



**NORTH MIAMI PLANNING COMMISSION AGENDA**  
**Tuesday, July 1, 2014, 7:00PM**  
**Council Chambers**  
**776 NE 125<sup>th</sup> Street, North Miami, FL 33161**

**I. ASSEMBLY AND ORGANIZATION:**

- A. Call to Order
- B. Pledge of Allegiance
- C. Roll Call of Board Members
- D. Amendments to the Agenda

**II. APPROVAL OF MINUTES: June 3, 2014**

**III. COMMUNICATIONS: None**

**IV. CONTINUED PUBLIC HEARINGS: None**

**V. PUBLIC HEARINGS:**

**PC 08-14: AN ORDINANCE OF THE VICE MAYOR ACTING AS MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 29 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, ENTITLED "LAND DEVELOPMENT REGULATIONS" BY AMENDING ARTICLE 5, DIVISION 8 ENTITLED "DESIGN", SPECIFICALLY AT SECTIONS 5-802, 5-803 AND 5-804, TO AMEND THE CURRENT TRANSIT ORIENTED DEVELOPMENT DESIGN STANDARDS THROUGHOUT THE CITY; AND FURTHER AMENDING DIVISION 14 ENTITLED "PARKING AND LOADING, SPECIFICALLY AT SECTIONS 5-1401 AND 5-1409, TO REVISE THE CURRENT PARKING GARAGE DESIGN CRITERIA TO ENCOURAGE GREATER ARCHITECTURAL APPEAL, IMPROVE VISUAL INTEREST AND PROMOTE ECONOMIC GROWTH, CONSISTENT WITH THE INTENT OF THE CITY OF NORTH MIAMI COMPREHENSIVE PLAN AND THE DOWNTOWN DEVELOPMENT AND MAJOR CORRIDOR MASTER PLAN; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION AND FOR AN EFFECTIVE DATE.**

- 1. Staff Report
- 2. Commission Action

**VI. COMMITTEE REPORTS: None**

**VII. OLD BUSINESS:** None

**VIII. NEW BUSINESS:**

- a) Passing of former Planning Commission member, Mr. Henry William "Bill" Succop Jr..
- b) Discussion regarding recently adopted Ordinance 1370 requiring Planning Commission member terms to be coterminous with terms of City Council members.
- c) Columbus, Indiana YouTube video.

**IX. ADJOURNMENT**

Interested parties may appear at the meeting and be heard with respect to the matter. Any person wishing to appeal the recommendations of the Planning Commission will need a verbatim record of the meetings proceedings, which record includes the testimony and evidence upon which the appeal is to be based (Chapter 286.0105 F.S.)

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodation to participate in this proceeding should contact the Community Planning & Development Department no later than four (4) days prior to the proceeding. Telephone (305) 893-6511, Ext. 12252, for assistance. If hearing impaired, telephone our TDD line at (305) 893-7936 for assistance.

# MIAMI DAILY BUSINESS REVIEW

Published Daily except Saturday, Sunday and  
Legal Holidays  
Miami, Miami-Dade County, Florida

## STATE OF FLORIDA COUNTY OF MIAMI-DADE:

Before the undersigned authority personally appeared MARIA MESA, who on oath says that he or she is the LEGAL CLERK, Legal Notices of the Miami Daily Business Review f/k/a Miami Review, a daily (except Saturday, Sunday and Legal Holidays) newspaper, published at Miami in Miami-Dade County, Florida; that the attached copy of advertisement, being a Legal Advertisement of Notice in the matter of

CITY OF NORTH MIAMI - PLANNING COMMISSION  
AGENDA FOR JULY 1, 2014 - PUBLIC HEARINGS PC 08-14

in the XXXX Court,  
was published in said newspaper in the issues of

06/19/2014

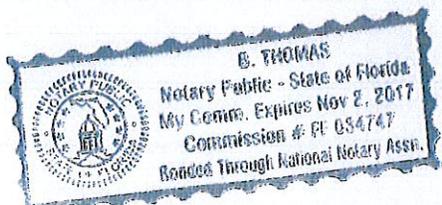
Affiant further says that the said Miami Daily Business Review is a newspaper published at Miami in said Miami-Dade County, Florida and that the said newspaper has heretofore been continuously published in said Miami-Dade County, Florida, each day (except Saturday, Sunday and Legal Holidays) and has been entered as second class mail matter at the post office in Miami in said Miami-Dade County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me this

19 day of JUNE, A.D. 2014

(SEAL)

MARIA MESA personally known to me



## NORTH MIAMI PLANNING COMMISSION AGENDA TUESDAY, JULY 1, 2014, 7:00PM COUNCIL CHAMBERS 776 NE 125TH STREET, NORTH MIAMI, FL 33161

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MINUTES  
 NORTH MIAMI PLANNING COMMISSION  
 7:00 P.M.  
 TUESDAY, JUNE 3, 2014  
 COUNCIL CHAMBERS

The meeting was called to order at 7:00 p.m. After the pledge of allegiance, a roll call of the members was taken.

	<b>Name</b>	<b>Present</b>	<b>Excused</b>	<b>Absent</b>
1.	Kevin Seifried	X		
2.	Charles Ernst	X		
3.	Kenny Each		X	
4.	Jean Castor	X		
5.	Jason James	X		
6.	Bill Prevatel	X		
7.	<i>Vacant</i>			
8.	<i>Vacant</i>			
9.	<i>Vacant</i>			

**Staff was represented by:**

Bhairvi Pandya, City Planner  
 Roland Galdos, Deputy City Attorney  
 Brittini Duria, CP & D Technician/Board Secretary  
 Dunia Sanzetenea, Information Technology

**I-D. Assembly and Organization – Amendments to the Agenda:** None

**II. Approval of Minutes:**

The minutes of the May 6, 2014 meeting were unanimously approved. The motion was made by Commissioner Ernst, seconded by Commissioner Prevatel.

**III. Continued Public Hearings:** None

#### **IV. Public Hearings:**

**PC 06-14: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING FISCAL YEAR 2014-2015 ACTION PLAN UNDER THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND HOME INVESTMENT PARTNERSHIP GRANT (HOME) PROGRAMS; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.**

Item one was introduced by the Chair. Staff report given by Ms. Pandya and item further explained by Ms. Royer. Commissioner Ernst questioned the services, how much of the funding was going to the non-profit organizations, which was stated at \$90,000, an increase from \$75,000 the previous fiscal year. No other questions were asked.

#### **Public Hearing:**

No one spoke at the public hearing.

#### **Commission Discussion:**

Commissioner Castor moved to approve the proposed resolution of the Fiscal Year 2014-2015 Action Plan under the Community Development Block Grant (CDBG) and Home Investment Partnership Grant (HOME). Commissioner James seconded the motion and it passed unanimously.

**PC 07-14: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE ISSUANCE OF A CONDITIONAL USE PERMIT FOR THE PROPOSED EXPANSION AND REDEVELOPMENT OF THE WINSON WATER TREATMENT PLANT; IN ACCORDANCE WITH ARTICLE 3 SECTION 3-405 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, LAND DEVELOPMENT REGULATIONS; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.**

Item two was introduced by the Chair. Staff report was given by Ms. Pandya; Mr. Galdos stated that the item was a quasi-judicial and required an oath. After the oath, the item further explained by Mr. Pierre-Louis. He explained that his item was approved by the Homeowners' Association (HOA) and the Development Review Committee (DRC).

Commissioner Ernst questioned about the conditions and clarified by Ms. Pandya in the Conclusion of the action report and supporting documents. Commissioner James made a comment regarding the Homeowners' Association at Sunkist Grove and getting the community involved as far as the location of the proposed expansion being within their community and gathering their input. Commissioner Prevatel made assurance that there was room for a third tank and that even if there are currently no plans for them now, it should be outlined. Mr. Pierre-Louis stated that they would accommodate for a third tank if necessary. Commissioner Prevatel also stated that the parking lot should be moved slightly north and reshaped in order to fit the third tank. Mr. Pierre-Louis stated that we have interconnections with Miami Dade, North Miami

Beach and Opa Locka so if we would ever go through an unfortunate even where neither of the two tanks were out of service, we would still function fine.

Commissioner Prevatel then mentioned a video on Columbus, Indiana and how it pertains to our City's efforts. Chair Seifried then explained that it is a process in order to view the video. It would need a motion of approval and that it would have to be included on the agenda in legal advertisement. Commissioner Prevatel objected because according to him, the video was only relevant for that agenda item. Mr. Galdos explained being that it was a quasi-judicial item, the video becomes evidence; it would have to be advertised in order to be played.

Mr. Pierre-Louis stated that the administration is ready for permitting since the office building was already designed but the water tanks were conceptual.

**Public Hearing:**

No one spoke at the public hearing.

**Commission Discussion:**

Commissioner Ernst moved to approve the proposed resolution of the issuance of a conditional use permit for the proposed expansion and redevelopment of the Winson Water Treatment Plant. Commissioner Castor seconded the motion and it passed 4-1.

— — — —

The next meeting was tentatively set for July 1, 2014.

**V. COMMITTEE REPORTS:** None

**VI. OLD BUSINESS:** None

**VII. NEW BUSINESS:** None

There being no further business to come before the Commission, the meeting was adjourned at 7:44 p.m.

**VIII. ADJOURNMENT**

Respectfully submitted:

Attest:

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Commissioner Kevin Seifried, Chair  
Planning Commission

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Bhairvi Pandya, AICP, GISP, City Planner  
Community Planning & Development

Prepared by:

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Brittini Duria, Board Secretary  
Community Planning & Development



## Staff Report

**To:** The Planning Commission

**From:** Tanya Wilson-Sejour, Planning Manager, Community Planning & Development Department

**Date:** July 1, 2014

**Re:** Amendment to Article 5, Entitled ‘Design’ Sections 5-802 to 5-804, 5-1401 and 5-1409.

**AN ORDINANCE OF THE VICE MAYOR ACTING AS MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 29 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, ENTITLED “LAND DEVELOPMENT REGULATIONS” BY AMENDING ARTICLE 5, DIVISION 8 ENTITLED “DESIGN”, SPECIFICALLY AT SECTIONS 5-802, 5-803 AND 5-804, TO AMEND THE CURRENT TRANSIT ORIENTED DEVELOPMENT DESIGN STANDARDS THROUGHOUT THE CITY; AND FURTHER AMENDING DIVISION 14 ENTITLED “PARKING AND LOADING, SPECIFICALLY AT SECTIONS 5-1401 AND 5-1409, TO REVISE THE CURRENT PARKING GARAGE DESIGN CRITERIA TO ENCOURAGE GREATER ARCHITECTURAL APPEAL, IMPROVE VISUAL INTEREST AND PROMOTE ECONOMIC GROWTH, CONSISTENT WITH THE INTENT OF THE CITY OF NORTH MIAMI COMPREHENSIVE PLAN AND THE DOWNTOWN DEVELOPMENT AND MAJOR CORRIDOR MASTER PLAN; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION AND FOR AN EFFECTIVE DATE.**

### **RECOMMENDATION**

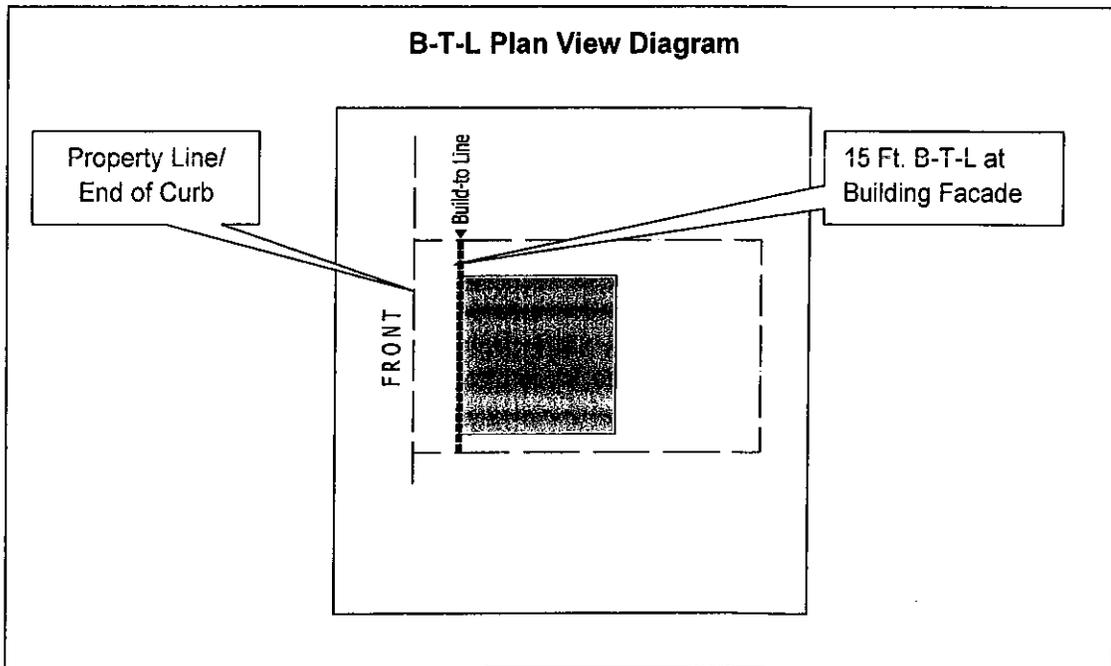
That the Planning Commission approves the proposed ordinance to amend Article 5 of the City’s Land Development Regulations (LDRs) of Sections 5-802, 5-803 and 5-804 to update the current Transit Oriented Development Design Standards throughout the City; also amending Sections 5-1401 and 5-1409 “Parking and Loading” consistent with the recommendations of the City’s Adopted Downtown Development and Major Corridor Master Plan.

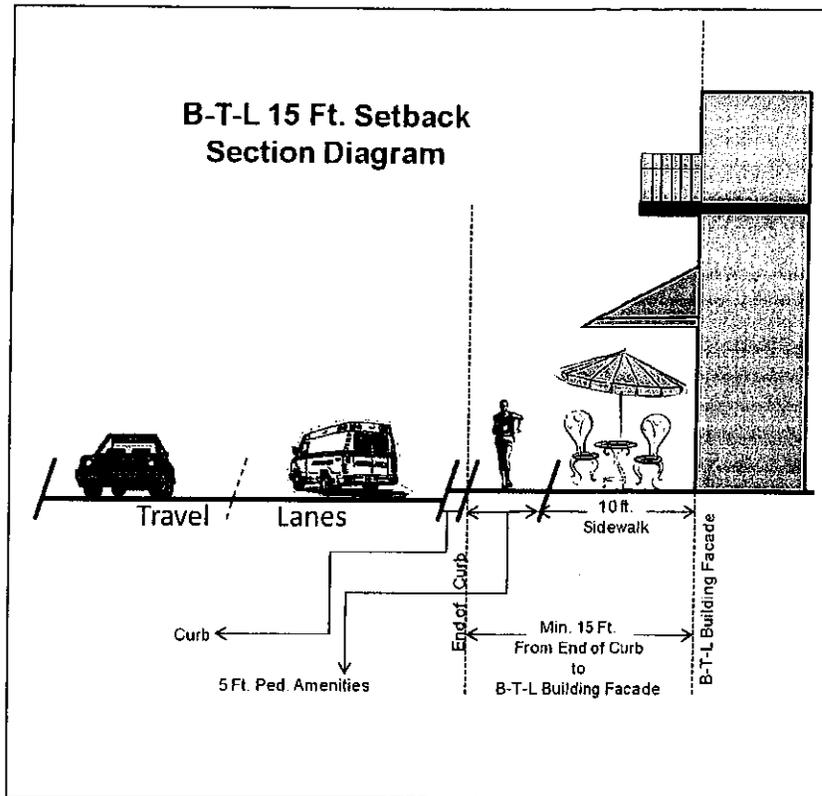
**BACKGROUND INFORMATION**

On May 28, 2013, the Mayor and City Council approved Resolution R-2013-55, adopting the City's Downtown Development and Major Corridor Master Plan ("Master Plan") to serve as an urban design and architectural guide for future development and redevelopment within the City's Downtown. The Master Plan has been developed to serve as a visual design guide for future development and redevelopment of the Downtown core area and major corridors, to further advance the objectives of the Comprehensive Plan and Land Development Regulations.

The Master Plan recommends that the City review its current land use and zoning regulations to identify limitations that hinder opportunities for a mixed-use, transit oriented, pedestrian friendly development along major corridors and the City's Downtown area. In an effort to promote a pedestrian oriented environment that provides greater opportunities of sidewalk cafes, walkability and greater access to parking consistent with the Master Plan recommendations the proposed amendment seeks to update the current Transit Oriented Development Design Standards and Parking & Loading (parking garages) Standards to include the following updates:

- Minimum Sidewalk Standards for Downtown and Major Corridors: Recommends a 10 ft wide sidewalk if pedestrian amenities are proposed. Total build-to-line setback to be 15 ft which will include a 10 ft sidewalk and an additional 5 ft of pedestrian amenities. Please see diagrams below:





- Minimum Sidewalk Standards For Other Areas Within the City: Sidewalks required to be a minimum of 5 ft wide and if pedestrian amenities are proposed, an additional 5 ft to be provided by developer totaling 10 ft wide sidewalk.
- Minimum Streetscape Standards For Downtown and Major Corridors; and Other Areas Within The City: Sidewalks to be at least 5 ft wide.
- On and Off-street Parking Standards For Downtown and Major Corridors; and Other Areas Within The City: Specific buffer and aesthetic requirements for parking structures/garages abutting all residential districts.
- Architectural Design Standards For Downtown and Major Corridors; and Other Areas Within The City: Architectural features that provide visual aesthetic appeal, student housing opportunities, green building principles for development proposals.
- Surface Parking and Loading (Parking Garage) Standards For Downtown and Major Corridors; and Other Areas Within The City : Surface parking must be provided behind or along the side of the building. Requiring buffer, architectural and landscape treatments of parking structures/garages abutting all residential districts. Parking structures/garage standards to include aesthetic treatments, harmony and lighting considerations are included in Section 5-1409.

## **ANALYSIS**

**Section 3-1004 of the City's Land Development Regulations requires that all text amendments to the LDR must meet the following minimum criteria:**

**1. Promotes the public health, safety and welfare;**

*The proposed text amendment to revise Transit Oriented Development, Urban Design and Parking & Loading Standards (specific to Parking Structures/Garages) throughout the City is in keeping with the spirit and intent of the City's Comprehensive Plan which, further requires that the City adopt guidelines for unified urban design, architectural and landscape regulations for major corridors to further assist in creating a sense of place throughout the City. If approved the proposed amendment is anticipated to implement applicable strategies that encourage mixed-use and transit oriented development in the Downtown and along designated corridors within the City. This proposed amendment identifies methods of creating pedestrian friendly spaces, increasing architectural appeal and walkability to improve the City's public image, health, safety and welfare.*

**2. Does not permit uses the Comprehensive Land Use Plan prohibits in the area affected by the zoning map change or text amendment**

*The proposed text amendment does not permit uses that are prohibited by the underlying City-wide Land Use designations in the Future Land Use Map.*

**3. Does not allow densities or intensities in excess of the densities and intensities which are permitted by the future land use categories of the affected property;**

*Policy 1.1. of the City's Comprehensive Plan (Future Land Use Element) establishes maximum densities and intensities in each land use category which restricts proposed developments throughout the City to certain minimum development standards. Also Article 4 of the LDR provides maximum density and intensity standards for proposed developments in all zoning districts. As such, all future uses must comply with the maximum densities and intensities permitted in the City's Comprehensive Plan and Article 4 of the LDR.*

**4. Will not cause a decline in the level of service for public infrastructure which is the subject of a concurrency requirement to a level of service which is less than the minimum requirements of the Comprehensive Land Use Plan;**

*The proposed ordinance will not cause a decline in the level of service. In fact the mixed-use and transit oriented developments will integrate a variety of uses in one pocket area reducing*

*the need on City infrastructure auto dependence and certain services. In addition, it is anticipated that there may be a reduction in vehicle trips and vehicular traffic and an increase in pedestrian walkability and bicycle activities.*

**5. Does not directly conflict with any goal, objective or policy of the Comprehensive Land Use Plan; and**

*The proposed text amendment is consistent with the goals, policies and objectives of the City's Comprehensive Plan. Specifically:*

- *Policy 1.4.1 of the Comprehensive Plan, requires that the City "adopt guidelines for unified urban design, architectural and landscape regulations for major corridors to further assist in creating a sense of place throughout the City..."*
- *Policy 1.2.1 of the Comprehensive Plan requires that the City "shall implement applicable strategies ... and incentives for achieving transit oriented development along designated corridors".*
- *Objective 1.4 of the Comprehensive Plan states that the City shall "identify methods of creating a sense of place and encourage citywide implementation of urban design guidelines".*
- *Policy 2C.1.4 of the Comprehensive Plan requires that the City "amend the Land Development regulations to implement guidelines for establishing TOD districts within the City and provide incentives to developers ...that include TOD principles and design features ...by the City".*

*The proposed text amendment will create an environment that will enhance the economic prosperity of local businesses and attract new business while improving the quality of life for all citizens. As proposed the text amendment does not conflict with the Goals, Objectives and Policies of the Comprehensive Plan.*

**6. The proposed amendment furthers the orderly development of the City of North Miami.**

*The proposed text amendment furthers the orderly development within the City and its major corridors in that it encourages strategies from the Downtown Development and Major Corridor Master Plan that aid in achieving mixed-use and transit oriented development in the Downtown and along major corridors in the City. This proposed text amendment satisfies Policy 2C.1.4 of the Comprehensive Plan which encourages amending the Land Development Regulations to include Transit Oriented Development principles that encourage more pedestrian and public amenities at the street level.*

**CONCLUSION**

The proposed ordinance seeks to guide future development and redevelopment within the major corridors and the Downtown. In an effort to aid in the revitalization of the City's Downtown and major corridors, staff recognizes the importance of maintaining a viable Downtown with mixed-use, transit oriented development in order to encourage pedestrian linkages, encourage bicycle activity, promote a livable environment with day and night-time appeal. Given the foregoing, staff believes the proposed amendment will help raise the architectural appeal of the Downtown area and make the major corridors and the City more attractive to potential investors. As such, staff believes the proposed amendment is in keeping with the goals, objectives and policies of the City's Comprehensive Plan and would promote economic growth within the City. **Therefore, staff requests that the Planning Commission recommends approval of the proposed ordinance.**

TWS/bp

Attachments

1. Ordinance
2. Proposed Text Amendments

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE VICE MAYOR ACTING AS MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 29 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, ENTITLED "LAND DEVELOPMENT REGULATIONS" BY AMENDING ARTICLE 5, DIVISION 8 ENTITLED "DESIGN", SPECIFICALLY AT SECTIONS 5-802, 5-803 AND 5-804, TO AMEND THE CURRENT TRANSIT ORIENTED DEVELOPMENT DESIGN STANDARDS THROUGHOUT THE CITY; AND FURTHER AMENDING DIVISION 14 ENTITLED "PARKING AND LOADING", SPECIFICALLY AT SECTIONS 5-1401 AND 5-1409, TO REVISE THE CURRENT PARKING GARAGE DESIGN CRITERIA TO ENCOURAGE GREATER ARCHITECTURAL APPEAL, IMPROVE VISUAL INTEREST AND PROMOTE ECONOMIC GROWTH, CONSISTENT WITH THE INTENT OF THE CITY OF NORTH MIAMI COMPREHENSIVE PLAN AND THE DOWNTOWN MASTER DEVELOPMENT AND MAJOR CORRIDOR PLAN; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION AND FOR AN EFFECTIVE DATE.**

**WHEREAS**, on May 28, 2013, the Mayor and City Council of the City of North Miami ("City") passed Resolution No. R-2013-55, adopting the City's Downtown Master Development and Major Corridor Plan ("Master Plan") to serve as an urban design and architectural guide for future development and redevelopment within the City's downtown area; and

**WHEREAS**, consistent with the spirit of the Master Plan, the City administration has identified areas of improvement to encourage mixed-use, transit oriented and pedestrian friendly development along major corridors including, but not limited to the following: minimum sidewalk standards, minimum streetscape standards, on and off-street parking standards, architectural design standards, and parking and loading (parking garage) standards ("Improvements"); and

**WHEREAS**, the proposed amendments to the Land Development Regulations will bring to fruition the proposed Improvements, in a manner consistent with the principles of the City Comprehensive Plan and the Master Plan; and

**WHEREAS**, the achievement of Improvements will promote economic growth and job creation as the image and prosperity of the downtown area and major corridors is steadily attained; and

**WHEREAS**, the Planning Commission, after a duly noticed public hearing held on July 1, 2014, reviewed the proposed amendments and found them in harmony with the goals, objectives and policies of the Comprehensive Plan and applicable LDRs, and recommended approval to the Vice Mayor as Acting Mayor and City Council; and

**WHEREAS**, the Vice Mayor as Acting Mayor and City Council recognize the contribution and positive ramifications of the proposed amendments to the public health, safety and welfare, and thereby determine that approval is in the best interest of the City.

**NOW THEREFORE, BE IT ORDAINED BY THE VICE MAYOR ACTING AS MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, THAT:**

**Section 1. Amendment to Chapter 29 Code of Ordinances.** The Vice Mayor acting as Mayor and City Council of the City of North Miami, Florida, hereby amend Chapter 29 of the City of North Miami Code of Ordinances, entitled “Land Development Regulations” by amending Article 5, Division 8 entitled “Design”, specifically at Sections 5-802, 5-803 and 5-804, to amend the current Transit Oriented Development Design Standards throughout the City; and further amending Division 14 entitled “Parking and Loading”, specifically at Sections 5-1401 and 5-1409, to revise the current Parking Garage Design Criteria to encourage greater architectural appeal, improve visual interest and promote economic growth, consistent with the intent of the City of North Miami Comprehensive Plan and the Downtown Master Development and Major Corridor Plan, as follows:

## **CHAPTER 29 – LAND DEVELOPMENT REGULATIONS**

### **ARTICLE 5. Development Standards**

#### **Division 8. Design.**

**Sec. 5-801. Residential structures.**

A. No person shall paint any single-family, duplex or triplex residential structure in any color other than those listed on the approved city color palette, on file with the building and zoning department, unless the proposed colors are approved by the building and zoning department pursuant to subsection B. below.

B. Any person wishing to paint such single-family, duplex or triplex residential structure a color other than that which is authorized in subsection A. above, shall submit a proposed paint color sample to the department of building and zoning for approval. In the event that the department of building and zoning rejects such paint color sample, the homeowner or lessee shall have the right to appeal such decision to the board of adjustment pursuant to the provisions of section 3-702.

**Section 5-802. Applicability of ~~transit-oriented~~ mixed-use and transit oriented (TOD) development design standards.**

A. The provisions of section 5-803 shall apply throughout the city in all districts to all new development and redevelopment, including mixed-use development. The City of North Miami Downtown Master Development and Major Corridor Plan and design guidelines are hereby adopted by reference.

B. The provisions in Section 5-804 and design guidelines contained in the Downtown Master Development and Major Corridor Plan shall apply to all new development and redevelopment including TOD or mixed-use development along the areas defined in the Downtown Master Development and Major Corridor Plan as the downtown area along NW 125<sup>th</sup> Street, and major corridors along West Dixie Highway, NE 6<sup>th</sup> Avenue, NW 7<sup>th</sup> Avenue, NW 119<sup>th</sup> Street and Biscayne Bay Boulevard, and shall be known as Transit Oriented Development Areas, major corridors of the city (Biscayne Boulevard, Dixie Highway, 7th, 135th, and 125th Street) and shall also apply if an applicant is seeking a bonus in accordance with the provisions in article 4 of these LDRs.

**Section 5-803. Transit oriented/mixed-use development design standards --- City-wide.**

A. Minimum sidewalk standards.

1. An on-site pedestrian circulation system which connects the street to the primary entrances of the structure(s) on the site shall be provided.

2. Sidewalks shall be provided along the frontage of all public streets. Sidewalks must be hard surfaced and at least five (5) feet in width. If pedestrian amenities are specified in the development plans, the amenities shall be no less than five (5) feet in width. The total width of the sidewalk shall be a minimum of ten (10) feet including pedestrian amenities.

3. Sidewalks must be hard surfaced and at least six (6) feet in width. Sidewalks shall be provided along the frontage of all public streets.

~~4. Sidewalks and the circulation system must be adequately illuminated to a level where the system can be used at night by employees, residents and customers. If there are no amenities proposed, sidewalks must be hard-surfaced and at least five (5) feet in width.~~

~~5. Sidewalks or pedestrian ways must connect the required pedestrian system to existing pedestrian systems on adjacent properties where physically possible. Sidewalks and the circulation system must be adequately illuminated to a level where the system can be used at night by employees, residents and customers.~~

~~6. Sidewalks or pedestrian ways must connect the required pedestrian system to existing pedestrian systems on adjacent properties where physically possible.~~

#### B. Minimum streetscape standards.

1. A continuous perimeter-planting strip (excluding driveways) shall be required whenever the property abuts a sidewalk. The width of the planting strip shall be at least three (3) feet or as determined by the building and zoning department at the time of the review of the site plan.

2. Sidewalks shall be located adjacent to the perimeter-planting strip. If the right-of-way width varies along the street frontage, the planting strip shall be aligned along the widest right-of-way section.

3. Sidewalks along public street right-of-ways shall abut the perimeter-planting strip, and be located on the side closest to the building to encourage pedestrian activity. The sidewalk width and locations shall be determined at the time of the review of the site plan. If not otherwise specified, then the sidewalk shall be ~~six feet in width~~ at least five (5) feet in width. If pedestrian amenities are specified in plans they shall be an additional five (5) feet to the required minimum 5 feet of sidewalk.

4. Sidewalk easements or dedication shall be required if the sidewalk is not located within the public right-of-way.

#### C. On and offstreet parking.

1. Lighting shall be provided to ensure personal safety and shall be integrated into the architectural character of the development both in terms of illumination and fixtures. When use is not open, only motion activated lights for security is permitted. Lighting shall not produce glare or negatively impact offsite uses or traffic on adjacent streets.

2. Except as provided in subsection 4-401C.4. for residential office districts, no vehicle parking or garage shall be allowed in a required setback which abuts a public street, except for service entrances or loading zones restricted for deliveries and not available for use by the general public for parking purposes.

3. Shared or nonconcurrent parking may be permitted if the applicant for development approval demonstrates that adequate parking will exist in accordance with the provisions of article 5, division 14.

4. Offstreet parking areas shall only be allowed in surface lots on the side or rear of a lot, in an underground lot or in a parking structure; provided however, that parking may be allowed between a public street or pedestrian way and a building outside of the CCD if it does not obstruct pedestrian access and there are unusual site characteristics making it impossible to meet the minimum parking requirement on the side or rear of a building and no more than two (2) rows of parking are provided.

5. Retail uses shall be incorporated in the ground floor of parking structures adjacent to streets within the CCD district and major corridors in the NRO.

6. Parking standards in article 5, division 14, section 5-1401 "General criteria" and section 5-1409 "Parking garages" shall apply to all new developments.

#### D. Architectural design standards.

1. No front setbacks are permitted in nonresidential districts except for the streetscape: five (5) feet of pedestrian amenities etc., and ~~six~~ five (5) feet sidewalk and a public seating area or plaza is provided in front of the building.

2. New buildings shall be oriented as to face a public street or public open space. Buildings shall be oriented to a defined pedestrian walkway, public street or public open space.

3. If a building has frontage on more than one (1) public street, the building need only have one (1) main entrance oriented to the public street or alternatively to the corner where the two (2) public streets intersect.

4. Architectural features should be used to provide visual aesthetic appeal, weather protection, shade as well as highlight building features and entries.

5. The most active ground floor uses such as storefronts, lobbies and restaurant dining areas shall front the public sidewalk. Private amenities, such as courtyards, that are not accessible to the public shall be located within the project site or on upper floors and not along the street.

6. Transit stops and/or pedestrian connectivity to transit stops including but not limited to train stations and local universities shall be incorporated into the layout of all mixed-use development, regardless of service availability.

7. Student housing opportunities should be created for students that provide walkability, connectivity and access to Florida International University, Johnson and Wales University and Barry University.

8. In an effort to support the City’s sustainable initiatives the applicant shall strive to incorporate the green building principles listed in section 5-805(J) as part of the new project plan.

E. Bicycle standards.

1. Requirement:

a. Bicycle racks or other means of bicycle storage that can secure at least four (4) bicycles shall be required for all new parks, government facilities, schools, and nonresidential developments.

b. New multifamily developments and other uses shall provide bicycle parking in accordance with the requirements of this subsection.

2. Quantity of bicycle parking spaces required:

a. For all land uses except the ones listed under [subsection] 2.b., the following bicycle parking requirements shall apply:

Total Parking Spaces in Lot	Required Number of Bicycle Parking Spaces
1 to 50	4
51 to 100	8
101 to 500	12
501 to 1000	16
Over 1,000	four (4) additional spaces for each 500 parking spaces over 1,000

b. For the uses listed under this subsection the following bicycle parking requirements shall apply:

- Elementary, Middle and Senior high schools, vocational/trade schools, colleges, public, private or parochial—One hundred (100) percent of the required number of motor vehicle parking.

- Dormitories, fraternities and sororities—Fifty (50) percent of the required number of motor vehicle parking.
- Public or private transportation facilities—Twenty (20) percent of the required number of motor vehicle parking.
- Sports and recreation facilities (parks, playgrounds, bowling alleys, racquetball, tennis and similar court facilities)—Twenty (20) percent of the required number of motor vehicle parking.

3. Exemption: Single-family and duplex units are exempt from the provisions of this subsection.

4. Location and design of bicycle parking spaces: The bicycle parking spaces shall be located near the principal entrance to the building. At building and shopping centers that have multiple parking lots, the bicycle parking spaces should be installed near the entrance to the buildings served by the lots. The bicycle parking spaces should be in a highly visible, well lighted location that provides enough clear space to facilitate easy use and does not impede pedestrian traffic or handicap accessibility and is protected from the weather by being located under roof overhangs and canopies. No private bicycle parking required by this section may be placed in the public right-of-way. The design of the bicycle rack should permit the locking of the frame and at least one (1) wheel with a standard size "U" lock and accommodate the typical range of bicycle sizes. The bicycle rack must resist removal, must be solidly constructed to resist rust, corrosion and vandalism and must be properly maintained.

5. Other acceptable forms of bicycle storage: At the owner's option, bicycle parking may also be installed in the form of storage rooms, lockers or cages.

6. Signage and markings: All bicycle parking spaces shall be posted with a permanent and properly maintained above-ground sign entitled "Secured Bicycle Parking." The bottom of the sign must be at least five (5) feet above grade if attached to a building, or seven (7) feet above grade for a detached sign.

7. Reduction in number of required parking spaces: The director of community planning may authorize a reduction in the number of required bicycle parking spaces if requested by the owner/petitioner in good cause and is found to be in compliance with the below four (4) criteria. The director of community planning and development's recommendation may be appealed to the city council.

a. Evidence that there is adequate number of bicycle parking spaces within one hundred (100) feet of the development available for public use.

b. Evidence that the proposed future use of the development will generate less bicycle parking than required.

c. Evidence that the reduction of bicycle parking will not result in unauthorized use of pedestrian areas for bicycle parking.

d. Evidence that bicycle parking/storage space is available for employees and the general public within a building or structure on the development site.

8. Bicycle parking facilities. Off-street parking facilities in multi-family and nonresidential zoning districts shall include a bicycle parking area in a convenient location to encourage the use of bicycles. Required bicycle parking facilities shall be designed, constructed and maintained in accordance with this ordinance and the City of North Miami Engineering Design Standards. Where not specified, both short term and long term parking facilities are permissible. Long term facilities are required at large employment centers and major transit hubs, as determined by the city.

a. "Short term bicycle parking" shall mean a stationary parking device on a concrete surface, which adequately supports the bicycle and must hold at least one hundred eighty (180) degrees of the wheel arc. The short term parking facilities approved by the city shall consist of the "Inverted-U" rack or the "post-and-ring" rack. The inverted-U rack shall be designed to park two (2) bicycles, facing in opposite directions, parallel to the rack. Racks in a parallel series need to be four (4) feet apart to provide adequate access to each bicycle. If adjacent racks are spaced less than four (4) feet apart, they shall be counted as one (1) bicycle parking space, not two (2). The inverted-U rack shall be a minimum of thirty (30) inches long. The height of the inverted-U rack shall be approximately thirty (30) to thirty-two (32) inches.

b. "Long term bicycle parking" shall mean a locker consisting of a fully enclosed lockable space accessible only to the owner/operator of the bicycle, attendant parking with a check-in system accessible only to the attendant(s), a secure, lighted, covered area, or a locked room or office inside a building. The bicycle lockers shall provide secure locking mechanisms that store bicycles with protection from the elements. Existing developments that do not have the necessary space on site to provide for secure bicycle lockers can accommodate long term bicycle parking by converting an existing easily accessible room as a bike room or locker room. Other long term bicycle parking facilities that meet the intent of this Code shall be reviewed and accepted by the city on a case-by-case basis.

**Sec. 5-804. Transit-oriented/mixed-use development design standards applicable on major corridors and applications for bonuses.**

In addition to the standards in section 5-803, all development along major corridors and all applications for bonuses shall comply with the following:

**A. Minimum sidewalk standards.**

1. Sidewalks must be hard-surfaced and at least ten (10) feet in width. An on-site pedestrian circulation system which connects the street to the primary entrances of the structure(s) on the site shall be provided.

~~2. Sidewalks and the circulation system must be adequately illuminated to a level where the system can be used at night by employees, residents and customers. Sidewalks shall be provided along the frontage of all public streets.~~

~~3. Pedestrian scale decorative lighting fixtures no greater than fifteen [15] feet in height shall be provided. Sidewalks must be hard-surfaced and at least ten (10) feet in width. If pedestrian amenities are specified in the development plans, the amenities shall be no less than five (5) feet in width. The total width of the sidewalk shall be a minimum of fifteen (15) feet including pedestrian amenities.~~

~~4. An on-site pedestrian circulation system which connects the street to the primary entrances of the structure(s) on the site shall be provided. Sidewalks and the circulation system must be adequately illuminated to a level where the system can be used at night by employees, residents and customers.~~

~~5. Sidewalks shall be provided along the frontage of all public streets. Sidewalks or pedestrian ways must connect the required pedestrian system to existing pedestrian systems on adjacent properties if physically possible.~~

~~6. Sidewalks or pedestrian ways must connect the required pedestrian system to existing pedestrian systems on adjacent properties if physically possible. Pedestrian scale decorative lighting fixtures no greater than fifteen (15) feet in height shall be provided.~~

#### B. Minimum streetscape standards.

~~1. Canopies, awnings, cornices and similar architectural accents are permitted on exterior building walls. Such features shall be constructed of rigid or flexible material designed to complement the streetscape of the area. Any such feature may extend from the building up to one-half (1/2) of the width of the setback area in front of the building or nine (9) feet, whichever is less, and may not be closer than two (2) feet to the back of the curb. In no instance shall such features extend over, or interface with the growth or maintenance of any required tree planting. Minimum overhead clearance shall be eight (8) feet. Ground supports for these features are not permitted in the minimum setback. A continuous perimeter-planting strip (excluding driveways) shall be required whenever the property abuts a sidewalk. The width of the planting strip shall be at least three (3) feet or as determined by the building and zoning department at the time of the review of the site plan.~~

~~2. Sidewalks shall be located adjacent to the perimeter-planting strip. If the right-of-way width varies along the street frontage, the planting strip shall be aligned along the widest right-of-way section.~~

~~3. Sidewalks along public street right-of-ways shall abut the perimeter-planting strip, and be located on the side closest to the building to encourage pedestrian activity. The sidewalk width and locations shall be determined at the time of the review of the site plan. The sidewalk shall be at least ten (10) feet in width. If pedestrian amenities are specified in plans they shall be an additional five (5) feet to the required 10 feet of sidewalk.~~

4. Sidewalk easements or dedication shall be required if the sidewalk is not located within the public right-of-way.

5. Canopies, awnings, cornices and similar architectural accents are permitted on exterior building walls. Such features shall be constructed of rigid or flexible material designed to complement the streetscape of the area. Any such feature may extend from the building up to one-half (½) of the width of the setback area in front of the building or nine (9) feet, whichever is less, and may not be closer than two (2) feet to the back of the curb. In no instance shall such features extend over or interface with the growth or maintenance of any required tree planting. Minimum overhead clearance shall be eight (8) feet. Ground supports for these features are not permitted in the minimum setback.

C. On and offstreet parking.

1. Lighting shall be provided to ensure personal safety and shall be integrated into the architectural character of the development both in terms of illumination and fixtures. When use is not open, only motion activated lights for security is permitted. Lighting shall not produce glare or negatively impact offsite uses or traffic on adjacent streets.

2. Except as provided in subsection 4-401C.4. for residential office districts, no vehicle parking or garage shall be allowed in a required setback which abuts a public street, except for service entrances or loading zones restricted for deliveries and not available for use by the general public for parking purposes.

3. Shared or nonconcurrent parking may be permitted if the applicant for development approval demonstrates that adequate parking will exist in accordance with the provisions of article 5, division 14.

4. Offstreet parking areas shall only be allowed in surface lots on the side or rear of a lot, in an underground lot or in a parking structure; provided however, that parking may be allowed between a public street or pedestrian way and a building outside of the CCD if it does not obstruct pedestrian access and there are unusual site characteristics making it impossible to meet the minimum parking requirement on the side or rear of a building and no more than two (2) rows of parking are provided.

5. Retail uses shall be incorporated in the ground floor of parking structures adjacent to streets within the CCD district and major corridors in the NRO.

6. Parking standards in article 5, division 14 Section 5-1401 General Criteria and 5-1409 Parking Garages shall apply to all developments.

CD. Minimum standards for public spaces and transit stops.

1. Public spaces adjacent to a street and transit stops should be welcoming to the pedestrian with landscaping, benches, bicycle stands, public art and other attractive elements.

~~D~~ E. Parking structures. In areas other than the CCD district, the incorporation of retail or residential uses into parking structures is encouraged.

1. Parking standards in article 5, division 14, section 5-1401 "General criteria" and section 5-1409 "Parking garages" shall apply to all developments.

~~E~~ F. Architectural design standards.

1. No front setbacks are permitted except for the streetscape: five (5) feet of pedestrian amenities, etc. and ten (10) feet sidewalk (a 15 feet minimum build-to-line) and a public seating area or plaza ~~provided~~ in front of the building from the front property line / end of curb is required.

2. The space between a building and a public street shall be a minimum of fifteen (15) feet to encourage pedestrian related activity at the street level and in a manner which creates a more desirable and enjoyable pedestrian experience.

3. The primary ground floor building entrances shall have an entrance oriented to pedestrian oriented streets, plazas, or parks. Other entrances may be provided so long as direct pedestrian access is provided from all entrances.

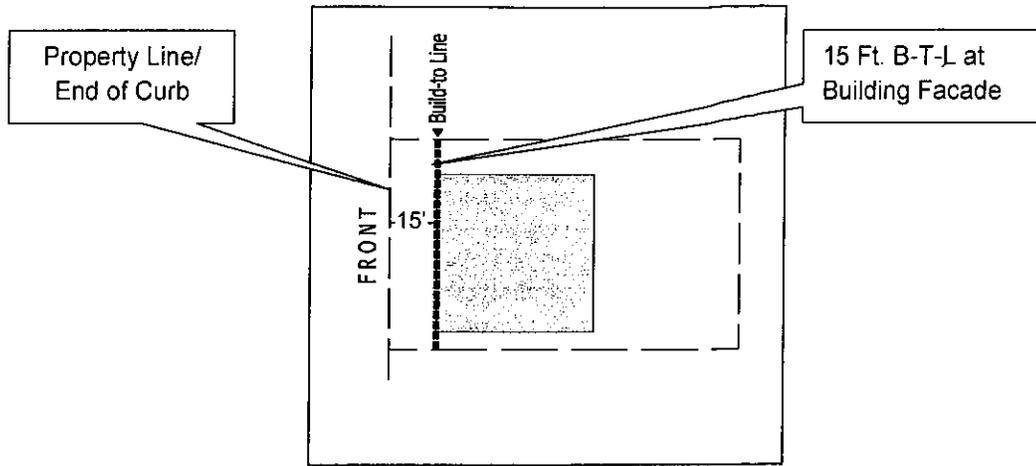
4. The space between a building and a public street shall be a minimum of ten (10) feet to encourage pedestrian related activity at the street level and in a manner which creates a more desirable and enjoyable pedestrian experience.

5. At least seventy-five (75) percent of the width of any new or reconstructed first story building wall facing a public street or pedestrian way and fifty (50) percent of the ground level wall area (ten (10) feet above grade) shall be devoted to interest creating features, such as pedestrian entrances, reliefs, landscaping, transparent show or display windows or windows affording views into retail, office or lobby space.

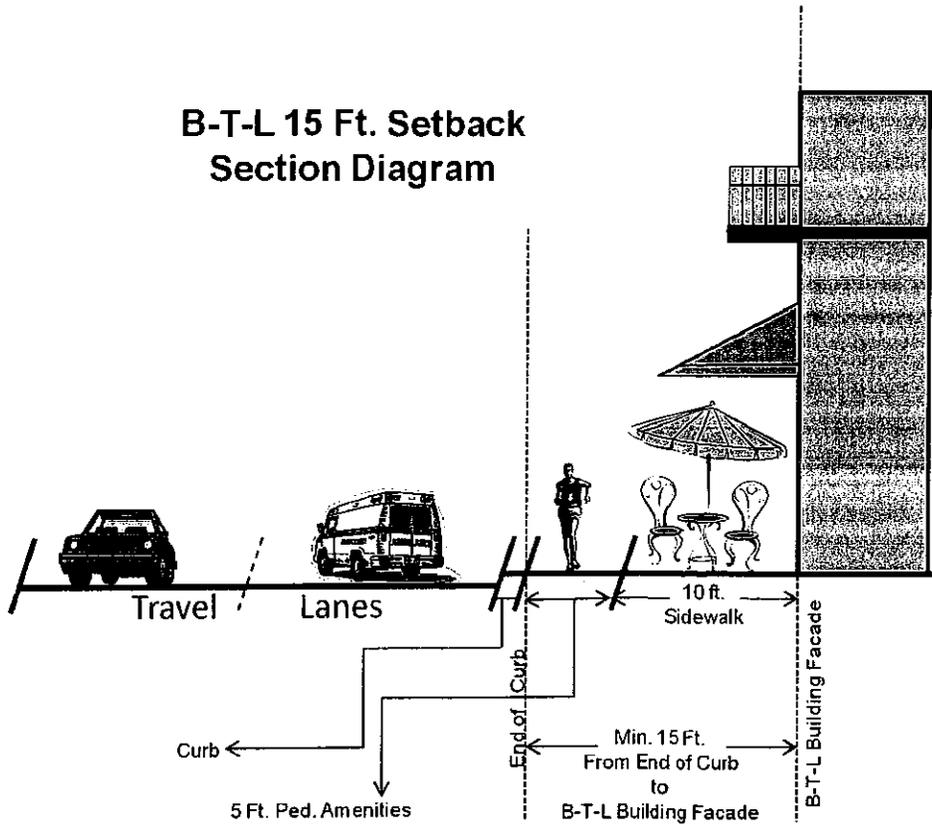
6. All buildings shall articulate the line between the ground floor and upper levels with a cornice, canopy, balcony, arcade or other visual device.

7. Build-To-Line (BTL) standard shall apply to all developments in that the primary building's facade must be built along the B-T-L. The B-T-L shall be 15' back from the front property line / end of curb, which is where the front wall of the building must be located. See diagrams below:

### B-T-L Plan View Diagram



### B-T-L 15 Ft. Setback Section Diagram



8. The Build To Line is defined as: The Build-to Line (B-T-L) regulates the distance between the front property line and building facade. The B-T-L is parallel to the front property line/end of curb and the primary building's facade must be built along the B-T-L. If the B-T-L is 15' back from the front property line, which is where the front wall of the building must be located.

9. Buildings shall be oriented to a defined pedestrian walkway, public street or public open space.

10. If a building has frontage on more than one (1) public street, the building need only have one (1) main entrance oriented to the public street or alternatively to the corner where the two (2) public streets intersect.

11. The most active ground floor uses such as storefronts, lobbies, and restaurant dining areas shall front the public sidewalk. Private amenities, such as courtyards, that are not accessible to the public shall be located within the project site or on upper floors and not along the street.

12. Transit stops and/or pedestrian connectivity to transit stops including but not limited to train stations and local universities shall be incorporated into the layout of all mixed-use developments, regardless of service availability.

13. For properties zoned C-3, Student housing opportunities should be created for students that provide walkability, connectivity and access to Florida International University, Johnson and Wales University and Barry University.

14. In an effort to support the City's sustainable initiatives the applicant shall strive to incorporate the green building principles listed in Section 5-805(J) as part of the new project plan.

F.G. Connectivity.

1. Except as provided in this subsection, no solid free-standing walls, hedges or fences shall be allowed along a public street or sidewalk unless the solid wall, fence or hedge does not exceed four (4) feet in height.

2. Decorative walls, fences and hedges that allow visibility, such as wrought iron and split rail fences, shall be allowed throughout provided they do not exceed six (6) feet in height.

3. Allowable walls, hedges or fences shall have openings or gates operable from both sides at least every one hundred (100) feet.

\* \* \* \* \*

**Division 14: Parking and Loading**

**Section 5-1401: General criteria**

A. *General criteria.* In all districts there shall be provided at the time any development is commenced, offstreet parking spaces in accordance with the requirements set forth in this division.

B. *Size.* Each offstreet parking space shall have an area of not less than nine (9) feet in width and eighteen (18) feet in depth exclusive of access drives or aisles, and shall be in usable shape and condition.

C. *Number of parking spaces required.* Except as provided in sections 5-1403 and 5-1404, the number of offstreet parking spaces required shall be as set forth in the offstreet parking schedule in section 5-1402.

D. *Parking lots.* Where such lot is accessory to any use, such lot shall be paved and provide drainage as approved by the city engineer; provided however, that no residential driveways or parking area shall be paved more than sixty (60) percent of the front yard.

E. *Parking area and lot screening.* All parking areas shall contain adequate screening, as required by the city's landscaping regulations in article 5, division 12.

F. *Location.*

1. Offstreet parking areas shall be located on the same lot, parcel or premises as the use to be served or on a parcel of land within six hundred (600) feet, provided there is a unity of title between the parcel being served and the parcel on which such off-street parking is located, or provided that a parking agreement, in conformance with the provisions of section 5-1603, that ensures the availability of parking is approved by the city manager and city attorney and recorded in the public records.

2. No parking shall be located on the lawn in the front yards of homes.

G. *Materials.* Driveways and parking areas shall be composed of asphalt, pavers, permeable structured grass or concrete and not gravel or concrete strips. Gravel and concrete strip driveways existing at the time of adoption of these LDRs for single-family dwellings shall be allowed to remain in perpetuity, provided that they are properly maintained. Gravel driveways and concrete strip driveways for properties other than single-family residences shall be brought into conformance with the provisions of this subsection within seven (7) years of the adoption of these LDRs.

H. *Access.* All driveways to parking lots shall be designed in accordance with the following:

1. Except as provided for corner lots or in subsection 3. hereof, driveways shall be setback from the side property line at least five (5) feet.

2. Except as provided for corner lots, an administrative variance may be obtained for a setback from the side property line of two and one-half (2.5) feet provided that the driveway is composed of pervious materials.

3. No driveway shall be located closer than fifteen (15) feet to the corner, or as measured in accordance with standards of the public works department.

4. Adjacent nonresidential properties shall provide a cross access drive and pedestrian access to allow circulation between sites wherever feasible.

5. All driveways shall be constructed in accordance with the engineering standards of the public works department.

I. *Requirements.* Location and design of entrances and exits shall be based upon reasonable requirements for traffic safety regulations and standards. Landscaping, curbing, or approved barriers shall be provided along lot boundaries to control entrance and exit of vehicles or pedestrians. All egress and ingress to offstreet parking areas shall be so designed as to prohibit backing out of vehicles into public rights-of-way.

J. *Interior drives.* Interior drives shall be of adequate width to serve the arrangement of parking spaces.

K. *Renovation or change of use.* In the event a building is substantially renovated or a use is changed so that there is a substantial change in the intensity of use, additional parking shall be provided in accordance with the terms of this division to the maximum extent practical. A substantial change in the intensity of use shall be construed to be a twenty-five (25) percent increase in required parking and a substantial increase in retail and pedestrian activity.

L. *Reduction in parking requirements.*

1. Preferential parking is encouraged to promote sustainable practices and encourage a reduction in the number of vehicles needed to transport individuals to destinations. Buildings may dedicate ten (10) percent of their parking spaces to these modes of transportation which may include:

- a. Hybrid vehicles;
- b. Van pools;
- c. Car pools.

In the event such preferential parking is provided, a ten (10) percent reduction in required parking may be allowed.

2. Exchanging vehicle parking spaces for bicycle facilities is encouraged to promote cleaner, more sustainable energy saving trips and is required pursuant to subsection 5-803G. Buildings may substitute bicycle accommodations for vehicle spaces on a five-to-one basis or two-to-one for motorcycle spaces.

3. In no instance shall the number of vehicle parking spaces provided be reduced pursuant to this subsection, or the TDM provisions in section 5-702 by more than fifteen (15) percent of the requirements of this division.

M. If the project is within both the Downtown Master Development and Major Corridor Plan and located along on a major corridor, all surface parking including but not limited to parking garages, must be provided behind buildings or along the side of buildings.

N. The parking standards in article 5, division 14 section 5-1409 "Parking garages" shall apply to all developments.

\* \* \* \* \*

**Sec. 5-1409. Parking garages.**

*A. {Parking garages.}*

1. The following design standards shall apply to parking garages located within and including but not limited to all City zoning districts, Special Areas, Overlay Districts and parcels of land which are adjacent or abutting the R-1, R-2, R-3, R-4, R-5 and R-6 districts: All parking garages on parcels of land which are adjacent or abutting the R-1 and R-2 districts shall:

- a. Be set back a minimum of thirty-five (35) feet from the adjacent or abutting property line, or set back one (1) foot for every one (1) foot of building height, whichever is greater;
- b. Be separated from the ~~R-1 or R-2~~ R-1, R-2, R-3, R-4 and R-5 districts by a landscape bufferyard of at least fifteen (15) feet in width which is landscaped with over-story canopy or palm trees and under-story trees at a density of one (1) over-story and one (1) under-story tree per one hundred fifty (150) square feet of bufferyard;
- c. Be designed and constructed with architectural features so that the use of the structure for a parking garage is masked from the ~~R-1 or R-2~~ R-1, R-2, R-3, R-4, R-5 and R-6 sides of the structure;
- d. Be designed so that automobile headlamps are screened with an opaque structure to height of at least four (4) feet above any drive surface within the garage;
- e. Screening shall use the architectural elements used in the building development and will incorporate at a minimum: architectural screening, awnings, Bahama shutters or similar treatments to assure that the garage is both architecturally pleasing and provides a buffer for light intrusion and allows for privacy of adjacent or abutting residential neighbors; and
- f. Provide lighting fixtures which are cut-off fixtures or directed (aimed) so that they are not directly visible from any property in the ~~R-1 or R-2~~ R-1, R-2, R-3, R-4, R-5 and R-6 districts within two hundred (200) feet of the parking structure.

2. All parking garage entry or exit drives shall be architecturally designed with pavers and other aesthetic treatments which ensure that the drive area is consistent with the streetscape on either side of the drive.

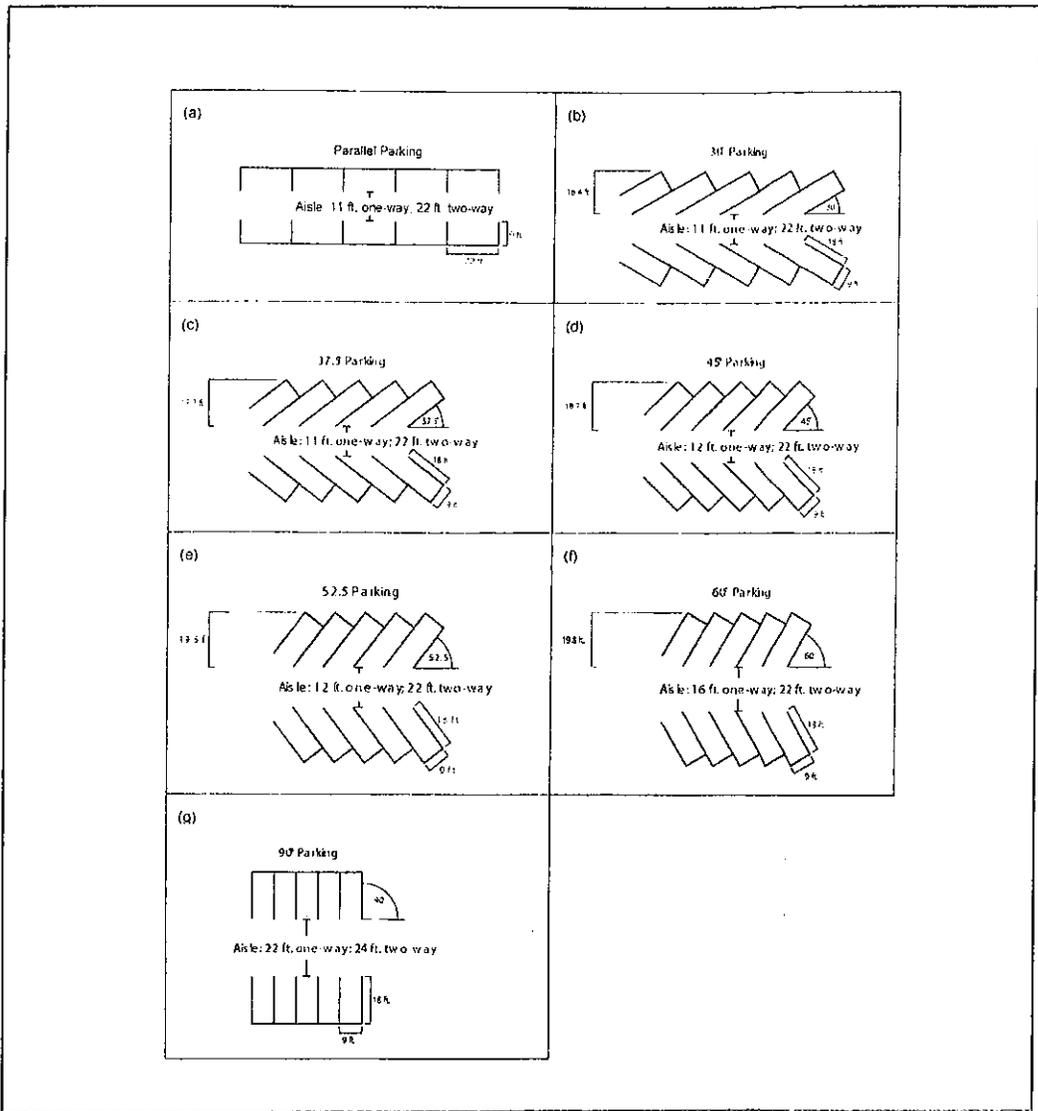
3. All parking garages shall be designed in the same architectural style with the same materials and finishes at the principal building or buildings which are served by the garage structure.

4. No light fixture on the top floor of a parking garage shall be located at height above the surface of the top parking level of greater than three and one-half (3½) feet.

5. Retail uses shall be incorporated on the ground floor of parking structures on major corridors.

6. Parking garages shall have all architectural expression consistent and harmonious with that of habitable space. The architectural expression shall include vertically proportioned openings, balconies, glazing, awnings, or other similar architectural elements. Ramping is encouraged to be internalized wherever possible. Exposed spandrels are prohibited. The exposed top level of parking structures shall be covered a minimum of sixty (60) percent with a shade producing structure such as a vined pergola or retractable canvas shade structure. All garage lighting installations shall be designed to minimize direct spillage, sky glow and hazardous interference with vehicular traffic on adjacent rights-of-way and all adjacent properties; this may be achieved through the use of down-turned building beams, garage screening, landscaping, or other similar architectural elements.

## Parking Configuration Table



\* Parallel parking spaces shall be setback an additional one and one-half (1½) feet from walls.

\*\* Ninety-degree parking spaces shall be setback an additional one (1) foot from walls.

5. 7. The minimum dimensions of new garages and carports are:

Type	Interior Width	Interior Length
One-car garage	12 ft.	20 ft.
Two-car garage	20 ft.	20 ft.
One-car carport	12 ft.	20 ft.
Two-car carport	20 ft.	20 ft.

B. *Configuration and connectivity of access driveways and aisles.*

1. *Access to parking spaces.* Access to parking spaces shall be provided in accordance with the following:

Access to parking spaces from:	Permitted methods of access to parking:	Permitted methods of egress from parking:
Alley	Direct access from alley to parking space; or access from aisle to parking space	Directly from parking space to alley or from aisle to alley. Forward and reverse (back-out) movements are permitted.
Local residential	Direct access from street to parking space; or access	Directly from parking space to street or from aisle to street. Forward and reverse (back-out)

street	from aisle to parking space	movements are only permitted for single-family residences.
Arterials	Access only from aisle	Directly from aisle to street; back out for single-family residence on lots of less than 75' in width.

2. *Ingress and egress driveways.*

a. The minimum width of ingress and egress driveways shall be:

- i. One-way drive: twelve (12) feet.
- ii. Two-way drive: twenty-four (24) feet.

b. Ingress and egress driveways shall be designed such that:

- i. Drivers can enter and exit the from the property without endangering themselves, pedestrians, or vehicles traveling on abutting streets;
- ii. Interference with the free and convenient flow of traffic on adjacent streets or alleys is minimized.

3. *No dead-end parking areas shall be provided.* A turnaround space shall be provided.

C. *Configuration of parking bays within automated parking systems.* Automated parking systems shall be designed or restricted such that the positioning of any one (1) vehicle within the automated parking system does not prevent access to any other vehicle, unless the bays that contain the obstructing vehicle and obstructed vehicle are under the control of the same person.

\* \* \* \* \*

**Section 2.** **Conflicts.** All ordinances or parts of ordinances in conflict or inconsistent with the provisions of this Ordinance are hereby repealed.

**Section 3.** **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 4.** **Codification.** The provisions of this Ordinance may become and be made a part of the Code of Ordinances of the City of North Miami, Florida. The sections of the Ordinance may be renumbered or re-lettered to accomplish such, and the word “ordinance” may be changed to “section,” “article” or any other appropriate word.

**Section 5.** **Effective Date.** This Ordinance shall become effective immediately upon adoption on second reading.

**PASSED AND ADOPTED** by a \_\_\_\_\_ vote of the Vice Mayor acting as Mayor and City Council of the City of North Miami, Florida, on first reading this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

**PASSED AND ADOPTED** by a \_\_\_\_\_ vote of the Vice Mayor acting as Mayor and City Council of the City of North Miami, Florida, on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
PHILIPPE BIEN-AIME  
VICE MAYOR ACTING AS MAYOR

ATTEST:

\_\_\_\_\_  
MICHAEL A. ETIENNE, ESQ.  
CITY CLERK

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:

---

REGINE M. MONESTIME  
CITY ATTORNEY

SPONSORED BY: CITY ADMINISTRATION

Moved by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

**Vote:**

Vice Mayor acting as Mayor Philippe Bien-Aime  
Councilperson Carol Keys, Esq.  
Councilperson Marie Erlande Steril  
Councilperson Scott Galvin

\_\_\_\_\_ (Yes) \_\_\_\_\_ (No)  
\_\_\_\_\_ (Yes) \_\_\_\_\_ (No)  
\_\_\_\_\_ (Yes) \_\_\_\_\_ (No)  
\_\_\_\_\_ (Yes) \_\_\_\_\_ (No)

Additions shown by underlining. Deletions shown by ~~overstriking~~.

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## Henry William "Bill" Succop Jr.

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### Obituary

### Guest Book



Spig C. News Photo/Steve McCann (813) 757-9000

SUCCOP, HENRY "BILL" WILLIAM JR., 84 years old,

passed away on June 8, 2014 peacefully at home. Born in January 1930 in Pittsburg, Pennsylvania, Bill moved to Miami as a small child with his family. He spent the remainder of his life in the Greater Miami Area. An alumni of Georgia Tech, he was a building contractor for many years in Miami. He transitioned into teaching at Miami Dade Community College after being instrumental in setting up the engineer/ building construction/ architectural program. After 30 years of service, he retired as the District Dean of Occupational Education. A veteran of the Korean War, he also was active with the Air Force Reserve and retired at the rank of Colonel. Upon his retirement, he continued to make contributions to his community by volunteering on the City of North Miami Board of Adjustments and Planning and Zoning Board. He is survived by his wife Angie Fernandez Succop. He is also survived by his adult children, Henry Succop III and wife Maria Jener Succop, Robert Succop, Carol Succop Carnero and husband Victor Carnero, Frank Fernandez, and Alex Fernandez and wife Kirsty Fernandez, as well as four grand children Joshua, Alison, Audrey and Ashley and two great grand children, Jason and Taylor. A Memorial Service will be held at 11:00am on Thursday (June 12, 2014) at the Miami Shores Presbyterian Church McArthur Chapel in Miami Shores, Florida followed by a reception at the Miami Shores Country Club. In lieu of flowers contributions can be made to the Wounded Warriors Project.

Be the first to share your memories or express your condolences in the Guest Book for Henry William "Bill" Succop Jr..

View

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Published in Miami Herald on June 11, 2014

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Related Memorial Sites - Korean War

### Helpful Links

#### Additional Resources

- Send Funeral Flowers
- Donate to Charity
- How To Submit An Obituary

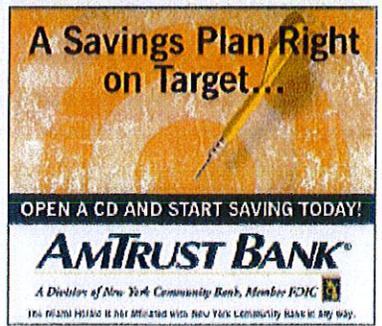
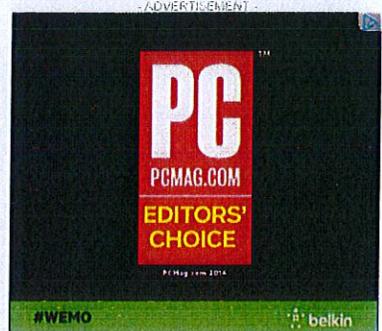
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**From:** Galdos, Roland  
**Sent:** Monday, June 02, 2014 9:30 AM  
**To:** Pandya, Bhairvi; Wilson-Sejour, Tanya; Duria, Brittni  
**Cc:** Prevatel@aol.com  
**Subject:** FW: NM PLANNING COMM FOLLOW-UP: Ordinance 1370 - Suggested Modification

Please find the attached recommendation to existing Ordinance provided by Commissioner Prevatel for discussion and Planning Commission consideration at our next meeting.

Thank you,



**Roland C. Galdos**  
Deputy City Attorney

Office of the City Attorney  
776 NE 125 Street  
North Miami, FL 33161  
305-895-9810



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**From:** [Prevatel@aol.com](mailto:Prevatel@aol.com) [<mailto:Prevatel@aol.com>]  
**Sent:** Saturday, May 31, 2014 7:52 PM  
**To:** Galdos, Roland  
**Cc:** Bien-Aime, Philippe; [scott@scott-galvin.com](mailto:scott@scott-galvin.com); Keys, Carol; Steril, Marie; [B57@miamidade.gov](mailto:B57@miamidade.gov)  
**Subject:** NM PLANNING COMM FOLLOW-UP: Ordinance 1370 - Suggested Modification

Hi Roland,

Following-up, as directed, to the May 2014 meeting of the NM Planning Commission which reviewed Ordinance 1370 ...

To preserve a balanced democratic ideal (as intended by the public elections of City Council officers), the following modification is suggested so that a potential simple majority of elected officials are prevented from abusive overrides of another elected official's appointments.

Therefore, for Ordinance 1370, Chapter 29, Article 2, Division 2/3/4, Item D/D/D it is proposed that the language of the first line of each respective entry be replaced with:

**D. REMOVAL. A MAJORITY OF VOTES OF THE CITY COUNCIL SHALL BE REQUIRED IN ORDER TO REMOVE A BOARD OR COMMISSION MEMBER, PROVIDED THAT ONE OF THE VOTES OF THE MAJORITY REPRESENTS THE OFFICIAL WHO MADE THE ORIGINAL APPOINTMENT. WITH SAID SUPPORT, NO CAUSE NEED BE SHOWN FOR REMOVAL. ( ... Then continue with previously adopted particulars for each Division ... )**

Though we may not have seen any clear abuse in the past, this modification would help to mitigate the temptation of any one faction to bully a minority interest in the future. I believe our current City Council would be supportive in upholding and securing their respective perogatives.

Best regards !

Bill

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c: 646. 256. 1000 - William Prevatel, AIA, Principal

c: 305. 753. 1000 - Eileen M. Prevatel

c: 203. 482. 1000 - William E. Prevatel

c: 786. 489. 1000 - Patricia Wood-Prevatel

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ORDINANCE NO. 1370

**AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 29 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, ENTITLED "LAND DEVELOPMENT REGULATIONS", ARTICLE 2, ENTITLED "DECISION-MAKING AND ADMINISTRATIVE BODIES", DIVISIONS 2 THROUGH 4, SPECIFICALLY AT SECTIONS 2-202, 2-302, AND 2-402, BY AMENDING TERMS OF OFFICE TO ALLOW FOR THE TERMS OF PLANNING COMMISSION, BOARD OF ADJUSTMENT AND BUSINESS DEVELOPMENT BOARD MEMBERS TO BE COTERMINOUS WITH THE TERM OF THE APPOINTING COUNCILMEMBER; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.**

**WHEREAS**, Chapter 29 of the Code of Ordinances ("Code") of the City of North Miami ("City"), establishes the Board of Adjustment, Planning Commission and Business Development Board of the City with specified term dates for board and commission members; and

**WHEREAS**, the City desires to place all terms of office for members of boards and commissions on the same schedule to provide for consistency and simplification of the election process; and

**WHEREAS**, the Code currently provides for appointed members to serve a fixed term, even after the term of the appointing councilmember has expired; and

**WHEREAS**, it is recommended that the terms of appointed board and commission members be coterminous with that of the appointing elected official to streamline the term schedule and to allow newly elected city council members to make appointments to the boards and commissions.

**NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, THAT:**

**Section 1. Amendment to City of North Miami Code.** The Mayor and City Council of the City of North Miami, Florida, hereby amend Chapter 29 of the City of North Miami Code of Ordinances, entitled "Land Development Regulations", Article 2, entitled "Decision-Making and Administrative Bodies", Divisions 2 through 4, specifically at sections 2-

202, 2-302 and 2-402, by amending all sections related to terms of office to allow for the terms of board and commission members to be coterminous with the term of the appointing councilmember, as follows:

## CHAPTER 29. LAND DEVELOPMENT REGULATIONS

\*\*\*\*\*

### ARTICLE 2. DECISION-MAKING AND ADMINISTRATIVE BODIES

\*\*\*\*\*

#### DIVISION 2. PLANNING COMMISSION

\*\*\*\*\*

#### **Sec. 2-202. Membership; terms; vacancies; removal.**

##### *A. Membership.*

1. The planning commission shall be composed of seven (7) members and two (2) alternates. Each member of the city council shall nominate one (1) member of the planning commission, which nomination shall be subject to approval of the majority of the city council. Two (2) members of the planning commission and the two (2) alternates shall be appointed by a majority of the city council. The city council may at any time remove a member from office and appoint a qualified person to serve out the unexpired term of any member so removed.
2. Each member shall be a resident of the city and shall not hold any other elected public office or city employment within the City during the term of such appointment. Any member who ceases to reside within the city limits during the term of office shall be deemed to have resigned as of the date of moving from the city. No member or alternate shall serve if that person is obligated to the city for any recorded lien, fine, judgment or if there is a code enforcement violation against the member which has remained unresolved for sixty (60) days or more, without an appeal being taken by the member.

##### *B. Terms.* ~~Members of the planning commission shall serve for staggered terms of two (2) years, unless sooner removed by the city council. The terms of four (4) members shall end on the second Tuesday in June of each odd-numbered year. The terms of three (3) members shall end on the second Tuesday in June of each even-numbered year. The terms of the alternates shall not be staggered.~~ The term of those board members appointed by the individual city council members shall be coterminous with the appointing elected official's term of office. The term of those board members appointed by the city council as a whole shall be coterminous with the Mayor's term of office.

##### *C. Vacancies.* Appointments to fill any vacancies shall be made by the city council and shall be for the remainder of the unexpired term.

- D. *Removal.* Three (3) affirmative votes of the city council shall be required in order to remove a commission member, and no cause need be shown for removal. Any commission member who has two (2) unexcused absences or three (3) consecutive excused absences in one (1) year shall automatically forfeit membership.

\*\*\*\*\*

### DIVISION 3. BOARD OF ADJUSTMENT

\*\*\*\*\*

#### Sec. 2-302. Membership; terms; vacancies; removal.

##### A. *Membership.*

1. The board of adjustment shall be composed of seven (7) members and two (2) alternates ~~all of whom shall be appointed by the city council.~~ Each member of the city council shall nominate one (1) member of the board of adjustment, which nomination shall be subject to approval of the majority of the city council. Two (2) members of the board of adjustment and the two (2) alternates shall be appointed by a majority of the city council. The city council may at any time remove a member from office and appoint a qualified person to serve out the unexpired term of any member so removed.
2. Each member shall be a resident of the city and shall not hold any other elected public office or city employment within the city during the term of such appointment. Any member who ceases to reside within the city limits during the term of office shall be deemed to have resigned as of the date of moving from the city. No member or alternate shall serve if that person is obligated to the city for any recorded lien, fine, judgment or if there is a code enforcement violation which has remained unresolved for sixty (60) days or more, without an appeal being taken by the violator.

- B. *Terms.* ~~Members of the board of adjustment shall serve for staggered terms of two (2) years, unless sooner removed by the city council. The terms of four (4) members shall end on the second Tuesday in June of each odd-numbered year. The terms of three (3) members shall end on the second Tuesday in June of each even-numbered year. The terms of the alternates shall not be staggered.~~ The term of those board members appointed by the individual city council members shall be coterminous with the appointing elected official's term of office. The term of those board members appointed by the city council as a whole shall be coterminous with the Mayor's term of office.

- C. *Vacancies.* Appointments to fill any vacancy on the board shall be made by the city council and shall be for the remainder of the unexpired term.

- D. *Removal.* Three (3) affirmative votes of the city council shall be required in order to remove a board member, and no cause need be shown for removal. Any board member who has two (2) unexcused absences in one (1) year shall automatically forfeit membership.

\*\*\*\*\*

DIVISION 4. BUSINESS DEVELOPMENT BOARD

\*\*\*\*\*

**Sec. 2-402. Membership; terms; vacancies; removal.**

**A. Membership.**

1. The Business Development Board shall be composed of thirteen (13) members ~~appointed by the majority of the city council. Each member of the city council shall nominate two (2) members of the business development board, which nomination shall be subject to approval of the majority of the city council. Three (3) members of the business development board shall be appointed by a majority of the city council.~~
2. The composition of the board shall be:
  - a. Not more than two (2) business owners or commercial property owners from each of the city's four (4) main areas of retail concentration, which are: the downtown/NE 125<sup>th</sup> Street, Biscayne Boulevard, West Dixie Highway and NW 7<sup>th</sup> Avenue (US441).
  - b. One (1) member shall be the President of the North Miami Chamber of Commerce or a designee of the President.
  - c. One (1) member shall be the President of the West Dixie Highway Business Association or a designee of the President.
  - d. One (1) member shall be the President of the Greater NW 7<sup>th</sup> Avenue Improvement Association or a designee of the President.
3. In order to help defray their expenses resulting from serving on the board, the members shall receive such compensation as is, from time to time, determined by the city council.

**B. Terms.** ~~Appointments to the business development board shall be for two-year terms. When a board member's term expires, the member shall continue to be an active member until such time that the city council reappoints or makes a new appointment. The term of those board members appointed by the individual city council members shall be coterminous with the appointing elected official's term of office. The term of those board members appointed by the city council as a whole shall be coterminous with the Mayor's term of office.~~

**C. Vacancies.** Appointments to fill any vacancies shall be made by the city council and shall be for the remainder of the unexpired term.

**D. Removal.** Members can be removed from office for good cause by three-fifths (3/5) vote of the city council. ~~An example of good cause will be failing to attend three (3) consecutive meetings without a board-approved excuse, or a finding of the majority of the board, as expressed upon the minutes of the board, that participation and attendance by such member is not satisfactory and a replacement is needed.~~

\*\*\*\*\*

**Section 2. Conflicts.** All ordinances or parts of ordinances in conflict or inconsistent with the provisions of this Ordinance are hereby repealed.

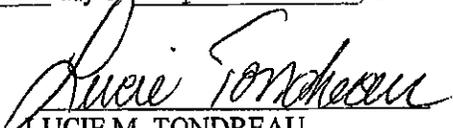
**Section 3. Severability.** The provisions of this Ordinance are declared to be severable, and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, 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 4. Codification.** The provisions of this Ordinance may become and be made a part of the Code of Ordinances of the City of North Miami, Florida. The sections of the Ordinance may be renumbered or re-lettered to accomplish such, and the word "ordinance" may be changed to "section," "article" or any other appropriate word.

**Section 5. Effective Date.** This Ordinance shall become effective immediately upon adoption on second reading.

**PASSED AND ADOPTED** by a 5-0 vote of the Mayor and City Council of the City of North Miami, Florida, on first reading this 8th day of April, 2014.

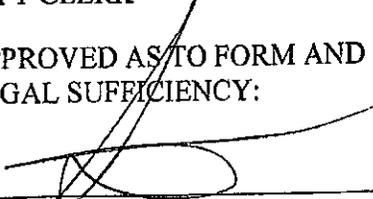
**PASSED AND ADOPTED** by a 5-0 vote of the Mayor and City Council of the City of North Miami, Florida, on second reading this 22nd day of April, 2014.

  
LUCIE M. TONDREAU  
MAYOR

ATTEST:

  
\_\_\_\_\_  
MICHAEL A. ETIENNE, ESQ.  
CITY CLERK

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:

  
\_\_\_\_\_  
REGINE M. MONESTIME  
CITY ATTORNEY

SPONSORED BY: MAYOR LUCIE M. TONDREAU

Moved by: Keys

Seconded by: Tondreau

**Vote:**

Mayor Lucie M. Tondreau	<u>x</u>	(Yes)	_____	(No)
Vice Mayor Philippe Bien-Aime	<u>x</u>	(Yes)	_____	(No)
Councilperson Scott Galvin	<u>x</u>	(Yes)	_____	(No)
Councilperson Carol Keys, Esq.	<u>x</u>	(Yes)	_____	(No)
Councilperson Marie Erlande Steril	<u>x</u>	(Yes)	_____	(No)

Additions shown by underlining. Deletions shown by ~~overstriking~~.