

**ORDINANCE NO. 22 - 294**

**AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA; AMENDING CHAPTER 13, OF THE LAND DEVELOPMENT CODE, SECTION 13- 1614 TITLED “COMPLIANCE WITH FAA RULES”, PROVIDING FOR INCLUSION INTO THE CODE; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE TOWN CODE; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, The Town of Miami Lakes is a municipality within the boundaries and jurisdiction of Miami Dade County; and

**WHEREAS**, on November 19, 2019, the Miami-Dade County (“County”) Board of County Commissioners (“Board”) adopted Ordinance No. 19-112, which amended the uses allowed in the Critical Approach Zone (CSZ), Outer Safety Zone (OSZ) and Runway Protection Zones (RPZ) zones around all major airports in Miami Dade County; and

**WHEREAS**, said county Ordinance No. 19-112 provided and opportunity for municipalities to opt out of some of the use restrictions via ordinance; and

**WHEREAS**, a significant portion of the territory of the Town of Miami Lakes falls within the boundaries of the CSZ, OSZ, and RPZ associated with Opa Locka Miami Executive Airport; and

**WHEREAS**, the enclosed Ordinance satisfies the requirements of the Board; and

**WHEREAS**, on March 1, 2022, the Planning and Zoning Board met in their capacity as the Town’s Local Planning Agency to consider the proposed Ordinance; and

**WHEREAS**, on March 8, 2022, the Town Council passed the proposed Ordinance in First Reading; and

**WHEREAS**, on April 12, 2022, the Town Council passed the proposed Ordinance in Second Reading.

**THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AS FOLLOWS:**

**Section 1. Recitals.** The foregoing Recitals are true and correct and incorporated herein by this reference.

**Section 2. Adoption of Amendments to Chapter 13, The Land Development Code, Section 13-1914, Titled “Compliance with FAA Rules”.** The Town Council approves the adopts the Amendments to Chapter 13, Section 13-1614 of the Town Code as provided herein.

**Section 3. Repeal of Conflicting Provisions.** All provisions of the Code of the Town of Miami Lakes that are in conflict with this Ordinance are hereby repealed.

**Section 4. 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 5. Inclusion in the Town Code.** It is the intention of the Town Council, and it is hereby ordained, that the provisions of this Ordinance shall become and be made part of the Town Code and that if necessary the sections of this Ordinance may be renumbered or re-lettered to accomplish such intentions; and that the word “Ordinance” shall be changed to “Article,” “Division” or other appropriate word.

**Section 6. Effective Date.** That this Ordinance shall be effective immediately upon its adoption on second reading.

**FIRST READING**

The foregoing ordinance was moved by Vice Mayor Rodriguez who moved its adoption on first reading. The motion was seconded by Councilmember Dieguez and upon being put to a vote, the vote was as follows:

Mayor Manny Cid	Yes
Vice Mayor Jeffrey Rodriguez	Yes
Councilmember Carlos O. Alvarez	Yes
Councilmember Luis E. Collazo	Yes
Councilmember Josh Dieguez	Absent
Councilmember Tony Fernandez	Yes
Councilmember Marilyn Ruano	Absent

Passed and adopted on first reading this 8<sup>th</sup> day of March 2022.

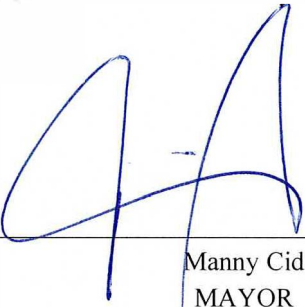
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**SECOND READING**

The foregoing ordinance was moved by Vice Mayor Rodriguez who moved its adoption on second reading. The motion was seconded by Councilmember Fernandez and upon being put to a vote, the vote was as follows:

Mayor Manny Cid	Absent
Vice Mayor Jeffrey Rodriguez	Yes
Councilmember Carlos O. Alvarez	Yes
Councilmember Luis E. Collazo	Yes
Councilmember Josh Dieguez	Yes
Councilmember Tony Fernandez	Yes
Councilmember Marilyn Ruano	Yes


Passed and adopted on second reading this 12<sup>th</sup> day of April 2022.



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Manny Cid  
MAYOR

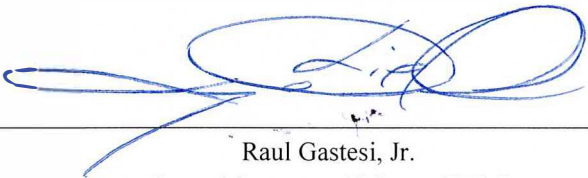
Attest:



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Gina M. Inguanzo  
TOWN CLERK

Approved as to form and legal sufficiency:



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Raul Gastesi, Jr.  
Gastesi, Lopez and Mestre, PLLC  
TOWN ATTORNEY

**ARTICLE VI. - SUPPLEMENTARY REGULATIONS**

**DIVISION 1. – GENERALLY**

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**Sec. 13-1614. Compliance with FAA rules.**

All buildings, structures and improvements to be constructed shall conform to and comply with the prevailing criteria and requirements of the Federal Aviation Administration and the Miami-Dade County Airport Zoning Regulations where applicable, with the exception of Miami Dade County Code Section 33-333 A.1.b. i and ii and Section 33-333 A.1. c. i and ii, regulations contrary thereto contained herein notwithstanding. The Director shall process applications for permits through the County Port Authority and Federal Aviation Administration whenever he deems it advisable.