ORDINANCE NO. 2026-____

AN ORDINANCE OF THE CITY OF HOMESTEAD, FLORIDA, AMENDING THE CITY CODE OF ORDINANCES BY AMENDING CHAPTER 30, "ZONING," ARTICLE III, "DISTRICT REGULATIONS," DIVISION 17, "P PARKING DISTRICT," SECTION 30-351, "USES PERMITTED," TO UPDATE PARKING AREA DEVELOPMENT AND WALL HEIGHT STANDARDS; AMENDING SECTION 30-352, "SITE PLAN REQUIRED," TO PROVIDE FOR ADMINISTRATIVE SITE PLAN REVIEW; AND AMENDING SECTION 30-354, "POLICY AND INTENT," TO CLARIFY THE OWNERSHIP AND LOCATION CRITERIA FOR OFF-STREET PARKING WITHIN THE P PARKING DISTRICT; 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, Chapter 30, "Zoning," Article III, "District Regulations," Division 17, "P Parking District," of the City Code establishes the permitted uses, site plan requirements, and development standards applicable to land within the P Parking District; and

WHEREAS, the City Council finds it necessary to amend Section 30-351, "Uses Permitted," to update the parking area development, wall height, and wall signage standards applicable within the P Parking District, and Section 30-352, "Site Plan Required," to provide for administrative site plan review; and

WHEREAS, the City Council further finds it necessary to amend Section 30-354, "Policy and Intent," to allow off-street parking on property tied to the business premises by a Declaration of Restrictive Covenants or a Unity of Title and located contiguous to or within one-quarter (1/4) mile of such premises; 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 this Ordinance at a duly noticed public hearing; 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.

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

*** * * * ***

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

ARTICLE III. - DISTRICT REGULATIONS

* * * * *

DIVISION 17. - P PARKING DISTRICT

Sec. 30-351. - Uses permitted.

(a) In the P parking district no building of any kind shall be constructed. The land in this district shall be used for parking purposes as set forth is Sec. 30-354 only in compliance with the specifications and requirements hereinafter provided.

(b) All land in this district shall be ~~hard-surfaced before it may be used for parking. Hard-surfacing shall be in accordance with such specifications as the city council may prescribe, and topped with asphaltic concrete or Portland cement.~~ developed in accordance with Sec. 30-433 before it may be used for parking.

(c) A wall shall be constructed around such perimeter of land and the P district as abuts or faces an existing residential area, excepting such openings as may be necessary to afford adequate ingress and egress. The wall shall be constructed before the land may be used for parking and shall meet the following specifications:

(1) At places where land so zoned adjoins or faces property zoned for residential uses, the wall shall be ~~five (5)~~ eight (8) feet in height;

(2) Such walls shall be of masonry construction and shall be not less than six (6) inches thick;

(3) Such walls shall be attractively painted, but no advertisements or signs other than such traffic signs as the ~~chief of police~~ City may require or permit, shall be painted or posted on the walls;

* * * * *

Sec. 30-352. - Site plan required.

(a) The person desiring to establish a P classification for any land shall submit a ~~plan showing all entrances and exits, parking lines and aisles, and such other details as the city council may reasonably require~~ site plan in accordance with section 30-47 for administrative site plan review.

(b) No public hearing shall be conducted to establish any P district, unless and until such plan has been filed with the ~~building and zoning director, and approved by the city council~~ Development Services Department for administrative site plan review.

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Sec. 30-354. - Policy and intent.

It is the policy and intention of the city in this division to encourage the owners and operators of business establishments to afford off-street parking for their patrons on property which is owned by them, tied by a Declaration of Restrictive Covenants or a Unity of Title, and is contiguous to their business premises or within one-quarter (1/4) mile of the business premises it is intended to serve.

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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	_____