

ORDINANCE NO. 1168

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA REZONING FROM MULTI-FAMILY RESIDENTIAL (R-4) TO PLANNED UNIT DEVELOPMENT (PUD) DISTRICT, THE LANDS BOUNDED ON THE NORTH BY N.E. 139<sup>TH</sup> STREET, ON THE SOUTH BY N.E. 137<sup>TH</sup> STREET, ON THE WEST BY N.E. 4<sup>TH</sup> AVENUE, AND ON THE EAST BY N.E. 5<sup>TH</sup> AVENUE (A.K.A. RUCKS PARK).

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

**WHEREAS**, the land must be rezoned in order to be consistent with the Future Land Use designation set forth in the City's Comprehensive Land Use Plan; 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 determined the request is consistent with the City's Comprehensive Land Use Plan.

**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 in "Exhibit 1," attached, is rezoned from Multi-Family Residential (R-4), to PUD, Planned Unit Development (PUD) District.

**Section 2.** The official Zoning Map of the City of North Miami is amended in accordance with this Ordinance to reflect the rezoning.

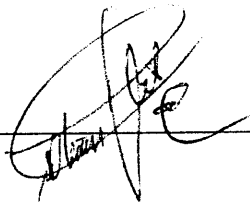
**Section 3. Repeal.** All Ordinances or parts of Ordinances in conflict or inconsistent are repealed.

**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.

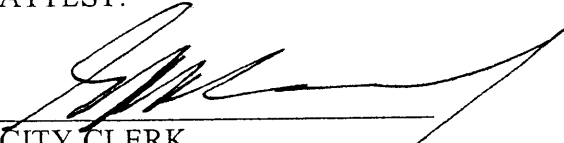
**Section 5. Effective Date.** This Ordinance shall be effective upon passage by the Mayor and City Council on second reading.

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

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

MAYOR 

ATTEST:

  
CITY CLERK

APPROVED AS TO FORM:

 9.7.04  
CITY ATTORNEY

SPONSORED BY: PLANNING COMMISSION