

CITY OF HOMESTEAD, FLORIDA

ORDINANCE NO. 2019-12-14

AN ORDINANCE OF THE CITY OF HOMESTEAD, FLORIDA, AMENDING THE CITY CODE OF ORDINANCES BY AMENDING CHAPTER 30 “ZONING,” ARTICLE IV, “SUPPLEMENTAL DISTRICT REGULATIONS,” DIVISION 9, “COMMERCIAL DEVELOPMENT STANDARDS” TO AMEND THE DEVELOPMENT COMMERCIAL STANDARDS AND ESTABLISH MIXED USE AND NON-RESIDENTIAL DEVELOPMENT STANDARDS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

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

WHEREAS, the City Council desires to amend and modify the commercial development standards in order to provide for and establish mixed use and non-residential development standards; and

WHEREAS, City Council has reviewed this Ordinance at two duly noticed public hearings in accordance with law and determined that it is consistent with the City’s Comprehensive Plan and Code; and

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

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

Section 1. Recitals Adopted. The preceding “Whereas” clauses are ratified and incorporated as the legislative intent of this Ordinance.

Section 2. City Code Amended. That Chapter 30 “Zoning,” of the City Code is hereby amended to read as follows:

Chapter 30 – Zoning

DIVISION 9. - COMMERCIAL DEVELOPMENT STANDARDS MIXED USE AND NON-RESIDENTIAL DEVELOPMENT STANDARDS

Sec. 30-537. - Purpose and intent.

The purpose and intent of the ~~commercial development~~ mixed use and non-residential standards is to supplement existing development criteria with specific criteria that apply to the design of ~~commercial~~ mixed use and non-residential buildings and projects. The ~~commercial~~ mixed use and non-residential development standards also encourage and provide enhanced property development within the established City of Homestead ~~commercial development overlay districts~~.

For the purposes of this division mixed use and non-residential development shall not be include agricultural uses or development.

These standards and guidelines incorporate a basic level of architectural design with site design features that incorporate safe and convenient vehicular use areas and pedestrian ways; and streetscape features that intend to result in a comprehensive plan for building design; and site development consistent with the goals, policies and objectives of the City of Homestead Comprehensive Plan.

Objectives to be attained through the ~~commercial development overlay~~ mixed use and non-residential zoning districts are as follows: a) protection of adjacent residential land uses; b) enhancement of the ~~commercial~~ mixed use and non-residential status within the city limits; c) reduction of visual distraction through uniform design criteria within the different ~~commercial~~ mixed use and non-residential zoning districts; d)

enhancement of physical appearance through increased landscaping within the ~~commercial~~ mixed use and non-residential zoning districts; e) implementation of City of Homestead history through street furniture and streetscape; f) increase pedestrian-oriented facilities in both private and public structures; g) implementation of sign regulations within the ~~commercial~~ mixed use and non-residential zoning districts, h) establish development incentives to accomplish these objectives and i) achieve aesthetic compatibility throughout the established mixed use and non-residential zoning districts.

~~Sec. 30-538. - Established.~~

The commercial development overlay districts shall consist of the following areas within the city as indicated in the official boundary map, which is on file and available for inspection at the office of the planning and zoning department:-

- (1) — ~~Campbell Drive Corridor;~~
- (2) — ~~SW 14th Avenue/NW 8th Street;~~
- (3) — ~~Flagler Avenue Corridor;~~
- (4) — ~~South Dixie Highway;~~
- (5) — ~~Pioneer Commerce Park;~~
- (6) — ~~Campbell Drive East Corridor;~~
- (7) — ~~NW 15th Street/Krome Avenue North Limit Corridor;~~
- (8) — ~~Park of Commerce Corridor;~~
- (9) — ~~Southwest Neighborhood Master Plan Area.~~

~~Sec. 30-539. - Effect of the existing comprehensive land use plan and official zoning map designations.~~

- (a) — ~~The establishment of the commercial development overlay districts is considered consistent with the City of Homestead's comprehensive plan.~~
- (b) — ~~Unless otherwise provided in this section or in an adopted Neighborhood Plan, all provisions of applicable underlying zoning district designations (B-1A, B-1, B-2, B-3, I-1, I-2, I-3, R-4) affecting individual properties shall control permitted uses and development.~~
- (c) — ~~The provisions of this article shall apply to the following:~~
 - (1) — ~~All new applications or developments seeking site plan approval.~~
 - (2) — ~~All existing properties or developments seeking modification, renovation or redevelopment that is equal to or exceeds fifty (50) percent of the assessed building(s) value.~~

~~Sec. 30-540. - Permitted uses.~~

Uses permitted by right, permitted by special exception, or prohibited in the commercial development overlay districts shall be governed by the underlying zoning district.

Sec. 30-54138. - General district regulations.

The following requirements shall apply throughout the commercial development overlay mixed use and non-residential zoning districts:

- (1) *Underground utilities:* In the commercial development overlay mixed use and non-residential zoning districts, all utilities including telephone, television cable, and electrical systems shall be installed underground unless otherwise approved by the director of utilities and director of development services. Primary facilities providing service to or passing through the site may be exempted from this requirement. Large transformers shall be placed on the ground and contained within pad mounts, enclosures or vaults. The developer or private utility shall provide adequate landscaping with shrubs and plants to screen all utility facilities permitted above ground, except for city electrical substations.
- (2) *Screening requirements:* All mechanical equipment including but not limited to heating, ventilating, air conditioning machinery, accessory communications equipment, public utility service fixtures, and elevator facilities shall be screened from the public view. All solid waste disposal facilities, such as dumpsters and similar facilities, shall be screened on all four (4) sides from the public view. The front of a solid waste disposal facility shall be gated and shall consist of durable materials consistent with the overall design of the principal structure. All storage areas shall be screened from the public view and from adjacent residential zoning districts. Loading areas or docks, trash compaction, truck parking, recycling, rooftop equipment and other service functions shall be fully screened and out of view from adjacent properties and from the roadway. All screening shall be provided with a combination of landscape and building materials consistent with the architectural design of the principal structure. Screening shall extend at least one foot above the object to be screened, but fencing shall not exceed eight (8) feet in height.
- (3) *Pedestrian entrances:* Major public entrances shall only be located along the following roads: Campbell Drive, Krome Avenue, Flagler Avenue, South Dixie Highway, SW 14th Avenue, Mowry Drive, Kingman Road, and NW 15th Street. Pedestrian entrances shall be consistent with the design and intended use of the commercial mixed use or non-residential structure and shall be included with site plan submittal. A clearly designated pedestrian walkway shall be provided from public sidewalks to public entrances or walkways. Pedestrian walkways shall provide intermittent shaded areas when a walkway exceeds one hundred (100) linear feet in length at a ratio of one hundred (100) square feet of shaded area per every one hundred (100) linear feet of walkway.
- (4) *Pedestrian cross-access:* Pedestrian circulation shall be provided between or adjacent to commercial mixed use or non-residential developments through the

use of designated pedestrian walkways and similar pedestrian-oriented facilities. Designated pedestrian walkways allowing access to a commercial mixed use or non-residential site for residents of adjacent residential developments shall be provided. Pedestrian features shall be consistent with the overall design of the project.

- (5) *Vehicular cross-access:* Where feasible, vehicular cross-access shall be provided between abutting or adjacent commercial mixed use and non-residential developments. Developments that provide cross-access may use shared parking agreements in order to satisfy a portion of the parking requirements. All shared parking shall be approved by the director of development services and supported with engineering calculations and any other applicable data and analysis that may be required for approval. Required handicapped parking shall not be included within the calculations for shared parking agreements. Each proposed development shall provide independent handicapped parking and shall comply with the American with Disabilities Act of 1990.
- (6) *Parking structures:* All parking structures shall be constructed in the same manner and utilize similar architectural design elements and materials as the principal commercial mixed use or non-residential unit it is intended to serve, and shall comply with Crime Prevention Through Environmental Design (CPTED) guidelines. Parking structures shall utilize exterior planter boxes at intermediate floors and provide dense landscaping at the base of the structure.
- (7) *Parking lots:* A minimum of one (1) decorative paved connector shall run from the parking lot to the building it is intended to serve.
- (8) *Parking dimensions:* Each required parking stall shall be designed to the following minimum specifications:
 - a. Minimum width of nine (9) feet;
 - b. Minimum length of nineteen (19) feet;
 - c. Minimum aisle width of twenty-four (24) feet for ninety (90) degree parking;
 - d. Minimum aisle of eleven (11) feet for forty-five (45) and sixty (60) degree parking for one-way aisles and twenty-two (22) feet for two-way aisles.
- (9) If a parking area is shared by two (2) or more commercial mixed use or non-residential structures, each building shall provide equally convenient pedestrian and vehicular connectivity to such area.
- (10) Parking lots shall be screened from the public right-of-way with a combination of landscape and streetscape features such as gazebos, transit stops, and architectural elements consistent with the design of the commercial mixed use or non-residential structure. The minimum height for screening features other than fences shall be five (5) feet.
- (11) *Parking aisles:* Parking aisles shall not exceed two hundred (200) feet without a break in circulation. Parking aisles shall provide a continuous planter strip, or planter islands located so as to best relieve the expanse of paving but

in no event farther apart than every ten (10) parking spaces and at the terminus of all rows of parking. Landscape features may replace planter islands as long as they are consistent with the design of the property and located every ten (10) parking spaces.

- (12) The minimum size of a planter island must be five (5) feet wide by three quarters ($\frac{3}{4}$) the length of the parking space. In addition to the trees required for the perimeter of the parking area, planter islands must contain a minimum of one (1) tree per eighty (80) square feet of landscaped area, exclusive of parking lot buffers.
- (13) A parking plan shall be provided with all applications for ~~commercial~~ mixed use and non-residential development that clearly and accurately designates the location of parking spaces, landscape areas, and planter islands, access aisles and driveways, and the relationship of the parking to the uses or structures that the spaces are intended to serve.
- (14) Access to ~~commercial~~ mixed use and non-residential developments shall comply with access management and engineering standards of the City's Code of Ordinances, Miami-Dade County, and the Florida Department of Transportation. Driveway access points and internal circulation shall be located as far away as possible from residential properties, schools, parks, and other sensitive uses.
- (15) Landscaped areas shall be protected from vehicular encroachment unless the landscaped area is planned and/or designed for use as overload parking. Car stops shall be placed at least three (3) feet from the edge of landscaped areas and located so as to prevent damage to any trees, fences, shrubs, or other landscaping. If a wheel stop or curb is used, the paved area between the curb/wheel stop and the end of the parking space may be omitted, provided that it is landscaped.
- (16) Landscaping of public areas, such as dedicated public rights-of-way, swales, drainage easements and other rights-of-way as approved within the development as a condition of an individual developer's approval shall be maintained by the owner.
- (17) All parking lots and vehicular use areas, with the exception of joint access driveways, shall be screened from all abutting properties and/or rights-of-way with a wall, fence, continuous hedge, or other durable landscape barrier.
- (18) All ~~commercial~~ mixed use and non-residential development shall be designed to provide safe, convenient, and efficient lighting for pedestrians and vehicles. Lighting shall be designed in a consistent and coordinated manner for the entire site. The lighting and lighting fixtures shall be integrated and designed in order to enhance the visual impact of the project on the community and designed to prevent direct glare, light spillage, and hazardous interference with automotive and pedestrian traffic on adjacent streets and all adjacent properties.

(19) Lighting shall be used to accent key architectural elements and to emphasize landscape features. Light fixtures shall be used as an integral element that compliments the design of the project. All free standing lighting (except those fixtures on the buildings) must comply with the city's lighting ordinance (section 32-21). All tall light fixture assemblies shall be a minimum thirty-one (31) feet high (grade to top of pole). All short lighting fixtures shall not exceed eighteen (18) feet high (grade to top of globe). The director of development services shall review the exterior lighting plans submitted by the applicant to determine conformance with the city's lighting standards

(20) Linkages through the use of walkways and driveways between two (2) or more adjacent parking lots shall be provided.

(21) Windows. Display windows with associated architectural trim features are required along the façade of buildings. Display windows add vitality to pedestrian areas and the streetscape. Display windows shall not become a surface for advertising. The windows shall cover at least 50 percent of the length of the wall. In lieu of actual windows, the design may incorporate niches and alcoves with significant architectural delineation and definition in order to suggest window and entrance features. At least 60 percent of the ground level street-fronting façade shall be transparent (windows and doors). On small scale buildings, large expanses of glass should be broken into smaller window panes.

(22) Building Features. Buildings shall be required to provide and include a minimum of five (5) of the following building features:

Parapets with arched, gabled, stepped or decorative features and cornice treatments over the primary customer entrance area that is integrated with the building's style and massing.

Canopies or porticos integrated with the building's massing, styling, details and materials.

Peaked roof forms that offer a variety of peak heights.

Overhanging eaves that extend a minimum of three feet beyond the supporting walls.

Arcades a minimum of six feet in depth.

Arches or arched forms.

Ornamental details that are integrated into the building structure.

Clock, bell tower or other approved vertical feature.

Sculptured artwork but not corporate logos or advertising.

Any other treatment that meets the intent of the design standards and approved by the *Development Services Director or designee*.

(23) Building Façade Treatment. Buildings with a gross floor area of 20,000 square feet or more shall be required to incorporate at least four (4) of the following building façade treatments:

Expression of a vertical architectural treatment with a minimum width of twelve (12) inches.

Building step-backs, offsets or projections involving a minimum of three (3) feet in depth.

Color change.

Texture and/or material change.

Architectural banding.

Pattern change.

Any other building façade treatment that satisfies the purpose and intent of the design standards set forth in this Article and approved by the Development Services Director or designee.

At least one (1) building façade treatment shall be required to repeat horizontally and all such design elements shall be required to repeat at intervals of no more than thirty (30) feet, either horizontally or vertically. Buildings with a gross floor area of less than 20,000 square feet shall be required to incorporate at least three (3) of the building façade treatments provided for in this section as referenced above. At least one (1) of the building façade treatments shall be required to repeat horizontally or vertically and all such design elements shall be required to repeat at intervals of no more than twenty-five (25) feet, either horizontally or vertically.

(24) Stormwater and detention basins shall not be located on-site unless designed as an attractive landscape element.

(25) A minimum forty (40) foot stacking distance shall be required between the edge of the travel lane and the first parking space. Additional stacking distance shall be required when the driveway is used for access to drive-through lanes or loading dock areas used by large vehicles.

(26) The area between buildings shall be designed with the pedestrian in mind. Landscaping and pedestrian scaled elements such as awnings or trellises shall be integrated into the elevation and the passageway should be safely lit.

(27) Colored, textured, and permeable paving treatments at entry drives shall be required. Textured pavers shall be provided for all pedestrian areas and at crosswalks within the project as opposed to a painted stripe designation, provided it does not conflict with ADA access requirements.

(28) All developments shall provide easily identifiable pedestrian access to building entrances and key areas within the site from the street, sidewalk, parking areas, and transit stops. Pedestrian walkways shall be safe, visually attractive, and well defined by landscaping and lighting. In parking areas with six (6) or more banks of parking stalls, pedestrian paths shall be provided within landscape islands to connect parking areas and building entries. Trellises and other pedestrian-scale amenities are encouraged in and along pedestrian paths. Sidewalks at building

entries shall be a minimum width of eleven (11) feet where located adjacent to head-in parking to allow for car bumper overhang and shall be a minimum width of nine (9) feet where located adjacent to a landscaping buffer or drive aisle.

(29) Backlit awnings or canopies are prohibited. This includes backlit awnings or canopies on service stations, convenience stores or other establishments. Furthermore, pre-wiring of awnings or canopies for back-lighting is prohibited. Ancillary structures, like car washes, cashier booths and canopies over gas pumps shall incorporate the same architectural detailing, design elements, materials, colors and roof design as the principal structure, including a comparable peaked-roof pitch and parapet or cornice treatments. Ancillary structures shall not become a surface for advertising.

(30) Developments with multiple tenants shall provide common outdoor plaza areas. These areas shall be sheltered as much as possible from the noise and traffic of adjacent streets and other incompatible uses. Outdoor furniture and fixtures shall be compatible with the project architecture and shall be carefully considered as integral elements of the project. Outdoor furniture shall be included in and shown on all development and/or project site plans. All areas located between buildings shall be definable and purposely designed shapes, not simply left-over spaces between buildings.

Sec. 30-54239. - Architectural regulations.

It is the intent of the City of Homestead that all ~~commercial~~ mixed use, commercial, and industrial development within the city limits is required to contribute to a harmonious architectural environment. In order to achieve this, all ~~commercial~~ mixed use, commercial, and industrial development located within the ~~overlay~~ commercial mixed use and non-residential zoning districts shall comply with the following requirements:

- (1) All ~~commercial~~ mixed use, commercial, and industrial development is encouraged to use the fundamental concepts that are found within the urban design guidelines. All ~~commercial~~ mixed use, commercial, and industrial development located adjacent to existing residential developments shall be designed, in a manner consistent with and compatible to such development in order to mitigate any negative impacts.
- (2) All ~~commercial~~ mixed use, commercial, and industrial development shall be designed to maintain and enhance the attractiveness of the streetscape and the existing architectural design and elements found within the City of Homestead. The use of corporate "chain" architecture is strongly discouraged. Corporate tenants shall design buildings to fit the scale and character of the City.

- (3) Colors shall be used for external treatment of buildings pursuant to chapter 32 of the City Code, except as otherwise provided by section 32-6 of the Code of Ordinances.
- (4) Building envelope, bulk, and setback provisions within the ~~commercial development overlay~~ mixed use, commercial, and industrial zoning districts shall conform to the underlying respective zoning district.
- (5) *Scale.* New structures shall relate harmoniously to the form and scale of architecture in the vicinity. Buildings taller than three (3) stories shall be evaluated on a case-by-case basis as to their compatibility.
- (6) *Storefronts.* This guideline applies to the following commercial districts: Campbell Drive Corridor, SW 14th Street/NW 8th Street, NW 15th Street, Flagler Avenue Corridor, South Dixie Highway, Pioneer Commerce Park, the Park of Commerce Corridor, and Campbell Drive East. All ~~commercial~~ mixed use, commercial, and industrial development shall be constructed in a manner that complements surrounding developments through the use of appropriate architectural design elements and materials.
- (7) Reflective or mirrored glass shall not be permitted.
- (8) Building design shall be stylistically consistent and compatible with surrounding buildings through use of complementary scale, materials, colors and/or architectural details. Building materials shall have the appearance of substance and permanency; lightweight metal, or other temporary appearing structures shall be discouraged.
- (9) *360 Degree Architecture.* There should be no blank walls on any side of any building within a project. Architectural details and materials on lower walls that relate to human scale, such as arches, trellises, or awnings, should be utilized. Architectural elements, such as overhangs, trellises, projections, awnings, insets, material, texture, and color, shall be used to create shadow patterns that contribute to a building's character. Buildings shall be designed so that structures do not "turn their backs" to the street. 360-degree architecture is required for buildings.

~~Sec. 30-543. - Signs.~~

~~Signage within the designated overlay commercial mixed use and non-residential zoning districts shall be governed by chapter 23 of the Code of Ordinances.~~

~~Sec. 30-5440. - Service stations, auto repair, and car washes.~~

The following regulations are applicable in the designated ~~overlay commercial~~ mixed use and non-residential zoning districts where service stations and car washes are permitted in the underlying respective zoning district:

- (1) Service stations shall adhere to the same guidelines as other ~~commercial~~ mixed use and non-residential establishments as set forth in this chapter.

- (2) Driveway cuts shall be limited to two (2) per site, and their location shall be shown on the site plan. The design of access points and distances between existing driveways and adjacent intersections shall comply with access management and engineering standards of the City's Code of Ordinances, Miami-Dade County, and the Florida Department of Transportation, and shall be approved by the director of development services.
- (3) Service bays and car wash bays shall not face residential properties or the public street. The visibility of service bays and car wash openings from the public right-of-way shall be minimized through the provision of buffering and screening.
- (4) The retail market/office building segment of the facility should be oriented so as to front on the adjacent public right-of-way. Pump canopies and building structures shall incorporate similar, compatible construction materials and architectural finishes.
- (5) Service stations should only have those signs necessary to identify themselves to the motorist and gasoline price signs required by law. Multiple signs facing the same directions or visible to the same street frontage shall not be permitted. Permitted accessory use signs, such as "Food Mart" or "Car Wash" may be permitted. Point-of-sale advertising signs for specific products shall require a permit from the development services department and shall comply with all regulations stipulated in the Code of Ordinances.
- (6) All development within this section shall provide landscape islands, buffers, and appropriate screening.
- (7) All surface parking areas and driveways within the site shall contain continuous concrete curbing, as well as adequate landscaping. Surface areas within the site which are not used for the parking or vehicular drive areas within the site which are not utilized for parking or vehicular drive areas shall be landscaped. A screened parking area shall be provided for all vehicles pending service.
- (8) Vehicle drop-off and pick-up areas shall be provided to prevent vehicle overflow to adjacent streets, in addition to the parking area required under the code. These areas shall be a minimum of ten (10) percent of the building area.
- (9) The interior of work bays shall not be visible from a public street or any adjacent residential building or designated open space.

Sec. 30-5451. - Drive-through businesses.

The following regulations are applicable in the designated ~~overlay commercial~~ mixed use and non-residential zoning districts within the City of Homestead, where drive-through businesses are permitted in the underlying zoning district:

- (1) The main building shall be the prominent visual element along street frontages, not parking lots or drive-through lanes.

- (2) Drive-through aisles shall be located towards the rear of the building, away from the street frontage, and properly screened from adjacent parking areas through the use of landscaping features. A drive-through aisle shall not be used for general circulation within the site.
- (3) Drive-through aisles should provide adequate on-site queuing distance to accommodate a minimum of five (5) cars (one hundred ten (110) feet) before the first stopping point, unless otherwise indicated by the city's development services director. A queuing analysis may be required as part of the traffic study including but not limited to required queuing distances. No portion of the queuing aisle shall serve as a parking aisle. A queuing analysis shall be required by the director of development services and the applicant shall be required to provide a market analysis to support proposed queue lengths.
- (4) Drive-through lanes shall not exit directly onto the site's main entrance or public right-of-way. Drive-through aisles shall provide at a minimum twenty-five-foot interior radius for any curve.
- (5) All drive-through lanes shall be screened through the use of landscaping features.
- (6) All drive-through windows and lanes located between the right-of-way and the associated building shall incorporate a minimum eight (8) foot wide landscape buffer extending the entire length of the drive-through cueing or stacking area. A permanent porte-cochere structure shall be constructed over the drive-through, service and any other associated customer service windows. The porte-cochere(s) shall extend the width of the drive and be a minimum of twenty (20) feet in length. The porte-cochere(s) shall be structurally and architecturally integrated into the building and provide architectural detailing and roof treatments that are consistent with the facade and roof design of the building. The porte-cochere may encroach into the required side yard setback.

Sec. 30-545.12. - Self-service storage facilities.

The following regulations are applicable in the designated ~~overlay commercial mixed use and non-residential zoning~~ districts within the City of Homestead, where self-service storage facilities are permitted in the underlying zoning district:

- (1) The building and roof shall be designed to be compatible with surrounding development, especially nearby residential uses. The proposed buildings within the site shall be designed in such a manner which provides building articulation to prevent a monolithic appearance, including a varied roof line or pitch. Windows or openings on the front and sides of the proposed building must be provided. No roll-up doors are permitted on the exterior of the facility adjacent to a public right-of-way.

- (2) The design and layout of the side of the site with frontage on a public right-of-way shall provide a distinct facade. Considerations include the use of setbacks, building placement, roof design, variations in building walls, fencing, other structural elements and landscaping.
- (3) Landscaping on the site shall provide appropriate transition between the main entrance, parking areas, and office and the individual storage areas.
- (4) All fencing shall be designed to be compatible with the desired character of the area and shall be approved by the director of development services. Use of rolled razor wire or barbed wire shall not be permitted.
- (5) The perimeter of the site shall be designed to provide adequate security within the site and shall comply with crime prevention through environmental design (CPTED) design guidelines.

Sec. 30-543.- Established.

The commercial development overlay districts shall consist of the following areas within the city as indicated in the official boundary map, which is on file and available for inspection at the office of the planning and zoning department:

- (1) Campbell Drive Corridor;
- (2) SW 14th Avenue/NW 8th Street;
- (3) Flagler Avenue Corridor;
- (4) South Dixie Highway;
- (5) Pioneer Commerce Park;
- (6) Campbell Drive East Corridor;
- (7) NW 15th Street/Krome Avenue North Limit Corridor;
- (8) Park of Commerce Corridor;
- (9) Southwest Neighborhood Master Plan Area.

Sec. 30-543.1. - Effect of the existing comprehensive land use plan and official zoning map designations.

- (a) The establishment of the commercial development overlay districts is considered consistent with the City of Homestead's comprehensive plan.
- (b) Unless otherwise provided in this section or in an adopted Neighborhood Plan, all provisions of applicable underlying zoning district designations (B-1A, B-1, B-2, B-3, I-1, I-2, I-3, R-4) affecting individual properties shall control permitted uses and development.
- (c) The provisions of this article shall apply to the following:
 - (1) All new applications or developments seeking site plan approval.

- (2) All existing properties or developments seeking modification, renovation or redevelopment that is equal to or exceeds fifty (50) percent of the assessed building(s) value.

Sec. 30-543.2. - Permitted uses.

Uses permitted by right, permitted by special exception, or prohibited in the commercial development overlay districts shall be governed by the underlying zoning district.

Sec. 30-545.2. 30-543.3. - Campbell Drive corridor.

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Sec. 30-545.3. 30-543.4. - SW 14th Avenue—NW 8th Street.

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Sec. 30-545.4. 30-543.5. - Flagler Avenue corridor.

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Sec. 30-545.5. 30-543.6. - South Dixie Highway.

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Sec. 30-545.6. 30-543.7. - Pioneer Commerce Park.

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Sec. 30-545.7. 30-543.8. - Campbell Drive—East Corridor.

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Sec. 30-545.8. 30-543.9. - Krome Avenue—North limit/NW 15th Street.

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Sec. 30-545.9. 30-543.10. - Park of Commerce Corridor.

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Section 3. 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 4. Inclusion in the code. It is the intention of the City Council, and it is hereby ordained that the provisions of this Ordinance shall become and made a part of the Code of the City of Homestead; that the sections of this Ordinance may be renumbered or re-lettered to accomplish such intentions; and that the word "Ordinance" shall be changed to "Section" or other appropriate word.

Section 5. Conflicts. All ordinances or parts of ordinances, resolution or parts of resolutions, in conflict herewith, are repealed to the extent of such conflict.

Section 6. Effective date. This Ordinance shall become effective immediately upon adoption on second reading.

PASSED on first reading this 23rd day of October, 2019.

PASSED AND ADOPTED on second reading this 19th day of December, 2019.

STEVEN D. LOSNER,
Mayor

ATTEST:

ELIZABETH SEWELL, MPA, MMC
City Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY
FOR THE USE AND BENEFIT OF THE CITY ONLY:

WEISS SEROTA HELFMAN COLE & BIERMAN, P.L.
City Attorney

Motion to adopt by Councilwoman Bailey, seconded by Councilman Fletcher.

FINAL VOTE AT ADOPTION

<i>Mayor Steven D. Losner</i>	<u>YES</u>
<i>Councilwoman Patricia D. Fairclough-Staggers</i>	<u>YES</u>
<i>Councilwoman Jenifer N. Bailey</i>	<u>YES</u>
<i>Councilman Sean L. Fletcher</i>	<u>YES</u>
<i>Councilman Larry Roth</i>	<u>YES</u>
<i>Councilman Stephen R. Shelley</i>	<u>YES</u>