



CITY OF MIAMI SPRINGS, FLORIDA

Mayor Walter Fajet, Ed.D.

**Vice Mayor Jorge Santin
Councilman Orlando Lamas**

**Councilman Joseph Dion
Councilman Fabian Perez-Crespo**

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 REGULAR MEETING AGENDA

Monday, August 25, 2025 – 6:15 PM

Council Chambers, 201 Westward Drive, Miami Springs, Florida

(In-person and virtually; See the end of the Agenda for additional information)

1. **Call to Order/Roll Call**
2. **Invocation:**
 - A) Led by Councilman Orlando Lamas
3. **Pledge of Allegiance:** Audience will lead the Pledge of Allegiance and Salute to the Flag.
4. **Open Forum:** Persons wishing to speak on items of general City business, may do so in person (subject to capacity restrictions) or virtually by following the instructions at the back of this agenda. This portion of the meeting also includes any pre-screened video submittals. The purpose of Open Forum is to encourage residents and members of the public to address their concerns and make comments on any item. **The City Council will not enter into a dialogue at this time. City staff will gladly address any question, issue, and/or comment after the meeting. The Mayor is the presiding officer of all Council meetings and shall conduct the meetings accordingly.**
5. **Public Hearings**
 - A) **Ordinance - Second Reading** - 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 Amend The List Of Uses Permitted On First Floor Levels Along Road Rights-Of-Way; Providing For Conflicts; Providing For Severability; Providing For Codification; And Providing For An Effective Date.

6. Adjourn



CITY OF MIAMI SPRINGS PUBLIC MEETING NOTICE

The City of Miami Springs will hold a public meeting on:

Monday, August 25, 2025 at 6:15 PM
City Hall, Council Chambers, 201 Westward Drive, Miami Springs, Florida
(Physical Meeting Location)

The meeting agenda is available online at: <https://www.miamisprings-fl.gov/meetings>

Elected officials and City staff will participate from the physical meeting location. Members of the public may attend the meeting in person at the physical meeting location, or, alternatively, may watch by following these instructions:

ATTEND THE MEETING IN PERSON AT THE PHYSICAL MEETING LOCATION

The meeting will be held in person at the physical meeting location stated above. Admission to the physical meeting location is on a first-come, first-serve basis and space is limited. Doors will open 30 minutes prior to the meeting start time.

WATCH THE MEETING VIRTUALLY

- **YouTube:** <https://www.youtube.com/channel/UC2at9KNnqUxZRSw1UkhdHLQ/featured>
- **From your computer/mobile device:** <https://www.miamisprings-fl.gov/meetings>

Any person requiring special accommodations to access this proceeding is asked to advise the City at least 2 days before the proceeding by contacting the City Clerk at cityclerk@miamisprings-fl.gov.

PUBLIC COMMENTS WILL BE ACCEPTED BY THE FOLLOWING MEANS:

EMAILED COMMENTS: Members of the public may email their public comments to the City in advance of the meeting. Please email the City at cityclerk@miamisprings-fl.gov by 12:00 p.m. on the day of the meeting with the subject line "PUBLIC COMMENT" and the following information in the body of the email: Your Name, Address, if you are a hired Consultant or City Employee, and/or if you are engaged in Lobbying Activities and/or representing an organization. Please limit your comments to no more than 350 words. Public comments received via email may be read into the record during the public comment portion of the agenda, if any.

IN-PERSON COMMENTS: Members of the public may attend the meeting at the physical meeting location stated above and deliver their public comments in person during the public comment portion of the agenda.

A time limit may be imposed for each speaker during public comment.
Your cooperation is appreciated in observing the time limit.

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 when addressing the Council during public comments.

PUBLIC RECORDS

The meeting will be recorded for later viewing and is a public record. The virtual chat, if any, will be

saved and is a public record. Minutes of the meeting will be taken and will be made available.

**NOTICE PURSUANT TO §286.0105, FLORIDA STATUTES
IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE BOARD, AGENCY, OR
COMMISSION WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING OR
HEARING, HE OR SHE WILL NEED A RECORD OF THE PROCEEDINGS, AND FOR SUCH
PURPOSE, HE OR SHE MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE
PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE
UPON WHICH THE APPEAL IS TO BE BASED.**

AMERICANS WITH DISABILITIES ACT

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this proceeding is asked to advise the City at least 2 days before the proceeding by contacting the City Clerk's Office at 305-805-5006.

LOBBYING ACTIVITIES

In accordance with Section 33-01 of the City Code, adopting Section 2-11.1(s) of the Miami-Dade County Code, any person engaging in lobbying activities, as defined therein, must register at the City Clerk's Office before addressing the City Council on the agenda items or engaging in lobbying activities. Specifically, all persons, firms or corporations employed or retained by a principal who seeks to encourage the passage, defeat, or modifications of (1) ordinance, resolution, action or decision of the City Council; (2) any action, decision, recommendation of any City Board or Committee; or (3) any action, decision or recommendation of City personnel during the time period of the entire decision-making process on such action, decision or recommendation which will be heard or reviewed by the City Council, or a City Board or Committee shall register with the City before engaging in any lobbying activities on forms prepared for this purpose and shall state under oath his or her name, business address, the name and business address of each person or entity which has employed said registrant to lobby, and the specific issue on which he or she has been employed to lobby. A copy of the lobbyist registration form is available from the Office of the City Clerk and online at: <https://www.miamisprings-fl.gov/cityclerk/lobbyist-registration-form-0>.

Have questions or need additional information?

Write: cityclerk@miamisprings-fl.gov

Call: 305-805-5006

Mail: 201 Westward Drive, Miami Springs, FL 33166

ORDINANCE NO. 2025-_____

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 AMEND THE LIST OF USES PERMITTED ON FIRST FLOOR LEVELS ALONG ROAD RIGHTS-OF-WAY; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

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

WHEREAS, on June 25, 2018, the City adopted Ordinance No. 1107-2018 to create the Miami Springs Gateway Overlay District (the “District”) and provide regulations for the District, which regulations have been codified in Section 150-070.1 of the Code and amended pursuant to Ordinance Nos. 1111-2019 (January 14, 2019), 1125-2022 (August 22, 2022), 1123-2023 (October 23, 2023), and 1144-2024 (December 9, 2024); and

WHEREAS, until the adoption of Ordinance No. 1123-2023, the District regulations restricted first (ground) floor uses along road rights-of-way to restaurant and retail uses only; and

WHEREAS, in 2023, the City Council found that providing additional flexibility as it relates to the list of permitted first (ground) floor uses along road rights-of-way in the District would promote a lively business atmosphere, ensure the success of current and future developments in the District, and encourage vibrant pedestrian activity and walkability; and

WHEREAS, specifically, in 2023 the City Council identified that medical or dental offices, personal services, and veterinarian clinic uses, subject to certain use restrictions and conditions, would enhance the commercial viability and vibrancy of current and future developments in the District while maintaining restaurant and retail uses as the primary uses in the District; and

WHEREAS, in 2024, the City Council adopted further amendments to the District regulations and, among other things, added brewpubs as a permitted use and the following uses as conditional uses: adult daycare centers; cultural facilities (e.g., live performance venues, auditoriums, museums, etc.); day care centers, nursery schools, or preschool facilities; package stores; private stand-alone parking facilities and parking lots (i.e., principal use); and reception facilities/event venues; and

WHEREAS, after further review of the District's uses (permitted and conditional), the City Council finds a need to expand the list of uses permitted on ground floor levels to provide additional flexibility for businesses that wish to operate in the District; and

WHEREAS, in the Central Business District (the "CBD"), gymnasiums, health clubs, dance studios and other centers where physical activity lessons are conducted are considered a category of permitted uses ("Physical Activity Uses"); and

WHEREAS, the District regulations provide that the uses in the CBD are allowed in the District, except that hotels are prohibited in the District and first (ground) floor uses along road rights-of-way are limited; and

WHEREAS, the City desires to allow Physical Activity Uses on the first (ground) floor to enhance the commercial viability of the District; and

WHEREAS, the Council has determined that the amendments set forth in Exhibit A attached hereto and incorporated herein should be adopted to further diversify the uses in the District and continue attracting new development and redevelopment to the District; and

WHEREAS, on _____, 2025, at a duly noticed public hearing in accordance with law, the City Council, sitting as the Local Planning Agency review and recommended [approval/approval with modifications/rejection] of the proposed Ordinance; and

WHEREAS, after reviewing the Local Planning Agency's recommendations, the recommendations of City staff, and comments from the public, the City Council finds that the proposed amendments to its Code of Ordinances and Land Development Regulations are in compliance and consistent with Florida law and with its adopted Comprehensive Plan; and

WHEREAS, in accordance with Section 166.041(3)(c)(2)a., Florida Statutes (2025), the City Council has held two advertised public hearings on this ordinance, with the first public hearing being held at least 7 days after the date that the first advertisement was published and the second hearing being held at least 10 days after the first hearing and being advertised at least 5 days prior to the public hearing; and

WHEREAS, the City Council finds that this Ordinance is in the best interest and welfare of the residents of the City.

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

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

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.

Section 2. Amending Code. That the Code of Ordinances of Miami Springs, Florida, is hereby amended by amending Section 150-170.1 which said sections read as follows: See Exhibit A attached hereto and incorporated herein.

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

Section 4. Severability. That 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 5. Codification. That it is the intention of the City Council and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the City Code, that the sections of this Ordinance may be renumbered or relettered to accomplish such intentions, and that the word Ordinance shall be changed to Section or other appropriate word.

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

PASSED ON FIRST READING on the _____ day of _____, 2025, on a motion made by _____ and seconded by _____.

PASSED AND ADOPTED ON SECOND READING this ___ day of _____, 2025, on a motion made by _____ and seconded by _____. Upon being put to a roll call vote, the vote was as follows:

Mayor Dr. Walter Fajet	_____
Vice Mayor Jorge Santin	_____
Councilmember Fabian Perez-Crespo	_____
Councilmember Joseph Dion	_____
Councilmember Orlando Lamas	_____

DR. WALTER FAJET
MAYOR

ATTEST:

ERIKA GONZALEZ, MMC
CITY CLERK

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

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

EXHIBIT A

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

[* * *]

(E) *Site and Building Standards.* New development, redevelopment and projects resulting in material alterations of existing building facades within the Gateway District shall include architectural elements that add vibrancy to the Gateway District and highlight the City's history and identity, promote sustainability, facilitate pedestrian activity and walkability, and reduce dependence on vehicles.

The above-described objectives shall be achieved through a mix of incentives and development requirements that will ensure properties are built and improved in a manner that results in cohesive urban design and development character throughout the Gateway District. The development requirements are as follows:

1. *Maximum building height.* In keeping with the applicable requirement of the CBD, the maximum building height shall be no more than 40 feet and no more than three stories. Rooftops may be activated provided that no vertical construction exceeds the height restrictions stated herein.
2. *Minimum setbacks.* The setbacks in the CBD shall remain in effect for the Gateway District, except as follows:
 - a. All buildings shall be built to the front property line, but the first floor shall be recessed no less than ten (10) feet to accommodate an expanded sidewalks, colonnade, gallery or arcade to offer protection from the elements and to encourage increased pedestrian activity; and
 - b. No rear yard setback is required.
3. *Open space.* At least 10% of the site area shall be maintained as unobstructed open space, devoid of any impervious material. Open space may be landscaped.
4. *Uses.*
 - A. *Permitted Uses.* Uses permitted in the CBD shall be allowed in the Gateway District, except that:
 1. Hotels shall be prohibited in the Gateway District.
 2. Ground floor uses along road rights-of-way shall be limited to:
 - a. Restaurant (and lounge), café, cafeteria.
 - b. Retail use.
 - c. Medical or Dental Office Use. For purposes of this Section, a Medical or Dental Office Use shall mean a small-scale office with a maximum floor area of 2,500 square feet providing medical or dental treatment where patients are offered medical services, examinations, and treatments, including physical therapy but are not permitted to occupy the premises overnight. This does not include medical or clinical laboratories, urgent

care centers, hospitals, emergency rooms, or other similar medium to large-scale medical office uses, which are specifically prohibited.

- d. Personal Services (e.g., barbershops, beauty parlors, massage therapy, personal training), with hours of business between 6:00 a.m. and 10:00 p.m.
- e. Veterinarian Use (which may provide short-term boarding for medical purposes only, for no more than 48 hours), provided that no Veterinarian Use may be located within 0.30 airline miles of the front door of an existing Veterinarian Use within the Gateway District. The distance shall be measured from the front door of the proposed Veterinarian Use to the front door of the existing Veterinarian Use.
- f. Brewpub. For the purposes of this Section, a Brewpub shall mean an establishment where food, beer, and malt beverages are duly licensed to be made on the premises and where 50% or more of the beer produced on site is sold and/or consumed on site. The following restrictions shall apply to Brewpubs:
 - (i) Revenue from food sales shall constitute at least than 50 percent of the total business revenues.
 - (ii) No more than 50 percent of the total gross floor area of the establishment shall be used for the brewery function, including, but not limited to, the brewhouse, boiling and water treatment areas, bottling and kegging lines, malt milling and storage, fermentation tanks, conditioning tanks and serving tanks.

g. Gymnasium, health club, dance studio or other center where physical activity lessons are conducted.

h. Any use which is found by the Manager in consultation with the City Planner to be a use similar to one of the above uses and, in the Manager's opinion, conforms to the intent of this section.

B. *Conditional uses.* A conditional use approval shall be obtained for certain uses, which would become harmonious and compatible with neighboring uses through the application and maintenance of qualifying conditions and located within specific locations within the Gateway District but shall not be allowed under general conditions within the Gateway District, as stated in this code. Conditional uses or expansion of existing conditional uses shall only be allowed if the proposed use or expansion may be accommodated without generating adverse impacts on properties and land uses within the immediate vicinity.

1. Uses approvable as a conditional use.

- a. Adult daycare center.
- b. Cultural facility (e.g., live performance venues, auditoriums, museums, etc.)

- c. Day care center, nursery school or preschool facility
 - d. Package store.
 - e. Private stand-alone parking facilities and parking lots (i.e., principal use).
 - f. Reception facility/event venue.
2. *Conditional Use Procedure.* Conditional use requests shall be reviewed by the Zoning and Planning Board and a recommendation transmitted to the City Council for a decision. A conditional use shall be permitted only upon a finding that the proposed use satisfies the provisions of this section. Upon receipt of the Zoning and Planning Board recommendation the City Council shall conduct a public hearing. The City Council shall conduct a quasi-judicial hearing and adopt a resolution approving, approving with conditions, or denying the conditional use. The resolution shall contain a written record of findings and any conditions of approval.
- a. Requirements. An application for conditional use shall describe how the proposed use meets the criteria described below and shall detail any measures proposed to mitigate against possible adverse impacts of the proposed conditional use on properties in the immediate vicinity. In addition, the application shall clearly describe:
 - (i) Scale and intensity of the proposed conditional use, setting forth the following, as applicable:
 - Floor area ratio (FAR)
 - Impervious surface ratio
 - Square footage of proposed use
 - Waste generation
 - Traffic generation
 - Off-street parking needs
 - (ii) On- or off-site improvement needs generated by the proposed conditional use and not identified on the preceding list to include the following:
 - Utilities
 - Accessory structures or facilities
 - Roadway or signalization improvements, or other similar improvements
 - Public facility improvements required to ensure compliance with concurrency management provisions provided in the Code
 - Other unique facilities or structures proposed as part of site improvements

(iii) On-site amenities proposed to enhance site and planned improvements. Amenities may include mitigative techniques such as:

Open space

Setbacks from adjacent properties

Screening and buffers

Other means to abate potential nuisances (e.g., noise, odors, litter, etc.).

b. Criteria. In order to be granted approval by the City Council, the applicant shall demonstrate that the proposed use meets all of the following criteria. A conditional use request shall be denied if the City Council determines that the proposed use does not meet the criteria herein provided or is adverse to the public interest.

(i) The proposed use shall comply with the adopted comprehensive plan and future land use map.

(ii) The proposed use shall fit into the neighborhood and shall not interfere with the development of the surrounding property.

(iii) The proposed use shall not be detrimental to or endanger the neighborhood health, safety, comfort, or general welfare.

(iv) Traffic generation and access for the proposed use shall not adversely impact surrounding properties and roadways, or the general public safety.

(v) Off-street parking, loading and service areas shall be provided and located such that there is no adverse impact on adjoining properties, beyond that generally experienced in the zoning district.

(vi) Required yards, screening or buffering and landscaping shall be consistent with the zoning district in general and specific needs of abutting land uses.

(vii) Size, location, and number of conditional uses in an area shall be limited so as to maintain the overall character of the zoning district.

(viii) Architectural and signage treatments shall comply with the general provisions applicable to permitted uses in the district, to the greatest extent possible, and take into consideration surrounding development.

(ix) The availability of services (such as water, sewer, and solid waste) shall meet the minimum Level-Of-Service standards.

(x) Mitigative techniques shall be provided and properly used to abate potential nuisances and off-site impacts such as, but not

limited to exterior illumination, noise, loading and unloading, hours of operation, or other issues associated with the proposed use.

- (xi) The proposed use will comply with all applicable laws, regulations, and ordinances. Where permits are required from governmental agencies other than the city, those permits shall be obtained as a condition of approval.
 - (xii) No conditional use which generates hazardous waste or uses hazardous materials shall be approved unless the specific location is consistent with the Comprehensive Plan and Zoning Code and does not adversely impact wellfields, aquifer recharge areas, or other environmental and/or conservation resources, as may be applicable now or in the future.
 - (xiii) The City may affix other conditions to any approval of a conditional use in order to protect the environment and the public health, safety, and welfare.
- C. The ground floor of buildings in the Gateway District shall provide occupiable, air-conditioned space for permitted commercial uses with a minimum depth of 30 feet from the building façade for those portions of the building along road rights-of-way, except such features as, without limitation, driveways, utility infrastructure, colonnades, and outside dining areas.
 - D. Upper floors may be commercial, office, residential, or a mix of residential, office, and commercial. The mixed-use ratio found in § 150.-070 of the Code shall not apply to the Gateway District.
 - E. Residential uses are limited to upper floors. No residential dwelling unit shall be less 800 square feet. Efficiencies and studio apartments are prohibited.

[* * *]