

ORDINANCE 25-336

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AMENDING CHAPTER 13, "LAND DEVELOPMENT CODE", AT ARTICLE VI, "SUPPLEMENTARY REGULATIONS"; CREATING SECTION 13-777.1 "ONLINE SALES SHOWROOMS"; PROVIDING FOR FINDINGS OF FACT, INTENT AND PURPOSE; PROVIDING FOR REGULATIONS; PROVIDING FOR PENALTIES; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION INTO THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE. (Moreira)

WHEREAS, in 2008, the Town of Miami Lakes (the "Town") adopted a Land Development Code (the "LDC") in order to provide for uniform standards throughout the Town's distinct zoning areas; and

WHEREAS, among the items covered in the LDC are regulations regarding the operation of businesses, including the use of physical locations for commercial purposes; and

WHEREAS, the rise of online retail and e-commerce has led to a new type of business model, referred to as "online sales showrooms," where businesses operate primarily through online platforms but utilize physical locations for product display, marketing, and limited customer interaction; and

WHEREAS, the Town Council recognizes the need to address the unique characteristics of online sales showrooms, including the potential impact on local zoning regulations, signage, and parking requirements; and

WHEREAS, the Town Council has directed the Town attorney to review the LDC and propose amendments to regulate online sales showrooms in a manner consistent with the Town's zoning goals, ensuring that such businesses comply with the Town's overall vision for business operations while accommodating the evolving nature of commerce; and

WHEREAS, this Ordinance addresses the immediate need to regulate online sales showrooms, ensuring they align with the Town's land use policies and the appropriate zoning standards.

WHEREAS, on April 15th, 2025, the Town Council passed the proposed Ordinance in First Reading; and

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 are incorporated herein by this reference.

Section 2. Adoption of Amendments to Chapter 13, Article IX of the Town Code. The Town Council approves and adopts the Amendments to Chapter 13, Article IX of the Town Code as provided herein to specifically address the regulation of online sales showrooms.

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, which shall remain in effect. It is 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 intention; and that the word "Ordinance" shall be changed to "Article," "Division," or another appropriate word.

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

FIRST READING

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

Mayor Joshua Dieguez	Yes
Vice Mayor Bryan Morera	Yes
Councilmember Juan Carlos Fernandez	Yes
Councilmember Angelo Cuadra Garcia	Yes
Councilmember Ray Garcia	Yes
Councilmember Steven Herzberg	Yes
Councilmember Alex Sanchez	Yes

Passed and adopted on first reading this 15th day of April 2025

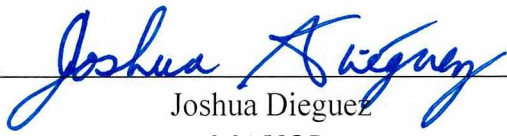
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SECOND READING

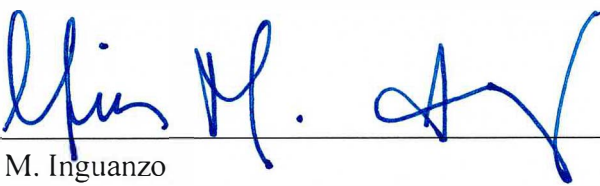
The foregoing ordinance was moved by Vice Mayor Morera who moved its adoption on second reading. The motion was seconded by Councilmember Sanchez and upon being put to a vote, the vote was as follows:

Mayor Joshua Dieguez	Yes
Vice Mayor Bryan Morera	Yes
Councilmember Juan Carlos Fernandez	Yes
Councilmember Angelo Cuadra Garcia	Yes
Councilmember Ray Garcia	Yes
Councilmember Steven Herzberg	Yes
Councilmember Alex Sanchez	Yes

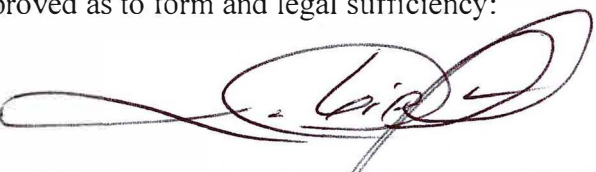
Passed and adopted on second reading this 20th day of May 2025


Joshua Dieguez
MAYOR

Attest:


Gina M. Inguanzo
TOWN CLERK

Approved as to form and legal sufficiency:


Lorenzo Cobiella,
Gastesi, Lopez and Mestre, PLLC
DEPUTY TOWN ATTORNEY

Sec. 13-748. Business, Commercial and Industrial Use Master List.

Use	RO-13	RO-50	BU-1A	BU-2	IU-1	IU-C	TC	*Add'l Regs
Office, executive office and medical office	P	P	P	P	P	P	P	§ 13-792, § 13-793, § 13-799.2
Commercial and retail activities.	A*	A*	P	P	A*	A*	P	§ 13-777, § 13-777.1
Manufacture, assembly, processing or packaging of any article or matter, or the storage of relatively large quantities of such article or matter					P*	P*		§ 13-794, § 13-759, § 13-781
Storage Yard including vehicle, boat, junk yard, or construction equipment					C	C		§ 13-759, § 13-781
Places of assembly, including religious or cultural centers, auditoriums theaters, lodges, circus, convention hall and similar uses			C	C	C	C	C	§ 13-784
Personal services, including cosmetic, acupuncture, beauty salons, massage parlors, and barber shops and similar uses	P*	P*	P	P	P*	P*	P	§ 13-790, § 13-799.8
Mortuary or Funeral home			C	C	C	C		
Restaurants, bars, and establishments serving food and/or liquor	A	A	P	P	P	P	P	§ 13-771, § 13-772, § 13-776, § 13-782, § 13-783, § 13-799.8
Billiard, pool room, bowling, arcade and similar indoor entertainment			P	P			P	§ 13-782, § 13-783, § 13-759, § 13-799.8
Schools and Educational institutions, including k-12, college and university			C	C	C	C	C	§ 13-785
Daycare, adult daycare, day camps and aftercare			C	C	C	C	C	
Dance, music, martial arts, Yoga tutoring and other similar uses for the instruction of 10 or more individuals at once			C	C			C	
Auto, boat, truck repair					P	P		
Gas and service station, with or without convenience store		P	P	P	P	P	P	§ 13-756, § 13-757
Power plants, substations and energy or utility facilities		C	C	C	C	C		§ 13-780
Airport, Airplane crop dusting field, heliport or landing field			C	C	C	C		
All applications by State, County and municipal entities and agencies			C	C	C	C	C	

Barbeque stands or barbeque pits provided that establishments using wood burning for cooking are permitted as a conditional use			C		C	C	C	
Brewery			A*	A*	P	P	A*	§ 13-796
Call center						C	C	§ 13-787
Dog kennel, dog day care			C*	C*	C*	C*		§ 13-789
Drugstores, pharmacies and pain management centers			C*	C*			C*	§ 13-791, § 13-1610
Garbage and waste dumps			C	C	C	C		§ 13-799.4
Golf course, driving range, Baseball Batting Cages, Miscellaneous Sports facilities, fields and incidental uses			C	C	C	C		
Health and exercise clubs	A	A	P	P			P	
Hospitals (not animal hospital)	C*	C*			C*	C*		§ 13-765, § 13-795
Hotels, motels and apartment hotels	P	P			P*	P*	P	§ 13-766, § 13-761, § 13-768, § 13-758
Lake excavation			C	C	C	C		
Motion picture, television and radio production studios						P	P	
Night Clubs, Cabarets and other entertainment establishments	A*	A*		C*		C*	C*	§ 13-758, § 13-770, § 13-782, § 13-783, § 13-799.8
Nursing homes, assisted living facilities (ALF), Memory Care and Long Term Acute Care Facilities and institutions for disabled individuals.	C*	C*	C	C	C	C	C	§ 13-764, § 13-764.1, § 13-795
Parking lots and storage of vehicles as a main use (not accessory)—	C	C	C	C	C	C	C	§ 13-755
Pistol, rifle, skeet, archery ranges and accessory munition, firearm, and equipment sales.			C	C	C	C		§ 13-759, § 13-781
Residential uses	P*	P*	P*	P*	A*	A*	P*	§ 13-775
Self-service storage facility					P*	P*		§ 13-786
Single-family residences	P*	P*						§ 13-775
Sleep testing centers for medical observation or other medical observation facilities (including overnight)					C	C	C	
Solar energy systems, accessory use	P*	P*	P*	P*	P*	P*	P*	§ 13-1702
Solar energy systems, primary use						P*		§ 13-1702
Testing laboratory or plant			C	C	C	C		§ 13-799.7
Veterinarian, animal hospital and pet emergency			P*	P*	P*	P*	P*	§ 13-789
All other uses not specifically listed in this table shall be considered to be non-	C	C	C		C	C	C	

permitted uses unless expressly granted by the Town as a Conditional Use								
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Sec. 13-777.1. – Online Sales Showroom/ Modified Retail

(a) Any request for an online sales showroom use in the RO Districts shall be processed as a minor conditional use, regardless of the size of the proposed establishment. The applicant shall be required to request renewal of the minor conditional use on an annual basis.

(b) An online sales showroom in the RO Districts shall be permitted only where its entrance is interior to an office building and shall not be permitted to have signage or other advertising on the exterior of the building.

(c) Online sales showrooms in the RO Districts shall occupy in the aggregate no more than 15 percent of the total square footage of the office building in which it is located.

(d) As part of the minor conditional use process, the Administrative Official may impose conditions upon the operation of the use, including but not limited to hours of operation, the extent to which retail sales and storage of products will be allowed on-site, and whether the showroom may accept walk-in customers (without appointment).