort.

1. Park and Ride Facilities

A program to add park and ride facilities on the mainland side of the causeways, or as an alternative, at central locations at entry areas into the city, where people can park their cars safely and inexpensively, and be transported from the parking areas to places of work, entertainment, and recreation at a pace and expense that is comparable to use of the private automobile.

2. City Sponsored Public Parking Structures

A program to develop centralized parking structures in areas proximate to major parking demand (as is currently envisioned for the North Beach Town Center area). In order to do this, the city would need to complete a parking study to identify sites for such facilities; build the structures using bonds, general revenues, or through public/private partnerships; adjust the LDRs to support the use of the structures; and exact new developments an in-lieu fee to defray the costs of constructing the parking spaces.

3. City Sponsored Transportation Demand Management Program

A transportation demand management program for employees working for the city. This could include things like paying a driver a one-time bonus for vanpooling, and the vanpool fare for all riders for the first three months, a guaranteed ride home (with a taxi voucher) to transit riders so that they are assured timely travel during family or other emergencies, and priority parking locations for cars that ride share.

4. Intelligent Transportation Systems

A program to ensure greater use and refinement of Intelligent Transportation Systems (ITS) to minimize the perceived impacts from traffic congestion by facilitating better traffic flow. Such measures might also be used effectively in combination with some of the other options described here to further facilitate use of publicly-provided parking facilities.

5. City Sponsored Transit

A program to fund local transit improvements through a combination of city funds and fees. The scope of the transit improvements would be determined as part of the Coastal Communities Master Plan; the primary purpose of the improvements is to improve access to shared parking facilities and to the regional Miami-Dade Transit system.

C. Funding

Finally, it is also suggested the city initiate the following funding efforts to support the regulatory and planning and programmatic initiatives.

1. In-Lieu Fee for Parking

As is discussed above the city should broaden the scope of the in-lieu parking program to other areas of the city. This would require completion of a parking study to identify sites for such facilities; building the structures using bonds, general revenues, or through public/private partnerships; amending the LDRs to support the use of the structures to exact an in-lieu fee to defray the costs of constructing the parking spaces.

2. Parking Impact Fee

A parking impact fee for parking spaces that are used for general municipal purposes and special

events.

3. Recalibration of Water & Sewer Fees

The water and sewer impact fees have been in effect since 1995. For the smallest meter size, 5/8 inch, the water impact fee is $155 and the sewer impact fee is $235. An 8 inch meter is $12,400 and $18,800 respectively. Based on new fees just completed for several surrounding jurisdictions, it appears the fees are hundreds, if not thousands of dollars too low, per 5/8 inch meter. It is suggested the fees should be recalibrated and consideration given to calling them system capacity fees. These capacity fees would be adopted separately from impact fees. Unless new growth pays more of its fair share for its utilization of system capacity, rates will have to make up the difference.

4. Operating Costs for Schools

Public school operations and funding is the responsibility of the School District. In terms of funding needs for school operations, impact fees are not able to be used since they are for capital school capacity needs only. To address this issue of school operating costs, it is suggested the city discuss the possibility for supplemental funding with the School District if it continues to collect impact fees for the District. Additionally, voluntary proffers by developers to help fund supplementary school programs could be a part of the MDP approval process of significant residential projects, as suggested by city staff.

PART VI: APPENDIX

I. North Beach Calculations
II. Middle Beach Calculations
III. South Beach Calculations

Zoning District Name [1]	Abbreviation	Total Square Footage in District [2]	Total Acreage in District	Maximum FAR [3]	Total Potential Building Square Footage (3 x 5)	Discounted Total Potential Building Square Footage (6 - (6 x 0.15)	Imputed Density (units per acre) [2]	Total Potential Density (4 x 7)	Discounted Total Potential Density (9 - (9 x 0.15)	% of Land Area Devoted to Nonresidential Uses	% of Land Area Devoted to Residential Uses	Estimated Nonresidential Square Footage (7 x 10)	Estimated Residential Units (10 x 12)
NORTH BEACH													
Commercial, Low Intensity	cd-1	175,934	4.04	1.0	175,934	149,544	49	198	168	50%	50%	74,772	84
Commercial, Medium Intensity	cd-2	1,678,350	38.53	1.5	2,517,525	2,139,896	74	2,851	2,424	50%	50%	1,069,948	1,212
Commercial, High Intensity [4]	cd-3	650,950	14.94	2.66	1,731,528	1,471,798	147	2,197	1,867	50%	50%	735,899	934
Government Use	gu	3,837,260	88.09	0.0	0	0	N/A	0	0	100%	0%	0	0
Residential Multifamily, Low Intensity [7]	rm-1	10,148,178	232.97	1.25	12,685,223	10,782,439	61	14,211	12,080	5%	95%	539,122	11,476
Residential Multifamily, Medium Intensity	rm-2	729,597	16.75	2.0	1,459,194	1,240,315	98	1,641	1,395	15%	85%	186,047	1,186
Residential Multifamily, High Intensity [8]	rm-3	914,276	20.99	2.66	2,431,974	2,067,178	147	3,085	2,623	25%	75%	516,795	1,967
Residential/ Office	ro	217,199	4.99	0.75	162,899	138,464	37	184	157	45%	55%	62,309	86
Single-Family Residential	rs-3	3,080,078	70.71	N/A	0	0	4.35	308	261	0%	100%	0	261
Single-Family Residential	rs-4	8,107,422	186.12	N/A	0	0	7.26	1,351	1,149	0%	100%	0	1,149
Townhome Residential	th	476,892	10.95	0.7	333,824	283,751	30	328	279	0%	100%	0	279
SUBTOTAL		**30,016,136**	**689**		**21,498,101**	**18,273,386**		**26,356**	**22,402**			**3,184,892**	**18,633**

Zoning District Name [1]	Abbreviation	Total Square Footage in District [2]	Total Acreage in District	Maximum FAR [3]	Total Potential Building Square Footage (3 x 5)	Discounted Total Potential Building Square Footage (6 - (6 x 0.15)	Imputed Density (units per acre) [2]	Total Potential Density (4 x 7)	Discounted Total Potential Density (9 - (9 x 0.15)	% of Land Area Devoted to Nonresidential Uses	% of Land Area Devoted to Residential Uses	Estimated Nonresidential Square Footage (7 x 10)	Estimated Residential Units (10 x 12)
MIDDLE BEACH													
Convention Center District	ccc	83	0.00	2.75	228	194	N/A	0	0	100%	0%	194	0
Commercial, Low Intensity	cd-1	671,626	15.42	1.0	671,626	570,882	49	756	642	50%	50%	285,441	321
Commercial, Medium Intensity	cd-2	580,736	13.33	1.5	871,104	740,439	74	987	839	50%	50%	370,219	419
Commercial, High Intensity [4]	cd-3	976,583	22.42	2.66	2,597,710	2,208,054	147	3,296	2,801	50%	50%	1,104,027	1,401
Golf Course District	gc	7,385,460	169.55	N/A	0	0	N/A	N/A	0	N/A	N/A	0	0
Hospital District	hd	246,552	5.66	3.0	739,655	628,707	N/A	0	0	100%	0%	628,707	0
Industrial, Light	i-1	132,980	3.05	1.0	132,980	113,033	N/A	0	0	100%	0%	113,033	0
Government Use	gu	17,106,297	392.71	0	0	0	N/A	0	0	100%	0%	0	0
Residential Multifamily, Low Intensity [7]	rm-1	1,294,301	29.71	1.25	1,617,876	1,375,195	61	1,812	1,541	5%	95%	68,760	1,464
Residential Multifamily, Medium Intensity	rm-2	1,871,936	42.97	2.0	3,743,872	3,182,292	98	4,211	3,580	15%	85%	477,344	3,043
Residential Multifamily, High Intensity [8]	rm-3	5,678,749	130.37	2.66	15,105,472	12,839,652	147	19,164	16,289	25%	75%	3,209,913	12,217
Multifamily, Planned Residential Development 2	rm-prd-2	379,039	8.70	1.45	549,606	467,165	N/A	180	153	10%	90%	46,717	138
Single-Family Residential	rs-1	1,187,015	27.25	N/A	0	0	1.45	40	34	0%	100%	0	34
Single-Family Residential	rs-2	8,058,229	184.99	N/A	0	0	2.42	448	381	0%	100%	0	381
Single-Family Residential	rs-3	9,405,786	215.93	N/A	0	0	4.35	939	798	0%	100%	0	798
Single-Family Residential	rs-4	15,582,134	357.72	N/A	0	0	7.26	2,597	2,207	0%	100%	0	2,207
Waterway District	wd-1	227,474	5.22	N/A	0	0	N/A	0	0	100%	0%	0	0
Waterway District	wd-2	242,332	5.56	0.01	2,423	2,060	N/A	0	0	100%	0%	2,060	0
SUBTOTAL		**71,027,312**	**1,631**		**26,032,555**	**22,127,672**		**34,429**	**29,265**			**6,306,414**	**22,422**

Zoning District Name [1]	Abbreviation	Total Square Footage in District [2]	Total Acreage in District	Maximum FAR [3]	Total Potential Building Square Footage (3 x 5)	Discounted Total Potential Building Square Footage (6 - (6 x 0.15)	Imputed Density (units per acre) [2]	Total Potential Density (4 x 7)	Discounted Total Potential Density (9 - (9 x 0.15)	% of Land Area Devoted to Nonresidential Uses	% of Land Area Devoted to Residential Uses	Estimated Nonresidential Square Footage (7 x 10)	Estimated Residential Units (10 x 12)
SOUTH BEACH													
Convention Center District	ccc	2,628,381	60.34	2.75	7,228,047	6,143,840	N/A	0	0	100%	0%	6,143,840	0
Commercial, Low Intensity	cd-1	253,223	5.81	1.0	253,223	215,240	49	285	242	50%	50%	107,620	121
Commercial, Medium Intensity	cd-2	4,050,867	93.00	1.5	6,076,300	5,164,855	74	6,882	5,849	50%	50%	2,582,428	2,925
Commercial, High Intensity [4]	cd-3	1,943,846	44.62	2.66	5,170,630	4,395,035	147	6,560	5,576	50%	50%	2,197,518	2,788
Commercial, Limited Mixed Use [5]	cps-1	544,681	12.50	1.0	544,681	462,979	41	514	437	50%	50%	231,489	219
Commercial, General Mixed Use	cps-2	1,272,597	29.21	2.0	2,545,194	2,163,415	92	2,688	2,285	50%	50%	1,081,708	1,142
Commercial, Intensive Mixed Use	cps-3	459,198	10.54	2.5	1,147,996	975,796	123	1,297	1,102	50%	50%	487,898	551
Commercial Intensive Phased Bayside	cps-4	497,660	11.42	2.5	1,244,151	1,057,528	116	1,322	1,124	50%	50%	528,764	562
Government Use	gu	8,710,145	199.96	0	0	0	N/A	N/A	0	N/A	N/A	0	0
Industrial, Light	i-1	530,919	12.19	1.0	530,919	451,281	N/A	0	0	100%	0%	451,281	0
Mixed Use Entertainment [6]	mxe	1,743,107	40.02	2.64	4,601,803	3,911,532	122	4,889	4,156	75%	25%	2,933,649	1,039
Residential Multifamily, Low Intensity [7]	rm-1	6,634,432	152.31	1.25	8,293,040	7,049,084	61	9,291	7,897	5%	95%	352,454	7,502
Residential Multifamily, Medium Intensity	rm-2	2,948,626	67.69	2.0	5,897,253	5,012,665	98	6,634	5,639	15%	85%	751,900	4,793
Residential Multifamily, High Intensity [8]	rm-3	1,924,010	44.17	2.66	5,117,867	4,350,187	147	6,493	5,519	25%	75%	1,087,547	4,139
Multifamily, Planned Residential Development 2	rm-prd-2	422,349	9.70	1.45	612,406	520,545	N/A	180	153	10%	90%	52,054	138
Residential Mixed Use Development [9]	rmps-1	250,205	5.74	1.5	375,308	319,012	93	532	452	10%	90%	31,901	407
Residential/ Office	ro	307,481	7.06	0.75	230,611	196,019	37	261	222	45%	55%	88,209	122
Residential Medium-Low Density	rps-1	222,393	5.11	1.25	277,991	236,293	49	249	211	5%	95%	11,815	201
Residential Medium Density	rps-2	462,218	10.61	1.5	693,327	589,328	62	655	557	5%	95%	29,466	529
Residential Medium-High Density	rps-3	484,575	11.12	1.75	848,006	720,805	81	901	766	15%	85%	108,121	651
Residential High Density	rps-4	2,279,292	52.33	2.0	4,558,584	3,874,797	98	5,128	4,359	25%	75%	968,699	3,269
Single-Family Residential	rs-1	1,616,449	37.11	N/A	0	0	1.45	54	46	0%	100%	0	46
Single-Family Residential	rs-3	4,088,719	93.86	N/A	0	0	4.35	408	347	0%	100%	0	347
Single-Family Residential	rs-4	3,283,766	75.38	N/A	0	0	7.26	547	465	0%	100%	0	465
SUBTOTAL		**47,559,139**	**1,092**		**56,247,337**	**47,810,236**		**55,768**	**47,403**			**20,228,361**	**31,955**

Zoning District Name [1]	Abbreviation	Total Square Footage in District [2]	Total Acreage in District	Maximum FAR [3]	Total Potential Building Square Footage (3 x 5)	Discounted Total Potential Building Square Footage (6 - (6 x 0.15)	Imputed Density (units per acre) [2]	Total Potential Density (4 x 7)
TOTAL		**148,602,587**	**3,411**		**103,777,993**	**88,211,294**		**116,553**
NOTES:								
[1] The data from the City did not include the RO-2 or the RO-3 Districts.								
[2] Source: City of Miami Beach staff. Figure does not include land occupied by rghts-of-way.								
[3] Source: Miami Beach Land Development Regulations.								
[4] Using an average FAR of 2.66 based on LDR requirements (Lot <45,000 sf = 2.25; Lot > 45,000 sf = 2.75; Oceanfront lot >45,000 sf = 3.0).								
[5] Assumes an FAR of 1.0 due to the limited land area associated with other FAR amounts (1.5 for Blocks 51 & 52; 2.0 for Block 1).								
[6] Assumes an average FAR of 2.64 based on LDR requirements (2.0; Convention hotel overlay: >22,499 = 1.25; 22,500- 37,499 = 1.85; 37,500-44,999 = 2.45; 45,000-59,999 = 3.05; 60,000-7								
[7] Assumes an FAR of 1.25 despite LDR regulations allowing 1.4 (W. Side of Collins between 76 & 79, & institutions on lots >15,000 sf =1.4).								
[8] Assumes an average FAR of 2.66 based on LDR reglations (Lot <45,000 sf = 2.25; Lot > 45,000 sf = 2.75; Oceanfront lot >45,000 sf = 3.0).								
[9] Assumes the same FAR and average apartment size as the R-PS4 District.								
[10] Assumes an average apartment size of 900 square feet for imputed density.								