

Ordinance 2026-XX

AN ORDINANCE OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, ADOPTING THE CITY OF NORTH MIAMI BEACH WATER SUPPLY PLAN, APPROVING A TEXT AMENDMENT TO THE CITY COMPREHENSIVE PLAN'S INTERGOVERNMENTAL COORDINATION ELEMENT, INFRASTRUCTURE ELEMENT, CAPITAL IMPROVEMENTS ELEMENT, CONSERVATION ELEMENT, AND THE FUTURE LAND USE ELEMENT; PROVIDING FOR INCLUSION IN THE CITY OF NORTH MIAMI BEACH COMPREHENSIVE PLAN; PROVIDING FOR CODIFICATION, CONFLICTS, SCRIVENER'S 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; and

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; and

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 May 11, 2026, 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 X to X; and

WHEREAS, the City Commission held a public hearing on June 16, 2026, 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; and

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 Intergovernmental, Infrastructure, Capital Improvement, Future Land Use and Conservation Elements 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. The Infrastructure Element shall be amended as follows:

Intergovernmental Coordination Element

Policy 1.9.6

The development of future potable water supplies and the City of North Miami Beach_2025 10-Year Water Supply Facilities Work Plan adopted on XX, shall consider, and be compatible, with the South Florida Water Management District's 2023-2024 Lower East Coast Regional Water Supply Plan.

Infrastructure Element

Policy 1.2.4

Potable Water. The City's water system shall provide 140.3 gallons per capita per day at a pressure of 40 pounds per square inch.

Policy 1.3.1

Continue to review and update as necessary the City's Code's and Ordinances based on the SFWMD requirements and in support of the goals and objectives of the Lower East Coast Water Supply Plan and updates to assist in guiding water resource management.

Policy 1.3.13

The City shall continue to implement the requirements of Water Use Permit “RE-ISSUE 1300060-W permitted through August 9, 2027 by SFWMD and as described in the City’s 2020 2025 10-Year Water Supply Facilities Work Plan to further increase its utilization of raw water as an Alternative Supply.

Policy 1.7.1

The City of North Miami Beach Water Supply Facilities Work Plan (Work Plan) as adopted on XX, is incorporated by reference in the Comprehensive Plan. This document is designed to: assess current and projected potable water demands; evaluate the sources and capacities of available water supplies; and, identify those water supply projects, using all available technologies, necessary to meet the City’s water demands till 2030 2045. The Work Plan shall remain consistent with the City’s Water Use Permit renewals and with projects as listed in the SFWMD’s Lower East Coast Regional Water Supply Plan. The Work Plan will be updated, at a minimum, every 5-years and within 18 months after the SFWMD’s approval of an updated Lower East Coast Regional Water Supply Plan.

Policy 1.7.2

The basis for developing and updating the City’s 10-Year Work Plan will be the current approved version of SFWMD’s 2023-2024 Lower East Coast Regional Supply Plan.

Policy 1.7.3

The City shall coordinate appropriate aspects of its Comprehensive Plan with the jurisdictions within its water service area and the SFWMD’s 2023-2024 Lower East Coast Regional Water Supply Plan. The City shall amend its Comprehensive Plan and Water Supply Facilities Work Plan as required to provide consistency with the District plan.

Policy 1.8.3

In the development of its future potable water supplies the City shall to the maximum extent feasible, utilize methods which preserve the integrity of the Floridian Aquifer and are compatible with the SFWMD’s 2023-2024 Lower East Coast Regional Water Supply Plan, and comply with the land use and environmental protection policies of the Miami-Dade County CDMP, the Strategic Regional Policy Plan for South Florida, and the State Comprehensive Plan.

Capital Improvement Element

Policy 1.2.1

Water supply system: shall meet a level of service of 140.3 gallons per person per day at 40 lbs/sq. inch pressure.

Conservation Element

Policy 1.2.3

Utilize the City's Code's and Ordinances, which are in support of the goals and objectives of the SFWMD and the 2023-2024 Lower East Coast Water Supply Plan adopted on September 23, 2024, to assist in guiding water resource management.

Policy 1.2.7

The implementation of the 2025 10-Year Water Supply Facilities Work Plan shall ensure that sufficient water supplies and public facilities are available to serve the water supply demands of North Miami Beach and the other cities and portions of Miami-Dade County within the water service area

Future Land Use Element

Policy 1.1.7

The City through its Land Development Regulations and in coordination with the 2025 10-Year Water Supply Facilities Work Plan adopted on XX will coordinate current land uses and any future land use changes with the availability of water supply system.

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. Any scrivener or typographical errors that do not affect intent may be corrected with notice to, and the authorization of the City Attorney and City Manager without further process

Section 7. 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 8. Effective Date. This Ordinance shall be effective pursuant to Chapter 163, Part II of the Florida Statutes

APPROVED BY TITLE ONLY on first reading this ____ day of _____, 2026.

APPROVED AND ADOPTED on second reading this ____ day of _____, 2026.

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.