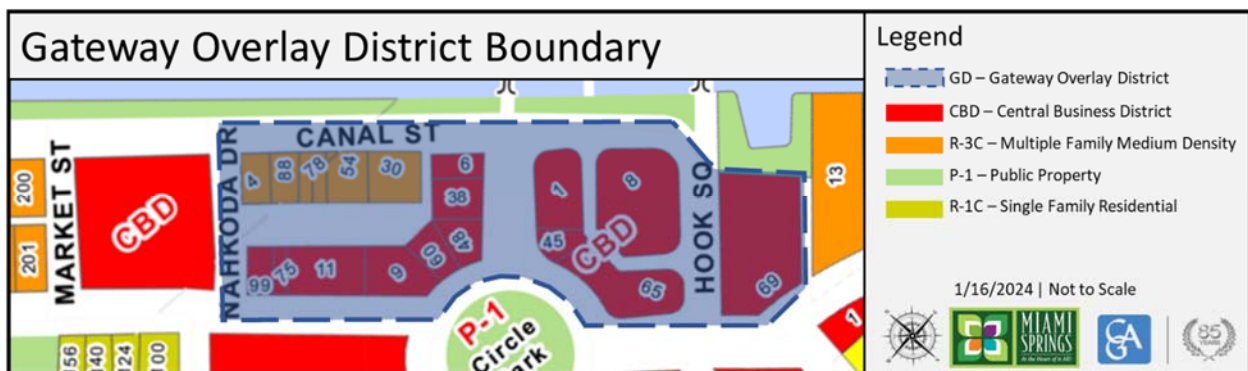
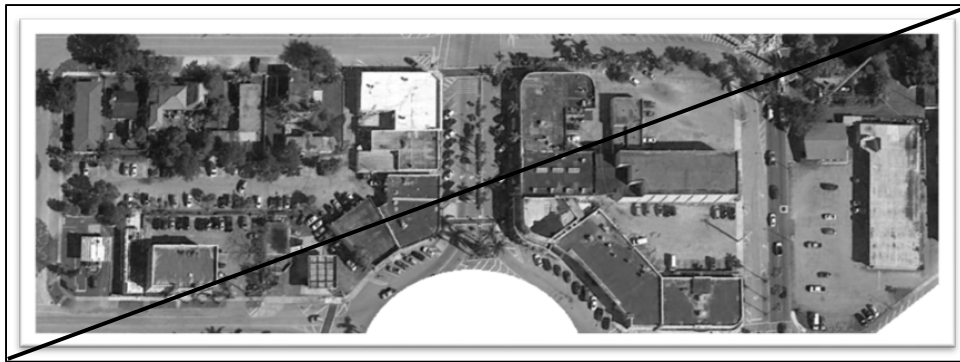


1 **Sec. 150-070.1. Miami Springs Gateway Overlay District.**

2 (A) *Purpose.* The purpose of the Miami Springs Gateway Overlay District ("Gateway District"), located within the  
3 Central Business District for the area abutting and/or adjacent to the outgoing/incoming vehicular bridges  
4 to/from the City of Hialeah, as identified in the City's Future Land Use Map and herein, is to ~~facilitate~~  
5 promote the creation of a compact, lively district, enhanced by a high standard of design and placemaking by  
6 enhancing neighborhood character and authenticity through participatory design and identifying in order to  
7 provide a distinct sense of arrival into the City. The Gateway District shall incentivize development projects  
8 such architecturally significant buildings, entrance features, that emphasize retail and dining experiences,  
9 pedestrian-friendly streetscapes, art in public places, improved landscaping and signage, traffic calming  
10 features, and promotion of and quality architecture that recognizes the City's history. The foregoing Gateway  
11 Overlay District shall will further and complement the goals, objectives, and policies of the Central Business  
12 District, which are to include fostering a suburban downtown that satisfyies the business, service, dining, and  
13 entertainment needs of the community's residents, as further detailed in the City's Comprehensive Plan and  
14 § 150-070 of the City Code.

15 (B) *Boundary.* ~~As identified in the City's Future Land Use Map, t~~The Gateway District shall be defined as that area  
16 bounded by Canal Street, the alley southeast of Hook Square, South Royal Poinciana Boulevard, North Royal  
17 Poinciana Boulevard and Nahkoda Drive. ~~More specifically this area includes: Lots 24—26 Block 86; Tract A,~~  
18 ~~Block 85; Tract B, Block 85; Tract C, Block 85; Lot 9, Block 85; Lots 1—2, Block 66; Lot 6, Block 66; Lot 7, Block~~  
19 ~~66; Lot 8, Block 66 and Track G; Lots 10, 12-14 And Tracks E and F; Lot 16, Block 66; Track D, Block 66; Lots~~  
20 ~~21—22, Block 66; Lots 31—34, Block 66; Lots 28—30, Block 66; Lot 27, Block 66; Tract C, Block 66; and Lots~~  
21 ~~21—22, Block 66.~~ For reference, the area is identified below.



25 (C) Site and Building Design Standards. ~~The City desires for n~~New development, redevelopment and remodeled  
26 existing buildings within the Gateway District to become more shall aesthetically pleasing, have include  
27 architectural elements that add vibrancy to the Gateway District and highlight the City's history and identity,  
28 promote sustainability, facilitate pedestrian activity and walkability, and assist in traffic calming reduce  
29 dependence on vehicles. For the purposes of this section, the terms "new" and "redevelopment" shall refer  
30 to construction of a building(s) from the ground up after demolishing an existing building(s). Redevelopment  
31 shall also refer to the expansion of an existing building or space (e.g., through an addition), and to the change  
32 of use of an existing building or space. "Remodeling" (also referred to as "renovation") shall mean restoring  
33 or improving the interior or exterior (or both) of an existing building or space while keeping the same use or  
34 uses.

35 ~~As opposed to a mandate, the City desires to accomplish t~~These above-described objectives shall be achieved  
36 through a mix of incentives in and development standards requirements that will encourage property  
37 owners to improve their respective ensure properties are built and improved in a manner that results in  
38 cohesive building design and features urban design and development character throughout the Gateway  
39 District. The standards development requirements are as follows:

- 40 1. Maximum Bbuilding height limitations. In keeping with the applicable requirement of the CBD, the  
41 maximum building height shall be no more than 40 feet and no more than three stories. Rooftops may  
42 be activated provided that no vertical construction exceeds the height restrictions stated herein.
- 43 2. Minimum Ssetbacks. The setbacks in the CBD shall remain in effect for the Gateway District, except as  
44 follows:
  - 45 a. All buildings shall be built to the front property line, but the first floor shall be recessed no less  
46 than ten (10) feet, so as to facilitate accommodate an expanded sidewalks, colonnade, gallery or  
47 arcade for to offer protection from the elements and to encourage increased pedestrian activity;  
48 and
  - 49 b. No rear yard setback is required.
- 50 3. Uses. The permitted uses in the CBD shall remain in effect for the Gateway District, except that:
  - 51 a. ~~H~~Hotels shall be prohibited in the Gateway District.
  - 52 b. Employer-provided Accommodations are allowed. For the purposes of this Section, Employer-  
53 provided Accommodations shall mean fully furnished short-term lodging offered by an employer  
54 as a benefit to eligible employees, in addition to their regular wages, lasting no less than XXX and  
55 no more than XX days. Employer-provided Accommodations shall contain no more than one (1)  
56 room, which may include a private bathroom and kitchenette, with a habitable area of no less  
57 than 300 and no more than XX square feet of floor area. A Declaration of Restrictive Covenant  
58 shall be provided as a condition of approval for any Employer-provided Accommodations,  
59 restricting the use to temporary lodging for company employees who are not required to pay for  
60 the temporary lodging, and prohibiting the use of the accommodations as permanent dwellings,  
61 boardinghouses, vacation rental/short term rental units, motel, or hotel use.
  - 62 c. Mixed-use development is encouraged but not required. Notwithstanding, first
  - 63 d. Ground floor uses along road rights-of-way shall be limited to:
    - 64 a1. Restaurant (and lounge), café, cafeteria.
    - 65 B2. Retail Use.
    - 66 C4. Medical or Dental Office Use. For purposes of this Section, a Medical or Dental Office Use  
67 shall mean a small-scale office with a maximum floor area of 2,500 square feet providing  
68 medical or dental treatment where patients are offered medical services, examinations,

69 and treatments, but are not permitted to occupy the premises overnight. This does not  
70 include medical or clinical laboratories, urgent care centers, hospitals, emergency rooms,  
71 or other similar medium to large-scale medical office uses, which are specifically  
72 prohibited.

73 ~~D5.~~ Personal Services (e.g., barbershops, beauty parlors, physical therapy clinics), with hours of  
74 business between 6:00 a.m. and 10:00 p.m.

75 ~~E6.~~ Veterinarian Use (which may provide short-term boarding for medical purposes only, for  
76 no more than 48 hours), provided that no Veterinarian Use may be located within 0.30  
77 airline miles of the front door of an existing Veterinarian Use within the Gateway District.  
78 The distance shall be measured from the front door of the proposed Veterinarian Use to  
79 the front door of the existing Veterinarian Use.

80 7. Brewpub. For the purposes of this Section, a Brewpub shall mean an establishment where  
81 food, beer, and malt beverages are duly licensed to be made on the premises and where  
82 50% or more of the beer produced on site is sold and/or consumed on site. The following  
83 restrictions shall apply to Brewpubs:

84 (A) Revenue from food sales shall constitute more than 50 percent of the total business  
85 revenues.

86 (B) No more than 50 percent of the total gross floor area of the establishment shall be used  
87 for the brewery function, including, but not limited to, the brewhouse, boiling and water  
88 treatment areas, bottling and kegging lines, malt milling and storage, fermentation tanks,  
89 conditioning tanks and serving tanks.

90 (C) No outdoor storage shall be allowed.

91 e. The ground floor of buildings in the Gateway District shall contain provide occupiable, air-  
92 conditioned space for permitted commercial uses with a minimum depth of 40 feet from the  
93 building façade for those portions of the building along road rights-of-way, except such features  
94 as, without limitation, driveways, utility infrastructure, colonnades and outside dining areas.  
95 ~~Direct access to such uses and full storefront windows are encouraged.~~

96 f. Upper floors of multi-story buildings may be commercial, office, residential, or a mix of  
97 residential, office, and commercial. The mixed-use ratio found in § 150-070 of the Code shall not  
98 apply to the Gateway District.

99 g. Residential uses are limited to upper floors of multi-story buildings. No residential dwelling unit  
100 shall be less than an average of 900 square feet, with individual units being no less than 800  
101 square feet. Efficiencies and studio apartments are prohibited.

102 4. ~~Architectural design. It is required that a~~ All new site development or redevelopment, structures,  
103 buildings, remodelings and renovations, as defined in subsection 150-070.1(C), shall show proper  
104 architectural design concepts and be appropriate to planned, designed, constructed and/or improved  
105 cohesively, sustainably, and to be visually appealing and compatible with their surroundings. All new  
106 construction, and remodeling and renovation of existing buildings and structures within the Gateway  
107 District shall:

108 a. ~~Exhibit~~ Incorporate (either by replication, adaptation, or interpretation) elements of the  
109 Pueblo/Mission Revival architectural design standard architecture such as, but not limited to:

<u>Rounded corners</u>	<u>Stylized/curved beam supports</u>
<u>Irregular parapets</u>	<u>Wide projecting eaves</u>

<u>Battered walls</u>	<u>Arches</u>
<u>Stepped massing</u>	<u>Sheltered courtyards</u>
<u>Flat roofs</u>	<u>Exterior arcades/colonnades</u>
<u>Corbels</u>	<u>Gables</u>
<u>Round roof scuppers/roof drains</u>	<u>Accent towers (e.g., clock towers)</u>
<u>Projecting roof beams (vigas), which need not be structural</u>	<u>Stucco painted in earth tones (in compliance with the City's approved color palettes per Sec. 93-51 of the City's Code of Ordinances)</u>

- 110 Examples of these styles will be available through the Office of the City Planner;<sub>2</sub>
- 111 b. Apply design elements and materials consistently on all sides of a structure to ensure all the parts
- 112 are perceived as part of a unified whole.
- 113 c. Incorporate, in a manner compatible with the building design, protection from the elements
- 114 (e.g., awnings or eyebrows) for portions of the project that abut City sidewalks. Canopies,
- 115 awnings, and arcades should be designed with respect for the proportions of the building in
- 116 terms of size, shape, and placement. These elements may encroach up to 48 inches into the
- 117 public sidewalk, subject to a valid easement provided by the City.
- 118 d. Vinyl, plastic, plasticized fabric, and fiberglass awnings are prohibited. Canvas awnings shall be
- 119 regularly maintained and periodically replaced.
- 120 e. Screen all satellite dishes, antennas, and or other telecommunications equipment such that these
- 121 are not visible from any street right-of-way or the ground level of all adjacent properties.
- 122 e. Provide direct access to ground floor uses from the sidewalk, and full storefront windows, where
- 123 feasible and compatible with the building design.
- 124 f. Entries should be clearly defined with signage and architectural details.
- 125 g. Windows should be made of clear glass to allow pedestrians to see into the structure. Mirrored
- 126 and dark tinted glass is prohibited.
- 127 5. Site planning. New development and redevelopment shall be guided by the following principles for the
- 128 layout of buildings, circulation, parking, pedestrian walkways, and open space on a development site.
- 129 Projects involving the expansion of existing buildings or spaces or a change in their use shall also be
- 130 subject to compliance with these principles.
- 131 a. Minimize the number and width of vehicle entry areas to prioritize pedestrian traffic and safety
- 132 along public rights-of-way.
- 133 b. Be designed in such a manner as to create, Provide new or improve, or connect existing
- 134 pedestrian amenities in the subject property and ensure connectivity, through adequate
- 135 sidewalks, trails, bike lanes, and wayfinding, to those created or existing in the surrounding area,
- 136 giving specific consideration to such things as, without limitation, linkages in/between/among
- 137 circulation patterns, relationships to architectural and urban design features, relationships to
- 138 public and private spaces, and accessibility, usability and coordination with adjacent properties;<sub>2</sub>
- 139 Priority should be given to segments that connect development sites to environmental assets,
- 140 parks, public transit and key community amenities.
- 141 c. To the extent possible, install awnings or eyebrows for portions of the project that abut City
- 142 sidewalks;

- 
- 143 d. ~~Be installed underground.~~ Locate all on-site utilities underground. Ground-mounted large  
144 transformers shall be placed on the ground within pad amounts, enclosures or vaults;
- 145 ~~ed.~~ Provide adequate landscaping to screen all aboveground facilities with landscaping.
- 146 f. ~~All satellite dishes, antennas, and or other telecommunications equipment must be appropriately~~  
147 screened such that it is not visible from the street.
- 148 g. ~~Limit any residential elements to upper floors. Residential dwelling units in the upper floors shall~~  
149 be have an average square foot requirement of no less than 900 square feet, with an individual  
150 unit minimum requirement of no less than 800 square feet. Efficiencies, studio, and loft  
151 apartments are prohibited.
- 152 e. Enhance comfort for pedestrians with seating, shade trees and shade structures provided in  
153 public spaces of the site.
- 154 f. Select outdoor furniture and other design elements from a cohesive palette to support a unified  
155 look throughout the site and to maintain a pedestrian scale. Furnishings proposed to be installed  
156 within the public right of way shall be compatible with the City's street furnishing standards.
- 157 g. Design courtyards, plazas, and green spaces intended for public use to be visible from the street  
158 and easily accessible.
- 159 f. To the extent possible, include outdoor seating areas as part of restaurant/retail spaces. When  
160 provided, outdoor dining facilities shall not block streets, driveways, parking lot lanes, parking  
161 areas, or anywhere that impedes access or poses a conflict between diners, pedestrians, and/or  
162 vehicular traffic.
- 163 g. Clearly delineate and mark walkways to provide a safe path from parking areas to buildings and  
164 from buildings to the public right of way, as well as between buildings.
- 165 h. Locate service and loading areas away from primary building entries and pedestrian areas, where  
166 feasible.
- 167 i. Provide thematic directional/wayfinding to enhance the project identity and to orient  
168 pedestrians and drivers to facilities and other points of interest. Signage proposed to be installed  
169 within the public right of way shall be compatible with the City's signage standards.
- 170 j. Locate all building signs in areas of the architectural façade planned for signage consistent with  
171 the Sign Code (All signage is subject to approval by the City).
- 172 k. Select and place all site and building light fixtures to complement and enhance the architectural  
173 style of the building, support the safety and security of the site, and be compatible with the  
174 character of the surrounding area.
- 175 ~~56.~~ Floor Area Limitations. All buildings within the Gateway District shall be limited to a floor area ratio  
176 (F.A.R.) of 1.0, in keeping with the limitation of the CBD, except that properties may be  
177 developed/redeveloped up to an F.A.R. of ~~1.72.0~~ through the satisfaction of the ~~creative excellence~~  
178 Enhanced Design and Development Quality standards established in this section below.
- 179 ~~67.~~ Creative Excellence Standards-Enhanced Design and Development Quality (EDDQ) FAR Bonus Program.  
180 For a property to take advantage of a project to qualify for approval of F.A.R. in excess of 1.0 as  
181 referenced in subsection ~~56~~ herein, a proposed development or redevelopment project ~~must shall~~  
182 incorporate a combination of elements from at least three of the ~~Creative Excellence~~ categories  
183 provided below, which shall be demonstrated by the property owner at the time of initial site plan  
184 review and considered by the City Council at the hearing for site plan approval. The EDDQ bonuses and  
185 any specific conditions of approval shall be specified and memorialized in a development agreement  
186 pursuant to subsection 150-070.1(G) of this Code. Notwithstanding the cumulative value of the

187  
188  
189

~~Creative Excellence EDDQ~~ elements, no project may exceed ~~an~~ the maximum F.A.R. of ~~1-72.0~~. No single element may be counted towards the satisfaction of more than one standard. The schedule of ~~Creative Excellence EDDQ~~ elements for projects in the Gateway District are as follows:

Category	<del>Creative Excellence EDDQ</del> Program 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, monuments, <del>fountains</del>, 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, <del>but not hinder pedestrian traffic</del>. <del>At a minimum, t</del>The art work shall cost <del>at least one percent (1%) of total construction cost,</del> as indicated on the Building Permit or \$25,000.00, whichever is greater. <del>The proposed design and placement of the artwork, along with documentation of estimated building costs and appraised value</del> <del>An independent appraisal</del> or other evidence of the value of the proposed art, <del>not including acquisition, shipping, taxes, and installation costs, shall be submitted at the time of initial as part of the site plan review application package.</del> The design and placement of the <del>proposed art</del> is subject to approval by the City Council during site plan review. <del>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</del></p> <p><del>Updated assessment and substitution.</del> If, at the time of building permit, and based upon an update of the project construction costs, the value of the approved artwork is determined to be below the minimum cost threshold, the City Manager may agree to a substitution that meets the cost requirement and is of an appropriate scale, material, form, and content.</p> <p><del>Payment in Lieu.</del> <del>Alternatively, t</del>The City Council may, at the time of site plan approval, agree to accept a contribution in an amount equal to the value of the art that meets this element in lieu of art</p>	0.20

	<p>on the property, which the City shall use for public art and beautification improvements.</p> <p><u>Timing of Installation.</u> All artworks shall be installed prior to the issuance of a Certificate of Occupancy.</p>	
	<p>b. <u>Art in public places—State-of-the-art interactive digital public art that engages passersby, promotes informal interaction, and draws the creativity of the local arts community into the Gateway District. All other requirements, conditions, and limitations described in the above element apply.</u></p>	0.20
	<p>c. <u>Water feature—A water feature accessible or visible to pedestrians from an adjacent right of way/sidewalk or plaza. Each feature should be designed to use water efficiently with low water loss from evaporation and wind. Each feature must be appraised at a value that is at least one percent (1%) of the value of building construction. The proposed design and location, along with documentation of estimated building costs and appraised value or other evidence of the value of the proposed water feature, not including acquisition, shipping, taxes, and installation costs, shall be submitted as part of the site plan review application package.</u></p>	0.10
	<p>b. <u>Building Entry—Thematic architectural feature (e.g. special façade treatment, clock tower or similar accent) or landscape design element.</u></p>	0.10
	<p>b. <u>Community Entry Gateway Feature— Focal point for projects located at the edges or corners of the Gateway District through A thematic architectural or landscape design elements that incorporates a special landmark feature such as a public space providing no less than 200 square feet of usable space (not including adjacent public right-of-way), located at a building entry or other location that is visible and accessible from either a public sidewalk or pedestrian connection, gateway signage, special paving, or public art that identifies the community, and is representative of the City character. The proposed feature(s) shall be subject to approval by the City Council.</u></p>	0.20
	<p>c. <u>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.</u></p>	0.20
B. Improvements: Rights-of-Way and On-Site Public Spaces	<p>a. <u>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.</u></p>	0.20
	<p>b. <u>Right-of-Way improvements—Improvements to crosswalks, sidewalks, canal banks, curbing, landscaping islands and other, provided the proposed enhancements are additional to any improvements required as a result of a study or analysis otherwise required by this City to assess the impacts of the project.</u></p>	0.20
	<p>c. <u>Installation of trolley stops/bus passenger shelter on the subject property or neighboring property.</u></p>	0.15

C. Site Improvements	a. <del>Lighting—Installation of decorative lighting (any combination building, landscape and site lighting).</del>	<del>0.1</del>
	b. Landscape maturity—This bonus applies to landscaping that <u>is includes a minimum of 50% of the required landscape bigger than minimum standards for onsite plantings (e.g., size at 2 years of growth).</u>	<u>0.20</u>
	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 <del>this</del> <u>these</u> elements. This bonus applies to landscaping that is a minimum 50% bigger than minimum standards for onsite plantings.	<u>0.10</u>
	d. <u>Retained vegetation and site permeability—0.01 F.A.R. bonus for every 500 square feet of retained permeable surface or retained native vegetation on the site.</u>	<u>Maximum of 0.10</u>
	e. <u>Florida-Friendly landscape recognition—Demonstrated adherence to the principles and requirements to achieve recognition by the Florida Friendly Landscaping TM Program</u>	<u>0.10</u>
D. Green Buildings	Green Building Certification. LEED (New Construction or Major Renovation) Silver or greater, or certification by the Florida Green Building Council <del>Coalition</del> (FGBC) or the National Green Building Standard (NGBS).	<u>0.50</u>
	(a) <del>The applicant must successfully register the project with the U.S. Green Building Council, Green Building Certification Institute or the Florida Green Building Coalition, or other verified third-party certifying agency as approved by the City Planner, and provide evidence of such registration.</del>	
	(b) <del>Applicant shall have a minimum of one LEED-retain an accredited, designated or verified professional, or other similarly accredited professional, on the design team. Applicant shall provide a copy of the LEED-accreditation certificate or similar certification and describe their role of the LEED-accredited professional on the design team</del>	
	(c) <del>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 certification program for the specific building type</del>	
	(d) <del>Prior to the issuance of the first principal building permit the applicant shall post a performance bond equal to five percent (5%) 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</del>	



	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	
E. Parking	a. Electric Vehicle Charging Stations – At least ten percent (10%) of the total required or provided parking spaces shall be equipped with an electric vehicle charging station rated at Level 2 or higher.	0.10
	b. Safe Bicycle Storage—A minimum of two (2) secure bicycle parking / storage spaces for each 2,000 square feet of commercial floor area and three (3) spaces for each five (5) dwelling units, or any fraction thereof.	0.10

190 (D) *Parking Requirements.* The CBD parking requirements as provided in § 150-.070(E)(1–35) shall apply to the  
191 Gateway District, ~~including, without limitation, the grandfathering of provided parking, if any, for existing~~  
192 ~~buildings and current uses,~~ except that additional off-street parking shall be required when a change of use  
193 occurs that intensifies the use of an existing building. Additionally, because of the uniqueness of the  
194 buildings,

195 In these cases, an off-street parking variance may be applied for when the strict enforcement of the  
196 provisions of this subsection to sites with existing buildings would result in an unnecessary hardship due to  
197 conditions that are peculiar to the property (e.g., size, unique configuration) of parcels and road network in  
198 the Gateway District and not self-created.

199 In the case of new construction and redevelopment projects containing more than one use, the total number  
200 of required off-street parking spaces shall be equal to the sum of the required parking for each use as if  
201 provided separately. However, to enhance the quality, function, or overall consistency of a project with the  
202 goals of the Gateway District, the City Council shall have the authority to establish the parking requirement  
203 for the project in conjunction with a site plan approval based on the minimum parking space requirements  
204 and design for new construction or alterations to existing structures that expand occupiable space on a case-  
205 by case basis. The City Planner shall have the authority to establish parking requirements for alterations and  
206 new construction by counting a combination on-site and on-street parking and other elements identified  
207 below. In establishing the required parking, the City Planner shall utilize a parking study prepared by a  
208 licensed and qualified individual selected by the City, the actual cost of which shall be reimbursed by the  
209 applicant. The following factors shall be evaluated in the parking study and considered by the City Council in  
210 its determination. For any on-street parking space(s) counted towards the satisfaction of a property's  
211 requirement, irrespective of whether such spaces are immediately abutting or adjacent to the subject  
212 property, or any spaces otherwise waived as a result of one of the factors listed below, a fee shall be paid to  
213 the City for each such parking space prior to the issuance of a building permit, in an amount set from time to  
214 time by approved resolution of the City Council. The funds shall be used to fund parking and wayfinding  
215 improvements in the Gateway District and the CBD. In determining the parking requirements for non-  
216 grandfathered properties, the following factors shall be considered by the City Planner and City Council and  
217 given their due weight in proportion to their overall effect on the property's parking requirement. No single  
218 factor is dispositive.

219 1. Availability of on-site parking;

- 
- 220 2. Availability of on-street parking;
  - 221 3. Provision of bicycle parking;
  - 222 4. Distance to, or inclusion of, bus and trolley stops;
  - 223 5. Internal capture of peak traffic trips as a result of mix of uses;
  - 224 6. Distance to public parking; and
  - 225 7. Walking accessibility of the site.

226 For any on-street parking space(s) counted towards the satisfaction of a property's requirement, irrespective  
 227 of whether such spaces are immediately abutting or adjacent to the subject property, or any spaces  
 228 otherwise waived as a result of one of the factors listed below, a fee shall be paid to the City for each such  
 229 parking space prior to the issuance of a building permit, in an amount set from time to time by approved  
 230 resolution of the City Council. The funds shall be used to fund parking and wayfinding improvements in the  
 231 Gateway District and the CBD.

232 All on-site parking shall be appropriately landscape to provide visual relief and, to the extent possible, shade.

233 (E) Project Review Process. The following formal approval process for the City shall apply to all new construction  
 234 and redevelopment projects within the Gateway District. Remodeling and renovation projects that do not  
 235 change the use of an existing building or space shall be reviewed for consistency with the requirements of  
 236 this Section by the Office of the City Planner through the zoning review process.

237 1. Pre-application meeting with City Staff (Optional) ~~informational and pre-application meeting with City~~  
 238 Staff.

239 2. ~~Mandatory application preliminary~~ Application review meeting with by City Staff. Once an application  
 240 has been submitted and deemed complete (including payment of all fees due), it shall be referred for  
 241 review to relevant City staff and technical consultants. A consolidated set of site plan review comments  
 242 shall be issued to the applicant in writing. In response, the applicant may modify the request, plans or  
 243 supporting documentation. The applicant may also request a meeting with City Staff to discuss  
 244 revisions or additional information regarding the application.

245 3. Staff Recommendation. After comments are addressed by the applicant, the City Planner shall issue a  
 246 consolidated set of written findings regarding the project's compliance with applicable criteria and  
 247 applicable regulations and a recommendation to the City Zoning and Planning Board.

248 4. Public Hearings. Determination of readiness for public hearing shall be at the discretion of the City  
 249 Planner, based on technical staff review and the satisfaction of all their comments and of the City Clerk,  
 250 subject to notice, compliance, posting, mailing, and cost recovery.

251 5. Board of Adjustment. Applications for variances, if any, shall be submitted to the City Board of  
 252 Adjustment for review and consideration in accordance with the procedures set forth in Code §§ 150-  
 253 110 through 150-113, and processed prior to review of the project by the Zoning and Planning Board  
 254 and City Council.

255 46. Zoning and Planning Board. ~~The City Zoning and Planning Board will have the responsibility to shall~~  
 256 review all site and development plans and to make recommendations for modification, approval,  
 257 approval with modifications or conditions, or denial to the City Council, in accordance with Code §§  
 258 150-101 and 150-102.

259 57. City Council. ~~The City Council shall consider the decisions and recommendations of the City Board of~~  
 260 Adjustment, as applicable, and Zoning and Planning Board will be reviewed for final approval by the  
 261 City Council in accordance with the procedures set forth in Code § 150-113. The City Council may make  
 262 such investigations as may be deemed reasonably necessary to ensure conformity with the intent and

263 requirements of this Section. The City Council shall adopt a resolution approving, approving with  
264 modifications or conditions, or denying the site plan. In making its decision, the City Council shall  
265 consider all aspects of the site plan necessary to meet the intent and requirements of this zoning code  
266 and the comprehensive plan. In approving a site plan, the City Council may establish such conditions  
267 and may require such modifications as shall ensure compliance with the Gateway District purpose,  
268 standards and regulations.

269 68. Time Limit for Development. Development orders for approved site plans for which construction has  
270 not been initiated shall expire two (2) years from the date of final approval, unless otherwise extended  
271 by the City Council at initial site plan approval or upon request for extension.

272 9. Development Agreement. A standard Development Agreement between the City and the owner of the  
273 subject property, prepared pursuant to the terms of subsection 150-070.1(G), shall be presented to  
274 and approved by the City Council as support documentation for the project approval application.

275 (F) Site Plan Review. Any new development and redevelopment within the Gateway District shall be required to  
276 have the site and development plans approved as provided herein before a building permit is issued to  
277 ensure that development is in accord with the intent of this district. Applications for site and development  
278 plan approval shall be submitted to the Planning Office according to the provisions of the Zoning Code and  
279 the additional requirements and procedures specified herein.

- 280 1. The application for site and development plan approval shall include but shall not be limited to:
- 281 a. Plans, maps, studies and data which may be necessary to determine whether the particular  
282 proposed development meets the intent of the Gateway District, and the specific requirements  
283 and standards contained in this subsection;
  - 284 b. A survey showing property and ownership lines; existing structures, alleys, easements and utility  
285 lines;
  - 286 c. A traffic study providing such information as, without limitation, a location map showing the  
287 project site in relation to proximate major road systems in and out the City, the anticipated peak  
288 morning and evening trips to be generated by the proposed project, the current level of service  
289 for roadways and intersections within 500 feet of the project, in and out of the City's jurisdiction,  
290 inclusive of the following roads in the City of Hialeah: Okeechobee Road, Palm Avenue, Hialeah  
291 Drive, and East 1st Avenue;
  - 292 d. A letter of intent describing the general nature of the proposed development, planned uses and  
293 activities, including any increases sought in F.A.R., any deviations necessary to achieve the  
294 project's intended design, and the name of and other information relevant about the developer;
  - 295 e. A site plan showing, in graphic and tabular form, setbacks, height, floor area ratio, orientation  
296 and all existing and proposed site development as required by this ordinance. Landscaping Design  
297 may be incorporated into the site plan or submitted as a separate plan.
  - 298 f. Dimensioned floor plan(s) and cross sections;
  - 299 g. To the extent sought, an explanation of how the project's design and/or amenities ~~are meeting~~  
300 comply with the creative excellence EDDQ standards and the proposed value attributed to each  
301 element;
  - 302 h. Exterior colored elevations of each building facade (including, but not limited to, renderings,  
303 sketches, and/or perspectives). ~~Elevations must be mounted on 24-inch by 36-inch boards and~~  
304 submitted to the City prior to public meetings;
  - 305 i. ~~One set of identical uncolored elevations shall be submitted in paper format.~~ Elevations must  
306 include all items affecting the appearance of the building including, but not limited to, site

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- amenities, street furniture, air-conditioning grilles, compressors, mechanical equipment, exterior colors and material designations, exterior lighting, landscaping, and all signs. These drawings shall be referenced to the color and/or material samples submitted with the application and on the mounted drawings. Photographs and other similar documents which provide sufficient information will suffice for small-scale projects where applicable;
- j. Detailed drawings for all signs, (with color and text styles, referenced in the application), except those which cannot be determined because the occupancy of the space is not known, in which case, only the text shall be excluded;
- k. A description of exterior material designations and surface treatments (with attached samples, catalog specs, or colored brochures) including roofs and ground treatments. Sample materials may be submitted as segments, catalog cuts, or photographic records attached to the application. Large, bulky materials whose size or shape will not fit easily with the application file will not be accepted;
- l. Exterior façade color samples complying with the City of Miami Springs approved color palette shall be submitted with the application (including that of signs);
- m. ~~All lighting proposed~~ A lighting plan (i.e. fixture types and locations, materials, lamp design, illumination colors, etc.) ~~shall be included within and~~ a site photometric plan ~~and fixture schedule~~;
- n. Other information as may reasonably be required by the City Staff to ~~provide information needed to facilitate processing and review of~~ the application;
- o. One, professionally crafted, two-point perspective color rendering of the project and one rendered landscaped site plan for review by City Staff. This shall be completed prior to public meetings. ~~Digital images of the plans and renderings must be submitted in JPG, JPEG, TIF, or TIFF formats, resample at no greater than an 11-inch by 17-inch paper size, with a resolution of 200 dots per inch (dpi), for use in a Microsoft PowerPoint presentation at the City Council meeting;~~
- p. Points of ingress and egress for vehicular and pedestrian traffic, circulation patterns within the project, including location and design of east/west roadways, where required;
- q. Location, character, and scale of parking and service facilities, including area and number of parking spaces, character of structural parking, if any; location of loading areas and commercial vehicle parking.
- r. Any additional materials and information as may be required by the proper agencies of the City;
- s. Where a proposed development is planned to be constructed in phases, the timing of the first phase shall be indicated. ~~The~~ Information concerning the nature of the development, uses, location and floor areas to be developed shall also be supplied. The same information shall be provided for succeeding stages. Initiation of succeeding stages shall be made dependent upon the completion of earlier stages and the supplying of any information that may be required by the proper City agencies;
- t. When a proposed development contains provisions concerning the establishment and continuing operation and maintenance of improvements and facilities for common use by the occupants of the project and the general public, but which are not provided, operated, or maintained at general public expense, the owner shall give assurance in a manner approved by the City Council that such improvements and facilities will be maintained without future expense to the City, and that the development will conform to approved site and development plans; ~~and~~
- u. Completed, signed and notarized application form, with all required supporting documentation and checklist.

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352 v.\_\_\_\_Such other requirements as may be prescribed by the Code.

353 A complete site plan application package, consisting of the above documents, shall be submitted in  
354 electronic format to the Office of the City Planner via USB or sharefile service, copy to the Office of the  
355 City Clerk. Three (3) paper copies including full-size plans of the application package shall also be  
356 submitted to the City Planner for initial development review. Additional copies may be requested prior  
357 to public meetings. Digital documents must be submitted in PDF format. PDFs of plans shall be  
358 flattened and optimized. Stand-alone images must be high-resolution JPGs, JPEGs, TIFs, or TIFFs  
359 formats.

360 Prior to public meetings, the applicant shall provide rigid-board-mounted elevations and 3D  
361 renderings, a minimum of 24 inches by 36 inches.

362 2. Exemptions. The following applications for development, redevelopment, or building permit will be  
363 exempt from the application of this ordinance:

364 a. Any building or structure for which final site plan approval has been obtained prior to the  
365 enactment of this section;

366 b. A project determined by the City Planner to be of a temporary nature such that meeting the  
367 intent of the ordinance would not be practical.

368 c. A project involving only the interior remodeling or renovation of an existing structure or  
369 structures and not including a change of use, expansion of an existing use, change in the number  
370 or size of dwelling units, or substantial modification of the exterior of an existing structure or  
371 structures. Such work shall be subject to the issuance of any applicable permits.

372 d. All new development and redevelopment projects (i.e., ground-up construction), as well as  
373 projects involving existing structures where either the type or extent of the uses, or the exterior  
374 design of the structure are being modified, are subject to provisions of this ordinance. Such  
375 projects, however, The City Administrative Staff shall retain the authority to exempt any  
376 proposed development or redevelopment project for this district that is being proposed for any  
377 existing structure or structures from the application of any or all of the provisions of Code. This  
378 exemption shall not be applicable to development or redevelopment projects in the Gateway  
379 District proposed for vacant or "ground up" construction which retains the continuing availability  
380 of the City variance process for specific relief from the provision of this code section.

381 3. Fees. Each application filed with the City shall, in addition to the corresponding filing fee, be  
382 accompanied by the payment of a cost recovery fee, as set by the City Council, from time to time, to  
383 cover the expenses of the City, including but not limited to the various costs incurred by the use of the  
384 City's outside technical and legal consultants, in processing and reviewing the application for  
385 development. The initial fee shall be considered a deposit. Applicants shall reimburse the City for the  
386 actual costs of outside technical and legal consultants that may be incurred in excess of the application  
387 fee amount. An application shall not be considered complete until full payment of the due amounts has  
388 been made to the City. Cost recovery fees must be current and replenished to at least 50% of the  
389 original amount before a public hearing is scheduled.

390 (G) Development Agreement for New Development or Redevelopment Projects with Bonus FAR. Prior to the  
391 approval of a project that requests additional FAR pursuant to subsection 150-070.1(C)6., the City and the  
392 owner of the subject property shall agree on tentative terms for a standard Development Agreement. The  
393 Development Agreement shall reflect any additional terms imposed by the City Council as conditions of  
394 approval and shall be executable by the City and the owner of the subject property following Council  
395 approval. The Development Agreement, along with any accompanying development orders, shall vest the  
396 project with any FAR approvals, notwithstanding any future amendments to either the Code or  
397 Comprehensive Plan reducing any applicable bonus, provided that the project has not had a failure to

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398 commence as provided herein. The agreement shall contain and address the following information, as  
399 applicable:

- 400 1. Statement of ownership and legal description.
- 401 2. Permitted uses and special exceptions.
- 402 3. Minimum dimensional requirements. Such requirement shall include Lot Area and width, Setbacks,  
403 Building Height, minimum Floor Area, Accessory Structures, and other dimensional information  
404 pertinent to the project.
- 405 4. EDDQ standards and corresponding Floor Area Ratio bonuses.
- 406 5. Landscaping, parking, and signage requirements.
- 407 6. Applicable design guidelines. The applicant shall submit as a requirement of the master development  
408 agreement, conceptual rendering, plans, schematics, and/or other design document, as may be  
409 necessary to illustrate that the project is meeting the design guidelines for the district in which the  
410 project is located.
- 411 7. Project phasing.
- 412 8. The method by which common areas facilities and areas visible to the public shall be maintained. This  
413 includes whether the project will be owner operated or under the control of condominium association,  
414 special taxing district, and/or community development district.
- 415 9. The maximum number of residential units and/or maximum square footage of any commercial uses.
- 416 10. Improvements to infrastructure, streetscapes, that may be required by the Miami Springs Zoning Code  
417 and/or Miami-Dade County, or otherwise by or agreed upon by the City and the owner of the subject  
418 property.
- 419 11. Public facilities that will service the development, including who shall provide such facilities; the date  
420 any new facilities, if needed, will be constructed, and a schedule to ensure public facilities are available  
421 concurrent with the impacts of the development.
- 422 12. Any reservation or dedication of land for public purposes.
- 423 13. Local development permits approved or needed to be approved for the development of the land.
- 424 14. Finding that the development permitted or proposed is consistent with the local government's  
425 comprehensive plan and land development regulations.
- 426 15. Any conditions, terms, restrictions, or other requirements determined to be necessary by the local  
427 government for the public health, safety, or welfare of its citizens
- 428 16. Agreement expiration date.
- 429 17. Statement indicating that failure of the development agreement to address a particular permit,  
430 condition, term or restriction shall not relieve the developer of the necessity of complying with the law  
431 governing the permitting requirements, conditions, terms or restrictions.
- 432 18. Any other information, conditions, terms, restrictions or other requirements determined by the City  
433 Attorney, the City Manager, or City Council to be reasonably necessary for the public health, safety or  
434 welfare of city residents and property owners.
- 435 19. At the City Council's discretion, the development agreement may provide that the entire development,  
436 or any phase thereof, be commenced or completed within a specific period.

437 The applicant may be required to provide for a performance bond, letter of credit, or similar instrument, to  
438 be deposited with the City, to secure the construction of any new facilities that are required to be

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439 constructed as part of the proposed development agreement. Alternatively, such construction may be a  
440 condition precedent to the issuance of any building permits or other development permissions. If the new  
441 public facilities are in place and operating at the time development permits are requested, no such  
442 performance bond or letter of credit shall be necessary, unless such facilities are determined to be  
443 inadequate for the project.

444 (H) Period of Validity and Reporting on Implementation of Development Agreements. The applicant or its  
445 successor in interest shall submit yearly progress reports to the City beginning within six (6) months of the  
446 date of approval and within one (1) year thereafter. Development agreements entered into pursuant to this  
447 subsection shall follow the time frame of the corresponding project site plan approval and shall also expire  
448 concurrently with the expiration of the project site plan approval pursuant to subsection 150-070.1(E)7 of  
449 this Zoning Code. An extension of the project site plan shall also extend the development agreement for the  
450 corresponding project. Initiating construction shall mean the submission of an application for a building  
451 permit for the project.

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