

ORDINANCE NO. 1515

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, ADOPTING AMENDMENTS TO VOLUME 1: GOALS, OBJECTIVES, AND POLICIES OF THE CITY OF NORTH MIAMI 2036 COMPREHENSIVE PLAN, IN ACCORDANCE WITH THE REQUIREMENTS OF SECTION 163.3184, FLORIDA STATUTES (2023), AND CHAPTER 29, ARTICLE 3, DIVISION 11, SECTION 3-1102(A) AND SECTIONS 3-1105 THROUGH 3-1110 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES; SPECIFICALLY BY AMENDING THE FUTURE LAND USE ELEMENT TO CREATE THE CLAUDE PEPPER GLOBAL PLANNED CORRIDOR DEVELOPMENT OVERLAY DISTRICT ALONG A PORTION OF NW 135TH STREET; AND AMENDING THE FUTURE LAND USE MAP TO REFLECT THE BOUNDARY OF THE NEW OVERLAY DISTRICT; PROVIDING FOR REPEAL, CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, Section 166.041(3), Florida Statutes outlines the procedure for the adoption of ordinances that change the actual future land use map designation of parcels of land involving less than fifty (50) contiguous acres; and

WHEREAS, Article 3, Division 11, Sections 3-1102(A) and 3-1105 through Section 3-1111 of the City of North Miami (the “City”) Land Development Regulations (“LDRs”) set forth procedures for text amendments and future land use map changes to the Comprehensive Plan initiated by either the City or one (1) or more owners of record for parcel(s) located within the jurisdictional boundary of the City; and

WHEREAS, Article 3, Division 3, Section 3-302 of the City LDRs establishes a uniform notice and procedure to ensure procedural due process and maintain citizen access to the local government decision-making process relating to the approval of amendments to the texts and maps of the Comprehensive Plan within the jurisdictional boundary of the City; and

WHEREAS, The City owns two (2) parcels of land located at 1255 and 1525 NW 135th Street, consisting of approximately 1,248,430 s.f. (28.66 acres) of land and further identified by Miami Dade Folio Numbers 06-2123-000-0180 and 06-2123-000-0050 (the “Subject Property”), which includes Claude Pepper Park, the Joe Celestin Center, and an abutting vacant site to the west consisting of approximately 11.23 acres of undeveloped land; and

WHEREAS, the Subject Property is designated Open Space/Recreation on the Future

Land Use Map (“FLUM”) and PU, Public Use on the Official Zoning Map, which limits uses to public uses, e.g., government use, public facilities, parks, community facilities, and educational facilities; and

WHEREAS, on August 31, 2022, the City issued a Request for Proposals under RFP No. 70-21-22 (the “RFP”) for the design, development, and financing of improvements to Claude Pepper Park, renovations to the Joe Celestin Center and the development of the vacant site with a mixed-use project containing senior housing, workforce housing along with retail, restaurant, and other commercial uses; and

WHEREAS, Redwood CP Dev, LLC submitted a response to the RFP and at a Special Council meeting held on November 18, 2022, was selected as the top-ranked bidder; and

WHEREAS, to achieve the development contemplated by the selected RFP response, amendments to the text and FLUM of the Comprehensive Plan, and the text of the LDRs and Zoning Map are required; and

WHEREAS, as established in Objective 1.18, the purpose of the Planned Corridor Development (“PCD”) overlay district designation is to encourage a compact, high-intensity mix of residential, commercial, employment, and civic-institutional uses to support transit use, reduce single-occupancy vehicle use, increase pedestrian activity, and improve access and mobility along the major corridors in the City; and

WHEREAS, to implement the development program approved by Mayor and City Council for the Subject Property, the City desires to create the Claude Pepper Global PCD along a portion of the north side of NW 135th Street between NW 12th Avenue and NW 17th Avenue; and

WHEREAS, pursuant to Article 2, Division 2, Section 2-203 of the City LDRs, at least four (4) affirmative votes of the Planning Commission shall be required for a positive recommendation of any proposed amendment to the texts and FLUM of the City Comprehensive Plan; and

WHEREAS, after a duly noticed public hearing held on November 7, 2023, Planning Commission reviewed and discussed the proposed Amendment and city staff’s report, heard testimony from the attending members of the public, and found the proposed Amendment to the

City Comprehensive Plan and FLUM to be in compliance with state law and with the applicable standards of the LDRs, and therefore recommended that the Mayor and City Council take the appropriate action and adopt the proposed Amendment by passage of the attached ordinance; and

WHEREAS, pursuant to Article 3, Division 11, Section 3-1109(B) of the City LDRs, adoption of the proposed Amendment shall require the concurrence of a supermajority of the City Council; and

WHEREAS, the Mayor and City Council, after a duly noticed initial hearing held on _____ November 28 _____, 2023, reviewed and discussed the proposed Amendment; and

WHEREAS, the Mayor and City Council, after a duly noticed public hearing **PASSED AND ADOPTED** the amendment by a 5 - 0 vote of the Mayor and City Council of the City of North Miami, Florida this 28th day of November, 2023, and further authorized its transmittal to the state land planning agency in accordance with state law.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA THAT:

Section 1. Adoption. The Mayor and City Council of the City of North Miami, Florida, hereby approve and adopt the proposed Amendments to the City of North Miami Comprehensive Plan identified in Section 2 and as illustrated on the Future Land Use Map attached hereto as Exhibit 1.

Section 2. Amendments. Amendments to Volume 1: Goals, Objectives, and Policies of the City of North Miami 2036 Comprehensive Plan, specifically the Future Land Use Element as follows:

CITY OF NORTH MIAMI
VOLUME 1: GOALS, OBJECTIVES AND POLICIES OF THE CITY OF NORTH MIAMI
2036 COMPREHENSIVE PLAN

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FUTURE LAND USE ELEMENT

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Planned Corridor Development (PCD) Overlay

Objective 1.18

The Planned Corridor Development (PCD) Overlay shall be provided along the following major

corridors: the eastern portion of NW 7th Avenue, the north side of NW 135th Street between NW 12th Avenue and NW 17th Avenue, NE 6th Avenue, NE 125th Street, West Dixie Highway and Biscayne Boulevard excluding those areas on the east side of Biscayne Boulevard, as depicted on the Future Land Use Map. The PCD will create a compact, high-intensity mix of residential, commercial, employment, and civic/institutional uses to maximize the use of transit, reduce the use of single-occupancy vehicles, increase pedestrian activity, and improve access and mobility. The policies in this objective encourage an eventual update to the land development code that will implement a more intense and efficient use of land, with increased densities, to promote the mutual reinforcement of public investments and private development of land.

* * * *

Policy 1.18.3

The maximum allowable development within the PCD Overlay shall be governed by building transitions that are appropriately scaled to adjacent streets and single-family neighborhoods, the future land use plan map designations therein, and as follows:

* * * *

6. Joe Celestin Global (NW 135th Street):
 - a. This overlay district shall include property on the north side of NW 135th Street between NW 12th Avenue and NW 17th Avenue.
 - b. Height: Up to two hundred (200) feet west of the Joe Celestin Center, including parking levels and compatible building transitions and setbacks.
 - c. Mixed-use is allowed along the corridor with a permitted density of up to 150 du/acre, including floating units. Allocation is subject to the availability of floating units, and pursuant to a conditional use permit. The commercial floor area is not subject to intensity limits but shall be approved by the City Council pursuant to a conditional use permit.
 - d. Maximum lot coverage: 80% (to be calculated for the district, including the residential, commercial, and recreational uses)
 - e. Signage. All property within the district will be subject to the regulations of the Comprehensive Sign Program in Section 5-1506.

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Section 3. Transmittal. The Mayor and City Council of the City of North Miami, Florida, hereby authorize the appropriate City officials to submit this Ordinance and the City Comprehensive Plan and FLUM, as amended herein, to the state land planning agency in accordance with state law, and to keep available copies of the amended Comprehensive Plan and Future Land Use Map available for public review and examination at the North Miami Community Planning & Development Department.

Section 4. Repeal. All ordinances or parts of ordinances in conflict or inconsistent are repealed.

Section 5. Conflict. All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are repealed.

Section 6. Severability. If any word, clause, phrase, sentence, paragraph, or section of this Ordinance is held to be invalid by a court of competent jurisdiction, such declaration of invalidity shall not affect any other word, clause, phrase, sentence, paragraph, or section of this Ordinance.


Section 7. Scrivener's Errors. The City Attorney may correct the scrivener's errors found in this Ordinance by filing a corrected copy with the City Clerk.

Section 8. Codification. The provisions of this Ordinance may become and be made a part of the Code of Ordinances of the City of North Miami, Florida. The sections of this Ordinance may be renumbered or re-lettered to accomplish such, and the word "ordinance" may be changed to "section," "article" or any other appropriate word.


Section 9. Effective Date. This Ordinance shall not become effective until thirty-one (31) days after adoption.

PASSED AND ADOPTED by a 5 - 0 vote of the Mayor and City Council of the City of North Miami, Florida, on first reading this 28th day of November, 2023.

PASSED AND ADOPTED by a 5 - 0 vote of the Mayor and City Council of the City of North Miami, Florida, on second reading this 12th day of December, 2023.



ALIX DESULME, ED.D.
MAYOR

ATTEST:



VANESSA JOSEPH, ESQ.
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:



JEFF P. H. CAZEAU, ESQ.
CITY ATTORNEY

SPONSORED BY: CITY ADMINISTRATION

Moved by: Estimé-Irvin

Seconded by: Charles

Vote:

Mayor Alix Desulme, Ed.D.

X (Yes) _____ (No)

Vice-Mayor Mary Estimé-Irvin

X (Yes) _____ (No)

Councilman Scott Galvin

X (Yes) _____ (No)

Councilwoman Kassandra Timothe, MPA

X (Yes) _____ (No)

Councilman Pierre Frantz Charles, M.Ed.

X (Yes) _____ (No)