

Approved \_\_\_\_\_ Mayor  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Agenda Item No. 5(C)  
7-23-19

ORDINANCE NO. 19-66

ORDINANCE GRANTING PETITION OF LANDINGS AT MIAMI COMMUNITY DEVELOPMENT DISTRICT, GENERALLY BOUNDED ON THE NORTH BY SW 232 STREET, ON THE EAST BY HOMESTEAD EXTENSION OF FLORIDA TURNPIKE (STATE ROAD 821), ON THE SOUTH BY SW 236 STREET, AND ON THE WEST BY SW 112 AVENUE; AMENDING THE BOUNDARIES OF THE DISTRICT TO EXPAND ITS TOTAL ACREAGE BY APPROXIMATELY 2.49 ACRES; PROVIDING SEVERABILITY, EXCLUSION FROM THE CODE AND AN EFFECTIVE DATE

**WHEREAS**, article VIII, section 6(1) of the Florida Constitution provides for exclusive County Charter authority to establish all governmental units within Miami-Dade County and to provide for their government and prescribe their jurisdiction and powers; and

**WHEREAS**, section 1.01(A)(21) of the Miami-Dade County Home Rule Charter grants the Board of County Commissioners (Board) the authority to exercise all powers and privileges granted to municipalities and counties by the laws of this state; and

**WHEREAS**, the Florida Legislature created and expanded chapter 190, Florida Statutes, to provide an alternative method to finance and manage basic services for community development; and

**WHEREAS**, at its meeting on October 3, 2017, the Board adopted Ordinance No. 17-70 establishing the Landings at Miami Community Development District (District or Petitioner) and providing for specific boundaries of the District; and

**WHEREAS**, pursuant to section 190.046, Florida Statutes, the District may petition and the Board has the authority to expand the boundaries of a community development district within its jurisdiction; and

**WHEREAS**, the Petitioner has submitted a Petition to expand the District boundaries by approximately 2.49 acres, resulting in a total increase in acreage of the District from approximately 75.49 acres to approximately 77.98 acres; and

**WHEREAS**, a public hearing has been conducted by the Board in accordance with the requirements and procedures of sections 190.005(2)(b) and 190.046(1), Florida Statutes, and the applicable requirements and procedures of the Miami-Dade County Home Rule Charter and Code; and

**WHEREAS**, the Board finds that the statements contained in the Petition to expand the District boundaries are true and correct; and

**WHEREAS**, the expansion of the District boundaries is not inconsistent with any applicable element or portion of the state comprehensive plan or the Miami-Dade County Comprehensive Development Master Plan; and

**WHEREAS**, the area of land within the District as expanded is sufficiently compact and sufficiently contiguous to be developable as one functional interrelated community and the area of land being added does not impact such functionality; and

**WHEREAS**, the District as expanded is the best alternative available for delivering the community development services and facilities that will be provided by the District, and the area of land being added will not impact such delivery; and

**WHEREAS**, the community development facilities and services of the District as expanded will not be incompatible with the capacity and uses of existing local and regional community development services and facilities; and

**WHEREAS**, the area that will be served by the District as expanded is amenable to separate special district government; and

**WHEREAS**, having made the foregoing findings, after a public hearing, the Board wishes to exercise the powers bestowed upon it by section 1.01(A)(21) of the Miami-Dade County Home Rule Charter in the manner provided by chapter 190, Florida Statutes; and

**WHEREAS**, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

**BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:**

**Section 1.** The foregoing findings, which are expressly set forth herein, are hereby adopted and made a part hereof.

**Section 2.** The Petition to expand the District to include the real properties described therein, which was filed by the Petitioner on April 16, 2019, and which Petition is on file at the Office of the Clerk of the Board, is hereby granted. A copy of the Petition is attached and incorporated herein as Exhibit 1 to the Ordinance.

**Section 3.** The external boundaries of the District as expanded are sufficiently contiguous and shall be as depicted in the certified metes and bounds legal description attached hereto and incorporated herein as Exhibit 2 to the Ordinance. Furthermore, the external boundaries shall be as depicted on the location map attached hereto and incorporated herein as Exhibit 3 to the Ordinance.

**Section 4.** Except to expand the boundaries of the District as provided herein, this Ordinance does not affect, expand or modify Ordinance No. 17-70.

**Section 5.** If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

**Section 6.** It is the intention of the Board, and it is hereby ordained that the provisions of this Ordinance shall be excluded from the Code of Miami-Dade County.

Section 7. This Ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

PASSED AND ADOPTED: July 23, 2019

Approved by County Attorney as  
to form and legal sufficiency:

GRB  
7/23/19  
MSM

Prepared by:

Michael J. Mastrucci