

**ORDINANCE NO. 2025-XX**

**AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA AMENDING THE TEXT OF THE COMPREHENSIVE PLAN INFRASTRUCTURE ELEMENT; AMENDING POLICY 1.3.13 AND OBJECTIVE 1.5 AND CREATE NEW POLICIES 1.1.6, 1.1.7, 1.5.2 1.5.3, 1.5.4, 1.5.5 AND 1.5.6 TO ADDRESS THE UPGRADING OF WASTEWATER TREATMENT FACILITIES AND PRIORITIZE ADVANCED WASTE TREATMENT (AWT); PROVIDING FOR ADOPTION PURSUANT TO SECTION 163.3184, FLORIDA STATUTES; PROVIDING FOR INCLUSION IN THE CITY OF NORTH MIAMI BEACH COMPREHENSIVE PLAN; PROVIDING FOR CODIFICATION, CONFLICTS, SCRIVENER ERRORS, SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Chapter 163, Florida Statutes, Part II, known as the Community Planning Act (the “Act”), requires, authorizes, and empowers municipalities to prepare, adopt, amend and enforce Comprehensive Plans to guide development within the City and further authorizes the City Council of the City of North Miami Beach to plan for the City’s future development, and growth to responsibly guide the future growth and development of the City, to implement adopted or amended Comprehensive Plans by the adoption of appropriate land development regulations, and to establish, support and maintain procedures to carry out the provision and purposes of such Act; and

**WHEREAS**, Chapter 163, Florida Statutes, Part II, Section 163.3177 provides for the required elements of the Comprehensive Plan.

**WHEREAS**, Chapter 163, Florida Statutes, Part II, Section 163.3177(6)(c) provides for the requirement of an element in the Comprehensive Plan addressing general sanitary sewer, solid waste, drainage, potable water, and natural groundwater aquifer recharge correlated to principles and guidelines for future land use and which indicates ways to provide for future potable water, drainage, sanitary sewer, solid waste, and aquifer recharge protection requirements for the area.

**WHEREAS**, the Florida Legislature, on May 3, 2023, approved House Bill 1379, which amends Chapter 163, Florida Statutes, Part II, Section 163.3177(6)(c) to add a new Sub-Paragraph 3 requiring that the infrastructure element address the feasibility of providing sanitary sewer services within a 10-year planning horizon to those residential developments of more than 50 residential lots, whether built or unbuilt, with more than one onsite sewage treatment and disposal system per 1 acre, and provides for further requirements therein, and was signed into law as Chapter No. 2023-169 with an effective date of July 1, 2023.

**WHEREAS**, Chapter 163, Florida Statutes provides for the process by which a City's Comprehensive Plan may be amended; and

**WHEREAS**, the City's Planning and Zoning Board, as the Local Planning Agency, pursuant to Florida Statutes and Florida Administrative Rules, held a duly noticed public hearing on **April 21, 2025**, reviewed the proposed amendments to the City's Comprehensive Plan text and determined that this application is consistent with the Comprehensive Plan and appropriate to the future land uses within the City and recommended approval to the City Commission by a vote of **6 to 0**; and

**WHEREAS**, the City Commission held a public hearing on **June XX, 2025**, for the adoption of the proposed Comprehensive Plan Amendments to receive and address comments related to the Comprehensive Plan; and to be in compliant accordance with the requirements of Chapter 163, Florida Statutes, Part II, Section 163.3177(6)(c)3.; and

**WHEREAS**, the Mayor and City Commission believes the Amendments adopted by this Ordinance are consistent with the City of North Miami Beach Comprehensive Plan and its goals, objectives and policies and it is in the best interest of the public to amend the Comprehensive Plan by adopting the proposed amendments to the Infrastructure Element text.

**NOW, THEREFORE, BE IT ORDAINED** by the City Commission of the City of North Miami Beach, Florida.

**Section 1.** The foregoing "Whereas" clauses are hereby ratified and incorporated as the legislative intent of this Ordinance.

**Section 2.** Pursuant to Chapter 163, Florida Statutes, the City Commission of the City of North Miami Beach, Florida, hereby amends the Infrastructure Element of its current Comprehensive Plan by adopting the below text which shall be incorporated into the current Comprehensive Plan. A copy of the Comprehensive Plan, as amended, is available with the City Clerk and on the City's website at [www.citynmb.com](http://www.citynmb.com). The Infrastructure Element shall be amended as follows:

#### **IV. Infrastructure Element Goals, Objectives, and Policies**

##### **Goal 1**

To provide and maintain the public infrastructure in a manner that will insure public health, safety and quality of life.

##### **Objective 1.1**

Continue to provide new or improved sewer collection, drainage and/or potable water systems in accordance with the Capital Improvements Schedule, as it is annually updated.

**Policy 1.1.6**

The City shall continue to transmit its wastewater and sanitary sewer flow to the North District Wastewater Treatment Plant (NDWWTP) owned and operated by Miami-Dade County Water and Sewer Department. The City will collaborate with Miami-Dade County on all future development projects within the district. This collaboration will ensure that the city's development processes incorporate Miami-Dade County's commitments regarding system capacities.

- (a). The City of North Miami Beach is a volume sewer customer of Miami-Dade County Water and Sewer Department.
- (b). As of 2025, the treatment facility permitted capacity is 120 Million Gallons per Day (MGD).
- (c). Projected Influent Flow for 2025 is 105.25 MGD.
- (d). Projected Influent Flow for the year 2040 is 122.58 MGD.
- (e). Influent flow projections include both anticipated demand due to growth and development/redevelopment as well as septic to sewer conversion.
- (f). New flow projections will be available upon completion of the Miami-Dade County Utility Master Plan and is subject to the regulations of Miami-Dade County.

**Policy 1.1.7**

A timeline for the construction of any sanitary sewer determined to be feasible is subject to available funding, materials availability, bidding, construction schedules, and as determined by the Miami-Dade County Utility Master Plan.

**Objective 1.3**

Maintain and expand water conservation, water reuse, and alternative water supply programs.

**Policy 1.3.13**

The City shall continue to ~~implement the requirements of Water Use Permit "RE-ISSUE 13-00060 W" issued on August 9, 2007~~ June 11, 2012 utilize the most recent Water Use Permit issued by the South Florida Water Management District (SFWMD) and as described in the City's 10-Year Water Supply Facilities Work Plan to further increase its utilization of raw water as an Alternative Supply.

**Objective 1.5**

Maximize use of existing sewer and water lines by extending such lines to vacant land at the developer's sole expense unless the project serves an overriding public need as identified by the City in the Capital Improvement Element.

Measure: annual increase in sewer and water use affecting existing lines resulting from extensions of such facilities to vacant land.

**Policy 1.5.2**

The City shall undertake the creation of a septic to sewer master plan by 2028.

This plan will analyze the feasibility of providing sanitary sewer service within a 10-year planning horizon to any development of more than 50 built or unbuilt residential lots with a density of more than one onsite sewage and disposal system (OSTDS; aka Septic System) per one (1) acre per s. 163.3177(6)c3, F.S., where they exist within the City of North Miami Beach Sewer Service Area.

**Policy 1.5.3**

The City shall coordinate the City’s Capital Improvement Program with the findings and recommendations of the septic to sewer master plan to eliminate septic system areas within the City of North Miami Beach which are within the City of North Miami Beach Sewer Service Area including project prioritization and the pursuit of alternative funding strategies.

**Policy 1.5.4**

The City shall coordinate with the Miami-Dade County Water and Sewer Department to work towards eliminate septic system areas within the City of North Miami Beach which are within the Miami-Dade County Sewer Service Area including project prioritization and the pursuit of alternative funding strategies.

**Policy 1.5.5**

Presently, the City of North of Miami Beach is not located in the Basin Management Action Plan (BMAP) area.

- (a). Should the waters surrounding North Miami Beach become part of a BMAP in the future, the City shall establish guidelines for infrastructure planning, prioritization, and funding of Capital Improvement Projects (CIPs).
- (b). The goal is to ensure that infrastructure development supports environmental sustainability, promotes water quality, and complies with the management goals outlined in the BMAP.
- (c). Funding opportunities such as grants and state-wide funding will need to be identified, prioritized and assessed annually should we be mandated to comply with future state and/or federal requirements.

**Policy 1.5.6**

The City will identify inefficiencies in the wastewater collection system and develop wastewater capital improvement projects to eliminate these deficiencies and improve the reliability in the wastewater system. The City shall continue to prioritize improvements to the sanitary sewer collection system based on the *Utility Master Plan* and available funding sources.

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**Section 3.** This infrastructure element amendment is hereby approved for transmittal by the Director of the Community Development Department or designee to the State Land Planning Agency (FLCOMMERCE) and other agencies as provided under Chapter 163, Part II of the Florida Statutes.

**Section 4.** Inclusion in the Comprehensive Plan. It is the intention of the City Commission and it is hereby ordained that the amendments to the Comprehensive Plan made by this Ordinance shall become part of the Comprehensive Plan of the City of North Miami Beach.

**Section 5.** All ordinances or parts of ordinances and all resolutions or parts of resolutions in conflict with the provisions of this Ordinance are hereby repealed.

**Section 6.** The provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

**Section 7. Effective Date.** This Ordinance shall be effective pursuant to Chapter 163, Part II of the Florida Statutes.

[SIGNATURE PAGE TO FOLLOW]

**APPROVED BY TITLE ONLY** on first reading this \_\_\_\_ day of \_\_\_\_\_, 2025.

**APPROVED AND ADOPTED** on second reading this \_\_\_\_ day of \_\_\_\_\_, 2025.

ATTEST:

\_\_\_\_\_  
ANDRISE BERNARD, MMC  
CITY CLERK

(CITY SEAL)

\_\_\_\_\_  
MICHAEL JOSEPH  
MAYOR

APPROVED AS TO FORM AND LEGAL  
SUFFICIENCY FOR THE USE AND  
RELIANCE OF THE CITY OF NORTH  
MIAMI BEACH:

GREENSPOON MARDER, LLP

BY: \_\_\_\_\_  
CITY ATTORNEYS

Note: Proposed additions to the existing City's Comprehensive Plan text are indicated by underline.