

# MIAMI BEACH

## PLANNING DEPARTMENT

Staff Report & Recommendation

Planning Board

DATE: February 3, 2026

TO: Chairperson and Members  
Planning Board

FROM: Thomas R. Mooney, AICP  
Planning Director



SUBJECT: PB25-0806, **2040 Comprehensive Plan Evaluation And Appraisal Report (EAR).**

AN ORDINANCE AMENDING THE CITY OF MIAMI BEACH YEAR 2025 COMPREHENSIVE PLAN, PURSUANT TO THE STATE COORDINATED REVIEW PROCESS OF SECTION 163.3184(4), FLORIDA STATUTES, BY AMENDING GOALS, OBJECTIVES, POLICIES, AND DOCUMENT TITLES OF THE COMPREHENSIVE PLAN, INCLUDING THE FOLLOWING ELEMENTS: RESILIENT LAND USE AND DEVELOPMENT, TRANSPORTATION, HOUSING, PUBLIC SCHOOL FACILITIES, AND CAPITAL IMPROVEMENT; 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 OCTOBER 16, 2019; PROVIDING FOR INCLUSION IN THE COMPREHENSIVE PLAN, TRANSMITTAL, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

### **RECOMMENDATION**

Transmit the proposed Comprehensive Plan amendment to the City Commission with a favorable recommendation.

### **BACKGROUND**

On June 25, 2025, at the request of Commissioner Alex Fernandez, the City Commission referred a discussion item pertaining to updates to the Comprehensive Plan (C4 F) to the Land Use and Sustainability Committee (LUSC). On September 11, 2025, the LUSC discussed the proposal and recommended that the City Commission refer an ordinance amending the Comprehensive Plan to the Planning Board, in accordance with the recommendations in the LUSC memo.

On December 17, 2025, at the request of Commissioner Alex Fernandez, the City Commission referred the proposed ordinance to the Planning Board (C4 C).

### **REVIEW CRITERIA**

Pursuant to Section 2.4.4 of the Land Development Regulations of the City Code (LDRs), in reviewing a request for an amendment to the Comprehensive Plan, the board shall consider whether the amendment meets the criteria for compliance with Chapter 163, Florida Statutes.

Under Section 163.3184(2), Florida Statutes, the proposed 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.

### **COMPLIANCE WITH SEA LEVEL RISE AND RESILIENCY REVIEW CRITERIA**

Section 7.1.2.4 of the LDRs establishes the following review criteria when considering ordinances, adopting resolutions, or making recommendations:

1. Whether the proposal affects an area that is vulnerable to the impacts of sea level rise, pursuant to adopted projections.

**Consistent**

**The proposal does affect areas that are vulnerable to the impacts of sea level rise in the long term.**

2. Whether the proposal will increase the resiliency of the City with respect to sea level rise.

**Consistent**

**The proposal does not affect the resiliency of the City.**

3. Whether the proposal is compatible with the City's sea level rise mitigation and resiliency efforts.

**Consistent**

**The proposal is compatible with the City's sea level rise mitigation and resiliency efforts.**

### **ANALYSIS**

On October 16, 2019, the City Commission adopted Ordinance 2019-4302, which updated the City's 2040 Comprehensive Plan. This update was pursuant to an Evaluation and Appraisal Report (EAR) required under Florida Statutes.

In accordance with Florida Statutes, the City is now required to apply a secondary 20-year Planning Horizon to its Comprehensive Plan. The following is the applicable statute:

*163.3177 Required and optional elements of comprehensive plan; studies and surveys.*

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*(5)(a) Each local government comprehensive plan must include at least two planning periods, one covering at least the first 10-year period occurring after the plan's adoption and one covering at least a 20-year period. Additional planning periods for specific components, elements, land use amendments, or projects shall be permissible and accepted as part of the planning process.*

To address this state requirement, as well as other clarifying amendments for consistency with state law and to reflect changes in state requirements since the last time the Comprehensive Plan was updated in 2019, the attached ordinance amending the Comprehensive Plan is proposed. The following is a general summary of the proposed amendments:

- The City's 2040 Comprehensive Plan will be updated to 2050, to consider the 20-year planning horizon. Additionally, the name of the plan will be updated to the "2050 Miami Beach Comprehensive Plan".
- Policy RLU 2.4.2 regarding redevelopment areas is amended to remove the "South Pointe Redevelopment Area," which has since sunset, and the "North Beach CRA" will be added.

- Policy TE 1.7.12 regarding required traffic studies is amended to address an inconsistency with the recently adopted Historic Preservation Ordinance amendments.
- References to outdated Florida Statutes and programs have been removed or updated, including the following:
  - Remove Policy RLU 2.4.3, regarding “Energy Economic Zone Pilot Program Communities” which has since been removed from Florida Statutes.
  - In Policy TE 1.1.1, update the citation for Mobility Fee from section 163.3180(j), to section 163.31801, Florida Statutes.
  - In Policy PSF 1.2.3, update the citation for public school concurrency from section 163.3180 (13)(e)1 to (6)(f)1, Florida Statutes.
- All outdated or modified programs have been removed or updated.
- The Planning Department has undertaken a thorough review of the requirements of the Florida Community Planning Act in Chapter 163, Part II, Florida Statutes, as well as any updates that have been made to Chapter 163, Part II, Florida Statutes since the last Comprehensive Plan update in 2019. Additional technical updates pursuant to this review, which are minor in nature, have also been included.

As a required companion to the update of the planning horizon, the Planning Department has performed an analysis that includes required population projections from the University of Florida (UF) Bureau of Economic and Business Research (BEBR) and the UF Shimberg Center for Housing Studies. Based on a review of this information, it has been determined that the currently adopted future land use map (FLUM) can accommodate any projected growth throughout the required planning horizon and that no additional amendments to the Resilient Land Use Element and FLUM are required.

Finally, updated population projections will be provided as part of the data and analysis sections of the Comprehensive Plan and the latest applicable data will be reviewed to determine if updates to the Coastal High Hazard Area map may be required. The ordinance effectuating these amendments to the Comprehensive Plan will need to be adopted by the City Commission and transmitted to the State no later than April 30, 2026.

#### **STAFF RECOMMENDATION**

In view of the foregoing analysis, staff recommends that the Planning Board transmit the proposed ordinance to the City Commission with a favorable recommendation.

**COMPREHENSIVE PLAN AMENDMENTS - 2026 EVALUATION AND APPRAISAL REVIEW**

**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), FLORIDA STATUTES, BY AMENDING GOALS, OBJECTIVES, POLICIES, AND DOCUMENT TITLES OF THE COMPREHENSIVE PLAN, INCLUDING THE FOLLOWING ELEMENTS: RESILIENT LAND USE AND DEVELOPMENT, TRANSPORTATION, HOUSING, PUBLIC SCHOOL FACILITIES, AND CAPITAL IMPROVEMENT; 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 LAW 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 OCTOBER 16, 2019; AND 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 October 16, 2019 meeting, the City Commission adopted Ordinance No. 2019-4302, which amended the 2025 Miami Beach Comprehensive Plan based on the changes proposed in the 2019 Evaluation and Appraisal Report (“EAR”) (“EAR Amendments”), which, among other things, extended the planning horizon to the year 2040, and which were deemed to satisfy the requirements of Section 163.3191, Florida Statutes; and

**WHEREAS**, on April 29, 2025, in accordance with the requirements of section 163.3191, Florida Statutes, and the timeframes set forth in Rule 73C-49, Florida Administrative Code, the City of Miami Beach (the “City”) notified the State Land Planning Agency of its intention to prepare EAR Amendments to update the 2040 Miami Beach Comprehensive Plan (the “Comprehensive Plan”) to reflect changes in state law and local conditions; and

**WHEREAS**, the City has proposed amendments to the Comprehensive Plan to accomplish all of the above objectives; and

**WHEREAS**, the City Commission hereby finds that the adoption of this Ordinance is necessary to accomplish all of the above objectives and 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 EAR Amendments to the Comprehensive Plan to the State Land Planning Agency and other appropriate review agencies for the purpose of a review pursuant to the State Coordinated Review process set forth in 163.3184(4), Florida Statutes.

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

**SECTION 1.** The title of the City's 2040 Comprehensive Plan is hereby amended as follows:

**2040 2050 MIAMI BEACH COMPREHENSIVE PLAN**

**SECTION 2.** The following amendments to the City's ~~2040~~ 2050 Comprehensive Plan Resilient Land Use & Development Element are hereby adopted:

**GOAL RLU 2: INNOVATIVE, SUSTAINABLE, AND RESILIENT DEVELOPMENT**

\* \* \*

**POLICY RLU 2.4.2**

The City shall maintain its existing redevelopment area program and implement adopted redevelopment plans and projects:

- City Center/Historic Convention Village Redevelopment Plan (2001)
- ~~South Pointe Redevelopment Area projects~~
- North Beach Community Redevelopment Agency Redevelopment Plan (2021)

\* \* \*

**POLICY RLU 2.4.3**

As a goal of the City to adopt policies and programs that implement in Miami Beach actions that strive to protect the environment, the City ~~designated the entire municipality to participate in the "Energy Economic Zone Pilot Program Communities" Codified in Chapter 2009-89, Laws of Florida, Section 7 shall continue to consider amendments to the Land Development Regulations to facilitate the use of alternative sources of energy and private energy sources.~~

**SECTION 3.** The following amendments to the City's ~~2040~~ 2050 Comprehensive Plan Transportation Element are hereby adopted:

**GOAL TE 1: MOBILITY & MULTI-MODAL TRANSPORTATION**

\* \* \*

**POLICY TE 1.1.1**

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)~~ 163.31801, Florida Statutes, the City has adopted Mobility Fees as an alternative mobility funding system.

\* \* \*

**POLICY TE 1.7.12: 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 2015 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 1.7.2 and TSM policies included in Policy 1.7.1 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.
- g. The Land Development Regulations may establish exemptions to the traffic study requirements in order to facilitate development located in locally designated historic districts.

**SECTION 4.** The following amendments to the City's 2040 2050 Comprehensive Plan Housing Element are hereby adopted:

**GOAL HE 2: NEIGHBORHOOD SUSTAINABILITY**

\* \* \*

**POLICY HE 2.2.3**

Continue the incentives in the Land Development Regulations, in compliance that apply with the provisions of s.163.3202, F.S., that by encourage encouraging the rehabilitation of residential structures to prevent the unintended loss of housing units due to deteriorated conditions.

**SECTION 5.** The following amendments to the City's 2040 2050 Comprehensive Plan Public School Facilities Element are hereby adopted:

**GOAL PSF 1**

\* \* \*

**POLICY PSF 1.2.3**

In the event the adopted LOS standard of a CSA cannot be met as a result of a proposed development's impact, the development may proceed provided at least one of the following conditions is met:

- a) The development's impact can be shifted to one or more contiguous CSAs that have available capacity and is located, either in whole or in part, within the same Geographic Areas (Northwest, Northeast, Southwest, or Southeast) as the proposed development; or

b) The development's impact is mitigated, proportionate to the demand for public schools it created, through a combination of one or more appropriate proportionate share mitigation options, as defined in Section 163.3180 (13)(e)1 (6)(F)1, Florida Statutes. The intent of these options is to provide for the mitigation of residential development impacts on public school facilities, guaranteed by a legal binding agreement, through mechanisms that include, one or more of the following: contribution of land; the construction, expansion, or payment for land acquisition or construction of a permanent public school facility; or, the creation of a mitigation bank based on the construction of a permanent public school facility in exchange for the right to sell capacity credits. The proportionate share mitigation agreement is subject to approval by Miami-Dade County School Board and the City of Miami Beach and must be identified in the Miami-Dade County Public Schools Facilities Work Program.

c) The development's impacts are phased to occur when sufficient capacity will be available.

If none of the above conditions is met, the development shall not be approved.

**SECTION 6.** The following amendments to the City's ~~2040~~ 2050 Comprehensive Plan Public School Facilities Element are hereby adopted:

**GOAL INF 1: PROVISION OF INFRASTRUCTURE**

\* \* \*

**OBJECTIVE INF 1.7: INFRASTRUCTURE DEFICIENCIES**

The City will implement procedures to ensure that existing facility deficiencies are corrected thereby maximizing the use of existing public facilities to maintain the level of service standards as adopted for future needs in accord with the time frames established under Section ~~163.302~~ 163.3180, Florida Statutes.

**SECTION 7. REPEALER.**

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

**SECTION 8. SEVERABILITY.**

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

**SECTION 9. 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 10. 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.

