

**CITY OF MIRAMAR
PROPOSED CITY COMMISSION AGENDA ITEM**

First Reading Date: July 7, 2021

Second Reading Date: August 18, 2021

Presenter's Name and Title: Eric B. Silva, Director, on behalf of the Community Development Department

Prepared By: Nixon Lebrun, Development and Capital Management Coordinator, Community Development Department

Temp. Ord. Number: 1774

Item Description: **FIRST READING** of Temp. Ord. No. 1774, RELATING TO LAND DEVELOPMENT REGULATIONS; AMENDING THE ZONING MAP OF THE CITY OF MIRAMAR FOR APPROXIMATELY 32 ACRES OF REAL PROPERTIES GENERALLY LOCATED AND LYING ON BOTH SIDES OF MIRAMAR PARKWAY, BETWEEN THE FLORIDA TURNPIKE AND SW 68TH AVENUE, AS FURTHER DESCRIBED IN EXHIBIT "A" ATTACHED HERETO, IN ACCORDANCE WITH THE REQUIREMENTS OF SUBSECTION 166.041(3), FLORIDA STATUTES AND SECTION 304 OF THE LAND DEVELOPMENT CODE OF THE CITY OF MIRAMAR; MORE SPECIFICALLY BY CHANGING THE ZONING MAP DESIGNATION OF: (1) THOSE CERTAIN PARCELS WITH PARCEL ID NUMBERS 5141-2608-0010, 5141-2608-0011, 5141-2608-0012, 5141-2608-0021, 5141-2621-0010, 5141-2621-0020, AND 5141-2622-0010 FROM COMMUNITY BUSINESS (B2) DISTRICT TO MIXED-USE LOW (ML) DISTRICT; (2) THAT CERTAIN PARCEL WITH PARCEL ID NUMBER 5141-2608-0022 FROM OPEN SPACE/RECREATION (OS) ZONING DISTRICT TO MIXED-USE LOW (ML) DISTRICT; (3) THOSE CERTAIN PARCELS WITH PARCEL ID NUMBERS 5141-2600-0060 AND 5141-2066-0061 FROM COMMUNITY FACILITIES (CF) ZONING DISTRICT AND OPEN SPACE/RECREATION (OS) ZONING DISTRICT TO MIXED-USE LOW (ML) DISTRICT; AND (4) THAT CERTAIN PARCEL OF REAL PROPERTY WITH PARCEL ID NUMBER 5141-2600-0076 FROM OPEN SPACE/RECREATION (OS) ZONING DISTRICT TO MULTI-FAMILY RESIDENTIAL (RM4) DISTRICT, IN ORDER TO IMPLEMENT THE ADOPTED LAND USE PROGRAM FOR THE NEW MIRAMAR INNOVATION AND TECHNOLOGY ACTIVITY CENTER ("MITAC") LAND USE DESIGNATION, AND CREATIVELY TRANSFORM HISTORIC MIRAMAR INTO AN ECONOMICALLY PRODUCTIVE AND SOCIALLY INCLUSIVE INNOVATION DISTRICT; MAKING FINDINGS; PROVIDING FOR ADOPTION; PROVIDING FOR SEVERABILITY; PROVIDING FOR ADMINISTRATIVE CORRECTION OF SCRIVENER'S ERRORS; AND PROVIDING FOR AN EFFECTIVE DATE. *(Eric Silva, Community Development Director)*

Consent Resolution Ordinance Quasi-Judicial Public Hearing

Instructions for the Office of the City Clerk:

Public Notice – As required by the Sec. ___301.11___ of the City Code and/or Sec. 163.3184(11)____, Florida Statutes, public notice for this item was provided as follows: on 6/2/2021 in a _____legal___ ad in the ___Sun Sentinel_____; by the posting the property on _____ and/or by sending mailed notice to property owners within the Amendment Area and within ___2,640___ feet of said Area.

Special Voting Requirement – As required by Sec. _____, of the City Code and/or Sec. _____, Florida Statutes, approval of this item requires a _____ (unanimous, 4/5ths etc.) vote by the City Commission.

Fiscal Impact: Yes No

REMARKS: None

Content:

- **Agenda Item Memo from the City Manager to City Commission**
- **Ordinance TO 1774**
 - **Exhibit “A” – Proposed Zoning Designations**
 - **Exhibit “B” – Legal Descriptions of the Subject Properties**
- **Attachment(s)**
 - **Attachment 1: Current and Proposed Zoning Designations**



**CITY OF MIRAMAR
INTEROFFICE MEMORANDUM**

TO: Mayor, Vice Mayor, & City Commissioners

FROM:  Vernon E. Hargray, City Manager 

BY: Eric Silva, Director, Community Development Department

DATE: July 1, 2021

RE: SECOND READING of Temp. Ord. No. 1774, amending the City Official Zoning Map for certain parcels of public and private properties to implement the Miramar Innovation and Technology Activity Center Land Use Category

RECOMMENDATION: That the City Commission holds two (2) public hearings (a first reading and a second reading), in accordance with the procedures of paragraph (c) of Subsection 166.041(3), Florida Statutes ("F.S.") and Section 304 of the City of Miramar Land Development Code ("LDC"), to discuss and adopt the accompanying ordinance to enact the proposed amendment to the City Official Zoning Map for those certain public and private parcels of real property within the newly adopted Miramar Innovation and Technology Activity Center ("MITAC") land use designation, more specifically by rezoning: (1) the private parcels of real property with Parcel ID Numbers 5141-2608-0010, 5141-2608-0011, 5141-2608-0012, 5141-2608-0021, 5141-2621-0010, 5141-2621-0020, and 5141-2622-0010 from B2, Community Business District to ML, Mixed-Use Low District; (2) the public parcel of real property with Parcel ID Number 5141-2608-0022 from OS, Open Space/Recreation Zoning District to ML, Mixed-Use Low Zoning District; (3) the public parcels of real property with Parcel ID Numbers 5141-2600-0060 and 5141-2066-0061 from CF, Community Facilities Zoning District and OS, Open Space/Recreation Zoning District to ML, Mixed-Use Low Zoning District; (4) the public parcel of real property with Parcel ID Number 5141-2600-0076 from OS, Open Space/Recreation Zoning District to RM4, Medium Density Residential Zoning District;

ISSUE: Section 166.041, F.S., and Section 304 of the City LDC provide that amendments to the City Official Zoning Map to rezone a parcel or parcels of land shall be accomplished by ordinance of the City Commission, upon reviewing such amendments, the general purpose and standards set forth in the LDC, the Staff Report, the application of the City Comprehensive Plan, the recommendation of the Planning and Zoning Board, and any oral and written comments received before or at the public hearings. In accordance with

the requirements of Sub-section 304.5 of the City LDC, the proposed rezoning was reviewed and recommended for adoption by the Planning and Zoning Board at its duly advertised public hearing held on June 8, 2021. As required by paragraph (c) of Subsection 166.041(3), F.S. and Sub-section 303.6 of the City LDC, the proposed zoning map amendment is being placed on this meeting agenda so the City Commission can hold the required public hearings to discuss and adopt the ordinance to enact same.

BACKGROUND: It is the intent of the City to create an economically productive, socially inclusive, and environmentally sustainable innovation district at the proposed Miramar Innovation and Technology Village (the "Village"), in order to spur the revitalization of Historic Miramar. The Village, which includes multiple properties on both sides of Miramar Parkway, between the Florida Turnpike and SW 67th Avenue, is to be developed as a vibrant destination place, an employment hub featuring anchor institutions, technology labs and offices, business startups and incubators, mixed-income housing, retail establishments, and cultural and educational amenities with a primary orientation toward a multimodal transportation. The proposed Village previously featured a wide assortment of land use designations on the Future Land Use Map of both the City Comprehensive Plan and the Broward County Land Use Plan ("BCLUP"). In order to provide for the intermix of uses envisioned for the proposed Village, the City successfully petitioned the Broward County Board of County Commissioners to amend the texts and the maps of the BCLUP and create a Local Activity Center designation for the Village with the following basket of rights: (1) 450 residential dwelling units, 15 percent of which being set aside for affordable/workforce housing; (2) 300,000 square feet of retail uses; (3) 200,000 square feet of office uses; (4) 160,000 square feet of municipal uses; (5) 276,000 square feet of public school uses; and 10.23 acres of park land.

Following the County approval, and in conformity with Article 1.1(A) of Administrative Rules Document: BrowardNext, the City Commission passed and adopted an ordinance, which amended Policy 1.14 of the Future Land Use Element and the Future Land Use Map of the City Comprehensive Plan to create the MITAC land use designation for the area with the same basket of rights approved by the County. In order to provide specific and detailed land development regulations necessary to ensure greater consistency with the land use program of the new MITAC land use category, the City is now seeking to amend the City Official Zoning Map by rezoning certain public and private parcels of real property within the Village.

DISCUSSION: Historic Miramar is the 3.8-square mile area that includes the City's most mature and established neighborhoods, some dating back to even before the City's incorporation in 1955. It is bounded by US 441/S-R 7 on the east, Pembroke Road on the north, University Drive on the west, and the Broward County line on the south. In the mid-2000s, the commodification of real estate influences fueled and expanded the City's development growth beyond Palm Avenue and away from Historic Miramar, which started then to experience economic decline and disinvestment. As a counterweight to these forces, and in order to set the stage for redevelopment of Historic Miramar, the City began

investing significant resources in the area, including \$230 million in capital improvements. In addition to these capital improvement projects, and in order to cast a redevelopment vision that is both informed by public input and balanced with private sector realities, the City has prepared and collaborated with several regional partners on numerous planning studies for Historic Miramar or part thereof. Furthermore, two (2) city-sponsored technical documents, the 2017-2021 Economic Development Action Plan (“EDAP”) and the Historic Miramar Neighborhood Revitalization Strategic Plan (“NRSP”) specifically identify Historic Miramar as a key area where the City should leverage and catalyze community and private assets to foster rapid economic growth. The EDAP even calls for the establishment of a Historic Miramar Cultural Arts/Maker Space Innovation District drawing from the compendium of revitalization strategies listed in these studies. The City believes that the innovation district concept is the best-suited place-based urban development strategy to revitalize Historic Miramar. The City further believes that such strategy would provide a platform where leading-edge anchor institutions and companies can cluster and connect with start-ups, business incubators and accelerators to: (1) co-invent and co-produce new discoveries for the market; (2) expand employment and educational opportunities to the area’s low- and moderate-income residents; and (3) achieve denser residential and employment patterns.

This redevelopment vision for Historic Miramar was further vetted at many community meetings, including, but not limited to, the May 9, 2019 visioning session, the February 26, 2020 Historic Miramar Advisory Board Meeting at the Miramar Multi-Service Complex, and several in-person and virtual meetings held in the latter half of 2020. As stated earlier and in order to provide for the regulatory land use framework necessary to implement the redevelopment vision for Historic Miramar, the texts and Future Land Use Map of the City Comprehensive Plan and the BCLUP were recently amended to adopt the MITAC land use category with applicable densities and intensities of uses, affordable housing policies, and policies that prioritize pedestrian mobility and encourage transit use.

ANALYSIS: The proposed Village is comprised of public and private parcels of real property located on both sides of Miramar Parkway between the Florida Turnpike and SW 68th Avenue. It specifically includes the Bravo Supermarket Plaza, the Vernon E. Hargray Miramar Youth Enrichment Center, the Shirley Branca Park, the Publix Plaza, the Perry Park/Wellman Field, the Annabel C. Perry Pre K-8 School, the Henry D. Perry Educational Center, the Historic Miramar Public Safety Complex and the Miramar Aquatic Complex. In furtherance of the purpose and intent of the MITAC land use category, the Village is to be developed as a walkable, activated, urban environment with an innovation, technology, education, arts and culture, and entertainment focus. Additionally, it is to include a synergistic mix of retail and affordable/workforce residential uses that will complement and be seamlessly woven into the fabric of the neighborhood, while leveraging existing community assets, including but not limited to, the Vernon E. Hargray Youth Enrichment Center, the Shirley Branca Park Bandshell and the new Police Substation.

As prescribed in the Comprehensive Plan policies regulating the MITAC, the proposed Village is to be developed in a very context-sensitive fashion and adhere to design guidelines that provide for compatibility with and adequate transition to the neighboring single-family residences. In conformity with, and in furtherance of these policies, the City has selected to rezone only the most suitable parcels within the Village.

Temp. Ord. No. 1774
3/23/21
6/8/21

**CITY OF MIRAMAR
MIRAMAR, FLORIDA**

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF MIRAMAR, FLORIDA, RELATING TO LAND DEVELOPMENT REGULATIONS; AMENDING THE ZONING MAP OF THE CITY OF MIRAMAR FOR APPROXIMATELY 32 ACRES OF REAL PROPERTIES GENERALLY LOCATED AND LYING ON BOTH SIDES OF MIRAMAR PARKWAY, BETWEEN THE FLORIDA TURNPIKE AND SW 68TH AVENUE, AS FURTHER DESCRIBED IN EXHIBIT "A" ATTACHED HERETO, IN ACCORDANCE WITH THE REQUIREMENTS OF SUBSECTION 166.041(3), FLORIDA STATUTES AND SECTION 304 OF THE LAND DEVELOPMENT CODE OF THE CITY OF MIRAMAR; MORE SPECIFICALLY BY CHANGING THE ZONING MAP DESIGNATION OF: (1) THOSE CERTAIN PARCELS WITH PARCEL ID NUMBERS 5141-2608-0010, 5141-2608-0011, 5141-2608-0012, 5141-2608-0021, 5141-2621-0010, 5141-2621-0020, AND 5141-2622-0010 FROM COMMUNITY BUSINESS (B2) DISTRICT TO MIXED-USE LOW (ML) DISTRICT; (2) THAT CERTAIN PARCEL WITH PARCEL ID NUMBER 5141-2608-0022 FROM OPEN SPACE/RECREATION (OS) ZONING DISTRICT TO MIXED-USE LOW (ML) DISTRICT; (3) THOSE CERTAIN PARCELS WITH PARCEL ID NUMBERS 5141-2600-0060 AND 5141-2066-0061 FROM COMMUNITY FACILITIES (CF) ZONING DISTRICT AND OPEN SPACE/RECREATION (OS) ZONING DISTRICT TO MIXED-USE LOW (ML) DISTRICT; AND (4) THAT CERTAIN PARCEL OF REAL PROPERTY WITH PARCEL ID NUMBER 5141-2600-0076 FROM OPEN SPACE/RECREATION (OS) ZONING DISTRICT TO MULTI-FAMILY RESIDENTIAL (RM4) DISTRICT, IN ORDER TO IMPLEMENT THE ADOPTED LAND USE PROGRAM FOR THE NEW MIRAMAR INNOVATION AND TECHNOLOGY ACTIVITY CENTER ("MITAC") LAND USE DESIGNATION, AND CREATIVELY TRANSFORM HISTORIC MIRAMAR INTO AN ECONOMICALLY PRODUCTIVE AND SOCIALLY INCLUSIVE INNOVATION DISTRICT; MAKING FINDINGS; PROVIDING FOR ADOPTION; PROVIDING FOR SEVERABILITY; PROVIDING FOR ADMINISTRATIVE CORRECTION OF SCRIVENER'S ERRORS; AND PROVIDING FOR AN EFFECTIVE DATE.

Ord. No. _____

Temp. Ord. No. 1774
3/23/21
6/8/21

WHEREAS, in conformity with, and in furtherance of, the Growth Management Act, as codified in Part II of Chapter 163, Florida Statutes (“F.S.”), the City of Miramar (the “City”) adopted in 1989 its Comprehensive Plan along with a Future Land Use Map (“FLUM”) showing the distribution and extent of the various land use designations; and

WHEREAS, in conformity with, and in furtherance of, the Growth Management Act, the City adopted in 1996 a set of land development regulations, which, codified in the Land Development Code (“LDC”), are consistent with, and contain specific and detailed provisions necessary to implement the adopted Comprehensive Plan; and

WHEREAS, along with the LDC, the City adopted an Official Zoning Map showing the location and boundaries of the various zoning districts, which, as described in Section 401 of the City LDC, have been found to be conforming to, and adequate to carry out, the City Comprehensive Plan, Future Land Use Map and LDC; and

WHEREAS, Section 166.041, F.S., establishes a uniform method for the adoption of municipal ordinances and resolutions, and the requirements set forth therein cannot be lessened or reduced by any municipality; and

WHEREAS, Section 166.041(3), F.S., implicitly provides that changes to the actual list of permitted, conditional, or prohibited uses within a zoning category, and changes to the actual zoning map designation of a parcel or parcels of land, whether initiated by the municipality or not, shall be enacted by ordinance of the governing body of a municipality; and

Temp. Ord. No. 1774
3/23/21
6/8/21

WHEREAS, consistent with the minimum procedures for the adoption of municipal ordinances set forth in Section 166.041, F.S., Section 304 of the City LDC establishes a uniform procedure for the review and adoption of ordinances that change the actual list of permitted, conditional, or prohibited uses within the zoning categories of the City LDC, or that change the actual zoning map designation of specific parcels of public or private land on the City Official Zoning Map; and

WHEREAS, pursuant to the grant of home rule powers set forth in Section 2(b), Article VIII of the Florida Constitution, the City Commission finds and declares that the City has been experiencing unequal economic development, and that Historic Miramar has been lagging behind the western part of the City as it has been beset by prolonged neighborhood decline, which, despite significant public infrastructure investment in the area, continues unabated, as evidenced in a number of negative developments in the physical, social or economic conditions of the area; and

WHEREAS, the City Commission further declares that it is in the public interest to create an innovation district in Historic Miramar, the *Miramar Innovation and Technology Village*, in order to (1) enhance and expand economic activity in the area; (2) increase access to greater employment and educational opportunities; (3) provide a stronger, more balanced and stable economy on citywide basis; and (4) ultimately improve the welfare and competitive position of the City; and

Temp. Ord. No. 1774
3/23/21
6/8/21

WHEREAS, the Miramar Innovation and Technology Village covers around 83.2 acres of both public and private land generally located on both sides of Miramar Parkway between the Florida's Turnpike and Hibiscus Place/SW 67th Avenue, including the Bravo Supermarket Plaza, the Vernon E. Hargray Miramar Youth Enrichment Center, the Shirley Branca Park, the Publix Plaza, the Perry Park/Wellman Field, the Annabel C. Perry PreK-8 School, the Henry D. Perry Educational Center, the Miramar Aquatic Complex, the Historic Miramar Public Safety Complex, and the Miramar Multi-Service Complex; and

WHEREAS, the Miramar Innovation and Technology Village is being planned as a walkable urban place or WalkUP featuring transit uses and a synergistic mix of new housing, retail, educational, recreational, office, arts and culture, and entertainment uses with the goal of providing a platform where leading-edge anchor institutions and companies can cluster and connect with start-ups, business incubators and accelerators in a dynamic process of innovation, imitation and improvement; and

WHEREAS, the City concurrently filed an application with the City Community Development Department (the "Department") and the Broward County Planning Council to amend the City Comprehensive Plan and FLUM, and the Broward County Land Use Plan and FLUM Series, respectively, by creating a new activity center land use category for the Miramar Innovation and Technology Village, aptly dubbed the *Miramar Innovation and Technology Activity Center* or simply *MITAC*, in order to provide the regulatory land use framework necessary to implement the redevelopment vision for the area; and

Temp. Ord. No. 1774
3/23/21
6/8/21

WHEREAS, the land use program originally proposed for the MITAC included the following threshold of densities and intensities: (1) 942 dwelling units (including 42 existing single-family units); (2): 1,000,000 square feet of retail and office uses; (3) 200,000 square feet of municipal uses; and 10.23 acres of parks and open space; and

WHEREAS, concerns expressed by the residents at various outreach meetings, as well as conversations with County agencies led the City to amend that land use plan program as follows: (1) 450 residential dwelling units, 15 percent of which being set aside for affordable/workforce housing; (2) 300,000 square feet of retail uses; (3) 200,000 square feet of office uses; (4) 160,000 square feet of municipal uses; (5) 276,000 square feet of public school uses; and 10.23 acres of park land; and

WHEREAS, the amendment to the BCLUP and FLUM Series was adopted by the Broward County Board of County Commissioners on June 1st 2121, and became effective in early July, thirty days after the determination of completeness by the State Land Planning Agency, in accordance with the requirements of Section 163.3184(3), F.S.; and

WHEREAS, the land use plan amendment to the City Comprehensive Plan and FLUM was adopted by the City Commission on June 16, 2121, and became effective in mid-August, thirty days after the determination of completeness by the State Land Planning Agency, in accordance with the requirements of Section 163.3184(3), F.S.; and

WHEREAS, the City has filed an application with the Department for an amendment to the City Official Zoning Map for those certain public and private parcels of

Temp. Ord. No. 1774
3/23/21
6/8/21

real property within the newly adopted MITAC land use designation, in order to provide specific and detailed land development regulations necessary to ensure greater consistency with the land use program of the new MITAC land use category; and

WHEREAS, the City is specifically seeking to change the zoning map designation of approximately 32 acres of public and private parcels of real property, consisting of: (1) those certain parcels with Parcel ID Numbers 5141-2608-0010, 5141-2608-0011, 5141-2608-0012, 5141-2608-0021, 5141-2621-0010, 5141-2621-0020, and 5141-2622-0010 from Community Business (B2) district to Mixed-Use Low (ML) District; (2) that certain parcel with Parcel ID Number 5141-2608-0022 from Open Space/Recreation (OS) Zoning District to Mixed-Us Low (ML) District; (3) those certain parcels with Parcel ID Numbers 5141-2600-0060 and 5141-2066-0061 from Community Facilities (CF) Zoning District and Open Space/Recreation (OS) Zoning District to Mixed-Use Low (ML) District; and (4) that certain parcel with Parcel ID Number 5141-2600-0076 from Open Space/Recreation (OS) zoning district to Multi-Family Residential (RM4) District; and

WHEREAS, in conformity with Section 166.41(3)(c), F.S., and Subsection 301.5 of the City LDC, notification of the proposed Zoning Map Amendment or Rezoning was published on the Sunshine Board and in the Sun-Sentinel, conspicuously posted on the affected properties, and mailed to property owners within a half-mile radius thereof; and

WHEREAS, in conformity with Sub-section 301.5 of the City LDC, the City held a virtual public outreach meeting held on June 7, 2021 on the proposed Rezoning; and

Ord. No. _____

Temp. Ord. No. 1774
3/23/21
6/8/21

WHEREAS, the increase of the mailed notices radius from 1,000 feet to half a mile and the additional community meetings are all part of the City's effort to curb public apathy, encourage meaningful, not nominal, ongoing citizen participation, and ultimately engage a broader range of voices, interests, needs and perspectives in the daunting task of revitalizing and shaping the future of Historic Miramar for generations to come; and

WHEREAS, in conformity with Subsection 304.7 of the City LDC, the Department reviewed the proposed Rezoning and found same to be an initial development order that (1) is consistent with the City Comprehensive Plan, in terms of the availability of water supplies, and public facilities and services; (2) is compatible with the zoning designations of, and existing uses in the surrounding area; (3) has a de minimis impact on the regional transportation network; (4) has no significant or adverse environmental impacts on the vicinity; and (5) does not adversely affect the health, safety, aesthetics, and welfare of Historic Miramar and the City as a whole; and

WHEREAS, the Department further found the proposed Rezoning to constitute yet another entitlement endeavor necessary to clear the way for the preparation of more detailed site-specific development plans to implement the innovation district concept and creatively transform the Miramar Innovation and Technology Village into a model of walkable urbanism, i.e., an activated, pedestrian-centric, transit-friendly and context-sensitive urban environment featuring an innovation, technology, education, arts and culture, and entertainment focus; and

Temp. Ord. No. 1774
3/23/21
6/8/21

WHEREAS, the City Manager concurred with the findings of fact from the Department Report and recommended adoption of the proposed Rezoning; and

WHEREAS, Section 107 of the City LDC provides that the Planning and Zoning Board (the “Board”) shall have all the powers and duties to make recommendations to the City Commission regarding amendments to the City Official Zoning Map; and

WHEREAS, Subsection 304.5 of the City LDC provides that the Board shall hold one properly noticed public hearing to evaluate the proposed rezoning with respect to the review standards set forth in Subsection 307 of the City LDC, consider the findings of fact in the Staff Report, as well as any oral or written public comments, and, upon a finding that the Rezoning satisfies these review standards and is consistent with the City Comprehensive Plan, forward a recommendation to the City Commission; and

WHEREAS, in conformity with Subsection 304.5 of the City LDC, the Board held a duly noticed public hearing on June 8th, 2021 to review the proposed Rezoning, at which hearing the Staff Report and the City Manager’s recommendation were considered and public testimony taken; and

WHEREAS, upon reviewing the evidence presented at the hearing, the Board found that the proposed Rezoning: (1) is consistent with the City Comprehensive Plan, in terms of the availability of water supplies, and public facilities and services; (2) is compatible with the zoning designations of, and existing uses in the surrounding area; (3) has a de minimis impact on the regional transportation network; (4) has no significant or

Temp. Ord. No. 1774
3/23/21
6/8/21

adverse environmental impacts on the area; and (5) does not adversely affect the health, safety, aesthetics, and welfare of the area or the City as a whole; and

WHEREAS, after due consideration of all matters, the Board voted to recommend adoption of the proposed Rezoning by the City Commission; and

WHEREAS, in conformity with the requirements of paragraph (c) of Subsection 166.041(3), F.S., and Subsection 304.6 of the City LDC, the City Commission held two (2) properly noticed public hearings on June 16th, 2021 and on July 7th, 2021 to read and review the proposed ordinance to enact the proposed Rezoning of those certain public and private parcels of real property, as further described in Exhibit "A" attached hereto, incorporated by reference and made a part thereof, at which hearings the Staff Report, and the recommendations by the City Manager and the Board were considered, and public testimony heard; and

WHEREAS, upon reviewing the evidence presented at the hearings, the City Commission found that the proposed rezoning to constitute an initial development order that (1) is consistent with the City Comprehensive Plan, in terms of the availability of water supplies, and public facilities and services; (2) is compatible with the zoning designations of, and existing uses in the surrounding area; (3) has a de minimis impact on the regional transportation network; (4) has no significant or adverse environmental impacts on the vicinity; and (5) does not adversely affect the health, safety, aesthetics, and welfare of Historic Miramar and the City as a whole; and

Ord. No. _____

Temp. Ord. No. 1774
3/23/21
6/8/21

WHEREAS, upon due consideration of all matters, the City Commission also found the rezoning of these certain public and private parcels of real property would aid in the harmonious, orderly, and progressive development of the City, as it would specifically implement the newly created MITAC land use category and clear the way for the preparation of more detailed site-specific development plans to implement the innovation district concept and creatively transform the Miramar Innovation and Technology Village into a model of walkable urbanism, i.e., an activated, pedestrian-centric, transit-friendly and context-sensitive urban environment featuring an innovation, technology, education, arts and culture, and entertainment focus; and

WHEREAS, based upon the record developed at these two (2) public hearings, the City Commission found and declared that the proposed rezoning would protect the public health, safety, comfort, and welfare of the residents of the City, and that it is in the best interest of the City to adopt the Ordinance enacting same.

Temp. Ord. No. 1774
3/23/21
6/8/21

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF
MIRAMAR, FLORIDA AS FOLLOWS:**

Section 1: Recitals: That the foregoing “**WHEREAS**” clauses are ratified and confirmed as being true and correct and are made a specific part of this Ordinance.

Section 2: Findings: The City Commission of the City of Miramar, Florida, hereby finds the proposed rezoning to be consistent with the City Comprehensive Plan and to comply with all applicable provisions of the City Land Development Code.

Section 3: Adoption: The City Commission of the City of Miramar, Florida, hereby passes and adopts the Ordinance enacting the proposed amendment to the City Official Zoning Map, attached hereto and incorporated herein by this reference as composite Exhibit “A,” rezoning: (1) those certain parcels with Parcel ID Numbers 5141-2608-0010, 5141-2608-0011, 5141-2608-0012, 5141-2608-0021, 5141-2621-0010, 5141-2621-0020, and 5141-2622-0010 from Community Business (B2) district to Mixed-Use Low (ML) District; (2) that certain parcel with Parcel ID Number 5141-2608-0022 from Open Space/Recreation (OS) Zoning District to Mixed-Us Low (ML) District; (3) those certain parcels with Parcel ID Numbers 5141-2600-0060 and 5141-2066-0061 from Community Facilities (CF) Zoning District and Open Space/Recreation (OS) Zoning District to Mixed-Use Low (ML) District; and (4) that certain parcel with Parcel ID Number 5141-2600-0076 from Open Space/Recreation (OS) zoning district to Multi-Family Residential (RM4) District. The City Manager is hereby authorized to take such actions

Ord. No. _____

Temp. Ord. No. 1774
3/23/21
6/8/21

as may be necessary and expedient to effectuate the adopted rezoning of these parcels as legally described in Exhibit "B," appended hereto, incorporated herein by reference and made a part hereto, and to keep available copies of the City Official Zoning Map, as amended, for public review and examination in the Community Development Department.

Section 4: Severability. That should any phrase, clause, sentence, paragraph or section of this Ordinance be declared unconstitutional by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining portions or applications which shall remain in full force and effect.

Section 5: Administrative Correction of Scrivener's Error. The City Attorney is hereby authorized to correct scrivener's errors found in this Ordinance by filing a corrected copy with the City Clerk.

Section 6: Effective Date. That this Ordinance shall become effective upon adoption.

Temp. Ord. No. 1774
3/23/21
6/8/21

PASSED FIRST READING: _____

PASSED AND ADOPTED ON SECOND READING: _____

Mayor, Wayne M. Messam

Vice Mayor, Yvette Colbourne

ATTEST:

City Clerk, Denise A. Gibbs

I HEREBY CERTIFY that I have approved
this ORDINANCE as to form:

City Attorney,
Austin Pamies Norris Weeks Powell, PLLC

<u>Requested by Administration</u>	<u>Voted</u>
Commissioner Winston F. Barnes	_____
Commissioner Maxwell B. Chambers	_____
Vice Mayor Yvette Colbourne	_____
Commissioner Alexandra P. Davis	_____
Mayor Wayne M. Messam	_____

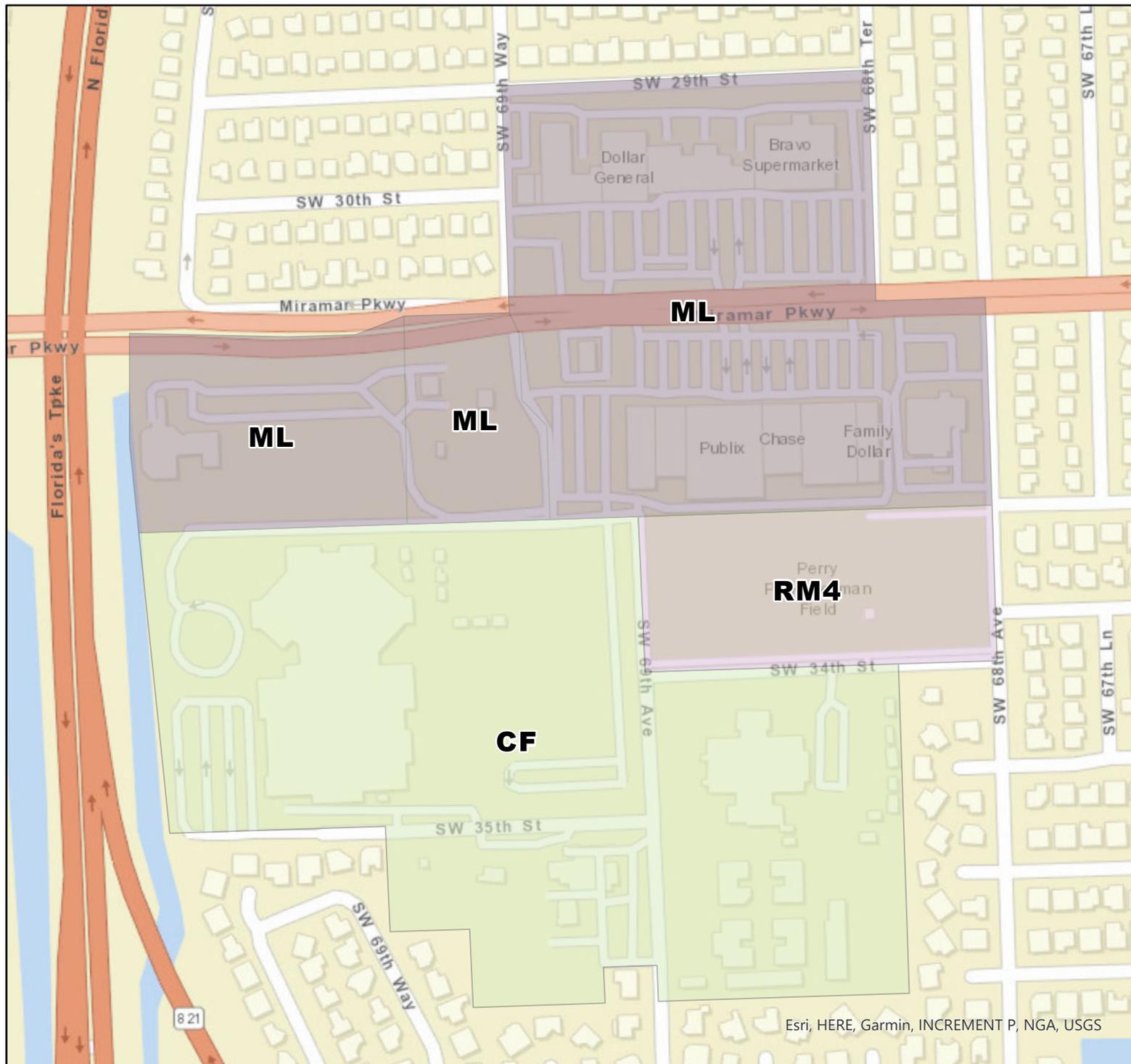
Ord. No. _____



Exhibit "A"



Proposed Zoning Designations



Zoning Classification

- CF - COMMUNITY FACILITY
- RM4 - MEDIUM DENSITY RESIDENTIAL-4
- ML - MIXED-USE LOW

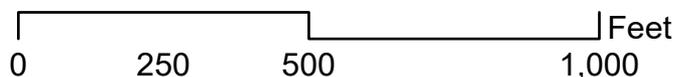


EXHIBIT "B"

LEGAL DESCRIPTIONS OF THE SUBJECT PROPERTIES

PARCEL ID 514126080011 - THE WEST 125 FEET OF THE SOUTH 150 FEET OF BLOCK 1, MIRAMAR BUSINESS DISTRICT, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 44 ON PAGE 7 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. CONTAINING 18,616 SQUARE FEET OR 0.4271 ACRES, MORE OR LESS.

PARCEL ID: 514126080012 - MIRAMAR BUSINESS DISTRICTS 44-7 B N 228.67 OF S 427.67 OF W 138.97 BLK 1, TOG WITH N 20 OF S 173 OF W 138.97 BLK 1, TOG WITH COMM SW COR SAID BLK 1, N 446.92 TO P/C NELY 4.78 TO POB, CONT NELY 34.23 E 114.23, S 20, W 138.52 TO POB BLK 1

PARCEL ID: 514126080010 - MIRAMAR BUSINESS DISTRICTS 44-7 B BLK 1 LESS W 125 OF S 150 & LESS PT PLATTED AS MIRAMAR SEC 17 56/49 & LESS N 229 OF S 379 OF W 138.97 & LESS BEG 379 N OF SW COR OF SAID BLK 1, ELY 138.97, NLY 94.08, WLY 114.23 TO PT OF CURVE, SELY ALG ARC 34.23, SLY TO POB

PARCEL ID: 514126220010 - SOUTHEAST BANK OF MIRAMAR PLAT 75-18 B TR 1

PARCEL ID: 514126210020 - PUBLIX SHOPPING CENTER 73-49 B PARCEL 2

PARCEL ID: 514126210010 - PUBLIX SHOPPING CENTER 73-49 B PARCEL 2

PARCEL ID: 514126080021 - MIRAMAR BUSINESS DISTRICTS 44-7 B BLK 2 N 125 OF E 175 OF W 275

PARCEL ID: 514126000060- 26-51-41 COMM AT SW COR OF NW1/4, ELY ALG S/L 402.04 TO POB, CONT ELY FOR 872.29, NLY 420.20, WLY 50, NLY 20, SWLY 104.40, SWLY 258, SWLY 494.74 TO E R/W/L OF SS PKWY, SLY

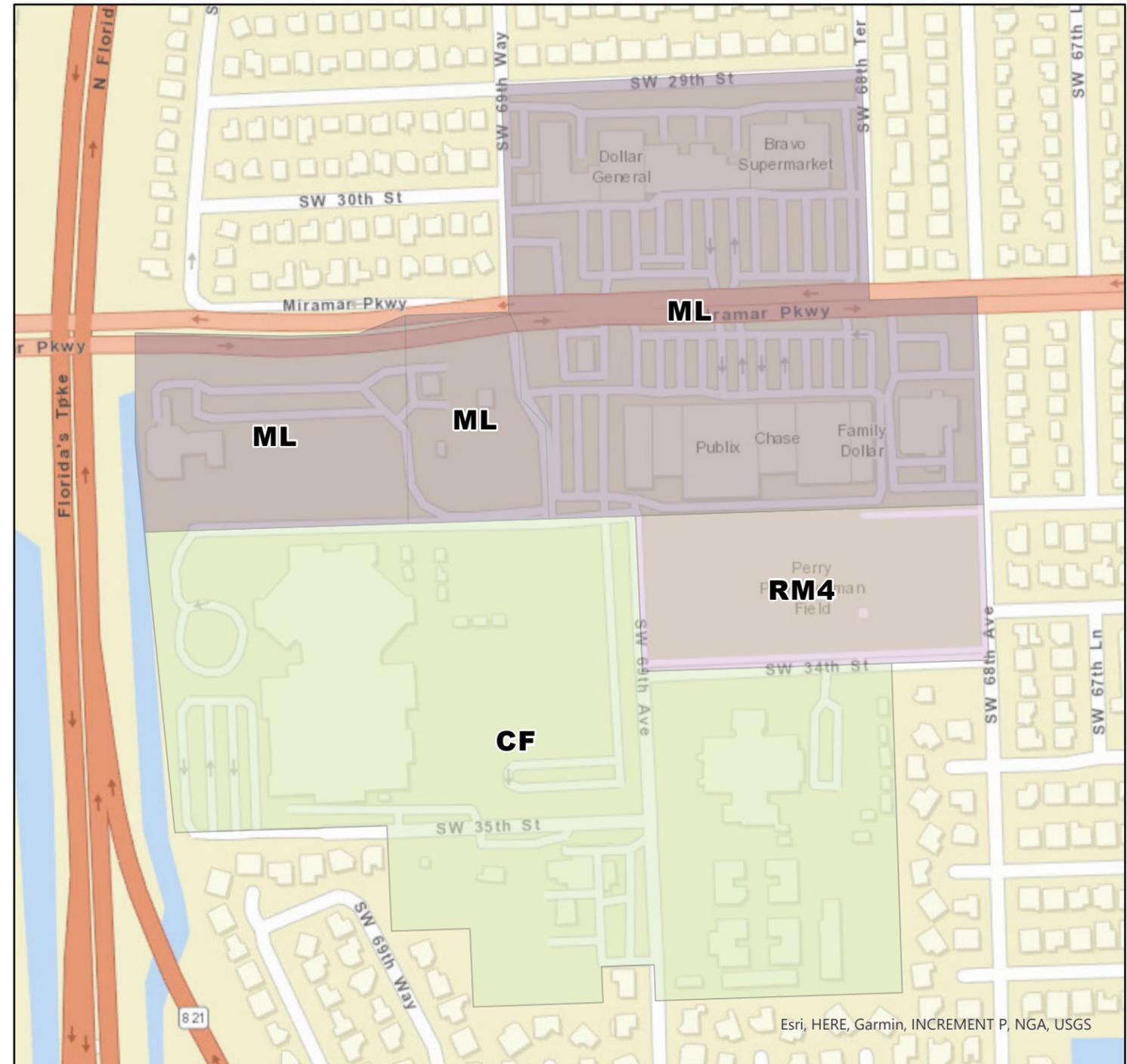
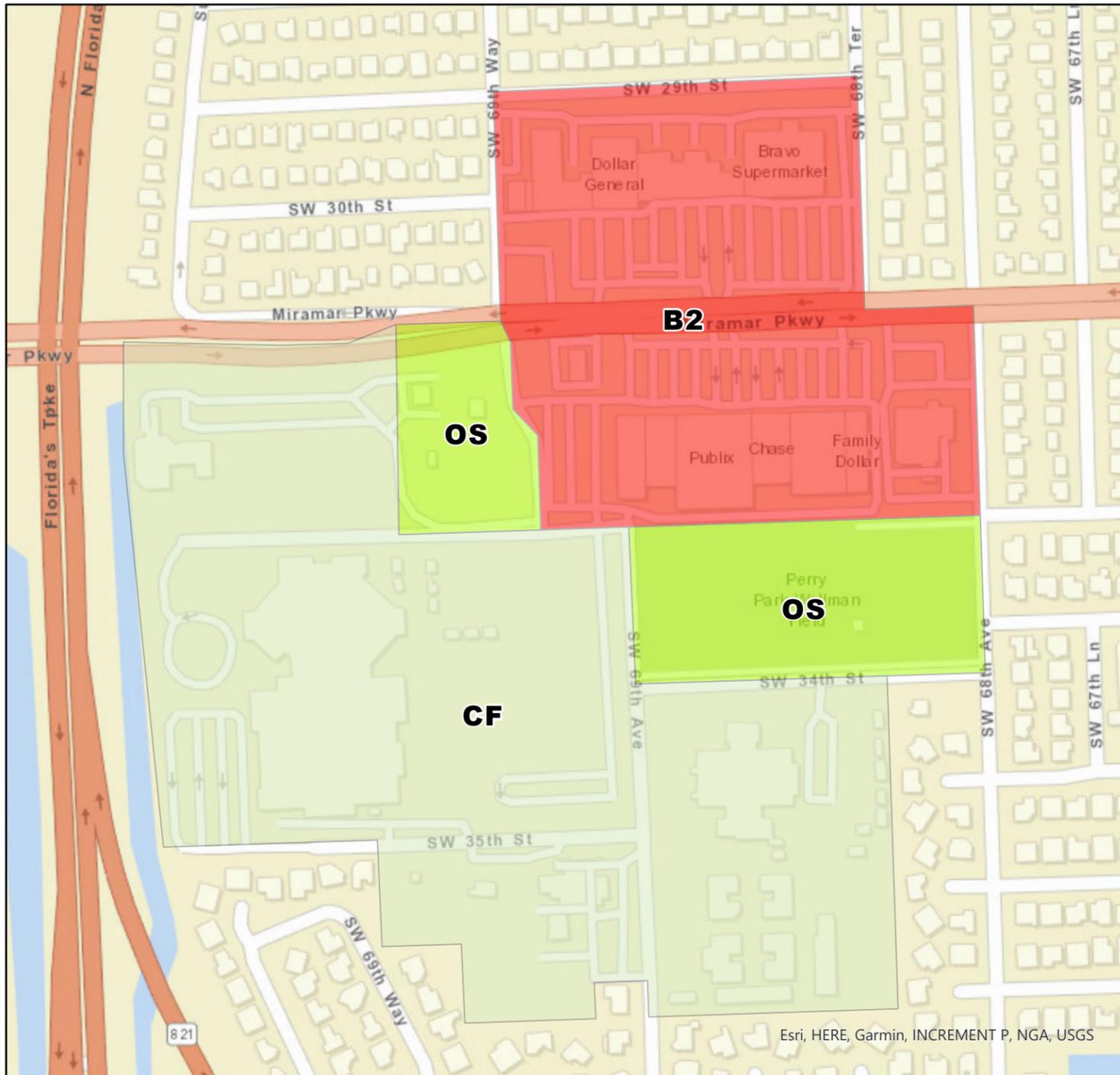
PARCEL ID: 514126000061- 26-51-41 POR OF NW1/4 DESC AS: COMM AT SW COR OF NW1/4 OF SEC 26, E 1275.32 N 450 TO POB, W 898.57 TO E R/W/L SUNSHINE STATE PKWY (FLA TPKE), SLY 91.07, NE 494.74, NE 258, ELY

PARCEL ID: 514126080012- MIRAMAR BUSINESS DISTRICTS 44-7 B POR DESC AS: COMM AT SW COR OF NW1/4 SEC 26-51-41, E 1275.32 TO POB, N 275, SE 74.50, SELY 19.64, S 204.65, W FOR 60 TO POB

PARCEL ID: 514126000076 - 26-51-41 BEG 2907.97 W OF NE COR OF S1/2 OF SECTION FOR POB, W 805.39, S 350.02, E 801.56, N 350 TO POB



Attachment 1: Current & Proposed Zoning Designations



Zoning Classification

- B2 - COMMUNITY BUSINESS
- CF - COMMUNITY FACILITY
- OS - OPEN SPACE

Zoning Classification

- CF - COMMUNITY FACILITY
- RM4 - MEDIUM DENSITY RESIDENTIAL-4
- ML - MIXED-USE LOW

