

ORDINANCE NO. _____

ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA AMENDING CHAPTER 98 ENTITLED "ZONING", ARTICLE VI. SUPPLEMENTARY DISTRICT REGULATIONS, OF THE CODE OF ORDINANCES OF THE CITY OF HIALEAH, DIVISION 10 ENTITLED "PARKING", BY REVISING SECTION 98-2189 ENTITLED "MINIMUM REQUIRED OFF-STREET PARKING SPACES" TO PROVIDE FOR PARKING FOR WAREHOUSE DISTRIBUTION AND STORAGE BUILDINGS IN THE BUSINESS DEVELOPMENT DISTRICT (BDH); REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING PENALTIES FOR VIOLATION HEREOF; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Hialeah Code Section 98-2189 does not expressly provide for parking standards for warehouse distribution and storage buildings in the business development district (BDH); and

WHEREAS, amending the Code to provide for parking in the BDH district for warehouse distribution and storage buildings serves the goals of the BDH and the City.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, THAT:

Section 1: Chapter 98 entitled "Zoning", Article VI. Supplementary District Regulations, of the Code of Ordinances, Division 10 entitled "Parking" of the Code of Ordinances of the City of Hialeah, Florida is amended to read as follows:

Chapter 98

ZONING

* * *

ARTICLE VI. SUPPLEMENTARY DISTRICT

REGULATIONS

* * *

DIVISION 10. - PARKING

* * *

Sec. 98-2189. - Minimum required off-street parking spaces.

* * *

(24) BDH business development district. For warehouse distribution buildings, which shall be defined as storage buildings for a variety of goods involved in local, interstate and international shipping, shall provide one (1) parking space for each one thousand (1,000) square feet of gross floor area in the building up to ten thousand (10,000) square feet and then one (1) space for each two thousand (2,000) square feet of gross warehouse floor area thereafter. For the gross floor area that is used as offices or other commercial uses, not exceeding 10% of the total area of each warehouse bay or unit, one (1) parking space for each three hundred (300) square feet of gross floor area of such building or fractional part thereof. And, one (1) parking space for each two hundred (200) square feet of gross floor area or fractional part thereof for office and retail areas exceeding 10% of the total area of the warehouse bay or unit.

Section 2: Repeal of Ordinances in Conflict.

All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 3: Penalties.

Every person violating any provision of the Code or any ordinance, rule or regulation adopted or issued in pursuance thereof shall be assessed a civil penalty not to exceed \$500.00 within the discretion of the court or administrative tribunal having jurisdiction. Each act of violation and each day upon which any such violation shall occur shall constitute a separate offense. In addition to the penalty prescribed above, the city may pursue other remedies such as

abatement of nuisance, injunctive relief, administrative adjudication and revocation of licenses or permits.

Section 4: Severability Clause.

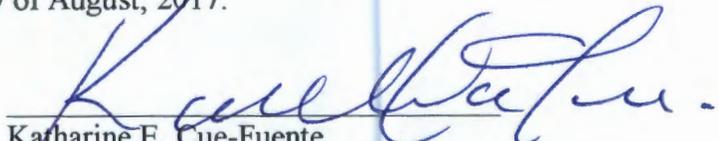
If any phrase, clause, sentence, paragraph or section of this ordinance shall be declared invalid or unconstitutional by the judgment or decree of a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance.

Section 5: Effective Date.

This ordinance shall become effective when passed by the City Council and signed by the Mayor or at the next regularly scheduled City Council meeting, if the Mayor's signature is withheld or if the City Council overrides the Mayor's veto.

PASSED and ADOPTED this 8 day of August, 2017.

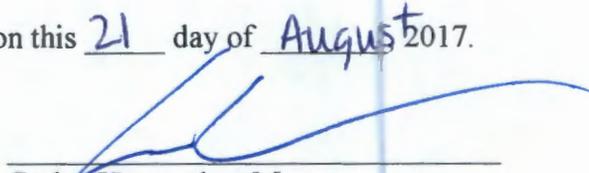
THE FOREGOING ORDINANCE OF THE CITY OF HIALEAH WAS PUBLISHED IN ACCORDANCE WITH THE PROVISIONS OF FLORIDA STATUTE 166.041 PRIOR TO FINAL READING.


Katharine E. Cue-Fuente
Council Vice President

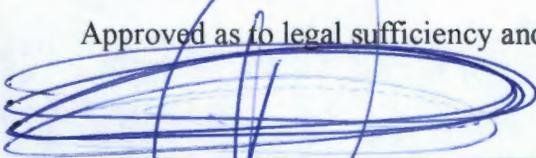
Attest:

Approved on this 21 day of August 2017.


Marbelys Fajó, City Clerk


Carlos Hernandez, Mayor

Approved as to legal sufficiency and form:


Lorena E. Bravo, City Attorney

Ordinance was adopted by a (5-0-2) vote with Councilmembers, Lozano, Hernandez, Cue-Fuente, Garcia-Martinez and Casáls-Muñoz voting "Yes". Councilmember Caragol and Council President Gonzalez absent.

~~Strikethrough~~ indicates deletion. Underline indicates addition.