

ORDINANCE NO. 2021-005-435

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AMENDING ARTICLE II – “ADMINISTRATION,” ARTICLE XV – “PLANNED CORRIDOR DEVELOPMENT DISTRICT (PCD) AND ENTERTAINMENT OVERLAY DISTRICT (EO),” AND ARTICLE X – “ACCESSORY USES AND STRUCTURES,” OF THE CITY OF MIAMI GARDENS LAND DEVELOPMENT CODE IN ACCORDANCE WITH EXHIBIT “A” ATTACHED HERETO; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INCLUSION IN CODE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Miami Gardens adopted Land Development Regulations (LDRs) in 2010, and

WHEREAS, staff has undertaken a review of the LDR’s to determine whether changes need to be made, and

WHEREAS, the Florida Legislature presented House Bill 401- Florida Building Code amending the Community Planning Act effective July 1, 2021, and

WHEREAS, City staff is recommending updates to sections of the LDR’s pertaining to Article II – “Administration”, Sec.34-45.1 Development Review Committee (DRC); and Article XV – “Planned Corridor Development District (PCD) and Entertainment Overlay District (EO),” Section 34-530 Development features that qualify for incentives and Section 34-531 Schedule of development incentives, in accordance with Exhibit “A” attached hereto,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AS FOLLOWS:

Section 1. ADOPTION OF REPRESENTATIONS: The foregoing Whereas paragraphs are hereby ratified and confirmed as being true, and the same are hereby made a specific part of this Ordinance.

Section 2. AMENDMENTS: Article II – “Administration”, Article XV – “Planned Corridor Development District (PCD) And Entertainment Overlay District (EO),” and Article X – “Accessory Uses and Structures,” of the Land Development Regulations are hereby amended in accordance with Exhibit “A” attached hereto.

Section 3. CONFLICT: All ordinances or Code provisions in conflict herewith are hereby repealed.

Section 4. SEVERABILITY: If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and

independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance.

Section 5. INCLUSION IN CODE: It is the intention of the City Council of the City of Miami Gardens that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Miami Gardens and that the section of this Ordinance may be renumbered or relettered and the word "Ordinance" may be changed to "Chapter," "Section," "Article" or such other appropriate word or phrase, the use of which shall accomplish the intentions herein expressed.

Section 6. EFFECTIVE DATE: This Ordinance shall become effective immediately upon its final passage.

PASSED ON FIRST READING ON THE 9th DAY OF JUNE, 2021.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS AT ITS REGULAR MEETING HELD ON JUNE 23, 2021.

RODNEY HARRIS, MAYOR

ATTEST:

MARIO BATAILLE, CMC, CITY CLERK

PREPARED BY: SONJA KNIGHTON DICKENS, CITY ATTORNEY

SPONSORED BY: CAMERON BENSON, CITY MANAGER

Moved by: Councilman Stephens
Seconded by: Councilwoman Campbell

VOTE: 6-0

<i>Mayor Harris</i>	<i>Absent</i>
<i>Vice Mayor Leon</i>	<i>Yes</i>
<i>Councilwoman Campbell</i>	<i>Yes</i>
<i>Councilwoman Ighodaro</i>	<i>Yes</i>

<i>Councilwoman Julien</i>	Yes
<i>Councilman Stephens, III</i>	Yes
<i>Councilwoman Wilson</i>	Yes