

ORDINANCE NO. 1045-2012

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS AMENDING CODE OF ORDINANCE SECTION 150-164, NORTHWEST 36TH STREET; BY REMOVING ANY AND ALL REFERENCES TO THE REQUIRED PARTICIPATION OF THE CITY ARCHITECTURAL REVIEW BOARD IN THE DESIGN REVIEW PROCESS MANDATED BY THE ORDINANCE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; PROVIDING AN EFFECTIVE DATE

WHEREAS, in the application of Code Section 150-164 requirements to certain recently proposed projects for the District, it was determined that certain ordinance mandated procedures and processes were unnecessary; and,

WHEREAS, while the process of design review for development within the district was intended to be expedited and “developer-friendly”, the multi-level review process mandated by the District Boundary Regulations proved to be time consuming and duplicitous; and,

WHEREAS, it was determined by the City Administration and Staff that the review procedures designated for the Architectural Review Board could be adequately and more efficiently handled by the other review processes and parties already mandated within the ordinance; and,

WHEREAS, in addition to the foregoing, the jurisdiction and duties of the Architectural Review Board for design review of proposed projects for the 36th Street District have recently been amended out of the Board's enabling legislation; and,

WHEREAS, in light of the foregoing, the City Council has determined that it is both necessary and proper that any and all references to the Architectural Review Board duties and responsibilities for development review be removed from the subject ordinance;

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

Section 1: That Code of Ordinance Section 150-164, Northwest 36th Street, is hereby amended as follows;

Section 150-164. Northwest 36th Street District

(A)

(B)

(C)

(D)

(E)

(F)

(G)

(H)

(I) *Development review procedures.* An application for development review shall be submitted to the City for processing. No construction or alterations governed by this ordinance may begin without such approval. There are two types of approval. These are outlined below:

- (1) *Review for projects not requiring City Council Approval.* The City Planner and City Building Official shall review all permit applications not requiring City Council approval such as accessory and minor structures such as fences, sheds, replacement of sign faces, new signage, exterior wall re-painting or re-roofing to ensure the improvements are in compliance with the Architectural Design Standards.
- (2) *Projects requiring formal review by the City Council.* The following formal approval process for the City shall apply to all new construction, remodeling and renovation projects.
 - (a) Optional informational and pre-application meeting with City Staff and Revitalization Specialist as described in (J).
 - (b) Mandatory preliminary review meeting with City Staff and Revitalization Specialist. The requirements of this meeting are described in (K).
 - ~~(c) The Architectural Review Board shall review the proposed plans and designs which have completed the mandatory preliminary review process and issue an opinion as described in Code § 32-100.~~
 - ~~(d)~~(c) Applications for variances, if any, shall be submitted to the City Board of Adjustment for review and consideration in accordance with the procedures set forth in Code § 150-110 through 150-113.
 - ~~(e)~~(d) The City Zoning and Planning Board will have the responsibility to review all site and development plans and to make recommendations for modification, approval or denial to the City Council in accordance with Code § 150-101 and 150-102.
 - ~~(f)~~(e) The decisions and recommendations of the City Board of Adjustment and Zoning and Planning Board will be reviewed for final approval by the City Council in accordance with the procedures set forth in Code § 150-113.

(g)(f) The City Council will authorize the preparation and issuance of a Development Order for each project application which has completed the Development Review Process.

(J)

(K)

(L)

(M)

Section 2: That all Ordinances or parts of Ordinances in conflict herewith are hereby repealed insofar as they are in conflict.

Section 3: That the provisions of this Ordinance shall be effective immediately upon adoption by the City Council.


(THIS SPACE INTENTIONALLY LEFT BLANK)

PASSED AND ADOPTED by the City Council of the City of Miami Springs,

Florida this 10th day of December, 2012.

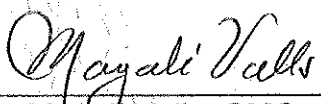
The motion to adopt the foregoing ordinance was offered on second reading by Councilwoman Bain, seconded by Councilman Lob, and on roll call the following vote ensued:

Vice Mayor Ator	"no"
Councilman Best	"aye"
Councilwoman Bain	"aye"
Councilman Lob	"aye"
Mayor Garcia	"aye"



Xavier M. Garcia
Mayor


ATTEST:



Magali Valls, CMC
City Clerk



APPROVED AS TO FORM AND LEGAL SUFFICIENCY



Jan K. Seiden, Esquire
City Attorney

First reading: 11-19-2012
Second reading: 12-10-2012

Words ~~stricken through~~ shall be deleted. Underscored words constitute the amendment proposed. Words remaining are now in effect and remain unchanged.