



Department of Planning, Zoning and Code Compliance
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Staff Analysis and Recommendation

To: Honorable Chair and Members of the Local Planning Agency
From: Darby P. Delsalle, AICP, Planning Director
Subject: Site Plan Applications – 12 Copies
Date: April 17, 2018

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, RELATED TO SITE PLAN APPLICATION REQUIREMENTS, AMENDING SECTION 13-304(e)(1), “SITE PLAN APPROVALS – APPLICATIONS,” REPEALING THE REQUIREMENT THAT TWELVE (12) COPIES OF A SITE PLAN FOR PUBLIC HEARING CONSIDERATION BE SUBMITTED; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION INTO THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE. (One-for-One Policy)

A. BACKGROUND

At the time of the adoption of the Town’s Code, the prevailing medium for the submission of site plan applications for public hearing was by way of a paper transmittal. The mode was reflective of a process that predated current technology advances that renders such need as obsolete. Today, plans submitted for hearing are scanned from a single set and published and transmitted electronically. As such the requirement for twelve copies of a plan set is unnecessary.

Implementation of the proposed ordinance is consistent with the One-for-One Policy established by the Town Council on April 3, 2018, which seeks, as a matter of policy, to delete obsolete provisions of Town Code when a new regulation is being adopted.

B. PROPOSED PROVISION

The last sentence of Section 13-304(e)(1) is to be struck removing the requirement that any site plan application subject to public hearing submit 12 copies of the plans.

C. STAFF RECOMMENDATION

Based on the analysis provided below and other factors contained in this report, Staff recommends approval of the ordinance that eliminates the obsolete provision of requiring 12 copies of the plans subject to a site plan public hearing.

D. 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.

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

Analysis: The Comprehensive Master Development Plan does not address the number of required copies of a site plan that must be submitted for public hearing.

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 and Section “B”, Proposed Changes of this report. The proposed change in no way impacts existing regulations. The ordinance merely deletes a provision of code that was made obsolete by existing technology.

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 Section “B,” Proposed Provision; 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; Section “B”, Proposed Changes; and Criterion 2 of this report. The proposed request has no impact on existing rules that regulate the use, form, and development of land.

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 or the standards upon which land is to be developed.

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; Section “B”, Proposed Changes; and Criteria 2, 7, and 8, 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 FLUM amendment is appropriate and consistent with the public interest. The Analysis Section addressed the conditions suggested by the Planning and Zoning Board.

Finding: As determined by the Town Council.