

MIAMI BEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, www.miamibeachfl.gov

COMMITTEE MEMORANDUM

TO: Land Use and Development Committee

FROM: Jimmy L. Morales, City Manager

DATE: July 24, 2019

SUBJECT: **Proposed Amendments to The Comprehensive Plan As Part Of The Evaluation And Appraisal Report (EAR).**

HISTORY

On February 13, 2019 at the request of Commissioner John Elizabeth Aleman, the City Commission referred the item to the Land Use and Development Committee and the Planning Board (Item C4 O).

The Planning Board is expected to review this item at its July 23, 2019 meeting.

BACKGROUND

The City of Miami Beach Comprehensive Plan is a state mandated document that guides the decisions of the city as it pertains to addressing the needs of existing and future residents and businesses. The plan provides general regulations for growth, development, infrastructure, housing, parks and recreation, and more. The goals, objectives, and policies of the comprehensive plan are then implemented through more detailed documents such as the land development regulations, city code, storm water master plan, and the resiliency strategy/strategic plan. The comprehensive plan and plan amendments are adopted by ordinance per Florida Statute 163, Part II. All ordinances adopted by the city must be consistent with the standards set within the comprehensive plan.

The proposed amendments were prepared as part of an EAR process to update the comprehensive plan for consistency with state law and to address changing conditions and needs in the city. Such updates are required every seven years, pursuant to Section 163.3191, Florida statutes. As part of the EAR process, the city and our consultants have gathered data and performed analyses on existing conditions and trends in the City. Other plans and strategies that the city has formulated have been considered, including the storm water master plan, the transportation master plan, the Urban Land Institute (ULI) report, and the Resilient 305 plan.

A public meeting took place on January 28, 2019 to solicit input from residents and stakeholders. The comments were primarily focused on issues related to sea level rise, the environment, and incentivizing workforce and affordable housing. Attached is a summary of the comments that were provided by residents. The information gathered at this meeting, as well as any subsequent feedback, were utilized to determine best practices for policies to incorporate into the plan, while addressing the needs of residents

and other stakeholders.

Specific goals, objectives, and policies have been drafted that address updates to state statutes and the changing conditions and needs of the city.

ANALYSIS

Attached is a data and analysis document that identifies expected changes in population. The estimated growth in population, as identified by the State of Florida Shimberg Center is below:

Permanent Population Projections (2010-2040)							
	2010	2016	2020	2025	2030	2035	2040
Miami Beach	87,779	92,799	95,537	98,342	98,342	100,526	105,144

The expected population for the 2040 planning horizon of the comprehensive plan is 105,144. According to the estimate, there were 92,799 residents in 2016. Therefore, throughout the planning horizon, there is an expected population increase of 12,345 residents.

As the City of Miami Beach is built-out, it is expected that this population increase will be accommodated through infill redevelopment. The City expects to be able to accommodate an additional 2,655 residents in the North Beach Town Center – Central Core (TC-C) area, which currently has an estimated population of 735 residents, but can accommodate approximately 2,655 residents. It is anticipated that the remaining population can be accommodated through redevelopment of vacant or underutilized properties throughout the City.

Since the last update to the last Evaluation and Appraisal Report (EAR) the City has begun addressing significant issues related to sea-level rise and climate change. The City also faces issues regarding transportation and affordability.

In order to accommodate this growth and address other changes affecting the City, several amendments are being proposed to the Comprehensive Plan.

SUMMARY OF PROPOSED CHANGES

Below is a summary of changes that are being proposed to the Comprehensive Plan:

- Modifies the planning horizon from 2025 to 2040.
- Updates Goals, Objectives, and Policies to be consistent with changes in state law.
- Removes citations to obsolete Florida Statutes and Florida Administrative Code sections.
- The proposed amendment modifies the organization of the Comprehensive Plan to improve usability.

Specifically, the attached ordinance proposes to amend each element of the Comprehensive Plan as follows:

1. Resilient Land Use and Development Element:

- Renames the Future Land Use Element to the Resilient Land Use and Development Element.

- Adds sound planning criteria for consideration when making recommendations on future land use map (FLUM) and comprehensive plan amendments.
- Removes the Parking (P) future land use category and designates those parcels as Public Facility: Governmental Uses (PF) to provide greater flexibility.
- Incorporates descriptions for RM-PS-1 and RM-PRD-2 future land use categories that were on the FLUM but not described in the element.
- Improves internal consistency and clarity.

2. Climate Resiliency and Sustainability Element:

- The proposal merges policies from the Conservation/Coastal Zone Management into a new *Climate Resiliency and Sustainability Element*.
- Incorporates guiding principles of the ULI Miami Beach Study.
- Incorporates the Resilient 305 and the Miami Beach Strategic Plan to the list of referenced documents.
- Updates *Adaptation Action Area* (AAA) strategies to utilize more relevant language.
- Incorporates strategies to promote placemaking as a way to complement sea level rise mitigation strategies.
- Incorporates policies to incentivize and support private property adaptation.
- Incorporates policies to support the City maintaining or improving its FEMA community rating system score.
- Provides policies to that ongoing environmental issues are addressed through proactive planning approaches.
- Incorporates policies to provide for the protection of cultural and historic resources.
- Provides that the City will consider ecologies when making decisions on future projects.
- Updates references to other environmental documents.
- Establishes policies to promote energy efficiency.
- Provides policies to improve the resiliency of the City's operations.
- Updates citations and improves internal consistency of previously existing policies.

3. Transportation Element:

- Incorporates policies to establish a transportation concurrency exception area and a mobility fee program.
- Removes references to transportation concurrency management areas and levels of service.
- Provides policies authorizing the City to create pedestrian priority zones.
- Incorporates additional policies to support the use of alternative modes of transportation.
- Incorporates policies to support the City's circulator trolleys.
- Provides policies to support the City's initiatives to improve bicycle infrastructure.
- Provides guidance and standards for the preparation of transportation analyses and mitigation plans.
- Provides policies to encourage the City to study freight loading patterns and mitigate the impacts of freight loading on the transportation network.
- Provides policies to encourage parking garages to be designed to be convertible to other uses.
- Provides policies to encourage resiliency through transportation infrastructure, such as pervious pavements, blue and green infrastructure, and reduction in the urban heat island effect.
- Updates references and departmental citations.

4. Housing Element:

- Incorporates policies to provide guidance on the location of affordable and workforce housing.
- Provides policies to provide for more energy-efficient housing within the City.

5. Historic Preservation Element:

- Directs the City to establish resiliency guidelines for the preservation of historic buildings.
- Authorizes the City to establish neighborhood conservation districts and resiliency districts that incorporate the preservation of essential characteristics and adaptation to sea-level rise.

6. Recreation and Open Space Element:

- Incorporates policies to enhance the development of linear parks.
- Provides clarifications to policies regarding access to the waterfront and shoreline.
- References the Capital Improvements Element for parks and recreation levels of service.

7. Infrastructure Element:

- Provides policies that direct infrastructure to be provided that furthers the goals of the Climate Resiliency and Sustainability Element.
- Updates requirements for infrastructure to incorporate the City of Miami Beach Freeboard.

8. Intergovernmental Coordination Element:

- Updates department and document citations.

9. Public School Facilities Element:

- Renumbers policies for internal consistency.

10. Capital Improvements Element:

- Updates policies regarding the City's capital facilities planning and procedures.
- Revises Recreation and Open Space Levels of Service to be consistent with improved parks facilities.
- Authorizes the City to explore replacing Recreation and Open Space Levels of Service with a Parks Impact fee to provide for additional flexibility.

11. Comprehensive Plan Map Series

- Updates Future Land Use Map consistent with the revised Resilient Land Use and Development Element.
- Updates the Coastal High Hazard Area map consistent with statutory requirements.
- Updates transportation facility maps consistent with changes since the last update.

CONCLUSION

The Administration recommends that the Land Use and Development Committee recommends that the City Commission approves the amendments to the Comprehensive Plan.

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**EVALUATION AND APPRAISAL REVIEW
COMPREHENSIVE PLAN AMENDMENTS**

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE CITY OF MIAMI BEACH YEAR 2025 COMPREHENSIVE PLAN, PURSUANT TO THE STATE COORDINATED REVIEW PROCESS OF SECTION 163.3184(4) AND (11), FLORIDA STATUTES, BY AMENDING GOALS, OBJECTIVES, POLICIES, AND DOCUMENT TITLES OF THE COMPREHENSIVE PLAN, INCLUDING THE FOLLOWING ELEMENTS: FUTURE LAND USE, TRANSPORTATION, HOUSING, PUBLIC SCHOOLS FACILITIES, INFRASTRUCTURE, RECREATION AND OPEN SPACE, INTERGOVERNMENTAL COORDINATION, CAPITAL IMPROVEMENTS PROGRAM, AND HISTORIC PRESERVATION; ESTABLISHING A NEW RESILIENCY AND SUSTAINABILITY ELEMENT THAT INCORPORATES THE CONSERVATION AND COASTAL ZONE MANAGEMENT GOALS, OBJECTIVES, AND POLICIES REQUIRED BY SECTION 163.3177, FLORIDA STATUTES; DELETING THE CONSERVATION/COASTAL ZONE MANAGEMENT ELEMENT; AND, PURSUANT TO FLORIDA ADMINISTRATIVE CODE RULE 73C-49 AND SECTION 163.3191, FLORIDA STATUTES, ENTITLED "EVALUATION AND APPRAISAL OF COMPREHENSIVE PLAN," INCORPORATING NECESSARY AMENDMENTS REFLECTING CHANGES IN STATE REQUIREMENTS, AND UPDATING THE COMPREHENSIVE PLAN BASED ON CHANGES IN LOCAL CONDITIONS SINCE THE LAST UPDATE BASED ON THE EVALUATION AND APPRAISAL REPORT UPDATE ADOPTED ON APRIL 13, 2011; PROVIDING FOR INCLUSION IN THE COMPREHENSIVE PLAN, TRANSMITTAL, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, pursuant to Section 163.3191(1), Florida Statutes, local governments are required to evaluate their comprehensive plans to determine if plan amendments are necessary to reflect changes in state requirements in this part since the last update of the comprehensive plan, and notify the state land planning agency as to its determination; and,

WHEREAS, at its April 13, 2011 meeting the City Commission adopted the Evaluation and Appraisal Report (EAR) based amendments, which were determined to be sufficient to meet the requirements of Section 163.3191, Florida Statutes; and

WHEREAS, the on April 1, 2018, in accordance with the requirements of section 163.3191, Florida Statutes and the timeframes in Rule 73C-49, Florida Administrative Code, the City of Miami Beach notified the State Land Planning Agency that it would be preparing amendments to update the Comprehensive Plan reflecting changes in state requirements and changes in local conditions; and

WHEREAS, the City of Miami Beach has proposed amendments to the policies of the comprehensive plan; and

WHEREAS, the City Commission hereby finds that the adoption of this Ordinance is in the best interest and welfare of the residents of the City; and

WHEREAS, the City Commission, upon first reading of this Ordinance, authorized transmittal of the evaluation and appraisal review based amendments to the Comprehensive Plan to the Department of Economic Opportunity and review agencies for the purpose of a review in accordance with the State Coordinated Review process in 163.3184(4), Florida Statutes.

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

SECTION 1.

The City Commission hereby adopts the proposed amendments to the City's Comprehensive Plan attached herein as "Exhibit A," consistent with the requirements of section 163.3191, Florida Statutes.

SECTION 2. REPEALER.

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

SECTION 3. SEVERABILITY.

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

SECTION 4. CODIFICATION.

It is the intention of the City Commission that this Ordinance be entered into the Comprehensive Plan, and it is hereby ordained that the sections of this Ordinance may be renumbered or re-lettered to accomplish such intention; and that the word "ordinance" may be changed to "section" or other appropriate word. The Exhibits to this Ordinance that are not codified shall be kept on file with this Ordinance in the City Clerk's Office.

SECTION 5. TRANSMITTAL.

The Planning Director is hereby directed to transmit this ordinance to the appropriate state, regional and county agencies pursuant to the "State Coordinated Review Process," outlined in section 163.3184(4), Florida Statutes.

SECTION 6. EFFECTIVE DATE.

This ordinance shall take effect pursuant to the state land planning agency's notice of intent, pursuant to section 163.3184(4)(e).

PASSED and ADOPTED this ____ day of _____, 2019.

ATTEST:

Dan Gelber, Mayor

Rafael E. Granado City Clerk

First Reading: July 31, 2019

Second Reading: October __, 2019

(Sponsor: Commissioner John Elizabeth Aleman)

Verified By: _____
Thomas R. Mooney, AICP
Planning Director