



## **NORTH MIAMI PLANNING COMMISSION AGENDA**

**Tuesday, February 3, 2026, 7:00 PM**

**776 NE 125<sup>th</sup> Street, Council Chambers, 2nd Floor**

**North Miami, FL 33161**

### **I. ASSEMBLY AND ORGANIZATION:**

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

### **II. APPROVAL OF MINUTES:**

- i. January 6, Planning Commission Meeting

### **III. COMMUNICATIONS:**

- i. Next Planning Commission Meeting –March 3, 2026

### **IV. CONTINUED PUBLIC HEARING:**

### **V. PUBLIC HEARING:**

PC: 17-120

**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,”, AT ARTICLE 3, DIVISION 8, ENTITLED “PLATS, SUBDIVISIONS, ADDRESS ASSIGNMENT”, SPECIFICALLY AT SECTION 3-806 ENTITLED “FINAL PLAT”, TO ALLOW FOR THE ISSUANCE OF MULTIPLE PERMITS AND TEMPORARY CERTIFICATES OF OCCUPANCY FOR CERTAIN PROPERTIES, IN ACCORDANCE WITH ARTICLE 3, DIVISION 10, AND SECTION 3-302 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES; PROVIDING FOR REPEAL, CONFLICTS, SEVERABILITY, CODIFICATION, AND FOR AN EFFECTIVE DATE.**

1. Staff Report
2. Public Comment
3. Commission Action

**AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 29 OF THE NORTH MIAMI CODE OF ORDINANCES, ENTITLED "LAND DEVELOPMENT REGULATIONS," BY REPEALING ARTICLE 2, DIVISION 4, ENTITLED "DOWNTOWN ACTION PLAN ADVISORY COMMITTEE," THEREBY SUNSETTING THE DOWNTOWN ACTION PLAN ADVISORY COMMITTEE; PROVIDING FOR REPEAL, CONFLICTS, SEVERABILITY, CODIFICATION, AND FOR AN EFFECTIVE DATE.**

1. Staff Report
2. Public Comment
3. Commission Action

**VI. COMMITTEE REPORTS**

**VII. OLD BUSINESS**

**VIII. NEW BUSINESS**

**IX. ADJOURNMENT**

Members of the public are invited to attend the Public Hearing and provide oral comments on the matter. Copies of the reports containing the Development Services Department's recommendation will be available for public review from Monday to Friday between the hours of 8:15 a.m. and 5:00 p.m. in the City Clerk's Office, City Hall, or online at: <https://www.northmiamifl.gov/AgendaCenter/Planning-Commission-4>. For questions, please call (305) 893-6511, Ext. 19005.

Pursuant to Florida Statute section 286.0105, persons appealing any decision made by the Planning Commission with respect to any matter considered at such meeting or hearing, will need a record of the proceedings, and should ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

**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. 19005, FOR ASSISTANCE. IF HEARING IMPAIRED, TELEPHONE 711 OR YOU MAY CONTACT 1-800-955-8771 FOR THE FLORIDA RELAY SERVICE FOR ASSISTANCE.**

MINUTES  
NORTH MIAMI PLANNING COMMISSION  
Tuesday, January 6, 2026, 7:00 PM  
776 NE 125<sup>th</sup> Street, Council Chambers, 2nd Floor  
North Miami, FL 33161

The meeting was called to order at **7:20 pm** and a roll call of the members was taken.

	Name	Present	Excused	Absent
1.	Chairman Charles Ernst	X		
2.	Commissioner Michael McDearmaid	X		
3.	Commissioner Kenny Each	X		
4.	Commissioner Kevin Seifried	X		
5.	Commissioner Dominique Pierre		X	
6.	Commissioner Mark Bobb	X		
7.	Commissioner			
<i>Alternate Members:</i>				
8.	Commissioner Robert Besen		X	
9.	VACANT			

**Staff was represented by:**

Debbie Love, AICP, Director  
Jennifer Warren, Deputy City Attorney  
Gary Held, Planning Commission Attorney  
Cyncia Raymond, Board Secretary  
Dunia Sanzetenea, IT Department

**I. Approval of Minutes:**

- a. December 2, 2025, Planning Commission Meeting: motion was made by Vice Chair McDearmaid and seconded by Commissioner Seifried. Motion passes unanimously 5-0.

**II. Communications:**

- a. Next Planning Commission Meeting – February 3, 2026

**III. Public Hearings:**

**PC: 17-116**

**A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE VACATION, ABANDONMENT AND SALE OF A PORTION OF A CITY OWNED ALLEYWAY, LOCATED EAST OF 12255 NE 16TH AVENUE AND NORTH OF NE 122ND AVENUE; FURTHER AUTHORIZING THE CITY MANAGER TO NEGOTIATE THE SALE OF SAID SECTION OF PUBLIC LAND AND TO TAKE ALL NECESSARY STEPS TO EFFECTUATE SAME; PROVIDING FOR EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.**

A motion was made by **Vice-Chair McDearmaid** and seconded by **Commissioner Seifried** to approve the item. The motion **passed unanimously 5-0**.

**PC: 17-117**

**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,”, AT ARTICLE 4, DIVISION 2, ENTITLED “ZONING DISTRICTS”, SPECIFICALLY AT SECTION 4-203B(1) ENTITLED “MINIMUM STANDARDS OF DEVELOPMENT”, TO ALLOW FOR A MAXIMUM HEIGHT OF FIFTY-FIVE (55) FEET FOR MARINAS, BOAT YARDS, AND WORKING WATERFRONT USES BETWEEN NE 131st STREET AND NE 135TH STREET, IN ACCORDANCE WITH ARTICLE 3, DIVISION 10, AND SECTION 3-302 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES; PROVIDING FOR REPEAL, CONFLICTS, SEVERABILITY, CODIFICATION, AND FOR AN EFFECTIVE DATE.**

A motion was made by **Commissioner Seifried** and seconded by **Vice-Chair McDearmaid** to continue the item for the February 3<sup>rd</sup> meeting. The motion **passed unanimously 5-0**.

**PC: 17-118**

**AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, ADOPTING AMENDMENTS TO VOLUME 1: GOALS, OBJECTIVES AND POLICIES OF THE CITY OF NORTH MIAMI 2045 COMPREHENSIVE PLAN, IN ACCORDANCE WITH THE REQUIREMENTS OF SECTION 163.3184(3), FLORIDA STATUTES (2025), AND CHAPTER 29, ARTICLE 3, DIVISION 11, SECTION 3-1102(A) & SECTIONS, 3-1105 THROUGH 3-1110 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES; SPECIFICALLY BY AMENDING THE FUTURE LAND USE ELEMENT TO INCREASE THE ALLOWABLE HEIGHT TO TWO HUNDRED TEN (210) FEET FOR CERTAIN PROPERTIES WITHIN THE BISCAYNE BOULEVARD PLANNED COORIDOR DEVELOPMENT OVERLAY**

**DISTRICT; PROVIDING FOR AN ADOPTION HEARING AND SUBSEQUENT TRANSMITTAL OF THE PROPOSED AMENDMENTS AND SUPPORTING DATA AND ANALYSES TO THE STATE LAND PLANNING AGENCY FOR A DETERMINATION OF COMPLETENESS; PROVIDING FOR REPEAL, CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.**

A motion was made by **Vice-Chair McDearmaid** and seconded by **Commissioner Seifried** to approve the item. The motion **passed unanimously 5-0**.

**PC: 17-119**

**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,” AT ARTICLE 4, DIVISION 3, ENTITLED “SPECIAL PURPOSE AND OVERLAY DISTRICTS”, SPECIFICALLY AT SECTION 4-306 ENTITLED “PLANNED CORRIDOR OVERLAY DISTRICT”, TO INCREASE THE ALLOWABLE HEIGHT FROM ONE HUNDRED TEN (110) FEET TO TWO HUNDRED TEN (210) FEET FOR CERTAIN PROPERTIES WITHIN THE BISCAYNE BOULEVARD PLANNED CORRIDOR DEVELOPMENT DISTRICT, IN ACCORDANCE WITH ARTICLE 3, DIVISION 10, AND SECTION 3-302 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES; PROVIDING FOR REPEAL, CONFLICTS, SEVERABILITY, CODIFICATION, AND FOR AN EFFECTIVE DATE.**

A motion was made by **Vice-Chair McDearmaid** and seconded by **Commissioner Each** to approve the item. The motion **passed unanimously 5-0**.

**IV. COMMITTEE REPORTS:** None

**V. OLD BUSINESS:** At the next meeting an update on the LDR and the scheduled public roll out will be provided.

**VI. NEW BUSINESS:** None

**VII. ADJOURNMENT:**

Meeting adjourned at **8:42 PM**

Respectfully submitted:

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Charles Ernst, Chair

Attest:

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Debbie Love, AICP, Director

Planning Commission

Development Services Department

Prepared by:

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Cyncia Raymond, Commission Secretary  
Development Services Department



# Planning Commission Report

776 N.E. 125 Street, North Miami, Florida 33161

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To: The Planning Commission

From: Debbie Love, AICP, Director, Community Planning and Development Department *DL*

Date: February 3, 2026

RE: **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,", AT ARTICLE 3, DIVISION 8, ENTITLED "PLATS, SUBDIVISIONS, ADDRESS ASSIGNMENT", SPECIFICALLY AT SECTION 3-806 ENTITLED "FINAL PLAT", TO ALLOW FOR THE ISSUANCE OF MULTIPLE PERMITS AND TEMPORARY CERTIFICATES OF OCCUPANCY FOR CERTAIN PROPERTIES, IN ACCORDANCE WITH ARTICLE 3, DIVISION 10, AND SECTION 3-302 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES; PROVIDING FOR REPEAL, CONFLICTS, SEVERABILITY, CODIFICATION, AND FOR AN EFFECTIVE DATE.**

District: City-Wide

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## **EXECUTIVE SUMMARY**

To facilitate the timely implementation of development projects awarded through a City-issued Request for Proposals ("RFP"), the Mayor and City Council propose an amendment to Article 3, Division 8, Section 3-806(L) of the City's Land Development Regulations ("LDRs"). The proposed amendment would allow the issuance of multiple building permits and Temporary Certificates of Occupancy prior to final plat approval for qualifying RFP-initiated projects.

## **RECOMMENDATION**

Staff requests that the Planning Commission review the proposed amendment ("Amendment") to the City's Land Development Regulations, as described in the above ordinance title and attached hereto, and recommend approval to the Mayor and City Council pursuant to the provisions of Article 3, Division 10, Section 3-1005(B) of the LDRs.



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## **BACKGROUND**

**Context:** Under the City's current regulations, the issuance of building permits prior to final plat approval is highly restricted. Following approval of a tentative plat, only a single permit may be issued—and only for limited purposes such as model homes, entry features, construction trailers, perimeter walls, or lift stations—subject to specific conditions. Additionally, certificates of occupancy may not be issued until the final plat has been recorded.

The proposed text amendment would revise Section 3-806(L) of the LDRs to expand permitting flexibility by allowing additional building permits and the issuance of Temporary Certificates of Occupancy at the tentative plat stage for development projects that are the result of a City-issued Request for Proposals. This amendment is intended to support City-initiated development efforts while maintaining overall compliance with applicable planning and development standards.

## **ANALYSIS**

**Section 3-1105(B) of the City's Land Development Regulations requires that all amendments to the Comprehensive Plan meet the following minimum criteria:**

- 1. It is consistent with the Comprehensive Land Use Plan in that it:**
  - a. Does not permit uses that are prohibited in the future land use category of the parcel proposed for development;**

Not applicable. The proposed Amendment is procedural in nature and does not modify, expand, or introduce any permitted or prohibited land uses.

- b. Does not allow densities or intensities in excess of those permitted by the future land use overlay district of the parcel proposed for development;**

The proposed Amendment does not alter or increase permitted residential densities or nonresidential intensities established by the Comprehensive Land Use Plan or applicable overlay districts.

- c. Will not cause a decline in the level of service for public infrastructure below the minimum requirements of the Comprehensive Land Use Plan;**



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The proposed Amendment does not modify adopted level-of-service standards or authorize development beyond what is otherwise permitted. As such, it will not result in a decline in adopted levels of service for transportation, water, sewer, drainage, or other public infrastructure.

**d. Is physically suitable for the use permitted in the proposed district;**

Not applicable. The proposed Amendment does not change allowable uses or development standards affecting site suitability.

**e. Is compatible with the surrounding areas, zoning designation(s) and existing uses.**

Not applicable. The proposed Amendment does not affect land use compatibility, zoning classifications, or development patterns, as it relates solely to the timing of permit issuance for qualifying projects.

**2. Whether the application contributes to the following factors:**

**a. Improve mobility by reducing vehicle miles traveled for residents within a one-half (½) mile radius;**

Not applicable. The proposed Amendment does not regulate land use patterns, density, or transportation behavior.

**b. Promote high-quality development or redevelopment in an area experiencing declining or stagnant property values;**

Not applicable. The Amendment does not designate specific locations or target redevelopment areas.

**c. Create affordable or workforce housing opportunities for individuals working in the City of North Miami;**

Not applicable. The proposed Amendment does not regulate housing type, tenure, or affordability.

**d. Promote development patterns that will not interfere with hurricane evacuation;**



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The proposed Amendment does not authorize additional residential development or increased density. Therefore, it will not adversely affect hurricane evacuation times or evacuation capacity.

**e. *Promote high-quality environmental safety design techniques or Crime Prevention Through Environmental Design (CPTED) principles;***

Not applicable. The proposed Amendment does not address site design, building orientation, or public safety design standards.

**3. *Will not cause a diminution of the market value of adjacent property or materially diminish the suitability of adjacent property for its existing or approved use.***

Not applicable. The proposed Amendment does not change permitted uses, densities, or development intensity and is not anticipated to adversely affect the market value or suitability of adjacent properties.

**FISCAL IMPACT:**

This action will have no impact on the General Fund.

**ATTACHMENTS**

1. Draft Ordinance
2. Public Notice

**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”, AT ARTICLE 3, DIVISION 8, ENTITLED “PLATS, SUBDIVISIONS, ADDRESS ASSIGNMENT”, SPECIFICALLY AT SECTION 3-806 ENTITLED “FINAL PLAT”, TO ALLOW FOR THE ISSUANCE OF MULTIPLE PERMITS AND TEMPORARY CERTIFICATES OF OCCUPANCY FOR CERTAIN PROPERTIES, IN ACCORDANCE WITH ARTICLE 3, DIVISION 10, AND SECTION 3-302 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES; PROVIDING FOR REPEAL, CONFLICTS, SEVERABILITY, CODIFICATION, AND FOR AN EFFECTIVE DATE.**

**WHEREAS**, the current Land Development Regulations (“LDRs”), Chapter 29 of the City Code of Ordinances, was adopted in July 2017 through Ordinance No. 1417. The LDRs were updated to establish zoning districts and regulations that implement the adopted 2045 Future Land Use Map (“FLUM”) designations; and

**WHEREAS**, Article 3, Division 10, Sections 3-1003 through 3-1007 of the LDRs outlines the procedures for text amendments and zoning map changes to the LDRs initiated by either the City or one (1) or more owners of record for parcel(s) located within the jurisdictional boundary of the City; and

**WHEREAS**, Article 3, Division 3, Section 3-302 of the LDRs establishes a uniform notice and procedure in order to ensure due process and maintain citizen access to the local government decision-making forum relating to the approval LDR text changes within the jurisdictional boundary of the City; and

**WHEREAS**, in order to allow the issuance of multiple permits and temporary certificates of occupancy prior to final plat approval for projects resulting from a city-issued Request for Proposals, Mayor and City Council desire to amend Article 3, Division 8, Section 3-806 (L) of the LDRs; and

**WHEREAS**, the proposed LDR Text Amendment shall be considered in accordance with Article 3, Division 10 and Article 3, Division 3, Section 3-302 of the City LDRs; and

**WHEREAS**, City staff requests that, pursuant to the requirements of Sections 3-1004 through 3-1006 of the LDRs, the Planning Commission (“PC”) reviews the proposed LDRs text amendment, and testimony provided at the public hearing (if any), and issue a recommendation to IWO #26-031 (JLW)

the Mayor and City Council; and

**WHEREAS**, pursuant to Article 2, Division 2, Section 2-203 of the City LDRs, the PC positive recommendation for the proposed LDRs text amendment shall require a majority vote of the Commission members present; and

**WHEREAS**, the Planning Commission, after duly noticed public hearing held on February 3, 2026, reviewed, and discussed the staff report, and documentation, and after hearing testimony from attending members of the public; and

**WHEREAS**, the Planning Commission found the requested LDR text amendment to be consistent with the applicable standards of the City LDRs and recommended that the Mayor and City Council adopt the same; and

**WHEREAS**, Pursuant to Article 3, Division 10, Section 3-1007 of the LDRs, adoption of the requested LDR text amendment shall require the concurrence of a majority of the City Council; and

**WHEREAS**, the Mayor and City Council find the proposed LDRs text amendment is consistent with the applicable standards of the City LDRs and find it in the best interest of the City to adopt the proposed text amendment.

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

**Section 1. Recitals.** The recitals to the preamble herein are incorporated by reference.

**Section 2. Amendment to Chapter 29, North Miami Code of Ordinances.** The Mayor and City Council of the City of North Miami, Florida, hereby amend Chapter 29 of the North Miami Code of Ordinances entitled “Land Development Regulations”, by amending Article 3, entitled “Development Review” as follows:

**CITY OF NORTH MIAMI CODE OF ORDINANCES  
CHAPTER 29. LAND DEVELOPMENT REGULATIONS**

\* \* \* \* \*

**ARTICLE 3. – DEVELOPMENT REVIEW**

DIVISION 8. – PLATS, SUBDIVISIONS, ADDRESS ASSIGNMENT

IWO #26-031 (JLW)

\* \* \* \*

**Sec. 3-806. - Final plat.**

\* \* \* \*

L. Building permits.

1. Except as provided in this subsection, no building permits shall be issued until all subdivision improvements required in connection with the approval of the plat (e.g., monuments, streets, sidewalks, etc.) have either been completed or sufficiently bonded in a form approved by the city attorney. Proper indemnification must also be reviewed and approved by the city attorney prior to any building permit issuance.
2. No building permit shall be issued for construction of any improvements on a parcel that was not legally created in compliance with these regulations except permits for a construction trailer or sales office trailer, single-family homes and townhouses to be used as models. Permits for entrance features, perimeter walls, lift stations and commercial and industrial buildings, may be issued if the developer complies with the following requirements:

\* \* \* \*

d. For commercial and, industrial buildings, and mixed-use projects resulting from a city-issued Request for Proposals:

- (1) The tentative plat has been approved by the city council.
- (2) Only one (1) building permit may be issued, on a site, and only one (1) such permit may be issued within a subdivision; however, for mixed-use projects resulting from a city-issued Request for Proposals, multiple permits may be issued.
- (3) Paving and drainage plans (if required) shall have been approved by the public works department.
- (4) At the time of request, there must be an active set of building plans pertaining to the site, with an active process number under the county's permitting system. The plans must have approvals from the following disciplines or an indication that such approval(s) are nonapplicable: building, department of environmental resources management, electrical, energy, impact fees, mechanical, planning, plumbing, public works and structural.
- (5) A letter, signed by the property owner, has been submitted to the city requesting the permit prior to final plat recording. The letter shall state the proposed lot and block or tract for such permit, and the owner's acknowledgment and agreement that no certificate of occupancy will be sought or allowed until after the final plat is recorded. The letter shall also state that the owner agrees and shall release and hold the city and Miami-Dade County, its employees and agents, harmless from any and all liability and

causes of action of whatsoever nature or kind for and as a result of the issuance of building permits and any construction prior to final plat approval and recordation.

(6) No certificate of occupancy for the subject structure will be issued until the plat is recorded; however, for mixed-use projects resulting from a City issued Request for Proposals, Temporary Certificates of Occupancy (TCOs) may be issued prior to the recording of the final plat, so long as the tentative plat is approved and remains active.

\* \* \* \* \*

**Section 3. Repeal.** All Ordinances and part of Ordinances inconsistent with the provisions of this Ordinance are hereby repealed.

**Section 4. Conflicts.** All Ordinances or parts of ordinances in conflict herewith the provisions of this Ordinance are repealed.

**Section 5. Severability.** The provisions of this Ordinance are declared to be severable. If any section, paragraph, sentence, phrase, clause or word of this Ordinance shall, for any reason, be held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity or constitutionality of the remaining sections, paragraphs, sentences, phrases, clause or words of this Ordinance, but they shall remain in effect, it being the legislative intent that this Ordinance shall notwithstanding the invalidity of any part.

**Section 6. Scrivener's Errors.** The City Attorney may correct scrivener's errors found in this Ordinance by filing a corrected copy with the City Clerk.

**Section 7. 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 relettered to accomplish such intentions; and that the word "Ordinance" shall be changed to "Section" or any other appropriate word.

**Section 8. Effective Date.** This Ordinance shall become effective ten (10) days after 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 \_\_\_\_\_, 2026.

**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 \_\_\_\_\_, 2026.

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ALIX DESULME, ED.D.  
MAYOR

ATTEST:

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VANESSA JOSEPH, ESQ.  
CITY CLERK

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:

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JEFF P. H. CAZEAU, ESQ.  
CITY ATTORNEY

SPONSORED BY: CITY ADMINISTRATION

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

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

**Vote:**

Mayor Alix Desulme, Ed.D. \_\_\_\_\_ (Yes) \_\_\_\_\_ (No)

Vice-Mayor Kassandra Timothe, MPA \_\_\_\_\_ (Yes) \_\_\_\_\_ (No)

Councilman Kevin A. Burns \_\_\_\_\_ (Yes) \_\_\_\_\_ (No)

Councilwoman Mary Estimé-Irvin \_\_\_\_\_ (Yes) \_\_\_\_\_ (No)

Councilman Pierre Frantz Charles, M.Ed. \_\_\_\_\_ (Yes) \_\_\_\_\_ (No)

THIS ORDINANCE WAS TRANSMITTED TO THE CLERK OF THE CITY OF NORTH MIAMI  
CITY COUNCIL ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2026.



## **NOTICE OF PUBLIC HEARING**

## CITY OF NORTH MIAMI, FLORIDA

NOTICE IS HEREBY GIVEN that the City of North Miami, Florida proposes to adopt the following:

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,", AT ARTICLE 3, DIVISION 8, ENTITLED "PLATS, SUBDIVISIONS, ADDRESS ASSIGNMENT", SPECIFICALLY AT SECTION 3-806 ENTITLED "FINAL PLAT", TO ALLOW FOR THE ISSUANCE OF MULTIPLE PERMITS AND TEMPORARY CERTIFICATES OF OCCUPANCY FOR CERTAIN PROPERTIES, IN ACCORDANCE WITH ARTICLE 3, DIVISION 10, AND SECTION 3-302 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES; PROVIDING FOR REPEAL, CONFLICTS, SEVERABILITY, CODIFICATION, AND FOR AN EFFECTIVE DATE.



**AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF  
NORTH MIAMI, FLORIDA, AMENDING CHAPTER 29 OF THE NORTH  
MIAMI CODE OF ORDINANCES, ENTITLED "LAND DEVELOPMENT  
REGULATIONS," BY REPEALING ARTICLE 2, DIVISION 4, ENTITLED  
"DOWNTOWN ACTION PLAN ADVISORY COMMITTEE," THEREBY  
SUNSETTING THE DOWNTOWN ACTION PLAN ADVISORY COMMITTEE;  
PROVIDING FOR REPEAL, CONFLICTS, SEVERABILITY, CODIFICATION,  
AND FOR AN EFFECTIVE DATE.**



The Planning Commission will hold a Public Hearing for these items on **Tuesday, February 3, 2026 at 7:00 p.m.** in the Council Chambers of North Miami City Hall, Second Floor, 776 NE 125 Street, North Miami, Florida 33161.

Members of the public are invited to attend the Public Hearing and provide oral or written comments on the matter. Copies of the reports containing the Community Planning and Development Department's recommendation will be available for public review from Monday to Friday between the hours of 8:15 a.m. and 5:00 p.m. in the City Clerk's Office, City Hall, or online at: <https://www.northmiamifl.gov/AgendaCenter/Planning-Commission-4>. For questions, please call (305) 893-6511, Ext. 19005.

Pursuant to Florida Statute section 286.0105, persons appealing any decision made by the Planning Commission with respect to any matter considered at such meeting or hearing, will need a record of the proceedings, and should ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

**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. 19005, FOR ASSISTANCE. IF HEARING IMPAIRED, TELEPHONE 711 OR YOU MAY CONTACT 1-800-955-8771 FOR THE FLORIDA RELAY SERVICE FOR ASSISTANCE.**



# Planning Commission Report

776 N.E. 125 Street, North Miami, Florida 33161

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To: The Planning Commission

From: Debbie Love, AICP, Director, Community Planning and Development Department *DL*

Date: February 3, 2026

RE: **AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 29 OF THE NORTH MIAMI CODE OF ORDINANCES, ENTITLED "LAND DEVELOPMENT REGULATIONS," BY REPEALING ARTICLE 2, DIVISION 4, ENTITLED "DOWNTOWN ACTION PLAN ADVISORY COMMITTEE," THEREBY SUNSETTING THE DOWNTOWN ACTION PLAN ADVISORY COMMITTEE; PROVIDING FOR REPEAL, CONFLICTS, SEVERABILITY, CODIFICATION, AND FOR AN EFFECTIVE DATE.**

District: City-Wide

## **EXECUTIVE SUMMARY**

The Mayor and City Council desire to sunset and abolish the Downtown Action Plan Advisory Committee ("DAPAC") and repeal the Code provisions establishing and governing the Committee.

## **RECOMMENDATION**

Staff requests that the Planning Commission review the proposed amendment ("Amendment") to the City's Land Development Regulations ("LDRs"), as described in the above ordinance title and attached hereto, and recommend approval to the Mayor and City Council pursuant to the provisions of Article 3, Division 10, Section 3-1005(B) of the LDRs.

## **BACKGROUND**

**Context:** The DAPAC was created and codified in Chapter 29, Article 2, Division 4, Sections 2-401 through 2-405 of the City of North Miami LDRs, and was established to assist in the implementation of the City's adopted Major Corridor and Downtown Master Plan.



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776 N.E. 125 Street, North Miami, Florida 33161

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The Mayor and City Council desire to sunset and abolish the DAPAC and repeal the Code provisions establishing and governing the Committee.

## ANALYSIS

**Section 3-1105(B) of the City's Land Development Regulations requires that all amendments to the Comprehensive Plan meet the following minimum criteria:**

- 1. It is consistent with the Comprehensive Land Use Plan in that it:**
  - a. Does not permit uses that are prohibited in the future land use category of the parcel proposed for development;**

Not applicable. The proposed Amendment does not revise or affect the list of permitted or prohibited land uses assigned to any future land use category.
  - b. Does not allow densities or intensities in excess of those permitted by the future land use overlay district of the parcel proposed for development;**

The proposed Amendment leaves unchanged all residential density and non-residential intensity thresholds established by the Comprehensive Land Use Plan and any applicable overlay districts.
  - c. Will not cause a decline in the level of service for public infrastructure below the minimum requirements of the Comprehensive Land Use Plan;**

The proposed Amendment does not modify adopted level-of-service standards or enable development beyond what is currently authorized. As a result, it will not place additional demand on transportation, water, sewer, drainage, or other public facilities that would reduce service levels below adopted minimums.
  - d. Is physically suitable for the use permitted in the proposed district;**

Not applicable. The proposed Amendment does not alter development standards or land use entitlements that would affect site suitability.
  - e. Is compatible with the surrounding areas, zoning designations(s) and existing uses.**



# Planning Commission Report

776 N.E. 125 Street, North Miami, Florida 33161

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Not applicable. The proposed Amendment does not change zoning classifications, land use relationships, or established development patterns, as it is limited to the sunsetting of an advisory board.

## **2. Whether the application contributes to the following factors:**

- a. Improve mobility by reducing vehicle miles traveled for residents within a one-half (½) mile radius;**

Not applicable. The proposed Amendment does not influence land use distribution, density, or transportation demand characteristics.

- b. Promote high-quality development or redevelopment in an area experiencing declining or stagnant property values;**

Not applicable. The proposed Amendment does not identify targeted redevelopment areas or establish qualitative development criteria.

- c. Create affordable or workforce housing opportunities for individuals working in the City of North Miami;**

Not applicable. The proposed Amendment does not address housing affordability, unit types, income eligibility, or tenure.

- d. Promote development patterns that will not interfere with hurricane evacuation;**

Because the proposed Amendment does not permit additional residential units or increased development intensity, it will not affect hurricane evacuation capacity, routing, or clearance times.

- e. Promote high-quality environmental safety design techniques or Crime Prevention Through Environmental Design (CPTED) principles;**

Not applicable. The proposed Amendment does not regulate site planning, building design, or public safety features associated with CPTED or related design methodologies.



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3. ***Will not cause a diminution of the market value of adjacent property or materially diminish the suitability of adjacent property for its existing or approved use.***

Not applicable. The proposed Amendment does not modify development entitlements or intensities and is not expected to negatively affect the market value of nearby properties or impair their suitability for existing or approved uses.

### **FISCAL IMPACT:**

This action will have no impact on the General Fund.

### **ATTACHMENTS**

1. Draft Ordinance
2. Public Notice

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

**AN ORDINANCE OF THE MAYOR AND CITY COUNCIL  
OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING  
CHAPTER 29 OF THE NORTH MIAMI CODE OF  
ORDINANCES, ENTITLED “LAND DEVELOPMENT  
REGULATIONS,” BY REPEALING ARTICLE 2, DIVISION  
4, ENTITLED “DOWNTOWN ACTION PLAN ADVISORY  
COMMITTEE,” THEREBY SUNSETTING THE  
DOWNTOWN ACTION PLAN ADVISORY COMMITTEE;  
PROVIDING FOR REPEAL, CONFLICTS, SEVERABILITY,  
CODIFICATION, AND FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Downtown Action Plan Advisory Committee was created and codified in Chapter 29, Article 2, Division 4, Sections 2-401 through 2-405 of the City of North Miami Code of Ordinances; and

**WHEREAS**, the Downtown Action Plan Advisory Committee was established to assist in the implementation of the City’s adopted Major Corridor and Downtown Master Plan; and

**WHEREAS**, the Mayor and City Council desire to sunset and abolish the Downtown Action Plan Advisory Committee and repeal the Code provisions establishing and governing the Committee; and

**WHEREAS**, the Mayor and City Council find that repealing these provisions is in the best interest of the City and its residents.

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

**Section 1.      Repeal and Sunset of the Downtown Action Plan Advisory Committee.**

That Chapter 29, “Land Development Regulations,” Article 2, “Decision-Making and Administrative Bodies,” Division 4, “Downtown Action Plan Advisory Committee,” including Sections 2-401 through 2-405, of the City of North Miami Code of Ordinances, are hereby repealed in their entirety, and the Downtown Action Plan Advisory Committee is hereby sunsetted and abolished.

**CHAPTER 29 - LAND DEVELOPMENT REGULATIONS**

\* \* \* \* \*

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

### DIVISION 4. – DOWNTOWN ACTION PLAN ADVISORY COMMITTEE

#### **Sec. 2-401. Powers and Duties.**

The purpose of the Downtown Action Plan Advisory Committee (DAPAC) is to assist in the implementation of the adopted Major Corridor and Downtown Master Plan as well as the accompanying Concept and Action Plans. Members are to regularly attend DAPAC meetings and contribute constructively out of the experience and knowledge that they possess; understand and articulate the DAPAC's purpose, responsibilities and work plan; communicate and coordinate with the member's constituent group to represent the group's perspective on key issues and convey information from the DAPAC back to the stakeholders; act as an ambassador for the Action Plan with peers, neighbors and colleagues to further build momentum, participation and constructive feedback on the process and the Master Plan and the future revitalization of the Downtown area; review and provide comments/recommendations on project materials and draft plans; and participate actively in and help market the project's community outreach efforts.

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

##### **A. Membership.**

1. The DAPAC shall be composed of a minimum of eleven (11) and a maximum of fifteen (15) members. Each member of the city council shall nominate up to three (3) members of the DAPAC, which nomination shall be subject to approval of the majority of the city council.

##### **2. The composition of the committee.**

The DAPAC will consist of several key community stakeholders, with representation from the City's local Arts/Cultural, Education, Film industry and business community. Examples include, but are not limited to a representative from MOCA, downtown business owners/tenants, chamber of commerce representatives, Business Development Board Representative, University partners, and other stakeholders.

B. Terms. The terms of all members shall commence upon appointment, and shall coincide with the term of the mayor or city council member making the appointment. When a committee 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.

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 committee approved excuse, or a finding of the majority of the committee, as expressed upon the minutes of the committee, that participation and attendance by such member is not satisfactory and a replacement is needed.

#### **Sec. 2-403. Meetings; quorum; required vote.**

A. Meetings. The DAPAC shall hold a regularly scheduled meeting once a month at a specific time in a specific place and provide in its bylaws for holding special meetings.

B. Quorum; required vote. Two-thirds (2/3) majority of the current membership shall constitute a

~~quorum for the transaction of business. An affirmative vote of a majority of the members present shall be necessary to approve a motion.~~

**Sec. 2-404. Officers; staff.**

~~A. Officers. The committee shall select one of its members as its chairperson and another as vice-chairperson. Terms of all officers shall be for one (1) year, with eligibility for reelection.~~

~~B. Staff. The director of community planning and development shall designate staff for the committee. The staff member will be responsible for taking minutes at the monthly meetings and distributing minutes to the committee.~~

**Sec. 2-405. Rules and records.**

~~The DAPAC may establish such rules of procedure as it may determine necessary to carry out its duties. All meetings shall be conducted in accordance with Florida law and written records of the proceedings shall be a public record maintained and filed with the community planning and development department.~~

~~The committee's fiscal year shall coincide with that of the city. All funds of the committee shall be received, held, secured, audited and accounted for like other public funds by the appropriate fiscal officers of the city. The funds shall be used for the purposes authorized.~~

**Section 2. Effect of Repeal.** Upon the effective date of this Ordinance, the Downtown Action Plan Advisory Committee shall be sunsetted and cease to exist. All appointments to the Committee are terminated, and any powers, duties, advisory functions, or administrative support previously assigned to the Committee pursuant to the repealed Code sections shall have no further force or effect.

**Section 3. Repeal of Conflicts.** All Ordinances or parts of Ordinances in conflict or inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

**Section 4. Severability.** If any word, clause, phrase, sentence, paragraph, or section of this Ordinance is held to be invalid by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this Ordinance.

**Section 5. Codification.** It is the intention of the Mayor and City Council that the provisions of this Ordinance be codified, and that Division 4 of Article 2, Chapter 29 of the North Miami Code of Ordinances be removed in its entirety, and the remaining divisions renumbered accordingly.

**Section 6. Effective Date.** This Ordinance shall become effective immediately upon adoption.

**PASSED AND ADOPTED** by a \_\_\_\_\_ vote of the Mayor and City Council of the

City of North Miami, Florida, this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

ALIX DESULME, ED.D.  
MAYOR

ATTEST:

VANESSA JOSEPH, ESQ.  
CITY CLERK

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:

JEFF P. H. CAZEAU, ESQ.  
CITY ATTORNEY

SPONSORED BY: CITY ADMINISTRATION

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

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

**Vote:**

Mayor Alix Desulme, Ed.D.  
Vice-Mayor Kassandra Timothe, MPA  
Councilman Kevin A. Burns  
Councilwoman Mary Estimé-Irvin  
Councilman Pierre Frantz Charles, M.Ed.

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



## NOTICE OF PUBLIC HEARING

### CITY OF NORTH MIAMI, FLORIDA

NOTICE IS HEREBY GIVEN that the City of North Miami, Florida proposes to adopt the following:

**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,” AT ARTICLE 3, DIVISION 8, ENTITLED “PLATS, SUBDIVISIONS, ADDRESS ASSIGNMENT”, SPECIFICALLY AT SECTION 3-806 ENTITLED “FINAL PLAT”, TO ALLOW FOR THE ISSUANCE OF MULTIPLE PERMITS AND TEMPORARY CERTIFICATES OF OCCUPANCY FOR CERTAIN PROPERTIES, IN ACCORDANCE WITH ARTICLE 3, DIVISION 10, AND SECTION 3-302 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES; PROVIDING FOR REPEAL, CONFLICTS, SEVERABILITY, CODIFICATION, AND FOR AN EFFECTIVE DATE.**



**AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 29 OF THE NORTH MIAMI CODE OF ORDINANCES, ENTITLED “LAND DEVELOPMENT REGULATIONS,” BY REPEALING ARTICLE 2, DIVISION 4, ENTITLED “DOWNTOWN ACTION PLAN ADVISORY COMMITTEE,” THEREBY SUNSETTING THE DOWNTOWN ACTION PLAN ADVISORY COMMITTEE; PROVIDING FOR REPEAL, CONFLICTS, SEVERABILITY, CODIFICATION, AND FOR AN EFFECTIVE DATE.**



The Planning Commission will hold a Public Hearing for these items on **Tuesday, February 3, 2026 at 7:00 p.m.** in the Council Chambers of North Miami City Hall, Second Floor, 776 NE 125 Street, North Miami, Florida 33161.

Members of the public are invited to attend the Public Hearing and provide oral or written comments on the matter. Copies of the reports containing the Community Planning and Development Department's recommendation will be available for public review from Monday to Friday between the hours of 8:15 a.m. and 5:00 p.m. in the City Clerk's Office, City Hall, or online at: <https://www.northmiamifl.gov/AgendaCenter/Planning-Commission-4>. For questions, please call (305) 893-6511, Ext. 19005.

Pursuant to Florida Statute section 286.0105, persons appealing any decision made by the Planning Commission with respect to any matter considered at such meeting or hearing, will need a record of the proceedings, and should ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

**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. 19005, FOR ASSISTANCE. IF HEARING IMPAIRED, TELEPHONE 711 OR YOU MAY CONTACT 1-800-955-8771 FOR THE FLORIDA RELAY SERVICE FOR ASSISTANCE.**



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