

**ORDINANCE NO. 1106 - 2018**

**AN ORDINANCE OF THE CITY OF MIAMI SPRINGS, FLORIDA, APPROVING AN AMENDMENT TO THE TEXT OF THE CITY OF MIAMI SPRINGS COMPREHENSIVE PLAN FUTURE LAND USE ELEMENT FOR A PORTION OF THE CENTRAL BUSINESS DISTRICT BY CREATING THE MIAMI SPRINGS GATEWAY OVERLAY DISTRICT; PROVIDING FOR ENHANCED BUILDING REQUIREMENTS; APPROVING A SMALL SCALE AMENDMENT TO THE CITY'S FUTURE LAND USE MAP IN FURTHERANCE HEREOF; PROVIDING FOR IMPLEMENTATION; PROVIDING OF INCORPORATION INTO THE COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, for many years, various aspects of a principal entrance into the City of Miami Springs (the "City")—the gateway to and from the City of Hialeah—have not met community standards; and

**WHEREAS**, enhanced buildings, landscaping, signage, architecture and other design standards and building regulations have been and continue to be needed to ensure an attractive and viable physical environment to retain and attract economic development and avoid unintended consequences resulting from current regulations; and

**WHEREAS**, Goal 1 of the Future Land Use Element of the City's Comprehensive Plan calls for the City to offer the best residential environment consistent with the City's location and development history; and

**WHEREAS**, Objective 1.1 of the Future Land Use Element of the Comp. Plan calls for the City to "maintain existing development and achieve new development and

redevelopment consistent with the community character articulated in [Goal 1] . . . .”;  
and

**WHEREAS**, to achieve the foregoing goal and objective, the City has proposed the creation of an overlay district, called the “Miami Springs Gateway Overlay District” (the “Gateway Overlay District”), which establishes an area *within* the Central Business District (“CBD”) land use category, that calls for enhanced buildings, landscaping, signage, architecture and other design standards and building regulations; and

**WHEREAS**, the Gateway Overlay District supports and furthers the Comp. Plan’s CBD policies by continuing to foster a suburban downtown that satisfies the retail, personal, and professional services needs of the community, as well as advance specialty shopping/restaurant/entertainment for the community; and

**WHEREAS**, a copy of the City’s Comp. Plan is attached hereto as Exhibit “A”;  
and

**WHEREAS**, pursuant to Sections 163.3184 and 163.318, Florida Statutes, the City is creating the Gateway Overlay District by way of a simultaneous amendment to the City’s Comp. Plan and Future Land Use Map; and

**WHEREAS**, this Ordinance has received a recommendation from the City’s local planning agency, has been properly read and advertised as provided by Florida law and the required meetings and hearings have been conducted on its adoption; and

**WHEREAS**, the City Council hereby finds that the adoption of this Ordinance is in the best interest of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF MIAMI SPRINGS, FLORIDA, AS FOLLOWS: <sup>1</sup>

**Section 1. Recitals.** The above-stated recitals are hereby confirmed, adopted and incorporated herein and made a part hereof by this reference.

**Section 2. Text Amendment.** The Comprehensive Plan For the City of Miami Springs is hereby amended as follows:

**FUTURE LAND USE ELEMENT**

**GOAL 1: ACHIEVE THE FOLLOWING COMMUNITY CHARACTER:**

\* \* \*

**Objective 1.1 Future Land Use Categories**

\* \* \*

**Policy 1.1.8**

The Future Land Use Category Descriptions:

\* \* \*

*Central Business District Category:* This category of land use is intended to foster a suburban downtown which will: 1) satisfy the frequent retail, personal and professional service needs and desires of persons residing and/or working in Miami Springs and surrounding areas making up its market area; and 2) provide a specialty shopping/restaurant/entertainment destination for a large market area. This category may allow a wide range of convenience and comparison shopping facilities, restaurants, theaters and other compatible uses. Other uses permitted on land within this category could include business and professional office uses; residential uses on upper floors above retail, office and related uses; public parks; municipal buildings and facilities; and public utilities necessary to serve the uses within this category. Buildings within this category shall be limited to a floor area ratio of 1.0.

*Miami Springs Gateway Overlay District.* This category of land use is an overlay on, or a subarea of, the Central Business District. It is located within the Central Business District for the area abutting and/or adjacent to the outgoing/incoming

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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 indicted with ~~double strikethrough~~ and double underline.

vehicular bridges to/from the City of Hialeah, as identified in the City's Future Land Use Map. This overlay district intended to facilitate improved placemaking by enhancing neighborhood character and authenticity of a principal entrance of the City through participatory design and identifying projects such architecturally significant buildings, entrance features, art in public places, improved landscaping and signage, traffic calming features, and promotion of the City's history. It is further intended that this overlay district will further the goals, objectives, and policies of the Central Business District—to foster a suburban downtown that satisfy the business, service, dining, and entertainment needs of the community's residents and business patrons. The buildings in this area shall be limited to a floor area ration of 1.0, unless augmented by fulfillment of creative excellence standards which may be implemented to permit a maximum floor area ratio of 1.7. The uses for this overlay category are the same as those provided in the Central Business District.

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**Section 3. Amendment to Future Land-Use Map.** The City of Miami Springs Future Land Use Map is hereby amended to create the “Miami Springs Gateway Overlay District” for the area in the Central Business District bounded by Canal Street, the alley southeast of Hook Square, South Royal Poinciana Boulevard, North Royal Poinciana Boulevard and Nahkoda Drive, totaling ± 4.71 acres, as depicted in Exhibit “B”, which is incorporated herein and made a part of the hereof by this reference. The City Manager, by and through the Planning and Zoning Director, is authorized to make the necessary changes as required to the Future Land Use Map to reflect the foregoing change.

**Section 4. Implementation.** The City Manager and City Attorney are hereby otherwise authorized and directed to implement the provisions of this Ordinance and to take any and all necessary administrative actions as may be appropriate by their position to execute the purpose of this Ordinance.

**Section 5. Incorporation.** The provisions of this Ordinance, to the extent appropriate, shall become and be made a part of the Comprehensive Development

Master Plan of the City of Miami Springs. The City Clerk is authorized to take all actions necessary to incorporate the provisions of this Ordinance into the Code of Ordinances, including, but not limited to, renumbering or relettering sections and to change and that the word “ordinance” may be changes to “section,” “article,” or such other appropriate word or phrase in order to accomplish such intention.

**Section 6. Severability.** The provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

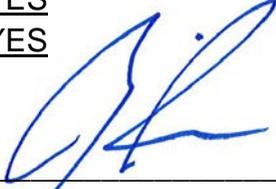
**Section 7. Conflicts.** All ordinances or parts of ordinances, resolution or parts of resolutions, in conflict herewith, are repealed to the extent of such conflict.

**Section 8. Effective Date.** This Ordinance shall become effective immediately upon adoption.

**PASSED ON FIRST READING** this 11<sup>th</sup> day of June, 2018, on a motion made by Councilman Best and seconded by Councilman Petralanda.

**PASSED AND ADOPTED ON SECOND READING** this 25<sup>th</sup> day of June 2018, on a motion made by Vice Mayor Zapata and seconded by Councilman Best.

Vice Mayor Mara Zapata	<u>YES</u>
Councilman Bob Best	<u>YES</u>
Councilwoman Maria Mitchell	<u>YES</u>
Councilman Jaime Petralanda	<u>YES</u>
Mayor Billy Bain	<u>YES</u>



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BILLY BAIN, MAYOR

ATTEST:



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ERIKA GONZALEZ-SANTAMARIA, MMC  
CITY CLERK

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



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WEISS, SEROTA, HELFMAN, COLE & BIERMAN, P.L.  
CITY ATTORNEY