

# MIAMI BEACH

## PLANNING DEPARTMENT

Staff Report & Recommendation

Planning Board

TO: Chairperson and Members  
Planning Board

DATE: August 23, 2016

FROM: Thomas R. Mooney, AICP  
Planning Director

SUBJECT: **Comprehensive Plan & LDR Amendments  
Transit Intermodal Facilities**

### **REQUESTS**

**PB16-0054. TRANSIT INTERMODAL FACILITIES - COMP PLAN AMENDMENTS.** AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN OF THE CITY OF MIAMI BEACH, FLORIDA, BY AMENDING POLICY 1.2 TO ALLOW "TRANSIT INTERMODAL FACILITIES" AS A PERMITTED USE WITH IN THE FOLLOWING LAND USE CATEGORIES: "GENERAL MIXED USE COMMERCIAL "PERFORMANCE STANDARD" CATEGORY (CPS-2)," PUBLIC FACILITY HOSPITAL - PF (PF- HD), PUBLIC FACILITY: GOVERNMENTAL USES (PF), "PARKING" (P), COMMERCIAL HIGH INTENSITY (CD-3), COMMERCIAL, MEDIUM INTENSITY (CD-2), COMMERCIAL, LOW INTENSITY (CD-1), NORTH BEACH TOWN CENTER CORE (TC-1), NORTH BEACH TOWN CENTER MIXED USE (TC-2); AMENDING THE FUTURE LAND USE MAP TO MODIFY THE DESIGNATION "RECREATION OPEN SPACE" (ROS) ALONG THE JULIA TUTTLE TO "PUBLIC FACILITY" (PF); AMENDING THE "PARKING" (P) LAND USE CATEGORY TO ALLOW RESIDENTIAL USES WHEN ASSOCIATED WITH A TRANSIT INTERMODAL FACILITY OR PARKING FACILITY; AMENDING THE TRANSPORTATION ELEMENT OF THE COMPREHENSIVE PLAN OF THE CITY OF MIAMI BEACH, FLORIDA, BY UPDATING AND MODIFYING THE TRANSPORTATION ELEMENT; THE POLICIES WITHIN OBJECTIVE 1 ENTITLED "LEVEL OF SERVICE," TO REFLECT THE CITY'S ADOPTED MODE HIERARCHY, OBJECTIVE 2 ENTITLED "COORDINATION WITH LAND USE," TO DETAIL THE NEEDS FOR TRANSIT INTERMODAL FACILITIES, OBJECTIVE 3 ENTITLED "ROADWAY PLANNING, DESIGN AND CONSTRUCTION," TO INCORPORATE ADDITIONAL MULTIMODAL TRANSPORTATION OPTIONS, OBJECTIVE 4 ENTITLED "MASS TRANSIT," TO ENCOURAGE MASS TRANSIT OPTIONS THROUGH THE 2015 TRANSPARATION MASTER PLAN, OBJECTIVE 6 ENTITLED "MULTI-MODAL TRANSPORTATION," TO CLARIFY STRATEGIES TO IMPLEMENT MULTI-MODAL TRANSPORTATION OPTIONS, OBJECTIVE 7 ENTITLED "ENHANCE, PROTECT, AND PRESERVE THE CITY'S NEIGHBORHOODS," TO CLARIFY COORDINATING AGENCIES AND STRATEGIES, OBJECTIVE 8 ENTITLED "PARKING," TO ENCOURAGE SMART PARKING SYSTEMS, OBJECTIVE 10 ENTITLED "TRANSPORTATION COORDINATION WITH OTHER JURISDICTIONS," TO REQUIRE COORDINATION RELATING TO "TRANSIT INTERMODAL FACILITIES," TO MODIFY GLOSSARY OF TERMS TO INCLUDE THE TERM "TRANSIT INTERMODAL FACILITY" AND RELATED DEFINITIONS,

AND ESTABLISHING OBJECTIVE 5A, ENTITLED "TRANSIT MODE" TO DETAIL OPTIONS FOR TRANSPORTATION INFRASTRUCTURE; AMENDING THE POLICIES WITHIN THE INTERGOVERNMENTAL COORDINATION ELEMENT TO INCLUDE COORDINATION RELATING TRANSIT INTERMODAL FACILITIES; PROVIDING FOR INCLUSION IN THE COMPREHENSIVE PLAN, TRANSMITTAL; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.

**PB16-0055. TRANSIT INTERMODAL FACILITIES - LDR AMENDMENTS. AN ORDINANCE** OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING SECTION 114-1, ENTITLED "DEFINITIONS" TO PROVIDE A DEFINITION FOR A "TRANSIT INTERMODAL FACILITY" AND ASSOCIATED DEFINITIONS; AMENDING CHAPTER 130, "OFF-STREET PARKING," ARTICLE II, "DISTRICTS; REQUIREMENTS," SECTION 130-32, "OFF-STREET PARKING REQUIREMENTS FOR PARKING DISTRICT NO. 1," AND SECTION 130-33, "OFF-STREET PARKING REQUIREMENTS FOR PARKING DISTRICTS NOS. 2, 3, 4, 5, 6, AND 7," TO ESTABLISH PARKING REQUIREMENTS FOR "TRANSIT INTERMODAL FACILITIES," AND ESTABLISHING SECTION 130-40, "BICYCLE PARKING REQUIREMENTS," TO ESTABLISH MINIMUM REQUIREMENTS FOR BICYCLE PARKING FOR "TRANSIT INTERMODAL FACILITIES"; AMENDING CHAPTER 130, "OFF-STREET PARKING," ARTICLE III, "DESIGN STANDARDS," SECTION 130-68, "COMMERCIAL AND NONCOMMERCIAL PARKING GARAGES," ESTABLISHING REGULATIONS AND TO ALLOW FOR UP TO FIVE STORIES IN ADDITIONAL BUILDING HEIGHT (50 FEET) SHOULD A "TRANSIT INTERMODAL FACILITY" BE AN ACCESSORY USE TO A MAIN USE PARKING GARAGE; BY AMENDING CHAPTER 142, "ZONING DISTRICTS AND REGULATIONS," AT ARTICLE II, "DISTRICT REGULATIONS," TO INCLUDE A "TRANSIT INTERMODAL FACILITY" WITHIN THE LIST OF PERMITTED USES FOR THE FOLLOWING DISTRICTS: COMMERCIAL LOW INTENSITY (CD-1), COMMERCIAL, MEDIUM DENSITY (CD-2), COMMERCIAL, HIGH INTENSITY (CD-3), CIVIC AND GOVERNMENT USE (GU), HOSPITAL DISTRICT (HD), COMMERCIAL PERFORMANCE STANDARD, GENERAL MIXED USE (C-PS2), NORTH BEACH TOWN CENTER CORE (TC-1), NORTH BEACH TOWN CENTER MIXED USE (TC-2); BY ESTABLISHING CHAPTER 142, "ZONING DISTRICTS AND REGULATIONS," AT ARTICLE V, "SPECIALIZED USE REGULATIONS," DIVISION 4, "TRANSIT INTERMODAL FACILITIES," TO ESTABLISH REGULATIONS AND PROVIDE UP TO FIVE STORIES IN ADDITIONAL HEIGHT (50 FEET) SHOULD A "TRANSIT INTERMODAL FACILITY" THAT IS NOT ASSOCIATED WITH A MAIN USE PARKING GARAGE BE AN INCLUDED USE WITHIN A PROPERTY OR UNIFIED DEVELOPMENT SITE WITHIN ONE OF THE ABOVE DISTRICTS; PROVIDING FOR CODIFICATION; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.

**RECOMMENDATION:**

Transmit the proposed amendment to the Comprehensive Plan with the title as modified below and the amendment to the Land Development Regulations to the City Commission with a favorable recommendation.

Revised title for Comprehensive Plan Amendment:

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN OF THE CITY OF MIAMI BEACH, FLORIDA, BY OBJECTIVE 1, ENTITLED "LAND DEVELOPMENT REGULATIONS," TO ALLOW "TRANSIT INTERMODAL FACILITIES" AS A PERMITTED USE WITH IN THE FOLLOWING LAND USE CATEGORIES:

LOW INTENSITY COMMERCIAL CATEGORY (CD-1), MEDIUM INTENSITY COMMERCIAL CATEGORY (CD-2), HIGH INTENSITY COMMERCIAL CATEGORY (CD-3), PUBLIC FACILITY HOSPITAL - PF (PF-HD), PUBLIC FACILITY: GOVERNMENTAL USES (PF), PARKING (P), GENERAL MIXED USE COMMERCIAL "PERFORMANCE STANDARD" CATEGORY (CPS-2), TOWN CENTER CORE CATEGORY (TC-1), AND TOWN CENTER COMMERCIAL CATEGORY (TC-2); AMENDING THE FUTURE LAND USE MAP TO MODIFY THE DESIGNATION "RECREATION OPEN SPACE" (ROS) ALONG THE JULIA TUTTLE TO "PUBLIC FACILITY" (PF); AMENDING THE PARKING (P) LAND USE CATEGORY TO ALLOW THOSE USES PERMITTED IN SURROUNDING LAND USE CATEGORIES, INCLUDING, BUT NOT LIMITED TO, RESIDENTIAL USES WHEN ASSOCIATED WITH A TRANSIT INTERMODAL FACILITY OR PARKING FACILITY; AMENDING AND UPDATING THE GOALS, OBJECTIVES, AND RELATED POLICIES OF THE TRANSPORTATION ELEMENT AS FOLLOWS: OBJECTIVE 1, ENTITLED "LEVEL OF SERVICE," TO REFLECT THE CITY'S ADOPTED MODE OF TRANSPORTATION HIERARCHY; OBJECTIVE 2, ENTITLED "COORDINATION WITH LAND USE," TO DETAIL THE NEEDS FOR TRANSIT INTERMODAL FACILITIES; OBJECTIVE 3, ENTITLED "ROADWAY PLANNING, DESIGN AND CONSTRUCTION," TO INCORPORATE ADDITIONAL MULTIMODAL TRANSPORTATION OPTIONS; OBJECTIVE 4, ENTITLED "MASS TRANSIT," TO ENCOURAGE MASS TRANSIT OPTIONS THROUGH THE 2015 TRANSPORTATION MASTER PLAN; OBJECTIVE 5A, ENTITLED "TRANSIT MODE" TO DETAIL OPTIONS FOR TRANSPORTATION INFRASTRUCTURE; OBJECTIVE 6, ENTITLED "MULTI-MODAL TRANSPORTATION AND MOBILITY OPTIONS," TO CLARIFY STRATEGIES TO IMPLEMENT MULTI-MODAL TRANSPORTATION OPTIONS; OBJECTIVE 7, ENTITLED "ENHANCE, PROTECT, AND PRESERVE THE CITY'S NEIGHBORHOODS," TO CLARIFY COORDINATING AGENCIES AND STRATEGIES; OBJECTIVE 8, ENTITLED "PARKING," TO ENCOURAGE SMART PARKING SYSTEMS; OBJECTIVE 10, ENTITLED "TRANSPORTATION COORDINATION WITH OTHER JURISDICTIONS," TO REQUIRE COORDINATION RELATING TO "TRANSIT INTERMODAL FACILITIES;" THE GLOSSARY OF TERMS TO INCLUDE THE TERM "TRANSIT INTERMODAL FACILITY" AND RELATED DEFINITIONS; AMENDING AND UPDATING THE POLICIES WITHIN THE INTERGOVERNMENTAL COORDINATION ELEMENT TO INCLUDE COORDINATION RELATING TRANSIT INTERMODAL FACILITIES; PROVIDING FOR INCLUSION IN THE COMPREHENSIVE PLAN; TRANSMITTAL; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.

## **HISTORY**

On June 8, 2016, at the request of Commissioner Ricky Arriola, the City Commission referred the proposed ordinance amendments to the Land Use and Development Committee (Item C4N).

On June 15, 2016 the Land Use and Development Committee recommend that the City Commission refer the proposed ordinance amendments to the Planning Board. Additionally, the Land Use Committee recommended that an option for main use Transportation Intermodal Facilities be incorporated.

On July 13, 2016, the City Commission referred the proposed ordinance amendments (Item R9I) to the Planning Board for review and recommendation.

## **REVIEW CRITERIA**

In accordance with Section 118-163 (3), when reviewing a request for an amendment to these land development regulations, the Board shall consider the following where applicable:

1. **Whether the proposed change is consistent and compatible with the comprehensive plan and any applicable neighborhood or redevelopment plans.**

**Partially Consistent** – The proposed LDR amendment would be consistent with Comprehensive Plan as proposed to be amended.

2. **Whether the proposed change would create an isolated district unrelated to adjacent or nearby districts.**

**Not applicable** – The proposed amendment does not modify district boundaries or create an isolated district.

3. **Whether the change suggested is out of scale with the needs of the neighborhood or the city.**

**Consistent** – The proposal will allow for an additional 5 stories for the development of transit intermodal facilities. Before the additional height is permitted the City Commission must authorize the facility based upon findings that include a certified need for the facility within the neighborhood.

4. **Whether the proposed change would tax the existing load on public facilities and infrastructure.**

**Consistent** – The proposed amendment will not result in an increase in the intensity from what is currently permitted in the area. The facilities are intended to encourage alternative modes of transportation thus improving the existing vehicle loads on public facilities.

5. **Whether existing district boundaries are illogically drawn in relation to existing conditions on the property proposed for change.**

**Consistent** – The proposed modification does not modify district boundaries.

6. **Whether changed or changing conditions make the passage of the proposed change necessary.**

**Consistent** – Increases in traffic congestion within the City makes it necessary for the City to develop facilities that will encourage alternative modes of transportation and get vehicles off of the road.

7. **Whether the proposed change will adversely influence living conditions in the neighborhood.**

**Consistent** – The proposed amendment would allow for the development of facilities that will encourage the use of alternative modes of transportation. This will provide residents who cannot drive with additional mobility options. Additionally it will promote a reduction in automobile use, which should improve overall mobility throughout the City.

8. **Whether the proposed change will create or excessively increase traffic**

**congestion beyond the levels of service as set forth in the comprehensive plan or otherwise affect public safety.**

**Consistent** – The proposed change will not allow for additional development beyond what is currently permitted. The facilities are intended to encourage alternative modes of transportation which should improve levels of service.

**9. Whether the proposed change will seriously reduce light and air to adjacent areas.**

**Partially Consistent** – The proposed change would allow for an additional five stories above what is currently allowed in the affected areas for the development of transit intermodal facilities. However, the placement of such facilities will be limited based on need and to major transit transfer points. Additionally, the facilities will be subject to design review and historic preservation processes, as applicable, which will ensure that the facilities do not negatively impact adjacent areas.

**10. Whether the proposed change will adversely affect property values in the adjacent area.**

**Consistent** – The facilities are intended to provide infrastructure which will serve adjacent areas, and will not adversely affect property values.

**11. Whether the proposed change will be a deterrent to the improvement or development of adjacent property in accordance with existing regulations.**

**Consistent** – The proposed change would not be a deterrent to the redevelopment or improvement of any adjacent property.

**12. Whether there are substantial reasons why the property cannot be used in accordance with existing zoning.**

**Not applicable.**

**13. Whether it is impossible to find other adequate sites in the city for the proposed use in a district already permitting such use.**

**Consistent** – Existing regulations do not contemplate the development of transit intermodal facilities. The proposal will allow the Transportation Department to coordinate such facilities with planned transportation enhancements.

**ANALYSIS**

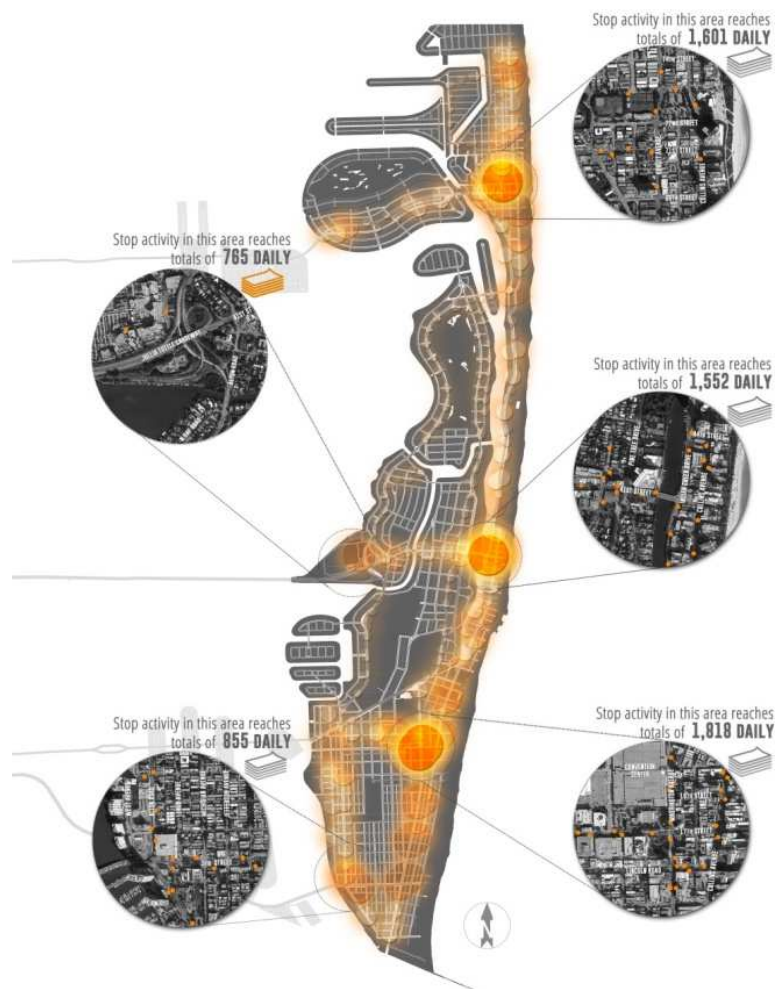
The Miami Beach Transportation Master Plan (TMP) was adopted by the Mayor and City Commission in April 13, 2016, the first comprehensive mobility plan in the City since 1999. A key component of the plan is the modal hierarchy adopted by City Commission at the July 8, 2015 meeting, as part of the plan development process. The adopted modal hierarchy consists of the following prioritization order:

1. Pedestrians
2. Transit, Bicycle, Freight (depending on the corridor)
3. Private Vehicles

The adopted modal hierarchy increases person through-put along City corridors, while at the same time addressing safety and mobility needs for bicyclists and pedestrians. Based on the projects recommended in the TMP consistent with this mode hierarchy, projects that could be implemented in the next 5 years, depending on funding availability, could increase corridor capacity in some corridors by as much as 50% person trips. Increases in bicycle and pedestrian trips also increase the health of the City and further reduce traffic inducing vehicles.

The TMP identified priority transit and bicycle/pedestrian corridors throughout the City and identified the potential areas for future transit facilities throughout the City (Attachment 1). Further, the TMP identified transfers as an essential part of an effective transit system because they maximize the coverage area and diversity of active transportation services. Hence, in order to obtain a successful transit environment, it is of critical importance to provide efficient and attractive transfer stops/centers to improve the quality of transit services as well as support the surrounding community. Transfer stops, transfer center/stations, and park-and-rides (intercept garages) are all defined in the TMP as different types of transit infrastructure.

The TMP defines Transfer Centers/Stations as “a more elaborate transfer facility that may accommodate more than two articulated buses and may include amenities such as retail, restrooms and lounge”. The locations for the desired transit infrastructure improvement from the TMP are summarized below.



Further, the City Commission has discussed the need for parking facilities at intercept locations throughout the City. Intercept garages have been identified as part of the City's mobility plans for over 15 years. It is recommended that these be incorporated as part of transit intermodal facilities. During discussions with Miami-Dade Transit for a potential Mid Beach transit intermodal facility as recently as last year, it was recommended that the minimum parking space requirement was 75 parking spaces.

The City is in the process of conducting a parallel environmental review and procurement for a Light Rail/Modern Streetcar project in the South Beach area. The Light Rail/Modern Streetcar includes two corridors with tracks in dedicated right-of-way: Phase 1 in the vicinity of 5<sup>th</sup> Street to Washington Avenue north to Dade Boulevard and Phase 2 in the vicinity of 17<sup>th</sup> Street to Alton Road south to 5<sup>th</sup> Street or South Point Drive. The vicinity of Alton and 5<sup>th</sup> Street has been identified with a need for a transit intermodal facility. Longer term plans, already in the Metropolitan Planning Organizations Long Range Transportation Plan for Miami-Dade County, include extensions from this alignment north on Collins Avenue to the City limits which will similarly require intermodal facilities in the longer term. In addition, the need for a transit intermodal facility in the vicinity of 41<sup>st</sup> Street and the Julia Tuttle Interchange (I-195) has been endorsed by the Mayor and Commission as recently as March 2016.

The City's consultant for the environmental review for the Miami Beach Light Rail/Modern Streetcar project provided the following general input regarding transit intermodal facilities (major intermodal facilities):

Major intermodal facilities may include multilevel parking garages, and in conjunction with ancillary joint development activities such as the Denver Union Station and ARTIC in Los Angeles. Analogously transit hubs do not need to be large to be effective, especially if they are sited well so that they use the surrounding street system effectively. Transit hubs as small as one-half (0.5) acre in size are operating in the United States. They can serve well as modestly sized transit hubs providing convenient connections between streetcars, BRT, busways and bus lines, while offering some pedestrian amenities and services.

Accordingly, staff is recommending that Transit Intermodal Facilities be defined as *“a transfer facility that provides convenient connections between streetcars, bus rapid transit (BRT), busways and bus lines, while offering some pedestrian and bicycle amenities and services; accommodates more than two (2) articulated buses; provides accessory parking spaces at intercept locations, generally between 75 and 500 spaces; and may include amenities such as retail, restrooms and lounge areas.”*

The proposed ordinance amendments would address changes to the City code to define Transit Intermodal Facilities, provide for transit intermodal facilities to be allowed as a permitted use in certain land use categories of the comprehensive plan, allow residential use as part of a transit intermodal facility, provide for additional height and accessory uses within a transit intermodal facility sufficient to offset the height needed for the intermodal facility within the development.

### **Comprehensive Plan Amendment**

Various amendments are being proposed to the City's 2025 Comprehensive Plan in order to allow for the implementation of a Light Rail/Modern Streetcar and ensure consistency with the adopted Transportation Master Plan and Bicycle Master Plan in order to encourage the development of Transit Intermodal Facilities.

The amendment generally proposes the following modifications to the Future Land Use Element:

- Allow “Transit Intermodal Facilities” as a permitted use with in the following future land use categories (See the map at the end of this report):
  - General Mixed Use Commercial “Performance Standard” Category (CPS-2)
  - Public Facility Hospital - PF (PF- HD)
  - Public Facility: Governmental Uses (PF)
  - Parking (P)
  - Commercial High Intensity (CD-3)
  - Commercial, Medium Intensity (CD-2)
  - Commercial, Low Intensity (CD-1)
  - North Beach Town Center Core (TC-1)
  - North Beach Town Center Mixed Use (TC-2)
- Allow uses which are permitted in surrounding land use categories, including, but not limited to, residential and commercial uses, when associated with a transit intermodal facility or parking facility within the “Parking” (P) Future Land Use category.



- Amending the Future Land Use Map to modify the designation of properties along the Julia Tuttle Causeway from “Recreation Open Space” (ROS) to “Public Facility” (PF) to allow for the possibility of a Transit Intermodal Facility, since a park is not practical within the Julia Tuttle Causeway/Alton Road interchange.

The amendment generally proposes the following modifications to the Transportation Element:

- Allow for the City Commission to exempt public-owned facilities and Transit Intermodal Facilities from concurrency requirements through the Land Development Regulations
- Encourage the development of Transportation Intermodal Facilities
- Ensure consistency with the Transportation Master Plan
- Ensure consistency with the 2015 Bicycle and Pedestrian Master Plan
- Reflect the City’s Adopted Mode of Transportation Hierarchy
- Encourage mass transit options
- Clarify strategies to implement multi-modal transportation options
- Encourage smart parking systems
- Define “Transit Intermodal Facility”

Additionally, the Intergovernmental Coordination Element is proposed to be modified to ensure that the City coordinates the planning and development of Intermodal Transit Facilities with Miami-Dade County, the Miami-Dade Metropolitan Planning Organization (MPO), and surrounding municipalities, as applicable.

#### **Land Development Regulations Amendment**

Amendments are proposed to the Land Development Regulations which would allow for the development of Transit Intermodal Facilities. The proposed amendment provides two options for their development. The first is as an accessory use to a Main Use Parking Garage. The second is as a main use Transit Intermodal Facilities; a vehicle parking requirement is also included as part of this option. Under both alternatives, an additional five (5) stories beyond what the underlying zoning allows would be permitted in order to be able to accommodate future transit facilities City wide. Additionally short-term and long-term bicycle parking requirements are also established for such facilities.

The amendment would allow Transit Intermodal Facilities within the CD-1, CD-2, CD-3, HD, C-PS2, TC-1, TC-2 and GU districts, provided the underlying Future Land Use designation in the Comprehensive Plan authorizes the use. However, before a Land Use can consider a Transit Intermodal Facility, the City Commission would be required to authorize the use at a particular site, pursuant to the following criteria:

- Whether the Transportation Department has certified if there is a need for an Intermodal Transit Facility at the proposed site;
- Whether there is a contract or interlocal agreement for public transit operations at the proposed site with the City of Miami Beach, Florida Department of Transportation (FDOT), Miami-Dade County, or other entity authorized to operate public transit services within the City of Miami Beach; and
- Whether the proximity of the proposed transit intermodal facility to other transit

intermodal facilities creates adverse impacts and how such impacts are mitigated.

Additionally, the amendment provides the City Commission the ability to waive Land Development Regulations requirements, with the exception of Historic Preservation and Design Review processes, by a five-sevenths vote. This is proposed in case there are unforeseen limitations within the Land Development Regulations that impact the ability to accommodate a Transit Intermodal Facility in an area where it is needed.

### **Comprehensive Planning Process**

This application includes a text amendment to the Future Land Use and Transportation elements of the Comprehensive Plan. Under Section 163.3184(2), F.S., this amendment shall follow the expedited state review process for adoption of comprehensive plan amendments. This process requires a public hearing by the local planning agency (Planning Board), a public transmittal hearing before the City Commission, after which the amendment must be transmitted to several state agencies for a 30-day review period, and a final adoption public hearing before the City Commission. The amendment is effective 31 days after it is adopted if there are no appeals.

### **Interlocal Agreement for Public School Facility Planning**

The 2005 Florida Legislature adopted laws which are incorporated in the Florida Statutes, requiring each local government to adopt an intergovernmental coordination element as part of their comprehensive plan, as well as a statutory mandate to implement public school concurrency.

Final site plan approval of any future development would be contingent upon meeting Public School Concurrency requirements and any applicant will be required to obtain a valid School Concurrency Determination Certificate (Certificate) issued by the Miami-Dade County Public Schools. Such Certificate will state the number of seats reserved at each school level. In the event sufficient seats are not available, a proportionate share mitigation plan shall be incorporated into a tri-party development agreement and duly executed prior to the issuance of a Building Permit.

### **SUMMARY**

Upon further review of the proposed ordinance, minor clarifications to the title for the Comprehensive Plan amendment are recommended. The proposed title clarifies the names of sections and of the Comprehensive Plan that are proposed to be amended, and lists them in the order in which they appear in the ordinance. Therefore, the proposed title change is not substantive.

### **RECOMMENDATION**

In view of the foregoing analysis, staff recommends that the Planning Board transmit the proposed amendment to the Comprehensive Plan with the title as modified and the amendment to the Land Development Regulations to the City Commission with a favorable recommendation.

TRM/MAB/RAM



## FUTURE LAND USE CATEGORIES TO PERMIT TRANSIT INTERMODAL FACILITIES

