



TOWN OF MIAMI LAKES, FLORIDA

AGENDA PLANNING AND ZONING BOARD MEETING February 20, 2019 6:30 PM Government Center 6601 Main Street Miami Lakes, FL 33014

- 1. Call to Order**
- 2. Roll Call**
- 3. Pledge of Allegiance**
- 4. Approval of Minutes**

A. Approval of Minutes

- **June 20, 2018 Planning and Zoning Meeting minutes**
- **September 19, 2018 Planning and Zoning Meeting minutes**
- **October 4, 2018 Planning and Zoning Meeting minutes**
- **December 19, 2018 Planning and Zoning Meeting minutes**

5. Business Requiring Board Action

QUASI-JUDICIAL PUBLIC HEARINGS - Please be advised that the following items on the Board's agenda are quasi-judicial in nature. An opportunity for persons to speak on each item will be made available after the applicant and staff have made their presentations on each item. All testimony, including public testimony and evidence, will be made under oath or affirmation. Additionally, each person who gives testimony may be subject to cross-examination. If you do not wish to be either cross-examined or sworn, your testimony will be given its due weight. The general public will not be permitted to cross-examine witnesses, but the public may request the Board to ask questions of staff or witnesses on their behalf. Persons representing organizations must present evidence of their authority to speak for the organization. Any person presenting documents to the Board should provide the Town Clerk with a minimum of 10 copies. Further details of the quasi-judicial procedure may be obtained from the Clerk.

- B. AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, RELATING TO PREVENTION OF HUMAN TRAFFICKING; AMENDING CHAPTER 13, "LAND DEVELOPMENT CODE", AT ARTICLE IV, "ZONING DISTRICT REGULATIONS", PROVIDING FOR FINDINGS OF FACT, INTENT AND PURPOSE; PROVIDING FOR REQUIRED SIGNAGE; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION INTO THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE. (Cid)**

6. Director's Report

7. Adjournment

This meeting is open to the public. A copy of this Agenda and the backup therefore, has been posted on the Town of Miami Lakes Website at www.miamilakes-fl.gov and is available at Town of Miami Lakes Town Hall, 6601 Main Street, Miami Lakes, FL 33014. In accordance with the Americans with Disabilities Act of 1990, all persons who are disabled and who need special accommodations to participate in this meeting because of that disability should contact Town Hall at 305-364-6100 two days prior to the meeting.

Anyone wishing to appeal any decision made by the Miami Lakes Planning and Zoning Board with respect to any matter considered at this meeting or hearing 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.



Town of Miami Lakes Memorandum

To: Honorable Chairman Senra & Boardmembers
From: Gina M. Inganzo, Town Clerk
Subject: Approval of Minutes
Date: 2/20/2019

Recommendation:

Approval of Minutes

- June 20, 2018 Planning and Zoning Meeting minutes
- September 19, 2018 Planning and Zoning Meeting minutes
- October 4, 2018 Planning and Zoning Meeting minutes
- December 19, 2018 Planning and Zoning Meeting minutes

ATTACHMENTS:

Description

June 20, 2018 Minutes

September 19, 2018 Minutes

October 4, 2018 Minutes

December 19, 2018 Minutes

MINUTES
Planning and Zoning Minutes
June 20, 2018
6:30 P.M.
Government Center
6601 Main Street, Miami Lakes, FL 33014

1. Call to Order:

Chairman Fred Senra called the meeting to order at 6:32 p.m.

2. Roll Call:

The Town Clerk, Gina Inguanzo, called the roll with the following Board Members being present: Homero Cruz, Avelino Leoncio, Robert Julia, Vice Chairman Raul De la Sierra, and Chairman Fred Senra. Board Members: Ameli Padron-Fragetta and Jeffrey Rodriguez were absent.

3. Pledge of Allegiance/Moment of Silence:

Chairman Fred Senra led the Pledge of Allegiance and the Invocation.

Approval of Minutes:

- May 16, 2018 Planning and Zoning Meeting Minutes

Board Member Cruz motioned to approve adding the minutes as an item to the Agenda. Vice Chairman De la Sierra seconded the motion and the motion passed unanimously by all members present.

Board Member Cruz motioned to approve the minutes and Vice Chairman De la Sierra seconded the motion. The Town Clerk called the roll and all present were in favor.

4. Business Requiring Board Action:

- A. AN ORDER OF THE PLANNING AND ZONING BOARD OF THE TOWN OF MIAMI LAKES, FLORIDA, PURSUANT TO SECTION 13-305(f)(1) OF THE TOWN OF MIAMI LAKES LAND DEVELOPMENT CODE; DENYING A VARIANCE REQUEST FROM SECTION 13-1608 TO PERMIT A STANDING SEAM METAL ROOF, WHERE BARREL OR FLAT TILE IS REQUIRED, FOR THE PROPERTY LOCATED AT 7025 TROON CIRCLE, MIAMI LAKES, FLORIDA, IN THE RU-1 ZONING DISTRICT; PROVIDING FINDINGS; PROVIDING FOR DENYING THE REQUEST; PROVIDING FOR APPEAL; AND PROVIDING FOR AN EFFECTIVE DATE.

Assistant Town Attorney, Lorenzo Cobiella, read the Quasi-Judicial statement onto the record.

The Town Clerk, Gina Inguanzo, swore in anyone wishing to speak.

Chairman Senra read the title of item 4A onto the record.
There were no ex-parte disclosure forms submitted by the Board Members.

Senior Planner, Susana Alonso, presented and explained item 4A to the Board Members. Mrs. Alonso also explained and answered questions posed by the Board Members regarding the denial of the requested variance.

The applicant presented and answered questions posed by the Board Members.

Vice Chairman De la Sierra motioned to accept the applicants documents as Exhibit's A and B. Chairman Senra seconded the motion and all present were in favor.

Vice Chairman De la Sierra motioned to waive the rule requiring 10 copies and accept Exhibit C. Chairman Senra seconded the motion and all present were in favor.

Fernando Arias, roofer of applicant, explained item 4A and answered questions posed by the Board Members.

Board Member Leoncio made a motion to accept the staff recommendation of denying a variance request and Vice Chairman De la Sierra seconded the motion. The Town Clerk called the roll, and the motion passed, 3-2, with Board Members Robert Julia and Raul De la Sierra in opposition. Board Members Ameli Padron-Fragetta and Jeffrey Rodriguez were absent.

5. Director's Report:

Director of Planning, Darby Del Salle, provided a follow-up report on the Planning and Zoning Board's presentation on the adjustment of variance fees to the Town Council during the July 17th Regular Council Meeting.

Adjournment:

There being no further business to come before the Board, the meeting adjourned at 7:30 p.m.

Approved this 20th day of February 2019.

Fred Senra
Chairman

Attest:

Gina Inguanzo
Town Clerk

MINUTES
Planning and Zoning Minutes
September 19, 2018
6:30 P.M.
Government Center
6601 Main Street, Miami Lakes, FL 33014

1. Call to Order:

Chairman Fred Senra called the meeting to order at 6:32 p.m.

2. Roll Call:

The Deputy Town Clerk, Nicole Cuellar, called the roll with the following Board Members being present: Homero Cruz, Avelino Leoncio, Robert Julia, Ameli Padron-Fragetta, Mariam Yanes, Vice Chairman Raul De la Sierra, and Chairman Fred Senra.

3. Pledge of Allegiance/Moment of Silence:

Chairman Fred Senra led the Pledge of Allegiance and the Invocation.

4. Business Requiring Board Action:

- A. AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, RELATING TO PERMITTED ROOFING TYPES FOR SINGLE-FAMILY AND TWO-FAMILY BUILDINGS; AMENDING CHAPTER 13, "LAND DEVELOPMENT CODE", AT ARTICLE VI, "SUPPLEMENTARY REGULATIONS", AT SECTION 13-1608, RENAMING IT "SINGLE-FAMILY AND TWO-FAMILY ROOF REGULATIONS," AND PERMITTING STANDING METAL SEAM ROOFING; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION INTO THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

Assistant Town Attorney, Lorenzo Cobiella, read the title of the ordinance onto the record.

Principal Town Planner, Susana Alonso, explained and answered questions posed by the Board Members.

Vice Chairman De la Sierra motioned to approve item 4A as written and Board Member Julia seconded the motion. The Deputy Town Clerk called the roll and the motion passed, 5-2, with Board Members Robert Julia and Ameli Padron-Fragetta in opposition.

- B. AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AMENDING CHAPTER 13, "LAND DEVELOPMENT CODE", AT ARTICLE XI, "FEES", AT SECTION 13-2102, RELATING TO VARIANCE APPLICATION FEES; REQUIRING ALL VARIANCE APPLICATIONS TO BE COST RECOVERY AND PROVIDING FOR INITIAL DEPOSITS; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY;

PROVIDING FOR INCLUSION INTO THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

Assistant Town Attorney, Lorenzo Cobiella, read the title of the ordinance onto the record.

Board Member Leoncio motioned to approve item 4B as recommended by staff with the condition that if an applicant requests a line item expense, the line item be provided to the applicant. Board Member Padron-Fragetta seconded the motion. The Deputy Town Clerk called the roll and the motion passed, 5-2, with Board Members Robert Julia and Mariam Yanes in opposition.

- C. AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, RELATING TO ZONING; AMENDING CHAPTER 13, LAND DEVELOPMENT CODE, AT ARTICLE V, SECTION 13-1507, ENTITLED “DECKS AND WALKWAYS,” PERMITTING A DECK TO BE LOCATED WITHIN THE REQUIRED STREET SIDE YARD SETBACK OF CORNER LOTS FOR PROPERTIES ZONED RU-1Z; PROVIDING FOR INCLUSION INTO THE CODE; PROVIDING FOR ORDINANCES IN CONFLICT, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

Assistant Town Attorney, Lorenzo Cobiella, read the title of the ordinance onto the record.

Vice Chairman De la Sierra motioned to approve based on staff recommendations and Board Member Cruz seconded the motion.

Vice Chairman De la Sierra then amended his motion that only a 3-foot walkway be allowed in the interior lot between residences. Board Member Padron-Fragetta seconded the amendment. The Deputy Town Clerk called the roll and the amendment passed, 6-1, with the Board Member Padron-Fragetta in opposition.

Vice Chairman De la Sierra motioned to accept the motion as amended and Board Member Padron-Fragetta seconded the motion. The Deputy Town Clerk called the roll and the motion passed, 6-1, with Board Member Padron-Fragetta in opposition.

5. Director’s Report:

Principal Town Planner, Susana Alonso, explained that there will be a Special Call Meeting for the Town Council on October 18th replacing the Planning & Zoning Board meeting. The Planning and Zoning Board meeting would then need to be moved to Thursday, October 4th, 2018 to have the Sober Homes Community item brought forth before the Special Call Meeting.

Chairman Senra motioned to approve the change of date. Board Member Cruz seconded the motion, and all were in favor.

Adjournment:

There being no further business to come before the Board, the meeting adjourned at 7:55 P.M.

Approved this 20th day of February 2019.

Fred Senra
Chairman

Attest:

Gina M. Inguanzo
Town Clerk

MINUTES
Planning and Zoning Minutes
October 4, 2018
6:30 P.M.
Government Center
6601 Main Street, Miami Lakes, FL 33014

1. Call to Order:

Chairman Fred Senra called the meeting to order at 6:35 p.m.

2. Roll Call:

The Deputy Town Clerk, Nicole Cuellar, called the roll with the following Board Members being present: Avelino Leoncio, Ameli Padron-Fragetta, Mariam Yanes, and Chairman Fred Senra. Board Members: Homero Cruz, Robert Julia and Vice Chairman De la Sierra were absent.

3. Pledge of Allegiance/Moment of Silence:

Chairman Fred Senra led the Pledge of Allegiance and the Invocation.

4. Business Requiring Board Action:

A. AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, RELATING TO COMMUNITY RESIDENCES; AMENDING CHAPTER 13, "LAND DEVELOPMENT CODE", AT ARTICLE VI, "ZONING DISTRICT REGULATIONS", PROVIDING FOR FINDINGS OF FACT, INTENT AND PURPOSE; PROVIDING DEFINITIONS FOR TERMS; PROVIDING MINIMUM HOUSING STANDARDS; ALLOWING COMMUNITY HOMES IN ALL RESIDENTIAL DISTRICTS; PROVIDING FOR REGISTRATION OF COMMUNITY HOMES; PROVIDING FOR RENEWAL AS WELL AS TERMINATION OF REGISTRATIONS; PROVIDING FOR CERTIFICATION OR LICENSING REQUIREMENTS; PROVIDING FOR COMPLIANCE BY EXISTING BUT UNREGISTERED COMMUNITY RESIDENCES; PROVIDING FOR APPLICATION REQUIREMENTS; PROVIDING FOR DISTANCE SEPARATION; PROVIDING FOR REASONABLE ACCOMODATIONS; PROVIDING FOR CONDITIONAL USE PERMITS; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION INTO THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

The Deputy Town Attorney, Lorenzo Cobiella, read the title of the Ordinance into the record.

The Deputy Town Attorney, Lorenzo Cobiella, and Principal Town Planner, Susana Alonso, explained and answered questions posed by the Board Members.

Board Member Leoncio motioned to deny staff recommendations. Chairman Senra seconded the motion.

The Deputy Town Clerk called the roll and the motion failed, 1-4, with Board Members: Yanes, Julia, Padron-Fragetta, and Chair Senra in opposition.

Board Member Padron-Fragetta motioned to approve the proposed ordinance with the added direction for staff to investigate the legality of extending the distance to 1,500 ft. Board Member Yanes then seconded the motion with an amendment proposing to add language of greater enforcement to the ordinance.

The Deputy Town Clerk called the roll and the motion passed, 4-1, with Board Member Leoncio in opposition.

- B. AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, RELATING TO ZONING; AMENDING SECTION 13-799.7, "CANNABIS DISPENSARIES, MEDICAL MARIJUANA TREATMENT FACILITIES, AND INDEPENDENT TESTING LABORATORIES"; AMENDING DEFINITIONS; PROVIDING FOR INCLUSION INTO THE CODE; PROVIDING FOR ORDINANCES IN CONFLICT, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

The Deputy Town Attorney, Lorenzo Cobiella, read the title of the Ordinance into the record.

The Deputy Town Attorney, Lorenzo Cobiella, and Principal Town Planner, Susana Alonso, explained and answered questions posed by the Board Members.

Applicants and Laura Baldwin Fuentes, Danny Perdek, and Anthony Alfonso came before the Board Members to explain and introduce the proposed warehouse for hemp products and answer questions posed by the Board Members.

Chairman Senra motioned to approve the ordinance under staff's recommendation. Board Member Yanes seconded the motion and the motion passed, 5-0, with Board Member Homero Cruz and Vice Chairman De la Sierra absent.

5. Director's Report:

Adjournment:

There being no further business to come before the Board, the meeting adjourned at 8:00 p.m.

Approved this 20th day of February 2019.

Fred Senra
Chairman

Attest:

Gina M. Inguanzo
Town Clerk

MINUTES
Planning and Zoning Minutes
December 19, 2018
6:00 P.M.
Government Center
6601 Main Street, Miami Lakes, FL 33014

1. Call to Order:

Chairman Fred Senra called the meeting to order at 6:02 p.m.

2. Roll Call:

The Deputy Town Clerk, Nicole Cuellar, called the roll with the following Board Members being present: Homero Cruz, Juan-Carlos Fernandez, Vice Chairman De la Sierra, and Chairman Fred Senra. Board Members: Robert Julia, Avelino Leoncio, and Mariam Yanes were absent.

3. Pledge of Allegiance/Moment of Silence:

Chairman Fred Senra led the Pledge of Allegiance and the Invocation.

4. Business Requiring Board Action:

- A. AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA RELATING TO LANDSCAPING; AMENDING SECTION 13-1701, ENTITLED "REQUIRED LANDSCAPING," OF THE LAND DEVELOPMENT CODE; ESTABLISHING PROVISIONS REGARDING MINIMUM LANDSCAPE REQUIREMENTS; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION INTO THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

The Deputy Town Attorney, Lorenzo Cobiella, read the title of the Ordinance into the record.

Board Member Fernandez motioned to approve item 4A and Vice Chairman De la Sierra seconded the motion. The Deputy Town Clerk called the roll and the motion passed, 5- 0, with Board Members Avelino Leoncio and Mariam Yanes absent.

5. Director's Report:

There was no Director's report.

Adjournment:

There being no further business to come before the Board, the meeting adjourned at 6:20 p.m.

Approved this 20 day of February 2019.

Fred Senra
Chairman

Attest:

Gina M. Inguanzo
Town Clerk



Town of Miami Lakes Memorandum

To: Honorable Chair and Members of the Local Planning Agency
From: Susana Alonso, AICP, Principal Planner
Subject: Human Trafficking
Date: 2/20/2019

Recommendation:

Staff recommends approval of the ordinance adding Sec. 13-799.8. - Human trafficking public awareness signs to the Land Development Code, providing for the requirement that specific businesses uses within the town boundaries post the required sign in full view of employees.

Background:

On September 1, 2015, the Town Council of the Town of Miami Lakes directed the Town Manager to explore provisions that address prevention of human trafficking.

On January 27, 2018, the Town held a lecture event in which a variety of speakers presented information related to different areas of human trafficking, geared toward raising community awareness on the subject.

The proposed amendment to the Land Development Code provides for signage in certain commercial establishments in order to inform possible victims of human trafficking of help that is available to them through non-governmental organizations that specialize in the rescue, and rehabilitation of victims.

ATTACHMENTS:

Description

Ordinance

Staff Report

attachment

attachment 2

ORDINANCE NO. 19-__

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, RELATING TO PREVENTION OF HUMAN TRAFFICKING; AMENDING CHAPTER 13, "LAND DEVELOPMENT CODE", AT ARTICLE IV, "ZONING DISTRICT REGULATIONS", PROVIDING FOR FINDINGS OF FACT, INTENT AND PURPOSE; PROVIDING FOR REQUIRED SIGNAGE; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION INTO THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE. (Cid)

WHEREAS, human trafficking is a form of modern-day slavery, which involves the exploitation of persons for commercial sex or forced labor and often subjects victims to force fraud and coercion; and,

WHEREAS, while many victims of human trafficking are forced to work in prostitution or the sexual entertainment industry, trafficking also occurs in forms of labor exploitation, such as domestic servitude and restaurant, janitorial, sweatshop, factory and agricultural work; and,

WHEREAS, traffickers use various techniques to instill fear in victims to keep them enslaved such as isolation, threats of imprisonments and deportation, confiscation of passports, visas or other identification documents and threats of violence towards their families; and,

WHEREAS, Florida law authorizes municipalities to enforce posting of human trafficking public awareness signs in certain establishments; and,

WHEREAS, the Administrative Official reviewed the proposed amendment to the Land Development Code and recommends approval, as set forth in the Staff Analysis and Recommendation dated February 20, 2019 and incorporated into this Ordinance by reference; and

WHEREAS, the Town Council appointed the Planning and Zoning Board as the Local Planning Agency (LPA) for the Town pursuant to Section 163.3174, Florida Statutes; and

WHEREAS, on February ____, 2019, after conducting a properly noticed public hearing, the Planning and Zoning Board, acting in its capacity as the Local Planning Agency, acted in accordance with state law, and in specific compliance with Section 163.3174, Florida Statutes and reviewed and recommended approval to the Miami Lakes Town Council; and

WHEREAS, on ____, 2019, after conducting a properly noticed public hearing and considering the recommendations of the public, the Local Planning Agency, and the Administrative Official, the Town

Council moved the proposed amendment on first reading for second reading and consideration of adoption; and

WHEREAS, The Town Council finds that the proposed amendment is consistent with the Town of Miami Lakes Comprehensive Plan and the criteria for evaluation of an amendment to the Land Development Code found in Subsection 13-306(b) of the Town Code; and

WHEREAS, on _____, 2019, after conducting a properly noticed public hearing and considering the recommendations of the public, the Local Planning Agency, and the Administrative Official, the Town Council finds it in the public interest to adopt the proposed ordinance.

NOW, THEREFORE, THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, HEREBY ORDAINS AS FOLLOWS.

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

Section 2. Findings. After considering Staff's report, both submitted in writing and presented orally and the public, the Town Council finds, pursuant to Subsection 13-306(b) of the Town Code, that the proposed amendment is consistent with the Town of Miami Lakes Comprehensive Plan and the criteria for evaluation of an amendment to the Land Development Code found at Subsection 13-306(b) of the Town Code as provided for in the Staff Recommendation and Analysis Report.

Section 3. Approval. The Town Council hereby adopts the amendment as provided at Exhibit "A"

Section 4. 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 5. 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 6. 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 be included in the Town Code.

Section 7. Effective date. This Ordinance shall become effective immediately upon adoption.

[THIS SPACE INTENTIONALLY LEFT BLANK]

FIRST READING

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

Mayor Manny Cid	_____
Vice Mayor Nelson Rodriguez	_____
Councilmember Carlos O. Alvarez	_____
Councilmember Luis Collazo	_____
Councilmember Joshua Dieguez	_____
Councilmember Jeffrey Rodriguez	_____
Councilmember Marilyn Ruano	_____

Passed on first reading this _____ day of March, 2019.

[THIS SPACE INTENTIONALLY LEFT BLANK]

SECOND READING

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

Mayor Manny Cid	_____
Vice Mayor Nelson Rodriguez	_____
Councilmember Carlos O. Alvarez	_____
Councilmember Luis Collazo	_____
Councilmember Joshua Dieguez	_____
Councilmember Jeffrey Rodriguez	_____
Councilmember Marilyn Ruano	_____

Passed and adopted on second reading this _____ day of _____, 2019.

Manny Cid
MAYOR

Attest:

Gina Inganzo
TOWN CLERK

Approved as to form and legal sufficiency:

Raul Gastesi, Jr.
Gastesi & Associates, P.A.
TOWN ATTORNEY

EXHIBIT A

CHAPTER 13 LAND DEVELOPMENT CODE

* * *

ARTICLE IV. – ZONING DISTRICT REGULATIONS

* * *

DIVISION 21. - ADDITIONAL BUSINESS, COMMERCIAL, INDUSTRIAL AND OTHER USE REGULATIONS

* * *

Sec. 13-799.8. - Human trafficking public awareness signs.

- 1) Employers at each of the following establishments shall display a human trafficking public awareness sign in a conspicuous location (the conspicuous location should be where other labor and employment signs are displayed), which is clearly visible to the employees of these businesses or establishments:
 - a) Restaurants, alcoholic beverage establishments, night clubs and any other entertainment or food service establishments; and
 - b) Public lodging establishments, classified as a hotel, motel, non-transient apartment, transient apartment, bed and breakfast inn, timeshare project, or vacation rentals; and
 - c) Any business or establishment operating as a specialty salon performing nail, beaut services; and
 - d) A business or establishment that offers massage or bodywork services for compensation that is not owned by a health care practitioner regulated pursuant to Florida Statute Chapter 456 and defined in Florida Statute § 456.001;
 - e) Urgent care centers, facilities or clinics that provide urgent care medicine or services, and may be commonly referenced as urgent care, convenient care, walk-in care or immediate care centers, whether operated by brand name corporations or non-brand name corporations, or other business entities.
- 2) The required human trafficking public awareness sign must be printed in a size consistent with, and must substantially state in English and Spanish the following as set forth in Florida Statutes § 787.29(4)

“If you or someone you know is being forced to engage in an activity an cannot leave – whether it is prostitution, housework, farm work, factory work, retain work, restaurant work or any other activity – call the National Human Trafficking Resource Center at 1-888-373-7888 or text INFO or HELP to 233-733 to access help and services. Victims of slavery and human trafficking are protected under United States and Florida Law.”
- 3) Design specifics regarding color, graphics, and additional verbiage may be adopted via Resolution.
- 4) The code compliance department, in conjunction with the police department, shall enforce the provisions of this section and upon conviction of such offense, be punished by a fine not to exceed

Additions to the text are shown in underlined; deletions from the text are shown in ~~strikethrough~~.

Omitted portions of this ordinance are shown as “* * *”.

\$500.00 provided in F.S. § 775.083. A continued violation for each day shall be considered a separate offense.

- 5) The violation issued for this offense, will be consistent with those violation notices issued by the city pursuant to section 21-31.5 of the Code of Miami-Dade County.
- 6) Citations may be appealed Town's Special Master.



Department of Planning, Zoning and Code Compliance
6601 Main Street • Miami Lakes, Florida 33014
Office: (305) 364-6100 • Website: www.miamilakes-fl.gov

Staff Analysis and Recommendation

To: Honorable Chair and Members of the Local Planning Agency
From: Susana Alonso, AICP, Principal Planner
Subject: Human Trafficking Public Awareness Signs
Date: February 20, 2019

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, RELATING TO PREVENTION OF HUMAN TRAFFICKING; AMENDING CHAPTER 13, "LAND DEVELOPMENT CODE", AT ARTICLE IV, "ZONING DISTRICT REGULATIONS", PROVIDING FOR FINDINGS OF FACT, INTENT AND PURPOSE; PROVIDING FOR REQUIRED SIGNAGE; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION INTO THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE. (Manny Cid)

A. BACKGROUND

On September 1, 2015, the Town Council of the Town of Miami Lakes directed the Town Manager to explore provisions that address prevention of human trafficking.

On January 27, 2018, the Town held a lecture event in which a variety of speakers presented information related to different areas of human trafficking, geared toward raising community awareness on the subject.

The proposed amendment to the Land Development Code provides for signage in certain commercial establishments in order to inform possible victims of human trafficking of help that is available to them through non-governmental organizations that specialize in the rescue, and rehabilitation of victims.

B. STAFF RECOMMENDATION

Based on the analysis provided below and other factors contained in this report, Staff recommends approval of the ordinance adding *Sec. 13-799.8. - Human trafficking public awareness signs* to the Land Development Code, providing for the requirement that specific businesses uses within the town boundaries post the required sign in full view of employees.

C. ANALYSIS

The Land Development Code provides that all proposed amendments to the LDC shall be evaluated by the Administrative Official, the Local Planning Agency and the Town Council, and that, in evaluating the proposed amendment, the criteria in Subsection 13-306(b) shall be considered. All portions of this report are hereby incorporated into all portions of this analysis. The following is a staff analysis of the criteria as applied to this ordinance.

Whether the proposal is consistent with the Comprehensive Plan, including the adopted infrastructure minimum levels of service standards and the concurrency management program.

Analysis: See Section “A,” Background, of this report. The proposed ordinance complies with the following policies of the Comprehensive Development Master Plan. Explanations follow each Policy.

Policy 1.2.4: Develop a code enforcement system in the new Code that is proactive in ensuring that the high standards, which are the hallmark of Miami Lakes, are maintained, and the personnel are very responsive to resident and business owner inquiries. In addition, ensure that the system allows for the mitigation and/or correction of adverse nuisance impacts, such as noise, odor and/or dust, on residential neighborhoods caused by any existing commercial and industrial operations.

The proposed ordinance provides for fines and penalties for any business that does not display the required signage and ensures that the Zoning and Code enforcement Department can inspect and cite business accordingly.

Policy 1.2.10: The Town shall use the Land Development Code and code enforcement procedures to actively pursue and encourage methods to avoid the occurrence of blight. If areas do become blighted, the Town will undertake steps to renew or redevelop the blighted areas.

The proposed ordinance provides for enforcement pursuant to Chapter 8, of the Code of ordinances.

Finding: Complies

2. Whether the proposal is in conformance with all applicable requirements of this Code of Ordinances, including this chapter.

Analysis: See Section “A”, Background, of this report. The proposed is complementary to the recent approval of Section 13-311 as presented in Section A above.

Finding: Complies.

3. Whether, and the extent to which, land use and development conditions have changed since the effective date of the existing regulations, and whether such changes support or work against the proposed change in land use policy.

Analysis: See Section “A”, Background, and Criterion 2 of this report.

Finding: Complies.

4. **Whether, and the extent to which, the proposal would result in any incompatible land uses, considering the type and location of uses involved, the impact on adjacent or neighboring properties, consistency with existing development, as well as compatibility with existing and proposed land use.**

Analysis: The amendment does not change the permitted uses within the zoning districts.

Finding: Complies.

5. **Whether, and the extent to which, the proposal would result in demands on transportation systems, public facilities and services, exceeding the capacity of such facilities and services, existing or programmed, including schools, transportation, water and wastewater services, solid waste disposal, drainage, water supply, recreation, education, emergency services, and similar necessary facilities and services.**

Analysis: The proposed ordinance does not impact the above systems.

Finding: Complies.

6. **Whether, and the extent to which, the proposal would result in adverse impacts on the natural environment, including consideration of wetland protection, preservation of any groundwater aquifers, wildlife habitats, and vegetative communities.**

Analysis: The proposed ordinance does not impact the above systems.

Finding: Complies.

7. **Whether, and the extent to which, the proposal would adversely affect the property values in the affected area, or adversely affect the general welfare.**

Analysis: See Section “A”, Background, and Criterion 2 of this report. The proposed amendment serves a compelling governmental interest to reduce the incidence of human trafficking and provide useful and timely information to any potential victims.

Finding: Complies.

8. **Whether the proposal would result in an orderly and compatible land use pattern. Any positive and negative effects on such pattern shall be identified.**

Analysis: The proposed amendment does not change the permitted use of land.

Finding: Complies.

9. **Whether the proposal would be in conflict with the public interest, and whether it is in harmony with the purpose and intent of this chapter.**

Analysis: See Section “A”, Background, and Criterion 2 of this report. No portion of the proposed amendment is in conflict with the existing regulations of the LDC.

Finding: Complies.

10. Other matters which the Local Planning Agency or the Town Council, in its legislative discretion, may deem appropriate.

Analysis: See Summary Section and all portions of this analysis. The Local Planning Agency and the Town Council may consider other appropriate factors to determine whether the proposed amendment is appropriate and consistent with the public interest.

Finding: As determined by the Town Council.

be free

If you or someone you know is being forced to engage in an activity and cannot leave: Whether it is prostitution, housework, farm work, factory work, retail work, restaurant work, or any other activity—Call the **NATIONAL HUMAN TRAFFICKING RESOURCE CENTER** at **1-888-373-7888** or text **INFO** or **HELP** to **233-733** to access help and services. Victims of slavery and human trafficking are protected under United States and Florida law.

ANONYMOUS AND CONFIDENTIAL

获取自由

如果你或者你认识的人正被迫参与某活动，无法离开：无论是卖淫，做家务，农业劳动，工厂作业，零售工作，餐厅工作或者任何其他活动 - 请致电 **NATIONAL HUMAN TRAFFICKING RESOURCE CENTER**（国家打击人口贩运资源中心），联系电话：**1-888-373-7888**，或者编辑短信**INFO**（信息）或**HELP**（帮助）发送到**233-733**来寻求帮助和服务。奴役和人口贩卖的受害者都受到美国和佛罗里达州的法律保护。

匿名且保密

자유로워지십시오

만약 당신과 지인이 다음 활동에 강제로 투입되어 떠날 자유가 없다면: 매춘, 집안일, 농장일, 공장일, 소매일, 식당일 등 어떤 일이든지 **NATIONAL HUMAN TRAFFICKING RESOURCE CENTER** (국립인신매매정보센터)인 **1-888-373-7888** 로 전화 또는 **233-733** 으로 **INFO**(정보) 또는 **HELP**(도움)를 문자메세지로 보내어 도움과 서비스를 받으세요. 노예와 인신매매의 피해자는 미국과 플로리다주 법에 따라 보호 받을 수 있습니다.

익명과 기밀이 보장됩니다.

เป็นอิสระ

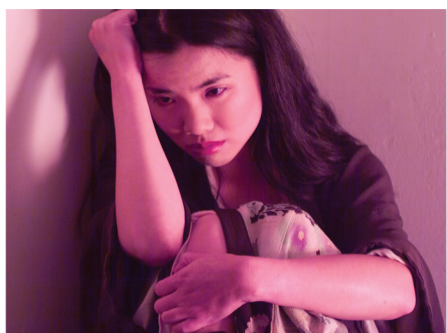
หากคุณหรือใครสักคนที่คุณรู้จักกำลังอยู่ใต้กิจกรรมที่ถูกบังคับ ไม่เต็มใจ และไม่สามารถหลีกเลี่ยงได้ ไม่ว่าจะเป็นการค้าประเวณี แรงงานงานบ้าน แรงงานเกษตร แรงงานในโรงงาน แรงงานร้านค้า แรงงานในร้านอาหาร หรือกิจกรรมอื่นใด - โปรดโทรแจ้ง **NATIONAL HUMAN TRAFFICKING RESOURCE CENTER** ที่ **1-888-373-7888** หรือส่งข้อความ **INFO** หรือ **HELP** ไปที่ **233-733** เพื่อเข้าถึงการให้บริการความช่วยเหลือ ผู้ที่เป็นเหยื่อจากการเป็นทาสและการค้ามนุษย์จะได้รับการคุ้มครองภายใต้กฎหมายสหรัฐอเมริกาและกฎหมายรัฐฟลอริดา

โดยนิรนามและเป็นความลับไม่เปิดเผย

1-888-373-7888 text BEFREE (233-733)



Posted pursuant to Palm Beach County Ordinance 2015-029 and s. 787.29 F.S.



NATIONAL HUMAN TRAFFICKING HOTLINE

Human trafficking is modern-day slavery,
and it's happening right here in the United States.

You can help.

1-888-373-7888

CONFIDENTIAL | TOLL-FREE | 24/7

www.HumanTraffickingHotline.org

Interpreters available

CALL THE HOTLINE TO:

- ① Get help.
- ② Report a tip.
- ③ Find services.
- ④ Learn about your options.

Victims are forced to provide labor or commercial sex in many situations, including the following venues/industries:

SEX TRAFFICKING

Hotel-Based Commercial Sex
Fake Massage Businesses
Street-Based Commercial Sex
Residential Brothels
Truck Stops
Escort Services

LABOR TRAFFICKING

Domestic Work
Agriculture
Travelling Sales Crew
Health & Beauty Services
Restaurants
Construction

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