

**ORDINANCE NO. 05-70**

**AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA, PERTAINING TO THE LAND DEVELOPMENT CODE; AMENDING CHAPTER 33, ARTICLE XVA, RU-TH TOWNHOUSE DISTRICT; PROVIDING FOR PURPOSE AND INTENT, DEFINITIONS, PERMITTED USES, DEVELOPMENT REGULATIONS, SITE PLAN REVIEW; MAINTENANCE OF COMMON AREA, PLATTING REQUIREMENTS AND TREES; ALL AS INCLUDED IN EXHIBIT "A" HEREIN; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE TOWN CODE; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Town of Miami Lakes (the "Town") upon incorporation adopted Chapter 33 "Zoning" of the Code of Miami-Dade County to serve as the Town's Land Development Code; and

**WHEREAS**, the Town desires to update and streamline the existing Town Land Development Code and to tailor it to the Town's particular needs and community vision; and

**WHEREAS**, the Town has undertaken a comprehensive rewriting of the Land Development Code, after having conducted workshops and public hearings regarding the Code, and having adopting its Comprehensive Plan pursuant to state statutes; and

**WHEREAS**, as part of the ongoing work to revise the Town Land Development Code, new RU-TH Townhouse zoning district regulations have been completed, which regulations include provisions relating to permitted and accessory uses, setbacks, building heights, parking, accessory buildings, building and roof colors, patio awnings, lot coverage, and site plan approval procedures, attached as Exhibit "A" hereto; and

**WHEREAS**, after conducting a properly noticed public hearing the Town Local Planning Agency has recommended that the referenced regulations are consistent with the Town Comprehensive Plan; and

**WHEREAS**, after conducting a properly noticed hearing and considering the recommendations of the public, the Local Planning Agency and the Town staff, the Town Council wishes to adopt the regulations for including in the Land Development Code as attached hereto as Exhibit “A.”

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

**Section 1. Adoption of revised RU-TH Townhouse Zoning District Regulations.**

The Town Council hereby adopts revised RU-TH Townhouse zoning district regulations for inclusion in the Town Land Development Code, which are attached as Exhibit “A” hereto and are incorporated herein.

**Section 2. 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 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. Inclusion in the Code.** It is the intention of the Town Council, and it is hereby ordained that the provision of this Ordinance shall become and made part of the Town of Miami Lakes, Florida Code of Ordinances; that 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 other appropriate word.

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

The foregoing Ordinance was offered by Councilmember Mary Collins, who moved its adoption on first reading. The motion was seconded by Councilmember Peter Thomson and upon being put to a vote, the vote was as follows:

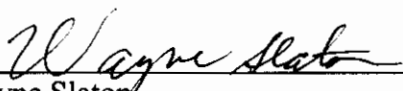
Councilmember Mary Collins	yes
Councilmember Robert Meador, II	absent
Councilmember Michael Pizzi	yes
Councilmember Nancy Simon	yes
Councilmember Peter Thomson	yes
Vice Mayor Roberto Alonso	absent
Mayor Wayne Slaton	yes

PASSED AND ADOPTED on first reading this seventeenth day of May, 2005.

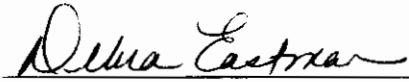
The foregoing Ordinance was offered by Councilmember Mary Collins, who moved its adoption on second reading. The motion was seconded by Vice Mayor, Roberto Alonso, and upon being put to a vote, the vote was as follows:

Councilmember Mary Collins	yes
Councilmember Robert Meador, II	yes
Councilmember Michael Pizzi	yes
Councilmember Nancy Simon	yes
Councilmember Peter Thomson	yes
Vice Mayor Roberto Alonso	yes
Mayor Wayne Slaton	yes

PASSED AND ADOPTED on second reading this twenty-first day of June, 2005.

  
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Wayne Slaton  
MAYOR

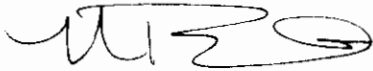
ATTEST:



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Debra E. Eastman, MMC  
TOWN CLERK

Approved as to form and legality for the use  
and benefit of the Town of Miami Lakes only:



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Weiss, Serota, Helfman, Pastoriza,  
Cole & Boniske, P.A.  
TOWN ATTORNEY