

MINUTES
Planning and Zoning Minutes
March 1, 2022
6:30 P.M.
Government Center
6601 Main Street, Miami Lakes, FL 33014

1. Call to Order:

Chairman Robert Julia called the meetings to order at 6:44 p.m.

2. Roll Call:

The Town Clerk, Gina Inguanzo, called the roll with the following Board Members being present: Avelino Leoncio, Fred Senra, Raul De La Sierra, Mariam Yanes, Vice Chairperson Lynn Matos, and Chairperson Robert Julia. Board Member Juan Carlos Fernandez was absent.

3. Pledge of Allegiance/Moment of Silence:

Chairperson Robert Julia led the Pledge of Allegiance and Moment of Silence.

4. Approval of Minutes:

- January 4, 2022, Planning and Zoning Board Meeting Minutes

Board Member De La Sierra motioned to approve the minutes with the corrections he provided the Clerk and Board Member Senra seconded the motion. All were in favor and the motion passed 6-0 with Board Member Fernandez absent.

5. Public Comments:

There were no public comments via zoom or in-person in Council Chambers.

6. Business Requiring Board Action

Before speaking on each item, Chairman Julia made a motion to reshuffle the items to start with Item 6E and work their way up to 6A. Boardmember De La Sierra seconded the motion. All were in favor and the motion passed 6-0 with Boardmember Fernandez absent.

a. Sign Ordinance (Dieguez)

Deputy Town Attorney Lorenzo Cobiella, read the title of the Ordinance into the record.

Mr. Cobiella explained this ordinance is not a revision of the entire sign code, this is simply addressing the inconsistencies it currently has regarding political signs and flags.

Boardmember De La Sierra made a motion to approve the ordinance as stated by the Deputy Town Attorney and Boardmember Senra seconded. All were in favor and the motion passed 6-0 with Boardmember Fernandez absent.

b. Swale Ordinance (Dieguez)

Deputy Town Attorney Lorenzo Cobiella, read the title of the Ordinance into the record.

Mr. Cobiella explained this ordinance adds language prohibiting the parking of vehicles on swale areas and allowing the Miami Dade County police department to enforce the code and cite the vehicles.

Chairman Julia asked how this would affect HOA communities if officers cannot go past the gate and Mr. Cobiella clarified that almost all the HOAs now have agreements with Miami Dade police officers to go onto their roads and enforce traffic laws.

Boardmember Yanes asked why the overnight parking time period changed in the ordinance and if it can be kept as not permitted from the hours 12am-6am.

Chairman Julia asked if this ordinance would repeal the other one because it is not outlined in the ordinance presented. Mr. Cobiella stated it would not repeal it, it would simply provide another mechanism to provide citations.

Boardmember Yanes then made a motion to approve the ordinance as written with the non-permitted parking hours being from 12am-6am and Boardmember De La Sierra seconded. All were in favor and the motion passed 6-0 with Boardmember Fernandez absent.

c. Opa Locka Opt Out Ordinance (Pidermann)

Deputy Town Attorney Lorenzo Cobiella, read the title of the Ordinance into the record.

Boardmember De La Sierra asked for clarification regarding if this ordinance is to opt out. Ms. Alonso stated that in 2019 Miami-Dade County rearranged air spaces for the airports and through their ordinances a lot of the land in Miami Lakes surrounding the Opa Locka airport was affected. Some requirements of the Miami Dade County ordinance would limit new business from locating on the East side of Miami Lakes therefore the Town requested of the County an opt out which includes the amendment in the final ordinance. However, the Town must approve their own ordinance to opt out.

Boardmember De La Sierra then asked how will this affect the opening of NW 59th and Ms. Alonso stated it won't directly be affected because the 59th bridge is designed to be right outside the runway protection zone.

Chairman Julia then made a motion to opt out of the strictest reading of the current code and allow flexibility to implement some things but not others. Boardmember De La Sierra seconded the motion. All were in favor and the motion passed 6-0 with Boardmember Fernandez absent.

d. Golf Cart Ordinance (Rodriguez)

Deputy Town Attorney Lorenzo Cobiella, read the title of the Ordinance into the record.

Boardmembers posed questions to Deputy Town Attorney, Lorenzo Cobiella and Principal Town Planner, Susana Alonso regarding the terms of the golf cart ordinance such as the citations, restrictions, requirements, application fees, etc.

Cobiella stated they are in the process of working with the Miami Dade County Police Department to have them enforce the Town's ordinances. They are also working on entering conversations with the Clerk of Courts so that they are the ones who process any citations.

Boardmembers, Mr. Cobiella, and Ms. Alonso all discussed how utilizing a golf cart on the roads would be an added option for multi-mobility in the Town. Ms. Alonso highlighted that although there will be an increase in golf carts on the street, there will also be a decrease in vehicles. She added that golf carts take up less space on the roads and reduce traffic time.

Chairman Julia stated that the Board has advised the following points for the ordinance: change the code subsection to 29, a time restriction to not be out late at night, a minimum speed of 15mph, annual fees, proof of driver's license, insurance, and registration, and the inclusion of car seats.

Boardmember Yanes then made a motion to submit the ordinance with the advice that Chairman Julia reviewed. Chairman Julia seconded the motion. The motion passed 5-1 with Boardmember Leoncio in opposition and Boardmember Fernandez absent.

e. Foreclosure and VPO Ordinance (Pidermann)

Deputy Town Attorney Lorenzo Cobiella, read the title of the Ordinance into the record.

Mr. Cobiella invited Mr. Tony Figueroa to come to the podium and present on this item. Mr. Cobiella then explained that this ordinance would be for properties that are affected by foreclosure. It'll allow banks to register with the Town and begin communications in which the Town can provide criteria on how to maintain the property. Code enforcement would also be able to go directly to the bank if any issues arise with the property.

Mr. Figueroa then explained in depth the program and his involvement if the Town of Miami Lakes adopts it. If adopted, banks would have to pay a registration fee to register with the Town and provide contact information if there are any issues. He stated the main purpose of this

ordinance would be to give the bank financial responsibility of upkeeping the property and complying with the code rather than putting the financial burden on the Town and taxpayers.

Boardmembers then discussed the registration fee, safeguards to prevent insider information, lis pendens process, the difference between vacancy and abandoned, as well as inconsistencies within the text of the ordinance.

Boardmember Yanes expressed issues with subsection B regard registering a house as vacant based off a 30-day vacancy or the cancellation of utilities/services. Boardmember Matos stated there needs to be a better definition of vacant versus abandoned as well making the registration requirement 90-days rather than 30. Chairman Julia noted there are a lot of inconsistencies and contradictory terms throughout the ordinance that he recommends against.

Boardmember Julia then made a motion to clean up the ordinance and bring it back to the Board to provide commentary. Boardmember Matos seconded the motion. All were in favor and the motion passed 6-0 with Boardmember Fernandez absent.

7. Director's Report

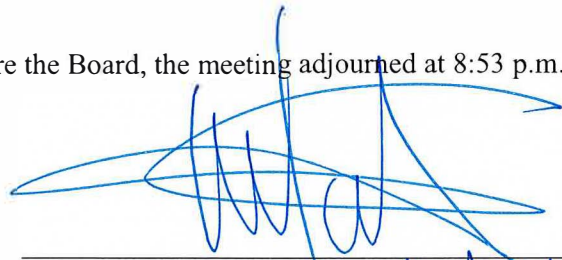
None.

8. Adjournment

Before adjournment, Chairman Julia stated that at the next meeting when the Board votes for chairman and vice chairman, he feels as though the position of chairman should be a rotating thing although he is more than proud to serve as chairman.

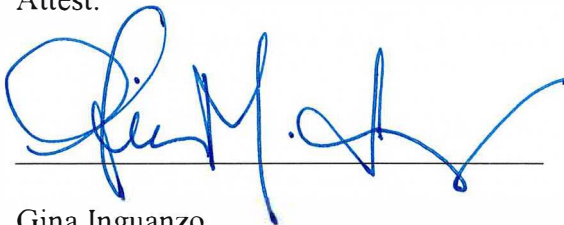
Principal Town Planner, Susana Alonso then introduced the new Deputy Town Clerk, Victoria Martinez who will be apart of the Planning and Zoning meetings starting May. Boardmember Matos then shared a story about how Ms. Martinez and expressed how happy she is to have Ms. Martinez in the Town.

There being no further business to come before the Board, the meeting adjourned at 8:53 p.m.



Vice ~~Robert Julia~~ → *Nyphette A. Matos*
Chairperson

Attest:



Gina Inguanzo
Town Clerk