



CITY OF HIALEAH

PUBLIC HEARING

SEPTEMBER 12, 2023

THE HIALEAH CITY COUNCIL AT ITS REGULARLY SCHEDULED MEETING OF AUGUST 22, 2023 APPROVED THE FOLLOWING PROPOSED ORDINANCES ON FIRST READING. SECOND READING AND PUBLIC HEARING FOR FINAL ADOPTION WILL BE HELD ON **SEPTEMBER 12, 2023.**

ALL INTERESTED PARTIES ARE INVITED TO PARTICIPATE. THE MEETING WILL BEGIN AT **7:00 P.M.** THE PROPOSED ORDINANCES WILL BE AVAILABLE FOR INSPECTION AND COPYING AT THE OFFICE OF THE CITY CLERK, 3rd FLOOR, 501 PALM AVENUE, HIALEAH, FL., FROM 8:30 A.M. TO 5:00 P.M. (Note: Due to the Miami Herald's deadline, ordinances that are tabled, denied or withdrawn will appear in this advertisement).

ORDINANCE AUTHORIZING THE EXCHANGE OF CITY REAL PROPERTY PURSUANT TO SECTION 1.04(b)(1) OF THE CITY CHARTER, DESCRIBED AS A PORTION OF LOTS 6 AND 8, BLOCK 3, OF THE 36TH STREET LAWNS, ACCORDING TO PLAT BOOK 24 AT PAGE 36 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, CONTAINING APPROXIMATELY 3,222 SQUARE FEET IN SIZE, AS MORE PARTICULARLY DESCRIBED IN EXHIBIT B OF THE LAND EXCHANGE AGREEMENT, FOR REAL PROPERTY OWNED BY BOOS DEVELOPMENT GROUP, INC., DESCRIBED AS LOT 4 AND THE WEST 15 FEET OF LOT 3, BLOCK 3, 36TH STREET LAWNS, ACCORDING TO PLAT BOOK AT PAGE 38 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, CONTAINING APPROXIMATELY 5,810 SQUARE FEET IN SIZE, AS MORE PARTICULARLY DESCRIBED IN EXHIBIT A OF THE LAND EXCHANGE AGREEMENT; AND FURTHER AUTHORIZING THE MAYOR AND THE CITY CLERK, AS ATTESTING WITNESS, ON BEHALF OF THE CITY OF HIALEAH, TO EXECUTE A LAND EXCHANGE AGREEMENT, IN SUBSTANTIAL CONFORMITY WITH THE AGREEMENT ATTACHED HERETO AND MADE A PART HEREOF AS ATTACHMENT 1, AND TO EXECUTE ALL OTHER NECESSARY DOCUMENTS FOR THE EXCHANGE OF THE PROPERTY; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

ORDINANCE AMENDING CHAPTER 70 ENTITLED "RETIREMENT AND PENSION", ARTICLE IV. EMPLOYEES GENERAL RETIREMENT SYSTEM, DIVISION 2 ENTITLED "BOARD OF TRUSTEES", DIVISION 3 ENTITLED "DISABILITY IN LINE OF DUTY BENEFITS", AND DIVISION 5 ENTITLED "BENEFITS"; IMPLEMENTING THE CHANGES TO THE RETIREMENT SYSTEM AND DISABILITY BENEFITS CONTAINED IN THE 2022-2025 COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY AND IAFF FOR FIREFIGHTER MEMBERS, IN PARTICULAR CREATING A NEW § 70-70, ENTITLED "DISABILITY BENEFITS FOR FIREFIGHTER MEMBERS AND MEMBERS NOT INCLUDED IN ANY BARGAINING UNIT ON AND AFTER [EFFECTIVE DATE OF THIS

ORDINANCE]”; REVISING § 70-131 ENTITLED “APPOINTMENT AND TERMS”; AND § 70-238 ENTITLED “SERVICE RETIREMENT ALLOWANCE”; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR PENALTIES HEREOF; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR AN INTERPRETATION AND SAVINGS CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE.

ORDINANCE GRANTING A CONDITIONAL USE PERMIT (CUP) PURSUANT TO HIALEAH CODE OF ORDINANCES § 98-181 TO ALLOW A 23-STUDENT KINDERGARTEN CLASS IN CONJUNCTION WITH AN EXISTING 126 CHILDREN DAYCARE. **PROPERTY LOCATED AT 6900 WEST 32 AVENUE, UNITS 18 THROUGH 25, HIALEAH, ZONED C-2 (LIBERAL RETAIL COMMERCIAL DISTRICT)**; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING PENALTIES FOR VIOLATION HEREOF; PROVIDING FOR SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

ORDINANCE GRANTING A CONDITIONAL USE PERMIT (CUP) PURSUANT TO HIALEAH CODE OF ORDINANCES § 98-181 TO ALLOW A 57-STUDENT K-5 GRADE SCHOOL WITHIN A SHOPPING PLAZA IN CONJUNCTION WITH AN EXISTING 60-STUDENT DAYCARE. **PROPERTY LOCATED AT 6500 WEST 4 AVENUE, UNITS 15 THROUGH 23, HIALEAH, ZONED C-2 (LIBERAL RETAIL COMMERCIAL DISTRICT)**; 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.

ORDINANCE GRANTING A CONDITIONAL USE PERMIT (CUP) PURSUANT TO HIALEAH CODE OF ORDINANCES § 98-181 TO ALLOW A 20-STUDENT K-2 GRADE ELEMENTARY SCHOOL IN A FREESTANDING COMMERCIAL BUILDING IN CONJUNCTION WITH AN EXISTING 41-STUDENT DAYCARE. **PROPERTY LOCATED AT 430 WEST 29 STREET, HIALEAH, ZONED C-2 (LIBERAL RETAIL COMMERCIAL DISTRICT)**; 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.

ORDINANCE REZONING PROPERTY FROM R-1 (ONE-FAMILY DISTRICT) TOD (TRANSIT-ORIENTED DEVELOPMENT DISTRICT). **PROPERTIES LOCATED AT 901 EAST 28 STREET, 915 EAST 28 STREET, 923 EAST 28 STREET, 929 EAST 28 STREET, 941 EAST 28 STREET, 961 EAST 28 STREET, 971 EAST 28 STREET, 981 EAST 28 STREET, 991 EAST 28 STREET, 910 EAST 29 STREET, 920 EAST 29 STREET, 930 EAST 29 STREET, 940 EAST 29 STREET, 950 EAST 29 STREET, 960 EAST 29 STREET, 976 EAST 29 STREET, 990 EAST 29 STREET, 998 EAST 29 STREET, AND 2861 EAST 9 AVENUE, HIALEAH, ZONED R-1 (ONE-FAMILY DISTRICT)**; 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.

ORDINANCE REZONING PROPERTY FROM R-1 (ONE-FAMILY DISTRICT) TO TOD (TRANSIT-ORIENTED DEVELOPMENT DISTRICT); AND GRANTING A VARIANCE PERMIT TO ALLOW A 0-FOOT SETBACK REQUIRED ABOVE GROUND FLOOR FOR BUILDINGS FRONTING EAST 11 AVENUE, WHERE A 10-FOOT STEPBACK IS REQUIRED; ALL CONTRA TO HIALEAH CODE OF ORDINANCE § 98- 1544 (C)(3); **PROPERTY LOCATED AT 1092 EAST 21ST STREET, HIALEAH, ZONED R-1 (ONE-FAMILY DISTRICT)**. 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.

ORDINANCE REZONING PROPERTY FROM R-1 (ONE-FAMILY DISTRICT) TO TOD (TRANSIT-ORIENTED DEVELOPMENT DISTRICT); AND GRANTING A VARIANCE PERMIT TO ALLOW A 13-FOOT FRONT SETBACK ON EAST 30 STREET, WHERE A 17-FOOT BUILT-TO-LINE SETBACK IS REQUIRED; ALL CONTRA TO HIALEAH CODE OF ORDINANCE § 98-1544 (3)(iii); **PROPERTY LOCATED AT 3011 EAST 8 AVENUE, HIALEAH, ZONED R-1 (ONE-FAMILY DISTRICT)**. 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.

ORDINANCE REZONING PROPERTY FROM R-1 (ONE-FAMILY DISTRICT) TO R-2 (ONE- AND TWO- FAMILY RESIDENTIAL DISTRICT); AND GRANTING A VARIANCE PERMIT TO ALLOW A DUPLEX ON A SUBSTANDARD LOT WITH A FRONTAGE OF 40 FEET, WHERE 75 FEET ARE REQUIRED AND AN AREA OF 4,000 SQUARE FEET, WHERE 7,500 SQUARE FEET ARE REQUIRED; ALLOWING A 5 FOOT SIDE SETBACK, WHERE 7.5 FEET ARE REQUIRED AND ALLOWING A 22.92 FOOT FRONT SETBACK, WHERE 30 FEET ARE REQUIRED; ALL CONTRA TO HIALEAH CODE OF ORDINANCE §§ 98-544, 98-546; **PROPERTY LOCATED AT 4448 EAST 10TH AVENUE (LOT 28), HIALEAH, ZONED R-1 (ONE-FAMILY DISTRICT)**. 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.

ORDINANCE APPROVING A FINAL PLAT OF MIDPOINT LOGISTICS; ACCEPTING ALL DEDICATION OF AVENUES, STREETS, ROADS OR OTHER PUBLIC WAYS, TOGETHER WITH ALL EXISTING AND FUTURE PLANTING OF TREES; 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. **PROPERTY BOUNDED ON THE NORTH BY WEST 112 PLACE, ON THE SOUTH BY WEST 108 STREET, ON THE EAST BY NW 97 STREET AND ON THE WEST BY WEST 38 AVENUE AND NW 99 AVENUE, HIALEAH, FLORIDA.**

ORDINANCE AMENDING THE FUTURE LAND USE MAP FROM LOW-DENSITY RESIDENTIAL TO TRANSIT ORIENTED DEVELOPMENT DISTRICT. **PROPERTIES LOCATED AT 901 EAST 28 STREET, 915 EAST 28 STREET, 923 EAST 28 STREET, 929 EAST 28 STREET, 941 EAST 28 STREET, 961 EAST 28 STREET, 971 EAST 28 STREET, 981 EAST 28 STREET, 991 EAST 28 STREET, 910 EAST 29 STREET, 920 EAST 29 STREET, 930 EAST 29 STREET, 940 EAST 29 STREET, 950 EAST 29 STREET, 960 EAST 29 STREET, 976 EAST 29 STREET, 990 EAST 29 STREET, 998 EAST 29 STREET, AND 2861 EAST 9 AVENUE, HIALEAH, ZONED R-1 (ONE-FAMILY DISTRICT);** 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.

Persons wishing to appeal any decision made by the City Council with respect to any matter considered at this meeting will need a record of the proceedings and, for such purpose, 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.

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodations to participate in this proceeding should contact the Office of the City Clerk at (305) 883-5820 for assistance no later than two (2) days prior to the meeting. If hearing impaired, telephone the Florida Relay Service numbers (800) 955-8771 (TDD), (877) 955-8773 (SPANISH) or (800) 955-8770 (VOICE).

Marbelys Fatjo, Esq., CMC
City Clerk