



City of North Miami Beach, Florida

Community Development Department

Planning and Zoning Board Meeting Minutes

Monday, November 10, 2025 - 6:00 P.M.

Mark St. Vil called the meeting to order at 6:04 PM

1. Call to Order

Board Members:

Mark St. Vil, Chair
Daniel Heisler
Julian Kresiberg
Gregory Thomas
Ruth Ogen

Staff:

Zafar Ahmed, Comm. Devel. Director
Mitchell Austin, Assistant Comm. Devel. Director
Daniel Lozandier, Senior Planner
Javier Parra-Garcia, Planner

Absent:

The Pledge of Allegiance was recited.

2. Approval of Minutes and Next Meeting Date

Minutes of the July 14, 2025 meeting have been approved

Next Planning and Zoning Board Meeting Scheduled for December 8, 2025

3. Chair Report

NO REPORT

4. General Public Comments

NO COMMENTS

5. Quasi-Judicial Public Hearing



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NO ITEMS

6. Legislative Items

I. Sustainability Master Plan

- a. Mitchell Austin, Assistant Comm. Devel. Director Presents at 6:08 PM
- b. Julian Kreisberg, Board member, asks if this is the prerequisite for City Commission
- c. Mitchell answers yes, as the designated local planning agency, as required by Florida Statute, the Planning and Zoning Board sits to provide advice or recommendations to the elected body, the City Commission, and Mayor regarding Planning items.

Motion made at 6:15 PM for approval by Gregory Thomas and was seconded by Julian Kreisberg

Chair, Mark St. Vil	YES
Daniel Heisler	YES
Ruth Ogen	YES
Julian Kreisberg	YES
Gregory Thomas	YES

II. Home-Based Business Ordinance

- a. Mitchell presents at 6:34 PM
- b. Daniel Heisler, board member, says this is to clean up to comply with Florida Statutes.
- c. Mitchell responds yes, that's the intent. One of the things that Community Development leadership staff pointed out in the commission budgetary workshop earlier this year, was that working with this code we are new to, because we both the director and I have been here less than a year, is that there is a lot of antiquated language in our code of ordinances and a lot of inconsistencies



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because the AD HOC nature that typically occurs with adopting code of ordinances and working with them over time and updating. So it's a priority for us to engage in this update process as we find things that are pertinent and relevant to things that we're encountering. Business Tax Receipt application is one of those things that we encounter on a fairly regular basis. So we need to get this cleaned up for operational efficiency.

- d. Ruth Ogen, board member, asks how the city will verify if a home-based business exists. Some people would try to avoid paying. How can you verify if there is a business?
- e. Mitchell Austin responds that enforcement is a constant problem even on commercial properties. We have business that routinely opens, and because they have to go through the Department of Environmental Protection approval process at Miami-Dade County, and are issued a receipt for having paid the fees. Many businesses, especially the people that are new to the business community, think that's all they need, and they fail to come to us to get the local business tax receipt from the municipality. That's not a North Miami Beach problem; it's a universal issue county-wide.
- f. Ruth responds I understand but they have a location in a commercial area but in a residential area, how would you verify?
- g. Mitchell Austin responds so it would be a complaint driven process just like most code compliance. There is no way to proactively patrol with code compliance officers to see if somebody is operating a home based business in their residence. What we have found recently with a couple of applications that have come through, they need to make sure they have this in order to get business loans or lines of credit. Otherwise, there is no way to proactively patrol.
- h. Mark St. Vil, Chair, identifies a scrivener's error in the attached ordinance, second page, section (two) 2, subsection (two) 2, you are missing a Y on the word "applying" for business tax receipt.
- i. Mitchell acknowledges error.
- j. Mark says I understand what's going on. Unfortunately, I've been around government a long time, so I know that it's not a random occurrence that one section says something that completely contradicts the second section. I understand that twelve (12) is coming in to define things that are not mentioned in twenty-four (24)



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so hopefully it will put us all on the same path. I have no further questions.

- k. Mitchell mentions that the scrivener's error will be pointed out and corrected before this goes to the city commission.

Motion made at 6:52 PM for approval by Gregory Thomas and was seconded by Ruth Ogen

Chair, Mark St. Vil	YES
Daniel Heisler	YES
Ruth Ogen	YES
Julian Kreisberg	YES
Gregory Thomas	YES

III. Public Notice Zoning Amendment

- a. Mitchell Austin presents at 6:53 PM
- b. Mark St. Vil asks if this impacts the large posterboard requirement.
- c. Mitchell Austin responds the posting of the property is still required by Florida Statute. This is exclusively for the legal ads and transitioning from the newspaper to the approved county-wide website.
- d. Mark asks if applicants are going to be advised that the city is now operating on the county's website. Is this going to be an initiative where you're putting information out so people know to update? Or is there a plan contemplated in the proposed budget and which do you think we're going to have as far as savings compared to last year?
- e. Mitchell responds operationally if this ordinance is adopted, yes we would notify applicants during the pre-application phase of fees associated with their proposed application. So in that process, we would notify them that the advertisement fees would be x,y, and z instead of a, b, and c.



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- f. Mark asks so it's not going to be a full outreach; it would be applicant-based when they are coming in.
- g. Mitchell responds correct.
- h. Ruth Ogen asks once it's approved by the commission, when does it go into effect?
- i. Mitchell Austin responds so it is an ordinance, and it has to be read twice. So if the first reading is in December, the second would be in January. The proposal is for it to go into effect immediately. However, the wild card is the final approval of the interlocal agreement. The resolution is on the city commission agenda for November 17. However the interlocal agreement has to be executed between the city and Miami Dade County. I'm not sure how long that administrative process will take.
- j. Ruth asks about advertising to the herald at least once annual
- k. Mitchell responds yes one time annually, we would have to advertise, notifying the public that our legal ads for general purposes are located in the Miami-Dade County website. Several other adjacent municipalities across the county are already participating in this with Miami-Dade County. Hialeah and Miami Gardens are in the list of seven (7) or eight (8).
- l. Gregory Thomas asks about the cost avoidance numbers, does it include the cost to maintain this. I assume you have to have a staff member run this by whoever needs to see it. Was that expense included?
- m. Mitchell responds so as far as what staff has on the table on the screen. The Miami Dade County website, that number includes, I believe, three (3) seats for Planning and Zoning staff to post those legal ads on the Miami Dade County Website and then the annual advertisement with the Miami Herald. In terms of legislative items, those would be the only costs on an annual basis. For Zoning applicants, the Land Development Fee Schedule allows the city to charge actual fees for the advertisement, so currently that's under seventeen hundred dollars (\$1,700) per ad with the Miami Herald and an additional two hundred dollars (\$200) for processing a legal ad. That administrative processing fee would be retained in the process. Given the value of the processing fee and the use of the website for both legislative and zoning applications its possible that would be the only fee the two hundred dollars (\$200) but that has to be evaluated once we get the real numbers.



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Motion made at 7:10 PM for approval by Gregory Thomas and was seconded by Julian Kreisberg.

Chair, Mark St. Vil	YES
Daniel Heisler	YES
Ruth Ogen	YES
Julian Kreisberg	YES
Gregory Thomas	YES

IV. Workforce and Hero Housing Ordinance

- a. Zafar Ahmed, Community Development Director, presents at 7:12 PM
- b. Daniel asks how it will be enforced.
- c. Zafar responds before the rent agreement is signed by the developer or property manager, they have to send the application to Community Development for employment verification. Once they are verified, they can qualify for the rent.
- d. Daniel asks so for each applicant they would send the city information once a year?
- e. Zafar responds once a year. If there are 20 units we have to certify that the applicants qualify for the rent. These include police, doctors, nurses, teachers qualify for this program.
- f. Daniel responds so basically what you're doing is incentivizing the developer to introduce smaller size units into the marketplace?
- g. Zafar responds yes so that their development would have additional units dedicated to workforce housing.
- h. Daniel asks smaller?
- i. Zafar responds smaller up to three (3) bedrooms would be considered as one (1), two (2) bedrooms would be point seven five (.75), one (1) bedroom would be point five (.5) or studio.
- j. Daniel asks how would this impact or would it impact condominium sales?
- k. Zafar responds this is not a sale program, it's a rental program, a density bonus program. We are not offering any other incentive.
- l. Daniel asks how this compares with live local act?



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- m. Zafar responds live local act is something different because it takes into consideration maximum densities. It allows developers to build at the highest possible densities within a certain area. This is only valid in the mixed-use districts. We cannot exceed the densities in those areas or the height. Within the current requirements, we are proposing a way to provide additional units that will be affordable.
- n. Daniel asks about streamlining the permit process and the amount of time it takes to get a project off the ground. Does this address that?
- o. Zafar responds there is a separate incentive program, an ordinance that I'm working with the city commission that will introduce something to that effect but this is strictly a bonus program. It's not about development fees or rebates or financial incentives.
- p. Daniel Heisler asks and it works in Orlando?
- q. Zafar responds that there is one in Orlando and one in Fort Lauderdale. I did some research that developers have introduced, and it's working.
- r. Daniel says when you chop things up, I'm not crazy about the whole thing. When you make things smaller, it actually adds costs to the development.
- s. Zafar responds it's not chopping after the fact. It's the additional units that are a proportionate size but are smaller than the regular sizes.
- t. Daniel says I'm in commercial real estate, when I have a big space and I have to divide the space into smaller spaces. It's much more costly. The walls, kitchens, bathrooms, and all this stuff are going to cost more for the additional units.
- u. Zafar responds that cost is a different factor. This is about additional units. How do you provide units within the same capacity that is approved?
- v. Daniel says you want to encourage the developer to offer a lower rate for those who meet the criteria, but in order to do that, you have to lower the cost of the development somehow. So the developer can afford to do the workforce housing.
- w. Zafar responds agreed, commissioner Chernoff has an initiative in place. It was already considered in a prior commission meeting; it required some additional work, and the commission has sent it



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back to us for further revision. The commission is aware that this is an issue. This is strictly to provide additional units within the requirements.

- x. Ruth asks will a one-bedroom in the workforce housing be the same size as a market rate one-bedroom?
- y. Zafar responds yes, that is one of the criteria, it has to be the same specifications, same sizes, same finishes no different from any market rate unit. It also must be found and accessed like any market rate unit.
- z. Ruth asks let's say the development would have one hundred units (100), they would now be able to have one hundred and thirty units because the one bedrooms would be counted as halves. So all the units in the development are going to be smaller because you're cramming more units in the same footprint. So a one bedroom that is one thousand (1000) square feet is going to be eight fifty (850)?
- aa. Zafar responds They are both going to be the same size, it doesn't change that.
- bb. Ruth asks about the Building Department enforcing this.
- cc. Zafar responds its not the Building Department, it's the Community Development Department. It's an agreement that the property manager has to sign with the city
- dd. Mark says that their selling point is that there are going to be upfront costs, and it's going to be 20 years of having to be subject to this program. After that period, you can go market rate. City of Miami down in Brickell is doing this by increasing the height of the building.
- ee. Zafar says this program is to find a solution and work with the limitations we have based on infrastructure and development needs
- ff. Joseph Geller, City Attorney, says that from a developer's perspective, what is going to raise the cost for a developer is going to increase height. As long as the footprint and height remain the same, there will be no additional costs for the developers. There are going to be other funds available for the fact that their incorporating workforce housing into their development. The additional cost savings will come in the form of tax abatements and other incentives that are available locally, state level, and federally for including workforce housing. Eventually, in 20 years



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when the units go market rate, there will be an increase in revenue due to the additional units.

- gg. Mark asks about the summary in the provision in subsection 3 which talks about bonus density requirements. It states that they are capped at thirty percent (30%) for two-thirds of the bonus units to be affordable or hero housing.
- hh. Zafar responds that they can't just have proportional units and then unlimited. They cannot have more than thirty percent (30%) allocated to the workforce. So if there is a 200-unit development, thirty percent of those units can be allocated for workforce housing. With this proportionate density, you can add another fifteen(15) or twenty (20) units within that envelope.

Motion made at 7:45 PM to accept by Julian Kreisberg and was seconded by Gregory Thomas

Chair, Mark St. Vil	YES
Daniel Heisler	YES
Ruth Ogen	NO
Julian Kreisberg	YES
Gregory Thomas	YES

V. Land Development Fee Study

- a. Mitchell Austin presents at 6:16 PM
- b. Julian Kreisberg asks if we are just accepting this study but were not putting it into effect.
- c. Mitchell Austin responds the resolution is to accept, if the mayor and city commission adopt the resolution accepting the study. The implementation that is called for in the resolution, directs the city manager and his staff to draft a revised ordinance to be considered by the mayor and city commission to enact the study's findings.
- d. Mark asks if it will be presented with the figures that are attached as Exhibit A, Correct?



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- e. Mitchell Austin responds Correct.
- f. Mark asks and is this whole impartial, or can we make recommendations if we want but can the city commission also make changes to the findings that Raftelis came up with? I'm reading in the little summary and it says they look at municipalities throughout the country and my concern is are we also in line with local municipalities, are we in line with what we're seeing in Dade and Broward Counties?
- g. Mitchell Austin responds the study parameters, and the consultant can speak to this in depth at the city commission meeting. Unfortunately, the way the contract was structured, we only have one presentation from them. The consultant works nationwide and internationally to some extent. They have a database of all these things and do perform extensive work in the state of Florida and within south Southeast Florida to Miami-Dade, Broward, and Palm Beach Counties. So they do have relevant data to look at. The final calculation on how the fees are supposed to be structured are based on the individual process or processes that we as staff laid out for them in the interview they did of our staff to determine how things move through the process from submittal to approval of city commission.
- h. Mark says so they are able to compare the workflow of the process in comparison to what's actually being charged from other municipalities to come up with some type of equation that takes into account both factors.
- i. Mitchell Austin responds what the comparison with other Municipalities is regarding, does our process seem reasonable, is it similar to those. Our costs are directly derived based on the total compensation hourly rate that our employees are receiving.
- j. Daniel asks about the cost of the study.
- k. Mitchell responds I don't have that figure off the top of my head. This purchase order for this study was also combined with land development fees and building permit fees. There was some policy question regarding the building department enterprise fund, to building permit portion of this project is nowhere near close to complete. So the total project is somewhere in the order of one hundred fifty thousand dollars (\$150,000) but I'm not sure what percentage of that this study presents. I can get that answer for you and provide it to the board members via email. So it's the



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smaller portion of the purchase order because this part of the project was less complicated than the Building permit fee portion.

- I. Daniel asks if it would make sense to tie an increase of the fees to CPI every year or every x number of years?
- m. Mitchell responds that it is not documented in the information that you received because we are still receiving more information from the consultant even as late as Friday of last week. That's part of their recommendation is to tie this in some way to increases, not necessarily into CPI but into the direct employment costs that we have on an annual basis. Then have a comprehensive five (5) year look, which given the data tables that we have as part of the deliverables from the consultant, we can actually do that in-house.

Motion made at 6:32 PM for approval by Julian Kreisberg and was seconded by Daniel Heisler

Chair, Mark St. Vil	YES
Daniel Heisler	YES
Ruth Ogen	YES
Julian Kreisberg	YES
Gregory Thomas	YES

7. Discussion

- I. **Miami-Dade County Local Mitigation Strategy**
 - a. Mitchell presents at 7:47 PM

8. Staff Comments



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9. Upcoming Meeting

The next Planning & Zoning Board meeting is scheduled for Monday, December 8, 2025

10. Adjournment