



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 Mayor and Members of the Council
From: Edward Pidermann, Town Manager
Subject: Human Trafficking Public Awareness Signs
Date: April 2, 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.

On February 20, 2019 the Planning Board of the Town of Miami Lakes, acting in its capacity of Local Planning Agency, voted to advise approval of this ordinance, with recommendations to extend the requirement to post to all businesses within the town, and that the text be displayed in Spanish and Creole, in addition to the Asian languages provided in the sample sign.

On March 1, 2019, the Town Council moved this item on first reading.

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 commercial 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.