ORDINANCE NO. 2026-_____

AN ORDINANCE OF THE CITY OF HOMESTEAD, FLORIDA, AMENDING THE CITY CODE OF ORDINANCES BY AMENDING CHAPTER 30 "ZONING," ARTICLE II 'ADMINISTRATION," DIVISION 2 "PROCEDURE FOR ZONING AMENDMENTS, SPECIAL EXCEPTION PERMITS, PLANNED UNIT DEVELOPMENT SUBMITTALS, AND VARIANCES, ETC.;" SECTION 30-44 "PLAT REQUIRED" 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's business, mixed-use, industrial and rapid transit development overlay zoning districts and the Homestead Park of Commerce (HPOC) located within the Villages of Homestead (VOH) Development of Regional Impact (DRI) permit the development of multiple buildings on a single development site pursuant to approved site plans; and

WHEREAS, the City desires to provide a regulatory mechanism to formalize separate ownership of portions of an individual building site which has been formally platted pursuant to Chapter 25, "Subdivision and Platting," of the City Code, Chapter 28, "Subdivisions and Platting," of the Miami-Dade County Code of Ordinances, and Chapter 177, Part I, Florida Statutes, as may be amended; and

WHEREAS, the City Council desires to expand the applicable zoning districts in which subject platted properties may qualify and utilize established regulations and standards to address issues of separate ownership of portions of an individual building site containing multiple buildings developed pursuant to an approved site plan; and

WHEREAS, the City Council, sitting as the Local Planning Agency (LPA), has reviewed the proposed Ordinance and found it to be consistent with the City's Code and Comprehensive Plan, and recommended approval and adoption of this Ordinance to the City Council; and

WHEREAS, the City Council has reviewed the Ordinance at a duly noticed public hearing; and

WHEREAS, after reviewing the LPA recommendation, and comments for the public, the City Council finds the proposed Ordinance is consistent with the City's Code and Comprehensive Plan; and

WHEREAS, the City Council hereby finds and declares that adoption of this Ordinance is necessary, appropriate, and in the public interest of citizens of this community.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HOMESTEAD, FLORIDA[1]:

Section 1. Findings. The foregoing Whereas clauses are hereby ratified and incorporated as the legislative intent of this Ordinance.

[1] Strikethrough words are deletions to the existing words. Underlined words are additions to the existing words.

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

Chapter 30 – ZONING

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ARTICLE II. ADMINISTRATION

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DIVISION 2. PROCEDURE FOR ZONING AMENDMENTS, SPECIAL EXCEPTION PERMITS, PLANNED UNIT DEVELOPMENT SUBMITTALS, AND VARIANCES, ETC.

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Section 30-44. Plat Required.

Any action taken pursuant to this chapter that has the effect of subdividing land into building lots shall comply with the platting requirements of chapter 25 of the Code. Notwithstanding the foregoing, the division of a parcel of land into two (2) or more separate lots and/or parcels created pursuant to Chapter 25, Article VI, Section 25-144 of the City Code, shall not be deemed a subdivision of real property for the purpose of transfer of ownership or building development, when associated with a single development site, located within the B1-A, B-1, B-2, B-3, I-1, I-2, I-3, Business Mixed Use (BMU) District, Neighborhood Mixed Use (NMU) District, Technology Mixed Use (TMU) District, Rapid Transit Development Overlay (RTDO) District, or the Homestead Park of Commerce ("HPOC") located within the Villages of Homestead (VOH) Development of Regional Impact (DRI), provided such development site has been formally platted pursuant to Chapter 25, "Subdivision and Platting," of the City Code, Chapter 28, "Subdivisions and Platting," of the Miami-Dade County Code of Ordinances, and Chapter 177, Part I, Florida Statutes, as may be amended.

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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 City 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 _____ day of _____ 2026.

PASSED AND ADOPTED on second reading this ____day of_____, 2026.

_____
Mayor Steven D. Losner

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 _____ seconded by _____.

FINAL VOTE AT ADOPTION

Mayor Steven D. Losner	_____
Vice Mayor Jenifer N. Bailey	_____
Councilwoman Erica G. Ávila	_____
Councilwoman Kimberly Konsky	_____
Councilman Clemente Canabal	_____
Councilman Sean L. Fletcher	_____
Councilman Larry Roth	_____