



CITY OF MIAMI SPRINGS, FLORIDA

Mayor Maria Puente Mitchell

**Vice Mayor Walter Fajet, Ph. D.
Councilwoman Jacky Bravo**

**Councilman Bob Best
Councilman Victor Vazquez, Ph. D.**

Decorum: "Any person making impertinent or slanderous remarks or who becomes boisterous while addressing the City Council, shall be barred from further audience before the City Council by the Mayor, unless permission to continue or again address the City Council is granted by the majority vote of the City Council members present. In accordance with the foregoing, the City Council has determined that racial or ethnic slurs, personal attacks and comments unrelated to City matters or issues constitute prohibited comments from the podium."

CITY COUNCIL SITTING AS LOCAL PLANNING AGENCY MEETING AGENDA

Monday, August 22, 2022 – 6:30 p.m.

City Hall, Council Chambers, 201 Westward Drive

- 1. Call to Order/Roll Call**
- 2. Public Hearing Items:**

A) AN ORDINANCE OF THE CITY OF MIAMI SPRINGS, FLORIDA, AMENDING SECTION 150-070.1, "MIAMI SPRINGS GATEWAY OVERLAY DISTRICT" WITHIN ARTICLE VII, "BUSINESS DISTRICT" OF CHAPTER 150, "ZONING CODE," OF THE CITY'S CODE OF ORDINANCES TO REVISE THE CREATIVE EXCELLENCE STANDARDS AND AVAILABLE MAXIMUM FLOOR AREA RATIO, TO CLARIFY THE PARKING REVIEW PROCESS AND FEE APPLICABILITY, AND TO PROVIDE ADDITIONAL CLARIFICATIONS ON THE OVERALL DISTRICT PROJECT REVIEW PROCESS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE

- 3. Adjourn**

PURSUANT TO FLORIDA STATUTES 286.0105, THE CITY HEREBY ADVISES THE PUBLIC THAT IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THIS COUNCIL WITH RESPECT TO ANY MATTER CONSIDERED AT ITS MEETING OR HEARING, HE OR SHE WILL NEED A RECORD OF THE PROCEEDINGS, AND THAT FOR SUCH PURPOSE, THE AFFECTED PERSON MAY NEED TO ENSURE THAT VERBATIM RECORD OF THE PROCEEDING IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED THIS NOTICE DOES NOT CONSTITUTE CONSENT BY THE CITY FOR THE INTRODUCTION OR ADMISSION OF OTHERWISE INADMISSIBLE OR IRRELEVANT EVIDENCE, NOR DOES IT AUTHORIZE CHALLENGES OR APPEALS NOT OTHERWISE ALLOWED BY LAW



MEMORANDUM

To: Honorable Mayor and Council

From: Haydee Sera, Esq., Weiss Serota Helfman Cole & Bierman, P.L., City Attorney

Date: August 22, 2022

RE: 2nd Reading: Ordinance Amending Section 150.070.1 Gateway Overlay District of the City Code.

Recommendation:

Adopt the proposed Ordinance on second reading.

Background:

The Miami Springs Gateway Overlay District (the “District”) regulations were adopted on June 25, 2018 by Ordinance 1107-2018 and amended on January 14, 2019 by Ordinance 1111-2019. The regulations are codified in Section 150.070.1 of the City Code. Over the course of several meetings throughout 2022, the City Council determined that the District regulations warranted clarification.

The District regulations provide three categories for applicants to seek an FAR increase: 1) site planning and design; 2) improvements: rights-of-way and on-site public spaces; and 3) site improvements. For the proposed ordinance, the City Council directed that the first category (site planning and design) be amended to eliminate the use of murals as a way to obtain a FAR increase. In addition, where art work is proposed to obtain an FAR increase, the Council requested that an appraisal of the proposed art be submitted for consideration as part of the site plan approval process. Furthermore, in response to the City Council's direction, the proposed ordinance adds a fourth category to the creative excellence standards for green buildings. This new category provides that a project which meets the LEED Silver or Grater certification can increase the FAR by up to 0.5. At first reading, the City Council requested that the regulations pertaining to creative excellence standards be further clarified to provide that the City Council will consider the standards at the hearing for site plan approval. At first reading the Council also requested that the use of frescoes and paintings be eliminated from the art in public places category for FAR increases. These revisions have been incorporated for second reading.

The District regulations also provide regulations for parking requirements in the District and recognize that, “because of the uniqueness of the buildings, configuration of parcels, and road network in the Gateway District, the minimum parking space requirements and design for new construction or alterations to existing structures that expand occupiable space, shall be determined on a case-by-case basis.” See Section 150-070.1(D). The City Council has acknowledged that the regulations were intended to be flexible due to the unique land circumstances in the District. However, the City Council wishes to clarify how parking requirements shall be established. The proposed ordinance, therefore, amends the District regulations to require that the City Planner utilize a parking study to establish the required parking for a project. The parking study will be performed by a licensed, qualified individual who shall be selected by the City. The applicant will reimburse the City for the actual cost of the parking study. Furthermore, the proposed ordinance provides that, in those cases where on-street parking spaces will be counted towards satisfaction of a property's requirement, a fee shall be paid (prior to the issuance of a building permit) to the City irrespective of whether the spaces are immediately abutting or adjacent to the subject property. In addition, at first reading, the City Council requested that the factors to be considered in determining the parking requirements for non-grandfathered properties should be considered holistically, with no single factor being

dispositive and that certain factors, such as the provision of bicycle parking and distance to, or inclusion of, bus and trolley stops, may carry less weight than others when determining the required parking.

Finally, the proposed ordinance clarifies that application fees for projects in the District will be accompanied by a fee to cover the expenses of the City, which may include the use of outside technical and legal consultants, in reviewing the application. For second reading, additional language has been added to provide that applicants shall reimburse the City for the actual costs of outside technical and legal consultants that may be incurred in excess of the application fee amount.

This ordinance was approved on first reading on June 27, 2022. If adopted by the Council on second reading, the proposed ordinance is effective immediately upon adoption.

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ORDINANCE NO. _____ - 2022

AN ORDINANCE OF THE CITY OF MIAMI SPRINGS,
FLORIDA, AMENDING SECTION 150-070.1, “MIAMI
SPRINGS GATEWAY OVERLAY DISTRICT” WITHIN
ARTICLE VII, “BUSINESS DISTRICT” OF CHAPTER 150,
“ZONING CODE,” OF THE CITY’S CODE OF
ORDINANCES TO REVISE THE CREATIVE EXCELLENCE
STANDARDS AND AVAILABLE MAXIMUM FLOOR AREA
RATIO, TO CLARIFY THE PARKING REVIEW PROCESS
AND FEE APPLICABILITY, AND TO PROVIDE
ADDITIONAL CLARIFICATIONS ON THE OVERALL
DISTRICT PROJECT REVIEW PROCESS; PROVIDING
FOR CONFLICTS; PROVIDING FOR SEVERABILITY;
PROVIDING FOR CODIFICATION; AND PROVIDING FOR
AN EFFECTIVE DATE.

16 **WHEREAS**, the City of Miami Springs (the “City”) finds it periodically necessary to
17 amend its Code of Ordinances (the “Code”) in order to update regulations and procedures
18 to implement municipal goals and objectives; and

19 **WHEREAS**, on June 25, 2018, the City adopted Ordinance No. 1106-2018 to
20 approve i) an amendment to the text of the City’s Comprehensive Plan Future Land Use
21 Element for a portion of the Central Business District by creating the Miami Springs
22 Gateway Overlay District (the “District”), ii) provide for enhanced building requirements,
23 and iii) approve a small-scale amendment to the City’s Future Land Use Map (FLUM) in
24 furtherance thereof; and

25 **WHEREAS**, also on June 25, 2018, the City adopted Ordinance No. 1107-2018 to
26 create the Miami Springs Gateway Overlay District (the “District”) and provide regulations
27 for the District, which were amended on January 14, 2019 pursuant to Ordinance No.
28 1111-2019; and

29 **WHEREAS**, as a result of recent development, the City Council has had the
30 opportunity to further review the District regulations (which are codified in Section
31 150.070.1 of the City’s Code) and understand its effects; and

32 **WHEREAS**, the City’s review has resulted in various recommendations to clarify
33 the District regulations, as set forth herein, in order to further provide for the orderly,
34 planned future development of lands in the District; and

35 **WHEREAS**, on _____, 2022, at a duly noticed public hearing in
36 accordance with law, the City Council, sitting as the Local Planning Agency, reviewed
37 and recommended approval of this Ordinance, and determined that it is consistent with
38 the City’s Comprehensive Plan; and

39 **WHEREAS**, the City Council has reviewed this Ordinance at a duly noticed public
40 hearing in accordance with law and determined that it is consistent with the City Code;
41 and

42 **WHEREAS**, the City Council finds that this proposed Ordinance serves to further
43 enhance the protection of the public health, safety and welfare.

44 **NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL**
45 **OF THE CITY OF MIAMI SPRINGS, FLORIDA, AS FOLLOWS:**¹

46 **Section 1. Recitals.** That the above recitals are confirmed, adopted, and
47 incorporated herein and made a part hereof by reference.

48 **Section 2. Amending Code.** That Section 150.070.1 “Miami Springs Gateway
49 Overlay District” within Chapter 150, “Zoning Code,” of the Code of Ordinances of Miami
50 Springs, Florida, is hereby amended as follows:

51 **Chapter 150 – ZONING CODE**

52 * * *

53 **ARTICLE VII. BUSINESS DISTRICT**

54 * * *

55 **Sec. 150-070.1. Miami Springs Gateway Overlay District.**

56 (A) *Purpose.* The purpose of the Miami Springs Gateway Overlay District ("Gateway
57 District"), located within the Central Business District for the area abutting and/or
58 adjacent to the outgoing/incoming vehicular bridges to/from the City of Hialeah, as
59 identified in the City's Future Land Use Map and herein, is to facilitate placemaking
60 by enhancing neighborhood character and authenticity through participatory design
61 and identifying projects such architecturally significant buildings, entrance features,
62 art in public places, improved landscaping and signage, traffic calming features, and
63 promotion of the City's history. The foregoing will further the goals, objectives, and
64 policies of the Central Business District, which are to foster a suburban downtown
65 that satisfy the business, service, dining, and entertainment needs of the
66 community's residents, as further detailed in the City's Comprehensive Plan and §
67 150.070 of the City Code.

68 (B) *Boundary.* As identified in the City's Future Land Use Map, the Gateway District shall
69 be defined as that area bounded by Canal Street, the alley southeast of Hook Square,
70 South Royal Poinciana Boulevard, North Royal Poinciana Boulevard and Nahkoda
71 Drive. More specifically this area includes: Lots 24—26 Block 86; Tract A, Block 85;
72 Tract B, Block 85; Tract C, Block 85; Lot 9, Block 85; Lots 1—2, Block 66; Lot 6,
73 Block 66; Lot 7, Block 66; Lot 8, Block 66 and Track G; Lots 10, 12-14 And Tracks E
74 and F; Lot 16, Block 66; Track D, Block 66; Lots 21—22, Block 66; Lots 31—34,

¹ 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.

75 Block 66; Lots 28—30, Block 66; Lot 27, Block 66; Tract C, Block 66; and Lots 21—
76 22, Block 66. For reference, the area is identified below.



77
78 (C) *Design Standards.* The City desires for new and existing buildings within the Gateway
79 District to become more aesthetically pleasing, have architectural elements that
80 highlight the City's history, facilitate pedestrian activity and walkability, and assist in
81 traffic calming. As opposed to a mandate, the City desires to accomplish these
82 objectives through incentives in development standards that will encourage property
83 owners to improve their respective properties in a manner that results in cohesive
84 building design and features throughout the Gateway District. The standards are as
85 follows:

- 86 1. *Building height limitations.* In keeping with the applicable requirement of the
87 CBD, the maximum building height shall be no more than 40 feet and no more
88 than three stories. Rooftops may be activated provided that no vertical
89 construction exceeds the height restrictions stated herein.
- 90 2. *Setbacks.* The setbacks in the CBD shall remain in effect for the Gateway
91 District, except as follows:
 - 92 a. All buildings shall be built to the front property line, but the first floor shall be
93 recessed ten feet, so as to facilitate expanded sidewalks or arcade for
94 increased pedestrian activity; and
 - 95 b. No rear yard setback is required.
- 96 3. *Uses.* The uses in the CBD shall remain in effect for the Gateway District, except
97 that hotels shall be prohibited in the Gateway District. Additionally, first floor uses
98 along road rights-of-way shall be limited to restaurant and/or retail. The ground
99 floor shall contain occupiable, air-conditioned space for permitted commercial
100 uses with a minimum depth of 40 feet from the building façade for those portions
101 of the building along road rights-of-way, except such features as, without
102 limitation, driveways, utility infrastructure, colonnades and outside dining areas.
103 Direct access to such uses and full storefront windows are encouraged. Upper
104 floors may be commercial, office, residential, or a mix of residential, office, and
105 commercial. The mixed-use ratio found in § 150.070 of the Code shall not apply
106 to the Gateway District.
- 107 4. *Architectural design.* It is required that all new site development, structures,
108 buildings, remodelings and renovations show proper architectural design

109 concepts and be appropriate to their surroundings. All new construction and
 110 remodeling and renovation of existing buildings and structures within the
 111 Gateway District shall:

- 112 a. Exhibit elements of the Pueblo/Mission Revival architectural design
 113 standard. Examples of these styles will be available through the Office of
 114 the City Planner;
- 115 b. Be designed in such a manner as to create, improve, or connect pedestrian
 116 amenities in the subject property and surrounding area, giving specific
 117 consideration to such things as, without limitation, linkages
 118 in/between/among circulation patterns, relationships to architectural and
 119 urban design features, relationships to public and private spaces, and
 120 accessibility, usability and coordination with adjacent properties;
- 121 c. To the extent possible, install awnings or eyebrows for portions of the
 122 project that abut City sidewalks;
- 123 d. Be installed underground all on-site utilities. Large transformers shall be
 124 placed on the ground within pad amounts, enclosures or vaults;
- 125 e. Provide adequate landscaping to screen all aboveground facilities.
- 126 f. All satellite dishes, antennas, and or other telecommunications equipment
 127 must be appropriately screened such that it is not visible from the street.
- 128 g. Limit any residential elements to upper floors. Residential dwelling units in
 129 the upper floors shall be have an average square foot requirement of no
 130 less than 900 square feet, with an individual unit minimum requirement of
 131 no less than 800 square feet. Efficiencies, studio, and loft apartments are
 132 prohibited.

133 5. *Floor Area Limitations.* All buildings within the Gateway District shall be limited
 134 to a floor area ratio (F.A.R.) of 1.0, in keeping with the limitation of the CBD,
 135 except that properties may be developed/redeveloped up to an F.A.R. of 1.7
 136 through the satisfaction of the creative excellence standards established in this
 137 section.

138 6. *Creative Excellence Standards.* For a property to take advantage of a project
 139 F.A.R. in excess of 1.0 as referenced in subsection 3 5 herein, a development
 140 or redevelopment project must incorporate a combination of elements from at
 141 least three of the Creative Excellence categories provided below, which shall be
 142 demonstrated by the property owner at the time of initial site plan review and
 143 considered by the City Council at the hearing for site plan approval.
 144 Notwithstanding the cumulative value of the Creative Excellence elements, no
 145 project may exceed an F.A.R. of 1.7. No single element may be counted towards
 146 the satisfaction of more than one standard. The schedule of Creative Excellence
 147 elements for projects in the Gateway District are as follows:

Category	Creative Excellence Element	Amount of F.A.R. (up to specified

		amount depending on degree of compliance)
A. Site Planning and Design	<p>a. Art in public places—Durable creations that can be original works of art designed specifically for the site including, but not be limited to, sculptures, murals, monuments, frescoes, fountains, paintings, stained glass, or ceramics and may include architectural designs, components or structures. The "art work" medium can include, but not be limited to, glass, steel, bronze, wood, stone and concrete. For purposes of the art program, "art work" does not include the following: (1) directional elements, such as signage or graphics; (2) objects that are mass-produced in a standard design; or (3) landscape gardening, unless substantially comprising durable elements defined as "art work" under this section. The art shall be placed in an exterior area on the property subject to the development or on public property within the Gateway District, which is easily accessible or clearly visible to the general public from adjacent public property such as a street or other public thoroughfare or sidewalk. At a minimum, the art work shall cost one percent of total construction cost as indicated on the Building Permit or \$25,000.00 whichever is greater. <u>An independent appraisal or other evidence of the value of the proposed art, including acquisition and installation costs, shall be submitted at the time of initial site plan review.</u> The design and placement of the art is subject to approval by the City during site plan review. This element may be satisfied with a decorative water features—Considering movement, sound, reflection, recreation, cooling effect, architectural effect, coordination with plaza or other special place, public-private transition, visual impact, and relation to overall project design. In the alternative, a property may elect to pay the City an amount equal to the value of the art that meets this element in lieu of art on the property, which the City shall use for public art and beautification improvements.</p>	0.2
	<p>b. Community Entry Feature—A thematic architectural or landscape design elements that</p>	0.20

	incorporates a special landmark feature or public art to identify the community, representative of the City character. The Feature shall be subject to approval by the City.	
	c. Directional Signage—A thematic, permanent sign incorporated into a right-of-way feature that orients pedestrians and drivers to facilities and other points of interest. The design of the signage will be subject to approval by the City.	0.20
B. Improvements: Rights-of-Way and On-Site Public Spaces	a. Alley improvements—Resurfacing and lighting in accordance with the specifications as established by the City Engineer. Includes the placement of all utility lines, transformers and related equipment underground and/or in vaults.	0.2
	b. Right-of-Way improvements—Improvements to crosswalks, sidewalks, canal banks, curbing, landscaping islands and other.	0.2
	c. Installation of trolley stops/bus shelter on the subject property or neighboring property.	0.15
C. Site Improvements	a. Lighting—Installation of decorative lighting (any combination building, landscape and site lighting).	0.1
	b. Landscape maturity—This bonus applies to landscaping that is a minimum 50% bigger than minimum standards for onsite plantings.	0.2
	c. Street trees, grates and irrigation—Landscaping on the public right-of-way shall occur for the entire street frontage of the property and shade trees shall be planted no further apart than 30 feet on center. Palms shall not be counted towards this elements. This bonus applies to landscaping that is a minimum 50% bigger than minimum standards for onsite plantings.	0.1
<u>D. Green Buildings</u>	<u>Green Building Certification. LEED (New Construction or Major Renovation) Silver or greater, or certification by the Florida Green Building Council</u>	<u>0.5</u>
	<u>(a) The applicant must successfully register the project with the Green Building Certification Institute or the Florida Green Building Coalition, or other third party certifying agency as approved by the City Planner, and provide evidence of such registration</u>	
	<u>(b) Applicant shall have a minimum of one LEED accredited professional, or other similarly accredited professional, on the design team.</u>	

	<p><u>Applicant shall provide a copy of the LEED accreditation certificate or similar certification and describe the role of the LEED accredited professional on the design team</u></p>	
	<p><u>(c) The applicant must provide a copy of the pertinent credit checklist indicating which credits the applicant intends to achieve along with a written narrative and detailed drawings and plans illustrating the applicant's intent to meet the prerequisites as described in the applicable LEED Rating System or FGBC Designation for the specific building type</u></p>	
	<p><u>(d) Prior to the issuance of the first principal building permit the applicant shall post a performance bond equal to five percent of the total cost of the construction in order to secure performance and fulfillment of the applicant. In lieu of the bond required by this Section, the City may accept an irrevocable letter of credit from a financial institution authorized to do business in Florida or provide evidence of cash deposited in an escrow account in a financial institution in the State of Florida in the name of the applicant and the City. The letter of credit or escrow shall be in the same amount of the bond if it were posted. If the project fails to meet the criteria required for certification by the Green Building Certification Institute or other nationally recognized certifying agency within one year after receiving the City's certificate of occupancy, the applicant shall either request an extension or forfeit 100 percent of the bond. The applicant, for good cause shown, may request an extension of time of up to one additional year to achieve certification. Such extension may be granted at the sole discretion of the City Council after having considered the factors and improvements necessary to achieve the requisite certification. If certification is not achieved within two years after receiving the City's certificate of occupancy, the applicant shall forfeit 100 percent of the bond to the City</u></p>	

148 (D) *Parking Requirements.* The CBD parking requirements as provided in §
 149 150.070(E)(1—3) shall apply to the Gateway District, including, without limitation, the
 150 grandfathering of provided parking, if any, for existing buildings and current uses.
 151 Additionally, because of the uniqueness of the buildings, configuration of parcels,

152 and road network in the Gateway District, the minimum parking space requirements
153 and design for new construction or alterations to existing structures that expand
154 occupiable space, shall be determined on a case-by-case basis. The City Planner
155 shall have the authority to establish parking requirements for alterations and new
156 construction by counting a combination on-site and on-street parking and other
157 elements identified below. In establishing the required parking, the City Planner shall
158 utilize a parking study prepared by a licensed and qualified individual selected by the
159 City, the actual cost of which shall to be paid reimbursed for by the applicant. For any
160 on-street parking space(s) counted towards the satisfaction of a property's
161 requirement, irrespective of whether such spaces are immediately abutting or
162 adjacent to the subject property, or any spaces otherwise waived as a result of one
163 of the factors listed below, a fee shall be paid to the City for each such parking space
164 prior to the issuance of a building permit, in an amount set from time to time by
165 approved resolution of the City Council. The funds shall be used to fund parking and
166 wayfinding improvements in the Gateway District and the CBD. In determining the
167 parking requirements for non-grandfathered properties, the following factors shall be
168 considered by the City Planner and City Council and given their due weight in
169 proportion to their overall effect on the property's parking requirement. No single
170 factor is dispositive.≡

- 171 1. Availability of on-site parking;
- 172 2. Availability of on-street parking;
- 173 3. Provision of bicycle parking;
- 174 4. Distance to, or inclusion of, bus and trolley stops;
- 175 5. Internal capture of peak traffic trips as a result of mix of uses;
- 176 6. Distance to public parking; and
- 177 7. Walking accessibility of the site.

178 All on-site parking shall be appropriately landscaped to provide visual relief and, to
179 the extent possible, shade.

180 (E) *Project Review Process.* The following formal approval process for the City shall
181 apply to all new construction and redevelopment projects within the Gateway District.

- 182 1. Optional informational and pre-application meeting with City Staff.
- 183 2. Mandatory application preliminary review meeting with City Staff.
- 184 3. Applications for variances, if any, shall be submitted to the City Board of
185 Adjustment for review and consideration in accordance with the procedures set
186 forth in Code §§ 150-110 through 150-113.
- 187 4. The City Zoning and Planning Board will have the responsibility to review all site
188 and development plans and to make recommendations for modification,
189 approval or denial to the City Council in accordance with Code §§ 150-101 and
190 150-102.

191 5. The decisions and recommendations of the City Board of Adjustment and Zoning
192 and Planning Board will be reviewed for final approval by the City Council in
193 accordance with the procedures set forth in Code § 150-113.

194 6. The City Council shall authorize the preparation and issuance of a Development
195 Order for each project application that has completed the Development Review
196 Process.

197 (F) *Site Plan Review.* Any development within the Gateway District shall be required to
198 have the site and development plans approved as provided herein before a building
199 permit is issued to insure that development is in accord with the intent of this district.
200 Applications for site and development plan approval shall be submitted to the
201 Planning Office according to the provisions of the Zoning Code and the additional
202 requirements and procedures specified herein.

203 1. The application for site and development plan approval shall include but shall
204 not be limited to:

205 a. Plans, maps, studies and data which may be necessary to determine
206 whether the particular proposed development meets the intent of the
207 Gateway District, and the specific requirements and standards contained in
208 this subsection;

209 b. A survey showing property and ownership lines; existing structures, alleys,
210 easements and utility lines;

211 c. A traffic study providing such information as, without limitation, a location
212 map showing the project site in relation to proximate major road systems in
213 and out the City, the anticipated peak morning and evening trips to be
214 generated by the proposed project, the current level of service for roadways
215 and intersections within 500 feet of the project, in and out of the City's
216 jurisdiction, inclusive of the following roads in the City of Hialeah:
217 Okeechobee Road, Palm Avenue, Hialeah Drive, and East 1st Avenue;

218 d. General nature of the proposed development, planned uses and activities
219 and the name of the developer;

220 e. A site plan showing setbacks, height, floor area ratio, orientation and all
221 existing and proposed site development as required by this ordinance.
222 Landscaping Design may be incorporated into the site plan or submitted as
223 a separate plan.

224 f. Dimensioned floor plan(s) and cross sections;

225 g. To the extent sought, an explanation of how the project's design and/or
226 amenities are meeting the creative excellence standards and the proposed
227 value attributed to each element;

228 h. Exterior colored elevations of each building facade (including, but not limited
229 to, renderings, sketches, and/or perspectives). Elevations must be mounted
230 on 24-inch by 36-inch boards and submitted to the City prior to public
231 meetings;

- 232 i. One set of identical uncolored elevations shall be submitted in paper format.
233 Elevations must include all items affecting the appearance of the building
234 including, but not limited to, site amenities, street furniture, air-conditioning
235 grilles, compressors, mechanical equipment, exterior colors and material
236 designations, exterior lighting, landscaping, and all signs. These drawings
237 shall be referenced to the color and/or material samples submitted with the
238 application and on the mounted drawings. Photographs and other similar
239 documents which provide sufficient information will suffice for small-scale
240 projects where applicable;
- 241 j. Detailed drawings for all signs, (with color and text styles, referenced in the
242 application), except those which cannot be determined because the
243 occupancy of the space is not known, in which case, only the text shall be
244 excluded;
- 245 k. A description of exterior material designations and surface treatments (with
246 attached samples, catalog specs, or colored brochures) including roofs and
247 ground treatments. Sample materials may be submitted as segments,
248 catalog cuts, or photographic records attached to the application. Large,
249 bulky materials whose size or shape will not fit easily with the application
250 file will not be accepted;
- 251 l. Exterior façade color samples complying with the City of Miami Springs
252 approved color palette shall be submitted with the application (including that
253 of signs);
- 254 m. All lighting proposed (i.e. fixture types and locations, materials, lamp design,
255 illumination colors, etc.) shall be included within a site photometric plan and
256 fixture schedule;
- 257 n. Other information as may reasonably be required by the City Staff to provide
258 information needed to process the application;
- 259 o. One, professionally crafted, two-point perspective color rendering of the
260 project and one rendered landscaped site plan for review by City Staff. This
261 shall be completed prior to public meetings. Digital images of the plans and
262 renderings must be submitted in JPG, JPEG, TIF, or TIFF formats, resample
263 at no greater than an 11-inch by 17-inch paper size, with a resolution of 200
264 dots per inch (dpi), for use in a Microsoft PowerPoint presentation at the
265 City Council meeting;
- 266 p. Points of ingress and egress for vehicular and pedestrian traffic, circulation
267 patterns within the project, including location and design of east/west
268 roadways, where required;
- 269 q. Location, character, and scale of parking and service facilities, including
270 area and number of parking spaces, character of structural parking, if any;
271 location of loading areas and commercial vehicle parking.
- 272 r. Any additional materials and information as may be required by the proper
273 agencies of the City;

- 274 s. Where a proposed development is planned to be constructed in phases, the
275 timing of the first phase shall be indicated. The information concerning the
276 nature of the development, uses, location and floor areas to be developed
277 shall also be supplied. The same information shall be provided for
278 succeeding stages. Initiation of succeeding stages shall be made
279 dependent upon the completion of earlier stages and the supplying of any
280 information that may be required by the proper City agencies;
- 281 t. When a proposed development contains provisions concerning the
282 establishment and continuing operation and maintenance of improvements
283 and facilities for common use by the occupants of the project and the
284 general public, but which are not provided, operated, or maintained at
285 general public expense, the owner shall give assurance in a manner
286 approved by the City Council that such improvements and facilities will be
287 maintained without future expense to the City, and that the development will
288 conform to approved site and development plans; and
- 289 u. Such other requirements as may be prescribed by the Code.
- 290 2. Exemptions. The following applications for development, redevelopment, or
291 building permit will be exempt from the application of this ordinance:
- 292 a. Any building or structure for which final site plan approval has been obtained
293 prior to the enactment of this section;
- 294 b. A project determined by the City Planner to be of a temporary nature such
295 that meeting the intent of the ordinance would not be practical.
- 296 c. The City Administrative Staff shall retain the authority to exempt any
297 proposed development or redevelopment project for this district that is being
298 proposed for any existing structure or structures from the application of any
299 or all of the provisions of Code. This exemption shall not be applicable to
300 development or redevelopment projects in the Gateway District proposed
301 for vacant or "ground up" construction which retains the continuing
302 availability of the City variance process for specific relief from the provision
303 of this code section.
- 304 3. Fees. Each application filed with the City shall be accompanied by the payment
305 of a fee, as set by the City Council, from time to time, to cover the expenses of
306 the City, including but not limited to the various costs incurred by the use of the
307 City's outside technical and legal consultants, in processing and reviewing the
308 application for development. Applicants shall reimburse the City for the actual
309 costs of outside technical and legal consultants that may be incurred in excess
310 of the application fee amount.

311 * * *

312 **Section 3. Conflicts.** All Sections or parts of Sections of the Code of
313 Ordinances, all ordinances or parts of ordinances, and all Resolutions, or parts of
314 Resolutions, in conflict with this Ordinance are repealed to the extent of such conflict.

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

321 **Section 5. Codification.** That it is the intention of the City Council and it is
 322 hereby ordained that the provisions of this Ordinance shall become and be made a part
 323 of the City Code, that the sections of this Ordinance may be renumbered or relettered to
 324 accomplish such intentions, and that the word Ordinance shall be changed to Section or
 325 other appropriate word.

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

328 **PASSED ON FIRST READING** on the 27th day of June, 2022, on a motion made
 329 by _____ and seconded by _____.

330 **PASSED AND ADOPTED ON SECOND READING** this ____ day of _____, 2022,
 331 on a motion made by _____ and seconded by _____. Upon being put to a
 332 roll call vote, the vote was as follows:

- 333 Vice Mayor Dr. Walter Fajet _____
- 334 Councilman Bob Best _____
- 335 Councilwoman Jacky Bravo _____
- 336 Councilman Dr. Victor Vazquez _____
- 337 Mayor Maria Puente Mitchell _____

340 _____
 341 MARIA PUENTE MITCHELL
 342 MAYOR

343 ATTEST:

344 _____
 345 _____
 346 _____
 347 ERIKA GONZALEZ, MMC
 348 CITY CLERK

349
 350 APPROVED AS TO FORM AND LEGAL SUFFICIENCY
 351 FOR THE USE AND RELIANCE OF THE CITY OF MIAMI SPRINGS ONLY:

352
 353 _____
 354 _____
 355 WEISS SEROTA HELFMAN COLE & BIERMAN, P.L.
 356 CITY ATTORNEY