

**MOBILITY FEES  
COMPREHENSIVE PLAN AMENDMENT**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING THE CITY OF MIAMI BEACH YEAR 2025 COMPREHENSIVE PLAN, PURSUANT TO THE EXPEDITED STATE REVIEW PROCESS OF SECTION 163.3184(3), FLORIDA STATUTES, BY AMENDING CHAPTER 1, ENTITLED “FUTURE LAND USE ELEMENT,” OBJECTIVE 6, ENTITLED “CONCURRENCY MANAGEMENT,” TO BE RENAMED “CONCURRENCY MANAGEMENT AND MOBILITY FEES,” TO ESTABLISH THAT ALL DEVELOPMENT AND REDEVELOPMENT ARE EXEMPT FROM TRANSPORTATION CONCURRENCY AND ARE SUBJECT TO THE ASSESMENT OF MOBILITY FEES, AND RELATED PROVISIONS; AMENDING CHAPTER 2, ENTITLED “TRANSPORTATION ELEMENT,” OBJECTIVE 1, ENTITLED “LEVEL OF SERVICE,” TO BE RENAMED “TRANSPORTATION CONCURRENCY EXCEPTION AREA AND MOBILITY FEES,” TO ESTABLISH THE CITY AS A TRANSPORTATION CONCURRENCY EXCEPTION AREA, ESTABLISH A MOBILITY FEE AND RELATED PROVISIONS, AND REMOVING REQUIREMENTS RELATED TO TRANSPORTATION CONCURRENCY; OBJECTIVE 6, ENTITLED “MULTI-MODAL TRANSPORTATION,” TO ENCOURAGE INFILL DEVELOPMENT THAT IS SUPPORTIVE OF MOBILITY ALTERNATIVES, TO REQUIRE CERTAIN DEVELOPMENTS TO PROVIDE A MULTIMODAL TRANSPORTATION ANALYSIS AND MITIGATION PLAN, INCORPORATE PARKING STRATEGIES TO ENCOURAGE THE USE OF MULTIMODAL TRANSPORTATION, AND REPEALLING OBJECTIVE 9, ENTITLED “TRANSPORTATION CONCURRENCY MANAGEMENT AREAS (TCMA);” AMENDING CHAPTER 8, ENTITLED “CAPITAL IMPROVEMENTS PROGRAM ELEMENT,” OBJECTIVE 5, ENTITLED “LEVEL OF SERVICE STANDARDS,” TO DESIGNATE THE CITY AS A TRANSPORTATION CONCURRENCY EXCEPTION AREA; AND FURTHER AMENDING THE AFORESTATED PROVISIONS TO CLARIFY EXISTING REGULATIONS AND STATUTORY CITATIONS; PROVIDING FOR INCLUSION IN THE COMPREHENSIVE PLAN; TRANSMITTAL; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.**

**WHEREAS**, the City Commission of the City of Miami Beach has the authority pursuant to Article VIII, Florida Constitution of 1968, F.S. Chapter 166; as amended, to adopt a transportation impact assessment program; and

**WHEREAS**, the City Commission of the City of Miami Beach is empowered pursuant to Article VIII of the Florida Constitution of 1968, F.S. Chapter 166; as amended, to adopt ordinances relating to budgeting and expenditure of City funds; and

**WHEREAS**, the City Commission of the City of Miami Beach is empowered pursuant to F.S. §166.021(1), the city has broad home rule powers to adopt ordinances to provide for and operate transportation systems, including roadways, transit facilities, and bicycle/pedestrian facilities within the city; and

**WHEREAS**, 1999 the City Commission adopted the 1999 Municipal Mobility Plan; and

**WHEREAS**, on April 12, 2000, the City Commission adopted Resolution 2000-23874 which adopted concurrency mitigation fees to fund projects in the 1999 Municipal Mobility Plan and administrative fees; and

**WHEREAS**, Section 163.318, Florida Statutes, entitled “Concurrency,” authorizes local governments to repeal transportation concurrency and encourages them to adopt an alternative mobility funding system, including mobility fees; and

**WHEREAS**, the City of Miami Beach has conducted a mobility fee study as directed by Comprehensive Plan Policy 1.5 of the Transportation Element; and

**WHEREAS**, the proposed mobility fee-based funding system complies with the dual rational nexus test applicable to impact fees; and

**WHEREAS**, the City Commission of the City of Miami Beach has conducted public hearings relating to the passage of the Ordinance establishing a mobility fee program; and

**WHEREAS**, F.S. Chapter 163.3177 requires the comprehensive plan to contain a capital improvements element which shall, among other things, provide for standards to ensure the availability and adequacy of public facilities and projected revenues to fund the facilities; and

**WHEREAS**, on April 13, 2016, the City Commission approved Resolution No. 2016-29371, adopting the 2015 Miami Beach Transportation Master Plan, which replaced the 1999 Municipal Mobility Plan; and

**WHEREAS**, the revenue from the mobility fee will be used to implement the needs of the 2015 Miami Beach Transportation Master Plan, which serves as the basis for the fee; and

**WHEREAS**, the amendments set forth below are necessary to accomplish all of the above objectives and the vote of the electorate.

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

**SECTION 1.** The following amendments to the City’s 2025 Comprehensive Plan Future Land Use Element are hereby adopted:

**FUTURE LAND USE ELEMENT**

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**OBJECTIVE 6: CONCURRENCY MANAGEMENT AND MOBILITY FEES**

Meet the concurrency management requirements of Section 163.3180, Florida Statutes Ch. 9J-5.0055 FAC and the LDR, and the land needs for utilities.

## Policy 6.1

The City shall continue to participate in the Miami-Dade County impact fee ordinance program.

## Policy 6.2

Land Development Regulations pertaining to concurrency management shall be amended to reflect Ch. 163.3180, Florida Statutes and this policy. No development permit shall be issued unless the applicable Mobility Fees and public facilities necessitated by the project (in order to meet level of service standards specified in the Policies of the ~~Transportation~~, Recreation, Public Schools and Infrastructure Elements, and the Water Supply Plan) will be in place concurrent with the impacts of the development ~~or the permit is conditional to assure that they will be in place, but no later than the issuance of a certificate of occupancy or its functional equivalent, pursuant to the regulations established in the Land Development Regulations.~~ The requirement that no development permit shall be issued unless applicable mobility fees are paid and public facilities necessitated by the project are in place concurrent with the impacts of development shall be effective immediately:

Acceptable Level of Service Standards for public facilities in the City of Miami Beach are:

- a. Recreation and Open Space – The National Recreation and Park Association’s suggested minimum requirement for recreation and open space ten (10) acres of recreation and open space per one thousand (1,000) permanent and seasonal residents is established as the minimum Level of Service Standard for the entire system.
- b. Potable Water Transmission Capacity
  - 140 Average gallons per capita per day;
  - 168 Peak gallons per capita per day
  - non-residential uses:
    - Hotel: 75 gallons per day per room
    - Office: 0.084 gallons per day per square foot
    - Retail: 0.18 gallons per day per square foot
    - Industrial: 0.084 gallons per day per square foot
    - Restaurant: 65 gallons per day per seat
    - School: 12 gallons per day per student
- c. Sanitary Sewer Transmission Capacity – 140 Average gallons per capita per day
- d. Storm Sewer Capacity – One-in-ten-year storm event.
- e. Solid Waste Collection Capacity – 1.275 tons per capita per year
- f. ~~Transportation Level of Service: All development and redevelopment shall be exempt from Transportation Concurrency. The City of Miami Beach is a Transportation Concurrency Exception Area; as such, Mobility Fees shall be assessed to fund mobility improvements identified in the Transportation Master Plan and other transportation needs.~~
  - ~~Local roads – LOS Standard D~~
  - ~~Collector roads – LOS Standard D~~
  - ~~Arterial roads – LOS Standard D~~
  - ~~Limited access roads – LOS Standard D~~
- g. Miami-Dade Public Schools - Beginning January 1, 2008, the adopted level of service (LOS) standard for all Miami-Dade County public school facilities is 100% utilization of Florida Inventory of School Houses (FISH) Capacity (With Relocatable Classrooms). This

LOS standard shall be applicable in each public school concurrency service area (CSA), defined as the public school attendance boundary established by the Miami-Dade County Public Schools.

1. Measuring Conformance with the Level-of-Service

Public facility capacity availability shall be determined by the Concurrency Management User's Procedural Guide (a supplement to the land development code), which contains the formulas for calculating compliance.

◇ The capacity of new facilities may be counted only if one or more of the following can be demonstrated:

(A) For water, sewer, solid waste and drainage:

- (1) Prior to approval of a building permit or its functional equivalent, the City shall consult with the applicable water supplier to determine whether adequate water supplies to serve the new development will be available no later than the anticipated date of issuance by the local government of a certificate of occupancy or its functional equivalent.
- (2) The necessary facilities are in place and available at the time a certificate of occupancy is issued, or
- (3) The new facilities are guaranteed in an enforceable development agreement to be in place when the impacts of development occur. An enforceable development agreement may include, but is not limited to, development agreements pursuant to Section 163.3220, Florida Statutes, or an agreement or development order pursuant to Chapter 380, Florida Statutes (the Development of Regional Impact authorization).

In the case of water, sewers, solid waste and recreation, the formulas must reflect the latest population vis a vis flows or park acreage.

Design capacity shall be determined as follows:

Sewage: the capacity of the County sewage treatment system.

Water: the capacity of the County water treatment and storage system.

Solid waste: the capacity of the County disposal system.

Drainage: The on-site detention capability and/or storm sewer capacity.

(B) For recreation:

- (1) Parks and recreation facilities to serve new development shall be in place or under actual construction no later than 1

year after issuance of a certificate of occupancy or its functional equivalent.

- (2) The new facilities are the subject of a binding executed contract for the construction of facilities to be completed within one year of the time the certificate of occupancy is issued, or
- (3) A development agreement as outlined in (A) (3) above but requiring construction to begin within one year of certificate of occupancy issuance.

Recreation: Measurement shall be based on recreation data in the Comprehensive Plan plus the latest City population estimate with any necessary interpretation provided by the City manager or designee thereof.

~~(C) For traffic:~~

- ~~(1) Transportation facilities needed to serve new development are scheduled to be in place or under actual construction not more than three years after issuance of a certificate of occupancy or its functional equivalent as provided in the adopted local government five year schedule of capital improvements.~~
- ~~(2) No modification of public facility level-of-service standards established by this plan shall be made except by a duly enacted amendment to this plan. The City shall ensure that no development approvals are issued that would result in traffic volumes surpassing the cumulative allowable areawide service volume based on the sum of the individual roadways' Level of Service Standard within the Transportation Concurrency Management Areas.~~

~~Roadways: The standard for measuring highway capacities shall be the Florida DOT Table of Generalized Two-Way Peak Hour Volumes for Urbanized Areas or other techniques that are compatible to the maximum extent feasible with FDOT standards and guidelines. The measurement of capacity may also be determined by engineering studies provided that analysis techniques are technically sound and acceptable to the City. The City shall ensure that no development approvals are issued that would result in traffic volumes surpassing the cumulative allowable areawide service volume based on the sum of the individual roadways' Level of Service Standard within the Transportation Concurrency Management Areas.~~

~~Transit: the county Transit Agency bus schedules for routes within the City.~~

2. Concurrency Monitoring System

The manager or designee thereof shall be responsible for monitoring facility capacities and development activity to ensure that the concurrency management system data base is kept current, i.e., includes all existing and committed development. This data base shall be used to systematically update the formulas used to assess projects. An annual report shall be prepared.

3. Capacity Reservation

Any development permit application which includes a specific plan for development, including densities and intensities, shall require a concurrency review. Compliance will be finally calculated and capacity reserved at time of final action of ~~an approved final Design Review approval or building permit, certificate of occupancy, business tax receipt, or similar permit, whichever comes first, if no Design Review is required or enforceable developers agreement.~~ Phasing of development is authorized ~~in accordance with Rule 9J-5.0055.~~ Applications for development permits shall be chronologically logged upon approval to determine rights to available capacity. A capacity reservation shall be valid for a time to be specified in the land development code; if construction is not initiated during this period, the reservation shall be terminated.

4. Administration

The City manager (or designee thereof) shall be responsible for concurrency management. The land development code shall specify administrative procedures, including an appeals mechanism, exemptions, plan modifications, burden of proof, etc.

5. Project Impact or Demand Measurement

~~The concurrency management user's procedural guide (a supplement to the land development regulations code) will contain the formulas for calculating compliance plus tables which provide generation rates for water use, sewer use, solid waste and traffic, by land use category. Alternative methods acceptable to the Director may also be used by the applicant for levels of service subject to concurrency requirements. For example, traffic generation may be based upon the Institute of Transportation Engineer's "Trip Generation" manual. Transportation facilities needed to serve new development shall be in place or under actual construction within 3 years after the local government approves a building permit or its functional equivalent.~~

**SECTION 2.** The following amendments to the City's 2025 Comprehensive Plan Transportation Element are hereby adopted:

**TRANSPORTATION ELEMENT**

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**OBJECTIVE 1: TRANSPORTATION CONCURRENCY EXCEPTION AREA AND MOBILITY FEES LEVEL OF SERVICE** (please see Glossary of terms)

To provide for a safe, convenient, balanced, efficient and effective multi-modal transportation system with a Level of Service (LOS) for multiple transportation modes.

**Policy 1.1:**

Due to the multimodal nature of the City's transportation system and adopted mode share goals, transportation concurrency is not an appropriate methodology for funding transportation improvements. As such, the City of Miami Beach is a transportation concurrency exception area (TCEA). Pursuant to section 163.3180 (j), Florida Statutes, the City adopts Mobility Fees as an alternative mobility funding system.

**Policy 1.2:**

The City shall establish Mobility Fees through the Land Development Regulations, in order to fund multi-modal mobility improvements that prioritize a safe, comfortable, and attractive pedestrian environment, with convenient interconnection to transit and alternative modes of transportation, and consistent with the adopted Transportation Master Plan.

**Policy 1.3:**

The Land Development Regulations shall establish procedures for calculating fees and credits, timeframes for required payments, deposit of funds, vesting, exemptions, incentives, and other procedures necessary to administer the fee.

**Policy 1.4:**

In order to encourage infill development and redevelopment that is consistent with the goals, objectives, and policies of this element, the City Commission may authorize mobility fee reductions for specific designated areas through the Land Development Regulations.

**Policy 1.5:**

Mobility Fees are intended to fund mobility improvements. Mobility fee funding shall be prioritized for projects identified in the adopted Transportation Master Plan.

**Policy 1.6**

The City will continue to utilize and seek other funding mechanisms including, but not limited to, the Transportation Planning Organization (TPO) process, Citizens' Independent Transportation Trust process, and others to address transportation needs.

**Policy 1.1 — Roadway Basic Level of Service**

The following minimum Level of Service standards shall apply to all State, County and local roads except for designated Federal Interstate Highway System (FIHS), Strategic Intermodal System (SIS), and Transportation Regional Incentive Program (TRIP) (please see Glossary of terms) funded facilities which shall be subject to the Florida Department of Transportation's (FDOT) Level of Service Standards.

- ~~Local roads — LOS Standard D~~
- ~~Collector roads — LOS Standard D~~
- ~~Arterial roads — LOS Standard D~~
- ~~Limited access roads — LOS Standard D~~

**~~Policy 1.2: Roadway Level of Service for Transportation Concurrency Management Areas~~**

The following level of service standards shall be established for roadways with certain characteristics as per this policy, and for roadways located within the City's Transportation Concurrency Management Areas (TCMA's):

- a. ~~Where no mass transit service exists, roadways shall operate at or above LOS D;~~
- b. ~~Where mass transit service having headways of 20 minutes or less is provided within ¼ mile distance, parallel roadways shall operate at no greater than 120 percent of LOS D; (please see glossary of terms)~~
- c. ~~Where extraordinary transit service classified as Local Circulator or express or peak hour limited stop bus service having headways of 10 minutes exists, parallel roadways within 1/4 mile, shall operate at no greater than 150 percent of LOS D (please see glossary of terms).~~

**~~Policy 1.3: Adhering to Level of Service~~**

The City shall ensure that no development approvals are issued that would result in traffic volumes surpassing the cumulative allowable area wide service volume based on the sum of the individual roadways' Level of Service Standard within the Transportation Concurrency Management Areas. However, City Commission may exempt publicly owned facilities and Transit Facilities through the Land Development regulations.

**~~Policy 1.4: Modification of Functional Classification~~**

The City shall consider the impacts of any future modification of the functional classification of various roadways on the allowable service volumes on specific roadways.

**~~Policy 1.5: Multi-Modal Level of Service~~** (please see Glossary of terms)

Roadway level of service is insufficient as a measure of multi-modal mobility in a mature city with land use intensities, mixed uses and the economic vitality such as Miami Beach. The City shall



~~undertake an examination of total mobility completed in 2016 to shift from roadway capacity and level of service to an overall mobility system capacity and level of service. The City's adopted 2015 Transportation Master Plan and adopted modal prioritization reflects the prioritization of transit through the development of exclusive transit lanes in the long term, while at the same time prioritizing bicycles and pedestrians (depending on the corridors) to promote the safety of these alternative modes and the health of the community. The mode hierarchy of the City is 1—pedestrians, 2—transit, bicycles, freight (depending on the corridor), and 3—private vehicles.~~

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## **OBJECTIVE 6: MULTI-MODAL TRANSPORTATION**

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### **Policy 6.12: Reserved Multimodal Transportation**

Infill and redevelopment shall be encouraged which is supportive of mobility alternatives including walking, bicycling and use of transit, as defined in 2016 Transportation Master Plan.

### **Policy 6.13: Reserved Multimodal Transportation Analysis and Mitigation Plan**

The City shall require all commercial and mixed-use developments over 5,000 gross square feet and multi-family projects with more than four (4) units or 15,000 gross square feet, to submit a transportation analysis and mitigation plan, prepared by a professional traffic engineer, licensed and registered in the State of Florida. The analysis and plan shall at a minimum provide the following:

- a. Details the impact of projected traffic on the adjacent corridors, intersections, and areas to be determined by the City.
- b. The analysis and plan will include strategies to mitigate the impact of the proposed development on the adjacent transportation network to the maximum extent feasible in a manner consistent with the adopted Transportation Master Plan and adopted mode share goals.
- c. Whenever possible, driveways shall be minimized and use common access points to reduce potential turn movements and conflict points with pedestrians.
- d. Applicable treatments may include, but not be limited to TDM strategies included in Policy 6.2 and TSM policies included in Policy 6.1 of the Transportation Element.
- e. Additional requirements analyses and mitigation strategies, as may be required by the Transportation Department and Land Development Regulations.
- f. The Land Development Regulations may establish additional requirements for traffic mitigation for Conditional Uses.

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### **Policy 6.17: Reserved Parking Strategies**

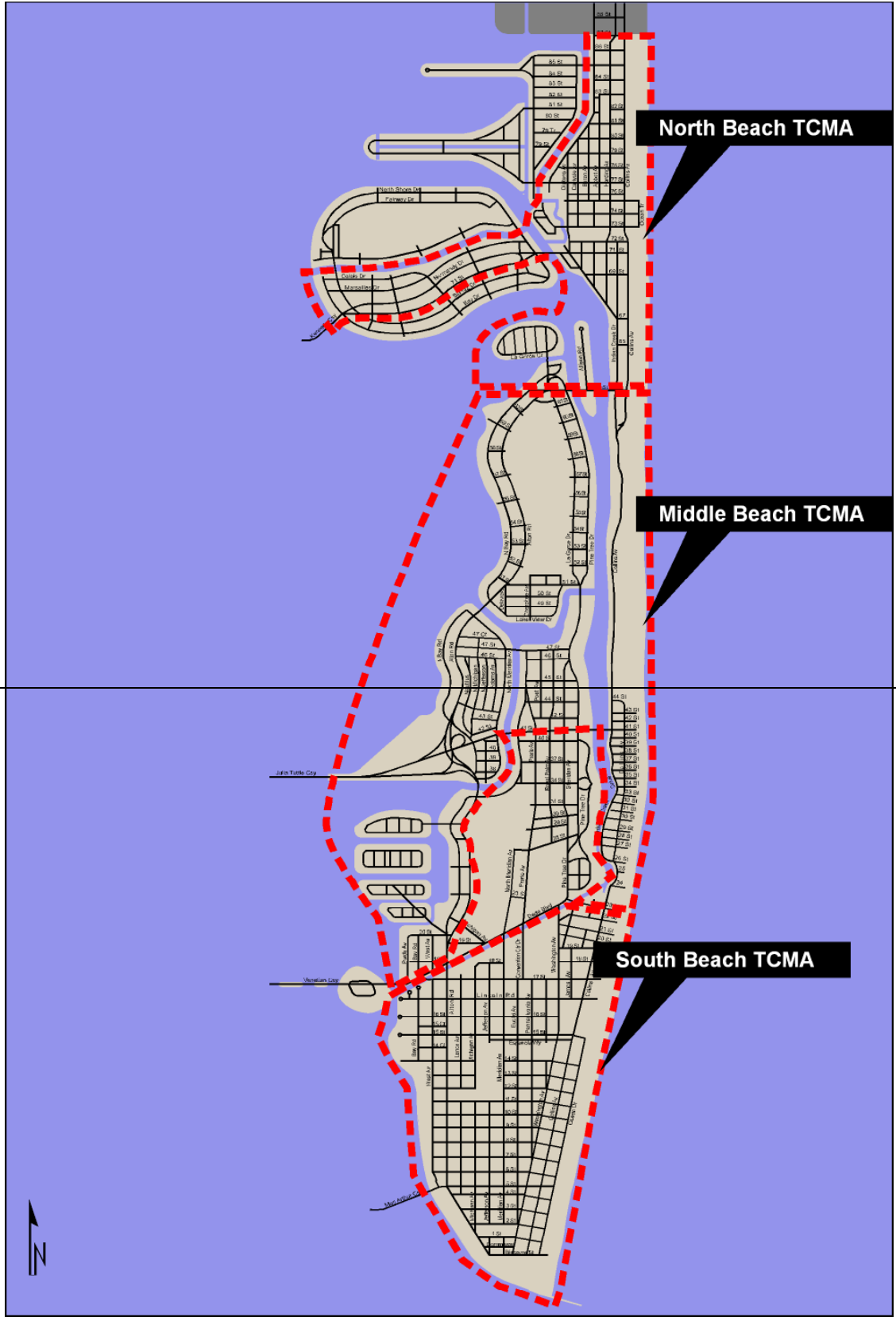
The City shall implement the recommendations included in the City's parking management study. The process shall evaluate:

- a. Placement of future public and private parking facilities related to the support of alternative modes of transportation;
- b. Reduction of on-site parking requirements within the City's land development regulations in order to encourage multi-modal use;
- c. Commercial delivery issues including the provision of loading zones within alleys to improve street flow and emergency vehicle access.

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**Map 9.1 City of Miami Beach TCMAs 1**

**OBJECTIVE 9: TRANSPORTATION CONCURRENCY MANAGEMENT AREAS (TCMA)**  
 The City shall maintain the North Beach, Middle Beach and South Beach Transportation Concurrency Management Areas (TCMA's) within its boundaries. The boundaries of these TCMA's shall be depicted on Map 9.1. Within these areas, increased multi-modal mobility options will be pursued and redevelopment efforts will be focused.

**Policy 9.1: — Calculating Remaining Capacity**

Transportation Concurrency Management Areas (TCMA) rely on the measurement of capacity on an Areawide basis. As such the following facilities will have their service volumes averaged at the approved Level of Service, as the calculation of Areawide capacity.

**South Beach TCMA — Facilities to be averaged**

| Roadway                | Function  | Direction | From        | To            | TCMA LOS | Service Volume |
|------------------------|-----------|-----------|-------------|---------------|----------|----------------|
| Alton Road             | Arterial  | N/S       | Dade Blvd.  | 5th St.       | D+20     | 3150           |
| Washington Avenue      | Collector | N/S       | Dade Blvd.  | 5th St.       | D+50     | 3100           |
| <b>SUBTOTAL</b>        |           |           |             |               |          | <b>6250</b>    |
| Collins Avenue         | Arterial  | N/S       | 23rd Street | 5th Street    | D+50     | 1450           |
| Meridian Road          | Collector | N/S       | Dade Blvd.  | 5th Street    | D+20     | 1150           |
| West Avenue            | Collector | N/S       | Dade Blvd.  | 5th Street    | D+20     | 1150           |
| <b>SUBTOTAL</b>        |           |           |             |               |          | <b>3750</b>    |
| Alton Road             | Collector | N/S       | 5th Street  | Biscayne      | D+50     | 3100           |
| Washington Avenue      | Collector | N/S       | 5th Street  | Biscayne      | D+50     | 3100           |
| <b>SUBTOTAL</b>        |           |           |             |               |          | <b>6200</b>    |
| 5th Street             | Arterial  | E/W       | Alton Road  | Washington    | D+50     | 6350           |
| 17th Street            | Arterial  | E/W       | Dade Blvd.  | Collins Ave   | D+50     | 3900           |
| Dade Boulevard (share) | Arterial  | E/W       | Venetian    | Pine Tree Dr. | D+50     | 4200           |
| <b>SUBTOTAL</b>        |           |           |             |               |          | <b>14450</b>   |

**Middle Beach TCMA — Facilities to be averaged**

| Roadway                 | Function | Direction | From        | To           | TCMA LOS | Service Volume |
|-------------------------|----------|-----------|-------------|--------------|----------|----------------|
| Alton Road              | Arterial | N/S       | 63rd Street | Dade Blvd    | D        | 3400           |
| Collins\Indian Creek    | Arterial | N/S       | 63rd Street | 23rd Street  | D+20     | 3800           |
| <b>SUBTOTAL</b>         |          |           |             |              |          | <b>7200</b>    |
| 41 <sup>st</sup> Street | Arterial | E/W       | Alton Road  | Indian Creek | D+20     | 3300           |
| Dade Boulevard (share)  | Arterial | E/W       | Veneti an   | Pine Tree Dr | D+50     | 4200           |
| 63rd Street (share)     | Arterial | E/W       | Alton Road  | Indian Creek | D+20     | 3150           |
| <b>SUBTOTAL</b>         |          |           |             |              |          | <b>10650</b>   |

**North Beach TCMA — Facilities to be averaged**

| Roadway                | Function | Direction | From       | To          | TCMA LOS | Service Volume |
|------------------------|----------|-----------|------------|-------------|----------|----------------|
| Collins Avenue one way | Arterial | N/S       | City Limit | 63rd Street | D+20     | 2800           |

|                                      |          |     |             |                 |      |             |
|--------------------------------------|----------|-----|-------------|-----------------|------|-------------|
| Harding/Abbott Ave.—one way pair     | Arterial | N/S | City Limit  | Indian Creek Dr | D+20 | 2800        |
| Indian Creek Drive                   | Arterial | N/S | 71st Street | 63rd Street     | D+20 | 3300        |
| <i>SUBTOTAL</i>                      |          |     |             |                 |      | <i>8900</i> |
| 71 <sup>st</sup> Street/Normandy Dr. | Arterial | E/W | City Limit  | Indian Creek    | D+20 | 3150        |
| 63 <sup>rd</sup> Street (share)      | Arterial | E/W | Alton Road  | Indian Creek    | D+20 | 3150        |
| <i>SUBTOTAL</i>                      |          |     |             |                 |      | <i>6300</i> |

**Policy 9.2: — Growth Management**

The City shall review all proposed developments for their impact upon the adopted LOS standards. Each development will be subject to the City's Concurrency Management System. The City will continue to monitor the existing Transportation Concurrency Management Areas and continue to implement multimodal opportunities pursuant to the Florida Administrative Code, (F.A.C. sec, 9J-5).

**Policy 9.3: — Proportionate Fair Share Mitigation for Non Deficient Areas**

The City shall have the ability to mitigate the impact of a proposed development on individual roadways, segments of roadways, or areas as a whole within a Transportation Concurrency Management Areas, even if Areawide service volumes are not surpassed, by collecting a proportionate fair share contribution from a developer in accordance with applicable sections of Florida Statutes.

**Policy 9.4: — Proportionate Fair Share Mitigation for Deficient Areas**

When areas are deficient in capacity, the City may issue development orders when transportation concurrency requirements are satisfied by a proportionate fair share contribution from a developer in accordance with applicable sections of Florida Statutes. Regardless of concurrency or mitigation, the City maintains the right to reject development for non-compliance with any other aspect of the Comprehensive Plan or Land Development Regulations.

**Policy 9.5: — Multimodal Transportation**

Within each Transportation Concurrency Management Area, i Infill and redevelopment shall be encouraged which is supportive of mobility alternatives including walking, bicycling and use of transit, particularly those associated with the completion of the Beachwalk and Baywalk projects.

**Policy 9.6: — Parking Within the TCMA's**

The City shall implement the recommendations included in the City's parking management study within the City's TCMA's. The process shall evaluate:

- d. — Placement of future public and private parking facilities related to the support of alternative modes of transportation;

- ~~e. Reduction of on-site parking requirements within the City's land development regulations in order to encourage multi-modal use;~~
- ~~f. Commercial delivery issues including the provision of loading zones within alleys to improve street flow and emergency vehicle access.~~

#### **Policy 9.7: ~~Concurrency Mitigation Fees~~**

~~Concurrency mitigation fees within the City's TCMA's shall be used where appropriate to support multi-modal options. This process shall address:~~

- ~~a. Contribution towards the construction of park and ride facilities to be served by transit;~~
- ~~b. The construction of enhanced pedestrian amenities that create a pedestrian friendly environment, such as:
  - ~~• narrower traffic lanes,~~
  - ~~• median refuges, curb extensions ("bulb-outs"),~~
  - ~~• count down pedestrian signals,~~
  - ~~• use of geometric designs that minimize crossing distances and increase visibility between pedestrians and motorists,~~
  - ~~• timing signals to minimize pedestrian delay & conflicts;~~~~
- ~~c. The construction of bicycle facilities and/or the evaluation of reclaiming street space for other uses through the use of complete streets concepts.~~

#### **Policy 9.8: ~~Provision of Multimodal Amenities~~**

~~Within the City's TCMA's, the City shall require all new major developments, (those projects over 50,000 gross square feet, and/or projects that increase the number of trips over 100 peak hour trips), to submit a Transportation Mitigation Plan which will include strategies to mitigate the traffic generated by the site, and will encourage the use of alternative modes of transportation. The safety and convenience of all users of the transportation system including pedestrians, bicyclists, transit users, and motor vehicle drivers shall be accommodated and balanced in all types of transportation and development projects and through all phases of all new major developments so that the most vulnerable — children, elderly, and persons with disabilities — can travel safely within the public right of way. Applicable treatments may include, but not be limited to TDM strategies included in Policy 6.2 and TSM policies included in Policy 6.1.~~

#### **Policy 9.9: ~~Projects within the TCMA's~~**

~~The City will continue to utilize funding mechanisms the MPO planning process, and continual updating of a concurrency mitigation bank to support the projects contained within the City's long term planning documents which address mobility options. Those projects located within the City's TCMA's and which are alternative modes should receive funding priority.~~

#### **Policy 9.10: ~~Concurrency Management~~**

~~Transportation concurrency within the South Beach, Middle Beach and North Beach TCMA's will be maintained and tracked by the Transportation and Concurrency Management Section located within the Public Works Department.~~

~~**Policy 9.11: Updating the Concurrency Management System**~~

~~The City shall update the traffic counts in the Concurrency Management System every two years. This data shall be used as part of the update of the long range transportation master planning process.~~

**SECTION 3.** The following amendments to the City's 2025 Comprehensive Plan Capital Improvements Program Element are hereby adopted:

**CAPITAL IMPROVEMENTS PROGRAM ELEMENT**

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**OBJECTIVE 5: LEVEL OF SERVICE STANDARDS**

Continue the established level of service standards for capital facilities for which the City has financial responsibility.

**Policy 5.1**

Level of service standards established in the elements of this comprehensive plan and which are also contained here in the capital improvements element shall be, upon adoption of the comprehensive plan by the City Commission, the level of service standards for the designated capital improvements.

**Policy 5.2**

The City of Miami Beach is a Transportation Concurrency Exception Area; as such, Mobility Fees shall be assessed to fund mobility improvements. The Land Development Regulations shall establish procedures to grandfather projects approved prior to the adoption of Mobility Fees under the previous concurrency mitigation system.

The peak hour level of service standards for roads shall be:

- \_\_\_\_\_ Local Roads \_\_\_\_\_ LOS Standard D
- \_\_\_\_\_ Collector Roads \_\_\_\_\_ LOS Standard D
- \_\_\_\_\_ Minor Arterial \_\_\_\_\_ LOS Standard D
- \_\_\_\_\_ Minor Arterial \_\_\_\_\_ LOS Standard D
- \_\_\_\_\_ Principal Arterial \_\_\_\_\_ LOS Standard D

**Policy 5.2A**

The following level of service standards shall be established for the roadways identified below and located within the City's Transportation Concurrency Management Areas (TCMAs):

- (a) — Where no mass transit service exists, roadways shall operate at or above LOS D;
- (b) — Where mass transit service having headways of 20 minutes or less is provided within ¼ distance, parallel roadways shall operate at no greater than 120 percent of LOS D;
- (c) — Where extraordinary transit service classified as the Electrowave shuttle or express or peak-hour limited stop bus service exists, parallel roadways within ¼ mile shall operate at no greater than 150 percent of LOS D.

South Beach TCMA – Facilities to be averaged

| Roadway           | Function  | Directi | From        | To          | TCMA | Service      |
|-------------------|-----------|---------|-------------|-------------|------|--------------|
| Alton Road        | Arterial  | N/S     | Dade Blvd.  | 5th St.     | D+20 | 3150         |
| Washington Avenue | Collector | N/S     | Dade Blvd.  | 5th St.     | D+50 | 3100         |
| <i>SUBTO</i>      |           |         |             |             |      | <i>6250</i>  |
| Collins Avenue    | Arterial  | N/S     | 23rd Street | 5th Street  | D+50 | 1450         |
| Meridian Road     | Collector | N/S     | Dade Blvd.  | 5th Street  | D+20 | 1150         |
| West Avenue       | Collector | N/S     | Dade Blvd.  | 5th Street  | D+20 | 1150         |
| <i>SUBTO</i>      |           |         |             |             |      | <i>3750</i>  |
| Alton Road        | Collector | N/S     | 5th Street  | Biscayne    | D+50 | 3100         |
| Washington Avenue | Collector | N/S     | 5th Street  | Biscayne    | D+50 | 3100         |
| <i>SUBTO</i>      |           |         |             |             |      | <i>6200</i>  |
| 5th Street        | Arterial  | E/W     | Alton Road  | Washington  | D+50 | 6350         |
| 17th Street       | Arterial  | E/W     | Dade Blvd.  | Collins Ave | D+50 | 3900         |
| Dade Boulevard    | Arterial  | E/W     | Venetian    | Pine Tree   | D+50 | 4200         |
| <i>SUBTO</i>      |           |         |             |             |      | <i>14450</i> |

Middle Beach TCMA – Facilities to be averaged

| Roadway                 | Function | Directio | From  | To          | TCM  | Service      |
|-------------------------|----------|----------|-------|-------------|------|--------------|
| Alton Road              | Arterial | N/S      | 63rd  | Dade Blvd   | D    | 3400         |
| Collins\Indian Creek    | Arterial | N/S      | 63rd  | 23rd Street | D+20 | 3800         |
| <i>SUBTOT</i>           |          |          |       |             |      | <i>7200</i>  |
| 41 <sup>st</sup> Street | Arterial | E/W      | Alton | Indian      | D+20 | 3300         |
| Dade Boulevard          | Arterial | E/W      | Vene  | Pine Tree   | D+50 | 4200         |
| 63rd Street (share)     | Arterial | E/W      | Alton | Indian      | D+20 | 3150         |
| <i>SUBTOT</i>           |          |          |       |             |      | <i>10650</i> |

North Beach TCMA – Facilities to be averaged



| Roadway                          | Function | Direction | From       | To          | TCM A | Service Volume |
|----------------------------------|----------|-----------|------------|-------------|-------|----------------|
| Collins Avenue - one             | Arterial | N/S       | City Limit | 63rd Street | D+20  | 2800           |
| Harding/Abbott Ave.              | Arterial | N/S       | City Limit | Indian      | D+20  | 2800           |
| Indian Creek Drive               | Arterial | N/S       | 71st       | 63rd Street | D+20  | 3300           |
| <b><i>SUBTOT</i></b>             |          |           |            |             |       | <b>8900</b>    |
| 71 <sup>st</sup> Street/Normandy | Arterial | E/W       | City Limit | Indian      | D+20  | 3150           |
| 63 <sup>rd</sup> Street (share)  | Arterial | E/W       | Alton      | Indian      | D+20  | 3150           |
| <b><i>SUBTOT</i></b>             |          |           |            |             |       | <b>6300</b>    |

**SECTION 4. REPEALER.**

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

**SECTION 5. SEVERABILITY.**

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

**SECTION 6. 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 shall not be codified, but shall be kept on file with this Ordinance in the City Clerk's Office.

**SECTION 7. TRANSMITTAL.**

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

**SECTION 8. EFFECTIVE DATE.**

This ordinance shall take effect 31 days after the state land planning agency notifies the City that the plan amendment package is complete pursuant to Section 163.3184(3), Florida Statutes.

**PASSED and ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2018.

**ATTEST:**

\_\_\_\_\_  
Dan Gelber, Mayor

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

First Reading: May \_\_, 2019  
Second Reading: July \_\_, 2019

(Sponsor: Commissioner John Elizabeth Aleman)

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