

VILLAGE OF EL PORTAL, FLORIDA

ORDINANCE NO. 2017-01 COMPREHENSIVE PLAN

AN ORDINANCE OF THE VILLAGE OF EL PORTAL, FLORIDA, AMENDING THE FUTURE LAND USE MAP, THE FUTURE LAND USE ELEMENT, THE COASTAL MANAGEMENT ELEMENT, AND THE RECREATION AND OPEN SPACE ELEMENT OF THE COMPREHENSIVE PLAN AS MORE SPECIFICALLY DESCRIBED HEREIN; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR CONFLICTS, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, at the request of the residents of the Village of El Portal, the Village Council approved funding for the 2013 El Portal Community Design Charrette which was held May 5 – 12th, 2013, at El Portal Village Hall; and,

WHEREAS, the interactive workshop brought the community together with elected officials, the village staff, and planners and facilitators from the County's Urban Design Center to create a new plan for a walkable, environmentally sustainable, attractive, and economically sound future for the Village of El Portal, with a focus on preserving the existing beauty, culture, and quality of life of this key area along the Biscayne Corridor; and,

WHEREAS, the Charrette was open to all residents of the community, including those without formal training or previous experience with urban planning, and was well attended; and,

WHEREAS, a Form-Based Code, companion text amendments to Chapter 24 of the Code of Ordinances, and amendments to the Comprehensive Plan are necessary to implement the community vision of the El Portal Charrette Report of 2013; and,

WHEREAS, pursuant to Chapter 163, Part II, Florida Statutes, the Village of El Portal adopted the Comprehensive Plan for Village of El Portal on November 22, 1988; and,

WHEREAS, Chapter 163.3184, Florida Statutes, establishes the process by which local governments may adopt comprehensive plan amendment; and,

WHEREAS, the Village Council of the Village of El Portal desires to amend its Comprehensive Plan for Village of El Portal as provided in this Ordinance (hereinafter referred to as the "Amendments"); and,

WHEREAS, after notice was duly published, a public hearing was held before the Local Planning Agency (LPA) on November 14, 2016, at which hearing all interested parties were afforded the opportunity to be heard; and,

WHEREAS, after notice duly published, a public hearing for First Reading was held before the Village Council on January 24, 2017, at which hearing all interested parties were afforded the opportunity to be heard; and,

WHEREAS, the Village Council was presented with a text amendment and a map amendment to the Comprehensive Plan, and after due consideration and discussion, approved the amendment on First Reading (vote: 5-0).

WHEREAS, following approval on First Reading, the Comprehensive Plan amendments were transmitted to the State Land Planning Agency and other state and regional agencies, as required by Chapter 163.3184, Florida Statutes; and,

WHEREAS, the State Land Planning Agency and other state and regional agencies provided technical comments which have been incorporated into the Comprehensive Plan amendments on Second Reading, including the introduction of intensity limits (maximum Floor Lot Ratio), and creation of a planning horizon of 2027 for the Future Land Use Map, and did not raise any objections to the proposed amendments; and,

WHEREAS, the approval of an amendment to the comprehensive plan does not assure favorable action upon any application for zoning or other land use approval but is part of the overall land use policies of the Village; and

WHEREAS, after notice duly published, a public hearing for Second Reading was held before the Village Council on April 25, 2017, at which hearing all interested parties were afforded the opportunity to be heard; and,

WHEREAS, the Village Council was presented with a text amendment and a map amendment to the Comprehensive Plan, and after due consideration and discussion, the amendment on Second Reading (vote: 4 -0).

NOW THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE OF EL PORTAL, FLORIDA:

Section 1. Recitals. All matters set forth in the preamble are found to be true and are hereby incorporated by reference as if set forth verbatim and adopted as a record of the legislative intent of this Ordinance.

Section 2. Compliance with Criteria. The Village Council hereby finds the Amendments to be in the best interest of the residents, property owners, and citizens of the Village.

Section 3. Amendment. The Comprehensive Plan for the Village of El Portal is amended to read as follows:

FUTURE LAND USE ELEMENT

Additions shown by underlining and deletions shown by overstriking.
“***” identifies portions of text excluded.

Map Amendment to Figure 1. Future Land Use as attached hereto and incorporated herein as Exhibit "A" to this ordinance.

Text Amendment 1. Amend Future Land Use Element Objective 1.2 as follows:

Objective 1.2 The Village of El Portal shall continue to achieve a compatible and well designed mix of land uses in the N.E. 2nd Avenue corridor and a redevelopment plan for the Little Farm Trailer Park site by the year 201227.

Text Amendment 2. Amend Future Land Use Element Policy 1.2.2 as follows:

Policy 1.2.2 The Village shall continue to encourage the redevelopment of the Little Farm Trailer Park site into a well-planned mixed-use development that will include commercial, office, institutional, residential, ~~and~~ or recreation and open space uses.

Text Amendment 3. Amend Future Land Use Element Policy 1.5.3 as follows:

Policy 1.5.3 The Village shall continue to use the code to implement the following land use districts (with intensities and densities) as shown on the Future Land Use Map:

o Low Density Residential: This use includes single family dwelling units at a density up to 8 units per acre.

o Medium Density ~~Mixed Use Residential~~: This use includes multi-family residential uses duplexes, townhouses, and multi-family dwellings at a density of up to 12 units per acre in addition to a broad range of mixed-use, office, and commercial uses, and a limited range of lodging uses. Maximum density is 36 units per acre and maximum intensity (floor lot ratio) is 1.25.

o High Density ~~Mixed Use Residential~~: This use includes multi-family dwellings that exceed 16 units per acre in addition to a broad range of mixed-use, office, commercial, and lodging uses. Maximum density is 150 units per acre and maximum intensity (floor lot ratio) is 5.0.

o ~~Residence Office: single family or duplex units up to 12 units per acre and office uses in structures similar in scale to houses.~~

o ~~Business: This category is intended to permit a broad range of retail, bank, entertainment and office uses.~~

o ~~Commercial: This category includes all uses permitted in business, warehouse/self-storage use, automobile sales and repair and service stations, fast food establishments and similar uses strongly oriented toward the motoring public which uses shall be confined to the arterial roads adjacent to the interstate.~~

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~~o Office Park-Light Retail: office buildings with floor area ratio requirements that assure a campus setting and complimentary supporting retail uses.~~

~~As used in this policy, Mixed Uses include a~~ ~~o Mixed-Uses: combination of retail/office/residential/public and semi-public, and open space uses in the appropriate environment. The design of mixed-use developments should conform to the principles of the Miami-Dade County Urban Design Manual or other appropriate design standards as adopted by the Village, such as regulations approved under a Special District Plan. Provisions for the inclusion of multimodal transportation options (i.e. pedestrian, bicycle, automobile and transit access) shall be incorporated into such design, as shall provisions to ensure connectivity between the mixed use and the remainder of the Village, particularly along NE 87th Street and NE 2nd Avenue. No single use shall occupy more than 50 percent of the gross acreage of a mixed use development. The maximum residential density within a mixed use development is 18 units per acre. The maximum nonresidential floor area ratio (FAR) is 1.5.~~

~~o Public and Semi Public Uses: primarily church, school and municipal uses.~~

~~o Public Open Space: park and other public open space.~~

~~o Parks and Recreation: This use includes parks and other public places. Maximum intensity (floor lot ratio) is 0.~~

~~o Institutional: This use includes a broad range of governmental, utility, public safety, and public educational uses. Maximum intensity (floor lot ratio) is 0.5.~~

Text Amendment 4. Amend Future Land Use Element Policy 1.6.6 as follows:

Policy 1.6.6 In reviewing the development plans for the Little Farm Trailer Park redevelopment the Village shall ~~require~~encourage dedication of land for a passenger train station (as needed) or other civic space as a part of the site plan review process.

Text Amendment 5. Amend Future Land Use Element Policy 1.7.1 as follows:

Policy 1.7.1 Through land use plan densities and mapping plus redevelopment of the Little Farm Trailer Park site as a mixed-use development that includes both residential and non-residential uses, the Village shall continue to scrutinize and control ~~minimize~~ the net increase in housing units over the next 10-year planning period.

COASTAL MANAGEMENT ELEMENT

Text Amendment 6. Amend Coastal Management Element Policy 1.2.1 as follows:

Policy 1.2.1 In redeveloping the Little Farm Trailer Park site, include provisions to enhance

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the scenic view of the Little River Canal and provide public access along the waterfront through an open space, civic space or through a waterfront park space.

~~Policy 1.7.2 Deny any plan amendments or rezoning requests that would increase the net number of residential units of any type east of the Florida East Coast railroad tracks.~~

RECREATION AND OPEN SPACE ELEMENT

Text Amendment 7. Amend Recreation and Open Space Element Policy 1.1.2 as follows:

Policy 1.1.2 In redeveloping the Little Farm Trailer Park site, include provisions to enhance the scenic view of the Little River Canal and ~~provide~~ encourage public access ~~through~~ along thea waterfront through an open space, civic space or park space.

Section 4. Transmittal. The Village Council hereby authorizes the Village Clerk to transmit the attached amendments to the Comprehensive Plan for Village of El Portal to the State of Florida Department of Economic Opportunity (DEO) and all other governmental bodies, agencies, or private individuals as required by State law.

Section 5. Severability. If any portion, section, phrase or clause of this Ordinance is for any reason held unconstitutional or invalid by a competent jurisdiction, such ruling shall not affect the validity of the remainder of this Ordinance.

Section 6. Conflict and Repealer. The provisions of the Comprehensive Plan for Village of El Portal and all ordinances or parts of ordinances in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

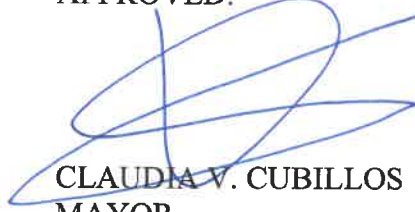
Section 7. Codification. It is the intention of the Village Council and it is hereby ordained the provisions of this Ordinance shall become and made a part of the Comprehensive Plan for Village of El Portal.

Section 8. Effective Date. This Ordinance shall become effective immediately upon its passage and adoption by the Village Council on second and final reading.

PASSED AND ADOPTED THIS 25th DAY OF April, A.D. 2017.

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APPROVED:


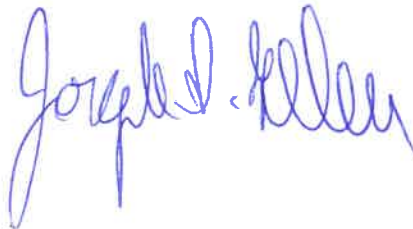

CLAUDIA V. CUBILLOS
MAYOR



ATTEST:


YENISE JACOBI
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:


By: JOSEPH GELLER
CITY ATTORNEY


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Exhibit A
Future Land Use Element, Figure 1. Future Land Use



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