

ORDINANCE NO. 2012-10-283

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AMENDING ARTICLE 7, SECTION 34-233 OF THE LAND DEVELOPMENT REGULATIONS, TO AMEND THE CRITERIA FOR THE CITY COUNCIL TO USE WHEN CONSIDERING WHETHER TO RENAME OR CODESIGNATE A STREET; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INCLUSION IN CODE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, on occasion, the City Council has been presented with requests for renaming or codesignating streets, and

WHEREAS, in 2010, when the Land Development Regulations were adopted, criteria were included relating to when streets located within the City could be renamed or codesignated, and

WHEREAS, the City Council would like to amend the criteria to be used when it decided whether to rename or codesignate a street,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AS FOLLOWS:

Section 1. ADOPTION OF REPRESENTATIONS: The foregoing Whereas paragraphs are hereby ratified and confirmed as being true, and the same are hereby made a specific part of this Ordinance.

Section 2. AMENDMENT: Section 34-233 of the Code of Ordinances is amended as follows:

Sec. 34-233. - Alternatives to renaming streets.

(a) The city council shall consider three alternatives to renaming or codesignating streets as follows:

(1) Marker, by which a plaque or sign bearing a designation shall be mounted separately on a stone or post in the right-of-way.

(2) Plaza, by which only the intersection of two streets shall be designated. The designation shall be mounted on the post under the street signs at the intersection.

(3) Codesignation, by which a numbered street shall receive an additional designation over the numbered street designation on the street signs. the police department and department of fire-rescue and United States Postal Service shall be notified of codesignation.

(b) Procedure to rename or codesignate streets. The city council may, by resolution adopted after a public hearing, name, rename or co-designate any city road, street or public way. The following criteria shall be considered for street codesignation:

(1) Named or numbered streets shall not be so renamed or codesignated in a manner that will be confused with or duplicate the names of existing streets.

(2) ~~Named streets, e.g., as in Miami Gardens Drive, N.W. 183 Street Honeyhill Drive, N.W. 199 Street, shall not be changed where there is an historical tradition attached to the existing name. Miami Gardens Drive, N.W. 183rd Street shall not be renamed or codesignated.~~

(3) Named streets shall not be codesignated because of the resulting confusion.

(4) Numbered streets shall not be codesignated for merely commercial purposes.

(5) Numbered streets shall only be codesignated if there is significant historical, neighborhood or community benefit to the codesignation.

(6) Numbered street codesignations shall not exceed five blocks in length.

(7) There shall be a hiatus at least five blocks in length between consecutive codesignations in numbered streets.

~~(8) Numbered streets shall not be codesignated with the names of living individuals. This provision can be waived by four votes of the city council. In order for a resolution renaming or codesignating a street with a person's name to be approved, the unanimous vote of the City Council shall be required.~~

(9) Persons whose names are considered for the renaming or codesignation

of a street shall meet the following criteria:

- a. Such persons must have demonstrated extraordinary service to the City and its residents, or
- b. Such persons shall have brought exceptional credit or recognition to the City and its residents, or
- c. Such persons shall be of significant prominence nationally or internationally.

10. Only the Mayor and members of the City Council may sponsor a resolution for the renaming or codesignation of a street.

~~(9)~~11 Block numbers shall be added to any new street signs that reflect codesignations, markers or plazas.

~~(10)~~12 City council must approve a resolution for renaming or codesignation of streets. This resolution must be submitted to the county's traffic engineer division for final approval and sent to the county's public works department for fabrication and installation. The county commission will need to approve the sign prior to installation. A county fee will be charged to provide and install the signs.

(c)The criteria outlined above shall also apply when the City Council considers whether to recommend the re-naming or co-designation of County, State or Federal streets.

~~(c) Notice of the public hearing shall be sent by certified mail to all property owners of record on the affected road, street or public way with a pre-addressed and postage paid response card. No road, street or public way shall be renamed unless positive response cards are received from at least 75 percent of the property owners of record on the affected street, road or public way.~~

(d) Upon adoption of a resolution naming, renaming or co-designating any city road, street or public way, the city clerk shall provide a certified copy of the adopted resolution to the city's planning and zoning department, building department, public works department, the police department, and the United States Postal Service. Additionally, the city clerk shall publish notice of any street name change in a newspaper of general circulation within the city in substantially the following form:

NOTICE OF STREET NAME CHANGE

Public notice is hereby given that the City Council of the City of Miami Gardens, Florida has enacted a resolution changing the name of _____/_____/_____ to _____/_____/_____. This name change is effective immediately and has been duly recorded with the United States Postal Service.

~~(e)~~(f) Expenses.

(1) All expenses on the part of the city or any other governmental agency resulting from requests for street codesignations, markers or plazas shall be borne by the applicant.

(2) Initial expenses include, but are not limited to, newspaper advertising, posting of notification placards, ~~postal notification to local residents~~ and postal correspondence to the applicant. Upon approval by the city council of a request for street codesignation or a marker or a plaza, the applicant shall pay all additional expenses related to the permits, manufacture and installation of the appropriate signs and related appurtenances. A nonrefundable deposit in the amount determined by the director of public works toward the initial expenses outlined in this section shall accompany any request for a street codesignation or for a designation of a marker or a plaza.

~~(f)~~(d) Schedule of fees. Any request for a street codesignation or for a designation of a marker or a plaza shall also be accompanied by an application fee in the amount set forth in the city's fee schedule.

Section 3. CONFLICT: All ordinances or Code provisions in conflict herewith are hereby repealed.

Section 4. SEVERABILITY: If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance.

Section 5. INCLUSION IN CODE: It is the intention of the City Council of the City of Miami Gardens that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Miami Gardens and that the section of this Ordinance may be renumbered or relettered and the word "Ordinance" may be changed to "Chapter,"

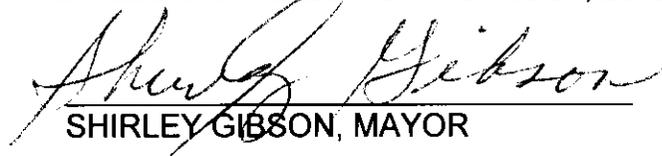
“Section,” “Article” or such other appropriate word or phrase, the use of which shall accomplish the intentions herein expressed.

Section 6. EFFECTIVE DATE: This Ordinance shall become effective immediately upon its final passage.

PASSED ON FIRST READING ON THE 27TH DAY OF JUNE, 2012.

PASSED ON SECOND READING ON THE 25TH DAY OF JULY, 2012.

ADOPTED AND PASSED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS AT ITS REGULAR MEETING HELD ON THE 25TH DAY OF JULY, 2012.


SHIRLEY GIBSON, MAYOR

ATTEST:


RONETTA TAYLOR, MMC, CITY CLERK

PREPARED BY: SONJA KNIGHTON DICKENS, ESQ., CITY ATTORNEY

SPONSORED BY: MAYOR SHIRLEY GIBSON

Moved by: Mayor Gibson
Second by: Councilwoman Davis

VOTE: 6-0

Mayor Shirley Gibson	<u> X </u> (Yes)	<u> </u> (No)
Vice Mayor Oliver Gilbert, III	<u> X </u> (Yes)	<u> </u> (No)
Councilman David Williams Jr	<u> X </u> (Yes)	<u> </u> (No)
Councilwoman Lisa Davis	<u> X </u> (Yes)	<u> </u> (No)
Councilman Aaron Campbell, Jr.	<u> X </u> (Yes)	<u> </u> (No)
Councilwoman Felicia Robinson	<u> X </u> (Yes)	<u> </u> (No)
Councilman Andre' Williams	<u> </u> (Yes)	<u> </u> (No)(not present)