

ORDINANCE NO. 2025 – _____

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF SUNNY ISLES BEACH, FLORIDA, AMENDING THE TEXT OF THE FUTURE LAND USE ELEMENT OF THE ADOPTED COMPREHENSIVE PLAN; PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, F.S. 163.3177 requires that each local government adopt a Future Land Use Element as part of its comprehensive plan; and

WHEREAS, the Future Land Use Element includes land use designations and is required to establish maximum development allowances for residential and non-residential uses; and

WHEREAS, the City of Sunny Isles Beach (“City”) utilizes density and floor area ratio (FAR) to establish maximum development allowances; and

WHEREAS, the adopted land development code is intended to implement the adopted comprehensive plan; and

WHEREAS, the adopted land development code incorporates “bonus” development allowances that allow for increases in floor area ratio and density; and

WHEREAS, additional clarification is necessary to ensure consistency between maximum development allowances stipulated in the comprehensive plan and the land development code; and

WHEREAS, the City identified additional text amendments necessary to ensure consistency with the city’s current goals and vision and for plan consistency; and

WHEREAS, the City also established definitions for various terms used throughout the comprehensive plan; and

WHEREAS, on June 17, 2025, the City Commission, serving as the Local Planning Agency (“LPA”), held its hearing on this proposed Ordinance with due public notice and input; and

WHEREAS, the motion to recommend adoption of the Ordinance resulted in a tie-vote with no formal recommendation being made; and

WHEREAS, on June 17, 2025, the City Commission held the first reading and public hearing of this proposed Ordinance with due public notice and input, which also resulted in a tie-vote amongst the City Commission; and

WHEREAS, on August 21, 2025, the City Commission held a second, first reading of the Ordinance, and after public hearing adopted the Ordinance for transmittal to state agencies; and

WHEREAS, pursuant to comments and objections received by the State Land Planning Agency after submission, this proposed Ordinance was duly amended and is required to be presented for a third, first reading and public hearing; and

WHEREAS, on November 20, 2025, the City Commission held a third, first reading and public hearing of this proposed Ordinance with due public notice and input; and

WHEREAS, on _____, 2025, the City Commission held a second reading and public heading of this proposed Ordinance with due public notice and input.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF SUNNY ISLES BEACH, FLORIDA, AS FOLLOWS¹:

Section 1. Incorporation of Recitals. The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon adoption hereof.

Section 2. Amendment to Future Land Use Element. The Future Land Use Element of the adopted Comprehensive Pan is hereby amended as shown in "Exhibit A."

Section 3. Repealer. All ordinances, or parts of ordinances in conflict herewith be, and the same, are hereby repealed.

Section 4. Severability. If any section, subsection, clause or provision of this Ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, the remainder shall not be affected by such invalidity.

Section 5. Transmittal. The City Commission hereby directs the City Manager to transmit the proposed text amendments to the State Land Panning Agency for review and comment.

Section 6. Effective Date. The effective date of this ordinance, if the amendment is not timely challenged, shall be 31 days after the State Land Planning Agency notifies the City that the plan amendment package is complete. If the amendment is timely challenged, this amendment shall become effective on the date the State Land Planning Agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or development dependent on this amendment may be issued or commence before it has become effective.

PASSED AND ADOPTED on first reading this ____ day of _____, 2025.

¹ Additions to existing text are shown by underline, changes to existing text on second reading are shown by double underline, deletions on first reading are shown as ~~strikethrough~~ and deletions on second reading are shown as ~~double-strikethrough~~.

PASSED AND ADOPTED on second reading this ____ day of _____, 2025.

Larisa Svechin, Mayor

ATTEST:

**APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:**

Mauricio Betancur, CMC, City Clerk

Alain E. Boileau, Nabors, Giblin & Nickerson,
P.A., City Attorney

First Reading

Second Reading

Motion: _____

Motion: _____

Second: _____

Second: _____

Vote on First Reading:

Mayor Svechin

____ (Yes) ____ (No)

Vice Mayor Lama

____ (Yes) ____ (No)

Commissioner Joseph

____ (Yes) ____ (No)

Commissioner Stuyvesant

____ (Yes) ____ (No)

Commissioner Viscarra

____ (Yes) ____ (No)

Vote on Second Reading:

Mayor Svechin

____ (Yes) ____ (No)

Vice Mayor Lama

____ (Yes) ____ (No)

Commissioner Joseph

____ (Yes) ____ (No)

Commissioner Stuyvesant

____ (Yes) ____ (No)

Commissioner Viscarra

____ (Yes) ____ (No)

Exhibit A – Text Amendments to the Future Land Use Element