

ORDINANCE NO. 1032-2012

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS AMENDING THE COMPREHENSIVE PLAN, BASED ON UPDATED DATA AND ANALYSIS, INCLUDING DELETING CONCURRENCY PROVISIONS RELATING TO TRANSPORTATION, AND RECREATION AND OPEN SPACE; OTHER AMENDMENTS TO THE TEXT OF THE FUTURE LAND USE, TRANSPORTATION, HOUSING, INFRASTRUCTURE, CONSERVATION, RECREATION AND OPEN SPACE, INTERGOVERNMENTAL COORDINATION, AND CAPITAL IMPROVEMENTS ELEMENTS OF THE 1998 COMPREHENSIVE PLAN AS AMENDED; TO REVISE AND UPDATE THE EXISTING GOALS, OBJECTIVES, AND POLICIES IN ACCORDANCE WITH THE MANDATES SET FORTH IN CHAPTER 163, FLORIDA STATUTES, AUTHORIZING TRANSMITTAL OF THESE AMENDMENTS TO THE SOUTH FLORIDA REGIONAL PLANNING COUNCIL, STATE LAND PLANNING AGENCY, AND OTHER APPLICABLE AGENCIES FOR REVIEW AND COMMENT AS REQUIRED BY FLORIDA STATUTES; PROVIDING A CONFLICTS CLAUSE AND SEVERABILITY CLAUSE, AND PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, the Florida Legislature intends that local planning be a continuous and ongoing process; and,

**WHEREAS**, the City Council of the City of Miami Springs adopted the City of Miami Springs Comprehensive Plan by the enactment of Ordinance No. 849-98 on September 29, 1998; and,

**WHEREAS**, Chapter 163, Florida Statutes, provides for amendments to Adopted Comprehensive Plans under the Expedited Review Process; and

**WHEREAS**, the City Council desires to amend the Goals, Objectives and Policies of the Elements of the Comprehensive Plan; and

**WHEREAS**, the City has reviewed the proposed amendments to the Comprehensive Plan and said proposed amendments being reviewed by the City's Local Planning Agency (LPA) at a duly advertised meeting on December 12, 2011, which determined such amendments to be consistent with the Comprehensive Plan; and; and

**WHEREAS**, the City Council has agreed with the recommendations of the Local Planning Agency that the proposed amendments comply with the requirements of Chapter 163, F.S., and that the proposed amendments are consistent with the Comprehensive Plan; and

**WHEREAS**, the City Council held its duly advertised public hearing for the transmittal of the proposed amendments on December 12, 2011; and

**WHEREAS**, the City has received and responded to timely comments from certain review agencies which have been granted such authority under Sec. 163.3184(3)(b) 3 and 4; and

**WHEREAS**, City Council held its duly advertised second public hearing for Adoption of this Ordinance on March 12, 2012.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS, FLORIDA:**

Section 1: That the City Council of the City of Miami Springs does hereby approve and adopt the Comprehensive Plan Amendments attached hereto as Exhibit "A".

Section 2: That the City Council of the City of Miami Springs does hereby authorize the amendment of the City of Miami Springs Comprehensive Plan, previously adopted by the enactment of Ordinance No. 849-98, in accordance with the approved and adopted amendments to its current Comprehensive Plan, as amended; which amendments consist of the pages identified as Exhibit "A" text amendments to the Future Land Use, Transportation, Housing, Infrastructure, Conservation, Recreation and Open Space, Intergovernmental Coordination, Capital Improvements, and Public School Facilities Elements and which are incorporated into the current Comprehensive Plan. A copy of the Comprehensive Plan, as amended and required supporting documentation, is on file at City Hall in Miami Springs, Florida.

Section 3: That all ordinances or parts of ordinances in conflict herewith are hereby repealed insofar as they are in conflict.

Section 4: The effective date of this plan amendment, if amendment is not timely challenged, shall be 31 days after the State Land Planning Agency notifies the local government that the plan amendment package is complete. If 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 land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the State Land Planning Agency.

**THIS SPACE INTENTIONALLY LEFT BLANK**

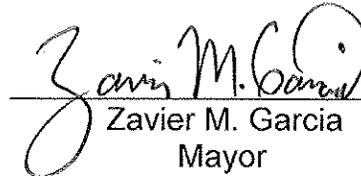
**PASSED AND ADOPTED** by the City Council of the City of Miami

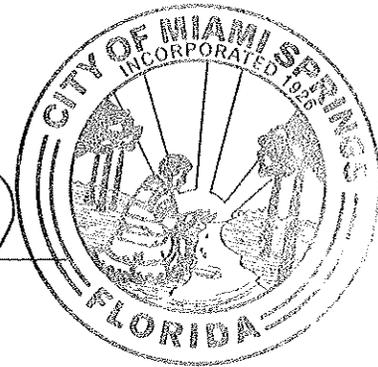
Springs, Florida this 12<sup>th</sup> day of March, 2012.

The motion to adopt the foregoing ordinance was offered on second reading by Councilman Best, seconded by Councilman Lob, and on roll call the following vote ensued:

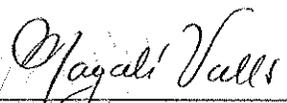
Vice Mayor Espino  
Councilman Best  
Councilman Lob  
Councilwoman Ator  
Mayor Garcia

"aye"  
"aye"  
"aye"  
"aye"  
"aye"

  
Zavier M. Garcia  
Mayor



**ATTEST:**

  
Magali Valls, CMC  
City Clerk

**APPROVED AS TO FORM AND LEGAL SUFFICIENCY**

  
Jan K. Seiden, Esquire  
City Attorney

First reading: 12/12/2011  
Second reading: 03/12/2012

Words ~~-stricken through-~~ shall be deleted. Underscored words constitute the amendment proposed. Words remaining are now in effect and remain unchanged.