



City of Miami

Legislation

Ordinance

City Hall
3500 Pan American
Drive
Miami, FL 33133
www.miamigov.com

File Number: 13-00961ct

Final Action Date:

AN ORDINANCE OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AMENDING ORDINANCE NO. 10544, THE MIAMI COMPREHENSIVE NEIGHBORHOOD PLAN OF THE CITY OF MIAMI, FLORIDA, PURSUANT TO LARGE SCALE AMENDMENT PROCEDURES, SUBJECT TO §163.3184, FLORIDA STATUTES, BY AMENDING THE INTERPRETATION OF THE 2020 FUTURE LAND USE MAP ELEMENT AND THE 2020 FUTURE LAND USE MAP SERIES TO: 1) CHANGE THE NAME OF THE SOUTHEAST OVERTOWN/PARK WEST RESIDENTIAL DENSITY INCREASE AREA OVERLAY TO THE SOUTHEAST OVERTOWN RESIDENTIAL DENSITY INCREASE AREA OVERLAY; 2) MODIFY THE BOUNDARY OF THE SOUTHEAST OVERTOWN RESIDENTIAL DENSITY INCREASE AREA OVERLAY, AS DEPICTED IN EXHIBIT "A"; ATTACHED AND INCORPORATED AND 3) ESTABLISH THE PARK WEST RESIDENTIAL DENSITY INCREASE AREA OVERLAY PERMITTING UP TO 500 DWELLING UNITS PER ACRE, AS DEPICTED IN SAID EXHIBIT "A"; WHILE MAINTAINING ALL UNDERLYING FUTURE LAND USE MAP DESIGNATIONS; MAKING FINDINGS; DIRECTING TRANSMITTALS TO AFFECTED AGENCIES; CONTAINING A SEVERABILITY CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, there is a need for higher density uses without significant scale increases in the Park West area, Miami, Florida, in order to further encourage economic development; and

WHEREAS, the Miami Comprehensive Neighborhood Plan ("MCNP"), adopted February 9, 1989, by Ordinance No. 10544, pursuant to Chapter 163, Part II, Florida Statutes, in Appendix LU-1, identifies this area as within the Urban Central Business District ("UCBD"), which shall contain high intensity, high density multi-use development; and

WHEREAS, the City of Miami ("City") wishes to encourage high density redevelopment in the Park West area, Miami, Florida; and

WHEREAS, the Miami Planning, Zoning and Appeals Board, at its meeting on September 18, following an advertised public hearing, adopted Resolution No. PZAB-R-13-042 by a vote of ten to zero (10-0), item no. 11, recommending APPROVAL of the amendments to the MCNP as set forth; and

WHEREAS, on September 26, 2013, the City Commission held a duly noticed public hearing, at which time it voted to transmit the text amendments for review by state, regional and local agencies as required by law; and

WHEREAS, the City Commission after careful consideration of this matter deems it advisable and in the best interest of the general welfare of the City and its inhabitants to amend the MCNP as hereinafter set forth;

NOW, THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE CITY OF MIAMI, FLORIDA:

Section 1. The recitals and findings contained in the Preamble to this Ordinance are adopted by reference and incorporated as if fully set forth in this Section.

Section 2. The Interpretation of the 2020 Future Land Use Map Element and the 2020 Future Land Use Map series are hereby amended to: 1) Change the name of the Southeast Overtown/Park West Residential Density Increase Area Overlay to the Southeast Overtown Residential Density Increase Area Overlay; 2) Modify the boundary of the Southeast Overtown Residential Density Increase Area Overlay, as depicted in Exhibit "A", attached and incorporated; and 3) Establish the Park West Residential Density Increase Area Overlay permitting up to 500 dwelling units per acre, as depicted in said Exhibit "A"; while maintaining all underlying Future Land Use Map designations.

Section 3. Ordinance No. 10544, as amended, the MCNP, is further amended by amending the text of the Policies in the following particulars: {1}

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Interpretation of the 2020 Future Land Use Map

* * *

High Density Multifamily Residential: Areas designated as "High Density Multifamily Residential" allow residential structures to a maximum density of 150 dwelling units per acre, subject to the detailed provisions of the applicable land development regulations and the maintenance of required levels of service for facilities and services included in the City's adopted concurrency management requirements. Higher densities may be allowed as shown for these specially-designated areas:

- Little Havana Target Area 200 units per acre
- Southeast Overtown/~~Park West~~ 300 units per acre
- Brickell, Omni, Park West, and River Quadrant 500 units per acre

* * * "

Section 4. It is found that this MCNP text change:

- (a) Is necessary due to changed or changing conditions; and
- (b) Follows an Expedited State Review Process pursuant to §163.3184(3), Florida Statutes.

Section 5. The City Manager is directed to instruct the Director of the Planning and Zoning Department to promptly transmit a copy of this Ordinance after its approval on first reading to: The reviewing agencies pursuant to §163.3184, Florida Statutes; and any other person or entity requesting a copy.

Section 6. The City shall hold its second public hearing for adoption of this Ordinance within 180 days after receipt of agency comments pursuant to §163.3184(3)(c)1, Florida Statutes.

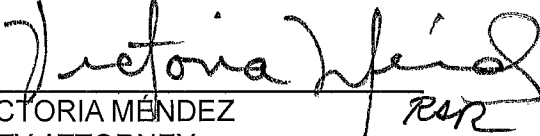
Section 7. Within 10 days after adoption on second reading the City Manager is directed to instruct the Director of the Planning and Zoning Department to promptly transmit a certified copy of this Ordinance to the appropriate agencies pursuant to §163.3184 Florida Statutes.

Section 8. If any section, part of a section, paragraph, clause, phrase, or word of this Ordinance is

declared invalid, the remaining provisions of this Ordinance shall not be affected.

Section 9. This Ordinance shall become effective thirty-one (31) days after second reading and adoption, and the state land planning agency notifies the City that the plan amendment package is complete thereof pursuant and subject to §163.3184 Florida Statutes. {2}

APPROVED AS TO FORM AND CORRECTNESS:


VICTORIA MÉNDEZ
CITY ATTORNEY

Footnotes:

{1} Words and or figures stricken through shall be deleted. Underscored words and/or figures shall be added. The remaining provisions are now in effect and remain unchanged. Asterisks indicate omitted and unchanged material.

{2} This Ordinance shall become effective as specified herein unless vetoed by the Mayor within ten days from the date it was passed and adopted. If the Mayor vetoes this Ordinance, it shall become effective upon override of the veto by the City Commission and when found in compliance pursuant to Chapter 163, Part II, Florida Statutes.