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35           **WHEREAS**, this Ordinance was duly noticed and presented to the Village Council  
36 in two readings, with second reading conducted as the required public hearing on  
37 \_\_\_\_\_, 2023; and

38           **WHEREAS**, the Village Council finds that this Ordinance is in the best interest and  
39 welfare of the residents of the Village.

40           **NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND VILLAGE**  
41 **COUNCIL OF MIAMI SHORES VILLAGE, FLORIDA, AS FOLLOWS:**<sup>1</sup>

42           **Section 1. Recitals Adopted.** That each of the above stated recitals is hereby  
43 confirmed, adopted, and incorporated herein and made a part hereof by reference.

44           **Section 2. Amendment to the Village Code.** That Appendix A, “Zoning,”  
45 Section 906, “Authorization By Development Permit Required Prior To Undertaking  
46 Development Activity” of the Village Code of Ordinances is hereby amended as follows:

47 **Appendix A – ZONING**

48 \*\*\*

49 **Sec 906. Authorization by development permit required prior to undertaking**  
50 **development activity.**

51 (a) Generally. No development activity may be undertaken unless the activity is  
52 authorized by a development permit.

53 (~~a~~b) *Development orders consistent with Miami Shores Comprehensive Plan.* No  
54 development order shall be issued unless it is found that the development is  
55 consistent with the 1989 comprehensive plan and any amendments thereto.

56 (~~b~~c) *Determining consistency with the comprehensive plan.* Prior to the issuance of any  
57 development order by the Village of Miami Shores, the director of planning and  
58 zoning shall check the proposed development for consistency with the future land  
59 use map and related policies of the comprehensive plan. Any finding of inconsistency  
60 by the director of planning and zoning shall be supported by competent findings of  
61 fact documented in writing.

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<sup>1</sup> Coding: ~~Strikethrough words~~ are deletions to the existing words. Underlined words are additions to the existing words. Changes between first and second reading are indicated with ~~double-strikethrough~~ and double underline.

62 (c) Prerequisites for issuance of development permit. A development permit may not be  
63 issued unless the proposed development activity:

64 (1) Is authorized by a final development order issued pursuant to the Zoning Code;  
65 and

66 (2) Conforms to the Miami-Dade County Public Works Manual, Standard Details,  
67 Miami-Dade County Water and Sewer Authority Department Manual of  
68 Standards and Specifications, and other county, state and federal regulations as  
69 may be required and which are hereby adopted by reference.

70 **Section 3. Conflicting Provision.** Any provisions of the Code of Ordinances of  
71 Miami Shores Village, Florida, in conflict with the provisions of this Ordinance are hereby  
72 repealed, but only to the extent of such conflict.

73 **Section 4. Severability.** That the provisions of this Ordinance are declared to  
74 be severable and if any section, sentence, clause, or phrase of this Ordinance shall, for  
75 any reason, be held to be invalid or unconstitutional, such decision shall not affect the  
76 validity of the remaining sections, sentences, clauses, and phrases of this Ordinance, but  
77 they shall remain in effect, it being the legislative intent that this Ordinance shall stand  
78 notwithstanding the invalidity of any part.

79 **Section 5. Codification.** That it is the intention of the Village Council and it is  
80 hereby ordained that the provisions of this Ordinance shall become and be made a part  
81 of the Code of Ordinances of the Miami Shores Village, Florida, that the sections of this  
82 Ordinance may be renumbered or re-lettered to accomplish such intentions, and that the  
83 word "Ordinance" shall be changed to "Section," or other appropriate word.

84 **Section 6. Effective Date.** That this Ordinance shall become effective  
85 immediately upon adoption on second reading.

86 **PASSED and ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2023.

87

88 First Reading: \_\_\_\_\_, 2023

89 Second Reading: \_\_\_\_\_, 2023

90

91

92 Attest:

93

94

95 \_\_\_\_\_

96 Ysabely Rodriguez, CMC

97 Village Clerk

\_\_\_\_\_

George Burch, DVM

Mayor

98 APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

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101 \_\_\_\_\_

102 Weiss, Serota, Helfman, Cole + Bierman, P.L.

103 Village Attorney

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<b>FINAL VOTES AT ADOPTION</b>	
Council Member Jerome Charles	_____
Council Member Sandra Harris	_____
Council Member Daniel Marinberg	_____
Vice Mayor Jesse Valinsky	_____
Mayor George Burch	_____