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Staff Analysis and Recommendation

To: Honorable Mayor and Honorable Councilmembers
From: Edward Pidermann, Town Manager
Subject: Synthetic Roofing in Town House Districts
Date: May 19, 2020

AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA, AMENDING CHAPTER 13, ARTICLE IV, DIVISION 3, RU-TH TOWNHOUSE DISTRICT, SEC. 13-444, DEVELOPMENT REGULATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; AND PROVIDING FOR AN EFFECTIVE DATE. (Manny Cid)

A. BACKGROUND

On March 1, 2016, the Town of Miami Lakes (“Town”) Council adopted Ordinance 16-191, which allows the use of synthetic roofing materials for use in single and two-family residences, provided the materials resemble tile. Said change was made during a time that synthetic materials began to saturate the market, and Miami-Dade County provided authority to allow its use.

Due to the prevalence of deed restrictions in many of Town, townhome communities, which restrict the use of colors, materials, and design, where purposefully omitted from inclusion in Ordinance 16-191.

During the February 18th, 2020, Town Council meeting, the Town Council directed staff to prepare the necessary amendments to the Land Development Code in order to permit synthetic the use of synthetic materials for roofs in the townhome districts, in a manner similar to Ordinance 16-191.

During the May, 2020 Planning and Zoning Meeting, the Planning and Zoning Board voted in favor of the proposed changes to the Code.

Accordingly, this ordinance amends Section 13-444, in order to allow the use of synthetic materials on roofs in the townhome district, and relaxes restrictions on use of design and color. These changes are not intended to supersede or replace existing deed restrictions that may exist.

B. PROPOSED CHANGES

The following described elements are presented in the same order that they appear in the proposed ordinance.

Sec. 13-442. - Definitions. The definition of *Official Authorized Body* was amended to include a de-facto Board for developments that do not have a designated board in charge of enforcing declarations of restrictions. this De-facto Board would be composed of the Building Official, the Administrative Official and the Town Manager.

Sec. 13-444. - Development regulations. The provision permits existing town homes to replace its roofing with synthetic roofing to match in type and color the remaining structures in the development.

C. STAFF RECOMMENDATION

Based on the analysis provided below and other factors contained in this report, Staff recommends approval of the ordinance amending Section 13-444 as it relates to permitting synthetic roofing for townhouse buildings.

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 Development Master plan does not address roofing. The proposed ordinance has no impact on concurrency management.

Finding: Complies.

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

Analysis: See Sections “A”, Background; and “B”, Proposed Changes, of this report. The amendment offers a roofing system to townhomes that is already allowed to single family buildings. The ordinance does not conflict with any other portions of the Code.

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 Sections “A”, Background; and “B”, Proposed Changes, and Criteria “2”, of this report. Synthetic roofing has been allowed in single family homes since 2016, and many property owners have installed this roofing system in their homes. The proposed ordinance allows townhomes to utilize the same roofing system.

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: See Sections “A”, Background; and “B”, Proposed Changes, and criteria “2” and “3” of this report. The proposed amendment does not change the list of permitted uses within any zoning district.

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: See Sections “A”, Background; and “B”, Proposed Changes, of this report. 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: See Sections “A”, Background; and “B”, Proposed Changes, of this report. 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 Sections “A”, Background; and “B”, Proposed Changes, and criteria “2” and “3” of this report. the synthetic roofs that would be allowed under the proposed ordinance

would be identical in appearance and color to the existing tile. Synthetic roofing literature suggests that, since the material is less porous than clay tile, it is less prone to mildew and moisture caused discoloration. Cleaner roofs maintain the pleasant appearance of the community and thus sustain property values.

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: See Sections “A”, Background; and “B”, Proposed Changes; and Criteria 2, 3, and 7, of this report.

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 Sections “A”, Background; and “B”, Proposed Changes; and Criteria 2, 3, and 7 of this report.

Finding: Complies.

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

Analysis: See 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.