

ORDINANCE NO. 18- 227

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, RELATED TO SITE PLAN APPLICATION REQUIREMENTS, AMENDING SECTION 13-304(e)(1), "SITE PLAN APPROVALS – APPLICATIONS," REPEALING THE REQUIREMENT THAT TWELVE (12) COPIES OF A SITE PLAN FOR PUBLIC HEARING CONSIDERATION BE SUBMITTED; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION INTO THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on April 3, 2018, The Town Council of the Town of Miami Lakes moved, as a matter of policy, to require that for any new regulation adopted, another obsolete regulation must be removed from the Town’s Code of Ordinances (AKA One-for-One Policy); and

WHEREAS, in light of new regulation being considered by the Town Council, staff identified an obsolete ordinance related to public hearing site plan applications; and

WHEREAS, with the advancement of digital technology that eliminates the need for additional printed paper copies, it is no longer necessary for an applicant requesting a public hearing site plan to submit twelve (12) copies of the proposed plans; and

WHEREAS, on April 17, 2018, the Planning and Zoning Board, acting in its capacity as the Local Planning Agency, heard the item at a duly noticed public hearing and forwarded a recommendation of approval to the Miami Lakes Town Council; and

WHEREAS, on May 1, 2018, the Town Council at a duly noticed public hearing, moved the item on First Reading; and

WHEREAS, on June 5, 2018, the Town Council considered the ordinance at a duly advertised public hearing; and

WHEREAS, to that end, the Town Council of the Town of Miami Lakes hereby finds and declares that adoption of this Ordinance is appropriate and advances the public interest.

THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES AS FOLLOWS:

Section 1. Recitals. Each of the above stated recitals is true and correct and is incorporated herein by this reference.

Section 2. Amendment. Section 1-304, Site plan approval, is hereby amended as provided at Exhibit A:

Section 3. Repeal of Conflicting Provisions. All provisions of the Code of the Town of Miami Lakes that are in conflict with this Ordinance are hereby repealed.

Section 4. 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 5. Inclusion in the Town Code. It is the intention of the Town Council, and it is hereby ordained, that the provisions of this Ordinance shall become and be made part of the Town Code and that if necessary the sections of this Ordinance may be renumbered or re-lettered to accomplish such intentions; and that the word "Ordinance" shall be changed to "Article", "Division" or other appropriate word.

Section 6. Effective Date. That this Ordinance shall be effective immediately upon its adoption on second reading.

FIRST READING

The foregoing ordinance was offered by Councilmember Ruano who moved its adoption on first reading. The motion was seconded by Councilmember Daubert and upon being put to a vote, the vote was as follows:

Mayor Manny Cid	yes
Vice Mayor Frank Mingo	yes
Councilmember Luis Collazo	yes
Councilmember Tim Daubert	yes
Councilmember Ceasar Mestre	yes
Councilmember Nelson Rodriguez	yes
Councilmember Marilyn Ruano	yes

Passed on first reading this 1st day of May, 2018.

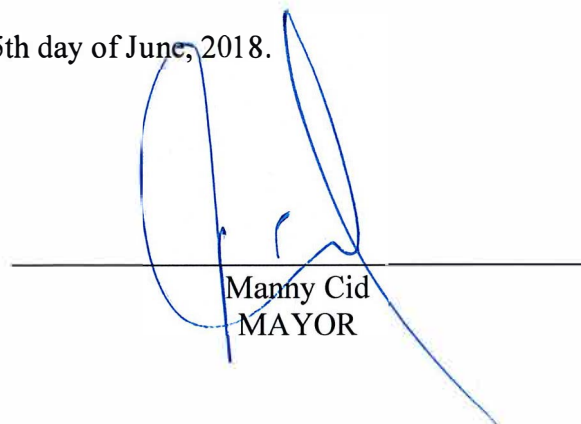
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SECOND READING

The foregoing ordinance was offered by Vice Mayor Mingo who moved its adoption on second reading. The motion was seconded by Councilmember Daubert and upon being put to a vote, the vote was as follows:

Mayor Manny Cid	yes
Vice Mayor Frank Mingo	yes
Councilmember Luis Collazo	yes
Councilmember Tim Daubert	yes
Councilmember Ceasar Mestre	yes
Councilmember Nelson Rodriguez	absent
Councilmember Marilyn Ruano	yes

Passed and adopted on second reading this 5th day of June, 2018.




Manny Cid
MAYOR

Attest:



Gina Inguanzo
TOWN CLERK

Approved as to form and legal sufficiency:



Raul Gastesi, Jr.
Gastesi & Associates, P.A.
TOWN ATTORNEY

EXHIBIT A
ORDINANCE

Chapter 13 Land Development Code

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Article III Development Approval Procedures

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Sec. 13-304. - Site plan approval.

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(e) Application. Applications shall be submitted and processed pursuant to the general procedures in Section 13-301. In addition, applications for site plan review shall be accompanied by the following information and processed by the Town only after the applicant has complied with the following procedural requirements:

- (1) The initial application shall include two copies of all site plans and required supporting documentation together with an application signed by the owner of record and submitted to the Administrative Official. ~~If it is determined by the Administrative Official that the site plan application requires approval by the Town Council, then 12 copies of all site plans and supporting documentations must be submitted before a public hearing can be scheduled.~~

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