



# City of Miami

## Legislation

City Hall  
3500 Pan American Drive  
Miami, FL 33133  
www.miamigov.com

**File Number:** 16-00896

**Final Action Date:**

AN ORDINANCE OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), APPROVING THE DOWNTOWN MIAMI DEVELOPMENT OF REGIONAL IMPACT, ENCOMPASSING AN AREA OF THE CITY OF MIAMI UNDER THE JURISDICTION OF THE DOWNTOWN DEVELOPMENT AUTHORITY WITH THE EXCEPTION OF THE SOUTHEAST OVERTOWN PARK WEST AREA, AS MORE PARTICULARLY DESCRIBED HEREIN, PURSUANT TO AN APPLICATION FOR DEVELOPMENT APPROVAL PROPOSED BY THE DOWNTOWN DEVELOPMENT AUTHORITY; AUTHORIZING AN INCREMENT III DEVELOPMENT ORDER; APPROVING SAID DEVELOPMENT OF REGIONAL IMPACT AFTER CONSIDERING THE REPORT AND RECOMMENDATIONS OF THE SOUTH FLORIDA REGIONAL PLANNING COUNCIL AND THE CITY OF MIAMI PLANNING ZONING AND APPEALS BOARD, SUBJECT TO THE CONDITIONS OF THE INCREMENT III DEVELOPMENT ORDER ATTACHED HERETO AS "EXHIBIT A", THE APPLICATION FOR DEVELOPMENT APPROVAL, INCORPORATED HEREIN BY REFERENCE, AND THE REPORT AND RECOMMENDATIONS OF THE SOUTH FLORIDA REGIONAL PLANNING COUNCIL, INCORPORATED HEREIN BY REFERENCE; MAKING FINDINGS OF FACT AND CONCLUSIONS OF LAW; PROVIDING THAT THE INCREMENT III DEVELOPMENT ORDER SHALL BE BINDING ON THE APPLICANT AND SUCCESSORS IN INTEREST; DIRECTING TRANSMITTALS DIRECTING THE CITY MANAGER TO TAKE ALL ACTIONS NECESSARY TO FULFILL THE CITY'S OBLIGATIONS UNDER THE INCREMENT III DEVELOPMENT ORDER; PROVIDING FOR A TERMINATION DATE; PROVIDING A SEVERABILITY CLAUSE AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to Chapter 163, Part II, Florida Statutes, the Miami City Commission on February 9, 1989, by Ordinance No. 10544, adopted the Miami Comprehensive Neighborhood Plan (MCNP); and

WHEREAS, the Miami Planning Advisory Board, at its meeting on -, following an advertised public hearing, adopted Resolution No. PAB-\*-\* by a vote of - to - (-), item no. -, recommending - of an amendment to Ordinance No. 10544, as amended.

WHEREAS, the City Commission, after careful consideration of this matter, deems it advisable and in the best interest and general welfare of the City of Miami and its inhabitants to amend Ordinance No. 10544 as hereinafter set forth;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF MIAMI, FLORIDA:

Section 1. The recitals and findings contained in the Preamble to this Ordinance are adopted by reference and incorporated as if fully set forth in this Section.

Section 2. Ordinance 10544, as amended, the Miami Comprehensive Neighborhood Plan, is further amended as follows: {1}

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Section 4. The City Manager is directed to instruct the Director of the Planning and Zoning Department to immediately transmit a copy of this Ordinance, upon approval on First Reading and again after its adoption on Second Reading to: the Florida Department of Community Affairs; the Florida Department of Environmental Protection; the Florida Department of State, Division of Historical Resources; the Florida Department of Transportation, District Six Office; the South Florida Water Management District; the South Florida Regional Planning Council; and Miami-Dade County.

Section 5. If any section, part of section, paragraph, clause, phrase, or word of this Ordinance is declared invalid, the remaining provisions of this Ordinance shall not be affected.

Section 6. This Ordinance shall become effective after second reading and adoption pursuant and subject to § 163.3189, Florida Statutes (2006). {2}

REVIEWED AND APPROVED  
OFFICE OF THE CITY ATTORNEY:

\_\_\_\_\_  
Initial

\_\_\_\_\_  
Date

{1} Words and/or figures stricken through shall be deleted. Underscored words and/or figures shall be added. The remaining provisions are now in effect and remain unchanged. Asterisks indicate omitted and unchanged material.

{2} This Ordinance shall become effective as specified unless vetoed by the Mayor within ten days from the date it was passed and adopted. If the Mayor vetoes this Ordinance, it shall become effective immediately upon override of the veto by the City Commission or upon the effective date stated, whichever is later.

Footnotes :