

ORDINANCE NO. 1167

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA AMENDING THE LAND USE DESIGNATION FROM RECREATION/ PARK/ OPEN SPACE TO PLANNED UNIT DEVELOPMENT ON PROPERTY BOUNDED ON THE NORTH BY N.E. 139TH STREET, ON THE SOUTH BY N.E. 137TH STREET, ON THE WEST BY N.E. 4TH AVENUE AND ON THE EAST BY N.E. 5TH AVENUE, THE PROPERTY ALSO KNOWN AS RUCKS PARK.

WHEREAS, the City of North Miami desires to encourage development of the publicly owned lands legally described "Exhibit 1," attached, which will result in revitalization of the City; and

WHEREAS, the lands must be re-planned on the Future Land Use map set forth in the City's Comprehensive Land Use Plan; and

WHEREAS, the Planning Commission is the City's designated local planning agency, pursuant to Section 163.3174, Florida Statutes; and

WHEREAS, the Planning Commission has reviewed the application pursuant to the required public hearing and recommended approval to the City Council; and

WHEREAS, the City Council has held the required public hearings, duly noticed in accordance with law, and wishes to adopt the recommendation.

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

Section 1. The property in the City legally described "Exhibit 1," attached, is re-designated from recreation /park/ open space, to PUD, Planned Unit Development.

Section 2. The official F.L.U.M. of the City of North Miami is amended in accordance with this Ordinance to reflect the designation.

Section 3. Repeal. All Ordinances or parts of Ordinances in conflict or inconsistent are repealed.

Section 4. 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 5. Effective Date. This Ordinance shall be effective upon passage by the Mayor and City Council on second reading, and upon any required approval from the Department of Community Affairs.

PASSED AND ADOPTED by a 4-0 vote of the Mayor and City Council on first reading on the 28 day of September, 2004.

PASSED AND ADOPTED by a 5-0 vote of the Mayor and City Council on second reading on the 12 day of October, 2004.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

John C. Delaney 9.8.04
CITY ATTORNEY

SPONSORED BY: PLANNING COMMISSION