

**ORDINANCE NO. 2020-10**

**AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA AMENDING THE CITY’S COMPREHENSIVE PLAN INCLUDING THE FUTURE LAND USE MAP, TEXT CHANGES TO THE FUTURE LAND USE; TO AMEND THE MIXED-USE NEIGHBORHOOD CENTER (MU/NC), TO PROVIDE FOR THE MIXED USE INTERNATIONAL BOULEVARD DISTRICT WEST (MU/IB-W), THE MIXED USE INTERNATIONAL BOULEVARD EAST DISTRICT (MU/IB-E) DISTRICTS; TO DELETE THE “MIXED USE: BUSINESS AND/OR RESIDENTIAL USE” FUTURE LAND USE CATEGORY; AMENDING THE FUTURE LAND USE MAP TO CHANGE THE FUTURE LAND USE DESIGNATION OF CERTAIN PROPERTY (AS PROVIDED FOR IN THE ATTACHED (EXHIBIT 1 AND EXHIBIT 2); AUTHORIZING TRANSMITTAL OF THESE ADOPTED AMENDMENTS TO THE AGENCIES REQUIRED UNDER CHAPTER 163, PART II, FLORIDA STATUTES; PROVIDING FOR THE REPEAL OF ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.**

**WHEREAS**, the City of North Miami Beach (“City”) desires to amend its Comprehensive Plan to encourage and incentivize mixed-use development projects that are the appropriate intensity, density, land-use mix, and urban design for the City; and

**WHEREAS**, the City, in an effort to facilitate the development of designated mixed-use districts in the City, undertook a twenty-four-month long process to allow the stakeholders and neighboring property owners to participate in the process of developing proposed amendments to the Comprehensive Plan; and

**WHEREAS**, the City prepared the Comprehensive Plan amendment application Mixed-Use Districts Phase II: Mixed-Use Neighborhood Center (**Exhibit 1**) establishing the MU/NC, Mixed Use Neighborhood Center that borders West Dixie Highway on the east and west.

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**WHEREAS**, the City prepared the Comprehensive Plan amendment application Mixed-Use Districts Phase II: International Boulevard West and East (**Exhibit 2**). Mixed Use. Mixed Use International Boulevard West District (MU/IB-W), exists along NE 163<sup>rd</sup> Street and follows on a diagonal of North Miami Beach Boulevard to NE 167<sup>th</sup> Street. The MU/IB extends from Interstate 95 on the west to NE 12<sup>th</sup> Avenue on the east. Mixed Use International Boulevard East District (MU/IB-E) exists along NE 163<sup>rd</sup> Street and follows on a diagonal of North Miami Beach Boulevard to NE 167<sup>th</sup> Street. Extending from NE 12<sup>th</sup> Avenue on the west to NE 19<sup>th</sup> Court on the east. This will allow the City to ensure that development of those articulated areas will be compatible with and in scale with the built environment of the adjacent areas and in the best interest of the City; and

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

**WHEREAS**, the size of this area represents 149.3 acres

**WHEREAS**, the Planning and Zoning Board, sitting as the City's Local Planning Agency, pursuant to the Florida Statutes and Florida Administrative Rules, has reviewed this Ordinance on August 10, 2020, and recommended APPROVAL by a vote of **4** to **1**, finding that the City of North Miami Beach shall amend the City's Comprehensive Plan as described in Exhibit 1, Exhibit 2, attached herein by reference; and

**WHEREAS**, the City Commission of the City of North Miami Beach believes it is in the best interest of the public to amend the Comprehensive Plan by adopting the proposed amendments to the Future Land Use Element, and to the Future Land Use Map as provided for in the attached Exhibit "A".

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

**Section 1.** The foregoing recitals are true and correct.

**Section 2.** It is the intention of the City that the provisions of this Ordinance shall become and made part of the Comprehensive Plan of the City of North Miami Beach.

**Section 3.** It is the intention of the City Commission, and it is hereby ordained that the provisions of this Ordinance shall become and be made part of the Code of the City of North Miami Beach as amended, that the sections of this Ordinance may be renumbered or re-lettered to accomplish such intention.

**Section 4.** If any section, subsection, clause or provision of this Ordinance is held invalid, the remainder shall not be affected by such invalidity.

**Section 5.** This Ordinance shall be effective immediately upon adoption on second reading.

**APPROVED BY TITLE ONLY** on first reading this **22nd day of October, 2020.**

**APPROVED AND ADOPTED** on second reading this **16th day of March, 2021.**

ATTEST:

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ANDRISE BERNARD, CMC  
CITY CLERK  
(CITY SEAL)

\_\_\_\_\_  
ANTHONY F. DEFILLIPO  
MAYOR

APPROVED AS TO FORM, LANGUAGE  
AND FOR EXECUTION

\_\_\_\_\_  
HANS OTTINOT  
INTERIM CITY ATTORNEY

Commissioners	YES	NO	ABSTAIN	ABSENT
Mayor Anthony F. DeFillipo				
Vice Mayor Michael Joseph				
Commissioner McKenzie Fleurimond				
Commissioner Daniela Jean				
Commissioner Barbara Kramer				
Commissioner Fortuna Smukler				
Commissioner Paule Villard				

**Exhibit “A”**

**PROPOSED LAND USE MAP**

**Exhibit “1”**

**MIXED-USE DISTRICTS PHASE II: MIXED-USE NEIGHBORHOOD CENTER**

**Exhibit “2”**

**MIXED-USE DISTRICTS PHASE II: INTERNATIONAL BOULEVARD WEST AND  
EAST**