



**NORTH MIAMI PLANNING COMMISSION
AGENDA**

**Tuesday, December 4, 2012, 7:00PM
Council Chambers**

776 NE 125th 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: November 6, 2012

III. COMMUNICATIONS:

IV. CONTINUED PUBLIC HEARINGS: None

V. PUBLIC HEARINGS:

PC 15-12: 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", BY AMENDING ARTICLE 4, DIVISION 4, ENTITLED "SPECIAL PURPOSE AND OVERLAY DISTRICTS", AT SECTION 4-402, ENTITLED "PLANNED DEVELOPMENT DISTRICT", SPECIFICALLY AT SUBSECTION B, ENTITLED "DEVELOPMENT STANDARDS", TO INCLUDE 'VEHICLE SALES/DISPLAY' TO THE LIST OF PERMITTED USES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION AND AN EFFECTIVE DATE.

- 1. Staff Report
- 2. Commission Action

VI. COMMITTEE REPORTS: None

VII. OLD BUSINESS: None

VIII. NEW BUSINESS: None

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.

**MINUTES
NORTH MIAMI PLANNING COMMISSION
7:00 P.M.
November 6, 2012
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.

	Name	Present:	Excused	Absent
1	Kevin Siefried		X	
2	Charles Ernst	X		
3	Arrie Fils-Aime		X	
4	Jesús Remón		X	
5	Maureen Harwitz		X	
6	Kenny Each	X		
7	Jean Castor		X	
8	William Prevatel	X		
9	Bonnie Schwartzbaum	X		

Staff was represented by:

Tanya Wilson-Sejour, City Planner Community Planning Department
 Roland Galdos, Deputy City Attorney
 Carolyn Francis-Royer, CDBG Administrator
 Arceli Redila, Board Secretary/Planning Technician
 Dunia Sanzeteña, Information Technology

I-D. Assembly and Organization – Amendments to the Agenda: The Commission amended the agenda to revise the sequence in the order of the public hearings to accommodate the many representatives from different Community Based Organizations. First order of public hearings was PC 14-12 followed by PC 13-12. The motion was made by Mr. Each, seconded by Mr. Prevatel.

II. Approval of Minutes:

The minutes of the September 4, 2012 meeting were unanimously approved as presented. The motion was made by Mr. Each, seconded by Mr. Prevatel.

III. Continued Public Hearings: None

V. Public Hearings:

PC 14-12: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE AWARD OF FISCAL YEAR 2012-2013 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS TO NOT-FOR-PROFIT COMMUNITY BASED ORGANIZATIONS (CBOs); PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Ms. Tanya Wilson-Sejour from Community Planning and Development Department gave the staff report requesting that the Planning Commission review staff's request, and recommends approval of the proposed resolution for submission to the City Council.

Pursuant to U.S. HUD regulations, and consistent with the Fiscal Year 2012-2013 Action Plan (Resolution # 2012-71) adopted by the City Council on June 12, 2012, the total amount of federal funding available under the Public Service category is \$105,000. The City has customarily allocated \$15,000 for the North Miami Foundation for Senior Citizen's Services from the Public Service category, \$30,000 was allocated to the Youth Employment Summer Program, leaving a balance of \$60,000 for not-for-profit community organizations. Ten (10) proposals, with total requests for \$114,916 were received from the CBOs for FY 2012-2013 CDBG funding.

Ms. Carolyn Francis Royer, CDBG Administrator from Community Planning and Development Department was present and provided additional information to the Commission stating that each proposal received was reviewed by the evaluation committee that included staff from the Community Planning and Development Department, the Budget Department, the Police Department and the North Miami Library. Each proposal was reviewed and ranked based on the following criteria:

1. Project is eligible and meets one of the three broad National Objectives:
 - Principally benefits low/moderate income persons;
 - Prevents or eliminates slum or blight;
 - Addresses an urgent need or problem in the community
2. Project fits into the community priorities set out by the City of North Miami's FY 2010-2015 Consolidated Plan;
3. Prior experience with CDBG related activities; and/or prior experience with other grant programs, and proven record carrying out similar projects in the community;
4. Financial capacity and financial stability, as indicated by funding sources and amounts over time;
5. Adequate staffing;
6. Organizational strength; and
7. Performance Measurement, to indicate program impact on community or in lives of persons assisted.

Public Discussion:

The Vice-Chair (Charles Ernst) opened the public hearing and read each applicant's entry into the record. Below is a table listing each entry based on 1) the organizations; 2) the person who

presented the proposal; 3) the name of the program; 4) the amount of funding requested; and 5) the amount approved by the Planning Commission.

No.	Name	Program	Funding Requested	Staff Recommendation	Planning Commission Recommendation
1.	Barry University Dr. Laura Finley 11300 NE 2 nd Avenue Miami Shores, FL 33161	"Peace In Every Relationship (PIER)" program will train 5 college students to provide educational programming about domestic/dating violence and healthy relationships to local high schools and middle school students in North Miami during 2013 Spring and Fall semesters.	\$9,996.00	\$4000	\$4000
2.	Food for Life Network, Inc. No Representative Present	"Home Delivered Groceries for People living HIV/AIDS"	\$ 12,420.00	\$9,000.00	\$9,000.00
3.	Haitian American Youth Task Force, Inc. - Joseph Rosier PO Box 381362 Miami, FL 33238	"Annual Youth Cultural Empowerment Events"	\$10,000.00	\$0.00	\$0.00
4.	Haitian Elderly Center Daniel Calixte 822 NE 125 th Street Suite 102 North Miami, FL 33161	"Home Care for the Frail Elderly"	\$20,000.00	\$6,500.00	\$6,500.00
5.	Jewish Community Services of South Florida, Inc. Tom Fleischman 735 NE 125 th Street North Miami, FL 33161	"Supported Employment"	\$10,000.00	\$7,500.00	\$7,500.00
6.	NANAY, Inc. No Representative Present	"Elder Services"	\$ 10,000.00	\$9,000.00	\$9,000.00
7.	North Miami Foundation for Senior Citizens' Services, Inc. No Representative Present	"Helping Haitian Seniors & Other Frail Elders in North Miami"	\$ 10,000.00	\$9,000.00	\$9,000.00
8.	Russell Life Skills and Reading Foundation, Inc. Twan Russell 12500 NW	"The Russell Reading Room North Miami"	\$ 7,500.00	\$7,500.00	\$7,500.00
9.	Stop Hunger, Inc Ebony Thomas 12050 NE 14 th Avenue North Miami, FL 33161	"Stop Hunger Inc Program "	\$ 15,000.00	\$7,500.00	\$7,500.00
10.	Youth Education Through Sports No Representative Present	"Y.E.S. Academy" will provide youth, ages 6-18, structured physical activity to promote health, tutoring sessions to North Miami students for academic achievement and youth crime and gang prevention workshops.	\$10,000.00	\$0.00	\$0.00
			\$114,916.00	\$59,000.00	\$59,000.00

Commission Discussion:

The Planning Commission heard presentations, reviewed and discussed the proposals submitted by the CBOs. The Commission unanimously voted in concurrence with staff's recommendation without amending the funding recommendation. Mr. Prevatel made the motion to approve the

proposed resolution with staff's recommendation, Mr. Each seconded the motion and the item passed unanimously.

At the recommendation of the Deputy City Attorney, Commissioner Bonnie Schwartzbaum recused herself from voting to avoid possible conflict of interest due to the fact that she works for the Jewish Community Services, one of the CBOs that was awarded funding.

PC 13-12: 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", BY AMENDING ARTICLE 5, DIVISION 15, ENTITLED "SIGNS", SPECIFICALLY AT SECTION 5-1501, ENTITLED "PURPOSE", SECTION 5-1502, ENTITLED "PROHIBITED SIGNS", SECTION 5-1503, ENTITLED "GENERAL STANDARDS", SECTION 5-1504, ENTITLED "SIGNS PERMITTED WITHOUT A PERMIT", SECTION 5-1505, ENTITLED "PERMITTED SIGNS REQUIRING DEVELOPMENT REVIEW", AND SECTION 5-1506, ENTITLED "COMPREHENSIVE SIGN PROGRAM", TO ALLOW ELECTRONIC MESSAGE CENTERS AND ELECTRONIC SCROLLING SIGNS IN ALL NONRESIDENTIAL ZONING DISTRICTS AND TO ESTABLISH DEVELOPMENT STANDARDS AND GUIDELINES FOR SUCH SIGNS, IN ORDER TO ENCOURAGE AND FACILITATE ECONOMIC GROWTH, IN A MANNER CONSISTENT WITH THE INTENT OF THE COMPREHENSIVE PLAN OF THE CITY OF NORTH MIAMI; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION AND AN EFFECTIVE DATE.

Ms. Tanya Wilson-Sejour from Community Planning and Development Department gave the staff report requesting that the Planning Commission recommend approval of the proposed ordinance to amend Article 5, Division 15 entitled "Signs" from Sections 5-1501 thru 5-1506 of the City's Land Development Regulation (LDR), and forward said changes to the City Council for final consideration.

The proposed amendment seeks to allow outdoor electronic message centers (EMCs) and indoor electronic scrolling signs in all nonresidential districts and establish guidelines for development and placement of said signs. The proposed amendment is consistent with the City's Comprehensive Plan in that it allows local businesses to remain competitive by promoting their goods and services in an innovative, environmentally friendly manner, through the use of electronic signs built with LED technology.

Based on staff's review and as outline on the staff report, staff is of the opinion that the proposed amendment is beneficial to North Miami economic future and advances the goals, policies and objectives of the City's Comprehensive Plan. As such, City Administration requests that the

Planning Commission recommends adoption of the proposed ordinance to allow outdoor electronic message centers and indoor electronic scrolling signs in all nonresidential districts.

James Carpentier from the International Sign Association was present and provided additional information on electronic signs.

Public Discussion: There was no member of the public who came and spoke on the item.

Commission Discussion:

The Planning Commission reviewed and discussed the proposed text amendment and agreed that it was beneficial to both the City as well as local businesses, churches and schools, in that it would establish guidelines to regulate the appearance and proper placement of such signs. As such, the Commission rendered a unanimous vote recommending approval of the proposed Ordinance. The motion was made by Mr. Each, seconded by Mr. Prevatel.

VI. Committee Reports: None

VII. Old Business: None

VIII. New Business: None

IX. Communications: None

X. Adjournment:

There being no further business to come before the Planning Commission, the meeting adjourned at 8:48 p.m.

Respectfully submitted:

Attest:

Charles Ernst, Vice-Chair
Planning Commission

Tanya Wilson-Sejour, AICP, City Planner
Community Planning & Development

Prepared by:

Arceli Redila, LEED AP, Board Secretary/Planning Technician
Community Planning & Development



MEMORANDUM

To: File

From: Maxine Calloway, *[Signature]* A.I.C.P.
Director of Community Planning & Development

Date: November 15, 2012

RE: City Council Meeting of November 13, 2012

- 1) **PROPOSED RESOLUTION APPROVING THE PROPOSED UPDATED COMMUNITY PLANNING & DEVELOPMENT COST RECOVERY SCHEDULE OF FEES, PURSUANT TO ARTICLE 3, SECTION 3-202 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, LAND DEVELOPMENT REGULATIONS [TAB H]**

The Resolution passed by a vote of 4-0.

- 2) **PROPOSED RESOLUTION APPROVING A SUBSTANTIAL AMENDMENT TO THE CITY'S 2010 ACTION PLAN AS AMENDED TO INCORPORATE AN ADDITIONAL TARGET AREA (TARGET AREA #4) FOR THE NEIGHBORHOOD STABILIZATION PROGRAM THREE (NSP3) FUNDED BY THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) UNDER THE DODD-FRANK ACT OF 2010 [TAB I]**

The Resolution passed by a vote of 4-0.

- 3) **A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE CITY MANAGER AND THE CITY ATTORNEY TO NEGOTIATE AND EXECUTE A FOURTH AMENDMENT TO A HOMEOWNER DEVELOPMENT ASSISTANCE AGREEMENT BETWEEN THE CITY OF NORTH MIAMI AND 125 DEVELOPERS LLC. PROVIDING FOR AN EXTENSION TO THE LOAN TERM, IN SUBSTANTIALLY THE ATTACHED FORM; PROVIDING FOR AN EFFECTIVE DATE AND ALL OTHER PURPOSES [TAB L-1]**

The Resolution passed by a vote of 5-0.

MC/gf

c: Tanya Wilson-Sejour, City Planner
Joanne Martin, Zoning Administrator
Coleen Christie, Housing Manager
Planning Commission Packet (one copy)

DATE: December 4, 2012

TO: Planning Commission

RE: Amendment to Land Development Regulations, Article 4, Section 4-402

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 29 OF THE CODE OF ORDINANCES ENTITLED "LAND DEVELOPMENT REGULATIONS", BY AMENDING ARTICLE 4, DIVISION 4 ENTITLED "SPECIAL PURPOSE AND OVERLAY DISTRICTS", AT SECTION 4-402, ENTITLED "PLANNED DEVELOPMENT DISTRICT", SPECIFICALLY AT SUBSECTION B, ENTITLED "DEVELOPMENT STANDARDS", AT SUBSECTION 1, "USES PERMITTED", TO ADD VEHICLE SALES/DISPLAY TO THE LIST OF PERMITTED USES; PROVIDING FOR REPEAL; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION AND AN EFFECTIVE DATE.

RECOMMENDATION

That the Planning Commission recommends approval of the proposed ordinance to amend Article 4, Section 4-402 of the City's Land Development Regulations (LDR) to add *Vehicle Sales/Displays* to the list of permitted uses, and forward said changes to the City Council for final consideration.

PURPOSE & INTENT

The applicant, Oleta Partners LLC, is requesting a text amendment to Article 4, Section 4-402 entitled "Planned Development" (PD) in order to add vehicle sales/displays as a permitted use in the Planned Development (PD) District. The applicant believes the proposed request is necessary to facilitate the future development of the 184 acres Biscayne Landing site which will include a mix of both residential and non residential uses, one of which is a proposed 90,000 square feet new luxury car franchise which is expected to create 400 new jobs. If approved the City would include stipulation that restricts *Vehicle Sales/Display (as further defined in Article 7)*, only on PD zoned parcels that are greater than 30 acres in size, which would currently only pertain to the Biscayne landing site.

BACKGROUND INFORMATION

Article 7 of the City's LDR defines *Vehicle sales/displays* as "a business or commercial activity involving the display and/or sale of principally new automobiles, small trucks and vans and other small vehicular or transport mechanisms and including vehicle service. The sale of previously owned vehicles shall only be permitted as subordinate to the principal use." The use is currently allowed by special exception in the C-1 (Commercial) and M-1 (industrial) districts.

Section 4-402.B of the LDR currently permits any combination of two (2) or more of the following uses on PD zoned lots:

Adult Public uses;	Hotels	Recording and TV/radio;
Adult living facilities (ALF);	Recreation/entertainment indoor	Residential;
Community facilities;	Nightclubs;	Restaurants;
Educational facilities;	Office	Research and technology;
Hospitals and related medical facilities;	Public uses	Retail sales and service;

The PD District is identified as a Special Purpose District in the City's Land Development Regulation. Unlike many of the City's other more stringent *Euclidean* style zoning districts, namely the R-1, R-2, M-1 and the Commercial Districts, Special Purpose Districts (like the PD District) are designed to provide the greatest flexibility in development standards. The Planned Development District is an effective redevelopment tool in built out Cities like North Miami with limited supply of vacant land, as it allows investors to more easily maximize the development potential of a given property. There are currently 5 PD zoned properties in North Miami, 4 of which are completely built out. The Biscayne Landing property is the only remaining PD zoned site that is still not yet completely developed.

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 further expands the types of uses allowed in the PD District and aids in the future redevelopment of the Biscayne landing site, which provides a significant fiscal benefit to the City's tax base and is anticipated to generate many new jobs within North Miami, factors which enhance the overall quality of life in the City.

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

The uses associated with the proposed text amendment are consistent with the permitted uses allowed in the underlying Mixed Use Medium Land Use designation as identified in the City's Comprehensive Plan.

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;

The amendment will not permit uses, density and intensity that are in conflict with the underlying land use designations of a given property.

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;

Per Policy 11.27 of the City's Comprehensive Plan all decisions regarding land use planning and the issuance of development orders and permits shall consider the availability of public facilities and services necessary to support such development at the adopted LOS standards concurrent with the associated impacts. As such all future uses associated with the proposed text amendment shall comply with all concurrency requirements. If it is determined that any proposed development may potentially cause adverse impacts on the City's current or future infrastructure, the applicant will be required to mitigate the impacts that exceed the established level of service for the given public facility.

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 9.4.6 which requires that the City create land use and zoning regulations that encourage the retention, attraction and expansion of businesses. Furthermore Goal 9 also requires that the City create an environment that will enhance the economic prosperity of local businesses and attract new business while improving the quality of life for all of its citizens.

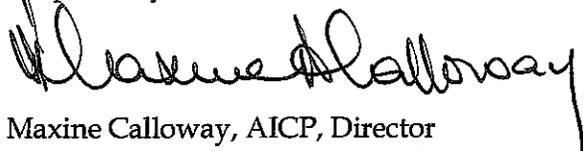
6. The proposed amendment furthers the orderly development of the City of North Miami.

Staff believes the proposed amendment furthers the orderly development of the City, clarifies the types of uses allowed/encouraged in the PD District and also helps to create more flexible development standards in the PD District.

CONCLUSION

With the limited supply of vacant developable land remaining in the City and a aging housing stock, it's crucial for North Miami to develop flexible zoning standards that encompass a broad spectrum of uses that cater to current market demands. Staff is of the opinion that the proposed text amendment to the PD District will create greater flexibility, and serve as a catalyst to spur redevelopment in more stagnant areas of the City. As proposed, the text amendment is in keeping with the goals, policies and objectives of the City's Comprehensive Plan and further enhances the vision of the Comprehensive Plan. Therefore staff requests that the Planning Commission recommends adoption of the proposed ordinance.

Respectfully submitted,



Maxine Calloway, AICP, Director
Community Planning and Development Department

TWS/mc

Attachments

1. Ordinance
2. Letter of intent

ORDINANCE NO. _____

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", BY AMENDING ARTICLE 4, DIVISION 4, ENTITLED "SPECIAL PURPOSE AND OVERLAY DISTRICTS", AT SECTION 4-402, ENTITLED "PLANNED DEVELOPMENT DISTRICT", SPECIFICALLY AT SUBSECTION B, ENTITLED "DEVELOPMENT STANDARDS", TO INCLUDE 'VEHICLE SALES/DISPLAYS' TO THE LIST OF PERMITTED USES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION AND AN EFFECTIVE DATE.

WHEREAS, on April 28, 2009, the Mayor and City Council of the City of North Miami ("City"), passed and adopted the Land Development Regulations under Chapter 29, City Code of Ordinances ("LDRs"); and

WHEREAS, the applicant, Oleta Partners LLC, is requesting a text amendment to Section 4-402 of the LDRs, to allow vehicle sales/displays as a permitted use in the Planned Development District in order to facilitate the future development of the Biscayne Landing site, which will include new car franchises; and

WHEREAS, Policy 9.4.6 of the City's Comprehensive Plan ("Comprehensive Plan") requires that the City "create land use designations and zoning regulations that encourage the retention, attraction and expansion of business and industry"; and

WHEREAS, the City administration believes the proposed amendment to the LDRs ("Amendment"), furthers the vision of the City's Comprehensive Plan and does not adversely affect the public's health, safety and welfare; and

WHEREAS, on December 4, 2012, after a duly noticed public hearing, the Planning Commission recommended approval of the Amendment to the Mayor and City Council; and

WHEREAS, the Mayor and City Council, hereby accept the Planning Commission's recommendation of approval and find that the Amendment is consistent with the intent of the Comprehensive Plan and that it presents no direct conflict with any of the goals, objectives or policies contained in the Comprehensive Plan.

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

Section 1. 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", by amending Article 4, Division 4, entitled "Special Purpose and Overlay Districts", at Section 4-402, entitled "Planned Development District", Specifically at Subsection B, entitled "Development Standards", to include 'Vehicle/Display' to the list of permitted uses, as follows:

CHAPTER 29. LAND DEVELOPMENT REGULATIONS

ARTICLE 4. ZONING DISTRICTS

Division 4. Special Purpose and Overlay Districts

Section 4-402. Planned Development District

A. Purpose and applicability. The purpose of the planned development district (PDD) is to provide a means of:

1. Promoting greater innovation and creativity in the development of land;
2. Ensuring that the location of mixed use development outside of the NRO is appropriate and compatible with adjacent land uses in accordance with the goals, policies and objectives of the comprehensive plan; and

3. To promote a more desirable community environment through approval as a rezoning and the issuance of a conditional use permit.
4. A planned development district shall not be approved in a R-1 or R-2 district.

B. Development standards. The city council may approve a planned development subject to compliance with the development criteria and minimum development standards set out in this section.

1. Uses permitted:
 - Active and passive parks and open space;
 - Adult living facilities (ALF);
 - Community facilities;
 - Educational facilities;
 - Hospitals and related medical facilities;
 - Hotels;
 - Recreation/entertainment indoor;
 - Nightclubs;
 - Office;
 - Public uses;
 - Recording and TV/radio;
 - Residential;
 - Restaurants;
 - Research and technology;
 - Retail sales and service;
 - Vehicle Sales/Displays (only within a PD greater than 30 acres in size)**
 - Mixed use—Any combination of two (2) or more permitted uses.
2. Minimum development standards. Any parcel of land for which a planned development is proposed must conform to the following minimum standards:
 - a. Minimum site area. The minimum site area required for a planned development shall be not less than two (2) acres.
 - b. Configuration of land. The parcel of land for which the application is made for a planned development shall be a contiguous unified

parcel with sufficient width and depth to accommodate the proposed use. The minimum average width and or depth for any planned development shall be one hundred (100) feet.

- c. Density. The density requirements shall be in accordance with the provisions of the applicable land use classifications in the comprehensive plan as follows:

Maximum density (without bonuses under the provisions below):

Mixed use low: 25 du/acre;

Mixed use medium: 40 du/acre;

Mixed use high: 45 du/acre;

Hotels: for parcels less than fifty (50) acres, not exceeding double the number of permitted dwelling units with at least ten (10) percent of the floor area to be office, retail or residential.

Other uses: density consistent with comprehensive plan land use category.

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 shall become and be made a part of the Code of Ordinances of the City of North Miami, Florida. The sections of this Ordinance may be renumbered or re-lettered to accomplish such intentions and the word

“ordinance” may be changed to “section”, “article” or any other appropriate word as may be required.

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

PASSED AND ADOPTED by a _____ vote of the Mayor and City Council of the City of North Miami, Florida, on first reading this _____ day of _____, 2012.

PASSED AND ADOPTED by a _____ vote of the Mayor and City Council of the City of North Miami, Florida, on second reading this _____ day of _____, 2012.

ANDRE D. PIERRE, ESQ.
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:

Mayor Andre D. Pierre, Esq.	_____	(Yes)	_____	(No)
Vice Mayor Marie Erlande Steril	_____	(Yes)	_____	(No)
Councilperson Michael R. Blynn, Esq.	_____	(Yes)	_____	(No)
Councilperson Scott Galvin	_____	(Yes)	_____	(No)
Councilperson Jean R. Marcellus	_____	(Yes)	_____	(No)

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

Biscayne Landing

November 6, 2012

Tanya Wilson-Sejour, AICP
City of North Miami
776 NE 125th Street
North Miami, Florida

Re: Letter of Intent

We, Oleta Partners LLC are proposing the additional of a use to the PD District which is currently prohibited. The use is defined in Article 7 of the Land Development Regulations as follows:

- **Vehicle sales/displays** means a business or commercial activity involving the display and /or sale of principally new automobiles, small trucks and vans and other small vehicular or transport mechanisms and including vehicle service. The **sale** of previously owned vehicles shall only be permitted as a subordinate to the principle use.

This use is not currently identified in Article 4 of the Land Development Regulations. We respectfully request the above use be added to Section 4-402 Land Development Regulations.

Thank You,



Herbert Tillman, Vice President
Oleta Partners

Application date November 12, 2012

3390 Mary Street, Suite 200
Coconut Grove, Florida 33133
Telephone (305) 476-0100
Facsimile (305) 476-1925