



Town of Miami Lakes Memorandum

To: Honorable Mayor & Councilmembers

From: Edward Pidermann, Town Manager

Subject: Business Master List Consolidating and Reorganization

Date: January 21, 2020

Recommendation:

Staff recommends approval of the ordinance reorganizing, reformatting, consolidating, and amending the Business Master List.

Background:

Division 20 of the Land Development Code contains the Business Master List which provides a listing on tabular form of all the different uses that are permitted within the various business, commercial and industrial districts, and the TC Town Center District. As with other parts of the Town's LDC, Division 20 was initially adopted from Chapter 33 of the Miami Dade County Code of Ordinances, and has been modified and amended by the Town since. However, the Business Master List has maintained the same form through the changes, including maintenance of districts such as BU-1, BU-3, IU-2, and IU-3 which although present in other parts of Miami Dade County, do not exist within the Town Boundaries. In addition, in its current form, the list enumerates separately many uses that can be easily combined together, such as different kinds of chemical manufacturing, assembly uses, and retail uses, becoming lengthy, cumbersome, and confusing to consult. Moreover, in more than one instance, uses that are very similar, or even identical, like a "day nursery" and a "childcare center", have different treatment in different pages of the list. Obsolete uses and word usage like "infirmaries" or "convalescence home" which are already contained by other uses such as "hospital" or "Assisted Living Facility" are also prevalent throughout.

It has long been the intention of staff to condense and reorganize this list so that it becomes clearer and more user friendly. In addition to the types of changes enumerated above, staff is recommending small tweaks to how some uses are treated, particularly in regard to the need for conditional uses. Those proposed changes are as follows:

1. Personal Services within Industrial Districts. The LDC currently requires that any beauty salon or barber shop that wishes to operate within the industrial districts, obtain a conditional use to ensure that the conditions contained in Sec 13-790 are adhered to. Since said section is self-contained, clear in its requirements, and requires no special case by case assessment of the use, staff maintains it is unnecessarily cumbersome to request a conditional use for these uses.
2. Assembly uses. The LDC currently is inconsistent in its requirements of conditional use approval for assembly uses such as religious institutions, auditoriums or theaters. Staff believes that these uses should all be considered individually for approval, so issues of parking, security, approach and business hours can be evaluated.
3. Schools and Educational Institutions. Similarly, the LDC currently requires conditional uses of some and not of other types of educational institutions. Since these types of uses typically consist of a location where many individuals must arrive and leave at around the same time in order to participate, and since there are security and other considerations that require individual attention, staff recommends that all schools daycares, and adult daycares be processed as conditional uses in all districts.

Attachment A of the staff report contains the final proposed form of the table without strikeouts and underlines, for purpose of readability.

On January 7, 2020, the Planning and Zoning Board, acting as the Local Planning Agency, heard the item and voted to recommend approval of the ordinance.

Attachments:
Ordinance
Staff Report