

ORDINANCE NO. 2003-12 _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, DESIGNATING THE CITY COUNCIL AS THE LOCAL PLANNING AGENCY FOR THE CITY; PROVIDING FOR PARTICIPATION BY THE SCHOOL BOARD; DIRECTING THE CITY CLERK TO FORWARD A COPY OF THIS ORDINANCE TO THE DEPARTMENT OF COMMUNITY AFFAIRS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Section 163.3174(1), Florida Statutes, the City Council wishes to designate the City Council of the City of Miami Gardens as the Local Planning Agency ("LPA") for the City; and

WHEREAS, the LPA shall have the responsibility for the reviewing the Comprehensive Plan, plan amendments, and certain land development regulations.

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

Section 1. Designation of Land Planning Agency. Pursuant to and in accordance with Section 163.3174, the City Council of the City of Miami Gardens is hereby established as the Local Planning Agency for the City.

Section 2. Participation By School Board. Pursuant to Section 163.3174, Florida Statutes, Miami-Dade County School shall be provided with an opportunity to participate on the LPA with respect to discussion of plan amendments that increase residential density.

Section 3. Duties and Responsibilities of Local Planning Agency. The LPA in accordance with Section 163.3174(4), Florida Statutes shall have the following duties:

- (a) be responsible for the preparation of the Comprehensive Plan or Plan Amendment, including all decisions regarding adoption and amendment during the preparation of the Plan or Plan Amendment. The Local Planning Agency shall hold at least one public hearing, with public notice, on the proposed plan or proposed plan amendment. The Local Planning Agency may designate any agency, committee, department, or person to prepare the Comprehensive Plan or Plan Amendment, but final recommendation of the adoption of such Plan or Plan Amendment shall be the responsibility of the Local Planning Agency.
- (b) Monitor and oversee the effectiveness and status of the Comprehensive Plan and effectuate such changes in the Comprehensive Plan as may from

1 time to time required, including preparation of the periodic required by
2 Section 163.3191, Florida Statutes.

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4 (c) Revise proposed land development regulations, land development codes or
5 amendments thereto.

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7 (d) Perform any other functions, duties and responsibilities assigned to it by
8 the governing body or the general special law.

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10 Section 4. Directive to City Clerk. The City Clerk is hereby directed to transmit a
11 copy of this Ordinance to the State of Florida Department of Community Affairs.

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13 Section 5. Severability. If any section, clause, sentence, or phrase of this ordinance
14 is for any reason held invalid or unconstitutional by a court of competent jurisdiction, the
15 holding shall not affect the validity of the remaining portions of this ordinance.

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17 Section 6. Repealer. All ordinances or parts of ordinances in conflict with the
18 provisions of this ordinance are repealed.

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20 Section 7. Codification. This ordinance shall be codified and included in the City of
21 Miami Gardens Code of Ordinances.

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23 Section 8. Effective Date. This ordinance shall take effect ten (10) days after
24 adoption on second reading.

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26 PASSED on first reading the 22 day of October, 2003.

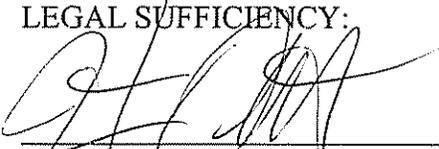
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28 PASSED AND ADOPTED on second reading the 5 day of November, 2003

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32 _____
33 Shirley Gibson, Mayor

34 Attest:

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38 Ronetta Taylor, CMC
39 City Clerk
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1 APPROVED AS TO FORM AND
2 LEGAL SUFFICIENCY:

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6 Hans Ottinot, Interim City Attorney

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8 MOVED BY: Councilwoman Watson

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10 SECONDED BY: Councilman Bratton

11
12 VOTE: 7-0

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14 Mayor Shirley Gibson (Yes) (No)
15 Vice Mayor Aaron Campbell (Yes) (No)
16 Councilman Melvin L. Bratton (Yes) (No)
17 Councilman Oscar Braynon, II (Yes) (No)
18 Councilwoman Audrey King (Yes) (No)
19 Councilwoman Sharon Pritchett (Yes) (No)
20 Councilwoman Barbara Watson (Yes) (No)

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