



City of Miami

Legislation Ordinance

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

File Number: 15-00354ct

Final Action Date:

AN ORDINANCE OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AMENDING ORDINANCE NO. 10544, AS AMENDED, THE MIAMI COMPREHENSIVE NEIGHBORHOOD PLAN OF THE CITY OF MIAMI, PURSUANT TO THE EXPEDITED STATE REVIEW PROCESS SUBJECT TO §163.3184, FLORIDA STATUTES, BY AMENDING THE INTERPRETATION OF THE 2020 FUTURE LAND USE MAP WITHIN THE FUTURE LAND USE ELEMENT AND THE 2020 FUTURE LAND USE MAP SERIES CONTAINED IN APPENDIX LU-1, TO ESTABLISH THE MIAMI RIVER RESIDENTIAL DENSITY INCREASE AREA OVERLAY PERMITTING UP TO 400 DWELLING UNITS PER ACRE, AN AREA GENERALLY BOUNDED BY SOUTHWEST 5TH STREET AND THE MIAMI RIVER ON THE NORTH, THE METRO RAIL ON THE EAST, SOUTHWEST 3RD AVENUE ON THE WEST AND SOUTHWEST 7TH STREET ON THE SOUTH, MIAMI, FLORIDA, AS DEPICTED IN EXHIBIT "A", ATTACHED AND INCORPORATED, 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 Miami River area in order to further encourage economic development; and

WHEREAS, the City of Miami's ("City's") Comprehensive Plan ("MCNP"), adopted February 9, 1989, pursuant to 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, which shall contain high intensity, high density multi-use development; and

WHEREAS, the City wishes to encourage high density redevelopment in the Miami River area; and

WHEREAS, the Miami Planning, Zoning and Appeals Board ("PZAB"), at its meeting on June 3, 2015, following an advertised public hearing, adopted Resolution No. PZAB-R-15-031, by a vote of eleven to zero (11-0), Item no. 5, recommending APPROVAL of the amendments to the MCNP as set forth; 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; AS FOLLOWS:

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 and the 2020 Future Land Use Map is hereby amended to establish the Miami River Residential Density Increase Area, as indicated on the map attached as Exhibit "A" and incorporated into the 2020 Future Land Use Map series herein.

Section 3. Ordinance No. 10544, as amended, the MCNP, is hereby revised by amending the text of the Policies of said Ordinance as follows: {1}

"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	300 units per acre
<u>Miami River</u>	<u>400 units per acre</u>
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 Section 163.3184(3), Florida Statutes.

Section 5. The City shall hold its second public hearing for adoption of this Ordinance within one hundred eighty (180) days after receipt of agency comments pursuant to Section 163.3184(3)(c)(2), Florida Statutes.

Section 6. Within ten (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 Section 163.3184, Florida Statutes.

Section 7. All ordinances or parts of ordinances insofar as they are inconsistent or in conflict with the provisions of this Ordinance are repealed.

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 thirty-one (31) days after the state land planning agency notifies the City that the plan amendment package is complete thereof pursuant and subject to Section 163.3184, Florida Statutes. If timely challenged, the amendment shall not become effective until the state land planning agency or the Administration Commission enters a final order determining the adopted amendment to be in

compliance. {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 unless vetoed by the Mayor within ten (10) days from the date it was passed and adopted. If the Mayor vetoes this Ordinance, it shall become effective immediately upon override of the veto by the City Commission or upon the effective date stated, whichever is later.