

RESOLUTION No. 2008-19-706

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AUTHORIZING THE CITY MANAGER TO ISSUE A WORK ORDER TO ILER PLANNING GROUP, IN THE AMOUNT OF \$126,330.00 IN ORDER TO COMPLETE CITY OF MIAMI GARDENS ZONING CODE/LAND DEVELOPMENT REGULATIONS; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, on March 23, 2005, the City Council authorized the award of certain non-exclusive contracts for professional architectural, engineering and planning services, and

WHEREAS, Iler Planning Group was one of the companies awarded a continuing Contract, and

WHEREAS, the Department of Planning and Zoning proposes to hire the Iler Planning Group to complete the City's new Zoning Code/Land Development Regulations, and

WHEREAS, City staff is requesting that the City Council authorize the City Manager to enter into a Work Order Agreement with Iler Planning Group for this purpose,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, as follows:

Section 1. ADOPTION OF REPRESENTATIONS: The foregoing Whereas paragraphs are hereby ratified and confirmed as being true, and the same are hereby made a specific part of this Resolution.

Section 2. AUTHORIZATION: The City Council hereby authorizes the City Manager to enter into a Work Order Agreement with the Iler Planning Group to complete the City's new Zoning Code/Land Development Regulations.

Section 3. EFFECTIVE DATE: This Resolution shall take effect immediately upon its final passage.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS AT ITS REGULAR MEETING HELD ON FEBRUARY 13, 2008.

  
SHIRLEY GIBSON, MAYOR

ATTEST:

  
RONETTA TAYLOR, CMC, CITY CLERK

PREPARED BY: SONJA KNIGHTON DICKENS, ESQ.  
City Attorney

SPONSORED BY: DANNY CREW, CITY MANAGER

MOVED BY: Vice Mayor Watson  
SECONDED BY: Councilman Bratton

**VOTE: 5-1**

|                               |                                     |       |                                     |                  |
|-------------------------------|-------------------------------------|-------|-------------------------------------|------------------|
| Mayor Shirley Gibson          | <input checked="" type="checkbox"/> | (Yes) | <input type="checkbox"/>            | (No)             |
| Vice Mayor Barbara Watson     | <input checked="" type="checkbox"/> | (Yes) | <input type="checkbox"/>            | (No)             |
| Councilman Melvin L. Bratton  | <input checked="" type="checkbox"/> | (Yes) | <input type="checkbox"/>            | (No)             |
| Councilman Oscar Braynon, II  | <input type="checkbox"/>            | (Yes) | <input type="checkbox"/>            | (No) Not present |
| Councilman Aaron Campbell     | <input checked="" type="checkbox"/> | (Yes) | <input type="checkbox"/>            | (No)             |
| Councilwoman Sharon Pritchett | <input type="checkbox"/>            | (Yes) | <input checked="" type="checkbox"/> | (No)             |
| Councilman André Williams     | <input checked="" type="checkbox"/> | (Yes) | <input type="checkbox"/>            | (No)             |

SKD/bfc  
8015928\_1.DOC

**WORK ORDER FOR ILER PLANNING GROUP AS CONSULTANT**  
**SCOPE OF SERVICES AND LDR OUTLINE**  
**LAND DEVELOPMENT REGULATIONS/ZONING ORDINANCE**  
**FOR CITY OF MIAMI GARDENS**

**JANUARY 31, 2008**

**A. GENERAL SCOPE OF SERVICES**

The City desires the Consultant to develop and present the City's new land development regulations. The Consultant recognizes the following general and specific provisions:

- **Enforceable Zoning Code Language.** Deliverables shall be written in concise, clear and legally enforceable ordinance language that is standard for zoning codes. The City of Miami Gardens places a high priority on enforcing codes. The City's code enforcement program itself is a major department that relies on clear interpretations of code provisions, criteria, definitions and requirements. The Consultant recognizes that policies contained in comprehensive plans are general; zoning codes set forth precise requirements and procedures.
- **Current Code.** The City currently operates under the Miami-Dade County Zoning Code (Chapter 33), Subdivision Regulations (Chapter 28), Landscape Requirements (Chapter 18) and related provisions. Essentially, these regulations need to be replaced, and in some cases, rewritten and simplified, for the City's use. The City desires to retain many current code provisions. However, the current code is difficult to understand and also contains many arcane provisions that should be changed. The challenge will be to "separate the good from the bad," or to "start fresh."
- **Primary Contacts - Planning and Zoning Department and Assistant City Manager for Business Services.** Working primarily with the City's Planning and Zoning Department, the Consultant will be responsible for developing workable draft regulations based on the outline set forth below. The Assistant City Manager for Business Services, who has overall responsibility for the Planning and Zoning Department as well as several related departments including Building and Code Enforcement, shall be included, copied and otherwise invited to all meetings, correspondence, deliverables, review materials/drafts, emails, etc.

Consultant shall utilize already-drafted preliminary materials by City, to be provided to Consultant, as highlighted below and provided.

- **Public Involvement, Presentations and Program.** The consultant will be responsible for presentations at public meetings/workshops. The consultant will prepare, and provide timely fliers and hand-out related materials, as appropriate, for such meetings. In general the City will print materials, provide our already-compiled contact list from prior meetings, and implement advertising in newspapers. The consultant shall designate a public involvement person, preferably someone with some knowledge of Miami Gardens, and provide a proposed public involvement program. City staff will also attend and assist the Consultant as necessary at the meetings. For example, at community type meetings, the City will provide at least two and up to four professional staff.

- **Meetings** – Anticipated number of meetings by type:
  - Staff Meetings: Ten (10) face-to-face staff meetings at city, 1 or 2 Iler staff in attendance; city may approve telephone conference for up to 3.
  - Public Meetings: Six public meetings, anticipating at least one and probably two community/workshop type meetings as well as presentation and public hearing type meetings; anticipate two Iler staff will be adequate for most such meetings.
  - The City and Consultant recognize that the project might be completed to the City’s satisfaction without the 16 above-mentioned meetings being held. However, if additional meetings are needed, the additional cost per such meetings shall be as set forth herein.
  - Notwithstanding the exact number of meetings, the Consultant shall anticipate and recognize that there will be many “iterations,” clarifications and feedback encounters, phone calls, emails, etc., necessary to accomplish this project. Such communications shall not constitute meetings unless specifically agreed upon by the City.
- **Ordinance Format and Microsoft Word Format.** The Consultant shall utilize an ordinance outline hierarchy for proper code format, generally adhering to the basic outline provided herein. The City and the Consultant shall work together to accomplish same. (The City is currently working on the sign code which may yield such a format.)
 

In addition to being in Microsoft Word format, the code shall utilize Word Styles for each paragraph so that the document itself is “smart” and will automatically renumber headings, subheadings, sub-subheadings, which will be tied properly to each others, etc. with the ability to automatically generate a table of contents.
- **Graphic Illustrations.** In addition to graphic illustrations necessary for the Planned Corridor Development Zoning District, the Consultant shall provide a minimum of approximately 20-25 form-based graphic illustrations of basic site plans including but not limited to 2-dimensional and 3-dimensional depictions, renderings, elevations, setbacks, heights, right-of-way and property lines, landscape depictions, appropriate labeling and graphic summary (similar to illustrations contained Doral Code and Miami-Dade County zoning district handouts).
  - At least (1) one graphic illustration to depict zoning and related standards within each proposed zoning district.
  - At least (4) four illustrations shall be provided in each of the following schedules under: D. Part II of Zoning Ordinance: Schedules:
    - Schedule A: General Definitions
    - Schedule D: Area and Dimensional Requirements for Buildings, Lots and Accessory Structures
    - Schedule H: Parking
    - Schedule I: Streetscape, Landscape, Tree and Buffer Requirements
  - Summary Materials – See F. Phase Four, Summary Materials; may incorporate graphic illustrations for each zoning district noted above.
- **Schedule.** 1 year. Anticipate 12 months from start in 2008. Consultant to develop detailed schedule of deliverables.

## **B. ZONING ORDINANCE OUTLINE - OVERVIEW**

The proposed code outline provides for two parts, Administration and Standards. Part 1, Administration provides the framework to implement the zoning code and includes responsibilities, establishment of zoning districts, procedural requirements and processes. Part 1 will be composed of various "chapters." Part 2, Standards, includes the actual requirements such as permitted uses within zoning districts, definitions, area and dimensional requirements, and other technical requirements that must be adhered to such as parking, landscape and sign requirements. Part 2 will be composed of various "schedules" for each subject area.

The outline varies from general to specific and is intended to provide information and direction for the Consultant.

## **C. PART I OF ZONING ORDINANCE: ADMINISTRATION AND PROCEDURES**

### **CHAPTER I: PURPOSE AND APPLICABILITY**

- Title
- Purpose and Authority
- Establishment of City Council as Land Development Regulation Commission
- Legislative Purpose of Land Development Regulations (LDR)/Zoning Code – Quote Florida Statutes
- Consistency with Comprehensive Development Master Plan (CDMP) Required
- Applicability
- Objectives of Code – Also see Community Vision

### **CHAPTER II: GENERAL PROVISIONS**

- Materials Incorporated by Reference – All codes and ordinances of the City of Miami Gardens
- Activities Requiring Permit
- Establishment of Fee Schedule by Resolution
- Repeal of Other Regulations – MD Zoning and Landscape Codes . . .
- Adoption of Schedules of Regulations, Standards and Criteria
- Severability
- Effective Date
- Administrative Definitions – A statement about common meaning of words; does NOT include land use or other definitions set forth in Schedules

### **CHAPTER III: AUTHORITY AND RESPONSIBILITIES**

- Purpose and Authority
- City Council as the Elected Body
- City Council as the Land Planning Agency – reference ordinance that designated council as the LPA
- Designation, Duties and Responsibilities of City Council as the Land Development Regulation Commission - per Florida Statutes 163
- Administrative Official Appointed by City Manager
- Development Review Committee (DRC) – composed of at least one representative of the following: Planning and Zoning Department, Building Department, Code Enforcement Department and Public Works Department. May also include Police Department. Planning and Zoning Department shall administer the DRC.

#### **CHAPTER IV: ADMINISTRATION AND ENFORCEMENT**

- Generally
- Purpose and Authority
- Development Permits
- Appeals by Applicant
- Enforcement of Development Orders
- Applications Initiated by the City
- Rescinding Previously Approved Actions (By City) – The City desires to establish a provision similar to an existing Miami-Dade code provision that allows the local government to take away special approvals that have not been constructed or otherwise acted upon. See MD Code 33-317.
- Establishment of Fees by Resolution of City Council
- Applicant to Pay Expenses Associated with Application: In addition to base fee, require applicant to pay expenses and costs incurred by City, timely, at City's request

## CHAPTER V: ZONING DISTRICTS AND OFFICIAL ZONING MAP

- Generally
- Zoning Districts Defined – Below reflects districts proposed to date
  - R - 6, Low Density Residential, Single Family, up to six (6) dwelling units per acre (replaces basic SF zone, RU-1 at 7,500 Sq.Ft. lots, smaller lots to be permitted by special exception);
  - R - 6D, Low Density Residential, Duplex, up to six (6) dwelling units per acre (replaces existing duplex zone);
  - R - 25, Medium-High Density Residential, Multiple Family, up to 25 (twenty-five) dwelling units per acre;
  - R - 50, Medium Density Residential, Multiple Family, up to 50 (fifty) dwelling units per acre;
  - NC, Neighborhood Commercial, neighborhood-oriented commercial and office uses primarily for neighborhood areas (this zone covers commercial development that is located in “Neighborhood” land use designation and NOT located in the “Commerce” designation);
  - PCD, Planned Corridor Development, encourages mixed use development within the City’s major thoroughfare corridors consistent with the CDMP, emphasis on pedestrian, transit-oriented development, restricts but does not prevent automotive uses; permits up to 25 (twenty-five) dwelling units per acre by right, over 25/a by special exception and CDMP consistency. Includes most areas designated “Commerce” on FLUP, combines all commercial and office zones with Commerce areas, multiple family and other residential zones in Commerce areas, and certain industrial zones along Palmetto Expressway;
  - TC, Town Center, mixed use, transit oriented development zoning district located in the area of Miami Gardens Drive and NW 27th Avenue (already established, permitted uses integrated into Permitted Use Schedule, reformat as appropriate, into its own schedule, may need to revise densities and intensities to be consistent with CDMP);
  - I - 1, Industrial, wholesale and manufacturing uses;
  - I - 2, Industrial, wholesale and manufacturing uses, includes adult entertainment, exactly the same as existing;
  - PD, Planned Development, development tied to a master development plan. (initially include existing developments: Andover Village Park, Florida Memorial University, St. Thomas University, Calder Race Course, Dolphin Stadium DRI (Stadium portion only), Majorca Isles, Riviera Park Inc. Mobile Home Park (City staff will compile these).
  - CF, Community Facilities, provides for public assembly and other public/semi-public uses; similar to GP in MD County or CF in Aventura.
- Interpretations of District Boundaries
- Application of District Regulations

- Adoption of Official Zoning District Map – need wording for digital and hard copy zoning map for adoption and revisions. City staff will provide the zoning district map.
- Amendment of Zoning District Map – per FS

## **CHAPTER VI: PUBLIC HEARING PROCESS AND NOTICE REQUIREMENTS**

In addition to drafting this chapter, consultant will compile existing procedures, compare advertisements, posting, mailed notice and mailing radius requirements with other jurisdictions, to be agreed upon by City staff, and recommend new city procedures for same.

- Purpose and Authority
- Public Hearing Process
- Pre-Application Conference – to be required
- Application Acceptance
- Schedule Hearing
- Application Submittal Requirements
- Principles and Guidelines – incorporate list of same already provided as first page of the City’s public hearing application
- Letter of Intent by Applicant – to include itemized list of required data and information
- Checklist items – See application
- Fees
- Sufficiency Review
- Initial Mailed Notice – within 40 days after application is accepted; present and discuss alternatives with Council
- Notice Requirements – present and discuss alternatives with Council
- Development Orders
- Improvement Guarantees

## **CHAPTER VII: CRITERIA AND STANDARDS FOR PUBLIC HEARING REVIEW**

- Generally
- Comprehensive Development Master Plan Amendment
- Map Amendment
- Text Amendment
- Rezoning
- Special Exception
- Non-Use Variance

- Conditions and Restriction
- Proffered Covenants
- Finality of Decision
- Appeals
- Judicial Review

## **CHAPTER VIII: DEVELOPMENT REVIEW PROCESSES AND PROCEDURES**

- Development Plan Review
- Site Plan Review – need new process/procedures
- Building Plan Review – already have
- Administrative Site Plan Review – already have
- Subdivisions

## **CHAPTER IX: CONCURRENCY REVIEW PROCESS**

See CDMP policies

- Purpose and Authority
- Concurrency Management Administrative Procedures
- Exemptions
- Criteria for Concurrency Review and Final Development Orders
  - Water and Sewer – Reference City of North Miami Beach and Miami Dade County’s Water and Sewer Department, service area maps.
  - Parks
  - Stormwater
- Capacity Reservation and Adopted Levels of Service
- Contributions, Dedications and Impact Fees Required
- Proportionate Share
  - Transportation – consistent with Transportation Element policies of CDMP
  - School Concurrency – Primarily reference and/or excerpt provisions of School Board Interlocal Agreement.

## **CHAPTER X: SUBDIVISION PROCEDURES**

General Direction: Miami Dade County administers certain approvals in the subdivision and platting processes which will continue. City will provide procedures.

- Intent
- Exemptions to Subdivision Plan Review

- Waiver of Plat
- Tentative Subdivision Plan Review
- Final Subdivision Plat Review
- Submittal Requirements
- Improvement Plan Review Procedures
- Improvement Plan Requirements
- Bonding and Minimum Requirements for Installation of Improvements
- Guarantee of Completion of Improvements
- Master Plan Review
- Master Plan Requirements
- Recording of Final Plat
- Vacation of Plats
- Replats and Re-subdivision
- Vacation of Rights-of-Way and Easements

#### **CHAPTER XI: DEVELOPMENT AGREEMENTS**

- Authorization
- Application
- Development Agreement Content
- Development Agreement Review
- Validity of Development Agreement
- Effective Date of Development Agreement
- Recording of Development Agreement
- Amendment or Modification or Cancellation of a Development Agreement
- Periodic Review of Development Agreement

#### **CHAPTER XIII: COMMUNITY DEVELOPMENT DISTRICTS**

The City reviews and approves/disapproves CDD's which are then forwarded to Miami-Dade County for establishment. The Code should formally establish that procedure. A fee has already been established.

#### **D. PART II OF ZONING ORDINANCE: SCHEDULES**

Each schedule contains standards and criteria to which development must comply.

## **SCHEDULE A: GENERAL DEFINITIONS**

Defines how setbacks are measured, yards, roof, density, floor area ratio, etc.

## **SCHEDULE B: LAND USE DEFINITIONS**

Detailed use definitions that tie to the Schedule of Permitted Uses; for example, specific uses included under the general heading "Retail Sales and Services."

## **SCHEDULE C: PERMITTED USES**

Tabular list of land uses categories and zoning districts; identifies uses as 1) permitted by right (P), 2) permitted by special exception (public hearing)(SE) or 3) not permitted within a given zone (blank) within each zone.

Includes footnotes and specific criteria and conditions for specific uses and references to additional requirements.

## **SCHEDULE D: AREA AND DIMENSIONAL REQUIREMENTS FOR BUILDINGS, LOTS AND ACCESSORY STRUCTURES**

- Lot Size, Setbacks, Lot Coverage, Building Coverage, Density, Intensity (Floor Area Ratio)
- Uniform Building Setbacks for Major Transportation Corridors
- Principal Buildings
- Accessory Structures
- Satellite Dish Antennas
- Storage Buildings, Sheds, Utility Buildings, Carports, Gazebos
- Swimming Pool, Enclosures and Similar Structures
- Walls and Fences
- Parcels and Lots
- Yards and Setbacks

## **SCHEDULE E: DESIGN CRITERIA**

- Site Planning and Building Arrangement, General
- Planned Development Zoning District Standards (PD) – In addition to the Planned Corridor Development Zoning District Standards, the City needs a PD, Planned Development zoning district to replace the existing PAD zone which is too restrictive. The City needs a more generic zone-to-master-plan district for areas other than the corridors. Add and integrate into Permitted Use, Dimensional, and other schedules as necessary.
- State Road 7 – See existing guidelines

- Palmetto Corridor Development Standards – See FAU study.

**SCHEDULE F: ADDITIONAL REQUIREMENTS AND CRITERIA FOR SPECIFIC USES**

- Home Offices
- Vehicular/Automotive Uses – Discourage roll-up doors facing street.
- Drive-Thru Facilities
- Retail Sales and Services
- Used Goods Sales – See special definitions already established.
- Sidewalk Café
- Outdoor Uses and Activities
- Temporary Construction Activities
- Community Residential Homes
- Family Group Homes
- Day Care Facilities
- Labor Pool Businesses?
- Junkyards

**SCHEDULE G: LEVEL OF SERVICE STANDARDS FOR CONCURRENCY**

- Reference level of service standards set forth in Capital Improvements Element and Public Schools Facilities Element of the CDMP as well as service providers noted below.
- Schools – As appropriate, reference Interlocal Agreement with Miami-Dade County Public Schools
- Transportation Concurrency Management Areas – In addition, reiterate that a “conventional” traffic analysis is required.
- Potable Water – Reference compliance with Miami-Dade County Water and Sewer Department and City of North Miami Water and Sewer Department requirements.
- Sanitary Sewer - Reference compliance with Miami-Dade County Water and Sewer Department and City of North Miami Water and Sewer Department requirements.
- Solid Waste – Reference Miami-Dade County Solid Waste Management requirements.
- Stormwater Drainage – Reference requirements of Miami Gardens Public Works Department and Miami Dade County Department of Environmental Protection requirements.
- Parks and Recreation – Reference City of Miami Gardens Recreation and Parks Department requirements.

## **SCHEDULE F: MIAMI GARDENS TOWN CENTER**

Already adopted, reformat as a “schedule;” Remove “permitted/special exception” section which is to be replaced by/integrated into Schedule C, Permitted Uses Table. Also, delete sign requirements for which new sign regulations will supersede.

## **SCHEDULE G: PLANNED CORRIDOR DEVELOPMENT ZONING DISTRICT**

See scope of services explanation below.

## **SCHEDULE H: SIGNS**

Under development

## **SCHEDULE I: PARKING**

- Table: Off-Street Parking Requirements by Use
- Shared Parking – Needed for mixed use project, i.e., projects that combine residential with ground floor commercial.
- Joint Use of Parking Provisions
- Bicycle Parking
- On-Street Parking Requirements
- Parking Lot Design Standards
- Handicapped Access
- Off-Street Loading, Unloading and Service Areas

## **SCHEDULE J: STREETScape, LANDSCAPE, TREE AND BUFFER REQUIREMENTS**

- Replace Chapter 18 of MD Code with “major” landscape standards
- Coordinate with the City’s Keep Miami Gardens Beautiful program
- Major Thoroughfare Treatment
  - Royal Palms, 15’ grey-wood, plus shade trees or Fox-tail palms (\_\_\_? Grey-wood) if conflict with power lines.
  - Sidewalks on major streets (all designated arterials and collectors as designated in the CDMP) shall be textured pavement. All development shall provide such pavement. Include textured pavement for crosswalks at all driveways. Includes Palmetto Expressway frontage road – 167<sup>th</sup> Avenue.
  - Where City requires 10’ sidewalks (see SR-7 guidelines) City may require palms within private 4’ strip of sidewalk to be placed into grates.

- Stem walls (see Stadium Corners at 199&27), variable height, to buffer all parking and automobiles storage/display areas from major streets. This softens the automobile impact and frames the street
- Irrigation Required
- Walls, landscape, etc., between non-residential uses and single family, other residential, between SF residential and MF residential, etc.
- Provisions so that the City can require \$ contributions for development for city streetscape and related improvements based on a formula to be developed, reflect costs to streetscape/landscape . . . administered through Public Works.

## **SCHEDULE K: ENVIRONMENTAL RESOURCE PROTECTION**

- Flood Protection – not intended to include FEMA required ordinance
- Aquifer Protection
- Wellfield Protection – The City may already have an ordinance for this.
- Surface Water Bodies
- Wildlife and Plant Species
- Water Conservation
- Mining and Mineral Extraction – requires special exception
- Lake Excavation and Creation – requires special exception
- Historical and Archaeological Sites – Excludes MiMo; A separate schedule/regulations for Miami Modern architecture cannot be implemented until a historic district is established with owners' agreement in Sunshine State International Park.
- Solid Waste, Recycling and Hazardous Waste
- Dumpsters

## **SCHEDULE L: NONCONFORMING USES AND STRUCTURES AND VESTED RIGHTS**

- Non-Conforming Uses – Generally, lawfully existing uses are to be grandfathered unless otherwise provided; expand or modify by special exception/public hearing
- Non-Conforming Structures – ditto
- Non-Conforming Signs – Alternatives to be agreed upon during sign code rewrite
- Non-conforming Lots – Allow construction of a single family dwelling with minimal non-conforming lot standards through administrative approval.
- Vested Rights – Resolutions, Previously Issued Development Permits and Approved Plans – Policy question: status of resolutions and other approvals, some built, some not, expand, modify, construct. Ex.: 3 years hence, approvals lapse, unless owner files for vested rights with City and City approves per criteria. Should owners be

allowed to file for vested rights after the 3 year period? Example: townhouse project with site plan approval and stipulations by resolution, not built;

#### **SCHEDULE M: ALCOHOLIC BEVERAGE SALES AND ACTIVITIES**

Closely correspond to existing MD Code; Note "Supper Club" use (a use that is considered to be less than a night club) desired by City Council.

#### **SCHEDULE N: ADULT ENTERTAINMENT AND ALCOHOLIC BEVERAGE USES**

Retain county's regulations in the exact same industrial-zoned areas. Compile into a schedule. Verify that Permitted Use Table, definitions and procedures reflect correct transfer of these provisions to insure "no change."

#### **SCHEDULE O: PUBLIC WORKS AND CONSTRUCTION STANDARDS AND REQUIREMENTS**

Public Works Department to provide direction regarding needed modifications and additions from MD County's requirements

Sidewalk standards

Sidewalk fund/alternative

This Schedule needs to be closely coordinated with Public Works Department

### **E. PART THREE: DEVELOPING A NEW PLANNED CORRIDOR DEVELOPMENT ZONE**

In addition to "conventional" zoning districts, the City proposes to develop a Transit Oriented, Planned Corridor Development Zoning District. This will involve implementing a zoning district for the "Commerce" Designation of the Future Land Use Plan. The "Commerce" designation covers the City's three major commercial/industrial highway/transit corridors where more intensive urban uses are encouraged. The Commerce designation is the subject of a funding request from the Florida Department of Community Affairs. It is intended to translate the locational and design standards and criteria established as policies in the plan, including criteria for density, intensity (floor area ratio), number of stories and specific access criteria tied to roadway functional classification and intersections, into implementation zoning regulation.

A special mixed use, transit oriented zoning district with accompanying design standards will encompass the three major transportation corridors as well as implement several plans and studies already accomplished for those corridors, such as the State Road 7 Livability Study. Consistent with CDMP Objective 2.4, Smart Growth Principles, with associated policies, development of the PCDZ will include the following:

- Areas identified on draft Zoning Map
- Mixed Use Development Criteria consistent with CDMP land use policies including:

- Transit Oriented Amenities including pedestrian linkage facilities such as sidewalks, bicycle parking, enhancements at proposed transit stations.
- Landscape Design Standards
- Adjacent Land Use Compatibility and Buffer Requirements
- Building Orientation, Uniform Build-To and Other Building Setback Requirements and Criteria coordinated with Street Type (corresponding to Functional Classification of Roadways per CDMP)
- Step-back Height and Building Standards
- Parking/Shared Parking Standards
- Density and Intensity Bonus Standards and Criteria
- Building Fenestration Design Guidelines and Requirements
- Green Building Criteria and Standards
- Form-Based Graphic Illustrations
- Integrate into public participation program; include at least two powerpoint presentations, one for initial draft, one for final draft
- Deliverables: 2 draft documents; first may be in general “report” format; second in “ordinance” format.
- Estimated Project Timeframe: Deliver Final Draft Code by May 2008 to comply with DCA Funding Assistance Agreement (due to DCA in June 2008)

## **F. PHASE FOUR: SUMMARY MATERIALS**

Summary materials to quickly answer everyday questions for both citizens and developers:

- Graphic Summary of Area and Dimensional Requirements for Each Zoning District: Pattern after Miami-Dade County’s handouts which include basic site plans that include setbacks, etc.
- Summary Land Use and Zoning Table: Tabular alphabetical listing of all individual land uses identified in the land use definition section with corresponding district where the use is either permitted by right, permitted by special exception or permitted by a special criteria or standard (do not need to provide details or specific reference)

## **G. IPG PROJECT APPROACH/METHODOLOGY**

Project Timeline – To the maximum extent practicable, the City and IPG will adhere to the project time line provided by IPG and attached to this work order.

Project Kick-off Meeting - IPG will initiate the process with a project kickoff meeting, wherein the City and IPG will determine the details of the scope of work, establish lines of communication, and develop an understanding of the expectations of the new document. The meeting will also outline a detailed public involvement strategy.

The kickoff meeting will be followed by a tour of key City locations to give a first hand experience of the City and some of its primary issues and photograph existing conditions and “good” and “bad” examples for future workshops and the reports. Once the initial kickoff meeting is complete, IPG will undertake a thorough review of the existing codes, the Comprehensive Plan, and other city and county documents. Research and analysis will also include a review of other community LDRs and processes.

Initial Community Workshop - IPG will solicit input from City staff, interested parties (especially “code users”) and the general public through a series of meetings and workshops. Input from “code users,” specifically selected developers, landscapers, contractors, and City staff may be through a combination of written surveys, telephone conference calls and/or in-person meetings. IPG will conduct a one-evening Community Workshop to present the project and obtain input from City residents, business owners, and other stakeholders. This Workshop will cover the Planned Corridor Development (PCD) district along with an overview of the general code changes. Based upon the input received at these initial meetings, workshops, and the scope and zoning code outline provided by the City, IPG will compile a list of project goals and guiding principles for the development of the initial draft of the new LDRs.

Follow-up Community Workshop - IPG will bring the guiding principles and ideas generated from the initial community workshop to a “follow-up” community workshop to ensure the community that their comments were heard and understood.

Upon completion of the PCD zoning district, a Council Workshop will be held to get final input on this portion of the overall LDR, in order to meet the May deadline for completion of this task.

IPG will draft development and concurrency review processes, and the zoning ordinance schedules, including definitions, permitted uses, dimensional requirements for buildings and lots, design criteria, LOS standards, parking requirements, landscaping requirements, and other schedules as detailed above. IPG will draft these zoning code sections in coordination with City Staff through in-person meetings and telephone calls as outlined above.

Additional Meetings - Upon completion of the initial draft of the overall LDRs (including the final PCD district), IPG will hold another series of public meetings and a second Council workshop with the public, staff and interested parties. At these meetings, the highlights of the draft document will be explained in detail, and comments, concerns, and questions will be solicited from all parties. The input will form the basis for modifications to the document, in order to address the concerns of staff, the public and interested parties, while continuing to maintain the City’s vision.

Once the last of the comment meetings has been completed and the final revisions to the document made, IPG will coordinate with city staff to hold a series of public meetings and an adoption hearing before the appointed and elected officials of the City. IPG will present the document at all public meetings and hearings, and will make any modifications necessary based upon input from the public officials.

Throughout the project, IPG will provide regular updates of the progress of the development of the Code to City staff and public officials. In addition, IPG will provide opportunities for exchanges of information with City staff and the public. Both the staff updates and the informational exchanges will be facilitated by incorporating technological capabilities into the process.

**Deliverables:**

- Draft Planned Corridor Development (PCD) zoning district regulations [50% completion]

- First Draft of key zoning sections:
  - Definitions, permitted uses, dimensional requirements, LOS standards
  - Parking & landscaping
  - Design criteria, all other schedules and sections

[Submitted to staff in 3 separate drafts as completed; All 3 to be completed by 75% completion]
- Draft of overall LDRs [85% completion]
- Final Draft of overall LDRs (in ordinance format) [95% completion]
- Summary materials [100% completion]

Deliverables will include Microsoft Office and PDF versions of all final documents, and color copies of all graphic illustrations and maps.

A minimum of two draft iterations of the LDRs will be submitted to City staff for review, prior to the “Final” draft for Council review and adoption. The first will be a series of draft sections, as they are completed. IPG will revise sections in response to City Staff comments, and submit the entire, overall LDRs to City Staff for a final review. The “Final” draft LDRs will be written in ordinance format and submitted to the City within 11 months of contract agreement. IPG will also provide a series of 10 zoning district graphic summary sheets (one for each zoning district, except Planned Development (PD)), and one summary land use and zoning table for use by the citizens and developers.

**Key Personnel** shall be as follows:

- Henry Iler, AICP, will be the Principal-in-Charge. Approximate percentage of hours = 10%
- Martin Schneider, AICP, will be the Project Manager. Approximate percentage of hours = 30%; Mr. Schneider will be the designated public involvement point person at IPG to coordinate public outreach with the City.
- Vasanth Tatipalli, AICP, will be the Senior Planner assigned to this project. Approximate percentage of hours = 40%
- Zach Graeve is the graphic designer for this project. Approximate percentage of hours = 15%
- Todd Miller, AICP, Senior Planner, and Linda Louie, Assistant Planner, will also assist on the project as needed.
- General Responsibilities: Mr. Iler, Mr. Schneider, and Mr. Tatipalli will be responsible for all writing, community and staff meetings, and presentations. Mr. Graeve will prepare all graphics under the supervision of the planning staff.
- Full Legal Review: Nancy Stroud of Lewis, Stroud, Deutsch, P.I. shall provide full legal review. This shall include one staff meeting, one public hearing and up to three telephone consultations.

## **H. FEES**

- Compensation: \$126,330
- Additional Meeting Costs if requested by City:

- Staff Meeting: \$1,800 (2 IPG planners, including travel time & expenses)
- Public Hearing: \$4,500 (2 IPG planners, 4 hour meeting, powerpoint presentation, travel time & expenses)
- Community Meeting: \$ 6,000 (2 IPG planners, 4 hour meeting, powerpoint& other preparation & materials, travel time & expenses)
- Additional Legal Review: \$250/hour

**I. REQUIRED PROVISIONS FOR SUBCONTRACTOR**

As related to the City of Miami Gardens Agreement with the Florida Department of Community Affairs to develop a Transit Oriented, Planned Corridor Development District set forth in this document, Iler Planning Group (IPG) is a subcontractor to the City, as the Recipient. Iler Planning Group therefore agrees to the following required provisions:

- a. The subcontractor is bound by the terms of this Agreement;
- b. The subcontractor is bound by all applicable state and federal laws and regulations, and;
- c. The subcontractor shall hold the Department and Recipient harmless against all claims of whatever nature arising out of the subcontractor's performance of work under this Agreement, to the extent allowed and required by law. Each subcontractor's progress in performing its work under this Agreement shall be documented in the quarterly report submitted by the Recipient.

**J. GIS WORK**

The City shall be responsible for all GIS work.

\_\_\_\_\_  
FOR CITY:

\_\_\_\_\_  
Dr. Danny O. Crew, City Manager

\_\_\_\_\_  
Date

\_\_\_\_\_  
Attest: Ronetta Taylor, Miami Gardens City Clerk

\_\_\_\_\_  
Date

FOR CONSULTANT:

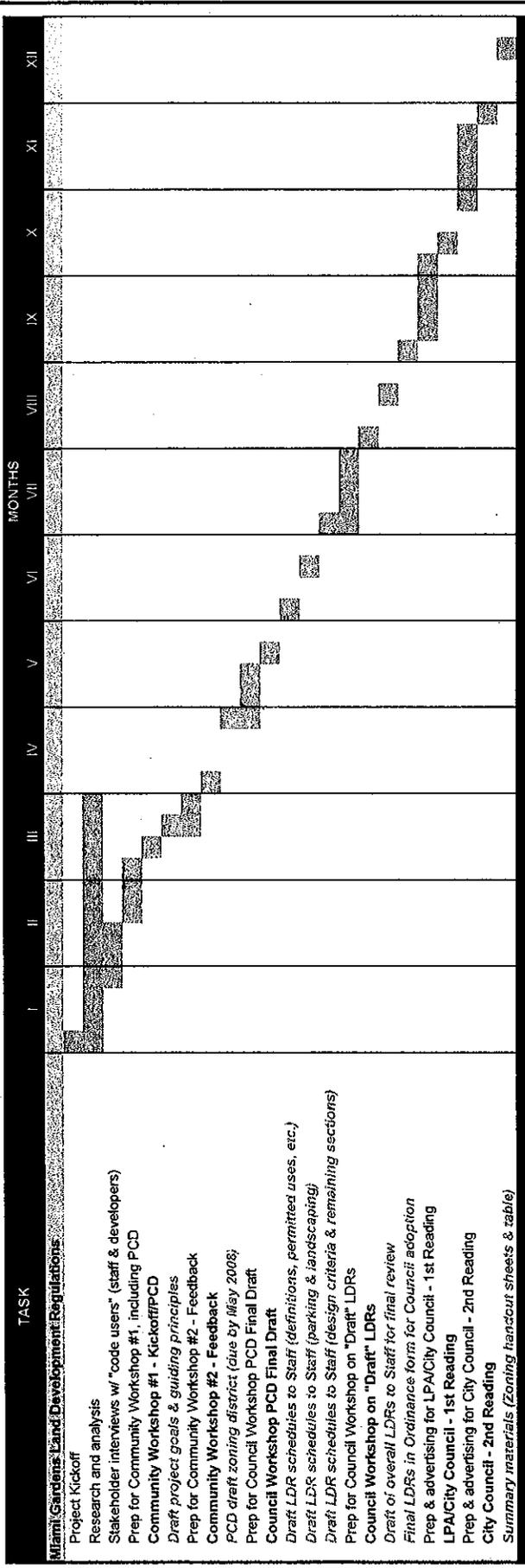
\_\_\_\_\_  
Henry Iler, President, Iler Planning Group

\_\_\_\_\_  
Date

\_\_\_\_\_  
Attest:

\_\_\_\_\_  
Date

PROJECT TIMELINE



# City of Miami Gardens

1515-200 NW 167<sup>th</sup> Street  
Miami Gardens, Florida 33169



Mayor Shirley Gibson  
Vice Mayor Barbara Watson  
Councilman Melvin L. Bratton  
Councilman Oscar Braynon II  
Councilman Aaron Campbell Jr.  
Councilwoman Sharon Pritchett  
Councilman André Williams

## **Work Order to Develop Zoning Code/Land Development Regulations**

Date: February 13, 2008

Fiscal Impact: No  Yes

(If yes, explain in Staff Summary)

Funding Source: City and State of Florida

Contract/P.O. Requirement: Yes  No

Sponsor Name/Department: City Manager through Procurement and Planning and Zoning Departments

Public hearing

Ordinance

1st Reading

Advertising requirement:

Quasi-Judicial

Resolution

2nd Reading

Yes  No

### **Resolution No.**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AUTHORIZING THE CITY MANAGER TO ISSUE A WORK ORDER TO ILER PLANNING GROUP, IN THE AMOUNT OF \$126,330.00 IN ORDER TO COMPLETE CITY OF MIAMI GARDENS ZONING CODE/LAND DEVELOPMENT REGULATIONS; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

### **Summary.**

At your meeting on March 23, 2005, Council awarded non-exclusive contracts for professional architectural, engineering and planning services. Iler Planning Group, located in Palm Beach Gardens, Florida, was awarded a contract for planning services.

### **Analysis:**

The Department of Planning and Zoning proposes to hire the Iler Planning Group to complete the City's new Land Development Regulations/Zoning Code. The scope of work to be accomplished is incorporated into the attached Work Order which is summarized below:

- Consultant responsible for complete code; emphasis on enforceable ordinance language.
- Code has two parts, Administration and Standards.
- Part 1, Administration includes responsibilities, procedures, and processes.
- Part 2, Standards a series of individual "schedules" with actual requirements such as sign regulations, a permitted use table with uses by zoning district, area and dimensional requirements (setbacks, etc.), and other technical requirements such as parking, landscape and sign requirements.
- The scope includes a specific outline that provides information and direction for the Consultant.
- Consultant to utilize already-drafted preliminary materials by City
- City to do all GIS/Mapping tasks

- Includes complete legal review by Nancy Stroud, approximately \$15,000
- Public involvement includes six (6) meetings, anticipating at least one and probably two community/workshops
- 10 Face-to-Face Staff Meetings; consultant also recognizes many "iterations," clarifications and feedback encounters, phone calls, emails, etc.
- Microsoft Word format including Word Styles for each paragraph; document is "smart" and will automatically renumber headings, subheadings, sub-subheadings, which will be tied properly to each other; automatically generate table of contents.
- Graphic Illustrations. In addition to graphic illustrations necessary for the Planned Corridor Development Zoning District, a minimum of 20-25 form-based graphic illustrations of basic site plans including but not limited to 2-dimensional and 3-dimensional depictions, renderings, elevations, setbacks, heights, right-of-way and property lines, landscape depictions, appropriate labeling and graphic summary; At least (1) one to depict each zoning district. Also handout materials for each zoning district.
- The Florida Department of Community Affairs has approved this Work Order for a subcontractor under the DCA Technical Assistance Grant approved by Council on January 23, 2008.

**Schedule:** 1 year

**Deliverables:** First deliverable to be new "Planned Corridor Development" zoning district to comply with DCA grant funding agreement; then various % deliverables

**Costs/Funding:**

|           |                                |
|-----------|--------------------------------|
| \$101,330 | General Fund                   |
| \$25,000  | DCA Technical Assistance Grant |
| \$126,330 | IPG Project Cost               |

**Recommendation** – Approve resolution authorizing Work Order with Iler Planning Group in the amount of \$126,330 to complete the new City Zoning Code/Land Development Regulations.

Attachments: Resolution  
Work Order